

must stop. If we pursue this inquiry, at this time, and in this place, we shall be in danger of doing great injustice. We shall get beyond our limits. The right of quartering troops in this province must be discussed at a different tribunal. The constitutional legality, the propriety, the expediency of their appointment, are questions of state, not to be determined, or even agitated by us, in this court. It is enough for us, if the law takes notice of them when thus stationed, if it warrants their continuance, if it protects them in their quarters. They were sent here by that authority, which our laws know; they were quartered here, as I take it, agreeably to an act of the British parliament; they were ordered here by your sovereign and mine.

Let me here take a method very common with another order of men. Let me remind you of what is not your duty.

Gentlemen, great pains have been taken by different men, with different views, to involve the character, the conduct and reputation of the town of Boston, in the present issue. Boston and its inhabitants have no more to do with this cause, than you, or any other members of the community. You are, therefore, by no means to blend together two things, so essentially different, as the guilt or innocence of this town and the prisoners. The inhabitants of Boston, by no rules of law, justice or common sense, can be supposed answerable, for the unjustifiable conduct of a few individuals, hastily assembled in the streets. Every populous city in like circumstances, would be liable to similar commotions, if not worse. No rational or honest man will form any worse opinion of this metropolis, for the transactions of that melancholy night. Who can, who will, unnecessarily interest themselves to justify the rude behavior of a mixed and ungovernable multitude? May I not appeal to you, and all who have heard this trial thus far, that things already wear a different aspect from what we have been heretofore taught to expect? Had any one told you, some weeks ago, that the evidence on the crown side would have appeared in the present light, would you have believed it? Can anyone think it