

tion. He would, therefore, beg leave to make it known to those who were in any degree implicated, that they are not bound to accuse themselves, and may withhold, if they think proper, such part of their evidence as has a tendency to criminate themselves.

JUDGE CHASE. This is correct. Every person concerned in the publication is protected by law from compulsion to criminate himself; but, I suppose, if any of them give his evidence, the Government of the United States is pledged not to institute a prosecution against him. Of this he may be assured.

THE EVIDENCE.

Wm. Duval. Saw Mr. Henry Banks have the book called "The Prospect Before Us." Mr. Banks gave me the book to read; the next day saw Mr. Callender, who told me that I must pay him a dollar for the book given him by Mr. Banks; did then pay the dollar for it to Mr. Callender; the book contained some of the charges in the indictment.

Mr. Banks. Some time ago I became a subscriber to the book, "The Prospect Before Us," and paid the money at the time of subscription; lent the book to Major Duval, and informed Mr. Callender that he might get the money for it of Major Duval, and that I could get another copy another time; got from Mr. Callender the copy I delivered to Major Duval; never heard traverser acknowledge that he was the author, but my opinion upon the subject is clear.

The JUDGE said his opinion was no evidence against the traverser.

Wm. Burton. Purchased such a book from Mr. Pleasants (who is a bookseller as well as a printer); paid the money to Mr.

Pleasants, and Mr. Callender was present.

Wm. A. Rind. A copy of the book in question belonged to me; a considerable time ago, Mr. Lyon applied to me to print the National Magazine; entered into contract for the purpose of printing twenty-two sheets of that, or an equivalent in other work; after a great part of the magazine had been printed, it stopped, either for the want of paper or some other cause; Mr. Lyon then brought "The Prospect Before Us"; we printed four or five half-sheets of it; the proof sheets were sent to Mr. Callender for correction, and returned corrected in his handwriting. Mr. Callender once corrected a proof sheet in a large room at the office; Mr. Callender came once to hurry the work, and said he would pay, but that he considered Mr. Lyon as paymaster; at Mr. Dixon's office Mr. Callender said he would give him twenty copies if he would read one through, as he was sure it would convert him; a small part of the manuscript remains in my possession; I produce it here in court and believe it to be