

President of the United States, and to bring him into contempt and disrepute, and to excite the hatred of the good people of the United States against him, did wickedly and maliciously write, print, utter and publish, a false, scandalous and malicious writing, against the President of the United States, of the tenor and effect following, that is to say: 'The reign of Mr. Adams has hitherto been one continued tempest, etc.' Now what is the law? The act of Congress provides among other things that, 'if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, any false, scandalous and malicious writing or writings, against the government, or either House of the Congress, or the President of the United States, with intent to defame the said government, or either House of Congress, or the said President, or to bring them, or either or any of them, into contempt or disrepute, or to excite against them the hatred of the good people of the United States, etc.''' The indictment charges the defendant with publishing a false, scandalous and malicious writing against the President, and the law provides against the publication of false, scandalous and malicious writings against the President. The offenses stated in the indictment correspond with those expressed in the law; the question then is, whether the name of the book in which such false, scandalous and malicious writings are published, must be recited in an indictment against an offender? It brings it to this point. Is it necessary that the title of the publication should be examined before it can be ascertained that it comes within the law? Any false, scandalous and malicious writing published with intent to defame, is provided against by law, whatever may be its title or name, or whether it have any name or not. I know that cases can be produced where the title of the libel is recited in the indictment. I remember one case where a man was indicted for publishing a libel called "The Nun in her Smock;" but it was not necessary to mention the title of the libel in that case, nor is it essential in any. Why is it necessary that every charge against a