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INFORMATION
GPO

Prosecutor Leon Jaworski before making the decision to pardon Richard M. Nixon and, if so, what facts and legal authorities did they give to you?

8. Did you consult with the Vice Presidential nominee, Nelson Rockefeller, before making the decision to pardon Richard M. Nixon and, if so, what facts and legal authorities did he give to you?

9. Did you consult with any other attorneys or professors of law before making the decision to pardon Richard M. Nixon, and, if so, what facts or legal authorities did they give to you?

10. Did you or your representatives ask Richard M. Nixon to make a confession or statement of criminal guilt, and, if so, what language was suggested or requested by you, your representatives, Mr. Nixon, or his representatives? Was any statement of any kind requested from Mr. Nixon in exchange for the pardon, and, if so, please provide the suggested or requested language.

11. Was the statement issued by Richard M. Nixon immediately subsequent to announcement of the pardon made known to you or your representatives prior to its announcement, and was it approved by you or your representatives?

12. Did you receive any report from a psychiatrist or other physician stating that Richard M. Nixon was in other than good health? If so, please provide such reports

The resolution of inquiry was referred to the Committee on the Judiciary. A subcommittee thereof held hearings on the matter of the pardon of former President Nixon, and President Ford appeared in person and testified before such subcommittee on Oct. 17, 1974.

§ 16. Impeachment of Judge English

Committee Report on Resolution and Articles of Impeachment

§ 16.1 In the 69th Congress, the Committee on the Judiciary reported a resolution of impeachment accompanied with five articles of impeachment against Judge George English, which report was referred to the House Calendar, ordered printed, and printed in full in the Congressional Record.

On Mar. 25, 1926, Mr. George S. Graham, of Pennsylvania, offered a privileged report from the Committee on the Judiciary in the impeachment case against George English, U.S. District Judge for the Eastern District of Illinois. Speaker Nicholas Longworth, of Ohio, ordered the report printed and referred to the House Calendar.(16) By unanimous consent, the entire report (H. Rept. No. 653) was printed in the *Congressional Record*.(17)

16. 67 CONG. REC. 6280, 69th Cong. 1st Sess.

17. *Id.* at pp. 6280–87.

The committee's recommendation and resolution read as follows:

RECOMMENDATION

Your committee reports herewith the accompanying resolution and articles of impeachment against Judge George W. English, and recommends that they be adopted by the House and that they be presented to the Senate with a demand for the conviction and removal from office of said George W. English, United States district judge for the eastern district of Illinois.

RESOLUTION

Resolved, That George W. English, United States district judge for the eastern district of Illinois, be impeached of misdemeanors in office; and that the evidence heretofore taken by the special committee of the House of Representatives under House Joint Resolution 347, sustains five articles of impeachment, which are hereinafter set out; and that said articles be, and they are hereby, adopted by the House of Representatives, and that the same shall be exhibited to the Senate in the following words and figures, to wit:

Articles of impeachment of the House of Representatives of the United States of America in the name of themselves and of all of the people of the United States of America against George W. English, who was appointed, duly qualified, and commissioned to serve during good behavior in office, as United States District Judge for the Eastern District of Illinois, on May 3, 1918 (18)

House Consideration and Debate

§ 16.2 The resolution and articles of impeachment in the George English impeachment were considered in the House pursuant to unanimous-consent agreements fixing the control and distribution of debate.

On Mar. 30, 1926, Mr. George S. Graham, of Pennsylvania, called up for consideration in the House the resolution impeaching Judge English. By unanimous consent, the House agreed to procedures for the control and distribution of debate, thereby allowing every Member who wished to speak to do so:

THE SPEAKER: (19) The gentleman from Pennsylvania [Mr. Graham] asks unanimous consent that during today the debate be equally divided between the affirmative and the negative, and that he control one-half of the time and the other half be controlled by the gentleman from Alabama [Mr. Bowling]. (20)

On Mar. 31, the second day of debate on the resolution, debate proceeded under a unanimous-consent agreement that debate

18. For a more comprehensive discussion of the impeachment proceedings against Judge English, see 6 Cannon's Precedents §§ 544–547.

19. Nicholas Longworth (Ohio).

20. 67 CONG. REC. 6585–90, 69th Cong. 1st Sess.

continue to be equally divided between Mr. Graham and Mr. William B. Bowling.[1] Mr. Graham obtained unanimous consent that debate be concluded in 7½ hours, such time to be equally divided as before.[2]

Voting; Motions

§ 16.3 The previous question having been ordered on the resolution of impeachment against Judge George English, a motion to recommit with instructions was offered and rejected, and a separate vote was demanded on the first article, followed by a vote on the resolution.

On Apr. 1, 1926, Mr. George S. Graham, of Pennsylvania, moved the previous question and it was ordered on the resolution impeaching Judge English. A motion to recommit the resolution with instructions was offered, the instructions directing the Committee on the Judiciary to take further testimony. The motion was rejected on a division vote-yeas 101, noes 260.[3]

Pending the motion to recommit, Mr. Tom T. Connally, of Texas, stated a parliamentary inquiry:

> Under the rules of the House, would not this resolution be subject to consideration under the five-minute rule for amendment?

Speaker Nicholas Longworth, of Ohio, responded, "The Chair thinks not."[4]

Following the rejection of the motion to recommit, the Speaker put the question on the resolution of impeachment and stated that it was agreed to. Mr. William B. Bowling, of Alabama, objected and stated that his attention had been diverted and that he had meant to ask for a separate vote on the first article of impeachment. The Speaker stated that the demand for a separate vote then came too late, since the demand was in order when the question recurred on the resolution. Because of the apparent confusion in the Chamber, the Speaker allowed Mr. Bowling to ask for a separate vote (thereby vacating, by unanimous consent, the proceedings whereby the resolution had been agreed to).

The Speaker put the question on Mr. Bowling's motion to strike out Article I, which motion was rejected. The vote then recurred on the resolution, which was

1. *Id.* at p. 6645.
2. *Id.* at pp. 6662, 6663.
3. 67 CONG. REC. 6733, 6734, 69th Cong. 1st Sess.
4. *Id.* at p. 6733.

adopted by the yeas and nays—yeas 306, nays 62.[5]

The Speaker had previously stated, in response to a parliamentary inquiry by Mr. Charles R. Crisp, of Georgia, that pursuant to Rule XVI clause 6, a separate vote could be demanded on any substantive proposition contained in the resolution of impeachment.[6]

Discontinuance of Proceedings

§ 16.4 Judge George English having resigned from the bench, the House adopted a resolution instructing the managers to advise the Senate that the House declined to further prosecute charges of impeachment.

On Dec. 11, 1926, the House adopted the following resolution in relation to the impeachment proceedings against Judge English:

> *Resolved,* That the managers on the part of the House of Representatives in the impeachment proceedings now pending in the Senate against George W. English, late judge of the District Court of the United States for the Eastern District of Illinois, be instructed to appear before the Senate, sitting as a court of impeachment in said cause, and advise the Senate that in consideration of the fact that said George W. English is no longer a civil officer of the United States, having ceased to be a district judge of the United States for the eastern district of Illinois, the House of Representatives does not desire further to urge the articles of impeachment heretofore filed in the Senate against said George W. English.[7]

On Dec. 13, 1926, the Senate adjourned *sine die* as a court of impeachment after agreeing to the following order, which was messaged to the House:

> *Ordered,* That the impeachment proceedings against George W. English, late judge of the District Court of the United States for the Eastern District of Illinois, be and the same are, duly dismissed.[8]

§ 17. Impeachment of Judge Louderback

Consideration of Committee Report

§ 17.1 The House considered the matter of the impeachment of U.S. District Judge Harold Louderback under a unanimous-consent agreement which allowed the minority of the Committee on

5. *Id.* at pp. 6734, 6735.
6. *Id.* at pp. 6589, 6590, see *House Rules and Manual* § 791 (1973).
7. 68 CONG. REC. 297, 69th Cong. 2d Sess.
8. *Id.* at p. 344.