

IN SENATE  
OF THE UNITED STATES.

HIGH COURT OF IMPEACHMENTS.

WEDNESDAY, JANUARY 2.  
The United States  
versus

SAMUEL CHASE.

Silence having been enjoined by the  
crier.

Mr. Otis (Secretary) Read the return  
on the summons of Samuel Chase, made  
by Mr. Mathers, sergeant at arms, who  
was sworn that he served the said Samuel  
Chase with a copy of the summons and a  
copy of the articles of impeachment.

Proclamation was made that Samuel  
Chase appear conformably to the summons  
or that his default would be recorded.  
SAMUEL CHASE appeared accord-  
ingly.

The President of the Senate (Mr. Burr)  
informed Mr. Chase, that having been  
summoned to answer the articles of im-  
peachment exhibited against him by the  
House of Representatives the Senate were  
ready to receive any answer he had to  
make.

Mr. Chase requested, in consideration  
of age and infirmity, the indulgence of a  
chair, which being immediately furnished,  
he seated himself near the centre of the  
arch of the Senate chamber in front of  
the President. The members were seated  
in boxes, covered with crimson, on each  
side of the President and in a line with  
his chair.

Mr. Chase rose and made several ob-  
servations of a general nature on the  
articles of impeachment.

The President said this day had been  
appointed to receive any answer he might  
make to them.

Mr. Chase said his purpose was to re-  
quest the allowance of further time to put  
in his answer.

The President desired him to proceed.

Mr. Chase began his argument in favor  
of an extension of the time for putting in  
his answer. After making his exordium  
he denied being guilty of all or any of the  
articles exhibited against him; but said  
the charges were so heinous and urged by  
such high authority that a simple denial  
would not be sufficient. It behoved him  
therefore to evince the rectitude of his  
conduct by meeting each charge distinct-  
ly.

The President here interrupted him;  
and asked if the paper he was reading was  
intended for his answer, if so it would be  
put on file. If it was the prelude to a  
motion he meant to make praying to be  
allowed further time for putting in his  
answer, he would confine himself strictly  
to what had relation to that object.  
From the tenor of what had been urged it  
had appeared to him as intended for an-  
swer to the articles of impeachment.

Mr. Chase said it was not his answer  
that he was reading, but that he was af-  
firming reasons, why he could not now  
answer, in order to shew that he was in-  
titled to further time to prepare and put  
in his answer.

President. You who are so conversant  
in the practice of courts of law,  
know very well that a motion for time  
must not be founded on mere suggestions,  
but must be founded on some facts to  
prove the propriety of the motion.

Mr. Chase said he meant to shew the  
improbability of his answering at this  
time, from the very articles themselves &  
it was for that purpose he had had an al-  
lusion to them.

The President said with the caution  
he had given he might proceed, provided  
no objection were made by any gentleman  
of the Senate.

Mr. Chase proceeded with his argu-  
ment without interruption until he came  
to that part in which he stated he  
could prove his innocence by the uniform  
tenor of his public life—which would shew  
that, while those who accused him were  
pulling in their horses' arms his arms were  
raised, and the utmost exertions of his  
mind employed, in laying the foundations  
whereon are erected the liberty, happiness  
and prosperity of our country.

The President here interrupted him,  
and said that observations of censure or  
reprobation were not admissible; it  
would be very improper for him to listen  
to objections on the statements of the  
House of Representatives before an answer  
was filed.

Mr. Chase said he had very few words  
more to add, and he thought then finish  
for the present. He was permitted to pro-  
ceed, and concluded with desiring that he  
might be allowed till the first day of the  
next session to put in his answer and pre-  
pare himself with counsel for his trial.

The President desired him if he had  
any motion to make to reduce it to writ-  
ing and hand it to the crier.  
Mr. Chase hereupon stated his motion  
in writing which was as above stated, and  
was afterwards read by the Secretary.  
The President then informed him that  
the Senate would deliberate on his mo-  
tion, and that the court would be opened  
to-morrow at 12 o'clock.

The Senate immediately, on the invita-  
tion of the President, left the Senate  
Chamber, and proceeded to a private  
committee room.

During the whole of these proceedings,  
neither the managers, or House of repre-  
sentatives were present.

THURSDAY, JANUARY 3.

The Secretary administered to the Pre-  
sident the following oath: "You do so-  
lemnly swear that in all things appertain-  
ing to the trial of the impeachment of  
Samuel Chase, you will do impartial jus-  
tice according to the constitution and  
laws of the United States."

The like oath was administered by the  
President to 27 of the members present,  
and three others made solemn affirmation  
to the same effect.

The President laid before the Senate a  
letter from Samuel Chase enclosing an  
affidavit sworn before Mr. Justice Ham-  
ilton, assigning various facts and rea-  
sons for being allowed further time to  
give in his answer.

Mr. Bradley moved the Senate to come  
to the following resolution:

Ordered That Samuel Chase, one of  
the associate justices of the Supreme  
Court of the United States, do file his  
answer to the articles of impeachment  
exhibited against him, with the secretary  
of the Senate, on or before the  
day of

Mr. Giles moved to strike out all the  
words after the word ordered, and insert  
in lieu thereof the following: "That  
the day of shall  
be the day for receiving the answer and  
proceeding on the trial of the impeach-  
ment of Samuel Chase."

Mr. Hillhouse moved a division of  
the question, taking it first on striking  
out.

Mr. Giles asked if the whole was no  
one motion.

The President declared that any mem-  
ber of the court had the right of requir-  
ing a division of a question where it was  
susceptible of a division, and he conceiv-  
ed the amendment proposed was capable  
of being divided.

The question was then taken on strik-  
ing out by calling over the names of the  
members, and there appeared Ayes 20—  
Noes 10.—So the words were struck  
out.

The question was next taken in like  
manner upon inserting the words moved  
by Mr. Giles, and was carried—Ayes 22  
—Noes 8.

Mr. Tracy moved to fill up the  
blank with the first Monday in December  
next.

Mr. Breckenridge moved to fill it up  
with the 4th of February next.

The President said the first question  
would be on the most distant day, viz. the  
first Monday in December next.

On this question there appeared 12  
Ayes and 18 Noes. So the motion was  
lost.

The President then put the question  
on the 4th day of February next, which  
was carried in the affirmative—21 Yeas  
and 9 Noes.

The question on the order, as amend-  
ed, was then put and was carried—Ayes  
21—Noes 9.

The Secretary was directed by the  
President to deliver a copy of this order  
to the House of Representatives, and  
another copy to Samuel Chase.

After enquiry by the President whe-  
ther any gentleman had any thing further  
to offer, the Senate withdrew to a private  
chamber. [Nat Int.]

Judge Chase's Speech.

MR. PRESIDENT,  
I appear, in obedience to a summons  
from this honorable court to answer articles  
of impeachment exhibited against me, by  
the honorable the House of Representatives  
of the United States.

To these articles, a copy of which was  
delivered to me with the summons, I say,  
that I have committed no crime or misde-  
meanor whatsoever, for which I am sub-  
ject to impeachment according to the con-  
stitution of the U. States. I deny with a few  
exceptions, the acts with which I am  
charged; I shall contend, that all acts ad-  
mitted to have been done by me, were  
legal; and I deny, in every instance, the  
improper intentions with which the acts  
charged, are alleged to have been done,  
and in which their supposed criminality  
altogether consists.

But in charges of so heinous a nature,  
urged by so high an authority, a simple  
denial is not sufficient. It behoves me  
for the legal vindication of my conduct,  
and for the vindication of my character,  
to meet each charge with a full and  
particular answer; to explain and refute  
at length, every principle urged against  
me; to state the evidence by which I am  
to disprove every fact relied on in support  
of the accusation; and to detail all the  
facts and arguments on which my defence  
is to rest. The necessity of an answer em-  
bracing all these objects, in cases of im-  
peachment, is obvious, and the right to  
make it, is secured by law and sanctioned  
by uniform practice.

Such an answer it is my intention to  
make. It is my purpose to submit the  
whole ground of my defence to the view  
of this honorable court, of my country,  
of the world, and of those who are to  
conduct the prosecution. So will my judges  
come to the trial with that full knowledge  
of the whole matter in dispute, which is  
essential for enabling them to understand  
and apply the testimony & the arguments;

and the honorable managers will be better  
prepared, to refute such parts of my de-  
fence, as they may think untenable.

But in a case of this kind, where the  
accusation embraces to great a variety of  
charges, of principles, and of facts, it is  
manifest that preparing such an answer as  
I have a right to make and as my duty to  
myself, my family, my friends and my  
country requires at my hands, a considera-  
ble time must be necessary.

Many of the principles involved in this  
impeachment, are very important, not only  
to me, but to the liberties of every  
American citizen, and to the cause of free  
government in general. These principles  
ought to be maturely considered, and  
clearly explained. They present a wide  
field of legal investigation; many of them  
require laborious and extensive research,  
and although some of them have accom-  
panied the prosecution from its commence-  
ment, and have thus been for a considera-  
ble time subjected to my consideration;  
some on the other hand, have been very  
recently introduced.

Of this description is the principle,  
whereon the 5th and 6th articles rest;  
relative to the extent in which the courts  
of the United States, are to be governed  
not only in their decisions, but in their  
proceedings by the State laws. A principle  
which was not brought into view until a  
few weeks ago, and the explanation of  
which will require a careful consideration,  
of the conduct and proceedings of the  
Supreme and circuit courts of the United  
States, from the first establishment of our  
federal system.

The same articles involve the construc-  
tion of two State laws of Virginia, which  
I am charged with having infringed in the  
trial of Callender, which were not men-  
tioned on the trial, or during any of the  
introductory proceedings, and of which I  
never heard until these articles were re-  
ported a few weeks ago. It is manifest  
that in order to fix the true construction  
of these laws, about which professional  
men have differed in opinion, recourse  
must be had to the decisions of the courts  
of that State, as explained by their re-  
cords; or in case those should be silent,  
to recollection and opinion of professional  
men accustomed to preside or attend in  
the courts where those laws are enforced.  
It is manifest that such an investigation  
cannot be accomplished in a short time.

The facts on which this prosecution  
rests, except the last article are alleged  
to have taken place more than four years  
ago: some of them at Philadelphia, some  
at Wilmington, in the State of Delaware, &  
some at Richmond, in Virginia. These  
facts are very numerous, and the greater  
part of them are of such a nature, as to  
depend for their criminality or innocence,  
on minute circumstances, or slight shades  
of testimony, and often on the different  
manner in which the same circumstances  
may affect different spectators, all equally  
disposed to represent truly what they ob-  
served. The most material facts, which  
I am charged to have happened in Richmond  
and Philadelphia—in the former of these places  
I am an utter stranger, having never been  
there but once; and in the latter, I know  
personally but very few individuals.  
These circumstances render it very diffi-  
cult for me to ascertain the persons who  
witnessed the various transactions in ques-  
tion, and are able after this lapse of time,  
to give accurate testimony concerning  
them; and this difficulty is very much  
increased, by the distance of those places  
from that of my residence. I assure the  
honorable court, that from the moment  
when this prosecution assumed a serious  
appearance and a definitive form, at the  
last session of Congress, I have turned my  
attention to the subject of my defence,  
and my answer, and have exerted myself  
in finding out and procuring the requisite  
testimony; but the difficulties which I  
have stated, added to my ill state of health  
during a great part of the last year, have  
prevented me from making such progress,  
as to afford me the hope of being able to  
obtain the object in a very short time. I  
have done much, but much, very much  
remains to be done, even in those parts of  
the prosecution where I had some notice  
by the proceedings of last session. In  
those very material parts which have ori-  
ginated during the present session, every  
thing is still to be done.

It may perhaps be thought, that although  
these preparations might be necessary for  
the trial, they are not so for the answer.  
But such an opinion I trust, would on  
examination be found erroneous.

The answer, in cases of impeachment,  
must disclose the whole defence, and the  
defence must be confined to the matters  
stated in the answer—Otherwise the pro-  
secutors might be surprised at the trial,  
by objections which with previous notice,  
it would be in their power to refute or ex-  
plain. The accused therefore, before he  
puts in his answer, ought to have time  
sufficient for making himself thoroughly  
master of his defence, of the grounds on  
which it rests, and of the facts and evi-  
dence by which it is to be supported. He  
ought to be completely prepared for the  
trial; between which and the answer no  
delay need to take place, except such as  
may be necessary for convening the wit-  
nesses.

In so material a part of his preparation  
for defence, as the drawing up of his  
answer, it will not, I presume, be denied  
that he ought to have an opportunity of  
obtaining the best professional assistance,  
which it may be in his power to procure.  
This assistance is rendered peculiarly ne-  
cessary to me, by the very precarious state  
of my health; which affords me, at this

season of the year especially, but short and  
uncertain intervals, of fitness for mental  
or bodily exertion. Should my answer be  
required in a short time, I have no reason  
to suppose, that I shall be able to obtain  
such assistance of this kind as I so much  
need, and as probably, I shall otherwise  
have in my power. Professional gentle-  
men, engaged extensively in business, are  
at all times too liable to interruption and  
too much occupied to devote themselves  
exclusively to an affair of this nature, so  
as to complete it within a short period;  
and at this season of the year, they are for  
the most part particularly & indispensably  
engaged.

These reasons in favor of a liberal al-  
lowance of time for preparing the answer,  
deserve great additional force from one  
further consideration which I hope that  
I may without impropriety present to the  
view of this honorable court. Reputation  
ought to be more dear to every man, and  
is more dear to me than the honors or the  
emoluments of office. In cases of im-  
peachment, the facts which appear, the  
explanations which are given, and the  
arguments which are urged at the trial  
are sometimes wholly omitted in the state-  
ments given to the public and often mis-  
represented, or stated too indifferently to  
be generally understood. It is to the  
answer that the world must look, for the  
justification of the accused. It is by his  
answer alone, that he can furnish a clear  
and authentic explanation of his  
conduct and his motives supported by such  
statement of his proofs, as can be exten-  
sively read, clearly understood, and  
easily remembered. He may there-  
fore claim from justice, and expect from  
the high dignity and responsible character  
of this honorable tribunal, such time for  
preparing this very important document  
as may enable him to bestow on it all the  
care and labor which it requires, and to  
give it all the force of which it may be  
susceptible.

In stating these considerations, Mr.  
President, in support of my request for a  
continuance of this case I disclaim all in-  
tention of affected delay—Feeling a con-  
sciousness of my integrity, and a just pride  
of character, which place me far above the  
fear of events I am anxious to meet this  
accusation, and I rejoice in an opportunity  
of refuting it. I know that my conduct  
though liable to a full portion of human  
error, has at all times been free from in-  
tentional impropriety. I know that in all  
the instances selected as the grounds of  
accusation, I have discharged my official  
duties, with a sacred and inviolate regard  
to my oath, my character, the laws of my  
country, and the rights of my fellow citi-  
zens. I know that I can prove my inno-  
cence as to all the matters alleged against  
me. And acrimonious as are the terms  
in which many of the accusations are con-  
ceived; harsh and opprobrious as are the  
epithets wherewith it has been thought pro-  
per to assail my name & character, by those  
who were "pulling in their horses' arms,"  
while I was contributing my utmost aid  
to lay the ground work of American lib-  
erty; I yet thank my accusers, whose func-  
tions as members of the government of  
my country I highly respect, for having  
at length put their charges into a definite  
form, susceptible of refutation; and for  
having thereby afforded me an opportunity  
of vindicating my innocence, in the face  
of this honorable court, of my country  
and of the world.

But this vindication, situated as I am,  
and as this case is, cannot be the work of  
a few weeks. Much time has been em-  
ployed in preparing the accusation; less  
will be required for the defence; but a  
short time will not suffice. I am far  
from presuming to prescribe to this hon-  
orable court, whose sense of justice, and  
disposition to grant every proper indu-  
gence, I cannot doubt; But it may per-  
haps be not improper to suggest that by  
the first day of next session, the answer  
could be prepared and put in; and that  
the trial might then take place as soon as  
afterwards, as the witnesses could be col-  
lected. I declare that it will be impos-  
sible for me to prepare my answer in such  
time as to commence the trial during this  
session with any prospect of bringing it  
to a close before the session must end; and  
were I to omit that full answer which  
I wish to give, it would be impossible for  
me, in the course of this session, (only two  
months of which now remain) to ascertain  
fully all the facts necessary for my de-  
fence; to find out and bring to this place,  
the witnesses and written testimony; or to  
make arrangements relative to that assis-  
tance of counsel which my case requires,  
my age and infirmities render essential and  
a longer time would enable me to procure.

I hope, Mr. President, I may be per-  
mitted to observe, that my private and  
professional reputation for probity and hon-  
or has never been called in question. I  
have sustained a high judicial character  
for above sixteen years, and during the  
first six, I presided at the trial of more cri-  
minals than any other judge within the  
U. States. During this whole period of  
time my official conduct has never been  
arraigned, except only in the trials of  
Cooper, Fries and Callender, above four  
years ago. For the truth of these assertions  
I appeal to all who know me; and particu-  
larly to the two honorable Senators from  
Maryland.

In respect to the present prosecution I  
will make but one remark. That I am  
impeached for giving on the trial of Cal-  
lender, several judicial opinions, in which  
Judge Griffin, my associate, concurred; my  
opinions are held to be criminal, or that  
they flowed from partiality, and an inten-

tion to oppress Callender; but the same  
opinions given by my associate have been  
considered perfectly innocent.

I have now only to solicit this hon-  
orable court to allow me until the first day  
of next session to put in my answer, and  
to prepare for my trial; and I submit  
myself as to the further proceedings in this  
case, to the discretion of this honorable  
court, in whose integrity impartiality  
and independence I repose the highest  
confidence: I will not for a moment  
believe that the spirit of party can ever  
enter and pollute these walls, or that pop-  
ular prejudice or political motives will  
be harbored in the bosom of any member  
in this honorable body.

On the contrary I hope and expect  
that all its decisions will be governed by  
the immutable principles of justice, and  
a sacred regard to the constitution and  
the law of the land, which every member  
of this court is bound by duty, and the  
obligations of a Christian judge to support  
and observe.

SALEM, (Mass.) Dec. 21.  
CATAMOUNT.

That ferocious and dangerous animal,  
commonly denominated the *Catamount*,  
is supposed now to exist in an extensive  
wood in the town of Boxford. The in-  
habitants of that town have frequently in  
the late season lost their sheep, without  
being able to account for it; and several  
persons had reported that they had seen in  
these woods some animal of an uncon-  
mon and terrifying appearance, but with-  
out exciting much attention. Some time  
last month, however, a young man having  
occasion to go through some part of the  
woods, he took with him his gun, merely  
charged for a squirrel, in case he should  
chance to see one. As he was passing on,  
his dog perceived a squirrel at a little dis-  
tance and began to bark; but as the  
young man was going to the place to  
shoot him, he perceived a large long bod-  
ied, fierce looking animal apparently of  
the cat kind, making towards him. He  
turned and ran, and, winged with terror,  
sprang upon the trunk of a fallen tree,  
which lay in a slanting direction lodged  
upon another, and which he could scarcely  
have ascended in any other circumstance.  
He had got to about sixteen feet from the  
ground, when calling his eye down, he  
beheld his enemy just on the point of mak-  
ing a leap at him, which caused him im-  
mediately to jump to the ground, so that  
each gained the other's place at an instant:  
the young man then suddenly presented  
his gun at the face of the creature, and  
fired his small charge, but could not de-  
termine whether it injured him; but he  
immediately sprang from the tree again,  
leaped upon the gun, and with his enor-  
mous claws scratched and tore the stock.  
It was fortunate for the young man, that  
he took the gun for the object of his en-  
rageance; it undoubtedly saved his life;  
he wrestled it from him, turned and ran,  
and the creature, who at one bound might  
have fastened his claws into his prey, did  
not pursue him; it is attributed to his  
missing him at his first spring, which is  
said to have the effect in some measure to  
discourage them. The inhabitants intend-  
ed to clear the woods and destroy the  
creatures, when there should be snow to  
enable them to track the rascals.

Since preparing the above, we under-  
stand there have been two killed near An-  
dover. [Salem Gazette.]

PHILADELPHIA, January 5.  
At a stated meeting of the American  
Philosophical Society, held at their Hall,  
on Friday, the 4th of January, 1865, the  
following persons were duly elected offi-  
cers of the Society:—

President—THOMAS JEFFERSON.  
Vice-Presidents—Casper Wistar, Robert  
Patterson, Benjamin Smith Barton.

Secretaries—John Redman Cox, Adam  
S. Ybert, Thomas C. James, Thomas  
F. Hewson.

Counsellors for three years—James  
Woodson, Samuel Duffield, William  
Shiopen, Z. Cohen Collins.

Curators—Charles Wilson Peale, John  
Church, Robert Hare, Junr.

Treasurer—John Vaughan.

A stated meeting of the American  
Philosophical Society, held on the 21st  
of December, the *Magellanic Gold Med-  
al* was awarded to the author of an es-  
say on a number of the pernicious insects of  
the United States—and the sealed letter  
accompanying the essay being opened,  
D. S. B. BENJAMIN SMITH BARTON of  
Philadelphia, was announced as the au-  
thor of the crowned subject.

ADAM SEYBERT, Secy.  
DIED, Yesterday morning after a  
long and painful illness, Mrs. ANN ABER-  
CROMBIE, wife of the Revd. Dr. Aber-  
crombie.—A lady deservedly beloved,  
and justly lamented by all who know  
her.

NORFOLK, December 28.  
Captain Drummond, in the brig Fame,  
arrived here yesterday from Gibraltar in  
43 days from whom we have obtained the  
following particulars:  
The fever at Malaga had nearly sub-  
sided, that at Gibraltar not more than 4  
or 5 died in 25 hours, the epidemic part of  
the inhabitants of Alicant had quitted  
that city.

Captain Drummond further states, that  
it was believed at Gibraltar, that a rup-  
ture between the emperor of Morocco &  
the United States would shortly occur. It  
was not known at the time, Captain D.  
failed that any further attack had been  
made on Tripoli, by the American squad.