

The Pittsburgh Gazette.

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WEDNESDAY, MARCH 17, 1869.

WE PRINT on the inside pages of this morning's GAZETTE—Second page: Epithets, Miscellaneous, Letter from St. Louis. Third and Sixth pages: Commercial, Financial, Mercantile and River News, Markets, Imports. Seventh page: Washington Topics and Gossip, Telegrams, Real Estate Transfers.

U. S. Bonds at Frankfurt, 87 1/2.

PROBLEMS at Antwerp, 65 1/2 @ 86.

Gold closed in New York yesterday at 151 1/2.

GEORGE BRONER, Esq., editor of the Harbinger Telegraph, has just been replaced as Postmaster of that city.

The close of the present session of Congress on the 20th is probable. If need be, the Senate will continue to sit for Executive business.

MR. FINE, Secretary of State, was sworn into office yesterday, after which the first full Cabinet meeting of the new administration was held.

GEN. NEGLEY had an interview with the President yesterday. This may be an important announcement to office-seekers who are impatiently awaiting news from Washington.

The contested election case of COVODE vs. FOSTER, in the adjoining Westmoreland district, goes over to the December session for decision. Additional testimony is to be taken in the meantime.

COLONEL PARKER, formerly General Grant's Indian Aid-de-Camp, who has been spoken of as the probable appointee to the head of the Indian Bureau, is now understood to be out of that line of promotion. As an Indian, he is considered ineligible to office.

IN THE CITY COUNCIL, yesterday, there was another exciting discussion over the bill creating a Paid Fire Department, which resulted in its being referred by the Common Branch to the Ordinance Committee, with instructions to revise, modify and return for action.

The expected nominations for the foreign missions have not yet been made. The delay is accounted for by the fact that the new Secretary of State did not qualify until yesterday. These appointments are in his proper department, and he should have some reasonable time for official consideration.

WE SINCERELY hope that the public may rely upon the correctness of the rumor which assigns the office of Register of the Treasury to Hon. JOHN ALLISON, formerly of Beaver, but now of Mercer county. A more upright and capable man, worthier citizen, and truer believer in sound political principles, does not live than he. In public service as in private life, he has amply proven his entire fitness for the most responsible trusts.

AN AGENT of the Cuban insurgents has reached the Florida coast, en route to Washington, and bearing the formal application of the insurgent Junta for their "recognition." Doubtless, this is intended to apply to their rights as belligerents, since it is not in accordance with international comity to recognize the independence of an insurgent party or section until its ability to maintain that position shall appear plainly manifest. At present, the Cuban situation presents no such title to a distinct nationality.

A CORRESPONDENT of the New York Herald plumes himself on having discovered that it was the "Treasury ring" and not the law of 1789 which prevented Mr. STEWART from taking his seat in the Cabinet. The law, he says, for years has been "a dead letter on the books." If the law remained on the statutes it was not dead, no matter how often its provisions had been disregarded; and, even at this late date, the wisdom and prudence which prompted its passage are most excellent officers, but the world is not wholly composed of STEWARTS, and there was no good reason why the law should have been repealed in deference to his moral qualities now, and thus enable rogues in the future to profit by its absence.

PROGRESS IN CUBA.

The insurgent leaders in Cuba have formally proclaimed the immediate abolition of slavery, with indemnity to those proprietors who sympathize with the rebel cause. It is also decreed that the freedmen must either fight or work for that cause, and that, on this basis, they shall

enjoy all the rights and privileges of white men. The imperative clause in this charter of freedom has a novel sound to the American ideas, but, taken altogether, the movement marks a step decidedly in advance of a people of Spanish origin and prejudices. We regret, however, to believe that this tardy act of justice to the enslaved race is to be attributed rather to the menacing and desperate character of the rebel situation, than to any higher and purer impulse of philanthropy, or even of devotion to the principle of liberty itself. The effect of this step must be speedily decisive, either in retreating the insurgent fortunes or in extinguishing their last hope.

DISTRIBUTION OF PATRONAGE.

An arrangement, made between the Republican Senators and Representatives from Pennsylvania, as to the distribution of patronage, has created some discussion. This arrangement is to the effect that Republican Representatives shall control the distribution within their own districts, and the two Senators in the Democratic districts. The objection raised is, that the Republican candidates for Congress in the Democratic districts ought to have the patronage of their respective districts in their hands as absolutely as if they had been elected.

Where, then, would the Senators be allowed to say anything about patronage? Their influence would dwindle into simply saying the official yes, to whatever the Representatives and candidates for Representatives should be pleased to suggest. It is not wonderful the Senators are not ready to be thus ignored.

Take a Congressional district in which the Democrats have from five to ten thousand majority, and steadily increasing. There are such. In the Republican organization is altogether nominal. A very few men in each county manage everything to suit themselves when a Presidential election approaches, with a Congressional election, also, they get themselves appointed conferees, or go self-constituted. They agree to nominate one of their own set for Congress, under the expectation that he will control the patronage, and that he and they will have all the desirable places. That is all they want in the canvass, or do it. Frequently they nominate a man who would stand no chance of nomination there was the slightest prospect of carrying the district. The whole affair is a convenient arrangement for manipulating patronage by people who are not entitled to it.

SUMNER ON THE WAR-PATH.

Our Anglo-phobists are all agreed upon the proper policy of this country toward England. As they briefly but expressively put it, reads "an apology or a fight; with the first, a full reparation in money for all the damages we can prove, and, with the second alternative, an ample territorial indemnity carved out of the Canadian Dominion." This is the entire programme of these punctilious champions of our wounded "National honor"—and we must give them the credit for being hearty in earnest in their demands. Just now, they repine over the shameful indifference of the country to the insults and injuries inflicted upon us by England since the last settlement in 1815, and anxiously await the advent of some Peter the Hermit, to preach up a patriotic crusade against perfidious Albion. And their anxiety is to be speedily relieved. Senator SUMNER, of Massachusetts, is the coming man. This ferociously belligerent statesman is understood to have prepared, and will soon deliver, (reading it from a printed copy,) a speech "taking the ground that England is entirely responsible for much more than the destruction of our ships; that her action resulted in sweeping our commerce from the seas, and in prolonging the war of our rebellion at least a year." This speech is to be the formal indictment presenting English perfidy—the overt acts which exhibit her ante-republican hate—in the most convincing light, before the shuddering detestation of Christendom. Our Senatorial Peter, who, being a Yankee, is of course much smarter than his great and only prototype of the Middle Ages; but in whose many breast not even his own trumpet-blast of war can entirely obliterate the sweet tenderness of the Christian heart—this fighting Senator of ours has not been altogether without some merciful consideration for the hated foe; he has therefore privately informed the British Minister that England is about to be "chawed up" by this speech, no doubt sending to him a copy, in advance of publication, with the strongest passages marked by the Senatorial pencil. The French Minister has also been favored in the same way by the magnanimous foe, who diplomatically tells him that, after the English have been chastised, it will be the turn of France to be called up, for punishment for her part in the mischievous and premature recognition of belligerent rights.

The stories all agree that these emissaries of foreign despots stand against the prospect before them. Mr. THORNTON declares that SUMNER means war. Senator THORNTON! Dreadful SUMNER! The Frenchman, consoling by the thought that it is the hated Albion which is to bear the first shock of battle, shrugs his shoulders

and replies, "Mr. SUMNER, that means expansion of territory." NAPOLEON'S minion is rather pleased than otherwise with the idea that New France, which the XVth Louis lost, is now to be torn out of the jaws of the British lion. Monsieur is shrewd enough to perceive, too, that after this tearing-out process shall be completed, Brother JONATHAN'S stomach will not be left in any dangerous state of preparation for further combats.

And the entire diplomatic corps at Washington are in a terrible ferment. The war-cloud in Europe is altogether forgotten, in the apprehensions engendered by the forthcoming Sumnerian manifesto. It is really lucky that the American people have no share in such forebodings. The Senator's unbecome will do no mischief—except to spoil a few reams of paper; for the rest, it may do a vast deal of good, since it will convince all sensible folks of the indisputable propriety of taking a course in precisely the opposite direction to that which the valiant Senator marches on.

Whether the official exposition of the true situation, in this Alabama business, is to be given in Mr. SUMNER'S speech, or in the mysterious deferred but now promised report of a Senatorial Committee, the country has a right to know the precise grounds upon which the Senate rejects a treaty which has been duly and formally negotiated with a great foreign power. It strikes us that the "hide and seek" policy has governed the Senate, relative to this question, quite long enough. Let us be officially informed upon the real diplomatic position of either party to this controversy. All good citizens will then know how to stand by their country for the right.

THE TENURE-OF-OFFICE ACT.

A misapprehension exists among the people here and elsewhere of the provisions of the Tenure-of-Office Act, and the powers of the President under the same. It is no uncommon circumstance to hear asserted that none of the governmental officers holding positions by appointment of President JOHNSON for the full term of four years; can be displaced before that period has been served, provided no just cause can be presented in the meantime for removal. How such an interpretation of the law can be maintained from the text, we are at a loss to discover, and can only account for its general prevalence on the hypothesis that few have taken upon themselves the task of looking closely into the words of the act, passed to guard against the malicious political persecutions by a corrupt and inefficient public servants, and not intended to interfere in any manner whatever with the appointing power of a Chief Executive who has the welfare of the country and the faithful execution of the laws thereof closer at heart than any desire to make war on those who may take issue with him on important national questions. If we are to credit correspondents, President GRANT partakes somewhat of the prevailing error that his hands are tied by the law, and that he is in a large measure powerless to discharge from public service objectionable officers who hold unexpired commissions issued by his predecessor, charging Congress, in the failure to repeal the Tenure Act, with the responsibility of their continuance in office.

It will be remembered that when Mr. JOHNSON first introduced the gutting process of disapproving men who dared think differently from himself, he had matters pretty much his own way, and abused his privileges as no Chief Executive before him had ever attempted. The Senate, while in session, threw up a slight barrier to the political deposer, although unable to protect good men removed for their adherence to principle, by refusing to confirm successors who were objectionable. Mr. JOHNSON was shrewd enough to temporarily rest from his labor of decapitation while the Senate held session, but immediately after their adjournment let fall the knife with the vigor of vengeance; and, when the Senate resumed, they found new appointees installed in the public offices, attending to their duties, and as the changes had been made it was not deemed essential to the public good to withhold confirmation, as such a course would clog the wheels of government by confusing matters in the several departments. In order to checkmate the President in the new development of his genius, and to take out of his hands a power he had clearly demonstrated should rest with no bad man, the Tenure-of-Office bill was framed and passed. Hence, it will be seen what emergency gave birth to the law. It was not designed to strip the President of power, but to provide against its abuse when the Senate was out of session.

The first section of the act provides that persons holding or appointed to any civil office, by and with the consent of the Senate, shall be entitled to hold such office until a successor shall have been appointed in like manner appointed and duly qualified. That does not imply that an officer shall hold his term of four years from the date of commission. Presuming it did, Mr. JOHNSON and his ring might have forestalled all of President GRANT'S appointments by a scheme which would have been accompanied by no great difficulty in carrying it out. If, by previous arrangement, all of the officers in the service of the Government by appointment of the President had resigned several months before their terms had expired, and new ones in the ring had been appointed, and the Senate had been humbugged into

confirming them, and these, in turn, after serving a few weeks, had resigned, leaving the President to re-appoint the old ones for the term of four years from the date of their commissions, how many offices would President GRANT have now to supply?

The second section provides for contingencies where, during a recess of the Senate, it is shown, by evidence satisfactory to the President, that an officer is guilty of misconduct in office, or crime, or for any other reason shall become incapable or legally disqualified to perform his duties, the President may suspend such officer and designate a temporary successor until the next meeting of the Senate, and until the case may be acted upon by that body. This fixes the causes for removal while the Senate is in recess, but in no ways refers to the powers of the President to remove from office while that body is in session. The third section provides for supplying vacancies by death or resignation, the President having power to appoint a successor, whose commission shall expire at the end of the next following session of the Senate. The remaining sections are of no particular importance, simply providing the method of enforcing the law and fixing the penalties for its violation.

Although the law may be regarded in no higher light than a formal declaration of the right of the Senate to share with the President the power of making appointments. This right had never been questioned and was coeval with the Government itself. We were not among those who looked with much favor on the bill when before Congress, inasmuch as we regarded it as a half-way measure to hamper a wrong-doing President, who, richly meriting impeachment, should not have been surrounded with new laws to keep him from violating and setting aside old ones. Remaining on the statute it can in no way interfere with President GRANT'S powers of removal while the Senate is in session; and it is hardly possible that he will need wider range than that given him by the law itself during the recess of that body. From present appearances, however, Congress will either entirely repeal the act or temporarily suspend its operations. The bill to repeal it was fully debated in the Senate yesterday and will probably be brought to a vote to-day.

New York Items.

Judge Hilton, Mr. A. T. Stewart's confidential adviser, was black-balled at the United League on Saturday night. He is at present a member of the Manhattan Club, and is Stewart's candidate for Collector.

The new excise law, passed by the Assembly, creates great dissatisfaction among the Germans, and they threaten, under the leadership of General Sigel, bitter retaliation on the Republicans at the next State election. The law is so framed that it will be very difficult to repeal. The bill to repeal it was fully debated in the Senate yesterday and will probably be brought to a vote to-day.

The Destroyed Steamer Ruth.

By Telegraph to the Pittsburgh Gazette. ST. LOUIS, March 16.—The steamer Ruth, which was burned yesterday in the lower Mississippi river, was one of the largest and finest vessels on the western waters. She was owned by the Atlantic and Mississippi Steamship Company, cost in 1855 \$200,000, and was valued at \$100,000. Her insurance was \$1,000,000. She was carrying on board 1,000 barrels of flour, 1,000 barrels of sugar, 1,000 barrels of coffee, 1,000 barrels of rice, 1,000 barrels of corn meal, 2,500 sacks of corn, and some 2,000 packages of sundries, valued at about \$500,000. The fire broke out at about 10 o'clock, and the vessel was completely destroyed. A large portion of the cargo was saved in a damaged condition, but her hull is probably ruined.

The Insurrection in Cuba.

HAVANA, March 16.—The insurgents in the neighborhood of Sagua number 1,500, and are under the command of an American named Rudolph Poles, formerly in the Confederate service, and lately a clerk in a mercantile house in Calbarco. The Poles and his followers represent the rebels as advancing against the rebels in every direction. The Government forces are working hard to re-establish communication between Neuvasitas and Puerto Principe. Skirmishes have taken place at Boca near Neuvasitas, and at Parilaria. Two fights within forty-eight hours are reported, in one of which, according to Government accounts, one hundred and seventy-five insurgents were killed. No reports of these engagements have been received from the Cuban side. Forty rebel prisoners have arrived here from Remedla. The rebels who were defeated at Majori are moving toward Holguin.

Georgia and the Amendment.

ATLANTA, March 16.—The House passed the Fifteenth Amendment by a vote of 57 to 45. Republicans present and not voting 18. Republicans voting nay 4. It is made the special order in the Senate for to-morrow afternoon.

General Canby has issued an order appropriating about four hundred and thirty-five thousand dollars out of the State Treasury of Texas to carry on the provisional government of that State during the current year. It is said that more than half of this amount is for the Penitentiary, which will return most of the amount thus appropriated.

FORTY-FIRST CONGRESS.

(Continued from First Page.)

read from a book, to the effect that the claim that the President could create a vacancy in offices without the advice and consent of the Senate was absurd.

Mr. YATES could not agree with that opinion.

Mr. EDMUNDS said what he had read was the opinion of one of the Judges on the President's trial, Senator Yates, of Illinois. (Laughter.) Mr. YATES insisted that all he had said on that occasion was good law. (Laughter.) He did not now, however, propose to go into the question of law from the vote for the impeachment of President Johnson, and under the same circumstances should vote so again, and if President Grant should at any time go back on his party, or on the principles on which he was elected, he (Mr. Yates) would be the first to denounce him. The President, however, had shown no inclination to do this, and therefore there was no reason why Congress should manifest a want of confidence in him by keeping this law upon the statute book. The President had not violated his oath, and he had the right to the people's confidence on a thousand battle fields, and although he was not one of the favorites, yet he was anxious that the President should have fair chance in the administration of the Government.

Mr. FESSENDEN said he would vote for the repeal of the law. He would not do so, however, on the ground that to vote against it would exhibit a distrust in the President, but because he had opposed the law from the first, and had foreseen and predicted its operations. He would do more evil than good. He did not oppose it because he thought it unconstitutional. On the contrary, he believed Congress might impose upon the President the restriction which this law did impose. He thought the Senate had already indicated its opinion on the action of the President in the power to withhold its assent from his nominations. He had been unable, therefore, to support this law, at the time of its enactment, because, although it seemed to be demanded for that occasion, he had never been in the habit of transferring his legislation for particular occasions. The great evil which had attended the operation of the law was that it transferred the power of appointment to officers of the Executive to the members of the House of Representatives. This transfer had been attended with very bad results, and he was therefore, prepared to vote for the repeal of the law. He would not be given for repeal on the ground that to vote otherwise would indicate a want of confidence in the President. He did not think it necessary, or dignified, to be continually referring to the confidence of the people and Congress in the President. The people had but recently elected, and it was to be presumed the people had confidence in the President, and he thought it was not necessary, or in good taste, to be continually slandering the President with praise, and talking about his battles and victories. General Grant had ceased to be General and had become President of the United States, and was likely to have a hard time of it. (Laughter.) He (Mr. Fessenden) expected to stand by the President, to approve of his official conduct that seemed to be good and excuse all that was mistaken, and the President would be more than moral if he did not make some mistakes. He was in the habit of determining his action upon all measures of legislation that would affect him, and he would not, and only with regard to his duty to himself, to the Senate and to the great constituency which he represented. He would vote for the repeal of this law only because it was a bad one, and not with regard to its effect upon any person or persons.

Mr. YATES said whether the Senator from Massachusetts intended to lecture anybody or not, he (Mr. YATES) did not intend to be lectured. The Senator said that in legislating in regard to officers of the Government he never considered the person holding an office; but the facts were quite the other way, because that Senator, in voting for the Tenure-of-Office act, did so with direct reference to the person who held the office of President.

Mr. FESSENDEN—I did not vote for it.

Mr. YATES—Well, others did, and they voted with reference to the person holding the office of President, and we maintain that we ought to consider the moral character of the person who holds the office in legislating with reference to that office, and insist that it was proper to refer to Gen. Grant's battles.

Mr. HOWARD protested against the imputation of the Senator from Indiana, (Mr. Morton) that to vote against the repeal of the law would indicate a want of confidence in the President. The imputation was without foundation, entirely gratuitous, and he thought it was in good taste, and his chief object in voting for it had not been to restrain Andrew Johnson, but to put upon the statute book an enactment as necessary to the Executive as to the people. It was true the mischief of the law was to be feared, but the occasion for the enactment, and that occasions have always suggested the enactment of laws. No one could have a higher sense than he of the patriotism and brilliancy of General Grant's military career, and he trusted his civil career would be as bright. He expected it would be, as he intended to give his support to every act and suggestion of the President, and he could approve; but he would not be swayed from the line of his duty as a legislator by regard for President Grant or any other human being. He never had learned, and never would learn, to "crook the pregnant hinges of the knee, that their may follow fawning." The constitutionality of the act seemed to him so clear as to hardly admit of debate, and he required the concurring action of the President and the Senate to put a man into office. How could the President alone undo that which he had been unable to do without the advice and consent of the Senate? This consideration alone seemed to settle the question; but his view was sustained by some of the greatest statesmen that the country had produced, Webster, Clay, Benton, and Calhoun.

In conclusion, Mr. HOWARD again denied that to vote against the repeal of the law indicated a want of confidence in the President, and expressed the opinion that the President himself would hurl back the imputation if he heard it. He (Mr. Howard) was willing, for the sake of being in harmony with his brother Senators, to vote to suspend the law for a certain time, but he felt in doing so he had done a great deal, and would not, under any circumstances, agree to its repeal.

Mr. EDMUNDS thought a disinterested spectator, if there were any such, occasion of this attempt to strike off the statute book a law for which some of the wisest and purest fathers of the country had struggled, and for the want of which Executive patronage had more than once been the instrument, been used to control and coerce the will of the people. The supporters of the at-

tempt to repeal this law were of two classes. The Democratic party in the Senate advocated it in a solid body, some probably on principle, but others no doubt in the hope that by repealing the law the Republican party would put itself in the wrong and stand before the people of the country and the world as a party which had resorted to a mean and unconstitutional contrivance against an Executive that it did not like, and now makes haste to abandon it in favor of one it did like. Acting with the Democratic party were some of the most able members of the Republican party, who, however, acted in this case as a government of men instead of a government of laws. There being this strong combination for the repeal of the law, it was worth while for Senators seriously to consider what it was they were asked to do. He would remind them that history was not silent on the question. It was the old question of one man against the power of the people, as represented by their own agents. The question had been asked in the first Congress of the United States, where the advocates of a strong Executive quarreled with the constitution as it was, because it did not give them a strong enough government, because the Executive was not near enough in power to a King. The debates in that session were not public, but had been handed down to us in the notes of one of the people and was worth while for Senators seriously to consider what it was they were asked to do. He would remind them that history was not silent on the question. It was the old question of one man against the power of the people, as represented by their own agents. The question had been asked in the first Congress of the United States, where the advocates of a strong Executive quarreled with the constitution as it was, because it did not give them a strong enough government, because the Executive was not near enough in power to a King. 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