

Impeachment of William Blount.

ment may also expel; and thus an improper person may be driven from the Senate. But, in the first place, he cannot be thus kept out in future; for, though the Senate may expel, it cannot disqualify. And if we suppose the case (which may very well happen) of a great and wicked man, supported by a strong party in the Legislature of his own State, he may return again, after being expelled, and may go on in the commission of "high crimes and misdemeanors," in the very station which gives him the greatest means of committing them with effect.

In the second place, an offender has a much better chance to escape from an expulsion than from an impeachment. Where the offence is of a very dark and complicated nature; consists in transactions or plots carried on at a distance, or in many places at once; and, of consequence, cannot be brought to light, and fully substantiated, without laborious, long-continued, and systematic inquiry; it must be admitted that the aid of a prosecutor will be necessary; and that the Senate, of itself, and for the mere purpose of expulsion, will be little disposed to undertake so tedious and disagreeable a task.

As to the dignity of the Senate, about which much has been said, I trust, Mr. President, that I shall always be as anxiously tender of it as any other person; and I do most solemnly and seriously believe that I am, at this moment, laboring for the dignity of this honorable body, in attempting to render its members liable to impeachment. For which line of conduct is most dignified; to wrap one's self up in legal inviolability, and thus avoid an inquiry into our conduct, or, conscious of rectitude, to brave investigation, and offer ourselves to the strictest scrutiny? The awful station which this honorable body holds in our system; the high and all-important trust assigned to it by the Constitution, no less than to regulate all the movements, both Legislative and Executive; to serve as both the ballast and the anchor of the political vessel; require that its members should inspire the utmost degree of confidence into the nation—should not only be free from guilt, but free from suspicion. Will they be more likely to escape suspicion, to inspire confidence, by declaring that they will avail themselves of a doubtful construction of the Constitution, to screen their own conduct from all inquiry, except by themselves, or by boldly standing forth to the light, and extending to their own persons and actions that power of investigation, by the representatives of the nation, which the Constitution has appointed for those who exercised its powers? I confess, Mr. President, that feeling, as I do, for the dignity of this honorable body; deeply impressed, as I am, with the awful nature of its trust, and the essential importance of its inspiring the nation with the most unlimited confidence, I tremble to think of its declaring, by a solemn decision, that the conduct of its members shall be exempt from inquiry by impeachment.

I have now, Mr. President, gone through the various heads of this very important argument, to which I am far from supposing that I have been able to do justice. It is satisfactory to me, how-

ever, to reflect that my deficiencies are amply supplied by the cause itself, by the talents of my learned and eloquent associate, and, above all, by the wisdom of this honorable body; to whose decision I now submit the subject, with an entire conviction that its determination will be worthy of the exalted station which it holds in our Government, the confidence reposed in it by the Constitution, and the veneration wherein it is held by the American people.

After Mr. HARPER had closed his observations, the VICE PRESIDENT inquired of the Managers if they had any further observations to offer? On which,

Mr. BAYARD, in their behalf, requested permission to withdraw for a few minutes; and, returning into the Court, he replied in the negative.

On motion that the Court adjourn, it adjourned to 12 o'clock on Monday next.

MONDAY, January 7.

On motion to agree to the following resolutions:

"That William Blount was a civil officer of the United States, within the meaning of the Constitution of the United States, and, therefore, liable to be impeached by the House of Representatives;

"That, as the Articles of Impeachment charge him with high crimes and misdemeanors, supposed to have been committed while he was a Senator of the United States, his plea ought to be overruled."

After debate, on motion, the Court adjourned till 12 o'clock to-morrow.

TUESDAY, January 8.

The Senate resumed the consideration of the motion made yesterday, on the impeachability of William Blount, late a Senator of the United States, by the House of Representatives; and, after debate, the Court adjourned till 12 o'clock to-morrow.

WEDNESDAY, January 9.

The Senate again resumed the consideration of the motion made on the 7th instant, on the impeachability of William Blount, late a Senator of the United States, by the House of Representatives; and, after debate, on motion, adjourned to 12 o'clock to-morrow.

THURSDAY, January 10.

The Court proceeded in the debate on the motion made on the 7th instant, and which had been under consideration every day since; and, on the question to agree thereto, it was determined in the negative—yeas 11, nays 14, as follows:

YEAS—Messrs. Chipman, Davenport, Goodhue, Lattimer, Livermore, Lloyd, Paine, Ross, Sedgwick, Stockton, and Tracy.

NAYS—Messrs. Anderson, Bingham, Bloodworth, Brown, Foster, Greene, Gunn, Hillhouse, Howard, Langdon, Marshall, Martin, Mason, and Read.

On motion, the Court adjourned to 12 o'clock to-morrow.

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FRIDAY, February 11.

On motion, it was determined that

"The Court is of opinion, that the matter alleged in the plea of the defendant is sufficient in law to show that this Court ought not to hold jurisdiction of the said impeachment, and that the said impeachment is dismissed."

Yeas 14, nays 11.

The yeas and nays on this question were exactly the reverse of what they were on the last.

On motion, *Ordered*, That the Secretary notify the House of Representatives that the Senate will be ready to receive the Managers of the House of Representatives and the counsel of the defendant on Monday next, at 12 o'clock, to render judgment on the impeachment against William Blount.

The Court adjourned to 12 o'clock on Monday.

MONDAY, January 14.

The Court being opened, the parties attending, and silence being proclaimed, judgment was pronounced by the VICE-PRESIDENT as follows:

Gentlemen, Managers of the House of Representatives, and Gentlemen, Counsel for William Blount:

"The Court, after having given the most mature and serious consideration to the question, and to the full and able arguments urged on both sides, has come to the decision which I am now about to deliver.

"The Court is of opinion that the matter alleged in the plea of the defendant is sufficient in law to show that this Court ought not to hold jurisdiction of the said impeachment, and that the said impeachment is dismissed."

Copies of the judgment were delivered to the Managers, and to the Counsel for the defendant, respectively.

After which, they withdrew; and, on motion, the Court adjourned without day.

~~REPORT OF THE COMMITTEE.~~HOUSE OF REPRESENTATIVES,
November 30, 1797.

The committee, appointed on the 8th day of July last, to prepare and report articles of impeachment against William Blount, a Senator of the United States, impeached by this House of high crimes and misdemeanors; which committee, by a resolution of the tenth day of July last, were authorized to sit during the recess of Congress, and were instructed to inquire, and, by all lawful means, to discover the whole nature and extent of the offence whereof the said William Blount stands impeached, and who are the parties and associates therein; make, in pursuance of the latter resolution, the following report:

The committee, having charged themselves with the business to which they were appointed by this House, received, on the 8th day of July, from JAMES ROSS, Esq., chairman of a committee of the Senate, a trunk belonging to William Blount, containing a number of papers, which had been seized in pursuance of a resolution of

the Senate, authorizing its committee to send for persons and papers. From these papers a selection had been made by the committee of the Senate; and the House, having made a further selection of such as appeared to them to be connected with the object of their appointment, returned the residue to the order of William Blount. The papers retained by the committee are, in the Appendix to this report, marked, Nos. 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 19, 20, 21, 22, 23, 26, 28.

A violent presumption having arisen, from the inspection of the papers referred to, that Nicholas Romayne, of the State of New York, was intimately connected with William Blount in his criminal designs, the committee conceived it to be their duty to exercise the powers vested in them by this House, in such manner as to prevent the escape of the said Nicholas Romayne, and effectually to secure his person and papers for examination; they issued, therefore, on the ninth day of July, the warrant in the Appendix marked (A;) and, as it was deemed important to commit the execution of this warrant to a person of intelligence, discretion, and fidelity, the Secretary of State was requested to provide a messenger of competent character for the occasion. With a very prompt attention to the wishes of the committee, he assigned this service to Captain William Eaton, to whom the instructions in the Appendix marked (B) were given by the committee; and the Secretary of State added to them the letters marked (C) and (D.) On the twelfth day of July Captain Eaton returned to Philadelphia, with Nicholas Romayne in his custody, and made the report of his proceedings, marked (E.) He delivered also to the committee, under seal, a number of papers found by him in the possession of the said Romayne, of which such as are supposed to be material are contained in the Appendix, and marked Nos. 1, 4, 18, 24, 25, 27. The examination of Nicholas Romayne engaged much of the attention of the committee until the 22d of July, when he subscribed his deposition (A B) and, having given bond for his appearance before the Senate on the trial of the impeachment of William Blount, was dismissed from further attendance, and received, at his particular request, the certificate marked (F.)

The letter No. 23, found among the papers of William Blount, signed James Grant, and dated at Knoxville, May 24th, 1797, being supposed to contain the proof that the said James Grant had been the confidential bearer of the letter from William Blount to James Carey, communicated to Congress by the President of the United States, on the 3d of July; it was deemed expedient to adopt the same measures for the seizure of his person and papers, as had been taken in the case of Nicholas Romayne. Major Thomas Lewis was employed for this purpose by the committee, who charged him, on the 11th of July, with the execution of the warrant marked (G.) He was further directed to serve, on John Rogers and James Carey, respectively, the precepts (H) and (I) requiring their appearance before the committee for examination; which precepts were ac-