

A CONGRESSMAN CONVICTED.

The Hon. Robert Smalls, Colored, Found Guilty of Accepting a Bribe.

COLUMBIA, S. C., Nov. 11.—A verdict of guilty was brought in by the jury in the Smalls bribery case early this morning. As was published at the time, Robert Smalls, the colored member of Congress from the Fifth District of this State, was arrested Oct. 6 at Beaufort, his home, on a warrant sworn out against him by State Senator Cochran, Chairman of the Legislative Investigating Committee. The charge against him was that he accepted a bribe of \$5,000 while a State Senator from Beaufort County, in January, 1873, from Josephus Woodruff, Clerk of the Senate, and a member of the Republican Publishing Company, for his vote in favor of an appropriation of \$325,000 for public printing, supposed have been done by that concern. An earnest effort was made by the prisoner's counsel to transfer the case to the United States Court on the ground that the Judge was prejudiced against him, but the motion was denied.

Josephus Woodruff testified to paying, on Jan. 10, 1873, the bribe for the vote for the joint resolution after the same had been adopted, having previously made an agreement to that effect with the prisoner. The amount was in a check payable to cash or bearer by the South Carolina Banking and Trust Company. L. N. Zealy, bookkeeper of the banking company, testified that Smalls deposited such a check on Jan. 19, and that the amount of \$5,000 was passed to his credit. These facts were substantiated by the books of the bank. The journal of the Legislature showed that there was such a joint resolution to pay the Republican Publishing Company \$325,000; that the accused voted for it, and moved to suspend the rules to put it on its passage. The counsel for the defendant stubbornly contested the case at every step, frequent exceptions being taken to the rulings of the court. The main fight was upon the admissibility of the documentary evidence introduced by the State, consisting of the Senate journals, the check deposit ticket, a memorandum of Woodruff, taken at the time of the bribery, in short-hand, and the books of the bank. After long argument, and the citation of numerous authorities, the court decided that all the papers were competent evidence. The charge of the jury was very clear and impartial, and the jury retired at 5 o'clock last night. The court was held open last evening to receive the verdict, and the jury summoned Judge Townsend early this morning and announced a verdict of guilty. The finding was published in due form, and will be entered upon the records of the court to-morrow morning.

Robert Smalls was born a slave at Beaufort in 1839. He educated himself with such limited advantages as he could secure. Removing to Charleston in 1851, he worked as a rigger and led a seafaring life. The most remarkable fact in his career is that during the course of the war he served in both branches of both services. At one time he was at work with the rebel army on the Charleston harbor fortifications, but, becoming connected with the Confederate steamer Planter, used as a transport, he ran her through a brisk fire from Fort Sumter, over the bar, and delivered her up to the commander of the Federal blockading fleet in May, 1862. He was then appointed a pilot in the United States navy, serving on the monitor Keokuk at the attack on Fort Sumter. Afterward the command of the Planter was given him, and at a still later

period he was connected with one of the colored regiments. In civil life he was elected a member of the State Constitutional Convention of 1868, of the State House of Representatives the same year, of the State Senate to fill a vacancy in 1870, re-elected in 1872, chosen to the national House of Representatives in 1874, and again in 1876. His district consisted of Aiken, Barnwell, Beaufort, and Edgefield Counties, and its people were principally of his own race.
