

Just think of this, O! shades of Bentham and Brougham, who more than half a century ago helped to wipe out these absurdities from the old English Procedure which, the work of churchmen in the middle ages, had lived unto the nineteenth century. Is there any other part of the civilized or uncivilized world where such things as Courts of Justice are known, that such a condition of things exists, outside of some of the American states? A man's life or liberty, the question of his guilt or innocence, depend not upon the evidence or upon the idea of justice, but upon whether or not somebody has put the necessary thing in the right document or in the wrong one. The people of Georgia, in establishing their Supreme Court, must have believed they were creating a high tribunal, where beyond the prejudice of particular localities, a convicted man would have justice administered in its highest form. Who made this limit to the court's jurisdiction? Did the people ever demand that the court should shut its eyes to what it could see and its ears to what it could hear? Or was it not the court itself which made this rule which denies justice unless it is asked in a particular form?

And the Supreme Court of the United States had not a word to say on the only question that either the prisoner or the people of the state cared a rap about, viz.: did Leo M. Frank murder Mary Phagan? Whether Frank was in the court-room when the verdict was returned had as little to do with the fairness of the trial or of his guilt, as would the question whether he wore a black or a grey coat or a red or a blue tie when the witnesses were examined and his counsel addressed the jury.\*

\* In Continental practice the prisoner is excluded from the room when the jury announce their verdict. The editor inquired of a