

duty to make it *White*; and I hope to be able to prove before this Court, and to your satisfaction, that it should have been the witnesses for the prosecution that ought to have been in the dock instead of my unfortunate client. Gentlemen, in defending the case of a prisoner, we must bear in mind his previous character; and on this occasion I am ready to prove that the Prisoner at the Bar possesses the character of mildness, benevolence and usefulness. Previous to going into the merits of the case, I must apprise you that the Prisoner is of no mushroom growth, jumping into society by a hop, step and a leap, but is of ancient family, a noble stock and generous relations, having long been the companion and friend of kings, queens, statesmen, warriors, poets, painters, musicians, and the wealthy merchant, the bosom friend of the portly arch-bishop, down to the all but mendicant curate; and yet to shew that pride is not his sin, he makes companionship with the poverty-stricken and degraded outcasts in the hovel, the cellar or the garret; so much is his company and solace courted, that many divest themselves of all the property they may possess for the sake of enjoying his society—in fact, from the regal residence to the Indian wigwam, he is received with the right hand of fellowship.

Gentlemen, first, as to my client's mildness. He comes to your country as another emigrant, on board the same ship, exposed to hardships and tossings, and yet he quietly remains ensconced in his berth, content with the worst accommodation in the ship. He patiently endures all until the vessel arrives at port, when other passengers are allowed to go at large, and choose their occupation, he is taken under strict surveillance, immured in a dungeon, branded and numbered. Under all this degradation he remains perfectly inoffensive, and would there remain until dooms-day, shut up in puncheons, casks, or bottles, were it not that he is interfered with, and dragged to light, sometimes by the neck, or perhaps by a more delicate way, and exposed to the gaze and taste of the connoisseur, subjected to remarks of every kind, commented on, and praised or condemned as fancy dictates. All is borne without breach of the peace or manners, until, at last, injury follows insult, and he is most unceremoniously knocked down. Now, Gentlemen, the Prisoner is a person of spirit, and will not bear with indignity. He will retaliate, he strikes his abuser a body blow in the pit of the stomach, and sends them reeling, and will prostrate them (if further imposed upon) under the table, or in the gutter. Gentlemen, I put it to your natural good sense, who was the first to commit an assault? Assuredly, it was the persons who gave evidence against my client, they, therefore, should be in the dock, and he, the complainant, in the witness-box.

Gentlemen, I will now call your attention to the second trait in the Prisoner's character, namely, benevolence, which is shown towards the farmer in obtaining a good market for his grain. Think, Gentlemen, of the great consumption of liquors, and the quantity of grain required to manufacture them. In the United States, there are over 10,500 distilleries at work, besides breweries. The learned

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