

instructions I shall report several matters, which, in my opinion, were greatly calculated to obstruct a fair & impartial trial.

In striking the Jury we had great difficulty, because, from the most satisfactory information in our power, we believed that a large majority of the appearing Jurors were unfavourable to a conviction, & which belief was strengthened by the fact, that, out of eighty three Jurors appearing for Challenge, the prisoner accepted fifty nine, of whom fifty one were set aside by the United States, under their qualified right of Challenge, until the whole panel was exhausted. The Jury was ultimately formed while the prisoner had eleven peremptory Challenges still unexhausted. These facts were made the more significant by the subsequent conduct of the United States Marshall (Tom Roberts) who summoned the Jury. It was manifest to every one, that by the partiality of this officer, members of the Anti-Slavery Society (males & females) were daily admitted to preferred seats in the Court Room: so palpable was this partiality that it was a subject of frequent remark in the Philadelphia papers, among which I will particularly refer to "Cummins's Evening Bulletin." It is also a fact within my personal knowledge, that free negroes were admitted through the Marshall's office into the Court room, when crowds of white citizens were kept outside of the door, & complaint was made to me by a respectable gentleman, one of the witnesses from Maryland, that after the recession of the order of the Court, to exclude witnesses, he was refused admission by a deputy of the Marshall, when a coloured man was passed at once into the Court Room, upon the written permit either of the Marshall or somebody else. But I have other & more significant facts. I brought to the attention of the Court the fact stated in the "Pennsylvania Freeman", that the Marshall (Mr Roberts) had actually dined with the prisoners, or some of them, during the trial, on Thursday giving day, & when I was about to read the article from the paper, I was stopped by his Honor, Judge Grier, who in behalf of the Marshall, denied the truth of the statement that he had so dined; but unfortunately for the Judge's interposition, the Marshall immediately afterwards made his own explanations, & admitted that he not only assisted at the