

justify the actions occasioned by them, yet, if sufficiently considered, they would materially change our judgments. "Circumstances alter cases." If you and I had been surrounded by the same influences as that convict, the probabilities are, that to-day, we should be guilty of the same crime. If the convict had been reared by your parents, in the same manner in which you were brought up, he would now be as upright as you are. It is impossible for one who has never been tempted by a similar exposure, to judge a fallen man in accordance with humanity.

How strangely constituted is the human mind! In judging our fellow men, we neglect all palliating circumstances, such as poverty, want, lack of proper training, and innumerable temptations; so we conclude that a certain man is naturally bad. But when we want to establish the guilt or innocence of a man, we consider all such, and do they count for him? No, against him. Circumstantial evidence is almost as strong as direct evidence, and partly owing to the ease with which it can be manufactured, is much more frequently used, than even stronger evidence. Men are sent to the State's prison for life, or are deprived of life even, on mere circumstantial evidence. I do not wish to decry this kind of evidence. I am well aware that without it justice and order could not be maintained, and that society in its various forms could not exist. But I would censure the partial manner in which mankind use it. I would censure the practice of condemning a man without allowing his lack of early training, his temptations, and the evil influences by which he has been surrounded, to plead in his favor. More strongly do I censure the practice of allowing these same things to have so much weight against an accused person.

A man is charged with murder. It is shown in the evidence that he is ignorant, rude, despised and poor: the murdered man is rich. It is known that he had a

favorable opportunity for committing the deed. All these things weight heavily against him in the minds of the jurymen. This could not be otherwise. But ought these circumstances to testify against him when we are considering him as a man? No, but they should rather plead for him.

To a greater extent than most of us imagine, the crimes, sins, and errors of the age, are the direct results of circumstances. Protestants are accustomed to look with pity upon Catholics; pity for the hopelessness of their condition. The Catholic regards the Protestant as no christian. Each class thinks the other is wrong, and wonders how it can uphold such a system of religion. What causes their differences of opinion? Circumstances. The child born of Protestant parents becomes a Protestant. The children of Catholic parents almost invariably embrace Catholicism. Circumstances of which we have no control make us Protestant or Catholic. Why, then, is there so much bitterness between the two sects?

I have heard young men express astonishment that slavery ever existed in so enlightened a country as this, saying that never could they have upheld an institution so utterly incompatible with their principles. If, while slavery existed in this country, these young men had been born in Georgia, to an inheritance of two hundred slaves each, would they have the same principles they now have? If the homes of Phillips and Stevens had been exchanged, can any one doubt that the opinions and actions in regard to slavery would have been exactly opposite to what they were? Why, then, is the South so bitter against the North? Why do the Northern people regard their countrymen of the South with so much distrust? Circumstances moulded the opinions of the Northern men; different circumstances moulded the opinions of Southern men. If the moulds had been exchanged, one for the other, the opinions of the men of each section would have been the reverse of what they now are.