# The Globe.

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### TERMS OF THE GLOBE.

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| | 1 time. | 2 do | 3 do | 1 month |
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| Three inches..... | 2 25 | 3 25 | 4 00 | 4 75 |

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|---|---|---|---|
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### DON'T GIVE UP.

In this world I've gained my knowledge,
And for it I've had to pay;
Though I never went to College,
Yet I've heard the poet say,
Life is like a mighty ocean,
Rolling on from day to day,
Men are vessels launched upon it,
Sometimes wrecked and cast away.

*Chorus.*

So do the best for one another,
Making life a pleasant dream,
Help a worn and weary traveler,
Pulling hard against the stream.

Many a bright, good-hearted fellow,
Many a noble-minded man,
Finds himself in water shallow—
Then assist him if you can.
Some succeed in every turning,
Fortune favors every scheme;
Others, too, though more deserving,
Have to pull against the stream.

If the wind is in your favor
And you weather every squall,
Think of those whose luckless labor
Never get fair winds at all—
Working hard, contented, willing,
Struggling through life's ocean wide,
Not a friend and not a shilling,
Pulling hard against the tide.

Don't give up to foolish sorrow,
Let it keep you in good cheer,
Brighter days may come to-morrow,
If you try and persevere.
Darkest nights will have a morning,
Though the sky be overcast,
Longest lanes will have a turning,
And the tide will turn at last.

### A WOMAN'S LOT.

I school my face to act its part;
My heart I will not bare;
I would not have you read my soul
And see your image there.
Our ways in life may never meet—
Ah, me! it is a woman's lot
To bear the pain as best she may,
So that the world suspect it not.

Then do not deem us proud and cold,
We women need to act a part;
The coldest face, the proudest mien
Full often hides the warmest heart.

And if we seem too free and gay,
Like butterflies as light as air,
You curl your lips in lordly pride,
And say that we're as false as fair.

When first we love we seldom wed,
And oftentimes we feel too weak
To go our weary way alone;
And failing then of what we seek—

Despairing oft of what we would,
Our weary hearts and lives athirst,
We take our fate upon ourselves,
And drain the cup that's offered first.

Then blame us not if we're too cold,
Or yet too gay, or light as air;
Remember, ye who frown us down,
A woman's lot is hard to bear.

## SPEECH OF Hon. John Scott, OF PENNSYLVANIA,

*On the Tenure of Office Bill, delivered in the U. S. Senate, March 19, 1869.*

Mr. President, I stated when I rose yesterday that I did not propose to discuss the constitutional questions which were involved in the passage of the tenure-of-office bill. I do propose, however, very briefly to state the three grounds that have been taken upon the question of the power to make removals from office, and then to look at the position in which the administration of this Government will be placed in view of the adoption of one of those grounds in the practice of the Government by the action of the Congress. The three grounds taken are: first, that the President has the absolute power of removal from office, independent of Congress or of the Senate; second, that this power of removal is vested in the President, by and with the advice and consent of the Senate, independent of Congress; and third, that the subject of removals from office is within the power of Congress, and may be regulated by legislation.

I am aware of the broad field which these three propositions open up, but I will not enter it, as I have already stated. The discussions have already made the public mind so familiar with it that it is not necessary for the enlightenment of the people that those discussions should be reiterated here. But, sir, after these questions have been before the country since the organization of the Government, and after a crisis arose in the history of the Government which rendered it absolutely necessary for Congress to act upon the subject, the third theory which I have stated was adopted, and has been acted upon. How was it adopted? That third theory of the Constitution, that Congress has the power of legislation upon the subject of removals, is the very life and spirit of the tenure-of-office bill. The first section of the tenure-of-office bill is an explicit assertion that the President has not the power of removal from office where the incumbent has been appointed by and with the advice and consent of the Senate. The second section of the tenure-of-office bill, acting upon the denial of the power of the President in the first, grants him the power to suspend for enumerated causes, incapacity, crime, disqualification, or misconduct. All the remaining sections of the bill simply provide for contingencies and penalties.

That bill was passed after one of the most earnest and protracted discussions that ever took place in the history of this country over any constitutional question. It not only passed in the ordinary form of legislation, but after it had passed and after it had encountered the veto of the Executive, and after that veto had laid before the legislative branch of the Government every reason that could be urged against the legislative power to regulate removals, the power was again affirmed by more than a two-thirds vote in each House of Congress. After its enactment the House of Representatives, whose voice on this subject is now invoked in this Chamber to some extent, that House being nearest to the will of the people, again affirmed the power in presenting to this body as a court eleven articles of impeachment, eight of which were founded upon this very tenure-of-office act. Eight of those articles being founded upon that act, that trial progressed upon those articles, attracting the attention not only of this land, but of the civilized world. The vote of the Senate upon the trial of that impeachment was an affirmance by a very large majority of the doctrine that the President has not the right of removal from office under the Constitution. More than that, sir, after that impeachment trial, founded upon this tenure-of-office law, had closed, the two great parties of this country went before the people, the one distinctly affirming in its platform of principles that the legislation of Congress, including the tenure-of-office act and including the impeachment trial based upon it, was right, and the other attacking it as a usurpation of power, declaring that Congress was seeking to draw to itself the powers of all the other departments of Government. That man now at the head of the Government—and I am not going to stop here to eulogize him, but of whom I may say, without undertaking a eulogy, that thus far duplicity has never been developed as an element in his character—went before the country upon the doctrine announced in one of those party platforms, and after again the full discussion of this question, entering as an element into the judgment to be rendered by the people, we have the verdict of the people, if it is worth anything in discussing a constitutional question, that the power of Congress was properly exercised.

Now, sir, in view of all this, what is proposed? We have it first established that the Constitution does not vest in the President the power of removal from office, and we come into power proposing to obey the Constitution in letter and in spirit. If we are earnest in this, then we believe that outside of the tenure-of-office act, and of the other acts regulating the Departments which confer the power of removal, there is no authority vested in the President of the United States to remove an officer appointed by and with the advice and consent of the Senate during the recess of the Senate, and affirming that doctrine, the proposition now before us is, first, by the House bill to repeal the tenure-of-office act; and second, by the amendment of the Committee on the Judiciary to suspend the tenure-of-office act until the next session; and there is another amendment, the effect of which, as I did not hear it distinctly, I am not able to state.

Now I propose, as I have stated, to call attention to the condition in which we shall be placed by adopting either of these measures. Suppose we repeal the act, where then are we? We are before the country with the express declaration that the President has not the power of removal during the recess. We are then thrown back on the laws which have been passed permitting the President in certain instances to remove from office. Would they permit him to carry on the administration of the Government and remove unfaithful or disqualified officers if he should wish to exercise that power? They might upon one construction that has been contended for here and elsewhere, but they would only reach, even granting that view, certain enumerated officers in the Departments, and upon looking at one of the acts relied on for this purpose I find that even the question of whether the President has the power to remove under that act must give way when we look at the matter in all its aspects. I refer to the act of 1820, and I call attention to it at this time for the purpose of showing that even if there were acts of Congress regulating all the departments of this character, under their phraseology the question would still be open as to who had the power to remove an officer. I read the first section of the act of the 15th of May, 1820, "to limit the term of office of certain officers therein named, and for other purposes."

"That from and after the passage of this act all district attorneys, collectors of customs, naval officers and surveyors of the customs, Navy agents, receivers of public moneys for lands, registers of the land offices, paymasters of the Army, the apothecary general and assistant apothecaries general, and the commissary general of purchases, to be appointed under the laws of the United States, shall be appointed for term of four years, but shall be removable from office at pleasure."

At whose pleasure? We get back to the very question that is started under the Constitution; and the very fact that the law of 1820 conferred the power on the President to remove, if it does confer it, is a strong proof that in the view of that law-maker he did not possess it without its being conferred by Congress; and in the attempt, if there was an attempt, to confer it the language is left so that if the case arose it would still be open to question in the courts whether the power of removal given by that act is given to the President, or is left to the President by and with the consent of the Senate. Take that one act as a sample, and upon the very doctrine on which we have gone to the country, upon the very doctrine on which the present Chief Magistrate of the United States has been elected, how could we say that if he found in office an obnoxious officer who was not provided for under any of those acts of Congress he might remove him? We have denied that power by this whole legislation, by all the action of the Government since it was sought to be exercised in such a manner as to require the action of the legislative department on the question.

There, sir, is where we should be left by the repeal of the law. Now, suppose we suspend it, as it is proposed to do here, how much better off are we? In one view of this question the tenure-of-office act is an unconstitutional restraint of power. In the other point of view it is an enlargement of the President's power, and confers upon him all the power that he has in connection with other acts of Congress to make removals. If we suspend the law, then, having adopted the ground that he has not the absolute power of removal, and that the only power he has is that which is conferred by law, then, from this until the next session, he can remove no officers except those that he would be authorized to remove by other laws upon the statute-book. And, sir, we cannot adopt this legislation on the ground that we wish to give the President the power to remove obnoxious officers. Instead of giving him the power to remove obnoxious officers the repeal of this law, or the suspension of it, is taking away from him the power to remove obnoxious officers.

The Senator from Indiana [Mr. Morton] was right when he said that there is no principle involved in the repeal of this law that is not involved in its suspension, and neither a repeal of the law nor a suspension of it will leave the present President to exercise the power of removal for the purpose for which the country wishes to see him have the power of removal. It will not do it, sir. We must go further; we must preserve the principle upon which this law has been founded, and I trust that it will be found in this Congress and in this Senate that when we have obtained a principle, and incorporated it into a law which works beneficially in the country, we will not surrender it for any mere temporary purpose. If the principle incorporated in the law of 1789, a principle almost as old as the law itself, that no man shall be a judge in his own case, was a good one, and so good that the Senate at least hesitated as to whether they would strike it from the statute-book at the request of the first man in the nation to put into office the richest man in the nation, I trust that they will adhere to the principle thus acted upon in the first days of the session and adhere to the principle that we have obtained and established in the passage of the tenure-of-office law.

What then, sir, should we do under the circumstance? We have affirmed the power of legislation over the question of removal, and the only point that is presented now is how shall that power be exercised. It was exercised before in view of the fact that a President in place claimed the power of removal and was exercising that power, as it was believed by the country, to take good men out of office and put bad ones in. The law then was passed—even if we say that in one aspect of it it was an enabling act—to restrain him from doing that mischief, from putting out good men and putting in bad ones. Now, sir, we are brought to a different state of affairs. We are not brought to surrender the principle, but we are brought to exercise the principle according to the circumstances in which we find ourselves. We have now in the presidential chair a man who, as I understand it, does not claim the power of removal, and a man who as we believe, if we confer it upon him, will exercise it only to remove bad men and put good ones in. If that be true, and we exercise our function by giving him power, we save the principle of the law; we do not say that we have been exercising this authority out of mere malevolence against the individual who happened to occupy the presidential chair; we say that we exercise it for the purpose of protecting and preserving the nation's life against bad men in office, and now we say that we will exercise the same power for the purpose of enabling a good President to turn out bad officers.

Then, sir, in my view we ought not to repeal the law; and if it were possible, if we had time to mature a better law, we ought not to suspend it; but we ought, if we do suspend the law, to accompany it with an addition to the present pending measure, giving to the President the power during the recess of the Senate to remove officers and to report the removals at the next session, requiring him to nominate for the places thus vacated within a limited time. In this way we exercise our power in accordance with the circumstances in which we find ourselves, not for a mere temporary purpose, because we preserve by this course the right and the authority again, whenever the emergency arises, to exercise it in another way if we find a bad man at the head of affairs. I would then prefer—and if I can do so in order at the proper time, unless it be offered by some more experienced Senator I shall propose to add to this bill suspending the tenure-of-office act until the next session—an enactment that during the recess of the Senate the President shall have power to remove officers, and requiring him at the next session, within twenty days, to report the names of those removed, and make nominations to fill the vacancies.

If any gentleman starts the objection that that authorizes the creation of a vacancy in a recess, I answer it does not in this view of the constitutional power, because it is the exercise of the authority of legislation for the purpose of enabling him to remove and fill the vacancy, and the officer appointed continues until the next session of the Senate. If then he sends in a nomination, and it is confirmed, there is no vacancy; if he sends in a nomination and it is rejected, there will be a vacancy, occurring not during the recess but during the session, and it can be provided for and filled at once.

This is my view of the legislation we should have on this subject. Let us, if you see proper, suspend the operation of the law until the next session, so that we shall then have time, if it be deemed proper, to complete the legislation necessary to carry out a system of this character, but do not repeal the law and throw our own President into a position where by exercising the necessary power of removal he will be striking down the principle incorporated in the tenure-of-office law, the principle contended for on this floor in the impeachment trial, and the principle upon which we put him into office by the voice of the people. Do not put him in that position. If we do, and if it be answered that he will exercise this power that was acquiesced in since the foundation of the Government till 1867, I would ask the Senators who voted to sustain this law on trial of the impeachment of a man who professed to have the power how we could in honor refrain from impeaching a President who would exercise a power which he declares that he does not believe he has?

I have heard during the progress of this discussion that legislation of this character would be reflecting on the President of the United States; that is to suspend this law would be reflecting on him. I do not think it would if we accompany it with the grant of the necessary power, as I have suggested. I think, perhaps, it would if we did not accompany it with the necessary power, but the restrictions in the law, if we think it necessary hereafter to enact them, are never a reflection on any man who intends to obey the law. As well might we come here and contend that the existing statute on the book imposing a penalty on members of Congress for being concerned in the prosecution of a claim against the Government was a reflection on members of Congress. It is not; but if unfortunately any member of Congress should bring himself within the provisions of the law, instead of the law being a reflection upon him, he would be an illustration of the wisdom of the law.

No, sir, it is no reflection, and this legislation will throw no obstacle in the way of the harmonious administration of the Government with a President who is disposed to do right, who is in sympathy with the majority in Congress. But having obtained this great principle through this struggle, shall we, upon any mere question of admiration for a man, or any mere desire to accommodate even his wishes in inaugurating this administration, be asked to surrender it in the legislation which we enact? I trust not. There are many blessings which have come to nations and peoples through their calamities. We need not go far back in history to show us that. The very oppression of our fathers brought freedom and the declaration of equal rights to a people who were not at first contending for them. The slaveholders' rebellion brought us freedom in the large sense of the word, and the obduracy of individuals and of States has brought us freedom in the larger sense of the word, so that now, through years of blood and anguish, we may say, as we have never said before, that we have a Government in which every man is free to choose the worship of God and free to resist the tyranny of man. That very obduracy is still getting on until every man, North and South, white and black, will be clothed not only with the right of citizenship before the law, but with every right necessary to protect the right of citizenship.

In addition we have this principle given to us now, a most valuable principle in the administration of this Government, which prevents the President from absorbing in his hands a power which, in the hands of a bad man, with the immense patronage that would be at his control in this government, would be the absolute control of all the offices. Shall we surrender it? I say no. Incorporate it in whatever legislation you may have, and that principle is of more importance to us or this country than any mere question of temporary convenience about men either getting into office or getting out of office. Let gentlemen pass their eulogiums on the President in power if it is to their taste; that is not our business here. Much as I may admire him, I do not see proper in the discussion of this question to lose sight of a great principle even in the brilliancy of his fame. Pass your eulogies upon him, rear your marbles to him if you see proper, but never lose sight of this great principle, and preserve it, that in the long years yet to come it may influence for good the destinies of this country when your marbles shall have mingled with the dust they were reared to commemorate.

QUARRELING.—If anything in the world will make a man feel badly, except pinching his fingers in the crack of a door, it is unquestionably a quarrel. No man ever fails to think of himself after a quarrel. It degrades him in the eyes of others, and what is worse, blunts his sensibilities on the one hand, and increases the power of passionate irritability on the other. The truth is, the more peaceably and quietly we get on, the better for our neighbors. In nine cases out of ten the course is—if a man cheats you, cease to deal with him; if he is abusive, quit his company; if he slanders you, take care to live so that nobody will believe him. No matter who he is or how he misuses you, the best way is to let him alone, for there is nothing better than this cool, calm and quiet way of dealing with the wrongs we meet with.

Couldn't Morrissey be appointed a Joint Committee on Binckley?