

The prisoner made an urgent appeal in a letter addressed to De Peyster, one of his judges, in which he says:

"Believe me, sir, as you may give credit to the words of a dying man, I die with a clear and good conscience, and as free of that horrid crime laid to my charge as the child yet unborn; and therefore hope God's merciful hand, who has never left nor forsaken me, will continue to support me to the very last, and that I may look death in the face, as a good christian ought to do; humbly submitting my all to his most wise, most just, and most merciful dispensations; for I am sensible there is no more than one death for me, and that, in all probability, considering my age, it might have been very soon, though this tribulation had not befallen me. I shall only add, that I hope in God's mercy for the pardon of all my manifold sins and transgressions, through the only merits of my saviour Jesus Christ; and that when I shall be no more, he will continue his grace to my dear wife, and my posterity; and, lastly, that my blood, which is struck at (by your brother's own expressions to myself, and your brother-in-law's to others, both not long since), may be the last to be spilt on account of our dismal and unhappy divisions; though I fear that out of my ashes such further calamities may arise to this poor bleeding province, as posterity will have cause long to lament; for it is not to be expected, that all the plots, contrivances and intrigues used in this matter (many of which, I assure you, are already discovered), will have their end with myself; it had been more pardonable to have stabbed me in my sleep, or with Joab's hand, under a pretence of friendship, than to do it with Ahab's under a color and cloak of justice; and of the two, I leave others to consider, if this latter exceeds not the former; since it is not to be supposed, that Ahab's was so much out of malice; but the vineyard being denied him on his offering the worth of it in money, occasioned the innocent to be arraigned and slain for a pretended crime of blasphemy and high treason."

*March 16.*

*The Prisoner* made a petition to the court, in which he set forth the irregularity of the proceedings against him; first, that the indictment was not returned by twelve of the grand jury; second, that the petit jury were all prejudiced against him on account of the unhappy divisions in the province, and they were extremely ignorant of the English language, scarcely one of them being able to say the Lord's prayer in the English language; that there was no proof of the signing or encouraging others to sign the petitions, and that the petitions contained nothing treasonable.

The Court overruled the plea and said, "*Col. Bayard,*