

The vindication and the eulogy are both wrong—both hurtful—both illegal—both disturbing elements which the law carefully shuts out from the consideration of Court and jury. I have no word to utter against the deceased—none. The law puts his character out of the reach of an assailant here—out of the reach of eulogy also. His character is not in issue in this cause. If that character was good, the law will not permit you to hear it, lest the memory of his virtues might awaken undue indignation; if bad, the proof of his crimes is also shut out, lest they might render you more insensible to justice.

Jurors, I may not deal with the motive which prompted my friend in his opening appeal, but I must deal with its effect. That effect was to kindle in your breast feelings unfavorable to a faithful discharge of duty—to lessen the weight of obligation, by rendering you less sensible of its claims—to make passion dictate a verdict which justice only can ever lawfully write. It is not for me to say what success attended the effort, but it is my duty to advise you against such influence. By every obligation you are under to God and man, it is your duty to resist every influence not sanctioned by the law you are sworn to administer. You hold in your hand the issues of life and death today as the peers of the prisoner; on another day, twelve other men, as your peers, may be clothed with the same awful power; or it may be your children shall hereafter stand to a jury of the country as the prisoner now stands to you; in each case the power held is a trust—an awful trust—sacred to Justice, to Justice only! If passion may usurp the power now, it may usurp it hereafter, so that the only security in the future, is fidelity now.

I cannot suppose my friend to be insensible to the immense stake humanity has in excluding passion from this tribunal; yet in the spirit—let me rather say, in the tendency—of his previous appeal, he exclaims: "Gordon had not a moment for preparation—not a minute; but was sent at once 'with all his imperfections on his head,' before the great tribunal of Judgment!"

Gentlemen, Mr. Coalter has not studied in vain the speech