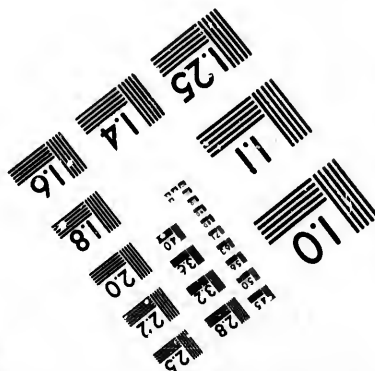
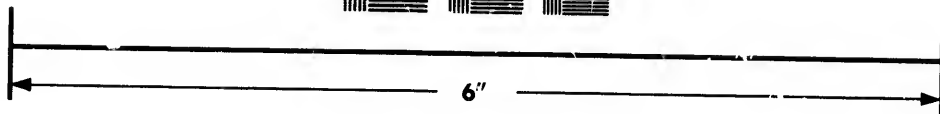
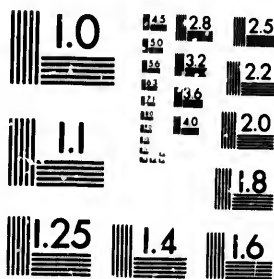


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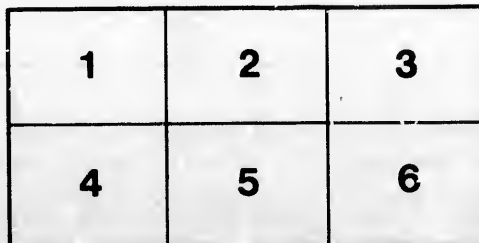
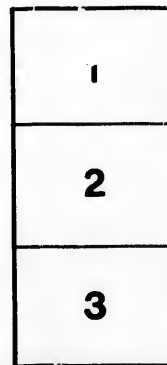
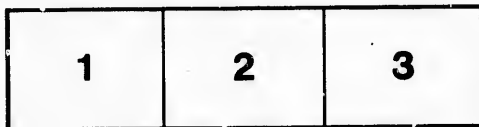
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SPEECH

OF

HON. MR. CHAPLEAU, M.P.

ON THE

EXECUTION OF LOUIS RIEL

(FROM THE OFFICIAL DEBATES.)

HOUSE OF COMMONS

MARCH 24th, 1886.

OTTAWA :

PRINTED BY MACLEAN, ROGER & CO., WELLINGTON STREET.

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ON THE

EXECUTION OF LOUIS RIEL.

HOUSE OF COMMONS, MARCH 24TH, 1886.

Mr. CHAPLEAU. Mr. Speaker: A newspaper having announced last evening, that I had become suddenly a penitent, that I was very near abjuring the errors which, with my colleagues in the Government, I had been suffering under of late, and that I was, in the near future, going to bid adieu to political life—I only wish that could be true—and that I would retire repenting; and as the paper wished I should employ the last days of my life in prayer, so as to be forgiven by God and man, I thought I would take this first opportunity of making my last confession of the great crime of which I have been accused during several months past, and I hope I shall make it as plain, as complete, as full as possible, so as to satisfy both friends and foes. I do not know, Mr. Speaker, whether I can do justice to this debate. I know it is, perhaps, out of place for me to apologise for not speaking in the language which is my mother tongue; but every time I rise in this House, every time I have to express what I feel deeply and vividly in my heart, and have to express it in a language which is not my own, I think it is necessary for me to apologise; for the English language, that has taught the world the great lessons of liberty, does not give me that full freedom of expression which I would have in my own language.

What a change a year can make in the ideas of men, in the feelings of men! What differences do we remark when we look over the proceedings of last Session, as I did yesterday! Read over *Hansard* and compare dates

with this year. The 19th of March last year, St. Joseph's Day, the day named after that great saint, whose name is synonymous with fidelity and loyalty, was chosen by Louis Riel for the outbreak of his rebellion in the North-West. On the 19th of March Louis Riel inaugurated his revolt, in acts, in his official declaration, in his open opposition to both civil and spiritual power in the North-West. On the following days, the rebellion was in full blast, and the day after to-morrow will be the anniversary of one of the sad events of our history—the anniversary of the Duck Lake fight—when some of our bravest soldiers, some of the good men of the North-West, fell under the bullets of traitors and rebels, led by Louis Riel, fell victims to the treachery of a criminal band, who, after destroying Government property, after ransacking and plundering the stores of industrious citizens, after having seized and taken prisoners the men who were doing their duty under the laws of their country, in the protection of the Canadian and the British flag, had torn down the flag of Her Majesty and had begun that rebellion of which I hope we will have to-day the last recollection. I hope that the memories of men will not recollect it, after we have done our duty to-day and said that the country cannot countenance those who would like this House—representing the interests, the desires, and the wishes of the people,—to say that that event was one which would be excusable and justifiable in the eyes of true Canadians.

We all remember the feeling that pervaded this House when, on the 22nd, 23rd and 24th of March, the news arrived that really a rebellion was existing in the North-West, and that the agitation which had begun many months before had taken the form of an open revolt. We remember the feeling that existed in this House. It is true that then, as since the beginning of this Session, some gentlemen on the other side, exercising their rights as members of Parliament, had been asking for information, had been clamoring for papers, but still the House went on with the performance of its duties until the day we heard the sound of rebellion, and learned that the sons of Canada, at the call of the Government, had to go up and fight that revolt. Sir, when the news of the Duck Lake fight arrived, there was not one man to be found here who would not have said frankly and openly that those who had commenced that rebellion, those men who were ignoring the laws of the country and rebelling against them, were deserving the severest punishment of the law.

I remember a few days later, when a newspaper in Ontario had had the audacity, as it was then styled, to say that my hon. friend sitting on your left had been actually giving countenance to the rebellion, that he had been aiding the conspirators against the peace and integrity of the country, that the hon. members sitting on that side of the House were accomplices of those in the North-West who were trying to take those large Territories away from their allegiance to our Sovereign, I remember what took place in this House. I remember seeing the hon. leader of the Opposition rising in his seat, his features altered, trembling with emotion and saying, with tears in his voice, that there never was such a slanderous insinuation cast upon him and his party as to say that he and they might be called accomplices or even sympathisers with the rebellion in the North-West. We all remember the hon. member for West Durham stating that he had a relation whose blood had already stained the snow of the prairies, that he had a nephew whose life was in danger, that his son and his brother's son were ready to shoulder their muskets and go to the Saskatchewan and fight against those who wanted to commit that attempt against the liberties of the empire, and the good name of the people of Canada. At that time we responded to the expression of those feelings; and I remember the right hon. Premier in this House getting up in his seat and saying that whatever differences of opinion there might be between him and hon. gentlemen opposite, he thought the article in question was an ill-advised one—that we all here in this House sympathised together in supporting the laws of our Dominion, and keeping in its integrity the fine country which we are now administering to the glory of those who acquired it, and the glory of the Sovereign who rules over us.

Who would have said then a word of justification of that criminal band that was beginning a rebellion on the shores of the Saskatchewan? Who would have thought, when the hon. gentlemen who left this House to take upon themselves the arduous and dangerous task of leading their men to the field of battle—who would have thought when we were all shaking hands with them,—who would have thought when we said good-bye and farewell to the late lamented and regretted member for East Durham, whose name has been revered and cherished, and loved amongst us, since he lost his life in the defence of his country—who would have thought then that in this House, twelve months afterwards, we would have been asked to vote regret for the lawful execution of

the leader of that rebellion? When Colonel Williams left us here, shaking hands with us, and telling us: "Yes, gentlemen, I am going, and I am proud and happy to perform my duty to my Queen and country, proud to leave you whilst you are doing your duty here," who would have said to him, "Oh, yes, you are going there to risk your life, but twelve months after this, from his seat in Parliament, a member will rise and say: "I want to declare by my vote that those who killed you and your brothers deserve the sympathies of Canada, and that we regret their punishment!"

Mr. Speaker, I regret the execution of the late rebel leader, Louis Riel, because I cannot find in my heart a place for a feeling of pleasure or rejoicing at the ignominious death of a fellow-being. I regret the execution of Louis Riel as I regret those painful occasions when a sacrifice of human life has to be made for the vindication of the law or for the protection of society. I regret, Sir, the execution of Louis Riel because of the unhappy trouble he has caused in one of the finest Provinces of this Dominion. I regret the execution of Louis Riel because of the occasion it has given for discussion in this House, in which, to use the expression of the hon. member for West Durham (Mr. Blake), "words have been said that should not have been said, things have been uttered that should not have been uttered, and sentiments have had room for expression which should not have been expressed in this House." I regret the execution of Louis Riel for those reasons; but I cannot condemn the punishment of his crime.

Providence, Sir, suffers the mysterious agencies of human passions and the free will of men, to mark dark hours in the history of nations. Louis Riel has written with his own hand and with his own deeds the darkest pages in the history of the North-West of this Dominion; he has signed those bloody pages, and sealed them with his blood on the scaffold of Regina on the 16th of November last. The scaffold has spread its hideous shadow over the newly christened town of Regina—christened after the name of our beloved Sovereign; and the virgin soil of the Province of Assiniboia was torn open to receive the dead body of a man who had sown the seeds of discontent, of revolt, and of war and death in a land which should have been reserved for peace, unity, happy tranquility and industry. The solemn sanction which was then given to the law should deter all other men, and deter, I hope, all other evil-disposed and evil-thinking men from imitating his example. Unfortunately, Sir, from the cell of the doomed agitator, from the scaffold, and the grave of the

executed criminal, there came the wind of revolt and the poison of national animosity, which pervaded one of the great Provinces of this Dominion, and which threaten even now, perhaps to a larger extent than we believe, the future tranquility and destinies of the Dominion.

Mr. Speaker, if I bring to your recollection these sad events, it is only to show you the unfortunate position in which are placed those who in the Province of Quebec have espoused—some with sincerity and good faith, others with schemes for political supremacy—the cause of rebellion, which, it cannot be denied, has produced in this country one of the most unfortunate periods in our political history.

Mr. Speaker, it is the deep feeling of the danger arising from the present crisis which has animated me during the whole of that period, and which has often driven away from my lips and from my pen words of anger and words of violent rebuke, which would have been justified by the treatment to which I and my hon. colleagues in the Government have been subjected for over three months past. During that time, Sir, we have seen an infuriated and maddened mob tearing to pieces our likenesses, and hanging and burning us in effigy; but this has had upon me no other effect than to make me feel more pity than anger towards the crowd who had been excited against us.

In the city of Montreal my portrait has been for days exposed in windows, bearing on the forehead a large red stain, to convey the idea that I was the murderer of one of my fellow-countrymen. Sir, I forgave that villany. As one of my friends in Montreal remarked: "The poor individual who did that has himself on his brow a stain which neither rubbing nor washing will ever take away," and calls back to my memory the following lines:—

*"La mer y passerait sans laver la souillure,
Car le gouffre est immense et la tache est au fond."*

I forget easily those attacks prompted by the public excitement, but there is one thing from which I have suffered—it is this: These demonstrations were called by men who had been associated with me in friendship, and knew me better than with sincerity to call me a traitor and a coward. I, a traitor! Mr. Speaker, I have been now over 27 years in active public life, and I think I could ask from friends and foes this testimony, that I have been true to my Sovereign, true to my country, true to my party, true to my friends. Sir, if there is one reproach which I do not deserve from either side of the House, it is the reproach of treachery.

I have been at times accused, and accused by the press of my hon. friends opposite, of having perhaps too much political loyalty.

They have also called me a coward. Well, it is hard to speak of oneself, but I might say of those who have uttered this charge, that their hearts would, perhaps, have faltered if they had had to go through the ordeal through which I have passed since the 13th November last. To have retained the courage I have retained, to have faced what I have faced, to have refused what I have refused, to have done what I have done—not, I ask those who have called me a coward, merit for me that epithet! But, as I have said, feeling that the occasion was one which seldom presents itself in the life of a man, feeling deeply the danger which, I thought, was menacing our country and our nationality, I kept away from my lips and my pen all words of anger against those who abused me.

I might also say here, there was another reason that prevented me from resenting those insults. I am frank, and I must say that, whatever might be the cause, the movement that spread through the Province of Quebec did not surprise me, and if I have not reproached, in bitter terms, my friends for what they have done, it is because I thought that, although we, the Ministers of the Crown, had not failed in our duty towards the Crown, towards our oath of office, towards our country generally, perhaps we were in fault to a certain degree in not having taken more care in the direction of public opinion in the Province of Quebec. The cause, the main cause of the trouble in that Province has been the exaggerations of the Conservative press. I have stated to my friends that the trouble we have had, the dangers we have run, the consequences from which we may probably suffer, would not have been occasioned if the press, and especially the Conservative press, had been better directed.

It is true that, as people say, it was in the wind, it was everywhere, the atmosphere was full of it, and nobody could escape; but I am, nevertheless, surprised to see that men, such as some of our friends in this House, should have been caught with the disease—let me call it that name—yielding to that movement, forgetting their old associations, and becoming parties to what I consider to be one of the greatest mistakes that our population in the Province of Quebec has ever made. I know that they have yielded to what they considered a good impulse, a national sentiment. I am not one of those who believe that that natural national feeling is not one which deserves praise. The population in our country, being divided, as it is, in different nationalities, the affirmation of the rights of one fraction of the people is not bad in itself.

That pride in one's nationality is a thing that might be productive of good results; but, as all strong passions, it is dangerous; like all powerful motives, it must be regulated, otherwise disorder will result; like all those strong agents on the human organism, taken in a moderate dose it is a splendid remedy, but taken in an immoderate dose it becomes a poison.

In this instance, our friends have exaggerated that feeling, and hence we have seen in the Province of Quebec that outburst of sectional animosity which we all deplore, and which, I trust, will end after this House has taken its determination and has given the vote which moderate, deliberate men are asked to give.

But, Sir, we have not here to deal with those demonstrations; we have to deal with the question which is proposed to us, and that question is this: Was the execution of Louis Riel one which we, the House of Parliament—we, the House representing the views, feelings and ideas of the country, should condemn or approve? My hon. friend from Montmagny (Mr. Landry) has put his motion in a particular way, and in his opening remarks he said: "I have not qualified the expression of regret for the execution of Louis Riel; I have left to everyone the right to choose the reason why they should regret that execution." I must say this was perhaps in the idea of the mover a skilful arrangement with a view to draw as many votes as possible for his motion, but I understand that he wanted to say that everyone might express his reason why the execution should be blamed or should be approved.

As I have said before, I would be ready to unite my sympathies with his if he only wanted an expression of regret, if there was not coupled with that an expression of blame for the action of the Government in asking that the law should be carried out.

The hon. member for Quebec-East (Mr. Laurier), who has taken upon himself the defence of the rebellion in the North-West, was very careful, in the beginning of his remarks and during the whole of his speech, to say that the movement which had been carried on in the Province of Quebec was not a political movement; secondly, that it was not a national movement; and further, that the House had not to decide upon those questions.

My hon. friend said it was not a political movement. Well, Mr. Speaker, I ask everyone of those who saw the beginning of that agitation to say whether it was so or not. I ask those who saw the press, before this Session opened and during this Session, whether there was nothing in that movement of a political character, whether there was nothing but a

sincere desire to see if the law had been justly administered or if a great injustice had not been done in the execution of the sentence. My hon. friend will allow me to ask him, how did the agitation begin in Montreal? It did not begin with the meeting of the Champ de Mars; it did not begin with the outburst of the Conservative press which made it a general question in the country; it began when two of the friends of the hon. member for Quebec-East started the movement. I must give credit to those to whom it is due. Mr. L. O. David, of Montreal, was the originator and initiator of that movement. He was assisted, it is true, in his effort by a man whose name and profession are more modest, by a bailiff of the name of Phaneuf, one of the agents of the Liberal party in Montreal. They began to create an agitation in Montreal, and everyone knows how easily that is done in a large city. Then, in regard to the delays in the execution of the sentence, there were the reporters who had been sent by the press to report the proceedings of the trial at Regina, and who, instead of reporting truly and solely the proceedings of the court, did send to the press of Montreal fantastical reports having more the color and shape of novels than of true reports from a court of justice. These were the beginnings of the movement in Montreal.

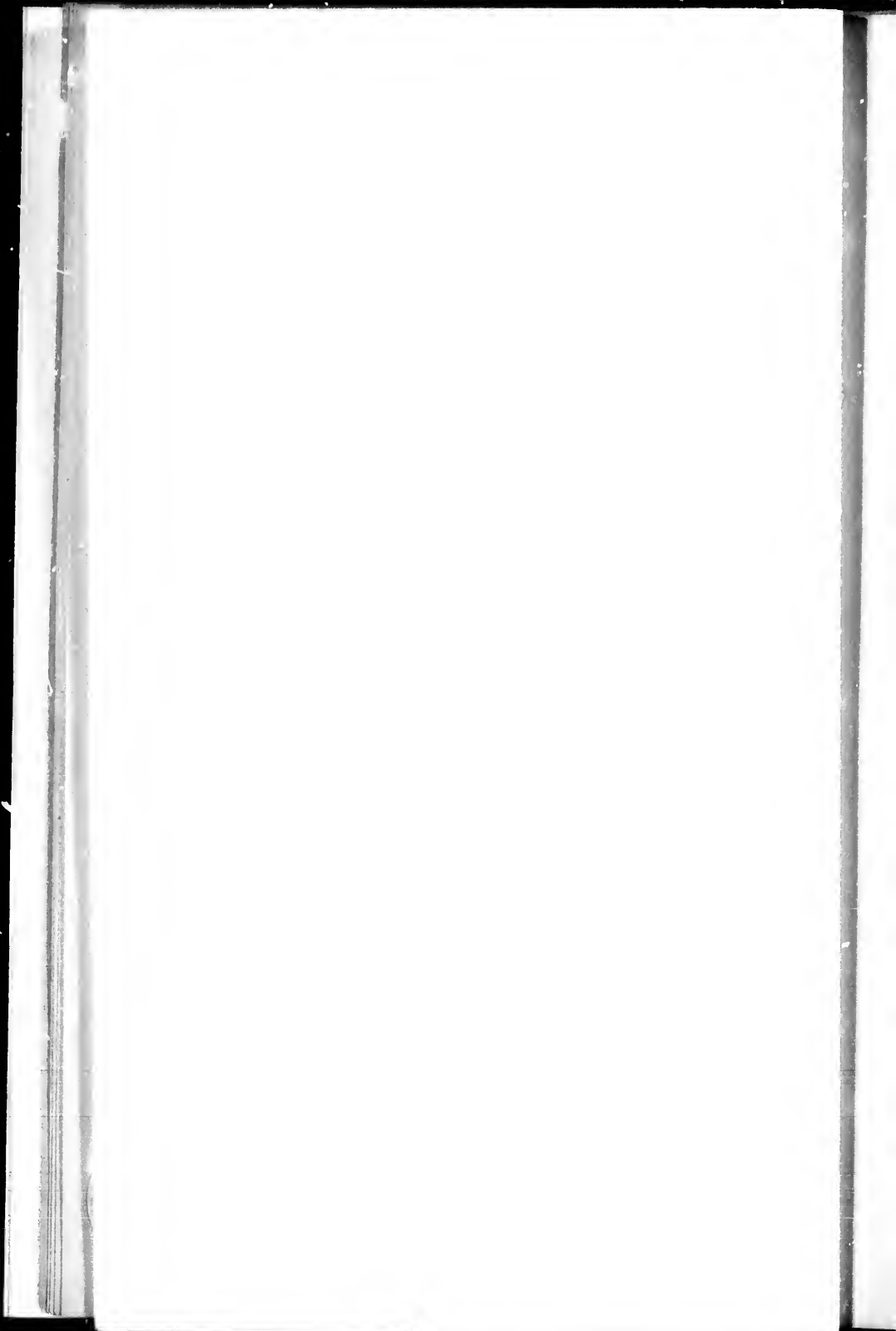
After a while, when it had taken shape, everybody was expecting—what? I must say it, Mr. Speaker—on one side, among our Conservative friends in Montreal, some were expecting that the Government would take the side of mercy, would treat that question with the view of trying to preserve peace by the exercise of the royal prerogative of mercy, and, on the other, the Liberals were only speculating upon the Government carrying out the law to its fullest extent, to its direct execution, so as to have a lever upon public opinion for political designs. I do not dissimulate the state of public opinion in the city of Montreal. What was the state of things in that city in the month of October? I arrived in Montreal in the beginning of October, and I was met by friends who said: "Well, there is a great movement pervading the country, and it is for you to be at the head of it; it is for you to see that justice is done, but at the same time that mercy is given by the Government; we must lead public opinion; we must not allow the Liberals to take the lead; we must not allow them to gain the confidence of the electors, to arouse a national feeling in the country."

Such was the state of things in Montreal in October. One party was looking for political aggrandisement and triumph. The other party was looking truly, sincerely, earnestly for

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something which they thought was due to the national services that have been rendered by the Conservatives and the French-Canadian nationality. One party was looking for power; the other party was looking for mercy. The hon. member for Quebec-East (Mr. Laurier), said: "No, we have been careful to abstain from any political declaration on that subject." Yes, Sir, and that is true in words; that is true like that loyalty on the lips, of which my hon. friend from Quebec East spoke, and to which I will allude in the course of this debate. My hon. friends were saying: "No, let us cast aside all political differences, let us all be united as one man to ask the Government to do justice." But, Mr. Speaker, I who knew what was going on, I who was made the confident of many indiscreet confidences, knew one thing. After petitions had been sent, after all influence had been exercised to try to obtain the result of what was then asked by, I might say, the whole population of the Province of Quebec, I heard this, and I shall quote the words from a letter which was sent to me—after it was announced in Montreal that the Government had taken a decision—from one of the hotels in Montreal where a little conclave of Liberals had been held waiting for the news from Ottawa; and, learning that the Government had decided that the law should be carried out, one of them said:

"Eh bien! tant mieux.

"Nous avons bien peur que le vieux Sir John n'eût arrangé cela pendant qu'il était en Angleterre pour en laisser la responsabilité au gouvernement Impérial, comme dans l'affaire Letellier. Mais cela nous vaut vingt comtés dans le Bas-Canada."

This declaration, Mr. Speaker, cannot be denied. It has been sent to me quite warm from the lips of the man who said it, and it is a secret to nobody in Montreal that all the Liberals openly said: "We have got them now; we have taken the Conservatives with us, and now that the Government is obliged to see that the law is carried out, twenty counties will come to us in the Province of Quebec. We thought that the great schemer, Sir John, would have arranged it in England." I received a letter to that effect whilst I was in Paris, in which one of my friends, not belonging to my own political party, said: "I know very well how it will be done. You will be a partner in that scheme, and you will arrange it so that the Imperial Government will take the responsibility, and then you will go flying along, sails to the wind, and again you will carry your elections."

Sir, that has not been done, and the right hon. gentleman at the head of the Government had no such design

when he was in England. But that was said, and it is an indication that the movement had not that character which the hon. member for Quebec-East gave it, that is non-political and non-national, but having only for its object the fair and just administration of the law to all, and mercy to who deserves it. The hon. member for Jacques-Cartier (Mr. Girouard) has said that those who were asking for the head of Riel were not friends of the Government. Those who were asking for the head of Riel were the organs representing the Liberal party in Ontario. They were clamoring for his death, believing, as the Liberals of Montreal had said, that the Government would be unable to settle that question without appealing to the Imperial authorities.

But I will not take up the time of the House to show the insincerity of those who pretend now that they are working in the cause of humanity, and who were then asking for the head of the man whose fate they now pretend to deplore. They did not want—what shall I say? to save Louis Riel from death? No. The moment they knew that his fate was sealed, the moment they knew that the grave would soon be closed over him, they began the agitation. Their sympathy is only for the corpse of the man, but it was not for the body and soul of the living man. It is true, Mr. Speaker, our Province got excited over it, and it is one of the traits of my nationality to have that chivalrous spirit for which due credit is not given to us.

It is not the first time that spirit has shown itself in favor of others—I hope it will be the last. We saw the same thing in 1872 in reference to the New-Brunswick school question to which my hon. friend for Jacques-Cartier has alluded. The whole Province of Quebec was aroused. The Conservative party was split in two; more than that, I think the majority of the Conservative party in that Province left the ranks for the moment. What did the leader of the Conservative party in the Province of Quebec say then? Sir George E. Cartier said: "Gentlemen, you are taking a course which you ought not to follow; you are the minority in the Dominion, and you are setting a precedent which will be turned against you." That lesson, Sir, was one which should have been remembered. As soon as our friends opposite came into power, the sympathies which they had shown us previously, soon vanished, and even those for whom the Conservative party had fought came up and said that they expected to find the Province of Quebec satisfied with the law against which it had nearly revolted.

Mr. Speaker, the hon. member for Quebec-East; in his speech, has tried to make the House and country forget his speech on the Champ-de-Mars—not by repudiating it, but by making, in this House, even bolder assertions than those he made on that occasion. What do we find in his speech? First, a plea in justification of the insurrection; second, the cruel treatment which the Government meted out to a defeated man in his struggle for liberty against a despotic Government; and at last—I was surprised to hear the last part of his speech, which actually pulled down the fine edifice he had built up—after having crowned his hero with the halo of a martyr, he finished his portrait of Riel by saying that the Government had not taken sufficient pains to prove that his idol had nothing more than feet of clay and legs of sand, but that even his head was not in the right place, and that his hero was an insane, forgetting that Riel or any other man could not be both a hero and an insane.

Well, my hon. friend has said the Government had acted badly towards the Half-breeds, and that the insurrection on the Saskatchewan was justifiable—not only excusable, but justifiable, he said. And how, and why? He said the legislation of 1879 concerning the Half-breeds of the North-West was nothing but the completion of the legislation of 1870. But he added: You have taken from 1879 to 1885, the whole of that time, to give justice to those people who were entitled to what you gave them in 1885, under the Act of 1870. I admit, for argument's sake, the delays of the Government have been faulty. But they were only delays. And has the hon. gentleman considered that the responsibility for those delays bears much more heavily on the Government to which he belonged than it does on this Government? No, he forgot that circumstance. If his own Government had not given as an answer to the Half-breeds that they would not be treated otherwise than as white settlers, those delays might perhaps have been avoided and the revolt of 1885 averted.

In that great display of eloquence we had from the hon. gentleman, he declared that the Government had only moved when bullets were coming upon them. But the hon. gentleman was obliged to admit that on 26th January the Government had decided to grant those rights, and to send a commission to see that those rights were granted to the parties entitled to them. He has stated that the Government did not want to give the Half-breeds their rights and do justice to them, and that they only intended to take a census of the Half-breeds who might have been entitled, under treaty rights, according to the Acts of 1870 and 1879.

He thereby dealt the heaviest blow at the Government, of which he has been a member, and at those who have taken up arms against this Government, in stating that we had had the prudence to think as to who were entitled to the rights according to the Act of 1870. The hon. gentleman was forgetting, that of all those who rebelled and fought on the Saskatchewan, not more than 21 had really a right to claim land under that title. The other Half-breeds, who were acting with Riel, had already obtained land by virtue of the Act of 1870, after the transfer of Manitoba and the North-West Territories to the Government. In that list, it is true, a few names were given among the rebels, but those were probably the greatest proportion of those who had reasons to urge their claims before the Government. If that hon. gentleman had occupied a seat on the Treasury benches, he would have said what we have said, and he would have said more than the hon. member for Eothwell (Mr. Mills) said, when he refused the whole of the rights demanded by the Half-breeds.

I was surprised when I heard the hon. member for Quebec-East say that what is hateful is not rebellion but the despotism that induces rebellion; what are hateful are not rebels but the men who having the possession of power did not discharge its duties. The sentiment expressed by the hon. member might be very good for a rhetorical display, a very happy answer to the remark of the Minister of Militia, who said that in his heart he hated rebellion and hated rebels; that might be a very fine answer in a debating club, but in the mouth of a Privy Councillor the statement that what he hated was not rebellion and not rebels was an expression which should not be heard in any deliberative assembly.

The hon. gentleman thought he could answer the declaration of the Minister of Militia by saying that if Sir George Cartier, the great leader for years of the French-Canadian Conservative party, had been here and had heard the statement of the Minister of Militia, holding the same portfolio that Sir George Cartier held, he would have reproached him for his words, for he, in 1837, had been a rebel. I wish Sir George Cartier could have been here to have heard the words of the hon. member. He might have said perhaps that in his youth, carried away by ideas of liberty, he joined a movement which was much more justifiable than the North-West rebellion, and he might have been found in the ranks of the rebels. But that distinguished statesman would probably have said to the hon. gentleman what I heard him say one day, that if he had been taken with arms in his hand and been executed he would have received nothing but what he deserved. The hon. gentleman cannot quote words from

Sir George Cartier that he was right in rebelling against the authority of his Sovereign; he never heard him mention a word to that effect. But if Sir George Cartier had done so he would have been speaking of an occasion, not at all identical with the insurrection of 1885 on the Saskatchew-
 wan; and although the hon. gentleman may be able to show that rebellion and rebels, when viewed through the magic lantern of his eloquence, were justifiable, he would never convince good Canadian subjects that the recent rebellion in the North-West could be properly compared with the movement of 1837.

I have to thank the hon. member and his friends for not having repeated in this House what they have stated all over the country, that those martyrs of the North-West should be honored and applauded equally with the victims of 1837-38, and should have the veneration, and admiration, and respect of our fellow-citizens as those heroes have. My friend from Quebec-East could not have repeated these words in this assembly. He knows that his old friends in Lower Canada, who were associated with the agitation of 1837 and 1838, would have repudiated him. I have a letter here from one of those men of 1837, who says it would be a mockery to think of it—and this man is a true Liberal, a Liberal in heart and not a mere political schemer—he says: "I told my friends: Do not be guilty of putting the mockery of a martyr of liberty among those who have been real martyrs to the cause of freedom? Do not desecrate that tomb in the cemetery, at Montreal, and do not class those who sleep in that tomb with this man. They would blush to see his name associated with theirs, and would ask him what he has done with the money which his ambition and his cupidity wanted to have, while they gave their blood for their principles when treachery was offering thousands of pounds for their surrender." My hon. friend did not make a happy allusion when he wanted to assimilate those two cases, or when he said that Sir George Cartier, if he had been here and had been the leader of the Conservative party, would never have allowed the execution of Riel.

I can recall one case which occurred when Sir George Cartier was Attorney-General, and when he had the sad duty to perform of reporting in favor of an execution. In that occurrence, Cartier stated himself that he had gone so far as to consider that he could not remain in the Government if his opinion as Attorney-General was not adopted in a case where the judge had refused to concur in the recommendation to the mercy of the Crown. My hon.

friend from Quebec-East (Mr. Laurier), in a great outburst of Liberalism, said that he knew what Tory loyalty was, and he went on to state what it was in his estimation. I do not want to follow him in that line, but I will only refer to one point. He has spoken of Tory loyalty, and I might perhaps on this occasion speak to him of Grit and Rouge political honesty, and I will not look for many past occasions in which that honesty shone with great brilliancy, but will confine myself to the one now before us. I ask, Mr. Speaker: Is it honesty to take up this question, which has already been decided by the hon. gentlemen, for they have decided what Riel was, as far back as 1871? They said what they had to say of him in 1874. Every one of their organs, after the insurrection of 1870, had given their opinion about him, and when, the other day, I heard the hon. member for West-Huron (Mr. Cameron)—the gentleman who is represented to be the very essence of Gritism in the Province of Ontario—rising in his seat and speaking as he has spoken, I was astounded to hear him and to see what he was doing, and I asked myself, where is Liberal honesty in politics, when they champion Riel as a martyr now that he is dead, and have never done anything to save him before the 16th of November? Why! it looks like a put up job, and lower party politics to mere trickery. I think, Sir, that against Tory loyalty we might fairly set up in comparison the Liberal-Rouge-Grit honesty on this question. I do not believe that there is one man in the Dominion, I do not believe that there is one man on that side of the House, who honestly and truly and sincerely thinks that the issue which has been raised on this question is one which they do truly in their souls and hearts approve of.

Some hon. MEMBERS. Oh! Oh!

Mr. CHAPLEAU. My hon. friends need not get up and tell me I am not speaking parliamentary language. I have as much right to say that I do not believe in their sincerity upon this question, as they had to say that we were traitors, that we were the men who should have been punished.

But my hon. friend from Quebec-East thought he could bring to the House recollections of the past, that he could quote to the House all those instances where insurrections had been decided by history to have been not only justifiable, but to have been the steps by which, one after another, the great nations of the world have reached the height of liberty. My hon. friend has enumerated them all. He said he had admired, and he still admired,

and felt a sympathy for, the French people who had tried to win their liberties in the insurrection of 1870; misguided though he says they were, they are still worthy of admiration. He said that his sympathies had been with the Italians when they were endeavoring to liberate themselves from the yoke of their oppressors; and with the Americans when they were fighting in the great cause of national unity. It is true my hon. friend made a great rhetorical spread, but he forgot that the great fight for freedom, for state rights, if it had any application to his case at all, would have been the fight in the South for their liberty against the despotism of the North. However, that was a splendid occasion to deliver some magnificent rhetorical periods, and that was all the hon. gentleman cared for. After enumerating the revolutions which he glories in, my hon. friend said :

"And when at last—at last—a section of our own countrymen rose in arms to claim rights long denied them, rights which were immediately acknowledged to be just, as soon as they were asked with bullets: are we to have no sympathy with them?"

There are three great errors in that sentence: First, those rights which he says were not acknowledged to them, he has said in another part of his speech they were acknowledged to them, but that delays had occurred in the execution of that acknowledgment. Next, it is not true, that their demands were only answered when bullets were sent. They were acknowledged, and the execution of that acknowledgment took place before the bullets came; and, as I shall prove in a moment, the bullets came from Riel's partisans only because justice had preceded him, and he was afraid of the effect of justice on his deluded partisans. The last heresy of the hon. gentleman is in asking our sympathy with them in their rebellion? But, Sir, let us see another sentence which I find in my hon. friend's speech :

"Though these men were in the wrong, though the rebellion had to be put down, though it was the duty of the Government to assert its authority and vindicate the law, still I ask any friend of liberty if there is not a feeling rising in his heart stronger than all reasoning to the contrary, that these men were excusable."

Mr. Speaker, I cannot reconcile those two ideas. Since those men were wrong, since the Government was right and did well to put down the rebellion, what is the conclusion from my hon. friend's premises to his vote? If the Government was right, if the rebels were wrong, should we regret the punishment of the man who took up arms against the Government of Her Majesty, and who has been the cause of the death of hundreds of good citizens? Should

we regret the execution, because they were wrong and the Government was right, or should we regret it because a feeling of generous sympathy comes into our hearts because those men, as my hon. friend said, took their lives and their liberty in their hands to put them in place of petitions and protests and demands which they should have sent to the Government? Had my hon. friend gone one step further he would have fallen into the anarchical doctrines of Jean Jacques Rousseau who speaking in his "*Contrat Social*," says:

"Les clauses du "*Contrat Social*" sont tellement déterminées par la nature de l'acte que la moindre modification les rendrait vaines et de nul effet..... en sorte que chacun rentre alors dans les premiers droits et reprenne sa liberté naturelle."

This is another endeavor to adapt a social theory to the unfortunate rebellion of which an apology has been attempted. My hon. friend has recalled the memory of the great agitations which in the past century have changed dynasties, have inaugurated new charters of liberty, and have moulded new destinies for some of the nations of Europe. He has recalled to our minds the revolution of 1870—that revolution which gave the *régime* of the *Commune* and the reign of that liberty *rouge* with the blood of General Lecomte and of Mgr. D'Arbois, *rouge* with the incendiary lights of the Tuileries and the Hôtel-de-Ville, which the *pétroleuses* had ignited as fitting torches for the altar of triumphant demagogism, *rouge* with the atrocities that all the world has deplored—that last revolution of France my hon. friend has taken as a model.

Mr. LAURIER. Hear, hear.

Mr. CHAPLEAU. My hon. friend shall not say that he has not cited it. He said:

"I appeal to every friend of liberty, to all those who during twenty-five years past, have felt their hearts thrill whenever a struggle for freedom was going on in any corner of the world—"

And when he comes to the French revolution.—

"with the French themselves, in their generous though misguided efforts to establish amongst themselves the blessings of freedom and parliamentary and responsible government."

My hon. friend could not have left aside the word "misguided"; but his thrill of generous impulse for the friends of liberty was for that *régime* of 1871, as I have stated. My hon. friend also cited the revolution of Italy. It is true, that revolution is worthy of his sympathy. It was the revolution that wrested from the Papacy, with the temporal power, an independence that for ages had been the safeguard of the thrones of Europe, and which at the present moment the great-

est statesmen of Europe are thinking of restoring, in the hope to save the Old World from the anarchical wave which socialism and nihilism are bringing over it.

My hon. friend also referred to the French revolution of 1789 which invented the guillotine and deified the *sans-culottes*. That also was one of the great impulses of human liberty. If my hon. friend and his colleague sitting beside him have chosen those events as examples to us of the right of resistance and revolution, I decline to accept their conclusions.

My hon. friend from Quebec-East has attempted to draw a parallel between the conduct of this Government towards the Half-breeds, and that of the United States towards the South. He tried to be particularly eloquent on this point, but his comparison lacked of justice, and if he had carried it out to its proper terms, he would have found himself in the painful necessity for him to praise this Government.

Let us briefly recall a few facts connected with the American rebellion and that of Riel.

The South, after having been tyrannized by the Federal Government for years, saw his enemies pressed by the rabid Abolitionists, ready to wipe out slavery, a course I should approve with all the friends of Liberty, but which meant ruin for the South if the slaves were to be set free without compensation for their owners. The South took up arms and waged, for four years, one of the most terrible wars of modern times. There was unanimity in the course of the Southerners? The whole nation went to war; there were not particular persons against whom alone could be charged the crime of rebellion. The whole South was guilty in the same degree, and it would have been ridiculous to bring Jeff. Davis before courts of justice, charged with high treason. He was simply elected chief and did assume command on the authority imposed to him. Besides, as the South had suffered wholesale slaughters, it would have been absurd and useless to shoot or hang one individual after the war.

But these were not the only reasons why Jeff. Davis was not tried. Had the hon. gentleman forgotten that the Southern States were recognised as belligerents; that all through the war constant exchanges of prisoners had taken place between the contending armies, and that the articles of capitulation quoted by the hon. member accepted to some extent their standing as belligerents.

Now, if we turn to Canada we find quite another state of things. Did we deny the rights of the Métis? Did we not recognise them from the first, and that, after the previous Government had distinctly declared that it did not see any reason why the Half-breeds should be treated otherwise

than white settlers? Delays were the cause of the troubles, but if the Government, of which my hon. friend was a member, had recognised, as we did, the rights of the Métis these delays would have been less, and the war might have been averted. The Government, I am ready to concede, may be responsible for some delays; but the Métis must also be responsible, because of some of their demands which could not be granted, on account of their in practicability, as were the claims of those who had already received their grants, in Manitoba, after 1870.

But, Mr. Speaker, people do not go to war for questions of details, for a question of delay; when the principle is admitted, the main point is settled; and they would not have rushed to arms, at the very moment when the announcement came that justice was coming to them, if Riel, rebelling in one breath against Church and State, had not blinded them altogether, in his desire to achieve his own objects.

And here, Sir, I cannot refrain from remarking that the hon. gentlemen who have magnified Riel's claims so as to justify his rebellion, have forgotten to tell us what claim he had against the Church, against the missionaries; they have prudently omitted to justify his rebellion against spiritual power. I hope they will attempt it before this debate is over.

But now, to revert to our comparison, how have we dealt with the rebels after the war, and how the Government which my hon. friend points out as a model in its dealings with defeated rebellion? We have taken the poor Métis, crushed, ruined by their fault; we have fed them; we have repaired the evil brought on them by the folly of their leader, we have saved them from starvation; we have opened the doors of the prisons where the most compromised had been confined after a trial. And our great models, what have they done? Let history answer. Not satisfied with having laid the South waste, they robbed the slave owners by setting free, without compensation or preparation, a most dangerous class, not fit for liberty; and to crown their horrible conduct, they threw the South into the hands of a new Egyptian plague, the carpet-baggers who, for almost twenty years, have persecuted and tyrannized the unfortunate down-trodden Southerners as no nation in the present age has been!—Such has been the glorious conduct of our models towards a defeated enemy.

But perhaps my hon. friend has taken those examples to prove that after a revolutionary movement or a great political commotion no blood should be shed for political crimes and that mercy should be exercised, for he said that during the last century nothing of the kind was done except in the despotic countries of Europe.

My hon. friend has forgotten his history on the shores of the Saskatchewan; his historical reminiscences are as rusty as the musket he wanted to shoulder. It was a very unfortunate recollection that took him back to the revolution of 1870, in France. We know that hundreds and thousands of men were sacrificed as political offenders after that terrible war. I cannot compliment him on the fitness of his choice. It was indeed a most unfortunate precedent for one who contended that political offences are no more visited with capital punishment, since the French revolution of 1870. With the record of the post of Satory, with the hecatombs of victims sentenced and executed after the defeat of the *Commune* that page of history hardly bears testimony in favor of the cause of my hon. friend.

It is true that all governments have not acted as we have, and in recommending us to follow the example of other governments, no doubt hon. gentlemen opposite believed that, in our paternal care of the North-West and the poor deluded people who were carried away by the rebellion, we should have done what we did not choose to do, namely, proclaim martial law. Hon. gentlemen opposite would no doubt have done this, and all those rebels would have been executed, their families deprived of their support, and my hon. friends would have claimed that that was right because it was the effect of martial law and not the revenge of society against political offenders.

But the Government did not do that; the General in command showed that sympathy and humanity which should not be made a reproach against him. He is a good general and he is also a good-hearted man, and he tried to save the lives of those who fought against him as he did throughout the whole campaign the lives of our best youth in arms for their country.

It is an insult to history, it is an insult to logic to pretend that there is any point of similarity between the great social perturbations which were cited and the events of the North-West. My hon. friend from Quebec-East may show the treasonable revolt of Riel through the magic lantern of his eloquence as often as he pleases, he will never succeed in magnifying it to the dimensions of the rising of nations, breaking the shackles of servitude and shattering the walls of the social edifice to breathe the refreshing air of liberty.

Hon. gentlemen have been speaking about papers being wanted, petitions sent in connection with the North-West grievances. I ask the hon. member for Quebec-East (Mr. Laurier) if he has quoted a single instance in which those appeals would indicate a refusal of justice by the Government, that would justify the insurrection. The hon. member

for West Durham (Mr. Blake) says that since last year they had been asking papers. Why, there is not a scrap of paper written in the North-West which has not been published in the press all over the country. There are papers in condemnation of the rebellion, in condemnation of the arch traitor, and in condemnation of the theories of hon. gentlemen opposite,—and what papers are they? They are the letters of Riel to the Indians, the Proclamation sent to the Half-breeds calling on them to rebel, the Memoirs of Riel written by himself, his letter to Dr. Fiset, the concessions he has made — all these are papers you know of, and which condemn not only those who have rebelled, but those who are upholding the rebellion. There are the letters of the missionaries and the bishops, who have said the leader of the insurrection was wicked in intention and treacherous in conduct, both to the Government and the interests of the people; there are above all, to condemn those who plead for the rebellion, the Statutes of the land. These are the papers which hon. gentlemen should have read; these are the papers the people will read, and in which they will read the condemnation of hon. gentlemen opposite.

But when I heard the theory advanced by my hon. friend in favor of the right, as he called it, the sacred right of resistance, and I could not help looking into those books which we studied and were taught in our youth to respect. The hon. member for West-Durham (Mr. Blake) called it the sacred right of resistance; the hon. member for Quebec-East (Mr. Laurier) called it the right of rebellion and insurrection. I maintain that my hon. friend has laid out a doctrine which is repudiated by the authority to which he must submit, in those matters. What is the true doctrine in relation to legitimate resistance to the established powers? The rules, if rules they may be called, which have been expounded on that subject, in the most liberal as well as the most prudent formula, are those which we find in the works of Thomas Aquinas. I quote the illustrious doctor without fear of being accused of bigotry. Protestant writers have agreed to say that his definition of the law is the boldest and noblest which could be devised. The law, says the great Catholic philosopher, is: "*Rationis ordinatio, ad bonum commune, ab eo qui curam habet communitatis, promulgata.*" A decree founded on reason, and for the common good, published by him who has charge of the community.

On reading to-day the definition of law by Blackstone and Chitty, and the comments of Chitty on Blackstone's definitions of law, I remembered having read somewhere in the

works of a Protestant author that Thomas Aquinas' definition of law was really the noblest that had been written by man. That author, who defines the law to be a decree founded upon reason for the common good, and proclaimed by the ruler of the community, adds: "In certain cases resistance to that power might be legitimate." But when is the right of resistance legitimate? When the prince has decreed laws which are against the principles of justice, of honor, of morality; when he has put aside the care which is entrusted to him of keeping the community for the good of the people, and when he has taken it for the sole satisfaction of his appetites, of his passions, or of his caprice; and then even the right of resistance can only be exercised when long and personal suffering has been sustained, when prayers, petitions, protests, summonses have been sent—

Some hon. MEMBER. Hear, hear.

Mr. CHAPLEAU. Yes, I hear my hon. friends say "hear, hear," and I tell them that their "hear, hears" are of no account—when prayers, petitions, summonses, protests have been presented, when those who are most qualified to advise the people, who are most qualified to know the common good of the community, have decided that the rule of the ruler is intolerable and is producing more harm than would a revolution, which is always productive of harm, and when those who are in a position to judge of the wants of the people and to advise the ruler, and who have advised him, agree with the nation that a rising is legitimate. That is a doctrine which the Church has not proclaimed, but which she has tolerated as being the doctrine founded on real and true Christian principle. Are those the conditions which my hon. friend from Quebec-East has found for his eulogy? Are those the conditions which the rebel leader in the North-West Territory had in view?

No, Mr. Speaker, I assert here what I have said before when I wrote on the 6th June last year—not to Mr. Dubuc, as the Liberal press has said always, not even taking the trouble to inquire the names of those to whom I wrote—but to Mr. Plante and Mr. Charland in Fall River, that, since the entry of Riel into the Dominion of Canada in 1884, no petition had been presented to the Government by him or by his government or council, and that I, the friend of the Half-breeds, I, the man who had shown my friendship and my sympathy for them in a substantial manner, I had received nothing from them, not even a letter; and that no protest or summons had been sent to this Government since the beginning of the agitation of Louis Riel.

No; Louis Riel, when he arrived in the North-West, commenced his work, as the evidence which has been brought

before the House shows, by trying to captivate the sympathy of the people. He was a master in that art. After having succeeded in that, what did he do? When he saw that the people were not ready to accept all his views, he began a political agitation. He did not address himself to the Government, but went on with his agitation; and, when, as in one instance, a venerable bishop, Bishop Grandin, had him at a meeting, and said: "Perhaps this is not the course you should follow," immediately you see Louis Riel not only trying to captivate the sympathies of the people and alienating from them the Government and the officials, but even alienating those who, according to the words of the great writer, whose authority I have cited, "are in the best position to know the wants of the people and to advise the rulers of the country." He alienated them from his cause, he created a new religion, he was a renegade and an apostate. Then, Mr. Speaker, Riel did nothing of what is considered to be the necessary conditions in order to justify the rising of a nation. He is inexcusable, if he is judged according to the rules accepted by the Church.

But there is another rule by which he, perhaps, wanted to be judged; that is the political rule which is this—the man who rises against the Government, if he succeeds, might be a hero; if he succumbs he is a traitor and he is executed. Riel has chosen what he wanted to have—not the rule of a justifiable rising, but the human political rule, to be applied to him; to be considered a hero if he succeeded, or a felon and a traitor if he failed, and to be acted upon as such; as he was treated and as the law acted upon him.

Mr. Speaker, I will ask permission of the House at this moment to refer to a point taken in this debate, that Riel, who had been arrested and tried for high treason, was considered by the courts, by the Government, and by public opinion, as not being entitled to any special kindness at the hands of the Government because he was a rebel for the second time, and that, though not convicted, he had been already accused of and outlawed for another criminal offence. I shall not take up the time of the House to expound the jurisprudence upon this question. The Minister of Justice has said that a conviction, on a previous occasion, of the same offence, is a real and just consideration for a judge to take into account in sentencing an offender. But my hon. friend from Quebec-East, and the hon. member for West-Durham, have tried to put me into contradiction with myself for having been a defender of Lépine in 1874; and I only allude to it because the press throughout the country has been harping upon it. I did say in my letter

to my constituents that I knew that Riel had been guilty of a previous murder, had been guilty of rebellion before 1885. I do not see my hon. friend for West Durham in his seat at this moment, but I must say that he was not generous on that occasion, he, a member of the profession to which I am proud to belong; and I was sorry to hear him speak as he did.

In 1874, Ambroise Lépine and Louis Riel were indicted for the murder of Thomas Scott. It is well known that, at that time, there was a great deal of excitement in the country, especially in the Province of Quebec. Many considered that the transfer of the North-West by the Imperial Government to Canada not having been completed when the Canadian authorities took possession of the territory, the Government then instituted by Louis Riel was a *de facto* government, and that the crime of which Riel and Lépine were charged, might be defended upon the same grounds as the then insurrection. I must say that that ground was taken in this House by hon. members sitting on both sides of the Speaker.

I was asked then to go and defend Lépine. I remember, as if it were but yesterday, the letter which I received from my esteemed friend the hon. member for Provencher (Mr. Royal). He had volunteered to be the counsel of the accused. Riel had fled from the country. Riel, the principal guilty party, if there ever was a guilty party in the country, had not surrendered to justice, but Ambroise Lépine came up for his trial. My hon. friend from Provencher wrote to me, as near as I can remember, to this effect: "My dear friend, I am charged with the defence of one of the most important cases that ever were tried, and certainly the most important case which I shall probably ever have. I ask you—you having such a reputation as a criminal lawyer—to come and assist me in that work, which I consider as the duty of a fellowman to a fellowman." I think my hon. friend added in his letter: "I shall share with you my fees in the case—I plead *in forma pauperis*—all I can offer you is a hearty hospitality."

Sir, I left Montreal at the first bidding. I did not myself take, nor did I ask my friends to take the hat around for subscriptions. I knew that a man of warm sympathies was waiting for me. I knew that the trip, long as it was, was one that a brave man could undertake, and I left Montreal with my clerk and secretary, Mr. Forget, who is now the much esteemed secretary of the North-West Council.

We found in Maritoba the kind hospitality of an old friend, the hon. member for Provencher, and I acted with him as counsel for Lépine. We fought that case. The judge who presided, and who is no more of this world,

had no more sympathy for the rebel than have my hon. friends opposite, in their hearts, for Riel. The case was a hard one to fight, we lost it; but on that occasion, Mr. Speaker, the trial was not only a legal trial, but it was a British trial such as my hon. friend for Jacques-Cartier wants to have. On the jury we had six French-Canadian Half-breeds, five English Half-breeds and only one white man; and the verdict went against our Half-breed client, whom I then thought and whom I still think, was innocent of the crime of which he was accused. He was tried, because Louis Riel had not had the manliness to surrender himself, an act which would have saved Lépine. He was accused of murder. I do not want to plead the case over again, but I say that, that being a case of murder, we proved that he had nothing to do with causing the death of the man who was shot. We proved that Lépine had not even voted for the death of Thomas Scott, that he was opposed to it; that he had not been a party to the execution, that he was absent from the execution, and that Riel had himself been supervising the execution as a corporal of a guard would have done. The jury, however, found Lépine guilty. I bowed to the decision, although I believed in my heart that my client was not guilty.

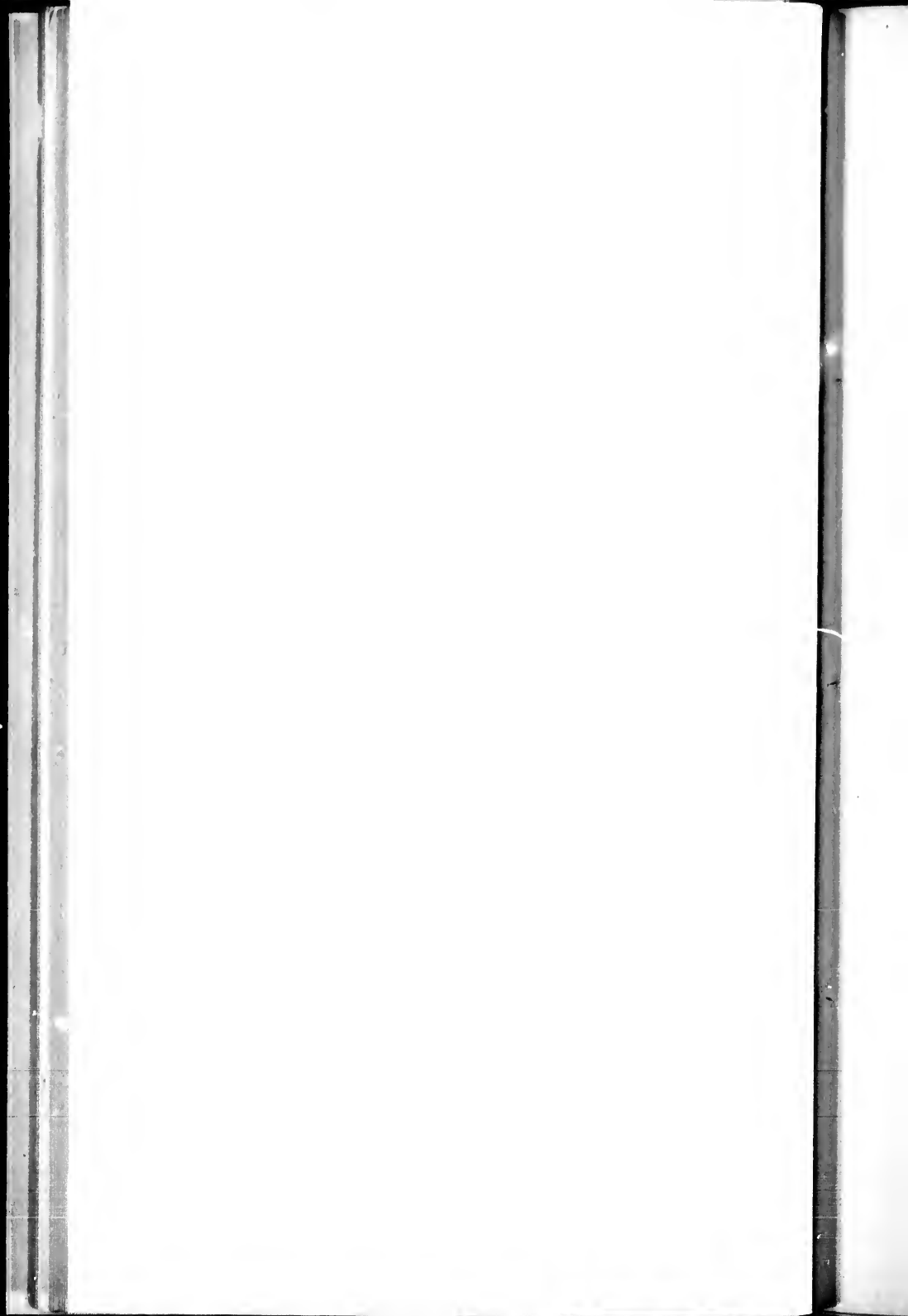
I went to Quebec, the Legislature was sitting. In the Quebec Legislature I proposed a resolution which was read the other day by my hon. friend from West-Durham, who tried to find fault with my actions on that matter. The resolution had reference to the murder of Thomas Scott, but in a greater degree concerned the demand which we were making for a commutation of the sentence in the case I had defended, and our request was couched in respectful words. For whom were we then petitioning? For Ambroise Lépine; the document was not prepared for anybody else. It set forth particulars with respect to the insurrection, and stated that one of the most deplorable incidents was the death of Thomas Scott. We stated that we deplored that murder, yet we thought the event was so much interwoven with political events that it had not for my client the significance of an ordinary murder.

I wish hon. gentlemen opposite would fairly consider the resolution and the speech I made at that time. I was warm with the feeling that the verdict of the jury was not what it should have been, that the judge's charge had been given against the prisoner in a manner not warranted by the rules which should conduct judges in addressing juries; and still what did I say? The hon. gentleman quoted my words in French only the other day. I wish he had done me the jus

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tice of giving also a translation. My speech, as reported in the newspaper, was as follows, when translated :—

"I now come to the burning question, to a most unfortunate event which has set fire to public opinion over the whole of Canada, the great fault which has marked the conduct of the provisional government of Manitoba."

Remember that was in 1874 when everybody was clamoring for an amnesty, and I then said it was "a most unfortunate event" a "great fault." I continued :

"It has been attempted to cast upon a few individuals the responsibility which must lie upon all those who had charged Riel and his companions to protect them and lead them. This unfortunate event, which I condemn, has been committed by persons who believed it in good faith to be necessary for the safety of the society and the Government which they judged was legal because it was issued of popular will. All that can be said on the execution of Scott has often been repeated. It is a subject which it will be well to allow to fall into oblivion, in order not to arouse national susceptibilities. I ask that it be forgotten in the same way that I desire that the murder of Goulet and other Half-breeds be no longer spoken of. Blood calls for blood, and there has been enough shed to satisfy both sides, admitting, what I will not admit, that the two nationalities in conflict upon that point required that barbarous reparation."

I ask all men who are not prejudiced if I, as the lawyer of Lépine, speaking in his name, was using any language which entitles me to condemnation to-day. I then said that the execution of Thomas Scott was the most unfortunate event that had happened in that unfortunate movement of 1870. I said it was to be deplored that such a thing had happened. I said I condemned it. Is that any contradiction of what I say to-day—that in adjudicating the fate of Riel, the Government had a right to enquire into his antecedents, into his previous convictions, and although punishment had not to be inflicted for an act for which he obtained pardon, though he had not performed the conditions of his pardon, yet, we had a right to say that he had been once guilty of rebellion and once guilty of murder, and we could not give him our sympathy to-day as we might have been ready to have given him our sympathy at a previous time?

I wish I had here to read the testimony of the witnesses in the case of Ambroise Lépine. I heard the other day an hon. member read a letter that had been written by the Rev. Mr. Young about the murder of Scott. I desire to refer to a witness who, before the court, gave evidence with respect to that unfortunate event. The evidence was given by a French Half-breed, Joseph Nolin, and what did it establish to the court? He stated that Thomas Scott had been accused before the so-called council of Louis Riel in 1870, that his trial had taken place, if it can be called a trial, that sentence had been passed, that he had been condemned to die, and that

during the whole of that mock trial the prisoner himself had not even been brought face to face with his accusers, those who judged and condemned him. He stated that Thomas Scott was brought and informed, by Riel, that he was to be shot, the next day, at 12 o'clock, and when the witness, a friend of the rebel leader, was asked whether any questions were allowed to be put by the prisoner, Riel replied: "No." Scott was told that he had been found guilty that he was to be shot the next day and that he might write to his minister to come and comfort him in the few hours that were left to him.

These were facts which I knew, and if, in 1874, I said that pardon should be given to my client, Ambroise Lépine, it was because I knew then that he had nothing to do with the murder, as he was one of the members of the tribunal who had refused to vote for the death of Scott, and were opposed to the death sentence. Lépine was at the time the lieutenant-general, as he was called. It was he who was charged with the execution of the orders of the president, and it was proved that when the sentence was executed, he was not even guilty of being present under orders. Then I referred to the to be regretted execution which I deplored, which I thought everybody should try to forget.

But, I must not keep the House much longer, and I will summarise the points which have been raised by my hon. friends opposite. The first was a justification of the rebellion, and this was the task imposed on my hon. friend from Quebec-East. Then it was argued that it was a political offence; that a reprieve had been granted which should imply the commutation of the sentence; that insanity had been pleaded, and that the Government had not given the necessary care to an inquiry into the sanity of Louis Riel; that the recommendation of the jury to the mercy of the Crown had not been heard; and lastly, that the prayer of the whole nation asking for pardon had not been listened to by the Government. Mention has been made of the fairness of the trial which has been given to Riel. I shall not discuss that question, but shall content myself with quoting the words of the hon. leader of the Opposition, as I think they will dispose of the whole of that accusation. The hon. member for West-Durham has said:

"From what I know of their leading counsels, I should think it impossible that in their management of the case there was anything unfair to the prisoner or derogatory to the high character they deservedly enjoy, and the responsible duties they undertook to perform."

No better testimony than this, Mr. Speaker, could have been given to the fairness of the trial. Then, Sir, Mr. Fitzpat-

rick, the leading counsel for Riel, has stated on different occasions, as this House knows, that the trial was a fair one and that his client could not complain of the legality of the verdict which had been rendered against him.

Insanity has been pleaded, but how was it pleaded? It is a fact well known to everybody that no special plea of insanity was put in, at the trial of Louis Riel, on his behalf. I shall be answered that a general plea of not guilty would include the plea of insanity. But, Sir, the authorities which have been read, in this House, will show that if insanity is to be pleaded only as an insane impulse at the time of the commission of the crime, then, the general plea of not guilty including the plea of insanity, to excuse the act of which the prisoner is accused, is the proper plea, and why? Because at the time of the trial, the prisoner is not supposed to be insane; because it is only intended to prove that, under a certain disease of the mind, at a certain time, the prisoner might have been then insane, and the general plea covers that plea of insanity, if it is intended to be proved at the trial. But is that the theory of my hon. friends? Is that the plea of those members who are saying as the hon. member for Richelieu (Mr. Massue) said in his remarks: "I do not agree with what has been said on the other side, but I think that during the insurrection, before the execution, and at the time of the execution, there were doubts as to the mental sanity of the prisoner, and I think the Government should have given him the benefit of the doubt." The law is that, in cases of insanity, the benefit of the doubt must not be given to the pretended insane, but in favor of the reason and responsibility of the man who has committed the act. But let us take the declaration of my hon. friends, when they say that the man during the insurrection, before the trial, at the trial, and after the trial, and up to the time that he expiated his crime was insane. My friends will believe me when I tell them that, in such a case, the plea of insanity should have been a special plea. The plea of insanity should have brought all those medical men, whose duty it would have been to examine the prisoner with care; and I am sure the tribunal would, willingly have allowed that examination. But the counsel for the prisoner chose to raise the general plea of not guilty. Every member of the legal profession knows how difficult it is, when it is not a special plea, to prove that insanity was the ruling disease of a man at an anterior date.

No, Mr. Speaker, insanity was not pleaded as being the actual state of the prisoner at the time of his trial, and why? Because the prisoner did not want it; because his counsel did not want it; because they knew that, if the prisoner

had been examined at the time of the trial, the plea of insanity would not have been a good plea, then, anymore than it is a good plea now.

What is legal insanity? We have heard of it here, and we might be kept for months listening to the opinions of doctors. It is true, doctors are called as witnesses to give their opinions in cases where insanity is pleaded; but the proof of insanity is not the opinion of a doctor. We must take the law as it exists, for the protection of society, and when it says that insanity should be declared legally so as to prevent the execution of an offender after the sentence is pronounced, or to prevent the finding of the jury when the case is before the jury, the legal insanity is not what a doctor says, it is what the verdict of the jury declares it to be. If we took the medical books as authorities of what insanity is, we should have to believe that three-fourths of the world's brains are not exempt from mental disease. Therefore we must accept the decision of a jury selected according to law.

I was surprised when I heard my hon. friend from Rouville (Mr. Gigault) quoting from Sir William Harcourt to the effect that the Home Secretary had the right to make an enquiry as to the mental state of an offender, at the time of the commission of the offence, as well as at the time he was about to be executed. That is not what Sir William Harcourt said, and it is not what the law says. The quotation made by my hon. friend was to the effect that in certain cases in which the judges had not enquired into the sanity or insanity of the prisoner, owing, perhaps, to the prisoner being too poor to bring witnesses, the Home Secretary had taken upon himself, after having been duly advised that insanity existed, to hold an enquiry which the court had not made; but in England when the plea of insanity is raised, and the verdict of the jury is found upon that plea, it is not true that the Home Secretary orders an enquiry, to take up again the work that the court and the jury have done, or takes new evidence to prove that insanity existed at the time of the commission of the offence contrary to the evidence taken at the trial. It could not be so, because if that were done the Home Secretary would have the right to take up the case again and institute another court in order to try the prisoner anew. This would be subversive of the administration of justice, and I am sure the practice is not so understood by hon. members on the other side of the House who belong to our profession, and it should not be asserted in the House as being the true principle which should guide the action of the Executive here.

Mr. BLAKE. Hear, hear.

Mr. CHAPLEAU. I know that the whole of the evidence has to be scrutinised by the Minister of Justice and by the Privy Council, and if that evidence is found to be defective, then it is the duty of the Executive to say so. But to hold another investigation and try the case anew I say is heresy in law and would be a subversion of the administration of justice.

Now, I come to another point—the recommendation to mercy by the jury; and I must say that, with the people, this feature of the case has had great influence. I do not agree with my hon. friend from Rouville (Mr. Gigault) that, in every case, in England, where a recommendation to mercy has been given by the jury, no execution has taken place. That was not the real meaning of the authority my hon. friend quoted. That authority said that if the judge did not agree with the recommendation to mercy, then the Home Secretary had to judge by himself upon the evidence and the record brought under his consideration. My hon. friend from Jacques-Cartier (Mr. Girouard) felt the weakness of that argument, when he said: "I have looked over the records and I have not seen anything to prove to me that the judge did not coincide with the recommendation to mercy by the jury." Mr. Speaker, I need not take any more than what the judge said in passing sentence. He said:

"I cannot give you any expectation or hope that the recommendation to mercy will be taken into consideration by the Executive."

Would it be possible for the magistrate to say in plainer terms that he could not agree with the recommendation of the jury that the clemency of the Crown should be exercised?

What would be the result if the theory of my hon. friend from Rouville were put into practice? I have had some experience in courts of criminal jurisdiction for over fifteen years; I have been practising in those courts, and I know the danger of a recommendation of mercy by the jury. That danger is on both sides. There is a danger for the administration of justice, because the lawyer, who has a bad case to plead, can, almost in every case, save the life of his client by asking the jury to recommend him to mercy. It would be danger to the prisoner also, in doubtful cases, if the prosecutor for the Crown, unmindful of his duty, would tell the jury to find a verdict of guilty and couple it with a recommendation to mercy, which would save the life of the prisoner.

The law has enacted that the administration of justice should be set apart from all political prejudice or passion;

the judiciary should be above partisanship, and yet, if we are to believe the advocates of Riel, we should put the Minister of Justice—who should be, with respect to those cases, on the same level as the judiciary since he is exercising the same functions—at the mercy of political opinion, political bias or passion, or any excitement in the country. And hon. gentlemen ask that we should take no account of the delicate functions he has to exercise, but subject him to the influence of every wave of public opinion. On that point I will give the opinion of the hon. member for West Durham:

“As Minister of Justice, I have had to advise in many capital cases, and I do not forget the heavy responsibility which rests on those in whose hands are the issues of life and death, and whose task is rendered all the more difficult by reason of the large measure of discretion vested in them, and expressed in the word ‘clemency.’ I know how much these difficulties are enhanced by a heated partisan and popular discussion.”

And the hon. gentleman added:

“And I declare the occasion must be grave which renders discussion opportune and the case must be clear which renders censure expedient.”

This should have been the rule in appreciating the delicate position of the hon. Minister of Justice and of the Executive in the question.

I now return to the main point raised in this discussion, that is the question of the insanity of Louis Riel. I have explained what insanity is, in a legal point of view and how insanity should be considered in the administration of justice. It has been said that Louis Riel was insane; first, because he had formerly been confined in an insane asylum as an insane man; next, because he had religious mania, and then the new argument is advanced that he must have been insane because his secretary, Jackson, was insane, as otherwise he would not have employed Jackson.

On this subject, I may perhaps be allowed to allude to an incident in the debate. The hon. member for West-Durham (Mr. Blake) accused me of having stated in my county, at St. Jérôme, that Jackson, Riel's secretary, was a frenchified Anglo-Saxon. I do not know what conclusion the hon. gentleman was trying to come to from that, but, at all events, he said the secretary should not have been set at liberty when his master had been condemned to death. I told the hon. gentleman at the time that I blamed him for not taking the word of a colleague when I said I had not used those words on the occasion referred to. I must tell him now what I did say. I said that newspapers had mentioned that Jackson was not more English than French, and might have been one of those frenchified English, and that there

was no reason why he should have been set at liberty; and in reply to the newspapers, I stated that Jackson might be a Frenchman, but, whatever his nationality, he was one of Riel's secretaries and Régnier was the other; I stated that the counsel for the prosecution had decided that neither should be subjected to a trial, but they be set at large, that Régnier was set at large; and if Jackson was put on his trial, it was because his friends and family urged the Government not to let him loose, because he was insane and should be put in the asylum, as an insane man and cured if possible as they believed his insanity was only temporary. I had had that information from one of the counsel for the defence and I repeated it then. This disposes of the little aspersion of my hon. friend from West-Durham (Mr. Blake) in that respect.

But let us return to the main issue. Was Riel insane at the time of the insurrection, and is that insanity a reason against the verdict obtained against him, and against the sentence rendered against him? Riel had been put into an asylum, it is true. I was the Minister in the Government at Quebec who signed the papers for his entrance into the asylum at Longue-Pointe. I am at a loss to know, even at this moment, whether the man was insane then or not. I shall state in a few moments why my doubts exist. Previous insanity is not a proof of insanity at a subsequent period. Where shall we take then the evidence of the insanity of Riel if we do not take it at the trial from the verdict of the jury? The insanity of Riel is proven by whom? By the missionaries who were, at that time, in that region? If they had believed that Riel was really insane, as insane as a man is legally, would they not have taken the means, during that time, to have him arrested as a lunatic, and confined as a lunatic? Let us take the testimony of his fellow-countrymen. The first man who said that the Government had hanged an insane man in hanging Riel, was slandering the Métis nation. We have the testimony of those who were with him, and we are told by one member of this House that he might have been insane and yet might have led sane men; that we have seen on some occasions an insane man creating a riot. That might be the case, for a few hours, in a sudden rising, but have we ever seen, and can we say, as sensible men, that a lunatic, that a demented man, from the month of July, 1884, to the month of April or May, 1885, could have acted as he did without anyone protesting against him, where men were placing in his hands their liberties and their lives, and could not perceive, by their daily and nightly communication with him, that he was not in possession of his senses?

We might go further. Take the plan of his campaign. I do not speak of the plan for the organisation of the party of Louis Riel, but the plan of his campaign.

We are supposed to be sane men; we might be acting under delusions, as my hon. friends have been acting under delusions since November last that this Government would see its last days in consequence of this crisis, but we are supposed to be sane men, and yet did we not, last year, suppose, and do we not now think, that his plan of campaign was not only the work of a sane man but of a very cunning man?

The season when the outbreak took place, the 19th March, at the beginning of spring, is a time when the roads are almost impassable, and when, in that country, even ordinary vehicles can hardly be used on those prairies, and the use of cannons and batteries, which Riel probably thought would be brought into the field, would be much more impossible.

Take the plan of his campaign. The Canadian Pacific Railway was not then finished, and Riel knew it as well as we did. He knew it better than the leader of the Opposition did, who was asking at that time what gaps of the railway remained uncompleted, how many miles remained to be constructed, and what were the difficulties to be encountered in building that road? The railway was not completed. Was it not the work of a sane man to choose that time for an insurrection, when that road was not in a condition to use for the conveyance of troops into the North-West? We did not think ourselves that it would be possible. We doubted it, and we were asking ourselves whether the American Government would permit the transportation of men, ammunition and arms through American territory. We knew that international laws might have prevented it. We knew that on a certain occasion, the transportation of troops had been prohibited by the American Government, across the St. Clair Flats, where only a few miles had to be traversed in a neutral part of the country, and we thought that the Government of the United States might have prevented this, especially on such an occasion, and Louis Riel knew it also. He knew that, at a time when a political campaign was just over in the United States, when the two parties were fighting, it was probable that the Canadian Government would not have the authorisation to transport troops through the American territory. Was that an evidence that he was an insane man?

Louis Riel knew all that, he knew the difficulties we had to encounter. He knew that, just in the beginning of spring, before the grass would grow, as he said, we would have a rebellion such as we had never witnessed in the North-West.

He knew that, at that season, though the food might be sufficient for the ponies of the prairies, food for horses coming with troops from this country would be difficult to be found or to be transported there. He knew that thousands of Indians might take part in that uprising.

If the rising had been a successful one, if the Indian warfare had been a successful one, who knows what would have become of the Half-breed population who remained faithful and loyal to the Government and to their Sovereign? — and I hope they were then, as now, really loyal. Who knows what might have been the consequences of that uprising? Who knows what might have been the consequences in the Province of Manitoba? Who knows if the success would not have brought to him thousands of arms to aid him? Who knows if he had not planned that the rising of the Indians, scaring the settlers from our North-West, would give cause to the thousands of Indians in the United States to join in the war and flood the North-West, so that he might, in his own emphatic words, have taken possession of Manitoba and of the North-West? Who says that we did not believe that ourselves last year, and that, in the feeling we had that that country was to be submerged by rebellion, warfare and bloodshed, we did not believe that that man was the sanest man who ever planned a rebellion, selecting that particular time of the year, with the means at his disposal, and knowing the scanty means which were at the disposal of the Government? His design has been frustrated, it is true, but who can say that he had not the free use of his mental faculties when he planned that campaign?

We expressed those fears last year. Hon. gentleman opposite expressed those fears, and we then heard the hon. leader of the Opposition telling the Minister of Militia: "Sir, you shall be held responsible for the lives of the sons of this country who are going to the North-West if you do not supply them with the best of arms, because we have been told that the Indians and the Half-breeds have been supplied with the best of weapons for the warfare they are undertaking."

This was our conviction. How has it changed since that time? How has it come that my hon. friends opposite believe the whole of that was nothing but the phantasy of a deranged mind? That there was no danger, that the people should have known the man was crazy, and that every one of his words, that every one of his actions, every one of his plans would have been frustrated on account of his insanity?

It is true that he had not collected the means necessary for the insurrection; it is true that his scheme was not such

as would have been planned by a man accustomed to campaigns; but the wickedness of a man who contemplates a crime has always some weak point. A great criminalist said once to a lawyer who argued that his client could not be guilty because his utterances and actions were those of an insane man, and if he had been really a criminal he would not have spoken as he did—the celebrated judge answered: "Sir, this is no proof; fortunately, the insanity of criminals is the protection of life and of society."

Mr. Speaker, there is one point to which I am surprised that my hon. friends on this side of the House have paid so little attention. I refer to a piece of evidence which was received in this House—I would be disposed to say providentially—and that evidence the hon. leader of the Opposition himself has brought before us. I would not apply the words of the judge that I quoted a moment ago that there is always some degree of insanity in wickedness; but the wicked idea which presided at the origin of that letter from a juryman on the trial at Regina, which was given before the House, is a most extraordinary thing. I do not want to qualify the act, but I was surprised to hear a counsel learned in the law, a man accustomed to the dignity of courts of justice, coming up in such a solemn debate as this, and reading a letter from a juryman, who gives under his own signature, though no name was disclosed, the secret deliberations of the jury and the motives and reasons for their verdict.

But, Mr. Speaker, inopportune as this might have been, improper as this has been, a great point, the real point, lay at the bottom of it. The pleasure of reading it was only the pleasure of bringing out the conclusion of that most extraordinary letter, in which it was stated that if the Prime Minister, the Minister of the Interior, and the Lieutenant-Governor of the North-West, had been tried as accomplices before the courts, they might have been adjudged guilty with the criminal, and the jury recommended one to the mercy of the court, because the others had not been indicted with him in the accusation.

I do not want to comment upon the impropriety, upon the indecency of the act of the man who wrote that letter, and who had the audacity of saying that he would have found a verdict of guilty against persons when not a word of evidence had been given against them at the trial, who had the audacity to come and give his declaration that though no evidence had been given against those members of the Government and the administration in the North-West, though they had not even been charged with any offence, he a juryman, who was sworn to give a verdict

according to the evidence, declares that he would have found them guilty.

But, as for the issue before us, we cannot doubt the document nor suspect the intentions of the writer. In that document it is stated that not one of the jury for a moment thought that the prisoner was insane. This man says: "We do now declare to you that each and every one of us, when he answered the roll call, said: 'He is guilty and perfectly sane.'" The question had been put frankly and in a judicial manner by the judge "Do you find him guilty of the rebellion? And if so, say guilty. Do you find him guilty of the rebellion, but if you think that his mind was deranged at the time, that he was not responsible for his acts, say that he is guilty but insane." And he said: "We answered that he was guilty and perfectly sane."

Mr. Speaker, if there was a corner in my conscience where the shadow of a doubt had existed, that shadow of a doubt has been cleared away, and I must say that I felt as if a heavy weight had been taken off me when I heard the hon. gentleman disclosing the secret deliberation of that jury, and telling me: "You were right in surmising that there was no evidence of insanity, and if the whole jury had recommended him to the mercy of the court, that would have been no reason for granting it."

My hon. friends opposite have contended that a recommendation for mercy was justified only on the ground that there was a disease in his brain, but that is cleared away by the letter which the hon. member has read to this House. What documents could prove more than that?

I have other documents which I hesitate to place before this House, though that would not be improper as the production of a letter from a jurymen disclosing the deliberations of the jury. The documents are before me, and if I am asked why were not the men who gave those documents examined before the court at Regina, I shall answer that they did not volunteer to be witnesses because men are not obliged to be informers against their fellow men and to give evidence to secure their conviction and send them to the gallows. I have the evidence; I have not asked for it. I have not enquired about it although I knew it; I did not want to ask for it, it was sent to me. I will ask the permission of the House to read these documents. I did not need them to influence my own feeling about the case, my own conviction as to the case and the conclusion at which I arrived; but they may assist the hon. member for West Durham (Mr. Blake) as being confirmatory of the evidence of his friendly juror at Regina.

Here is a letter dated 19th March, 1886, from Longue-Pointe. It is given by the attending physician of the asylum since the opening of the institution—Dr. Perrault, a man against whose character, honesty and integrity no man in the Dominion can have a word to say. Here is his certificate. As I have told the House, I knew it before; I knew it from authorities that I would not like to disclose. I will translate the paper :

"I, the undersigned physician of the asylum of St. Jean-de-Dieu, certify that a few days after the entrance of Louis Riel into this asylum I perceived that with him insanity was simulated. The exaggeration of his acts was such and so much beyond what we generally remark in subjects affected with real insanity that with a physician accustomed to treat such cases there would be no room for doubt. Upon making the observation to him that I was not to be taken for his dupe, he confessed to me in effect that he was shamming the insanity. And the evidence that I was right in my surmise and that his confession was really sincere is that on all occasions, and they were many, I have been along conversing with him, he has always talked in a manner absolutely lucid and sane upon all and every subject with which he has entertained me.

"F. X. PERRAULT, M.D.,
"Asylum of Longue Pointe."

As I said before, this information was given to me a while ago. I knew it, I must say, even before this House sat. I knew it even, but not in a satisfactory manner, some time after the so-called insane man was admitted in the asylum. I knew it from some of the guards, but I would not have taken their authority. Hon. gentlemen may say: "How is it that a man who has been visiting doctor of an institution and knew a patient was not insane and yet allowed him to remain in the institution where he was shamming insanity?" I ask hon. members, and all those who know the circumstances under which the man was detained in the asylum, whether it would have been prudent, even in the public interest, to have, at that time, revealed that secret and set that man at large. It was in 1876. The amnesty had been proclaimed, but the crime of the murder of Scott had not been forgotten, and it would not have been in the interest of anyone that this poor man should have been made a target for a bullet which would have been sent in revenge for the murder of Scott.

Some hon. MEMBERS. Oh, oh!

Mr. CHAPLEAU. I hear some hon. members laugh. I wish they had been in the Province of Quebec, in the counsels of their own friends, some of whom came to me as Provincial Secretary and told me in effect that the man was Louis Riel, but his name had not been made public for the reason I have mentioned. They said that his retention in the asylum would not be made a reproach to me. I do not

reproach myself for having admitted in the asylum Louis David, whom the hon. gentleman's friends told me afterwards was Louis Riel. No good could have been obtained by not doing so. The evidence put before me was the evidence to which as a member of the Government I had to submit.

The other document which I bring here in support of the letter of the juror at Regina is the certificate of a man whose name I would hesitate to place before the House. It might subject him to difficulty, to persecution; but I have the document in my hands, and the person to whom it has been given said I could place it before the House and the writer would not object. I do it upon my responsibility. It is the certificate of a man who stands high in the medical profession, a man who can be vouched for by some of the best men in the medical profession. It is the certificate of Dr. Brunelle, house-surgeon of the Hotel-Dieu, of Montreal, a professor of the medical faculty of Victoria University. Dr. Brunelle was an intimate friend of Riel. He knew him both in Montreal, at Beauport Asylum, and afterwards in the United States where he lived for several weeks and months with Riel. The certificate reads:

"I, the undersigned, certify that, at the time of and after the confinement to Beauport Asylum of Louis Riel (whom I have particularly known, both in the United States and in Canada) I have ascertained on divers occasions that outside some eccentricities in his manner which were little to be noticed, he was perfectly lucid in his mind and sane in his intellect, and spoke absolutely well on all subjects when he was not observed. I attest, moreover, that in my presence the said Louis Riel has been simulating insanity in such a manner as to leave no doubt in my mind as to the character of his pretended insanity."

And then I may add that the writer of the last certificate has stated that he had on several occasions conversed with Louis Riel, and had from him the whole secret of his sham insanity.

Although I have given to this House the evidence which I have received, I do not intend to make use of it to ask for the decision of the House upon the question before us. My hon. friend from Bothwell (Mr. Mills) is laughing. I do not know whether he is laughing at the sanity or the insanity of Louis Riel, whether he is laughing because these certificates are overwhelmingly against the poor unfortunate man, but I say that I think what I have given to the House is nothing but a corroboration of what I have stated and what I believe, that when Louis Riel was found by the jury at Regina to be a sane man, the finding was one which every man in this House would have found if he had been on that jury, after the evidence which was heard at the trial.

Outside of the insurrection, one of the reasons that prevented clemency being exercised in Riel's case, was his inciting the Indians to warfare. Upon that I might also claim the authority of my hon. friend from West-Durham, who said that there was a most aggravating character to the rebellion in the fact that Riel had incited the Indians to warfare.

That aggravating feature, the greatest of all the crimes that Riel has committed in the North-West, has not been answered by anyone in this House except the leader of the Opposition. He said, also, that we should not hold our heads very high with regard to that accusation of inciting the Indians to warfare, because the Indians had been pressed into war centuries ago to assist brave soldiers and humane men in wars against other nations. I do not want to dwell upon this. The Minister of Justice has done justice to that pretension.

I would ask, however, if there is any similarity between the case of soldiers fighting in the citadel of Quebec, the walls of Montreal, or of the forts of the old Province of Upper Canada, having Indian allies in their struggles, and the case of Louis Riel? No, Sir, there is not, and we have proof of it.

Let me remind the House of the letters which Riel wrote to the Indians telling them to come and plunder, as was stated in the case of the Indians who were put on trial before Judge Rouleau, and that before the 1st of June the order was given to the Indians to rise, and the whole of the white race was to be exterminated in the North-West. What is the answer of the Indians to the messengers that Louis Riel sent to them? Their answer proves the demand, and proves the intent of the man who sent these messengers with presents to the Indians.

Here is a letter which was written by a number of Indians to Louis Riel:

" Mr. LOUIS RIEL:

"I want to hear news of the progress of God's work. If any event has occurred since your messengers came away let me know of it. Tell me the date when the Americans will reach the Canadian Pacific Railway. Tell me all the news that you have heard from all places where your work is in progress. Big Bear has finished his work; he has taken Fort Pitt. 'If you want me to come to you let me know at once,' he said, and I sent for him at once. I will be four days on the road. Those who have gone to see him will sleep twice on the road. They took twenty prisoners, including the master of Fort Pitt. They killed eleven men, including the agent, two priests and six white men. We are camped on the creek just below Out Knife Hill, waiting for Big Bear. The Blackfeet have killed sixty police at the Elbow. A half-breed who interpreted for the police, having survived the fight, though wounded, brought this news. Here we have killed six white men. We have not taken the barracks yet, but that is the only entire building in Battleford. All the cattle and horses in the vicinity we have taken. We have

lost one man, a Nez-Percé, killed, he being alone, and one wounded. Some soldiers have come from Swift Current, but I don't know their number. We have here guns and rifles of all sorts, but ammunition for them is short. If it be possible, send us ammunition of various kinds. We are weak only for the want of that. You sent word that you would come to Battleford when you had finished your work at Duck Lake. We wait still for you, as we are unable to take the fort without help. If you send us news, send only one messenger. We are impatient to reach you. It would encourage us much to see you, and make us work more heartily."

There is the demand and the answer. It is a proof that the Indians were asked to rise, and that all the white settlements should be defaced from the prairie and the white men exterminated.

The laws of nations have declared within the last century that alliance with Indians was not only unwise and imprudent but inhuman and outside the pale of international law.

The United States Government, which has been quoted as a model for us, have decided it very quickly because of the risings in their North-West, the risings near Mexico, and the risings during the building of their railways. There they have given fomenters of Indian wars and hostile Indians no kind of trial except the bringing them before the military authorities, shooting them, or hanging them by the dozen or the four dozens, as was done after the Custer massacre. The Government of the United States, that model Government, do not allow any scruple to interfere; but when an Indian war is raised, the law of the land is enforced and executed by the military hand.

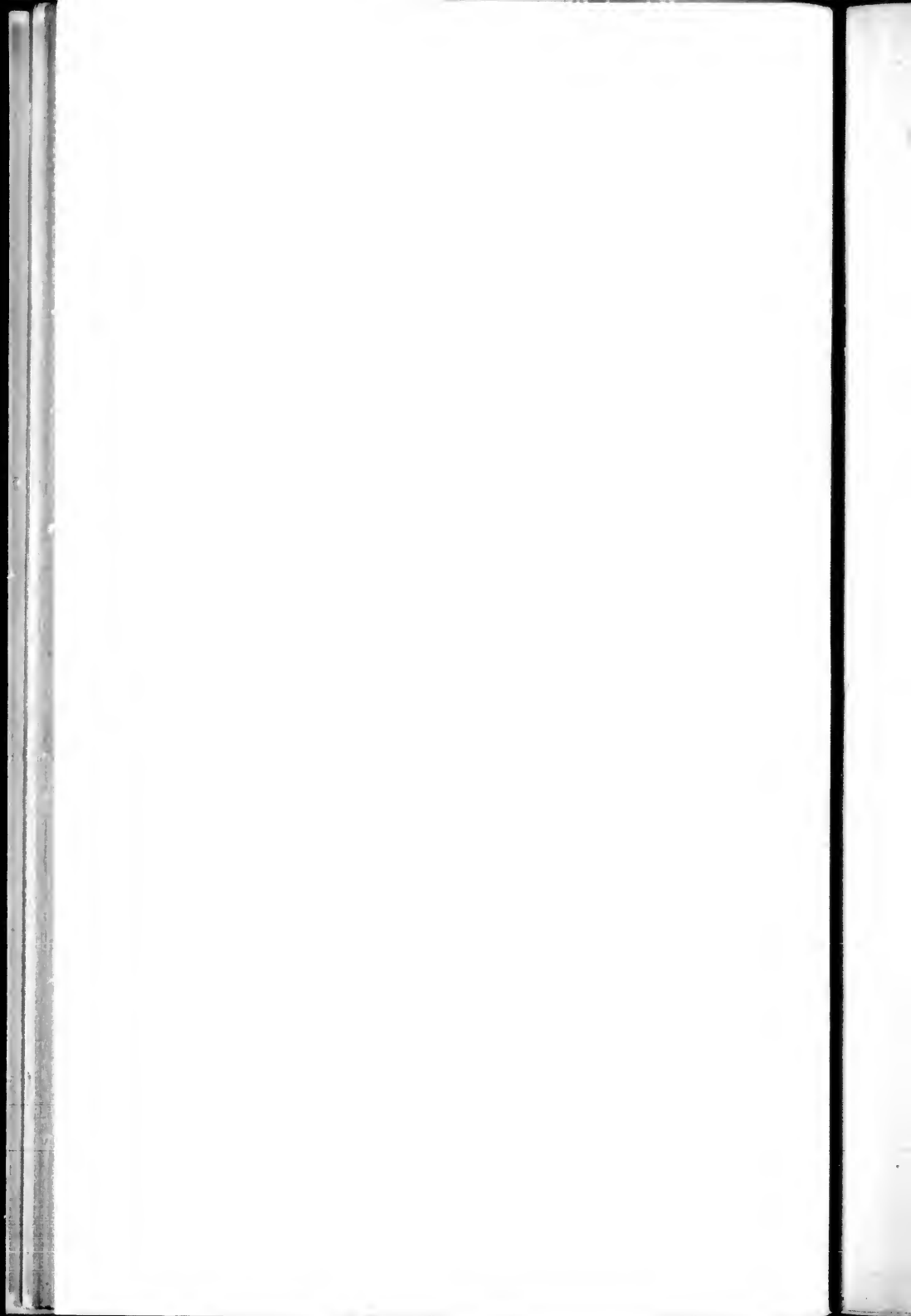
It is useless for my hon. friends on the other side to try to make of this rising, as my hon. friend from Quebec-East (Mr. Laurier) has been trying to make it, an insurrection that might be justified and excused. It is of no use for them to try to make of Riel a martyr, as my hon. friend from Maskinongé (Mr. Desaulniers) said he did, or a hero, as my hon. friends opposite have tried to prove him, or even an insane man, as some of my friends on this side have been disposed to think him, giving the benefit of any doubt they had, not to the law, but to that humane tenderness which exists for a man who is condemned to the gallows.

No, Sir, history, in its impartiality, shall not decree him a hero. The *bonum commune*, the interest of the nation was not the motive of his actions. He had dreamed of being a Napoleon, but he was ready and willing to be the chief of a guerilla band, ruling by violence and terror over the region of his exploits, living on plunder and waiting for the accident of a fortunate encounter to secure a heavy ransom with the safety of his own life.

Here is, in my opinion, and I speak with the sincerity of my heart and of my conscience, here is my opinion of Louis Riel's campaign, surrender and death. Riel was not an ordinary criminal, who, under the impulse of strong ruling passions, and for lucre, lust and revenge, committed murder, arson and pillage, with "malice aforethought." Riel has been an unscrupulous agitator, getting up a rebellion against the Sovereign for the sake of personal ambition and profit under the color of redressing public grievances. Riel was a born conspirator, a dreamer of power and wealth, frustrated in his designs but not subdued by his former defeat, which had shaken his brains without eradicating the germ of his morbid ambition, he had been patiently watching his opportunity to come to the surface, until that opportunity came to him; fully cognizant of the nature of the insurrection he was planning and preaching; fully aware of the grave consequences of that movement, ready to accept the full responsibility of the loss of his life in the prosecution of his design. He considered the alleged grievances of the Half-breeds more in the light of the opportunities it would give him to resume power in the North-West, than with the view of redressing those wrongs. He had always advocated that the Hudson Bay Company's privileges and government were an usurpation, and as a consequence that the Canadian Government, who had acquired from the Hudson Bay Company, were not the legitimate rulers of the North-West and the Half-breeds. He was a convinced, although an extravagant, pretender. He believed in his mission, and to accomplish it, he willfully agreed, with his conscience, to kill or to be killed. He measured the distance between his ambition and the success that could crown it, and he deliberately consented to fill the gap, if necessary, with the corpses of his enemies or even of his friends. Devoid of the courage of a soldier, he believed in his own shrewdness as a plotter. He expected success by a surprise, not from a regular battle. He was a wilful and dangerous rebel. If rebellion, with the sacrifice of human life, with the aggravating circumstance of having incited to an Indian war, deserves the penalty of death, Riel deserved it as a political offender in the highest degree.

It has been pretended that, in his extravagant career, Riel was not sound in his mind and could not reason, although he accepted, the responsibility of his actions. After the most careful examination of all the evidence which came before us, I cannot help saying that Riel, from the moment he left his home in the United States for the avowed purpose of assisting the Half-breeds in their demands for

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redress of alleged grievances, until the end of the North-West insurrection, has deliberately pursued the object he had in view, namely, to obtain full control of the North-West Half-breeds and Indians. To obtain his object, he aroused in himself, and communicated to others, to an intense degree, a sort of national and religious fever. This was a comparatively easy work with an excitable and credulous people. Having thus subdued the Half-breeds, his next effort was directed towards alienating them from the Government and from their clergy. When he had succeeded in doing this, he sought the alliance of the Indians and of American sympathisers.

All that, he planned with a great amount of sagacity and with great pain. But the extravagant confidence he showed in his success, the smallness of the means he collected, his absolute impassiveness when reverse came, the unfeigned faith he had in what he called his mission, all point out to the conclusion that he was the prey to exaltation, to hallucination.

Though not insane, in the legal sense of the word, he was, to use a common expression, a "crank," but a crank of the worst kind, knowing well what was good and what was bad, what was wicked and what was kind, what was the value of life and what was death; but his notions of what was right and what was wrong had been distorted and altered by the determination and fixity of his purpose, by an ardent and selfish ambition, leading to injustice and cruelty. He was certainly, and without affectation, convinced that what he did was permitted by divine and moral laws, and that his treason was justifiable.

Up to the last moment he supported himself with the fixed expectation that the heroism of his struggle, the stoicism he had displayed when arraigned by the law, would bring him a timely deliverance. The death knell alone, that supreme shock which usually increases the nervous irritability of the maniac, when not subdued by illness, had the effect to bring him back from the exalted atmosphere which he had purposely selected for himself. He then seems to have carefully put aside his fantastic character, and resumed the collected and solemn demeanor of a Christian at the threshold of eternity.

That kind of delusion is natural to political fanatics and to religious maniacs. It is the paroxysm of a prejudiced mind, which has wilfully distorted in itself the true notions of law and of right. It cannot excuse a criminal act. The perversity of the intelligence is as much punishable as the perversity of the heart in its wrongful direction of the will for the performance of criminal acts.

The ruling passion has for its origin the criminal purpose which the perverted intellect has consecrated and transformed into a sense of duty.

In this case the purpose was supreme power, both civil and religious. The redress of grievances on one part, and the desire of personal pecuniary advantages on the other, do not seem to me to have been the principal motors of Riel's actions, though they certainly were important factors in his conduct. But that object, supreme power, was criminal and could not qualify, could not excuse him. It is a wrong theory, and it would be a dangerous doctrine to excuse and leave without punishment crimes committed with the conviction that the act accomplished is one calculated to redress a wrong or to bring good results to the community.

I am not a free thinker. I believe that free thinking is the most pernicious evil of this country. It has engendered the worst utopias against moral, social and religious order. But those who claim the right to the most absolute liberty for human thought, will restrict that liberty to the theoretical regions, and they are ready to punish it when it comes in conflict with existing laws. They will punish the manifestation of the idea after having given to that idea the freedom of the world. I agree with their conclusion in that respect; but I am logical, and I believe in the right, nay in the obligation of punishing the perversity of the doctrine. I believe that a man is guilty when he does not preserve his intelligence from the contagion of false doctrine. In the words of one of the most eminent Catholic writers of this age, in speaking of those whose guilty leniency towards the errors of the mind, gives an excuse to revolution and socialism:

"They go so far as to say that error is no guilt, that man is not bound to search the inmost of his soul to see whether there are not some secret causes that lead him away from the path of truth. They declare that in the spheres of human ideas, all human and divine laws are useless and out of place. What insanity! As if it was possible to exempt from any rule the highest and the most noble portion of human nature! As if the essential element, which makes of man the being of creation could be dispensed from the rules of that divine harmony of the various part of the universe together and of that universe with its divine maker; as if that sublime harmony could exist or even be conceived with man, unless the first of human obligations be the constant accord with truth, that eternal attribute of divinity!"

This is the solid and only logical foundation for the legitimate punishment of a number of crimes which otherwise would find their excuse in the erroneous but firm convictions of their perpetrators. In such cases the law is at liberty to admit that the criminal was actuated by a wrongful notion of his intelligence, but it declares guilty the idea which has brought that erroneous conviction in them; and

if the accused invokes the testimony of his own conscience, the law reminds him that it was his duty to keep his conscience right or to rectify it.

I am often pointed out to my countrymen and coreligionists as an unmitigated liberal-catholic, and I presume that my theological searches, in this case, will be found fault with as usual. I console myself, in advance, as I did before, in the idea that my detractors will be harmless, if not charitable in their denunciations.

The crime of Louis Riel had been committed, the criminal had been taken and tried. The trial had been an impartial, a fair trial. A verdict had been rendered against Riel, the only verdict that could be found according to the evidence. Sentence of death had been passed against him. The sentence was a just punishment of the crime committed. It would serve as an example, a warning, a terror to all future criminal impostors; as a remedy against the increasing contagion of cranks. Riel had been pardoned once for the commission of a great crime; a second exercise of the prerogative of royal mercy would have looked as an inducement to treason and homicide. A commutation into life imprisonment would have been a danger to society. The people whom he had deluded, those whose prejudices had been aroused, and those who would have found an interest in working up a continuous excitement in the country, would have found themselves greatly assisted by the prolonged existence of Louis Riel.

The clamor outside was loud, asking for pardon, for commutation of the sentence, but no protest against the correctness of the verdict was made since the decision of Her Majesty's Privy Council. The time fixed for the execution was nearing, when a last appeal was made on behalf of the convict, stating that he was, at that moment, so unsound in mind, so diseased in his brain, that to punish him would be useless cruelty, and a request was made that medical men be appointed to go and examine Riel and report upon his sanity or insanity, that is whether he could rightly understand the nature of his crime and the measure of his punishment. That demand was supported by the almost unanimous prayer of the people of one of the Provinces. The Government yielded to that demand, and the enquiry took place. Medical men whose character and respectability are above suspicion, made the examination of the prisoner and agreed in their conclusions that Riel was an accountable being for his actions and that therefore he could discern right from wrong, he could understand the verdict found against him and measure the severity of the punishment inflicted upon him. And after

that report the Executive agreed that the sentence should be carried out against the unfortunate man.

A great deal has been said about the *personnel* of that medical commission, as it is called; I am ready to admit that the selection of more prominent men in the profession, men more specially prepared by their particular studies, for the examination of such cases, might have given more satisfaction to those who had asked for that commission. At the same time I affirm that a more correct conclusion would not have been arrived at, and I am sure that the clamoring multitude would not have been satisfied. The verdict was a correct one.

The zealous ministers who administered the last rites of the Church to Louis Riel had themselves, and more than all others they were in a position to know the word of the mysterious enigma, they had adjudged upon that point to a large extent, in receiving the abjuration of his past errors, in being made the confidant of his last recommendations and his last will, in admitting him to the most august Sacrament of the Church, on repeated occasions. He had consoled their hearts in searching into the inmost of his own for the humble confession and the sincere repentance of his faults against God and man. He had proved to all that he was enjoying the full usage of his mental faculties, the full force of the good impulse of his heart and soul by the letters he had written to his friends, to his mother, to his family, by the memoirs full of dates, of names, of figures, which he wrote from memory and without the assistance of persons or books or of notes, by his last will and by his whole demeanor in the face of death. He died as he had lived, a strong willed man, he died a sane man.

Such is what the missionaries had said in the beginning, what the Half-breeds who followed him said, what the witnesses said who were produced against him, what the doctors said, what the courts said in rendering the verdict; and it is for having ourselves said the same thing that we have been censured, that we have been accused, that we have been branded, as I said before, as traitors to our nationality, as traitors to the law, as murderers, as we have been accused in this House by hon. members sitting on the opposite side.

I have been very often asked how I could forgive the malignant aspersions which have been thrown against me by those who have initiated the Riel agitation. I have put to myself very often the same question, and I have had only one answer. I could not believe in the insincerity of a number of them; I could not believe that such an outburst of passion, that such a violent disruption of

social and friendly associations, that such a rupture of party political ties could have been nothing but the unprincipled result of political apostasy; I could not believe that our friends who left us on the 16th of November on this question were not sincere; and it is because I believed in their sincerity that I appealed to them, without threats of violence, without promises of favor; it is because I believed in their sincerity that I have resented the insult contained in the insinuation which was cast in their faces by the member for West Huron (Mr. Cameron), and the member for Iberville (Mr. Béchard). It was because I believed in the sincerity of my friends, that I was appealing to their better informed judgment, that I hoped that their better judgment would come at last to their rescue, that I was not willing to distrust their honesty of purpose.

I know that my hon. friends can have no political sympathy with hon. gentlemen opposite. After this question is disposed of, none of the numerous matters which remain, as the programme of the party, can reconcile their views and their convictions with those of members sitting on the other side of the House. I have appealed to them, and if my appeal is in vain, I hope I shall not be found fault with for having believed in them.

I cannot, I must say, give the same testimony of sincerity to the hon. gentlemen whom I see in the immediate following of the hon. member who leads the Opposition. I should not be telling the truth if I were to say that I can reconcile sincerity with the action which the hon. the leader himself has taken upon this question; but I must hasten to say, at the same time, that I cannot blame him, knowing, as I think I do, the motive of his action on this occasion. The hon. member for Quebec-East, carried like so many others by the popular cyclone which over-ran the Province of Quebec, on the 16th November, on the Champ de Mars, in Montreal, had committed one of those mistakes which outlive the political existence of a man. He had made then the declaration, that if he had been living on the shores of the Saskatchewan, he would have been ready to shoulder his musket against the Government of Her Majesty. His declaration had resounded throughout the Dominion like a bugle call to arms for a civil war, and had been resented by the whole of the volunteer force of Canada as a condemnation and insult. The English Liberal party in the Province of Quebec—and I must give them that testimony that their loyalty is above suspicion—had risen in a solemn protest, and the Reformers of Ontario had joined in the repudiation of a declaration bordering on treason in the mouth of a Privy Councillor. It

is a secret to no one that an excuse had to be found to prevent the hon. ex-Minister from having an unpleasant reception in Toronto, and his former popularity, his much admired eloquence, would not have saved him from popular reprobation had he ventured to go before an English audience even in Montreal at the time. His star was waning. *Son étoile pâliissait*, as was said at the time, and for a moment his downfall was imminent. None of the meetings which followed the Champ de Mars gathering had the benefit of his eloquence.

In the meantime the leader of the Reform party had landed in New York, a mysterious conclave took place there, we are told, in the house of an ex-Minister living in that city. The tidings which were brought from that mysterious interview were not of a consoling character to the agitators of the Province of Quebec. The leader went to Toronto and a few days afterwards the speech of London came. But then the word uttered there was the word of a sphinx. The press say that a still more mysterious interview took place here, in the Capital, between the leader of the Reform party and the young chief of the Liberals in the Province of Quebec.

Since that day the attitude of the hon. member for West-Durham was an enigma for the public. We have had the explanation of that enigma by his speech the other night. What was it? The young and impetuous leader of the Quebec Liberal party was not to be dethroned; on the contrary he was to be supported, and he was to be applauded, a great blow was to be struck to arouse the sympathies of the party in his favor. His declaration of the Champ de Mars had been a bold one. His declaration in the House of Commons was to be an audacious one, and he had to be supported and applauded here. Hence the speech of last Wednesday.

I must say, Mr. Speaker, that the hon. gentleman has done it bravely, to say the least. Audacious in its affirmations, polished in its diction, brilliant in its delivery, the speech of the hon. member for Quebec-East, if it was not a model of sound logic, was, at least, a splendid effort to rally around his banner the wavering sympathies of his friends in Lower Canada. But that was not sufficient to restore confidence in him, to bring back the former sympathy, and the hon. leader of the Opposition chivalrously came to his rescue. He lent to the fervid eloquence of his neighbor the assistance of his vast erudition, his powerful dialectics, his most ingenious argumentation, for five hours. The leader has risked his own popularity to save his first lieutenant. There are officers for the sake of whom a general will defy danger.

It may not be according to the art of war, but it shows courage, and courage challenges admiration. However Mr. Speaker, we saw, everyone in this House could see, the laborious effort, the most ungrateful labor, which the hon. member for West-Durham was performing. That great master of the language was uneasy in the work of propping with carefully shaped arguments, of covering with his most elaborate periods what he felt his great talent could not force into the minds of his followers. Overwhelmed by the weight he was carrying, at one moment he was obliged to confess that the vote he would give in this case was "an inexpedient vote." Yes, Mr. Speaker, it will be an inexpedient vote, not only an inexpedient, but a useless vote, inexplicable and indefensible. In Ontario, in the Maritime Provinces, it will be received with hostility; in the Province of Quebec it will be received with suspicion.

An hon. MEMBER. Hear hear.

Mr. CHAPLEAU. If the hon. gentleman opposite, who says "hear, hear," listened to his own intimate feelings, he would say that it is preposterous to think that the loyalty of the Dominion will accept, however eloquent it may have been, a plea in favor of that revolt such as was claimed by the hon. member for Quebec-East. That plea will not be accepted. The Dominion of Canada cannot accept it. I regret to be forced to say that the hon. gentleman by the course he has taken has not "caused the House of Commons to speak with a voice and in a sense which posterity, after these heats have cooled and these mists have cleared, shall ratify and confirm." If the vote of the hon. member for West Durham, if his voice, if the sympathy he has been attempting to raise, received, even in the Province of Quebec, the answer he has invited, I would say that there, contrary to his own protestations, he would have the sad glory of having built a political platform on the scaffold of Regina, that he had cemented party ties with the blood of the condemned man, and he would be one of those who had dared

"To attempt the Future's portals with the Past's blood-rusted key." That would be his success. But I hold that this design will be frustrated by the desire in the Province from which I come to combine—using the words of the hon. gentleman—the affirmation of one's rights with forbearance in favor of other people's rights, to secure that common citizenship to all which will make of Canada a great and glorious country, inhabited by a united and happy people.

I hope that what the hon. gentleman himself has said will prove true, and that the people of Quebec will believe

that to create the harmony which is necessary for the good of the country, we must not act in the way which those who have begun this agitation would like us to act. It is with that desire of unity and peace that I have followed my course with the people of our Province; it is with that desire that I appeal to my hon. friends whose sympathies have been surprised and whose scrupulous sense of honor has been unduly stimulated for fear of their old party fidelity. To them I appeal, with confidence, not to be carried away by a mere popular cry, not to give countenance to a movement, the final issues of which might be disastrous to the party, to the nationality, to the country.

Mr. Speaker, a last word and I address it to those in this House who belong to the same nationality as myself.

Let them beware. This hour is one of the greatest importance. Upon them a vast responsibility rests in respect to the vote which they will give to-night upon this question. The future condition of the Province of Quebec will largely depend on the vote which hon. members are about to give. I have already warned hon. members of the inexpedient attempt which was made to create a so-called political union of all French Canadians throughout the Dominion, and I have said that this was a most unpatriotic step to be taken, that it was one fraught with danger to the Dominion, and fraught with special danger to those who, being a minority in the Dominion, are asked to work together as a unit without considering questions of opinion.

I have often repeated that opinion to my fellow-countrymen. I have often said it, though never so appropriately or so feelingly as I do to-day. In the whole of this agitation I have tried to be true to my country as well as to my duty. I have not followed the dictates of anyone, I have not been biassed in my appreciation of facts and things; I have not perhaps followed the path which would be in my own private interest.

I have been offered—I would not say it if it had not been stated by the leader of the French Canadian party in the Province of Quebec himself, that he had charged one of the hon. members of this House to come and give me his message about it—I was offered the leadership of all my fellow-countrymen in that unpatriotic mission of collecting together all French-Canadians in the Dominion, to make of them a kind of political association. I refused the offer. I refused it because I thought the proposal was fraught with danger to my own fellow-countrymen.

A Canadian writer who understands this question has said that the structure of the French Canadian nationality in this Dominion had been laid, stone by stone,

by the hands of men in whom were concentrated the most consummate wisdom, allied with the greatest prudence. That writer also stated that the only danger to the French nationality was the hour in which the people allowed themselves to be carried away by faction and by passion, and ally themselves together as a faction.

It is true, if we look at the history of this country, that the French Canadians have achieved what has not been achieved in almost any other country. We know from the lessons of history how difficult it is for a minority, in a conquered country especially, to escape encroachments, to escape absorption by the majority, however well disposed the majority may be. In this country, we have prospered, we have grown, we have increased our wealth without any sacrifice of our liberty. We, the minority, have achieved something more. We have, even when the cry of race and religion was raised by a part of our population, succeeded in impressing on the majority a system of laws peculiar to ourselves—I speak of the introduction of the civil laws of Lower Canada into the Eastern Townships with the concurrence of the majority. We have achieved more than that. We the minority have secured the good will, the esteem, the respect, the sympathy of the majority in the work of protecting our own peculiar institutions. We have done this, and it is true what the writer I have quoted has said that the structure of the French Canadian nationality in Canada must have been the work of consummate wisdom allied to the greatest prudence. But at the same time his words were prophetic: "Do not allow yourselves to be led away by faction and passion. Do not become a faction in the country because although you are strong with your allies you will be weak as a faction, however strong a faction it might be."

It has been stated in public meetings by men who have been led away by their passions, that the French Canadian should become a party similar to the Irish party in the Imperial Parliament under the guidance of Mr. Parnell. I have not to judge the issues of that Parliament. I say if the Irish people in their struggles for liberty have been obliged to do what they are doing and to unite themselves under one leader, it is a course they have been obliged to take because they do not enjoy the freedom, respect and sympathy we possess in this country. Ask Mr. Parnell if he would not resign the leadership of his faction in the Parliament of England if he could have the leadership of the French Canadians where they enjoy the freedom and liberty such as we enjoy in this Canada of ours.

No; the great danger with us is that we shall make a faction of the minority in this country, that we shall make what is called a close political alliance amongst ourselves, but in reality one which would be most unpatriotic and disastrous to the French Canadians.

I ask hon. members, therefore, to look at this question as it should be viewed, to look at the laws as they exist, to look at the difficulty of the position in which the Minister of Justice and the Government were placed, to judge not from feeling nor from the relations of blood or creed or nationality. It is natural with men of one Province or of one blood to feel more warmly in regard to the case of men of their own Province, of their own blood and religion. But we must not judge of this matter in that light. These have been my sentiments during the last four months. I have not changed my mind to suit men and circumstances; I have relied upon the reward given to men who do not flinch before the cries of the multitude, and who do not seek their political fortune in the success of the moment. I have walked straight before me in what I thought was the right path as a citizen of Canada. I have followed that conduct, I have not been biassed, and in the whole of what I have done, in the whole of what I have said through that painful crisis, I trust I have not lost the sympathies of my friends, the respect of my enemies, nor the confidence of the country.

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