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## ABSTRACT

This lesson relates to freedom of speech and freedom of the press as provided for in the First Amendment of the U.S. Constitution. The lesson correlates to the National History Standards and the National Standards for Civics and Government. It presents seven primary source documents regarding Thomas Cooper's trial for sedition in 1800. Cooper was a lawyer and newspaper editor in Sunbury, Pennsylvania who was indicted, prosecuted, and convicted of violating the Sedition Act after he published a broadside that was sharply critical of President John Adams. The lesson gives an overview of the Sedition Act of 1798, which made it illegal to criticize the government under penalty of fines and/or imprisonment. The lesson provides nine detailed teaching activities for implementation in the classroom. Attached is a sample written document analysis worksheet. (BT)



# THE CONSTITUTION COMMUNITY

Revolution and the New Nation (1754-1820s)

## *United States v. Thomas Cooper: A Violation of the Sedition Law*

By John M. Lawlor, Jr.

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2001

The Constitution Community is a partnership between classroom teachers and education specialists from the National Archives and Records Administration. We are developing lessons and activities that address constitutional issues, correlate to national academic standards, and encourage the analysis of primary source documents. The lessons that have been developed are arranged according to historical era.

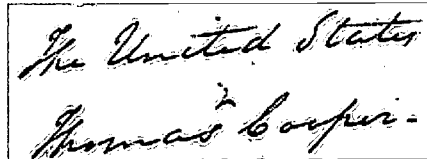
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THE CONSTITUTION COMMUNITY

## *United States v. Thomas Cooper :* **A Violation of the Sedition Law**



The United States  
Thomas Cooper.

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### **Constitutional Connection**

This lesson relates to freedom of speech and freedom of the press as provided for in the First Amendment of the U.S. Constitution.

### **This lesson correlates to the National History Standards.**

**Era 3** -Revolution and the New Nation (1754-1820s)

- **Standard 3A** -Demonstrate understanding of the issues involved in the creation and ratification of the United States Constitution and the new government it established.
- **Standard 3B** -Demonstrate understanding of the guarantees of the Bill of Rights and its continuing importance.

### **This lesson correlates to the National Standards for Civics and Government.**

**Standard III. B. 1** -Evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.

**Standard III. D. 1.** -Evaluate, take, and defend positions on the role and importance of law in the American political system.

**Standard V. B. 1.** -Evaluate, take, and defend positions on issues regarding personal rights.

## Cross-curricular Connections

Share this lesson with your history, government, and language arts colleagues.

## List of Documents

1. Newspaper Broadside Filed in *United States v. Thomas Cooper*
2. Judge Richard Peter's Letter to the U.S. Marshal (the warrant)
3. Indictment ( page 1 , page 2 , page 3 )
4. Thomas Cooper's Plea of "Not Guilty"
5. Subpoenas ( number 1 , number 2 )
6. Verdict (Sentencing of Thomas Cooper)
7. Details of Thomas Cooper's sentence

## Historical Background

In the period following the ratification of the Constitution, the government of the United States was under Federalist control, first with George Washington and then under the presidency of John Adams. John Adams (1797-1801) and the Federalists, fearful of internal dissent while embroiled in international conflict with France, sought to reduce effective opposition through the enactment of a series of laws by Congress known as the Alien and Sedition Acts.

Under the Sedition Act of 1798, it was illegal to criticize the government of the United States under penalty of fines and/or imprisonment.

Thomas Cooper, a lawyer and newspaper editor in Sunbury, Pennsylvania, was indicted, prosecuted, and convicted of violating the Sedition Act after he published a broadside that was sharply critical of President Adams. In part, Cooper was reacting to an article about himself that had appeared in the *Reading (Pennsylvania) Advertiser* . The case went to court in Philadelphia in April 1800.

Clearly a tool for political repression, the Sedition Act was later repealed after Thomas Jefferson won the presidency. Future iterations of similar legislation that restrained free speech would be struck down through the process of judicial review. Before this, however, speaking out in opposition to governmental policies could have serious legal repercussions as seen in the case of *United States v. Thomas Cooper* .

Note: For a detailed examination of the Alien and Sedition Acts see Miller, John C. *Crisis in Freedom: The Alien and Sedition Acts* . Boston: Atlantic-Little Brown,1951.

## Teaching Activities

1. Instruct students to review the general information about the Alien and Sedition Acts in their textbook and compare it to the First Amendment of the Constitution. Lead a class discussion in which the students explain the differences and similarities between the act and the amendment.
2. Divide the students into seven groups and distribute one document to each group. Ask student groups to read and analyze their document using the Written Document Analysis Worksheet . Direct one representative from each group to report their analysis to the class. Assign students to write a one-page synopsis of the Thomas Cooper story as revealed by the documents.
3. Divide the students into four groups. Assign each group to read one column of the broadside (document 1) entitled "To The Public." Instruct the students to list on butcher paper any passages that question or challenge the government or the president of the United States. Ask students to post their lists.
4. Ask the students to compare their lists compiled in activity #3 to that enumerated in Judge Peters's indictment. Ask them if they can identify the statements in the broadside from which the charges listed in indictment were drawn? (Note: Peters did not hear the case; Associate Justice Samuel P. Chase did.)
5. After reading the indictment of Cooper, lead a class discussion using the following questions: Were charges brought against Cooper for opinions that were personal or political in nature? Did Cooper attack John Adams and the Federalist government on the basis of personalities or politics? Explain to the students that a personal (ad hominem) attack, for example, might be to call the president a cheater or liar. A political attack would be one that is critical of a governmental policy. It is possible to use both personal and political attacks at the same time.
6. Ask students to pretend that they are Thomas Cooper. Ask them to write a journal entry in which they reveal the defense Cooper planned to use in his "Not Guilty" plea, list the people whom he wanted to serve with subpoenas, and explain why the people who were to be subpoenaed were critical to his defense.
7. Ask students to determine how severe Cooper's sentence was. (To determine this, students will have to find out how to convert the value of an 1800 dollar to the value of a dollar today. As far as prison goes, you can assume that prisons in general were much more primitive in 1800 than today.)
8. Ask students to find a statement in the media (print, video, or audio) that criticizes the current president of United States or one of the president's policies and bring it to class. Direct the students to discuss whether the statements they found would have been subject to criminal investigation if they had been made in 1799. Let the students determine if the statements they found were "harsher" or more critical of the president than any statements

that were found in the Cooper case. Finally, ask the students to explain if criticism was personal or political in nature.

9. Instruct each student to conduct a poll of 10 of their friends in which they ask: If Congress were considering legislation similar to the Alien and Sedition Acts today, would you support or oppose its passage? Ask students to share the results of their poll with the class. Discuss with students the reasons for the reactions.

The documents included in this project are from Record Group 21, Records of the District Courts of the United States. They (and others related to the case) are available online through the National Archives Information Locator (NAIL) database <<http://www.nara.gov/nara/nail.html>>, by searching keyword "Thomas Cooper." NAIL is a searchable database that contains information about a wide variety of NARA holdings across the country. You can use NAIL to search record descriptions by keywords or topics and retrieve digital copies of selected textual documents, photographs, maps, and sound recordings related to thousands of topics.

Additional documents related to *United States v. Thomas Cooper* are available in the Bill of Rights Teaching Packet available for purchase from the National Archives.

This article was written by John M. Lawlor, Jr., an instructor at Reading Area Community College in Reading, PA.



## Written Document Analysis Worksheet

1. TYPE OF DOCUMENT (Check one):

- |                                     |  |   |
|-------------------------------------|--|---|
| <input type="checkbox"/> Newspaper  | <input type="checkbox"/> Map           | <input type="checkbox"/> Advertisement        |
| <input type="checkbox"/> Letter     | <input type="checkbox"/> Telegram      | <input type="checkbox"/> Congressional record |
| <input type="checkbox"/> Patent     | <input type="checkbox"/> Press release | <input type="checkbox"/> Census report        |
| <input type="checkbox"/> Memorandum | <input type="checkbox"/> Report        | <input type="checkbox"/> Other                |

2. UNIQUE PHYSICAL QUALITIES OF THE DOCUMENT (Check one or more):

- |   |   |
|---|---|
| <input type="checkbox"/> Interesting letterhead | <input type="checkbox"/> Notations        |
| <input type="checkbox"/> Handwritten            | <input type="checkbox"/> "RECEIVED" stamp |
| <input type="checkbox"/> Typed                  | <input type="checkbox"/> Other            |
| <input type="checkbox"/> Seals                  |   |

3. DATE(S) OF DOCUMENT: \_\_\_\_\_

4. AUTHOR (OR CREATOR) OF THE DOCUMENT: \_\_\_\_\_

POSITION (TITLE): \_\_\_\_\_

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN? \_\_\_\_\_

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

B. Why do you think this document was written?

\_\_\_\_\_  
\_\_\_\_\_

C. What evidence in the document helps you know why it was written? Quote from the document.

\_\_\_\_\_  
\_\_\_\_\_

D. List two things the document tells you about life in the United States at the time it was written:

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E. Write a question to the author that is left unanswered by the document:

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THE CONSTITUTION COMMUNITY

The Evidence

Document 1: Newspaper Broadside Filed in *United States v. Thomas Cooper*

To the PUBLIC.

TO THE PRINTER.

SIR, I SHOULD not condescend to answer anonymous libels, but the information on which the falsehoods contained in the following paragraph are grounded, must have been originally derived from the President himself. I cannot believe the capacity of such gross misrepresentation, for I still think well of his intentions, however I may disapprove of his conduct; but the following narrative will show that some of his undertakings are capable of any thing. From the Reading Weekly Advertiser of Oct. 26, 1799.

THOMAS COOPER, a subject to the readers of the Sunbury and Northumberland Gazette, of which he was Editor, has been reported in this State, with one introduction approbatory of the piece, a correspondent writes, to know if it be the same Thomas Cooper, an Englishman of whom the following anecdote is related? If it is, every paper devoted to truth, honor and decency ought to give it a thorough circulation. Not many months ago, it is said, a Mr. Cooper, an Englishman, applied to the President of the United States to be appointed agent for settling the respective claims of the citizens and subjects of this country and Great Britain. In his letter he informs the President that although he (Thomas Cooper) had been called a Democrat, yet his real political sentiments are such as would be agreeable to the President and government of the United States, or expressions to that effect. This letter was accompanied with a list of names of the

between Mr. Ligon and myself, urged me to permit him to apply on my behalf to that gentleman for one of the appointments that must then take place. He pressed on me the folly as he termed it, of my confining myself to Northumberland, his earnest wish to see me settled in Philadelphia, and the duty I owed my family to better my situation by every means in my power. He flattered that Mr. Ligon he knew thought highly of me, and that the post of Commissioner was probably then disposed of, there would be an agent for the British claimants; an office, which from my situation as a barrister in England and my knowledge of mercantile transactions, I was peculiarly fitted to fill. I replied that he probably overrated Mr. Ligon's opinion and his own inducements and that in all events my known political opinions would render it equally improper for Mr. Ligon to give and for me to accept, any office whatever connected with the British interests. That Mr. Ligon and I understood each other on this point, and had hitherto avoided all politics whatever. That being an American, I should not object to any office under the government if I could fairly obtain it; but that I would never consent to any application to Mr. Ligon.

Through Mr. Coleman's interest, Mr. Hall of Cambridge was complimented with the offer of being appointed agent of American claims. On mentioning to Dr. Priestley one night at supper that Mr. Hall had declined it, Dr. Hall's professions occurred to me, and I said

this be the case, and no other person be yet fixed upon, I shall be very happy if I could serve Mr. Cooper, a man I doubt not of at least equal ability and possessed of every other qualification for the office, by recommending him. It is true that both he and my self fall in the language of our calumniators under the description of democrats, who are justly represented as enemies to what is called Government both in England and here. What I have done to defend that character you well know, and Mr. Cooper has done very little more. In fact we have both been persecuted for being friends to American Liberty, and our preference of the Government of this Country has brought us both hither. However were the accusations true, I think the appointment of a man of unexceptionable ability and fidelity to his trust, far which I would make myself answerable, would be fresh a mark of superiority to popular prejudice as I should expect from you. I therefore think it an unfortunate circumstance in the recommendation. That you will act according to your best judgment I have no doubt, with respect to this and other affairs of infinitely more moment, through which I am persuaded you will bring the country with reputation to yourself, though in circumstances of such anxious difficulty, perhaps with less ease and satisfaction than I could wish. With my warm wishes for the honor and tranquillity of your Presidency, I am &c.

JOSEPH PRIESTLEY.

This Letter was accompanied by the following from myself.

letters before I wrote any thing on the politics of this country. Nor did I recollect them at the time. Nor do I see the objection to taking any fair means of improving my situation. This is a duty incumbent on every prudent man who has a family to raise, and which I have already too much neglected from public motives; nor can any office to which I am eligible in this country, recompense me for the offers I rejected in its favour. But it is not in the power of promises or threats, of wealth or poverty, to extinguish the political enthusiasm which has educated my conduct for these twenty years. The presence of middle age and the claims of duty, may make me cautious of sacrificing my interests, but they cannot induce me to justify my principles.

Nor do I see any impropriety in making this request of Mr. Adams: as that Gentleman has just entered into office; he was hardly in the infancy of political life; even those who doubted his capacity, thought well of his intentions. He had not at that time given the public to understand that he would betwixt office but under implicit conformity to his political opinions. He had not yet declared that "a republican Government may mean any thing"; he had not yet sanctioned the abolition of trial by Jury in the Alien Law, or entrenched his public character behind the legal barriers of the Sedition Law. Nor were we yet fatigued with the expense of a permanent navy, or threatened under his auspices with the existence of a standing Army. Our credit was not yet reduced to low as to borrow money at a per centum

and interest, or peace, unless an unnecessary violence of official expressions might justly have provoked a war? Nor had the political animosity which still poisoned the pleasure of private society been softened by those who call themselves his friends and adherents; nor had the eminent services of Mr. Hanthony that time received the reward which he deserved, and yet rejected his his Emblems to Prussia, Russia and the sublime Porte; nor had he yet interferred as President of the United States to influence the opinions of a Court of Justice. A stretch of authority which the Monarch of Great Britain would have shrunk from; an interference without precedent, against English and against Mercy! This unbecomingly case of *Junius's* *Address*, a native citizen of America, finally impugned by the British, and delivered up upon the service of Mr. Adams to the Court Martial, had not yet established the republican citizens of this free country. A case too little known, but of which the people ought to be fully apprised before the election; and why SHALL we?

Most certainly had these transactions taken place in August 1799, the President Adams would not have been troubled by any man from Great Britain.

THOMAS COOPER.

Northumberland, Nov. 3, 1799.

On my expressing an inclination for the office which Mr. Hall has declined, Dr. Priestley was so good as to offer his services with you on my behalf. Probably the office will be filled ere this letter can reach you; probably there may be objections to nominating a person not a native of the Country; probably the objection mentioned by Dr. Priestley may possibly be deemed of weight in your opinion. Be all this as it may, I see no impropriety in the present application to be appointed agent of American claims, for it is still possible I may suppose more weight in the objections than they will be found to deserve. If it should happen that I am nominated to that office, I shall endeavour to merit the character the Doctor has given of me, and your esteem of has &c.

THOMAS COOPER.

In this the letter of a MAN, or not? I do not appeal to the cowardly propagation of anonymous falsehoods, but to the public. What is there in it of vanity or levity? Do not these letters take for granted that I am a Democrat, though not a disturber of all Governments, and that what I am I shall remain, even though it be deemed a reasonable objection to my appointment? Is this, or is this not, adhering to my principle, whatever becomes of my interest?

Nor is it true that my address originates from any motive of revenge. Two years elapsed from the date of those

letters before I wrote any thing on the politics of this country. Nor did I recollect them at the time. Nor do I see the objection to taking any fair means of improving my situation. This is a duty incumbent on every prudent man who has a family to raise, and which I have already too much neglected from public motives; nor can any office to which I am eligible in this country, recompense me for the offers I rejected in its favour. But it is not in the power of promises or threats, of wealth or poverty, to extinguish the political enthusiasm which has educated my conduct for these twenty years. The presence of middle age and the claims of duty, may make me cautious of sacrificing my interests, but they cannot induce me to justify my principles.

Nor do I see any impropriety in making this request of Mr. Adams: as that Gentleman has just entered into office; he was hardly in the infancy of political life; even those who doubted his capacity, thought well of his intentions. He had not at that time given the public to understand that he would betwixt office but under implicit conformity to his political opinions. He had not yet declared that "a republican Government may mean any thing"; he had not yet sanctioned the abolition of trial by Jury in the Alien Law, or entrenched his public character behind the legal barriers of the Sedition Law. Nor were we yet fatigued with the expense of a permanent navy, or threatened under his auspices with the existence of a standing Army. Our credit was not yet reduced to low as to borrow money at a per centum

THOMAS COOPER.

Northumberland, Nov. 3, 1799.

SIR,  
I SHOULD not condescend to answer any personal slander, but the insinuations on which the falsehood contained in the following paragraph are grounded, must have been originally derived from the President himself. I cannot believe him capable of such gross misrepresentation, for I still think well of his intentions. However, I may disapprove of his conduct; but the following narrative will show that some of his undertakings are capable of any thing.  
From the Reading Weekly Advertiser of Oct. 26, 1799.

COMMUNICATION.

Thomas Cooper, author of the readers of the Sunbury and Northumberland Gazette of which he was Editor, having been republished on this side, with an introduction applicable to the piece, a correspondent writes to know if it be the same Thomas Cooper, an Englishman of whom the following anecdote is related. If it is, every paper devoted to truth, honor and decency, ought to give it a thorough circulation. Not many months ago, it is said, a Mr. Cooper, an Englishman, applied to the President of the United States to be appointed an agent for settling the respective claims of the citizens and subjects of this country and Great Britain. In his letter he informs the President that although he (Thomas Cooper) had been called a Democrat, yet his real political sentiments are such as would be agreeable to the President and government of the United States, or expressions to that effect. This letter was accompanied with a certificate from the

President, who did not fail to assure the President of the probability of his friend Cooper's success. The President, however, in a few days, rejected Cooper's application with a strong mark of disapprobation, saying it was not the duty of the President to think that I would appoint any Englishman to that important station in preference to an American. — What was the consequence? When Thomas Cooper found his application for a lucrative office, which the President rejected, he wrote and sent the address which appeared in print, and Dr. Priestly exerted his influence in dispersing the very secrets, which he must know was the effect of disappointment.

The address, containing and containing a production, is ever appeared in the Aurora or the old Chronicle, and as for impudence it exceeds, or at least equals Porcupine himself. Priestly and Cooper are both called upon to deny the above narrative. A recourse to the letters themselves would establish the accuracy of this anecdote even to a syllable.

Yes, I am the THOMAS COOPER alluded to, luckily possessed of more accurate information than the malignant writer of that paragraph, from whatever source his intelligence was derived.

About the time of the appointment of Commissioners under the British treaty, Doctor Kell, who had sedulously brought about an intercourse of civility

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## Document 1, Column 2

between Mr. Lillon and myself, urged me to permit him to apply on my behalf to that gentleman for one of the appointments that must then take place. He pressed on me the folly as he termed it of my confining myself to Northumberland, his earnest wish to see me settled in Philadelphia, and the duty I owed my family to better my situation by every means in my power. He stated that Mr. Lillon he knew thought highly of me and that the post of 5th Commissioner was probably then disposed of, there must be an agent for the British claimants, an office which from my situation as a barrister in England and my knowledge of mercantile transactions, I was peculiarly fitted to fill. I replied that he probably overrated Mr. Lillon's opinion and his own influence, and that, as even my known political opinions must render it equally improper for Mr. Lillon to give and for me to accept any office whatever connected with the British interests. That Mr. Lillon and I understood each other on this question, and has hitherto avoided all politics whatever. That being an American, I should not object to any office under *his* government if I could fairly obtain it; but that I would never consent to any application to Mr. Lillon.

Through Mr. Coleman's interest, Mr. Hall of Sunbury was complimented with the offer of being appointed agent of American claims. On mentioning to Dr. Priestley one night at supper that Mr. Hall had declined it, Dr. Koe's persuasions occurred to me, and I said that I would see what I could do.

I said I would see what I could do. Dr. Priestley replied that was the case, he thought he had some interest with Mr. Adams with whom he had long been acquainted, and who had always expressed himself in terms of the highest friendship. That he never intended to be the rival of Mr. Adams for himself, I might as well let him try for once to do one for me. On my objecting that Mr. Adams's politics and mine were probably very different, Dr. Priestley declared that this so far from being an objection, might be an inducement in my favour, for if Mr. Adams should be the leader of a Nation or the Leader of a Party, he would be glad of an opportunity to exhibit such an instance of liberal conduct. At length I consented, ~~and Dr. Priestley to have~~ Dr. Priestley to have one that Mr. Adams should not mistake my politics. In consequence of this conversation Dr. P. wrote the following letter, not a few months, but above two years ago.

Dear Sir,  
Aug. 12. 1797. It was far from being my intention or wish to trouble you with the request of any favour, though it is now in your power to grant them; and it is not at all probable that I shall ever take a second liberty of the kind. But circumstances have arisen which I think call upon me to do it once, though not for myself, but a friend. The office of agent for American claims was offered I understand to Mr. Hall of Sunbury and he has declined it. If

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Document 1, Column 3

this &c. &c. and no other person be  
yet fixed upon, I shall be very happy if  
I could serve Mr. Cooper, a man I  
doubt not of at least equal ability and  
possessed of every other qualification for  
the office, by recommending him. It  
is true that both he and myself fall in  
the language of our calumniators under  
the description of democrats, who are  
studiously represented as enemies to  
what is called Government both in  
England and here. What I have done  
to deserve that character you will know,  
and Mr. Cooper has done very little  
more. In fact we have both lived per-  
petually for being friends to American  
liberty, and our preference of the Gov-  
ernment of this Country has brought  
us both into the same odious and un-  
pleasant situation. However, were the ac-  
cusation true, I think one appointment  
of a man of unquestionable ability and  
ability to his trust, for which I would  
make myself answerable, would be such  
a mark of superiority to popular prej-  
udice as I should expect from you. I  
therefore think it an unjustifiable ac-  
cusation to the recommendation. That you  
will act according to your best judge-  
ment I have no doubt, with respect to  
this and other affairs of infinitely more  
moment, through which I am persuaded  
you will bring the country with reputa-  
tion to yourself, though in circumstances  
of such uncommon difficulty, perhaps  
with less ease and satisfaction than I  
could wish. With my earnest wishes  
for the honour and tranquillity of your  
Presidency, I am &c.

JOSEPH PRIESTLEY.

This Letter was accompanied by the  
following from myself.

Sir,  
On my expressing an inclination for  
the office which Mr. Hall has declined,  
Dr. Priestley was so good as to offer his  
service with you on my behalf.  
Probably the office will be filled ere  
the letters reach you, probably there  
may be objection to nominating a per-  
son not a native of the Country, prob-  
ably the objection may be deemed  
unreasonable. Be all that as it may, I see  
no impropriety in the present application  
to be appointed agent of American  
claims, for it is all possible I may  
suppose more weight in the eyes of our  
clients than they will be found to deserve. If  
it should happen that I am nominated  
to that office I shall endeavor to merit  
the character the Doctor has given of me  
in your situation of affairs.

THOMAS COOPER.

Is this the letter of a MAN, or  
only of a coward? I do not appear to the coward  
or propagator of anonymous falsehoods,  
but to the public. What is there in it  
of vanity or levity? Do not these  
letters take for granted that I am a De-  
mocrat, though not a disturber of all  
Government, and that what I am shall  
remain, even though it be deemed a  
reasonable objection to my appoint-  
ment? Is this, or is this not adhering  
to my principle, whatever becomes of  
my interest?

Not to forget that my address original-  
ly from any motive of revenge. Two  
years elapsed from the date of those

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Document 1, Column 4

letters before I wrote any thing on the politics of this country. Nor did I recollect them at the time. Nor do I see the objection to taking any fair means of improving my situation. This is a duty incumbent on every prudent man who has a family to raise, and which I have already too much neglected from public motives: nor can any office to which I am eligible in this country, recompense me for the offers I rejected in its favour. But it is not in the power of promises or threats of wealth or poverty to extinguish the political enthusiasm which has actuated my conduct for the last twenty years. The prudence of middle age and the claims of duty, may make me cautious of sacrificing my interest, but they cannot induce me to forsake my principle.

It does not become any improperity in making this request of Mr. Adams, at that time he had just entered into office: he was hardly in the infancy of political mistakes, even those who doubt his capacity thought well of his intentions. He had not at that time given the public to understand that he would bestow no office but under implicit conformity to his political opinions. He had not yet declared that a free publican Government may mean any thing. He had not yet sanctioned the abolition of trial by jury in the Alien Law, or entrenched his public character behind the legal barriers of the Sedition Law. Nor were we yet saddled with the expense of a permanent navy, or threatened under his auspices with the existence of a standing army. Our credit was not yet reduced to less than to borrow money at 6 percent in

time of peace, with the unnecessary expense of official expressions might have provoked a war. Nor had his political acrimony which Bill followed the pleasures of private society been fostered by those who call themselves his friends and adherents; nor had the eminent services of Mr. Hamphrey that had received their reward. Mr. Adams had not yet projected his his Emancipation to Prussia, Russia, and the Sublime Porte; nor had he yet interfered as President of the United States to influence the decisions of a Court of Justice. A breach of authority which the Monarch of Great Britain would have shrunk from an interference without precedents against Lady and against Mercy. The melancholy case of *Jonathan Robbins*, a native citizen of America, forcibly impressed by the British and departed up with the advice of Mr. Adams. The much trial of a British Court Martial had not yet afflicted the republican citizens of this free country. A case too little known, but of which the people ought to be fully apprized before the election: and they SHALL be.

Most assuredly had the transactions taken place in August 1797, the President Adams would not have been troubled by any request from

THOMAS COOPER,  
Northumberland, Nov. 3, 1799

It is to be hoped that these Printers who have inserted the accusation, will have no objection to insert the defence.

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United States }  
District of Pennsylvania }

To the Marshal of the Pennsylvania District  
of the United States

Whereas Thomas Cooper Esquire of the Town of Northumberland  
in the County of Northumberland in the District aforesaid  
is charged on Oath before me Richard Peter Judge of  
the Pennsylvania District of the United States with writing  
uttering & publishing a false scandalous & malicious libel  
against the President of the United States within the said District to wit  
at the Town of Sunbury in the County of Northumberland aforesaid  
on the fifth Day of November last past with Intent to defame  
the said President & bring him into Contempt & Disrepute contrary  
to the Form of the Act of the Congress of the said United States and  
such Law made in the Name & by Authority of  
the United States to command you that you take the Body of  
the said Thomas Cooper if found in the said District & bring  
him forthwith before me to answer the Charge aforesaid &  
to be further dealt with according to Law

Given under my Hand & Seal at Philadelphia  
this eighth Day of April in  
the Year of our Lord the first hundred  
& in the 20<sup>th</sup> Year of the Independence  
of the United States

Richard Peter

Document 2: Judge Richard Peter's Letter to the U.S. Marshal (the warrant)

In the Circuit Court of the United States  
of America in and for the Pennsylvania District  
of the Middle Circuit.

The Grand Jurors of the  
United States of America in and for the Pennsylvania  
District upon their respective oaths and affirmations  
do present that Thomas Cooper late of  
the District of Pennsylvania Attorney at Law  
being a person of a wicked and turbulent  
disposition desiring and intending to defame  
the President of the United States and to bring  
him into contempt and disrepute and to  
excite against him the hatred of the good  
people of the United States on the second day  
of November in the year of our Lord one  
thousand seven hundred and ninety seven  
in the District aforesaid and within the  
Jurisdiction of this Court wickedly and  
maliciously did write print utter and  
publish a false scandalous and malicious  
writing against the said President of the  
United States of the Union and effect following  
that is to say. Nor do I (himself the said  
Thomas Cooper meaning) see any impropriety  
in making this request of Mr Adams (meaning  
John Adams Esquire President of the United  
States) at that time he (the said President of  
the United States meaning) had just entered  
into office he (meaning the said President

of the United States) was hardly in the infancy of political mistake even those who doubted his capacity (meaning the capacity of the said President of the United States) thought well of his (meaning the said President of the United States) intentions. And also the false scandalous and malicious words of the tenor and effect following that is to say, Nor was we (meaning the people of the United States) yet saddled with the expense of a permanent navy or threatened under his (meaning the said President of the United States) auspices with the existence of a standing army. Our credit (meaning the credit of the United States) was not yet reduced so low as to borrow money at 8 per cent in times of peace while the unnecessary violence of official expressions might justly have provoked a war. And also

the false scandalous and malicious words of the tenor and effect following that is to say Mr Adams (meaning the said President of the United States) had not yet projected his (the said President of the United States meaning) his embassies to Prussia Prussia and the Sublime Porte nor had he (the said President of the United States meaning) yet interfered as President of the United



States to influence the decision of a Court of  
 Justice - a stretch of authority which the  
 monarch of Great Britain would have  
 shrunk from an interference without  
 precedent against Law and against mercy  
 This melancholy case of Jonathan Robbins  
~~was a case of~~ of ~~Robbins~~ a forcibly impud<sup>d</sup>  
 by the British and delivered up with the  
 advice of Mr Adams (meaning the said  
 President of the United States) to the mock  
 trial of a British Court martial had  
 not yet astonished the Republican Citizens  
 of this free country (meaning the United  
 States of America) a case too little known  
 but of which the People (meaning the people  
 of the said United States) ought to be fully  
 apprized before the election and they shall be  
 to the great scandal of the President of the  
 United States to the evil example of 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 -

Witness

John Baynes Esq<sup>r</sup> Jur<sup>o</sup>

D. Caldwell

Thomas attorney & law  
 United States for the  
 Pennsylvania District.

Circuit Court of the United States for the district of Pennsylvania

Term of April 1800

The United States

vs

Thomas Cooper

Indictment for Libel under the Sedition Law.

The above named Defendant (protesting against the Insinuations and constructions in the said Indictment alleged against him) pleads <sup>that if this be facts being set on his Oath</sup> not guilty; and will give the following facts in evidence on the Trial in justification of the supposed libel stated in the aforesaid Indictment.

- I That Mr Adams either by himself or by the Officers of State acting under his authority has given the Public to understand that he wd bestow no Office but on persons who conformed to his political Opinions.
- II Mr Adams has declared that a Republican Governmt. may mean anything.
- III Mr Adams did sanction the Alien Law, and thereby the abolition of the Trial by Jury in the Cases that fall under that Law.
- IV Mr Adams did sanction the abolition Law & thereby entrenched his public Character behind the legal provisions of that Law.
- V Under the auspices of Mr Adams the expense of a permanent Navy is vested on the People
- VI Under the auspices of Mr Adams we are threatened with the existence of a standing Army.
- VII The Government of the United States has borrowed Money at 8 per cent in true Africa
- VIII The unnecessary Violence of official Expurgations used by Mr Adams, and those in authority under him, & his adherents, might justly have proceeded alone.
- IX Political Acrimony has been fostered by those who call themselves his friends and adherents.
- X Mr Humphries after being convicted of an assault and Battery against Benjamin Franklin Bache the printer of the Aurora merely from political motives, was before his sentence was expired, promoted by Mr Adams to a public Office viz to carry dispatches to France
- XI Mr Adams did project and put in execution embassies to Prussia Russia and the Sublime Porte.
- XII Mr Adams in the case of Mrs. Han. Robbins alias Nash did in trespass to influence the decision of a Court of Justice.

Thomas Cooper

Document 4: Thomas Cooper's Plea of "Not Guilty"

~~The~~ United States } Circuit Court Apr. 1850  
at  
Washington }  
Mr Cooper wishes subpoenas to be made out & served  
on the following Gentlemen.

The President of the United States referred —  
Thomas Pickens  
James Buchanan Jacob Wagner (in Mr Pickens's Office),  
John Davnport member of Congress

Document 5: Subpoenas (Number 1)

Mr Cooper presents his respects to Mr Caldwell  
and says he wd make out and give to the Marshall  
Subpoenas for the following Gentlemen viz

John Albert Gallatin  
Thomas Pinckney  
Robert Goodloe Harper  
Edward Livingston  
Matthew Lyon  
William Crain

Members of Congress

Mr C. will advise with Mr Caldwell before the Subp. is forwarded

Document 5: Subpoenas (Number 2)

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In the Circuit Court of the United States in  
and for the Pennsylvania District of the  
Middle Circuit -  
The United States } Sent. Ind. returned for a  
Thomas Cooper. } Libel - Apr. Sep: 1850.

And now to wit on the twenty fourth  
Day of April one thousand and eight  
hundred - It is adjudged by the Court  
that the said Thomas Cooper pay a  
Fine of four hundred Dollars & be  
imprisoned for the Space of six Months  
and that he enter into Recognizance  
with Security, himself in one thousand  
Dollars and two Sureties in five hundred  
Dollars each, for his good Behaviour for  
one Year after the Term of Imprison-  
ment expires - and that he stand  
committed till this Sentence be com-  
plish with -

Document 6: Verdict (Sentencing of Thomas Cooper)

Fined 400 Dollars  
Imprisoned 6 Months  
To enter into Recognizance of with  
Security for good Behavior, and respects the  
~~Constitution of the United States~~  
himself in one thousand, & two Sentences  
in 500 Dollars each, for one Year  
after the Term of Imprisonment  
expires — Stand committed till he

**Document 7: Details of Thomas Cooper's Sentence**

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EFF-089 (3/2000)