

asked if this editor who was attacking the President was the same Thomas Cooper who once sought office of the man he now reviled. Cooper replied that he was the same man and could see nothing improper in what he had done. Not he, but John Adams, had changed. In 1797 the President "was hardly in the infancy of political mistakes." Then he had not declared a Republican government might mean anything; had not sanctioned the Alien and Sedition Laws and the abolition of trial by jury; had not saddled the country with the expense of a standing army; had not inflicted it with a permanent navy; had not brought its credit so low as to borrow money at eight per cent; had not planned embassies to Russia, Prussia and the Sublime Porte, nor interfered with the course of justice, nor delivered poor Robins to the mock-trial of a British court martial.

For this publication Cooper was indicted under the Sedition Act for libeling the President of the United States. He pleaded not guilty, pleaded the truth of the facts, and asked subpoenas to issue for the President and a number of the members of the Senate and House. Judge Chase forbade this and declared the attempt to subpoena the President an improper and indecent act. Congress being in session, the members summoned might have stood upon their privileges and refused to come. But they came voluntarily, sat through the trial, and were made no use of by Cooper.

When the jury had pronounced him guilty and the sentence of the court was about to be imposed, Judge Chase asked who was to pay the fine. If the Republican party, then the court would go to the very limit of the law. If Mr. Cooper, then the court would consider the circumstances. Judge Peters frankly declared that the matter of party had nothing to do with the fine. Mr. Cooper was to be punished, and not the Republican party. The fine was, therefore, made four hundred dollars, and the term of imprisonment fixed at six months.¹

¹ This narrative of the Trial is taken from McMaster's description of it in Vol. 2, Hist. People U. S., pp. 465-467.