

has tended more to the advantage or disadvantage of the prisoners. For it is notorious, that by means of it, they have learnt the strength of the evidence against them, and had time to prepare to encounter it; which it is manifest by the points taken in their defense, they have endeavored to do; while the counsel for the crown, with all their supposed assistance, having neither heard nor seen the evidence to be produced for the prisoners, were surprised at a great part of it, and had not the same opportunity to prepare evidence to oppose it, which, perhaps, they might have found. But to what purpose is it to exclaim against the hard fate of the prisoners on account of that publication, or any supposed rancour against them, when you, gentlemen, know that you are not prejudiced in the cause, nor have formed any judgment respecting it, as you have solemnly declared on your oaths: And when nothing has been, or can be objected to the credibility of the witnesses for the crown, and when nothing appears of partiality in the manner or matter of their testimony; but even many things are testified by them, of which the counsel for the prisoners avail themselves in the defense, and which never could have escaped any person, whose mind was so unduly agitated with passion as has been complained of and pretended.

Relying upon it, therefore, gentlemen, that, as on the one hand, you have entertained none of these prejudices against the prisoners complained of, so on the other hand, you will not suffer yourselves to be amused with a supposition of facts, which do not exist, nor with representations and arguments which have no foundation.—I shall endeavor to address myself to your cool and candid reason; and, in the briefest manner I am able, consider the evidence that has been offered in their defense, the arguments and law, which have been applied to it; and then, observing on the evidence against the prisoners and the law operating thereon, I shall rest the matter with you, for a solemn and final decision.

In the first place, gentlemen, you perceive that a very considerable part of the evidence produced by the prisoners, is