

How They Did It In 1868

Washington

Just about everything done by Congress so far as it considers the possible impeachment of President Nixon seems aimed at doing things differently from the proceedings when President Andrew Johnson was impeached in 1868.

Johnson's troubles stemmed from the determination to handle the reconstruction and re-assimilation of the former Confederate states his way, rather than let the radical Republican block in Congress do it.

From the time of his succession to the presidency on the death of Abraham Lincoln, Johnson had angered Congress by his executive actions and his vetoes of its reconstruction efforts.



The impeachment trial of Andrew Johnson, a maze of haste and partisanship, failed to convict by one vote

Finally, on Jan. 7, 1867, Representative James M. Ashley (Rep-Ohio), offered an impeachment resolution.

Hearings started almost immediately in the Judiciary Committee.

Unlike the current hearings in which President Nixon's lawyer called and examined witnesses, supplied evidence and pleaded his case, the Johnson hearings were all held in secret session with the President allowed no representation.

The 1867 Judiciary Committee listened to almost any witness who had something bad to say about Johnson, no matter how outrageous, and called none to defend him.

In November it recommended impeachment, but

the House rejected the idea.

Radicals persisted in getting a new resolution referred to committee for action, but this time it was sent to the Reconstruction Committee which the radicals hoped would do a better, and more partisan, job.

But the Reconstruction Committee tabled the resolution without action and it most likely would have died there had Johnson not fired Secretary of War Edwin M. Stanton on Feb. 21, 1868, in defiance of a law intended to strip him of control over the cabinet.

Responding to Stanton's dismissal, the Reconstruction Committee whipped out an impeachment resolution the following day with only two dissenting votes and no

written minority opinion.

The House was so eager to impeach Johnson that it took up the resolution two days later and voted impeachment the same day without even having any articles, or formal charges.

After deciding to impeach Johnson, the House appointed a special committee to decide just what he was guilty of and to draw up the formal charges.

And while the current Judiciary Committee has taken 2½ months to put together its case and vote articles of impeachment, the special committee of 1868 took less than a week to come back with nine articles.

In three days of debate on the House floor, the Johnson

articles were amended and two more, which had been rejected by the special committee, were added.

Thus floor debate on Johnson's impeachment lasted a total of four days: One day on the decision to impeach and three days on the articles drawn up after the fact to justify that decision.

Debate on the House floor on Mr. Nixon's possible impeachment is expected to last 60 to 100 hours over a period of about two weeks.

Ultimately Johnson triumphed when the Senate failed by one vote to convict him of the charges pressed by the House. He served out the rest of his term without further challenge.