

me, even coming from the source it does. An examination of the accompanying papers, and a consideration of the facts, will demonstrate how unfounded and malicious is the whole accusation.

I repeat the amendments in the two writs became necessary by Mr. Carey who drafted them, not observing carefully the change made in the sittings of the Court of Queen's Bench as a Court of Oyer and Terminer, &c., in the Manitoba Act 38 Vic., chap. 12, secs. 3 and 5—a perfectly proper proceeding—and the return of the Sheriff endorsed on the back of the writ of *exigent* shows that he executed it according as it is amended. The effect of 38 Vic., chap. 12, was to make the writs returnable to the Court at its sitting as Court of Oyer and Terminer, &c., instead of to the Court sitting *in banco*; and the effect of the amendment was to make the writs returnable to the former Court thirteen days before the latter Court. That was all; a thing perfectly proper and necessary, and in no way affecting Riel prejudicially and absolutely necessary to the *pro forma* proper proceedings of the case.

### A.

#### CANADA, PROVINCE OF MANITOBA, WINNIPEG.

##### COURT OF QUEEN'S BENCH (CROWN SIDE).

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland,  
Queen, Defender of the Faith, &c.—

To Edward Armstrong, Sheriff of the Province of Manitoba, &c., GREETING:

We command you that you omit, not by reason of any liberty in your bailiwick, but that you enter the same, and take Louis Riel, of the parish of St. Vital, in the county of Provencher, in the Province of Manitoba, gentleman, if he should be found in your bailiwick, and him cause to be safely kept, so that you have his body before our Justices of our Court of Queen's Bench, sitting in term at the city of Winnipeg, in the county of Selkirk, in the Province aforesaid, for the trial of causes criminal and civil, and holding Assizes of Oyer and Terminer and General Gaol Delivery for the Province of Manitoba, on the tenth day of February next ensuing, to answer unto us concerning divers trespasses, contempt, and felonies of which he is indicted, and have you then and there this writ.

Witness the Honorable James Charles McKeagney, Senior Puisné Judge of Our said Court of Queen's Bench, at Winnipeg aforesaid, this nineteenth day of November in the year of Our Lord one thousand eight hundred and seventy-three, in the thirty-seventh year of Our Reign. One marginal reference is good.

DANIEL CAREY, Clerk of the Crown and Peace.

The within named defendant is not found in my bailiwick.

The answer of E. ARMSTRONG, Sheriff.

Sheriff's Office, 10th February, 1874.

### B.

#### CANADA, PROVINCE OF MANITOBA, WINNIPEG.

##### COURT OF QUEEN'S BENCH, (CROWN SIDE).

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland,  
Queen, Defender of the Faith, &c., &c.

To Edward Armstrong, Sheriff of the Province of Manitoba—GREETING:

We command you, as we have before commanded you, that you omit not by reason of any liberty in your bailiwick, but that you enter the same and take Louis