

apprehended from, their opponents at the hustings,—and here I am putting a case which the facts, so far as they respect this case, do not warrant,—still, their *thus assembling* was *in itself* a crime, and if death ensued from the use of the guns, by *either* of them when thus assembled, and whilst acting in the prosecution of their common purpose, *every individual of the party would be guilty of the crime of murder.*”

Now, whether this, in the abstract, be law or not, it may not be amiss *very carefully to consider.*

It sounds rather strangely to be thus told, that it is a *crime* for armed men to assemble *PEACEFULLY* together, for a *lawful* purpose, where there is no pretence that the *intent*, either as to the arming or the assaulting, was improper or illegal,—no riotous or tumultuous gathering, but on the contrary that the gathering together was *legal* and *peaceful*, and the arming purely what reasonable men would naturally do where danger was apprehended,—it does fall upon one's ear as new and strange. For if that be law, to say the least of it, it has not been very universally understood up to the present time.

It will probably be remembered by many of the readers of this pamphlet that the Puritans were accustomed to arm themselves, and go armed to Church as a protection against the attacks of Indians in the early history of New England. Nobody then supposed that this was criminal, and when an unfortunate red-man fell, the victim of some ill-advised attack, it was never heard of that the whole congregation, or even the armed portion of it, were chargeable with the crime of *murder*.

But aside from the historical fact, suppose that a congregation, if you choose, of *Roman Catholics*, are in the habit of meeting peaceably for public worship, and from threats circulating and other causes, they have reasonable grounds to believe that their lives and persons are unsafe, unless they arm themselves or have arms provided near the place of meeting. Suppose then that a party of *Protestants* ten times their numbers, without any provocation whatever, fell upon them and with sticks and stones and clubs beat them, as Reeves, and King, and Lowrie were beaten, and one of the assailants in the act of hurling a stone with intent to do some great bodily harm is mortally wounded. Is it the law of England that not only the slayer of this offender, but the whole party who took arms there to defend themselves, are guilty of *murder*? Is it? Can it be so? Suppose, again, that Preeper and Reeves and others were to take a contract to build a portion of railway, and Mahaney and Gilfoxy and their comrades, unwilling that Protestants be upon these works, threatened that if they came upon the ground they “had better bring their coffins with them;” and that instead of a coffin, each man, like the Jews that built the second temple, takes a weapon, a revolver, in his pocket: is it a fact, that by so doing every man has committed a crime? And if the assailants persist, and, ten to one, with sticks and stones rush upon these contractors *peaceably* engaged in the *lawful* and laudable act of executing their contract, and one of them is slain, is it *law* in Nova Scotia that these contractors are liable to be

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