Mr. Martin. Do you know whether the judges or the chief attorney knew you had a copy?

A. I do not.

WM. BAWLE affirmed.

The circuit court of the United States for the Pennsylvania district in April 1800. As the Fries prosecution in relation to the prisoners indicted for treason were considered as an end, except from the determination of a writ of Error, I appeared to me much regular to qualm all the previous proceedings. I made a motion to quash the writ which was granted. On the same day the court charged the grand jury, and I fear to them a big speech John Fries, and other persons charged with treason and other offences. The bill against John Fries was not found on the 16th a true bill, and he was immediately brought to, arraigned and tried for treason. Mr. Mifflin, Mr. Lewis and Mr. Rawle appeared as counsel for Fries. Copies of the indictment, and bills of the crime and witnesses were furnished to Fries as directed by law. The hanging for the trial was postponed at the request of the Prince of George Mitchell, whom I believed to be a material witness. According to my best recollection it was not intended that John Fries should be tried until the 2d day of April. I recollect that John Fries was then at the bar. That circumstance does not appear on the minutes of the clerk of the court. It was certainly not my intention that he should have been brought up to be tried, unless he was brought through mistake. Shortly after the court met, Judge Chase observed, that he much regretted that an error had on the former trial or trials, the court had determined in opposition to his opinion, and the point of law, that they ought not be misunderstood; that they had therefore committed their opinion in writing, and that the clerk had made copies of it, one of which should be given to the defendant's counsel, one to the counsel for the prosecution, and one the jury should have them as their verdict upon the prisoner. Several papers, I think three, were handed down or thrown down, as I recollect, to the bar of the court, and whether this was done by Judge Chase or the clerk, I know not. I immediately took up the one that was for me and began to read it, but calling my eyes to the opposite side of the table, I saw Mr. Lewis with another paper, I before him, is long as it, apparently, with great deliberation, and then he rising it on the table. I am pretty clear that nothing passed between the court and the counsel, on the occasion of the papers. I observed much agitation among the gentlemen of the bar, who were conversing with each other with apparent warmth; but having at that time, a very great burthen of criminal prosecutions on my mind, I was much engaged, and I did not hear distinctly what was said, nor did I know, until the court rose that there was probability of the counsel for John Fries seeking for a writ of Error. I think that one person were that day brought before the court charged with indictments for treason, and I believed that I should be called upon to give advice to the tribunals until the trials for treason were over. Whether Judge Chase left Lancaster from several gentlemen, that Mr. Lewis and Mr. Dallas were displeased with the conduct of the court and meant to decline acting as counsel for Fries, and I have an unmistakable recollection that I received from Judge Chase a kind dispatch from Mr. Dallas himself, I went home, and had been there but a few minutes, when Judge Chase and Judge Peters came in. We went into another room, and Judge Peters read by expressing a good deal of uneasiness, for an apprehension that the gentlemen affigned as counsel for John Fries would not go on. Judge Chase said he could not suppose that that would be the conduct of Fries, I recollect the idea of Judge Peters that expressed; I told him the gentlemen of the Philadelphia bar were men of much independence of character, and that unless those papers were in which, and in which those papers were in which, and in which those papers were in which, and in which