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IMPEACHMENT OF JUDGE CHASE.

THURSDAY, FEBRUARY 21.

[Mr. Campbell's speech concluded.]

The other charge to be considered is that stated in the third article, in rejecting the evidence of colonel Taylor to establish a fact which was the direct point, on the question whether he could not prove the truth of the whole three charges. In this case the judge shut the doors against all former precedents in courts of justice, and refused the prisoner the liberty of reason to justify his conduct. Not a solitary case could be produced to say of the wisdom of a similar conduct in a judge. The rule here adopted, with regard to the admissibility of evidence, would deprive the judge of the exclusive right to decide on the credibility and weight of evidence, as well as on the extent to which it proved the matter in question; would transfer in fallibility from right to the court, and thereby make us its very center the fabric fully admired and held to be sacred, *of trial by jury*. It would make it the duty of the party to prefer to the court, all the evidence relied upon to make out his case, and accordingly the court would be bound to fall deliberately examine, compare it with the charges set out in the impeachment, and if it did not, in his opinion, prove the whole of one charge, or go the whole extent of the case to be established by it, he would reject it, and not permit the jury to hear it. This would be just the reverse of the very principle that renders this kind of trial so much superior to all others, that of decidings on the weight and credit of evidence. There is a manifest distinction between the right which a judge hereby decides upon the admissibility of evidence, on the ground of its being proper or improper according to the general rules of law, and the right here affirmed of deciding upon the extent to which such evidence, is calculated to contribute to the matter in question, will go to support the case of the former is the authority of a proper authority to prevent the admission of extraneous and improper matter, which, if admitted, to the matter in question, the latter is an arbitrary usurpation of power, to decide on the extent to which admissible evidence tend to be relevant, and in some degree, would go to prove the matter in question, and is a direct assumption of the most fixed privilege of the jury. Nothing can be more absurd and unreasonable, than the consequences that would flow from such a decision. The judge would fall with the evidence, which, in his mistrustive extent, rejects it as plaintiff, and call this a trial by jury. But I would be prevented to notice the reasoning reported to by the judge in his answer, to exclude his counsel on this evidence, which is so direct and conclusive, in its consequences, as to be unfeasible and exists. It is limited to the jury, that the plea of justification must answer the whole charge, or it is bad on demurrer, and that when the matter of defence may be given in evidence without being formal pleaded, the fact is perfect. This doctrine of the judge would quite the party to the, that the evidence he offered would cover the whole of the charge, with the same exactness and formality that he would be a plea to avoid his being held bad on a demurrer, thus throwing down the province of the jury, and truly charge the decision of all cases in which the law is at issue, to the court. There is parade of law so much intricate proceeding, and it is made a lady quizzing to ridiculously on this subject. The plea, in order to be good, must state matter sufficient to justify the charge, or it is bad on demurrer, it is true; the demurrer admits all the facts stated in the plea that are well pleaded, and can not consider the demurrer tested into, therefore the plea must appear to contain sufficient matter of justification, or it will be held and condemned; but no such rule was ever heard of to justify a judge in rejecting evidence to a jury. They alone are the proper and only tribunal to decide, they be the exclusive and sole judges in fit tribunal to prove the truth or manner in dispute or not; and it the jury be deprived of this right, there is nothing left them that deserves the name of a trial.

The judge in this, if he was mistaken, it was an error of judgment. This cannot be pardoned. Ignorance of the law is no excuse to any man; but in a character of high trust and legal training and known abilities as this of the accused, it is totally inadmissible and not to be pardoned. How could any judge with upright intentions commit so many errors, or his mind to many mistakes in the course of one trial, as are manifest in that of Judge Chase? They must have been the result of design, and a premeditation that was taken all circumstances in order to convict and punish the defendant.

It ought to be stated that judge Chase covered with him in opinion, and this is indicated upon by the accused in different parts of his defence, as a proof that the errors he committed, if, as he states, they were errors. This seems to be a kind of argument never referred to, when all other expedients fail. To this argument of Judge Chase I would in the place of any other, for all, that it can be no excuse for him, nor any justification of his offences, that whatever he has been capable of with himself, and in such strongly proved the weak side of his defence to rely upon this point. Though judge Griffin has not yet been called to an account for his conduct in this accusation, that is no reason why he should not be brought to be made to answer for it. The nation has not lost all its rights, and it is not that it must be proceeded against for this conduct; and there is no limitation of time to the prosecution for the trial of the charges of this kind, if they shall be brought forward and supported against the offender. The grand of all offences therefore can exist from the circumstance that a judge has not been called upon to answer for his conduct in this respect.

I will now proceed to notice very briefly the conduct of the judge in the subsequent part of this trial. Compelling the witnesses to be ready to be sworn, writing all questions to be asked the witness, was a direct innovation on the practice of our courts of justice, and tended to embarrass the management of the prisoner in his defence. It is proved by the testimony of all the witnesses, that no such practice were prevailed in the prosecution of the trial, and it is in that avowed in this illness; the only case in which it is required to reduce to writing the questions to be asked a witness and the only case in which a judge proper or competent with reason and justice to be called for in which it is judicious in made to a question proposed to be put, with the ground of its being improper and contrary to the rules of evidence; and in order to ascertain the precise extent and effect of the question, for as to decide on the objections made to it, it may be proper to require it to be reduced to writing, that it may were before done, for far as we can discover, for the purpose of ascertaining how far the witness might prove the matter in question, and whether he could prove the whole of the charges or not, and thereby decide whether the witness should or should not be examined. According to this rule, if the witness could not, he could confirmed upon the evidence offered, by the questions thus reduced to writing, the judge in this case supposed to be sufficiently sufficient to support the whole of the charges or rule to which it was offered, the witness would be rejected, and he would be called upon to hear a word of it, left they might confident to prompt thus he did, and grief of sufficient weight to support the charge which it was offered. This mode of proceeding appeared to be directly and adopted by judge Chase. No other court or judge ever attempted in this country, or in any other, to deprive the jury, and establish a distinction to form need and oppressive; but this is in the exercise of the right of the judge of the conduct on this occasion, a precedented tyrant of opposition, so unknown to our courts, disturbed by certain convention and punishment. Before these particulars of the conduct of the judge were reflected, treated with indignity, and the whole audience entertained with laughing at the witnesses, and by shrugs by interrupted in their argument; charged which wilfully proceeded to order the witnesses to be called and receive the multitude, called by by way of derision, and treated as mere puppets of the day, who could not arrange sufficiently when they appeared, but as a circuit court in which should merely judge president. He was fierce, worry, and to calling, as the occasion indicated, and it is represented there can be no harm in this; it was all in jest and good humor! It was treasure, cite Mr. President, for judges than to jest and trifle with the rights and liberties of the citizens. Though this proceeding was levelled immediately at the counsel, it was the defendant who was the principal object of reflection, who was not called to be made an example of, and who felt the injury and bitterness of the ridicule, and the illegal and unjust conduct of the judge.

It only to notice the conduct of the respondent, at New Castle, in Delaware, as charged in the fourth article, will plainly show that he was not disposed by the false fruit of profession and expectation that has, as already stated, induced the whole of his conduct during the course of this trial to satisfaction. That he had delivered from the elevated and disguised station in which he was placed as a judge, to blast for crimes as a common and inferior agent, I believe can, as urge the jury to take notice of, and patient certain persons sufficiently effective, although not reached by the penitentiary, for the difficult to search for evidence, and the difficulty of bringing to support a prosecution, was deep along to the moral character of a judge, and was powerful the judicial authority to a more engine of perfection to answer party purposes. O the false composition will this is the conduct of the respondent in delivering an inflammatory and disorganizing charge to the grand jury at Baltimore, in the first and fourth article of the impeachment. This proceeding appears to have been dictated by party spirit and political intolerance: it was calculated to disturb the peace of the community, to excite a disrespect to the measures of government to force them by the terror of judicial denunciation to relinquish their political sentiments and adopt those of the judge. That was the private object of this whole proceeding, and the means to obtain were left unused. It was attempted to force the political sentiments of the judge, by the confidence of the people to the administration of their government. The judicial authority was prostituted to party purposes, and the sentiments of justice were corrupted by the professional sentiments of principle, that seemed determined to bear down all opposition to the measures of the party which the judge, Gillespie or will enterprise, though conflicting of the which and such enlightened to the indulgence to the judge, and the grand jurors, and the whole community seemed blocked at such outrages upon the rights of the people, and the force of force to certain convulsion. In this, Mr. President, the character that ought to distinguish the judge of the United States? No, Sir. The threats of jeffers to the people of the American states ought to be as pure as the sun beams that light up the morning. To secure to the rights of the people, which is a well founded confidence that the law will be administered to him with justice, and impartial, and that the law, which is the code, he submits without a murmur to his fate, and bears the honour of the commands of the government to him, with a mind that shall approve the justice of the sentence, the impartiality of those who administer it.

The decision of this case may form an exception to the rule of the rest of the country. Future generations are interested in the events. It may determine political principles, and overturn political property; whether the laws of our country are to governed, or the arbitrary will of a judge who sit enraged with that disappointed. Mr. President, we, on this important occasion, behold the rights and liberties of the American people have stood the honorable tribunal of the senate, and have been saved from the fate by the decision you will make, or from sent on the ocean of uncertainty. Sir, I have done with the subject, and hope of all political power and innovations.

April 26—d.

MRS. SMITH and MRS. WILY respectfully acquaint their friends and the public of their intention to open a Dancing Academy from the hours they occupied in Water street, to a large room in Pennsylvania Avenue, near the Main street near Mr. Francis Lumsden, with a good garden yard, and excellent spring water.

They include the purpose of the inhabitants of Georgetown and Alexandria, that they have liberally experienced, and gratefully acknowledge. They teach reading, writing, English grammar and geography, the use of the globes, sewing, tambouring, fine in needle, drawing, embroidery, flowers and wax work, and chemistry, with a variety of other kinds of needle work in the afternoon.

April 26—d.

RAGS.

THE highest price CASH, given for clean RAGS, by EDGAR PATTERSON Georgetown, and SAMUEL STEVENS, jun. near the Centre market, Washington.

M wch 8—d.

From Paris papers received at the office of the American.

PARIS, March 18.

The extraordinary accidents which the empire was to have given to the Vice President and the members of the council to of the Italian Republic, took place yesterday with a magnificence worthy of its objects. Its results are looked for with impatience in the communications which he might to transmit to it to the Senate. Politicians have long turned upon the sacrifice of giving a field government to the Italian Republic belongs only to the founder of that State, to one here this honorable work. The with which the Italian people mail form, we imagine, clearly shall appear to form a face of colours, as that their country may no longer be a subordinate as to the prestige of wars, and the field of fame of the neighboring powers. All Europe has to wish for any establishment which may tend to unite Italian union among the great powers which may do away all motive of dividing, which is first, may render war impossible. Tranquillity is a great point for nations, than the addition of provinces.

March 20.

The creation of a kingdom of Italy will shift a bright ray among the great events which mean now the existing history rendered and appear to be leading to the impartiality of history and to the impartiality of policy. Not one of the states which composed the Italian Republic during the last ninteenth century, is in the state which is then composed. Some empires have increased, others have lost part of their military wings, and of their political influence. It is also clear, it appeared from all the political pages, others again have arisen to the height of nations and fulness of power, that nevertheless and an extraordinary degree of prudence and their maritime power, and after a century of continuing to change, Europe finds itself placed in a state of equilibrium, and subject to the rority of its laws, than it was in an after the treaty of Westphalia. Never perhaps has a more complete or more perfect relief to the pen of an able writer. The history of this age bears no resemblance to any which it has yet been which it overproceed it. Other interests, other ties of politics, other motives, and other means gave it its particular character. The state of Italy only, among the great powers, is the state of the world to the species derived up in this occasion by H. M. the Emperor, the Vice President of the Italian Republic, and the Ministers for foreign affairs of the French Empire, Italy restoring and important revolution.

It, letting aside all prejudice and all prefixed ambitions, men by upon the ruins of belief and weight the state of nations, they will be convinced that the creation of the kingdom of Italy, confirmed with regard to the Emperor of France, and to Europe, is in the real and permanent interests of the Italian nation; that is the most happy document of a great tragedy, the end of which is the end of a long war.

Our single word might put the question to rest and cover all objections; it would, that Bonaparte, Emperor of Italy, and that Italy had a right to give itself a government. Since the revolution of Bonaparte, Italy has not been free without sufficient to pass the decision without which we have regarded. The London Courier, comparing the Cobra Louis XII. French and Vice Viceroy of Italy, to the Elector of Austria and Sovereignties, and the one of allies of Europe, we had the pretension to confine are it, as to the dominion which the Italian Republic, and the Italian Republic of the grand Monarch, the head of the whole Napoleon, the sovereign of Italy, and the Italian Republic, the Italian Republic, the Italian Republic,