

efforts for provoking a French war." And also the false, scandalous, and malicious words, of tenor and effect following, that is to say: "For although Mr. Adams [meaning the said President of the United States] were to make a treaty with France, yet such is the grossness of his [meaning the said President] prejudice, and so great is the violence of his [meaning the said President] passions that under his meaning the said President administration, America [meaning the United States of America] would be in constant danger of a second quarrel." Also the false, scandalous and malicious words, of the tenor and effect following, that is to say: "When a chief magistrate [meaning the said President of the United States] is both in his [meaning the said President] speeches and his [meaning the said President] newspapers constantly reviling France, he [meaning the said President] can neither expect or desire to live long in peace with her. Take your choice then, between Adams [meaning the said President] war and beggary, and Jefferson, peace and competency," to the great scandal of the President of the United States, to the evil and pernicious example of all others in the like case offending against the form of the act of the Congress of the United States, in such case made and provided, and against the peace and dignity of the said United States of America.

*Mr. Nelson.* I shall not attempt, gentlemen of the jury, to excite your passions or inflame your feelings. I shall endeavor to be cautious, and avoid uttering what ought not to be said, which may in any manner influence your judgment, upon your oath; for in that office which I hold, which is that of the people of United America, it is more than a common duty, to take care not to step beyond that line which leads to justice. To that state in which your passions shall be; to such feelings as you shall possess, after hearing the charge contained in the indictment, the evidence in support of it, and a fair statement and representation of the case, I shall leave and entrust the case. In the present state of the business, it will be proper for me to call your attention to the statute or act of Congress which relates to this case.

(Here *Mr. Nelson* read the second and third sections of the sedition law.)

Upon this statute James Thompson Callender is now indicted, and the indictment charges that maliciously designing and intending to defame the President he, James Thompson Callender, did publish the libel set forth therein, with intent to bring him into contempt and disrepute, and to ex-