

suppose that the culprit is alone interested; and upon bare conjectures or a mistaken sympathy turn him loose upon society encouraged to plunge still deeper in crime and iniquity. This disinclination to enforce obedience to the law is said to be the bane of republics, and no doubt contributed in a great degree to the downfall of the Roman Empire. Rome was once the mistress of the world, but no sooner did licentiousness and disorder gain the supremacy than she sunk into an insignificant dependency. Our republic is yet in its infancy, and although we have done more to extend the area of human freedom than the most sanguine votaries of liberty could have hoped for, yet we are far from being able to calculate with any certainty upon the future, and he who flatters himself that our ship of State is never to encounter an angry sea greatly underrates the depravity of the human heart. An unrestrained liberty is as great a curse as a despotism, and the true secret of political economy is to steer between the two extremes. If we wish to avoid the fate of other republics, we must temper our liberty with proper restraint. We must enact wise and humane laws and permit no man to violate them with impunity. A settled conviction in the public mind that the laws will be strictly enforced without regard to person or condition is alone essential to check the onward course of crime. Unfortunately so many avenues of escape are offered to the offender that he has ceased to regard the law as an obstacle in his way; he counts the chances and finds the percentage largely in his favor. For every fifty murders committed in this country there are not exceeding three or four executions. This is not the fault of the law, but of those who are called upon to execute the law. Under our form of government there is no tribunal whose duty is so responsible and upon the faithful discharge of which so much depends as a jury; for except by your edict no man can be brought to punishment for a violated law. I conjure you then to meet this responsibility so far as this case is concerned with a full determination to do justice to the State as well as the accused, and if you are satisfied beyond a reasonable doubt that he committed the crime as charged in the indict-