

their eyes, and committed wrong acts, did so in the absence of the prisoner, or when he was in the society of the noble, the just, and the good.

As to the second count, that he blinded men's eyes by the hope of gain and filthy lucre, the charge is perfectly absurd, as it applies to the whole mercantile community. You can point to no business free from the wish for gain and lucre, (be it filthy if you please.) Therefore, this charge is like the woodcock calling the snipe "long bill, long bill."

The third count, gentlemen, is one of deep solemnity, and my client does not plead exemption. But there are strong extenuating circumstances in his favor. He is a spirit of this world, and only joins with other spirits to whom he is congenial, many of whom move in very high spheres—in desecrating the Sabbath, neglect of religion, &c., and which are only the manners and customs of those who love the world.

On the fourth count he has no right to be branded as a traitor, or as a destroyer of family affections. He has done nothing in secret. I told you he was of ancient family, and whatever his faults and failings may have been, they have been well trumpeted abroad. The crimes charged in this count ought to be charged against weak-minded creatures, who had the hardihood to make too free with my client, after having invited him into their families. If a servant is employed, his duties should be defined, instead of afterwards bringing charges against him for doing too much or too little, or for retaliating when abused by his employers.

The fifth count charges the prisoner with the destruction of property. Gentlemen, you might as well bring an action against the Atlantic Ocean for all the property it has swallowed up. Property is lost by fires, floods, hurricanes, law-suits, speculation, misconduct, and many other ways, without the interference of my client, therefore, gentlemen, you cannot find the prisoner guilty of the charge in this count.

The sixth count embraces a wide sweep, carrying the prisoner through kingdoms and nations. But, gentlemen, kingdoms and nations go to war and butcher each other, and the acts of the victors are applauded to the skies, as covering themselves with glory, immortalising their names, and all without any interference on the part of the prisoner; but the moment he visits a nation or a kingdom, he is branded as a destroyer, merely because he retaliates and becomes the conqueror.

The seventh count charges him with murder and suicide. But, gentlemen, may I not ask if those fearful crimes in most instances were not concocted and determined upon without the interference or knowledge of the prisoner; and if he has been called into requisition, it was because he was known to be a person of spirit, and he only instigated the wicked individuals who committed these deliberated and wicked acts a little sooner than they otherwise would have done, just as he would instigate orators to make great orations, warriors to be more brave, or poets to be more sublime, &c.

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