

yours, gentlemen of the jury, to determine whether they are guilty or not.

The cause is solemn and important; no less than whether eight of your fellow subjects shall live or die! A cause grounded on the most melancholy event that has yet taken place on the continent of America, and perhaps of the greatest expectation of any that has yet come before a tribunal of civil justice, in this part of the British dominions.

I am aware how difficult, in cases of this sort, it ever is, and more especially so in these times, and in this trial, to preserve the mind perfectly indifferent; but I remember, we are bound, not only by the natural obligations towards God and man, but also by an oath, to examine into the evidence of fact without partiality or prejudice; I need not therefore to caution you of your duty in this respect. It is upon that evidence and the law resulting from it, you, gentlemen, are, in the language of your oath, to give a verdict; and I will venture, beforehand, to pronounce that verdict righteous, if it is founded in these principles as the rule of your judgment.

It has become my duty, it shall therefore be my endeavor, to acquit myself in the course of this trial with decency and candor; reflecting, that however interesting the question may be, the object of our inquiry is simply that of truth, and that this inquiry is to be conducted by the wisdom of the laws and constitution.

In support of this accusation against the prisoners at the bar, it is incumbent on the crown, to ascertain the following things, viz. The identity of the persons charged. The fact of killing; and the circumstances attending and aggravating that fact.

To this end, I shall immediately produce to you such evidence, from the testimony of credible witnesses, as may be sufficient to sustain the several indictments, and when I have gone through the examination, make such remarks upon it as may be most concise and pertinent to the present issue.