

was likely to be administered at Antigonish, the Presbytery in the conviction that the experiment would be the best possible demonstration of the truth and propriety of their position, attempted at first to institute proceedings directly before the Grand Jury in October last. Having failed in that effort they secured a preliminary examination before two Magistrates in March of the current year. In this way they secured the evidence which has been published to the world, and had eight of the rioters bound over to stand their trial at the Supreme Court to be held in June.

The efforts of the Presbytery, however, were no more successful on the recent occasion than on the first. The Grand Jury consisting of Roman Catholics, in about seven to one, refused even to put the rioters upon their trial. Although the Judge had clearly stated to the Jury that Mr. Chiniquy's conduct was perfectly lawful; though he had instructed them that the law declares that if persons assemble to the number of three or more, for the combined purpose of using violence, or of creating terror, or of doing acts, the tendency of which is to produce terror and alarm in the minds of men of ordinary constancy and firmness; though he had informed them that if their pre-concerted purpose were actually carried out, the persons so assembling and carrying out their purpose are guilty of riot; though he had instructed them that the evidence which they required at that stage was not absolute proof, but evidence which would reasonably satisfy them of the guilt of the accused; though seven of the parties in custody were clearly proved to have been actual participants in the disturbance, some of them shouting and screeching in the Church, some either going in and out with weapons in their hands, or shouting, "Bring him out," "Let's kill him," and others throwing stones after the ministers, some of which struck and severely injured them; yet the Jury refused to find a Bill of Indictment for Riot. They also refused to find a Bill of Indictment even for Assault against a man who was among the most violent of the rioters, and was clearly proved not only to have furnished himself with stones, and to have thrown them after the ministers, but actually to have struck Mr. Goodfellow. The only Bills which the Grand Jury did find were for Assault, one against a young lad who in the worst part of the disturbance had struck Mr. Burnside, and another against a man who had never been apprehended.

THE MAGISTRATES.

Such has been the miserable travesty of justice presented to the people of this Province, in connection with the violation

of some of the rights which are most highly valued by a free and spirited people. Freedom of assemblage has been interfered with, liberty of worship assailed, and the right of free speech outraged. A community predominantly Roman Catholic has condoned the offence. The parties implicated have not even been put upon their trial. The Government of the country have declined to interpose to maintain the violated rights of the people, and have as yet given no sign that the issue meets with their disapproval. Possibly, however, upon this department of the subject, there may be room for some diversity of opinion respecting the legitimate powers of the Government. But in reference to the proceedings in connection with the accused magistrates, it would appear as if there could be no chance of dispute. It is a position universally held that the magistrates of a country are directly responsible to the Government from whom they receive their Commission. Of course they are bound to act on behalf of the Government in the preservation of the public peace. Their failure to exert themselves for the maintenance of the peace when it is threatened, and for its restoration when broken; and especially their countenancing of the conduct of its lawless disturbers, must seriously compromise the Government, unless they at once subject them to discipline for their misconduct. In this respect, as well as in reference to the rioters themselves, the Presbytery of Pictou submit that the Government have grievously failed in their duty. When they brought the subject of the Riot before the Government, they charged two of the magistrates, Archibald McGilivray and Hugh McLellan, Esqs., with "acting in such a way, and with making use of such language during the progress of the riot, as would justify the charge that they were giving their countenance to those who were so lawlessly, and with such extreme violence disturbing the peace of the community."

Afterwards when submitting evidence in proof of their charges, they directed the attention of the Government to the fact "that the name of Angus McIsaac, Esq., was mentioned in some of the affidavits, in a connection which seemed to them to call for investigation."

The Presbytery would direct the attention of the Synod, specially to the way in which those charges were dealt with. Instead of sending them at once to the accused, immediately putting them upon their defence, and calling upon their accusers to substantiate their charges against them, more than two months were allowed to elapse before the Government even communicated to any of the accused the charges against them. Nearly three months more