

A. J. GERRITSON, Editor.

MONTROSE, TUESDAY, MAR. 10, 1868.

Congress and Impeachment.

Congress is sunk nearly out of sight as a legislative body, and is mainly involved in the impeachment business; and even that wicked fare has degenerated into a slander suit—Ben Butler having filed charges to the effect that the President has spoken disrespectfully of Congress.

On Feb. 29th, ten "articles of impeachment" were reported to the House. Nine are tedious rignarole about Stanton; and the tenth is in reference to questions put to Gen. Emory by the President, as to whether any changes of troops had taken place in the District. The whole series, with Emory's evidence, may be found on first page of this paper. We publish them to show that they are alike groundless and malicious. Any sane man who reads them must conclude that a Senate which could convict upon such trivial charges must be made up of a majority of fanatics who are bent on revolution, and seek "impeachment" as a cover for their perjured act of deposing the President—done for partisan purposes.

A crowd collected to hear the charges against the President, but as soon as they were read and the nonsensical nature of them ascertained, the people left, and radical organs admit that the speeches for impeachment are not even listened to.

On Monday, March 23, the Senate adopted a series of rules to govern the court of impeachment. An effort to allow the court to adopt its own rules, was defeated. The object of radical managers is to adopt arbitrary rules to limit debate, and in other respects to prevent a fair trial.

In the House the debate on the articles was resumed and closed under arbitrary suspension of rules, and the articles adopted by a party vote—126 to 41.

The following named members were elected as managers to conduct impeachment before the Senate: Messrs. Stevens of Penn'a, Butler of Mass., Bingham of Ohio, Boutwell of Mass., Wilson of Iowa, Williams of Penn'a, and Logan of Ill.

This Democratic members offered a Protest against the arbitrary course of the Radical majority, but were refused the privilege of placing it upon record. We publish it in another column.

On the 31, Butler's allegations that the President has spoken disrespectfully of Congress, was adopted as an article of impeachment.

It sets forth that the President has alleged that this Congress was not such a body as is contemplated by the Constitution, as it is only composed of members from a part of the States—and from this point the article runs into the Stanton question. These articles seem to have been adopted because the persecutors had so far failed to make up a respectable case, and wanted to pile up something with which to delude the people. We cannot make room for them now, and they amount to nothing but malicious words.

On the 4th the impeachment managers of the House, followed by the other Radical members and a cloud of negroes, entered the Senate, announced the articles of impeachment, after which they left, clouds and all.

A resolution was adopted by the Senate that on the 5th the Senate would proceed to consider the impeachment.

Chief Justice Chase, who, by the Constitution, must be President of the Court of impeachment, sent a protest to the Senate, against their assumption of authority, as a Senate, to prescribe rules to govern the court, to receive managers from the House, or do any acts, as a Senate, which rightfully should be done by the court when organized. This stirred up the wrath of the Jacobin clan, who fear that Chase is not a party to their conspiracy.

The next day (5th) the first business done in Congress was the presentation of a bill in the House, to direct how the office of Chief Justice should be filled in case it should become vacant by removal or other cause. As a Chief Justice holds office for life or during good behavior, a removal cannot take place unless through an impeachment by Congress. This bill looks like a notice to Chase that his impeachment and removal from office is contemplated if he does not join the radical movement in the pending revolution; and it remains to be seen whether Chase will cover at the sword thus suspended over his head.

At the hour appointed the Chief Justice entered the Senate, took the required oath, and administered it to the Senators, as members of the court of impeachment. Objections were made that Vice President Wade, being personally interested,

could not act as juror on the trial. Reverdy Johnson cited with great effect, the case of Senator Stockton, who had voted on the question of his own right to a seat, and the Senate had afterward declared that he could not properly vote thereon. This logic was irresistible, and applied with ten-fold more force to the case of Wade, who by his own vote might declare the President of the United States guilty of high crimes and misdemeanors, remove him from office and take the place himself, or in other words declare himself President. The impropriety of such a proceeding was so manifest that even radical Senators endeavored to avoid the main question, and argued in favor of passing the Ohio Jacobin by, informally. After a spirited debate the Court adjourned.

In the meantime a Radical caucus will decide the point; and as party spirit, instead of law and justice controls the whole proceeding, Wade will be allowed a vote, unless a sufficient number of others are already pledged to vote for conviction in any event.

On the 6th, the court of impeachment resumed the consideration of the right of Vice President Wade to sit as a juror.—The Rads sprung a point of order to cut off debate under the gag rules adopted in advance by the Senate. Chase decided the point of order to be not well taken, as the Senate could not adopt rules for the court. An appeal was taken, but Chase was sustained, 24 to 20; so debate was allowed, at which the Rads were enraged. Dixon proceeded to argue against Wade's right to act as juror, on a trial in which he was an interested party. The Rads vainly attempted to silence him by repeatedly calling him to order; but Chase decided that he was in order.

The objections to Wade were withdrawn, to be presented at a future and more appropriate period.

After all were sworn, the House managers appeared and made the formal demand that the President be summoned to appear, &c. On motion, the summons was made returnable on Friday, March 13th, until which time the Court adjourned.

The rules proposed by the Senate were adopted by the Court. The Rads are greatly dissatisfied with Chase's ruling, as he does not seem disposed to give them partisan advantages; and whether he can be "whipped in" remains to be seen.

The question will arise hereafter, as to whether or not the Chief Justice shall decide points of law, and evidence that may come up during the trial. The plan of the impeachers is to deprive him of the ordinary privileges of ruling—rendering him a mere dummy during the trial. In short they wish to be as free from all restraint of law as a party caucus would be; and by forcing the measure as a party question, they intend to carry it.

Speeches were made by Messrs. Wallace, Randall, Hopkins, Dies, and Gen. McCandless. The attendance was unusually large, perfect harmony prevailed, and the Convention dispersed with confidence that with the excellent ticket and platform, victory will be ours.

In all parts of New York State the Democrats have gained heavily at the late elections. In the city of Troy, the Democrats elect their Mayor by 1,450 majority, a gain of over 1,200 since last year. In Utica the Democrats elect their mayor by 400 majority, a gain of nearly one hundred per cent, and carry the Board of Aldermen. In Rochester the Democrats elect their mayor by 888 majority, against a majority of 492 last year. In Elmira the Radicals elected their candidate for mayor last year by 80 majority; on the 3d inst. the Democrats elected their candidate by over 200 majority. In the towns of Millerton, Palmyra, Fulton, Lansingburg, Corning, Rhinebeck, Batavia, and Yonkers—representing all parts of the State—the Democracy make similar gains.

The Executive Committee was then named, as follows: 1. John P. Ahera. 2. T. Sprole Leisenring. 3. Michael Mullin. 4. H. Sellers. 5. Nimrod Strickland. 6. C. Smith. 7. Harman Yerks. 8. Nelson Weiser. 9. J. D. Davis. 10. Deatur E. Nies. 11. J. B. Storm. 12. Harvey Siekler. 13. E. W. Sturdevant. 14. John W. Bailey. 15. Omitted. 16. Thos. Chalfant. 17. Lewis Heick. 18. Robert Crane. 19. Wm. P. Brinley. 20. John W. Bitinger. 21. Henry J. Stahl. 22. John H. Uhl. 23. David Caldwell. 24. A. G. Donsall. 25. Capt. H. D. Woodruff. 26. Thos. J. McCullough. 27. J. A. J. Buchanan. 28. J. B. Sweitzer. 29. W. D. Moore. 30. D. N. Donohoe. 31. James Mosgrove. 32. Omitted. 33. Benjamin Whitman.

The Chairman of the Executive Committee was empowered to appoint one person in each district as an especial deputy, in addition to those otherwise selected.

Mr. Cassidy moved that a committee of 33, to be reported to the Convention by the delegates, constitute the Executive Committee. Agreed to.

Hon. William A. Wallace was unanimously re-elected Chairman of the State Central Committee.

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For Auditor General three ballots were taken, with result as below: C. E. Boyle, 31 42 68; A. D. Markley, 42 51 61; W. W. H. Davis, 32 28; Scattering, 20 8.

The nomination of Hon. Charles E. Boyle, of Fayette, was made unanimous. Two ballots were had for Surveyor General, as follows: W. H. Ent, 12 71; P. F. Collins, 40; J. M. Cooper, 38 37; D. Karskaden, 35 18.

The nomination of Gen. W. H. Ent, of Columbia, was made unanimous.

For Senatorial, or Delegates at large to the National Convention, each delegate voted for four, with result hereunder: Hon. George W. Woodward, 106; Hon. Asa Packer, 86; Hon. William Bigler, 98; Hon. Wm. A. Heister, 73; Hon. Samuel J. Randall, 57; Hon. James P. Barr, 33; Hon. John Latta, 38; Hon. T. J. McCamant, 21.

Messrs. Woodward, Packer, Bigler and Heister were declared to be the unanimous choice of the Convention.

The Delegation was instructed to vote as a unit.

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On fixing the pay at \$700, the vote was 5 yeas, 73 nays; so the pay will be \$1000 or whatever each legislature may presume to take. On the clause to adopt negro suffrage, there were yeas 13, nays 73.

Barritt of this county voted for negro suffrage, but not for the \$700 in lieu of \$1,000. High salary (for himself) and negro suffrage is the motto of the ex-Col. of a negro regiment: who coolly proposes a pocket about the same pay for a day's service in a cushioned chair; as fighting soldiers received for a month in the field. For this, and for voting to place them on a level with negroes, the "grand army" soldiers will be called on to vote for the "Col." again next fall; and as he was once announced as "Post Commander," we presume the white boys will have to obey the "Col." which require them to vote the party ticket.

The rules of the house, made for the protection of minorities, and by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which the wantonness of power is but too often apt to suggest to large and successful majorities, have been during this entire Congress, in violation of their true spirit and interest wantonly and unprovokedly suspended and set aside, not upon a particular and pressing matter, but upon all pending subjects of legislation, so that by this reckless and arbitrary suspension of the rules, and the wanton abuse of the previous question, the rights of the minority have been utterly disregarded.

"The House of Representatives has ceased to be a deliberative body, and the minority have been compelled to vote upon the most important questions without any proper or reasonable time for debate or consideration. To such an extent has the dangerous and oppressive practice obtained, that measures affecting vitally the whole country, and the dearest interests of our constituents tending, as we believe to the subversion of our republican form of government, in their very nature demanding of the people's representatives the most careful examination and scrutiny—have been hurried through the forms of legislation without being printed, without one word of debate or one moment's consideration—without, indeed, the opportunity for the under-signed to protest, except in violation of the then operating order, enforced by the majority as the order of the House.

"These alarming abuses of power might not seem to demand this formal protest if we were not forced to the belief that a determination exists with the majority to revolutionize this government by destroying the other coordinate branches, and vesting all the powers of the government in Congress. In the steps taken to depose the President of the United States, we are admonished that there is no end to these oppressive measures to cripple the power and silence the voice of the minority.

"The resolution was rushed through the house under the operation of the previous question, referring the matter to the Committee on Reconstruction. The committee, in hot haste, sitting while the house was in session, in violation of one of its express rules, considered, and by a strict party vote, adopted and presented it again to the house for its action, and then exhibited one of the most extraordinary specimens ever witnessed in a legislative or parliamentary body.

"Members were allowed, some thirty minutes, some twenty, some ten, some five, and some one minute only, to discuss the most momentous questions ever presented in Congress. Many could not even get one minute under the arbitrary rule of the majority; and more than half of those even of the party voting to enforce the previous question who desired to be heard, were permitted only to print speeches in the Globe, after the question upon the resolution was decided, and which were never delivered in the house. No comment can demonstrate more completely that the facts themselves the viciousness and illegality of such proceedings. But this wanton and excessive use of the power of the majority does not stop here.

"While the committee were in session upon the further proceedings to remove the President, and in anticipation of its action, under the operation of the previous question, without debate, in violation of an express rule, new special and most extraordinary rules for the conduct of this proceeding, changing, without previous notice, the standing rules of the house were adopted, to further limit debate, and more completely to place the minority in the power and at the mercy of the majority.

"Thus, while the majority of Congress is warring upon the other coordinate departments, the executive and the judicial, endeavoring to subjugate and bring them both under the will and control of Congress, the minority of the house of Representatives are steadily and surely being stripped of all power, and their constituents deprived of all representative voice in the councils of the nation. We do, therefore, most solemnly protest against the indecorous and undignified haste with which the majority of this house inaugurated, presented and rushed through, by a strict party vote, in plain and palpable violation of one of the standing rules of the house, a resolution demanding the impeachment of the Chief Magistrate of the people for alleged high crimes and misdemeanors in office, when the gravity of the charge, the character of the high office against which the attack was directed, and the unforeseen and tremendous consequences which might result therefrom to the peace and prosperity of the people, called for the exercise of the calmest and wisest judgment, the most unprejudiced and impartial deliberation on the part of those who had such proceedings in charge.

"We do also most solemnly protest against this triple repeated attempt to degrade and break down one of the great coordinate branches of the government, through the spirit of party hatred and vengeance against the person who, by the Constitution, is its rightful and conscientious discharge of its functions, thus consuming the precious time which ought to be faithfully devoted to an earnest effort to relieve the pressing wants of the people, a restoration of a torn and distracted country to union and good order, and to lightening the burden of a taxation which is pressing down all the energies of trade and commerce to the point of universal bankruptcy and ruin.

"We do again most solemnly protest against, and profoundly deprecate and deplore any and all attempts to array in hostile antagonism to each other, any of the departments of the government upon the mere question of the constitutionality or construction of a law of Congress, the proper jurisdiction and final adjudication of which belong exclusively to the judicial tribunals, and we hereby warn the people of the United States, that the public liberty and the existence of free institutions are involved in this suicidal struggle, and that they are in imminent peril of utter overthrow.

"We do further most solemnly protest against that wild and radical spirit of innovation upon the early and well settled practice of the government—a practice established by the men who framed the Constitution, and who best understood its spirit and meaning—which puts the Chief Magistrate of the republic, the representative of the dignity and power of the people, at the mercy of one of his subordinates, assuming to be the Secretary of War, in violation of his own pronounced convictions of the law, and who has the unblushing effrontery to place himself in the unwarranted position of communicating directly with Congress in utter contempt of the authority of his superior, and with the deliberate purpose of resisting his authority.

"The under-signed, therefore, in their character of representatives of the people, being deprived, by the despotic power of an inexorable majority, of the high privileges of debate, that great instrument in the discovery of truth, and the most cherished heritage of a free people, do hereby solemnly and earnestly protest against these intemperate and unjust measures, and respectfully ask that this their protest may be spread upon the journal of the House. [Signed by 45 members.

Stanton has not a particle of self respect and wanting in Manhood and Honor.

When the question was before the Senate of including Cabinet officers in the Tenth office bill, Mr. Williams, (Rad.) of Oregon said:

"I have no doubt that any Cabinet Minister who has a PARTICLE OF SELF RESPECT would decline to remain in the Cabinet after the President had signified to him that his presence was no longer needed."

Mr. Howard (Rad.) of Michigan, had no doubt the practical working of bill would be as the Senator from Oregon had intimated. Mr. Sherman, (Rad.) of Ohio said:

"I take it that no case can arise, or is likely to arise, where a Cabinet Minister will attempt to hold on to his office after his chief desires his removal. I can scarcely conceive a case. I think that NO GENTLEMAN, NO MAN WITH ANY SENSE OF HONOR would hold a position as Cabinet officer after his chief desired his removal." And again he said:

"If I supposed either of these gentlemen [referring to the Cabinet of Mr. Johnson] was SO WANTING IN MANHOOD IN HONOR, as to hold his place after the polite intimation by the President of the United States that his services were no longer needed, I certainly, as a Senator, would consent to his removal at any time, and so would we all."

Removal of Cabinet Officers.

In 1864, when the Republicans wanted Mr. Blair put out of the Cabinet, the following paper was presented to President Lincoln:

"The theory of our Government, the early and uniform practical construction thereof, is that the President should be aided by a Cabinet council agreeing with him in political principle and general policy, and that all important measures and appointments should be the results of their combined wisdom and deliberation. The most obvious and necessary condition of things, without which no administration can succeed, we and the public believe does not exist, and therefore such selections and changes in its members should be made as will secure to the country unity of purpose and action in all material and essential respects."

This paper was signed by 25 Republican Senators, among whom will be found a large number who are certain to vote for conviction. They are about to punish in Mr. Johnson as a crime what they urged upon Mr. Lincoln as a duty.

A great part of the signers will arise in passing sentence on Mr. Johnson, and will thus demonstrate to the world that he is the victim of malicious persecution by reckless and desperate partisan enemies.—These unscrupulous partisans hold one doctrine when they wish to get a member of the Cabinet out, and they face right about and hold the exactly opposite doctrine when they desire to keep a Cabinet officer in.

Portland on Impeachment.

At an election for Mayor, held at Portland, Maine, on the 24 inst., the Democrats gained three hundred and eight-six votes over the fall election, and eight hundred and ten over the election in March of last year. In all parts of the country, the tide is setting strongly in favor of the Democracy, and hence the eagerness of the Radicals to take hold of power by the strong hands of military rule.

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