

murder, but through chicanery and favor he escaped being hung.

When such a man becomes the fittest man in the country to see justice and judgment impartially administered, it is surely time to inquire of the Watchman, "what of the night?" Sodom and Gomorrah, for their times, certainly had no deeper stain on their escutcheon, and we can see with what propriety our Saviour, and the prophets who preceded him, say that those cities should rise up in judgment against us.

The decision of the six Upper Canadian judges, in the case of Burley, is an example of their capacity for their position. Burley was a refugee from the Southern States, who, while in their service, took twenty dollars of their enemies' property. Under the Mosaic law, which is a true one, because founded in equity, our country is a city of refuge, and any man pursued can claim the right of trial. Burley was brought before our judges. His plea was that he was acting under the instructions of his government, therefore a belligerent, and not individually amenable for the act. Our judges decided that any man who cannot deprive his countries' enemy of more than twenty dollars in any military operation, is a brigand or pirate, and liable to be tried therefor. Thus, by their decision, laying down as a principle of justice, that the greater the injury the less the crime, thereby ignoring the Divine law which has established that stealing a million of dollars is no more a violation of law than stealing a mustard seed. Their theory, however, is practically the one that prevails, for it is well known, that at this day the greater the criminal, the greater the probabilities that he will escape justice. *

Those judges also asserted that

they had confidence that the pursuers to whom they delivered Burley, would give him a fair trial, and therein ignored the wisdom of God in establishing cities of refuge, and proclaimed their incapacity to fill the judges seat with credit to themselves, safety to the refugee, or to the country. To the ever-abiding credit of the pursuers, and the everlasting disgrace of our judges, it was found impossible to find twelve pursuers to agree that it would be wise or just to ignore, as our judges did, that he was a belligerent, for the simplest practical common sense led them to see that as pursuers they, in the service of their country, would be liable, if they could not do more than twenty dollars damage, to be tried as brigands or pirates. Our judges, therefore, deprived Burley of justice, ignored the neutrality proclamation of our Sovereign, and established a precedent that made us liable to deliver up to either side all refugees that had been in the service of either power, who had not done more than twenty dollars damage to the enemy; and finally, ignored the Divine law given to guide them; were, in fact, wrong, relying on what they call their books, instead of God's, as foretold by the prophet.

If a case of justice so simple that twelve American petit jurors could understand better than six of the Supreme Judges of Upper Canada, what are the prospects of justice or equity in the almost countless complicated suits that come before them for settlement. As the prophet Isaiah said of them, they search through their "books" (*h*) for the precepts of men, that they may be guided by their predecessors in blindness, and have no fear toward the Lord to look to his book in which

(*h*) Is. xxix. 13; Luke xi. 46, 52.