

a noted lawyer of Philadelphia, was engaged as Zenger's counsel, and to the astonishment and chagrin of the court faction, took his place by the side of his client when the case was called for trial. Zenger's trial commenced August 4th, 1735, just a month after Richard was inaugurated.

Hon. James De Lancey, Chief Justice, presided at this trial, and among the jurors were Hermanus Rutgers, Andries Marschall, Egbert Van Borsum, Abraham Keteltas and Thomas Hunt, Foreman. Richard Bradley was the prosecuting attorney. This trial was the first trial for newspaper libel on the American continent, and is of interest on that account, but more particularly on account of Andrew Hamilton's learned and eloquent defense of Zenger.

Some of his language was prophetic of the struggle which was to come forty years later, and for the same causes. In summing up the case he employed the following language :

"Men who injure and oppress the people under their administration, provoke them to complain ; and then make that very complaint the foundation for fresh oppression and prosecutions. The question before the court and you, gentlemen of the jury, is not of small or private concern ; it is not the cause of a poor printer, nor of New York alone, which you are now trying, it may in its consequences affect every freeman who lives under a British government on the main of America.

"It is the cause of liberty, and I make no doubt that your upright conduct this day will not only entitle you to the love and esteem of your fellow citizens ; but every man who prefers freedom to slavery will bless and honor you as men who have baffled the attempts of tyranny, and who, by an impartial verdict, have laid a noble foundation for securing to ourselves and to our posterity that to which the laws of our country have given us a right ; the liberty of opposing arbitrary power by speaking and writing truth."

Zenger was triumphantly acquitted, and the next day discharged from custody. On the 15th of the following September, Mr. Hamilton was presented with the freedom of the city "for the remarkable service done to the inhabitants of the city and colony ; for his learned and generous defense of the rights of mankind and the liberty of the press." Several of the gentlemen of the city contributed sufficient funds to purchase a gold box, weighing five and a half ounces, to hold the seal of this document. Upon the