

difficulty with one or two of the prisoners, to get an excuse to justify the act? Have you heard from the whole of this trial, or did you ever hear one solitary excuse for doing what was done? The next thing we hear is the evidence of Joseph Nolin, which must have commenced immediately after the scuffle at Scott's door. His evidence in this: "I reside at Point de Chene since the summer of 1869. During the winter of '69-'70 I resided at St. Beniface; I have known the prisoner for a long time; I was one of the party at that time at Fort Garry; I went there in January, and left in May; at the time I went, it was the Provisional Government who had possession, and when I left, it was so called; Riel was President, the prisoner was Adjutant-General, George Goulet was Lieut.-General; there were captains by the name of Baptiste Lepine, Joseph Delorme, André Nault, Ritchot and Lajmoniere. I did not know O'Donohue; I was secretary to the prisoner; there were some prisoners taken in February; I heard there were prisoners in the Fort; I heard there were prisoners there before the Portage prisoners, and I know where the Portage prisoners were kept; they were kept under guard; I knew Thomas Scott; I knew him to be one of the Portage prisoners; he was kept in the same building as the rest; my duties as secretary to the prisoner were to attend to the Council of Captains; I kept an account of the stores; towards the spring they were written, and orders for the Captains were made by the Adjutant-General; I wrote them out and delivered them to the Captains; these orders were written daily by the prisoner; I did nothing except by the orders of the Adjutant-General; the soldiers were paid in goods and provisions. On the evening of the 3rd of March, Scott was tried by a council of war—the same evening that Murray describes what took place in the guard-room. The prisoner presided at the council. There were at the council acting Ritchot, André Nault, Elzear Goulet, Elzear Lajmoniere, Baptiste Lepine, Joseph Delorme. I was secretary of the council. On the evening of the 3rd of March the meeting was for the purpose of trying Scott, to examine what evil he had done. (The Judge here remarked parenthetically that one cannot help being reminded of an event that took place 2000 years ago, "To see what evil he had done.") Scott was not present at the examination. There were some witnesses examined who saw what Scott had done. Riel was one, Ed. Turner was another, Joseph Delorme was another. I think there were others. These witnesses were examined by the Captains who composed the council. While the witnesses were examined, Scott was not present. The witnesses were sworn by me; I do not remember what evidence was given; Scott was accused of having rebelled against the Provisional Government and of having struck a captain of the guard; there was only one who made a speech, viz: Riel; I remember he spoke against Scott; after the evidence, Scott was brought before the council; Riel asked me to read to Scott what had passed before the council; I did not read anything, as I had taken only notes; then Riel explained to Scott himself the evidence which had been given before the council in English; he was then condemned to die; Riel told Scott before he left the room that he must die; after Riel had explained the evidence to Scott, he asked him if he had anything to say; Scott said something, I do not know what; Riel did not ask him if he had any witnesses; no written accusation or charge was given to Scott; the taking and giving of evidence, the bringing in of Scott, the speech of Riel, his explanations to Scott, the decision of the council and condemnation were all done within two or three hours; the council commenced its sittings between 7 and 8 o'clock and concluded their labors at one sitting." Now, gentlemen, you take the evidence along with that of Murray who says with Mr. Young that it was very short work. If the witnesses are to be believed, no formal resolution was recorded of the condemnation. Nothing formal was written down that evening. "I took some notes in pencil of the proceedings. The notes in pencil I refer to were notes of the evidence. The next day I transcribed these notes. I gave them to the Adjutant-General (the prisoner.) The first motion for death was moved by G. Ritchot, seconded by André