

criminal offence
of view, from
made of him an
alone liable to
ce was less, so
will be thought,
ere committed.

nuanee of the course of conduct which the prisoner then determined to adopt, it is highly material to ascertain what degree of credit is due to this confession. At the time of making it he was under illegal duress—he was in the hands of the enemies of his masters—he was far from any Court wherein redress could be sought—the man who addressed him had been long his officer and possessed, therefore, an habitual ascendancy over him—that officer too a foreign officer, unacquainted with the Criminal Code of England, and a most zealous partizan of the enemies of the masters of the prisoner.

No principle is
or the fear of
mediate motive,
oods of Owen
he who killed
ately rejected.
principal share
en as evidence
of the killing.

Under these circumstances, it was to be expected that the prisoner might admit himself to be guilty, but would throw the whole blame of the transaction on his masters; thereby conciliating his enemies, securing the protection of his old officer, and freeing himself from confinement. Not being expected to swear to his confession, he would feel that he had the power, so soon as he found himself under the protection of the Law, to tell the truth. Accordingly the prisoner is stated, by Captain D'Orsonnens, to have told him that, some days after the arrest of Kevény, "a Council was held, at which were present Mr. Alexander M'Donell, Mr. Archibald M'Lellan, Joseph Cadotte, Cuthbert Grant, and several other *Métifs*; that he, De Reinhard, was present, (not as one of the Council); and that it was resolved, that Kevény was a man of too great consequence, and that he ought to be killed, but not there among the Indians; and that he had, in consequence, been sent in a canoe to Lake La Pluie. That by dint of the solicitations of a man named Mainville, who had consented to kill him, he (De Reinhard) agreed to see that Mainville *did do it*." "Being come to a place called the Dalles, in the River Winnipic, Kevény required to go on shore, which De Reinhard granted, and when Kevény came to re-embark he, De Reinhard, said that it was the proper time.—Mainville immediately discharged the gun, and wounded him in the neck; when, as an act of humanity, seeing that he could not live, he ran his sword twice through his body to prevent him from suffering; and, according to all he had heard from his masters (*bourgeois*), he was in the belief that he would have done a meritorious act even had he killed him himself, and that he should have done the same to any other Englishman; having, at a council of war some time before, heard the Indians solicited to make war on the colonists, and the English of Red River, whom he considered as enemies to Government, from the representations of Mr. McLeod."

there appears
a belief that he
last branch of

the prisoner that
ary force, had
and the other
s and servants
derers. Soon
prisoner, being
La Pluie, with
tain D'Orson-
al of Captain

The great improbability that ten or fifteen men should meet together, and determine, in broad day-light, to do a deed of darkness like this, must at once be apparent. And what are the powerful solicitations to which he yields, when he consents to be present at the doing of this deed? To the solicitations of Mainville, the half-breed Indian, a man, by associating or sitting at the same table with whom he would have been disgraced. To surpass even these improbabilities, he is made to say, that he, a Christian, thought, from all he had heard from his masters, that he would have done a meritorious act even if he had himself killed Kevény, or any other Englishman. Let not, however, the prisoner be thought hardly of, for making these statements. If there be any circumstances which can justify or palliate the telling a falsehood, surely they are the circumstances by which the prisoner was surrounded. The above observations are made upon the supposition, that the deposition of Captain D'Orsonnens has been in no degree discoloured, even involuntarily, by the party-spirit by which the most hasty perusal shows that he was actuated.

on, who said he
tion about the
and he walked
an old military
Captain D'Or-
, Meuron and
were armed,
anens had just
circumstances
As the subse-
nd but a conti-