

# COLUMBIA.

Thursday Morning, Feb. 27, 1868.

## The Troubles in Washington.

Naturally, much interest has been excited in the public mind by the events transpiring at Washington in connection with the order of the President for the removal of Mr. Stanton from the Department of War and the appointment of Gen. Thomas as Secretary of War *ad interim*. A good deal of excitement has ensued on the subject—more, perhaps, than is justified by the step taken—and the action of the President has been seized upon with avidity by the dominant party in Congress to revive the heretofore twice buried impeachment measure, with a view to rushing it through in the most summary manner possible. The *Baltimore Sun* suggests that the steps taken by the President might have been with a view of bringing to the test the constitutionality of the tenure of office law, which he has always held to conflict with the Constitution of the United States, and which he, as it directly applies to the Executive, seems to have felt it incumbent on him to test. As was set forth in the veto message of the tenure of office bill, the question of the power of the President to remove any of the civil officers whose terms of service are not limited by law, without the consent of the Senate, is by no means a new one, and the principle that he may do so, the President holds, has been distinctly declared by judicial authority, and uniformly practiced upon by the legislative and executive departments of the Government. The legislative construction of the Constitution on this subject has been acquiesced in and acted upon down to the time of the passage of the tenure of office bill, and the President, in the step he has taken, has executed no *coup d'etat* and no act of revolution or violence, but simply resorted to a mode, out of several perhaps, of having the constitutional question legally adjusted by the civil tribunals—a privilege which every individual who conceives himself wronged under a statute may claim and exercise in legitimate form, according to circumstances. The action of the President has led to the proceeding which Mr. Stanton has taken in causing the arrest, on a civil warrant, of Gen. Thomas, and his arraignment at the bar of the Supreme Court of the District of Columbia, on the charge of a high misdemeanor, in having, as is alleged, "unlawfully accepted" the office of Secretary of War, and "unlawfully" holding and exercising the said office, contrary to the provisions of the civil tenure of office Act. In the affidavit on which the warrant of arrest was issued, Mr. Stanton puts forth the claim that he "legally holds" the office of Secretary of War, that the order of his removal from that office is "wholly illegal and void," and that the appointment of General Thomas "is wholly unauthorized and illegal." Thus the question is brought in this form before the Supreme Court of the District of Columbia. The 5th section of the civil service act, under which General Thomas has been arrested, provides that any person accepting or holding an office contrary to the provisions of the Act shall be declared guilty of a high misdemeanor, and, upon conviction, be punishable by a fine not exceeding \$10,000, or by imprisonment not exceeding five years, or by both punishments, in the discretion of the court. General Thomas was bailed to appear yesterday, for a preliminary hearing, before the Supreme Court of the District of Columbia, but in view of the proceedings to be instituted by *quo warranto* to obtain

a decision in the Supreme Court of the United States of the legal questions involved, the status of the case may be considered quite different from what it then was. The 6th section of the civil tenure Act declares the exercise of the appointing power in violation of the provisions of the law a high misdemeanor, punishable by the same penalties prescribed above for those accepting such appointments. While this is the legal penalty of this Act, Congress proposes to inflict upon the President a different penalty and in a different court from that which the Act prescribes, by dragging him before the Senate for a trial on impeachment, a proceeding evidently partizan and high-handed—such as ought to provoke the indignant condemnation of the whole country, for it is but the imperiling of the vital interests of all by political agitation for purely partizan purposes. It is not one section more than another that is interested in the suppression of these desperate resorts of politicians for the perpetuation of their party power, destroying and unsettling values, disturbing business and interrupting and depressing all the practical employments of the people. But the *Sun* and other conservative papers at the North have faith that the good sense of the people everywhere will vindicate itself on this, as on other occasions, against the machinations of desperate would-be leaders.

The House of Representatives having passed a resolution impeaching the President of the United States of high crimes and misdemeanors, the *Richmond Dispatch* gives the following as the probable programme of the proceedings:

"The Chief Justice of the United States will preside upon the trial, just as in the British House of Lords the Lord Chancellor of England presides upon similar occasions. All the Senators are required to take an oath (or to affirm) that they will 'well and truly try and true deliverance make,' &c. The case will be conducted on the part of the prosecution by managers to be appointed by the House of Representatives, and on the part of the President by counsel of his own choosing. Mr. Stantbery, Mr. O'Connor and Judge Black, are said to have been engaged by the President. The House of Representatives will select as many managers as it pleases, and will probably, as a compliment, select Mr. Stevens as their chief manager. The number will probably be less than half a dozen. The Constitution provides that punishment in cases of impeachment shall not extend further than removal from office, and disqualification to hold any office under the Government. It requires the concurrence of two-thirds of the Senators present to do even this.

"The Senate sits as a court, and may as a court make some order which will virtually suspend the President during trial. The Senate deliberates with closed doors, but the judgment is given with open doors.

"No President of the United States has ever before been impeached, and therefore the Chief Justice has never before presided over the Senate, since he does so only in such case: 'It may require weeks or months to complete the trial. All depends upon the temper of the Senate.'

The reader will do well to remember that Gen. Thomas was appointed Secretary of War *ad interim*, and that Mr. Ewing is nominated for Secretary of War. There is no conflict between the appointments.

Speaking of the political movements in New York State, the *New York Herald* says: "The town elections thus far in this State have shown Democratic gains over the 50,000 majority in 1867. We have already given the results in the Counties where elections have thus far been held this year. These Counties represent different sections of the State, showing that the Democratic gains cannot be ascribed to local causes."

A man who allows warrants his work—the sheriff.

**VIEWS OF THE PRESS.**—The *New York Tribune*, referring to the impeachment of President Johnson, says:

"There is no avoiding this conclusion—no explaining it away—no middle course. Congress must assume the responsibility of impeaching him. Not to do so, in the face of this flagrant and insolent proceeding, is to become partner in the crime. It is no time to consider party influence of impeachment, or its effect upon Presidential candidates. We would rather see the Republican party, candidates and all, driven to the deserts of Arabia, than to have them tremble one moment in the presence of this high duty.

"We believe the impeachment, conviction and removal of Andrew Johnson, would work an important revolution in the future conduct of Presidents who might be disposed to usurp the powers of Congress; to violate laws; to join hands with traitors in the oppression of the weak; to sell their appointments and pardons to the most worthless and abandoned characters; and to seek systematically either to coerce Congress into doing their will or to defeat the execution of the laws when passed. The impeachment and removal of Andrew Johnson would not only remove all obstacles to the execution of the laws, but would operate as an example to secure the country to all future time against Presidential despotism."

The *Herald* thinks, notwithstanding all the excitement in Washington and throughout the country, on account of the events of the past few days, there need be little apprehension that the conflict of authority at the capital will result in anything but a mere legal struggle, and says:

"The conflict between the Executive and Congress has become very exciting. Under that our republican institutions and the Government are undergoing a strain such as they have never been subjected to before. We are in a condition when a spark might create a conflagration throughout the whole country. There is the most bitter and determined war between the Executive and Congress. Where lies the responsibility for this deplorable state of things? Undoubtedly in our Jacobin radical Congress. For party purposes alone, and to perpetuate their political power, they are abolishing as fast as they can the constitutional powers and rights of the President. If we had not the examples in history of the insane violence of extreme political parties, such a state of things would seem incredible in this republic. A party that endeavors to maintain its power by destroying the Executive, by violating the Constitution, and through the support of the barbarous negroes, has reached the climax of folly and tyranny, and is bound to destruction."

"The conflict of authority suggests the question, who is really Commander-in-Chief of the army of the United States—who has any authority over the officers in command of the different departments? Somebody must issue orders, and these orders must be obeyed. According to the Constitution under which we were supposed to live, the President of the United States was Commander-in-Chief of the army and navy. The Executive was always so regarded and always exercised the privileges of his office in that respect. Now, however, the President is ruled out and pronounced to have no constitutional rights whatsoever. Who, then, is Commander-in-Chief? Grant, Sherman, Lorenzo Thomas, Stanton, Ben. Wade, Schuyler Colfax, Old Thad. Stevens, Bingham, of Ohio, or who? It is a matter of some interest to the country to know who is really in command of the army, and, for the matter of that, who is President."

Of course, Forney's papers, the *Press* and the *Chronicle*, are wrought up into the most hideous frenzy about affairs at Washington. "Andrew Johnson, by the wrath of God President," is charged with plotting war and conspiring bloody murder, beside being guilty of treason and every other crime; and thereupon the threatenings and fury of the two papers reach a pitch that is altogether frightful.

The livery stables 619 Sixth avenue, New York, were destroyed by fire yesterday morning, and twenty-three horses consumed.

**THE NATIONAL DEMOCRATIC CONVENTION.**—The National Democratic Committee held a meeting in Washington, on Saturday, 22d inst., Hon. August Belmont, of New York, presiding. No distinction whatever was made in the committee between members from loyal and so-called rebel States, and the representatives in the National Convention are to consist of twice the number of Congressional representatives to which each State is entitled by the last apportionment. In this resolution no allusion is made to excluded States. Eight States were not represented in the Convention, viz: California, Georgia, Florida, North Carolina, Louisiana, Virginia, Rhode Island and New Jersey. After considerable debate, the committee agreed upon the city of New York as the place for holding the Presidential Nominating Convention, and the fourth of July as the time. The only other action taken was an agreement to give this announcement, accompanied by an earnest invitation to all the opponents of radicalism to unite in this movement to select anti-radical candidates for the Presidency and Vice-Presidency of the United States. The proceedings were harmonious, and the result, it is understood, meets the almost unanimous approval of the members of the committee.

The proposition brought forward by petition in the Senate, the other day, by Mr. Sumner, to abolish the Presidency and commit the Executive Department of the Government to a Commission appointed by Congress, is advocated in some journals in the West. It is rather a significant straw, showing the direction of what claims to be the progressive current of public sentiment. It proposes substantially the same kind of Democratic government which was adopted during the French Revolution, when the Directory, appointed by the Convention, wielded the executive power of the nation. It is a little curious, though perfectly natural, the *New York Times* thinks, that the ultra radicals of the present day find all their models for an improved government, in the worst days of the worst government that ever existed. No progress, it seems, has been made in the matter of government by this country or any other since the French Reign of Terror.

**BANKRUPTCY.**—The following is a list of those who have filed petitions for the benefit of the Bankrupt Act in Newberry: Thad. S. Duncan, Marshall & Brother, Peter Hair, Jas. Y. McFall, R. V. Gist, I. Herbert, John W. Rhodes, Henry Sumner, A. M. Wicker, Drayton J. Livingston, W. H. Jones, Levi Livingston, J. C. S. Brown, Noah E. Rhodes, Henry Stone.

**ALMOST A FATAL ACCIDENT IN THE HOUSE OF REPRESENTATIVES.**—Much excitement and alarm were produced this afternoon in the House of Representatives, by the breaking of one of the thick heavy plates of glass in the roof, the gas-lighter having slipped and falling upon it while in the discharge of his duty. He caught himself by the iron frame, thus preventing his falling to the floor. J. R. Grinnell, of Iowa, formerly a member of the House, was standing under the glass at the time, receiving the welcome of his friends, and hearing the crash, threw up his hands, which saved his head from injury; his right hand was badly cut by a large fragment of the glass, but not dangerously. Mr. Price, of Iowa, was also struck by a piece of glass, but he was not injured. Some time elapsed before the business of the House was resumed.

England seems to be thoroughly frightened by the Fenians. The English Government has determined to fortify all its police stations, and has begun with those of London, which are now provided with bullet-proof iron shutters, and stocked with small arms and ammunition.

## Local Items.

**UNIVERSITY OF SOUTH CAROLINA.**—In consequence of the unfavorable state of the weather, the next lecture will be delivered on Thursday next, the 5th of March, by Prof. Rivers. Subject: "The connection of *Epic Poems* with the history of the times in which they were produced, illustrated from Homer, Virgil, Tasso and Milton."

**MAGIC FEED.**—A hog was purchased by Mr. Lee, the superintendent of the penitentiary, thirteen days ago, and in that time the animal has gained twenty-four pounds. If Mr. Lee's prisoners increase in the same proportion, he will soon be compelled to enlarge his cells.

**NEEDS RECONSTRUCTION.**—The weather, as well as the State, needs reconstruction badly. For several days there has been a surfeit of rain, cold and slush, which, according to the prophecy of a learned pundit, will likely culminate in an earthquake, or some other equally terrible event to-day—the 27th of February; although another equally learned, puts off the affair until the 27th of March.

**DEATH OF A FAVORITE ACTRESS.**—The *New York papers* announce the death on the 22d instant, of a talented comic actress, **Mary Gannon**. Twenty-seven years ago, she was regarded one of the most fascinating danseuses then on the stage. She pirouetted in Columbia for several seasons, completely turning the heads of the young men. While exhibiting her skill in horsemanship, in our streets, she was thrown and very severely injured, and the night of her re-appearance the old theatre was jammed, and Mary was repeatedly called before the curtain to receive the hearty congratulations of those present. Mary abandoned Terpsichore early in life, and applied herself studiously to the higher branches of the histrionic profession. That she achieved the utmost success is proven by the very complimentary manner in which the papers speak of her—the theatrical critic of the *Tribune* asserting that "in losing her, the American stage loses the best comic actress of this generation." Her last appearance on the stage was at Wallack's, on the 27th of January, and when she laid aside her stage dresses, that night, she said that she should never use them again. She had long known that the end was approaching—that the black curtain was about to fall. She has passed away in the prime of her years and in the fullness of her fame; and she is happy in leaving a name that will often be thought of with a sigh, and that will never be mentioned without a smile.

Some surprise has been manifested by philologists at the fact that the word "sack," variously spelled, is found in many languages. One of the most ingenious explanations is that of Beanus, who said that at the dispersion of mankind at the foot of the tower of Babel, every one took away his valuables in a sack, the most indispensable article for a long journey, and that no one forgot the name of the thing which was all in all to him.

**MAIL ARRANGEMENTS.**—The post office open during the week from 8½ a. m. to 6 p. m. On Sundays, from 1½ to 2½ p. m.

The Charleston and Western mails are open for delivery at 2 p. m., and close at 9 a. m.

Northern—Open for delivery at 10½ a. m. closes at 1 p. m.

Greenville—Open for delivery at 3 p. m., closes at 8 p. m.

**NEW ADVERTISEMENTS.**—Attention is called to the following advertisements, published this morning for the first time: Regular Meeting *Acacia Lodge*. Fisher & Heimish—A Real Pain, &c. A. Y. Lee—Calisthenic Hall.