

shall have jurisdiction to confirm the conviction or to order a new trial; and the mode of such appeal, and all particulars relating thereto, shall be determined from time to time by ordinance of the Lieutenant-Governor in Council.

The militia general court-martial referred to in the paragraph dealing with chap. 14, Acts 1867-68, section 2, is to be composed of officers of the militia, no officer of Her Majesty's regular army on full pay being allowed to sit on such court-martial. Presumably, however, the latter when not on full pay in the regular army, can be on the court-martial.

It thus appears that there are two processes by which Riel can be tried: First, by a militia general court-martial, and, second, by the ordinary civil tribunals of the North-West. As an American citizen, he can be tried in the same way as if he were still a subject of Her Majesty in Canada. There is no complication, as will be seen, arising from the fact of his being legally a foreigner. As to those misguided individuals who, being subjects of Her Majesty in Canada, levied war in Canada with Riel, a citizen of a foreign country, the law provides that they may be tried either by militia court-martial or by the civil tribunal, as already mentioned, and the punishment on conviction is death as felons. In short, the tribunal may be a militia general court-martial, composed of militia officers and officers in the regular army not on full pay, or it may be a stipendiary magistrate and one justice of the peace with a jury of six. The trial may be anywhere in the North-West Territories. There is an appeal to the Court of Queen's Bench in Manitoba. The sentence that must be passed upon Riel and his associates on conviction is the death sentence. —*Ottawa Correspondence of the Toronto Mail.*

THE BATTLE OF BATOCHÉ, AND CAPTURE OF LOUIS REIL.

A COMPLETE VICTORY.

THE OFFICIAL DESPATCHES.

In the House of Commons, at Ottawa, on the 15th inst., before the orders of the day were called, the Minister of Militia said:—"I desire to read to the house a more lengthy report of the battle at Batoché which I have received from Gen. Middleton, and which will be of interest. It is as follows:—

"FROM BATOCHÉ, N.W.T., May 12.

"To the Hon. A. P. Caron.—

"Since my last evening despatch to you I have ascertained some particulars of our victory, which was most complete. I have myself counted twelve half-breeds on the field, and we have four wounded half-breeds in hospital and two Sioux. Among the wounded half-breeds is one Amboise Joubin, a councillor, and Joseph Delormes. As far as I can ascertain, Riel and Gabriel Dumont left as soon as they saw us getting well in, but I cannot ascertain for certain which side of the river he is on, but think he must be on this side. The extraordinary skill displayed in making rifle pits at the exact proper points, and the number of them, is very remarkable, and had we advanced rashly or heedlessly I believe we might have been destroyed. As I told you, I reconnoitered my right front with all my mounted men yesterday morning with a view to withdrawing as many of their men from my left attack, which was the key of the position, and on my return to camp forced on my left and then advanced the whole line with a cheer and a dash worthy of the soldiers of any army. The effect was remarkable. The enemy in front of our left was forced back from pit to pit, and those in the strongest pit facing east, who found themselves turned and our men behind them, then commenced a *surve qui peut*, and they fled, leaving blankets, coats, hats, boots, trousers, and even guns in their pits. The conduct of the troops was beyond praise, the Midland and 10th Regiments vieing with each other, well supported by the 90th, and flanked by the mounted portion of the troops. The artillery and Gatling also assisted in the attack with good effect. When all behaved so well it might appear invidious to mention particular names, still there are always some one who, by good luck, are brought before the eye of the commanding officer, and these names I shall submit to you later on. My staff gave me every assistance, and were most energetic and zealous. The medical arrangements, under Brigade Surgeon Orton, were as usual, most excellent and efficiently carried out. I have to regret the death of three officers, as well as two soldiers, but they died nobly and well. I

found no want of ammunition among the enemy, or food, in spite of what has been said to the contrary, and we found large quantities of powder and shot. Nearly the whole of the rebels' families were left, and are encamped close to the river bank. They were terribly frightened, but I have reassured them and protected them. There is a report that Gabriel Dumont is killed, but I do not believe it, though I think it likely he is wounded. One of the killed has been recognized as Donald Ross, one of the Council. Yesterday evening, just as the action was finished, the *Northcote* and *Marquis*, steamers, arrived up, the latter having twenty-five police on board. It appears that the *Northcote* had a hard time of it, as the rebels fired at it very heavily, and though it was well fortified the rebels managed to wound two men slightly. The *Northcote* got on a shoal for a short time, but managed to keep the enemy off and to get off themselves. Finding that owing to the barges alongside they could not go up stream again, they decided to run down to the Hudson Bay Crossing, and get rid of them and return. At the Crossing they found the other steamer and came up together. This morning I sent out a letter addressed to Riel as follows.

"BATOCHÉ, May 11.

"Mr. Riel, I am ready to receive you and your Council, and to protect you until your case has been decided upon by the Dominion Government.

"(Signed) FRED. MIDDLETON,
Major-General, Commanding North-West Field Forces."

"I cannot of course be certain, but I am inclined to think the complete smash of the rebels will have pretty well broken the back of the rebellion. At any rate, it will, I trust, have dispelled the idea that half-breeds and Indians can withstand the attack of resolute whites properly led, and will tend to remove the unaccountable scare that seems to have entered into the minds of so many in the North-West as regards the prowess and powers of fighting of the Indians and half-breeds. There is not a sign of the enemy on either side of the river for miles.

"(Signed) FRED. MIDDLETON."

Subsequently, at 2.45 to-day Mr. Caron said:—"I wish to read a telegram received from Gen. Middleton confirming the capture of Riel." The telegram is couched in the following terms.

"CLARKE'S CROSSING, May 15.

"Riel my prisoner.

"FRED. MIDDLETON."

No applause or demonstration of any kind was called forth by the reading of this despatch. [Since the above was in type, despatches published in the daily papers show that Riel surrendered to three of Col. Boulton's scouts, who delivered him unharmed to General Middleton.—ED.]

The *Canadian Militia Gazette* just launched will, we hope, have a longer and more prosperous career than previous publications that have endeavoured to execute the useful mission now again attempted. The subscription price (only \$1.50 per annum) should not prove an obstacle to a wide-spread support. While we approve, as a general rule, of impersonal journalism, we are inclined to think it is better that the personality of the proprietors or publishers of a new publication should be given to the world. People do not nowadays readily remit subscriptions to any quarter without knowing something definite as to the commercial standing of the other party to the contract. Though Toronto is generally held to be the best point in Canada from which to make literary ventures, Ottawa certainly offers some advantages as the local habitation of a militia organ. The first number of our new contemporary promises well for its future.

Answers to Correspondents.

JARVIS; Ottawa.—Thanks for the excellent portrait.
J. D. H., Fort McLeod.—Photographs received. Thanks.
J. H. C., Walkerton.—Thanks for the information. We shall not overlook the 32nd.
J. McC., St. Boniface.—Communication received with thanks.
HALL & LOWE, Winnipeg.—Your excellent photographs received. Shall make good use of them, as occasion offers. Have obtained portrait of the D.A.G. from Ottawa.
PATRICK SLAVEN, Napanee.—Your letter received and suggestion approved. Can you furnish photograph of the officer in question?
P. M., Toronto.—Thanks for your suggestions. The officers of the Toronto Ladies' Association preferred that their portraits should not appear, for reasons already published. We have sent for the other photographs you mention, and hope to reproduce them soon.

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THE CANADIAN PICTORIAL

AND

ILLUSTRATED WAR NEWS

IS PUBLISHED WEEKLY BY THE

Grip Printing & Pub. Co., Toronto.

Price, 15 Cents per Copy.

It contains Graphic Illustrations of Experiences of the Volunteers and events transpiring at the Front in connection with the North-Western Rebellion; portraits of principal Officers, and illustrations of places of interest in the North-West. The paper consists of twelve pages 12 x 18 inches, printed and lithographed in tints, on good paper.

No. 3 was issued April 18th. It contained the following illustrations:

"A" Battery in the Touchwood Hills; Stuck in a Snow-Bank; Midnight Tramp of the Royal Grenadiers; A Parade of Major Crozier's Command at Battleford; Lord Melgund; Major Crozier; Col. Miller, Q.O.R.; Quelling Mutiny of the Teamsters; Arrival of the Royal Grenadiers at Camp Desolation; Marching into Quarters at Port Monroe; An Occasional Spill; Cold Comfort in a Flat Car. Besides the above numerous illustrations, a large two-page cartoon by Canada's Cartoonist, J. W. Bengough, deals with the question "Who is Responsible?" It is without doubt one of the best efforts of this clever artist. This number is having a tremendous sale.

No. 4 was issued April 25, and contained the following illustrations:

Lord Melgund's Scouts Surrounding Three of White Cap's Warriors; Col. Otter's Brigade on the Line of March; Trying the Gatlings; Steamers Loading at Medicine Hat; The Midland Battalion's Departure from Winnipeg; Reading Battalion Orders in the Drill-Shed, Hamilton; The Winnipeg Light Infantry Preparing for Service; Portraits of the Minister of Militia, Lt.-Col. Oulmet, Lieut. Morrow, etc.

No. 5, published May 2nd, contained the following illustrations:

Major-Gen. Middleton and his A.D.C. (Equestrian Portraits); The Relief of Battleford; Incident in connection with the Fort Pitt Garrison; Typical sketches in the Drill Shed, Hamilton; Whole Page Group—Portraits of the Rebel Leaders; The Battle of Fish Creek.

No. 6, published on the 9th May, contained the following illustrations:

The first Expedition for the Relief of Battleford Attacked by Half-breeds; Solemn Scene after the Battle of Fish

Creek; The 7th Battalion (Fusiliers), of London, entertained at Port Arthur; the Ottawa Sharpshooters (G.G.F.G.) at Winnipeg; Commencement of the Fight at Duck Lake; Advance Guard of the Royal Grenadiers passing Humboldt; Men of "C" Company (Infantry School) Returning from a Rabbit Hunt. Also a splendid two-page supplement, entitled "Toronto Ladies Receiving and Packing Contributions for the Volunteers at the Front."

No. 7, published on the 16th May, contained the following illustrations:

A brave Scout's untimely end; Camp of the 7th Battalion (Fusiliers) at Winnipeg; The Battle of Cut Knife Creek; Scenes with the North-West Field Force; Portraits of Interest. Also a two-page Cartoon (by J. W. Bengough), entitled "And Now For Business," in which Major-General Middleton is represented as preparing to strike the decisive blow against the Rebels.

Copies of any of the above numbers can be obtained from local booksellers, or will be sent, postpaid, on receipt of price by the publishers.

Future issues will be mailed from the office of publication on date of issue to all persons ordering in advance.

The publishers have an artist accompanying the expedition, and many of the above illustrations are from his sketches.

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