WASHINGTON CITY.

FRIDAY, May 20.

JUDGE CHASE'S CHARGE.

On the 6th Monday in this month the Circuit Court of the United States was held at Baltimore by Judge Chase and Judge Washington, Judge Chase as is usual, delivered a charge to the Grand Jury, composed of citizens from different districts of Maryland, a large majority of whom, though nominated by a republican Marshal, and drawn from a republican state, was decidedly federal. This Charge may be pronounced the most extraordinary that the violence of federalism has yet produced, and exhibits humiliating evidence of the unfortunate effects of this opposition sentiment. It is to be regretted that it has not been officially published, as it is absolutely suffocks, without perhaps being it entire, to give an adequate idea of its contents, and as it would then have been out of the power of party fairly to deny its accuracy. The following fanciful fragment of it was extracted for the press for more than two weeks; but has been withheld until this time, in the hope that the whole Charge would appear—It is only necessary further to premise that it was not by a certain party, and that the public may pay that it does not contain a fortnight that was not wrote by the Judge, though it may omit many remarks that were made by him. It is given on his Notes, where the words are nearly such as he uttered; though, for the most part, greater regard is been paid to the idea than the language.

After a definition of the offences cognizable by the grand jury, judge Chase said he hoped he should be pardoned for making a few additional observations. He had, he remarked, been uniformly attached to the republican government, and had actively participated in our revolutionary struggle to obtain it; he still remained warmly attached to the principles of government then established. Some time ago however, certain opinions had sprung up which threatened with ruin the fair fabric then raised. It had been supposed that all men were equal rights derived from nature, of which they could not be rightfully deprived them. This he denied. He could concerve of no rights in a state of nature, which was in fact entirely a creature of the imagination, or there was no tribunal to decide to which he was not, subject to be arbitrarily, forfeited by a particular justice or particular tribunal of government. He did not, in his opinion, confine the publication of equal rights, but in our profession by the law of nature and of revelation, and in the laws of society, however various the modes of its operation. Nor did it confine in the form of government or any country.

A monarchy might be free, and a republic be tyrant. Wherever the laws protected the person and property of every man there liberty existed, whatever the government was. Such, said he, is the present Constitution. But much I fear that many, very many, our situation will be changed. The great bulwarks of an independent judiciary has been broken down by the legislature of the United States, and a wound inflicted upon the liberties of the people which nothing but their good sense can cure.

Judge Chase then went into an affection of the right of the judiciary to decide on the constitutionality of laws.

He then adverted to the proceedings of the legislature of Maryland. He commented on the wisdom and patriotism of those who had framed the Constitution of that state. That wisdom and patriotism had never conceived liberty to be nothing every man possessing equal political rights. He (Judge Chase) gave the rights of footing had been violated. The convention had imagined, in reference to the new doctrine, that property would be best protected by those who had themselves been deprived of it. The great principle established in the limitation of suffrage was now confirmed by the principle of universal suffrage implied in the constitution. In addition to this, a proposition was now submitted, which the convention depended upon the next legislature, and which, if carried, would deprive the tribunals of their independence, and the judiciary, and make the administration of justice dependent upon legislative caprice. If this finally, in addition to that which establishes universal suffrage, become part of the constitution, nothing will remain that will be worth protecting. Instead of being ruled by a regular and respectable government, we shall be governed by an ignorant mobocracy. When he reflected on the ruinous effects of such a tribunal, he could not but blush at the degeneracy of sons who enlisted in the cause of liberty and by the patriotism of their fathers.

To do justice to this extraordinary performance would require an extensive commentary.

It is sufficiency to call upon the reader to hold in recollection the fact that it is the charge of a judge of the United States delivered in his official capacity, and in the discharge of his official duty. He expressly ought, therefore, to be principally tried by its conformity to that duty. It is very possible for a private citizen to say or do many things without reproach, which a judge cannot say or do without a large share of blame. The oath of a judge of the supreme court will show what his duty is. It is as follows: "I do solemnly swear or affirm, that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as ... according to the best of my abilities and understanding, agreeably to the constitution and laws of the United States. So help me God."

Let the reader, then, ponder on this oath, and compare it with the charge of the judge, and he will be enabled to form a correct judgment of the conformity of the latter to the former. It could not be a matter of indifference to us, if such proceedings should become current. Much less does it confide in itself reproaches that it merits, and, in a great degree, upon its rules and laws; upon the fundamental principles of our system, and upon the fundamental and characteristic principles of the mass itself.

Judge Chase said he is glad that such proceedings would from the bench confirmed the administration of justice "*in accordance with the constitution and laws of the United States?*"

Judge Chase said he and the laws command a judge of the United States to regard and reflect the constitutions and laws of the United States, when they are not into fire with the constitution or laws of the United States.

The constitution declares that "the United States shall guarantee to every state in this union a republican form of government."—And the 5th section of the judiciary law enacts, "that the laws of the United States, except where the constitution, treaties or statutes of the United States shall otherwise direct or provide, shall be regarded as rules of decision in trials at common law in the courts of the United States in cases where they apply."

Maryland has now a republican form of government which, in addition to the constitutional duty of the government of the United States to guarantee it, is the form a part, to guarantee. A material part of that form of government consists in the distribution of the rights, so that they may in no case be changed, but it against their charges, all of which are the rights of a republican form of government, that judge Chase thought, in a very pointed manner, he (Judge Chase) was there will be nothing to be constitution worth preserving. Such demanded the attention of the grand jury, in direct violation of that obligation, which in making the constitution and laws of the United States binding, and enforced to much of the constitution and laws of Maryland as relate to the rights, free him, and which were not contrary to the federal constitution and laws. What would be the effect of such a federal jury boldly pronounced of the federal constitution, there was nothing in it worth preserving, and consequently of office and illegal bitterness guardian? The same contrary to the constitution of the United States, and the constitution and laws of Maryland to the constitution and laws of Maryland to the contrary, free him, and which were not contrary to the federal constitution and laws. What would be the effect of such a federal jury boldly pronounced of the federal constitution, there was nothing in it worth preserving, and consequently of office and illegal bitterness guardian? The same contrary to the constitution of the United States, and