

Then there was silence, broken presently by an emotional juror, who sobbed, and tried to make believe he had a cough.

The counsel for the Crown had prepared a very fine speech which he must needs deliver. It was all about a most murderous and ferocious redskin desperado, committing a series of despicable and cowardly outrages, at wanton random of the homicidal maniac, guided only by the low cunning of a savage. Then we found that this very bad man was the prisoner, and ripples of merriment broke into open laughter.

I will not quote my speech for the defense, but merely cite the points which made it hopeless.

There was, for example, a strong contention within my reach that by the most ancient and fundamental principles of justice a prisoner has the right of trial before a jury of his peers. Yet my client was arraigned for felony before a panel to all intents of his enemies, against whom he had levied war, men biased by race prejudice before they entered court. My junior warned me, however, that it is not tactful to impugn the jury; and British practise, unlike the American, does not allow the defense to challenge any juror who has read the public press.

My defense was limited then to arguments which