

THE SPEECHES FOR THE PRISONERS

December 3.

*Mr. Josiah Quincy, Jr.* May it please your Honors, and you, Gentlemen of the Jury: We have at length gone through the evidence in behalf of the prisoners. The witnesses have placed before you that state of facts from which results our defense. The examination has been so lengthy, that I am afraid some painful sensations arise, when you find that you are now to sit and hear the remarks of counsel. But you should reflect, that no more indulgence is shown to the prisoners now on trial, than has ever been shown in all capital causes; the trial of one man has often taken up several days. When you consider, therefore, that there are eight lives in issue, the importance of the trial will show the necessity of its length. To each of the prisoners different evidence applies, and they each of them draw their defense from different quarters.

In my former remarks upon opening this case to you, gentlemen, I pointed out the dangers to which you were exposed. How much need was there for my desire, that you should suspend your judgment till the witnesses were all examined! How different is the complexion of the cause! Will not all this serve to show every honest man the little truth to be attained in partial hearings! We have often seen communities complain of *ex parte* testimonies; individuals, as well as societies of men, are equally susceptible of injuries of this kind. This trial ought to have another effect; it should serve to convince us all of the impropriety, nay, injustice of giving a latitude in conversation upon topics likely to come under a judicial decision; the criminality of this conduct is certainly enhanced, when such loose sallies and discourses are so prevalent as to be likely to touch the life of a citizen. Moreover, there is so little certainty to be obtained by such kind of methods, that I wonder we so often find them practiced. In the present case, how great was the prepossession against us! And I appeal to you, gentlemen, what cause