THE DAILY EVENING TELEGRAPH.-PHILADELPHIA, MONDAY, JANUARY 14, 1867.

Creniug ©edegrapht
 Executive Usurpation of the Appointing
Power. Ix the Senate recently, the bill regulating
appointentanta to offce being under considera-
tion, Senator Reverdy Jolinion, of Maryland. said he was free to give the opinion that the practice of reappointing men refected by the
Senate ara in conflict with the spirit of the
Constitution. He bad expressed this opinion once as Attorney-General. In his judgment,
such a practice was at war with the spirit of the Constitution, because it enabled the Pre-
sident to take from the Senate al tis pover and responsibity in the matter of appoint-
ments. With regard to the Presidents power
of removal. it had not been seriously quesof removal. it had not been seriously quess
tioned since the first session of Congress, When it was settled, by a maiority of one,
that he had that power. Madison held that the power of remocal might be so abused
as to render a President biable to iompeach-
ment, but since that time the practice had ment, but since that time
been upon a different belef.
It is diffecult to see how any other opinion It is diffcult to see how any other opinion
than the one here expressed by Senator
Jobnson could ever bave obtained currency.
That the opposite opinion has not only obThat the opposite opinion has not only ob-
tained currency, but has been made the prac-
tinal tion of the fatal tendeícy of our Goverument towards Executive uusurpation andsupremany.
The language of the Constitution is so clear that it admits of no doubtrul construction.
Enumerating the powers of the President, it says:-"He shall nominate, and by and with
the adotece and consent of the Senate, shall
appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court,
and all other officers of the United States vided for, and which shall be establisted by
law; but the Congress may, by law, vest law; but the Congress may, by law, vest
the appointment of such interior officers as they see fit in the President alone, in the
courts of law, or in the heeds of departments." No man can doubt, or ever has doubted,
that the intention of this clause of the Constitution is to require the advice and consent
of the Senate to the appointment of every
officer of the United States, except those by law. Yet in the face of this clear and by law. Yet in the face of this clear and
express provision of the Constitution, Pre-
sident Jolinson keeps persons in oftice who sident Jolinson keeps persons in oftice who
have not only never been confirmed by the Senate, but who have been rejected by it. A
more plain and palpable violation of the Con-
sitution it would of. Nor is it easy to imagine one more dan-
gerous. When the C nstitution was adopted
the nation numbered but ano gerous. When the C nstitution was adopted
the nation numbered but about three mil-
lions; now we have more than thirty. Then
lie our annual receipts and expenditures were
but a mere trife; now they are bundreds of population was so small, the number
of officers so few, and their functions so insignificant, it was deemed dangerous to intrust the appointing power to the Presi-
dent alone, and it was yested in the President and Senate conjoinily. Now, when the
Federal officers have become an army, spreadFederal ovicershave become an army, spread-
ing all over the country, handiling untold
millons of money, and penetrating with their researches to the details of private business
and the arrangements of a man's household,
the Senate is openly fgnored, and the Prestthe Senate is openly ignored, and the Presi-
dent tramples the Constitution under his feet,
and wields this vast appointing power practically unchecked. He goes through the empty crm of sending a name in for conffrmation,
but if the Senate refuses its advice and consent, the appointment is made in defiance o draws the salary attached to tit. Hundreds of such cases now exist all over the country
Well may such a gross and flagrant abuse of power rouse even the sluggish conscience of
such a conservative as Reverdy Johnson. We trust Congress will make thorough work of this matter. The constiutional power of the Senate should be maintained to
its fullest extent. What with veto atter veto
of every important bill passed by Congress, the usurpation of legislative powers in the
assumed creation of State Governments ander laws passed and the usurpation of the appointing power in defiance of the Senate, there will
soon be no ocacasion for M. S. Sevard's aternan-
tive question, "Wheth tive ouestion, "Wheth M we will have
Jobnson tor President or for King? Documents for All Kinds of Theories
ODS Democratic contemporary quotes wi great gusto an old artiele from the Nashville Times and Union, which it says was written
by Andrew Johnson in December, 1894. by Andrew Johnson in December, 1884.
Suppose it should extend its quotations to the
speecies made by the same "humble individual" to the colored people of Nashkille,
and also to the comittee that announced to and also to the committee tiat announced
him his nomination to the Vice-Presideney him his nomination the various delegations that waited upon him immediately alter hls accession to the Presidency. Talding Mr. Johnson's speeches, proclamations, addresses, and
sote, from 1801 down to the present time


 lican administration base been the standing
theme of deprecation and denuuciation by
Democratic lournals. One would theme of deprecation and denunciation by
Denocratic lournals, One would have sup-
posed, to read their articles, that the people of Misourl were ground to the earth under the
most terrible deapotim, and that her most terrible deeppotsm, and that her socecal
and buainess interesta were at the lowest ebb and bueineses interesta were at the lowest ebb.
In the fiee of all this, howeyer, Missourl
Ste State bonds have gone up from seventy-five centa to nearly par, showing that capitaliats
have confdence in the State, if Democratio have confdence in the State, if Demooratic
politicians have not. At the same time politicicins have not. At the same time,
despite the terrible oppression under which
the peele the people of the State are represented to be
groaning, we behold a constant groaning, we behold a constant and maguif-
cent tstream of emigration pouring cent stream of emigration pouring into her
territiory, and the value of the taxable wealth of the state inereasing from $8188,602,216$ in
1868 to $8400,000,000$ in 1886 , and placed upon a mound and eaduring basis. The truth is, Missourl has been revolution-
ized, and, instend of the old conservation ized, and, instend of the old conservative, pro
stavery fosils who used to bear sway there,
set of bold, prosenite set of bold, progressive loyal men have
obtained power, and are not aftraid to use it for the good of the State. The old
regime died hard, but its day has gon regime died hard, but its day has gone by.
The splendid resources of the State being developed, a loyal emigration is adding dally o her numbers, and she is taking a front rank
among the Commonwealths of the republic, These are facts to put by the side of
theories of our Democratic journals. A Non Sequitur.
The conselvatives are lamous sturtling conclusions from exceedingly inadequate premises. Thus our Democratio
contemporary asserts that the "political and legal status" of the communities inhabiting the late Rebel States has been "determined
in an irreversible manner," because the in an irreversible manner," because the
Supreme Court, in December, 1865 , ordered
the causes brought betore it by writs of the causes birought berore toy writs of error
from the District Courts for the several Dis-
tricts within those States to be called and disposed of in regular order at its next term.
But this settes nothing one way or the other. It doess not determine that President John-
son las the right to overthrow one set of
State Governments and ceeate another, and until that question is settled, neither
the poolitical nor legal status of the late
Rebel commanities will be determine power and authority of the United. States
Government, in all its departments, LeegillaGovernment, in all its departments, Legisla-
tive, Executive, and Judicial, over these com-
munities 'is supreme, may be.
Take ofr The Taxss,-We are glad to
see that the almost universal expression of see that the almost universal expression of
public sontiment is in faror of a sweeping
reducion of our internal taxes, especially reduction of our internal taxes, especially
those upon manuatuetures. There is no doubt
that the measure is essential to the prosperity of the country. The present rate of tuxation
is so oigh as to seriously interrere witt production, and if persisted in, must defeat its
own ends by diminishing business and pros-
trating the industry of the country. With the trating the industry of the country. With the
exception of liquors and similar articles of
luxury, manufactures should be relieved 1 zom all internal duties.
Sourhern Stay Laws, -Nearly all the
so-calied Southenn Legislatures have pased so-calied Southenn Legislatures have passed
"stay laws," designed to arrest the collection
of debts, delay executions, and prevent the entorcement of deeds of trust. In Virginia,
Judge Meredith, of the Circuit Court, has just decided all such laws to be unconstitu-
tional. The Richmond papers speak of the decision as an exceedingly able one, and
likely to be sustainel by the higher courts.

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