

THE COLUMBIAN, BLOOMSBURG, SATURDAY, JUNE 23, 1866.

The Columbian.

GEORGE H. MOORE, EDITOR.

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THE TRIAL OF JEFF. DAVIS POSTPONED.

The trial of the arch traitor, Jefferson Davis, has been postponed. It is asserted that our renegade United States Senator, Edgar Cowan, has engineered this movement, his object being to avoid carrying the load of odium which his acquittal will entail on the "Johnson party" in the ensuing election. It now looks to us though it was the deliberate purpose of the President to let the Rebel chief escape trial and punishment altogether. The Rebel sympathizers who now support the President demand trial of Mr. Johnson. It seems, in accordance with the "pact" that no laws should be passed by Congress without first admitting representatives from the Southern States to participate in its deliberations.

This postponement of the trial of Davis is an evidence, we repeat, that President Johnson is conniving at the arrangements for his ultimate escape from punishment. Of course it would not do to allow this escape to take place now. It would seriously effect the prospects of Copperhead candidates before the people. It would damage the interests of the Johnson party in the Congress to elect this Fall.—*Columbia County Republican.*

The above article contains about as much falsehood and malignity as could well be compressed in the same space. To show that we make no misrepresentation, a plain statement of such facts as have already passed into history will suffice.

When the case against Jefferson Davis came on to be heard in Court, he appeared by his counsel, and demanded an immediate trial. Underwood, the presiding judge, refused to proceed with the trial, and assigned his reasons for the postponement as follows:

The Chief-Judge, who is expected to preside on this trial, has named the first Tuesday in October as the time that will be most convenient for him, and the Attorney-General has indicated that it would be utterly impossible for him, under the pressure of his many duties, now greatly increased by the troubles on the Northern frontier, to give, on so short notice, the attention to this great question which its importance demands.

After this statement by Judge Underwood, who, except one wilfully bent on perverting the truth, would charge that Senator Cowan had engineered, with the consent and approbation of the President, the postponement of the trial? It is a matter of history and of record in the Court that the delay was against the protest of Mr. Davis, and the continuance until October next was granted to suit the convenience of Chief-Judge Chase and Attorney-General Speed. Our Radical friends do not question the loyalty of either of the last two named. Like Caesar's wife, they are above suspicion, and their disposition to procure a conviction, to be followed by capital execution, is not doubted.

In the light of these facts how transparent is the falsehood that President Johnson delays, or is the cause of the delay of the trial of Davis, and how infamous in the eyes of every honest and truth-loving man must the author of that falsehood appear!

Verily, Mr. President, you committed the unpardonable sin when you declined to send to the Senate the name of this editor for confirmation as Assessor.

It is believed that Congress will adjourn about the middle of July. The session has been important, and has furnished much material for popular debate in the coming elections of the present year. The proposed amendments to the Constitution, and the report of the Committee on Reconstruction in particular, present issues deserving of careful attention and extended debate, which they will doubtless receive. We shall take occasion hereafter to examine sundry questions which have been pending in Congress, as we have heretofore examined vetoes of the President, and in the same spirit of fairness and justice.

It is one of the duties of independent journalists to renounce misrepresentation from the discussion of public questions, and present them truly for the judgment of the people, leaving to strictly partisan journals the business of party affairs and denunciation. We have, in conformity with the purpose we had in view in publishing this paper, given, from time to time, reports of political meetings, without distinction, and in this number we publish an account of the meeting of what is called the Johnson party, held in Beaver County recently.

GENERAL HUMPHREY'S REPORT.

The report of Major-General Humphreys to the War Department, concerning the levees of the Mississippi, was transmitted by the Secretary of War to the Senate a few days since, in response to a recent resolution. The breaks are shown to be very numerous, and the results of consequent overflows unusually disastrous. He recommends at the present time, in accordance with his instructions from the War Department, the following repairs: First, levees on the Yazoo bottoms, 690,000 cubic yards, at a cost of \$305,000; second, eight levees on the Tensas bottom, 750,000 cubic yards, costing \$295,000; third, three levees on the Mississippi, 554,000 cubic yards, costing \$217,000. These make an aggregate expense of \$817,000 for \$302,000 cubic yards. The General states that at present prices the crops of cotton grown in the alluvial region above Red River would amount to \$108,000,000, and that the products of the sugar region below, at present prices, was equivalent to \$50,000,000. He estimates that the complete and permanent repair of all the levees of the river would require \$1,200,000 for the State of Arkansas; \$1,500,000 for Mississippi; \$1,200,000 for Louisiana; a total of \$3,900,000. It appears that the repairs

made last Winter upon the levees in Louisiana amounted to 700,000 square yards. He refers to statements in his report of a former examination of the levee system, which assume that the cost of all the levees of the river, if none were then in existence, and a complete and sufficient protection should be secured, would amount to \$25,000,000, and to perfect those already in existence would require \$17,000,000. He estimates the alluvial lands of the Mississippi at 317,000 square miles, of which 123,000 square miles below the Red River lie in the sugar region, of which one third might be brought under cultivation. This would open a million and a half of sugar lands in addition to the million acres now open to cultivation. Of the remainder 16,000 square miles are cotton lands, and are of the most fertile character, two thirds of which should be made available to culture. This would give 7,000,000 acres of cultivated land capable of growing a bale of cotton per acre, or about double the whole cotton crop of the United States in 1860.

WASHINGTON LETTER.

WASHINGTON, D. C., June 21, 1866.

"How much the Washington people have seen the past few years," was the remark of a gentleman as the funeral procession followed the corpse of a distinguished officer, whose life had fallen a sacrifice to his devotion to his country, and whose remains were to be sent to his home in a distant State.

It is my purpose to send you some incidents of this character, hoping that they may possess interest.

The death of Colonel W. W. Seaton recalls to many minds highly honorable incidents in his career, for no shadow falls on his upright and honorable course. An early friend of colonization and emancipation, his printing establishment, at the time the office of Dr. Bailey was burned, only escaped the same fate by the judicious appeals of friends.

In a conversation in 1861, which will always be remembered with pleasure, he said few people were aware how much had been accomplished by the people of Washington for the freedom of the colored race. Not aluding to his own liberality, he remarked: "I have known my partner, Mr. Gales, to give one thousand dollars to purchase the freedom of a single slave."

A devout attendant at the Unitarian Church, he preferred the simple and sublime teachings of the Saviour to the discussion of secular subjects, and no one ever felt a deeper interest in his adopted city and its improvement than Colonel Seaton.

As mayor of the city the means of education received his fostering care, and the hospitality of his cultivated home embellished social life at the capital of the nation.

The high character his paper, the *Intelligencer*, always sustained is well portrayed by Dr. Sunderland in a poem written in 1860:

Nooeek will blush the racheted page perusing,
Nor soon may sicken over their contents musing;
Their trumpet-call in thrilling blast blood is beating;
To distant homes, where patriot blood is bathing;
And when the hosts of fraud and faction surging,
The great Republic to the brink are urging,
The stoutest spirit of the land dismayed,
Their bold voice rises, like a prophet praying.

Well done! ye valiant Nestors of the style;—
Though perils threaten and misfortunes befall us;
Let us to ye, like your civic heroes shelling,
Our way through the thickest of the gloom;

Like Rome's great Annaes, the sons of Leo!

Long may ye move, seven in each column,

Till far advanced, like evening shades are stealing;

And vesper bells from Heaven's high towers are pealing,

In silver tones, your orbit to betoken,

O, gently the golden bowl be broken;

The ripened shock be bound by amaz'ing ropes,

And tears, our tribute, fall above the sleepers.

M.

GENERAL PRESS DESPATCHES.

From Washington.

The assault of General Rousseau upon Mr. Grinnell, which took place on the fourteenth instant at the east front of the Capitol, is the absorbing topic here. The account given of the affair by the parties themselves and the eye-witnesses agree in the main. From these several accounts it appears that after the House had adjourned, Mr. Grinnell was seen passing out of the rotunda through the door leading to the east front of the Capitol, followed closely by General Rousseau. When Mr. Grinnell had arrived near the steps leading to the ground, he was overtaken by General Rousseau, who tapped him on the shoulder and said, "Mr. Grinnell, I have been waiting four days anxiously for an apology from you for the gross insult of last Monday, on the floor of the House." Mr. Grinnell replied, "I have no apology to make, sir; I have nothing to say." General Rousseau then at once struck him across the face, and upon applying a rattan cane rapidly upon the shoulders and face of Mr. Grinnell, striking him once or twice upon the right and left shoulders, and then upon each side of the face, when the cane broke. Mr. Grinnell then grasped General Rousseau by the arms, remarking as he did so, "I don't want to hurt you, sir." Rousseau, jerking away from Grinnell's grasp, replied, "Nor do I wish to hurt you, sir, but I want to disgrace you, sir." "All right, all right, sir," rejoined Grinnell, "you didn't hurt me much, sir; all right," and stooping down he picked up a piece of the cane, and starting off again, said, "All right, sir." The several witnesses gave some additional colloquy, but the parties themselves do not recollect anything further than what is above set forth, nor do the additional statements of the witnesses alter the facts as we have given them. It does not appear that any attempt was made by the witnesses to interfere while the contestants were engaged in their pugilistic exercise, and the whole thing was of very brief duration.

The court-martial in the case of Lieutenant-colonel E. E. Pudding, Paymaster of this District, who has been on trial for violation of orders in transferring public money to the Merchant's National Bank, fully exonerates him of all corrupt motives.

The Secretary of the Treasury has transmitted a report to the Committee on Public Buildings, urging the erection of a suitable building for a State Department, and proving conclusively, by actual calculations, that the great increase in the business of the Department has made the original plan of providing accommodations for the State Department in the Treasury buildings impracticable. The President's veto of the New York and Montana Mining Company Bill receives the approval of nearly everyone, excepting those interested. It was chaperoned through the Senate by Mr. Wade, and gave exclusive right to the corporation to enter upon and preempt alternate sections of mining lands at a dollar and a quarter per acre, in advance of its survey or being thrown into market. The object of the bill was manifestly to enrich the corporators at Government expense.

Most of the pardons now granted by the President are issued upon the earnest request of leading men of the North. I mentioned some prominent cases of this character in my despatch a few days ago. On Tuesday last the President pardoned Wade Keys, of Montgomery, Ala., late Assistant Attorney-General of the Southern Confederacy, and George Maney, of Nashville, late Brigadier-General in the Rebel army. The first of these acts of clemency was done upon the special request of Attorney-General Speed and Admiral Lee; the second upon the recommendation of Mr. Speed and Major-General George H. Thomas.

The soldiers' and sailors' orphans' fair is still the attraction of the city, and is crowded nightly. On Tuesday night speeches were made by Speaker Colfax, who introduced President Roberts, Head Centre of the fighting Fenians. In his remarks Mr. Colfax said that while he would do nothing that would be an infraction of law, he would yet extend his sincere and heartfelt sympathy to the cause of oppressed Ireland, of whom Mr. Roberts was the representative. The latter was then introduced and made quite a sensible speech, much more so than the school-boy twaddle of Head Centre Stephens the other night. The remarks of both speakers, especially when they alluded to England's conduct toward us during the war, were greeted with great applause.

Very little business was transacted in either branch of Congress on Tuesday. Mr. Raymond made a two hours' speech in opposition to the constitutional amendment, which is pronounced one of his most argumentative efforts. He took strict constructionist Democratic grounds, and denied the right of Congress to exercise any authority not expressly delegated in the Constitution. The power to prescribe any terms or conditions on which alone a State should be entitled to representation was, in his opinion, neither expressed nor implied, and could not, therefore, be rightfully exercised. The passage of the amendment would give Congress now power to exclude representatives which it did not now practically possess, since no member could be admitted in opposition to a two-thirds vote.

Mr. Schenck's Army Bill, second edition, came up in the House on Tuesday, and its consideration proceeded with under the five-minute speech rule.

Very little attention was paid to its features, as it is generally understood that the bill is to pass, and the deadlock between the two Houses on this important subject to be finally settled by a Committee of Conference. The Senate Bill, on the main, will undoubtedly prevail.

The subject came up in the First Congress on the nineteenth of May, 1789, during the third week after the inauguration of the President. Mr. Madison moved the establishment of three Executive Departments—one of Foreign Affairs, one for the Treasury, and one for War; the Secretaries "to be removable by the President."

Mr. Smith, of South Carolina, thought that an officer once appointed "must remain until convicted by impeachment." Mr. Madison said if such were the true meaning of the Constitution he would submit to it, but "as a fatal error in the system, and one that would ultimately prove its destruction." He said:

I think it absolutely necessary that the President should have the power of removing from office; it would make him a popular manner, responsible for their conduct, and subject him to impeachment if it should be necessary to perpetrate with impunity high crimes or misdemeanors against the United States, or neglects to superintend their conduct, so as to check their excesses.

On the constitutionality of the declaration I have no manner of doubt.

This full declaration of Mr. Madison is itself conclusive. It was supported in argument by such men as Egbert Benson, of New York; Vining, of Delaware; George Thatcher and Benjamin Goodhue, of Massachusetts; Elias Bourdinot, of New Jersey; and George Clymer, of Pennsylvania, and sustained by the House by a considerable majority.

The subject was discussed again on the sixteenth of June, when the Opposition renewed their most strenuous efforts, on a great diversity of reasons, to have the cause stricken out. The bill was supported by Theodore Sedgwick and Fisher Ames, of Massachusetts, in elaborate arguments going to the nature of government. Their arguments and those of Mr. Madison are worthy of being reproduced at this time. The motion to strike out was lost, twenty to thirty-four, and the clause passed, as it stands to this day. Mr. Ames said, "The power of removal is incident to government;" and Mr. Sedgwick said, "It must be conferred upon the President by the Constitution, as the executive officer of the Government."

Mr. Madison said:

Where the people are disposed to give so great an elevation to one of their fellow-citizens, I own that I am not afraid to place my confidence in him, especially when I know that he is impeachable for any crime or misdemeanor before the Senate, at all times; and that, at all events, he is impeachable before the committee at large every four years, and is liable to be displaced if his conduct has given umbrage during the time he has been in office.

These thoughts are eminently proper to be considered at the present time, both by Congress and by the people. It surely follows that any curtailment of this power of removal will destroy the balance of powers in the Government, will so far disable the President from securing the proper execution of the laws, and thus enable him to shun the responsibility which belongs to his office.

It would also weaken the hands of the Executive at the very time when great public exigencies may require that his office should be strengthened to the utmost vigor of action, as in the time of war or of civil disturbance. We ought not to forget that legislation is to affect the future, as well as the immediate present.

The bounty money accruing to the officers and men of the following numbered vessels, viz.: *Benton, Cairo, Carondelet, Louisville, St. Louis, Monroe, and Queen of the West*, for the destruction of the enemy's vessels at Memphis in June, 1862, is now ready for payment in the Fourth Auditor's Office. Orders have been received to distribute and pay the prize money to those engaged in the fight at Mobile, in August, 1864. This will be ready for payment in about two months from the present date. The to-

tal amount involved in the letter is seven hundred and sixty-seven thousand and ninety-eight dollars and thirty-nine cents.

The Steedman-Fullerton Commission left Mobile for Mississippi on Wednesday. They will not visit Arkansas on this trip, but conclude their investigations with Texas.

Albert Rhodes, of Pittsburgh, Pennsylvania, nomination as Consul to Rotterdam has been sent in to the Senate. The Senate, in executive session on Wednesday, confirmed the nomination of Lyman W. Potter as collector of Internal Revenue for the Seventeenth District of Ohio, and that of L. J. Czaplak, of California, as Consul at Bucharest. Ex-General Edward S. Bragg was rejected as United States Attorney for Wisconsin.

THE POWER OF REMOVAL FROM OFFICE.

By the Constitution it is required that the President shall appoint, "by and with the advice and consent of the Senate," all officers whose appointment is not otherwise directed by law. He also has "power to fill up all vacancies that may happen during the recess of the Senate," by commissions which expire at the end of the next session. But nothing is said to the power of removal from office, either for official delinquency or at discretion.

There were many jealousies to be dealt with in the introduction of a supreme government with all necessary powers. It is probable that an unwillingness to provoke such jealousy was the reason why the framers of the Constitution made no direct provision for removals. President Washington assumed that the power of removal was a necessary incident of the supreme executive power vested in the President, and that such removal by the act of the President alone, during the recess of the Senate, caused a vacancy, which he was therupon empowered to "fill up." This assumption, acquiesced in by the First Congress, became the established usage of the Government to the present time.

The fact that this usage did not pass unquestioned, and that the subject was thoroughly discussed in Congress, adds to the importance of the precedent, as proof that it was in full accordance with the will of the people at that period, and thus rests on the same authority with the written Constitution.

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