DESERET EVENING NEWS.

TRUTH AND LIBERTY.

VOL. IX. SALT LAKE CITY, UTAH TERRITORY, FRIDAY EVENING MARCH 3, 1876. NO. 85.

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EDWIN D. WOOLLEY,

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Salt Lake City, Feb. 8th, 1876. d67

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Last Night's Dispatches.

CONGRESSIONAL.

SENATE

WASHINGTON, 2.—McMillan presented a resolution of the Minnesota legislature, asking the passage of an act for the relief of settlers on certain public lands in that State; referred.

Davis presented a petition from citizens of West Virginia, in favor of aid to the Texas Pacific Railway, providing that the iron used in the construction of such road be of American manufacture; referred.

Bills were introduced and referred as follows—

By Davis for the completion of a custom house at Parkersburg, and to furnish the same; referred.

Wallace presented a petition of merchants and business men of Pittsburg in favor of the repeal of the Bankrupt law; referred.

Similar petitions were presented by Logan from the business men of Peru, and by Randolph, which were also referred. They also presented petitions from citizens of Wisconsin in favor of removing certain Winnebago Indians from that State; referred.

A bill was introduced by Booth to relinquish the title of the U. S. to certain property in the city and county of San Francisco, California; referred.

Sargent presented a resolution of the chamber of commerce of San Francisco, requesting an amendment to the shipping commissioners' act, in regard to fees; and also a resolution of the same body asking that the government exercise its constitutional right of regulating pilotage, so as to abolish compulsory pilotage; referred.

McCreery called up the Senate bill appropriating $1,000 to remove the remains of the Hon. E. Rumsey Wing, late Minister to Ecuador, from Quito to the cemetery at Owensburg, Ky.; passed.

Withers called up the Senate bill granting a pension to Elizabeth B. Thomas, widow of the late Lorenzo Thomas; passed.

Sherman moved that the Senate proceed to the consideration of the bills on the calendar, under the Anthony rule, that bills objected to should be passed over; agreed to.

The joint resolution in regard to the centennial celebration, which passed the House of Representatives yesterday, was agreed to.

The following bills on the calendar were passed—the Senate bill to reduce the number and to increase the efficiency of the medical corps of the army; the Senate bill for the relief of the widow of L. H. Rosseau, deceased, late brigadier-general and brevet major-general of the United States army, after some discussion, was agreed to.

It was ordered that the bill for the admission of New Mexico should be a special order for Wednesday, next week, providing it did not contain any appropriation by, or resolution for, the admission of Pinchback.

The Senate bill to extend the time for filing claims for additional bounty under the act of May 28, 1866, was passed.

HOUSE.

WASHINGTON, 2.—Morrison, chairman of the committee on ways and means, presented the views of the minority on the bill to carry into effect the Hawaiian treaty; ordered printed.

Randall, chairman of the committee on appropriations, reported a bill appropriating one hundred and sixty-three thousand dollars to provide for the engraving, printing and other expenses of making and issuing U. S. notes, and directing the Secretary of the Treasury to issue silver coins of the denominations of ten, twenty, twenty-five, and fifty cents, in redemption of an equal amount of fractional currency, and to provide for such redemption until the whole amount of the fractional currency is redeemed.

Goodin, from the committee on public lands, reported a bill declaring forfeited to the U. S. and subject only to homestead entry all lands granted by the act of the 6th of March, 1863, to aid in the construction of a railroad from Leavenworth, Kansas, to the Neosho river, such grant having been forfeited by the limitation of law. After an explanation by Goodin, and some discussion, the bill was passed.

McDill, from the same committee, reported a bill to extend the time for the pre emption of public lands. The bill extends the time two years; passed.

The House went into a committee of the whole, Saylor, of Ohio, in the chair, on the bill to carry into effect the treaty with the Hawaiian Islands.

Wood discussed, at length, the effect and advantage of the treaty.

Impeachment of Belknap.

At the close of Wood's speech, and without action on the bill, the committee rose and Clymer presented a resolution of impeachment against Wm. W. Belknap, late Secretary of War, for high crimes and misdemeanors in office. In the midst of great excitement and with unusual stillness in the House, Clymer rose and said—"I ask the permission of the House to make a report from the committee on expenditures in the War Department of so grave importance, that I am certain when it is heard the House will agree that I am justified in asking that permission at this time."

The permission was given, and Clymer, taking his position at the clerk's desk, read the following report—

"The committee found at the very threshold of its investigation, such unquestioned evidence of malfeasance by General W. W. Belknap, then Secretary of War, that they found it to be their duty to lay the same before the House. They further report that this day a letter of the President of the U. S. was presented to the committee accepting the resignation of the Secretary of War, together with a copy of his letter of resignation, which the President informed the committee was accepted, about 10:20 this morning, they therefore unanimously report and demand that the said Wm. W. Belknap, late Secretary of War, be dealt with according to the law of the land, and to that end they submit herewith the testimony in the case taken, together with several statements thereto attached, and also a report of the proceedings of the committee had during the investigation of this subject, and submit the following resolutions—

"'*Resolved*, that W. W. Belknap, late Secretary of War, be impeached of high crimes and misdemeanors.

"'*Resolved*, that the testimony in the case of Belknap be referred to the judiciary committee, with instructions to prepare and report, without unnecessary delay, suitable articles for the impeachment of said Belknap.

"'*Resolved* that a committee of five members of the House be appointed and instructed to proceed immediately to the bar of the Senate, and there impeach W. W. Belknap, late Secretary of War, of high crimes and misdemeanors when in office, and to inform that body that formal articles of impeachment will in due time be presented, and to request the Senate to make such an order in the premises as they deem appropriate.'"

Clymer then proceeded to read the testimony of Caleb P. Marsh, taken yesterday before the committee, showing that he had paid Secretary Belknap about $20,000 in consideration of his appointment as post trader at Fort Sill, Indian Territory.

The reading was listened to with intense interest by the members of the House, and by the large audience in the galleries. At the close of the reading, and after many members, who had taken up positions near the clerk's desk the better to hear the testimony and the accompanying statements, had returned to their proper seats, Clymer, who had also gone to his seat, again arose and said, with great emotion—

"Mr. Speaker, I would not if I could, and I could not in my present condition if I would, say anything to the facts just reported to the House; another occasion may be afforded me to do so. They are so plain that, everywhere throughout this broad land, and throughout Christendom wherever the English language is read or spoken, they will, for long years, constitute a record of official corruption and crimes such as there is no parallel for in our own history or in that of any country that I know of. In this hour, if one sentiment of pity, one word of sympathy, could find utterance from me, it would be because I feel that the late Secretary of War is but the proper outgrowth and the true exponent of the corruption, extravagance and misgovernment that have cursed this land for years past; that being my own reflection I will discharge my duty best to myself and to this House by demanding the previous question on the adoption of the resolution."

Kasson appealed to Clymer to give an opportunity for some suggestions to be made before asking the previous question on a matter of so grave importance.

Clymer regretted that he could not oblige his friend, and for the reason that his colleagues on the committee desired to be heard after the previous question was seconded.

Kasson—"Allow me to say there will not be the slightest opposition to their being all heard."

Clymer—"I decline to yield, and demand the previous question."

Kasson—"Does the gentleman expect the House, to-night, after five o'clock, and without this report being printed, to vote on these resolutions, when even the impeachability of the officer at present is a point to be considered by the House?"

Clymer—"After the previous question has been ordered, I will yield half the hour to the members of the committee who are on the other side."

Mr. Robbins pleaded his mental and physical exhaustion, from continuous service on the committee, as a reason why he should not address the house at any length; he spoke of the report as presenting a case of great shame and disgrace to all American citizens. As to the question of the impeachability of an officer who had resigned, he was not prepared to speak worthily, except to suggest that it could not be true that an officer who was being investigated, and who had been found by the evidence to be a criminal, could flee from justice. He alluded to what he called the unseemly acceptance of Secretary Belknap's resignation, and referred to the English cases of Hastings and Lord Bacon, both of whom were impeached after they ceased to hold the offices in which they committed crimes and misdemeanors.

Bass, of N. Y., another member of the committee, questioned the statement of the Chairman, Clymer, as to this case having no parallel, and said he would not have to leave his own borders in order to find, not only a parallel for it, but he could find cases compared with which this case was as white as the driven snow. He admitted that a mere statement of this case, as presented by the testimony, was sufficient to justify every member in voting for the resolutions presented.

Lamar inquired from Bass his opinion as to the impeachability of a resigned officer.

Bass replied that the English authorities seemed to maintain the jurisdiction of impeachment in such a case, but in this country it was an unadjudicated question, and one that was not free from doubt. His own best judgment was in favor of the right to impeach, and to let the question be adjudicated by the Senate.

Hoar, Mass., in reference to a casual remark of some member as to this being a political question, entirely disclaimed and repudiated such an idea. On the point of the impeachability of a person not in office, he referred to the case of Whittemore, of S. C., in which the House had determined that a formal actual renunciation of an officer terminated the office, and that any American citizen could lay down an office held by him without any acceptance of his resignation. Judge Storey had laid down the doctrine that it could not be done in England; but there any citizen could be impeached, and therefore the English cases of Warren Hastings and Lord Bacon did not apply. In America no man could be impeached but a civil officer, and when he ceased to be a civil officer he ceased to be within the literal description of the Constitution. In this country the only judgment that could be rendered in an impeachment case was removal from office and future disqualification from holding office; but by the statutes a person guilty of such offences could be indicted, tried and sentenced by the criminal courts of the country. He protested against hot haste in this matter, without having the testimony printed; he thought such haste unworthy a grave question, and if he stood alone he would still stand here to say so.

Blackburn, another member of the committee, expressed his satisfaction that the report which had been read by his colleague Clymer showed to the world that nothing had been left undone by the committee to shield and shelter from dishonor every person except the one whom it was the duty of the committee to investigate and report on.

He would not consent that the gentleman from Massachusetts should make this a political or partisan question; he would not consent that this side of the House should be placed in the position of the prosecution, and that the other side should take up the position of defenders. It was a question which addressed itself alike to every member of the House. He regarded the case as an unprecedented one in more respects than one. The action of the President in accepting Belknap's resignation under the circumstance was unprecedented, and this was the first instance in the history of the country where any man claiming manhood and holding an exalted position had sought to shelter himself from a legitimate investigation by interposing the dishonor of a wise resignation.

Passing to the question of the impeachability of Belknap, he suggested that that question, as Judge Storey had intimated, might properly be left to the decision of the Senate. On such a state of facts would the House be asked to shrink from the performance of its duty, because there might be mist or shadow of doubt on that point? The House couldn't do so; it would not be admissible. He quoted from the impeachment case of Lord Bacon, in which it was stated that the Lord Chancellor had sought to save himself by the resignation of his high office; the attempt was vain, as the king did not and could not interpose. Was the House to be told that a man in power at the other end of the Avenue was able to rob an American Congress of the right and power which the king of Great Britain could not take from Parliament? It used to be the theory that the king could do no wrong, but no man had ever been found bold enough in this country to say that the President could do no wrong. If the man who had uttered the memorable sentence—"Let no guilty man escape," held it in his power to rob the American Congress of its right to inflict punishment, or to pronounce censure, on a public convict, where is the barrier to be found beneath whose shelter the liberties of the people could rest secure?

Hoar—"Does the gentleman say that Congress has the power to punish any man in this country?"

Blackburn—"I will not submit to interruption; I am the last man who would introduce one atom of politics into this discussion. It is not advisable here and the republican members of the committee were as earnest and honest in the prosecution of this inquiry, and in the presentation of this report, as the members representing the majority of this House. We have seen no difference in the committee. I appeal to the members of the House that there shall be no difference manifested here. If a fraud has been perpetrated, if criminality exists, if corruption has been proved, let the representatives of the people in this House so declare it, and send the issue to the court where it may finally be tried; and if we are unable to punish where guilt is almost openly confessed, let the responsibility for that failure rest on other shoulders than ours."

Clymer, after submitting the unanimous report of the committee, read the following testimony, and accompaniments—

"Tuesday February 29.

"The committee met; present Messrs. Clymer, Blackburn and Robbins.

"Caleb P. Marsh, one of the witnesses ordered to be subpœnaed by the committee, being present, was duly sworn according to law, and the following question was asked by the chairman—

"'Were you, or not, appointed, or tendered an appointment, as post trader at Fort Sill, Indian Territory, in the fall of 1870, by the Secretary of War? If so, under what circumstances was said appointment secured to you? State also if you were commissioned by the Secretary as such post trader, or if not, who was so commissioned? And if any other person than yourself was so commissioned give his name and the reasons why he was commissioned; and if any agreement was made between you and the appointee, state it, or produce it if in writing; and was such agreement made with the knowledge of the Secretary of War? And state the circumstances connected with the making of that agreement, and all the transactions in detail thereunder, fully and particularly, as if you were specially interrogated in regard to the several transactions, and so fully as to save the necessity of repeated interrogatories.'

"'In reply to your question I would state that in 1870 myself and wife spent some weeks at Long Branch, and on our return to New York, Mrs. Belknap and Mrs. Bower, by an invitation, came for a visit to our house. Mrs. Belknap was ill during the visit some three or four weeks, and I suppose, in consequence of our kindness to her, she felt under some obligations, for she asked me one day, in the course of conversation, why I did not apply for a post tradership on the frontier. I asked what they were, and was told that many of them were very lucrative offices; that if I wanted one she would ask the Secretary for one. Upon my replying I thought such offices belonged to disabled soldiers, and, besides that, I was without political influence. She answered that politicians got such places, etc. I do not remember saying that if I had a valuable post of that kind I would remember her, but I remember her saying something like this—'If I can prevail upon the Secretary of War to award you a post, you must be careful to say nothing to him about presents, for a man once offered him $10,000 for a tradership of this kind, and he told him that if he did not leave the office he would kick him down stairs.' Remembering as I do this story, I presume the antecedent statement to be correct. Mrs. Belknap and Mrs. Bower returned to Washington, and in a few weeks thereafter Mrs. Belknap sent we word to come over. I did so. She then told me that a post tradership at Fort Sill was vacant; that it was a valuable post as she understood, and she had either asked for it for me or had prevailed upon the Secretary of War to agree to give it to me; at