

Besides, we have another view to show the
 angle of acting upon mere circumstantial evidence. As
 action has an unlimited source of material to work its
 destruction, - the victim of conspiracy is entitled to the same
 range of conjecture as to the time, place, & manner of the
 happening of the alleged crime. The death of a
 man may be accomplished ^{his remains disposed of} in a million different ways,
 and if we place him in relation to a million of in-
 habitants there is but one chance in a hundred thousand
~~without proper evidence~~, that we can fix the act upon
 upon one person, - unless there is conclusive evidence to prove
 some absolute personal agency in the deed to meet &
 to confirm the events brought to bear against him. ~~There~~
~~is no connection to be made between the~~
~~murderer~~

There is another element of this case which
 should not be overlooked. That is, - the character
 of the accused.

Character is a certainty. We do
 not assume this, - we claim it as an undoubted proposition,
 founded on the experience of man & the justice of heaven.

If we look back 50 years, and
 ask the question how many educated & respectable citizens
 of our Commonwealth between the ages of 50 and 60, have
 been proved to be guilty of the crime of wilful and
 deliberate murder, what must be the answer?

History records no example. If we allow the same
 proportion for this age [from 50 to 60] for the different
 periods of the census, - viz. 1790, 1800, 1810, 1820, 1830, - as
 we find in that of 1840 - we have an aggregate of