

# The Weekly Tribune-Review

VOL. 2

PORTAGE LA PRAIRIE, MAN., FRIDAY, JULY 31 1885.

NO. 26

## THE RIEL TRIAL.

### Selection of the Jury and Opening of the Case.

REGINA, July 28.—The trial of Riel was resumed in the court house to-day. The first step was the selection of

#### THE JURY.

which was proceeded with rapidly. The names of all the jury panel were written on slips of paper, which were rolled up and placed in a tumbler. From this Judge Richardson drew slips at random. The first name called was Demetria Woodward; second, Henry J. Pointer; third, Edward Everett; fourth, Jno. McIntyre fifth, Edward J. Brook; sixth, Walter Merrfield. Lemieux challenged Woodward and Michael Sullivan was summoned instead. Lemieux challenged McIntyre, and Thos. Rogers was summoned instead. The Crown challenged Michael Sullivan, and Thos. Howard was summoned instead. Lemieux challenged Rogers, and Peel Neale was summoned instead. Lemieux challenged Howard, and William Crowley was summoned instead. Lemieux challenged Crowley and Francis Cosgrave was summoned. Each man was sworn separately; the oath being similar to that administered at the criminal assize. The balance of the men summoned for the jury panel were released.

#### FOR THE CROWN.

Mr. Osler then opened the case for the Crown, and reminded the jury that they were to try a man for life. They must pass upon the prisoner's guilt entirely upon the evidence, and not upon their prejudices. Riel was charged, as a subject of the British realm, with treason. It would be set up that he was a citizen of the United States, and for that reason counts were made against him by the Crown as a precautionary measure. It made no difference whether the accused was an alien or otherwise. He did not deem it necessary to go into the legal arguments offered at the opening of the trial, and simply stated how the Imperial Government had delegated to the Dominion Government the power to make laws applying to the North-west Territories. The Dominion Government then by statute appointed courts in the Territory and empowered these courts to try an individual for any crime. As to the Grand Jury system, he said it was purely a county organization which was not available in the Territories. A provision will doubtless be made in future for a grand jury when settlement progressed. As to the suggestions which had been made as to another mode of trial, the Crown did not see their way clear legally to send the prisoner to a court outside the Territory, neither could the Crown advise the appointment of a special commission, although the Crown had power to appoint such commission. He referred to the existence of a Fenian Act, which provides for the punishment of an alien making war, but the Crown did not deem it wise to proceed under it, as it would depend on the Crown proving that the prisoner was an alien. The prisoner was therefore charged by the Crown as he had to get over the difficulties in the dual position of subject and alien. He next proceeded to state the facts of the case. In the latter end of July, 1884, the prisoner resumed domicile in the country, and took up his residence among four or five hundred French half-breeds and some English half-breeds. He was first found associated with prominent English and French half-breeds agitating in a constitutional manner for a redress of alleged grievances. The first indication that the prisoner intended to resort to arms was that he asked at a meeting held on the 3rd of March for the people to bring their arms. The Crown would show that at this meeting of the 17th of March Riel declared his intention to alter the Government of the country, and also proclaimed that he would rule or perish. On the 18th the prisoner sent out armed bodies of men who arrested officials and looted stores in the vicinity. On the 21st of March the Indians were incited to rebellion by Riel, and joined the French half-breeds for the purpose of resistance. McKay and Mitchell, of Prince Albert or vicinity, met the half-breeds, and advised them to return home and give up their arms, and nothing would be done to them, but the half-breeds remained in arms, guided by Riel and incited by him. It was arranged between Riel and Mitchell that McKay and Mitchell should go back to Major Crozier and arrange another meeting with a deputation consisting of Nolin and Lepine, appointed by Riel, to discuss the troubles and try and arrange a settlement. Nolin and Lepine had written instructions from Riel himself. Osler produced the document in Riel's handwriting. One of the conditions which Riel set forth in the document was that Fort Carlton should be surrendered to the half-breeds forthwith, and that the police should give themselves up. He read the document as follows:

St. Antoine, N.W.T.,  
March 21, 1885.

To Major Crozier, Commanding Mounted Police at Fort Carlton and Battleford;

MAJOR.—The Council of the Provisional Government for Prince Albert settle-

ment have the honor to communicate to you and your men the following conditions:—You will be required to give up completely the situations which the Dominion Government have placed you in at Fort Carlton and Battleford, together with all property. If you agree, you and your men will be allowed to leave the country, and will be provided with teams to send you to Qu'Appelle. In case of non-acceptance, we intend to attack you after the Lord's Day, which is to-morrow, when we will commence a war of extermination against all those who have showed themselves hostile to us. Nolin and Lepine are the men you will have to treat with.

(Signed) **LOUIS RIEL,**  
Ex-Governor.

Attached to the document was a form, written by Riel, in which the most humiliating conditions of surrender were indicated for Crozier to sign. The document was found in Riel's headquarters after the charge of Batoche.

DR. J. H. WILLOUGHBY.

of Saskatchewan, was the first witness called. He described a conversation he had with Riel, at Kerr's store, just before the rising. Riel said it was necessary to resort to arms to secure redress of grievance, as the only answer the breeds could get from the Government to requests was an increase of the police force. Riel said he had a police force which would exterminate the Mounted Police force in a week, and he said the settlers would be protected, as there was no charge against them. The Saskatoon settlers would not be protected, as they had promised to assist the Battleford people kill off the half-breeds and Indians. He (Riel) would show the settlers of Saskatoon who would do the killing. Riel told him as soon as he struck the first blow a proclamation would go forth and the Indians would join him. He had the United States at his back. The time had come when he would rule this country or perish in the attempt. It was the intention, Riel said, to have a new government in the Northwest, composed of God-fearing men, and not such as at Ottawa. The country was to be divided into seven portions. There was to be a new Ireland in the Northwest. The Germans would have a seventh. Riel said the rebellion of fifteen years ago would not be a patch upon this rebellion. The witness went to Clarke's Crossing and communicated by telegraph to Colonel Morris at Battleford what he had learned from Riel. On taking leave of witness Riel said he would have no Orangemen in the Northwest.

Cross-examined by Mr. Fitzpatrick.—Riel was not armed when conversation took place. He was going to divide the country among the Irish and Germans of the States, Germans, Bavarians and Poles. Riel compared all the religious bodies to a tree, and said his church, the Roman Catholic, was the strongest branch.

To Mr. Robinson.—Riel was supplied with a gun as he drove off.

THOS. M'KAY,

of Prince Albert, was the next witness, his testimony bearing chiefly on the Duck Lake fight. He narrated the circumstances connected with the commencement of the troubles.

Court adjourned for lunch at one o'clock.

On the court resuming its sitting, the examination of Thos. McKay was continued. He related the proceedings already known in connection with the coming of Col. Irvine with reinforcements, and the causes which induced the police to go to Duck Lake for provisions, and seven teams and fifteen policemen. They were stopped by about 30 mounted half-breeds, who endeavored to take their horses. The police finally returned to Carlton, but before reaching the fort they were reinforced by Major Crozier and 53 police. Witness repeated the oft-told story of the Duck Lake fight. He was fixing a sleigh, he said, when he heard some one say: "They are firing on us," after which Major Crozier gave the order to fire. The day after the fight they evacuated Carlton, which was accidentally set on fire by a lamp exploding, and was partly destroyed.

JOHN W. ASTLEY

was employed as a scout, and I posted proclamations throughout St. Laurent, telling all loyal settlers to come to Prince Albert. On the 26th March, while riding near Duck Lake, he and his partner, Ross, were taken prisoners by a band of half-breeds under Gabriel Dumont. They were taken to Duck Lake and locked up in the telegraph office. Several other prisoners were taken the same morning. Riel was there with 400 half-breeds and Indians, who started towards Carlton, leaving a small detachment to guard the prisoners. At two o'clock that morning he heard firing, and a little later Riel and his men returned, bringing Chas. Newitt, who had been shot and clubbed on the head with gun stocks. At Batoche, Riel offered to exchange the prisoners for Laurence Clark, Colonel Sproat, and Thomas McKay, of Prince Albert, as he could use them to better advantage. Witness narrated the contents of the communications that passed between Riel and Middleton at Batoche. When Riel released Astley, he said that if the troops injured the women or children, he would massacre the white prisoners. Witness saw Riel carry a rifle at Batoche, and order the rebels about on various occasions.

On being cross-examined by Mr. John-

stone, Astley said Riel always conversed very intelligently, and in many respects he considered him a clever man.

REGINA, July 29.—The trial of Riel was resumed this morning. The court room was, as usual, crowded, the ladies being again present in large force.

The witnesses examined to-day were: George Kerr, Thomas Jackson—brother of Riel's secretary, General Middleton, Supt. Geo. H. Young, Major Jarvis, Major Crozier, Chas. Nolin, and Thos. Sanderson.

Dr. Roy, of Quebec, and Dr. Clark, of Toronto, insanity experts, have arrived. This morning, prior to the opening of the court, they interviewed Riel, but to-night at the barracks they will make a more rigid examination of the mental condition of the prisoner.

### HOME AGAIN.

Scott's Battalion Return's after doing faithful Garrison Duty.

The Portage Boys Banquetted by the Citizens

Capt. Sheppard presented with a substantial token of respect and esteem by his Company.

Scott's "Fighting" Battalion returned to Winnipeg last Thursday, where the various companies were dismissed and sent to their homes. The Portage company returned in command of Lieutenant Brown, Capt. Sheppard having remained in Winnipeg to conclude some official business. The boys were not sorry to get back again, though they regretted very much that they did not have an opportunity to demonstrate their fighting capacity as well as their willingness to fight. The band met the boys at the station, and "played" them down town. A number of citizens were also at the depot and gave them a hearty welcome home. After parading Main street and Saskatchewan avenue the company halted on the public square, where Mayor Young in a few words gave them an informal welcome, and also praised the men for their good conduct while on duty. On Monday the company paraded to the M. & N. W. depot to receive the Neepawa detachment who returned home on that day.

### THE BANQUET.

The banquet was given in the town hall in the evening, and was certainly the most brilliant affair ever held in the Portage. Tables, stretched the full length of the hall, fairly groaned with the weight of edibles of the choicest quality, and fruits of every clime. The effect of the spread was heightened by the flash of silverware, with which the tables were set. The beautiful bouquets of flowers, elegant decorations of the hall, and gay dress and charming glances of the young ladies, together with the whole-souled, welcoming smiles of the older ladies as they flitted here and there in the interests of the guests of the evening, constituted a picture which once seen can never be forgotten. Too much praise indeed cannot be given the ladies for the completeness and beauty of the spread. It was certainly a credit to the Portage, as it would have been to any town or city of the Dominion. So far as the ladies' arrangements were concerned, there was not a hitch, though there evidently seemed to be a lack of a head or competent manager among the gentlemen who were supposed to receive and seat guests and strangers, and control the immense gathering. There was clearly a lack of completeness of arrangements among those gentlemen who undertook to engineer that part of the affair for the ladies. At about half-past nine the tables were all filled, and still there were people who could not find room. At the head of the table sat Mayor Young, with Capt. Sheppard and half of the officers of C. Company at his right, and Mr. Robert Watson, M.P. for Marquette, and the remaining officers of C. Company at his left. The rest of the table, which was the centre one in the hall, was filled with the members of C. Company, in uniform, together with Dr. Rutherford, J. Richardson, and T. Boulbee, of the Winnipeg Field Battery, and I. Snider, of the 90th. The vice chairs were filled by Mr. E. McDonald and Mr. Houston. The band, under the leadership of Mr. John Dodimead, occupied seats on the stage, and discoursed excellent music at intervals during the evening. The proceedings of the evening were commenced by the chaplain of C. Company, who opened with a brief prayer. We need hardly say that ample justice was done to the good things, so bountifully provided, by all who sat down. The red coats particularly seemed to appreciate the efforts of the ladies, who showed them every attention possible. To each gallant young man we noticed the ladies presented a neat button-hole bouquet, which was by all donned immediately with an apparent marked degree of pride and satisfaction. After ample justice had been done to the meats, pastries, fruits, ice cream, etc., the "feast of reason and flow of soul" part of the programme was opened by Mayor Young, who requested all to fill their glasses,—which they did with lemonade,—and drink to the health of "The Queen and Royal Family." This toast was responded to by the band playing the National Anthem.

"The Governor-General and Dominion Parliament" was responded to by Mr. R. Watson, M.P., who spoke at considerable

length on the rebellion, and the action of the troops, referring particularly to the promptness with which the insurrection was put down. He complimented the troops, Canada, and the Government upon the success in this connection. He referred to the expense being great, but pointed out that it could not be avoided, as everything had to be done in a hurry, and long distances had to be covered to reach the trouble. He then went into political questions, but as they belong properly to the political arena, we will not report his remarks here. Mr. E. McDonald spoke in response to this toast after Mr. Watson.

"The Lieutenant-Governor and Local Parliament" was responded to by Mr. Joseph Martin, M.P.P., who made what was generally conceded to be the best speech of the evening, notwithstanding the fact that he had not been invited to speak, and had to respond on the spur of the moment. He drifted into politics somewhat, but apologized for his digression during the course of his speech.

The next toast proposed was "Our Guests." At this stage Mr. Smith Curtis stepped forward and read, on behalf of the ladies, the following

#### ADDRESS:

To Captain Sheppard, the officers and privates of "C" Company, 91st Battalion.

We, the ladies of the Town of Portage la Prairie, gladly welcome you back to the homes which you gallantly went to the front to save from possible danger, and we beg to assure you of the high estimation in which you and your patriotic conduct are held by us and your fellow townsmen.

It was very pleasing to us to learn from your superior officers that you have made remarkable progress in the military art in a comparatively short time, that no other company is more esteemed by them than your own, and that your record in every particular is such as to entitle you to be called the crack company of the battalion.

If you have not returned with the laurels of victory on your brows, it is because you have had no proper opportunity to display those intrepid and martial qualities, which are doubtless to be found beneath every scarlet jacket here.

We presume it is a matter of regret to you, since your early volunteering proved you to be among the most loyal of Canada's sons, that you were not with your brothers-in-arms at their gallant fight at Batoche. Had you been there, we have every confidence that you would have displayed equal valor and equal generosity to the vanquished foe.

It is a source of great gratification to us that you have returned safe and well.

From the bottom of our hearts we thank you for your self-devotion in offering to sacrifice your lives on the altar of the nation, so that her integrity and her honor might be maintained.

We wish you all happiness in the future, and sincerely hope that plenty will from her cornucopia ever strew your paths with her choicest blessings.

Signed on behalf of the ladies of Portage la Prairie.

M. A. McLEOD,  
A. M. GIBSON,  
M. SNIDER.

Portage la Prairie, 28th July, 1885.

Following is Capt. Sheppard's

#### REPLY.

which was made in substance impromptu, but was afterwards written out and handed to us for publication:

To the Ladies of the Town of Portage la Prairie:

In replying to your address on behalf of myself, my brother officers, the non-commissioned officers and men of "C" Company of the 91st Battalion, I beg to thank you very sincerely and truly for the magnificent reception you have accorded to us on our return to Portage la Prairie.

It was impossible for me, on the evening of the banquet, to reply fully to your address; and I felt certain that the Portage Company agreed with me when I asked to be allowed to make my reply through the press.

It is our desire to place on public record our heartfelt gratitude to you for your untiring efforts in relieving our discomforts ever since we left your town some months ago.

We feel justly proud of the high compliment you have paid us in the opening sentence of your address. If we have won your esteem and respect by responding to duty's call in times of trouble, we hope that we shall be able to retain your high opinion of us, now that we have once more returned as peaceful citizens.

When in the field we did our best to do our duty and to make our Company respected; but we were spurred on to good deeds, when we remembered the kind ladies we had the honor to represent.

Ladies, I assure you that by your kindness and by the splendid receptions you have given to every corps of volunteers passing through to the front, you have made for Portage la Prairie a name that will never be forgotten.

It is impossible for me not to feel proud of you and your worthy deeds, and I can only wish we could have done half as well as you have done.

That we were not present at the noble charge of Batoche is a deep disappointment to us all. I can unhesitatingly say that we would have done our best.

We thank you for your good wishes for our future prosperity. Need I say that

we wish you the same ten thousand times over?

Again thanking you for your interest and devotion, which I am sure will never be forgotten by a single man of us.

I beg to subscribe myself,  
Your most obedient servant,  
W. SHEPPARD,  
Captain of "C" Company.

At the conclusion of his reply the Captain called upon his men to give three cheers for the ladies of Portage la Prairie, and this they did right heartily, and repeated the operation. They then gave three cheers for the citizens of the Portage. This toast was also responded to by Lieut. R. C. Brown, the chaplain of the Battalion, and Dr. Rutherford, of the Winnipeg Field Battery. The latter gentleman gave such witty reminiscences of his experiences and feelings when in the battles at the front, that he kept the audience in roars of laughter. He also predicted that within two years there will be another rebellion up there, for he knew the half-breeds had made money out of this one, and would want to try it again. He testified to the bravery of the Volunteers, but thought the Mounted Police were not well commanded.

At this stage Color-Sergeant Ritchie, and Sergeants Hodson and Thomson stepped forward, when the first named read the following

#### ADDRESS:

To Capt. William Sheppard.

On behalf of the non-commissioned officers and men of "C" company of the 91st Battalion. We beg to present you with a gold headed cane and gold locket and chain and request your acceptance of the same in remembrance of the North-west rebellion of 1885 and as a token of the respect and esteem in which you are held not only by us who were under your command but by the whole Battalion.

We also take this opportunity of thanking you for your unrelenting solicitude for our welfare.

Had we been fated at any time to face the foe every man of us would have felt perfect confidence in your courage and ability and we hope that if ever again we should be called out for active service, you, our old and trusted friend and commander will be there to lead us on. Wishing you long life and every success, we beg to sign on behalf of the Company.

COL. SERGEANT RITCHIE,  
SERGEANT HODSON,  
SERGEANT THOMPSON.

Portage la Prairie, July 28th 1885.

Captain Sheppard was evidently taken most completely by surprise, but managed to make a brief reply, in the course of which he complimented the members of his company very highly on their general bearing and conduct while at the front, assuring them that he esteemed every member of his company very highly. He thanked them most heartily for their valuable presents, which he would always consider his most highly prized possessions.

The first vice chairman, Mr. E. McDonald, at this point took charge, and proposed the toast, "The Army and Navy," which was responded to by Captain Hunter, Captain Houston, and Commodore Johnson. The latter gentleman gave, in good style, a naval song, and was joined in the chorus by the audience.

The second vice chairman, Mr. Houston, proposed the "Learned Professions," but there were none of the gentlemen present who were expected to respond, and he next proposed the toast, "The Press," which was responded to by Mr. C. H. Mathers, of the Neepawa Canadian, C. J. Atkinson, of the Liberal, and J. M. Robinson, of the Tribune-Review. "The Ladies" was ably responded to by Mr. Smith Curtis.

Captain Sheppard asked his troops to give three cheers for Mr. Watson, which they did.

The proceedings were brought to a close by all joining in the National Anthem

### Kassala to be Relieved.

LONDON, July 27.—Mr. Robert Bourke, Under Foreign Secretary, announced in the House of Commons this afternoon that the Government had received news confirming the report that the garrison of Kassala had repulsed the El Mahdi besieging army, killing a great number of the enemy and capturing nearly all their cattle. Mr. Bourke added that the Government was making arrangements to relieve the garrison. This statement was received with cheers. The British Government, distrusting the result of the proposals made to Ras-Aloula for the relief of Kassala, on condition of a subsidy of £100,000 and a donation of arms, has reopened negotiations with Italy for an advance on Kassala early in autumn. Italy received the overtures favorably, but asked English co-operation in the expedition, if undertaken. Major Chermiside telegraphs that a spy reported Osman Digma received information that El Mahdi fell ill on June 19, and died on June 22. A new leader has taken the Mahdi's place.

### Better than gold.

A good name, good health, a good companion and a bottle of Hagyard's Yellow Oil are among the first requisites for human happiness. Yellow Oil cures Rheumatism, Sprains, Lameness, Bruises, Burns, Frost-Bites, Croup, Sore Throat and all pain and inflammation.