

Gentlemen, if the assertions I have made are true, whatever the motives of them may be, you cannot find me guilty. But I think it impossible, if you consider the paper altogether, that you can ascribe the publication of it to malice. It is on the force of it not voluntary, but compelled. I have, in the very outset of the paper, spoken well of the President. I have been in the habit of thinking his intentions right, and his public conduct wrong: and that this has been the general tenor of my language and behavior, I believe I can even now bring proof enough from among my friends and my neighbors.

JUDGE CHASE. This is not necessary. It is your conduct, not your character, that is in question. If this prosecution were for a crime against the United States, you might give evidence to your character, and show that you have always been a good citizen; but this is an indictment for a libel against the President, where your general character is not in question.

*Mr. Cooper.* I am satisfied. I shall fatigue the jury no longer; but rest my defense here.

*Mr. Rawle.* Gentlemen of the jury: The defense you have just heard is one of the most extraordinary and unexampled I ever remember to have witnessed in a court of justice. It is no less than to call into decision whether Thomas Cooper, the defendant, or the President of the United States, to whom this country has thought proper to confide its most important interests, is best qualified to judge whether the measures adopted by our government are calculated to preserve the peace and promote the happiness of America. This, however, does not seem to me the real point which you are to try; and I shall therefore (under direction of the court) proceed to state what I conceive to be the question which you, gentlemen of the jury, are now called upon to determine. Thomas Cooper is charged in the indictment with having published a false, scandalous and malicious libel, with intent to defame the President of the United States, and to bring him into contempt and disrepute, and to excite against him the hatred