

W. B. Coltman Report

Transcription



Image Number	Image Text	Notes	Tags	Image Link
1	[Cover] *23 2/F [[?]] [inside cover]			http://data2.archives.ca/e/e447/e011163878-001-v8.jpg
2	Oct 18 1939 Furlio Abilities A General Statement and Report relative to the Disturbances in the Indian Territories of British North America by the undersigned Special Commissioner	W. B. Coltman; Special Commissioner	inside cover; 1939; october, 18; abilities, furlio	http://data2.archives.ca/e/e447/e011163878-002-v8.jpg http://data2.archives.ca/e/e447/e011163878-003-v8.jpg
3	For inquiring into the Offences committed in the said Indian Territories and the circumstances attending the same. W. B. Coltman			
4	Blank page	Blank page		http://data2.archives.ca/e/e447/e011163878-004-v8.jpg
5	1 Statement according to the order of time of the principal occurrences relative to the recent disputes between the Hudson's Bay and North West Companies which appear to me the undersigned special Commissioner to have been substantiated by the Evidence taken before me, or to have been admitted by the parties in the respective Official Statements transmitted me by the legal Agents of the Earl of Selkirk of the 18th February, and by the Agents of the North West Company of the 14th March last, or in their generally acknowledged Publications under the titles of "Statement respecting the Earl of Selkirk's Settlement" and "Narrative of occurrences in the Indian Countries," and which appear to be material to the elucidation of the causes and circumstances of the late disturbances in the Indian Territories. N.B. Whenever the Statements in the Publications have been relied on they especially referred to, and (with the exception of Bills of Indictment) the few facts resting on general notoriety and personal knowledge which it has been found necessary to notice, are mentioned as such. Previous to and during the course of the years 1810 & 1811 It appears according to the Evidence before me supported by the frequent assertion of the principal facts in the Publications of the North West Company, and the tacit admission thereof implied by the silence of the opposite party; that the Earl of Selkirk became proprietor of £40,000. Capital Stock of the Hudson's Bay Company, which (as their whole Stock is stated to be £105,000. and about £25,000. thereof to be held by females and minors) gave his Lordship a predominant influence over the proceedings of the Company in consequence several		Hudson's Bay Company; North West Company; official statements; Earl of Selkirk; Hudson's Bay Company statements February 18; North West Company statements March 14; Selkirk share of Hudson's Bay Company;	http://data2.archives.ca/e/e447/e011163878-005-v8.jpg
5	2 of the old Committee, (which body have the general management of the Companies Affairs) resigned, and made way for his Lordship's relations and friends; the purchases were originally begun in conjunction with Sir Alexander McKenzie a principal partner of the North West Company, who was to have one third and the Earl two thirds of the amount purchased; these parties however soon disagreed, but after some threats of a Chancery Suit their disputes were compromised. On the 29th of May 1811 - A Grant was made by the Hudson's Bay Company to the Earl of Selkirk of a large tract of Country for the purpose of forming an Agricultural Settlement to supply their trading Servants with provisions, the Company retaining to itself the rights of		Hudson's Bay Company; North West Company; District of Assiniboia; Hudson's Bay Company Committee resignations; Alexander McKenzie; Earl of Selkirk; agricultural settlement;	http://data2.archives.ca/e/e447/e011163878-006-v8.jpg

6	<p>Jurisdiction over the said tract, which has since been called the District of Assiniboia; the boundaries thereof maybe seen by reference to the annexed abstract marked No. 1 taken from the map published to by</p>	
7	<p>3</p> <p>the North West Company to accompany the "Narrative of Occurrences in the Indian Countries," and the particulars more fully ascertained by the abstract marked No. 2 taken from the map published with "the Statement respecting the Earl of Selkirk's Settlement." This Grant was strongly opposed by all the proprietors of Hudson's Bay stock connected with the North West Company, some of whom are admitted in the "Narrative" to have purchased *29th May 1811* their Stock for that express purpose.</p> <p>Many other admissions more or less direct of the facts stated by the opposite parties regarding this part of the subject will be found in their respective publications, and from these admissions and the evidence before me no doubt can be entertained that a spirit of decided opposition towards the intended Establishment of Agricultural Settlement was entertained by the principle persons in London connected with the North West Company</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-007-v8.jpg Hudson's Bay Company; Earl of Selkirk; Earl of Selkirk's Settlement; Selkirk Settlement; agricultural settlement;</p>
8	<p>4</p> <p>The motives for this hostile feeling it is more difficult fairly to estimate. On behalf of the Hudson's Bay Company and the Earl of Selkirk it is contended in "the Statement" that it arose solely from the interested fears of injury to the Fur trade, and an apprehension of this nature appears in fact to be admitted in some degree by the declaration in the protest against the Grant, "that Colonization is at all times unfavourable to the Fur trade" - the evidence of former Servants of the North West Company has also been brought before me to prove the apprehensions of the partners of that Company, that the establishment of the Colony would materially injure their Trade; especially that of Mr John Pritchard a clerk in charge of a post on the Assiniboine River at the period of the first establishment of the Colony who (Disposition 123) states expressly that it was the general opinion of the partners in that quarter</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-008-v8.jpg North West Company; Assiniboine River; Earl of Selkirk; fur trade; Selkirk land grant; colonization; John Pritchard; clerk; Disposition 123;</p>
9	<p>5</p> <p>that if the Colony succeeded the result would be to form a Nursery of Servants for the Hudson's Bay Company, and thereby enable that Company more effectually to oppose their Trade - exclusive of affording such facility for adventurers to get into the Country, as must destroy the species of monopoly established by the North West Company and that in consequence although individually well disposed towards the Colony, he felt it his duty as long as he remained in the North West Company's service to oppose its interests by all fair means, and especially by buying up all the provisions he could get, which he did to a considerable extent in the Winter 1813-14 (this last measure is however by other evidence stated to have been rendered necessary by the events of the American War) he also states his belief that the post of Pembina which had been abandoned two years before was re-established</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-009-v8.jpg North West Company; colony; Red River Colony; Red River Settlement; Selkirk Settlement; Pembina; monopoly; fur trade; winter; 1813; 1814; American War;</p>
	<p>6</p> <p>for the purpose of opposing the Colony in the purchase of provisions and his knowledge that Alexander McDonell in charge of this post, did *29th May 1811* so oppose them. Other testimony (Depn. No. 131) has also been brought before me of declarations made by the said Alex McDonell of his fears of the ruin of their Trade in consequence of the great reduction in the prices of all supplies - especially spirits and clothing to be looked for from the future manufacturers of the Colony - and in a letter of 15th April 1815 from James Grant at Fond-du-lac, then a Clerk and now a partner of the North West Company of which an extract has</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-010-v8.jpg Fond-du-Lac; Colony; Alexander McDonnell; James Grant; Indians; Deposition 131; Deposition 167;</p>

been proved before me (Depn. No. 167), it is stated, "if the Colony stands any time it will render the Indians of this place so independent of us; that it will be nearly impossible to stand our ground with them." On the part of the North West Company it is on the other hand contended, that independent of their objections to the

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Settlement as founded on the assumption of a right of Territory (whereof they deny the existence on the part of H.B. Company) over a Country of which they have been in long previous occupancy of their considering it as a measure injurious to their interests as Traders, - dangerous to the peace of the Country - and likely to produce only misery to the Settlers; they had before long reason to suspect that other views besides the Earl of Selkirk's enthusiasm for Colonization, had given rise to the prospect, and were gradually convinced that the establishment of the Colony was (as is expressly stated in the "Narrative" published in London where the alarm appears to have been first taken) only a pretext to induce Settlers to emigrate and thus introduce into the Country at an inconsiderable expense a sufficient number of persons to carry into effect the plans of aggression and competition against their Trade; in proof of these assertions

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the evidence of Mr. Samuel H. Wilcoke has been brought before me (Depn. No. 102) who states himself to have been employed as a confidential assistant by the Agents of the North W. Company in London during the present disputes, and as such to have had a knowledge from information and belief of declarations made about the period of the Grant to the Earl of Selkirk at the public meetings of the Hudson's Bay Company of hostility towards the N.W. Company and of the resolutions of the new Committee to enforce the rights of their charter the same person also further proves the communication by Sir Alex McKenzie to the N.W. Company as early as April 1811 of his suspicions of the hostile views of the Earl of Selkirk. The strongest proof however that the suspicions entertained on each side were not without some foundation is to be found in the intercepted letter of Simon McGillivray the principal

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N.W. Agent in London (dated 9th April 1812) a copy whereof was duly proved before me (Depn. No. 103) and in certain extracts of that of the Earl of Selkirk, (18th June 1812) which were proved before me (Depn. No. 104) to have been taken from an original letter by S.H. Wilcox (as this gentleman speaks however only from belief to the handwriting of the Earl, his testimony is necessarily to be received with some caution till an entire copy of the letter duly proved is produced; for altho' no probable doubt of the existence or genuineness of the letter exists in my mind, yet possibly other passages in it may materially tend to explain those extracted - In the former of these letters by Simon McGillivray addressed to the Wintering partners of the N.W. Company are to be found the following observations - "The Committee of the Hudson's bay Company is at present a mere machine in the hands of

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"Lord Selkirk who appears to be so much wedded to his scheme of Colonization in the interior of North America that it will require time and I fear cause much expence to us, as well as to himself before he is driven to abandon the project; and yet he must be driven to abandon it, for his success would strike at the very existence of our Trade" - and again - "In regard to the proposed expedition to the Columbia it to be as much a matter of necessity for the N.W. Company to follow it up, as it is to prevent Lord Selkirk from establishing Colonies on the Red River" -

Earl of Selkirk; Selkirk Settlement; Selkirk Colony; Selkirk Concession; colonization; settlers;

<http://data2.archives.ca/e/e447/e011163878-011-v8.jpg>

North West Company; Hudson's Bay Company; Nor'Westers; Selkirk Concession; Selkirk's Grant; Samuel H. Wilcox; Earl of Selkirk; Alexander McKenzie; Simon MacGillivray; hostility; Deposition 102;

<http://data2.archives.ca/e/e447/e011163878-012-v8.jpg>

North West Company; Hudson's Bay Company; Nor'Westers; Earl of Selkirk; S.H. Wilcoke; Simon McGillivray; Deposition 103; Deposition 104;

<http://data2.archives.ca/e/e447/e011163878-013-v8.jpg>

Hudson's Bay Company; Red River; Red River Colony; Selkirk Settlement; Lord Selkirk; Earl of Selkirk; William Hillier; colonization;

<http://data2.archives.ca/e/e447/e011163878-014-v8.jpg>

Whilst in the extract of the latter letter, stated to have been written by the Earl of Selkirk to Mr. William Hillier a principal Agent of the H.B Company are to be formed the following words. - "You must give them solemn warning that the land belongs to the Hudson's

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Bay Company and that they must remove from it; after this warning they should not be allowed to cut any timber either for building or fuel; what they have cut should be openly and forcibly seized, and their buildings destroyed - In like manner they should be warned not to fish in your waters and if they put down nets, seize them as you would in England those of a poacher.

We are so fully advised of the unimpeachable validity of these rights of property that there can be no scruple in enforcing them whenever you have the Physical means.

June 1811 Miles McDonell formerly a Captain in His Majesty's Regiment of Royal Canadian Volunteers, (by the title of which Military rank he appears chiefly to have been distinguished in the Indian Country) was appointed by the H.B. Company Governor of the District of Assiniboia,

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-015-v8.jpg>
District of Assiniboia; land ownership; lumber harvesting; fishing rights; Miles Macdonell; June 1811;

15

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and proceeded a few days afterwards for the same by the way of Hudson's Bay: This appointment it appears however nearly certain was never approved of by the King in conformity to the Act of 7 & 8 William 3rd, and it is admitted by himself (Depn. No. 112) that he did not take any Oaths of Office, owing to their being no persons authorised to administer them on his arrival within the limits of the District, as he came out to form a Colony and not to one already existing.

Miles McDonell after having *In August 1812* been detained the first Winter on the Sea Coast in Hudson's Bay arrived at the forks of Red River; and on or about the 4th September ensuing caused the Grant of the Territory by the Hudson's Bay Company to the Earl of Selkirk to be read together with his own Commission as Governor at a public meeting called by him for that purpose - this proceeding

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-016-v8.jpg>
Hudson's Bay; Red River Colony; Selkirk Settlement; Selkirk Concession; Selkirk's Grant; forks of Red River; District of Assiniboia; King George III; King William III; Miles Macdonell; Earl of Selkirk; August 1812; Deposition 112;

16

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was at the time generally understood both by the N.W. Company's people, and those Canadians who having completed the engagements under which they were originally brought into the Indian Country continue to live there under the name of Freeman, as a public declaration on behalf of the Earl of Selkirk and his Agents of their exclusive right to the soil and natural products of the Country; and by testimony before me (Depns. Nos. 108, 109, 113 etc) appears to have created a partial uneasiness to the freemen and to have been still more obnoxious to the N.W. Company whose inferior Servants were forbidden by the partners and Clerks to attend the public meeting - No immediate effects appear however to have followed from these impressions; on the contrary it is admitted that the N.W. Company during the first Winter (either from motives of humanity or views of policy

North West Company; <http://data2.archives.ca/e/e447/e011163878-017-v8.jpg>
Nor'Westers; Selkirk Concession; Selkirk's Grant; Canadians; Freeman; Earl of Selkirk; monopoly; charter; Royal Charter of the Hudson's Bay Company; rights of jurisdiction; Deposition 108; Deposition 109; Deposition 113;

17

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to establish an interest amongst the Settlers to the prejudice of their own officers) furnished supplies of provisions to the Colony, where there was much distress from want thereof; and that Alexander McDonell who was in charge of the N.W. Company's post, near which Miles McDonell wintered, appeared for some time to live with him on the most friendly and intimate footing, as was natural *Aug 1812* from their being both Cousins and brothers-in-

North West Company; <http://data2.archives.ca/e/e447/e011163878-018-v8.jpg>
N.W. Company; Hudson's Bay Company; Red River Colony; Miles Macdonell; Alexander MacDonell; Alexander Macdonell of Greenfield; Alexander

law. The freemen also and their children by Indian women who form the bulk of the population called "Halfbreeds" or Metis and sometimes Bois Brule," finding that no practical exercise of their exclusive rights was attempted and experiencing the advantages to be derived from an amicable trade and intercourse with the Settlers, appear to have become well disposed towards the Colony. Such seems likewise to

Greenfield Macdonell;
August 1812; wintering;
Freemen; Indian women;
Native women;
indigenous women;
aboriginal women;
halfbreeds; Metis; Bois
Brule; trade; settlers;
prejudice; officers;
supplies; provisions;

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have been at all times the general disposition of the Indians who occupy the Country in the immediate neighborhood. -

In April 1813 The first open declaration of jealousy or coolness between Miles McDonell and the persons in charge of the N.W. Company's posts took place at Pembina in consequence according to the statement of the said Miles McDonell (Depn. No. 110) of his having received proof on oath that Alex McDonell and John Dougald Cameron a partner of the N.W. Company were endeavoring to inveigle away the Servants and sow dissatisfaction and disunion amongst the Settlers - and having also learnt that persons in the Service of the N.W. Company were using language to excite the Indians against the Colony. - In support of the first charge however he produced no evidence to me, whilst on behalf of the N.W.

Company there is filed (Depn. No. 152) the original

North West Company; <http://data2.archives.ca/e/e447/e011163878-019-v8.jpg>
N.W. Company; Pembina;
Selkirk Settlers; Miles
Macdonell; Alexander
Macdonell; Alexander
Macdonell of Greenfield;
Alexander Greenfield
Macdonell; John Dugald
Cameron; April 1813;
Deposition 110;
Deposition 152;

19

16

complaint made by him to the Agents of the Company with copies of the Depositions whereon it was founded, and the correspondence between them relative thereto, from these it certainly does not appear to me, that an adequate case is made out to support the charge of any general plan of Seduction; particularly when considered in conjunction with the numerous complaints by former Servants of the Colony of the many privations and hardships to which they were exposed and of the severity and oppression exercised towards them, in consequence whereof one of them by name Magnus Heigsmaster appears probably to have lost his life; these men were brought before me as evidence on behalf of the N.W. Company and some of them acknowledge their having made applications for relief to that Company, but deny any

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-020-v8.jpg>
Red River Colony; North
West Company; Magnus
Heigsmaster:

20

17

knowledge that overtures were at this period made to any one, although some partial encouragement appears to have been given to individual complainants; several of these from their declarations appear to have had just cause for their complaints, and on that of one of them (John Feeny's) a Bill of Indictment has been lately found against Miles McDonell - The only person *April 1813* actually brought this year in the N.W. Company's canoes was one John Walsh and he was sent back from Fort William on account as is stated on behalf of the N.W. Company of his having left a wife and child in Red River but as stated by Miles McDonell (on information which he declares to have received from one of the N.W. partners and to believe to be true) for the purpose of covering their designs of creating a more general desertion. In the ensuing year (1814) it does not however appear

North West Company; <http://data2.archives.ca/e/e447/e011163878-021-v8.jpg>
Fort William; Red River
Settlement; John Feeny;
Miles McDonell; Miles
Macdonell; John Walsh;
1813; 1814;

21

18

that any person was taken out by the N.W. Company except one James Toomey, who was

North West Company; <http://data2.archives.ca/e/e447/e011163878-022-v8.jpg>
Red River; Red River
Settlement; James

22	<p>previously ascertained to have finished his service, and to be free from debt, or obligations of any kind. - With regard to exciting the Indians the charge appears at this period to rest on still weaker grounds being supported chiefly by surmise and reports at second hand, whilst any knowledge thereof was denied by the Indians at their public meeting with myself, and the reports as far as related to himself positively contradicted by Mr. John Pritchard one of the persons charged as having taken part in these practices. Miles McDonell issued a proclamation as Governor of the Territory of Assiniboia, stating the necessity of providing for the support of the families then forming Settlements on Red River and of those on their way hither, and therefore forbidding for twelve</p>		<p>Toomey; Indians; John Pritchard; Miles McDonell; Miles Macdonell; Governor of the Territory of Assiniboia;</p>	
23	<p>19</p> <p>months the exportation of any provisions procured or raised within the Territory except what might be necessary for taking to their respective destinations, the Trading parties then within the same, further directing that all provisions so raised should be taken for the use of the Colony and paid for by British bills at the customary rates; and finally ordering that any persons attempting to take out provisions contrary to this proclamation should be taken into Custody and prosecuted as the law in such cases direct, and that the said provisions together with the craft or carriages carrying them and any other goods taken along with them should be forfeited.</p> <p>*March 1814* March 1814, A party of fifteen or sixteen of the Colonial Servants were furnished with Arms and Ammunition by Mr. John Spencer commonly called the Sheriff ordered to proceed under the command of Mr. John Warren to the Plains of</p>		<p>Red River Colony; Hudson's Bay Company; York boats; Red River carts; John Spencer; Sheriff John Spencer; sheriff of Assiniboia; arms and ammunition; John Warren; Plains of Turtle River;</p>	<p>http://data2.archives.ca/e/e447/e011163878-023-v8.jpg</p>
24	<p>20</p> <p>Turtle River and told that Miles Macdonell would join them the ensuing day - previous to arriving at their destination they were joined by Michael Macdonell and afterwards proceeded to an encampment of the Free Canadians, Halfbreeds, and Indians formed for the purpose of hunting.</p> <p>The same evening Jean Baptiste Desmarois and others arrived at the camp with two or three</p> <p>*March 1814* Sleds belonging to the N.W. Company for the purpose of taking in provisions, the next morning these Sleds were accordingly loaded with meat whereupon Michael Macdonell and Warren commanded their men to fall in with loaded arms, and not to allow the provisions to be taken away, the Sleds were consequently unloaded and the meat replaced on the Scaffolds (the usual mode of keeping it in the Indian Country) and information was sent by Michael to Miles Macdonell that he had taken from the N.W. Sleds the provisions de-</p>	<p>On March 14, 1814 John Warren, a clerk in the colony, and 15 or 16 armed colonists travelled to the Métis hunting camp at Turtle River to acquire provisions.</p>	<p>North West Company; Turtle River; Plain of Turtle River; Miles Macdonell; Michael Macdonell; Free Canadians; Halfbreeds; Indians; Jean Baptiste Desmarais; John Warren; food shortage; March 1814; taking North West Company sleds; provisions;</p>	<p>http://data2.archives.ca/e/e447/e011163878-024-v8.jpg</p>
25	<p>21</p> <p>livered them by the Freeman and wished him to come to the place. Miles Macdonell said it was well done, but was little compared with what should be taken in a short time, and sent word to the said Michael Macdonell to detain all the provisions till his arrival. What ultimately became of these provisions does not appear very clearly by any Evidence before me; but a Bill of Indictment has lately been found against Michael McDonell and Miles Macdonell on this charge as principal and accessory to Grand Larceny. - It is further stated (Depn. No. 121) that Mr. Spencer in delivering out the Arms expressed his hopes that a good use would be made of them, and subsequently declared to one Francois Enodet Delorm (Depn. 113) then in the service of the N.W. Company that Miles Macdonell was gone out with a resolution of having the provisions from the Freeman amicably if he</p>		<p>North West Company; Nor'Westers; Freeman; Miles Macdonell; Michael Macdonell; grand larceny; provisions; John Spencer; Francois Enodet Delorme; Francois Henault dit Delorme; Deposition 121; Deposition 113;</p>	<p>http://data2.archives.ca/e/e447/e011163878-025-v8.jpg</p>
25	<p>22</p>		<p>North West Company; Hudson's Bay Company;</p>	<p>http://data2.archives.ca/e/e447/e011163878-026-v8.jpg</p>

26

could, but that if not he would take them.
 May 1814 Miles Macdonell finding that it was *May 1814* the avowed intention of the partners and Servants of the N.W. Company not to submit to his proclamation and that a considerable number of their Canadian Servants with some Halfbreeds and Indians were collecting by them at the forks of Red River and he on his part as appears by other Evidence, having caused his men to be trained to the use of arms (a practice which appears to have been adopted by him in a greater or less degree from his first arrival in the Country and to have tended to excite feelings of jealousy against the Settlement) sent out an armed party provided with two field pieces, to intercept a part of the N.W. Company's provisions expected to come down the River Assiniboine: this party was afterwards increased to about 50 persons completely armed and in Uniform

forks of Red River; The Forks; Red River Settlement; Assiniboine River; Canadians; Halfbreeds; Indians; Miles Macdonell; Pemmican Proclamation; May 1814; food shortage; use of arms;

23

and Mr. John Warren who commanded the same in Miles Macdonell's absence gave orders (Depn. No. 122) that in case any of the N.W. Company's boats or canoes proceeded down the river and did not come ashore on the Sentinals firing (as they were directed to do) over their heads that the field pieces should fire upon and sink them; this order however the men appear to have been unwilling to obey, and on application to Miles Macdonell he told them the Canadians were such cowards they would come on shore at the first shot, and that he had no
 May 1814 wish for bloodshed. - Intelligence of this proceeding having been early given to the North West Company by Alex McLean one of the principal Settlers, and express was sent by them to stop the provisions and in consequence Mr. John Spencer the Sheriff went up by water with a small armed party to look for the same, but after some days

North West Company; John Warren; Miles Macdonell; May 1814; Pemmican Proclamation; provision seizure; Alexander McLean; John Spencer; Sheriff John Spencer; Canadians; Selkirk Settlers; Deposition 122; <http://data2.archives.ca/e/e447/e011163878-027-v8.jpg>

27

24

search found only one empty boat and the men who had conducted it down these latter named Poitras and Sancesse, both free Canadians he made prisoners and took them down to Miles McDonnell who threatened to send them to Hudson's Bay and compelled one of them to declare on oath where the provisions were concealed; whereupon Spencer was again sent up with a party and brought them down to Miles Macdonell's store. On this charge a bill of Indictment has been lately found against Spencer as principal and Miles McDonell as accessory to grand Larceny. - Mr. John Spencer above *In June 1814* mentioned having been sent up with an armed force to the North West post at the junction of the Rivers Assiniboine and La Souris where there principal supply of provisions has been collected together for greater safety required the surrender thereof to him in virtue of a Warrant

North West Company; Hudson's Bay; Red River Settlement; Assiniboine River; La Souris River; Fort La Souris; Canadians; Poitras; Sancesse; Miles Macdonell; John Spencer; Pemmican Proclamation; provisions; grand larceny; armed force; food shortage; June 1814; <http://data2.archives.ca/e/e447/e011163878-028-v8.jpg>

28

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from Miles Macdonell which being refused he forcibly broke into the said post by cutting down the Stockade and drawing the Staples of the store door - the provisions thus taken were partly conveyed to the H.B. post in the neighborhood and partly taken down to Miles McDonell at the forks. On this charge a Bill of Indictment for Grand Larceny was found against Spencer so long ago as September 1815; but it is admitted by the N.W. Company in the "Narrative" that as he might have acted under a misapprehension of authority there would be a failure in proving against him the felonious intent.

Shortly after the occurrence Mr. Howse in the service of the H.B. Company who had been present at the time was made prisoner by Duncan Cameron and others of the N.W. Company; who previous to this period are stated Depn. No. 113 to have induced their servants chiefly by threats (for much unwillingness in this respect appears to have been expressed by the

North West Company; Hudson's Bay Company; Fort La Souris; Miles Macdonell; seizure of provisions; Pemmican Proclamation; grand larceny; The Forks; Red River Settlement; John Spencer; September 1815; Joseph Howse; Duncan Cameron; food shortage; Deposition 113; <http://data2.archives.ca/e/e447/e011163878-029-v8.jpg>

29	<p>26</p> <p>men on both sides) to take up arms and had probably in view to intercept Mr. Spencer with the provisions he was bringing down. Miles McDonell states at least that having been led to suspect it, he went out to meet and protect him at the head of a party with two field pieces having also himself apparently in view to procure the release of Mr. Howse; a battery was likewise erected about this time to obstruct the passage of the River near Fort Douglas and two North West Canoes coming up the River were detained and disarmed; from these and other hostile measures on each side, matters appeared drawing towards a violent crisis, when Mr. John McDonald commonly called Bras Croché a brother-in-law of Mr. William McGillivray arriving, and amicable Settlement took place, Mr. Howse was released and it was agreed that 200 bags of Pemican, equal to little more than a third of the</p>	<p>John McDonald was handicapped since childhood by a withered right arm which led to him being known as Le Bras Croché among his voyageurs.</p>	<p>North West Company; Fort Douglas; John Spencer; Joseph Howse; Miles Macdonell; John McDonald; William McGillivray; Bras Croché; provisions; procure the release; battery; passage; canoes; hostility; crisis; pemican; pemmican; Pemmican Proclamation; arrive at a settlement; food shortage;</p> <p>http://data2.archives.ca/e/e447/e011163878-030-v8.jpg</p>
30	<p>27</p> <p>quantity taken should be retained by Miles McDonell and the remainder restored to N.W. Company on condition of their supplying an equal quantity of provisions to the Colony the ensuing Winter; but some little diviation from the original bargain having afterwards taken place it does not appear quite clear what was the exact terms carried into execution. Miles McDonell in his Deposition states most positively that the measure of embargo was adopted by him solely from the necessities of the Colony, to which he was led to expect an accession of nearly two hundred persons in the course of the year, and that it was by no means intended to injure the Trade of the N.W. Company, or connected with the difficulties to be expected by them from the loss of the British Fleet on Lake Erie, which he did not learn till after issuing the proclamation, and that he had in consequence frequently informed the Gentleman</p>		<p>Miles McDonell; Miles Macdonell; pemmican; Pemmican Proclamation; North West Company; Red River Colony; Selkirk Colony; measure of embargo; food shortage; loss of British Fleet on Lake Erie;</p> <p>http://data2.archives.ca/e/e447/e011163878-031-v8.jpg</p>
31	<p>28</p> <p>of that Company that it was not his intention to inforce the prohibition to its full extent.</p> <p>On the part of the North West Company it is stated that the supply of provisions from Red River was indispensible to the subsistence of their people; that the loss of the Fleet on Lake Erie, rendered them more dependent than ever thereon, and that the same must have been known very shortly after the date of the proclamation and long before it began to be acted upon, and proof is given of different violent and hostile declarations made by Miles McDonell and other Officers of the Colony or H.B. Company - viz - of a speech by Governor William Auld (Depn. No. 114) to the Servants and Settlers assembled at Red River, that whenever required to fight, they must do so, and not think what was right or wrong, but what were the Company's orders, and that if desired to take up arms against the</p>		<p>Hudson's Bay Company; North West Company; Red River; Red River Settlement; Selkirk Settlement. Red River Colony; Pemmican Proclamation; Selkirk settlers; Miles Macdonell; Governor William Auld; food shortage; Deposition 114;</p> <p>http://data2.archives.ca/e/e447/e011163878-032-v8.jpg</p>
32	<p>29</p> <p>N.W. Company to take provisions they must not refuse; of threats by Peter Fidler a principal factor of the H.B. Company (Depn. No. 119) of flogging and loss of wages for refusing to take up arms, of a declaration by John Spencer (Depn. No. 120) whilst preparing cartridges for the field pieces, "that he was making them for the dammed North West rascals, that they had run to long and that they shall run no longer," and of promises made by Miles McDonell (Depn. No. 119) of a pension to any man who might be wounded in action against the N.W. Company, and of a bounty of three pounds to each man on taking up arms: of a declaration by him that there was no law in the Country, but the law of the strongest, and that he could not get on with *June 1814* out that being the case, and a further declaration on the first</p>		<p>North West Company; Hudson's Bay Company; Peter Fidler; punishment for not taking up arms; flogging; loss of wages; refusing to take up arms; bounty of three pounds; food shortages; pemican; pemmican; Pemmican Proclamation; June 1814; Deposition 119;</p> <p>http://data2.archives.ca/e/e447/e011163878-033-v8.jpg</p>

33	boat load of the captured pemican being brought down to his stores,	Deposition 120;
34	<p>30</p> <p>that it was a good beginning and that in a little time he would drive the N.W. Company out of the River. - Miles McDonell on his part further states that he had received directions from the H.B. Company in 1813 to appoint Counsellors and other Officers for the Colony by Commissioners issued by himself on the previous Nomination of the Company: and proves also (Depn. No. 112) certain extracts from letters of the Earl of Selkirk to himself of which the most material dated Strumness 13 June 1813, states that satisfactory progress had been made in ascertaining the rights of jurisdiction legally vested in the Company, but that it would require delicate management to take advantage of them - that full instructions could not be sent out by the Company that year, and consequently great caution must be used in asserting these rights forcibly</p>	<p>Strumness=Stromness North West Company; Red River; Miles McDonell; Miles Macdonell; Hudson's Bay Company; rights of jurisdiction; asserting HBC rights; Earl of Selkirk; Strumness; Stromness; Deposition 112;</p> <p>http://data2.archives.ca/e/e447/e011163878-034-v8.jpg</p>
35	<p>31</p> <p>especially towards the N.W. Company who would be glad to catch at any flaw that could bring them into discredit with the public - that means would be found of bringing their legal rights to a fair trial before the Supreme Tribunal in England, and in the meantime any exercise of jurisdiction must be confined to what was strictly necessary, and any step carefully avoided that could, give a handle to misrepresenting these proceedings as directed to sinister objects and particularly to the invidious purposes of monopoly; and concludes with the following practical directions. - "A very material point which appears to be established beyond all doubt is, that evry person within the territories of the Hudson's Bay Company is under their jurisdiction, therefore if any of the N.W. people should attempt any violent aggressions</p>	<p>North West Company; Hudson's Bay Company; Selkirk Concession; Selkirk's Grant; caution in asserting rights forcibly; Supreme Tribunal; Hudson's Bay Company jurisdiction;</p> <p>http://data2.archives.ca/e/e447/e011163878-035-v8.jpg</p>
36	<p>32</p> <p>within the bounds of the Settlement or against the Settlers, you need not scruple to lay hold of them, as you would against any offender amongst our own people. If they keep at a tolerable distance from the Settlement and do not interfere with your internal affairs you will not seek a quarrel with them; but you cannot them to insult the Settlement or trample upon your authority. If the Servants of the Hudson's Bay Company should claim your protection and redress against any illegal violence of their antagonists committed within the limits of your Government you cannot refuse to interfere and the delinquents should be brought to punishment in the same manner as if they had attacked the Settlers, but you must take care to deal with perfect impartiality between the Servants of the two Companies. Indeed in all cases of</p>	<p>Red River Settlement; Selkirk Settlement; Selkirk Settlers; Hudson's Bay Company; North West Company; relationship between HBC employees and the settlement;</p> <p>http://data2.archives.ca/e/e447/e011163878-036-v8.jpg</p>
36	<p>33</p> <p>collision with the N.W. people it will be advisable to be very sure of your ground and have a case well made out before you take strong measures." Of these extracts it is proper to remark that as the original letters were not produced, nor even a declaration made by the Deponent that they contain the whole substance of what is said on these particular subjects, they must necessarily be received with some caution until that is done.</p> <p>*July 1814* An order was published by Miles McDonell forbidding the hunting of Buffaloe on horseback under the penalty of three months imprisonment for the first offence and forfeiture of the horse with a similar imprisonment for the second.</p> <p>Miles McDonell states (Depn. 110) that he adopted this measure in consequence of having experienced the pernicious effects of some of the Free Canadians and their Halfbreed Sons</p>	<p>North West Company; Nor'Westers; Free Canadians; Halfbreeds; penalty; hunting buffalo on horseback; three months imprisonment for first offence; Miles McDonell; Miles Macdonell; July 1814; food shortage; Deposition 110;</p> <p>http://data2.archives.ca/e/e447/e011163878-037-v8.jpg</p>

34

(several of whom he has been informed and believes were employed by the N.W. Company) thus running the Buffalo, whereby they were driven to a great distance and the Settlers as well as the larger proportion of Freeman who had not hunting horses were deprived of the means of subsistence. - The Indians also complained thereof as driving the Buffalo towards the lands of their enemies the Sioux where they could not pursue them without danger - that from these causes having frequently before discouraged the practice in conversation, he was led (with concurrence of several of the partners of the North West Company with whom he had made the arrangement for provisions) to issue the order above mentioned which was translated into French, and the solutary effects thereof explained by two of the partners and one Clerk of the North West Company - that

North West Company; Nor'Westers; Selkirk settlers; Freeman; Indians; Sioux; buffalo; penalty; hunting buffalo on horseback; lack of horses; food shortage;

<http://data2.archives.ca/e/e447/e011163878-038-v8.jpg>

35

it was therefore with the utmost surprise that he found the measure subsequently to the arrival of Mr. Duncan Cameron the ensuing fall made a subject of accusation against himself and represented to the free Canadians and Halfbreeds as an infringement of their liberty. The fact of its being so considered appears by a variety of other testimony, and also that it was one of the principal causes which rendered the freemen and Halfbreeds (amongst whom it appears by Depn. No. 113 for some time to have excited great alarm) inimical to the Colony; in as much as it is stated by different witnesses not to be at all practicable to ensure a supply of Buffalo without following them on horseback. Other pretentions of Miles McDonell are also stated as having caused dissatisfaction such as forbidding the inhabitants of the Country

Free Canadians; Halfbreeds; Duncan Cameron; Miles McDonell; Miles Macdonell; supply of buffalo; penalty; forbidding hunting buffalo on horseback; infringement of liberty; food shortage; Deposition 113;

<http://data2.archives.ca/e/e447/e011163878-039-v8.jpg>

36

to bark the trees, as customary for covering their houses, to take the larger trees for firewood, or to encamp near certain parts of the River for the purpose of fishing, as to which altho' Miles McDonell states that he never made any such orders, there can be no doubt from the various evidence on the subject, *July 1814* that claims of the kind had been advanced in a way to excite jealousy and suspicion numerous complaints have also been brought before me of the difficulty experienced by the inhabitants of evry class, in obtaining any regular account of their dealings with Miles McDonell and of the injury caused them thereby.

[-July 1814] written on Margins
N.W. Company; North West Company; Miles McDonell; Miles Macdonell; trees, firewood, fishing, harvesting; complaints against Macdonell; July 1814;

<http://data2.archives.ca/e/e447/e011163878-040-v8.jpg>

37

adopted by them particularly in ordering their hunters to drive away the cattle from the Colonists but independent of this fact not being stated by Miles McDonell (who if true had the best means of knowing and the greatest interest to shew it) and of the direct evidence produced of the party's having apparently continued on good terms up to the period in question; the same witnesses who are produced to prove the adoption of this measure so universally attribute it to Mr. Duncan Cameron who is otherwise indubitably shewn never to have come to Red River till the difficulties about provisions took place, that there can be scarcely a doubt of their being mistaken as to the date: and on the whole it seems evident that up to this period there not only is a want of evidence (which seems indeed to be tacitly admitted in the Statement by the Earl of Selkirk's legal

Red River; Colonists; Red River Settlers; Selkirk Settlers; Earl of Selkirk; Miles McDonell; Miles Macdonell; Duncan Cameron;

<http://data2.archives.ca/e/e447/e011163878-041-v8.jpg>

Agents of 18th Feb. last) to prove the adoption of any measures of open and deliberate hostility towards the Colony on the part of the persons acting for the North West Company but on the contrary it appears to me that much moderation had been shown by them in resisting the pretensions of Miles McDonell, who believes the overt acts already stated, advances in a correspondence proved before me (Depn. No. 152) the exclusive rights of the H.B. Company to the Territory, Government and Jurisdiction of the Country in the most direct terms and states in substance and for the most part in these very words, that he and his people were the Government party, and that the N.W. Company people were bound to acknowledge subjection to them as such - it is also stated by one Witness (Depn. No. 107) that about this period

42

39

Mr. Steitt a clerk of the H.B. Company who had been in England the year before declared he had often dined with the Earl of Selkirk and that his Lordship was determined to take possession of his Territory meaning the Red River; that his people could not establish the Colony without provisions, and that those that were found within their territory ought to belong to them - it appears also by two or more witnesses (Depn. Nos. 107, 113, & ect.) that during the present or previous summer the Surveyor of the Colony in laying out lots for Settlements insisted upon running one of his lines through the middle of the garden of the N.W. Company's post, which after some opposition was submitted to.

5th Aug 1814 Alexander McDonell after 45th annual meeting of the North West partners at Fort William addressed a letter which has been

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duly proved before me, (Depn. No. 123) from the Portage La Prairie about the height of land, to Mr. John McDonell before mentioned containing the following expressions - "You see myself and our mutual friend Cameron so far on our way to commence open hostilities against the enemy in Red River. Much is expected from us if we believe some; perhaps to much. One thing certain, that we will do our best to defend what we consider our rights in the interior - Something serious will undoubtedly take place. Nothing but the complete downfall of the Colony will satisfy some by fair or foul means; a most desirable object if it can be accomplished - so here is at them with all my heart and energy."

This is the first and principal overt act of that conspiracy, which the N.W. Company are accused of having formed at Fort William

44

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for the purpose of destroying the Colony at Red River conformably to the advice given them two years before by Mr. Simon McGillivray.

The principal additional evidence which has come before me in support of this charge exclusive of the admission by the N.W. Company of the warrants issued by Archibald Norman McLeod against Miles McDonell and others and of the authority given to the partners going to Red River to offer a passage and provisions to Upper Canada to any of the Settlers inclined to avail themselves thereof is contained in the Deposition of Mr. John Prichard (No. 123) who states that on his arrival at Fort William he found the N.W. people in general much enraged at the arrangement which had taken place at Red River. - especially the principal Agents and partners Mr William McGillivray and Archibald Norman McLeod: the former of

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Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-042-v8.jpg>
North West Company;
Nor'Westers; Selkirk
Concession; Selkirk's
Grant; Miles MacDonell;
Miles Macdonell;
Governor of the Red River
Colony; Attempts to
subjugate the North West
Company; Deposition 152;
Deposition 107

Mr. Steitt; Hudson's Bay <http://data2.archives.ca/e/e447/e011163878-043-v8.jpg>
Company; Earl of Selkirk;
Red River Colony;
Alexander McDonell;
Alexander Macdonell; Fort
William; surveying lots;
August 5, 1814;
Deposition 107;
Deposition 113;

Portage La Prairie; John <http://data2.archives.ca/e/e447/e011163878-044-v8.jpg>
McDonell; John Dugald
Cameron; enemy; North
West Company; Red River
Colony; Selkirk
Settlement; Fort William;
Deposition 123;

North West Company; <http://data2.archives.ca/e/e447/e011163878-045-v8.jpg>
Fort William;
Nor'Westers; Red River
Colony; Simon
McGillivray; Archibald
Norman McLeod; Miles
McDonell; Miles
Macdonell; John Richard;
provisions to leaving
Selkirk Settlers; William
McGillivray; Deposition
123

42	<p>whom declared, that it was not the value of the Pemican, but the insult offered to the N.W. Company which enraged them, and added "during thirty years that we have been been conducting this business it has been my province rather to check the violence of the younger men, than to urge any one to act; it is the first time the North West Company has ever been insulted, towards the latter part of the business you appear to have been disposed to do yourselves justice, had it not been for the arrival of that unfortunate man" alluding to John McDonald his brother-in-law, and afterwards on his (Pritchards) observing that had they proceeded to violence many lives might have been lost Mr. McGillivray replied wa a sneer "I know Miles McDonell better, he would not have burnt a priming," and that in a subsequent conservation Archibald Norman</p>	<p>priming = gunpowder placed in the pan of a firearm to ignite a charge</p> <p>North West Company; John McDonald; John Pritchard; William McGillivray; Miles McDonell; Miles Macdonell; Archibald Norman McLeod; pemican; pemmican; food shortage; Pemmican Proclamation;</p>	<p>http://data2.archives.ca/e/e447/e011163878-046-v8.jpg</p>
46	<p>43</p> <p>McLeod told him that he had acted like a coward in not shooting Spencer when he took the pemican, that on another occasion McLeod made some enquiries of him respecting the manner of issuing Warrants, and that he saw him push one Louis Blondeau out of the Hall of the Fort for refusing to take an oath (which fact is also confirmed by Blondeau (Depn. No. 280) with many details) and that the same oath was afterwards administered to several others in his presence being read out of a printed book - that he believes it might be the ordinary oath of a Constable, but that the purport was explained to the parties to be "that it bound them to obey the commands of their Bourgeois and exempted them from any consequence that might occur there from, for which the Bourgeois alone would be responsible." That from all these circumstances he was led to suspect measures of violence</p>	<p>Louis Blondeau; pemmican; food shortage; John Spencer; Archibald Norman McLeod; oath; Bourgeois; Deposition 280;</p>	<p>http://data2.archives.ca/e/e447/e011163878-047-v8.jpg</p>
47	<p>44</p> <p>were intended to be adopted against the Settlement, and was even told by Alexander McDonell that they would bring out Miles McDonell in irons. That on his arrival at Montreal he was further informed by Donald MacKenzie - of Terrebonne a partner *A confidential Servant of the N.W. Company and brother to Mr. Roderick McKenzie* of that Company that it was their intention to seduce as many of the Settlers at Red River as possible to join them: and after thus diminishing their means of defence to raise the Indians of Lake Rouge and Fond-du-Lac to act against and destroy the Settlement. Colin Robertson a principal Agent of the H.B. Company states also (Depn. No. 167) that he received similar information towards the end of Sept. 1814 from Mr. Robert Logan a former clerk of the N.W. Company particularly as to the intended employment of the Fond-du-Lac Indians: as likewise from Donald MacKenzie aforesaid</p>	<p>North West Company; Hudson's Bay Company; Alexander McDonell; Alexander Macdonell; Miles McDonell; Miles Macdonell; Donald MacKenzie; Terrebonne; Roderick McKenzie; Selkirk Settlers; Red River; Lake Rouge; Red Lake; Fond-du-Lac; Indians; Colin Robertson; Sep 1814; Robert Logan; Deposition 167;</p>	<p>http://data2.archives.ca/e/e447/e011163878-048-v8.jpg</p>
48	<p>45</p> <p>with the addition that Daniel MacKenzie the person in charge at Fond-du-Lac had been instructed to employ the Indians of that place against the Settlement, but had declared to him that if the Company chose they might make use of the said Indians but that he would not be concerned therein. Katawabetay an Indian Chief from Fond-du-Lac however has stated before me (Decln. No. 402) that Daniel MacKenzie did offer him all the goods at Leach Lake, Sandy Lake and Lake La-Pluie as an induce-ment to make war upon the English at Red River but that he refused doing so as already declared by him at Drummonds Island, it is true he stated this to have been in the Spring of the year 1816 a circumstance which was much dwelt upon by the North West Company who proved (Depn No. 403) that Daniel MacKenzie was not at Fond-du-Lac that Spring</p>	<p>North West Company; Fond-du-Lac; Leach Lake; Sandy Lake; Lac la Pluie; Drummond Island; Red River; Indians; Indian Chief from Fond-du-Lac; Daniel MacKenzie; Katawabetay; Kawtawabetay; Spring 1816; Deposition 402; Deposition 403;</p>	<p>http://data2.archives.ca/e/e447/e011163878-049-v8.jpg</p>
49	<p>46</p>	<p>Katawabetay; Daniel</p>	<p>http://data2.archives.ca/e/e447/e011163878-050-v8.jpg</p>

and also produced evidence of Katawabestay having denied to them his having made the declaration imputed to him when read as printed in the "Statement" such denial however even if true arising probably from some *5 Aug18?* expectation of immediate advantage or from fear, is little to be relied upon, and the error of date appears merely accidental as he refers to his former declaration where the date is stated correctly. - Daniel MacKenzie himself in his letter to the Earl of Selkirk, in consequence wherof he was liberated from confinement and allowed to proceed to Montreal under the idea of his being found a necessary evidence for the Crown (a copy of which letter has been proved before me (Depn. 280) says nothing on this particular subject altho' it is affirmed by Mr. John Allan the Medical attendant of the Earl of Selkirk that he had expressed much

MacKenzie; Earl of Selkirk;
John Allan; Deposition
280;

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anxiety relative thereto whilst in confinement; he states however the following circumstances bearing on the charge of a previous conspiracy, that in the year 1813 a deserter of the name of Walsh having been brought from the Red River Settlement Mr. William McGillivray found much fault therewith on the principle that the Colony ought to be disorganized on a more general scale, to cover which intention he was sent back - that in Summer 1814 a considerable present of provisions and liquor was given to the people who came to Fort William from Red River altho; a period when the utmost economy was requisite from the Americans being in possession of the Upper Lakes, and that Mr. William McGillivray made a speech to the men dwelling much upon the unjust proceedings that had taken place - that a present to the amount of £60.

William McGillivray; <http://data2.archives.ca/e/e447/e011163878-051-v8.jpg>
Walsh; 1813; Red River
Settlement; Fort William;
provisions; Summer 1814;
Americans; Upper Lakes

51

48

or upwards was sent to Mrs. McLean in consequence of the proposal of Mr. John McDonald the brother-in-law of Mr. W. McGillivray as she was friendly and wished well to the N.West Company and that Mr. Duncan Cameron was made a Captain in the Voyageurs Corp in order that he might command Captain McDonell in Red River this last measure appears to have been (by other evidence) adopted under the sanction of a letter said to have been written by E. Brenton the Civil Secretary to Sir George Prevost dated 27th May 1814 ordering that military rank should be given to any person in the Indian Territories whom Mr. William McGillivray should recommend in consequence whereof the same was confirmed by a Garrison order issued by Colonel McDonell the Commandant at Michilimackinaw which was forwarded by the N.W. Company

North West Company; <http://data2.archives.ca/e/e447/e011163878-052-v8.jpg>
Mrs. McLean; John
McDonald; William
McGillivray; Duncan
Cameron; Voyageurs
Corps; Captain McDonell;
Red River; 27 May 1814;
Sir George Prevost;
Edward Brabazon
Brenton; Colonel
McDonell;
Michilimackinac

52

49

into the Indian Territory during the course of the Winter - Daniel McKenzie further states that whilst in charge of Fond-du-Lac he received a letter from Mr. Duncan Cameron at Red River in the Spring of 1814 (evidently an error for 1815) in which he mentions having orders to destroy the Colony.

5th Aug 1814 Of this letter a copy has been filed with me (Depn. No. 240) on behalf of the H.B. Company, as also (Depn. No. 168) of another letter written by Mr. Duncan Cameron in March 1816 to the person then in charge of Fond-du-Lac together with Copy of a joint letter (Depn. 168) from Duncan Cameron and Alex McDonell to their partners in the Interior dated 24th Feby 1816 and extracts of one (Depn. 167) from Alex McDonell to the proprietors and Agents at Fort William dated 13th March 1816, and the whole of which appear to throw much light on the question of the degree in which the charges of previous conspiracy and of inciting the Indians are fairly imputable

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-053-v8.jpg>
Daniel McKenzie; Fond-
du-Lac; Duncan Cameron;
Red River; March 1816;
Alex McDonell; Alexander
Macdonell; 24 Feb 1816;
Fort William; 13 Mar
1816; inciting the Indians;
Deposition 240;
Deposition 167;
Deposition 168;

53

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North West Company; Bas <http://data2.archives.ca/e/e447/e011163878-054-v8.jpg>
de la Reverie; Bas de la

to the North West Company - the fact that certain individual partners endeavored to induce the Indians to accompany them in the Spring of 1815 is established beyond a doubt by other intercepted letters which have been proved before me - in one of these Seraphin Lamar a Clerk of the N.W. Company writing from Qu'Appelle (the post in charge of A. McDonell) 8th March 1815 to John Dougald Cameron at Bas de la Reverie after speaking of presents made to some of the Indians and of their being told that without their assistance it was doubtful whether the N.W. Company would be able to bring them in their supplies as customary adds - "hier au soir un sonnant un fameux guerrier et aussi ecouté que craint est venu de linmeme offier ses services et nous promet entre 30 @ 40 hommes tant crés qu'Assiniboines qui seront entierement a bordre et a la volenté de Mr McD. ce matin la manche de guerre sest

Rivière; Fort Alexander; Indians; Seraphin Lamar; Serphin Lamere; John Dugald Cameron; Qu'Appelle; Assiniboines; 1815;

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51
déployée et après avoir fumé il est parti avec le Tobac Rougie (symbole de la Guerre) ce nombre sur quoi ont peut compter, est plus que suffisant pour Dépérruquier cartouche, et chasser toute la canaille de la Baye d'Hudson de la Rivière Rouge, mais je crains qu'avant ce tems la ils fassent tous leurs efforts pour se saiser du Capn Cameron, ce qui changeroit Diablement l'opinions dés Matifs, et nous mortipiera tous - Je me flatte que vous viendrez avec quelques uns de vos bons soldats passer le printéms avec lui - Pour mai j'ai l'honneur d'etre apointé chef de la garnison de la Riviere la Souris, ou j'irai en cas d'attaque avant le terme de la sommation expiré" John McDonell commonly called Fort Dauphin McDonell writes on the 12th Feby 1815 to the same John Dougald Cameron, "Our friend Duncan Cameron is in a critical situation and am greatly afraid his mad neighbour will commence hostilities before he can have any aid from this or any

tems=temps;
printems=printemps

Fort Dauphin; Baye d'Hudson; Hudson's Bay; Riviere la Souris; Souris River; Matifs; Fort Dauphin; McDonell; Rivière Rouge; Red River; John Dugald Cameron; Cameron; Duncan Cameron

<http://data2.archives.ca/e/e447/e011163878-055-v8.jpg>

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other quarter you may rely on my being at the Forks as early as circumstances will admit. I hope to be able to raise from thirty Indians more or less to accompany me and my people; this with what can be recruited elsewhere, I think will decide the contest a decisive blow must be struck, it will not answer to do things by halves we had enough of half measures already but we are poorly furnished with the requisite arcticles to stimulate our allies, unless a seasonable supply will be forwarded from headquarters or Rainy Lake." Parties of Indians appear also in conformity to these letters to have actually come down both with Alex McDonell and John McDonald after the opening of the navigation in 1815; the party with the former is stated in the Deposition of John Pritchard (No 187) to have consisted only of seven Indians, that these were however most of them Chiefs,

The Forks; Indians; Rainy Lake; Alexander McDonell; Alexander Macdonell; John McDonald; John Pritchard; Deposition 187;

<http://data2.archives.ca/e/e447/e011163878-056-v8.jpg>

56

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but after visiting Miles McDonell and receiving from him an explanation of his views, they promised not to make war upon the Settlers as they intimated they had been solicited to do.
The party with John McDonald is stated in the Deposition of John McLeod (No. 144) a clerk of the H.B. Company to have been about thirty but that they did not arrive till after the Settlers were gone; one of them however told him that they had come in consequence of engagements they had entered into with John McDonald to assist the N.W. Company to drive away the Settlers on Red River. - The said John McLeod also states that after the departure of the Settlers Duncan Cameron severely reproached in his presence an Indian Chief from Red Lake (L'homme noir) saying to him - "Do you not now feel ashamed of yourselves for having mistaken your own interests so far as to have endeavored to

Hudson's Bay Company; North West Company; Selkirk Settlers; Miles McDonell; Miles Macdonell; John McDonald; John McLeod; Red River; Duncan Cameron; L'homme noir; Indian Chief; Red Lake; Deposition 144;

<http://data2.archives.ca/e/e447/e011163878-057-v8.jpg>

57

54

Selkirk Settlers; Chief; Indians

<http://data2.archives.ca/e/e447/e011163878-058-v8.jpg>

assist those English who came here not to administer to your wants; but to seize your Country and spoil your lands. - Your conduct was calculated to be as injurious to us as to yourselves, yet we pitied your infatuation and solicitations only to provide for your future welfare, have driven away these spoilers of the land, who had they been permitted to establish themselves here would soon have reduced you and your children to a state of Slavery. - We have obliged them to quit your Country: if they return again their fires shall be extinguished, and if you or any other Indians take their part, you shall share the same fate." - That after this Speech he invited the Chief to go his Fort to partake of a Treat he was about to give which the Indian refused saying. - "I feel too much sorrow at the loss of my friends whom you have driven away to feel any inclination to partake of your Treats."

58

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The same facts are also stated although less in detail in the deposition of Francois Eno dit Delorme No. 113 as well as that during the last of the disputes in 1815, he was himself employed on behalf of the N.W. Company to engage the Indians to fire upon the Settlers and actually gave ammunition to four Indians on this condition. This last witness it is however to be observed is contradicted in so many instances by other evidence that it seems right to receive with some hesitation whatever rests solely upon his testimony, - at the *5th Aug 1814* same time I feel inclined to think that altho' a careless and inaccurate witness, he does not wilfully mistake and is therefore generally entitled to credit on those points to which he deposes on his personal knowledge.

N.W. Company; North West Company; Francois Eno dit Delorme; Francois Henault dit Delorme; engage the Indians; Selkirk Settlers; 5 Aug 1814; Deposition No 113; <http://data2.archives.ca/e/e447/e011163878-059-v8.jpg>

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Such are the principal facts that have appeared before me on the question of a

56

connected conspiracy for the expulsion of the Colonists, or as to the particular fact of a plan to incite the Indians to destroy the same: respecting both of which I have thought it right to enter into full details in as much as the former imputation forms the foundation of the charges against the N.W. Company as a Body, and the latter has been peculiarly dwelt upon in the correspondence between the parties and His Majesty's Government. On the whole the impression on my mind is, that no sufficient proof of an illegal conspiracy or of any concerted plan for exciting the Indians is made out: with respect to the latter in particular notwithstanding the singular coincidence between the previous information of Donald MacKenzie and subsequent declaration of Katawabetay respecting Daniel McKenzie, I am of opinion, exclusive to any hesitation as to Indian

Red River Settlers; expulsion; North West Company; exciting the Indians; Donald MacKenzie; Katawabetay; Daniel McKenzie <http://data2.archives.ca/e/e447/e011163878-060-v8.jpg>

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testimony, that nothing more than loose conversations on the subject had taken place, one of which has probably been repeated by Daniel McKenzie.

The formal orders given at the meeting have probably therefore been confined to the execution of the warrants issued and the affording passages to the Settlers, - but at the same time there can scarcely be a doubt that it was well understood by the parties that every inducement was to be held out to the Settlers to adopt this measure - this last fact is tacitly indeed nearly admitted in the late Statement of the Agents of the N.W. Company and probably such further expressions of hostility towards the Colony and wishes of vengeance for the imputed insult sustained by the N.W. Company may have been commonly used as naturally to impress upon the minds of those employed the conviction declared by Alexander McDonell that "Something

Daniel McKenzie; Alexander McDonell; Alexander Macdonell; Selkirk Settlers; N.W. Company; North West Company; Red River Colony; <http://data2.archives.ca/e/e447/e011163878-061-v8.jpg>

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"Serious would undoubtedly take place and that nothing short of the complete downfall of

Red River Colony; North West Company; monopoly; Deposition 218 <http://data2.archives.ca/e/e447/e011163878-062-v8.jpg>

the colony would satisfy some by fair or foul means." In estimating the probable effect or the minds of the parties employed, of suggestions like those supposed and indeed in some degree known to have been addressed to them, it is necessary to consider their peculiar situation both as a body and as individuals.

As a body it is notorious that the N.W. Company enjoy a monopoly (yielding as appears by an intercepted letter proved before me (Depn. 218) even in some of these years of contention a dividend of £400. a share of £40.000 on the whole, exclusive of large profits is the Agents) and this founded not on any legal right but arising from a junction of Capital and connection which has hitherto enabled them to overwhelm all Competition; to effect which it is however

62

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obvious that they must at all times hold themselves prepared to resist, as it is publicly known they have done, every attempt at encroachment with promptitude and rigor, as also that they have not in general been over scrupulous as to the legality of the means pursued to accomplish an object involving the vital interests of the Company. As individuals also the stimulus held out by the large share of the profits reserved to reward those who may distinguish themselves by their zeal and exertions in the Service of the Company, naturally excites a spirit of bold and determined enterprise, which, whilst it has led to the extension of their Trade nearly from Ocean to Ocean has at the same time naturally tended to form an "Esprit de Corps" little attentive to the claims and rights of others and much more disposed to inflict than submit to acts of insult or violence - A determined spirit of this nature

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-063-v8.jpg>
North West Company;

63

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is strongly exhibited in many of the intercepted letters proved before me which may however have been partly formed by the local situation of the parties, especially in the more distant parts of the Country, where far removed from the protection of the law or civilized society every man must feel his life to be a certain degree in his own keeping, and to be best secured by a constant and open preparation for self-defence.

On behalf of the N.W. Company such parts of the present charge as are admitted are either justified or excused by the previous provocations received, the necessity owing to the state public affairs, of securing their supply of provisions from the interior, and their right of adopting every legal means of self defence against an establishment of which the inhabitants instead of continuing peaceable Settlers had been converted into an armed force evidently for the purpose of

North West Company; <http://data2.archives.ca/e/e447/e011163878-064-v8.jpg>
self-defence; Selkirk
Settlers;

64

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their expulsion from Red River, and ultimately from the whole Country, and in answer to the objections raised against the Warrants being issued by a partner of the N.W. Company and the presumption (which is much dwelt upon by the opposite party) that they aimed at something beyond legal redress or would have sought it by an appeal to the Privy Council - they state that the first was a measure of necessity as at the period in question there were no other Magistrates for the Indian Country (for the truth of which fact they refer to the list of Magistrates published by Authority probably meaning the Quebec Almanac which is not however a work so published) excepting the immediate connections and dependents of one Company or the other; and that with regard to the latter independent of the urgency of the evil which would not admit of so remote and slow a remedy, it would

Selkirk Settlers; expulsion; <http://data2.archives.ca/e/e447/e011163878-065-v8.jpg>
North West Company;
Hudson's Bay Company;
Privy Council;
Magistrates; Quebec
Almanac

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have been an admission of Miles McDonnell being *5 August 1814* a duly appointed Governor

North West Company; <http://data2.archives.ca/e/e447/e011163878-066-v8.jpg>
Miles McDonnell; Miles
Macdonnell; Nor'Westers;

of a British Colony which they have at all times denied in the strongest terms. These observations altho' plausible do not however remove from my mind the impression that the course pursued by the N.W. Company was adopted rather from that general spirit which inclined them to seek redress from their private force, than from a deliberate consideration of the motives now assigned - the express declaration made by one of the partners Mr. James Hughs after his return from the interior has indeed been proved before me to have been, "the N.W. Company will seek redress from the law for they are determined to redress all grievances they may suffer themselves" - On the subject of the partial employment of the Indians and still more generally of the Halfbreeds by particular partners

Indians; Halfbreeds;
James Hughs; redress;
grievances;

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in the course of 1815, no explanation is offered by the N.W. Company - it is right however to observe that these measures were not adopted till further alarm had been caused and provocation given by the formal notices to quit their respective trading *Sept 1814* posts. Mr. Duncan Cameron a few days after his arrival to take charge of the N.W. Post at the Forks of the Red River arrested Mr. John Spencer in virtue of the Warrant issued at Fort William against him, and the next day sent him off to Lac la pluie.

In passing Fort Douglas the Colonial servants forced open the store door for arm and ammunition to release him, but he would not allow them to interfere. Mr. Alex McLean (who was evidently at this period an object of suspicion in the Colony and one of whose daughters had been taken down for her education at Montreal by the N.W. Company was also active in preventing them: in the evening as Cameron was returning the men again forced open the Store

North West Company; <http://data2.archives.ca/e/e447/e011163878-067-v8.jpg>
Fort Gibraltar; Fort William; Fort Douglas; Lac la Pluie; The Forks; Red River; Red River Colony; Selkirk Colony; Duncan Cameron; John Spencer; Alexander McLean; order to quit trading posts;

67

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door for arms to shoot him, and it is stated by Duncan Cameron in a letter to Miles McDonell that one McVicar actually fired upon him, but this latter charge is not established by evidence. About this time it is stated by different Witnesses that D. Cameron called a public meeting of the Freeman & Halfbreeds and made them a speech: stating that he was appointed Captain and Mr. A. McDonell his Lieut. as it was apprehended the Americans might come and that he might have a right to command evryone, not expecting Capt. McDonell and one witness (Depn. 130) adds that he also told them at this time that the Colonists were taking their lands and that if they allowed them to go on they would become stronger than themselves and drive them from the Country. And there seems no doubt that such representatives were made at a subsequent period if not on his first arrival, as also that during the course of the Autumn and Winter he adopted evry measure in his power to increase his own

Freemen; Halfbreeds; <http://data2.archives.ca/e/e447/e011163878-068-v8.jpg>
Selkirk Settlers; Colonists; Americans; Duncan Cameron; Miles McDonell; Miles Macdonell; Captain McDonell; A. McDonell; Alexander Macdonell; McVicar; Robert McVicar; Deposition 130

68

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influence and to deminish that of Miles McDonell, particularly by encouraging the Free Canadians and Halfbreeds to treat with contempt McDonell's orders *Sep 1814* respecting the running of Buffalo on horseback; ordering his own hunters to drive away the Cattle from the Colonial hunters and punishing when in his power any persons appearing friendly towards the Colony this is particularly stated to have been done in the case of one Plonte who affirms, that after having been severely reproached by Mr. William McGillvray and A.N. McLeod at Fort William for some slight services rendered Miles McDonell he was sent down to Montreal as a punishment (a Journey which by the original terms of their engagement most of the freemen are liable to perform and which is generally held over their heads in terrorem by the North West Company) and that during his absence four horses and a cart were taken from him and that on the settlement of his account a female

Miles McDonell; Miles Macdonell; Free Canadians; Freeman; Halfbreeds; prohibition; hunting buffalo on horseback; Plante; William McGillvray; Archibald Norman McLeod; North West Company; Fort William;

69

slave which he had been led to expect as a present was charged him at eight hundred livers. - Miles McDonell two days after his *24th Oct* arrival at the forks of Red River from Hudson's Bay sent a notice to Duncan Cameron in the following terms "Take notice that by the Authority and on behalf of your landlord the Right Honorable Thomas Earl of Selkirk I do hereby warn you and all your associates of the North West Company to quit the post and premises you now occupy at the forks of Red River within six calender months hereof. Given under my hand at Red River Settlement this twenty first day of October 1814"
(Signed) Miles McDonell

Similar notices were sent to all the other posts with the district Assiniboia and like assertions of exclusive territorial right appear (altho' the fact is not strictly proved) to have been

Female slave; Miles McDonell; Miles Macdonell; The Forks; Red River; Hudson's Bay; Duncan Cameron; Thomas Earl of Selkirk; Red River Settlement; North West Company; Assiniboia
<http://data2.archives.ca/e/e447/e011163878-070-v8.jpg>

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made in various other quarters of the Territories assumed to belong to the Hudson's Bay Company these notices are stated by Miles McDonell to have been sent in order to prevent the North West Company acquiring a prescriptive right to the soil - this view of the claim is however not at all noticed in the Journal of Peter Fidler, a document of importance of which the North West Company have filed (Depn. 164) large extracts before me and which was employed to deliver the notice to Duncan Cameron, and at all events in the relative situation of the parties whether the notice was to quit at the precise time fixed or merely to establish a future right - does not seem very material.

This being the first unequivocal declaration on behalf of the Hudson's Bay Company or the Earl of Selkirk of an intention to enforce the rights of the Charter and furnishing also one of the strongest presumptive proofs of an organized

Hudson's Bay Company; North West Company; Miles McDonell; Miles Macdonell; Peter Fidler; Duncan Cameron; Earl of Selkirk; Charter; Royal Charter of the Hudson's Bay Company; Deposition 164;
<http://data2.archives.ca/e/e447/e011163878-071-v8.jpg>

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68

plan, or as termed by the N.W. Company of a conspiracy to expel them forcibly out of the Indian Country: it may be necessary to advert to the causes which dictated the measure as well as to the view in which it must have appeared to the opposite party.

By the general tenor of the testimony before me, and more particularly from the observations of the legal Agents of the Earl of Selkirk it appears that the H.B. Company virtually abandon the claim to those rights under their Charter which go directly to establish a Commercial Monopoly, or to provide for the enforcement thereof, but that supported by eminent legal opinions they persist in the claim to the Territorial and Judicial Authorities granted incidentally by the same, which in fact could they be strictly enforced would virtually ensure to them the whole privileges of the Charter - the difficulties

North West Company; Hudson's Bay Company; conspiracy; Earl of Selkirk; commercial monopoly; charter; Royal Charter of the Hudson's Bay Company;
<http://data2.archives.ca/e/e447/e011163878-072-v8.jpg>

72

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of enforcing the territorial rights are however considerable in as much as although the clauses for the protection of the Charter in general appear sufficiently strong, yet it is stated in the "Observations" that the breach of the Territorial rights granted thereby has been considered by the best Lawyers as a mere civil trespass, and that a trespass of this kind committed within the Colonies was not within the cognizance of any of the Courts of Common law at Westminster.

The Privy Council it is further stated tho' the proper Court of appeal would not take cognizance in the first instance of a complaint against a private assoation of individuals like

Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; civil trespass; North West Company; Earl of Selkirk;
<http://data2.archives.ca/e/e447/e011163878-073-v8.jpg>

73	<p>the N.W. Company and the Act of the 43rd Geo. 3rd C. 138. even if applicable to the Hudson's Bay Territories being limited to Criminal Cases could not afford any redress for a civil trespass. On these grounds therefore the legal Agents of the Earl of Selkirk</p> <p>70</p> <p>argue that the only mode in which the H.B. Company could bring their rights of exclusive landed property and jurisdiction to a legal trial was by enabling their Governors to ensure the judgements of their Courts, leaving the N.W. Company or any others deeming themselves aggrieved to appeal to the Privy Council - that consequently the H.B. Company has taken every step consistent with its rights as a Chartered body vested jurisdiction for the purpose of appealing as early as possible to the Laws of their Country: and that in as much as the force furnished their Governors to support their judicial proceedings was legal and necessary for the due exercise of the Company's rights of jurisdiction under the Charter, it follows of course that the employment of an illegal private force originated with the partners and Agents of the N.W. Company. This statement although ingenious and plausible is however far from being satisfactory to my</p>	<p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; civil trespass; rights of jurisdiction; North West Company;</p> <p>http://data2.archives.ca/e/e447/e011163878-074-v8.jpg</p>
74	<p>71</p> <p>mind, for without reference to the Act of the 43 Geo III, (under which it appears to me probable that any forcible resistance to the Civil Authority of their Governors instead of being put down by superior force might have been brought to trial as a Criminal offence) in as much as the H.B. Company generally deny the authority of that act within their territory on the grounds (as far as I have been enabled to infer from accidental allusions to the subject in the papers filed before me) that the Act being intended to give a Jurisdiction where none previously existed cannot be held to extend over their Territory for which a Jurisdiction had been provided by the Charter, whereof the Legislature could not in presumption of Law be supposed ignorant; I cannot but feel on those stronger grounds of natural equity which in extreme cases must be allowed in some degree to control all Law; that there must be some fallacy in any train of argument which should lead (as</p>	<p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; civil trespass; rights of jurisdiction;</p> <p>http://data2.archives.ca/e/e447/e011163878-075-v8.jpg</p>
75	<p>72</p> <p>the present does as nearly as possible) to this conclusion; that an interested party claiming rights long previously possessed by another, can be entitled to become the Judge in his own case, and in the first instance at least to place himself in forcible possession of the object of contest. And this fallacy I have little doubt exists in the total omission to notice the long nonuser of the contested rights, these it appears have never been claimed during the course of nearly a Century and a half, a circumstance which must necessarily affect the question in a material degree - Whatever may however be the final legal decision on this point, the primary appearance of doubt which it necessarily throws over the question has produced on my mind a strong impression that it was the moral duty of the H.B. Company to have established their claims by reference to some superior Tribunal or by petition to Parliament,</p>	<p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; civil trespass; rights of jurisdiction;</p> <p>http://data2.archives.ca/e/e447/e011163878-076-v8.jpg</p>
76	<p>73</p> <p>if no other legal course existed before attempting to right themselves by their private force. And further, (as has already been stated in substance in the paper No. 57 transmitted by my late colleague and myself to Government in our joint letter of 14th *Oct 21st 1814* April 1817), that whatever may be the ultimate decision respecting the right of Jurisdiction: the claim thereto was of too novel and doubtful a nature for it to form a sufficient primary justification for any proceedings in the exercise thereof, which otherwise might be considered as breaches of the Peace or acts of violence; and it is in consequence of this latter</p>	<p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; rights of jurisdiction; private force; violence;</p> <p>http://data2.archives.ca/e/e447/e011163878-077-v8.jpg</p>

77	<p>opinion (exclusive of all other considerations) that I have never felt the least doubt as to the propriety of the injunctions, contained in the Proclamation of the 3rd May last issued by command of His Royal Highness The Prince Regent; to put an end to all such acts of violence, nor of the legality of my own proceedings as far as necessary to give</p>	
	<p>74</p> <p>full effect to the same.</p> <p>Such according to the impressions on my mind is certainly the correct view to be taken relative to the present claims of the H.B. Company, but at the same time supported as that Company was by high legal opinions in favour of their rights, it requires but little consideration or allowance for the natural bias of all human beings in favor of their own opinions and interests, to account and find strong excuses for the course of conduct adopted by them, independent of the ultimate possibility of its being legally justifiable. And similar considerations will still further account for and excuse the conduct of their Servants acting bona-fide in the support of the Company's rights.</p> <p>Allowances of a similar nature ought also in fairness to be made for the conduct of the N.W. Company in several respects and still more</p>	<p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; rights of jurisdiction; justification of conduct;</p> <p>http://data2.archives.ca/e/e447/e011163878-078-v8.jpg</p>
78	<p>75</p> <p>for that of many of their Servants and Partizans in endeavoring to resist what must to them have appeared a violent and unnecessary exercise of force (for it is not pretended that the peculiar circumstances which led to the adoption of the measures pursued by the H.B. Company were explained to their opponents) for the purpose of driving them from the Country, which independent of the general notoriety of the fact, they show by evidence to have been occupied for the purpose of Trade by their immediate predecessors for the period of forty years or upwards and by the French Traders from Montreal beyond the memory of man; the ruins of their old Forts and buildings having been seen by the oldest men in the Country on their first going there: whilst it is positively stated before me to be only twenty five years since the H.B. Company first made an establishment on the Red River</p>	<p>Partizans=Partisans</p> <p>Hudson's Bay Company; charter; Royal Charter of the Hudson's Bay Company; rights of jurisdiction; justification of conduct; use of force; French traders; Red River;</p> <p>http://data2.archives.ca/e/e447/e011163878-079-v8.jpg</p>
79	<p>76</p> <p>John McLeod a clerk of the H.B. Company *9th Feby 181?* was made prisoner and detained for five or six days at a Camp formed on the plains near Turtle River by some of the N.W. Company's Servants together with a number of Free Canadians and their Halfbreed children - The present is the first occasion where the Halfbreeds appear to have taken any part in the disputes of the Indian Country, and there present proceedings seem clearly to have orginated in the apprehensions of themselves and the freemen that Miles McDonell was coming with an armed force to take their horses and provisions as a punishment for their neglect of his orders in continuing to hunt the Buffalo on horseback, in consequence of which alarm they took up arms to defend themselves and Mr. McLeod, who went to them with a letter, from suspicion of his being a spy.</p> <p>In the course of a few weeks afterwards</p>	<p>Hudson's Bay Company; North West Company; Turtle River; Nor'Westers; Free Canadians; Halfbreeds; John McLeod; Miles McDonell; Miles Macdonell; 9 Feb; armed force; fear of retribution; order not to hunt buffalo on horseback; food shortage;</p> <p>http://data2.archives.ca/e/e447/e011163878-080-v8.jpg</p>
80	<p>77</p> <p>Peter Pangman dit Bostonois a leading Halfbreed and at this time an Interpreter in the Service of the N.W. Company, as he had previously been in that of the H.B. Company, under the immediate orders of Mr. Hugh Henry (a respectable Canadian who was lately examined by me (Depn. No. 109) and gave Bostonois a favorable character) was arrested by Miles</p>	<p>North West Company; Hudson's Bay Company; Pierre Pangman dit Bostonais; Halfbreed; Hugh Henry; Miles McDonell; Miles</p> <p>http://data2.archives.ca/e/e447/e011163878-081-v8.jpg</p>

81	<p>McDonell at Pembina on the complaint of John McLeod of having been one of those principally concerned in his detention at Turtle River and other violences connected therewith - this complaint as well as a very long examination of Bostonois is filed (Depn. 111) but establishes nothing very material. This arrest of one of their own body without any adequate cause in their opinion (for McLeods detention appears either to have been overlooked or deemed by them justifiable) is stated to have very much exasperated the Halfbreeds and together with the order</p>	<p>Macdonell; Pembina; John McLeod; Turtle River; Deposition 109; Deposition 111;</p>
82	<p>78</p> <p>respecting the hunting of Buffalo to have principally given rise to their decided hostility to the Colony, and their subsequently making common cause with the N.W. Company. Cuthbert Grant another of the principal Halfbreeds (who left an orphan at the age of seven had been protected and educated by the N.W. Company at Montreal and at the early period of nineteen was a confidential Clerk in charge of one of their Trading posts) states these facts decidedly in his Deposition and particularly with respect to the order not to hunt Buffalo one horseback, that a copy thereof was forwarded to him by Miles McDonell with a letter threatening the most severe consequences if the order was disobeyed and directing him to read the same to the people at his post and affix it at the gate thereof, which he accordingly did, but that is was shortly afterwards torn down by some of the</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-082-v8.jpg Red River Colony; Selkirk Colony; Halfbreeds; Miles McDonell; Miles Macdonell; Cuthbert Grant; restriction of hunting buffalo on horseback; food shortage;</p>
83	<p>79</p> <p>*Feb'y 9th, 1815* Halfbreeds. The remaining occurances this Winter in the neighborhood of Turtle River are stated in various Depositions but generally in a confused and contradicting manner; the clearest and as appears to me the best accounts are those of Jean Baptiste Davis (Depn. 131) and Joseph Jourdain (Depn. 222) both at the time in the employment of the N.W. Company, but who have since quitted their Service, and were brought before me as Witnesses on behalf of the Hudsons Bay Company; from their Depositions it appears that the armed Camp was first formed in consequence of the Statements made by John Warren a clerk of the Colony of Miles McDonells intentions of coming to seize the horses and provisions - that Bostonois having arrived with other Servants of the N.W. Company for provisions, about the time the freemen and halfbreeds were assembling, sent in-</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-083-v8.jpg Hudson's Bay Company; Turtle River; Freeman; Halfbreeds; Jean Baptiste Davis; Joseph Jourdain; John Warren; Miles McDonell; Miles Macdonell; intent to seize horses and provisions; food shortage; Deposition 131; Deposition 222;</p>
84	<p>80</p> <p>formation of what was passing to Mr. Cameron at the forks, who replied, he must act according to his own discretion as he (Cameron) could not come - that subsequently about the time Bostonois was taken prisoner Cuthbert Grant had come up to Turtle river in charge of a warrant which had been issued at Fort William against Warren, and that on receiving intelligence of Bostonois' arrest Grant set out at the head of an armed body of about thirty + all fully determined to liberate him - that this consisted partly of Servants of the N.W. Company who went by orders of their master, and partly of free Canadians and halfbreeds, who accompanied them at their request; and from friendship for Bostonois together with an opinion of his being unjustly treated - that on their way to Pembina this party fell in with Mr Warren whom they made prisoners in virtue of the Warrant the</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-084-v8.jpg Nor'Westers; free Canadians; Halfbreeds; The Forks; Red River; Duncan Cameron; Cuthbert Grant; Fort William; Bostonais; Pierre Pangman dit Bostonais; Turtle River; Pembina; John Warren;</p>
84	<p>81</p> <p>authority of which he denied, but was taken by them with two of his followers to Pembina that when arrived there the parties who had first mentioned the reports attributed it to him repeated the charge in his presence, and that of Miles McDonell that Warren denied the accusation but Miles McDonell observed that there were three Witnesses against one, and added if he had said what was imputed to him he ought to be responsible for it as he had no</p>	<p>Pembina; Miles McDonell; http://data2.archives.ca/e/e447/e011163878-085-v8.jpg Miles Macdonell; John Warren; Cuthbert Grant; Pierre Pangman dit Bostonais; Freeman; Halfbreeds; Red River</p>

authority for the same; and that finally after some further discourse between Cuthbert Grant and Miles McDonell; Mr. Warren and his people were liberated as was also Bostonois.

Respecting the freemen and halfbreeds it appears by other evidence, that the number of the former living on the Red River may be between twenty and thirty, and of the latter about seventy men fit to bear arms; that of

85

82

the halfbreeds perhaps a fourth may be in the regular employment of the N.W. Company as Clerks Interpretors &c of whom a part (the offspring chiefly of partners or Clerks of the Company) have received an ordinary school education fitting them to act as Clerks, but others even of this class can neither read nor write as is well known to be the case with Bostonois - that the other three fourths subsist chiefly by hunting the Buffalo and furnishing provisions to the Traders of both Companies, and frequently during *9th Feby* the Summer working as Canoe-men for the N.W Company to whom since the commencement of the disputes they have indeed attached themselves almost exclusively; these latter are notoriously without any education, some tho' few scarcely speaking French, and being little removed from the Savage state - the whole appear to keep up their connection with their Indian relations and to

North West Company; <http://data2.archives.ca/e/e447/e011163878-086-v8.jpg>
Halfbreeds; Nor'Westers;
Pierre Pangman dit
Bostonais; Halfbreed
schooling; hunting;
Indians;

86

83

have exercised at all times the rights of hunting and fishing which a stranger could not have done, it is further stated by Witnesses of whom one has frequented the Red River for forty six years past (Depn. 108) that the halfbreeds with the Crees and Assiniboines were always considered the proprietors of the Country and it is fully admitted by all parties that the Soulteur Indians who came there only about twenty five years ago have always been considered as occupying the lands under the permission of the Crees, and not as proprietors. It appears also that altho' the Halfbreeds have of late principally associated with the Canadians and in some degree adopted their manners, yet that various individuals of this class (whose names have been proved before me and who appear to have been descendants of former French Traders), were found living with the Indians and established as Chiefs on the Red River when the first Traders came there after

Soulteur=Saulteaux, Red River; Halfbreeds; <http://data2.archives.ca/e/e447/e011163878-087-v8.jpg>
partners with the Cree
Canadians; Crees;
in the fur trade
Assiniboines; Soulteur;
Saulteaux; Deposition
108;

87

84

the conquest of Canada - it is further stated (Depn. 108) that as chiefs they levied heavy contributions on those who came into the Country to Trade. Also that the present Halfbreeds are very jealous as were their ancestors, of their rights and that they often complained of the occupation of their Lands by the Settlers, especially when they found them acting with so much injustice in other respects. 14th Feby 1815. An affray took place at Isle *14th Feby* a-la-Crosse in which it appears that one Servant of the North West Company and a Clerk of the Hudson's Bay Company (one Johnstone) were killed - In the late Statement of the N.W. Company to me it is attempted to connect this event with the orders given in the Earl of Selkirks letter of 18 June 1812 already mentioned: no other proof however is produced than a letter of Mr. Joseph Howse the person in charge for the H.B. Company; from which it appears only, that the dispute was principally

North West Company; <http://data2.archives.ca/e/e447/e011163878-088-v8.jpg>
Hudson's Bay Company;
trade; Halfbreeds; Selkirk
Settlers; Isle-a-la-Crosse;
Ile-a-la-Crosse; Île-à-la-
Crosse; John Johnstone,
Earl of Selkirk; Joseph
Howse; Deposition 108;

88

85

relative to a trap and the chief blame of this fatal event, altho' totally unintended is allowed by him to have rested with his party.

3rd Apr 1815 Four brass field pieces - four iron sweivls and one Howitzer were forcibly taken from a dwelling house adjoining to the Government House at Red River Colony, by a

Government House; Red <http://data2.archives.ca/e/e447/e011163878-089-v8.jpg>
River Colony; munitions;
guns; cannon; settlers;
Selkirk Settlers; Red River
Settlers; George
Bannerman; Angus Gunn;
Robert Gunn; Alexander

89	<p>party of Settlers who had left the same, amongst whom George Bannerman, Angus Gunn, H. Bannerman, Donald McKinnon and Donald McDonald are mentioned by name, whilst the principal Officers in charge of the Colony were detained prisoners by George Campbell, Andrew McBeath, Angus McKay, and John Cooper, until the Cannon were taken away; and Robert Gunn and others stood at the door of the house where the Officers were detained for the purpose of preventing any one from coming to their assistance. - Alexander McLean was at the same time made prisoner by Duncan Cameron</p>	<p>McLean; Duncan Cameron; H. Bannerman; Donald McKinnon; Donald McDonald; George Campbell; Andrew McBeath; Angus McKay; John Cooper; April 3, 1815;</p>
90	<p>86</p> <p>and John Dougald Cameron partners, and William Shaw, Cuthbert Grant and Peter Pangman Bostonois Clerks of the N.W. Company, and several of their own Servants together with John Early one of the Settlers and was detained by Shaw about two hours whilst several of the last mentioned party appear to have gone and met the Settlers on a concerted signal, as they were bringing off the Cannon huzzahing and expressing their satisfaction and joy. One of the evidence mentioned also John Mathewson, Angus McAuley, William Sutherland and Angus Sutherland by name as having taken part in the proceedings - On this charge a Bill of Indictment was found at Montreal in March 1817 against George Campbell, John Cooper, Donald McKinnon and Hugh Bannerman, Duncan Cameron, John Dougald Cameron, Cuthbert Grant, William Shaw, and Peter Pangman alias Bostonois - From the following letter filed in the evidence before me and also</p>	<p>North West Company; Nor'Westers; John Dugald Cameron; William Shaw; Cuthbert Grant; Peter Pangman dit Bostonais; John Early; cannon; John Mathewson; John Matheson; Angus McAuley; Settlers; Selkirk Settlers; Red River Settlers; William Sutherland; Angus Sutherland; Bill of Indictment; Montreal; March 1817; George Campbell; John Cooper; Donald McKinnon; Hugh Bannerman; Duncan Cameron;</p>
91	<p>87</p> <p>admitted in the "Statement" published in London I feel some doubt however, altho' a violent riot and breach of the law may have been committed whether the fact of stealing can be legally established.</p> <p>"Forks of Red River 3rd April 1815</p> <p>Mr. Archibald McDonell, Sir, As your field pieces have already been employed to disturb the peace of His Majesty's loyal subjects in this quarter and even to stop up the King's highway. I have authorized the Settlers to take possession of them, and to bring them over here not with a view to make any hostile use of them, but merely to put them out of harms way, therefore I expect that you will not be so wanting to yourselves to attempt any useless resistance as no one wishes you or any of your people any harm.</p> <p>(Signed) D. Cameron Captain V. C."</p> <p>The present is the first act of violence in which the Settlers who abandoned the Colony, appear to have participated an the only one in</p>	<p>Forks of Red River; The Forks; Red River; abandoning settlement; munitions; cannon; Red River Settlers; Selkirk Settlers; 3 April 1815; Archibald McDonell; King's highway; Duncan Cameron;</p>
91	<p>88</p> <p>which any number of them took a share: the details thereof are not very fully before me, as few or none of the Settlers examined by me spoke of it voluntarily and from the number implicated in the offence there was considerable delicacy in my questioning them from the</p>	<p>N.W. Company; North West Company; Mossey Point; Little Playgreen Lake; Upper Canada; Selkirk Settlers; Earl of</p>

Depositions however produced on behalf of the Earl of Selkirk and other incidental evidence, exclusive of that collected from the Settlers on behalf of the N.W. Company on their first arrival in Upper Canada I have little doubt that their intentions were merely to prevent the cannon being used to hinder them from quitting the Country.

Selkirk; cannon;

Could entire dependence be placed upon these latter Statements the fact might be considered established but it has appeared to me necessary to receive with considerable caution the Depositions made by the Settlers at the instance of either party especially where Copies only have been laid before me - at the same time on a review of the whole evidence relative

92

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to the Settlers, the following facts appear to be supported by such concurrent strength of Testimony either direct or circumstantial or to be so far admitted on both sides as to satisfy me of their general correctness that very great hardships were suffered and considerable dissatisfaction had existed amongst the Servants and Settlers that came out in the year 1812 that equal hardships had been sustained and similar dissatisfaction had prevailed amongst those who came out in the year 1813 and who had been obliged to pass the first Winter at Fort Churchhill - that these two sets of men of whom the Colony principally consisted in 1814 had been treated with severity by most of the Officers (how far necessarily does not appear) that during the Summer 1814, the North West Company having apparently submitted to Miles McDonell's authority, evrything appearing quiet and the Settlement remaining principally under the charge of Mr. John Spencer, who appears to have

Fort Churchill; Miles McDonnell; Miles Macdonell; John Spencer; Hudson's Bay Company Servants; Selkirk Settlers; North West Company; 1813; 1814; winter; Red River Settlement; Selkirk Settlement;

<http://data2.archives.ca/e/e447/e011163878-093-v8.jpg>

93

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been much liked by the Settlers - the former dissatisfaction was fast wearing away, and several of the last arrived Settlers pleased with the fertility of the soil and the appearance of the growing crops wrote about this time to their friends in Scotland to come out and join them - that on the arrest of Mr. Spencer and their being subsequently compelled by Miles McDonell to take up arms (he at the same time declaring that the Laws of Canada had no authority over him that in Red River the stronger party dictated to the weaker and that a Governor and Representative of Lord Selkirk he could recognize no superior authority) their sentiments began again to change - that as the season advanced finding themselves ill supplied with provisions and also that they could not be furnished with the tools and other necessary articles for carrying on their work as farmers (all which including provisions of the Earl of Selkirk had engaged to advance

Selkirk Settlers; Red River Settlers; Scotland; John Spencer; Miles McDonell, Miles Macdonell; Red River, Lord Selkirk, Earl of Selkirk; farming; provisions;

<http://data2.archives.ca/e/e447/e011163878-094-v8.jpg>

94

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till they could repay the same from the produce of their farms) the majority of the Settlers determined to quit the Country and accordingly towards the close of the Winter went over to the North West Post - that the repeated assurance of Duncan Cameron and his partizans of the superior advantages to Settlers in Upper Canada and of the protection of the N.W. Company in Settling themselves, and his known readiness to furnish passages free of expense to evry one, joined to exaggerated statements of the dangers from the Indians, had a considerable share in producing this determination - and finally that to some of the most influential Settlers as Alexander McLean and George Campbell, there can be little doubt that further rewards were offered by the partners of the N.W. Company to induce them to leave the Settlement, altho' as to George Campbell, there is no other proof of this than the presumption arising from his having actually received £100. *May 1815* after the Colony was broken up. On 25 May 1815 The first

Selkirk Settlers; farming; Indians; North West Post; Fort Gibraltar; N.W. Company, North West Company; Duncan Cameron; advantages to leave Red River; Alexander McLean; George Campbell;

<http://data2.archives.ca/e/e447/e011163878-095-v8.jpg>

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shot is stated to have been fired after a succession *25 May 1815* of irritating occurrences between the parties - it appears that shortly after the taking away of the Cannon Donald McKinnon one of the parties thereto was made prisoner, but rescued on 5th April - that William Shaw a Halfbreed Son of Angus Shaw partner of the N.W. Company was also arrested shortly afterwards, but liberated after confinement of a few days - that about the 17th April the warrant against Miles McDonell was served upon him by one Longtens as a Constable but that he denied it authority and instead of obeying it, caused the Constable to be confined for some hours - On the opening of the Navigation each party was joined by additional numbers but of the further occurrences of this period, except the arrival of a party of Cree Indians as already mentioned with Alex McDonell, and a charge against the the Halfbreeds of having killed several of the Colony horses under pretence of its

Red River Colony; Selkirk
Colony; Halfbreeds;
cannon; Donald
McKinnon; William Shaw;
Angus Shaw; N.W.
Company, North West
Company; Miles
McDonell, Miles
Macdonell; Alex
McDonell; Alexander
Macdonell; Longtens;
Cree Indians

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being done by these Indians no details are before me, previous to the 20 May when the extracts of Peter Fidler's Journal (Depn. 164) herein before mentioned, commence for this year, and are continued to the departure of the Colonists, as these appear to contain a pretty full and candid account of the principal occurrences (each day being extracted at length when at all referred to) they have been chiefly relied on for the period in question, the occurrences whereof will also be materially elucidated by reference to the annexed plan No. 3 containing a sketch of the immediate neighborhood of the Forks of Red River - By the aforesaid Journal it appears that on the 20th May some volleys of musketry having been fired, and the Bagpipes played on account of some rejoicing at the N.W. post, when fifty of the Colony or Hudson's Bay Servants (whereof each had separate establishments altho' in houses nearby adjoining) went down with six or seven of their Officers, and by way of alarm fired several rounds

Peter Fidler; colonists
departure; Red River
Settlers; Selkirk Settlers;
The Forks, Forks of Red
River; N.W. post, North
West Post; Fort Gibraltar;
Hudson's Bay, Hudson's
Bay Company; Deposition
164;

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of powder - that on the 21st of May all persons were forbid to visit the Canadian house, supplied with ammunition and formed into four divisions to be ready in case of an attack - that on the 25th at sunrise several Settlers (who had been dancing the proceeding night at the N.W. post) with Green and Hector McDonald the Piper at their head, came down to a fence adjoining the Colony Buildings and broke part of it, whereupon several shots were fired at them by the people there - that a Wall piece ball passed through the hat of one Joseph Cothers and that George Campbell was nearly wounded two balls having as it is said struck the ground very near him - Respecting this affair there is much contradictory evidence, and a Bill of Indictment was found against George Campbell, Robert Gunn and Hector McDonald for maliciously shooting in March 1817 - and another Bill against James Flynn a Servant of the Colony in March last for

North West Company;
Fort Gibraltar; Canadian
house; Selkirk Settlers;
Reginald Green; Hector
McDonald; Joseph
Cothers; George
Campbell; Robert Gunn;
James Flynn; munitions;
ammunition; shooting;

98

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same offence - the parties respectively swearing that the first shot was fired by the other without previous provocation. On the whole however there can be little doubt that the account herein given from Fidler's Journal is the correct one. This appears to be the only charge against Hector McDonald who states in his Deposition (No. 122) that shortly before the Indictment was found against him after he had been many months publicly and openly in Montreal he was spoken to by Hector McEachern and Archibald McDonald and the former told him that if he would not give his evidence in favor *25th May 1815* of the Earl of Selkirk he the Earl would put him in Gaol and the latter hinted the same thing - It is notorious that he was since really confined in Gaol for nine or ten months, but that Lord Selkirk was absent during the whole time in the Indian Country.

North West Company;
Fort Gibraltar; Indian
Country; Peter Fidler;
Hector McDonald;
Montreal; Hector
McEachern; Archibald
McDonald; Earl of Selkirk;
Lord Selkirk; shooting;
Fidler's journal; 1 June
1815; 25 May 1815;
Deposition 122;

99	<p>*1st June 1815* It appears by Fidler's Journal that a large armed party was sent down by the N.W. Post</p>	<p>96</p>	<p>H.B. Company; Hudson's Bay Company; Halfbreeds; La Grenouillière; Frog Plain; Captain Miles McDonell; Captain Miles Macdonell; Alexander McDonell; Alexander McLean; John McLeod; Duncan McNaughton; James Sutherland; Deposition 113</p>	<p>http://data2.archives.ca/e/e447/e011163878-100-v8.jpg</p>	
100	<p>to take a position at the Grenouilliere or Frog plain that a notice was sent to Mr. Jas Sutherland one of the Chief Factors of the H.B. Company that the same would not be withdrawn till Capt. McDonell was given up and another to the servants not to resist the Law in supporting him - that Messrs McLean, McLeod and D. McNaughton went down to see what the North West party were doing at the Frog plain and McNaughton advanced near them, when on the War whoop being given he foolishly fired a pistol at the distance of about 400 yards, when immediately several shots were fired both at him and the other two - that the six cattle belonging to the Colony were driven to the Frog plain: the old Bull killed and the Servant sent down for them told by Alexander McDonell, that they should not be returned unless tobacco was sent for the Halfbreeds. By other evidence (Depn. 113) it appears however that McDonell had</p>	<p>97</p>	<p>wished the Cattle to be all returned - Miles McDonell in his Depositions Nos. 110 & 111 states this affair pretty fully and annexes Copies of Depositions of McNaughton, McLean and McLeod, none of whom however mention the pistol fired by the first - but as they do not state the firing to have been without provocation there is little doubt the fact is correctly stated in the Journal.</p> <p>*10th June 1815* It appears that about one oclock in the morning a number of persons chiefly Halfbreeds belonging to the N.W. Company's post passed the ditch of the Colony Buildings singing a War song on which all hands there turned out under arms - that in the course of the day a small Canoe arrived with a hand bill announcing peace with America, on the back whereof was written "Peace with all the World except in Red River," and that the hand bill together with the Canadian Jurisdiction Act was sent by Duncan Cameron to the Colony</p>	<p>N.W. Company; North West Company; Red River; Halfbreeds; Métis; Miles McDonell; Miles Macdonell; Duncan McNaughton; Alexander McLean; John McLeod; Duncan Cameron; pistols, shooting; war song; hand bill; end of War 1812-1814; Deposition 110; Deposition 111;</p>	<p>http://data2.archives.ca/e/e447/e011163878-101-v8.jpg</p>
101	<p>Servants - that a little after this the War song was again sung near the ditch, whereupon McLean and Flynn went away with others following them; that Flynn having challenged a person four times without any reply fired; that many shots were afterwards fired on both sides - perhaps 100, but that on the Wallpieces beginning to fire from the Upper story of the Colony Buildings the party soon dispersed no one being hurt.</p>	<p>98</p>	<p>North West Company; McLean; Flynn; Warren; small arms; shots fired;</p>	<p>http://data2.archives.ca/e/e447/e011163878-102-v8.jpg</p>	
102	<p>It appears by the aforesaid Journal that at half *11th June 1* past eight o'clock A.M. the N.W. party began a sharp firing with small arms at the Colonial Buidlings that all hands there, were busily employed in returning their fire, but that the former firing from behind the bushes could only be distinguished by the smoke of their Guns - that Mr. McLean had the misfortune to shatter his left arm by the busting of a Wallpiece, and that Mr. Warren was also struck by a splinter behind his left ear which</p>	<p>99</p>	<p>nearly killed him - that a ball passed through the fleshy part of Duncan McDonells shoulder all which took place in less than half an hour during which time the attacking party fired 150 shots - that the Hudson's Bay Company's Servants remained in the Company's house and did not fire a shot that the Canadian party fired one volley at this house - and that two balls came through the logs and Francois Monquennier was wounded a little above the ankle.</p>	<p>Hudson's Bay party; Canadian party; Bostonais Pangman; Pierre Pangman dit Bostonais; John Bourke; Duncan McDonell; Miles McDonell; Miles Macdonell; Flynn;</p>	<p>http://data2.archives.ca/e/e447/e011163878-103-v8.jpg</p>

103	<p>That the Canadian party began by firing at Mr. Bourke and Flynn as they came out of the Colony house that their party was supposed to consist of about twenty - that they fired at the distance of about 40 to 60 yards from the Company's house, and about 160 from that of the Colony and it was said that Bostonois came down to take them away - that this affair intimidated the Colony Servants very much and that on the Captain (Miles McDonell) making them a speech to defend the premises, they appeared not to refuse</p>	<p>Francois Monquennier; 150 shots</p>
104	<p>100</p> <p>this, but objected to defend him against the Warrant, as the Canadians invariably gave out that his person was the only cause of hostility - The other accounts of this affair are very contradictory especially as to the persons who were present, Bills of Indictment for maliciously shooting were found against George Campbell, Duncan Cameron, Seraphim Lamar, Cuthbert Grant, and William Shaw in March 1817. The account of Jean Baptiste Desmarais (Depn. 307) who acknowledges having been present with the attacking party appears to me on the whole to be the most clear as well as correct of those before me, and also to reconcile in some degree the contradictions of others, who have spoken on less certain knowledge - He states that in the morning before day light being at Frog plain several Halfbreeds, Indians, and Canadians about twelve in number told him that they had been attacked and had fought with the people of the Colony the night before, and that as they had got a supper,</p>	<p>Bills of Indictment; malicious shooting; George Campbell; William Shaw; March 1817; Jean Baptiste Desmarais; Frog Plain; Halfbreeds; Indians; Canadians; Red River Colony; Deposition 207;</p> <p>http://data2.archives.ca/e/e447/e011163878-104-v8.jpg</p>
105	<p>101</p> <p>over night they would give them a breakfast - that he endeavoured to persuade them to go first to the N.W. post, but they would not agree thereto. Cuthbert Grant who had the charge of the party saying that Mr. Cameron would not allow them to fire, and encouraging them to go immediately to the attack, wereupon himself and all the other Halfbreeds set off with Grant after the latter had had a short conversation with Alexander McDonell - That as he did not like the affair he kept in the rear of the party with Shaw, Bourassa and Antoine Dusharme, but on hearing the firing he advanced and found the greater part of the Halfbreeds, who were firing on the houses of the Colony from a distance (Miles McDonell Depn. 110 estimates this distance at 300 yards) and the people of the Colony returning their fire - that nearly at the same time a number of Canadians amongst whom it appears by other evidence were Seraphim Lamar and George Campbell come from the North</p>	<p>N.W. Post; North West Company Post; Fort Gibraltar; Cuthbert Grant; Duncan Cameron; Halfbreeds; Canadians; Selkirk Settlers; Alexander McDonell; Alexander Macdonell; William Shaw; Michel Bourassa; Antoine Ducharme; Miles McDonell; Miles Macdonell; Seraphim Lamar; George Campbell; Deposition 110;</p> <p>http://data2.archives.ca/e/e447/e011163878-105-v8.jpg</p>
106	<p>102</p> <p>West post - to see what was the cause of the firing, and that soon afterwards he saw Mr. Cameron who called out to them and to all others Post - which they accordingly did; and that the Halfbreeds were conducted back the same the same evening to the Grenouillere by Duncan Cameron with orders to remain quiet and watch that Miles McDonell did not escape.</p> <p>Miles McDonell quitted the Red River having surrendered *June 18* himself a prisoner under the Warrant from Fort William a few days before to Alexander McKenzie a partner and one of the Agents of the N.W. Company - it appears that from the period of the encampment being formed at Frog plain evry method was adopted by the North West party of Halfbreeds from the Lasaskatchewan River went round and disarmed the Settlers - that several Settlers were taken down to the Camp and confined and their property plundered - that all the horses</p>	<p>North West Company; Nor'Westers; Fort Gibraltar; Duncan Cameron; Halfbreeds; la Grenouillière; Frog Plain; Miles McDonell; Miles Macdonell; June 18; Alexander McKenzie; Saskatchewan River; Fort William; disarmed settlers; plunder;</p> <p>http://data2.archives.ca/e/e447/e011163878-106-v8.jpg</p>
106	<p>103</p>	<p>North West Company; Red River Colony; Selkirk</p> <p>http://data2.archives.ca/e/e447/e011163878-107-v8.jpg</p>

107	<p>belonging to the Colony were taken away - that about 15th day of June Alexander McDonell came with a party and took forcible possession of the farm houses belonging to and situated about hundred yards distance from the Colony Buildings and erected a Battery with Cannon against these latter and finally that the Servants of the Colony under all these circumstances continuing daily to Desert, Miles McDonell (with advice of Messrs. McDonald, White, Fidler, and James Sutherland his appointed Council) determined to surrender himself in hopes that the safty of the rest of the Colony might thereby be ensured, and on his surrender it does appear the N.W. Company was broken up and everything back to the Forks.</p> <p>*27 June 1815* The Colony was finally broken up and the remaining Settlers and Servants consisting of thirteen men with their families in all about forty persons embarked for Jack river. It appears by Fidlers Journal that on the 19th June there had been am meeting at the</p>	<p>Settlement; Jack River; Norway House; Alexander McDonell; Alexander Macdonell; Miles McDonell; Miles Macdonell; McDonald; James White; Peter Fidler; James Sutherland; departing for Jack River; plundering; cannon battery; deserting;</p>
108	<p>104</p> <p>North West post between three of the Partners and several of the clerks and Halfbreeds and the four persons above mentioned as forming the Council of the Colony; for the purpose of making some arrangements for peace and the restitution of the property taken; but that nothing could be done, as altho' the North West partners declared their readiness to deliver up evrything their Canadian Servants had they possessed to have no control over the Halfbreeds: and these latter declared they would not allow any of the Colonists to remain -</p> <p>Shaw the Halfbreed even told them that the *27 June 18* Hudson's Bay Company's Servants would only be allowed a month to take away the Company's property - in all this the Halfbreeds were supported by Duncan Cameron and Alex McDonell at whose instigation they were thought to act; as Duncan Cameron was said to have told McNulty one of the Settlers some time previous that he was</p>	<p>Duncan Cameron; Alex McDonell, Alexander McDonell; McNulty; Patrick McNulty; Shaw the Halfbreed; William Shaw; Hudson's Bay Company; Halfbreeds; Partners; Council of the Colony;</p> <p>http://data2.archives.ca/e/e447/e011163878-108-v8.jpg</p>
109	<p>105</p> <p>*June 27th 1815* determined not the vestige or trace of the Colony should remain after him. Subsequently it appears that a good deal of negotiation took place took place between the persons in charge of the Colony and the Halfbreeds, whom they endeavoured to conciliate on finding that the Colony's being allowed to remain depended upon then, and for that purpose employed some of the H.B. Company's Halfbreeds to speak to them - that these endeavours proving unsuccessful, an Agreement was finally entered into on the 25th June between the Halfbreeds and the H.B. Company which is given at length in the Journal and by which it was settled that all the Colonists were to retire - that the H.B. Company should be allowed to send in three or four Boats yearly for the purpose of Trade, but should not occupy any of the Colonial Buildings - that the Settlers did accordingly retire with the bulk of their own and the property of the Colony - Mr. John McLeod</p>	<p>John McLeod; H. B. Company, Hudson's Bay Company; Colony; Red River Colony; Colonists; Halfbreeds; 25 June</p> <p>http://data2.archives.ca/e/e447/e011163878-109-v8.jpg</p>
	<p>106</p> <p>remaining with some goods for the Company's Trade and in the charge of everything left -</p> <p>Cuthbert Grant in the name of the Halfbreeds finally granted McLeod permission to remain in one of the Colony houses and to have the crop -</p> <p>About this time an address to the Government of Canada was prepared by the Halfbreeds respecting their claims to the Lands of Red River the contents whereof are stated in Cuthbert Grant's Deposition No. 216 as well as his ignorance of its ultimate fate.</p>	<p>Red River; Halfbreeds; Red River Colonists; Red River Settlers; Duncan Cameron; Cuthbert Grant; Alexander McDonell; Alexander Macdonell; Miles McDonell; Miles Macdonell; McLeod, John McLeod; colonists; Government of Canada;</p> <p>http://data2.archives.ca/e/e447/e011163878-110-v8.jpg</p>

Some testimony has been produced to show that an open and direct part was taken by Duncan Cameron and Alexander McDonell in driving off the Colonists, but it appears either to be contradicted by circumstances of time or place particularly as to D. Cameron who is proved to have left Red River the 21st June with Miles McDonell and not to have returned till about the 30th of the Month, or not to be sufficiently precise to establish

110

107

the charge to the extent intended - that menacing language of each a nature was sometimes used by them as herein before mentioned to McNulty or that attributed by McEachern (Depn. No. 127) to Duncan Cameron "that Miles McDonell wanted to get them "out of the River, but that they the N.W. Company would drive him out of it;" admits of little doubt as also that whatever influence they had over the Halfbreeds was used to promote this purpose.

Duncan Cameron's letters to Hesse (Depn. 168) show his early and strenuous endeavors to incite the Halfbreeds and others against the Colony, and Desmarrais (Depn. 307) states that this was the first year the Halfbreeds began to talk of a recompence for their Lands from the Colonists that Bostonois *27 June 1815* who first spoke of it to him, said it had been mentioned by persons better informed than either of themselves; also afterwards when treating with the Colonists, these latter offered to confine

N. W. Company, North West Company; Red River; Red River Colony; Halfbreeds; Colonists; Selkirk Settlers; Bostonois; Pierre Pangman dit Bostonais; Desmarrais; Jean-Baptiste Desmarais; Duncan Cameron; Charles Hesse; Miles McDonell; Miles Macdonell; McEachern; Hector McEachern; McNulty; Patrick McNulty; recompence for lands; Deposition 127; Deposition 168; Deposition 307;

<http://data2.archives.ca/e/e447/e011163878-111-v8.jpg>

111

108

themselves to three small points of land till some arrangement could take place between the Earl of Selkirk and the Halfbreeds, they rejected the proposition from fear of some treachery the partners and clerks of the N.W. Company telling them, they could not depend on what the Colonists said to them -

Desmarrais further states that of the Halfbreeds then assembled one forth were in the regular pay of the N.W. Company, it is quite notorious that the whole must have been fed by that Company or could not have kept together - Finally the letters from James Grant of Fond-du-Lac and from Alexander McDonell, to Duncan Cameron dated the 15th April and 22nd June 1815 of which extracts have been proved before me (Depn. 167 page 12) fully establish the charge to the extent now stated at the least; the former containing these expressions - "Your present popularity both with Whites and Natives in your District, added to which your vigilant

N. W. Company, North West Company; Nor'Westers; Fond-du-Lac; Halfbreeds; Whites; Natives; Colonists; Selkirk Settlers; Earl of Selkirk; Duncan Cameron; Desmarrais; Jean-Baptiste Desmarrais; James Grant; Alexander McDonell; Alexander Macdonell; Deposition 167;

<http://data2.archives.ca/e/e447/e011163878-112-v8.jpg>

112

109

penetration and general knowledge of men and things put it beyond a doubt with me that notwithstanding his future overgenerous and diabolical intentions, that you will as you have hitherto done, anticipate his most violent measures, and put a final end to his republican Colony without being under the disagreeable necessity of shedding blood; this at least is my sincere wish for you -" And the latter these following - matters not being settled more than when you left here made it necessary that it remain longer than I am inclined otherwise I send off two boats for Las dela Reviere with some passengers on account of which is herein enclosed provisions are going fast - the consequences will turn out most serious to us - Archibald McDonell is the acting man for the Colony, he is proud of being called the Governor he appears to muster the appearance of a Colony to support his rank; however he

Colony; Red River Colony; Las dela Reviere; Bas de la Riviere; Halfbreeds; Archibald McDonell;

<http://data2.archives.ca/e/e447/e011163878-113-v8.jpg>

113

110

point - Father Fidler and suite were disturbed this morning by a salute of fire arms; the Halfbreeds are going down for the last time to hurry them off" - The salute of firearms above alluded to is mentioned in several Depositions but appears to have been merely for the purpose of creating an alarm, and to have been the last occasion when arms were used this Season -

On the 28th June, All the Colonial Buildings were *June 28th 18* burnt down consisting of four houses forming what was called the Fort and five farm houses standing near the barn and Stables which last were also burnt at the same time, together with the Mill - It appears also that between the departure of Captain Miles McDonell on the 21st June and this date all the Settlers houses to the number of about eighteen had been burnt.

John McLeod (Depn. 144) states that on the 27th June he was informed by Cuthbert Grant

Fort Douglas; Halfbreeds; <http://data2.archives.ca/e/e447/e011163878-114-v8.jpg>
Settlers; Red River
Settlers; Colonists leaving
Red River; Fidler; Peter
Fidler; Cuthbert Grant;
Miles McDonell; Miles
Macdonell; John McLeod;
fire; firearms; Deposition
144;

114

111

and others that they would come the next day and burn down all the Colony buildings excepting one pointed out to him and in which accordingly he put his Goods - that the next day, Grant, Shaw, Bostonois, Bonhomme, Montour, Charles Hesse Michel Bourassa Francois Deschamps, George Campbell, and about sixty more men, Canadians, Halfbreeds and Settlers (amongst whom in a subsequent Deposition is mentioned John Baptiste Desmarrais) came over from the N.W. Company's post of which Alexander McDonell was in charge and set fire to all the buildings - that the house in which he had placed all his goods was burnt with the others, and that he was able from the flames only a part thereof with eminent hazard to himself and men and of that part many articles were stolen by the incendiaries - Of these he more particularly specifies a Gun stolen by Michel Bourassa and a bag of clothes by Francois Deschamps before mentioned - by other evidence

Red River Colony; <http://data2.archives.ca/e/e447/e011163878-115-v8.jpg>
Canadians; Halfbreeds;
Settlers; N. W. Company's
post; North West
Company; Fort Gibraltar;
Bonhomme Montour;
Robert Bonhomme
Montour; Bostonois;
Pierre Pangman dit
Bostonais; Michel
Bourassa; George
Campbell; Francois
Deschamps; John Baptiste
Desmarrais; John Baptiste
Desmarrais; Grant;
Cuthbert Grant; Charles
Hesse; Shaw, William
Shaw; Alexander
McDonell; Alexander
Macdonell; settling fire to
buildings;

115

112

it appears however probable that this house either took fire accidentally or was set on fire by some particular individual contrary to the General intent for several Witnesses (Depns. 113, 147, 159 & 161) state either from their own knowledge or from information that the Halfbreeds exerted themselves to save the property and one in fact deposes that John McLeod himself mentioned this circumstance as well as that of the house intended to be left for him was burnt by accident. - One Witness has been brought before me who deposes, that the burning of these houses was by the express order of Duncan Cameron, Alexander McDonell, John Dugald Cameron and John McDonald; but as the charge is evidently unfounded as to the first who did not arrive till after the houses were burnt and had not been at the Red River for months before, and so improbable from various local circumstances as to all the others except Alexander McDonell little

Halfbreeds; Duncan <http://data2.archives.ca/e/e447/e011163878-116-v8.jpg>
Cameron; John Dugald
Cameron; John Dugald
Cameron; John
McDonald; Alexander
McDonell; Alexander
Macdonell; setting fire to
buildings; John McLeod;
Deposition 113,
Deposition 147;
Deposition 159;
Deposition 161;

116

113	<p>weight can be attached to the evidence; McDonell is however liable to great suspicion from being at the post from whence the party sallied.</p> <p>The charge against Cameron has probably arisen from an order Jean Baptiste Desmarrais states Alexander McDonell to have given for the burning of the houses of the Settlers; this order Duncan Cameron afterwards sent to recall but his counter order arrived too late - Martin Jordan a Witness on behalf of the Earl of Selkirk who had his own house burnt, States (Depn. 147) that he has understood that the Settler's houses were in many instances burnt at the desire of the owners, and that all had previously been deserted except that of Alexander McLean which was not burnt till four days after the others and that before its being burnt he was himself employed by some of the Halfbreeds to inform Mr. McLean who was then confined by his wounds that he must leave the house or they</p>	<p>Halfbreeds; Jean Baptiste Desmarrais ; Jean Baptiste Desmarrais; Duncan Cameron; Martin Jordan; Alexander McDonell; Alexander Macdonell; Alexander McLean; Earl of Selkirk; fire; burning Settlers' houses; Deposition 147;</p> <p>http://data2.archives.ca/e/e447/e011163878-117-v8.jpg</p>
117	<p>114</p> <p>would burn it over his head, in consequence whereof he was moved to the Government House a few days before the Colony was broken up.</p> <p>A Bill of Indictment for Arson was found at *28 June 1815* Montreal in March 1817 against George Campbell Cuthbert Grant and William Shaw as principals and Duncan Cameron as accessory before the fact in the burning of the public Buildings of the Colony and Alexander McLeans House on the 28th June (with regard to this last there is evidently a mistake as to date); a similar Indictment was also found in Feby, last against Desmarrais, Bostonois and two others as principals and Alex. McDonell as accessory before the fact. The evidence on which the Bill appears to have been formed has not been produced to me, but there is quite sufficient grounds for such a procedure against all but Duncan Cameron in the Depn. filed; altho' as to the Halfbreeds in particular it may be doubtful how far the Offence will</p>	<p>Halfbreeds; Red River Colony; Bostonois; Pierre Pangman dit Bostonais; Duncan Cameron; George Campbell; Desmarrais; Jean Baptiste Desmarrais; Cuthbert Grant; Alex McDonell, Alexander Macdonell; Alexander McLean; William Shaw; Government House; Montreal; burning of public buildings and Settlers' houses; Bill of Indictment for Arson;</p> <p>http://data2.archives.ca/e/e447/e011163878-118-v8.jpg</p>
118	<p>115</p> <p>ultimately be held in Law to amount to Arson, as in their proceedings against the Settlers (however illegal and violent) they may probably have acted under a mistaken sense of right inconsistent with the existence of a felonious intent.- The treaty entered into with them by the representatives of the Hudson's Bay Company contains indeed an indirect relinquishment of property in the Buildings in question.</p> <p>As respects the partners of the N.W. Company whatever doubt may exist as to their being accessories to the present and other offences before the fact; there can be little or none of many of them having become so afterwards; for that the Halfbreeds who went down from Red River were favorably received by the partners assembled at Fort William is proved by various Witnesses as also that they were thanked publicly for the services rendered the Company, a feast prepared for them and a suit of clothes given to each, and swords to two (Bostonois and</p>	<p>Hudson's Bay Company; N. W. Company, North West Company; Halfbreeds; Red River; Fort William; Bostonois; Pierre Pangman dit Bostonais; burning of property;</p> <p>http://data2.archives.ca/e/e447/e011163878-119-v8.jpg</p>
119	<p>116</p> <p>Andrew Houle) who are in the regular employment of the N.W. Company and Chiefs of their own party -</p> <p>Amongst the partners present on this occasion at Fort William the following only are named</p>	<p>N. W. Company, North West Company; Fort Dauphin; Fort William; London; Halfbreeds; Duncan Cameron; Andrew Houle; Alexander</p> <p>http://data2.archives.ca/e/e447/e011163878-120-v8.jpg</p>

vizt - Simon McGillivray (of London) Archibald N. McLeod, Duncan Cameron, Alexander McDonell. Alex McKenzie, Kenneth McKenzie and John McDonald of Fort Dauphin altho' probably many others were there at the time as Daniel McKenzie acknowledges of himself in his letter before mentioned -

Some evidence has also been produced (Depn. 149 & 284) of a speech made to the Halfbreeds by Simon McGillivray; saying that they had done well to drive away the Colonists and to defend their lands and that if the Colonists attempted to return they should drive them away again and would be supported by the N.W. Company and one of the Witnesses adds that the said McGillivray did not tell them they might kill the Colonists

McDonell; Alexander Macdonell; Simon McGillivray; Alex McKenzie; Alexander McKenzie; Daniel McKenzie; Kenneth McKenzie; John McDonald; Archibald N. McLeod, Archibald Norman McLeod; driving away the Selkirk Colonists; Selkirk Settlers; defending Halfbreed lands; Deposition 149; Deposition 284;

120

117

but that Duncan Cameron Alexander McDonell and Archibald Norman McLeod have frequently told him that if they could not otherwise drive away the Colonists they might kill them.

Francois Eno dit Delorme in his Deposition (No. 113) states also that he was present when Duncan Cameron and Alexander McDonell before leaving Red River to go to Fort William gave orders to prevent *June 28th 1815* the return of the Colonists; and that he has heard similar orders given at other times and the Sault-a la biche (a Rapid) spoken of as a suitable place to sink their boats when coming up the River. The Settlers and Servants of the Colony (admitted in the publications of both parties to have been about one hundred and thirty or forty in number): appear to have received marked attention, and the presents of money made to different individuals who had been particularly active in promoting the views of the North West Company

North West Company; <http://data2.archives.ca/e/e447/e011163878-121-v8.jpg>
Fort William; Red River; Sault a la Biche; Deer Rapids; The Rapids; Limestone Rapids; St. Andrews; Selkirk Settlers; Red River Colonists; Duncan Cameron; Alexander McDonell; Alexander Macdonell; Francois Eno dit Delorme; Francois Henault dit Delorme; Archibald Norman McLeod; driving away the Colonists; preventing colonists' return; Deposition 113;

121

118

as well as the purchase from others of various articles brought by them from the Colony (a mode of securing their wages previously recommended by Duncan Cameron (Depn. 127) are established beyond a doubt by John Pritchard (Depn. 123); proving the handwriting of different partners to a Book of Accounts endorsed "The Red River and Colonial Register 1815," detailing the whole of the above proceedings; and which are also indirectly admitted by the N.W. Company in the charge the bring (Depn. 151) against the Earl of Selkirk and James Stuart the Barrister of having seduced one of their clerks to purloin the aforesaid Book from their Countinghouse.

Colin Robertson arrived in Red River accompanied *19 August* by the Colonists who had be driven off, together with about twenty Clerks and Servants it appears that his Gentleman had come to Canada in the Autumn of 1814 for the purpose of

N. W. Company; North West Company; Red River; Duncan Cameron; John Pritchard; Colin Robertson; Earl of Selkirk; James Stuart; The Red River and Colonial Register 1815; Deposition 127; Deposition 123; Deposition 151;

122

119

engaging Clerks and Canoemen to proceed into the Indian Territories in the Service of the H.B. Company an object for which he was well qualified from having been formerly as is well known a Clerk to the N.W. Company - that in March 1815 he received a letter from the Earl of Selkirk in reply to a communication he had made of his fears that the destruction of the

H. B. Company, Hudson's Bay Company; N. W. Company, North West Company; Indian Territories; Red River; Selkirk Grant; Selkirk

123	<p>Colony would be attempted by the Indians at the instigation of the N.W. Company, a copy of letter which he has attested (Depn. 167) and which states in substance the Law Opinions, in support of the H.B. Company's rights of Jurisdiction and the Act of the 43 Geo. 3rd Chap 138 does not apply to their Territories, which have since been published at length and filed before me (Paper no. 411); that in May following he determined to proceed to the interior with the persons he had engaged intending to return to England by way of Hudson's Bay - that in</p>	<p>Concession; destruction of the Colony; Earl of Selkirk; rights of Jurisdiction; Paper 411;</p>
124	<p>120</p> <p>the course of his journey to Lake Winnipeg he was informed of the destruction of the of the Colony and proceeded to Red River for the purpose of obtaining further information - that he there learnt from various Halfbreeds and Freemen whose names he mentions, that the Settlers had been driven away at the instigation of the N.W. Company - that some of the Halfbreeds showed the Horses taken from the Colony which had been given to them and others spoke of the rewards which they expected; whilst some of the freemen mentioned the offers which they refused; that having afterwards proceeded to Jack River and delivered over his party to Mr. Thomas Thomas the Governor of the Northern department of Hudson's Bay he was prevailed upon by the solicitations of several of the Letters joined to the request of Mr. Thomas (signified by a letter which he attests) to conduct the Settlers back to Red River - respecting these latter the</p>	<p>N. W. Company, North West Company; Hudson's Bay, Hudson's Bay Company; Lake Winnipeg; Red River; Red River Colony; Selkirk Settlers; Selkirk Settlers; Halfbreeds; Freemen; rewards; Thomas Thomas; settlers back to Red River; destruction of the Colony;</p>
125	<p>121</p> <p>evidence is contradictory, Pritchard (Depn. 187) stating that they Joyfully accepted the proposal, and Pambrune (No. 173) that many of them made great difficulties.</p> <p>*15th Oct 1815* Duncan Cameron and Seraphim Lamar were attacked whilst riding upon the plains by A. McLean, John P. Bourke, Michael Heden and another: Seraphim Lamar states (Depn. 161) that this was done without provocations, Heden presenting a pistol at him, whilst Bourke gave Mr. Cameron some blows with a horse whip saying to him something which Lamar did not hear, after which both were made prisoners and taken before Colin Robertson - It appears (Depn. 113) that from the first arrival of Robertson some jealousy had been shown as to his intentions by Lamar the Clerk then in charge of the N.W. Post at the Forks, and (Depns. 161 & 167) that after the arrival of Duncan Cameron and Alexander McDonell about the 13th</p>	<p>North West Company; N. W. Post; Fort Gibraltar; The Forks; John P. Bourke; Duncan Cameron; Michael Heden; Michael Heyden; Michael Hayden; Seraphim Lamar; Alexander McDonell; Alexander Macdonell; Alexander McLean; Pambrune; Pierre-Chrysologue Pambrun; John Pritchard; Colin Robertson; Deposition 113; Deposition 161; Deposition 167; Deposition 173; Deposition 187;</p>
126	<p>122</p> <p>Sept. to take charge of their respective posts at the Forks and Que'Appelle; feelings of similar nature were much increased on both sides by contests in engaging Hunters and relative to Dogs, horses &c, of which latter it is expressly stated (Depn. 161) that those formerly belonging to the Colony had been restored on demand - Colin Robertson states however (Depn. 167) that these feelings were on his part nearly removed by the assurances of Alexander McDonell of his regret for what had taken place the preceeding Spring and his wish that a good understanding might exist between the Colonists and themselves, until he received information of an attack being threatened against the Hudsons Bay Company's Post at Que Appelle: the principal Station for collecting provisions whereupon he thought that the only chance of self preservation was to take possession of the North West Post at the Forks</p>	<p>Hudson's Bay Company; The Forks; Qué Apellé; Qu'Appelle; Fort Qu'Appelle (Qu'Appelle Lakes), Red River Colony; Fort Gibraltar; Colonists; Nor'Westers; Red River Settlers; return of property; Alexander McDonell; Alexander Macdonell; Colin Robertson; Deposition 161; Deposition 167;</p>

123	<p>wherein there was still a considerable quantity of the arms taken from the Colony the preceeding Spring, and to keep Cameron in Custody till Security should be given that no further injury should be attempted against the Colony nor the provision post molested; that it was not however his intention to have carried this measure into immediate execution had it not been for the accidental seizure of Cameron and Lamar on account of a private quarrel but that fearing to miss the opportunity, on Camerons arriving at Fort Douglas and demanding to be set at liberty he told him that the arms and artillery taken from the Colony in the Spring must first be restored - that Cameron agreed to deliver up *15 Oct 1815* such as the arms as were in his possession and acknowledged that a part of the Muskets had been sent into the Interior and further declared the Artillery to be out of his reach - that there upon</p>	<p>Red River Colony; Fort Douglas; Cameron, Duncan Cameron; Lamar, Seraphim Lamar; return of property;</p> <p>http://data2.archives.ca/e/e447/e011163878-127-v8.jpg</p>
127	<p>124</p> <p>Mr. Alexander McLean and twelve men were sent with Lamar to receive the same, and had also orders from him (Robertson) to take and keep possession of the North West Post till he should receive from Cameron sufficient assurances for the security of the Colonists and the same was accordingly retained about two days - that Cameron was then set at liberty and the post restored with the property therein as he believes in the same state as when taken except the arms delivered to McLean - Cameron having during his confinement dispatched messengers to Alexander McDonell at Que Appellé to refrain from any attack and promised not to attempt to seduce the Settlers or injure the Settlement directly or indirectly - John Pritchard (Depn. 187) states that these proceedings were partly adopted in consequence of a menacing speech made by Cameron to the Indians, and this fact is</p>	<p>Selkirk Settlement; North West Post; Fort Gibraltar; Que Appellé; Fort Qu'Appelle (Qu'Appelle Lakes); Selkirk Settlers; Indians; Red River Colonists; Cameron, Duncan Cameron; Lamar, Seraphim Lamar; Alexander McDonell; Alexander Macdonell; Alexander McLean, John Pritchard; Robertson; Colin Robertson; security of Colonists; Deposition 187;</p> <p>http://data2.archives.ca/e/e447/e011163878-128-v8.jpg</p>
128	<p>125</p> <p>further confirmed by an intercepted letter of Robertsons (Depn. 152 mark Q) which states several particulars of the affair omitted in his Deposition, particularly his threats of sending Cameron and Lamar off to Hudson's Bay and his publicly reprimanding them before two Indians evidently present for the purpose. These omissions together with the tone of the present and his other intercepted letters (Dep. 152) have produced some doubt on my mind whether Robertson acted in this case merely on principles of self defence or whether he did not rather take advantage of circumstances to justify his adoption of a measure which one witness (Depn. 159) states him afterwards to have declared to be "absolutely necessary to revive the courage of his own people and to reestablish their influence amongst the free Canadians, Halfbreeds and Indians" and these doubts are rather strengthened by reference to the Deposition</p>	<p>Hudson's Bay; Free Canadians; Halfbreeds; Indians; Cameron, Duncan Cameron; Lamar, Seraphim Lamar; Robertson, Colin Robertson; self-defence; Deposition 152; Deposition 159;</p> <p>http://data2.archives.ca/e/e447/e011163878-129-v8.jpg</p>
129	<p>126</p> <p>of John Richard McKay the Clerk in charge for the H.B. Company at Que Appellé (No. 169) whose letter respecting the threatened attack on his post is stated by Robertson who attests the same at length to have caused his first alarm and to that of Louis Nolin No. 210 who interpreted the report of the Indians relative to the Speech of Duncan Cameron by the former of these exclusive of the same fact being stated at length in a letter from Alex McDonell to Robertson which has been proved before me (Depn. 165 marked F) it appears that the dispute at Que Appellé originated as to the site whereon the Hudson's Bay Post (which had been burnt the year before by what means does not appear but no charge is made of its having been done purposely) should be rebuilt, and by the latter that the</p>	<p>Hudson's Bay Company; Hudson's Bay Post; Que Appellé; Fort Qu'Appelle (Qu'Appelle Lakes); Alex McDonell; Alexander Macdonell; John Richard McKay; Louis Nolin; Duncan Cameron; First Nations; Robertson; Colin Robertson; letter; threatened attack on</p> <p>http://data2.archives.ca/e/e447/e011163878-130-v8.jpg</p>

interpreter himself attached but little importance to what the Indians stated as it had arisen on an application made by them to

post; Deposition 165;
Deposition 169;
Deposition 210;

130

127

Cameron for liquor of which they had previously received a supply from the Colony.

The probability is that Robertson was activated by a variety of motives predominating in his mind according to circumstances of which sometimes one and sometimes another might naturally be mentioned by him as the causes *15 Oct 1815* of particular proceedings, Nolin further states that McLean and Bourke had been laughing and talking with Robertson immediately previous to their attack on Cameron and Lamar, and is proved by other evidence (Depn. 159 & 161) that besides the Colony arms, two small Cannon and some Guns the property of the N.W. Company were taken away which Robertson stated his people would not allow him to return according to agreement - Some variations appear in the different Depositions as to the terms of the agreement entered into with Cameron which do not appear to have been

N. W. Company; North West Company; Red River Colony; John Bourke; John Palmer Bourke; Cameron, Duncan Cameron; Lamar, Seraphim Lamar; Alexander McLean; Robertson, Colin Robertson; physical attacks; Deposition 159; Deposition 161;

131

128

very clearly explained - On the whole the impression on my mind respecting Robertson is that convinced of the superior rights of the H.B. Company, and of the illegal and unjustifiable proceedings of the N.W. Company, he has with the natural feelings of a partizan, omitted to give even their fair weight to those circumstances which are urged by the N.W. Company in justification of some and apology for other parts of their proceedings and that considering the reestablishment of the Colony not only as justifiable but in him a meritorious service, he felt warranted in adopting for that purpose such measures as appeared to him dictated by necessity "at a distance (as he states) from the protection of Law and exposed to the attacks of a violent enemy whose criminal views has already been disclosed" - In the prosecution of these objects he seems to have had particularly in view to guard against the effects

H. B. Company, Hudson's Bay Company; N. W. Company, North West Company; Selkirk Colony; Red River Colony; Robertson, Colin Robertson; reestablishment of the Colony;

132

129

of that violent spirit, which has already been mentioned; as influencing the N.W. Company's party and in some instances to have allowed perhaps from this very cause his own actions to be guided by a similar spirit.

Nov 1815 Mr. Robert Semple arrived in Red River as Governor in Chief of the Hudson's Bay Territories: accompanied by a Mr. Alex McDonell Sheriff to the Settlement in charge of about 160 persons a few of them Servants but the greater part Settlers with their families from Scotland, and by Mr. Jas. Sutherland in charge of supplies for the Hudson's Bay trading posts - It appears from the publications of the respective Parties, that this Gentleman had been appointed in consequence of relations entered into by the H.B. Company at a general meeting on the 19th May preceeding, for the purpose of enforcing their rights of jurisdiction and from his subsequent proceedings he seems to have been equally if not more deeply impressed with the rights of that Company

H. B. Company, Hudson's Bay Company; N. W. Company, North West Company; Red River; Scotland; Red River Settlement; Selkirk Concession; Selkirk's Grant; Fort Douglas; Selkirk Settlers; Alex McDonell; Alexander Macdonell; Robert Semple; Jas Sutherland; James Sutherland; jurisdiction;

133

130

and the gross criminality and total want of excuse for the conduct of their opponents than even Robertson himself; from his correspondence (Depns. 167, 177 & 179) it is evident he was a man of considerable talents and attainments, altho' his language is often far from being conciliatory, particularly as addressed to persons by whom whatever his own sentiments might be, he could scarcely be ignorant that different opinions were entertained

H. B. Company, Hudson's Bay Company; N. W. Company, North West Company; Cameron, Duncan Cameron; Robertson, Colin Robertson, character of

on the subjects in contests; he appears also for the most part to have looked for the justification of his proceedings rather to a general sense of natural justice combined with some reference to the Charter rights of the H.B. Company than to any acknowledged principles of Law: and it is accordingly stated by Robertson that he expressed his approbation of what he had done, excepting he thought Cameron should have been detained in Custody, as his Sincerity could not be depended upon -

Colin Robertson; charter rights; charter; Royal Charter of the Hudson's Bay Company; Deposition 167; Deposition 177; Deposition 179;

134 On the 17th March 1816. The N.W. Company's Post
131

17th Mar. 1816 at the Forks of Red River was again forcibly seized by Colin Robertson - who in stated Depositions 161 & 180 to have entered the same at the head of an armed party consisting of Alexander McLean, John P. Bourke, Michael Heden, Martin Jordan and several others - to have immediately collared Cameron and taken away his personal arms, and then to have made prisoners of him Seraphim Lamar, John Seiveright & Joseph Laurent, Clerks of the N.W. Company whilst Bourke collected and carried off the papers found in Camerons Desk and on the table - It is further stated that Robertson the next day informed Seiveright that he was going to send off three men to intercept the North West Express and desired him to propose to Cameron that if he would promise not to take any means to prevent the express coming in, the letters addressed to himself alone should be opened, and the others allowed to proceed, to which Cameron from the necessity of the case agreed - that Cameron

N. W. Company, North West Company; The Forks; Red River; Cameron, Duncan Cameron; John P. Bourke; John Palmer Bourke; Michael Heden; Michael Heyden; Michael Hayden; Martin Jordan; Seraphim Lamar; Joseph Laurent; Alexander McLean; Colin Robertson; John Seiveright; John Severight; North West Express; Deposition 161; Deposition 180;

135 132

then desired that the Post might be given up and the Trade allowed to go on, which Robertson refused saying it was the key of the Red River, and that he was determined to keep it all events; and that accordingly during that and the next day he caused a quantity of small arms and pieces of Cannon to be brought over - that on the 19th March the North West express arrived, when Robertson opened in Seiverights presence six or more letters addressed to Cameron and one to Lamar and retained all the remainder (about one hundred) excepting three addressed to Seiveright himself, and that the next day this letter was liberated and allowed to proceed to Que Appellé; it is further stated (Depositions 159 & 182) that after the taking of the Post; Robertson declared he had succeeded beyond his expectations as well as getting possession of the Fort without bloodshed, as in having found papers therein which would justify all he had done, and that after

Red River; Que Appellé; Qu'Appelle; Fort Qu'Appelle (Qu'Appelle Lakes); Cameron, Duncan Cameron; Lamar; Seraphim Lamar; Robertson; Colin Robertson; Seiveright; John Seiveright; John Severight; North West Express; letters; Deposition 159; Deposition 182;

136 133

the capture of the express he further said he was now in possession of such documents and so completely master of the secrets of the N. W. Company that he should be able to bring then to what terms he pleased in the Coalition which must take place to prevent the ruin of both Companies - And lastly that he declared he would fortify the post and sink all the boats and pemican, that Alex McDonell of the N. W. Company might bring down should he venture to make the trial - Colin Robertson on his part states that he was left in charge of the Colony by Governor Semple who on the 19th December set out on a tour to inspect the Hudson's Bay Posts in the neighborhood wherein he was occupied for upwards of three months - That in January credible information was given to him that Cameron had asserted that the Halfbreeds were again to be assembled From so great a distance as Fort Dé Prairies and would be joined by Cree and Assiniboine Indians

N. W. Company, North West Company; Hudson's Bay Company; Fort-des-Prairies; Red River Colony; Halfbreeds; Assiniboine; Cree; Cameron; Duncan Cameron; Alex McDonell, Alexander Macdonell; Colin Robertson; Governor Semple, Robert Semple; North West Express; York boats, pemmican; documents;

137

134

to drive away the Colonists. That reports of the same kind having much alarmed these latter he went towards the be the beginning of February in Company with two of them to Cameron's post and expostulated with him on the impropriety of exciting alarms in the minds of the Settlers contrary to his previous engagements, to which Cameron replied that the report did not originate with him, that he wished well to the Settlers, and was shortly going to Que Appellé and would endeavor to bring Alex McDonell to his own peaceable views - that Cameron did soon afterwards set off for Qué Appellé and he (Robertson) for Pembina where he found the conduct of the free Canadians and Halfbreeds quite changed from what it had been in the Autumn, and that reports were prevalent of a great assemblage of Indians and Halfbreeds from various and distant posts of the North West Company to drive off the Colonist and punish those who had assisted them - that

North West Company; <http://data2.archives.ca/e/e447/e011163878-138-v8.jpg>
 Fort Gibraltar; Pembina;
 Qué Appellé, Qu'Appelle;
 Fort Qu'Appelle
 (Qu'Appelle Lakes); Free
 Canadians; Halfbreeds;
 Indians; Selkirk Settlers;
 Red River Colonists;
 Cameron; Duncan
 Cameron; Alex McDonell;
 Alexander Macdonell;
 Robertson; Colin
 Robertson; drive off
 colonists;

138

135

finding it impossible to dissipate the impressions made by those reports both on the freemen and Colonist he hastened back to Fort Douglas and thence addressed Mr. Semple respecting the State of affairs - that he received from him on the 10th March a letter written previous to the receipt of his and dated Brandon house, the 5th of the same Month, of which he attests a long extract (Depn. 167 page 9) detailing different hostile proceedings attributed by him to Cameron particularly and insolent letter written by Cuthbert Grant to John R. McKay before mentioned, his brother-in-law, calling upon him to deny having ever heard him (Grant) make an apology or express any regret for the part he had taken last year at the Forks -

Stating his own opinion that Cameron in his inter course with him (Robertson) had been endeavouring to amuse him with fine words, whilst extracting from his most casual expressions the materials for future mischief and mentioning

Hudson's Bay Company <http://data2.archives.ca/e/e447/e011163878-139-v8.jpg>
 posts; Brandon House;
 The Forks; Fort Douglas;
 Freeman; Colonists;
 Cameron; Duncan
 Cameron; Cuthbert Grant;
 John R. McKay; John
 Richard McKay;
 Robertson, Colin
 Robertson; Semple,
 Robert Semple;
 Deposition 167;

139

136

the strongest apprehensions of attempts on the part of the North West Company to induce the Indians to prevent their bringing out their provisions from Qué Appelle - that about the period this letter was received Cameron returned from Qué Appellé, assumed an air of authority and was generally seen dressed and was generally seen dressed in Regimentals. That the Colonists gave information of his endeavors to induce them to leave the Country by the offer of a free passage to Canada and of his remarking he had driven them away once and would do so again - that about the 13th March a number of the North West Servants began to assemble at the Forks from Manitoba others from Bas de la Riviere under one Laurent, and others from Que Appellé under Fraser the Halfbreed - that menaces and reports of intended injuries by the North West Company became more frequent and alarming, and that in consequence he wrote

North West Company; <http://data2.archives.ca/e/e447/e011163878-140-v8.jpg>
 Nor'Westers; Canada; Bas
 de la Riviere; Bas-de-la-
 Riviere; Fort Alexander;
 Fort Bas de la Riviere;
 Forks; Manitoba; The
 Forks; Qué Appelle,
 Qu'Appelle; Fort
 Qu'Appelle (Qu'Appelle
 Lakes); Red River
 Colonists; Selkirk
 Colonists; Colonists;
 Halfbreeds; Indians;
 Cameron, Duncan
 Cameron; Fraser; Laurent;
 free passage to Canada;

140

137

to Governor Semple suggesting the necessity for their safty of again taking possession of the N.W. Post - that immediately after dispatching this letter he learnt that Fraser had gone to Pembina with the intention of bringing down the Halfbreeds from that quarter in the Spring

North West Company; <http://data2.archives.ca/e/e447/e011163878-141-v8.jpg>
 Fond du Lac; N. W. Post,
 North West Post; Fort
 Gibraltar; Pembina;
 Cameron, Duncan

141	<p>and that more Halfbreeds and other Servants continually arriving at the Post, he thought unless he acted immediately he *17 March 1816* might not be able to succeed, therefore without waiting a reply from Governor Semple he again took possession of the post and placed Cameron in Custody - In his further details of the capture both of the Post and subsequently of the express there is not much variation from the Statements on behalf of the North West Company; excepting that he mentions that the place being taken by surprise he found on entering Cameron's room an open letter in his handwriting to James Grant of Fond du Lac a copy of which has been filed before me</p>	<p>Cameron; Fraser; James Grant; Governor Semple, Robert Semple; Halfbreeds, Metis; Servants;</p>
142	<p>138</p> <p>(Depn. 168 letter I) in which he (Cameron) expresses a wish that Grant would send his Pilleurs a band of Indians in that neighborhood to Red River, as they would find plenty of pillage if they went cunningly to work, the sight of which, he says induced him to seize the whole of the papers and that with regard to the express, his promise of letting it proceed was conditional, provided the letters to be opened contained no mention of plans against the colony - In further justification of his proceedings Mr. Robertson naturally dwells much upon the contents of the letters intercepted by him, whereof he attests large extracts (Depn. 167) copies of many of which have been provided at length (Depns. 168 & 240) relative to the affairs both of 1815 & 1816: In regard to those of the former year reference has already been made thereto in stating the transactions of that period as proving that the influence possessed by the N.W. Company</p>	<p>N. W. Company; North West Company; Red River; Colony; Red River Colony; Selkirk Settlement; Cameron, Duncan Cameron; Cuthbert Grant; Robertson, Colin Robertson; Pilleurs; pillage; mail express; Deposition 167; Deposition 168; Deposition 240;</p> <p>http://data2.archives.ca/e/e447/e011163878-142-v8.jpg</p>
143	<p>138</p> <p>(Depn. 168 letter I) in which he (Cameron) expresses a wish that Grant would send his Pilleurs a band of Indians in that neighborhood to Red River, as they would find plenty of pillage if they went cunningly to work, the sight of which, he says induced him to seize the whole of the papers and that with regard to the express, his promise of letting it proceed was conditional, provided the letters to be opened contained no mention of plans against the colony - In further justification of his proceedings Mr. Robertson naturally dwells much upon the contents of the letters intercepted by him, whereof he attests large extracts (Depn. 167) copies of many of which have been provided at length (Depns. 168 & 240) relative to the affairs both of 1815 & 1816: In regard to those of the former year reference has already been made thereto in stating the transactions of that period as proving that the influence possessed by the N.W. Company</p>	<p>Red River; Halfbreeds; Colonists; Selkirk Settlers; Cuthbert Grant; Alexander McDonell; Alexander Macdonell; Robertson, Colin Robertson;</p> <p>http://data2.archives.ca/e/e447/e011163878-143-v8.jpg</p>
144	<p>140</p> <p>"contrary to our expectations that hero Colin Robertson brought back in the course of last Summer the Settlers who left this River with an intention of visiting their own Country."</p> <p>Robertson dwells also much upon the gross deceptions Cameron attempted to practise upon him by assurances of his pacific and friendly intentions whilst actually a party to plans of the most determined hostility: in proof of this he refers to a letter from Alexander Fraser dated 28th January 1816 found amongst Camerons papers, wherein Fraser requested him *17 Mch 181* (Cameron) to visit Que Appellé as his presence would have material weight with regard to the rendezvous of his (Fraser's) Countrymen; which rendezvous Robertson infers to have been the object of Camerons journey to Que Appellé, when he stated he was going to bring Alexander McDonell to his own peaceable views; and in further confirmation</p>	<p>Que Appellé, Qu'Appelle; Fort Qu'Appelle (Qu'Appelle Lakes); Red River; Settlers; Red River Settlers; Selkirk Settlers; Cameron; Duncan Cameron; Alexander Fraser; Alexander McDonell; Alexander Macdonell; Colin Robertson;</p> <p>http://data2.archives.ca/e/e447/e011163878-144-v8.jpg</p>
144	<p>141</p> <p>of his opinion he refers to a joint letter of Camerons and McDonell (Depn 168 Marked H)</p>	<p>North West Company; Fort des Prairies; Halfbreeds; Cameron,</p> <p>http://data2.archives.ca/e/e447/e011163878-145-v8.jpg</p>

145	<p>written at the period of this visit, to the North West Company partners at Fort des Prairies and elsewhere, wherein they say - "the spirit of our people especially the Halfbreeds will require to be roused and we think the appearance of a few of their color from the nearest posts would again have the desired effect." Of the circumstances as well as the terms in which the assurances before mentioned were given by Cameron, Mr. Robertson however has produced no evidence except his own, and the opinion of Mr. Semple, and consequently without any impeachment of their sincerity some allowance is to be made for the natural prejudices entertained by them particularly as Cameron has as yet had no opportunity of being heard on his part. That in the respective situations of the parties mutual deception would frequently be attempted there can be little doubt; and that Robertson had himself</p>	<p>Duncan Cameron; McDonell, Alexander McDonell; Robertson, Colin Robertson; Semple; Robert Semple; Deposition 168;</p>
146	<p>142</p> <p>views even at an early date beyond what he publicly acknowledged, appears evident by his letter to John Pritchard of 18th December 1815, wherein he says "I have physical force sufficient to finish these rascals, but I would not willingly have recourse to hostile measures in the present infant state of the Colony; indeed I am by no means inclined to ride with too much authority, till I am firmly seated in my saddle." Whilst at the same time the general spirit of his correspondence (Dep 152) and that of Mr. Semple and the other Officers of the Colony (Dep 179) especially the letters of John Rodgers and E. Holte evince a Spirit of violence and hostility to have prevailed the whole party; as on the other hand the declarations which Nolin the Hudsons Bay Company's interpreter at Red River (Dep 210) states to have been made to him by Bostonois and Lamas shew a similar spirit to have been early entertained</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-146-v8.jpg Red River Colony; Selkirk Settlement; Bostonois; Pierre Pangman dit Bostonais; E. Holte; Ennis Holte; Edward Holt; Lamar; Seraphim Lamar; Nolin; John Pritchard; John Rodgers; Semple, Robert Semple; Deposition 152; Deposition 179; Deposition 210;</p>
147	<p>143</p> <p>on the other side; the former of these having mentioned "that Cameron very shortly after his arrival had remarked that it would be easy to drive away the Colonists whilst weak, which he himself had said that it would not be proper to attempt it, as the Colonists had done nothing to them, and that they should be always in time to drive them away when they pleased."</p> <p>And Lamar on occasion of a visit made by Nolin sometime after the assault on him on New Years day (detailed in Rodgers letter and for which an apology had been made by Robertson) having told him that he had just received a letter from Fraser, the Halfbreed saying, "that he is the fifth to command the Halfbreeds, and that if the least further insult is offered to me, he is ready to come down and "chastise the Colonists" - In a previous Deposition by Nolin before the Earl of Selkirk (No 209) inserted in the printed "Statement," there is a material difference in respect to the terms of these communications;</p>	<p>Halfbreeds; Colonists; Red http://data2.archives.ca/e/e447/e011163878-147-v8.jpg River Colonists; Selkirk Colonists; Cameron, Duncan Cameron; Fraser; Lamar, Seraphim Lamar; Nolin; Colin Robertson; John Rodgers; Earl of Selkirk; Deposition 209;</p>
147	<p>144</p> <p>this latter Deposition was not however before me, when examining Nolin, so as to question him respecting this difference; and having been at all times, myself, very careful to take down the words used by Witnesses, I have thought it right in all doubtful cases to rely principally upon the Depositions taken by myself. - On the complaints of the North West Company in the present case three Bills of Indictment have been found at Montreal against Robertson, Bourke and Hayden; one in September 1816 for stealing the papers and private property of Cameron, and the others in March last for stealing the property of the N. W. Company; and for riot and false imprisonment of Duncan Cameron and others.</p> <p>The North West Company establishment at *On or about 19th March 1* Pembina was forcibly entered about 8 o'clock at night by Alexander McDonell the Colony Sheriff, John Pritchard, John McLeod and others - Bostonois who was in charge thereof was made</p>	<p>N. W. Company, North http://data2.archives.ca/e/e447/e011163878-148-v8.jpg West Company; Red River Colony; Pembina; Bostonois; Pierre Pangman dit Bostonais; John Bourke; John Palmer Bourke; Duncan Cameron; Hayden; Michael Hayden; Michael Heyden; Alexander McDonell; Alexander Macdonell; John McLeod; John Pritchard; Robertson, Colin Robertson; stealing;</p>

145

prisoner together with Fraser, Hesse and Cutonaha three Halfbreeds - the keys of the store seized and all the arms and ammunition carried away - It further appears that the third day Bostonois was brought to the post and asked to whom he wished the keys of the Store to be given; to which he replied, that they had been forcibly taken from him contrary to all Law and he would agree to nothing - that in consequence an inventory of the Goods was made out and they were removed to the Colony Stores at Pembina, that Bostonois and the other Halfbreeds were sent down prisoners to Fort Douglas and that sometime afterwards the goods were also sent down there in consequence of a letter from Governor Semple to Pritchard stating that the N. W. Company having taken the property of the Hudson's Bay Company in Peace river, "they must try to have a few things to balance the account."

N. W. Company; North West Company; Hudson's Bay Company; Fort Daer; Fort Douglas; Peace River; Pembina; Halfbreeds; Bostonois; Pierre Pangman dit Bostonais; Fraser; Hesse; Cutonaha; Pritchard; John Pritchard; Semple; Robert Semple; seizure of goods; prisoners; <http://data2.archives.ca/e/e447/e011163878-149-v8.jpg>

On the the 10th April 1816, The Clerks and most of the Servants

149

146

of the North West Company quitted the post at the Forks of the Red River; it being stated in the Deposition of Seraphim Lamar (No. 161) the principle clerk of the Post that Colin Robertson retained possession of the Stores and buildings, and allowed no one at the post to attend to the affairs of the Company - and in Seiveright's (no. 159), that having returned from Que Appellé with letters from Alex McDonell demanding the peaceable restitution of the Post at White river - Colin Robertson states however in his Deposition (No. 167) that he had sometime before returned *10 April 18* to Lamar the North West Company's Books and informed the Indians that they must pay their debts faithfully - that the trade also was to go on, Lamar being in charge of all the property, except the spirits and ammunition of which he feared an improper use might be made - that on Seiverights arrival with McDonells letter he received the offers of allowing the trade to be carried on either at the N. W.

North West Company; Red River; The Forks; Fort Gibraltar; Que Appellé, Qu'Appelle; Fort Qu'Appelle (Qu'Appelle Lakes); White River; Indians; Alex McDonell, Alexander Macdonell; Seraphim Lamar; Colin Robertson; Seiveright; John Seiveright; John Seiveright; Deposition 161; Deposition 159; Deposition 167; <http://data2.archives.ca/e/e447/e011163878-150-v8.jpg>

150

147

Post, or that the property with the exception of the spirits and ammunition might be removed to the house of a neighbouring free Canadian; the delivery to the Post itself he however admits was refused as inconsistent with the safety of the Colony and that in consequence Seiveright after making out an inventory of the property and delivering it to him left the place with many of the Servants and Seraphim Lamar states that he also went away about the same time - the apparent contradiction between this last witness and Robertson may probably arise from his considering the offers made so inadmissible as to amount to a total denial which indeed appears by the Deposition of Nolin (No. 210), to have been practically the effect, except as to the collection of debts.

North West Post; Fort Gibraltar; Colony; Red River Colony; Free Canadian; Seraphim Lamar; Nolin; Louis Nolin; Seiveright, John Seiveright; John Seiveright; Colin Robertson; Deposition 210; <http://data2.archives.ca/e/e447/e011163878-151-v8.jpg>

This continued resolution of keeping possession of the North West Post (which was again shewn on a subsequent application in May although the question was

151

148

not then brought so absolutely to the point) is urged by that Company as a strong evidence of that spirit of aggression in the opposite party which called forth the measures of defence adopted by them; and it certainly does go very far to impress upon my mind a persuasion that

Hudson's Bay Company; N.W. Company, North West Company; Fort Gibraltar; the Forks; Peter Fidler; Colin Robertson; <http://data2.archives.ca/e/e447/e011163878-152-v8.jpg>

the seizure of the Post was not a more defensive measure, but part of a system for giving effect to the intended exercise of the exclusive territorial right of the Hudson's Bay Company; a persuasion which has been further confirmed by observing that Governor Semple in a letter to the Agents and proprietors of the N.W. Company written shortly before his death a Copy of which is attested to by Robertson (Dep. 167) speaking of this measure says. "A regular notice to quit the Forks the focus of so much mischief had been delivered in October 1814 by Mr. Peter Fidler and treated with contempt, it became necessary to have recourse to legal force and bring the question to issue whether the

Governor Semple, Robert Semple; October 1814; seizure of Fort Gibraltar; Deposition 167;

152

149

Hudson's Bay Company are to be allowed a right over their own territories" - That the Earl of Selkirk in a letter to Colin Robertson from Montreal 30th March 1816 (Depn 280 marked A) says - "there can be no doubt, that the N.W. Company must be compelled to quit all their intrusive possessions upon my Lands and especially the Post at the Forks, but as it will no doubt be necessary to use force for this purpose, I am anxious that this should be done in a regular manner under a legal warrant from the Governor, so that there may be no ground for charging us with acts of illegal violence similar to the conduct to the N.W. Company".

And in the subsequent part of the letter Lord *10th April 1816* Selkirk gives the plan and site of a village to be built in the event of the North West Post being actually in his possession - that Captain D'Orsonnens in his Deposition, No. 286, and his agreement of October 2016 with J. W. Dease for the surrender of the Post at Lac la Pluie which has been proved before me

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-153-v8.jpg>
N.W. Company, North West Company; the Forks; Fort Gibraltar; Lac la Pluie, Rainy Lake; Montreal; J. W. Dease; Charles J.W. Dease; Charles Johnson Watts Dease; Captain D'Orsonnens; Proteus D'Orsonnens; Colin Robertson; Earl of Selkirk; right to territory; Deposition 280; Deposition 286;

153

150

(Depn 273) speaks of an intended notice from Miles McDonell to quit that post at the end of six month - as a legal order which he evidently meant to enforce - And lastly that is is attested by Sieveright (Dep 159) that he heard Roberston declares, "that it was the intension of the H.B. Compompany to act up to the authority of their charter and in virtue thereof to take possession of evry N.W. Post established within what they concerned there limits and thereby to cut off the communication between Fort William and the Countries beyond Lake Winnipeg: that this might produce a Lawsuit, which would require a long time to decide, but that in the meantime the Hudson's Bay Company would keep possession and that at all events they could lay the blame of whatever might occur on their "Charter" and by Soucisse (Dep No. 219) that Robertson speaking of the capture of the North West Post said that he had done nothing but

H.B. Company, Hudson's Bay Company; N.W. Post, North West Post; Fort William; Lake Winnipeg; Miles McDonell; Miles Macdonell; Robertson, Colin Robertson; Sieveright; John Sieveright; John Severight; Soucisse; charter; Royal Charter of the Hudson's Bay Company; Deposition 273; Deposition 159; Deposition 219;

154

151

in conformity to his orders; it is true Colin Robertson denies towards the close of his Deposition, No. 167, having made use of such expressions or having any knowledge of such proceedings to be what he would advise, and the terms of his denial are no inconsistent with the fact of a general knowledge of the designs and wishes of his employers of which it is scarsly possible to conceive him ignorant. It appears to me also not very probable that persons of the known talents and general information of the Earl of Selkirk and Governor Semple could really suppose, even allowing the rights of territory and jurisdiction claimed by the H.B. Company to be vested in that body, that a non compliance with notices such as those issued by Miles McDonell could legally authorise (under any warrant from their Governors) an attempt to give effect to them by force, particularly as the right of appeal to the Privy Council from the judgment of their Courts, when exercised with evry proper legal form, has at

H.B. Company, Hudson's Bay Company; Selkirk Concession; Selkirk Grant; Colin Robertson; Earl of Selkirk; Governor Semple; Robert Semple; Miles McDonell; Miles Macdonell; Royal Charter of the Hudson's Bay Company; right of appeal; Deposition 167;

155	152	<p>no time been denied; and should it even be supposed that such an opinion could ever have been "bona fide" entertained, the proceeding to act thereupon without due legal advice for it is impossible to suppose any such can have been obtained, for conduct so opposite to the circumspection recommended by the printed opinions, in enforcing the judgement - even of their Courts, evinces such a blamable carelessness as to the consequence on a subject likely to endanger both the peace of the Country and the lives of individuals as to make but little difference in the merits of the questions, otherwise than as it may materially vary the *10 April* legal consequences, should the imputed conspiracy or any other criminal charge be brought before a court -----</p> <p>Pierre Crysologue Pambrune a Clerk of the H.B. Company *12th April* formerly a Lieutenant in the Voltigeur Regiment, was sent by Governor Semple to Qué</p>	<p>H.B. Company; Hudson's Bay Company; Qué Appellé; Fort Qu'Appelle (Qu'Appelle Lakes); Pierre Crysologue Pambrune; Pierre-Chrysologue Pambrun; Voltigeur Regiment; Governor Semple; Robert Semple;</p>	<p>http://data2.archives.ca/e/e447/e011163878-156-v8.jpg</p>
156	153	<p>Appellé at the head of an armed party, it is stated by the North West Company that this force was intended to take the Post at Qué Appellé and Alexander McDonell, and some grounds for "the opinion seem to have existed from the letter of E. Holte (Dep 179 marked C) and from a declaration stated by Lamar (Dep 161) to have been made to him by Pambrune but the instructions from Governor Semple to this latter of which he has attested a Copy (Deps. 172 & 173) seems clearly to show that the measures in contemplation were chiefly defensive.</p> <p>*8th May 1816* James Sutherland, P.C. Pambrun and twenty-two men in the service of the H.B. Company in charge of five boats containing twenty two packs of Fur and about six hundred bags of pemican whilst embarrassed on the rapids of the river Que Appellé, were attacked by a party of about forty nine persons under the command of Cuthbert Grant, Thomas McKay, Roderick</p>	<p>Hudson's Bay Company; Que Appellé; Fort Qu'Appelle (Qu'Appelle Lakes); Qu'Appelle River; James Sutherland; Thomas McKay; Alexander McDonell; Alexander Macdonell; E. Holte; Edward Holt; Governor Semple; Robert Semple; Seraphim Lamar; Cuthbert Grant; Roderick MacKenzie; P.C. Pambrune; Pierre-Chrysologue Pambrun; York boats; fur packs; pemmican; attack; Deposition 179; Deposition 161; Deposition 172; Deposition 173;</p>	<p>http://data2.archives.ca/e/e447/e011163878-157-v8.jpg</p>
157	154	<p>MacKenzie and Bostonois Clerks or interpreters, and Briesebois a Guide in the Service of the North West Company - the property seized and themselves made prisoners, and taken to the North West Company's post where Alexander McDonell avowed what had been done to be by his orders. On this charge a Bill of Indictment was found in February last at Montreal against Cuthbert Grant and seven others as principals and against Alexander McDonell as accessory before the fact. Colin Robertson in his Deposition attributes some importance to the circumstances of this event having occurred within three days after Alexander McDonell had dispatched his last propositions for a peaceable arrangement but the following extract from a letter of Mr Sutherland inserted in Peter Fidler's Journal (Dep 164) removes in a great degree the apparent charge of duplicity. "This has solely</p>	<p>North West Company; Montreal; Bostonois; Pierre Pangman dit Bostonais; Briesebois; Joseph Briesebois; Peter Fidler; Cuthbert Grant; Alexander McDonell; Alexander Macdonell; Roderick MacKenzie; Colin Robertson; James Sutherland; Bill of Indictment; Deposition 164;</p>	<p>http://data2.archives.ca/e/e447/e011163878-158-v8.jpg</p>
158	155		<p>Red River; the Forks; Colony; Red River Colony;</p>	<p>http://data2.archives.ca/e/e447/e011163878-159-v8.jpg</p>

"occurred through Mr Robertson having liberated Bostonois who arrived the night previous to the attack with horrid accounts from the Forks, had he not arrived, we should have passed down the river without molestation." an account which certainly appears more probable than that McDonell, if he had previously intended the seizure should have allowed the provisions to depart at all, and should in his letter to Robertson (Dep. 177 marked E) have taken credit for the same as a proof of his peaceable views; when the reverse must have appeared, before any advantage could have been derived from the attempted imposition: the charge against Bostonois however appears aggravated by this circumstance, as it is stated by Robertson, that Bostonois before being liberated solely promised that he would not disturb the tranquility or attempt to injure the interests of the Colony,

Deposition Bostonois;
Pierre Pangman dit
Bostonais; Alexander
McDonell; Alexander
Macdonell; Mr.
Robertson, Colin
Robertson; Deposition
177;

159

156

a promise which appears also to have been *8th May 1816* given in very strong terms by Alexander Fraser in a letter, a copy of which Robertson has attested (Depn. 167). The promise of Bostonois, who was kept prisoner after Fraser, appears however as stated by Louis Nolin (Dep. 210) to have been simply not to attack the Colony; on this point however Nolin does not go much into detail. Duncan Cameron was sent off as a Prisoner *18th May 1816* to Hudson's Bay under the charge of John McLeod.

The furs taken at the North West Post at *31st May 18* the Forks, consisting of about forty packs were embarked in three Canoes which had been taken with the Post, and sent off to Hudson's Bay under charge of Mr. James Sutherland.

The Hudson's Bay Company's post of Brandon *on or about 1st June 18* House on River La Souris, was plundered by a party dispatched by Alexander McDonell consisting of Cuthbert Grant, Alexander Fraser, Louis Laserte

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-160-v8.jpg>
Hudson's Bay; Forks; River
La Souris; Souris River;
Colony; Red River Colony;
Fort Gibraltar; Brandon
House; Alexander Fraser;
Bostonois; Pierre
Pangman dit Bostonais;
Louis Nolin; Duncan
Cameron; James
Sutherland; Alexander
McDonell; Alexander
Macdonell; Cuthbert
Grant; Louis Lacerte; fur
packs; Deposition 167;
Deposition 210;

160

157

Bonhomme Montour, Thomas McKay, Antoine Houle and about ninty others. On this occasion it has been reported that a good deal of private pillage took place, and Joseph Pelletier dit Assiniboine who was present at the time states (Depn. 149) that Louis Laserte was the ring leader, and distributed to the party all the property found at the Post except the furs, tobacco and ammunition, which were reserved for the North West Company; Pambrune also (Dep. 194) states that he saw Bonhomme Montour devide part of the property taken. On this charge an Indictment was found in February last at Montreal against Cuthbert Grant and six others as principals and against Alexander McDonell as accessory before the fact. On the 10th June 1816 Governor Semple gave orders to take down the N.W. Company's Post at the Forks of Red River, which it appears (Deps. 182, 219, 222, & 223) were immediately carried into execution under his orders, and those of Robertson, Bourke

North West Company; <http://data2.archives.ca/e/e447/e011163878-161-v8.jpg>
Forks; Red River; Fort
Gibraltar; Bonhomme
Montour; Robert
Bonhomme Montour;
Thomas McKay; Antoine
Houle; Joseph Pelletier dit
Assiniboine; Louis Lacerte;
Pambrune; Pierre-
Chrysologue Pambrun;
Cuthbert Grant; Alexander
McDonell; Alexander
Macdonell; Governor
Semple; Robert Semple;
Colin Robertson; John
Palmer Bourke; pillaging;
Deposition 149;
Deposition 194;
Deposition 182;
Deposition 219;
Deposition 222;
Deposition 223;

161

158

and Nolin: that all the best of the timber was rafted and carried down to Fort Douglas, and

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-162-v8.jpg>
N.W. Company; North
West Company; Fort

one bastion and the remainder of the timber burnt. By adoption of this measure Governor Semple appears finally to have put an end to all probable prospect of an amicable settlement (for the overtures of Alexander McDonell had always been founded on a supposition of the Post being restored) and thereby to have practically determined on the assertion in this instance of the H.B. Company's territorial rights, trusting at the same time to his physical force for the protection of the Colony: such a determination appears indeed quite consistent with the hostile preparations witnessed by, and the tone of defiance used towards Severeight, and still more towards Lamar, the person whom Mr. Alexander McDonell had sent with his propositions as stated in their Depositions No. 159 & 161; these statements although to be received with

Douglas; Fort Gibraltar; Colony; Selkirk Colony; Red River Colony; Nolin; Governor Semple; Robert Semple; Alexander McDonell; Alexander Macdonell; Severeight; John Sieveright; John Severeight; Lamar; Seraphim Lamar; Deposition 159; Deposition 161;

162

159

some caution as those of the parties interested, are yet so far conformable to the tenor of Semple's own correspondence as to appear entitled to some consideration and are further confirmed by the deposition of Francois Eno dit Delorme an interpreter in the Service of the Colony (No. 113) who states that previous to the arrival of the Halfbreeds "he had been consulted by the Governor as to the conduct he ought to pursue and had warned him he would have little chance in the plains although he was strong whilst he remained at home; and in opposition to Mr. Pritchard, who asserted that fifty English were equal to two hundred halfbreeds, had said that on the contrary fifty halfbreeds in the plains would kill two hundred English." and further adds that after the battle he remarked to Mr. Bourke and Mr. Pritchard who had been the most eager for going out to meet the Halfbreeds, that they would have done better to have followed

Red River Colony; Halfbreeds; Semple; Robert Semple; Francois Eno dit Delorme; Francois Henault dit Delorme; John Pritchard; John Bourke; John Palmer Bourke; Deposition 113; <http://data2.archives.ca/e/e447/e011163878-163-v8.jpg>

163

160

his advice to which Pritchard replied "that it would have been an honor to them had they succeeded."

The great alarm universally allowed to have pervaded the the Settlers and which was evidently shewn in their burying their property as stated in various depositions (No. 198, 199, 200, & 207) further shows the general conviction that hostilities were nearly inevitable. On this charge a Bill of Indictment has been found at Montreal in February last against Colin Robertson and four other persons for riot and destroying houses.

With regard to the persons present at the burning of the remains of the Fort there is some contradiction two witnesses (Deps. 182 & 219) stating that Governor Semple was there at the time and another (Dep. 113) that he had heard him forbid the burning; Robertson no one states to have been present and by his own Deposition (No. 167) it appears he left the Forks on Red river the 11th June

The Forks; Red River; Fort Douglas; Settlers; Selkirk Settlers; John Pritchard; Colin Robertson; Governor Semple; Robert Semple; riot; destroying homes; burning fort; burying property; Deposition 113; Deposition 167; Deposition 182; Deposition 198; Deposition 199; Deposition; 200; Deposition; 207; Deposition 219; <http://data2.archives.ca/e/e447/e011163878-164-v8.jpg>

164

161

the after the orders had been given to take down the Post, as although he entirely approved of the measure, he was unwilling to remove to Fort Douglas as it might lead to the renewal of discussions which he had already had with Governor Semple respecting the proper mode of defending the Colony; when arrived at Lac Winnipeg he however returned to within a few miles of the Settlement and sent a letter offering his Services to Governor Semple if they should be thought useful, they were however declined - the final cause of disagreement between them he states to have been his urging that the Settlers should be called from their lands to the Fort a measure which Governor Semple deemed unnecessary: it appears also by his Deposition that on many previous occasions he had thought Governor Semple by no

North West Company; Fort Douglas; Colony; Red River Colony; Red River Settlers; Selkirk Settlers; Governor Semple; Robert Semple; Lac Winnipeg; Lake Winnipeg; <http://data2.archives.ca/e/e447/e011163878-165-v8.jpg>

165	means sufficiently decisive in his proceedings against the North		
162	West Company, for altho' after his return to Fort Douglas he signified by letter his approval of the Capture of the N.W. Post at the Forks, and of the intercepting of their express; yet he delayed sending off Cameron, or adopting the precautionary measures of taking down one or other of the Posts and collecting the people about the one to *1st June 18* be left, although strongly urged by himself and that Cameron was not finally sent off till after they learnt of the Capture of Mr. Sutherland with the furs and provisions, nor the North West Post taken down till they had received information of the Capture of Brandon house. It might indeed be infered from these circumstances and the declaration which Cuthbert Grant (Dep. 216) states Mr. Semple made to him when wounded of his not having been present at nor ordered the Capture of either of the North West Posts, or of their express: that he had never cordially approved		North West Company; North West Post; N.W. Post; The Forks; Brandon House; Fort Douglas; Cuthbert Grant; Grant; Duncan Cameron; Robert Semple; intercepting of the express canoes; capture of Mr Sutherland; Capture of Brandon House; Deposition 216;
166	163 of Robertsons proceedings altho' publicly justified by him. *17th June 1816* Moustouche Beantino a halfbreed arrived at Fort Douglas with intelligence that the party of halfbreeds was arrived at Portage des Prairies with Alexander McDonell and would be down in two days to attack them, and talked of nothing but taking the Fort and making the Governor prisoner - Moustouche in his Deposition (No. 204) trans-lated by Joseph Pelletier dit Assiniboine he himself not speaking French states - that having heard Captain Bourassa declare that in case the Colonists came to attack them, they must fire upon them; he not being in the service of the North West Company and not wishing to take arms on either side, left the party to come down and join his family at the Grenouilliere, although Grant did evrything in his power to engage him to remain with and assist them in making the Colonists prisoners and that in passing the Fort he informed the		North West Company; Fort Douglas; Portage des Prairies; Grenouilliere; Frog Plain; Colonists; Red River Colonists; Halfbreed; Colin Robertson; Moustouche Beantino; Beantino; Moustouche; Alexander McDonell; Alexander Macdonell; McDonald; Alexander McDonald; Joseph Pelletier; Pelletier dit Assiniboine; Captain Bourassa; Michel Bourassa; Cuthbert Grant; Robertson's proceedings; Deposition 204;
167	164 Colonists that the Halfbreeds were coming down to attack them; and Nolin the Hudson's Bay interpreter also a halfbreed in his Deposition (No. 210) states what passed in nearly similar terms, with the addition that Moustouche mentioned that having been cured by the Doctor of the Colony of a wound when neglected by his former Masters, he thought it his duty to offer them his services if attacked; Nolin further adds, that he received private advice from the halfbreeds by Moustouche and some Indians warning him not to join in any affair with the Colonists, for if he did he would not be better off than another, as they were resolved to take the Fort and the Governor and to drive away the Colonists and that as to Robertson they would cut him in pieces: in the course of the day that Moustouche arrived, two Saulteur Chiefs with about ten other Indians came to offer their Services to Governor Semple in case the Colonists	clear image Saulteur = Saulteaux	Hudson's Bay Company; Fort Douglas; Halfbreed; Saulteaux; Chiefs; Indians; Nolin; Moustouche; Moustouche Beantino; Bonneteau; Governor Semple; Robert Semple; Robertson; Colonists; Red River Colonists; received private advice; Deposition 210;
168	165 should be attacked, adding that they believed all the other Indians entertained similar sentiments, to this offer Nolin states that Governor Semple replied with thanks but expressed		Fort Douglas; Whites; Colonists; Indians; Nolin; Governor Semple; Robert Semple; John Pritchard;

169	<p>his hopes, that things would not come to such an extremity, and declared that in any event he could not except their services, being of opinion that he ought not to induce the Indians to take any share in the disputes of the Whites and therefore begged them to remain quiet; after which he made them a present: John Pritchard states in his *17 June 1816* Deposition No. 187, that the Indians expressed great regret at the Governor's rejecting their assistance, and the next morning returned again stating their fears that the Colonists would be driven off and requesting him, lest such an event should happen to give them some ammunition for the support of their families; that he replied he did not fear those who were coming to attack them, but as nothing</p>	<p>offer; ammunition; support; attack; induce; quiet; present; fears; declining help from Indians; Deposition 187;</p>
	<p>166</p> <p>was certain in this world he would order them a sufficiency of ammunition for the Summer.</p> <p>In consequence of the information received this day an order was issued that the Colonists should come in and sleep at the Fort evry night.</p> <p>Alexander McDonell dispatched from Portage des Prairies *18 June 1816* an armed party of sixty to seventy men for the purpose of escorting to the Grenouillere to boats with twenty bags of pemican; this party was commended by Cuthbert Grant, under whom Bourassa and Antoine Houle acted as Captains, and consisted of four Indians, six Canadians and the remainder halfbreeds - the orders given them by McDonell appear by a concurrence of evidence (Deps. 161, 203, 204, 205, 206, 208, 215, 220 & 221) to have been to pass in the plains as far distant as possible from Fort Douglas, toward making any attack or causing alarm and to wait at the Grenouillere the arrival of the canoes from</p>	<p>Fort Douglas; Grenouillere; Frog Plain; Portage des Prairies; Portage la Prairie; Indians; Canadians; Halfbreeds; Colonists; Alexander McDonell; Alexander Macdonell; Cuthbert Grant; Michel Bourassa; Antoine Houle; ammunition; summer; armed party; pemmican; sleep in fort; Deposition 161; Deposition 203; Deposition 204; Deposition 205; Deposition 206; Deposition 208; Deposition 215; Deposition 220; Deposition 221;</p>
170	<p>167</p> <p>Montreal for whose use the provisions were sent; but that in case of being attacked they might defend themselves. P.C. Pambrune who was at the time a prisoner at Portage des Prairies in his Depositions No 172 & 173 states positively that this party was sent to attack the Colony and that he was told so by Alexander Fraser, Thomas McKay, Hesse and others of the Party; there can however scarsly be a doubt that this information related to an attack contemplated at a subsequent period, probably after the communication with the canoes from Montreal for that some although not an immediate attack was intended, there can be little or no doubt Pambrune states that on his first being taken a prisoner at the N.W. Post at Que Appellé, McDonell declared it was his intention to compel the Colonists to surrender by famine, and that it was with this view he had taken Sutherlands provisions - that on the way down he further stated that the business of last year was but a trifle in comparison with what would</p>	<p>North West Company; Portage des Prairies; Portage la Prairie; Montreal; Que Appellé; Fort Qu'Appelle (Qu'Appelle Lakes); Colonists; P.C. Pambrune; Pierre-Chrysologue Pambrun; prisoner at Portage des Prairies; McDonell; Alexander Macdonell; Alexander Fraser; Thomas McKay; Charles Hesse; James Sutherland; attack colony; Deposition 172; Deposition 173;</p>
171	<p>168</p> <p>take place the present ones, and that the N.W. Company and halfbreeds were now one - that McDonell having met at the Forks of the Assiniboine River, an Indian Chief and his band,</p>	<p>N.W. Company; North West Company; Fort Douglas; Halfbreeds; Alexander Macdonell;</p>

made a speech by his Interpreter to induce them to accompany and assist him in driving of the Settlers - Adding that if these latter resisted "the ground should be drenched with their blood, that not one should be spared" that Alexander Fraser and the other halfbreeds spoke of the different modes in which according to circumstances they intended to attack the Colony; to wit, that they would make prisoners of all they found out of the fort, and *18 June 1816* that if the fort should be too strong to attack openly by day and the peoples therein well supplied with provisions, they would [tiy] bundles of hay to the pickets and set fire to them so that the buildings of the fort might take fire, when they would secure the people as they run out; or if the stock of provisions was small they would place themselves

McDonell; Assiniboine River; Indian Band; Alexander Fraser; attack the Colony; prisoners; attack using fire;

172

169

in ambush and shoot, if they could not take those who went out for fish, food or water, till the fort should be compelled to Surrender .

The substance of this Statement particularly as to the intention of compelling the fort to surrender by famine is confirmed by various evidence (Deps. 174, 176, 187, 198, 200, 210, 219 & 237.) especially by Pierre Soucesse one of the most respectable of the free Canadians (at whose house I lived when at Red River) and who appeared to me to have at all times continued on friendly terms with both parties: this person in his deposition No 219 states that Cuthbert Grant, Antoine Houle and Michel Bourassa the three halfbreed Captains publicly acknowledged - "that on their first starting from Que'Appelle their intentions were to retake Mr. Cameron and the North West Post and that on learning the destruction of the latter they determined to

Fort Douglas; Fort Gibraltar; Red River; Free Canadian; Halfbreeds; Cuthbert Grant; Antoine Houle; Pierre Soncesse; Michel Bourassa; Duncan Cameron; ambush; surrender; Deposition 174; Deposition 187; Deposition 198; Deposition 200; Deposition 210; Deposition 219; Deposition 237;

173

170

besiege and endeavor to take that of the Colony, relying chiefly on cutting of their supply of provisions, and that they intended to take a position at the Grenouilliere, which would at the same time enable them to cut off the communications of the Colony and secure their own - that they did not avow their intentions of driving off the Colonists, although he believes they might have entertained it even before the battle" - and further that on the arrival of Alexander McKenzie formerly an Agent of the North West Company, he was present at his first meeting with Alexander McDonell his partner, when the latter told him "that his general plan and that which he had recommended to the halfbreeds was to blockade the fort of the Colony and cut off their provisions and water by placing themselves on both sides of the river so as to oblige them to surrender

North West Company; Fort Douglas; Red River; Colony; Red River Colony; La Grenouillière; Frog Plan; Halfbreed; Halfbreeds; Métis; blockade; Alexander McKenzie; Alexander McDonell; Alexander Macdonell;

174

from famine." Similar declarations appear also to have been openly made by Grant and Fraser the night after the battle to their prisoners and Alexander Sutherland (whose deposition No 200 I took with much care) says he learnt from them -- "that their plan was to erect a battery on the opposite side of the river and to fire from it upon every person who should come out for water or other purposes and that they should also set fire to the houses by arrows with lighted touchwood, which they would fire at the roofs."

With regard to the speech made to the Indians James Bird Jr a halfbreed son of the Hudsons Bay Governor of that name, who was with the party at the time and was told by the Indians, *18 June 1816* what had passed immediately afterwards, differs from Pambrun in his account thereof (Dep 175) in not mentioning the violent menaces towards the Settlers imputed to McDonell. The

Hudson's Bay Company; Red River; Settlers; Red River Settlers; Selkirk Settlers; Indians; Halfbreed; Pambrun; Cuthbert Grant; Fraser; James Bird Jr; Alexander Sutherland; McDonell; Alexander Macdonell; battle; prisoners; famine; fire; 18 June 1816; Deposition 175; Deposition 200;

175

172

number of the whole party collected at the Portage des Prairies is stated by different

North West Company; Hudson's Bay Company; Portage des Prairies;

witnesses (Deps. 159, 173 & 204) to have been from one hundred to one hundred & twenty persons of whom about three fourths were halfbreeds, some few of these clerks and interpreters but chiefly canoe-men in the service of the North West Company, with others who came down to assist in protecting the property of the said Company.

This assembling of the Halfbreeds by Alexander McDonell is acknowledged by the North West Company in their late statement to me and is even attempted to be justified as a measure of defence to which, under similar dangers, they must again of necessity have recourse.

This excuse of self defence however such as it is will not apply to the ulterior intention of driving off the Colony; for even believing the North West Company to be persuaded as it appears to me

176

173

they were, on sufficient grounds of the intentions of the Earl of Selkirk and Hudson's Bay Company to drive them by force from the Country, under an idea of legal right either real of assumed; they who possessed no shadow of right could not deem an attempt to retaliate by driving off their opponents a legitimate mode of self defence and more particularly when it was to be effected by employing against their fellow subjects an ungovernable and nearly savage force; a measure which nothing could justify nor anything as appears to me dictate but that lawless spirit of violence and oppression by which the North West Company has so long maintained its monopoly; numerous instances of this spirit will be found in the intercepted correspondence of the Partners (Deps. 103, 123, 124, 125, 126, 168, 240, 335, 336, 337) and other documents filed, which have fully convinced me, not only that the expulsion of

177

174

the Colony was contemplated by McDonell, and those immediately acting with him, but that it has been more less directly approved either before or after the occurrence by nearly, if not all the partners of the Company, who had an opportunity of expressing an opinion or taking part therein; accompanied in some instances, particularly in those stated by Louis Blondeau (Dep 171) and F.D. Huerter (Dep 235) if the Witnesses can be entirely relied upon, with threats and declarations of the most savage ferocity.

On 19th June 1816 The unfortunate Affray took *19 June 1816* place in which Governor Semple and about twenty of his Officers and men lost their lives; the annexed plan No 3. shews the exact spot where this melancholy event occurred, together with its immediate neighborhood and explains many local circumstances connected therewith respecting some of which the parties agree,

178

175

June 19th 1816 and differ as to others - the whole of which will be found more particularly stated in the depositions relative thereto Nos. 184, 185, 186 & 217. - It further appears by various depositions Nos. 189, 190, 191, 198, 201 & 207, that about five o'clock in the afternoon the party of halfbreeds and others dispatched by Alex McDonell from the North West encampment at Portage des Prairies, were seen crossing the plains near Fort Douglas by the men kept there on Watch - by the depositions of John Pritchard No. 187 - who appears to have been present at the time, of Alex McDonell the Sheriff of the Colony and the person next in command to the Governor, No. 195, and of John Farquharson one of the men on Watch No. 196, it appears that the halfbreeds when first seen, were nearly opposite to Fort Douglas at a considerable distance from the usual road in the plains, so that it was only on crossing a rising ground that they could be distinctly seen: that on their being first

Portage la Prairie;
Halfbreeds; Alexander
McDonell; Alexander
Macdonell; excuse; self-
defence; driving off the
colony; Deposition 159;
Deposition 173;
Deposition 204;

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-177-v8.jpg>
North West Company;
Earl of Selkirk; Deposition
103; Deposition 123;
Deposition 124;
Deposition 125;
Deposition 126;
Deposition 168;
Deposition 240;
Deposition 335;
Deposition 336;
Deposition 337;

Red River Colony; <http://data2.archives.ca/e/e447/e011163878-178-v8.jpg>
McDonell; June 19, 1816;
affray; Battle of Seven
Oaks; confrontation; Louis
Blondeau; Frederick
Damien Huerter;
Governor Semple;
annexed plan; map;
Deposition 171;
Deposition 235;

Fort Douglas; Portage des <http://data2.archives.ca/e/e447/e011163878-179-v8.jpg>
Prairies; Portage la Prairie;
Colony; Red River Colony;
Halfbreeds; Alexander
McDonell; Alexander
Macdonell; John
Farquharson; John
Pritchard; Deposition 184;
Deposition 185;
Deposition 186;
Deposition 187;
Deposition 189;
Deposition 190;

179	perceived	Deposition 191; Deposition 191; Deposition 195; Deposition 196; Deposition 198; Deposition 201; Deposition 207;	
179	176 immediate notice was sent to the Governor, who was in the house, and that Alexander McDonell mounting with a spy glass to the top of a barn, saw a considerable number of horsemen advancing towards the upper part of the Settlement; whereupon Governor Semple said we must go and meet these people, let twenty men follow me; that this number was accordingly sent after him by Alex McDonell who remained in charge of the Fort; exclusive of Officers who followed one or two at a time; that many others wished to go but were not allowed, Governor Semple having declared he only went out for the purpose of ascertaining the intentions of the halfbreeds, and to afford some protection to the Settlers who were working on their lands.	Selkirk Settlement; Red River Settlement; Halfbreeds; Red River Settlers; Selkirk Settlers; Alexander McDonell; Alexander Macdonell; Governor Semple; Robert Semple; Alexander McBeath; 73rd Regiment; Deposition 197;	http://data2.archives.ca/e/e447/e011163878-180-v8.jpg
180	177 Alexander McBeath an old Soldier formerly of the 73rd Regiment, in his deposition No 197 states; that having seen a large body of horse-	Fort Douglas; Wm Sutherland; William Sutherland; James Sutherland; Governor Semple; Robert Semple; North West; McBeath; Red River carts; battle;	http://data2.archives.ca/e/e447/e011163878-181-v8.jpg
181	177 men and carts crossing the plains at about three quarters of a mile distance and been visited at his own lot No 3. by three of them for the purpose of obtaining information, he was coming to the Post for protection, together with Wm Sutherland and their respective families (who with James Sutherland and his family appear to have been the only settlers that came in for that purpose before the battle) when they were met by Governor Semple; to whom perceiving that he had not much above twenty or thirty persons with him, he remarked that the North West were very numerous and that he would do well to take two field pieces with him, and to keep his back to the river to avoid being surrounded, and offered if he could have a gun to go out with him; to this the Governor replied "no no, there is no occasion I am only going to speak to them," whereupon McBeath went on to the Fort, but was shortly		
181	178 passed by Mr Bourke whom the Governor had ordered to go back for one of the great guns, observing it was well to have it in case of need. By the deposition of John Pritchard (No 187) *19 Jun 1816* it appears that after halting some time for the cannon the Governor ordered the party to advance along the road: that they had proceeded but a short distance when they perceived the North West party coming forward on horseback far superior in number, and the halfbreeds painted like Indians: that the Governors party thereupon by a common impulse began to retreat walking backwards and at the same time extending their line, so as to present a larger front, whilst the horsemen continued to advance on them at a hand gallop and surrounded them in the form of a halfmoon; that almost immediately afterwards a Canadian named Boucher rode up to them waving his hand	North West Company; Nor'Westers; Canadian; Halfbreeds; Indians; John Bourke; John Palmer Bourke; John Pritchard; Boucher; Francois Firmin Boucher; 19 Jun 1816; retreat; Deposition 187;	http://data2.archives.ca/e/e447/e011163878-182-v8.jpg
182	179 and calling out in a most insolent manner "what do you want" "what do you want"; to which Boucher answered, "We want our Fort," and the Governor said "go to your Fort," that after this he (Pritchard) could not hear what passed, but saw the Governor lay hold of Bouchers gun, and that immediately afterwards a general discharge of fire-arms took place, but he	N.W. Company; North West Company; Halfbreed; Macdonell; Boucher; Francois Firmin Boucher; John Pritchard; John Rodgers; Thomas	http://data2.archives.ca/e/e447/e011163878-183-v8.jpg

183	<p>could not distinguish on which side it commenced, but in a few minutes almost all the Governors party were either killed or wounded; that Capt Rodgers who had fallen rose up and came towards him when he advised him to give himself up, for which purpose he ran towards the enemy, raising up his hands and calling out in English and broken French for mercy, when a halfbreed of the name of Thomas McKay, a clerk of the N.W. Company shot him through the head, and another cut open his body with a knife; that his own life was</p>	<p>McKay; shots; gunshot; killed; wounded;</p>
184	<p>180</p> <p>saved with the greatest difficulty one Lavingne a Canadian joining with him in entreaties to that effect - that he was then sent under the guard of two Canadians Morin dit Perrault and Mageau, to the head quarters of the halfbreeds at Frog plain where he found Alexander Murray and his wife, two Bannermans Alex Sutherland and Anthony McDonell also prisoners; that at the time he was conveyed away several of Governor Semple's party, who were only wounded called to him for Gods's sake to come to their assistance, and that several of the halfbreeds afterwards told him that they had completely despatched those who were wounded - that Cuthbert Grant told him that Governor Semple was wounded by a shot from himself; and that lying on the ground, his thigh bone being broken, he asked him, if he was Mr Grant and being answered yes, he said "I am not mortally</p>	<p>Frog Plain; Halfbreeds; Canadians; Lavingne; Lavigne; Augustin Lavigne; Morin dit Perrault; Mageau; Bannermans; Alex Sutherland; Anthony McDonell; Governor Semple; Robert Semple; Cuthbert Grant; Battle of Seven Oaks; prisoners; wounded; Semple wounded;</p>
185	<p>181</p> <p>wounded and if you could get me conveyed to the Fort I think I should live." - that Grant promised to do so, and then left him in the care of a Canadian, but that the Governor was afterwards shot through the breast, by an Indian. These particulars agree nearly, with what Grant states in his deposition No 216 and he further adds that the name of the Indian was Machicobaou, and that he was informed by himself of his having killed the Governor. Nolin in his Deposition No 209 states he was told at the time, that it was Deschamps a Canadian who killed him; but this report has probably arisen from his having afterwards plundered the Body.</p> <p>Machincabaou was present at the Indian Council held by myself, having been admitted to a friendly intercourse by the Agents of the Colony either from motives of policy towards the Indians, or from their discrediting the imputations against</p>	<p>Fort Douglas; Battle of Seven Oaks; Indian; Canadian; Grant; Cuthbert Grant; Machicobaou; Nolin; Deschamps; Francois Deschamps; Machincabaou; Indian Council; Agents of the Colony; plunder; shooting; death of Semple; Deposition 209; Deposition 216;</p>
186	<p>182</p> <p>him; of which I was not aware at that time; he appeared however rather to avoid this subject but on another Indians mentioning that most of the bodies were found naked, except that Governor Semple's had a shirt on; he said it was he who put the shirt on the body. The account of Pritchard is further confirmed in many material points by the Depositions of Anthony McDonell and Donald McKay (No 192 & 193) who were both present at the battle, but cannot say on which side the first shot was fired; as also by the three different Depositions of Michael Hayden (No 189, 190 & 191) in which he states in substance the following additional facts - that in answer to the last speech of Governor Semple mentioned by Pritchard, Boucher said "Why did you destroy our fort you darned rascal" - whereupon the Governor laid hold of the bridle of his horse saying "Scoundrel do you tell me so"</p>	<p>Fort Gibraltar; Indians; Battle of Seven Oaks; Governor Semple; Robert Semple; John Pritchard; Michael Hayden; Anthony McDonell; Donald McKay; Boucher; Francois Firmin Boucher; battle; last speech of Governor Semple; Deposition 192; Deposition 193; Deposition 189; Deposition 190; Deposition 191;</p>
186	<p>183</p> <p>and called to some of his men to take him prisoner, when Boucher slipped of his horse and</p>	<p>Halfbreeds; Battle of Seven Oaks; Boucher; Francois Firmin Boucher;</p>

187	<p>escaped to his party, by whom a shot was instantly fired, by which Mr Holt a clerk in the service of the Company was killed; that Governor Semple himself was wounded by a subsequent shot, and thereupon called out to his men - "Do what you can to take care of yourselves" but they instead of seeking their own safety crowded round the Governor to ascertain what injury he had received and that while thus collected a general volly was fired upon them by which the greater part were killed on the spot - that those who were left standing took off their hats and called for mercy but in vain, being nearly all shot or stabbed with spears - that upon the Governor's party coming round him, some of them fired upon the halfbreeds - that he (Hayden) was a little to the right of the party with Michael Kilkenny, George Sutherland</p>	<p>Governor Semple; Robert Semple; Hayden; Michael Hayden; Michael Kilkenny; George Sutherland; Holt; Edward Holt; deaths; injury;</p>
188	<p>184</p> <p>and Donald McKay, when observing that nearly the whole of their side were either killed or wounded they endeavoured to make their escape together with Dr White who being behind the others was *19 June 1816* killed by a party of six halfbreeds who pursued them - that he and the three others escaped and were with John Pritchard and Anthony McDonell (who was made a prisoner by Alexander Fraser) the only person spared of the party with Governor Semple - Michael Kilkenny and George Sutherland above mentioned have not been brought before me for examination although in the neighborhood of Lake Winnipeg whilst I was at Red river, nor do their depositions appear to have been taken elsewhere, it is probable therefore they have nothing material to state, particularly as Martin Jordan one of the Colonists in his deposition (No 147) says that they were left by him at Jack river the first of August last and that he has heard them</p>	<p>Red River; Lake Winnipeg; http://data2.archives.ca/e/e447/e011163878-188-v8.jpg Jack River; Halfbreeds; Colonists; Red River Colonists; Selkirk Colonists; Donald McKay; Dr White; John Pritchard; Anthony McDonell; Alexander Fraser; Governor Semple; Robert Semple; Michael Kilkenny; George Sutherland; Martin Jordan; 19 June 1816; death; pursuit; Deposition 147;</p>
189	<p>185</p> <p>often speak of having been at the battle of the 19th June and that they had narrowly escaped with their lives, but has never heard them mention how the affair began, or give any particular account thereof. By the depositions of John Bourke (No 201) Hugh McLean (No 203) John Farquharson (No 196) and Alexander McDonell (No 195) it further appears that the arrival of Bourke with an application as McDonell understood from Governor Semple for a three pound field piece, it (having been already prepared) was immediately sent and Hugh McLean to drive it - that they had advanced about half a mile when they perceived that the Governor's party was surrounded and saw the flashes of the Guns which were firing - that Bourke fearing the Cannon might be intercepted thought it prudent to convey it back to the fort, and went part of the way with it himself - that meeting ten men advancing he went</p>	<p>Fort Douglas; Battle of http://data2.archives.ca/e/e447/e011163878-189-v8.jpg Seven Oaks; 19 June; John Bourke; Alexander McDonell; Alexander Macdonell; Hugh McLean; John Farquharson; Governor Semple; Robert Semple; Deposition 195; Deposition 196; Deposition 201; Deposition 203;</p>
190	<p>186</p> <p>with them towards the place where they expected to find the Governor, but not seeing him and observing the halfbreeds dispersed over the ground, they hesitated to go forward, when some of the hostile party cried out "Come on, Come on! here is the Governor wont you come and obey him" - and on their advancing a little further the same persons, cried out- "Give up your arms" whereupon fearing the Governor was destroyed and that it was intended also to get possession of themselves, they made all haste to escape and that in the flight John McNaughton was killed and Bourke himself wounded - that the Gun having been sent out a second time under charge of McLean accompanied by Farquharson and two others they met Bourke coming back wounded who told them all was over and that they had best return which they accordingly did placing him in the Cart - With regard to</p>	<p>Battle of Seven Oaks; http://data2.archives.ca/e/e447/e011163878-190-v8.jpg Halfbreeds; Bourke, John Bourke; John Farquharson; Alexander McLean; John McNaughton; Robert Semple; Governor; killed; wounded; gun;</p>
190	<p>187</p> <p>the prisoners taken before the action it appears by the depositions of three of them, William</p>	<p>Frog Plain; Halfbreeds; http://data2.archives.ca/e/e447/e011163878-191-v8.jpg Settlers; Officers of the Colony; Alex Bannerman;</p>

191	<p>Bannerman (No 198) Alexander Murray (No 199) and Alex Sutherland (No 200) that they were all at work upon their lands the evening the halfbreeds arrived - Alex Bannerman on his fathers lot - No 21 and Alex Murray on his lot No 23, and that these three with *June 19th/1816* Murrays wife were made prisoners by the halfbreeds as they went towards the Frog plain, and Alexander Sutherland as they passed his lot No 12 on returning to meet Governor Semple's party that some threats were used towards Sutherland on his being taken, and strict enquiries made of them respecting Robertson, against whom the halfbreeds vowed vengeance and said that nothing could save his life if he fell into their hands; that they did not intend to kill the Settlers but wanted to get hold of the Officers of the Colony - that on their arrival at Frog Plain they were put</p>	<p>William Bannerman; Alexander Murray; Robertson, Colin Robertson; Governor Semple, Robert Semple; Alexander Sutherland; prisoners; Deposition 198; Deposition 199;</p>
192	<p>188</p> <p>into a tent and one of the halfbreeds placed as Sentry over them - that after the battle John Pritchard and Anthony McDonell were also brought in as prisoners, and that a large party of halfbreeds arrived who appeared quite frantic and threatened to murder all the prisoners, and led them out apparently for that purpose - that after many alarms, they were however on the intercession of Mr Pritchard, who told the halfbreeds - "that blood enough had been shed and that the fort should be given up without the loss of lives" - assured of protection by Cuthbert Grant, but appear to have continued in great alarm and considerable danger during the night. - The Depositions of Joseph Pelletier dit Assiniboine (No 149 & 204) and Jean Baptiste Marsellois (206), halfbreeds who were present at the battle, but who have since made their submission to the Earl of Selkirk and are</p>	<p>Fort Douglas; Battle of Seven Oaks; Halfbreeds; Cuthbert Grant; Jean Baptiste Marsellois; Jean Baptiste Marcellais; Anthony McDonell; Joseph Pelletier dit Assiniboine; John Pritchard; Earl of Selkirk, Thomas Douglas; prisoners; Deposition 149; Deposition 204; Deposition 206;</p> <p>http://data2.archives.ca/e/e447/e011163878-192-v8.jpg</p>
193	<p>189</p> <p>either in the Service or living under the protection of the Colony, and were examined at his Lordship's instance, agree generally with the foregoing accounts of the affray except only as to Hayden's statement of the first shot being fired on the side of the Halfbreeds, which they positively deny and both state that before any shot was fired on their side, one had been fired at Boucher which passed him so close as to stun and cause him to fall off his horse, and Pelletier that a second was fired at an Indian; after which the action became general on each side, that after about three discharges the Colonists began to give way but the battle continued between individuals - Marsellois mentions the circumstance of Mr. Rodgers being killed when asking for quarter, but says it was done by one of the Deschamps alled "Grosse tête", a fact which Desmarrais (Dep 317) also attests to have</p>	<p>Red River Colony; Battle of Seven Oaks; Colonist; Red River Colonists; Red River Settlers; Halfbreeds; Indian; Boucher; Francois Firmin Boucher; Deschamps, Francois Deschamps; Desmarrais, John Baptiste Desmarrais; Hayden; Marsellois, Jean Baptiste Marsellais; Pelletier; Joseph Pelletier dit Assiniboine; Rodgers, John Rodgers; "Grosse Tete" Desmarrais;</p> <p>http://data2.archives.ca/e/e447/e011163878-193-v8.jpg</p>
194	<p>190</p> <p>been the general report, and that he was urged on by his father a Canadian who cried out "No pardon" Pelletier adds that he heard Cuthbert Grant on sending Boucher to the Governors party say to him, "Go to them and tell them to ground their arms and to surrender or we will fire upon them" - that such in fact were their orders if the least resistance was attempted and that Grant told them they were comformable to the instructions of Mr McDonell - and that Antoine Houle said more positively that if the Colonists did not immediately surrender their arms, they must fire upon them and that he would give a shout as a signal when to begin for they must not be allowed to *19th June 1816* escape; he also states that the halfbreeds had painted themselves and put feathers on their heads in the Indian mode, which was not customary with them before the attacks on the</p>	<p>Colonists; Red River Colonists; Selkirk Settlers; Halfbreeds; Boucher; Francois Firmin Boucher; Cuthbert Grant; Antoine Houle; McDonell; Alexander Macdonell; Pelletier; Governor, Robert Semple; 19 June 1816; war paint;</p> <p>http://data2.archives.ca/e/e447/e011163878-194-v8.jpg</p>

191

Colony began, when their employers furnished them with paint and directed them to paint themselves before an attack, - Pelletier it is however proper to observe is an inaccurate witness having deposed to two facts one relative to a speech made by Duncan Cameron and the other to the residence of the Settlers made prisoners before the battle, both which are certain by erroneous as to time or place - Michael Bourassa also a halfbreed who was in the employment of the North West Company, but examined by me at the instance of an Agent of the Earl of Selkirk on my first meeting with A. N. McLeod and Alexander McDonell, under the idea that he could depose to facts requiring the arrest of those Gentlemen - gives a similar statement to that of Pelletier with regard to the first shot - Cuthbert Grant in his deposition (No 216) and Boucher both in his deposition

North West Company; <http://data2.archives.ca/e/e447/e011163878-195-v8.jpg>
Settlers; Selkirk Settlers;
Red River Settlers;
Halfbreeds; Michael Bourassa; Duncan Cameron; Cuthbert Grant; Alexander McDonell; Alexander Macdonell; A. N. McLeod, Archibald Norman McLeod; Pelletier, Joseph Pelletier dit Assiniboine; Earl of Selkirk, Thomas Douglas; Boucher; Deposition 216;

195

192

(No 215) and his examination (No 214) the only witness examined on behalf of the North West Company who speak to this point, concur also in similar statements and Grant specifies John Moore as the person who fired the first shot; which he considers to be that at the Indian, but thinks it to have been fired from misapprehension owing to the Indians continuing to advance, after he had made him a sign to keep back -

Grant agrees also in the Statement of their being three on four general discharges of fire arms from the deep interest of these last parties in the event, their evidence can have little direct weight, yet the general conformity of many depositions collected, from different persons at various times and places with the previous Statements made by Boucher gives to them some importance as moral testimony, as the clearness and apparent

North West Company; <http://data2.archives.ca/e/e447/e011163878-196-v8.jpg>
Battle of Seven Oaks;
Boucher; Francois Firmin Boucher; Grant, Cuthbert Grant; John Moore; first shot; Deposition 215; Deposition 214;

196

193

frankness of Grants deposition tends to produce confidence in it. At the Council held by me with the Indians, the account of the battle given by Machicaboon confirms in almost every respect the statements made by the halfbreeds and at the same time appeared to be tacitly assented to by the other Indians as the public belief. Nolin the interpreter in his Deposition (No. 211) before me (annexing and explaining the original certificate given by him to McGillivray previous to the Earl of Selkirk's arrival at Fort William the paper so much referred to in the respective publications of the parties) states also that such was the general report and his own belief; the same thing appears also from other Depositions (No 205, 218, & 307), stating it in positive terms, and many others less directly. Such is the evidence by which the fact of the first shot being

Fort William; Battle of Seven Oaks; Indians; <http://data2.archives.ca/e/e447/e011163878-197-v8.jpg>
Halfbreeds; Machicaboon; Cuthbert Grant; Nolin; McGillivray; Earl of Selkirk; Council; first shot; Deposition 205; Deposition 211; Deposition 218; Deposition 307;

197

194

fired by the Colonists stands supported; of *19 June 1816* those present, five Witnesses speaks positively to its being so, and not one except Hayden states the contrary even on belief, and all others who have spoken to the question, concur in stating that such was the general report; whilst the opposite statement of Hayden remains unsupported by a single evidence either direct or indirect.

Other collateral circumstances have also combined with this weight of evidence to convince me that the declaration made by him is in this respect unfounded, it is admitted in the published "Statement" that the minute accuracy of the observations he states himself to have

Battle of Seven Oaks; <http://data2.archives.ca/e/e447/e011163878-198-v8.jpg>
Colonists; Red River Colonists; Hayden; Michael Hayden; Michael Heyden; 19 June 1816; first shot;

198	made in the confusion of such a business might raise doubts; and in the following cases where his statements have been compared with those of others present at the transactions, the result certainly does not lessen those doubts; in		
195	his deposition No 189 he states that he only saw three Indians and that he did not see any of these fire a shot, although he had his eyes upon them a principal part of the time. Now the Indians at their Council stated to me that of the three present on the occasion, one ran away as soon as the battle began and Machicabaon another of those present said, that he hid himself in a hole in the ground immediately after the first shots and continued there till the battle was nearly over. Hayden further states that the bodies of the slain which were not brought in by the Indians remained on the ground a prey for the wild beasts. Now by the deposition of Nolin (No 210) it appears that Cuthbert Grant told him the morning after the battle that the Colonists ought to bury the bodies, and they need not fear any injury whilst so employed, and by other depositions (No 195, 197, 200 & 222) it appears beyond a doubt they were	Battle of Seven Oaks; Colonists; Red River Colonists; Machicabaon; Hayden; Michael Hayden; Michael Heyden; Nolin; Cuthbert Grant; first shot; burying dead; Deposition 189; Deposition 195; Deposition 197; Deposition 200; Deposition 210; Deposition 222	http://data2.archives.ca/e/e447/e011163878-199-v8.jpg
199	196 buried - In a subsequent deposition before myself (No 190) Hayden mentions having thought it his duty to communicate to one Chatelain a Clerk of the Earl of Selkirk, who was at the period in question waiting for his Lordships arrival at the Traverse Island in Thunder Bay certain intelligence respecting a plan to murder the Earl - Chatelain in his deposition (No 265) states that Hayden did visit him at Traverse Island and spoke to him of the affair of Red River but the only message he can recollect his giving him was to tell the Earl of Selkirk "that everything was in his favour", and he appears quite confident that nothing was said of warning his Lordship of any plan of assassination it is proper however to observe that Hayden no where says he made the communication although he strongly implies it. In his deposition before me at Red River (No 190) it is remarkable also that Hayden repeats	Traverse Island; Thunder Bay; Red River; Michael Hayden; Michael Heyden; Chatelain; Jacques Chatelain; Earl of Selkirk; plan to murder the Earl; Deposition 190; Deposition 265;	http://data2.archives.ca/e/e447/e011163878-200-v8.jpg
200	197 neither the statement of the settlers having taken of their hats and asked quarter after the first discharge, nor that of the general plunder of private property; both which facts he had stated in his Deposition (No. 189) taken at Montreal. *19 June 1816* In other depositions No. 191, 227, & 228 he charges Paul Brown a halfbreed with being present at the battle and having robbed him of a blanket the next day. Cuthbert Grant on the contrary who, as to his particular fact, appears to be a competent witness states in his deposition (No. 216) that Brown was not present at the battle and that it was another halfbreed who resembles Brown in person that took Haydens Blanket and Nicholas Ducharme in his deposition (No. 213) states having seen Brown at the Grenouillere at a period which rendered it in his opinion impossible that he should have been in the battle. These various inconsistencies and contradictions although	La Grenouilliere; Frog Plain; Battle of Seven Oaks; Halfbreeds; Settlers; Red River Settlers; Selkirk Settlers; Paul Brown; Hayden; Michael Hayden; Michael Heyden; Cuthbert Grant; Nicholas Ducharme; 19 June 1816; plunder; Deposition 213; Deposition 216; Deposition 189; Deposition 191; Deposition 227; Deposition 228;	http://data2.archives.ca/e/e447/e011163878-201-v8.jpg
201	198 they may not establish wilful falsehood, appear to me to prove beyond a doubt that Hayden	Red River; La Grenouilliere; Frog Plain; Battle of Seven Oaks; Free	http://data2.archives.ca/e/e447/e011163878-202-v8.jpg

has not given his evidence with that care and accuracy which would entitle him to credit in contradiction to the concurrent testimony on the other side.

Respecting the intentions of the parties immediately before the battle, the deposition No. 208 of Charles Bellegrade a free Canadian brought before me at Red river, on behalf of the Earl of Selkirk is very important. - He states that about 4 o'clock he saw Governor Semple at the Grenouillere before the battle and said to him - "My Governor are you not afraid, it is said that the halfbreeds are coming to make you prisoner" - to which Semple replied "No I am not afraid, I have a paper which I will go and read to them and afterwards if they choose to kill me they may;" whereupon he (Bellegrade) added "I do not think they intend to do you any harm, but they may very likely make you a prisoner."

202

199

this communication he states did not arise from any particular information but from the General report prevalent amongst the free Canadians who are most of them related to the halfbreeds, which were that the Colonists were to blockaded so as to compel them from famine to surrender themselves prisoners and to quit the Country - that subsequently he saw the first party of halfbreeds about fifteen in number arrive and unsaddle their horses - that they brought with them as prisoners some of the Settlers who inhabited the lands next adjoining the Grenouillere saying they did not intend to keep them, but should send them to the Fort to eat up the provisions - that a second party of halfbreeds about double the number of the first had just arrived when he heard a cry "See the English pursue us," upon which those who could get their horses went off at full speed and the others followed on foot - that he himself followed supposing that there would

203

200

be nothing more than some parleying both from what the Governor had told him, and because the half-breeds had said they were ordered not to attack - that it was consequently with the utmost surprise when he arrived near the place he saw the firing, whereupon he turned about and went home.

This statement is confirmed in several particulars by the deposition of Cuthbert Grant (No. 216) who speaking of the circumstances immediately preceding the battle states that on arriving near the Grenouillière he met Bellegrade, who told him that Governor Semple had been there shortly before and had said that he wished to read a paper to the halfbreeds and to make some arrangements with them, which if they would not agree to, they must take the consequence - that Bellegrade was the only person he spoke to, but that he learnt from him that others of the half breeds had taken prisoners three of the

204

201

Colonists who live near the Grenouillière and were waiting for this arrival to know whether they should detain them or not - that as he was on the point of arriving, those behind, who were accompanying the prisoner Carts, rode up and informed him the Colonists were coming after them; whereupon he immediately turned back towards the carts and ordered the drivers to make dispatc towards the Grenouilliere, whist himself and others rode forward to protect them from any attack.

Boucher's statement (Dep. 215 & Exam. 214) that the numbers present at the action were fifty in the whole, of whom thirty had got up, when it began, agrees also with Bellegrade's account.

Canadian; Halfbreeds; Hayden; Michael Hayden; Michael Heyden; Charles Bellegrade; Charles Bellegarde; Earl of Selkirk; Governor Semple; Robert Semple; testimony; taking prisoner; Deposition No. 208;

La Grenouillière; Frog Plain; Fort Douglas; Battle of Seven Oaks; Free Canadians; Halfbreeds; Métis; Colonists; Red River Colonists; Selkirk Settlers; blockade; surrender; <http://data2.archives.ca/e/e447/e011163878-203-v8.jpg>

La Grenouilliere; Frog Plain; Battle of Seven Oaks; Halfbreeds; Cuthbert Grant; Bellegarde; Charles Bellegarde; Governor Semple; Robert Semple; prisoners; Deposition 216; <http://data2.archives.ca/e/e447/e011163878-204-v8.jpg>

La Grenouilliere; Frog Plain; Battle of Seven Oaks; Colonists; Red River Colonists; Selkirk Settlers; Boucher; Bellegarde; Charles Bellegarde; Governor Semple; Robert Semple; Nolin; prisoners; Deposition 210; Deposition 215; <http://data2.archives.ca/e/e447/e011163878-205-v8.jpg>

Nolin in his deposition (No. 210) states that in the course of the day, on which the action took place, Governor Semple had told him, that if the halfbreeds went past without any harm

205

202

to his people, he did not intend to attack them as they were not absolutely at war, and that on their side he did not suppose they would make an attack without giving him an opportunity of speaking to them.

John Pritchard in his deposition (No. 187) states that he does not believe that Governor Semple gave any orders to his party to fire, but on the contrary when upon the advance of the horsemen one of the party said they must fire to keep them off, he reproved him with great severity. He also states that Grant told him "that they had not expected to have fought the Governor that day, for in this case they would have allowed them to pass some part of the woods before they had shewn themselves in force and would then have run the Governors party like buffalo in the plains, so that not one would have escaped."

Michael Hayden (Dep. 190) states also that before

206

203

the halfbreeds were within gunshot, a gun went off by accident belonging to Mr. Holt who was checked for his carelessness by the Governor who observed, "we are not to fire unless fired upon" and the fact of the gun being so fired is confirmed by Michael Bourassa, Dep. 203. Pierre Soucisse in his deposition No. 219 further states that Grant and the other principal halfbreeds always declared "that the battle was unintended" and unforeseen by them, but that having learnt that their rear was pursued by Governor Semple and an armed party, they went to meet him to protect to same; when the battle took place accidentally from the manner in which Boucher their messenger was seized by the said Governor; and further that McDonell in his conversation with Alexander McKenzie before mentioned said that the battle was not foreseen nor intended by him. With

207

204

Regard to the fact of Governor Semple having ordered his men to fire or not the evidence is contradictory. Boucher both in his examination No. 214 and in his Dep 215 states positively that he did give such orders; and that such was the belief of the North West party appears nearly certain from the intercepted letter of Robert Henry filed on behalf of the Earl of Selkirks (Dep. 218) and by the statement of Jean Baptiste Desmorrais (Dep. 307); it seems evident however that if he did so, it was an act of momentary passion and by no means his previous intention: another point also respecting which there is contradiction in the evidence is the firing of the cannon; this Cuthbert Grant states (Dep. 216) he saw thrice attempted with a pistol, and Boucher (Dep. No. 215) and Joseph Hupé (Dep. 205) say they saw the priming go off; whilst on the contrary John Farquharson (Dep. 196)

Battle of Seven Oaks; <http://data2.archives.ca/e/e447/e011163878-206-v8.jpg>
John Pritchard; Governor Semple; Robert Semple; Grant; Cuthbert Grant; Michael Hayden; order to attack; Deposition 187; Deposition 190;

Battle of Seven Oaks; <http://data2.archives.ca/e/e447/e011163878-207-v8.jpg>
Halfbreeds; Holt; Edward Holt; Governor Semple; Robert Semple; Michael Bourassa; Pierre Soucisse; Cuthbert Grant; Boucher; McDonell; Alexander McKenzie; first shot; gunfire; unintentional battle; Deposition 203; Deposition 219;

Nor'Westers; North West <http://data2.archives.ca/e/e447/e011163878-208-v8.jpg>
party; Battle of Seven Oaks; Governor Semple: Robert Semple; Robert Henry; Earl of Selkirk; Jean Baptiste Desmorrais; Jean Baptiste Desmarais; Cuthbert Grant; Boucher; Francois Firmin Boucher; Joseph Hupe; John Farquharson; order to fire; act of momentary passion; unintentional order; Deposition 196; Deposition 205; Deposition 214; Deposition 215; Deposition 216; Deposition 218; Deposition 307;

208

205	<p>who went out with it the second time says "No attempt was made to fire the cannon, nor was there any match, which he particularly remarked, having himself made a stick for using the same."</p> <p>Hugh McLean also who drove the cannon the whole time states in his Deposition (No. 206) "that the leaden apron on the touch hole was never taken off that day while the gun was sent out of the Fort". This last evidence would be decisive was it not that this Witness has deposed to other facts, the contrary of which have been clearly established before me: On the whole therefore my mind remains in doubt as to this particular, for that the North West party believed an attempt to fire the cannon was made, appears nearly certain from the intercepted letter last referred to, and is in some degree confirmed by the deposition of William Smith (No. 185) and by the Statement of Moustouche</p>	<p>North West party; Nor'Westers; Fort Douglas; Battle of Seven Oaks; first shot; cannon; Hugh McLean; William Smith; Moustouche; Deposition 185; Deposition 206;</p> <p>http://data2.archives.ca/e/e447/e011163878-209-v8.jpg</p>
209	<p>206</p> <p>(Dep. 204) of a report of the cannon being spiked, although some of the details given by this latter Witness do not appear very probable - another point in which the parties differ is with respect to the object, which led the Settlers to take off their hats after the first volley.</p> <p>Hayden (Dep. 189) states as already mentioned *19 June 1816* "that they took off their hats and called for mercy but in vain". Cuthbert Grant (Dep. 216) on the other hand states that after the first round the halfbreeds in general threw themselves on their backs whilst loading, whereupon the Colonists conceiving many were killed, took off their hats and huzzaed". The fact of the halfbreeds throwing themselves down when loading is mentioned also in other depositions on their behalf (No. 215, 217 & 317) as the reason of the much smaller number killed on their side, and from this fact if admitted</p>	<p>Battle of Seven Oaks; Halfbreeds; Settlers; Colonists; Red River Settlers; Hayden; Michael Hayden; Cuthbert Grant; cannon; called for mercy; loading rifles; Deposition 189; Deposition 204; Deposition 215; Deposition 216; Deposition 217; Deposition 317;</p> <p>http://data2.archives.ca/e/e447/e011163878-210-v8.jpg</p>
210	<p>207</p> <p>it would necessarily follow that they had dismounted at the beginning of the action, a circumstance which is not however positively stated either one way or other in the Depositions, although it seems inconsistent with the general tenor of those of Bourke and Hayden; at the same time, on any other supposition it would be difficult to account for their escape and that of the other parties advancing from the fort; as ascribed by them and by the fils Kenis and Indian sent out from the fort to see what was going on - (paper 409).</p> <p>Of the general existence of hostile feelings and mutual designs of future aggression there can be no doubt, as exclusive of individual acts or declarations it appears to me as already stated fully established and in fact scarcely denied by the parties; that at this period it was the determination of the Hudson's Bay party</p>	<p>Hudson's Bay party; Fort Douglas; Battle of Seven Oaks; John Palmer Bourke; Hayden; Michael Hayden; paper 409; the fils Kenis; Indian;</p> <p>http://data2.archives.ca/e/e447/e011163878-211-v8.jpg</p>
211	<p>208</p> <p>to keep forcible possession of the forks of Red River in support of their territorial rights; and equally the determination of the North West Company party to oppose their doing so by force; and to revenge the injuries they conceived themselves to have suffered in the imprisonment of Duncan Cameron and the seizure of their property; whilst on behalf of the halfbreeds the intention of driving off the Colonists is openly avowed by Cuthbert Grant, on the grounds that their pretensions were inconsistent with the rights of natural justice, both in respect of themselves and of the North West Company; and had been the cause of continued disputes from nearly the first establishment of the Colony. These feelings had been further</p>	<p>North West Company; The Forks, Red River; Colony; Red River Colony; Selkirk Colony; Colonists; Red River Colonists; Halfbreeds; Selkirk Settlers; Duncan Cameron; Cuthbert Grant; Bourke; territorial rights; force; revenge; property</p> <p>http://data2.archives.ca/e/e447/e011163878-212-v8.jpg</p>

irritated during a long period of hostile preparations, by mutual injuries and menaces; of which the threats Bourke (Dep. 200) states Grant to have used

seizure; rights of natural justice; disputes; Deposition 200;

212

209

in regard to Robertson "that if he could have got hold of him he would have had him scalped." - and that of Robertson towards the halfbreeds, which Grant (Dep. 216) states Bellegrade to have repeated to him immediately before the battle, "that the freemen were to get their kettles ready to bail the blood of the halfbreeds", may give some idea that with these impressions the parties meeting in arms should have been brought to action by the accidental circumstances which are stated to have occurred, appears by no means improbable: indeed the event seems almost to have been foreseen at the time by the individuals best able to judge: Nolin declares (Dep. 210) that if not prevented by the orders left by Governor Semple he should have followed on hearing of his having gone out to warn him of his danger - and Francois Eno dit Delorme (Dep. 113) that on learning the circumstance he exclaimed "Heavens how

Battle of Seven Oaks; Halfbreeds; Robertson; Cuthbert Grant; Bellegrade; Charles Bellegarde; Nolin; Governor Semple; Robert Semple; Francois Eno dit Delorme; Francois Henault dit Delorme; Deposition 113; Deposition 210; Deposition 216;

<http://data2.archives.ca/e/e447/e011163878-213-v8.jpg>

213

210

unfortunate, so many men who are going out to be butchered, perhaps not six of the number will ever return." The Indian "fils Kenis" states also in his declaration (paper 409) that he endeavored in vain to stop the party when going out - the probability is that Governor Semple, as stated by Pritchard (Dep. 187) was not fully aware of the number of the halfbreeds and felt himself peculiarly called upon from what had passed with Robertson to afford protection to the Settlers of whom he might have supposed a great number to have been absent from the fort. That with these feelings and apparently brave, but without military experience of any kind, and possibly induced by the representations of those around him to entertain too contemptible an opinion of his opponents, he went out without any distinct view of the probable consequence, intending to

Battle of Seven Oaks; Halfbreeds; Settlers; Selkirk Settlers; Governor Semple; Robert Semple; John Pritchard; Colin Robertson; Indian "fils Kenis"; stop event; protect settlers; paper 409; Deposition 187;

<http://data2.archives.ca/e/e447/e011163878-214-v8.jpg>

214

211

act according to circumstances - and that on the two parties meeting suddenly irritated by the violent address of Boucher he made that assault upon him, which naturally whether he gave the order to fire or not; led to the melancholy events that occurred - this view of the subject, although certainly not favorable to Governor Semple's character either for judgement or command of temper, yet appears to me the only one that can be taken consistently with the facts proved; and from other circumstances particularly the language of his correspondence and his apparent vacillation respecting Robertson's proceedings, it might be inferred that these particular qualities were what he was least remarkable for - that he was in many respects a man of talents and from the attachment of his people of an amiable disposition, there can be little doubt. The

Boucher; Francois Firmin Boucher; Governor Semple; Robert Semple; Colin Robertson; assault;

<http://data2.archives.ca/e/e447/e011163878-215-v8.jpg>

215

212

members killed and wounded on each side appear to have been one killed and one wounded on the part of the halfbreeds. - and one wounded and twenty or one and twenty killed on that of the Colonists; the latter has been the number generally mentioned, and sometimes even two and twenty. But Martin Jordan one of the Settlers (Dep. 147) states that he has been informed and believes that the total number was twenty, exclusive of one man who having been drowned the day before has been generally reckoned amongst those slain, which account appears confirmed by the declaration of the Indian "fils Kenis" that he saw twenty bodies when he went next day to bring in part of them to the fort; and by the circumstance that Alex McBeath who assisted to bury those which remained after the Indians Alexander McBeath

Martin Jordan, a 16-year-old from Killala, County Mayo, Ireland, sailed on the Edward and Ann in 1811 (1) with a group of labourers bound for Lord Selkirk's settlement. Halfbreeds; Indians; First Nations; Colonists; Red River Colonists; Red River Settlers; Selkirk Settlers; Fils Kenis; Martin Jordan; Alex McBeath; killed; wounded; drowning; bury; Deposition 147; Deposition 197

<http://data2.archives.ca/e/e447/e011163878-216-v8.jpg>

had brought in nine -- speaks in his deposition (No. 197) positively

was born in Scotland ca. 1760. He married Christian Gun(n) of Dallagan in 1791. Alexander and Christian came to Red River in 1815 with eight children: Margaret, Molly (Mary), George, Christian, Roderick, Robert, Adam, and Morrison. The McBeath family fled to Jack River after Seven Oaks in 1816, and when they returned to Red River in 1817.

216

213

only as to eleven bodies being found; in any case however the disparity between the numbers killed on the two sides is so great as naturally to raise suspicion that the one party had massacred the other in cold blood rather than that such could have been the result of a mutual contest. On a strict examination I am inclined to think that such was by no means generally the case, but that the battle having been begun as already stated by the Colonists, continued till the whole either fell or ran off, and that with the exception of the wounded quarter was never asked by any but Pritchard and Rodgers - the contrary is indeed stated by Hayden, but his statement is positively denied by J.B. Lafontaine (Dep. 217) and indirectly so by Cuthbert Grant (No. 216) whose account of the motive which led the Settlers to take off their hats is certainly more consistent

Red River; Colonists; Red River Colonists; Settlers; Selkirk Settlers; John Pritchard; John Rodgers; Hayden; Michael Hayden; Michael Heyden; J.B. Lafontaine; Jean Baptiste Lafontaine; Cuthbert Grant; bodies; killed; massacre; Deposition 216; Deposition 217

<http://data2.archives.ca/e/e447/e011163878-217-v8.jpg>

217

214

with general usage than Haydens; exclusive also of the inaccuracy of this Witness already mentioned his present Statement is not supported by any other evidence and seems in some degree inconsistent with the general tenor of the Depositions on his own side, and even with the fact stated by himself (Dep. 190) that he was preparing his gun when called upon by Kilkenny to observe how few left standing of their party; a similar statement is also made by the Indian "Fils Kenis" respecting Dr. White who accompanied Hayden in his escape that he was actually aiming his gun at the moment he was first wounded. --

On a more mature consideration also of the respective circumstances of the parties; the one standing together in a crowd, unaccustomed to fire-arms, or any of the practices of irregular warfare -- the other all excellent marksmen advantageously posted in Superior numbers

Red River; Indian; First Nation; Hayden; Michael Hayden; Michael Hayden; Kilkenny; Michael Kilkenny; Fils Kenis; Dr. White; wounding; warfare; Deposition 190;

<http://data2.archives.ca/e/e447/e011163878-218-v8.jpg>

218

215

around their opponents, and accustomed as huntsmen, and from their habits of Indian Warfare to evry device that could tend their own preservation or the destruction of their enemy; the actual result can by no means be considered so extraordinary as it appears on a first and general view.

With regard to the massacre of the wounded, there can be no doubt, independent of the

Cuthbert Grant; Indian warfare; massacre; wounded; Deposition 149, Deposition 187; Deposition 204; Deposition 216; Deposition 195; Deposition 197;

<http://data2.archives.ca/e/e447/e011163878-219-v8.jpg>

219	<p>universal report to that effect and of the depositions directly establishing it (No. 149, 187, 204 & 216) amongst others, that of Cuthbert Grant (stating his fruitless endeavours to prevent the same) it is self evident that of those who fell scarsly one half would in the first instance be mortally wounded: the ill usage and pillage of the dead bodies is also established by a mass of evidence (Deps. 195, 197, 198, 199, 200, 202, 207, 210 & 222) which leaves no doubt on the subject. These various acts of savage ferocity call loudly for some example;</p>	<p>Deposition 198; Deposition 199; Deposition 200; Deposition 202; Deposition 207; Deposition 210, Deposition 222;</p>
	<p>216</p> <p>the selection of the proper objects for punishment may however be attended with some difficulty - possibly in construction of law the charge of murder may apply to the whole party as engaged in unlawful pursuits which led to the commission of that crime by a part of their number, yet it would seem contrary to equity to push the principle to this extreme in a case where there were so many gradations of guilt, and some circumstances of extenuation even for many of the most criminal - the time occupied by the whole affair, as it appears by the different depositions, (No. 195, 200, 209 & 218) which allude to this point, did not exceed a quarter of an hour, consequently as it may admit of doubt whether the immediate act of escorting provisions by by an armed force in which the parties were engaged, was unlawful, the crime of all may perhaps, in construction of law rather be deemed</p>	<p>Red River; Charge of murder; guilt; Deposition 195; Deposition 200; Deposition 209; Deposition 218;</p> <p>http://data2.archives.ca/e/e447/e011163878-220-v8.jpg</p>
220	<p>217</p> <p>manslaughter than murder, more especially if the fact that the Colonists were the assailants (of which I apprehend there can be little doubt) be admitted, due allowance made for the disturbed and hostile state of the Country, which the halfbreeds at least appear sincerely to have attributed to the attacks of the opposite party. On the whole the impression on my mind after much reflection is that the persons whom it would be desirable to select for such punishment as the law may award, would be those individuals, either Canadians or halfbreeds who having had the advantage of a civilized education and religious instructions, may appear to have participated either in the massacre of the wounded or those asking quarter, (if any other instance than that of Captain Rodgers does exist) or in the maltreatment and pillage of the dead bodies; for with regard to those</p>	<p>Red River; Red River Colonists; Red River Colonists; Halfbreeds; Red River Settlers; Selkirk Settlers; John Rodgers; manslaughter; assailants; punishment; massacre of the wounded; pillage;</p> <p>http://data2.archives.ca/e/e447/e011163878-221-v8.jpg</p>
221	<p>218</p> <p>halfbreeds who have never been out of the Country a further palliation of their crime is to be found in their half savage state, and in the general system of revenge recognized amongst the Indians and so natural to all uncivilized nations, where the only security individuals can feel for themselves or their families must be founded on a confidence that any injuries inflicted on them will be revenged by the body of the tribe at large, a principal which is well known to be carried by the Indians to the extent of refusing quarter, almost universally to their conquered enemy. In whatever degree this consideration may however be conceived to palliate the fault of this portion of the halfbreeds, in an equal degree must it attach moral criminality to those who collected for hostile purposes so savage a force.</p>	<p>Halfbreeds; Indians; uncivilized; moral criminality</p> <p>http://data2.archives.ca/e/e447/e011163878-222-v8.jpg</p>
222	<p>Amongst the persons particularly mentioned</p>	
	<p>219</p> <p>in the depositions as having participated in the more horrid crimes is Francois Deschamps a Canadian, who had three sons (halfbreeds) present with him in the battle, Francois Joseph commonly called grosse tête, and a young lad whose name is not mentioned.</p>	<p>Red River: Battle of Seven Oaks; Canadian; Halfbreeds; Francois Deschamps; Francois Deschamps Jr.; Francois Joseph Deschamps;</p> <p>http://data2.archives.ca/e/e447/e011163878-223-v8.jpg</p>

223	<p>Exclusive of the doubtful charges already mentioned of their being the persons who dispatched Rodgers and Semple - Joseph Pelletier dit Assiniboine (Dep. 204) states positively that he saw the father kill one of the wounded, and plunder the body of Governor Semple: he also mentioned having seen the clothes of others in the possession of the Sons. Charles Bellegrade (Dep. 208) states his having seen part of Governor Semples clothes in the possession of Francois Deschamps the Son. Francois Eno dit Delorme (Dep. No. 113) states that Bourassa and Primeau two of the halfbreeds present at the battle told</p>	<p>Grosse Tête; Rodgers; John Rodgers; Governor Semple; Robert Semple; Joseph Pelletier dit Assiniboine; Charles Bellegrade; Francois Eno dit Delorme; Francois Henault dit Delorme; Michel Bourassa; Primeau; battle; killing; wounded; pillaging; Deposition 204; Deposition 208; Deposition 113;</p>
224	<p>him that it was old Deschamps and his younger son who dispatched the wounded having as Bourassa said remained behind by the advice of the Houles and others - that he understood it was they also who had the largest share of the pillage, and that many of the halfbreeds had told him that old Deschamps had even taken off the bloody shirts and was washing them till they themselves cried out shame on him - that he had also seen - that he had also seen the hats of Governor Semple and Mr. Wilkinson in the possession of the two elder sons of old Deschamps of whom Francois stated in his presence that he had he had himself killed six and his younger brother four persons.</p> <p>Soucisse also (Dep. 219) states that it was universally reported that the cruelties committed after the battle were the acts of this man and his sons, and that the reports were apparently so well found that</p>	<p>Battle of Seven Oaks; Halfbreeds; Deschamps; Francois Deschamps; Michel Bourassa; Houles; Governor Semple; Robert Semple; F.O. Wilkinson; Soucisse; cruelties; killing the wounded; pillage; bloody clothing; Deposition 219;</p> <p>http://data2.archives.ca/e/e447/e011163878-224-v8.jpg</p>
225	<p>221</p> <p>he has no doubt of the truth thereof, and in consequence when he met the said Deschamps, he refused him his hand before a large party and publicly assigned the reason and that no one else has even been named to him as having taken part in the said cruelties.</p> <p>With regard to the number of bodies plundered the evidence is contradictory the greater number of Witnesses speak however of their being generally so, but on the other hand few persons are named as having partaken of these spoils. Pierre St. Germain (Dep. 224) who gives the fullest evidence on this point states that he saw Lacerte wearing a watch and silk sash which he believes to have been the Governors, that one Allard had on Mr. McLean's sword and cap, that one Cantonohage had the Governors double barrellled gun, that another whose name he does not recollect had his pistols; and the he</p>	<p>Battle of Seven Oaks; Deschamps; Francois Deschamps; Pierre St. Germain; Lacerte; Allard; McLean; Cantonohage; cruelties; bodies plundered; spoils; Deposition 224;</p> <p>http://data2.archives.ca/e/e447/e011163878-225-v8.jpg</p>
225	<p>222</p> <p>Recognized several articles of the clothes of the Gentlemen killed worn by other halfbreeds.</p> <p>Francois Boucher in his examination (No. 210) states that Vasseur in whose care Governor Semple was after the battle, brought away his sash, watch and pistols. Joseph Hupé (Dep. 205) states that he saw Michael Bourassa strip the breeches off one body, and endeavored in vain to prevent it. At the Indian Council it was stated that one Sacastine a halfbreed from Fort des Prairies on the Saskatchewan river wore the coat of Dr. White one of those killed and it seemed to be the general opinion of the Indians that it was the Halfbreeds from a distance who had carried away most of the articles so plundered. Pritchard also states that these were the parties who generally appeared to him the most violent against Cuthbert Grant or Alexander Fraser the two principal North West</p>	<p>North West Company; Red River; Fort des Prairies; Saskatchewan River; Battle of Seven Oaks; Indians; Halfbreeds; Francois Boucher; Joseph Hupe; Vasseur; Governor Semple; Robert Semple; Michael Bourassa; Sacastine; Dr. White; John Pritchard; Cuthbert Grant; Alexander Fraser; looting; spoils; pillage; Indian</p> <p>http://data2.archives.ca/e/e447/e011163878-226-v8.jpg</p>

226

223
clerks of the Halfbreed party - there has been no charge made before me of participating either in the plunder or any of the outrages committed.

With regard to Fraser it appears both by Anthony McDonell's Deposition (No. 193) and by that of Michael Hayden No. 190, that the former (one of the few persons whose lives were preserved) was made prisoner by Fraser - it is also stated by John Pritchard (Dep. 187) that having on some alarm of the settlers respecting the safety of their women applied to Grant and Fraser for a safeguard they immediately assured them thereof. And within regard to Grant, the various Depositions (Nos. 196, 198, 199, 200, 202, 210 & 224) which mention instances of his justice & humanity - from such a body of evidence in his favor as show that in the opinion even of his adversaries he would not be the fit object to select for an example; four of the Witnesses attributing to his exertions

Red River; Halfbreeds; Settlers; Red River Settlers; Selkirk Settlers; Fraser; Cuthbert Grant; Anthony McDonell; Michael Hayden; Michael Heyden; John Pritchard; safety of settler women; prisoner; plunder; outrages committed; Deposition 187; Deposition 190; Deposition 193; Deposition 196; Deposition 198; Deposition 199; Deposition 200; Deposition 202; Deposition 210; Deposition 224;

<http://data2.archives.ca/e/e447/e011163878-227-v8.jpg>

227

224
alone the prevention of much further bloodshed - a similar opinion may also be be still more certainly inferred from the original draughts filed by Daniel McKenzie (Dep. 267 marked B.C.) of letters written by him to Grant shortly after the period of his own submission to the Earl of Selkirk and corrected and recorrected by Miles McDonald for the purpose of inducing Grant in like manner to make his submission and become a Witness - these papers certainly render the subsequent offers which Grant in his deposition (No. 216) states to have been made to him, more probably than they would otherwise appear. Offers which if certainly established would show that a change of party was in the opinion of his opponents all that was required to entitle Grant to rewards instead of punishments.

Court of Oyer and Terminer: a partial translation of the Anglo-French oyer et terminer which literally means "to hear and to determine"

Red River; Daniel McKenzie; Earl of Selkirk; Miles McDonald; Grant; Cuthbert Grant; prevention of further bloodshed; rewards versus punishments; Deposition 216; Deposition 267;

<http://data2.archives.ca/e/e447/e011163878-228-v8.jpg>

On the present charge Bills of indictment for murder were found at the Court of Oyer

228

225
and Terminer held in February last at Montreal against Cuthbert Grant, Alexander Fraser, Michael Bourassa, Antoine Houle, and twelve other halfbreeds or Canadian Servants as principals - against Alexander McDonell, Allan McDonell, John Siveright, Seraphim Lamar and Peter Pangman as accessaries before the facts and Archibald Norman McLeod, Alexander McKenzie thirteen other partners and five Clerks or Interpreters of the North West Co. as accessaries after the fact.

22nd June 1816 On the 22nd June 1816. The Colony was a second time broken up and the Settlers proceeded on the afternoon of this day from Fort Douglas to Lake Winnipeg - It appears by the depositions of John Pritchard (No. 187) and Alexander McDonell the Colony Sheriff (No. 195) that Cuthbert Grant and the other halfbreed leaders, taking advantage of the dismay exited amongst the

Peter Pangman (1744-1819)
Court of Oyer and Terminer: a partial translation of the Anglo-French oyer et terminer which literally means "to hear and to determine"

North West Co.; North West Company; Fort Douglas; Red River Colony; Selkirk Settlement; Lake Winnipeg; Montreal; Halfbreeds; Canadian Servants; Cuthbert Grant; Alexander Fraser; Michael Bourassa; Antoine Houle; Alexander McDonell; Allan McDonell; John Siveright; John Severight; Seraphim Lamar; Peter Pangman; Archibald Norman McLeod; Alexander

<http://data2.archives.ca/e/e447/e011163878-229-v8.jpg>

229		McKenzie; John Pritchard; Oyer and Terminer; settlers depart; Deposition No. 187; Deposition No. 195;
	<p>226</p> <p>Settlers by the fatal event of the 19th June induced the persons in charge of the Colony by threats of a general Massacre to agree to give up Fort Douglas with all the property therein except what belonged to private individuals and to quit the Red river; this agreement was accordingly carried into effect, an inventory of the property being first taken and signed by Cuthbert Grant as a Clerk of the North West Company.</p> <p>By various depositions (Nos. 196, 198, 199, 200, 202 & 204) which mention Grants exertions to prevent further bloodshed, it appears also that he stated his having orders for all that he had done and that he had not acted with so much severity as he had been ordered to do. These declarations tend to raise some suspicions that private instructions had been given to Grant, independent of those already mentioned as having been publicly given by Alexander McDonell to</p>	North West Company; http://data2.archives.ca/e/e447/e011163878-230-v8.jpg Red River; Fort Douglas; Colony; Red River Colony; Selkirk Settlement; Cuthbert Grant; Alexander McDonell; massacre threat; Deposition 196; Deposition 198; Deposition 199; Deposition 200; Deposition 202; Deposition 204;
230	<p>227</p> <p>the party of Halfbreeds on leaving the Portage des Prairies; a supposition which is rendered the more probable by the general violence of McDonell's conduct as a partizan; at the same time there is no other evidence of the fact, than the declarations of Grant who might very possibly have used expressions of this kind in the double view of deterring the Settlers from returning hereafter and by keeping up at the time a general feeling of alarm of preventing disputes and collision of any kind with the other halfbreeds, both which objects he appears by the depositions to have had in view and to have had some difficulty in giving effect to the latter. By the Deposition of John Pritchard (No. 187) it appears that about the time the Settlers were ready to depart Grant stated he had received an order from Mr. Alexander McDonell the North West partner at Portage des Prairies</p>	North West Company; http://data2.archives.ca/e/e447/e011163878-231-v8.jpg Nor'Westers; Portage des Prairies; Halfbreeds; Settlers; Selkirk Settlers; Alexander McDonell; Alexander Macdonell; Grant; Cuthbert Grant; John Pritchard; departing Red River; Deposition 187;
231	<p>228</p> <p>to detain them till his arrival; that he (Pritchard) entreated him in vain to allow them to depart, but on Mr. Sheriff McDonell's observing that he plainly saw Mr. Alexander McDonell wanted to rob Grant of the honor of the day. Grant's pride was hurt and he declared in an intemperate manner, that he would keep his word in spite of the said Alexander McDonell and immediately desired them to depart. In the deposition of Michael Hayden (No. 189) and John Bourke (No. 201) taken at Montreal, it is stated by both that nearly all the private property was plundered contrary to the Agreement that had been entered into; this complaint was not however made before me at Red River by the Sheriff McDonell who was in charge of the Colony, nor by the Settlers themselves, nor as already observed was it there repeated by Hayden, who on the contrary says in his deposition (No. 190) taken</p>	Montreal; Red River; http://data2.archives.ca/e/e447/e011163878-232-v8.jpg Colony; Red River Colony; Selkirk Settlement; John Pritchard; Sheriff McDonell; Miles Macdonell; Alexander McDonell; Alexander Macdonell; Grant; Cuthbert Grant; John Bourke; Michael Hayden; plunder; Deposition 189; Deposition 190; Deposition 201;
232	<p>229</p> <p>before me "the Settlers all embarked being allowed to take away their own private property", the probability is therefore that the instances of private plunder were few and chiefly</p>	Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-233-v8.jpg Colony; Red River Colony; Settlers; Selkirk Settlers; Colin Robertson; Nolin;

233	<p>exercised towards individuals who were particularly obnoxious as partisans; the only instances I find particularly specified are those of a horse of Colin Robertson's which Nolin in his deposition (No. 210) states to have been taken from him by Francois Deschamps the younger, the blanket of Michael Hayden before mentioned and a Gun and sword taken from P.L. St. Germain a Clerk of the Colony by Antoine Houle. Germain states on his deposition, No. 224, that he complained to Grant on this occasion but was told by him that he had no right to have any arms. John Farquharson a Servant of the Colony states that having had a fowling-piece, his own</p>	<p>Francois Deschamps the younger; Michael Hayden; P.L St Germain; Pierre St Germain; Antoine Houle; John Farquharson; Cuthbert Grant; guns; private property; Deposition 210; Deposition 224;</p>
234	<p>230</p> <p>property, taken from him he applied to Grant *22nd June 1816* for redress who caused it to be returned, but told him at the same time to be very careful in his conduct with the halfbreeds as their orders from McDonell were to kill evry one of them, man, woman, and child, and that all their lives were in his hands.</p> <p>Louis Blondeau in his deposition (No. 171) speacks of the articles plundered which he saw at bas de la Riviere in the possession of two the halfbreeds party, and which they stated to have been taken from the Colonists; by his previous deposition, No. 170, there appears however little doubt that the articles in question were taken from the public stores which had been delivered up as before mentioned.</p> <p>Archibald Norman McLeod, one of the *25th June 1816* principal Agents of the North West Company, a partner in the Mercantile establishment</p>	<p>North West Company; Red River; Bas de la Riviere; Colonists; Red River Colonists; Halfbreeds; Grant; Cuthbert Grant; 22 June 1816; McDonell; Alexander Macdonell; Louis Blondeau; Archibald Norman McLeod; orders to kill women and children; plunder; redress; 25 June 1816; Deposition 170; Deposition 171;</p> <p>http://data2.archives.ca/e/e447/e011163878-234-v8.jpg</p>
235	<p>231</p> <p>at Montreal, and a magistrate for the Indian Territories arrived at Fort-Douglas accompanied by Alexander McKenzie, John Thomson, James Leith, John McDonald, Hugh McGillis, John McLaughlin, Simon Fraser, Robert Henry, Archd McLellan, John Duncan Campbell and John Haldane, partners and Thomas McMurray a partner or clerk of the Company. He there found Alexander McDonell a partner of the Company with Allan McDonell then a Clerk, now a partner and John Siveright and Seraphim Lamar clerks together with Cuthbert Grant and the other halfbreeds in possession of the place. It appears that after sending off the party of Halfbreeds on the 18th June, Alexander McDonell continued at his encampment at the Portage des Prairies and on the evening of the 20th received intelligence of the death of Governor Semple and his people. It is stated</p>	<p>Fort-Douglas; Indian Territories; Portage des Prairies; Battle of Seven Oaks; Halfbreeds; Alexander McKenzie; John Thomson; James Leigh; John McDonald; Hugh McGillis; John McLaughlin; Simon Fraser; Robert Henry; Archibald McLellan; John Duncan Campbell; John Haldane; Thomas McMurray; Alexander McDonell; Alexander Macdonell; Allan McDonell; John Siveright; john Severight; Seraphim Lamar; Cuthbert Grant; Governor Semple; Robert Semple;</p> <p>http://data2.archives.ca/e/e447/e011163878-235-v8.jpg</p>
235	<p>by P.C. Pambrun in his depositions, No. 172 & 173, that on the receipt of this news, "Alexander McDonell and all the Gentlemen with him (particularly Seraphim Lamar, Allan McDonell and John Severight) shouted with joy: that Alexander McDonell then went to announce the news to the rest of his people crying out "Sacre" mon de Dieu, bonns nouvelles vingt-deux "des Anglais de tués", that Peter Pangman then enquired, "whether any of the halfbreeds had been killed and on being told of one, he said deceased was his Cousin and that his death must be revenged; that the Settlers must all be killed and not one allowed to leave</p>	<p>North West Company; Red River; Settlers; Selkirk Settlers; Red River Settlers; Halfbreeds; P.C. Pambrun; Pierre-Chrysologue Pambrun; Alexander McDonell;</p> <p>http://data2.archives.ca/e/e447/e011163878-236-v8.jpg</p>

the river for that, as long as one of these dogs were alive, they would be coming back"

André Trottier, the halfbreed who carried the intelligence to McDonells camp was subsequently brought before me on behalf of

Alexander Macdonell;
Seraphim Lamar; Allan
McDonell; John Severight;
Peter Pangman; André
Trottier; Deposition 172;
Deposition 173;

236

233

the Earl of Selkirk and stated what passed (Dep. 225) as follows that his brother Joseph Trottier having been wounded in the affair of the 19th June, sent him to inform his father and mother at Rivier la Souris thereof - that on his arrival near the encampment he was met by Mr. Alex McDonell who had with him Seraphim Lamar and Bostonois Pangman and *25th June 1816* asked him, "What news", to which he answered, "we fought yesterday", and that being further questioned he answered that there were twenty two of the English killed and on their side his brother wounded and a halfbreed by the name of "Batoche" killed - Whereupon Mr. McDonell shouted for joy and went to the Camp to inform his people of the news, whilst he himself (Trottier) looked out for a place to pass the night and slept under the shelter of a cart, neither supping nor having any further conversation

La rivière Souris; Souris <http://data2.archives.ca/e/e447/e011163878-237-v8.jpg>
River; Batoche; Halfbreed;
Métis; Earl of Selkirk;
Joseph Trottier; Alex
McDonell; Seraphim
Lamar; Bostonais
Pangman; Peter Bostonais
Pangman; Pierre
Bostonais Pangman; Red
River Cart; Deposition
225;

237

234

of consequence with any one, owing to his anxiety respecting his brother.

This person was again brought before me on behalf of the North West Company, when he stated (Dep. 226) in addition to the circumstances already mentioned that he had told Mr McDonell that the English has come and attacked them and that it was immediately after his mentioning the small number of killed and wounded on their side, that McDonell shouted for joy and went towards the Camp accompanied by Lamar and Bostonois who were alone present at the foregoing conversation which took place at the Distance of about ten arpens, or more from the Camp, and was the only one he (Trottier) had with McDonell. The account given by Seraphim Lamar of this occurrence (Dep. 161) is that on (Trottiers) mentioning that a battle had taken place and twenty two English had

North West Company; <http://data2.archives.ca/e/e447/e011163878-238-v8.jpg>
English; McDonell;
Seraphim Lamar;
Bostonais Pangman; Peter
Bostonais Pangman;
Pierre Bostonais
Pangman; Trottier;
distance; ten arpens;
killed; wounded;
Deposition 161;
Deposition 226;

238

235

been killed: Mr Alexander McDonell said to him "Why did you not keep at a greater distance as I ordered you" to which Trottier replied, "We kept out as far as we could as will be seen by the footsteps of our horses who were up to their bellies in the Swamp," and "how many added McDonell are killed on your side" one replied Trottier and my brother has his leg broken".

So much the better then said McDonell, we have with the bad news always some good, but his shouting with joy Lamar declares he cannot recollect. On the whole whichever account may be the most correct there can be little doubt that Alexander McDonell shewed on this occasion his feelings of triumph in a very indecent manner, particularly considering the nature of the contest: several other instances of his violence have also been stated before me, which sufficiently

Red River; Alexander <http://data2.archives.ca/e/e447/e011163878-239-v8.jpg>
McDonell; Alexander
Macdonell; Trottier;
Lamar; Seraphim Lamar;
swamp; deaths, injuries;

239

236

confirmed the character given him by John Pritchard (Dep. 123) of being "a violent partizan little scrupulous in the measures he adopted and at the same time much irritated again the

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-240-v8.jpg>
North-West Company;
Fort Douglas; Halfbreeds;
John Pritchard; Joseph

Hudson's Bay Company's Servants owing to the death of a brother who had been killed in an affray respecting an Indian Debt some years back." Joseph Pelletier (Dep. 204) states that at the period the halfbreeds erected a battery in 1815 near the Colonial Fort. Alexander McDonnell came and informed them that it was Cameron's order that if Miles McDonnell did not surrender, they should heat the Cannon balls (which by other depositions appear to have been forged by one Hanault the blacksmith of the North-West Company) red hot and by that means set fire to the houses; that the Halfbreeds told him it was a pity to kill so many people to make prisoner of one, and,

Pelletier; Miles NcDonell; Miles Macdonell; Alexander McDonell; Alexander Macdonell; Cameron; Duncan Cameron; Hanault; Colonial Fort; Deposition 123; Deposition 204;

240

that they would rather wait till night, and break open the doors to which he replied, "My children you will get yourselves killed" but left them without coming to any decision, and that the next morning Miles McDonnell surrendered himself. The most decisive proofs of Alexander McDonnell's violence are however to be found in two of his intercepted letters proved before me (Dep. 335 & 337) addressed to Archibald McLellan; in the former whereof dated Fort William 30 July 1816 he states "you have learned are now that you are appointed to the post of honor, you have his Lordship to oppose in person, his numbers are formidable but I think they will be thinner by the time they get to the Red river," and the latter dated Que Appelle 7th December 1816. "I hope Lac la Pluie will be the last place taken without the satisfaction of self defence, and I hope

Fort William; Que Appelle; <http://data2.archives.ca/e/e447/e011163878-241-v8.jpg> Qu'Appelle; Red River; Lac la Pluie; Miles McDonell; Miles Macdonell; Alexander McDonell; Alexander Macdonell; Archibald McLellan; letters; Deposition 335; Deposition 337;

241

238
you are confident as long as I can crawl my feeble aid and assistance shall be devoted to the rights of the North West Company. In my general letter I have urged our friends to send forward early reinforcements for our protection and we will concert together what steps to be taken, mark what I tell you, that his Lordship shall - dear and dear indeed for his conduct - I will say no more on paper but there - some fine places on the river Ounipique".

Ounipique River (spelling is referenced in <http://www.uelac.org/Loyalist-Trails/2007/Loyalist-Trails-2007.php?issue=200713>) North West Company; river Ounipique; Earl of Selkirk; John Bourke; Alexander McDonell; Alexander Macdonell; Hugh McGillis; Deposition 201;

<http://data2.archives.ca/e/e447/e011163878-242-v8.jpg>

These letters particularly the latter have been produced on behalf of the Earl of Selkirk as shewing the existence of plans against his life: which are further confirmed by the depositions of John Bourke No. 201, who states that he overheard a conversation between Alexander McDonnell, Hugh McGillis and other partners of the North West Company which took place near where he was laid

242

239
down to sleep and wherein the said Alexander McDonnell said "The sending down of the Halfbreeds was certainly carrying things to an extremity" and afterwards (as by way of accounting for what had taken place) "but it can be said that those people (meaning Governor Semple and the persons with him) "went out to attack them" (meaning the halfbreeds) "and met their fate" and afterwards speaking of Lord Selkirk's intention to visit Red river by the way of Fond du Lac, he said Alexander McDonnell said "The halfbreeds will take him whilst he is asleep early in the morning" and afterwards he said "They (meaning as he understood the North-West Company) can get Bostonais (meaning an Indian of the Halfbreed well known for his crimes) "to shoot him" and that in the course of the same conversation he heard the word "stab" used, but cannot say with reference to whom: that the next morning he told what

North West Company; Red River; Fond du Lac; Battle of Seven Oaks; Halfbreeds; Alexander McDonell; Alexander Macdonell; Governor Semple; Robert Semple; Bostonais; Pierre Pangman dit Bostonais;

<http://data2.archives.ca/e/e447/e011163878-243-v8.jpg>

243

240
he had heard to Patrick Corcoran and afterwards mentioned it to Michael Hayden: the statement of this latter on this subject has already been noticed, but in Corcoran's deposition, it is not alluded to. The whole evidence appears certainly to raise some suspicion, against McDonnell; at the same time allowing for the very possible misunderstanding of a

Halfbreeds; Patrick Corcoran; Michael Hayden; John Bourke; McDonell; Alexander Macdonell;

<http://data2.archives.ca/e/e447/e011163878-244-v8.jpg>

conversation overheard in the way mentioned by Bourke, I do not perceive in his statement, (which at the same time it must be recollected, is that of a person who from the inconsistency of his testimony as to the general plunder of private property by the Halfbreeds with the other evidence on this point appears liable to the imputation of not being a very accurate witness) nor in the letters of McDonell, anything that might not perhaps apply to a plan of open attack nearly as well as to a supposition of intended

244

241

25 June 1816 assassination - Whilst however it might be incorrect on such testimony to attach suspicion of so foul a crime to anyone, the consideration of this charge has certainly increased my regret that the warrant I issued against McDonell could not be executed owing to his previous and unexpected escape into the interior from Bas de la Riviere, where I met him as I supposed on his way to Fort William in July last. This flight certainly adds to the suspicions against McDonell and combined with all other circumstances calls for the most vigorous measures to bring him to his trial.

A similar observation appears to me also to apply to the case of Archibald Norman McLeod, against whom I likewise conceived it my duty to issue a warrant, which I sent to Mr Fletcher at Fort William, but this also failed to be executed owing to the very short stay he (McLeod) made at that

245

242

place, or at Montreal, from whence he proceeded to England. It appears by the depositions of Mr. Wm. McGillivray (No. 373) as also by that of Frederick Damien Heurter (No. 235) formerly a Sergeant of the Regiment de Meuron who had engaged as a Clerk in the service of the North-West Company, but afterwards quitted the same and has become a partisan of the Earl of Selkirk; that Mr. McLeod proceeded from Montreal early in May 1816 accompanied by Mr. Alexander McKenzie a former Agent of the North-West Company and several other wintering partners and Clerks in charge of three light canoes. Mr. McGillivray in a detailed account annexed to his deposition states, that this expedition was prepared in consequence of an Express having arrived at Montreal in March preceding with intelligence of the seizure of the persons of Duncan Cameron and Seraphim Lamar in October 1815 by Colin

246

243

25 June 1816 Robertson of his having taken possession of the North West Post, and carried away all the arms and ammunition found therein. Violences which were likely to produce the most injurious effects to the trade of the North-West Company by raising a prejudice against their partners and servants in all the interior Country; and that the objects of the expedition were to afford a security for the Company's property in the Interior, particularly at the Great Pass, the mouth of the River Winnipeg, to preserve the depot of provisions on Red River and if possible to get them conveyed to Bas-de-la-Riviere in the usual manner for supplying the men and canoes from the Northern Department - that having been unable to prevent Governments giving a Military Guard to Lord Selkirk they applied for leave of absence for two Subaltern Officers of the De Meuron Regiment, which being obtained these two Gentlemen accompanied Mr. McLeod - that on arriving at Fort William

247

244

Bas de la Riviere; Fort William; McDonell; Archibald Norman McLeod; Fletcher; 25 June 1816; assassination; warrant;

<http://data2.archives.ca/e/e447/e011163878-245-v8.jpg>

North-West Company; Nor'Westers; Montreal; Wm McGillivray; William McGillivray; Frederic Damien Heurter; Alexander McKenzie; Earl of Selkirk; Duncan Cameron; Seraphim Lamar; Regiment de Meuron; May 1816; seizure of Duncan Cameron and Seraphim Lamar; Duncan Cameron; Seraphim Lamar; October 1815; Deposition 373; Deposition No 235;

<http://data2.archives.ca/e/e447/e011163878-246-v8.jpg>

North West Company; Red River; Fort William; Great Pass; mouth of River Winnipeg; Bas de la Riviere; Northern Department; Lord Selkirk; McLeod; Colin Robertson; de Meuron Regiment; 25 June 1816; arms; ammunition;

<http://data2.archives.ca/e/e447/e011163878-247-v8.jpg>

North West Company; Red River; Forks of Red

<http://data2.archives.ca/e/e447/e011163878-248-v8.jpg>

on the 29th of May, Mr. McLeod learned that the North West Posts at the Forks of Red River and at Pembina had been again seized by the Hudson's Bay Co.'s party, as had also the annual express of the of the North West Company - that upon receiving this intelligence Mr. McLeod sent orders to Fond du Lac to seize the express one Logimmoniere was conveying for the Earl of Selkirk to Red River and which he had twice previously passed on the road; and in consequence of the proceedings of the opposite party on Red River, he desired Mr. Grant and Mr. Morrison (elsewhere mentioned as Clerks of the North West Company in that quarter) to endeavor to get a party of the Fond du Lac Indians to proceed to the Red River in order to give a countenance to the N.W. Party - that after dispatching these orders McLeod proceeded for the Interior, and at Lac la Pluie, stating to the Indians that his object was to preserve the property of the N.W. Company from plunder, twenty of them

and Assiniboine Rivers; Pembina; Fond du Lac; Lac la Pluie; Fort Gibraltar; Pembina Post; Indians; NorcWesters; McLeod; Logimmoniere; Jean-Baptiste Lagimodiere; Earl of Selkirk; Grant; Morrison; William Morrison; seizing express canoe; plunder;

248

245

accompanied him - that he was here also joined by Mr. Leith with one additional canoe and at Bas de la Riviere with two others from Fort des Prairies, and learnt at this latter place that Duncan Cameron had been sent to Hudson's Bay with all the Canoes and Furs belonging to the North West Company - that from hence he proceeded to Red River with about sixty or seventy armed men. That a little above the Riviere aux Morts about forty miles below the forks, he met a brigade of Boats which were at first supposed to contain the North West Company's Servants as prisoners, and the Canoes in consequence put on shore and the men landed with their arms, but on a nearer approach they were discovered to be the Colonists proceeding with a written protection from Cuthbert Grant - that Mr. McLeod returned to the encampment at Riviere aux Morts and immediately set on foot an investigation respecting the capture of the Forts at Pembina

North West Company; Nor'Westers; Red River; Bas de la Riviere; Pembina; Fort des Prairies; Hudson's Bay; Riviere aux Morts; Fort Daer; Pembina Post; Settlers; Leith; William Leith; Duncan Cameron; Cuthbert Grant; McLeod; brigade; prisoners; forts at Pembina; <http://data2.archives.ca/e/e447/e011163878-249-v8.jpg>

249

246

and the Forks with the property there; and on the information obtained, caused Mr. Sheriff McDonell to be arrested on an Affidavit by Mr. John Pritchard; John Bourke was likewise arrested; and Michael Hayden, Corcoran, and McKay were taken down, as also Pritchard under a Subpoena that on McDonell's representing that he was the only officer with the Colonists and that his presence was absolutely necessary to enable them to proceed, he was admitted to bail and conducted the Colonists to Jack river whilst Mr. McLeod went up to the Forks after supplying them with some provisions - that at the forks Mr. McLeod met the Halfbreeds and Indians, and there found that the whole buildings and pickets of the North West Post had either been removed or burnt by the orders of Governor Semple - that he pitched his tent on the place and made a speech to the Indians, assuring them and the Brulés that so long as the North West Company was supported and countenanced

Brulés - Bois Brulés, Métis led by Cuthbert Grant; North West Company; Fort Gibraltar; Jack River; Colonists; Red River; Settlers; Selkirk Settlers; Halfbreeds; Brulés; Bois Brulés; Indians; Sheriff McDonell; Miles Macdonell; John Pritchard; John Bourke; Michael Hayden; Michael Heyden; Patrick Corcoran; McKay; Governor Semple; Robert Semple; arrests; <http://data2.archives.ca/e/e447/e011163878-250-v8.jpg>

250

247

by them no other persons should ever dispossess the concern of the Trade - that Mr. McLeod directed the North West post to be rebuilt on the old old site, to which the Brulés objected saying that as Fort Douglas was built of timber plundered from the North West Company, the latter had a right a right to it; besides it had been given to them by the Settlers and belonged to them - that McLeod having no means of acting contrary to their consent and convenience, left some of the North West Company's Servants to finish Fort Douglas which was still incomplete - that an armed schooner called the Cuthullin intended to scour Lake Winnipeg of all the North West Company's canoes, to the command of which Lieutenant Holt had been appointed, was it is believed, destroyed after Mr. McLeod reached the forks - that the party under Mr. McLeod then proceeded towards the North of Lake Winnipeg to protect the

North West Company; Red River; Fort Gibraltar; Fort Douglas; Lake Winnipeg; Athabasca; Nor'Westers; Bois Brulés; Brulés; Halfbreeds; Settlers; Red River Settlers; Selkirk Settlers; McLeod; Lieutenant Holt; Edward Holt; schooner Cuthullin; <http://data2.archives.ca/e/e447/e011163878-251-v8.jpg>

251	Canoes from Athabasca, which it was believed	
	<p>248</p> <p>were to be attacked in the way out: this was not however attempted and they were met about two thirds distance over the Lake, after which McLeod and other partners of the North West Company returned to Fort William.</p> <p>Together with this statement to which he of course deposes only from information and belief; Mr. McGillivray has also annexed to his deposition a paper containing some details respecting the general mode of trading with the Indians, and of the dangers attending the same; the principal facts stated therein are that it is not an unusual thing to force the amount of their Debts from such Indians as will not pay - that within his own remembrance upwards of fifty men of all ranks including one partner and many Clerks of the North West Company have lost their lives by the hands of the Indians - that these crimes have generally gone unpunished, but that in five instances within his knowledge they have been retaliated</p>	<p>North West Company; Lake Winnipeg; Fort William; Nor'Westers; Indians; McLeod; McGillivray</p> <p>http://data2.archives.ca/e/e447/e011163878-252-v8.jpg</p>
252	<p>upon the men committing the acts, as the only means of self preservation - that in all cases where Indians have been killed by Canadians, of which he recollects only four instances the Criminals have been sent out of the Country. - that in 1799 he sent to Montreal a man of the name of Forcier accused of killing two Indians attempting to steal the horses of the fort and his case was reported to the then Attorney General (the present Chief Justice of the Province,) but that after upwards of a twelve months confinement, he believes he was discharged - that in 1803 two Canadians Comptois and Rondeau having killed a man and woman on Lake Superior, although the woman had destroyed two of the Servants of the North West Company the preceding year, yet he sent them to the commanding officer of St. Joseph's in irons, who sent them forward to Amherstburgh where they were discharged by the Magistrates - from the whole of these instances</p>	<p>North West Company; Montreal; Lake Superior; St. Joseph's; Amherstburgh; Nor'Westers; Indians; Canadians; Forcier; Comptois; Comtois; Rondeau;</p> <p>http://data2.archives.ca/e/e447/e011163878-253-v8.jpg</p>
253	<p>250</p> <p>he infers the personal danger constantly incurred by individuals living in the Indian Countries that the lives of the natives have not been wantonly destroyed - that there is an absolute necessity in many cases and thence is naturally formed the general principle on which the Traders act of holding themselves always prepared to defend by their own exertions their persons and property from attack of evry nature - This principle of self defence was also maintained by Mr. McGillivray on his examination (No. 239) when arrested by the Earl of Selkirk (his answers on which occasion have been filed by himself) and is further extended to that of retaliation; He does not however contend *25 June 1816* that this latter principle is justified by law, but says that he knows not in what other way a man is to act in a Country, that is in the state of the North West or interior Country, to protect his property - the same principle is still more unreservedly</p>	<p>McGillivray; Earl of Selkirk; 25 June 1816; personal danger; Deposition 239;</p> <p>http://data2.archives.ca/e/e447/e011163878-254-v8.jpg</p>
254	<p>251</p> <p>acknowledged in an intercepted letter from Mr. McGillivray of the 23rd July 1816 to Archibald McLellan wherein he says "wherever you go take care of yourself - firmness and decision is essential in your situation - but let not your warm temper hurry you into unnessary scrapes - we profess to act on the defensive and really do - but remember the injuries last winter sustained have been amply repaid, and that we should not attempt anything more without some fresh aggression, when no doubt retaliation should form part of your system - otherwise we cannot be respected or do justice to our rights". It might perhaps be a matter of some difficulty to determine in what degree the peculiar situation of parties in the Indian Country (where distant from the control and protection of the Law - the Traders are</p>	<p>McGillivray; Archibald McLellan;</p> <p>http://data2.archives.ca/e/e447/e011163878-255-v8.jpg</p>

255	<p>frequently compelled in their intercourse with the Indians and sometimes with each other to adopt in miniature principles which govern</p> <p>252</p> <p>independent States) may or may not render the adoption of measures of retaliation sometimes necessary, and as such more or less excusable if not justifiable, there can however be no doubt that this principle has been carried by the North West Company beyond all bounds of moderation.</p> <p>Of this various proofs will be found in their intercepted letters depositions No. 168, 218 & 240 exclusive of those which have already been extracted in the present Statement. The following additional details respecting McLeods expedition are given in the depositions filed on behalf of the Earl of Selkirk of Selkirk. Frederick D. Huerter in his deposition (No. 235) states that he and Charles Reinhard, late Sergeants in the Regiment de Meuron were engaged as Clerks in the North West Company, and before leaving Montreal, A.N. McLeod told him he must by all means take his Regimentals with him to the Indian Country saying, "We shall have occasion</p>	<p>North West Company; Earl of Selkirk; Frederick D. Huerter; Frederick Damien Huerter; Charles Reinhard; Charles de Reinhart; Regiment de Meuron; McLeod; Deposition 168; Deposition 218; Deposition 235; Deposition 240;</p> <p>http://data2.archives.ca/e/e447/e011163878-256-v8.jpg</p>
256	<p>to show a little Military practice in the interior" - that at Fort William he and Charles Reinhard were directed to go into a store and choose arms for themselves, which they accordingly did - that at Lac la Pluie he and Reinhard were told by Lieutenant Missani that it was Mr. McLeods wish that they should put on their Regimentals, which they accordingly did, and McLeod observed that Lac la Pluie was a great place of resort for Indians "and it is necessary you should all appear in regimentals to show that you belong to the King" - that at Bas de la Riviere Winnipeg he was again told by Lieutenant Missani that it was Mr. McLeods desire he should wear his uniform which he accordingly did - that at this place the men were all armed (although they shewed great reluctance thereto) and provided with ball Cartridge; and two brass field pieces (the property of the Earl of Selkirk) were embarked in a Bateau and the whole party proceeds</p>	<p>Fort William; Bas de la Riviere Winnipeg; Lac la Pluie; Indians; Earl of Selkirk; Charles Reinhard; Charles de Reinhard; Lieutenant Missani; John Theodore Missani; McLeod; Regimentals; armed men; embarked by bateau;</p> <p>http://data2.archives.ca/e/e447/e011163878-257-v8.jpg</p>
257	<p>254</p> <p>to Red River - that at the River aux Morts he and Reinhard were ordered by McLeod and Alex McKenzie told him that was the place where the arrangements were to be made for the attack upon the Colony, and on his remarking that their force was too weak to make an attack, the said McKenzie replied that they were not weak, that they there expected all the brigades from the North, that Mr. John McDonell was to come from Swan river with about forty men to form the rear guard, and that there was another McDonell to come down from Qué Appelle river with at least eighty halfbreeds who were to make the first attack on the Colony that after waiting a day or two as he believes for the arrival of the canoes expected from the North, they set out on the 23rd June without them for the Colony - that shortly after meeting with the Colonists a strict search was ordered to be made for papers among the Baggage by McLeod</p>	<p>Red River; River aux Morts; River; Qué Appelle River; Qu'Appelle River; Swan River; Colony; Red River Colony; Selkirk Colony; Selkirk Settlement; Halfbreeds; Colonists; Red River Colonists; Reinhard; Charles de Reinhard; McLeod; Alexander McKenzie; John McDonell; fur brigade; attack;</p> <p>http://data2.archives.ca/e/e447/e011163878-258-v8.jpg</p>
258	<p>255</p> <p>which was executed by himself. Charles Reinhard and other Clerks opening all trunks boxes and packages under the direction of the said McLeod and Alexander McKenzie, who took possession of all letters, papers or account books found therein - that this as he believes was done without any search warrant - that no keys being found for the trunks of the late Governor Semple, McLeod ordered them to be broken open which was accordingly done by Thomas McMurray a Clerk of the North West Company - that Lieutenant Missani and Brumby went up to Fort Douglas and returned the next day together with Mr. Alexander McKenzie - that having ordered some men to bale the water out of the boat, where the two field pieces were; Lieutenant Missani said to him in the German language "Don't uncover the Artillery we</p>	<p>North West Company; Fort Douglas; Settlers; Red River Settlers; Selkirk Settlers; Charles Reinhard; Charles de Reinhard; McLeod; Alexander McKenzie; Governor Semple; Robert Semple; Lieutenant Missani; John Theodore Missani; Charles Brumby; Thomas</p> <p>http://data2.archives.ca/e/e447/e011163878-259-v8.jpg</p>

259	<p>dont wish these people (meaning the Settlers) to see the Guns that we have with us." And on another occasion as he was setting</p>	<p>McMurray; search warrant; artillery;</p>
	<p>256</p> <p>a flint to his Gun, Lt. Missani told him, that he ought not to allow himself to be seen by the Settlers with a Gun in his hand whilst he was dressed in his uniform - that during this and the ensuing day they were joined by several other partners of the North West Company - that on the 24th Lt. Missani and Brumby set out with Mr. Hughs a partner of the North West Company for Fort William, and the Settlers were also allowed to depart - that on the 25th he proceeded to Fort Douglas with A. N. McLeod, Alexander McKenzie, James Leith, John Haldane, Hugh Gillis, Archibald McLellan, John McLaughlin, John McDonald, John Duncan Campbell, Robert Henry, John Thomson and Simon Fraser partners of the North West Company - that at Fort Douglas they were received with discharges of Artillery and small arms, the place being in possession of Alexander McDonell a partner</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-260-v8.jpg Fort Douglas; Settlers; Red River Settlers; Selkirk Settlers; Lt Missani; John Theodore Missani; Charles Brumby; Hughs; James Hughes; A.N. McLeod; Archibald Norman McLeod; John McLaughlin; John McDonald; John Duncan Campbell; Robert Henry; John Thomson; Simon Fraser; Alexander McDonell; Alexander Macdonell; Alexander McKenzie; James Leith; John Haldane; Hugh Gillis; Archibald McLellan;</p>
260	<p>257</p> <p>*25th June 1816* of the said Company, having under his command Cuthbert Grant, Alexander Fraser, Roderick McKenzie, Thomas McKay, Bostonais Pangman, Lacerte, Antoine Houle, Michael Bourassa and Montour halfbreeds, Clerks and interpreters in the employment of the Company and a great number of other halfbreeds and servants of the said North West Company that he saw McLeod and his partners take the same management and direction of the Fort, and make the same use of the property it contained as he had observed them to do at any of the posts belonging to the North West Company; that the halfbreeds were entirely under their order and control and as subservient to their commands as he had observed any other Clerks or Servants of the Company to be and on this occasion were received and treated by McLeod and his partners as faithful Servants who had rendered a most important service to the North West Company, by which they were employed</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-261-v8.jpg Nor'Westers; Halfbreeds; Cuthbert Grant; Alexander Fraser; Roderick McKenzie; Thomas McKay; Bostonais Pangman; Peter Bostonais Pangman; Pierre Bostonais Pangman; Lacerte; Antoine Houle; Michael Bourassa; Montour; Robert Bonhomme Montour; McLeod; servants; clerks; interpreters; under oath</p>
261	<p>258</p> <p>— that he saw A.N. McLeod, in presence of Alexander McKenzie, John McLaughlin and most of the partners call such of the Halfbreeds and others as were not usually at table with the partners, into a room adjoining the public apartment, where he shook them heartily one by one by the hand, gave them each a dram, expressed the happiness he felt at seeing them, and thanked them for what they had achieved and for their attachment to the North West Company—that the next day the halfbreeds and Servants of the Company were assembled behind the principal house of Fort Douglas, when the said Archibald Norman McLeod in presence of Alexander McKenzie, John McLaughlin and most of his partners above named made a speech, in which he told the halfbreeds who had been engaged in the affair of the 19th June that he was very happy to them assembled there, that they had defended themselves and their lands well,</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-262-v8.jpg Fort Douglas; Battle of Seven Oaks; Nor'Westers; Halfbreeds; A.N. McLeod; Archibald Norman McLeod; John McLaughlin; Alexander McKenzie;</p>
262		

259	<p>that the English had no right whatever to build upon their lands without their permission, that he had brought with him clothing for forty of them, that he did not expect to meet so many of them there but that the rest should receive the like articles on the arrival of the Canoes in the Fall - that he then exhorted them to continue to defend their lands and to prevent the English from coming into the river any more. - That after this Speech, the said McLeod went accompanied by Alexander McKenzie and all his partners, the halfbreeds and others on horseback to the forks, when he made a Speech through an interpreter named Joseph Primeau to two Souther Chiefs named Peguisse and L'homme noir or the Blackman, and their bands, in which he reproached them for having refused to take up arms against the Colony when called upon so to do, and for having allowed the English to take Duncan</p>	<p>The Forks; Red River; Red River Colony; Red River Settlement; Halfbreeds; Nor'Westers; Duncan Cameron; McLeod; Alexander McKenzie; Joseph Primeau; Peguisse; Peguis; Saulteaux; L'homme noir or the Blackman;</p>
263	<p>260</p> <p>Cameron and send him away prisoner; that he called them a Band of dogs, and threatened to punish them very severely, if they ever dared to befriend the English again. Pambrune in his depositions (Nos 172 & 173) states that at this period he saw the same Partners as mentioned by Huerter at Fort Douglas with the exception of Robert Henry and John Thomson and he adds the names of Thomas McMurray a partner or Clerk and Allan McDonell then a clerk now a partner, as also in his first deposition (apparently by mistake) that of James Hughes - he further states that he saw the whole of the Partners go to the Council held with the Halfbreeds, to whom McLeod made a speech and gave presents, but that he was stopped as he was going to the Assembly - that when the Partners were assembled at table he has at different times heard several of the Halfbreeds mention their having killed and assisted</p>	<p>Fort Douglas; Halfbreeds; Duncan Cameron; Pambrune; Pierre-Chrysologue Pambrun; Frederick Damien Huerter; Robert Henry; John Thomson; Thomas McMurray; Allan McDonell; James Hughes; McLeod; Council; Assembly; prisoner; Deposition 172; Deposition 173;</p>
264	<p>in killing the Colonists, and that the partners always expressed themselves pleased with what had been done, and that he has also at different times heard evry one of the Partners mentioned by him express his approbation of the conduct of the Halfbreeds towards the Colonists and their own satisfaction at being in possession of the Fort, and he further deposes positively that Alexander McDonell being absent at the time of the attack upon the Colony of Red river, wherein Governor Semple and many of the Colonists were killed and whereby the said Colonists were driven away from Red river did yet procure Counsel and abet the same before the fact and that the same Alex McDonell and the other partners of the N.W. Company named by him, together with John Seivereight and Seraphim Lamar, knowing of the said attack upon the Colony, the death of the said Semple and the Colonists and the expulsion</p>	<p>evry and Counsel are as written.</p> <p>North West Company; N.W. Company; Nor'Westers; Red River; Fort Douglas; Red River Colony; Selkirk Settlement; Battle of Seven Oaks; Halfbreeds; Colonists; Alexander McDonell; Alexander Macdonell; Governor Semple; Robert Semple; John Seivereight; John Severight; Seraphim Lamar; killing the Colonists; expulsion of the Colonists;</p>
265	<p>262</p> <p>of the Colony did shortly after the said facts, and knowing the same to have been committed, approve of encourage, relieve comfort and assist the said Halfbreeds and Canadian Servants who had declared themselves to have committed the aforesaid crimes - He further states that having been taken down against his will to Fort William instead of being allowed to go to Jack river after the Colonists, he saw there several of the Halfbreeds and Canadian Servants of the North West Company, who had acknowledged in his presence, that they were concerned in the attack upon the Colony, and in killing the said Govenor Semple, and the Colonists; and that some of those who had been engaged in the said attack against the Colony, and who had not received presents at Red river, received at Fort William aforesaid presents of clothing of</p>	<p>North West Company; Fort William; Red River; Jack River; Norway House; Colony; Red River Colony; Selkirk Colony; Selkirk Settlement; Battle of Seven Oaks; Halfbreeds; Canadian; Governor Semple; Robert Semple; gifts; good conduct at Red River;</p>

the same description as those given at Red River, and informed him that the same was extraordinary allowance given for their good conduct at Red river

266

263

and bestowed only upon those present on that occasion - Augn Lavigne, Moustache Beautino and Jos. Pelletier; in their depositions (No. 229, 230, and 231) speak of the presents made to the Halfbreeds by McLeod and of his having made them a speech, the substance whereof as far as stated by, them agrees pretty nearly with what is stated by Huerter - Joseph Pelletier dit Assiniboine adds also that he is very certain McLeod thanked them in the name of Government for what they had done and stated that two officers of Government had come up to see what had taken place, and these officers - allowed they were right to defend their lands and that he further told them they were to remain in order to prevent Colonists from returning and that they would on that account be exempt from their usual voyage to Fort William on arrangement which it appears by the intercepted letters by *23 June 1816* Cuthbert Grant and Alexander McDonnell extracted by Colin Robertson in his deposition No. 167 was by them

Red River; Fort William; <http://data2.archives.ca/e/e447/e011163878-267-v8.jpg>
Halfbreeds; Colonists; Red River Colonists; Selkirk Colonists; Jos. Pelletier, Joseph Pelletier; Joseph Pelletier dit Assiniboine; Cuthbert Grant; Alexander McDonnell; Colin Robertson; Augustin Lavigne; Moustache Beautino; McLeod; Huerter; Frederick Damien Huerter; Deposition 167; Deposition 229; Deposition 230; Deposition 231;

267

264

contemplated as early as March preceding.— Pelletier further deposes to the reproaches made by McLeod to the Saulteur Indians and to his taking from them a barrel of Gunpowder and bag of shot which they had received as presents from Governor Semple. These depositions, though with some modification, are for the most part confirmed by those filed on the opposite side - Seraphim Lamar in his deposition (No. 161) speaks of the dresses distributed by McLeod amongst the halfbreeds, but says that it was not as an extraordinary recompense for the battle, but given to those who wanted clothes, the equipments of Clothes not having been furnished regularly the year before, from the disturbed state of the Country. He mentions also the general meeting of the Halfbreeds with McLeod, but says it was for the purpose of his reading to them the answer of the Gentlemen of the North West Company at Montreal, to the latter which the halfbreeds had written to them in 1815, in order they should present a request

Saulteur=Saulteaux

North West Company; <http://data2.archives.ca/e/e447/e011163878-268-v8.jpg>
Montreal; Battle of Seven Oaks; Halfbreeds; Saulteur Indians, Saulteaux Indians; Seraphim Lamar; Governor Semple; Robert Semple; Pelletier; Deposition 161;

268

265

in their name to the Governor in Chief, that they might not be molested in the enjoyment of their Lands. Cuthbert Grant in his deposition (No. 216) states also that after the first expulsion of the Colony in 1815 an express had been prepared to the Governor of Lower Canada on behalf of the halfbreeds to enquire of Govt whether Captain Miles McDonell who called himself Governor, had any authority over them, or the Indians, of whom four signed the said address or any right to possess himself of the lands and deprive them of their accustomed rights, in order that if it was so the Halfbreeds might withdraw themselves to the Missouri and trade with the Americans there; that a letter was also written about the same time to Agents of the North West Company of Fort William to enquire their opinion as to the pretended rights of the said Colony over the lands of Red river - that to this letter an answer was given verbally by Mr. Archibald

North West Company; <http://data2.archives.ca/e/e447/e011163878-269-v8.jpg>
Red River; Fort William; Colony; Red River Colony; Halfbreeds; Indians; Cuthbert Grant; Governor of Lower Canada; Miles Macdonell, Captain Miles McDonell; the Missouri, Missouri River; Americans; Archibald Norman McLeod; rights; Deposition 216;

269

266

Red River; Archibald Norman McLeod; The <http://data2.archives.ca/e/e447/e011163878-270-v8.jpg>

Norman McLeod at the Forks of the Red river on the present occasion to the effect that the Colonists had a right over the lands and still less to deprive the Halfbreeds of their accustomed rights therein, and that with respect to the address to Government he has enquired, but could never obtain any satisfactory information -

Alexander McDonell the Colony Sheriff, John Pritchard, Donald McKay, Paterick Corcoran, Michael Hayden, and John Bourke in their (Deps. No. 195, 187, 193, 237, 189, 190 & 201) detail various circumstances of hardships and violence, to which themselves and the other Settlers were exposed on meeting Mr. McLeod: in addition to the circumstances stated by Huerter, Alexander McDonell deposes, that he was required to make an oath, that he himself would never return to Red river, nor those under his charge, but that positively refusing, he was ultimately allowed to go free with the remainder

Forks; Red River;
Colonists; Red River
Colonists; Selkirk
Colonists; Selkirk Settlers;
land rights; Halfbreeds;
Alexander McDonell;
Alexander Macdonell;
John Pritchard; Donald
McKay; Patrick Corcoran;
Michael Hayden; John
Bourke; McLeod; Huerter;
Frederick Damien
Huerter; Deposition 195;
Deposition 187;
Deposition 193;
Deposition 237;
Deposition 189;
Deposition 190;
Deposition 201;

270

267

25 June 1816 of the people - also that McLeod having taken amongst other papers the Colonial account Book he requested him to restore it, as the same could be of no service to him, whereupon he answered, it is of no service to me, but I will keep it to distress you - Pritchard, McKay, Corcoran, Hayden and Bourke concur in stating that they were all made prisoners - it does not however appear that at Fort William they were treated as such, with the exception of Bourke and Hayden; the former of whom states that on leaving Bas de la Riviere, he was put in irons and that all his clothes were taken from him together with his watch and a pocket case of Mathematical instruments; and that in this situation he was placed on the top of the baggage in the Canoe, without any any attention being paid to his wound and he was conveyed to Fort William, where he was confined during twenty days in a close prison - Hayden

Fort William; Bas de la Riviere; McLeod; John Pritchard; McKay; Patrick Corcoran; Michael Hayden; Michael Heyden; John Bourke; prisoners; prison; return of property;

<http://data2.archives.ca/e/e447/e011163878-271-v8.jpg>

271

268

states that during the first ten days after his arrival at Fort William he was allowed to walk freely about, but was afterwards confined in consequence, he believes, of a communication made by him to one Chatelain herein before mentioned, having subsequently to his visit been committed to prison after a very slight enquiry, in which he acknowledged being present at the capture of Mr. Cameron's Post; and on his remonstrating with Mr. McGillivray for confining him whilst Corcoran and McKay, who had been in the same business were left at liberty, he was answered by that Gentleman, that he had shewn himself of late a bitter enemy to the North West Company - Pritchard states that on meeting McLeod's party, Mr. Hughes asked them "Where is that fellow Semple" to which Mr. Sheriff McDonell replied he is dead, the same circumstances is confirmed by Corcoran and

North West Company; Red River; Fort William; Fort Gibraltar; Chatelain; Cameron; McGillivray; Patrick Corcoran; McKay; John Pritchard; McLeod; James Hughes; Semple; Robert Semple; McDonell; Sheriff McDonell; prison; confined; capture of Mr. Cameron's post;

<http://data2.archives.ca/e/e447/e011163878-272-v8.jpg>

272

269

Hayden who likewise mention Robertson's being asked for and as Hayden states in the opprobrious terms, whether "the Rascal and scoundrel Robertson was in the boats" - Pritchard further states that the tent into which he was put was guarded by Sergeant Reinhard and another Sergeant both late of the De Meuron's Regiment - that one of them told him they no longer belonged to the said regiment, but were Clerks in the Service of the North West Company, but that he must keep that a secret; by which he understood that the

tag for De Meuron's? Regiment

North West Company; Nor'Westers; De Meuron's Regiment; De Meuron Regiment; Indians; Natives; English officers; Michael Hayden; Michael Heyden; Colin

<http://data2.archives.ca/e/e447/e011163878-273-v8.jpg>

273	<p>objects of their employers was to induce the Indians and people of the Country to believe that these sergeants were still in the Kings Service, and that the North West Company had the sanction of Government for their proceedings; a belief into which he himself was for a time almost misled from seeing the said Sergeants, some privates and two officers in the English uniform amongst</p>	<p>Robertson; John Pritchard; Sergeant Reinhard; Charles de Reinhard; clerks; guards; misleading; the King's service;</p>
274	<p>270</p> <p>the North West Company's people - that at Riviere aux Morts he was examined by Mr McLeod in presence of Messrs Leith, McLellan and McMurray his partners, when Mr Leith put into his hand a note stating that if he gave information he should no be prosecuted as principals could not be admitted as evidence; whereupon he told the said McLeod that he did not wish to hide anything - that William Shaw with his party of Halfbreeds was with McLeod at Riviere aux Morts and that after McLeod's return Primeau one of the most violent of the Halfbreeds concerned in the Massacre was placed as guard over a Bateau which conveyed three of the prisoners to Bas de la Riviere whilst himself and Corcoran were conveyed in canoe guarded by Reinhard; that at Bas de la Riviere a party of halfbreeds put irons upon the hands of Bourke saying they did it of their own accord as a punishment for his treatment of Mr D. Cameron of the North West Company but that it could scarcely</p>	<p>North West Company; Bas de la Riviere; Riviere aux Morts; Nor'Westers; Halfbreeds; McLeod; Leith; William Leith; McLlland; Thomas McMurray; William Shaw; Primeau; Patrick Corcoran; Charles de Reinhard; John Palmer Bourke; Duncan Cameron; massacre;</p>
275	<p>271</p> <p>have been done without the sanction of the partners of the North West Company and its cruelty was much agravated by Bourke being thereby disabled from dressing a wound, which he had received at Red river and which was still still in a bad state; that from Bas de la Riviere he himself was conveyed part of the way under the guard of Fraser the Halfbreed Chief, who had been one of the Commanders at the Massacre - that whilst at Bas de la Riviere intelligence being bought, that Miles McDonell was coming in from Canada. Some cannon of which the convoy had been deprived by the North West Company, was planted there under the superintendence of Sergeant Reinhard by order of Archibald McLellan, a partner of the North West Company so as to command the navigation of the river.</p> <p>Corcoran, Hayden and Bourke all concur in accounts of the marked attention with</p>	<p>North West Company; Red River; Bas de la Riviere; Halfbreeds; John Bourke; Fraser; Fraser the Halfbreed Chief; Miles McDonell; Miles Macdonell; Sergeant Reinhard; Charles de Reinhard; Archibald McLellan; Patrick Corcoran; Michael Hayden; Michael Heyden; command navigation; river;</p>
276	<p>272</p> <p>which the Halfbreeds were treated by McLeod and his partners, and of their being employed to guard themselves as prisoners. Corcoran also states that he was informed by one Edward Kane that the Halfbreeds had scalped Governor Semple and had given his scalp to Archd Norman McLeod who had it then in his possession. Hayden further states that McLeod questioned him as to the particulars of what had happened at Red River and after hearing them, said they were all lies, and that he would have him taken to Fort William and put in irons to make him tell the truth - and that at the period the Settlers were detained by McLeod during two days, they had not provisions sufficient for a quarter part of their journey to Hudson's Bay. On the last fact, it may however be proper to observe on my own knowledge that from the abundance of fish</p>	<p>Hudson's Bay; Red River; Fort William; Battle of Seven Oaks; Settlers; Red River Settlers; Selkirk Settlers; Halfbreeds; McLeod; Patrick Corcoran; Edward Kane; Governor Semple; Robert Semple; Archibald Norman McLeod; Hayden; Michael Hayden; Michael Heyden; prisoners; scalped;</p>
276	<p>273</p> <p>at that season, there could not be any material danger of famine. As also with regard to the statement made by Kane respecting Governor Semple's having been scalped, that it is</p>	<p>Red River Settlement; Fort Douglas; Kane; Governor Semple; Robert Semple; Semple scalped; Bourke;</p>

<p>supported by no other evidence whatsoever, altho' it is very improbable if such had been the fact, that it should not have been remarked by those who buried the body.</p> <p>In Bourke's deposition speaking of the conversation overheard by him as herein before mentioned, he further states that Alexander McDonell asked McGillis who had come up with Mr McLeod, what his plan for the destruction of the Settlement at Red River had been: that McGillis answered that his plan was to attack the Fort (meaning Fort Douglas) immediately to which the said Alexander McDonell replied "if you had they would have killed one half of you" - that the said McGillis asked Alex. McDonell what had</p>		<p>John Palmer Bourke; Alexander McDonell; Alexander Macdonell; Hugh McGillis</p>
<p>277</p> <p>274</p> <p>been his plan, to which the later answered; *25 June 1816* it was to starve the Fort (meaning Fort Douglas) as they (meaning the persons in the Fort) had only four bags of Pemican. This conversation has been much dwelt upon on behalf of the Earl of Selkirk as proving the hostile intentions of the party with McLeod; these are however still more clearly acknowledged in the intercepted letter of Robert Henry one of the partners who accompanied McLeod from Montreal filed before me (Dep. No. 218) in the following terms - "I thank Providence that the Battle was over before we got there, as it was our intention to storm the Fort; our party consisted of about 100 men, 70 firearms and two field pieces; they were fortified with several pieces of Artillery and no want of Grape and Cannister shot with Cannon Ball and 200 Muskets with about 60 men; what our success might have been I will not pretend to say, but many of us might have fell</p>		<p>Fort Douglas; Battle of Seven Oaks; Earl of Selkirk; McLeod; Robert Henry; use of starvation; pemmican; Deposition 218;</p>
<p>278</p> <p>275</p> <p>in the contest, as I imagine they would not have come out to attack so strong a party as they did the Halfbreeds". The declaration made to the Indians at Lac la Pluie previous to the party having received intelligence of the final destruction of the Post or the sending off to Hudson's Bay of Duncan Cameron are stated by John Charles Sayer the North West interpreter who spoke for McLeod on the occasion (in his Dep. 238) to have been, "that they were going to Red river to try to recover there Fort and to rescue Mr. Cameron and would be glad if the Indians would follow them, adding that they did not go as fighting characters, but they were told that Guns were placed to prevent them from passing and that if they were attacked they must defend themselves; also that they had expressed a wish to have some of the Kings Officers to accompany them who were accordingly present, upon this a Chief who had been previously spoken to.</p>		<p>North West Company; Red River; Lac la Pluie; Halfbreeds; Indians; Duncan Cameron; John Charles Sayer; interpreter; McLeod; Kings Officers; Deposition 238;</p>
<p>279</p> <p>276</p> <p>answered in the name of the rest of the Indians expressing their attachment to the Traders of the North West Company and that they were ready to go wherever they desired them; He observes also that the expressions he was instructed to use in his speech were such as the Indians would certainly understand as implying an instruction to go to war against the opponents of the North West Company - Baptiste Logimmoniere, Jasinte Leger dit Parisien and Bellamie Marie in their Depositions (Nos. 233 & 234) details the particulars of the robbery of the express for the Red river in charge of the former, and state various circumstances of violence as well as of the plunder of their personal effects with which it was accompanied - John Allan annexed to his deposition (No. 280) and extract of the order, marked P. sent by A. N. McLeod for the seizure of the express in Logimmoniere's</p>		<p>North West Company; Red River; Nor'Westers; Indians; Baptiste Logimmoniere; Jean-Baptiste Lagimodiere; Bellamie Marie; John Allan; Jasinte Leger dit Parisien; A. N. McLeod; Archibald Norman McLeod; robbery; express canoe; plunder; Deposition 233; Deposition 234; Deposition 280;</p>
<p>280</p> <p>277</p> <p>*25 June 1816* care; which concludes with this remark - "it was a matter of astonishment to many, how he could have made his way last fall through Fond du Lac department - this no</p>		<p>Fond du Lac; Red River; Red River Department; Battle of Seven Oaks; Halfbreeds; Fond du Lac</p>

281	<p>doubt you will be able satisfactorily to explain" - Mr. Allan annexes also a Copy of the letter marked Q sent at the same time by A. N. McLeod, Robert Henry, and John McLaughlin to Messrs. Grant, Morrison and Roussin to induce as many of the Fond du Lac Indians, as they could to meet the party under McLeod at Red river.</p> <p>He also annexes the Copy of a List marked S. containing the names of a number of Halfbreeds who had received habilliments at Red river in the month of June, a few days after the death of Governor Semple and his party which names are ticked off, the same list contains also the names of fourteen others which have not been ticked off. He also states that twenty bales intended for the Red river department were dis-</p>		<p>Indians; Robert Henry; John McLaughlin; Governor Semple; Robert Semple; A.N. McLeod; Archibald Norman McLeod; Grant; Morrison; Roussin; Halfbreeds receiving rewards;</p>
282	<p>covered at Fort William; which contained suits of clothing or habilliments destined for the Halfbreeds who had assisted in the destruction of the Colony, and who were designated in one of the North West Company's books by the name of the "Cossacks" and on other occasions by that of the "Bois Brule Rangers" and that the number of habilliments was thirteen, and that one of them is expressly mentioned to be for Lacerte, one of the Brulés, whose name is not ticked off in the list. He further adds that he has understood from the Servants of the North West Company that the term "habilliments" is distinguished from the term "Equipments" the latter importing clothing received as part of the regular wages and payments of most of the Servants, and the former a reward or donation over and above such regular wages given to the best Servants or in token of particular gratitude and approbation of services</p>		<p>North West Company Fort William; Cossacks; Halfbreeds; Bois Brulé Rangers; Lacerte; Habilliments defined vs. Equipments</p>
283	<p>rendered - Cuthbert Grant in his Deposition No. 216 states also the distribution of a quantity of habilliments amongst the halfbreeds in June 1816. but mentions Alexander McDonell, as the person who distributed them (probably however acting under the orders of McLeod). He states also that the terms habilliments and equipments are well known in the Indian Country, the former meaning a Suit of Clothes, and the latter the annual supply of Clothing given to a Servant, which varies according to his Station, the Superior Clerks having two or three habilliments and the common Voyageurs only blankets and some other articles of trifling value. Alexander McDonell in his intercepted letter to Archibald McLellan of 30 July 1816 filed before me (Dep. 335) states that he sends by Mr. Hughs for Lacerte and Band, two Gallons shrub 10 Cock feathers, and ten tinsel Tassels and adds the difficulty seems to be in getting</p>		<p>Indian Country; Battle of Seven Oaks; Halfbreeds; Cuthbert Grant; Alexander McDonell; Alexander Macdonell; McLeod; Archibald McLellan; Hughes; James Hughes; Lacerte; Voyageurs; clothing rewards; Deposition 216; Deposition 335;</p>
284	<p>men, "Goods we could get to satisfy all hands," Louis Blondeau in his depositions mentioned No. 170 & 171, states his having seen at Bas de la two of the party sent by John D. Campbell from Fort Cumberland to Red river the Spring preceding who shewd him the articles received by them as a recompense for their services, which the said Archibald Norman McLeod had given them from the Colony stores consisting of an habilliment and some smaller articles of dress, exclusive of two sheep, which one of them said he was to have for his share. Francois Eno dit Delorme in his deposition No 113 speaks of considerable promises of rewards, which the halfbreeds told him, had been made to them - J.B. Marsellois already mentioned as one of the halfbreeds present at the Affray of the 19th June 1816 in his deposition (No. 206) states that he understood from McLeods speech that the North West Company</p>	<p>Images out of order - the next manuscript pp. 281 and 282 are currently in images 287 and 288.</p>	<p>North West Company; Fort Cumberland; Red River; Bas de la Riviere; Battle of Seven Oaks; Halfbreeds; Louis Blondeau; John D. Campbell; John Dugald Campbell; Archibald Norman McLeod; Francois Eno dit Delorme; Francois Henault dit Delorme; J.B. Marsellois; Jean-Baptiste Marcellais; rewards; Deposition 113; Deposition 170; Deposition 171; Deposition 206;</p>

283	<p>who recounted to him what passed at the affair of the 19th at which he appeared to laugh, and that he heard him ask which of them had fired and that he seemed to approve of those who had done so and to blame the others - afterwards he told them that Lord Selkirk was coming up with twelve Soldiers and an Officer, which he had obtained with great difficulty, and that the Soldiers had orders not to interfere in the disputes of the Country, but merely to be a body guard to his Lordship; that on their side they had also two officers; who were come up to see what took place; that the halfbreeds replied if there were only twelve Soldiers they would soon be driven away - that on the same day the said McKenzie arrived, himself and the other Clerks of the Hudson's Bay Company were ordered to leave Red river, and that it was with difficulty he obtained a passage in the North West Company's Canoes in place of going to the Bay - that when at Bas de la</p>		<p>Hudson's Bay Company; North West Company; Red River; Bas de la Riviere; Hudson's Bay; Battle of Seven Oaks; De Meuron Regiment; Lord Selkirk; McKenzie;</p>	<p>http://data2.archives.ca/e/e447/e011163878-285-v8.jpg</p>
285	<p>284</p> <p>Riviere Winnipeg, he had seen them practice the use of Cannon, and that a platform was prepared by Reinhard for the purpose of sinking any of his Lordships Canoes, that might endeavour to pass. Huerter in his Deposition (No. 235) further details the particulars of a visit made by him on the 26th June in company with A. N. McLeod, McKenzie, McDonell, McLaughlin, Leith, Campbell and McLellan with the halfbreeds and other Servants of the Company, to the field where the Affray of the 19th June had taken place - that he there "saw the spectacle of a number of human bodies scattered about the plain and nearly reduced to skeletons, there being very little flesh adhering to their bones," and that he was informed on the spot that many of the bodies had been partly devoured by dogs or wolves - that this spectacle at which he was greatly shocked was viewed with every mark of satisfaction and even of exultation</p>		<p>Bas de la Riviere Winnipeg; Battle of Seven Oaks; Charles de Reinhard; Frederick Damien Huerter; A. N. McLeod; Archibald Norman McLeod; McKenzie; McDonell; McLaughlin; Leith; Campbell; McLellan; bodies; devoured by dogs or wolves; Deposition No. 235;</p>	<p>http://data2.archives.ca/e/e447/e011163878-286-v8.jpg</p>
286	<p>281</p> <p>would recompense them for what they had done - Louis Nolin in his deposition No. 210 states that in conversation with some of the halfbreeds immediately after their taking possession of Fort Douglas, who having drunk a good deal, were very talkative; he remarked that they had done an action which might have very serious consequences for themselves, to which they answered, that they should be supported by the North West Company as long as it stood - they spoke also of the rewards they expected from them saying that if they did not fulfil what had been promised, they would do as much to them - that they had no positive promises of what they were to have, but expected much. From the whole testimony it appears nearly certain that the rewards given consisted of an habillment or suit of clothes to each with probably some treats and other trifles, and that these were given to all who had assembled at Red river, whether present in the Affray of the 19th June or not; for in the list found at Fort William of those who</p>	<p>Images out of order - images 287 and 288 (pp. 281 and 282 of the manuscript) should follow image 284.</p>	<p>North West Company; Red River; Fort Douglas; Fort William; Battle of Seven Oaks; Halfbreeds; Louis Nolin; rewards; Deposition No. 210;</p>	<p>http://data2.archives.ca/e/e447/e011163878-287-v8.jpg</p>
287	<p>282</p> <p>had received habillments at Red river the names of Bostonois and Montour two of the principal halfbreeds are both included, although they are known to have been at the Portage des Prairies at the time of the action, it appears also probable that such of the halfbreeds as were not under regular engagements to the Company, who assembled at Qué Appellé and stayed for the purpose of assisting to guard the North West Posts during the Summer, had the same wages allowed them, as if they had performed the customary voyage to Fort William and back again. - Nolin in his deposition further states, that in all his conversations with the Halfbreeds, they appeared determined to allow him and the other Clerks of the Hudson's Bay Company to remain, saying that they desired Traders on both sides; but would</p>	<p>Images out of order - images 287 and 288 (pp. 281 and 282 of the manuscript) should follow image 284.</p>	<p>Hudson's Bay Company; North West Company; Fort William; Qué Appellé; Qu'Appelle; Portage des Prairies; Portage la Prairie; Colonists; Traders; Halfbreeds; Bostonois; Peter Pangman dit Bostonnais; Montour; Alexander McKenzie; Nolin</p>	<p>http://data2.archives.ca/e/e447/e011163878-288-v8.jpg</p>

have no Colonists on their Lands - that the first or second day after the departure of the Colonists, Mr. Alexander McKenzie arrived at the Fort with two Officers, who walked out on the plains, whilst Mr. McKenzie spoke with the halfbreeds

288

285

"by the persons by whom he was accompanied on this occasion - that all were laughing heartily at the jests, which each strived to pass, that the halfbreeds were eagerly contending to point out to the approbation of their masters the partners of the North West Company aforesaid, the particular feats on the 19th June which were listened to with pleasure and answered with praise - that Alexander McDonell especially praised to McLeod and his other partners aforementioned, an old Canadian named Francois Deschamps, as a person who had distinguished himself by his zeal in their Service, that the said Deschamps is generally reputed and believed to have perpetrated acts of cruelty in murdering the wounded, when calling for quarter, and that in recounting the deeds of this man to his partners, the said McDonell remarked what a fine vigorous old man he was".

Huerter further states that on the 19th of 20th of July as he was returning from Frog plain to Fort Douglas

289

286

by land with Daniel McKenzie, Cuthbert Grant and Alexander Fraser, the two latter pointed out to McKenzie "the places where the Colonists had been killed on the 19th June, and the remains of the slain which were still unburied, no order having been given for that purpose by any of the sixteen or eighteen partners of the North-West Company above named who had been at the place, and he states from his own knowledge, that the bones remained disinterred the whole Summer and Winter, when after the Snow was melted, they were committed to the ground by some of the Settlers who returned from Jack River." It seems proper however to observe, after stating this account at length, that a part of the details appear inconsistent with the statements in other depositions. It has been already mentioned that Nolin in his deposition No. 210, states that Cuthbert Grant told him the morning of the battle that the Colonists ought

290

257

to bury the bodies and that they need not fear any injury while so employed. Alexander McDonell the Colony Sheriff in his deposition No. 195, states that he caused nine of the bodies including those of the Officers to be brought in for interment the day after the battle, and the ensuing day sent out a party of the Settlers and Servants to bury the remainder - Alexander McBeath and Alexander Sutherland, two of the persons so employed, state in their depositions (No. 197 & 200) that the bodies were actually buried, except that of one man, whom the latter states from report to have been afterwards buried either by the Indians or Halfbreeds; he adds however that owing to the confusion the bodies were not buried more than two feet deep, and as he has understood, were afterwards torn up by the dogs and many of their bones found scattered on the plains this Spring when they were reburied. John Seiveright in his Depn. No. 159,

291

288

states that he was at Fort Douglas from about the 24th to the 30th of June and that shortly before his departure he went to visit the ground where the unfortunate encounter took place on the 19th June in Company with Cuthbert Grant; when they perceived that a part of one of the bodies of those slain was in some degree exposed owing to the dogs or wolves having torn up the ground - that this was observed towards evening and that he was informed and

North West Company; <http://data2.archives.ca/e/e447/e011163878-289-v8.jpg>
Frog Plain; Fort Douglas;
Battle of Seven Oaks;
Halfbreeds; Canadian;
Alexander McDonell ;
Alexander Macdonell;
McLeod; Francois
Deschamps; Huerter;
Frederick Damien
Huerter;

North-West Company; <http://data2.archives.ca/e/e447/e011163878-290-v8.jpg>
Jack River; Battle of Seven
Oaks; Colonists; Settlers;
Selkirk Settlers; Daniel
McKenzie; Cuthbert
Grant; Alexander Fraser;
Nolin; bones; remains;
burials; Deposition 210;

Battle of Seven Oaks; <http://data2.archives.ca/e/e447/e011163878-291-v8.jpg>
Alexander McDonell;
Colony Sheriff; Settlers;
Servants; Halfbreeds;
Indians; Alexander
McBeath; Alexander
Sutherland; John
Seiveright; John Severight;
interment; bodies;
reburials; Deposition 159;
Deposition 197;
Deposition 200;

Fort Douglas; Battle of <http://data2.archives.ca/e/e447/e011163878-292-v8.jpg>
Seven Oaks; John
Seiveright; John Severight;
Cuthbert Grant; Antoine
Peltier; Antoine Pelletier;
Seraphina Lamar;
McLeod; reburial; wolves;

believes that the ensuing morning Antoine Peltier was sent out to cover the said body; and he further says that he did not on any other occasion hear of any other bodies having been exposed for any cause, or in any manner whatever, and that he believes the same could scarcely have occurred without his having heard thereof - Seraphina Lamar in his Deposition (No. 161) states that to the best of his recollection he visited the field of battle the day after McLeods departure, (which by other evidence

Deposition 161;

292

289

appears to have been the 28th June) and observed that the bodies were all buried, but saw no corpse exposed that passing the place some days afterwards he remarked some bodies unburied, and in consequence sent Antoine Peltier and Maron Ducharme to bury them - Ant. Peltier in his Deposition No. 232, states that in the month of June 1816 he passed the place, where the persons who were killed in the action of the 19th June were buried; that they were very very badly buried, so much so that the clothes of some of them were still visible through the turf, which was sparingly thrown over them - that one of the bodies was nearly uncovered and appeared to have been eaten by wolves or dogs, in consequence of which he went to acquaint Mr. Cuthbert Grant with the circumstance - that he understood the bodies had been buried by the Colonists, and that he had previously seen the body of one of the said Colonists who had been drowned a short

Battle of Seven Oaks; <http://data2.archives.ca/e/e447/e011163878-293-v8.jpg>
Colonists; Cuthbert Grant;
Antoine Peltier; Antoine
Pelletier; Maron
Ducharme; killed in
action; bodies; burials;
bodies eaten by dogs;
Deposition 232;

293

290

time before the said action eaten in like manner by wolves or dogs in consequence of being badly buried on the beach, where he was found - that on hearing that the said bodies were exposed as aforesaid the said Cuthbert Grant sent one Maron Ducharme together with himself with directions to bury them properly which was accordingly done.

Frog Plain; Battle of Seven <http://data2.archives.ca/e/e447/e011163878-294-v8.jpg>
Oaks; Cuthbert Grant;
Maron Ducharme;
Huerter; Frederick
Damien Huerter; battle;
bodies;

From the whole of this concurrent testimony it is scarcely possibly not to suspect Huerter in stating what passed on his visit to the field of battle has been led into considerable exaggeration, a circumstance which tends in some degree to weaken the confidence to be placed in his general testimony, where not supported by other evidence; more particular so when joined to the consideration of his not only having left the Service of one party, but become an open and active partizan of the other; and having a direct interest to depreciate the characters of his late employers, in as much

294

291

25 June 1816 as the proof of the illegality of the commands given him by them, must be the justification he will necessarily attempt, in case of any civil suit against him for the breach of his contract; and also to that of his having according to his own avowal (Dep. 235) received at Bas de la reviere a trunk and writing desk sent to himself by Charles Reinhard to take care of, and this without making any difficulty, except from the circumstance of the trunk being open; although he observed the name of Keveny on the desk and suspected that something had happened to him.

On the 13th August 1816 The following persons either actually or heretofore partners of the North West Company viz. Wm. McGillivray, Kenneth McKenzie, Alexander McKenzie, John McLaughlin, John McDonald, Hugh McGillis, Simon Fraser, Allan McDonell and Daniel McKenzie were arrested at Fort William, in virtue of warrants from the Earl of Selkirk; no copies of these warrants have been filed before me, but it is well known

North West Company; <http://data2.archives.ca/e/e447/e011163878-295-v8.jpg>
Fort William; Bas de la
riviere; Charles Reinhard;
Charles de Reinhard;
William McGillivray;
Kenneth McKenzie;
Alexander McKenzie; John
McLaughlin; John
McDonald; Hugh McGillis;
Simon Fraser; Allan
McDonell; Daniel
McKenzie; Earl of Selkirk;
Keveny; Owen Keveny;
civil suit; breach of
contract; arrests;
warrants; trunk; writing
desk; Deposition 235;

295

292	<p>that they were issued on the charges of conspiracy, treason and being accessory to murder.</p> <p>By a letter addressed to the Attorney General of Upper Canada on the 21st August 1816, whereof a Copy has been filed before me by John Allan, Deposition No. 280 marked H) it appears that the Earl of Selkirk adopted these proceedings chiefly on the Depositions of P.C. Pambrum, Augustine Lavigne, and Louis Blondeau sworn before his Lordship; of these Copies have been filed before me No. 172, 170 & 221, and have already been herein before referred to; these Depositions his Lordship states were conceived by him quite sufficient to justify his refusal to admit any one of the gentlemen to bail; his Lordship however further transmitted with his letter to the Attorney General the additional depositions of Louis Nolin, Joseph Brisbois and C.G. Bruce, a copy of the first has been filed before me, Deposition 209, and those of the two last (which are not very material)</p>	tag for	<p>P. C. Pambrum; Attorney General of Upper Canada; John Allan; Earl of Selkirk; Augustine Lavigne; Louis Blondeau; conspiracy; Louis Nolin; Joseph Brisbois; C.G. Bruce; August 1816; treason; conspiracy; murder; bail; Deposition 170; Deposition 172; Deposition 209; Deposition 221; Deposition 280;</p>
296	<p>293</p> <p>may be found by reference to the appendix to the "Statement" pages 65 to 69 - From the concurrent evidence of these Depositions his Lordship states it to appear that the halfbreeds who perpetrated the murder of the 19th June, were in very great part at least, probably almost all Servants in the regular pay of the North West Company - That early the preceding Winter preparations had been made at the different trading posts of the North West Co'y even at those which were very remote from the Red river to collect the body of men by whom these murders were committed - that a very few days after the massacre Mr. McLeod one of the principal Agents of the North West Company made presents to the murderers assembled in full Council, and in presence of many of his partners, addressed them as friends who had rendered an important service to the Company - and that most of the Gentlemen sent down as prisoners were then on the spot. His</p>		<p>North West Company; the "Statement"; Red River; McLeod; murders; prisoners</p>
297	<p>294</p> <p>Lordship further states that in their examinations all the Gentlemen pleaded ignorance of these transactions but that it was impossible to listen to such an excuse in the mouth of those who were at the Red river with Mr. McLeod when he made presents to the murderers in the name of the Company and equally so in the case of Messrs William McGillivray and Kenneth McKenzie, the principal Agents of the Company, under whose direction evrything is conducted at Fort William; as the papers secured *13 Aug 1816* at that place contained, his Lordship states evidence, that the promises made by Mr. McLeod to the Brulés immediately after the massacre had been since fulfilled, or at last provided for at the expense of the Company; and that among the Goods found packed up inventoried and ready to be sent to Red river, there were equipments of clothing and supplies of various kinds for almost evry one of the murderers, besides a number of habilliments</p>		<p>North West Company; Red River; Fort William; Brulés; Bois Brulés; Halfbreeds; McLeod; William McGillivray; Kenneth McKenzie; murderers;</p>
298	<p>295</p> <p>evidently intended for those individuals, who had not been supplied at McLeods distribution, that it was impossible to believe this had been done without the consent and approbation of the Agents, and their being informed of the promises made by their Colleague McLeod, for the fulfilment whereof goods were taken out of the warehouses situated immediately under their eye and completely under their control - that another excuse which had been framed, was that the Halfbreeds were not the aggressors in the battle (as it was called) of the 19th June, but that Governor Semple wantonly and without provocation went out into the plains</p>		<p>Battle of Seven Oaks; McLeod; Agents; Halfbreeds; Brules; Bois Brules; Semple; Robert Semple; Lavigne; Nolin;</p>

299	<p>to attack them, His Lordship states that it is however not only in itself improbable he should do so, with less than half their force, but that it appears by the direct testimony of Lavigne corroborated by Nolin, that before Governor Semple make his appearance in the plain, the Brule's had taken several of the</p>	
300	<p>296</p> <p>Settlers and were proceeding to make them all prisoners - that from Pambrun's deposition it is also evident that the Brulés under Grant were sent by Alexander McDonell from the Portage des Prairies for the express purpose of attacking the Settlement and indeed that the whole circumstances of the expedition as stated by Pambrine from the period of the Brulés being assembled at Que Appelle down to the perpetration of the Massacre, and even to the departure of the Settlers, form a series of the most undisguised violence and aggression; and for which no justification can possibly be found, unless we are to admit the broad principles of retaliation, as avowed by Mr. Wm. McGillivray on his examination; but that it cannot certainly be necessary to prove that murder and robbery are not to be defended on any such principal in Courts of Justice that act upon the law of England. His Lordship further dwells upon the</p>	<p>Que Appelle; Qu'Appelle; http://data2.archives.ca/e/e447/e011163878-300-v8.jpg Portage des Prairies; Portage la Prairie; Selkirk Settlement; Brulés; Bois Brulés; Halfbreeds; Settlers; Cuthbert Grant; Alexander McDonell; William McGillivray; Pambrun; Pambrine; Pierre-Chrysologue Pambrun; murder; robbery; massacre;</p>
301	<p>297</p> <p>fact that Alexander McDonell, the prime mover and avowed Commander of the men, who committed the atrocities against the Settlers, and McLeod who had rewarded the atrocities as Services done to the concern at large; had both been shortly before at Fort William in intimate daily intercourse with the Gentlemen arrested, admitted to the secret consultations of the Partners, and that McDonell had returned with their general consent to command again in the same department, which had been the scene of so many violences committed by his orders - Circumstances which his Lordship conceives would alone form a sufficient ground for putting on his trial as accessory, any partner who had attended the secret consultations of the Company that Season and had not availed himself of that opportunity of expressing his disapprobation of McDonell's and McLeods conduct. - Such is the Earl of Selkirk's own statement of the grounds on which his warrants were</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-301-v8.jpg Fort William; Alexander McDonell; McLeod; Earl of Selkirk; Selkirk Settlers; Partners</p>
302	<p>298</p> <p>issued and on which he refused to admit the parties arrested to bail.</p> <p>On behalf of the North West Company it is contended that the assemblage of the halfbreeds was for the purpose of defence, and that the Affray of the 19th June 1816 arose from the inconsiderate aggression of Mr Semple and those who perished with him and was on the part of the Halfbreeds and Canadians an act of Self-defence, and could not be called murder - in further proof of the defensive views with which the halfbreeds were assembled, much reliance is placed in their printed "Narrative" or the deposition made by Blondeau before the Earl of Selkirk wherein he twice repeats the expressions of having been asked to go to Red river to defend the interests of the North West Company; the different details herein before contained, especially the extracts from the intercepted letters of different partners of the North West Company have however sufficiently</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-302-v8.jpg Red River; Battle of Seven Oaks; Nor'Westers; Halfbreeds; Métis; Canadians; Blondeau; Louis Blondeau; Semple; Robert Semple; Earl of Selkirk; 19 June 1816; self-defence; letters; Narrative;</p>
302	<p>299</p> <p>shewn, that their views were by no means confined to mere defence, but included projects of revenge and retaliation; and if further proof was wanting of this fact, it would be found in the intercepted letters of John Duncan Campbell (the partner who made the before mentioned application to Blondeau) dated Cumberland house 6th April 1816 which has been filed before me (Dep. 240 Marked A) and contains the following expression, "The Red river where no</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-303-v8.jpg North West Company; the Forks; Red River; Cumberland House; Robertson; Louis Blondeau; Cameron; John Duncan Campbell;</p>

303	<p>good can be expected from, has this year turned out worse for the honor and interest of the North West Company than ever, that infamous scoundrel Robertson has behaved in such a manner to our Mr Cameron and people at the Forks, when entirely off their Guard that revenge is badly called for, and it is to be hoped all well wishers of our Concern will not delay in coming forward to that effect;" and again - "The Hudson's Bay new Governor whose name is Semple, with a party made an</p>	<p>Semple; Robert Semple; 6 April 1816; letters; revenge; retaliation; Deposition 240;</p>
304	<p>300</p> <p>attempt to storm the Fort of River Qué Appellé sometime after the atrocities committed at the Forks on purpose to take the two Swebils formerly belonging to the Colony, now in our possession, but these sons of gunpowder did not think the task advisable, and candidly speaking they were in the right for had they made the attempt Governor Semple's expedition to Qué Appelle would have proved a lesson to Hudson's Bay ruffians; LaCerte has been at Moose Lake on a mission to prevail on all his Countrymen to join in extrepating these Miscreants out of the Country; Young McKay with five men are to start a couple of days hence for Red river and I expect by the time they get there they will be joined by the Brulés of Fort des Prairies and "English river,"</p> <p>On the whole it appears to me there can be no doubt that the conduct of the parties arrested had been of a nature to call for such a proceeding on</p>	<p>swebil was a type of cannon ref: http://www.academia.edu/21542004/Ligppelled_cannon_from_Kurzetnik_2013</p> <p>Hudson's Bay Company; Red River; English River; Fort des Prairies; Moose Qu'Appelle; Fort Qu'Appelle; Colony; Red River Colony; Selkirk Settlement; Halfbreeds; Brulés; Bois Brulés; LaCerte; Young McKay; Robert Semple; Swebils;</p> <p>Fort William; Halfbreeds; Earl of Selkirk; Thomas Douglas; William McGillivray; Kenneth McKenzie;</p>
305	<p>301</p> <p>the part of any Magistrate, before who the said proofs should have been laid, as were before the Earl of Selkirk; how far however this circumstances were sufficient to justify the refusal of bail, the cases of Mr. Wm. McGillivray and Kenneth McKenzie or of any others, where there was not evidence of their having been parties previous to the fact, to the assembling of the halfbreeds with a view to illegal violence, may admit of doubt - the prudence and even strict legality of the Earl of Selkirks having proceeded at all to Fort William for the purpose of acting as a magistrate in a case where he was so deeply interested, may be questioned - from the rank and fortune of the parties, these points will however in all probability be ultimately brought before a Court of Justice and it is therefore less necessary to enter into minute details relative thereto; in a moral point of view, making some allowance for the want of a full knowledge of</p>	<p>302</p> <p>the English Law, which may naturally be supposed on the part of a Scottish Peer, and adverting to the refusal of the Magistrates, to whom he applied to accompany him (as stated by John Allan in his deposition 280) the course adopted by his Lordship under the deep and apparently sincere, however exaggerated impressions on his mind of the guilt of the partners of the North West Company can neither create surprise, nor call for severe censure - that he had, as had been charged by the North West Company, any intention to Fort William previous to learning the destruction of the Colony, there appears no reason to believe; the only fact which gives any color to the charge is the nature of the boats, in which the Earl of Selkirk's party was proceeding and the size of the packages and the bulky nature of many of the articles conveyed thereby all this appears sufficiently accounted for, in his Lordships letter of the 25th</p>
306	<p>303</p> <p>April to Colin Robertson, a Copy whereof was filed before me by Miles McDonell (Dep. 112 Marked D) containing the details of his Lordship's plan of proceeding to Red river by way of Fond du Lac, and in which he states it to be his intention in the first instance to leave a party at the head of the Boat Navigation from Lake Superior to form a post where the surplus</p>	<p>North West Company; Fort William; Colony; Red River Colony; John Allan; Earl of Selkirk; Thomas Douglas; destruction of the Colony;</p> <p>Fond du Lac; Lake Superior; Red Lake; Red River; Blondeau; Louis Blondeau; Miles McDonell; Miles Macdonell; Colin</p>

307	<p>goods can be left and whence the Canoes may come almost light; and a part of the men being perhaps marched by land to Red Lake; where his Lordship directs that boats may be sent to meet them with a supply of provisions. Two circumstances connected with the arrests in question, it may be proper to notice, as appearing a little extraordinary; the one is that of the different affidavits on which they are stated to have been grounded, only that of Blondeau appears to have been taken, till several days after the arrests; and the other, that the conspiracy alledged to have been formed in 1814 for the de-</p>	Robertson; Deposition 112;
308	<p>304</p> <p>destruction of the Colony is not once noticed in the Earl's letter to the Attorney General of Upper Canada although in the printed "Narrative" of the North West Company, and the Deposition of Mr. Wm. McGillivray No. 251, it is stated to have been the principal charge made against the partners, and certainly appears by the answers of Mr. McGillivray on his examination (No. 239) relative to Mr. Duncan Cameron's proceedings to have been much dwelt upon at the time, as it certainly is also in the Statement made to me by the legal Agents of the Earl in February last; the former circumstances my have arisen, probably from his Lordships having in the first instance acted on Depositions taken from the same parties, but in a less formal manner as the omission of the latter may have been caused by his Lordship's not having at the time the necessary documents in support thereof to lay before the Attorney General. In the execution</p>	<p>North West Company; Red River Settlement; Upper Canada; Duncan Cameron; Earl of Selkirk, Thomas Douglas; William McGillivray; Deposition 251; Deposition 239;</p> <p>http://data2.archives.ca/e/e447/e011163878-308-v8.jpg</p>
309	<p>305</p> <p>of the Warrants for these arrests, it is allowed on both sides that possession was taken of the North West Post of Fort William by an armed party consisting of men discharged from the late Regiment de Meuron, who had been engaged in the Service of the Earl of Selkirk; and a Notorial Copy of one of the engagements has been filed before me No. 410.</p> <p>One the part of the North West Company it is contended that this proceeding was altogether an illegal and forcible entry no resistance whatever being attempted to the execution of the Warrants to render the same necessary, and that the allegations of the opposite party to the Contrary were a mere pretence for the seizure of the Post - John McDonald one of the Partners of the North West Company, who is chiefly accused of the attempt to resist, gave the following Statement of what occurred in the joint Deposition No. 267 made before the Commissioners by himself. Allan McDonell and Daniel McKenzie</p>	<p>North West Company; Fort William; Earl of Selkirk; Thomas Douglas; John McDonald; Allan McDonell ; Daniel McKenzie; Regiment de Meuron; warrants; arrests; Deposition 410; Deposition 267; seizure of post;</p> <p>http://data2.archives.ca/e/e447/e011163878-309-v8.jpg</p>
310	<p>306</p> <p>in support of the complaint for forcible entry: that about three o'clock in the afternoon on the 13th August he had a knowledge of the departure of Mr. William McGillivray for the Camp of the Earl of Selkirk accompanied by Mr. John McLaughlin and Kenneth McKenzie but had at that time no knowledge of the arrest of Mr. McGillivray, understanding and believing the party to be gone upon a visit to the Earl and that John McNab (who as appears by the deposition of others accompanied them together with Donald McPherson) had been the bearer of an invitation to that effect - "that about six or seven o'clock the same evening, he perceived two large boats filled with armed men in military uniform to the number of fifty or upwards, coming down the river from the Camp of the said Earl of Selkirk and approaching to and landing at the warf belonging to the said Fort William, which may be twenty or thirty paces distant from the gate of the said Fort, whereupon suspecting</p>	<p>Fort William; William McGillivray; John McLaughlin; Kenneth McKenzie; John McNab; Donald McPherson; Earl of Selkirk; Thomas Douglas; Regiment De Meuron; arrest; arrest of William McGillivray</p> <p>http://data2.archives.ca/e/e447/e011163878-310-v8.jpg</p>
	<p>307</p> <p>some treachery, and that McGillivray, John McLaughlin, Kenneth McKenzie, were detained by</p>	<p>Fort William; Earl of Selkirk; Thomas Douglas; William McGillivray; John</p> <p>http://data2.archives.ca/e/e447/e011163878-311-v8.jpg</p>

311	<p>the Earl of Selkirk and that the armed force in the boats was coming to attack the Fort, he immediately went forward to shut the Gates of the area or Court yard and had already closed one of the folding gates, and was proceeding to shut the other, when the influx of a considerable crowd of persons prevented him, and was immediately arrested by the said McNab whereupon he asked him by what authority it was that he so arrested him, in reply to which the said McNab showed him a paper, the contents whereof he does not know, and that altho' he immediately surrendered himself and expressed evry possible disposition to obey such arrest, yet there was immediately a cry among the Officers and Soldiers by whom he was surrounded of seize him, seize him, and other expressions to that effect and they did accordingly violently</p>	<p>McLaughlin; Kenneth McKenzie; John McNab; arrest; violence; attack on fort; armed force</p>
312	<p>308</p> <p>seize him and handle him very roughly as many of them laying hold of him at once as could get near enough, and one Becher in particular who was amongst them reaching his arm over the heads of the others and presenting a pistol at his head with the most violent threats and menaces - and that from the number and strength of the Soldiers who thus surrounded him, they actually lifted him off the ground and dragged him in this State and with the pistol still presented at his head by the said Becher down to the boats on board of which he was put, and afterwards crossed the river in Canoes, with Hugh McGillis, Simon Fraser, Allan McDonell, Alexander McKenzie and Daniel McKenzie."</p> <p>To these details Allan McDonell adds in the same Deposition No. 267, a long Statement respecting the seizure of two small Cannon which usually stood near the principal building at Fort William</p>	<p>Fort William; attack on fort; Simon Fraser; Allan McDonell; Hugh McGillis; Alexander McKenzie; Daniel McKenzie; Becher; Regiment De Meuron; soldiers; cannon; pistol; violence; Deposition 267;</p> <p>http://data2.archives.ca/e/e447/e011163878-312-v8.jpg</p>
313	<p>309</p> <p>by a number of the Soldiers, (being the first part of the affair which he witnessed); that he observed one of the Soldiers had a barrel with the head open apparently filled with Cartridges for the said Guns, and that the Guns were taken down to the gate of the Area of the said Fort and pointed outwards - that the said Guns were he believes two pounders, that saw any kind of shot or cartridges adapted to the caliber of these Guns, nor does he believe there were any such in the said Fort, the Guns when fired as signals during a fog or in rejoicing days having always been charged with loose powders, that Captain Matthey, Captain D'Orsonnens, Lieut. Graffenried and other Officers and Soldiers belonging to the late Regiment De Meuron had on the day preceding the attack on the said Fort, been on a visit there and had amongst other things minutely inspected and examined the said Guns, and that from the circumstance of there afterwards bringing in</p>	<p>Fort William; Frederic de Graffenried; Captain Matthey; Frederick Matthey; Captain D'Orsonnens; Proteus D'Orsonnens; Regiment De Meuron; de Meuron Regiment; officers; soldiers; guns; cannons; attack on fort</p> <p>http://data2.archives.ca/e/e447/e011163878-313-v8.jpg</p>
314	<p>310</p> <p>Cartridges apparently adapted for the said Guns and the Earl of Selkirk not having to his knowledge or belief any cannon of so small a Caliber in his possession, he verily believed that the said Officers had so inspected and examined the said Guns with a view to the making up and had accordingly made up cartridges for the same - And John McDonald Allan McDonell and Daniel McKenzie further severally add, that after being conveyed to the Camp of the Earl of Selkirk and taken before him, the said Earl suggested that it was too late to proceed to business, and directed them to be again conveyed back to Fort William, where they found Lieutenant Graffenried on duty as Commander of a Guard of twenty or thirty Soldiers of the Earl, who remained on duty during that night, and as they believed in charge of the said Fort and the prisoners therein; and that they</p>	<p>Fort William; Earl of Selkirk; Thomas Douglas; Frederic de Graffenried; John McDonald; Allan McDonell; Daniel McKenzie; De Meuron Regiment; soldiers; guns; cannon; attack on fort; prisoners</p> <p>http://data2.archives.ca/e/e447/e011163878-314-v8.jpg</p>
314	<p>311</p>	<p>Fort William; Chas</p> <p>http://data2.archives.ca/e/e447/e011163878-315-v8.jpg</p>

themselves, and as they believe the other Gentlemen, who were then in Custody of the Earl and his partizans were accordingly confined in their respective rooms. The principal circumstances contained in the foregoing statement are confirmed by the respective depositions of John Theodore Missani, Chas Brumby, Robert McRobb, James Chisolm McTavish, Ignace Mikanawaka, Wm. McGillivray, Robert Grant and Robert Cowie (No. 242, 243, 244, 245, 246, 250, 251, 253 & 254) and Mr. Wm. McGillivray states the additional facts that before leaving the Earl of Selkirk's Camp with a guard for the night he gave his word, that no escape should be attempted nor any molestation given to the guard during the night and that the prisoners should return the next morning to the encampment, that on his arrival at the Fort he found it full of armed men (the De Meuron Soldiers) apparently commanded by the Captain's Matthey and D'Orsonnens.

Brumby; Charles Brumby; Robert Cowie; Earl of Selkirk, Thomas Douglas; Robert Grant; Frederick Matthey; James Chisolm McTavish; Ignace Mikanawaka; John Theodore Missani; William McGillivray; Robert McRobb; Captain D'Orsonnens; Proteus D'Orsonnens; Regiment de Meuron; Deposition 242; Deposition 243; Deposition 244; Deposition 245; Deposition 246; Deposition 250; Deposition 251; Deposition 253; Deposition 254;

315

312

That on his request to the former, the men were all withdrawn except twenty men and Lieutenant Graffeureid who remained to guard the prisoners, which Officer after placing several Sentinels, retired to rest - that the watch of the fort was also kept up for the night as usual that he also found that all the papers and trunks found in the Gentlemen's rooms had been sealed by Dr Allen as well as the desks and accounts of the North West Company in the Counting house.

Of the foregoing Depositions, those of Messrs Missani and Brumby will naturally be considered as more particularly important from their being disinterested parties. They state, "that they were actually within sight and between the gate of the Fort and the landing place (the said places distant from each other about twenty yards) at the moment that the two boats with the followers of the Earl of Selkirk came to the said landing place

Graffeureid is spelled elsewhere as Graffeured

North West Company; Fort William; Dr Allan; John Allan; Charles Brumby; Earl of Selkirk; Thomas Douglas; Lieutenant Graffenreid; Frederic de Graffenreid; John Theodore Missani; papers; attack on fort; prisoners; disinterested parties

<http://data2.archives.ca/e/e447/e011163878-316-v8.jpg>

316

313

that they observed that John McNab, one McPherson, Captain D'Orsonnens, and Mr. Allen with some others landed out of the said boats and walked up to the gates of the said Fort, where John McDonell and Alexander McKenzie partners of the North West Company were standing together with some other Clerks and partners, amongst whom they believe Hugh McGillis a partner of the Company; that on the said McNab and others coming up to the gate some conversation ensued which they could not hear but believe it was began by the said McNab; that in a few minutes however they distinctly heard the said John McDonald or Alexander McKenzie, and as the verily believe the latter say aloud 'yes, but we cannot admit so many persons into the fort at once.' and at the same time they say that one half of the large gate of the Fort was partly set to, whereupon Capt. D'Orsonnens called out to the remainder of the party who had been left in the boats with

North West Company; Fort William; John Allan; John McDonald; John McDonell; Hugh McGillis; Alexander McKenzie; John McNab; Captain D'Orsonnens; Proteus D'Orsonnens; Donald McPherson; clerks; partners; attack on fort

<http://data2.archives.ca/e/e447/e011163878-317-v8.jpg>

317

314

Fouche to advance, which they immediately did, and rushed into the fort with their arms in

North West Company; Fort William; Fouche; Gustave-Adolphe Fauche;

<http://data2.archives.ca/e/e447/e011163878-318-v8.jpg>

their hands hallowing and shouting - that the said Capt. D'Orsonnens was himself armed with a pistol and sword; - that immediately afterwards they saw the said John McDonald dragged out of the Fort in a violent manner by two of the men of the late Regiment de Meuron, who were known to them by the Military dress and appointments worn by the whole of the armed force although not in the regular uniform - that a few minutes afterwards they went into the Fort where they saw the men of the late Regiment De Meuron running about in different directions but perceived no attempt on the part of the partners of the North West Company to make any resistance - that in the area of the said Fort there were two small Cannon which they had frequently observed before, but had at no time seen them loaded

John McDonald; Captain D'Orsonnens; Proteus D'Orsonnens; Regiment de Meuron; De Meuron Regiment; cannon; partners; attack on fort

318

315

and do not believe they were so at the period of the Fort being entered - that these Cannon were taken possession of by the men of the late Regiment De Meuron and were actually moving into the middle of the square at the moment of their entering that on passing them shortly afterwards they had occasion to observe some irregularly made cartridges laying on the carriages or near to the said 'Cannon'." Mr. Brumby further states, "that at the time the said John McNab advanced from the boat to the gates, he had in his hand a paper" and Mr. Missani also further states "that at the moment the men of the late De Meuron Regiment were called forward he was faced towards and looking at the gates of the Fort, and that he observed that the leaf of the gate which had been partly shut to, was still in an oblique position and was yet in the position it would occupy when shut, and that they other leaf did not appear to him

Fort William; Brumby, Charles Brumby; John McNab; Missani; John Theodore Missani; Regiment de Meuron; De Meuron Regiment; cannon; gate; attack on fort <http://data2.archives.ca/e/e447/e011163878-319-v8.jpg>

319

316

to be at all moved from its place when open, and certainly was not so to any material degree." The deposition of Robert Livingston filed before me (No. 241) has been much relied upon as proving the previous intentions of the parties: he states that he was engaged as an Agent to the Earl of Selkirk in the early part of 1816; and that "in July he proceeded from Mattawasague Harbour in Lake Huron in charge of a division of Canoes; that being arrived at Point des Chiens at the entrance of Lake Superior they met Capt. Miles McDonell who informed then of the battle at Red river and the destruction of the Colony there; on the ensuing day the Earl of Selkirk informed him that their route must necessarily be changed and inquired if he had any objection to proceed by the way of Fort William instead of that of Fond du Lac, by which, he

Fond du Lac; Fort William; <http://data2.archives.ca/e/e447/e011163878-320-v8.jpg> Mattawasague Harbour; Lake Huron; Point des Chiens; Red River; Red River Colony; Earl of Selkirk, Thomas Douglas; Robert Livingston; Miles McDonell; Miles Macdonell; canoes; Deposition 241;

320

317

was originally engaged to proceed with his brigade of canoes, manned entirely by Canadians; to this proposition he gave no immediate answer, but afterwards learning from the Officers of the late Regiment de Meuron, who accompanied his Lordship in their opinion if would be proper for him on arrival at Fort William to call upon such of the North West Partners as were Magistrates to assist in arresting and bringing to justice to persons accused of the murders on Red River, and in the event of their not cordially joining therein to take other measures to obtain justice and hearing Captain D'Orsonnens in particular declare as his opinion that it would be proper for his Lordship to seize Fort William and hold it as an indemnity for the injuries done him at Red river, he determined to quit the party, remarking to the said Officer that

North West Company; Red River; Fort William; Red River Colony; Earl of Selkirk, Thomas Douglas; Captain D'Orsonnens; Proteus D'Orsonnens; Regiment de Meuron; Battle of Seven Oaks; Canadians; Magistrates; arrests; <http://data2.archives.ca/e/e447/e011163878-321-v8.jpg>

321

318

those who had least to do in such matters would be best off; and that he should not like to be witness to matters which might perhaps require him to proceed to England and keep him years from his business, or words to that effect; accordingly the next day from these causes and foreseeing that it would be impossible to complete the Journey to Red river and return

North West Company; Red River; Fort William; Dr John Allan; Earl of Selkirk, Thomas Douglas; journey; capture of Fort William; <http://data2.archives.ca/e/e447/e011163878-322-v8.jpg>

the same Season according to his original engagement, he asked his discharge from Lord Selkirk which was granted with some reluctance."

On behalf of the Earl of Selkirk, on the other hand it is stated that the taking possession of Fort William was a measure of precaution necessarily arising from the conduct of the opposite party; the facts in Support of this Statement have been chiefly brought before me by John Allan the medical attendant and evidently

322

319

one of the confidential advisers of the Earl; who in his deposition No. 280, states that in consequence of the Affidavits before his Lordship as a Magistrate respecting, "the conduct of the partners of the North West Company, and the part they had taken in procuring and abetting the Murder of Governor Semple and others and in the destruction of the Settlement of Red river and other crimes The Earl of Selkirk after having taken a number of depositions which occupied great part of the 12th & 13th days of August issued a Warrant for the apprehension of William McGillivray directed to John McNab and Donald McPherson with which about 3 or 4 o'clock in the afternoon of the said 13th August they proceeded to Fort William - that they soon returned with Mr. McGillivray accompanied with Mr. Kenneth McKenzie and Mr. John McLaughlin two of his Partners whose names were included in

North West Company; <http://data2.archives.ca/e/e447/e011163878-323-v8.jpg>
Fort William; Red River Settlement; Earl of Selkirk, Thomas Douglas; William McGillivray; Kenneth McKenzie; John McLaughlin; John McNab; Donald McPherson; Governor Semple; Robert Semple; murder; magistrate; warrants; affidavits; murder of Governor Semple; murder of Robert Semple; Deposition 280

323

320

another Warrant which his Lordship had issued against divers partners of the North West Company and which he immediately put into the hands of the said McNab and McPherson to be executed, that the said McKenzie and McLaughlin were consequently detained For examination.

That immediately afterwards the Earl of Selkirk issued another Warrant addressed to P. Dodet D'Orsonnens and himself which after reciting that there were good grounds of suspicion that a traitorous conspiracy against the laws and Government of our Lord the King had been carried on by the Company of Merchants known under the name of the North West Company, or at least by several persons, partners of the same, required the said D'Orsonnens and himself or either of them to repair to the Fort or trading post of the Company called Fort William and there (in presence of one of the Chief Clerks) of the said

North West Company; <http://data2.archives.ca/e/e447/e011163878-324-v8.jpg>
Hudson's Bay Company; Company of Merchants; Fort William; Earl of Selkirk, Thomas Douglas; Kenneth McKenzie; John McNab; Donald McPherson; Protois Dodit D'Orsonnens; Proteus D'Orsonnens; warrant; traitorous conspiracy;

324

321

Company to seal up all papers which might be found therein belonging to said Company *Aug 13th/1816* 'or to William McGillivray and several others whose names were particularly and respectively mentioned in the said warrant, and to secure the same, and also to secure all arms and warlike stores which might be found on the said Fort.

Of this warrant McAllen annexes a Copy marked F to his Deposition and states that he should have declined the duty imposed on him by the same to the due fulfilment whereof he felt incompetent, "if he had been in a situation where the Magistrates might have had a chance of persons to perform it, and if he had not believed it his bounden and moral duty as a loyal subject and as a christian to give his aid when lawfully required for bringing to justice persons who had instigated and procured the murder of their fellow subjects;

North West Company; <http://data2.archives.ca/e/e447/e011163878-325-v8.jpg>
Fort William; McAllen; William McGillivray; 13 August 1816; warrant; capture of Fort William; murder;

325

322

North West Company; <http://data2.archives.ca/e/e447/e011163878-326-v8.jpg>
Fort William; Alexander

that in virtue of the said warrant he did repair to Fort William aforesaid accompanied by the said P. Dodet D'Orsonnens, Alexander Bridport Becher Esq. of the Royal Navy and Mr. Fauche late a Lieutenant in the Regiment DE Meuron; that at the same time another boat proceeded to Fort William conveying the said McNab and McPherson to execute the Warrant above mentioned for the arrest of the other partners of the North West Company then there; that on landing opposite the gate of the Fort, he with the five others above mentioned proceeded by themselves and most of them without arms from the boats to the gate; that at the same time there were arms in the boat under cover and with directions not to be exhibited, and that the assistants should not stir from the boats without orders which were to be given only in case the execution of the warrants should

Bridport Becher; G.A. Fauche; Gustave Adolphe Fauche; John McNab; Protois Dodit D'Orsonnens; Proteus D'Orsonnens; Donald McPherson; Regiment de Meuron; de Meuron Regiment; Royal Navy;

326

323

be opposed, that at the Gate of the Fort the said McNab with the warrant in his hand proceeded to arrest in the Kings name John McDonald and another person and was in like manner about to arrest the others named in the Warrant; when it was demanded and he accordingly was beginning to read it, but was interrupted immediately by the Said John McDonald, who said we don't know such things here and we will not allow so many people to come into the Fort or words to that effect - that he also heard the said John McDonald or some one near him say we'll submit to no more warrants till Mr. McGillivray and the two Gentlemen with him were brought back; that at the same time Mr. Alexander McKenzie (commonly called the Emperor) and John McDonald assisted by a crowd of persons of whom several wore side arms attempted forcibly to shut the Gate and in so doing pushed

Fort William; John McDonald; William McGillivray; Alexander McKenzie; John McNab; Emperor; gate; warrant; arrest

<http://data2.archives.ca/e/e447/e011163878-327-v8.jpg>

327

324

the said McNab and McPherson back from within the threshold; that thereupon the said McNab requiring support, the said D'Orsonnens called Witschey, Witschey, to a person of that name, and desired him to come with the men out of the boats to the assistance of the persons charged with the warrant; - that the gate was all but completely closed in spite of the exertions of the said D'Orsonnens and others who by pushing were endeavoring to prevent those within from completely fastening it, when the men who till called upon had remained in the boats, coming with their arms instantly pushed up the gate; that at that moment he observed a crowd of people running from behind the gate into different parts of the Fort and two of the men took the said McDonald by the collar from within the said gate and conducted him to one of the said boats; - that at the same time one

North West Company; Fort William; John McDonald; John McNab; P. Dodet D'Orsonnens; Proteus D'Orsonnens; Donald McPherson; Jacob Witschey; warrant; arms; boats;

<http://data2.archives.ca/e/e447/e011163878-328-v8.jpg>

328

325

of the men unexpectedly blew a bugle at the gate, and in a few minutes afterwards Frederick Matthey Esq. formerly a Captain in De Meuron's Regiment supposing that further assistance might be required to support the execution of the warrants, came from the encampment of the Earl of Selkirk with about thirty men, - that before the arrival of the said Matthey himself and others with Warrants had entered into the Square of the Fort, and proceeding to put the Warrants into execution the said D'Orsonnens having secured in the middle of the Square two small Cannon belonging to the fort, which previously stood near the building fronting the gate; - that the said Matthey on his arrival at the gate, finding that no further resistance was expected sent the men back to the other side of the river, as he understood, without causing them to go into the Fort, while he himself came in

Fort William; Earl of Selkirk, Thomas Douglas; Frederick Matthey; Portois Dodet D'Orsonnens; Proteus D'Orsonnens; Regiment de Meuron; cannon; execution of warrants;

<http://data2.archives.ca/e/e447/e011163878-329-v8.jpg>

329

326

to see what was passing. That the Warrant *13 Aug 1816* for the arrest of the prisoners

North West Company; Alexander Bridport Becher; Robert McRobb;

<http://data2.archives.ca/e/e447/e011163878-330-v8.jpg>

330	<p>having been submitted to, he shewed them, that with which he and Captain D'Orsonnens were charged as before mentioned and requested them to nominate one of their Chief Clerks to be present at its execution, that after a little deliberation they mentioned a Mr. Robert McRobb as a person whom they wished to attend for this purpose and himself and the said D'Orsonnens accompanied by Mr. Becher aforesaid immediately proceeded with the said McRobb to an apartment called the office, where they were joined by Mr. Joseph Vanderslags and Mr. James McTavish to other Clerks of the North West Company. That the said D'Orsonnens enquired of the said Clerks, where were the arms belonging to the Company, whereupon the said McRobb taking up a large pole with a broken bayonet at the end of it, which stood</p>	<p>James McTavish, James Chisolm McTavish; D'Orsonnens; Proteus D'Orsonnens; Vanderslags; Joseph Vandersluys; 13 August 1816; prisoners; warrant; arrest;</p>
331	<p>327</p> <p>in a corner of the Office, said we have no arms in the Fort, this is all the arms we have." That himself and the said D'Orsonnens then proceeded, still accompanied and conducted by one or more of the said Clerks to the rooms of the individual prisoners and had only finished putting seal on a Cassette containing papers in the room of the said William McGillivray and on a drawer in the room of the said Alexander McKenzie, when the partners who had been arrested returned from the encampment of the Earl of Selkirk, having been permitted so to do (as he was informed by the aforesaid Matthey who, as he understood had been there and had accompanied them back) upon their promise that they would occupy their own appartments and attempt no resistance to the execution of the Warrants; that he thereupon expressed to the said Matthey his regret at their having been allowed to return before the sealing</p>	<p>North West Company; Fort William; Earl of Selkirk; Thomas Douglas; Frederick Matthey; William McGillivray; Alexander McKenzie; D'Orsonnens; Proteus D'Orsonnens; papers; seals; warrant; prisoners;</p> <p>http://data2.archives.ca/e/e447/e011163878-331-v8.jpg</p>
332	<p>328</p> <p>of their papers was concluded because they could *13 Aug 1816* now destroy them before that could be done - that the said D'Orsonnens and himself still continued to go to the different appartments generally in presence of the occupiers themselves, to seal up the ordinary repositions of papers, and when arrived at the door of the aforesaid John McDonald found the same locked, and upon asking him for the key were told by him, that his little girl had run off with it, upon which he went to execute the same duty in another apartment and on returning again to McDonald's he opened the door when the Desk therein was found standing open and entirely empty which at once excited suspicion (as the said McDonald had not before stated that he had no papers) that the same had just been removed and he understood next morning that his suspicions were just from the information of one Paget - who stated before the Earl of Selkirk</p>	<p>North West Company; Fort William; Earl of Selkirk; Thomas Douglas; John McDonald; D'Orsonnens; Proteus D'Orsonnens; Paget; 13 August 1816; papers; seals;</p> <p>http://data2.archives.ca/e/e447/e011163878-332-v8.jpg</p>
333	<p>329</p> <p>on oath that he had burnt a quantity of papers at that hour in the Kitchen fire by the order of the said John McDonald, who had delivered them to him for that purpose; that he was also told by the said Alexander McKenzie while still continuing to put seals as before, that he (McKenzie) would break the Seals which confined his papers, upon which he told him he had better not, and shortly afterwards represented to the said Matthey the inutility of offering Seals unless some stronger measure than a peace of Wax were adopted to prevent their being broken, to which the said Matthey replied that the Earl of Selkirk as a Magistrate had allowed them to return to their own appartments on their word of honor, and that to keep a person to watch in them under such circumstances would be too harsh a proceeding - that before he had finished affixing the Seals it was near eleven oclock</p>	<p>Fort William; Earl of Selkirk, Thomas Douglas; Frederick Matthey; John McDonald; Alexander McKenzie; seals; burning papers</p> <p>http://data2.archives.ca/e/e447/e011163878-333-v8.jpg</p>
	<p>330</p> <p>at night, and as the Earl of Selkirk had placed his reliance on the promise of the Gentlemen under arrest that no violence should be attempted, himself and said D'Orsonnens agreed to</p>	<p>Earl of Selkirk; Thomas Douglas; Peter Montgomery; Protois Dudit D'Orsonnens;</p> <p>http://data2.archives.ca/e/e447/e011163878-334-v8.jpg</p>

defer the search for arms and the removal of the papers from the fixed Desks, in which most of them were kept, until the next morning and accordingly went back to the Earl of Selkirk's tent to desire his advice, but before his arrival the said Earl had retired to rest - that he tried to speak to him but finding it difficult to make him, determined to wait for further instructions till next morning. Several of the principal facts contained in the foregoing Statement particularly that of the attempt of resistance to the execution of the Warrants are confirmed by the Depositions of Peter Montgomery, Jacob Witschey and Protois D'Orsonnens (Nos. 281, 282, & 286) particularly by that of the last who states -

Proteus D'Orsonnens;
Jacob Witschey; papers;
warrants; Deposition 281;
Deposition 282;
Deposition 286;

334

331

- that Mr. McNabb with the Warrant in his hand arrested in the Kings name John McDonald and Alex McKenzie when they demanded his authority and as he was beginning to read the Warrant, they shut the gate forcibly in his face, and pushed him outside the threshold with considerable violence themselves withdrawing within the gate and saying they knew no such things as Warrants in the Country and would not submit to any till Mr. McGillivray and the other Gentlemen returned - that one half of the gate was quite shut, and the other nearly so when he interposed to prevent it, and Mr. McNab asked him to assist him upon which he called to the men for support, who till that moment remained as they had be desired in the boats, that they seizing their arms instantly rushed the gate and forced it open - that after the gate was open he addressed John McDonald telling him, he ought to submit peacibly to the Warrant and received for answer

Fort William; John
McDonald; William
McGillivray; Alexander
McKenzie; John McNab;
warrant;

<http://data2.archives.ca/e/e447/e011163878-335-v8.jpg>

335

332

that he would only submit at the last extremity and there would be bloodshed first; calling out aloud at the same time, "make haste, make hast, and thereupon conceiving that the people whom he saw running inside the Fort were preparing to make resistance he immediately caused John McDonald to be seized and conducted by force to one of the boats to prevent the bloodshed which he threatened" Jacob Witschey in his deposition details what took place respecting the two Cannons which he positively says were found unloaded and were not at the time loaded by them from want of ammunition and because he had received his order to do so."

North West Company;
Fort William; John
McDonald; Jacob
Witschey; resistance;
cannon; bloodshed;

<http://data2.archives.ca/e/e447/e011163878-336-v8.jpg>

On evidence so opposite as that of the two parties and delivered on both sides by persons of apparently fair character and which it seems impossible to reconcile by any reasonable allowance for the general confusion of the

336

333

scene the only proper course appears to be to suspend all opinion till the matter can be decided in open Court with all the advantages of Viva Voce evidence and the confronting of the opposite parties.

On the 14th August 1816 Mr. McGillivray states in his deposition No. 251 that Capt. Matthey came into the Fort in his Uniform at the head of a body of Men armed with Muskets and fixed bayonets. Sentinels were placed at the Hall door (Soldiers of the 37th Regiment, and in different parts of the Fort, Mr. McGillivray entered a Solemn protest against the armed force coming into the Fort. and delivered the same in writing signed by all the partners into the hands of the Earl of Selkirk protesting against him: against all the Officers by name and against him, against all the officers by name, and against all concerned.

North West Company;
Fort William; Earl of
Selkirk; Thomas Douglas;
Frederick Matthey;
McGillivray; 37th
Regiment; 14 August
1816; muskets; officers;
soldiers; armed force;
Deposition 251;

<http://data2.archives.ca/e/e447/e011163878-337-v8.jpg>

His Lordship said he would take the responsibility

337

334

North West Company;

<http://data2.archives.ca/e/e447/e011163878-338-v8.jpg>

Mr. McGillivray then asked whether it was his intention to impede or put a stop to the business of the North West Company. Mr. McGillivray replied there was no illegal business carried on by the North West Company. His Lordship said upon that "there might be a difference of opinion. Mr. McGillivray asked the meaning of this taking Military possession of the Fort, he was answered they must take measures for their own defence, as they had been informed that arms and ammunition had been conveyed out of the fort in the night, and that several canoes had been sent off (this was positively false) True seventy or eighty Indian fusils had been placed in an out-house and eight kegs of powder had been carried out during the night on the supposition that what was in the Fort - of these essential articles might be seized which appeared probable from the proceedings of his Lordship

Fort William; Earl of Selkirk; Thomas Douglas; William McGillivray; seizure; arms; ammunition; canoes; fusils; powder; capture of the fort; military possession of the fort

338

335

The fusils were found and taken away by Lord Selkirk during the day. Mr McGillivray, then informed the Earl, that he and Mr. Kenneth McKenzie the other Agent of the North West Company had appointed the Clerks in their different Stations to go on with the business - He asked their names and expressed great satisfaction that there had been so many to take charge of the business. He then requested Mr. McGillivray to show him into some empty room where he might examine witnesses and intimated that all the prisoners should confine themselves to their rooms to be out of the way of the evidence, and that Servants should convey them their meals. After the partners retired to their rooms an armed Sentinel with fixed bayonet was placed on each door and a few hours after they were ordered by Mr. McNab on the part of his Lordship to one house until their examination should take

North West Company; Earl of Selkirk; Thomas Douglas; William McGillivray; Kenneth McKenzie; John McNab; taking of arms; prisoners; <http://data2.archives.ca/e/e447/e011163878-339-v8.jpg>

339

336

place. His Lordship then ordered all the canoes (fifteen of which were ready to start for the interior with goods for the natives) to be sent into the Fort, which was done by the men. He then ordered all the North West Company's men to leave their Camp, at each end of the Fort (the usual places) and immediately to cross the river which they did. He demanded the keys of the stores which were refused, upon which he observed that he would find keys and that very soon. At night a general search under a Warrant from Lord Selkirk was made in all the rooms in the Fort for small arms and all the trunks of the prisoners searched for papers, pistols, daggers etc., which were taken away. Dr. Allen, McNab and Captain D'Orsonnens were the persons making this search, some men with implements to break doors etc. accompanied them

North West Company; Fort William; Nor'Westers; John Allen; Earl of Selkirk; Thomas Douglas; John McNab; Captain D'Orsonnens; Proteus D'Orsonnens; daggers; papers; pistols; warrant; prisoners; <http://data2.archives.ca/e/e447/e011163878-340-v8.jpg>

340

337

"and one door was actually burst open."

Several of the principal circumstances mentioned in the above statement are confirmed by various other Depositions (No. 242, 243, 245, 246, 253, 254 & 270) filed on the part of the North West Company. And the accounts thereof contained in the Depositions (No. 280, 281, 282, 283, 284 & 286) filed on behalf of the Earl of Selkirk are nearly similar in Substance, but state the following circumstances which are dwelt upon as shewing the necessity of the subsequent measures adopted. - That the Seals in the rooms of Alexander McKenzie and John McLaughlin had been broken - that a quantity of papers had been burnt in the kitchen fire - and that part of the guns which had been found concealed in the hay loft were loaded with ball, and had apparently been fresh primed the night preceding. After

North West Company; Earl of Selkirk; Thomas Douglas; Alexander McKenzie; John McLaughlin; statements; Deposition; seals; weapons cache; Deposition 242; Deposition 243; Deposition 245; Deposition 246; Deposition 253; Deposition 254; Deposition 270; Deposition 280; Deposition 281; <http://data2.archives.ca/e/e447/e011163878-341-v8.jpg>

341	338	Deposition 282; Deposition 283; Deposition 284; Deposition 286;
	<p>these discoveries it is stated in the Deposition of P. Dodet D'Orsonnens No. 286 that "their tents were removed from the opposite bank of the river and pitched in front of the Fort, and the Servants of the North West Company who had previously been encamped all around the fort were sent to the opposite bank of the river except the Iroquois who were considered least under the control of the North West Company having positively refused as two of them informed himself in presence of Captain Lorimer of the Indian Department to make use of loaded arms, which they had been pressed by Hugh McGillis a partner and some Clerks to employ against the persons charged with the Warrants."</p> <p>The last mentioned attempt at resistance (the only specific charge of this nature except that alledged against Alexander McKenzie and John McDonald at the moment of entering the Fort as already</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-342-v8.jpg Fort William; Kaministiquia River; Iroquois; Indian Department; Captain Lorimer; John McDonald; Hugh McGillis; Alexander McKenzie; Protois Dodet D'Orsonnens; Proteus D'Orsonnens; resistance; warrants; Deposition 286;</p>
342	339	<p>mentioned) is also stated in the Deposition of Joseph Sansfacon, No. 283, a voyageur engaged to the North West Company, but who left their Service and entered into that of the Earl of Selkirk after the Capture of Fort William, he deposes that at the moment that the persons charged with the Warrants against the North West partners arrived for the purpose of executing them; one of the partners of the Said Company Hugh McGillis came out of the Fort calling out to their Servants "Aux armes' aux armes," and finding that they would not take up arms he called them a parcel of old women; - that about the same time Jean Marie Boucher also endeavored to make them take up arms, but could not induce the men to resist the arrest - that the next day or the next day but one, he saw a quantity of arms brought into the fort which had been hid in a hay loft for the purpose, as was</p>
343	340	<p>reported by several of the Servants of the North West Company of furnishing arms to the Iriquois to attack the Earl of Selkirks's people - Louis Blondeau another voyageur who also left the Service of the North West Company an engaged in that of the Earl of Selkirk, states in his Deposition (No. 284) that having learnt during the night the concealment of the arms, immediately next morning he wrote a note to Lord Selkirk containing information, that arms were concealed in the hay loft - that Lord Selkirk on receiving the note immediately came to see him and took him by the hand squeezing it and saying he had rendered him a service, and saved him from a great danger; - that thereupon the Earl of Selkirk gave a Search Warrant for the arms, which were found; and that afterwards the Earl took possession of Fort William; he further adds</p>
344	341	<p>that he firmly believes from the violent and Sanguinary character of the partners of the North West Company and others of their people then at Fort William, and from circumstances which have come to his knowledge, that neither the life of Lord Selkirk nor those of his people would have been in safety if he had remained in the meadow, where they had at first encamped, but that the said Earl and those with him would have run great risk of being massacred like the people at Red river if he had not immediately taken possession of Fort William - and that he had since heard several of the North West Company's servants say</p>

345	<p>that the arms had been hid, in order to afford them the means of destroying those persons who had charge of the prisoners in the Fort; and that afterwards Lord Selkirk being encamped with his people in a meadow, it would be easy</p>			
	342	tag for Vandersluys?	North West Company; Fort William; John Allen; John Allan; Earl of Selkirk; Thomas Douglas; Jasper Vandersluys; warrant; Deposition 280	http://data2.archives.ca/e/e447/e011163878-346-v8.jpg
	<p>for the people in the Fort being more numerous to attack and destroy those of his Lordship. John Allen annexes a copy of the second search Warrant issued by the Earl of Selkirk to his Deposition (No. 280 Letter G) but by the terms thereof, it appears evidently that it was not issued till after the arms had been found; Mr. Allan further states that he was occupied almost the "whole day in making up into parcels and sealing the papers which remained unburnt, that this was done in the presence of the said Vandersluys, who took memorandums as he had also done the day before of all that was done, and while he affixed the Seal of the Magistrate on the said parcels, the said Vandersluys affixed another seal thereon on behalf of the North West Company - that after this the said parcels of papers together with the arms belonging individually to the partners under</p>			
346	343		Montreal; Archibald McDonald; Earl of Selkirk; Thomas Douglas; 14 August 1816; Desk of Public Office; Warrants for felony;	http://data2.archives.ca/e/e447/e011163878-347-v8.jpg
	<p>*14 Augt. 1816* arrest, on which were tied labels with the names of those in whose possession they were found, were placed in a room by themselves - that subsequently a selection of papers was made from the great number in the Desk of the public Office or writing room, which being made into parcels were in like manner sealed up, and were sent with the rest to Montreal under charge of Archibald McDonald, where he has understood they were received and opened by the proper authorities but that the Earl of Selkirk did not examine them."</p> <p>With regard to the mode in which the arms, found in the hay loft were ultimately disposed of, the evidence is contradictory and not very clear on either side; at the same time it was on this occurrence and the circumstances connected therewith that the Warrants for felony against the Earl of Selkirk was obtained</p>			
347	344		North West Company; Fort William; Upper Canada; Earl of Selkirk; Thomas Douglas; Robert McRobb; 13 August 1816; ammunition; canoes; deposition; fusils; gunpowder; magistrates; capture of Fort William; Deposition 245	http://data2.archives.ca/e/e447/e011163878-348-v8.jpg
	<p>from the Magistrates of the Western District of Upper Canada; the subject has naturally formed an object of my enquiry; on the part of the North West Company Robert McRobb one of their Clerks in his Deposition (No. 245) States - "that when Fort William was taken forcible possession of as aforesaid eight of the North West Company's Canoes destined for the interior Country were then ready to receive their loading for the purposes of trading, that foreseeing Lord Selkirk would not permit the said Canoes to depart with the usual arms and ammunition on board, he assisted in conveying out of the Fort forty Indian fusils in four cases and as many more to be put into four other cases - and eight kegs of gunpowder were also conveyed out of the fort in the course of the evening of the thirteenth day of August eighteen hundred & sixteen for the sole and only purpose of being put into</p>			
348	345		Bas de Riviere; Fort Alexander; Fort William; Lac la Pluie, Rainy Lake; Red River; Earl of Selkirk; Thomas Douglas; James Chisolm McTavish; 14 August 1816; 3 September 1816; capture of Fort William; canoes; arms; Deposition 246;	http://data2.archives.ca/e/e447/e011163878-349-v8.jpg
	<p>*Aug 14th/1816* the said Canoes as part and usual proportion of said loading; and he further adds, that prior to the Capture of Fort William no preparation had been made to defend it, and during his stay in the said fort up to the third day of September one thousand eight hundred & sixteen no preparations whatever had been made to recapture it": James Chisolm McTavish another Clerk of the Company in his Deposition (No. 246) states that at the period Fort William was forcibly taken possession of there "were eight or more Canoes destined for the departments of Red river, Bas de Riviere & Lac la Pluie ready to receive their loading as customary for the purposes of trade, and that it being apprehended from the previous</p>			

349	<p>conduct of the Earl of Selkirk that he would not allow the usual supply of arms and ammunition to go forward, although little or no apprehension was then entertained of his stopping the trade</p>	<p>Fort William; Earl of Selkirk, Thomas Douglas; 14 August 1816; ammunition; arms; canoes; gunpowder; guns;</p>
350	<p>346</p> <p>altogether, he himself assisted in conveying out of the said fort, four cases of Arms such as usually contain ten trading guns and depositing the same in an out house for the purpose if necessary of shipping them by the said Canoes without the privity of the said Earl; - that he has also been informed that a quantity of gunpowder had been removed for the same purpose; - that the said arms and ammunition were about the usual supply sent with the Canoes aforesaid and were by no means intended to make any resistance to the proceedings of the said Earl of Selkirk as a Magistrate - that a part of the Guns were loaded, a circumstance not uncommon with those Guns which are shipped loose in the Canoes - that on the 14th day of August (being the day following) the said arms were discovered and seized; and he saw the same</p>	<p>347</p> <p>conveyed into the said Fort by part of the armed men of the Regiment De Meuron - that the four cases he saw some days afterwards at the guard house established by the said armed force under one of the provision stores; - He adds the whole of the said Guns were kept forcible possession of, by the armed men aforesaid, and were not ever placed with the arms, which had previously been seized under the Warrant for searching for arms and papers, of which a regular account had been in the presence of Mr. Jasper Vanderslugs or other Clerks of the North West Company - nor were the said Guns ever subsequently delivered over or accounted for, to the said Jasper Vandersluys and himself, who had been jointly authorised with the acquiescence of the Earl of Selkirk to take charge of the property of the North West Company on the arrest of the partners amongst which property was a considerable quantity of arms - and that</p>
351	<p>348</p> <p>he afterwards saw some of the armed men of the late Regiment De Meuron, with similar Guns in place of the muskets and bayonets, which he had previously seen in their possession - and he further adds that at no time previous or subsequent to the Capture of the said Fort William up to the fourth day of September inclusive; when he left the same, was any attempt at resistance or movement for the recapture of the said Fort made by the said North West Company or any of their partizans."</p> <p>Pierre Le-blanc, J.B. Masta, & Vincent Dauphin in their respective Depositions (No. 247, 248 & 249) depose to the seizing taking and carrying away of the Guns in question by an armed force and the two former add that they saw Several persons in the Service of the Earl of Selkirk with fusils which they certainly believe to have been part of those so seized taken and</p>	<p>North West Company; Fort William; Vincent Dauphin; Earl of Selkirk; Thomas Douglas; Pierre Leblanc, J. B. Masta, Jean Baptiste Masta; Imbeault dit Masta; Vincent Dauphin; Regiment de Meuron; de Meuron Regiment; partizans; 4 September 1816; bayonets; fusils; guns; muskets; Deposition 247; Deposition 248; Deposition 249;</p>
352	<p>349</p> <p>carried away, that the said persons told that the fusils which they had were those which had belonged to the North West Company. And Mr. McGillivray in his Deposition (No. 351, States), that on the 16th August, the fusils in question were taken out of the Fort into his Lordships Camp.</p> <p>On the part of the Earl of Selkirk, John Allan in his Deposition (No. 280) states that the arms in question as he has "been informed were put into the custody of Sergeant Pugh and</p>	<p>North West Company; Fort William; John Allan; Earl of Selkirk, Thomas Douglas; McGillivray; Peter Montgomery Sergeant Pagh; Jacob Witchy, Jacob Witschey; 16 August 1816; arms; fusils; guns; stores;</p>

353	<p>afterwards removed into the Fort with the other Warlike stores"; Peter Montgomery in his Deposition (No. 281) states that he cannot say how the cases of Guns or loose arms were ultimately disposed of, but that he saw the said cases lie for several weeks afterwards apparently unopened under one of the Stores - and Jacob Witchy in his Deposition (No. 282) states that the day after the arrest of the North West Partners he saw forty trading fusils brought into the Fort</p>	<p>Deposition 351; Deposition 280; Deposition 281; Deposition 282;</p>
354	<p>350</p> <p>which were loaded with ball, and had the appearance of being newly loaded and that they were placed in the guard house within the Fort, that there were also four causes of fusils which were not opened - that the next day or day after the forty fusils before mentioned were carried to the tent of the 37th Regiment and that he saw them for Several days afterwards in charge of the men of that Regiment - that the four cases of arms were placed at the entrance of the Fort under one of the stores raised on Posts which stand near the Gate of the Fort, and that he saw them there a long time without being opened whilst he remained at the said Fort.</p> <p>John Allan in his Deposition states further that on on the 31st December 1817 he arrived with the Earl of Selkirk at Albany and thence proceeded by way of York to Sandwich, were the Earl, Captain D'Orsonnens and himself were examined</p>	<p>Albany; Albany House; Fort William; Sandwich; York; John Allan; Earl of Selkirk, Thomas Douglas; Captain D'Orsonnens; Proteus D'Orsonnens; 37th Regiment; 37th Regiment of Foot; Regiment de Meuron; de Meuron Regiment; 31 December 1817; gate; guard house; fusils; stores</p> <p>http://data2.archives.ca/e/e447/e011163878-354-v8.jpg</p>
355	<p>351</p> <p>on the 16th January before a Special session of the Magistrates who entirely discharged the warrant of arrest signed by Francois Baby Esquire for feloniously Stealing the fusils above mentioned, which Warrant had been entrusted to William Smith - Of this discharge he exhibited an original copy to me, and has annexed to his deposition a Copy of that paper (marked M). He states also that "on this occasion he Magistrates on comparing two Affidavits both signed by McTavish and Vandersluys and on one of which the Warrant had been issued declared themselves perfectly satisfied that no felony had been committed. That the said William Smith endeavored to induce the Court to issue an attachment for contempt against the Earl of Selkirk, but the Magistrates declared themselves satisfied that the resistance to the writ of restitution, and also to the warrants had originated in motives different from contempt</p>	<p>Francois Baby; Earl of Selkirk, Thomas Douglas; McTavish, James Chisolm McTavish; William Smith; Jasper Vandersluys; Magistrates; affidavit; deposition; theft; fusils; warrant; writ of restitution; contempt</p> <p>http://data2.archives.ca/e/e447/e011163878-355-v8.jpg</p>
356	<p>352</p> <p>of their authority - that he afterwards gave securities *14 Aug 1816* in small sums as did also the Earl of Selkirk and Captain D'Orsonnens for offences alleged against them by Mr. Henry Bolton for the Crown and by William Smith aforesaid" - of which latter fact, he has also annexed to his Deposition the Copy of a certificate (Mar T) from the Chairman of the Quarter Sessions. He further States that although accused of feloniously stealing the said arms he had never so much as seen the place whence they were taken; and that "Jasper Vandersluys and James McTavish when they took the Affidavit dated the 19th October 1816, accusing the Earl of Selkirk, himself and others of feloniously stealing and carrying away 83 Indian fusils on which the Warrant for their arrest was issued had a knowledge that the fusils so sworn by them to have been feloniously stolen, had been secured after a Warrant was issued to secure the Arms and Warlike stores</p>	<p>Henry Bolton; Earl of Selkirk; Thomas Douglas; Captain D'Orsonnens; Proteus D'Orsonnens; James Chisolm McTavish; William Smith; Jasper Vandersluys; 14 August 1816; 19 October 1816; affidavit; arms; feloniously stealing Quarter Sessions; warlike stores; warrant</p> <p>http://data2.archives.ca/e/e447/e011163878-356-v8.jpg</p>
356	<p>353</p> <p>belonging to the North West Company to prevent their being employed in resistance to the Law."</p> <p>As the occurrences of this day and the events connected therewith will probably be brought by the parties before the Superior Courts for decision, it is unnecessary to enter into any</p>	<p>North West Company; Earl of Selkirk, Thomas Douglas; Robert McRobb; James Chisolm McTavish; Superior Courts; arms</p> <p>http://data2.archives.ca/e/e447/e011163878-357-v8.jpg</p>

detailed observations thereon; at the same time it may not be amiss to remark how much the charges made on each side appear to be exaggerated; there seems but little reason to doubt that the cause for which the arms were concealed is truly stated by McRobb and McTavish, at the same time the circumstances were such as might naturally create Suspicion and lead to the measures of precaution adopted by the Earl of Selkirk and his followers; on their part however there does appear to have been considerable irregularity in the mode, in which the Seizure was made, and some reason from the Evidence to suspect an ultimate illegal conversion, altho' there is not the smallest proof of

357

354

this having taken place with the knowledge of the Earl of Selkirk; and was even the contrary the case, evry impartial person would attribute the proceeding, rather to a mistaken opinion of right, under the idea his Lordship appears evidently to have entertained, that the violences committed by his adversaries were to be considered as acts of treason and rebellion; than to any possible design of felonious conversion for his private advantage: it is easy however at the same time to conceive that the circumstances of the case being stated by McTavish and Vandersluys to their legal advisers with the exaggeration naturally incident to party spirit and exasperated feelings, might by these latter, imperfectly acquainted as they were with the State of the Country be bona fide considered as felonious and also that under their advice McTavish & Vandersluys might take the Affidavits above mentioned without being conscious of any criminality attaching thereto.

Earl of Selkirk, Thomas Douglas; James Chisolm McTavish; Jasper Vandersluys; affidavits; felonious conversion; treason and rebellion;

<http://data2.archives.ca/e/e447/e011163878-358-v8.jpg>

358

355

Aug 1816 On the 18th August 1816 Mr. William McGillivray and all the other Partners under arrest with the exception of Daniel McKenzie were sent off prisoners to York, after having been examined on the 15th by the Earl of Selkirk in the presence of Captain Matthey, Captain Lorimer of the Indian Department, Mr. Beecher of the Royal Navy, Mr. John McNab and Mr. John Spencer on the charges herein before detailed. Mr. Wm McGillivray in his deposition No. 251, states, "that the Canoes intended for himself and Kenneth McKenzie, although nearly finished were refused and crews of Iriquois were appointed in place of those usually employed for the Canoes of the Agents - that his own body servant was not allowed to accompany him under pretence that he must undergo an examination - that the Canoes were very much loaded and embarassed with people - Mr. Kenneth McKenzie's had twenty two grown persons on board and being rather smaller than the others filled and upset in a Gale of wind near

Sault Ste. Marie; York; Beecher, Alexander Bridport Becher; Earl of Selkirk, Thomas Douglas; Captain Lorimer; Captain Frederick Matthey; William McGillivray; Daniel McKenzie; Kenneth McKenzie; John McNab ; John Spencer; Indian Department; Iriquois; Iroquois; 18 August 1816; agents; canoes; Royal Navy; Deposition 251; Deposition 280;

<http://data2.archives.ca/e/e447/e011163878-359-v8.jpg>

359

356

St. Maries on the 26th day of August when Mr. Kenneth McKenzie and eight of the men were unfortunately drowned."

The circumstances above states by Mr. McGillivray are still more fully detailed in the joint depositions of John McDonald Allan McDonell and Daniel McKenzie. No. 167.

John McGillivray, a partner of the North West *Aug 23 1816* Company was sent down under Warrant of commitment to York in Custody as John Allan in his deposition No. 280. states he understood of Lieutenants Missani & Brumly the particular facts which led to his commitment have no where been stated before me, nor from what cause he obtained his liberty and has not since been proceeded against in any shape. Mr. Allan states indeed that he (John McGillivray) denied all participation in criminal designs or attempts against the Colony; that he refused to say he had ever objected to the expenditure of the Company's money

North West Company; Sault Ste. Marie; York; Red River Colony; Red River Settlement; Selkirk Settlement; Kenneth McKenzie; John McDonald; Allan McDonnell; Daniel McKenzie; John McGillivray; John Allan; Lieutenant Missani; John Theodore Missani; Lieutenant Brumby; Charles Brumby; warrant; Deposition 167;

<http://data2.archives.ca/e/e447/e011163878-360-v8.jpg>

360	<p>occasioned in producing the destruction of the 357</p> <p>Colony, but stated that any objection or protest of his as an individual would have but little weight against the measures approved by the concern in general - that the papers found in his Canoe were taken by a Warrant, sealed up as others had been without examination and set apart to be sent to Montreal.</p> <p>On the 3rd September 1816 all the Clerks of the North West Company with the exception of Messrs McTavish, Taitt, & Kennedy left Fort William, as did McTavish the day after; the latter having previously requested Mr. Allan as stated by the latter in his Deposition No. 280 to accompany him to the North West Company's Office, of which, they jointly sealed up the keys in a box which was delivered to Mr. Taitt whom McTavish left in charge of the N.W. Company's property. It is stated on the part of the N.W.C's in the Deposition of the said McTavish (No. 246) that from the 14th day of August to the 4th day of September</p>	<p>Deposition 280; North West Company; http://data2.archives.ca/e/e447/e011163878-361-v8.jpg Fort William; Allan; Kennedy; James Chisolm McTavish; James Taitt; Clerks; 14 August 1816; 4 September 1816; canoe; keys; warrant; Deposition 246; Deposition 280;</p>
361	<p>358</p> <p>"the Earl of Selkirk remained in the forcible possession *3rd Sep 1816* of Fort William and of all the buildings, goods peltries, furs, provisions, and moveable property of evry kind therein belonging to the said N.W. Company, and prevented the said N.W. Company their Agents Clerks and persons in their employ to the number at least of two hundred and fifty persons from transacting the business of the said N.W. Company, positively refusing to allow them to send their goods into the interior of the Country for the purpose of their trade & commerce, or to send their furs or peltries down to Montreal aforesaid; the whole of the said property of the said N.W. Company being from the time the said Earl of Selkirk entered the said establishment at Fort William entirely at his disposal. - that the goods in the said Fort belonging to the said N.W. Company were of the value of twenty thousand pounds of sterling money of Great Britain and upwards - that the said peltries and furs were of value of Seventy thousand pounds of Sterling money</p>	<p>N.W. Company; North West Company; Fort William; Montreal; Nor'Westers; Earl of Selkirk; furs; pelts; peltries;</p> <p>http://data2.archives.ca/e/e447/e011163878-362-v8.jpg</p>
362	<p>359</p> <p>aforesaid and upwards, and that the said provisions and moveable property were of the value of ten thousand pounds Sterling money aforesaid and upwards; that on the fifteenth day of August last past at Fort William the said Captain Matthey told him in the presence and hearing of the said Earl of Selkirk that the Soldiers, meaning the armed men in the Uniform of Soldiers in the Service of the said Earl of Selkirk on hearing the first report of a gun or pistol on the outside of the Fort from a Canadian or Indian, would most certainly revenge themselves on the prisoners and perhaps on himself (the said McTavish) and as they had been trained and accustomed to bloodshed on the Continent, they would stick at nothing; that on the seventeenth day of the said month of August an Officer with an armed Sentry took him before the said Earl of Selkirk who ordered him to prepare three Canoes with the usual provisions for twelve passengers; that in the night of the day last aforesaid a man of the name of</p>	<p>Fort William; Canadians; http://data2.archives.ca/e/e447/e011163878-363-v8.jpg Indians; Captain Frederick Matthey; Earl of Selkirk; McTavish; soldiers; Swiss DeMeuron Regiment; De Meuron Regiment;</p>
363	<p>360</p> <p>Landrieux in the service of the North W. Company was taken up and confined in the guard house by armed men in the Service of the said Earl of Selkirk for getting out of bed after ten o'clock at night, that on the twenty-second of the said month of August some of the men in the Service of the said Earl of Selkirk entered one of the said buildings of the said N.W. Company employed as a Carpenters work shop, and there took the wood and timber belonging to the said N.W. Company for the purpose of making Carriages; that he called on</p>	<p>N.W. Company; North West Company; Hudson's Bay Company; Nor'Westers; Regiment de Meuron; Adjutant- Général Jean Landrieux (1756-1825); Earl of Selkirk; financial redress;</p> <p>http://data2.archives.ca/e/e447/e011163878-364-v8.jpg</p>

the said Earl of Selkirk in his Capacity as a Magistrate and represented to him the conduct of the said men in taking the said wood and timber and also the Conduct of the men in the Service of the said Earl of Selkirk in other respects and asked redress on behalf of the said N.W. Company; that the said Earl of Selkirk told the deponent that he would not interfere, that he would not endanger his life to protect the property of the N.W. Company, and that

364

361

he did not know whether the Soldiers would obey him if he told them to desist: that on the day last aforesaid a canoe arrived at Fort William aforesaid with dispatches for the said N.W. Company among which dispatches were several copies of the Proclamation of his Excellency the Governor of the said Province, of the sixteenth day of July 1816; that the said dispatches and Proclamation were taken by the said Captain Matthey by the orders of the said Earl of Selkirk, and kept and detained by him, and notwithstanding his representing the necessity of forwarding the said Proclamations to the interior of the Indian Country and offering to forward them, the said Earl would not permit them to be forwarded that on the twenty third day of August the said Captain Matthey in his presence told one Jasper Vandersluys one of the Clerks of the N.W. Company who had some dispute with the soldiers respecting the key of the Carpenter Shop which the said Jasper Vandersluys refused

Jasper Vandersluys was the clerk/bookkeeper in the Montreal office of the North West Company.

N.W. Company; North West Company; Fort William; De Meuron Regiment; Captain Frederick Matthey; Earl of Selkirk; Jasper Vandersluys; soldiers;

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365

362

giving up to them, that he (meaning the said Jasper Vandersluys) had better leave his (meaning the said Captain Matthey's) men alone, for that one of the them told him, that he would take an axe and break his skull, and if the row one commenced he did not know where it would end, perhaps in bloodshed and burning the Fort; that from the twenty ninth day of August to the fourth day of September the day on which he was sent from Fort William aforesaid by the said Earl of Selkirk, the said Earl and several of the men in his Service were tampering with the men in the Service of the said Earl and several of the men in the Service of the said N.W. Company, enticing and seducing them to desert and abandon the Service of the said N.W. Company in which they were engaged by written contracts; sometimes commanding them in the Kings name to perform voyages to different places for the said Earl of Selkirk, and at other times and particularly on the second day of Sept. the said Earl of Selkirk addressed the men in the

N.W. Company; North West Company; Fort William; Nor'Westers; De Meuron Regiment; Jasper Vandersluys; Captain Frederick Matthey; Earl of Selkirk;

<http://data2.archives.ca/e/e447/e011163878-366-v8.jpg>

366

363

N.W. Company, and told them that he would cancel all engagements, and stand all consequences, and on the same day one Letemps a man in the Service of the N.W. Company was confined in the guard house by persons in the service of the said Earl of Selkirk for refusing to enter the room where the said Earl of Selkirk was addressing the men. That he himself advised the men in the Service of the N.W. Company not to break their engagements with the said N.W. Company or suffer themselves to be seduced from their duty; that in consequence of this, the said Earl of Selkirk accused him of respecting Stolen goods and on the said fourth day of September sent him down to Montreal without a Warrant that the said Earl did not examine him reflecting any charge whatsoever against him, and that he verily believes that the said Earl made use of his Office and Authority of Justice of the Peace to send away himself and the other Clerks in the Service of the said N.W. Company from Fort William

N. W. Company; North West Company; Hudson's Bay Company; Fort William; Montreal; Nor'Westers; Earl of Selkirk, Thomas Douglas; Joseph Letemps; clerks; stolen goods; warrant;

<http://data2.archives.ca/e/e447/e011163878-367-v8.jpg>

367

364

aforesaid, because they advised the men in the service of the said North West Company no to break their engagements, or suffer themselves to be seduced from their duty."

The general tenor and many of the circumstances contained in this statement are confirmed

North West Company; Brumby; Antoine Colin; Robert Cowie; Michal Chretien; Richard Grant; William Henry; Joseph Gunnermain; Joseph

<http://data2.archives.ca/e/e447/e011163878-368-v8.jpg>

by the deposition of Lieutenant Missani and Brumby before mentioned (No. 242 & 243), of William McGillivray and of John McDonald, Allan McDonell & Daniel McKenzie partners of the N.W. Company (No. 251 & 267) of Robert McRobb, Wm Henery, Richard Grant, Robert Cowie, & James Taitt Clerks of the North West Company (No. 245, 252, 253, 254 & 270) and by those of John Spatts, Joseph Gunnermain, Joseph Vandal, John Baptise Wells, Joseph Letemps, Antoine Colin, Wm Morrison & Michel Chretien engaged servants of the said Company (No. 255, 256, 257, 258, 259, 260 & 278); particularly as to the inducement held out to many of them to break their engagements and the ill treatment of such as would not do so.

By the

Vandal; John Baptise Wells; Joseph Letemps; John McDonald; Allan McDonell; William McGillivray; Daniel McKenzie; Lieutenant Missani, John Theodore Missani; Robert McRobb; William Morrison; John Spatts; James Taitt; Deposition 242; Deposition 243; Deposition 245; Deposition 251; Deposition 252; Deposition 253, Deposition 254; Deposition 255; Deposition 256; Deposition 257; Deposition 258; Deposition 259; Deposition 260; Deposition 267; Deposition 270; Deposition 278;

368

365

Depositions of Messani & Brumby it further appears that previous to their departure about the 23rd August, the Earl of Selkirk had taken up his quarters in a house formerly occupied by the Gentlemen of the North West Company, and that some of the Earls people were also quartered in other apartments and buildings within the Fort; this appears from the General tenor of Mr. William McGillivray's Deposition not to have been the case till after his departure, and Robert Cowie in his Deposition expressly states such to be the fact, and that it was on or about the 19th of August that the Earl of Selkirk took personal possession and commenced living in the Fort. By the Depositions of Mr. Wm McGillivray, John McDonald, Allan McDonell & Daniel McKenzie, complaints were made of the severity with which the prisoners were treated in being removed from their own lodgings into one building and there confined in separate rooms. Of the communication with their Clerks and other

North West Company; <http://data2.archives.ca/e/e447/e011163878-369-v8.jpg>
Hudson's Bay Company;
Fort William;
Nor'Westers; Charles Brumby; Robert Cowie; Earl Selkirk, Thomas Douglas; William McGillivray, John McDonald, Allan McDonell; Daniel McKenzie; Messani, John Theodore Missani; 19 August 1816; 23 August 1816; clerks;

369

366

servants (with the exception of two or three allowed to *3 Sep 1816* bring them their meals) being prevented, Messrs Missani & Brumby being also told to discontinue their visits, (which however these Gentlemen refused to do unless force was used, but confined themselves to two short visits a day), they further also complain of the interruption caused to their trade by their servants being prevented working as usual particularly the Canoe makers and other men who had lodged in the Fort for the purpose of carrying on the necessary work, being turned out and sent across the river, and of the detention of their Canoes for the interior, for which the Uniform reason said to be assigned, was that the exigencies of the business must give way to the course of Justice, and that a few days would make no difference, and they finally alledge that of the men whose Affidavits were taken by the Earl of Selkirk, several were imprisoned in the first instance, and when frightened, examined upon

Fort William; Brumby; <http://data2.archives.ca/e/e447/e011163878-370-v8.jpg>
Charles Brumby; Earl of Selkirk, Thomas Douglas; John Theodore Missani; 3 September 1816; imprisonment; canoes; servants

367

oath - Proceedings which altho' perhaps in some respects irregular yet appear by no means inconsistent with a bona fide intention on the part of the Earl of Selkirk of promoting the ends of public justice as a Magistrate - Some of the subsequent alleged proceedings on the part of his Lordship can however scarcely admit of this justification; such as the refusal on the 22nd August of taking steps as a Magistrate to prevent the plunder and destruction of the N.W. Company's property, as herein before mentioned to have been stated by Mr. McTavish; the taking possession on the 2nd September of the keys of the provision stores of the N.W. Company and directing that no provisions should be issued except by the order of Captain Matthey as stated in the Depositions of McRobb & Cowie - the preventing any furs being sent down to Montreal or any goods into the interior, whereby the trade of the N.W. Company was entirely stopped, as stated in various depositions, but more

N.W. Company; North West Company; Montreal; Earl of Selkirk; James McTavish; Captain Matthey; Robert McRobb; Robert Cowie;

<http://data2.archives.ca/e/e447/e011163878-371-v8.jpg>

371

368

particularly in those of McTavish, Cowie & Grant;

The sending away from Fort William the principal Clerks of the Company, James McTavish on a charge of receiving stolen goods but without (as stated by him in his Deposition) any warrant and Robert McRobb, Robert Cowie, and Richard Grant, under subpoena's to appear as witnesses on an accusation against Mr. William McGillivray for conspiracy, an original Copy whereof is annexed to McRobb's Deposition, but without (as stated by all three) any previous examination whether they had a knowledge of any facts relative to the charge, circumstances which certainly tend to give a color of probability to the allegation that the real motive for their being thus sent away was the better to enable the Earl and his partisans to induce the voyageur Servants of the N.W. Company to break their engagements and to conduct his Lordships Canoes into the interior, an object which appears to have been of material importance.

Hudson's Bay Company; North West Company; N.W. Company; Fort William; Nor'Westers; James McTavish; Robert Cowie; Richard Grant; Robert McRobb; William McGillivray; Earl of Selkirk; stolen goods;

<http://data2.archives.ca/e/e447/e011163878-372-v8.jpg>

372

369

Mr. McRobb in his Deposition on this subject that he heard his Lordship tell Mr. McTavish that he must not dissuade the men and that if he did it would be at his peril, and that he was informed by the men that they were commanded in the name of Government, and the men themselves in their Depositions already mentioned recapitulate the various means used to induce them to violate engagements, as sometimes threats, sometimes promises, on other occasions increased wages and cheaper supplies, together with the alledged commands of Government, and assurances that the N.W. Company would never return, that many of the partners would be hanged, and that the Country belonged to them (the Hudson's Bay Company's party) and lastly by the imprisonment in some cases of those, who appeared most zealous in the service of the N.W. Company.

Hudson's Bay Company; N.W. Company; North West Company; Robert McRobb; Earl of Selkirk; McTavish; John Allan

<http://data2.archives.ca/e/e447/e011163878-373-v8.jpg>

373

370

On the part of the Earl of Selkirk John Allan

who alone entered into the details of this period *3 Sep 1816* on his Lordships behalf, gives a Statement which, without directly contradicting the facts stated in the other Depositions shews in some degree the impressions under which the Earl may have been gradually led to the adoption of the course of conduct pursued by him without himself perhaps being sensible of any impropriety: he states "that on the 20th August in consequence as he believes of information laid before the Earl of Selkirk on Oath a warrant was issued for searching Fort

Hudson's Bay Company; N.W. Company; North West Company; Fort William; Qué Appellé River; Qu'Appelle River; Nor'Westers; Earl of Selkirk; warrant; stolen goods;

<http://data2.archives.ca/e/e447/e011163878-374-v8.jpg>

William and a quantity of furs between 30 & 40 packs as he understood were found of which certain individuals in the Service of the Hudson's Bay Company had been robbed in the Qué Appellé river by persons employed by the N.W. Company, that the said furs were stated to have been repacked at Fort William." That on the course of searching Fort William for stolen goods, about twenty bales intended

374

371

for Red river department were discovered, that these contained the habillements for the Brulés herein before mentioned and particularly referred to in the Earl of Selkirk's letter to the Attorney General of Upper Canada - "that these bales were set apart by Lord Selkirk's orders and afterwards sent to the Sheriff at Montreal to be produced as evidence when required by the Attorney General. That in consequence of these discoveries and others shewing the joint purpose of the N.W. Company against the Settlers, Lord Selkirk determined to pass the Winter at Fort William stating to him (Allan) that he conceived himself bound to deliver up the place to Government since it had been used by the N.W. Company as a rendezvous of Robbers & Murderers and the receptacle of their plunder and that he also considered he had a right in Law to hold in his possession the property of the N.W. Company contained in the Fort, as a pledge to secure the reparation of the damages, they had done to his property, and to that

N.W. Company; North West Company; Fort William; Montreal; Red River department; Brulés; Bois Brulés; Halfbreeds; Settlers; Selkirk Settlers; Earl of Selkirk; John Allan; Attorney General of Upper Canada; robbers and murderers; plunder;

<http://data2.archives.ca/e/e447/e011163878-375-v8.jpg>

375

372

of his Settlers and others under his protection at Red river - that on the 25th August McTavish and Vandersluys having applied to Lord Selkirk for permission to send Goods to Red river and Lac la Pluie Departments were informed by his Lordship that he considered Mr. Alexander McDonell of Red river Department, and the Servants of the North West Company, who under his orders had dislodged the Settlement and murdered Governor Semple, to be in a State of rebellion against the Government, and that therefore they could not be justified if he allowed any supplies to be sent to them or any place within their reach - that on the 26th August Mr. Pritchard set out for the interior with the Proclamations of Sir John Sherbrooke dated 16th July, intended to prevent violence in the Country, but was much afraid he would be stopped by the Servants and partners of the N.W. Company on the way, especially at Bas de la Riviere which he himself had seen them fortifying with some

N.W. Company; North West Company; Red River; Bas de la Riviere; Fort Alexander; Lac la Pluie; McTavish; Jasper Vandersluys; Lord Selkirk; Alexander McDonell; Alexander Macdonell; Governor Semple; John Pritchard; Sir John Coape Sherbrooke;

<http://data2.archives.ca/e/e447/e011163878-376-v8.jpg>

376

373

Artillery of which they had plundered the Settlement - that the same day he (Allan) was present when Lord Selkirk proposed to McTavish & Vandersluys as representing the N.W. Company, to draw up an agreement for submitting to arbitration such of the injuries which had been mutually sustained in the interior as would admit of compensation in damages - that upon this they seemed much pleased, and Vandersluys, smilingly said, that he hoped some arrangement would also be made by his Lordship for releasing the Gentlemen who had been sent off prisoners - that to this his Lordship replied it was a matter wholly out of his power, solely resting with the Attorney General and had nothing to do with the arrangements which he spoke of, which was to extend only to pecuniary damages - that Lord Selkirk afterwards sent to them a written proposal on this subject, which they answered next day declaring to enter into the arrangement proposed - that on the 27th August the weather beginning to be very cold the men struck

Hudson's Bay Company; N. W. Company; North West Company; John Allan; Jasper Vandersluys; Lord Selkirk; McTavish; plunder; prisoners; arbitration;

<http://data2.archives.ca/e/e447/e011163878-377-v8.jpg>

377

374

their tents which were outside the Fort and entered *3 Sep 1816* for their quarters one of the buildings which was vacant that on the 28th August the furs of the H.B. Company before mentioned were sent off to the Sheriff of Montreal to be produced as evidence, and on the

H.B. Company; Hudson's Bay Company; Fort William; Montreal; Sault St. Mary's; Sault Ste Marie; Regiment De

<http://data2.archives.ca/e/e447/e011163878-378-v8.jpg>

29th the Goods of Lord Selkirk and the Hudson's Bay Company which had till then remained in the boats, were lodged in one of the buildings." Mr. Allan annexes to his aforesaid Deposition copies of various letters and extracts of letters from the Earl of Selkirk (marked DIKL) to Sir John Sherbrooke in explanation of his Lordships proceedings and he closes his Deposition by stating that he has been informed and believes that the engagements of the men of the late Regiment De Meuron were communicated to his Excellency Sir John Coope Sherbrooke by letter dated the 16th June 1816, by the Earl of Selkirk and had previously been stated verbally to General Wilson when administering the Government.

Meuron; Earl of Selkirk;
Sir John Coape
Sherbrooke; General
Wilson; John Johnston;
John Allan;

John Johnston Esquire of the Soult St. Mary's, at *6th Sep 1816*

378

375

6 Sep 1816 that time a Magistrate for the Indian territories arrived at Fort William as Attorney to and Agent for the N.W. Company in virtue of a regular power of Attorney to that effect -

It appears by his deposition (No. 266) the whole of which, as the evidence of a disinterested man of character is most highly important; that after exhibiting his power of Attorney, "he demanded the evacuation of Fort William by the Earl and his followers and the safe delivery thereof to himself as Agent of the said N.W. Company together with the property therein contained to which request the said Earl gave for answer that the said Fort was held together with all the stores, goods, and packs therein, as a pledge until retribution was made for the outrages and losses, sustained by his Lordship and the Hudson's Bay Company all over the Interior; but that the business of the place should go on as usual under Mr. Taitt a Clerk of the N.W. Company still remaining at the Post; and that all things required by his Lordship should be duly

N.W. Company; North West Company; Hudson's Bay Company; Fort William; Earl of Selkirk; Taitt; Magistrate; Attorney; evacuation of Fort William; Deposition 266;

<http://data2.archives.ca/e/e447/e011163878-379-v8.jpg>

379

376

receipted for - that he then demanded liberty to send of the Canoes for Red river which was refused by the said Earl on the ground of not furnishing supplies to the Rebels who were in possession of that neighborhood, and then demanding that the outfit for Lac la Pluie & Lake Winipee might be sent off, he was in like manner refused on the grounds that the Brulés might go to those Posts and get their supplies as well as at Red river - that perceiving that the Earl of Selkirk persisted to hold possession of the Fort and was supported by a military force which there was no means of resisting he next enquired what he should do with the vessel and cargo, to which the Earl replied, the latter might be landed in all safety and that he would allow some of his people to assist in discharging the vessel - that in consequence during the course of the same day two boats with some Canadians and other persons in the Military Uniform of the late

North West Company; Lake Winipee; Lake Winnipeg; Red River; Lac la Pluie; Fort William; Brules; Bois Brules; Halfbreeds; Regiment de Meuron; Earl of Selkirk; Rebels; Canadians, military force;

<http://data2.archives.ca/e/e447/e011163878-380-v8.jpg>

380

377

Sep 1816 Regiment De Meuron came along side of the vessel in two Batteaux but could not take away full loads on account of the wind being too high: that on this occasion the said men of the late Regiment De Meuron proceeded to unleash two small brass Guns on board the vessel and being asked by whose authority they were doing so replied, by that of the Earl of Selkirk or words to that effect; that he thereupon went ashore and complained to the Earl of Selkirk of the transaction who replied, it was done as a measure of precaution."

Mr. Johnston adds that on the 12th day of September he embarked on his return to the Falls of St. Mary, having previously "renewed his demand in writing for the restoration of the Fort and the property therein contained, and received a written refusal thereof from the said Earl with which he conceived it incumbent upon him to proceed to Montreal to deliver the same

N.W. Company; North West Company; Fort William; Falls of St Mary; Sault Ste Marie; Montreal; Regiment De Meuron; Earl of Selkirk; John Johnston;

<http://data2.archives.ca/e/e447/e011163878-381-v8.jpg>

to the Agents of the N.W. Company there."

Of this document a copy as has been proved before

381

378

me by James C. McTavish who annexes to his Deposition, No. 404, a copy taken from the original in the Earl of Selkirks writing; there is not however anything remarkable in the purport thereof, excepting the total omission of any pretension of holding the Fort - for the purpose of delivering it to the Government as herein before mentioned in Mr. Allan's Deposition, as the motive for its retention and which was again repeated in the deposition of John McNab and John Spencer (No. 379 & 380) as the final orders given the former when left in possession thereof on the Earls proceeding to the interior of the Indian Territories, and it is perfectly notorious that the same has been publicly and generally repeated by the partizans of the Earl: in the present paper, however his Lordship expressly states his perfect readiness to comply with the requisition for the restoration of the said Fort and the property therein, as soon as the N.W. Company, "shall have restored the

N.W. Company; North West Company; Fort William; James C. McTavish; Allan; John McNab; John Spencer; Earl of Selkirk; Deposition 379; Deposition 380; Deposition 404;

<http://data2.archives.ca/e/e447/e011163878-382-v8.jpg>

382

379

the property illegally seized by the Servants at Red river in the month of June last and made adequate compensation for the damages occasioned by that, and other injuries on their part." Johnston further adds that previous to his leaving Fort William on the twelfth day of September, "the Earl of Selkirk proposed to him to take down a Cargo of furs on condition that they should be consigned to some third party to be disposed of, and the proceeds to wait the decision of an arbitration which the said Earl proposed as a means of settling the dispute of property between himself and the N.W. Company leaving the punishment of the offences committed to the laws of the Country; with which he did not feel authorised to comply - also that he did not at any time directly or indirectly consent to be removal of the Guns, before mentioned from the Vessel, although from dread of Military force at Lord Selkirks disposal he did not remonstrate further than herein before stated." The taking of these

N.W. Company; North West Company; Red River; Fort William; Earl of Selkirk; Lord Selkirk; John Johnston; property seizure; military force; occasioned, occasioned;

<http://data2.archives.ca/e/e447/e011163878-383-v8.jpg>

383

380

Cannon being one of those occurrences relative to which the N.W. Company have charged the Earl of Selkirk with a felonious conversion of their property, a good deal of evidence has been on the subject. On the part of the N.W. Company, Robert McCargo, Augustin Des Hayes and William Morrison, in their deposition (No. 261, 262 & 264,) confirm the forcible taking of the Cannon from on board the vessel and Jacob Witchy and Jacques Chatelain in their Deposition (No. 263 & 265) state the same, being on the 12th September sent after the party, which had set out a day or two previously for the interior under the command of Captain D'Orsonnens - On the part of the Earl of Selkirk, Jacob Witschy before mentioned states in his Deposition (No. 283) that at the time he was sent on board of the aforesaid Vessel to take possession of the two pieces of Cannon by orders of Captain Matthey; Mr. Johnston was present and must necessarily have heard the order, and that when on board the Cannon

N.W. Company; North West Company; Earl of Selkirk; Robert McCargo; Augustin Des Hayes; William Morrison; Jacob Witchy; Jacob Witschey; Jacques Chatelain; Captain D'Orsonnens; Proteus D'Orsonnens; Captain Matthey; John Johnston; Deposition 261; Deposition 262; Deposition 264; Deposition 263; Deposition 265; Deposition 283;

<http://data2.archives.ca/e/e447/e011163878-384-v8.jpg>

384

381

6th Sep 1816 were pointed out to him and delivered without the smallest difficulty: and Captain D'Orsonnens in his deposition (No. 285) states that he heard Mr. Johnston direct Robert McCargo the Captain of the vessel to deliver up two small Cannon and the balls belonging thereto when demanded on the part of Lord Selkirk as a measure of necessary

North West Company; Fort William; Captain D'Orsonnens; Proteus D'Orsonnens; Lord Selkirk; John Allan; John Johnston; Robert McCargo;

<http://data2.archives.ca/e/e447/e011163878-385-v8.jpg>

<p>precaution.</p> <p>385</p>	<p>John Allan states in his deposition that he "heard Mr. Johnston say while at Fort William aforesaid that he had been authorized by Mr. McGillivray to require on the part of the North West Company that Lord Selkirk should deliver up Fort William to him and in compliance with his instructions he would make the demand in writing, but that he thought Lord Selkirk ought not to give the place back to them without some authority besides his own, seeing that it had been used by them as a rendezvous of highwaymen and murderers and the receptacle of their plunder or words</p>	<p>McGillivray; September 1816; rendezvous; highwaymen; murderers; plunder; cannon; Deposition 285;</p>
<p>386</p>	<p>382</p> <p>of similar import or meaning" - Mr. Allan also states in his deposition that whilst Mr. Johnston was at Fort William the parcel of letters of which Lagimmoniere had been robbed, was found in a locked press in the corner of the Council room; that his attention had been frequently called by Daniel McKenzie to this place but that he had conceived no papers would be left there as the partners of the N. W. Company after their arrest had passed part of the evening of the 13th August in that apartment, and that a great many papers had been burnt by them that night, - that he had in consequence delayed from time to time opening the press, but after having in vain inquired for the key he caused the lock to be forced open in the presence of Captain Matthey & D'Orsonnens and found in it wrapped a piece of bark most of the letters and papers in question including two warrants in the hand writing of James</p>	<p>North West Company; N. W. Company; Fort William; John Allan; Daniel McKenzie; Lagimmoniere; Jean-Baptiste Lagimodiere; Proteus D'Orsonnens; Captain Matthey; James Stuart; robbery; council room; locked press; papers; letters; warrants;</p> <p>http://data2.archives.ca/e/e447/e011163878-386-v8.jpg</p>
<p>387</p>	<p>383</p> <p>Stuart Esquire of Montreal for the arrest of some of the individuals who had been active in burning the Settlers houses in 1815, exclusive whereof he had previously seen the fragments of one of the papers contained in the said dispatch, viz. of the Warrant for the arrest of Alexander McDonell which was torn up, but recognized by the Earl of Selkirk; - that upon discovering the parcel aforesaid Captain Matthey went for Mr. Johnston and the Earl of Selkirk who after seeing the place in which the said parcel was found, recognized each of them letters in their own hand writing, and that the seals of all the letters were broken open; facts which Mr. Johnston also confirms in his deposition - Of the letters containing the Warrants addressed to the Earl of Selkirk to Colin Robertson, Mr. Allan has annexed to his deposition a copy marked R in consequence of a requisition from me to that effect arising from a report which</p>	<p>Montreal; Alexander McDonell; Alexander Macdonell; Earl of Selkirk; John Johnston; Colin Robertson; John Allan; Captain Matthey; Selkirk Settlers; James Stuart; arrests; arson; settlers' houses; 1815; paper fragments; dispatch; warrants; broken seals; requisition; letters;</p> <p>http://data2.archives.ca/e/e447/e011163878-387-v8.jpg</p>
	<p>384</p> <p>it was notorious had been circulated by the partizans of the N.W. Company, that blank warrants had been inclosed therein; this fact appears by the tenor of the letters not be correct, but at the same time the order contained therein to enforce a warrant against Bostonois only in the event of his continuing hostile evidently shews the imperfect view taken by the Earl of Selkirk of the duties of a Magistrate under the English Law independent of the further illegality of the orders contained in this letter, for the forcible seizure of the N.W. Company's post herein before referred to.</p> <p>On the 11th September 1816 Mr. Owen Keveney a Clerk in the service of the Hudson's Bay Company or of the Earl of Selkirk was murdered at the Dollas on the river Winnipeg. A large body of evidence relative to this horrid affair will be found collected in the depositions etc. filed from No. 288 to 321 - From the concurrent evidence</p>	<p>N.W. Company, North West Company; Hudson's Bay Company; Fort William; Dollas; river Winnipeg, Winnipeg River; Earl of Selkirk; Owen Keveney; Bostonois; Pierre Pangman dit Bostonais; seizure of fort; murder; Deposition 288; Deposition 289; Deposition 290; Deposition 291; Deposition 292; Deposition 293; Deposition 294; Deposition 295; Deposition 296; Deposition 297;</p> <p>http://data2.archives.ca/e/e447/e011163878-388-v8.jpg</p>

Deposition 298;
 Deposition 299;
 Deposition 300;
 Deposition 301;
 Deposition 302;
 Deposition 303;
 Deposition 304;
 Deposition 305;
 Deposition 306;
 Deposition 307;
 Deposition 308;
 Deposition 309;
 Deposition 310;
 Deposition 311;
 Deposition 312;
 Deposition 313;
 Deposition 314;
 Deposition 315;
 Deposition 316;
 Deposition 317;
 Deposition 318;
 Deposition 319;
 Deposition 320;
 Deposition 321;

388

385

Of all those examined, who had a knowledge of the Affair, it appears morally certain that the murder was committed by Charles de Reinhard a Clerk in the service of the N.W. Company, formerly a Sergeant in the Regiment de Meuron assisted by Francois Mainville a halfbreed also in the Service of that Company, and that the Indian called the "fils de la [[pardrix]] blanche" was present at the Affair, but took no part therein. It is true that Reinhard himself states the matter differently, saying that was Mainville who first shot Keveney and the he only stabbed him in order to end his sufferings; this account however although in some degree supported by the ambiguous expressions used on the subject by Faille and Lapointe, two of the principal witnesses, in their original Depositions at Fort William, is finally contradicted by them on their further examination as well by evry other Witness, who has deposed to the fact, whilst the opposite statements made

fils de la 'pardrx' blanche, maybe 'perdrix' partridge?

N.W. Company, North West Company; Fort William; Nor'Westers; Halfbreed; Indian; Charles de Reinhard; Regiment de Meuron; Francois Mainville; Keveney, Owen Keveny; Faille; Hubert Faye; Baptiste Lapointe; fils de la [[?]] blanche; shooting; stabbing;

<http://data2.archives.ca/e/e447/e011163878-389-v8.jpg>

389

at different times by Reinhard himself deminishes *6th Sep 1816* any confidence that might otherwise be placed in his declamation. As respects McLellan the N.West partner and the other persons charged as accessaries to this crime, the evidence is so extremely contradictory, that nothing further could be done than to secure the attendance of as many Witnesses as possible in order that the fullest investigation might take place before a Jury, who are alone competent to decide to which party credit should be given. If not acting under the direct orders of those accused of having instigated the murder it may be inferred from the general tenor of the evidence that Reinhard was led to the commission of the crime partly by the prospect of obtaining a considerable booty in the clothes and other property of Keveney and partly from an idea that in the inflamed and hostile state of mind openly expressed towards

Nor'Wester; Reinhard; Charles de Reinhard; McLellan; Keveney; Owen Keveny; trial; murder;

<http://data2.archives.ca/e/e447/e011163878-390-v8.jpg>

390

387

their opponents by the partisans of the N.W. Company he should be considered as having rendered an acceptable service to the Company; whilst at the same time the general violence of Keveney's conduct as a prisoner might to a person of the lax principles and sanguinary

N.W. Company; North West Company; Fond du Lac, Wisconsin; P.C. Pambrun; Pierre-

<http://data2.archives.ca/e/e447/e011163878-391-v8.jpg>

391	<p>habits materially formed, in the mind of a mercenary soldier by the scenes of violence and bloodshed, so frequently witnessed during the revolutionary wars, appear to afford some excuse for the crime; such at least seems by the declarations of different Witnesses to have been the apology made by him, when reproached for what he had done.</p> <p>On the *14th Sep 1816* 14th September 1816 James Grant partner of the N.W. Company was arrested at Fond du lac within the United States of America by P.C. Pambrune in virtue of a warrant from the Earl of Selkirk as more particularly detailed in the deposition of the said Grant (No. 236) who</p>	<p>Chrysologue Pambrun; Earl of Selkirk; Keveney; Owen Keveney; 14th Sep 1816; James Grant; mercenary; James Grant arrested; Deposition no 236;</p>
392	<p>388</p> <p>states also the detention by the Earl of Selkirk *Sep 14th 1816* at Fort William of a quantity of liquor and other goods, as also of one Roussin the Clerk in charge thereof, destined for the department of Fond du lac, to the great injury of the trade carried on there by John Jacob Astor a Citizen of the United States conjointly with certain individuals connected with the N.W. Company.</p> <p>This arrest appears evidently to have been grounded on the robbery of Lagimmoniere's dispatch and although the execution of the Warrant within the Territory of the United States was irregular, yet it may easily be accounted for under the ambiguous terms of the Act of the 43rd Geo 3d whilst the detention of the goods most probably arose from the same causes as were assigned by the Earl of Selkirk to Mr. Johnston for refusing leave to send supplies to any Posts within the reach of Red river.</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-392-v8.jpg N.W. Company; North West Company; Red River; Fort William; United States; Nor'Westers; Earl of Selkirk; Roussin; John Jacob Astor; Lagimoniere; Jean-Baptiste Lagimodiere; John Johnston; department of Fond du Lac; September 14th 1816; warrant; detention of a quantity of liquor and other goods;</p>
393	<p>389</p> <p>*Sep 19th 1816* Certain Deeds were executed by the Earl of Selkirk on one part and by Mr. Daniel McKenzie for the N.W. Company on the other, purporting to be a Sale of the goods & chattels of the said Company at Fort William, a submission to arbitration in all matters in difference between the Earl and the Company in regard to damages arising from alledged injuries, aggressions, and trespasses on either side; and an agreement for a mutual pledge for the due fulfilment of the award, Copies whereof marked G, H & I together with that of a letter from the said Daniel McKenzie to the Earl of Selkirk, further to give effect thereto marked K, are annexed to the joint depositions of John McDonald, Allan McDonell & Daniel McKenzie (No. 267).</p> <p>Daniel McKenzie states in the above mentioned deposition that at the period the other N. W. Partners were sent off as prisoners, - "he was extremely desirous of accompanying them and accordingly made several applications to the Earl of Selkirk for</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-393-v8.jpg N.W. Company; North West Company; Fort William; Nor'Westers; Earl of Selkirk; Daniel McKenzie; John McDonald; Allan McDonell; Daniel McKenzie; prisoners; damages; alleged injuries; aggressions; trespasses; Deposition 267;</p>
390	<p>390</p> <p>"that purpose who however refused such request and ordered him to be detained which was accordingly done, and he was confined accordingly for several days a close prisoner in his own room in Fort William, that afterwards he was by order of the said Earl confined in a prison for the adjacent posts of the Indian Territory some time after the first establishment of the Magistracy for the Territories; where he was kept in the dark, except as to such light as pervaded the chinks in the building there being no window in the dungeon in which he was so confined" - that whilst thus confined one McPherson, Miles McDonell and Dr. Allan and some others came frequently to him to "persuade him to submit himself in all respects to the said Earl, and to yield obedience to whatever he might direct telling him that the evidence against him with regard to the destruction of the Settlement of Red river was very strong, that it would be a very serious business for him; that the</p>	<p>Fort William; Indian Territory; Red river; Red River; Red River Settlement; Selkirk Settlement; Miles McDonell; Miles Macdonell; John Allan; McPherson;</p>

391

other partners of the N. W. Company were utterly ruined and would certainly suffer, and that it was a folly for him to sacrifice himself and his family for persons who did not care for him, and incessantly used other representations of the same kind tending to induce him to yield implicit submission and obedience to whatever they or his Lordship might dictate and that being at length wearied out with the hardships of his confinement and their importunities and having expressed to Captain D. Orsonnens a Deposition to conform himself to their advice in case he was released from the said dungeon, he was removed therefrom into another building, where he was still kept confined a close prisoner under a guard; that from the time of his being so removed from the said dungeon, impressed as his mind was with the hardships, which he had suffered; the danger in which he imagined his life was and the constant suggestions and importunities

N. W. Company; North West Company; Captain D. Orsonnens; Proteus D'Orsonnens;

<http://data2.archives.ca/e/e447/e011163878-395-v8.jpg>

395

392

of those around him, he did accordingly yield implicit submission and obedience to whatever they dictated, being frequently also in a state of intoxication, and accordingly for a period of six weeks or thereabouts next following was in the habit of writing whatever letters or other papers were dictated to him; that the said Miles McDonell was very frequently with him to induce him to write or sign different papers, sometimes dictating to him verbally and making him write what he so dictated, and at other times bringing him drafts of letters or papers for him to copy in his own handwriting." In further support of this statement he annexes to his Deposition the originals of various papers marked A B C D E & F either in the handwriting of the said Miles McDonell or of the Earl of Selkirk or otherwise written by himself and interlined and corrected by the said Miles McDonell. - He further states that whilst a prisoner at Fort William by the direction

Fort William; Miles McDonell; Miles Macdonell; Earl of Selkirk; dictation; intoxication; signing papers; prisoner; deposition

<http://data2.archives.ca/e/e447/e011163878-396-v8.jpg>

396

393

of the said Earl of Selkirk and of the said Miles McDonell and other persons in his employment he signed and executed the several deeds or papers writings herein above mentioned - and he adds, "that having in consequence of such his implicit obedience and submission to all the orders and commands of the said Earl of Selkirk and the persons in his employ been ultimately discharged from such his imprisonment at Fort William aforesaid and feeling great regret and compunction at his having been so compelled to execute papers which might possibly be so highly detrimental to the interests not only of himself, but of the other partners of the N.W. Company, on his arrival at Drummond's Island which was the nearest place to Fort William aforesaid at which any Notary Public resided; he went on or about the eleventh day of November before Mr. James Grant a Notary Public and David Mitchel Esquire a Justice of the Peace both resident there, and in their presence made and subscribed the protest of paper"; an original copy whereof

N.W. Company, North West Company; Fort William; Drummond's Island; Drummond Island; Earl of Selkirk; Miles McDonell; Miles Macdonell; James Grant; David Mitchel;

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397

394

(marked F) he annexes to his Deposition and he declares "that the representations therein contained with regard to the influence under which he was induced to execute the several instruments or other papers writings therein mentioned are in all respects true." He further adds that Miles McDonell told him one day that it was the request of the Earl of Selkirk that, "he should write a letter to his namesake at Nipigon (meaning one Roderick McKenzie who was then in charge of the Post there) advising him to keep back the packs in his possession as an indemnification for whatever the Company might be indebted to him, as they were quite

Hudson's Bay Company; Hudson's Bay; Montreal, Montréal; Fort William; Nipigon; Nipigon House; Miles McDonell; Earl of Selkirk; Roderick McKenzie;

<http://data2.archives.ca/e/e447/e011163878-398-v8.jpg>

ruined, and that perhaps he might find a passage for them by the way of Hudson's Bay, but which letter he believes he never did write - that on about the 11th day of October now last past, the said Earl of Selkirk came to him, having provided a Canoe at Fort William for that purpose and ordered him to embark for Montreal asking him at the same time, whether he written a circular letter to the different Clerks

398

395

"and Partners of the N.W. Company in the interior to the same purport as the one he which had been desired to write to his namesake, and upon answering in the negative, said that he should give the said Miles McDonell their names and that he should write to them in his name", a copy of such circular letter from the said Miles McDonell to certain of the North West Partners in the interior, dated Fort William the 14th October 1816 has accordingly been proved before me (Deposition 152 marked Z) *19th Sep 1816* the contents whereof will be found of the highest importance towards forming a correct judgment of the transactions at Fort William. The statements of Daniel McKenzie are further confirmed in several particulars by the depositions of James Taitt J. Theodore Missani & Charles Brumby, John Johnston James Grant, Donald McIntosh & Alexander Kennedy, No. 270, 244, 266, 268, 269, 271, + 272, James Taitt stating, "that Daniel McKenzie after the other prisoners were sent off was for sometime confined with a Sentry over him in

N.W. Company, North West Company; Fort William; Miles McDonell; Miles Macdonell; Daniel McKenzie; Theodore Missani; Charles Brumby; John Johnston; James Grant; Donald McIntosh; Alexander Kennedy; James Tait; Deposition 152; Deposition 270; Deposition 244; Deposition 266; Deposition 268; Deposition 269; Deposition 271; Deposition 272;

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399

396

a building in a Fort called the N.West House and was thence removed into a Dungeon as he understood and believes by the order of the Earl of Selkirk, that after the said Daniel McKenzie had been sometime confined in the said Dungeon and other places he was called upon to witness certain instruments in writing signed by the said Earl of Selkirk and the said Daniel McKenzie and that on his objecting to sign such writings without knowing their contents the said Earl of Selkirk answered, that it was unnecessary for a Witness to know the contents of a paper, it was sufficient for him to see the parties sign and seal it - that he did not know at the time, but heard afterwards that the papers or instruments so signed by him as a Witness contained a transfer or sale of the N.W Company's property at Fort William; that sometime previous to such sale he shewed to the Earl of Selkirk a letter written by John Dougald Cameron, one of the partners of the North West Company

N.W Company; North West Company; Fort William; N.West House; Earl of Selkirk; Daniel McKenzie; John Dougald Cameron; John Dugald Cameron; jail;

<http://data2.archives.ca/e/e447/e011163878-400-v8.jpg>

400

397

in charge of the affairs of the said Company at the Sault of St Mary to Messrs James C. McTavish and Jasper Vandersluys and opened by Mr. Johnston in presence of himself after the departure of these Gentlemen, which letter (annexed by him to his deposition) distinctly stated that no attention should be paid to the orders of the said Daniel McKenzie, he being a retired partner and therefore not authorised to interfere in the management of the business of the said Company at Fort William and that the said letter and also one from the said Mr. Johnston to himself relative to the duties to be performed by him were given to the said Earl of Selkirk and retained by him, and hour after which they returned".

He further states the general authority and control exercised by the Earl and his adherents over the servants and property of the N.W. Company by means of his armed force and military array and particularly that for a length of time previous to the sale, "the

N.W. Company; North West Company; Sault of St. Mary; Sault Ste. Marie; Fort William; Nor'Westers; James C. McTavish; Jasper Vandersluys; John Johnston; Daniel McKenzie; armed force; military array;

<http://data2.archives.ca/e/e447/e011163878-401-v8.jpg>

401

402	<p>Earl would not allow him to issue from the stores of the Company then nominally in his possession such provisions or stores as were from time to time required for the persons in the employ of the said Company without the sanction of him the said Earl of Selkirk or some of his attendants" - and also that he was frequently applied to before the said Sale, "to issue many articles out of the N.W. Company's Stores for the use of the men of the said Earl of Selkirk, for which he took receipts from Captain Matthey the person who appeared to him to be appointed by the said Earl to make such requisitions and to give receipts for such articles as were "received on account of the said Earl of Selkirk", and he further adds that he "was induced to issue such articles as were required for the use of the Servants and men of the said Earl of Selkirk from the conviction that resistance was in vain and that if he did not comply with their wishes, they would take anything they stood in need of without his permission."</p>	Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-402-v8.jpg N.W. Company; North West Company; Earl of Selkirk; Captain Matthey
403	<p>399</p> <p>*9th Sep 1816* Missani & Brumby state in their joint depositions, that the examination of Daniel McKenzie was deferred to the 20th August, "that they cannot recollect what took place at the said examination, but that it appeared generally that the Earl of Selkirk considered the said Daniel McKenzie as particularly culpable; that after his examination the prisoner was remanded into confinement, but in a manner which led them to conceive that no other confinement was intended than what had heretofore been practised towards himself and the other Partners by placing them in a room with a Sentry over them, that it was consequently with the greatest surprise they afterwards learnt, that he had been sent to the common Prison that on the twenty second day of the said month of August the Proclamation of the Governor General, of the month of July preceeding was received and in the course of the same day, they saw the said Daniel McKenzie apparently a Prisoner, but confined</p>	Missani; Brumby; Daniel McKenzie; Earl of Selkirk http://data2.archives.ca/e/e447/e011163878-403-v8.jpg
404	<p>only in a room of the Fort - and that they observed Mr. Miles McDonell talking familiarly with him, but had no knowledge of any second examination of other circumstance which should have prevented the said Daniel McKenzie from being sent down as the other persons had been for trial." Mr. Johnston states that during the period of his being at Fort William he frequently saw Daniel McKenzie, whom he understood to have been previously in confinement but was then entirely at liberty, "although he as well as evry other person was necessarily to a certain degree under restraint from the armed force at Lord Selkirk's disposal, and that in consequence Daniel McKenzie wishing to leave Fort William with himself requested him to apply to the Earl of Selkirk for his permission so to do, which he accordingly did but could not obtain the same"; and he further adds "that during his stay at Fort William, Daniel McKenzie was no wise in charge of the property of the N.W. Company</p>	N.W. Company; North West Company; Fort William; Miles McDonell; Miles Macdonell; Daniel McKenzie; John Johnston; Lord Selkirk; Regiment de Meuron; de Meuron Regiment http://data2.archives.ca/e/e447/e011163878-404-v8.jpg
405	<p>401</p> <p>there, nor did he understand he had been so at any time previous to his arrival there, nor did he leave him in any sort of charge, but on the contrary left his written instructions with James Taitt, whom he always understood to have had the charge after the departure of the other Clerks". James Grant and McIntosh in their Depositions state principally declarations made to them by Daniel McKenzie during his passage from Fort William of Similar purport to his subsequent deposition and particularly that he pleaded in defence of his conduct in making the sale herein before mentioned "the state of continued intoxication, in which he was kept at Fort William as well as the bodily fear he experienced on account of the Meurons, who to use his own expression, he apprehended would run him through or commit some act of violence on this family."</p> <p>James Grant adds that Daniel McKenzie requested him to sanction the agreement which had been entered into between him and the Earl of Selkirk, to</p>	Fort William; James Taitt; James Grant; McIntosh; Daniel McKenzie; des Meurons; Regiment de Meurons; de Meuron Regiment; Earl of Selkirk; intoxication; http://data2.archives.ca/e/e447/e011163878-405-v8.jpg

402

which request he refused to accede, Alexander Kennedy in his depositions states chiefly the various articles belonging to the N. W. Company taken possession of and converted to his own use by the Earl of Selkirk, including five canoes, and four packs of furs: these occurrences were a good dwelt upon, on the part of the N.W. Company, who in respect to the furs in particular which were brought down to St Mary's appeared at one time to expect they should be able to prove a felonious conversion: on the whole there is however little reason to doubt that the canoes &c were delivered by Mr Taitt in the manner described by him, on requisitions made and receipts given; and that the furs having been the produce of the local trade at Fort William, formed part of the property conveyed by Daniel McKenzie's sale and must of course rest on the same footing as the whole of that transaction.

On the part of the Earl of Selkirk, John Pritchard states in his deposition (No. 287) that this was the case

406

403

19th Sep 1816 and that the said furs were included in an Inventory made of the property so sold; he also states that on his return from Lac la Pluie he found Daniel McKenzie who had been previously arrested by the Earl of Selkirk at large in the Fort William; that on the first arrival of the Earl, McKenzie requested him to inform his Lordship that he (McKenzie) was the last person arrived from Red river and should be happy to give his Lordship any intelligence "that he had afterwards seen him once or twice whilst a prisoner in his own room and lastly when in the prison of the Fort, and that he had appeared much depressed and anxious to disclose the crimes in which he and his partners had participated." He adds that he "had been asked by him whether he could be received as Kings evidence, and that he had acknowledged, he had answered the said Earl foolishly, which was the cause of his having been removed to prison; - that he Pritchard stated in reply, "that it would certainly be his interest either to say nothing or come forward

407

404

"and declare the whole truth fully and openly, that nothing however further had taken place previous to his proceeding to Lac la Pluie, but that on his return to Fort William he was informed and verily believes that the said Daniel McKenzie had made a full disclosure in writing in consequence whereof he was set at liberty, and that he has himself frequently heard the said McKenzie declare that his testimony alone was sufficient to hang Mr. McGillivray, towards whom the said McKenzie at all times expressed great hostility; that some days after his arrival at Fort William he had a knowledge of a Sale made by the said Daniel McKenzie of the movable property at Fort William to the Earl of Selkirk and that deeds were duly executed for the same as well as for a submission to arbitration - and that he has a certain knowledge that in agreeing to this sale and executing the other papers before mentioned the said Daniel McKenzie acted without any restraint whatever and appeared to consider the arrangement as advantageous to him

408

405

self and the other Wintering Partners; that whilst the Inventory was taking he frequently expressed his anxiety that the amount thereof should prove large appearing to consider it as so much property saved to the N.W. Company's Wintering partners which would otherwise be expended by Mr. McGillivray in Law; that soon after the Inventory was completed Daniel M/c/Kenzie stated to him his wish to go to Red river, where he said he might be serviceable from his influence with the halfbreeds, but that he (Pritchard) having communicated the

N.W. Company; North West Company; St. Mary's; Sault Ste. Marie; Fort William; Alexander Kennedy; Taitt; James Taitt; Earl of Selkirk; John Pritchard; Daniel McKenzie; Deposition 287; <http://data2.archives.ca/e/e447/e011163878-406-v8.jpg>

Lac la Pluie; Fort William; Red River; Daniel McKenzie; Earl of Selkirk; <http://data2.archives.ca/e/e447/e011163878-407-v8.jpg>

Lac la Pluie; Fort William; McGillivray; Daniel McKenzie; Earl of Selkirk; <http://data2.archives.ca/e/e447/e011163878-408-v8.jpg>

N.W. Company; North West Company; Red River; Sault St Marie; Sault St Marie; Montreal; Halfbreeds; Wintering partners; inventory, McGillivray, Daniel McKenzie; Pritchard, Earl <http://data2.archives.ca/e/e447/e011163878-409-v8.jpg>

409	<p>same to the Earl of Selkirk, learnt that the testimony of the said D. McKenzie was so important, that he must be sent down to Montreal, and he accordingly embarked some days afterwards, being under no sort of restraint, but going down as he understood as a voluntary witness zealous for the discovery of truth without it having been deemed necessary to put him under recogizance", that at Soult St Marie he met with Mr. Pierre de Rochblave a partner of the N.W. Company, who took away two of their</p>	<p>of Selkirk; Piere de Rochblave; Pierre de Rochblave; voluntary witness,</p>
410	<p>406</p> <p>Canoes, that in crossing Lake Huron they met with John McLaughlin another partner of the Company, who had some conversation with Daniel McKenzie and subsequently met with John McDonald also a Partner of the said Company, together with William Smith the under Sheriff of the Western District of Upper Canada, "with whom the said Daniel McKenzie whose spirits had appeared much depressed from the period of leaving Soult St Marie embarked saying to him (Pritchard) that he was obliged to do so as a prisoner for selling Fort William, although he himself saw no species of coercion used towards him".</p> <p>John Allan in his Deposition (No. 280) states that being late in the day on the 15th August when the examinations of the other prisoners were completed, that of Daniel McKenzie was postponed to another day; that on the 20th August Daniel McKenzie was examined in presence of Lieutenants Brumby and Missani and of himself; when he refused to answer most questions, and generally denied all</p>	<p>Fort William; Sault St Marie; Lake Huron; John McLaughlin; Daniel McKenzie; John McDonald; William Smith; Pritchard; John Allan; Lieutenants Brumby and Missani; Charles Brumby; John Theodore Missani; Deposition 280;</p> <p>http://data2.archives.ca/e/e447/e011163878-410-v8.jpg</p>
411	<p>407</p> <p>knowledge of the crimes, with which he was charged, that after this examination he was committed to an apartment in the Fort universally used as a Gaol, that during the short time Daniel McKenzie was confined in the Gaol at Fort William, he (Allan) was informed by McNab that McKenzie desired to see him on account of his health, that having seen him "he gave him some advice, promised to send him some medicine and was about retire; when McKenzie pressed him to say what he thought of his (McKenzie's) situation, in respect to the charges against him and that seeing McKenzie extremely anxious he said, that it was certainly a serious matter to be accused of having attempted to raise the Indians against a Settlement of the Kings subjects, but that if it had been done in obedience to instructions from others, their crime was greater than his or something of like import or meaning - That McKenzie also asked him if the evidence of an Indian would be received against a white man, to which he replied, that</p>	<p>Fort William; Indians; Daniel McKenzie; John Allan; John McNab; jail; gaol</p> <p>http://data2.archives.ca/e/e447/e011163878-411-v8.jpg</p>
412	<p>408</p> <p>he knew no law to prevent it; that McKenzie then asked him, what was the meaning of a Kings evidence, to which he said he was not a Lawyer and could not tell correctly, but being still importuned to tell his opinion of it, he at last said that he understood it to be a person who being concerned in a crime with others is exempted from prosecution himself, on giving evidence against his accomplices - that after this visit he stated to Lord Selkirk that he thought Mr. McKenzie's health would be injured if he were to continue a length of time in the Gaol, and that his illness seemed the effect of intemperance that Lord Selkirk then proposed to prevent his having access to any liquor at all, or to allow such a proportion only as could not produce intoxication, but he represented that the total and sudden loss of his accustomed beverage might prove prejudicial to Mr. McKenzie's health; that the restricting a Gentleman in his circumstances to a measured allowance would tho' an act of humanity, wear the appearance of harsh and arbitrary treatment,</p>	<p>Daniel McKenzie; Lord Selkirk; gaol; jail;</p> <p>http://data2.archives.ca/e/e447/e011163878-412-v8.jpg</p>
409		<p>Daniel McKenzie; Earl of</p> <p>http://data2.archives.ca/e/e447/e011163878-413-v8.jpg</p>

413	<p>and that he trusted the advice that he had given McKenzie upon that subject would not be without its effect, and that upon these representations he believes the proposal of restricting his allowance was upon that occasion abandoned; that on the forenoon of the 22nd August Mr. Daniel McKenzie was at his own desire re-examined by the Earl of Selkirk, when in presence of himself, he asked if anything he might say would be turned against himself, to which Lord Selkirk replied, that he could not without the sanction of the Attorney General admit him as Kings Evidence, but that if he chose to communicate information of material importance, he would recommend to the Attorney General to allow him to become evidence for the Crown, and his Lordship added, that if there were sufficient grounds for it, he had no reason to doubt that the Attorney General would consent to the recommendation. That the said Daniel McKenzie then stated under oath, that he had been with Mr. William McGillivray on Lake Superior when he re-</p>	Selkirk; William McGillivray;
414	<p>410</p> <p>"ceived a letter dated at Fort William from Archibald *19th Sep 1816* Norman McLeod, stating that he had written to Fond du Lac to cause the Indians to be collected under promise of being rewarded by the N.W. Company, and led by Morrison & Rousson two Clerks of that Company to meet McLeod's party at Red river Settlement about the middle of June. That Mr. McGillivray had shewn the letter to him (DI McKenzie) and enquired how many Indians might be raised in Fond du Lac Department, and being told about 100 had further asked, what quantity of goods would be required to satisfy them for their services, to which McKenzie replied, about two Canotte's or Canoe Loads upon which McGillivray said, it is a great deal of goods, but we must not mind that, That McKenzie then mentioned several other circumstances to the Earl of Selkirk, but complaining of a bad memory and that he felt agitated, he proposed to be allowed to go to his own room, and to write down from time to time such circumstances as might occur</p>	<p>N.W. Company; North West Company; Fort William; Fond du Lac; Red River Settlement; Earl of Selkirk; Archibald Norman McLeod; Morrison; Rousson; Eustache Roussin; Daniel McKenzie; McGillivray; Indians;</p> <p>http://data2.archives.ca/e/e447/e011163878-414-v8.jpg</p>
415	<p>411</p> <p>to his recollection, which was immediately assented to by the Earl of Selkirk; that after this day Daniel McKenzie communicated daily circumstances relating to the conduct of his partners towards Red river Settlement and was allowed the use of his own room, and to go without control where he thought proper, and that near a fortnight afterwards Mr. Daniel McKenzie gave to the Earl of Selkirk a letter written by him the said D. McKenzie and containing most of the material circumstances which he had previously communicated verbally or on detached slips of paper." Of this letter Mr. Allan annexes to his Deposition a Copy Marked O. and states, "that in consequence of these discoveries, the said Daniel McKenzie was finally allowed to proceed to Montreal at large under expectation, that he would be found a necessary evidence for the Crown.[""] - He further adds, "that sometime after Daniel McKenzie had delivered the letter herein before mentioned to the Earl of Selkirk, he asked him (Allan) into his room and told him that he</p>	<p>Red River Settlement; Montreal; Earl of Selkirk; Daniel McKenzie; John Allan; evidence; letter;</p> <p>http://data2.archives.ca/e/e447/e011163878-415-v8.jpg</p>
415	<p>412</p> <p>had purchased at Michilimakinac for the N.W. Company a quantity of provisions and other articles to the amount of £1200 or 1500. on purpose to prevent Lord Selkirk from obtaining any supplies for his people; that he was afraid that the Setters would come on him individually for the payment and that he was at a loss how to act believing that the N.W. Company's Agents at Montreal in consequence of the information he had given to Lord Selkirk would refuse to pay it - that he then said, that he could not give any opinion or advice except that he believed, that the N.W. Company would readily pay it for their own credit, upon which McKenzie said he thought the N.W. Company were ruined - that Mr. McKenzie then asked him if he thought that the Earl of Selkirk could give him any assistance and he</p>	<p>N.W. Company; North West Company; Michilimackinac; Montreal; Settlers; Selkirk Settlers; Lord Selkirk; Earl of Selkirk; McKenzie; Miles McDonell; Miles Macdonell; payment for losses;</p> <p>http://data2.archives.ca/e/e447/e011163878-416-v8.jpg</p>

416	replied, that he did not think Lord Selkirk would interfere in the matter; that about the sametime he was informed by Miles McDonell that Mr. McKenzie had also spoken to him with much anxiety on the same subject	
417	<p>413</p> <p>and that McKenzie seemed to think that the greater part of the provisions, which he had purchased at Michilimakinac being then at Fort William might be sold by him to the Earl of Selkirk who would soon want a supply - that this idea being spoken of, in the presence of the Earl of Selkirk he had observed that McKenzie might dispose not only of what he had purchased himself, but also of the rest of the property of the N.W. Company at Fort William and even of their claim to the Fort itself, since it was built on land to which they had no claim from Government, and that then he (Allan) had remarked that such a transaction would be liable to be represented by Lord Selkirk's enemies to his disadvantage, and would be likely to multiply disputes between his Lordship and the N.W. Company; that soon afterwards he was asked by Mr. McKenzie if he had a right to dispose of the property of the Company at Fort William upon which wishing that such a transaction should not</p>	<p>N.W. Company; North West Company; Michilimakinac; Fort William; Earl of Selkirk; John Allan; McKenzie; http://data2.archives.ca/e/e447/e011163878-417-v8.jpg</p>
418	<p>414</p> <p>take place, he replied that he could not tell how far the authority of a partner extended, but that if he had acted without a power in the purchase at Michilimakinac, he did not see anything to prevent him now selling what he himself had bought. That McKenzie then assured him that he had no power of Attorney, upon which he (Allan) stated a doubt whether McKenzie was not a retired partner, but he, positively declared that he had never signed any resignation or retirement, that he had not with his own knowledge or consent been placed on any list of retired partners, and that a few days before Lord Selkirk's arrival, he had been pressed by Mr. McGillivray to take charge of the Red river Department in order to contribute by his influence to the management of the halfbreeds - that he then told McKenzie that he could not give an opinion on the accuracy of which any reliance could be placed, but that he (McKenzie) would of course do what he considered best for his</p>	<p>Red River; Michilimakinac; http://data2.archives.ca/e/e447/e011163878-418-v8.jpg Halfbreeds; McKenzie; John Allan; Earl of Selkirk; Lord Selkirk; McGillivray; Red River Department;</p>
419	<p>415</p> <p>own interest and that of the Partnership to which he belonged."</p> <p>Mr. Allan further states that on Thursday the 19th day of September the Deeds hereinbefore mentioned were signed by the Earl of Selkirk on the one part and by Daniel McKenzie on the other, and proceeds to give some details thereof, that by the first, "it was agreed that Arbiters should be appointed in London by the Lords Chief Justices of the Courts of Kings Bench and Common Pleas Westminster with authority to enquire into the damages mutually sustained in the interior and to give a final award thereupon; that the same Deed contained a clause to prevent it from having any effect on the criminal prosecutions which either party might institute and also that the submission was to be made a rule of his Majesty's Court of Kings Bench Westminster of the Court of Session at Edinburgh and of the Courts of Kings Bench in Upper Canada and of Districts of Quebec & Montreal in Lower Canada that at the same time another Deed was signed by</p>	<p>John Allan; Earl of Selkirk; http://data2.archives.ca/e/e447/e011163878-419-v8.jpg Daniel McKenzie; London; Courts of Kings Bench and Common Pleas Westminster; Edinburgh; Upper Canada; Districts of Quebec & Montreal; Lower Canada;</p>
419	<p>416</p> <p>the same parties by which it was agreed that the furs packed for exportation at Fort William should be consigned to the said Arbiters to be disposed of by them, and the proceeds to be applied if necessary to make good the damages, they might award as due to the Earl of Selkirk; and Lord Selkirk on the other hand was to transfer to the said Arbiters the</p>	<p>N.W. Company; North West Company; Fort William; Earl of Selkirk; http://data2.archives.ca/e/e447/e011163878-420-v8.jpg</p>

conveyance of an Estate of £3,000. yearly rent, supposed to be equal in value to the furs, to be disposed of by them if necessary to make good the damages they might award as due to the N.W. Company; that at the same time a third agreement was signed by the same parties, by which the movable property of the N.W. Co'y at Fort William, except the furs aforesaid, packed for exportation was sold to the Earl of Selkirk at a price equal to the cost added to the charges for transport, and that the price of the property transferred was to be paid by instalments and that £50. was actually paid the same day, by the said

420

417

19th Sep 1816 Earl in gold to the said McKenzie as the first part, and earnest of the price thereof." He further adds that the Deeds, "were signed in presence of a number of Witnesses among whom were all the Clerks of the Hudson's Bay Company then at the Place; that if any means had been employed to compel Daniel MacKenzie to agree to these Deeds he would have known it, but he believes none were used and that the said McKenzie acted as much free from control in that sale as he had done in the purchase, which he had made for the N.W. Company at Michilimackinac; for the Earl of Selkirk proposed about the same time to purchase from Daniel McKenzie for a sum of money the claim of the N.W. Company to Fort William and its appertences but the latter refused to agree to that transfer stating that he thought the price offered much too low and demanding a greater sum." - He further adds that he does not believe he ever spoke to McKenzie of the Sale in question, except in reply to questions put by

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-421-v8.jpg>
N.W. Company; North
West Company;
Michilimackinac; Fort
William; McKenzie; Daniel
MacKenzie; Earl of Selkirk;

421

418

him and which he frequently declined answering, for although he could discover no legal defect in the transaction and considered the stipulated prices fair and reasonable he never liked the same, as he feared that it would afford an opportunity for misrepresentation before the truth should be known; and that having suggested this to the Earl of Selkirk, his Lordship remarked, "that it would be absurd to abstain from doing anything merely to avoid being misrepresented by the N.W. Company, who had already misrepresented his best actions, and who would invariably misrepresent his conduct, however unimpeachable it might be, and that the liberal and equitable terms on which he proposed to negotiate and the persons appointed to name the Arbitrators would sufficiently show that he did not desire anything unfair."

N.W. Company; North <http://data2.archives.ca/e/e447/e011163878-422-v8.jpg>
West Company; Earl of
Selkirk; McKenzie; James
Grant;

422

He states also that he was afterwards informed both by McKenzie and James Grant, that as far as the latter was concerned as a partner, he entirely approved

419

of what McKenzie had done.

As the present transaction is, from the rank and circumstances of the parties interested, as well as from the amount of property involved, one of those occurrences which will necessarily be brought before in Court of Law; (the total deficiency of property at Fort William on the reoccupation thereof by the N.W. Company having been stated in the Deposition of and others (No. 279) to exceed £7000): it is unnecessary to make any detailed remarks relative thereto. From the general tenor of the evidence and the confused statements of McKenzie himself, there can be little doubt however that his statement is materially exaggerated; whilst at the same time from the same evidence, and the various documents filed by him, there can be as little that there has been much imprudence and impropriety in the conduct observed towards him, and that if the Deeds in question were not obtained by the fear of immediate physical force, there must have been that degree

N.W. Company; North <http://data2.archives.ca/e/e447/e011163878-423-v8.jpg>
West Company; Fort
William; McKenzie;
Deposition 279;

423

of general apprehension operating upon his mind which would destroy his free Agency and invalidate the legality of any Deed he might induced to execute.

In the month of September 1816. The Hudson's Bay Post und charge of Mr. Peter Fidler at Manitoba was plundered by Seraphim Lamar, a Clerk of the N.W. Company and several of their Servants. The details of this charge have not been stated before me by any person present, but it appears by the Deposition of J.D. Huerter (No. 235) that it was publicly ordered by Alexander McDonell the N. West Partner, who had directed him, Huerter, an hour of two previous to the arrival of the messenger with the intelligence of the Captain of Fort William by the Earl of Selkirk, to hold himself in readiness to go off the next morning to pillage Mr. Fidler, from the Deposition of Seraphim Lamar (No. 161) it would appear however on the contrary, although the terms made us of by him are not positive; that the proposition came from Heurter himself whom

N.W. Company; Hudson's Bay Company; Manitoba; Fort William; Nor'Westers; Peter Fidler; Seraphim Lamar; J.D. Huerter; Frederick Damien Huerter; Alexander McDonell; Alexander Macdonell; Earl of Selkirk; Deposition 161; Deposition 235;

424

421

he states to have first shewn him at the Council held after receiving the news of the capture of Fort William, a paper which he had prepared, in the nature of an address to the Freeman and Halfbreeds under the title of "Self-preservation" and in which he encouraged them to make reprisals on the Hudson's Bay Company in seizing their goods at Lake Manitoba.

On this charge a Bill of Indictment for robbing was found against Seraphim Lamar and others at the Court of Oyer and terminer at Montreal in February last.

[?]]Oct 1816 Captain D'Orsonnens at the head of an armed party of men of the late Regiment de Meuron with several Clerks and Canoemen in the Service of the H.B. Company or the Earl of Selkirk took possession of the N. West Post at Lac la Pluie, in consequence of an agreement with J. W. Dease the Clerk in charge thereof whereof a copy is annexed to the Deposition of Robert McRobb (No. 273). It is stated by Dease in his Deposition (No. 322) that previous to his entering into the said agreement, he had

Court of Oyer and Terminer - The term, "oyer and terminer" is a partial translation of the Anglo-French phrase "oyer et terminer" which literally means "to hear and determine". In English law, courts oyer and terminer were commanded to make diligent inquiry into felonies and misdemeanors specified in the commission.

Hudson's Bay Company; H.B. Company; North West Company; Fort William, Lake Manitoba; N. West Post at Lac la Pluie; Montreal; Freeman; Halfbreeds; Clerks; Canoemen; Regiment de Meuron; Seraphim Lamar; Captain D'Orsonnens; Earl of Selkirk; J. W. Dease; John Warren Dease; Robert McRobb; robbery; Deposition 273; Deposition 322;

425

422

received an order from Captain D'Orsonnens, a copy whereof is annexed to his Deposition, to deliver up the arms & ammunition in his possession, with which he complied from dread of the armed force with D'Orsonnens, and that a day or two afterwards the said Captain D'Orsonnens came to him in his own room at the N. West Post and informed him, in the presence of Messrs. Chatelain, Nolin, McDonald, Sayer & Roussin; that the soldiers with him were resolved to enter the Fort by force, and that he would not be answerable for the consequences, which might ensue, whereupon after some observations he gave up the Fort with all the property therein, D'Orsonnens in his Deposition No. 286 states that having been informed of the preparations of the N. W. Company and of the risk he would incur in attempting to advance by the River Winnipic he determined to stop at Lac la Pluie, and proposed to Mr. Dease to Let him some of the buildings of the Fort, which for various reasons he would not do

N. W. Company; North West Company; N. W. Post; River Winnipic; River Winnipeg River; Lac la Pluie; Captain D'Orsonnens; Proteus D'Orsonnens; Chatelain; Nolin; McDonald; Sayer; John Sayer; Roussin; Eustache Roussin; Dease; arms and ammunition; armed force; soldiers; taken by force; Deposition 286

426

423

but suggested his desire for a good excuse to quit the place, even if he should go as a prisoner, for that he greatly feared mischief would happen - that upon this he told Dease, that Mr. Miles McDonell Governor of Assiniboia was hourly expected, and that he was to give him legal warning to quit the place in six months, "and that if he would lease to him part of

N.W. Company; North West Company; Assiniboia; Nor'Westers; Dease; River Winnipic; Winnipeg River; Miles McDonell; Miles

427	<p>the buildings for that time, he would promise to do him the same favor after if should have expired; that there was little doubt according to reports, that the band of armed ruffians in number about 100, in the service of the N.W. Company, who had blocked up the navigation of the River Winnipic, would immediately on hearing of his arrival with so small a party make an attempt to overpower him, and to put the threat of McLellan one of their leaders in execution; that if he could not be admitted to reside in the Fort, he would insist on its picquets being cut down that it might not serve as a place of refuge for murderers</p>	Macdonell; McLellan;
428	<p>424</p> <p>whence they might sally out to destroy him, an the men who had intrusted themselves to his charge - that he Mr. Dease would himself see the necessity in which was placed and the propriety of delivering into his custody all the arms and ammunition at the place to prevent it from falling into the hands of those who were prepared to employ it for the destruction of their fellow Subjects; that to this Mr. Dease replied that nothing could be more just, and expressed his readiness to deliver those articles to him, upon receiving from him a note to justify his compliance to his employers". He adds that on the 8th October while still remaining at the Portage with his men, Nolin and Chatelain two Clerks of the H.B. Company informed him "that Dease seemed inclined to quit Lac la Pluie, if he would give him a receipt *9th Oct 1816* for such of the N.W. Company's property as he could not take with him, which he did next day, according to Inventories made by Dease assisted by Nolin & Chatelain.</p>	<p>H.B. Company; Hudson's Bay Company; N.W. Company; North West Company; Lac la Pluie; Dease; Nolin; Chatelain; arms and ammunition;</p> <p>http://data2.archives.ca/e/e447/e011163878-428-v8.jpg</p>
429	<p>425</p> <p>*[[?]] Oct 1816* that he asked Mr. Dease afterwards if the goods included in the inventories might be made use of by the Clerks of H.B. Company, and that he replied that certainly they might convert them to what purpose they pleased".</p> <p>John Allan states that Dease on this arrival at Fort William, related to him what had passed at Lac la Pluie, nearly to the same purport as above stated by Captain D'Orsonnens. Chatelain & Nolin in their Depositions (No. 323 & 310) respectively state that no violence was offered, nor to their knowledge was any menace made use of towards Mr. Dease, who, Nolin states, expressed even his approbation of Captain D'Orsonnens conduct; but he also further adds that Dease having been informed, that he must deliver up the Fort within six months preferred doing so immediately; whilst he could go away by water, a circumstance which appears in a great measure to explain the apparent contradiction of the preceeding evidence.</p>	<p>H.B. Company; Hudsons Bay Company; Fort William; Lac la Pluie; Dease; John Allan; Captain D'Orsonnens; Proteus D'Orsonnens; Chatelain; Nolin; The Earl of Selkirk, Captain Matthey; Deposition 323; Deposition 310;</p> <p>http://data2.archives.ca/e/e447/e011163878-429-v8.jpg</p>
430	<p>*7th & 9th Nov 1816* The Earl of Selkirk, Captain Matthey</p> <p>426</p> <p>John McNab, Frederick Graffenreid, John Allan & John Spencer were arrested at Fort William by William Robinson in virtue of a warrant from David Mitchel Justice of the Peace for the Western District; Copy of which Warrant Robinson annexes to his Deposition (No. 275) and states that immediately after arresting the said three first named parties, on the 7th November, he left them respectively in charge of different persons on whom he called upon for assistance on the occasion; that the persons whom he left in charge of Captain Matthey came to him and said that Captain Matthey would not suffer him to remain over him; upon which he (Robinson) went to Captain Matthey and repeated the complaint to which Captain Matthey replied "that he did not want the man after him, that if he continued over him, his men (meaning the armed men in the Fort) would rise", or some such expressions indicating opposition from the armed men in the Fort; and he adds that apprehensive of some violence being done</p>	<p>Fort William; John McNab; Frederick von Graffenreid; John Allan; John Spencer; Frederick Matthey; David Mitchel; Robinson; arrest; Deposition 275;</p> <p>http://data2.archives.ca/e/e447/e011163878-430-v8.jpg</p>

427	<p>him, and not having a sufficient party to support him, he took no more charge of the said Capt. Matthey but he returned to the Coffee room, where it appears he and his party had taken up their quarters; that whilst there, he was sent for by the Earl of Selkirk in his room, when the Earl observed, "that the warrant issued by a drunken Magistrate who was over persuaded by a glass of "grog" or words to that purport" - and he further adds that towards the evening of the said 7th day of November, the said Captain Matthey came to him and his party and told him, that Lord Selkirk said it was too cold to turn them out of the Fort to pitch their tent, and appointed the Bell house for their reception, to which he replied that he understood the Bell house was the Common Gaol and that he would not go into it; to this Captain Matthey answered, that if they would not obey his Lordship's orders willingly they should do so by force; whereupon he (Robinson) declared that if any man dared to lay a</p>	<p>Capt. Frederick Matthey; http://data2.archives.ca/e/e447/e011163878-431-v8.jpg Earl of Selkirk; warrant; Bell; Robinson; warrant; gaol; jail;</p>
431	<p>428</p> <p>violent hand upon him, he would blow his brains out; that he was on his duty and would not be molested - that shortly afterwards Captain Matthey went out and brought a guard of a Sergeant and six men all armed, belonging as he believes, to the late Regiment de Meuron, which guard remained the whole night in charge of him and his party and appears to have continued at his quarters as long as he remained: He adds that the next morning being the 8th November, he went to Lord Selkirk and asked him if he would comply with the Warrant upon *8th Nov 1816* which he was arrested to which Lord Selkirk replied, "No he would not," whereupon he retired, and then proceeded to arrest the other persons names in the Warrant, and did accordingly arrest Lieut. Graffenried, Mr. Spencer, and Dr. Allan, all named in the said Warrant and who did then and there declare to him, that they would not obey the said Warrant unless Lord Selkirk did. He further adds, that fearing some bodily injury from</p>	<p>Captain Frederick http://data2.archives.ca/e/e447/e011163878-432-v8.jpg Matthey; Regiment de Meuron; Lord Selkirk; Earl of Selkirk; Lieutenant Frederich von Graffenried; Mr. Spencer; Dr. John Allan;</p>
432	<p>429</p> <p>Lord Selkirks people, if he attempted to bring away the said Lord Selkirk, and the other persons arrested by virtue of the said warrant, the departed from Fort William the following morning being the 9th November; and he states on his oath, that had it not been for the resistance aforesaid and the fear of the armed men occupying the said Fort, he would have brought the bodies of the said Earl of Selkirk and the other persons arrested with him, before some magistrate according to the exigency of the Warrant - The general purport of this is statement is confirmed by the Depositions (No. 270 & 273) of James Taitt & Robert McRobb, Clerks of the N. W. Company who were present at Fort William. On the part of the Earl of Selkirk the only evidence is John Allan who not go fully into the subject, but states in his Deposition No. 280, "that on the 8th November the said Robinson announced to him, that he had come to arrest him in the King's name, producing as his authority a warrant signed David Mitchell, by which he observed that the</p>	<p>N. W. Company; North http://data2.archives.ca/e/e447/e011163878-433-v8.jpg West Company; Fort William; James Taitt; Robert McRobb; Lord Selkirk; John Allan; David Mitchell; arrest; warrant; resistance, Deposition 270; Deposition 273; Deposition No 280;</p>
433	<p>430</p> <p>entering Fort William to arrest the Partners on the 13th of August, had been construed on the oath of one Roussin a Clerk of the N.W. Company, into a riot and that himself as well as the Earl of Selkirk and many other individuals, were required to appear before David Mitchell at Drummonds Island to account for the same - that the said Robinson came to arrest him after his canoe was ready to set out on his return to St Mary's and that he then informed him that he expected from him the same answer, which he had received from some other Gentleman by force; that he learnt from Robinson that he had formerly been Sergeant Major in the 41st Regiment and had been made a Constable on purpose to execute the Warrant; which as he stated had been brought ready made in a canoe of the N. W. Company's with himself from York to Drummonds Island where it was signed by David Mitchell aforesaid that in refusing to</p>	<p>N.W. Company; North http://data2.archives.ca/e/e447/e011163878-434-v8.jpg West Company; York; St Mary's; Sault Ste. Marie; Drummonds Island; Fort William; Roussin; Eustache Roussin; Earl of Selkirk; David Mitchell; 41st Regiment; warrant</p>

431

submit to the Warrant of David Mitchell, he was not actuated by any desire to avoid answering the charge of having committed a riot by assisting on the 13th August to arrest persons accused of treason and murder, but by a suspicion which he had good reason to entertain, that from Sergeant Major and Constable Robinson though to appearance a decent man while under the influence and in the pay of N. W. Company, he could not expect protection from their vengeance any more than McKeveny had obtained from Color Sergeant and Constable Reinhard."

Towards the end of November 1817. A canoe with goods sent by Vincent Roy a Clerk in charge of the N.W. Post at Leach Lake under the orders of one Dalcour for the alledged purpose of Wintering at the Lake de Traverse was forcibly seized by Mr. Pambrun a Clerk of Lord Selkirk or the H.B. Company; the particulars are stated in the depositions of Gabriel Lalonde dit Latrulle & J.B. Chovin (No. 324 & 325) and the taking

H.B. Company; N. W. Company; North West Company; Lake de Traverse; Leach Lake; David Mitchell; Constable Robinson; Owen McKeveny; Color Sergeant and Constable Reinhard; Charles de Reinhard; November 1817; a canoe with goods sent by Vincent Roy; Dalcour; forcibly seized by Pambrun; Pierre-Chrysologue Pambrun; a Clerk of Lord Selkirk or the depositions of Gabriel Lalonde dit Latreille & J.B. Chovin; a riot; 13th August; of treason and murder; Sergeant Major; Deposition 324; Deposition 325;

<http://data2.archives.ca/e/e447/e011163878-435-v8.jpg>

435

432

of the goods is acknowledged by Pambrun in his examination annexed to the former deposition, but he denied having used force or menace, or having had any intention to steal the goods, but merely to prevent their being sent in aid of the Rebels on the Red river.

On this charge a Bill of Indictment for robbing was found against Pambrun and others at the Court of Kings Bench at Montreal in March last.

Fort Douglas was taken forcible possession *10 Jan 1817* of the Captain D'Orsonnens at the head of an armed force of five or six & twenty men accompanied by Miles McDonell, Alexander McDonald late of the Glengarry Regiment & Mr. William Laidlaw on which occasion they arrested Mr. Archibald Mr. McLellan a partner of the N.W. Company in charge of the Post and Francois Mainville a halfbreed both accused of having participated in the murder of Owen Keveny. It appears by the Depositions of J.B. Mini (No.183) and Joseph Gauthier (No. 326)

N.W. Company; North West Company; Red River; Fort Douglas; Montreal; Glengarry Regiment; Halfbreeds; Pambrun; Pierre-Chrysologue Pambrun; Captain D'Orsonnens; Proteus D'Orsonnens; Miles McDonell; Miles Macdonell; Alexander McDonald; William Laidlaw; Archibald; McLellan; Francois Mainville; Owen Keveny; J.B. Mini; Joseph Gauthier; use of force or menace; stealing goods; Rebels; murder; Court of Kings Bench; armed force; Deposition 183; Deposition 326;

<http://data2.archives.ca/e/e447/e011163878-436-v8.jpg>

436

433

that after taking possession of the Fort D'Orsonnens and his party converted to their own use the property found there - by those of Basil Belanger (No. 327) Pierre Soussi (No. 328) & J.B. Mini (No. 329) the former of whom was arrested under a Warrant of Miles McDonell for having concealed some Goods belonging to Archibald McLellan and having in his possession

Bas de la Riviere; Fort Bas de la Riviere; Fort Douglas; Colonists; Red River Colonists; Red River Settlers; D'Orsonnens; Proteus D'Orsonnens;

<http://data2.archives.ca/e/e447/e011163878-437-v8.jpg>

437	<p>different articles formally belonging to the Colonists; that whilst detailed a prisoner, his house and the whole of his provisions & property of every kind were seized for their own use by the said Miles McDonell and his party, by those of Joseph La Framboise (No. 330) Jean Baptiste Desroches (No. 331) Francois Viger (No. 332) & Jean Crebassa (No. 333) that a parcel of provisions belong to the N.W. Company brought by by the two first from Bas de la riviere to Fort Douglas were seized for their own use by the said D'Orsonnens & McDonell - that a party from Fort Douglas accompanied them on their return to the N.West Post at Bas de la riviere, and took possession of the same and from time to time</p>	<p>Basil Belanger; Pierre Soussi; J.B. Mini; Miles McDonell; Miles Macdonell; Archibald McLellan; Joseph La Framboise; Jean Baptiste Desroches; Francois Viger; Jean Crebassa; Jean Crebassa; Deposition 327; Deposition 328; Deposition 329; Deposition 330; Deposition 331; Deposition 332; Deposition 333;</p>
438	<p>434</p> <p>made use of the provisions, merchandize and other articles at the Post, belonging to the N.W. Company, as if they had been their own; - that during the course of the Winter, Derouches was induced by menaces to discover to the said D'Orsonnens & McDonell two places where provisions belonging to the N.W. Company were hid, which Laidlaw and others immediately took possession of & converted to their own use; and that on the 20th May Captain D'Orsonnens himself came to Bas de la riviere with two boats with he loaded with provisions belonging to the N.W. Company and returned with them to Red river - that John Crebassa and Francois Viger were arrested and taken away prisoners to Fort Douglas where, they depose to having heard whilst confined various violent declarations made use of by the said Miles McDonell, Captain D'Orsonnens & others with them, relative to their intended hostile proceedings towards the N.W. Company's party; such as that if the Fort was attacked, the prisoners who were there</p>	<p>N.W. Company; North West Company; Red River; Fort Douglas; Bas de la riviere; Fort Alexander; Derouches; Protais d'Odet D'Orsonnens; Proteus D'Orsonnens; Macdonell; Miles Macdonell; William Laidlaw; John Crebassa; Francois Viger; prisoners;</p> <p>http://data2.archives.ca/e/e447/e011163878-438-v8.jpg</p>
439	<p>435</p> <p>should all be killed by the Meuron Soldiers, and that a notice signed by Captain D'Orsonnens ordering the Meuron Soldiers to kill any prisoner, who should attempt to escape, was put up at Fort Douglas - that a large gun Boat was to be sent from Pyke river to capture all the furs of the North West Company coming from the North, a circumstance which was frequently repeated from different quarters and further that it was stated by Sergeant Witschy, that no boats belonging to the N.W. Company would be allowed to pass Fort Douglas, but would be sunk by the Cannon which were under his orders - Witschy in his deposition (No. 334) admits, that he heard Captain D'Orsonnens say that he was to go at the first opening of the Navigation to stop the Canoes coming from Athabasca, and for that purpose he should take ten or twelve of the discharged Soldiers who had engaged with Lord Selkirk as Settlers. - that during the month of June 1817 the halfbreeds having come down to the neighborhood of Fort Douglas, saying they</p>	<p>North West Company; N.W. Company; Athabasca; Pyke River; Fort Douglas; Halfbreeds; Settlers; Selkirk Settlers; De Meuron soldiers; De Meuron Regiment; Captain D'Orsonnens; Proteus D'Orsonnens; Sergeant Witschy; Jacob Witschy; Lord Selkirk; Earl of Selkirk; kill any prisoners; gun boat; capture of furs; cannon; navigation to stop the canoes; discharged soldiers; June 1817; Deposition 334;</p> <p>http://data2.archives.ca/e/e447/e011163878-439-v8.jpg</p>
	<p>436</p> <p>would pass, he was ordered by Captain McDonell generally *10th Jany 1817* called Governor</p>	<p>Fort Douglas; Halfbreeds; Captain McDonell; Governor McDonell; Miles</p> <p>http://data2.archives.ca/e/e447/e011163878-440-v8.jpg</p>

McDonell to fire the cannon upon any boat that should persist in passing (the halfbreeds having been informed thereof by the Governor); that towards the end of the month the Earl of Selkirk arrived and caused the proclamation of the Prince Regent to be read the next day but one after his arrival; and that himself having read it, he added of his own accord, all the World then is free and may pass as they choose - that during the Winter when the fort was blockaded by the halfbreeds, some discharged soldiers said that in case of attack it would be necessary to kill the prisoners, when to discharge such speeches he himself said that in case of need he would rather defend the prisoners than allow them to be killed in such a manner; and that he does not think that they were serious in what they said. On the part of those charged with these various acts of illegal violence, no justification has been attempted; Jacob Witchey states however in his last mentioned Deposition that an Inventory of the property found at Fort Douglas

440

437

was made by Mr. Laidlaw and Cadot - and Capt D'Orsonnens in his Deposition (No. 236) stated that a quantity of Artillery ammunition arms and other articles belonging to the Earl of Selkirk were found at Fort Douglas and that four pieces of Artillery of which the Settlement had been plundered by the North West Company were also found at the post at Bas de la Riviere, together with a Boat and other property formerly belonging to Mr. Keveney; - and that having found in the possession of Archibald McLellan a letter signed Alexander McDonell (a copy whereof is filed, Deposition No. 337 and has been herein before referred to) which spoke of the assassination of the Earl of Selkirk in the river Winnipeg, and not doubting that such a crime would be attempted by the N.W. Company he judged it necessary to put the Fort at Bas de la riviere in a state of defence, to prevent the N.W. Company from occupying it and stopping the passage to the Earl of Selkirk and the King's Commissioners - The best excuse for or palliation of the proceedings of the Earl of Selkirk's party at this period appears however to be the sincere opinion

441

438

apparently entertained by them, that their opponents were to be considered as rebels and enemies to Government as well as to themselves, and that the necessity of the case authorised proceedings, which would otherwise have been unjustifiable. The violence committed by the N. W. Party at Red river during this period beginning from their receiving intelligence of the capture of Fort William will be found fully detailed in the Deposition of Frederick D. Huerter (No. 235) who states that immediately after receiving the news of that event, a council was held at Fort Douglas by the Partners and Servants of the N. W. Company, and a certain number of Free Canadians and Halfbreeds when McDonell stated to "the freemen that they must promise to take up arms to defend the Country, and to prevent the English or the Earl of Selkirk from entering the river; and told those who were unwilling to make this promise to pack up their luggage and quit the Country immediately"; that most of the freemen rather than quit the Country and leave their families promised to hold

442

439

themselves at the disposal of the N. W. Company.

That McDonell accordingly sent a part of the freemen under the command of Seraphim

Macdonell; Earl of Selkirk; Jacob Witchey; to fire the cannon; proclamation; prisoners; De Meuron Regiment; discharged soldiers;

North West Company; <http://data2.archives.ca/e/e447/e011163878-441-v8.jpg>
N.W. Company; Fort Douglas; Selkirk Settlement; Bas de la Riviere, Fort Alexander; river Winnipeg; Winnipeg River; Earl of Selkirk; William Laidlaw; Cadot; Capt D'Orsonnens; Proteus D'Orsonnens; Owen Keveney; Owen Keveny; Archibald McLellan; Alexander McDonell; Alexander Macdonell; King's commissioners; Deposition 236; Deposition 337;

N. W. Company; North West Company; Red River; Fort Douglas; Fort William; Nor'Westers; Free Canadians; Freemen; Halfbreeds; rebels; English; Frederick Damien Huerter; Earl of Selkirk; enemies to Government; violence; intelligence; capture of council; partners; servants; McDonell; Alexander Macdonell; promise; take up arms; defend the country; Deposition 235;

N. W. Company; North West Company; Fort William; Bas de la riviere; Chute de [[Boonet?]]; Halfbreeds; Metis; <http://data2.archives.ca/e/e447/e011163878-443-v8.jpg>

443	<p>Lamar to plunder Mr. Fidler as herein before mentioned; and proceeded himself with 20 or 25 halfbreeds, Clerks and Servants, and from 20 to 25 Indians of whom [[Magecabaon]] was Chief, to Bas de la riviere where another Council was held by Alexander McDonell & Archibald McLellan at which himself, Cuthbert Grant, Cadot, Reinhard Alexander Fraser, William Shaw, Bostonois Pangman and several other halfbreeds about twenty in all were present and in which McDonell proposed to the Halfbreeds *[[?]] Jan 1817* to proceed to Fort William for the purpose of taking it and in case they should meet the Earl of Selkirk or any of his people on the way, that they should place themselves in ambush near the river and fire upon and sink them while engaged in passing the rapids, and that the Chute de [[Boonet?]] was particularly mentioned as a place where they might all be easily destroyed - that the halfbreeds would not concur in this plan and consequently</p>	<p>Freemen; Seraphim Lamar; Fidler; Alexander McDonell; Alexander Macdonell; Archibald McLellan; Cuthbert Grant; Cadot; Charles de Reinhard; Alexander Fraser; William Shaw; Bostonois Pangman; Pierre Bostonais Pangman; Pierre Pangman dit Bostonais; Earl of Selkirk; clerks; servants; ambush; river; rapids;</p>
444	<p>440</p> <p>one canoe only was sent off for the purpose , as he understood, of obtaining intelligence under command of Archibald McLellan accompanied by Chas. Reinhard, Cuthbert Grant & Joseph Cadot (by the former of which three Owen Keveny was murdered during this voyage as herein before mentioned); that after the canoe was gone Alexander McDonell told him it was a great pity the halfbreeds had refused to go, as he (McDonell) had intended to send him to the vicinity of Fort William to speak secretly to the men of the De Meuron Regiment in the service of Lord Selkirk, and to endeavor to seduce them to desert and join the N. W. Company, and that it was his plan to have offered them a reward of £500. collectively and double wages individually if they would consent to abandon the Earl of Selkirk, and that he would then have retaken Fort William and brought the said De Meurons to Winter at Red river if they chose; that the said Alex McDonell and A. McLellan assembled about 20 or 30 Indians, among whom</p>	<p>http://data2.archives.ca/e/e447/e011163878-444-v8.jpg</p> <p>N. W. Company; North West Company; Fort William; Red River; Archibald McLellan; McLellan; Cuthbert Grant; Joseph Cadot; Owen Keveny; Alexander McDonell; Alex McDonell; Alexander Macdonell; canoe; voyage; gathering intelligence; Halfbreeds; De Meuron Regiment; De Meurons; Lord Selkirk; Earl of Selkirk; bribery; bribe; reward; Indians; murder; retake; abandon; winter; assembled;</p>
445	<p>441</p> <p>was the old Soultour Chief called the Premier or Grandes Oreilles, when McDonell made a speech which Cadot interpreted, wherein he exhorted the Indians to take courage to place their confidence in the N. W. Company, who would always befriend them and supply their wants, and told them, that if they allowed the English (the term by which the H. B. Company's party is generally known amongst the Indians) to return to the River they would bring Soldiers that would destroy them with their women and children, but not to be afraid, that the N. W. Company would protect them and would never allow the English to return. Heurter subsequently details the different means of intimidation and force made use of by the N. W. Party and especially by Cuthbert Grant subsequent to the Capture of Fort Douglas, to assemble a sufficient number to go down to the Fort, and demand the liberation of Archibald McLellan, Seraphim Lamar & Mainville who were detained as prisoners and if possible to recapture the Fort, on which occasion he says that Antoine</p>	<p>http://data2.archives.ca/e/e447/e011163878-445-v8.jpg</p> <p>N. W. Company; North West Company; Red River; Fort Douglas; soldiers; Indians; Grandes Oreilles; Cadot; Joseph Cadotte; Archibald McLellan; McDonell; Cuthbert Grant; Seraphim Lamar; Francois Mainville; Antoine Houle; Frederic Damien Heurter;</p>
	<p>442</p> <p>Houle one of the Halfbreed Leaders made use of the expressions, "Il faut en [[teur/leur?]] quelques uns montrer un exemple a ceux que ne vealent pas nous joindre pour faire marcher les autres" - and he adds that with the force thus raised Grant came down to the</p>	<p>http://data2.archives.ca/e/e447/e011163878-446-v8.jpg</p> <p>Pembina; Fort Douglas; Antoine Houle; Cuthbert Grant; Freeman; Halfbreeds; Métis; Lord Selkirk; Cadot; Joseph</p>

neighborhood of Fort Douglas on the 2nd March, and that after the party had encamped Grant sent a freeman of the name of Soucisse to the Fort with a letter, and after receiving the answer, informed the halfbreeds that the Governor refused to deliver up the prisoners, and that he Grant had sent a challenge to the people in the Fort, to come out and fight them at 8 o'clock next morning: that on the 4th March their provisions beginning to fail, although they had taken and killed two cows and one heifer belonging to the Colony, it became necessary for the party to return; that Cadot then proposed to go to Pembina & kill a party of Lord Selkirk's people who were there, saying that they must not return home without striking a blow to maintain there warlike

446

443

reputation; but that this was finally over ruled by Grant who replied "Nous ne sommes pas des barbares et nous retournerons a la Rivière Que Appelle," which appears accordingly to have been done. - This statement as far as relates to the system of intimidation & violence pursued by the North West Party towards the free Canadians to compel them and their halfbreed children to take up arms and join in the expedition above mentioned is confirmed by the Depositions of Jacques Amelin and Baptiste Marsalois, Michel Dauphiné and Charles Tranchemontagne. Antoine Pagé, Jean Baptiste Davis and Charles Beautino (Nos. 176, 339, 340, 341, & 342), whilst Edward Boisvert in his Deposition (No. 343), states his being made prisoner in the Kings name by a party of halfbreeds, who took him to their Fort at Que'Appelle; where Alexander McDonell endeavored to induce him to engage himself to the North West Company; and that refusing so to do, he could obtain no clothing and was obliged to work for his food, and was compelled also to make

447

444

a declaration of the seizure by Miles McDonell at the portage ecarté of two large bags of Ball a barrel of gunpowder, a barrel of rum and a case of Fusils concealed there by the N. W. Company, as well as of the threats of Capt. D'Orsonnens to fire with ball according to his orders on the first North Wester he should meet with, which declaration although true, he would not have made, but from Alex McDonell's assurances that he was bound in Law to do so. - Of the circumstances which occurred on the halfbreeds coming down the second time to Fort Douglas (as mentioned by Witchey) no details have been laid before me, with the exception of the account given by the [[Sonnaut?]] Indian, in his speech on the 17th July 1817, at the Council held by me with the Indians at the Forks of Red river (paper No. 409) of those proceedings in which he took part, and of the unsuccessful attempt to arrest Grant and Cadot witnessed by him.

Fort Wedderburn, the principal Post of the H. B. *On or about the 23rd [[Jan?]] 1817* Company in the Athabasca Country was forcibly taken

Cadotte; Soucisse

North West Company; la Rivière Que Appelle; North West Party; Fort Que'Appelle; Free Canadians; Halfbreeds; Cuthbert Grant; Jacques Amelin, Jacques Hamelin; Baptiste Marsalois; Michel Dauphiné; Charles Tranchemontagne; Antoine Pagé; Jean Baptiste Davis; Charles Beautino; Edward Boisvert; Alexander McDonell; take up arms; Deposition 176, Deposition 339, Deposition 340; Deposition 341; Deposition 342; Deposition 343;

H. B. Company; Hudson's Bay Company; N. W. Company; North West Company; Fort Wedderburn; Athabasca Country; Fort Douglas; The Forks; Red River; Halfbreeds; Metis; Indian; Indians; Miles McDonell; Captain D'Orsonnens; Proteus D'Orsonnens; Alex McDonell; Alexander Macdonell; Cuthbert Grant; Cadot; bound by law; council; attempt to arrest; principal post; orders to fire; portage; arms, weaponry; barrels of gunpowder; gun powder; gunpowder; weapons cache; fusils; guns; rifles; threats; taken

445	<p>possession of by the Servants of the N. W. Company under the orders of a Norman McLeod; it appears to have been taken by surprise whilst Mr. Clarke, the person in charge thereof, Mr. McKenzie and Mr. McFarlane, two of the H. B. Clerks, were dining by invitation with McLeod at Fort Chipewyan the principle N. W. Post in Athabasca - Hector McNeil at that period a Clerk in the service of the N. W. Company states in his Deposition No. 360 that he was present with McLeod at the time, who on seeing a Flag hoisted as a signal of success came up to Mr. Clarke and pointing to the Hudson's Bay Post, said to him, "Your Fort is taken" and turning to McFarlane tapped him on the shoulder and said you are my prisoners and here you shall remain till you satisfy me - that McLeod then called Mr. Clarke, Mr. McKenzie & Mr. McFarlane together with himself into his own bedroom, when he produced to them a letter containing an account of the Capture of Fort William and stated that to be the cause of his proceedings which under such circumstances they could not blame</p>	<p>by force; declaration of seizure;</p> <p>Hudson's Bay Company; H. B. Company; N. W. Company; North West Company; Fort Chipewyan; Athabasca; Fort William; Norman McLeod; taken by surprise; Clarke; McKenzie; McFarlane; Hector McNeil; clerks; dining; servants; invitation; flag; signal; prisoners; letter; capture of Fort William; Deposition 360;</p> <p>http://data2.archives.ca/e/e447/e011163878-449-v8.jpg</p>
449	446	<p>that afterwards he obliged Mr. Clarke by threats of continued imprisonment to sign an agreement binding himself to deliver up the arms at his post and to sign an order for a similar delivery of the arms at the Posts of Great Slave Lake and Pierre aux Calumets and on the same being complied with, Mr. Clarke was set at liberty and allowed to return to his post, but a party of the N.W. Company's Servants were maintained there as a Guard. As the acts of illegal violence, which the N.W. are charged with having committed in the Athabaska and adjoining Country to the North West of Lake Winnipeg, for the purpose of expelling the Hudson's Bay Company's Servants therefrom, are numerous and at the same time, appear strongly illustrative of that general system of illegal monopoly of which the former Company is accused; it appears necessary shortly *23rd Jan 1807* to trace their proceedings (as far as they have come before me) from the period of Mr. Clarkes first going into that Country in the Autumn of the year 1815 with</p>
450	447	<p>the party which had been engaged for that purpose by Mr. Colin Robertson as herein before mentioned. It is stated by Francois Bonnin, a freeman who after having served the N. W. Company fifteen years, had been allowed to settle under their protection at Lac la Pluie, in his deposition (No. 301) that having made a present to Mr. Robertson & Mr. Decoigne (Clerks of the H.B. Company) who were in absolute want of provisions for their journey to Athabasca, of some potatoes, he was much abused for having so done & threatened by Mr. Leith a partner in the N.W. Company with being turned out of his farm and sent down to Montreal as a punishment - by Antoine Pagé in his Deposition (No. 340) that in September 1815 he was placed at the forks of Peace river by order of Edward Smith a partner of the N.W. Company for the purpose of preventing any Indians from going to the Fort then building by Mr. Clarke in the neighborhood of the Chief N. West Post at Athabasca; to detain any Game, provisions or furs which the Savages might be taking</p>
451	448	<p>to the English, and in case of opposition by the Indians, to take what they had by force and send them to the N. W. Post, where a light Canoe was also at all times kept in the water, ready to pursue any Indian Canoes, that might attempt to have any communication with Mr. Clarke; and that in case any of Mr. Clarke's Canoes went out, they were immediately pursued</p>

by a Canoe from the N. W. Company: that during this time Mr. Archibald McLellan and Mr. Fraser partners of the N. W. Company were at the Fort with Mr. Smith; he (Pagé) wintered at Great Slave Lake and after the arrival of Mr. McAuley of the Hudson's Bay Company's Service, he was sent by McLellan to fix himself in a lodge together with one Pierre Blage, within 40 or 50 feet of the said McAuley, with orders to allow no Savage to go to the English encampment, and to beat them if they persisted in do so; that some days afterwards he took away with him a band of Savages with whom he passed the Winter, in order to be certain that they took no provisions or furs

North West Post; canoe; ready to pursue; Indian canoes; communication; McAuley; Clarke; Archibald McLellan; McLellan; Fraser; Smith; Page; Pagé; pursued; blockade; English encampment; English camp; passed the winter;

452

449

to the English, two other Canadian Servants of the names Etotte & Mickles being sent in charge of other bands - Pagé further states that the persons who perished by hunger the Winter of 1815-16 went from the Post of Mr. Clarke at Athabasca, which he had been employed to blockade and that he sincerely believes that these proceedings of the N. W. Company prevented Mr. Clarke during the fifteen days he remained at the Post from obtaining a sufficiency of provisions or procuring hunters when he set out for the Upper Posts of Peace River, and that this was the cause of his losing eighteen or nineteen of his people - Several details respecting the occurrences on Peace river will be found stated in the intercepted letters of William McIntosh to John McGillivray dated from Fort Vermillion (one of the N. W. Posts on Peace River) the 24th November 1815 and from the said John McGillivray to the Agents of the N. W. Company dated Dunvegan (another Post of the N. W. Company on the Peace River) 17th January 1816, of both which letters attested copies were filed

N. W. Company; North West Company; Fort Vermillion; Fort Vermilion; posts on Peace River; Fort Dunvegan; Athabasca; Upper Posts of Peace River; Peace River; the English; Canadian servants; Etotte; Mickles; Pagé; Page; William McIntosh; John McGillivray; Clarke; perished; died; hunger; starvation winter of 1815 - 16; blockade; starved out; losing men; intercepted letters; letters; correspondence;

453

450

before me (Deposition 168 marked B & G) the letter contains the following summary of what had occurred up to that date in the Athabasca Country. "Our opponents dispersed their forces in the following manner viz two Canoes, two Clerks were sent by them to Slave Lake, four Canoes, three Clerks with 27 men remained in the environs of Fort Chipewyan and Mr. Clarke with eight Canoes, six Clerks & 50 men prosecuted his voyage for the invasion of this "Peace River"; I passed this Armada at ___ river (where they had put ashore to send a Maskigon Indian they had brought with them from Cumberland House a hunting) and made the best of my way accompanied by our seven Canoes, to Fort Vermillion, where matters were arranged as expeditiously as possible and I continued the voyage to this place (Dunvegan) where I arrived the 20th October. Just as I was starting from Fort Vermillion, Mr. Clarke's own Canoe arrived and as he was destined for this place which he meant to make his headquarters; I naturally concluded

Great Slave Lake; Fort Chipewyan; Athabasca Country; Peace River; Cumberland House; Fort Vermillion; Fort Vermilion; Dunvegan; Maskigon Indian; Maskegon Indian; Indian; Native; Clarke; summary of what occurred; voyage; invasion; armada; canoes; Deposition 168;

454

451

he would make his appearance very soon after me, and consequently lost no time in taking every precaution my judgment could suggest in getting the natives off to their hunting grounds and out of harms way as quick as possible; on the first of November they all started."

He then goes on to express his surprise at receiving no intelligence, as he had left orders with Mr. McIntosh to send him an express as soon as any part of the opposition settled at his place (Fort Vermillion) but which he was prevented doing by the tardy movements of the latter,

Fort Vermillion; Fort Vermilion; Loon River; Natives; McIntosh; Clarke; Nolin; McDougall; information; opposition; hunting grounds; 1st November; intelligence; encampment; button de rose; bouton de rose;

455	<p>which he details as follows: "Mr. Clarke remained ten days in his encampment at Fort Vermillion living upon button de rose, waiting the arrival of his canoes; getting at length anxious respecting their non appearance he sent down McDougall (one of his Clerks) with his Canoe and six men to know what retarded them, McDougall found them a little above Loon river, starving like church rats, and many of them so much reduced that they were not able to stand, Young Nolin accompanied by twelve men</p>	<p>rosebuds; starving; waiting; search party;</p>
456	<p>452</p> <p>embarked on board two light canoes and made the best of their way in a wretched predicament down to Fort Chipewgon; twenty four of the most vigorous and active men were then selected in three Canoes with an assortment of Goods, accompanied by McDougall, Godin & Lakonde (Clerks) and proceeded upwards to meet Mr. Clarke leaving twelve men and two Clerks in their encampment, with the residue of their Goods; some of the latter mentioned men were in a most deplorable state when they saw them last, by starvation - At Point de Roche the progress of the above three mentioned Canoes was completely stoped by Starvation, Godin and Lakonde made shift to walk along the beach until they met Mr. Clarke who left his encampment at Fort Vermillion with his two men being of opinion all his people had returned back to Fort Chipewgan - Mr. Clarke then made another effort and visited a small band of the Fort Vermillion Indians who had it not in their power to alleviate his distress</p>	<p>Fort Chipewgan; Fort Chipewyan; Fort Vermillion; McDougall; Godin; Lakonde; Clarke; Point de Roche; starvation; Indians; First Nations</p> <p>http://data2.archives.ca/e/e447/e011163878-456-v8.jpg</p>
457	<p>453</p> <p>as some of Mr. McIntosh's men were with them and they were starving themselves; during this time our Mr. Archibald McGillivray went down to Point de Roche to learn something respecting the movements of our opponents, and he found MCDougall with the men he had with him reduced to the very last extremity by starvation: McDougall with eighteen of their men delivered themselves and goods over to the N.W. Company in order to save their lives as they must have inevitably perished otherwise - One of these men died of starvation on his way to McIntosh's and the others were a true picture of the resurrection." Such with probably some further details which have not been filed before me, were the accounts, which appear to have been conveyed by the North West Winter Express of 1816 taken by Colin Robertson, and it is respecting these that Alexander McDonell the North West Partner observes in his letter of 13th March 1816 (whereof an extract was proved before me by C. Robertson Deposition No. 167 "Glorious news from</p>	<p>N.W. Company; North West Company; Point de Roche; McIntosh; Archibald McGillivray; MCDougall; North West Winter Express of 1816; Colin Robertson; Alexander McDonell; Alexander Macdonell; starvation; Deposition No 167</p> <p>http://data2.archives.ca/e/e447/e011163878-457-v8.jpg</p>
458	<p>454</p> <p>Athabaska" and that Cuthbert Grant in a letter of the same date to Alexander Fraser which has been filed before me Deposition 168 Marked J, say "You must know that Robertson's famous Clarke has gone to pot" his men have all left him, two of them dead of hunger, and the rest are always in danger of being cut off by the natives there, which will give Robertson a terrible fever when he hears of it." The intercepted letters of Colin Campbell a Clerk to McRobb & Cowie two other clerks of the N.W. Company dated Dunvegan 10th May 1816, and of John Duncan Campbell partner to Edd Harrison a Clerk dated Cumberland House 6th April 1816, filed before me (Depn. 240 marked A & B) contain further details respecting Clarke's party; the former in particular states that the arrangements entered into by McDougall was to deliver up all his goods and men to the N.W. Company if they would but save their lives in giving them provisions and that they would engage not to serve against that Company for the term of one year;</p>	<p>N.W. Company; North West Company; Cumberland House; Athabaska; Dunvegan; Natives; Cuthbert Grant; Alexander Fraser; McDougall; Robertson; Clarke; Colin Campbell; McRobb & Cowie; John Duncan Campbell; Edward Harrison; Starvation; Deposition 240; Deposition 168;</p> <p>http://data2.archives.ca/e/e447/e011163878-458-v8.jpg</p>
455	<p>455</p>	<p>Fort Chipewyan; Loon River; Indians; Great</p> <p>http://data2.archives.ca/e/e447/e011163878-459-v8.jpg</p>

459	<p>that one poor man died of hunger before he could get to the house - that "Clarke after being repulsed in all his attempts and loosing three more men by starvation was glad to come to terms and deliver up all his goods say about 60 pieces till next December for the sake of 700 lbs dried meat & Pemican, enough to take him and his remaining crew down to Fort Chipewyan for which place he set of in January; that in the fall twelve men of his in two canoes conducted by Francois Nolin attempted to return from Loon river to Fort Chipewyan, but in the weak state they were, they all perished except three men; Clarke on his arrival at Fort Chipewyan finding that his people were starving and wishing to leave him there also made another Agreement with Messrs Fraser & Smith to feed him and his people for which he is to remain quiet the 20th instant, and not have any thing to do with the Indians, at the sometime all expenses must be paid by him out of their Goods at the N. West rates and prices; At Great Slave Lake Mr. McLellan was also successful</p>	<p>Slave Lake; Indians; Francois Nolin; McLellan; Fraser; Smith; Clarke; pemican; pemmican; food shortage; starvation;</p>
460	<p>456</p> <p>in making McAuley Capitulate early in the face", whilst Robert Henry a partner of the N.W. Company in his letter to his uncle Alexander Henry of Montreal dated Fort William the 22nd July 1816 recapitulating the whole loss of men by the H.B. Company the preceeding Winter, states it to have been "North of Michipicoutous and the Pic - four of their men starved to death - six deserted and six died at the Bay of the scurvy, two starved to death in Lake Winnipic, 2 drowned, 22 killed on Red river, 16 men, 1 woman and 1 child starved to death, some of them eaten by their surviving companions at Athabasca."</p> <p>Previous to these occurences in the interior being known, it had been resolved by the partners of the N.W. Company at Montreal, that Mr. A.N. McLeod one of the Agents, should Winter the ensuing year in Athabasca, for the purpose of endeavouring to drive away the H.B. Company's people from the Country; their views in this respect are openly stated in a letter from John McTavish one of the Montreal partners of the N.W. Company</p>	<p>H.B. Company; Hudson's Bay Company; N.W. Company; North West Company; Montreal; Fort William; Michipicoutous; the Pic; Red River; Lake Winnipic; Athabasca; McAuley; Robert Henry; Alexander Henry; A.N. McLeod; Archibald Norman McLeod; John McTavish; Starvation; scurvy; cannibalism;</p> <p>http://data2.archives.ca/e/e447/e011163878-460-v8.jpg</p>
461	<p>457</p> <p>to Archibald McLean dated Montreal 29th May 1816 filed before me (Deposition 240 marked D) wherein he states, that, "Mrs. and Miss McLeod are preparing to cross the Atlantic in consequence of his intention to winter; which I hope will be productive *23rd Jany 1817* of the general good expected from it in the arrangement of Athabasca and I trust the Hudson Bay people could not be able to establish themselves last Winter on such footing in that Department as to render their expulsion from it a service of difficulty and danger." McLeod appears accordingly after a short stay at Fort William in his return from the expedition to Red river as herein before detailed, to have set out for Athabasca - Joseph Sansfaçon states in Deposition (283) that meeting him going into the interior, McLeod said that "he was going to bring the English in Athabasca into order," and various details of his proceedings will be found stated in the Depositions of Geo. Peter Andries formerly a Clerk of the N.W. Company (No. 358) of Hector McNeil also a Clerk of that Company (No. 360) and of Francois Dechamp, Geo Innes, Alex McDougall & Etienne</p>	<p>N.W. Company; North West Company; Athabasca; Fort William; Red River; Archibald McLean; 29th May 1816; McLeod; Mrs. McLeod; Miss McLeod; Joseph Sansfaçon; Geo. Peter Andries; Hector McNeil; Francois Dechamp; Geo Innes; Alex McDougall; Etienne; Deposition 240; Deposition 283; Deposition 358; Deposition 360;</p> <p>http://data2.archives.ca/e/e447/e011163878-461-v8.jpg</p>
461	<p>458</p> <p>St. Pierre in the service of the H.B. Company (No. 354, 356, 357 & 359) together with some few further particulars, in those of eleven guides and canoemen in the Service of the N.W. Company (No. 361 & 371) who were examined by me at a period when considerable apprehension was entertained for the personal safety of the H.B. Company's Servants detained in Athabasca.</p>	<p>H. B. Company; Hudson's Bay Company; H. B. Company's servants; N. W. Company; North West Company; Fort Chipewyan; Fort Chipewyan; Hudson's Bay; Norman McLeod; Etienne</p> <p>http://data2.archives.ca/e/e447/e011163878-462-v8.jpg</p>

The aforesaid Andries in his Deposition states that, "in consequence of finding, he could not continue in the Service of the N.W. Company without being urged to the Commission of Crimes or incurring the risk of cruel treatment and persecution in case of refusal to commit them, he formed the resolution of leaving their Service, which he did in the month of May 1817, at which time he left Fort Chipewyon and came across the Country to Hudson's Bay in order to avoid encountering any of the Partners of the N.W. Company" - He further adds that Archd Norman McLeod arrived at Fort Chipewyon about the middle of September Eighteen hundred and sixteen

St. Pierre; guides; canoemen; detained; detainees; Athabasca; service; deposition; commission of crimes; crimes; coercion; cruel treatment; risk; persecution; left the company; left the service;

462

459

"where he publicly and frequently announced his determination to expel the Servants of the H.B. Company from the Indian Territories, and of destroying and annihilating their establishments in that Country as prejudicial to the interests of the N.W. Company, that the said McLeod often repeated publicly in his hearing, that John McGillivray and Simon Fraser (partners of the N.W. Company) had been entirely lenient towards the Servants of the H.B. Company the preceeding year; that it was ridiculous to be scrupulous in driving them from the Indian Territories and in destroying their posts," and he adds that McLeod said publicly in his hearing "that he would stand at no trifle, and that it would be ridiculous to do so, in order to effect the destruction of the Posts of the H.B. Company, and in expelling their Servants from the Indian Territories," and he further adds, "that sometime after the arrival of the said McLeod at Fort Chipewyan and subsequent to the declarations of the said McLeod as above stated, John Stewart a partner in the N.W. Company arrived at the same Post about the beginning of October bringing intelligence of the arrest

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-463-v8.jpg>
H. B. Company; N. W. Company; North West Company; Indian Territories; Fort Chipewyan; McLeod; John McGillivray; Simon Fraser; John Stewart; plan to destroy the posts; October; public announcement;

463

460

"of divers partners in the N.W. Company." It further appears by the various Depositions above mentioned that Mr. Clarke was going into Athabasca in charge of the H.B. Company in September 1816, he was passed at Portage La Loche about four days paddle from the principal H.Bay Post in Athabasca by A. Norman McLeod & Thomas McMurray of the N.W. Company. That on arriving at the H.Bay Post, Mr. Clarke and his party learnt, that McLeod had the same day made prisoners and taken away Duncan Campbell, the person in charge of the Post, during Mr. Clarke's absence, and Auley McAuley the principal Clerk who appears however at the end of three days to have been liberated; this is stated by Andries to have been done under pretext of a quarrel which he believes to have been provoked at the instigation of the said McLeod by some of his Servants. On or about the 3rd October another quarrel appears to have taken place. Hector McNeil states that having gone on the day in question to visit Roderick McLeod a Clerk of the N.W. Company who

H.B. Company; Hudson's Bay Company; N.W. Company; North West Company; Athabasca; Portage La Loche; Clarke; September 1816; Actoman McLeod; Thomas McMurray; McLeod; Duncan Campbell; Auley McAuley; Andries; Geo. Peter Andries; Hector McNeil; Roderick McLeod;

464

461

was in charge of a guard house erected by that Company immediately adjoining the Hudson's Bay Post, (a practice which Andries states to have been universally adopted at every Post belonging to the Hudson's Bay Company in Athabasca for the purpose of preventing the Indians from trading or communicating with the servants of that Company) he McNeil, afterwards went on towards the H.Bay Post at the distance of about one hundred or one hundred and fifty yards for the purpose of visiting it from mere curiosity, but without any intention of offending or injuring any one although he has since been informed and believes there did exist some previous plan on the part of Mr. McLeod, or his Agents to lead a quarrel by thus sending him into the vicinity of the Hudson's Bay Fort, as the said Mr. Clarke was known to be of a violent temper, and that he would not allow any of the N.W. Company's

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-465-v8.jpg>
N.W. Company; North West Company; Hudson's Bay Post; Nor'Westers; Andries; Geo. Peter Andries; Athabasca; Indians; preventing trade; McNeil; McLeod; Clarke;

465	servants to enter his Post; that whilst he was thus walking peaceably round the post, the said Clarke came and made an assault on him on the breast, when after some altercation a battle	
466	<p>462</p> <p>took place between him and John McVicar (a Clerk of the said H.B.Co. acting under the orders of the orders of the said Clarke) which was fought with words and ended with his disarming the said McVicar - that the next day Warrants were issued for the apprehension of M. Clarke, McVicar, and as he believes of one McFarlane - that the said parties refused to yield obedience to the said warrant, as McLeod was not an impartial person in the affair from whom they could expect Justice: that in consequence of this refusal measures were taken by McLeod and his Agents to compel the said Clarke and others to surrender by making prisoners of his fishing parties and seizing their nets; this appears to have been accordingly carried into execution by George Keith and Thomas McMurray, partners & Roderick McLeod a Clerk of the N.W. Company, who took three parties of the H.B. Company's Servants and brought them prisoners to the N.W. Company's Post, on which occasion it appears by the Depositions of James McDougall and St Pierre,</p>	<p>H. B. Co.; Hudsons Bay Company; N.W. Company; North West Company; John McVicar; Clarke; McFarlane; McLeod; George Keith; Thomas McMurray; Roderick McLeod; James McDougall; St. Pierre;</p> <p>http://data2.archives.ca/e/e447/e011163878-466-v8.jpg</p>
467	<p>463</p> <p>that McLeod compelled the men so captured to take an oath not to use arms for two years against any of his Majesty's subjects - McNeil states that Clarke being by these measures reduced to necessity from the want of subsistence, agreed to surrender himself to the warrant, as did also Mr. McVicar and Mr. McFarlane of whom the latter was as he believes discharged from want of proof against him - that Clarke was offered to be released on giving security himself in £500. and two sureties in £250. each, but which security he could not procure as McLeod objected to take the bail of the Servants of the H.B. Company, but ultimately agreed to take that of a Mr. McKenzie a clerk of that Company jointly with that of Mr. Robert Henry, provided 30 packs of trading Goods should be deposited in the North West Store as counter security for the said Henry, to which arraignment the said Clarke agreed, although very reluctantly, after a confinement as he (McNeil) thinks, of two days, and being threatened to be sent for the Winter</p>	<p>Hudson's Bay Company; North West Company; McLeod; the King; McNeil; Clarke; McVicar; John McVicar; McFarlane; McKenzie; Robert Henry; security; sureties; bail; trading goods; deposit; countersecurity; confinement; capture; oath; warrant; threat</p> <p>http://data2.archives.ca/e/e447/e011163878-467-v8.jpg</p>
468	<p>464</p> <p>up Peace river & thence to Montreal in the Spring that McVicar was detained in prison some days longer as McLeod refused for some days admitting him to bail in consequence of a letter of his, which had been intercepted, wherein the said McVicar (as he McVicar was told by McLeod) had expressed his hopes of being enabled to revenge what had occurred on Red River at Athabasca; but that finally he was released on giving security for £100. McNeill also dates that on or about the 26th day of October he received a verbal order from the said Archibald N. McLeod which he understood to be given him as a Magistrate, to take one Deschamps, whom McLeod stated to be greatly in debt to the N.W. Company, although at the time in the Service of H.B. Company - that Deschamps was accordingly made prisoner and detained he believes four days & nights, when Mr. Clarke agreeing to pay Deschamps' debts he was liberated. McNeil further details the circumstances of his being employed about the 1st November by McLeod to take</p>	<p>N.W. Company; North West Company; H.B. Company; Hudson's Bay Company; Red River; Athabasca; Peace River; Montreal; Archibald Norman McLeod; John McVicar; Deschamps; Clarke; prisoners;</p> <p>http://data2.archives.ca/e/e447/e011163878-468-v8.jpg</p>
468	<p>465</p> <p>a packet of letters, which Mr. Clarke was sending express to Mr. Bird, the Chief Governor of that part of the Hudson's Bay Territories; the intended departure whereof had been communicated by one Duplisses, who, as he was informed & believes, had been engaged by a</p>	<p>livers? livres, pounds sterling?</p> <p>Hudson's Bay Company; North West Company; Fort Chipewyan; Mr. Clarke; Mr. Bird; Governor; Hudson's Bay</p> <p>http://data2.archives.ca/e/e447/e011163878-469-v8.jpg</p>

	<p>promised bribe of 500 livers to act as a spy at the Hudson's Bay Post; that in consequence he proceeded to the North West Post a Pierre aux Calumets which was in charge of John Stuart and Thomas McMurray, and there waited till the arrival of Laronde the person in charge of the packet, and then with the concurrence of the said Stewart & McMurray followed with three other men, the said Laronde, who had with him only on man; that on coming up with Laronde during the night, one of their party went over and told him what their orders were, whereupon he burnt the packet - that Laronde and his Companion then returned with him to the Post at Pierre aux Calumets, and thence were conveyed by him as prisoners to Fort Chipewyon.</p>	<p>Territories; Duplisses; Hudson's Bay Post; North West Post; Pierre aux Calumets; John Stuart; John Stewart; Thomas McMurray; Laronde; packet; letters; evidence destroyed; prisoners; bribe; spy; espionage; express canoe</p>
<p>469</p>	<p>He adds that on arriving there on about the 9th December 466</p> <p>he found Mr. Clarke again detained a prisoner on the score of some debt, and was informed that he was obliged to give 13 pieces of Trading Goods to obtain his release - that afterwards on or about the 24th day of December another warrant was issued by the said Archibald Norman McLeod against the said Clarke, which he McNeil was named as Constable to serve, but declined doing so not being satisfied of the legality of the causes for which it was granted - that the day after he was ordered to assist one Soucisse in taking charge of two lodges, that had been erected opposite to the Hudson's Bay house to prevent their fishermen bringing their accustomed supplies; but whilst these orders were being giving Mr. Clarke finally engaged to settle the claim made by the N.W. Company, which he believes to have related to some supplies of food, given by the N.W. Company the year before to the servants of the Hudsons Bay Company in Peace River for which Mr. Clarke thought the price demanded</p>	<p>Hudson's Bay Company; North West Company; Peace River; Mr. Clarke; Archibald Norman McLeod; McNeil; constable; Soucisse; prisoner; trading goods; obtain release; December 24th; 24th December; warrant issued; lodges; Hudson's Bay house; supplies; claim</p> <p>http://data2.archives.ca/e/e447/e011163878-470-v8.jpg</p>
<p>470</p>	<p>467</p> <p>exhorbitant and unjust - McNeil then goes on to state the capture of the H.B. Post on the 23rd January as herein before mentioned which is also confirmed by the Deposition of McDougall and Innes, the former of whom deposes to having recognised amongst the Servants of the N.W. Company who assisted Roderick McLeod in taking possession of the Post Cottenoir, Thomas Cardin, Laroque, Lajeunesse, Soucisse & Fleurie, the three last of whom were also recognised by Innes.</p> <p>The H.B. Company's Post being thus taken possession of and their Servants there, and those at the Post at Great Slave Lake and Pierre aux Calumets, disarmed nothing material appears to have occurred for sometime; the latter of these Posts was indeed abandoned by Mr. Charles Thomas the person in charge thereof who stated he was unable to obtain subsistence after his arms were delivered up, as the Indians were not allowed to hunt for him or to have any intercourse with his Post and the place did not afford a sufficient</p>	<p>North West Company; Hudson's Bay Company; Great Slave Lake; Indians; McNeil; McDougall; Innes; George Innes; Roderick McLeod; Thomas Cardin; Laroque; Lajeunesse; Soucisse; Fleurie; Fleurie; Pierre aux Calumets; Charles Thomas; subsistence; hunting; arms; capture;</p> <p>http://data2.archives.ca/e/e447/e011163878-471-v8.jpg</p>
<p>471</p>	<p>468</p> <p>supply of fish - On the 14th April it appears by the Deposition of Andries that Mr. Clarke was again taken prisoner under pretext that he intended to retake Fort Chipewyan although he and his people, had no other offensive weapons in their Fort than a single Musket - or Indian fowling piece: and Andries adds that after Clarke's arrest and during his confinement he heard Archibald Norman McLeod say "that he would send him (Clarke beyon the Rocky Mountains to the Columbia River" and that since his own departure from Fort Chipewyan he has been credibly informed that the said Clarke had been sent a prisoner in that direction in Custody of Several persons and among them a Boisbrulé of the name of Beaubien a violent enemy of the said Clarke against whom he has heard Beaubien express the strongest antipathy" - By the deposition of McDougall and Innes it appears that after the arrest and imprisonment of Mr. Clarke, A.N. Mcleod caused all</p>	<p>Fort Chipewyan; Rocky Mountains; Columbia River; Bois brule; Halfbreed; Indian; Clarke; Archibald Norman McLeod; Beaubieu; McDougall; Innes; George Innes; prisoner; arrest; enemy;</p> <p>http://data2.archives.ca/e/e447/e011163878-472-v8.jpg</p>

469

23 Jan 1817 the prisoners as well as the remainder of the H.B. Company's goods and all their canoes to be taken over to the N.W. Post; by which means the H.B. Company's servants being left without means of subsistence or conveyance from the Country were at length after suffering much from famine (McDougall stating that they passed three days, and himself three days & a half without anything to eat) compelled to agree to the terms proposed by McLeod in consequence whereof they signed an agreement and took an oath, to the number of nearly fifty, not to make use of arms against the N.W. Company for two years, nor to return to, nor remain in that part of the Indian Territories in the Service of the H.B. Company, or of the Earl of Selkirk for the same period of two years in consideration, whereof Robert Henry and Simon McGillivray agreed on behalf of the N.W. Company to maintain them and procure their passage as far as Cumberland House: Of this agreement as sworn to and signed before McLeod as a Magistrate on the 20th May 1817, a copy is

H. B. Company; Hudson's Bay Company; N. W. Company; N. W. Post; North West Company; Cumberland House; Earl of Selkirk; Robert Henry; Simon McGillivray; McDougall; McLeod; prisoners; goods; canoes; subsistence; famine; three days without food; compelled to agree; terms; agreement; took an oath; 2 years; two years; non-violence; leave the Indian Territories; passage; Magistrate <http://data2.archives.ca/e/e447/e011163878-473-v8.jpg>

473

470

annexed by Innes to his Deposition and the same appears to have been carried into execution with this exception, that the said St. Pierre, McDougall & Innes all concur in stating, that they were very ill supplied with provisions; often passing the whole day and sometimes two without having anything to eat, and obliged as the two latter state to eat their dogs - that they were also detained till the beginning of July before canoes were furnished them to come out. - Andries in his Deposition gives some details of the measures adopted to prevent any intercourse between the Indians and the H. B. Company's Servants; at the period that Campbell and the other Clerks were made prisoners in September 1816 as before mentioned, he states, that several Indians, in the habit of trading with the H. B. Company were also made prisoners by McLeod and brought to Fort Chipewyan, where they were detained for some time under a guard; that he was sent with two of them, and that he was directed by Robert

Hudson's Bay Company; H. B. Company; Fort Chipewyan; Innes; George Innes; St. Pierre; McDougall; Andries; Geo. Peter Andries; Campbell; McLeod; Indians; Natives; traders; under guard; Indians taken prisoner; ill supplied; famine; starvation; detained; prisoners; prevented interaction; <http://data2.archives.ca/e/e447/e011163878-474-v8.jpg>

474

471

Henry to let fly at (meaning thereby to shoot) any of the Servants of the H.B. Company, who might endeavour to communicate or talk with the said Indians, the said Henry offering him pistols for that purpose, which he refused; that himself and several other persons were directed to watch these Indians in order to prevent their having any intercourse or conversation with the Servants of the H.B. Company: that towards the Spring two other Indians were taken prisoners pursuant to orders from the said McLeod, by a party of the N.W. Company's Servants, headed by Roderick McLeod (who were sent in quest of them for having traded the preceeding Autumn with the H.B. Company and sheltered two of their Servants during the Winter) and that the Indians were put in Irons and confined; that a pretext of the Indians being in debt was sometimes advanced, but this was in many instances denied by the Indians and as he believes with truth, as was in one case acknowledged by some of the Clerks or partners of the North West Company

H.B. Company; Hudson's Bay Company; Nor'Westers; North West Company; Indians; Henry; Roderick McLeod; prisoners; <http://data2.archives.ca/e/e447/e011163878-475-v8.jpg>

475

472

that at other times these latter openly declared that they would not allow the Indians to trade with any other than themselves, who had first come into the Country and hitherto supplied them; and that the same was the reason assigned to the Indians for the constraint

Andries or Audries? H. B. Company; Hudson's Bay Company; N. W. Company; North West Company; Fort Chipewyan; Isle la Crosse; <http://data2.archives.ca/e/e447/e011163878-476-v8.jpg>

put upon them - Andries adds also that previous to his leaving Fort Chipewyan early in May, he had a knowledge, that all the stores at the Hudson's Bay Post at Great Slave Lake and Pierre aux Calumets were taken possession of by A.N. McLeod and Robert Henry; that orders were given by McLeod to plunder and take the Posts belonging to the H.B. Company at Isle a la Crosse, Little Slave Lake, Green Lake & Great Deers Lake and afterwards heard from the said A.N. McLeod and from other partners in the said N.W. Company, that the Posts of little Slave Lake and Deers Lake had been plundered and burnt and the people in charge of the same made prisoners and confined, till they took an oath to leave the Country

Ile-a-la-Crosse; Great Slave Lake; Little Slave Lake; Green Lake; Great Deers Lake; Indians; Natives; monopoly; trade; Andries; Geo. Peter Andries; Pierre aux Calumets; A. N. McLeod; Archibald Norman McLeod; McLeod; Robert Henry; plunder; take the posts; pillage; prisoners; oath

476

473

that on his route to Hudsons bay he passed the post above mentioned at Deers Lake which he found had been reduced to ashes and totally abandoned.

The forcible seizure of the post of Little Slave Lake with the subsequent burning of the buildings, will be found detailed in the Depositions of John Lewis, Antoine Desbarets, Amable Lafond and Ferdinand [[Chieli]] (Depns 344, 345, 346, 347) that of the Post at Isle a la Crosse in those of John McDougall, John McLeod, Francois Deschamps and Patrick Quin (No. 351, 353, 354 & 355): and that of Green Lake in those of McDonald and Toussant Paquin (No. 350 & 352). By these Depositions, it appears that the post at Green Lake was taken with circumstances of great violence and outrage on the 2nd Dec 1816 by Alexander Stewart, a partner of the N.W. Company, assisted by Michel Klyne and Robert Henry Clerks and nearly twenty of their Servants, and that Mr. Decoigne the person in charge of the Post together with John Lewis a Clerk in the Hudson's

N.W. Company; North West Company; Hudson's Bay Company; Deers Lake; Deer Lake post; Little Slave Lake; Isle a la Crosse; Ile -a-la-Crosse; Green Lake; John Lewis; Antoine Desbarets; Amable Lafond; Ferdinand [[Chieli]]; John McDougall; John McLeod; Francois Deschamps; Patrick Quinn; Green Lake: McDonald: Toussant Paquin; Alexander Stewart; Michel Klyne; Robert Henry; Decoigne; Francois Decoigne; violence and outrage; forcible seizure of the post; 2nd Dec 1816; Deposition 344; Deposition 345; Deposition 346; Deposition 347; Deposition 350; Deposition 351; Deposition 352; Deposition 353; Deposition 354; Deposition 355;

<http://data2.archives.ca/e/e447/e011163878-477-v8.jpg>

477

474

Bay Service, and an interpreter of the name of Little Pidgeon *23rd Jan 1816* were made prisoners, - that upon Mr. Decoigne's asking Stewart the cause of his proceedings; he first said "Because I heard from some freemen and Indians that you intended to seize my house and property," but he soon after said it was by way of revenge for what had happened last Spring at Red river; and Lewis adds that he is certain that the arrest and seizure of themselves and goods was resolved on before Stewarts arrival at lesser Slave Lake in October, for contrary to the usual custom of the N.W. Company Stewart took no steps whatsoever to obtain furs from the Indians, or to prevent them from bringing furs to the H. Bay Company's

Hudson's Bay Company; N.W. Company; North West Company; Red River; Lesser Slave Lake; interpreter Little Pidgeon; Decoigne; Francois Decoigne; Alexander Stewart; Lewis; freemen; Indians; revenge for what

<http://data2.archives.ca/e/e447/e011163878-478-v8.jpg>

Post - that the next day after thus taking them prisoners Alexander Stewart went again to the Hudson's Bay Post, and brought away all the property found therein, consisting of 11 1/2 packs of valuable furs, 150 lbs of meat and 3 bags of pemican and a quantity of trading goods

Red River; arrest and seizure of themselves and goods; furs; pemmican; prisoners;

478

475

and stores - partly also dismantling the buildings and appropriating to the use of the N.W. Company, the doors, windows, flooring, hinges, furniture, and whatever they could convert to use, wantonly destroying the remainder - Francois Chilli further states, that about a month afterwards he was told that three persons of the name Labatte, Francois Guardipie & D'appessashish went from the N.W. Fort to the said H.B. Post, and as he heard set fire to it; and that he afterwards himself saw, that the buildings of the Post consisting of two houses and a hangard had been burnt and that he asked Mr. Stewart why he had caused them to be burnt, to which he answered that he knew nothing about it laughing at the same time; and he, Chilli, adds that he verily believes that the houses were burnt by the order of Stewart, and that he has seen the said Labatte, Gardipie and D'appessashish received and well treated by the said Stewart after having burnt the same - On this charge a bill of Indictment

North West Company; Hudson's Bay Company post; dismantling Hudson's Bay Company post; burning Hudson's Bay Company post; Francois Chilli; Labatte; Francois Guardipie; Francois Gariépy; D'appessashish; Alexander Stewart; Bill of Indictment <http://data2.archives.ca/e/e447/e011163878-479-v8.jpg>

479

476

for burglary was found at the Court of Oyer & Termnier at Montreal in February last against Alexander Steward, Robert Henry and Jean Baptiste Deschamps.

The Hudson's Bay Post at Isle a la Crosse was in like manner forcibly taken possession of with circumstances of great violence on the 16th March 1817 by Samuel Black a partner of the N.W. Company, acting under the orders of John Thomson another partner and a Magistrate for the Indian Territories, as was also the neighboring one of Green Lake on the 20th of the same month of March by the said Black and Peter Skene Ogden of the N.W. Co. in charge of the post belonging to that company at Green Lake. At Isle a la Crosse it appears by the Deposition of John McLeod, the Clerk in charge of the Hudson's Bay Company's Post and John McDougall a Servant of that Company, that a long course of violence had been pursued on the part of the N.W. Company's party towards that

Hudson's Bay Company; North West Company; Indian Territories; Green Lake; Montreal; Île-à-la-Crosse; Alexander Steward; Robert Henry; Jean Baptiste Deschamps; Samuel Black; John Thomson; Peter Skene Ogden; John McLeod; John McDougall; Court of Oyer and Terminer; violence; 20 March 1817; 16 March 1817; Hudson's Bay Post; post forcibly taken; burglary; <http://data2.archives.ca/e/e447/e011163878-480-v8.jpg>

480

477

of the Hudson's Bay, by firing upon them a different times, so as to alarm and insult them, and in particular that on the 2nd January 1817, Samuel Black of the N. W. Company came with Peter Skeene Ogden and Benjamin Frobisher, Clerks of the Company and about thirty men, part of them armed, and endeavoured by words and gestures to provoke the H. B. Company's Servants to come out and fight them, but this John McLeod prevented having as he states, been privately informed that Samuel Black and John Thomson had formed a premeditated design to provoke him, with a view of its affording them a plausible pretext to seize the persons of himself and his men, and the property of the H. B. Company - it further appears that on or about the 12th of February three Servants of the H. B. Company bringing a dispatch from Green Lake were made prisoners, & taken to the North West Post of which Thomson gave McLeod information stating "that he wanted to know what in-

The last word on this page ("in-") is intelligence.

Hudson's Bay Company; North West Company; Green Lake; Ile-a-la-Crosse; Samuel Black; Peter Skene Ogden; Benjamin Frobisher; John McLeod; John Thomson; company clerks; provoke a fight; insults; provocation; 2 January 1817; forewarned; pretext; pretext for seizure; 12 February 1817; dispatch; made prisoner; captured; prisoners; <http://data2.archives.ca/e/e447/e011163878-481-v8.jpg>

481

478

The first word on this

North West Company; <http://data2.archives.ca/e/e447/e011163878-482-v8.jpg>

"telligence there was in the packet for the safety of himself and his people in the actual state of the country, and that if Mr. McLeod would come over he might see the packet", to this McLeod did not however deem it prudent to agree, as it had been reported to him that it was Mr. Thomson's intention to arrest him - that on the 14th February McDougall was sent off with three other men expressly to inform Mr. Bird Governor of the Northern department of the Hudson's Bay territories of these occurrences, but had not proceeded about eight or nine miles, when he was met by another dispatch coming in, with which he turned back, and that on his return he was met and surrounded at the distance of about one mile from the Post, by Samuel Black, Peter Skeene Ogden and twenty armed men Servants of the N. W. Company and was shortly afterwards joined by Mr. McLeod and an armed party of six other men who had come out for his protection; when after a good deal

page is "intelligence". Hudson's Bay Company; John McLeod; John Thomson; John McDougall; James Curtis Bird; Governor Bird; Samuel Black; Peter Skene Ogden; intention to arrest; plan to arrest; plot; ambush; 14 February 1817; Northern Department of the Hudson's Bay territories; Northern Department; Hudson's Bay territories; dispatch; surrounded; armed men; intelligence;

482

479

of altercation and violence it was agreed, that McLeod should go and see Thomson as purposed by him and that all his men, should be allowed to return home and that the arms which had been taken from a part of them should be restored - This accordingly took place and John McLeod states that on entering the North West Post, Thomson presented him with the packet of letters taken on the twelfth, "desiring him to open and read them, that he took the letters and put them in his pocket, saying he would open them at home and turned about to leave the house, when Samuel Black shut the door, and John Thomson told him he was arrested, and that some arrangement must take place before he could be liberated and desired him to send for John McDougald or some other person to witness the Agreement that might be made; that John McDougald came over to the house of Thomson and was there detained with himself two days; in the course of which time he was repeatedly pressed by John

North West Company; <http://data2.archives.ca/e/e447/e011163878-483-v8.jpg> John McLeod; Samuel Black; John Thomson; John McDougald; violence; altercation; North West Post; packet of letters; arrest of John McLeod; arrested; witness the agreement; agreement; detained

483

480

Thomson to deliver into his hands property of the H. B. Company to the value of five hundred pounds, on which terms alone he was told that he would obtain his liberty; that he told John Thomson that he would not give up a shillings worth of the H. B. Company's property, that if he had infringed the laws of his Country he might detain his person or accept such other security as he could provide; that the said Samuel Black replied that they (meaning himself and John Thomson) did not care a damn for his person, and that if he did not give up the goods they would take him and his house together." After a detention of two days it appears however that McLeod and McDougald were finally liberated, on the former signing an agreement in the nature of Bail, and undertaking not to send off any packet to Athabasca at any event, nor elsewhere without previous notice being given to the said Thomson or Black, for the

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-484-v8.jpg> Athabasca; Thomson; John Thomson; Samuel Black; John McLeod; John McDougald; return of property; extortion; ransom; liberty; detained; liberated; signed an agreement; agreement; bail; demands; cease communication;

484

481

23 Jan 1816 performance whereof McDougald and another Hudson's Bay Clerk were securities. - On the 15th day of March it further appears that John McLeod set out himself to visit Governor Bird at Carlton House, having previously stated his intention to Black, but he was seized on the way and made a prisoner by the said Black, and eight Servants of the N. W. Company, and by them conducted to Thomsons Post, where he was put into close confinement in the back part of the house; that on the ensuing morning the Hudsons Bay Post was seized upon by an armed party of men under the command of Samuel Black, who

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-485-v8.jpg> North West Company; Carlton House; Fort Carlton; John McDougald; John McLeod; James Curtis Bird; Governor Bird; John Thomson; John McDougall; Samuel Black; 23 January 1816; clerk; 15

485	<p>broke into the same about daylight, forcing open three doors; that all the arms in the Post were taken away, which was said to be by the order of John Thomson a Justice of the Peace to prevent bloodshed, and that a guard was left at the Post, whilst Black went with the arms to the North West Post; McDougall adds that about ten or eleven oclock John Thomson and</p>	<p>March; seized; abducted; made prisoner; Thomson's Post; Hudson's Bay Post; Hudson's Bay Post; break in; broke in; confinement; arms; weapons; justice of the peace; prevent bloodshed; guard; North West Post;</p>
486	<p>482</p> <p>Samuel Black came to the Hudson's Bay House, and endeavored to prevail upon him by threats of the authority of the former as a Magistrate to allow them access to the Store; but that being refused by him, the said Thomson said to Black, we cannot stand loosing our time, but must get in one way or another or words to that effect, whereupon the said Black broke open the door and called in Several of the halfbreeds & other Servants of the N. W. Company (amongst whom McDougall mentions Jean Marie Boucher, Joseph Chartier, and one Desroches) whom Black directed to take away the goods, which was accordingly done; he (McDougall) being scarcely allowed to take a hasty account thereof: he adds that the goods were taken over to the North West Post, but that he cannot say, how they were afterward disposed of, tho' he has considerable reason to suspect that part was used for the trade of the said Company. On this charge a Bill of</p>	<p>North West Company; Halfbreeds; Métis; Samuel Black; John McDougall; Jean Marie Boucher; Joseph Chartier; Desroches; John Thomson; Hudson's Bay House; threats; magistrate; broke in; servants; theft; goods taken; account; stolen goods; North West post; trade; bill</p> <p>http://data2.archives.ca/e/e447/e011163878-486-v8.jpg</p>
487	<p>483</p> <p>Indictment was found at the Court of Oyer & Terrminer held at Montreal in February last against John Thomson, Samuel Black, Chartier, Joseph Paul and Jean M. Boucher.</p> <p>The capture of the H. B. Company's Post of Green Lake on the 20th March as herein before mentioned seems in like manner to have been carried into execution, in the first instance, by securing the arms and making prisoners of the persons in charge thereof - John McDonald who gives the fullest details relative thereto, states that the next day about twelve o'clock Samuel Black and Peter Skeene Ogden came over to the said Hudson's Bay Post, where a guard had been left and ordered Mr. Ducharme the person in charge to deliver up the keys, which Ducharme did, telling Black that he forced him to do so, which this latter acknowledged, and that he then caused the doors of the shop and stores to be opened, and carried over to the N. W. Post all the property</p>	<p>North West Company; Hudson's Bay Company; Green Lake; Ile-a-la-Crosse; John Thomson; Samuel Black; Joseph Chartier; Joseph Paul; Jean Marie Boucher; John McDonald; Peter Skene Ogden; Ducharme; bill of indictment; Court of Oyer and Terminer; Montreal; February; capture; Hudson's Bay Company post; 20th March; guard; keys; forced; shop; stores; North West Company post; property; taken; stolen; theft</p> <p>http://data2.archives.ca/e/e447/e011163878-487-v8.jpg</p>
488	<p>484</p> <p>therein, with the exception of a little provisions and tobacco left for the prisoners; and that the said property consisted of a considerable quantity of goods & furs, principally Beaver and Martin skins, and ten canoes - that after having remained prisoners at Green Lake for two days, nine men including Ducharme and himself, out of the total number of eleven belonging to the Post, were sent to Isle a la Crosse with a guard of armed men under the command of Samuel Black - At Isle a la Crosse it appears by the Depositions of John McDougald that from this period the Servants of the H. B. Company remained prisoners at large within their own</p>	<p>Hudson's Bay Company; North West Company; Green Lake; Île-à-la-Crosse; Ducharme; Samuel Black; John McDougald; John McLeod; provisions; property; furs; prisoners; armed guard; servants of</p> <p>http://data2.archives.ca/e/e447/e011163878-488-v8.jpg</p>

488	<p>Post under an armed guard of the North West Company's service - that after two or three weeks they were rejoined by Mr. John McLeod - that they were allowed and expected to fish for their livelihood, but that the men being unwilling to work when prisoners and nearly the whole</p>	<p>the Hudson's Bay Company; held prisoner; prisoners;</p>
485	<p>of their Canoes being taken away before the opening of navigation they suffered a good deal from want; that Mr. McLeod and four others escaped by land towards the end of the Winter; that on the 8th day of June Mr. Archibald N. McLeod took seventeen of their best men away in his Canoes and carried them as he believes to the North West Post at Isle la ronde, where he is totally ignorant of their situation; that on the 17th July four Canoes of the H. B. Company's servants arrived at Hudson's Bay Post at Isle la Crosse containing each about twelve men, that two of these men were left at Isle la Crosse and himself and John McDonald came out in their stead, leaving about twelve persons still prisoners at that place; Mr. McDougald further adds, that he was informed by George Innes the H. B. Company's Clerk, who came out with the four Canoes above mentioned; that there still remained twenty or thirty persons in the Athabasca Country; there it will be observed are</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-489-v8.jpg North West Company; Île-à-la-Crosse; Isle la ronde; Athabasca Country; John McLeod; escape; end of winter; 8th June; Archibald Norman McLeod; John McDonald; John McDougald; George Innes; North West post; Hudson's Bay Company servants; Hudson Bay Company post; canoes; treatment of prisoners; prisoners; starvation;</p>
489	<p>486</p> <p>the latest accounts received from Isle la Crosse *23rd Jan 1817* or Athabasca. The Depositions of John McDonald and McDougald before mentioned together with those of William Flett and James Bird (No. 348 & 349) (the latter of whom although speaking only from information and belief appear intitled to a considerable share of credit) contain all the details which have been laid before me relative to the murder of the Indian named Moustouche or Le Boeuf, for which a Bill of Indictment was found against Peter Skeene Ogden at the Court of Oyer & Terminer at Montreal in February last. By these Depositions it appears that this event took place at Green Lake towards the end of the month of April 1816 - that the Indian who was a native of [[Prariaie?]] Country came to the woods behind the H. B. Company's Post, whereof Robert McVicar was in charge and made signs for some of their people to come to him - that the interpreter was accordingly sent to him and</p>	<p>Île-à-la-Crosse; http://data2.archives.ca/e/e447/e011163878-490-v8.jpg Athabasca; Montreal; Green Lake; John McDonald; John McDougald; William Flett; James Curtis Bird; Governor Bird; First Indians; Nations; Moustouche; Le Boeuf; Peter Skene Ogden; Robert McVicar; Bill of Indictment; Court of Oyer and Terminer; Hudson's Bay Company post; interpreter; murder; April 1816; Deposition 348; Deposition 349;</p>
490	<p>487</p> <p>*23 Jan 1817* returned saying the Indian wanted credit for six skins, which McVicar accordingly sent him by said Interpreter, and at the same time sent John McDonald aforesaid with him at the Indians request; who states that as they were going to the Indians tent, the wife of the Indian met them and told them that Peter Skeene Ogden with two men were in the tent wanting to see the Indian at their house - that the Indian went into his tent and was prevailed upon by Ogden to promise to follow him to the North West Post, of which Ogden was in charge; that he (McDonald) thereon returned to the H. B. Company's house, being accompanied two thirds of the way back by the Indian who then left him, as he understood to go to the North West Post, but the Indian afterwards told him, that as he was coming of the woods he met Ogden and his men, who wanted to murder him; by other accounts it appears that some scuffle had taken place</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-491-v8.jpg North West Company; Indians; First Nations; Robert McVicar; Peter Skene Ogden; John McDonald; 23 January 1817; skins; pelts; trade; credit; interpreter; travelling; North West post; Hudson's Bay Company House; ambush; assault; fight</p>
491	<p>488</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-492-v8.jpg</p>

wherein the Indian had discharged his gun but *23rd Jan 1817* without wounding anyone. - McDonald further states that he subsequently saw Peter Skeene Ogden and a party of his men pursuing the Indian and firing upon him, as he ran towards the H.B. House, where on some entreaty he was allowed to enter, when it was found he had received to Gunshot wounds.

McDougald adds that P.S. Ogden and several of the N.W. Servants came immediately afterwards to the door of the said Hudson's Bay house and demanded the said Indian to be given up to them, which McVicar at first refused, but on being told he was a Cannibal and murderer who had killed and eat two Canadians, McVicar said that in that case they might take him at their own peril, and directed him (McDougald) to give him up, but this he refused not wishing to have anything to do in the business, as P.S. Ogden had avowed his intentions of killing the Indian; that thereupon some

492

489

of the Canadian Servants of the N. W. Company stepped into the house and reaching as far as the Indian dragged him out - that McVicar stated afterwards that he was induced to deliver up the said Indian from an apprehension that he might have been killed in the house, and his death imputed to them by other Indians, and as it was dangerous to meddle in Indian quarrels, as they might afterwards be induced by a little liquor to misconceive what had passed and take revenge upon those who had meant them well - McDougald adds that after the said Indian had been dragged by Ogden and his party two or three hundred paces on the ice, "he saw several guns fired by the party at the Indian and blows given him by hatchets, and particularly the said P. S. Ogden strike as if stabbing him, three times with a dagger; which said dagger he afterwards brought over to the H. B. Post, quite bloody, and boasted he had pinned the Indian therewith three times to the ice whilst in

493

490

the struggles of death" - this statement of McDougald's is in substance confirmed by all the other Depositions relative to this affair; as to the truth or falsehood of the charges against the Indian, McDougald adds he is totally ignorant, but that it was stated they had occurred several years back - McDonald also makes a similar statement; as likewise that Ogden declared he had long been endeavoring to meet with the said Indian to kill him. - On the part of Ogden no evidence whatever has been laid before me, it may be right however to observe that the conduct of the Indian in apparently endeavoring in the first instance to communicate privately with the Hudson's Bay Post, seems to give some probability to the charge against him; the giving support to Indians who had been guilty of crimes, by furnishing their supplies being the principal accusation brought against the H. B. Company's trading servants by the N. West Party, as will be

494

491

23rd Jan 1817 found more fully stated in the Deposition of Cuthbert Cumming (No. 407) whilst it is acknowledged in the paper A, annexed to Mr. McGillivray's Deposition (No. 373) that within his recollection five different instances have occurred where the N. W. Company's people have retaliated on Indians, that had killed their comrades, and from the terms used by him he appears to consider it when confined to the individuals, who have committed such acts, as a fair and necessary means of Self preservation; and such from my personal enquiries appeared to be the general opinion amongst the ordinary Servants of the N. W. Company who appeared rather disposed to censure their Superiors for overlooking acts of the kind, from their interests as traders than for any undue severity - As connected with the mention of Ogdens name it may be proper to refer to an intercepted letter of his to Kenneth McKenzie

Nor'Westers; Canadians; Indians; First Nations; John McDonald; Peter Skene Ogden; Robert McVicar; John McDougald; 23 January 1817; cannibalism; murder; pursuit; fugitive; demands; gunshots; gunfire; gunshot wounds; Hudson's Bay House;

Hudson's Bay House; North West Company; Indians' First Nations; Robert McVicar; John McDougald; Peter Skene Ogden; fugitive; murder; execution; guns fired; hatchets; stabbing; dagger; Hudson's Bay Company post

<http://data2.archives.ca/e/e447/e011163878-493-v8.jpg>

Hudson's Bay Company; North West Company; Indians; First Nations; John McDougald; John McDonald; Peter Skene Ogden; death; murder; execution; depositions; charges; guilty of crimes; evidence; Hudson's Bay Company post; accusations

<http://data2.archives.ca/e/e447/e011163878-494-v8.jpg>

North West Company; Nor'Westers; Indians; First Nations; Cuthbert Cumming; McGillivray; Kenneth McKenzie; Peter Skene Ogden; testimony; depositions; retaliation; censure; self-preservation; traders; intercepted letter; 2 January 1817; Deposition 373; Deposition 407;

<http://data2.archives.ca/e/e447/e011163878-495-v8.jpg>

495	<p>filed before me (Depn. 168 marked E) which whether we suppose it to be serious or otherwise conveys</p> <p>492</p> <p>a striking instance of the general spirit of violence indulged amongst the N. W. Company's partisans.</p> <p>With respect to general violence committed by their party in the Athabasca and adjoining Country, the N. W. Company endeavour to excuse or justify them as measures rendered necessary for their self-preservation, in consequence of the acts of violence and aggression committed on the persons and property of their partners and Servants by the Earl of Selkirk and the intention openly avowed on the part of the H. B. Company's people to drive the N. West Company out of the Indian Territory which they contend, formed a case of such a nature as to require a more speedy remedy than could be had in the ordinary forms of Law in a Country, thousands of miles from any Civil jurisdiction. By the evidence herein before detailed no doubt can exist of the claim of the H. B. Company to the exclusive possession of all the Country, whose waters flow</p>	<p>Deposition 168;</p> <p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-496-v8.jpg North West Company; Athabasca; Indian Territory; First Nation Territory; Earl of Selkirk; general spirit of violence; violence; partisans; self-preservation; aggression; property damage; competition; drive the North West Company out; law; civil jurisdiction; evidence;</p>
496	<p>493</p> <p>into the Hudson's Bay, and also that measures had in several instances been taken to give forcible effect thereto.</p> <p>The declarations made by Captain Dorsonnens at Fort Douglas in the Winter 1816 - 17 of his further intentions of stopping the N. W. Canoes in Lake Winnipic have already been stated; Henry McKenzie in his Deposition (No. 377) taken at the Falls of St Mary the 5th of June 1817 details at some length and with apparent sincerity the apprehension then entertained by him of the interruption of the N. W Company's trade by the Earl of Selkirk and his party, and in one of a subsequent date (No. 321) he further states, that as he was proceeding in August 1817 into the Interior in company with Archibald McLean a Barrister of the province of Upper Canada, they met Miles McDonell who had some conversation with the said Archibald McLean, which the latter immediately repeated to him (McKenzie); and that the purport thereof was, that Miles McDonell and his party would have</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-497-v8.jpg North West Company; Lake Winnipeg; Fort Douglas; Hudson's Bay; Falls of St Mary; Sault Ste. Marie; Upper Canada; Selkirk Settlement; Captain Dorsonnens; Proteus D'Orsonnens; Henry McKenzie; Archibald McLean; Miles McDonell; Miles Macdonell; winter 1816; winter 1817; canoes; interruption of trade; August 1817; June 1817; Deposition 377; Deposition 321;</p>
497	<p>494</p> <p>been in possession of all the N.W. Company's Posts, had it not been for the proclamation and the subsequent arrival of the Commissioner named therein.</p> <p>And Archibald Norman McLeod states in his Deposition (No. 372) that Mr. John Clarke Superintendent for the Hudson's Bay Company in the Athabasca repeatedly told him, and with much seeming exultation very early in the fall 1816 that he (McLeod) and his people would all be made prisoners in the Spring by Lord Selkirk's forces which had taken Fort William, J. C. McTavish has also proved before me (Deposition 163 mar. K) the copy of the narrative by Mr. Thomson taken from the original in his handwriting, and Mr. McGillivray has annexed to his Deposition (No. 373) two papers marked C & D, the former purporting to the Agreements and arrangements in the Athabasca in the Winter 1815 & 16 and the latter a narrative of the transactions at that place in the Winter 1816-17, which he attests as true and faithful</p>	<p>Hudson's Bay Company; http://data2.archives.ca/e/e447/e011163878-498-v8.jpg North West Company; Fort William; Athabasca; John Clarke; Archibald Norman McLeod; Earl of Selkirk; J. C. McTavish; John Thomson; McGillivray; Lord Selkirk's forces; 1815-16; 1816-17; Deposition 163; Deposition 373;</p>
498	<p>495</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-499-v8.jpg Indian Country; Fort</p>

statements according to the information which he has received as principal Agent and proprietor of the N. W. Company of the respective transactions, to which they relate. No part of these papers can of course be considered as evidence further, than as to the existence of certain documents mentioned therein, of which the authenticity may probably be hereafter proved: Mr. Thomson in his narrative dwells principally upon the taking of Fort William, and the North West Post at Lac la Pluie by Lord Selkirk and his followers, and the apprehensions entertained by him that general capture of all the North West Posts in the Indian Country was intended, and describes the various steps taken by himself, as measures of precaution; according to his Statement the first arrest of John McLeod appears to have taken place on account of the part taken by him in the disturbances on Red river the year before, where he assisted as herein before stated in the Capture of the North West Post at Pembina; from

William; Fort Lac la Pluie; Red River; Pembina; John Thomson; Lord Selkirk; John McLeod; principal agent; proprietor of the North West Company; information; papers; evidence; documents; authenticity; capture of Fort William; North West Company post; capture of North West Company post; measures of precaution; statement; arrest; disturbances;

499

496

this arrest he was liberated on giving security to keep the Peace for twelve months and engaging not to send off any letters or verbal messages to the North of Athabasca, and to give previous notice of any he might send to the South or Saskatchewan. - Accounts to having been received that this agreement was much disapproved of by Mr. Bird the Governor of that part of the Hudson's Bay territories: McLeod thereupon is stated to have given Mr. Thomson notice on the 14th March of his intention of proceeding to Mr Bird's Post in order to have a full explanation with him, and notwithstanding Thomson's remonstrances he accordingly set off the next day - this as Thomson states, he considered a virtual breach of the agreement, as no further attention would be paid thereto after McLeod's departure; that he therefore thought the most prudent plan would be to prevent his going; and consequently had him and his men brought back to the North West Post after they had been gone a few hours, and on the following morning caused

Hudson's Bay Company; North West Company; Athabasca; Saskatchewan; Hudson's Bay Territories; James Curtis Bird; Governor Bird; John McLeod; breach of agreement; arrest; North West Company Post <http://data2.archives.ca/e/e447/e011163878-500-v8.jpg>

500

497

23 June 1817 McLeods people to be disarmed - that a few hours afterwards he went over to McDougald second in charge to McLeod, who was detained in custody, and told him the reason for what had been done; he further adds that 'in order to prevent confusion and obviate any idea of wishing to appropriate their property. McDougald "was requested to make an Inventory of all the Goods etc. they possessed', which was accordingly done and signed by both parties and the property lodged in a Separate Store in the N. West Post. Mr. Thomson appears also to acknowledge having authorised on similar grounds the Seizure of the Hudson's Bay Posts at Green Lake and at Lac Cariboo, but enters into the details relative thereto. He further states that as it appeared by the last accounts they had received that Lord Selkirk still kept possession of Fort William and Lac la Pluie, it was thought from this and other concurring accounts relative to his position and plans a necessary measure

Hudson's Bay Company, North West Company; Fort William; Lac la Pluie; Green Lake; Lac Cariboo; Lord Selkirk; John McLeod; John McDougald; John Thomson; inventory; North West post; seizure of property; appropriation; Hudson's Bay Company post; 23 June 1817; disarmament; detention; <http://data2.archives.ca/e/e447/e011163878-501-v8.jpg>

501

498

for their own safety to leave the H. B. Company's men in the interior, with proper means for their subsistence; as the taking them out would be adding a strong force to that of an enemy whom they had the most serious reason to believe would attack them; that on reaching Cumberland House, they were released from much of their anxiety on hearing that Government had interfered and appointed Commissioners; that in consequence they requested Mr. Kennedy in charge of the Hudsons Bay Post at that place to send in provisions,

Hudson's Bay Company; Cumberland House; John Thomson; Alexander Kennedy; government interference; appointments; commissioners; commissioner; Hudson's <http://data2.archives.ca/e/e447/e011163878-502-v8.jpg>

that his people might immediately come out and offered some of their own men to accompany his, and forward the Commissioner's notices: but that the proposal was declined by him.

Bay Company post; provisions;

Mr. Thomson finally states, that every precaution prudence could dictate was taken to prevent any violence in carrying his measure into effect; that not the least personal injury was sustained, that individual property of every kind arms excepted

502

499

was left untouched and not even a paper looked at.

Should the foregoing Statement of Mr. Thomson's be hereafter made out in evidence, it may certainly palliate to a considerable degree the charges against him; for although he does not even himself state grounds sufficient to justify the seizure of the H. B. Company's property, yet what he does state seems sufficient to remove the supposition of any intention of a felonious conversion of the property, and to show that a good deal of allowance ought fairly to be made for the difficulty of the situation in which he was placed - With respect to the proceedings at Athabasca, it is more difficult to form an opinion, even of that contingent nature expressed relative to those of Mr. Thomson, from the want of any general statement by Mr. A. N. McLeod; but by the papers stated to be in possession of the N. W. Company, it appears that in many of the proceedings, with which McLeod is charged he acted under affidavits laid before him as a

503

500

Magistrate, and that regular lists of property delivered up a different times by the H. B. Company's Servants accompany the Agreements made with them and it is also stated that no personal injury was sustained by any one during the transactions in question. As to the occurrences at Little Slave Lake no evidence or explanation of any kind has been offered by the N. W. Company - Nor has any testimony been brought forward to counteract that which has been given of the hostile intentions avowed by McLeod previous to the capture of Fort William; possibly indeed the N. W. Company may be ignorant of the charge on this last point.

On the 19th March 1817 the Earl of Selkirk was served *19 March 1817* by William Smith the Deputy Sheriff of the Western District of Upper Canada at Fort William with a Writ for the restitution of the said Post to the N. W. Company, to which the Earl refused to yield obedience; the said Earl Capt. Matthey and John Allan were also arrested under a Warrant for felony by said William Smith,

504

501

which warrant was also resisted by them, and the said Under Sheriff made a prisoner by an armed party in the service of the said Earl.

By the deposition of Colin Campbell of the 22nd May 1817 (No. 276) who was present as an assistant to the said Under Sheriff in the service of the aforesaid Writ and Warrant; and by that of the said Campbell and Henry McKenzie jointly of the 25th August 1817, it appears that on entering the room where the Earl of Selkirk was, they found Captain Matthey and Dr. Allan with him. "that the Under Sheriff produced his Warrant of restitution to the said Earl and demanded of him in the King's name to deliver up the said Fort William to him and all the effects therein; that the said Earl thereupon said that he had purchased the said Fort William and all the effects therein from a partner of the N. W. Company and that he considered the said Fort William and every thing in it as his own and that he would not give it up; whereupon the said Under Sheriff asked

505

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-503-v8.jpg>
North West Company;
Athabasca; John Thomson; Archibald Norman McLeod; seizure of property; affidavit

Hudson's Bay Company; <http://data2.archives.ca/e/e447/e011163878-504-v8.jpg>
North West Company;
Lesser Slave Lake; Upper Canada; western district of Upper Canada; Fort William; Captain Matthey; John Allan; John McLeod; Earl of Selkirk; William Smith; capture of Fort William; magistrate; writ; restitution; warrant for arrest; felony; intentions; March 1817; hostile

North West Company; <http://data2.archives.ca/e/e447/e011163878-505-v8.jpg>
Fort William; William Smith; Earl of Selkirk; Colin Campbell; Henry McKenzie; Captain Matthey; John Allan; warrant; undersheriff; prisoner; May 1817; August 1817; writ; restitution; warrant of restitution; property ownership dispute; Deposition 276;

"his Lordship if he would resist him and his Warrant upon which the said Earl said, he would resist him and his warrant, that he had force enough to resist and that he would make use of such force in resisting the Warrant; that thereupon the said Under Sheriff told the said Earl that he considered himself in legal possession of the House in which he was and all the said Fort William, and that he would not abandon his possession, until he was forced to do so, whereupon the said Earl then said, it would soon be settled and went up towards the Sheriff and seized him by the arm, and said he would turn him out, and pushed him towards the door" - Upon this it appears that the Under Sheriff produced his Warrant for the personal arrest of the Earl, Captain Matthey and an John Allan and executed the same by laying his hand upon each of them and telling them that "they were his prisoners in the King's name," that some conversation took place between them on the subject

Fort William; John Allan; <http://data2.archives.ca/e/e447/e011163878-506-v8.jpg>
 Captain Matthey; William Smith; Earl of Selkirk; warrant; resisting arrest; use of force; threats; legal possession; Undersheriff; capture of Fort William; physical altercation; arrest; prisoners

506

503

19th Mar 1817 of the said arrest in the course of which the Under Sheriff asked the Earl whether he intended to submit to or resist the said Warrant, to which the Earl replied he certainly would resist - "that the appointment of Commissioners by his Majesty's Government superceded all other appointments, and that he would be a fool to submit when so great a superiority of force was at his command," or words to that effect - that after the said conversation the Earl took hold of the Under Sheriff by the arm and forced him out of the room in which the arrest was made; that a guard was standing at the door of the said room consisting of Sergeant Pugh and six men of the 37th Regt whom the Under Sheriff called upon in the King's name to assist him, which the said Sergeant refused to do; although an order signed by Colonel Harvey Adjutant General containing directions to that effect had previously been delivered of him, but which he refused to obey, "as it was not signed by Sir John

March 1817; William Smith; undersheriff; Earl of Selkirk; warrant; resisting arrest; commissioners; use of force; Sergeant Pugh; 37th Regiment; military officers; Colonel Harvey; Adjutant General; Sir John Coape Sherbrooke

507

504

Coope Sherbrooke the Commander in Chief" Campbell adds also that one of the men of the 37th Regiment at this moment loaded his musket with ball. He further states that the Under Sheriff and himself having retired to a house in the Fort a Sergeant Grail of the late Regiment de Meuron and four men fully armed and dressed in the uniform of that regiment came to the Under Sheriff and told him they came to make him and his party prisoners; that the Under Sheriff asked him by what authority he did so, and the Sergeant replied that the Earl of Selkirk had commanded him to do so, and that he must do so - that the Under Sheriff then commanded the said Sergeant in the King's name to withdraw himself and his guard which the said Sergeant refused to do, and made the said Under Sheriff and some of his party still remained in confinement. The general purport of Campbell's deposition and various circumstances mentioned therein are further con-

The last word on the page ("con-") is "confirmed".

Fort William; Colin Campbell; William Smith; Sir John Coape Sherbrooke; Commander in Chief; 37th Regiment; musket; Earl of Selkirk; Sergeant Grail; prisoners; Regiment de Meuron; military; soldiers; prisoners; undersheriff;

508

505

firmed by those of William Smith the said Under Sheriff of the 15th July (No. 277), of the said Smith and others of the 9th August (No. 279) and of James Taitt (270) it further appears also from the last mentioned depositions, that the said Under Sheriff was kept in confinement till the month of May following.

On the part of the Earl of Selkirk the only evidence laid before me, is that of John Allan, whose statement (Dep. 280) does not very materially differ from that of Campbell; Allan states however that the reasons assigned to Smith by the Earl of Selkirks for not obeying the Writ of restitution, "was that it was illegal "in as much as Fort William did not belong to the N. W. Company but to the Crown, having been built on land, to which no title had ever been

The first word on the page ("firmed") is "confirmed".

North West Company; <http://data2.archives.ca/e/e447/e011163878-509-v8.jpg>
 Fort William; William Smith; John Allan; Earl of Selkirk; James Taitt; undersheriff; confinement; imprisonment; incarceration; writ of restitution; the Crown; Crown land; land title; legality; sanction; Special Commissioners; arrest;

509	<p>granted, and that even if it were legal in other respects, it could not be lawfully put in execution without the Sanction of Special Commissioners;" and with regard to the Warrant for the personal arrest he</p>	<p>Deposition 277; Deposition 279; Deposition 270; Deposition 280;</p>
510	<p>506</p> <p>further states that upon reading it "Lord Selkirk *March 19/1817* told him that it was founded on perjury and at all events could not be legally enforced without the sanction of the Special Commissioners, upon which Smith declared that he must either take the Earl of Selkirk and the other prisoners or become one himself, that he (Allan) asked Smith, whether he had heard what had befallen Mr. Keveny after delivering himself as a prisoner into the hands of the North West Company, and if Smith had the means of protecting the Earl of Selkirk, him and others from the same fate, it they should surrender to him; that to this Smith replied that he was by no means bound to respect the public notification of the Special Commissioners, that he knew what had befallen Mr. Keveny, but that the Sheriff or his Deputy was not in Law responsible for the consequences of the Warrants which he might enforce and that it the Warrant had been obtained by perjury he (Allan) and the</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-510-v8.jpg Lord Selkirk; Earl of Selkirk; William Smith; John Allan; Owen Keveny; Deputy; March 1819; undersheriff; Special Commissioners; warrants; perjury; arrest of Selkirk;</p>
511	<p>507</p> <p>others aggrieved would have an action of damages - that he (Allan) then said, an action of damages could not restore a man's life, and that he would never surrender alive to a band of murderers meaning the N.W. Company but that if Smith chose to wait 'till the arrival of the Commissioners he would then submit to the Warrant if they approved of it, when there would remain no doubt of its legality and when he could do so under a power that would protect him from murder, but that Smith insisted that nothing would satisfy the scruples of his conscience according to his oath, but the absolute and immediate surrender of the Earl of Selkirk, himself, and others named in the Warrant into his power; that then the Earl of Selkirk and himself told him (Smith) that they had no wish to involve him in difficulties by making him neglect his duty, and that if he chose to call witnesses the Earl of Selkirk would put his hand to Smith's shoulder, while he walked out of the</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-511-v8.jpg Earl of Selkirk; John Allan; William Smith; restitution; surrender; murder; warrant; legality; commissioners; undersheriff; arrest of Selkirk;</p>
512	<p>508</p> <p>room, so that by their testimony, he might exonerate himself from responsibility which was accordingly done.</p> <p>Allan then details various charges alledged against John Duncan Campbell, one of the partners of the N. W. Company, who had accompanied the Under Sheriff to Fort William, and states that in order to prevent any act of violence by Campbell and his associates, a guard was directed to watch their motions, but they were not confined to their room, or prevented from going away if they had thought proper; and he finally adds that on the 21st March he learnt that Smith had threatened a renewal of his attempt to enforce his Warrant of arrest and that he had been prevented by some of the Meuron's from quitting his apartment.</p> <p>On the 3rd May 1817 A proclamation was issued *3rd May 1817* by Sir John Coope Sherbrooke Governor in Chief of British North America by Command of His Royal Highness the Prince Regent notifying the appointment</p>	<p>North West Company; http://data2.archives.ca/e/e447/e011163878-512-v8.jpg Fort William; John Allan; John Duncan Campbell; William Smith; Sir John Coape Sherbrooke; Prince Regent; George IV; testimony; undersheriff; March 1817; arrest warrant; Regiment de Meuron; May 1817; Governor in Chief; British North America; proclamation;</p>
512	<p>509</p> <p>*3rd May 1817* of the undersigned and John Fletcher Esquire as Special Commissioners for enquiring into and investigating all Offences committed in the Indian Territories and the</p>	<p>Indian Territories; http://data2.archives.ca/e/e447/e011163878-513-v8.jpg Montreal; Lachine; Quebec; John Fletcher; Prince Regent; George IV;</p>

circumstances attending the same and also as Magistrates of the said Indian Territories for the purpose of enforcing the various injunctions of the Prince Regent contained in the said Proclamation and of restraining all offences in the said Indian Territories and of bringing to condign punishment the perpetrators of those committed there.

Proceeding in the execution of this charge the depositions of Joseph Fagnon and Francis Taupier (No. 374 & 375) were laid before the Commissioners at Montreal stating the violent and alarming declarations made by a number of men formerly belonging to the late Regiment de Meuron who were about to proceed to join the Earl of Selkirk in the Indian Territories; The Commissioners found these men at Lachine, and there received from Lieutenant Joseph [[Whittseur?]], the

Francis Taupier; Joseph Fagnon; Earl of Selkirk; Joseph [[Whittseur?]]; Regiment de Meuron; de Meuron Regiment; Special Commissioners; investigation; offences; Magistrates; enforce; injunctions; Proclamation; punishment; perpetrators; charges; violent; declarations; wild rice; seizure; property seizure; seizure of goods; Deposition 374; Deposition 375;

513

510

person who had engaged them on behalf of the *3rd May 1817* Earl of Selkirk, a copy of their agreement, which together with various explanations given by him, will be found on reference to his Deposition (No. 376) wherein he states in particular that he has no knowledge of any Military Equipment. In some degree satisfied by these assurances the Commissioners after causing the Proclamation to be read and explained to these men and receiving assurances of their peaceable intentions allowed them to proceed by way of the Ottawa River, whilst they went on themselves to York at this latter place they were overtaken by Colin Campbell and Henry McKenzie the former of whom made before them the deposition (No. 276) mentioned under the last head: detailing the resistance of the Earl of Selkirk to the writ of restitution and the Warrant, the support afforded under his Lordship's influence to this proceeding by the party of the 37th Regiment granted by the Government for his personal protection, and finally the imprisonment

Ottawa River; Toronto; <http://data2.archives.ca/e/e447/e011163878-514-v8.jpg>
Earl of Selkirk; Colin Campbell; Henry McKenzie; arrest of the Earl of Selkirk; commissioners; proclamation; assurances; peaceable intentions; peaceful intentions; journey; resistance of arrest; writ of restitution; warrant; 37th Regiment; government; imprisonment; May 1817; Deposition 276; Deposition 376;

514

511

by an armed force, acting under the Lordship's control of the Civil Officer in charge of the said processes: and the latter (McKenzie) stated that notwithstanding the assurances given the Commissioners, a quantity of arms had been taken on board the Canoes, in which the men of the late Regiment de Meuron were proceeding in cases fitted with hinges, locks straps, and buckles, so as to afford easy access thereto. This information which renewed the suspicions entertained of the views with which these men were engaged, was afterwards confirmed by the said McKenzie in his Deposition (No. 377) taken at the Falls of St. Mary the 5th June 1817, which contains also various other details, by the consideration whereof the Commissioners were impressed with a conviction of the necessity of one of them remaining at St. Mary's till the arrival of the above mentioned party of men, in order to take such measures as might appear necessary to ensure their peaceable conduct in the Indian Territories; whilst the presence of the other in the neighborhood of Lake Winnipic at the earliest possible period appeared of equal urgency.

Indian Territories; Lake Winnipic; Lake Winnipeg; Falls of St. Mary; St. Mary's; Sault Ste. Marie; armed force; civil officer; Henry McKenzie; assurances; commissioners; arms; weapons; weaponry; canoes; Regiment de Meuron; cases; locked cases; arms shipment; weapons shipment; suspicions; peaceable; peaceful; Deposition 377;

515

512

North West Company; <http://data2.archives.ca/e/e447/e011163878-516-v8.jpg>
Fort William; Lac la Pluie;

Under these impressions the undersigned Commissioner set out to proceed without delay for the interior. Fort William he found had been reoccupied by the N. W. Company under authority of William Smith the Under Sheriff as will be found stated by him in his deposition (No. 279): and also various other details connected therewith in those of William McGillivray, John Spencer and John McNab (No. 378, 379 & 380). The North West Posts at Lac la Pluie and Bas de la Riviere were found also to have been given up, without contest, by the followers of the Earl of Selkirk to Mr. Angus Shaw, the said Under Sheriff, and others, who had preceeded the Commissioners a few days into the interior with the Proclamation; in the reoccupation of these Posts and the seizure of other property under the presumption of its having belonged to the N. W. Company Mr. Shaw and his party appear to have acted with much illegal violence, and to have taken and detained many articles that had never belonged to the said Company; the particulars of these acts of violence as relating to a

Bas de la Rivière;
Commissioner;
commissioners;
reoccupation; William
Smith; Earl of Selkirk;
Angus Shaw; William
McGillivray; John Spencer;
John McNab; North West
Company posts;
undersheriff;
proclamation; seizure of
property; ownership;
Deposition 279;
Deposition 378;
Deposition 379;
Deposition 380;

516

513

parcel of wild rice, seized at the River Maligne will be found stated in the Depositions of Joseph Bouvin, Louis L'Ecuyer and Baptiste Lalonde (No. 381,385 & 386) to the reoccupation of the Post at Lac la Pluie and the seizure of Goods there, in those of Antoine Dubud, Charles Boue and Jean Baptiste Chauvin (No. 387, 388, & 389) and to the Lake at Bas de la riviere in those of Miles McDonell, Pierre Paul Lacroix, and Soloman Desmarais (No. 391. 392. & 393) by the two last of which it appears also; that the Commissioner arrived at Bas de la riviere barely in time to prevent the sending off by the N. W. Company of an armed party for Red River, as the same actually prepared and part of the men embarked in the Canoes from the declarations made by some of whom, it appears, that measures of extreme violence had been in contemplation, - On the part of the N. W. Company the Depositions of Antoine Brisbois, William Smith, Angus Shaw and Vincent Roy (No. 382, 383, & 384 & 390) have been laid before the Commissioners, as relative

North West Company; <http://data2.archives.ca/e/e447/e011163878-517-v8.jpg>
Red River; Lac la Pluie; Bas
de la Rivière; Fort
Alexander; Maligne River;
Antoine Dubud; Charles
Boue; Jean Baptiste
Chauvin; Joseph Bouvin;
Louis L'Ecuyer; Baptiste
Lalonde; Miles McDonell,
Miles Macdonell; Pierre
Paul Lacroix; Antoine
Brisbois; Antoine
Brisebois; Soloman
Desmarais; William Smith;
Angus Shaw; Vincent Roy;
wild rice; seizure;
property seizure; seizure
of goods; armed party;
reoccupation; posts;
canoes; violence;
commissioners;
Deposition 381;
Deposition 382;
Deposition 383;
Deposition 384;
Deposition 385;
Deposition 386;
Deposition 387;
Deposition 388;
Deposition 389;
Deposition 390;
Deposition 391;
Deposition 392;
Deposition 393

517

514

to these affairs; the three first stating that the persons in charge of the wild rice seized by Mr.

The last word ("ex-") is
"examined".
North West Company;
Fort Douglas; Maligne
River; Lac la Pluie; Roy;

<http://data2.archives.ca/e/e447/e011163878-518-v8.jpg>

Shaw at the Riviere Maligne had acknowledged it to be the property of the N.W. Company and the latter detailing a violent assault by Michael McDonell the person in charge for the Earl of Selkirk at Lac la Pluie on the said Roy a few days after the reoccupation of the Post; the great complaint made by the N.W. Company was however the arrest and imprisonment of the Under Sheriff, which took place at Fort Douglas on the 24th June 1817; the alledged grounds on which this measure was adopted will be found stated in the Deposition of Miles McDonell (No. 391) already mentioned; these appeared however to me so insufficient under all circumstances to authorise the measure adopted, that there could scarcely be a doubt the real motive was to prevent any attempt on his part to enforce his Warrant for the arrest of the Earl of Selkirk; as there can (notwithstanding his declaration when ex-

Miles McDonell; Miles Macdonell; Michael McDonell; Angus Shaw; Earl of Selkirk; William Smith; undersheriff; wild rice; imprisonment; June 1817; warrant for arrest; Deposition 391;

518

515

amined, "that he came up along with Mr. Angus Shaw to keep the Peace, " and prevent any hostile act) be little doubt that it was for the purpose of attempting to execute this warrant that he was brought into the interior.

On arriving at Red River the Complaint of the N.W. Company respecting the imprisonment of the Under Sheriff was one of the first objects pressed upon my attention; although the grounds of his original arrest did not appear to me sufficient to warrant the measure yet evidence had been subsequently obtained of a considerable breach of the Peace in taking possession of the N.W. Post at Lac la Pluie, in which the Under Sheriff had taken an active part; the particulars are stated in the Desposition of Antoine Dubud (No. 387) above mentioned.

In consequence of this latter charge the Under Sheriff was therefore bound to give security for the Peace, and thereupon liberated, very pressing applications were subsequently made to me by him for the aid of my authority and support in enforcing the Warrant against the Earl

The first word ("amined") is "examined".

North West Company; Lac la Pluie; Red River; post; Angus Shaw; William Smith; Antoine Dubud; Earl of Selkirk; North West Company; breach of the peace; undersheriff; warrant; warrant for arrest; Deposition 387;

519

516

of Selkirk and others; to this according to the strict *3rd May 1817* principles of Law, he was perhaps entitled, but at the same time there appeared to the undersigned so much doubt, as fairly to authorise him, and probably indeed to render it his duty to defer any proceedings till the arrival of his Colleague, who had been expressly appointed on account of his legal knowledge such delay appeared also most consonant to the general duties of the Commissioners, the endeavoring to give effect to the injunctions of the Prince Regent, for the pacification of the Indian Country and to the thorough investigation of the past offenses committed there; both which objects might have been materially impeded by the adoption of any harsh measure of doubtful authority.

Such were the views that induced me in the first instance to decline any interference in support of the Warrant and to use my influence with the Under Sheriff to defer any proceedings on his part until I could be assisted by the legal

Indian Country; Earl of Selkirk; Prince Regent; George IV; May 1817; principles of Law; injunctions; pacification; investigation of the past offenses; warrant; undersheriff;

520

517

knowledge of my Colleague; this officer in consequence soon after left Red river for the avowed purpose of meeting the other Commissioner and returning with him or otherwise, according as might appear necessary; from various circumstances my Colleague (Mr. Fletcher) was however prevented from proceeding beyond Fort William, nor did the Under Sheriff return to Red River, but his assistant Mr. Campbell came up in his stead. On his arrival a renewed application was made to me for support in the execution of the Warrant, on the grounds stated in the joint Depositions (No. 397) of Henry McKenzie and Colin Campbell, but

Red River; Fort William; Fletcher; Campbell; Colin Campbell; request for assistance; warrant; Henry McKenzie; undersheriff; commissioner; execute a warrant; execute the warrant; deputation;

521	<p>on an attempt subsequently made by Campbell to execute the Warrant: the Deputation under which he acted appeared so evidently irregular (never having been sanctioned by the Sheriff of the District) that there could be no doubt of the illegality of this proceeding, and in consequence he was necessarily held by me to bail, for the assault committed by him in attempting</p>		<p>sanctioned; Sheriff; held on bail; assault; Deposition 397</p>
522	<p>518</p> <p>to arrest the Earl, although I had in the first instance so far authorised the proceeding as to assure the parties, that if they could show loyal authority I would prevent the execution thereof being opposed by force: the period for which Campbell's recognizances was taken having however expired previous to their reaching the Clerk of the Peace at Montreal and the complaint not being renewed, it is probable no further proceedings are intended against him. The Earl of Selkirk shortly after this occurrence proceeded by way of the United States to Montreal, having given bail, which appeared to me sufficient to ensure his due appearance at that place, and which has accordingly since taken place.</p> <p>Subsequent to my arrival in the Indian Country, there have been no complaints of acts of open violence on either side; but charges of having evaded some of the Agreements mutually entered into between the parties under my sanction, and in the view of</p>		<p>Montreal; United States; Indian Country; Earl of Selkirk; Campbell; arrest; Clerk of the Peace; complaint; bail; breaking agreements; agreement</p> <p>http://data2.archives.ca/e/e447/e011163878-522-v8.jpg</p>
523	<p>519</p> <p>giving fuller effect to the intent of the Proclamation, have been brought forward on both sides.</p> <p>Bibo deposition 394 states, the conveying away surreptitiously from Red river of two halfbreeds and one Canadian, by James Hughes a partner of the N.W. Company in violation of a Written assurance given officially to me as Commissioner by each party, a day or two previous, that no person should be sent from the Country without my Sanction; an arrangement adopted to prevent the necessity of a constant search of the canoes and to which Hughes had been personally a party - On the other hand Joseph Vandal and J.B. Henalt in their depositions No. 257 and 395 state the refusal or evasion of the Earl of Selkirk of paying them for the time they had been in his Lordship's Service, in consequence of their return to that of the N.W. Company under their previous engagements; and Michel Chretien in his Deposition (No. 396), states that his brother Jean Baptiste Chretien who was under similar circumstances</p>		<p>North West Company; Red River; Halfbreeds; Métis; Canadian; James Hughes; Joseph Vandal; J.B. Henalt; Hénault; Earl of Selkirk; Lord Selkirk; Michel Chretien; Jean Baptiste Chretien; Chrétien; Proclamation; Deposition 394; Deposition 395; Deposition 396; Deposition 257;</p> <p>http://data2.archives.ca/e/e447/e011163878-523-v8.jpg</p>
524	<p>520</p> <p>told him he was ready to return to the Service of the N.W. Company if they would guarantee the payment of his wages whilst in the service of the Earl of Selkirk, statements which appear to show on the part of the Earl a course of conduct inconsistent with the arrangements between the parties; which were on the 15th July 1817 reduced into shape of instructions, mutually signed by the Earl, and two of the Governors appointed under the H.B. Company's Charter on one part, and by two of the principal Agents of the N.W. Company on the other; and circulated through the Indian Country for avowed purpose of evincing the readiness of the parties to obey the Proclamation, and to provide for the execution thereof in detail - one clause whereof provides expressly that in the event of either party having in their service, any persons under previous engagements, and to pay them their wages for the time they may have served.</p> <p>The complaints above mentioned did not how-</p>	<p>The last word on this page ("how-") is "however".</p>	<p>North West Company; Hudson's Bay Company; Earl of Selkirk; Proclamation; Hudson's Bay Company Charter; July 1817; Indian Country; complaints</p> <p>http://data2.archives.ca/e/e447/e011163878-524-v8.jpg</p>
524	<p>521</p>	<p>The first word on this</p>	<p>Commands; Prince</p> <p>http://data2.archives.ca/e/e447/e011163878-525-v8.jpg</p>

ever appear either to call for, or admit of any immediate proceedings nor did they indeed seem to be brought forward by the parties, for any other purpose than to establish a charge of want of good faith against each other; no steps were therefore taken thereon, and each party professing the utmost submission to the Commands of the Prince Regent, and having practically proved this disposition by the instructions above mentioned issued on the 15 July and by a generally unreserved compliance with those measures which in my Official Situation I felt it my duty to direct; nothing further remained but for me to adopt such steps as appeared most proper to give effect to the general objects of the Mission - this was accordingly done and such of the Occurrences as appeared of importance, have been detailed in my Official Letters to the Governor in Chief of British America.

Quebec 30th June, 1818.
W. B. Coltman.

page ("ever") is
"however".

Regent; George IV; letters;
Governor in Chief of
British America; June
1818; Quebec; W.B.
Coltman;

525			
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	Private. belonging to me J.A. Chapleau 5 Jany/91 A General Statement Report relative to the Disturbances in the Indian Territories of British North America by the undersigned Special Commissioner for the inquiring into the offenses committed in the said Indian Territories and the circumstances attending the same (1818)	Joseph Adolphe Chapleau	http://data2.archives.ca/e/e447/e011163878-532-v8.jpg
532	W.B. Coltman. Manuscript Group 19 Series E2	[inside back cover]	http://data2.archives.ca/e/e447/e011163878-533-v8.jpg
533	Vol. 1		
534	[cover]		http://data2.archives.ca/e/e447/e011163878-534-v8.jpg

Sheet1