# THE CHESTERTOWN TRANSCRIPT.

VOL. 7. CHESTERTOWN, SATURDAY MORNING, APRIL 3, 1869. NO. 46.



## NEW ESTABLISHMENT!
## New Stock, Low Prices!

### BUILDING HARDWARE, TIN WARE, AND STOVES.

THE citizens of Chestertown and the adjacent country, are respectfully invited to call at the New Establishment, (stand formerly occupied by Wm. Simpson, on High street, nearly opposite the Voshell House,) and examine our large and cheap stock.

*IN BUILDING HARDWARE*

We are able to offer great inducements to Carpenters, Mechanics, Farmers, Builders, and those who contemplate having building done. If all such will only give us a chance we are confident of being able to convince them that we can supply their wants with a better article and for less money, than any establishment in this town. Our stock in this line is very full, and we are constantly making additions to it.

*TIN AND SHEET IRON WARE.*

In this department our stock is very complete, comprising almost any thing that can be called for, and at prices that must, we are sure, give satisfaction. In Tin we also keep the celebrated Stamped Ware. We have in our employ experienced, skillful and faithful workmen, and always use good material.

**Stoves.**

We shall keep a good stock, of all kinds, purchased from manufacturers direct, and will sell at a very small advance.

*TIN ROOFING AND SPOUTING,*

and all kinds of repairing (including repairs to stoves,) done promptly in a workmanlike and durable manner, at low rates.

*HOUSEKEEPING GOODS,*

Embracing Safes, Japanned and Block Tin Ware, Ornamental Chamber Sets, and fancy Ware generally, in great variety.

In conclusion we would remark that we have gone into this business with a determination to sell *low*, to spare no pains, and to do all in our power to give satisfaction: and we respectfully ask our friends and the public to give us a trial.

JAMES T. PARKS,
THOMAS BRYAN.

Chestertown, July 25, 1868—y.

## GROCERIES,
### WINES AND LIQUORS.

*NOTICE.*

TO ALL LOVERS OF GOOD BRANDIES, WINES, TEAS AND GROCERIES.

I AM PREPARED TO OFFER GREAT inducements to customers, wholesale and retail. Keep constantly on hand a large and well selected Stock of Goods, consisting in part of

*Green and Black Teas, of choice chops; Coffees—Java, Laguyra, Rio, &c.*

English and American Pickles, Capers and Condiments, Olives, Italian Maccaroni and Vermecilla. Frehs Canned Fruits of all kinds; Canned Meats and Fish; Foreign and Domestic Preserves and Jellies. I have on hand a fine stock of

**Old Brandies, Wines, Whiskeys, Gin,**

which I offer to Hotel keepers at the VERY LOWEST PRICES, and ask a call.

**THOMAS M. GREEN,**
88 *W. Baltimore Street, near Holliday.*
Sept. 12, 1868—y.

**DURYEAS'**
## Satin Gloss Starch

HAS established a world-wide celebrity for being the Purest, Whitest, Strongest, and Most Glossy and Economical Starch known. Disinterested judges pronounce it the "Perfection of Starch."

The Messrs. Duryea have no occasion to personally assert the superiority of their goods. A discriminating public and the decision of the following scientific and disinterested judges establish it.

**PRIZE MEDALS AWARDED**
**Duryeas' Starch and Maizena**

For their "Perfection of Quality," at Grand Paris International Exposition, 1867. Great London International Exposition, 1862. Great Internat. Exposition, Hamburg, 1863. Great Internat. Exposition, Cologne, 1865. Also at States', Agricultural, American Institute and Maryland Institute Fairs.

Inferior Starch is sour, musty, or has a golden or yellow tinge, a color not desirable in one's linen. (It is absurd for the laundress to cleanse and bleach, and then discolor linen with impure yellow starch.)

**Maizena**

Is a pure flour, from the choicest Indian corn, and is used for all the purposes of Corn Starch and Arrowroot, to which it is superior. Put up in the same style of packets, and at same price, with directions for use.

For dinnery purposes, call for Duryeas' Satin Gloss Starch.

For sale by all grocers. Be sure you get our goods. Our name is on all our boxes.

**H. H. BURNETT,**
No. 3, Exchange Place, Baltimore,
Agent for Maryland, Dist. Columbia and Va.
September 5, 1868—y.

## CENTRAL SEMINARY.

THE subscribers respectfully announce t the citizens of Kent and adjoining counies that their School near St. Paul's Church or Boys and Girls, is now in active operation.

*The buildings are all new and comfortable.* In addition to which, they have secured as Principal a gentleman of tried ability.

The course of study is thorough, embracing the English branches, with the Classics, higher Mathematics, and Modern Languages.

The Scholastic Year is divided into two Sessions, of Five Months each, beginning 1st of February and September, but children can be entered at any time.

Parents and Guardians at a distance can board their children with the Principal.

For particulars, address

I. C. TAYLOR,
Or J. T. CARLILE, PRINCIPAL,
Rees' Corner P. O., Kent Co., Md.
January 16, 1869.

## Baltimore Sewing Machine Mart.

THE Public have long desired the establishment of a Mart where all kinds of Sewing Machines and Sewing Machine Findings could be had; where they could see and compare the workings of one machine with another, and select from the different makes, the Machine best suited to the use to which they desire to apply it.

FRED. W. WILD,
*78 W. Baltimore Street.*

☞ Sewing Machines repaired and adjusted by skillful mechanics, and a fair remunerative compensation only will be charged for the time and skill expended in the work.

*The Great American Combination Button Hole Overseaming and*

**SEWING MACHINE,**

Is warranted to execute in the best manner every variety of Sewing, Hemming, Felling, Cording, Tucking, Braiding, Gathering, Quilting, Over-seaming, Embroidering on the edge, and in addition makes beautiful Button and Eyelet holes in all fabrics. It has no equal, being absolutely the best Family Machine in the world, and intrinsically the cheapest, for it is two Machines combined in one by a simple and beautiful mechanical arrangement.

Circulars with full particulars and samples of work done on this machine, can be had on application at the sales room of

FRED. W. WILD,
*78 W. Baltimore street,*
Over Eisenbrandt's Music Store.
AGENTS WANTED.
Sept. 12, 1868—y.

## NEW HARNESS STORE!
### JOSEPH W. EDWARDS

RESPECTFULLY informs his old friends and public generally that he has again removed to Chestertown, and has commenced the **SADDLE & HARNESS** business at his "OLD STAND" opposite the Voshell House. He has now in his employ good Workmen, and has now in store a fine assortment of

**Saddles, Bridles, Collars, Whips, Horse Blankets, Sleigh Bells,**

and all kinds of Oil for Harness, and all kinds of BITTS.

HARNESS of all kinds manufactured to order. REPAIRING done at short notice.

Having had some 18 or 20 years experience in the business, I flatter myself that I am able to give general satisfaction to all who may favor me with their patronage.

Give me a CALL

JOS. W. EDWARDS.
Dec. 26, 1868—tf.

## BUILDERS' EXCHANGE.

The undersigned announce to Builders and others that they have opened

**AN EXCHANGE,**
**At No. 27 South Gay Street,**
BALTIMORE, MD.

The object of which is to furnish all kinds of Building Material from one locality, thus saving purchasers that trouble and expense they would otherwise be subjected to in visiting different places to procure such articles. They propose, and are constantly prepared to furnish

**Lumber, Doors, Sash, Frames, Mouldings, &c.,**
**Slate Roofing, MARBLEIZED SLATE, AND MARBLE MANTELS.**
**Ornamental Garden and Parlor Vases, Statuary, &c.**

*Glass, Hardware, Terra Cotta Chimney Tops, Sewer and Water Pipe of Hydraulic Cement and Terra Cotta, Hydraulic Cement, Marble, Iron, and Stone Fronts, Crest Railings, Encaustic and Marble Tiling, and all other building materials at the lowest market prices,*

Having made arrangements with the leading Factories in their respective branches of trade to supply all building materials at one place. Estimates for Marble, Iron and Stone Fronts, Gas Fitting, Plumbers Work, &c., furnished. Sole Agents for the State of Maryland for Thompson and Harper's and other celebrated slate mantels, the Terra Cotta Works of Philadelphia, and represent Davison, Ayres and Heuvelman Agents of the architectural department of the Novelty Iron Works, New York, in Baltimore.

**MURGUIONDO & RIGGS,**
Jan. 2, 1869—y 27 S. Gay St.

**NO USE OF TALKING.**
## Old Worton is About!

**WORTON HEIGHTS**
**WHEELWRIGHT & BLACKSMITH SHOP.**

The undersigned having rented the Shops of Mr. Geo. Rees Jones, are prepared to do all kinds of work in their line. Being both practical workmen, we are competent of taking charge of our own business. With strict attention and good material, we hope to receive a share of public patronage.

A. O'MEARA, *Wheelwright,*
JOS. A. HENRY, *Blacksmith.*
Worton Heights, Jan. 30, 1869—3m.

## COX, WARDEN & MERRITT
SUCCESSORS TO
**Cox & Brown,**
## COMMISSION MERCHANTS
FOR THE SALE OF
**GRAIN, FLOUR AND COUNTRY PRODUCE,**
Nos. 8 Bowly's Wharf & 72 South St.
Baltimore, Md.
Jan. 16, 1868—y.

ENAMELED STEW PANS and PRESERVING KETTLES, for sale at the *Tin and Stove Store*, by
May 14, 1866. J. K. ALDRIDGE

HOOFLAND'S
## GERMAN BITTERS.
HOOFLAND'S
## GERMAN TONIC.

THEY CURED YOUR

**FATHERS AND MOTHERS,**

And will cure you and your children. They are entirely different preparations now called Bitters or no tavern preparation, or anything like one; but good, honest, reliable medicines. They are

HOOFLAND'S

*The greatest known remedies for*

**Liver Complaint,**
**DYSPEPSIA,**
**Nervous Debility,**
**JAUNDICE,**
**Diseases of the Kidneys,**
**ERUPTIONS OF THE SKIN,**
**and all Diseases arising from a Disordered Liver, Stomach, or**

*IMPURITY OF THE BLOOD.*

**Constipation, Flatulence, Inward Piles, Fullness of Blood to the Head, Acidity of the Stomach, Nausea, Heartburn, Disgust for Food, Fulness or Weight in the Stomach, Sour Eructations, Sinking or Fluttering at the Pit of the Stomach, Swimming of the Head, Hurried or Difficult Breathing, Fluttering at the Heart, Choking or Suffocating Sensations when in a Lying Posture, Dimness of Vision, Dots or Webs before the Sight, Dull Pain in the Head, Deficiency of Perspiration, Yellowness of the Skin and Eyes, Pain in the Side, Back, Chest, Limbs, etc., Sudden Flushes of Heat, Burning in the Flesh, Constant Imaginings of Evil and Great Depression of Spirits.**

*All these indicate disease of the Liver or Digestive Organs, combined with impure blood.*

OOO

**Hoofland's German Bitters**

**is entirely vegetable, and contains no liquor. It is a compound of Fluid Extracts. The Roots, Herbs, and Barks from which these extracts are made are gathered in Germany. All the medicinal virtues are extracted from them by a scientific chemist. These extracts are then forwarded to this country to be used expressly for the manufacture of these Bitters. There is no alcoholic substance of any kind used in compounding the Bitters, hence it is the only Bitters that can be used in cases where alcoholic stimulants are not advisable.**

**Hoofland's German Tonic**

*is a combination of all the ingredients of the Bitters, with* PURE *Santa Cruz Rum, Orange, etc. It is used for the same diseases as the Bitters, in cases where some pure alcoholic stimulus is required. You will bear in mind that these remedies are* entirely different *from any others advertised for the cure of the diseases named, these being scientific preparations of medicinal extracts, while the others are mere decoctions of rum in some form. The* TONIC *is decidedly one of the most pleasant and agreeable remedies ever offered to the public. Its taste is exquisite. It is a pleasure to take it, while its life-giving exhilarating, and medicinal qualities have caused it to be known as the greatest of all tonics.*

**DEBILITY.**

*There is no medicine equal to Hoofland's German Bitters or Tonic in cases of Debility. They impart a tone and vigor to the whole system, strengthen the appetite, cause an enjoyment of food, enable the stomach to digest it, purify the blood, give a good, sound, healthy complexion, eradicate the yellow tinge from the eye, impart a bloom to the cheeks, and change the patient from a short-breathed, emaciated weak, and nervous invalid, to a full-faced, stout, and vigorous person.*

FF

**Weak and Delicate Children are made strong by using the Bitters or Tonic. In fact, they are Family Medicines. They can be administered with perfect safety to a child three months old, the most delicate female, or a man of ninety.**

*These Remedies are the best*

**Blood Purifiers**

*ever known, and will cure all diseases resulting from bad blood. Keep your blood pure; keep your Liver in order; keep your digestive organs in a sound, healthy condition, by the use of these remedies, and no disease will ever assail you. The best men in the country recommend them. If years of honest reputation go for anything you must try these preparations.*

LL

FROM HON. GEO. W. WOODWARD,

Chief Justice of the Supreme Court of Pennsylvania.
PHILADELPHIA, March 16, 1867.

*I find "Hoofland's German Bitters" is not an intoxicating beverage, but is a good tonic, useful in disorders of the digestive organs, and of great benefit in cases of debility and want of nervous action, in the system.*

*Yours truly,*
*GEO. W. WOODWARD.*

FROM HON. JAMES THOMPSON,

Judge of the Supreme Court of Pennsylvania.
PHILADELPHIA, April 28, 1866.

**I consider "Hoofland's German Bitters" a valuable medicine in case of attacks of Indigestion or Dyspepsia. I can certify this from my experience of it. Yours, with respect, JAMES THOMPSON.**

AA

FROM REV. JOSEPH H. KENNARD, D. D.,

Pastor of the Tenth Baptist Church, Philadelphia.

DR. JACKSON—DEAR SIR:—*I have been frequently requested to connect my name with recommendations of different kinds of medicines, but regarding the practice as out of my appropriate sphere, I have in all cases declined; but with a clear proof in various instances, and particularly in my own family, of the usefulness of Dr. Hoofland's German Bitters, I depart for once from my usual course, to express my full conviction that for general debility of the system and especially for Liver Complaint, it is a safe and valuable preparation. In some cases it may fail; but usually, I doubt not, it will be very beneficial to those who suffer from the above causes.*

*Yours, very respectfully,*
*J. H. KENNARD,*
*Eighth, below Coates street.*

NN

**CAUTION.**

*Hoofland's German Remedies are counterfeited. The genuine have the signature of C. M. Jackson on the front of the outside wrapper of each bottle, and the name of the article blown in each bottle. All others are counterfeit.*

The tonic is put up in quart bottles.

*Recollect that it is Dr. Hoofland's German Remedies that are so universally used and so highly recommended; and do not allow the Druggists to induce you to take anything else that he may say is just as good, because he makes a larger profit on it. These Remedies will be sent by express to any locality upon application to the*

DD

**PRINCIPAL OFFICE,**
**AT THE GERMAN MEDICINE STORE,**
*No. 631 ARCH STREET, Philadelphia.*

CHAS. M. EVANS,
Proprietor,

Formerly C. M. JACKSON & CO.

**These Remedies are for sale by Druggists, Storekeepers, and Medicine Dealers everywhere.**

*Do not forget to examine well the articles you buy, in order to get the genuine.*


## Speech of Senator Vickers on the Tenure-of-Office Law.

Mr. President, I have a disinclination to discuss a question which seems to have been exhausted. Another reason is that I do not like to intermeddle with family difficulties. Those who have discussed this subject, upon this side of the Chamber especially, seem to have exhausted all argument upon it and left nothing new to be said. It was said of the celebrated Luther Martin, in his speech upon the trial of Judge Chase, that he had left nothing to be added and nothing to be subtracted. I think that remark may well apply to those gentlemen who have entered into the discussion of the constitutional question upon this side of the Chamber. They remind me of prize reapers who have gone over the harvest-field and have left nothing to be gleaned, not a grain of logic to be gathered, nor even a flower of illustration to adorn the subject.

That the power of the President to remove officers is a clear constitutional power there can be no question It has the authority of argument, of precedent, of usage, and of acquiesence, and this acquiesence has existed for seventy-eight years. There has not been a single precedent to contrary from the year 1789 until the year 1867. If any constitutional question ever was settled, if any constitutional question ever can be settled, this question must be. The very first Congress which legislated to establish the different Departments of the Government, enacted a law creating the Department of War, which was framed expressly so as to provide that whenever the President should remove the Secretary the chief clerk should take charge of all records and papers in the Department. The debates upon that question show this phraseology was expressly used for the very purpose of excluding the idea that the removal by the President was the authority of that law, but that it was recognized as a constitutional power. The act of 1789 recognizes this as a constitutional power, and so framed as not to leave the subject open to an inference that the power existed by the operation of that law. From that day to 1867 every President of the United States, sixteen in number, Washington, Adams, Jefferson, Madison, Monroe, John Quincy Adams, Jackson, Van Buren, Harrison, Tyler, Polk, Taylor, Fillmore, Pierce, Buchanan, and Lincoln, have exercised the power of removal, which power has been recognized by every department of the Government. The Senate has recognized it; the House of Representatives has recognized it; the judiciary has recognized it. Every department of the Government has recognized this power as existing in the President of the United States, and many of the Attorney Generals have filed written opinions sustaining it.

Can it be said that a power which has been exercised from the foundation of the Government to the enactment of the tenure-of-office law is now to be controverted; that it shall be shared by the Senate of the United States?

I do not design to comment upon the authority which have been referred to by gentlemen who have discussed this subject. There is one thought, however, which occurred to me which I did not hear expressed, though it might have been while I was temporarily absent from the Chamber; that thought grows out of the power of the President to commission officers and to withhold commissions at his pleasure. If I understand it, the character of the duty of the President or of his act in the nomination of an officer is this: he examines into the character, the qualifications, and the citizenship of the individual; and, knowing the particular duties of that office and of the qualifications necessary for the performance of those duties, presents him to the Senate of the United States, asks the advice and consent of the Senate to that nomination; and then, having the advice and approval of that body, he appoints the individual. The nomination is exclusively in the power of the President. The approval of it is in the Senate; but the appointment is in the President. The language of the Constitution is:

"He shall nominate and, by and with the advice and consent of the senate, shall appoint."

The President is to make the nomination, and when the Senate approves of the individual who is nominated, and then he makes the appointment and issues the commission.

"He shall take care that the laws be faithfully executed, and shall commission all officers of the United States."

The appointment is not consummated until the officer is commissioned. That commission is to be issued by the President of the United States, and after it is issued, and before its delivery to the Secretary of State to have the seal affixed, the President has the control of it, and he can either deliver the commission or withhold it. It was so held in the case of Marbury *vs.* Madison. During the last hours of the Administration of the elder Adams he nominated and the Senate confirmed justices of the peace of this district, of whom Marbury was one. After the new President came into power (Mr. Jefferson) Mr. Madison, his Secretary of State, withheld the commission Marbury applied for a *mandamus*, and the case was tried in the Supreme Court of the United States, which said that the President had a right to withhold the commission. I read a few passages from the decision of Chief Justice Marshall in that celebrated case:

"The appointment being the sole act of the President must be emphatically evidenced when it is shown that he has done everything to be performed by him."

Again:

"The appointment being, under the Constitution, to be made by the President personally the delivery of the deed of appointment if necessary to its completion must be made by the President also."

Again:

"The appointment is the sole act of the President."—1 *Cranch*, p. 160.

And again, on the following page:

"The appointment is the sole act of the President."—1 *Cranch*, p, 161.

Not that the appointment is participated in by the Senate of the United States, who merely advise the President to make it, but it is one which he makes himself. The Senate cannot even make a suggestion to him of the name of a candidate, but the nomination is exclusively his.—When the Senate have once advised the President to make the appointment their power ceases; they have no further agency in the transaction The very power given to the President to appoint officers is given to him to appoint embassadors, public ministers, and consuls—it is all in the same section—"and all other officers of the United States."

If after the appointment of a public minister he shall misrepresent and prejudice the interests of the country it is in the province of the President to recall him. If the President can recall a public minister and appoint another in his stead, why can he not remove an officer who is abusing his trust, who may be plundering the public Treasury, or may become incompetent to discharge his duties, or willfully neglect to perform them? Shall it be said that in such cases the President shall have no power to remove a speculator or a defaulter?

I do not agree with the doctrine announced by the Senator from Ohio, [Mr. SHERMAN,] that wherever the Constitution is silent as to any particular power it belongs to the Legislature. I do not believe that the Legislature absorbs all powers which the Constitution does not expressly grant. In this government of limited powers the Legislature has no authority to engross power or to exercise any function not imparted by the Constitution. Its powers are limited and defined. Nor do I agree with the Senator from Missouri, [Mr. SCHURZ,] who said that the constitutional view of a subject was not always the important. Why, sir, if a power is not found in the Constitution, expressly or necessarily implied from the language there used, how can the Legislature act? Do we not first go the Constitution to ascertain whether a power to be exercised is within its provisions?—Can there be any other source as high as that we are not first to look at that sacred instrument; and shall it be said that we are not first to look at that great fountain of political wisdom, but that we are to look elsewhere for legislative authority?

The Senator from Rhode Island, [Mr. SPRAGUE,] who spoke yesterday, and whose remarks aroused the sensibilities of the Senator from Nevada, [Mr. NYE,] I have no doubt, from his experience of six years in this body, was capable of forming a correct judgment of its proceedings and of their character and tendency; and when the Senator from Rhode Island uttered some denunciation against the profession of the law in this body he doubtless had some reasons to justify his assertion.—The Senator from Nevada, in his eloquent eulogy upon the profession, did not transcend its merits. He spoke of the lawyer's toil and labor by the midnight lamp to ascertain the law, that he might apply it to the transactions of society and communicate the result to his client. He knew that a lawyer after his examination of the precedents and decisions of the judges, predicates his opinion upon that of courts and the precedents. Well might the Senator from Rhode Island have been astonished that when lawyers are translated from the bar to the Senate they should ignore former precedents when great constitutional questions are discussed, that instead of adhering to the principes and rules of interpretation by which they were governed in jurisprudence, and to the opinions and precedents established by the fathers and commentators upon the Constitution, they should set up new lights, disregard all principles of legal construction, and endeavor to establish new construction, not predicted upon precedent or usage or acquiescence. Well might the Senator from Rhode Island complain of the action of the members of the legal profession in this body who would act here upon questions of constitutional law, upon principles and rules of construction different from those by which courts of law are controlled, and without yielding respect to the opinions of the framers of the Constitution, the discussions and judgment of the great men who composed the First Congress and the decisions of the Supreme Court of the United States.

The qualifications for an office, as described by Mr. Jefferson in the questions which he asked, are: first, is he honest; second, is he competent; and third, is he faithful to the Constitution? These are the essential qualifications for office. The Senators from Vermont and Michigan, and others on that side of the Chamber who have discussed this question, have endeavored to show to the Senate that this law is a constitutional, salutary, and expedient law, and that they never could surrender the principle which it contains. If the law be constitutional, in the opinion of these gentlemen, if it be a proper law, and contains a principle which they will never surrender, I should certainly vote, if I believed as those gentlemen do, against any repeal or any suspension of it. I understand that the argument of these gentlemen is to establish the constitutionalty and the propriety of the law; but the conclusion of the argument is that though it is constitutional and wise, and contains the most important principles, it shall be replaced for a time; for although it may be called a suspension it is *pro tempore* a repeal. A law which is suspended has no more effect during the suspension than if it were repealed; as far as the effect of it is concerned, if it be suspended, it is virtually a repeal. Repeal and suspension in this sense and convertible terms; and the Senators from Vermont and Michigan and others, if they follow out their own conclusions, and adopt the fair, logical, and legal conclusion of their own argument, can neither vote for repeal nor suspension.

Is there any reason which applies to the suspension that does not apply to the repeal? If this be a good law why repeal it? If it be a good law why suspend it? If it be a bad law why continue it? Is it not remarkable that a law which is pronounced good should be suspended in its operation, and if bad should not be repealed? The argument for the one is the argument for the other. The Senator from Indiana, in his speech a few days ago, pronounced this law a mistake. I do not know whether he voted for it or not.

Mr. MORTON. I will say to the Senator that I was not a member of the Senate at that time. If I had been I should have voted against the law.

Mr. VICKERS. I was not aware of that; but the Senator has declared the law to be a mistake. It has been said that the three hardest words to pronounce are "I am mistaken." It was said of Frederick the Great that he wrote once to the Senate that he had lost a battle and the fault was entirely his own. In that he displayed more gaeatness than in any of the conquests which he made. A man who can subdue his own will and pride is greater than he who captures a city. I agree with the Senator from Indiana that this law was a mistake. It was a blunder, which, I belive, Talleyrand said was worse than a crime.

It was a great mistake; and if the Senators with whom the Senator from Indiana acts would only have the moral firmness and courage which Frederick the Great had to acknowledge error we should soon get rid of this obnoxious measure. Yes, sir; it was a mistake, and I felt a regret that the Senator from Indiana, who has justly pronounced it so, should have voted to convict and remove the late President of the United States from his office upon a law thus founded in mistake, and which ought never to have marred the pages of the statute book.

Mr. MORTON. My friend will allow me to interrupt him. While I said that I believed this law to be inexpedient and a mistake I said clearly at the same time that I believed it to be constitutional, and that it was his duty to enforce while it was upon the statute-book. I believe in executing the laws while they are laws When I think a law is a bad one I propose to get clear of it in the right way, by repealing it.

Mr. VICKERS. Then I understand the Senator from Indiana to say that, although he believes it to be a constitutional law, it is one which was not expedient, virtually a bad law, which ought never to have been passed? If it be a vicious one and which ought never to have been enacted, what becomes of all the charges against the late President of the United States for maladministration, for misconduct, under it? This act almost deprived the Chief Magistrate of his office and produced a shock over the whole country, the consequences of which at one time no one could foresee or calculate.

When John Tyler became President of the United States in consequence of the death of General Harrison, who lived only a month after his inauguration, he threw the patronage of the Government into the hands not of those who had elected him, but of those who had opposed his election. He endeavored to build up a party to support and sustain him. But the Whigs of that day never thought of passing a tenure-of-office law to restrain him from the exercise of his legitimate patronage? Did they think of making such a law as this, not only to restrain, but if possible, by virtue of any alleged infraction of it, to deprive him of the office which he constitutionally held? The President always has had, and exercised it, and the power of removing officers. There is no express power in the Constitution given, as I stated, to recall a public minister. There is none to refuse conference and intercourse with the minister of a foreign Government; and yet the President of the United States could constitutionally exercise the right to refuse either to receive a public minister or to have intercourse with one who did not treat the Government with proper respect.

It may possibly be recollected by some in this Chamber that when Genet, the celebrated French minister, treated with disrespect the Government of the United States, General Washington demanded his recall and refused to hold intercourse with him, That minister desired this Government to recognize the right of French privateers to bring captured vessels of the British nation into the ports of the United States, which General Washington refused to allow, when the minister said he would appeal to the people of the United States, and for his General Washington demanded his recall, Where is the authority to be found in the Constitution of the United States for this? It is here by necessary implication, it is absolutely and indispensably necessary that the Executive should possess such a power in order that he may faithfully execute his official functions

This tenure-of-office law grew out of a difference of opinion between Congress and the late President upon the reconstruction policy. I do not suppose there was any abuse of power on the part of the President prior to the passage of this law which could have given a semblance of justification for its passage. I know it was said in debate upon it that the President had, after the adjournment of Congress, appointed persons to office whom the Senate had refused to recommend; but it was also said that he did this in virtue and in pursuance of the opinion of the law officer of the Government, the Attorney General, who declared that he had the constitutional right to do so.

It has been publicly avowed on this floor that the necessity for repealing or suspending this law was that the present President of the United States should have the power "to cleanse the Augean stables;" that there should be a general removal of officers. Let me say to Republican Senators that if there shall be a general removal they will witness the discharge of four fifths of those who are in agreement with them in political opinions. Four fifths of the present officers are in harmony with the majority of the Senate. It was obvious, after the passage of the tenure-of-office law, that the President could not appoint those who advocated his reconstruction policy, and he was obliged to nominate Republicans or Conservatives in accord on that subject with the Senate or allow the offices to be unfilled. If "the Augean stable is necessary to be cleansed," it will not be by the removal of those who entertain views in accord with the late President of the United States.

But the doctrine is now avowed that the Senate of the United States should repeal or suspend a law in order to allow the President to make removals from office, and it is declared here that those removals may be made simply for differences of political opinion. The Senator from California [Mr. Cole] said that in the election of a President a policy was established, and that to carry out that policy it was necessary that the officers of the Government should be in political harmony with the President. I should like to know what policy was established by the election of the present President of the United States? Was a financial policy established by it? The differences of opinion existing in this body and in the other House show that there is no fixed policy on that subject. It seems that every one has a theory of his own in reference to the finances. Was a policy in reference to our foreign relations marked out by the election? What policy, then, was established? Which policy is it that requires an officer who is honest, competent, and faithful, and is loyal to the Constitution and Government of this country, should think upon political subjects as the President of the United States thinks when he comes to perform his duties? What relation has the political opinions of an officer with the practical duties of the office which he is bound to perform? I can see none. Gentlemen of the same party differ upon political questions. They differ upon this very question. Surely the tenure-of-office act, its continuance or its repeal, was not one of the subjects of the policy which the Senator from California says was established by the election of the present President of the United States.

Mr. President, we are called upon now to repeal this law—a law the execution of which had well nigh shaken this country to its foundation. Under this law you had the spectacle of the President of the United States, he who occupied that high office, exercising only the power which every President had done before him, impeached and tried; and had the House of Representatives here to witness it, with its managers as prosecutors; the diplomatic gallery filled with foreign ministers and embassadors; you had the other galleries filled with the fashion and the beauty of the country. This law was then deemed so important and of so much consequence as to threaten the deposition of the President for an alleged infraction of it, for the removal of a Cabinet officer who was not in harmony with him and whom he could not take to his counsels.

Although Senators said at the time of the passage of the law that he ought to have the power to remove Cabinet officers, and, as I understood when those wards were stricken out by the House and the bill returned to the Senate, it was stated publicly by the Senator from Ohio [Mr. SHERMAN] that it was not intended to apply to Cabinet officers; yet for removing a recusant Cabinet officer the President of the United States almost his office. This law, which was considered of so much importance as to bring about results of that character, it is now proposed to suspend in its operation. Senators who voted for condemnation of the President, who voted to remove him from office for violating this law, now consider it of so little importance and minor consequence as to advocate its suspension. Sir, let us repeal it; let us wipe it from the statute-book and have no more impeachments under it.

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GOOD ADVICE.—Don't be discourged if occasionally you slip down by the way, and others tread over you a little. In other words, don't let a failure or two dishearten you; accidents will hapyen, miscalculations will sometimes be made, things will turn out differently from our expectations, and we may be suffers. It is while to remember that fortune is like the skies in the month of April, sometimes cloudy, and sometimes clear and favorable; and as it would be folly to despair again in seeking the sun because to-day is stormy so it is unwise to sink into despondency when fortune frowns, since in the common course of things she may be expected to smile again.

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Goldsmith is supposed to have referred to the Grecian bend, when he wrote, "She stoops to conquer."

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A lady in this city, a few evenings since, engaged herself to twenty-two different gentlemen. But it was at a ball.

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