

import of the publication, since the offense is committed by the two coupled together.

First, then, as to the publication.

The fact of writing and publishing is clearly proved; nay, in fact, it is not denied. It is proved to have taken place at Sunbury, a considerable distance from the seat of government. It appears from the evidence that the traverser went to the house of a justice of the peace with this paper, whom, of all others, he ought to have avoided. For he must know that it was the duty of the justice of the peace to deliver it immediately to those who administer the government. He did so. It was indecent to deliver such a paper to a justice of the peace, and the manner in which it was delivered was yet more outrageous—if it was done in joke, as the traverser would wish to imply, it was still very improper—but there was the same solemnity in his expression, “this is my name, and I am the author of this handbill,” as if the traverser was going to part with an estate. This conduct showed that he intended to dare and defy the government, and to provoke them, and his subsequent conduct satisfies my mind that such was his disposition. For he justifies the publication in all its parts, and declares it to be founded in truth. It is proved most clearly to be his publication. It is your business to consider the intent as coupled with that, and view the whole together. You must take that publication, and compare it with the indictment; if there are doubts as to the motives of the traverser, he has removed them; for, though he states in his defense that he does not arraign the motives of the President, yet he has boldly avowed that his own motives in this publication were to censure the conduct of the President, which his conduct, as he thought, deserved. Now, gentlemen, the motives of the President, in his official capacity, are not a subject of inquiry with you. Shall we say to the President, you are not fit for the government of this country? It is no apology for a man to say, that he believes the President to be honest, but that he has done acts which prove him unworthy the confidence of the people, incapable of executing the du-