

proceeding therefrom; and have pressed the defense of the prisoners, by such appeals to the passions, in favor of life, as might be grating to your humanity should I attempt the like against life. Numberless are the observations which have been made, in order to set the prisoners in a favorable point of view, and to bring them within the notice of your compassion. It has been represented, "that the life of a soldier is thought to be less valuable among us, than the life of a private subject;" than which nothing can be more unfounded. Whatever of wrath and bitterness may have been expressed, by some, on account of the unhappy transaction, it was no more than would have been said, had the persons who did it not been soldiers. Nay the very appearance of this trial, the conduct of the witnesses and spectators, and all concerned in it, must satisfy any one, that a soldier's life is by no means undervalued; but that they have as fair an opportunity of defense as any other subjects. It has also been observed to you, that the evidence against the prisoners has been, for a long time past, published, and put into all your hands; and the supposed inconveniences which the prisoners labor under on that account, have been displayed with a vehemence of expression, the design of which, for my part, I am really at a loss to determine. The whole of the fact is this—immediately after the unhappy homicide, it was very naturally considered as attended with such circumstances as would engage the attention and authority of Great Britain; and as it was well known that representations were making and despatches about to be sent respecting the matter, it was thought necessary to collect and send such evidence as was feared would be omitted, that so we might not suffer in our conduct for want of it. The copies of these depositions were here sacredly concealed; nor would the contents of them have got abroad, but that copies from the other side of the water came over here; and being free of the control of the town, were reprinted, and for what I know, in some manner dispersed before the trial came on. But I am actually at a loss to determine, whether this undesigned or unexpected event,