

or carelessness, than this, on the part of those around your lordship, if not on your part also? My lord, condemned criminals have not only feelings as well as other men, and probably more acute ones too, but have also certain rights, and privileges, which, even in their degraded state, as human beings still breathing their Creator's air of life, they can not be divested of. But I know full well, that your feelings as a man, and sentiments as a christian, noble and exemplary qualities, which no one will deny appertain to your lordship, revolt at the idea of having been the cause, through official inattention, (for as before said, the faults of your servants must be attributed to you,) of having tampered, and played, with the feelings of men in the dreadful situation in which these men were.

The blame of these transactions tho' in the first instance personally cast from your lordship, rebounds again to you from the reflection of your allowing such officers to be near your person, and invested with confidential situations, who are ignorant of, or inattentive to, their duties. But, my lord, the evil does not rest with the temporary disrepute into which such carelessness must bring the administration of your government; it is likewise extended to the tangible detriment of the public. You ought to be aware that these men can not now suffer legally. The law did not take its course at the time specified; and any subsequent execution would be an arbitrary exertion of power, not justified by the law.\* Your lordship, it is under-

*man, the soldier, and the gentleman, you are neither a lawyer, nor a statesman; and that you appear, in this instance, to have been swayed by a military disregard of forensic, or political minutæ, which, tho' apparently trifling, lead to the worst consequences if not strictly observed; and to have set a warrant of the awful and responsible nature of the one in question, upon a par, with a field-order, or the regulation of a march, to be signed by an adjutant-general, or an aid-de-camp, by order of the commander in chief.*

L. L. M.

\* It can not be denied that, under the circumstances both of the former case, and of the present one, execution would be absolutely murder in the eye of the law. It is not the execution-warrant alone, that is a justification for the sheriff, in performing his unpleasant duty, but it must be officially known to him that the criminals were found guilty, legally sentenced to death, and, if respited, respited by the proper authority, and in due form. If all these circumstances do not concur, if the chain is broken in the slightest link, or if any informality or neglect intervenes, he can not execute the supposed sentence; (for the law will never consider it as a real sentence, unless accompanied by all those essentials.) But neither the sheriff nor the governor,