

you longer. I cannot anticipate Major Wright's defense. He will be elaborate and entertaining; he will read many cases. If he satisfies you the prisoner was insane at the time of the killing, acquit him. Otherwise you must find him **guilty** of murder in the first degree.

MR. WRIGHT, FOR THE DEFENSE.

Mr. Wright. Gentlemen of the jury: Jurors, you must pardon me if I notice for a moment the extravagant eulogies lavished on me by the gentlemen of the prosecution. This sorcery which they impute to me, this power to cheat men of their reason, this capacity to lead astray the common mind, is a thing gotten up fictitiously, and under a very transparent policy. It is designed to hurt the defense, to impair and weaken whatever impression may be made on your minds by fair and manly argument, favorable to the prisoner and his cause. In a word, by magnifying my capacity, they hope to paralyze your own. I do not claim to be insensible to praise, but I would have the gentlemen know that my vanity has not blinded me to the emptiness and shallowness of their diplomatic phraseology. In the spirit of diplomacy, I return to these gentlemen "the assurances of my high and distinguished consideration."

The prisoner, gentlemen, is entitled to a fair trial; the only object of the law is justice; its only desire is the ascertainment of truth; and these ends it would reach by the fair, calm and dispassionate exercise of the best faculties of reason and judgment possessed by its sworn administrators. If the prosecution would push you to your conclusions by another and shorter way, the prosecution wrongs the law! Gentlemen, I rely upon you to vindicate it!

Something, at least, has been gained by the discussion. The prosecution began with a law of murder that had no malice in it. My friend, Mr. Coalter could not descend from his generalities to a thing so elementary as malice aforethought. It seems to be now conceded that there is such a thing, and that it is of three kinds and that one kind will make capital