

in the first part, and to explain his object in view in addressing the priest at the altar.

The Court thought the whole might fairly go to the jury, the defendant being at liberty to rebut it if he could.

Mr. *Binns* then addressed the Jury at considerable length.

*Alexander, M-Phee.*—I reside on Lot 43. I was at the Chapel at St. Margaret's, the 31st December. I heard that a meeting was to take place on 1st of January. I was at it, but not at the commencement. Defendant was talking of the way in which he was accused by Rev. John Macdonald. I raised my hand, complying with the proposal made in nominating the Elders. At each nomination, those for it raised their hands on one side, and the others raised theirs on the other side. There were seven chosen: one or two of Priest's friends spoke. I was at Chapel on 7th. I was there early. I have served the Priest as Clerk 35 years—only occasionally. On the 7th, Priest commenced with prayers, and then preached on "the three wise men;" he concluded his sermon, and then read latin mass. I consider the Gospel of St. John to be the conclusion of mass—the benediction was given before the gospel. After conclusion of mass, Priest turned round and spoke to congregation, and told them that the meeting on New Year's day, to elect elders, he did not recognize them as elders; but "there are the lawful elders," pointing to those in a pew. Defendant was sitting alongside of me: he got up and stepped forward to the next seat, and resting his hands on the next, said, I would wish to hear how were they not lawfully constituted? Priest then raised his hand and said, "hold your tongue, or sit down;" not in a very high or low tone. Defendant then said, I wish to be heard, and repeated it three times. Priest raised his hand three times: Defendant did not make a noise with his feet, as I heard. I saw no violence in his countenance; he did not raise a hand to my knowledge. I did not consider his voice unusually loud. I have seen people make