

the Board of Officers, with minds replete with military ideas, with minds predisposed, not to hear and determine, but to condemn; they went into that Court with menacing countenances and menacing voices, avowing in the most public manner their vindictive and unjust intentions. The judges of that Court have declared they could descry guilt by observing the countenances of men*, they never said one word about innocence; their minds were filled with nought but judgment, condemnation, and punishment.

The judges of that Court are even unqualified to hold a Court, or sit at a board, which touches the persons, or properties of individuals, they have not even taken the oath of office, which every Officer of a Court Martial, appointed to try a foldier under the Mutiny Bill, does take and declares that he will impartially try the prisoner. I say gentlemen if the defendants have any alleviation to their trouble, it is because they appear in a Court which every British subject ought to admire and boast of; a Court constituted in right reason, and law; a Court whose powers and authorities, though extensive, are limited, defined and understood by every man of whatever degree: a Court in which the subject may hope with confidence for protection and impartial justice; a Court in which a gentleman presides of jurisprudent learning, who is placed in the seat of judgment without prejudices, without partiality, who can have no interest in the question at issue, for he cannot be presumed to possess Militia, or Military ideas, nor to do otherwise than view with equal eye the parties in litigation.

If there be any consolation afforded the defendants upon this trying occasion, it results from appearing in a Court thus constituted, and where they are to be tried, by a jury composed of their fellow citizens, in whom they can confide; by a body of men impartial, unprejudiced, indifferently and superior to suspicion or surprise; by men

* This can be proved by several creditable witnesses when this declaration was made.