

his objections, but virtually promised the hesitating witnesses immunity as a reward for their confessions.

Having proved that the prisoner was the author of "The Prospect Before Us," the prosecution next introduced the whole pamphlet in evidence. The defense protested, claiming that only those portions of the document which were recited in the indictment could be considered by the jury, especially in view of the court's decision that the jurors were concerned only with the offense charged in the official papers and were not disqualified by their prejudices against the pamphlet as a whole. The prisoner, retorted the Judge, was being tried for writing "The Prospect Before Us," and he was not to escape punishment because only mild selections from it appeared in the indictment. A little informality of that sort was best rectified by allowing the jury to read the whole pernicious production.

The prosecution ended here and the defense was instructed to proceed. The counsel for the prisoner to prove the truth of its statements, called a well-known citizen, Colonel Taylor, to the stand. The Judge interrupted, declaring that every question put to him must be first examined and approved by the court, and that he would admit no testimony that did not prove the truth of the whole paragraph complained of in the indictment. They protested that one witness might prove the correctness of one statement in the pamphlet, and another another, and that no one individual could be expected to substantiate the whole of it. Contemptuously referred to as "you young gentlemen," and goaded by every public slight and sneer which brutal authority could inflict upon them, the three lawyers, nevertheless, stood their ground, insisting that the rulings of the court were equivalent to a complete denial of justice, and virtually defying the bench. Finally, the judge made a pretense of requesting the District Attorney to allow the questions upon which "the young gentlemen were so insistent," but he declined.

The defense had no recourse but to address the jury and