

REMARKS

The facts of this case are detailed in Dr. Rolph's eloquent, unanswered, and unanswerable address to the Jury; together with references to the most material evidences adduced in favour of the Defendants. The evidence on which the prosecution rested is stated by Mr. Draper in his reply (so called,) to Dr. Rolph's defence.

Much that is said in Dr. Rolph's address to the jury, deserves the particular attention of Trustees of Chapels. It may be proper here to state a few circumstances connected with this case in order that it may be fully understood, as gross misrepresentations have been circulated respecting it in several public Newspapers. The plot of ground on which the Chapel was built, consists of about half an acre, part of which was given by Mr. Peter Bowman off the North West corner of one of his lots; the other part was given by Mr. Hagle off the North ~~West~~ corner of his lot adjoining Mr. Bowman's lot on the west side. When the Chapel began to be disturbed in the manner described by Dr. Rolph, (under the pretence that the house belonged to Mr. Hagle, and evidently under his direct or indirect sanction, although the Defendants were not allowed to prove this fact on the trial,) the trustees consulted a Magistrate as to the propriety of removing the Chapel on the other part of the plot. This Magistrate advised them to do so, and promised them the influence of his presence and authority, should they be necessary, to protect them from interruption. Accordingly 20 or 30 persons were invited to meet on a publicly appointed day for that purpose. They met about 10 o'clock A. M. and removed the Chapel during the day about three rods east, where it is still occupied as formerly for purposes of religious worship. Yet strange to say, certain journalists have represented that the Chapel was removed in the night, in a clandestine manner; and the very Magistrate who promised the protection of his presence and influence in removing the Chapel, afterwards issued Warrants to apprehend the persons who removed it *for riot!!* They were brought before his worship under circumstances too revolting to mention in this place, by a Constable, (specially sworn in) who is known to have escaped from States Prison in a neighbouring Country; they were put to a good deal of trouble and expence, which the Magistrate required them to pay on the spot; and after all no indictment could be obtained against them. Since that time, it is stated that this Magistrate has been appointed Chairman of the Quarter Sessions for the District!!

B. H.

Another circumstance connected with this affair may here be mentioned. The persons who broke down the door of the Chapel and disturbed the congregation (as stated in Dr. Rolph's address to the jury) were complained of at the Quarter Sessions of the District and indicted for *riot*. But from the feeling manifested by the Magistrates on the occasion, a failure of justice was apprehended from their investigation of the case, and a writ of *certiorari* was issued by one of the Judges of the Court of King's Bench at