

# HARPER'S WEEKLY.

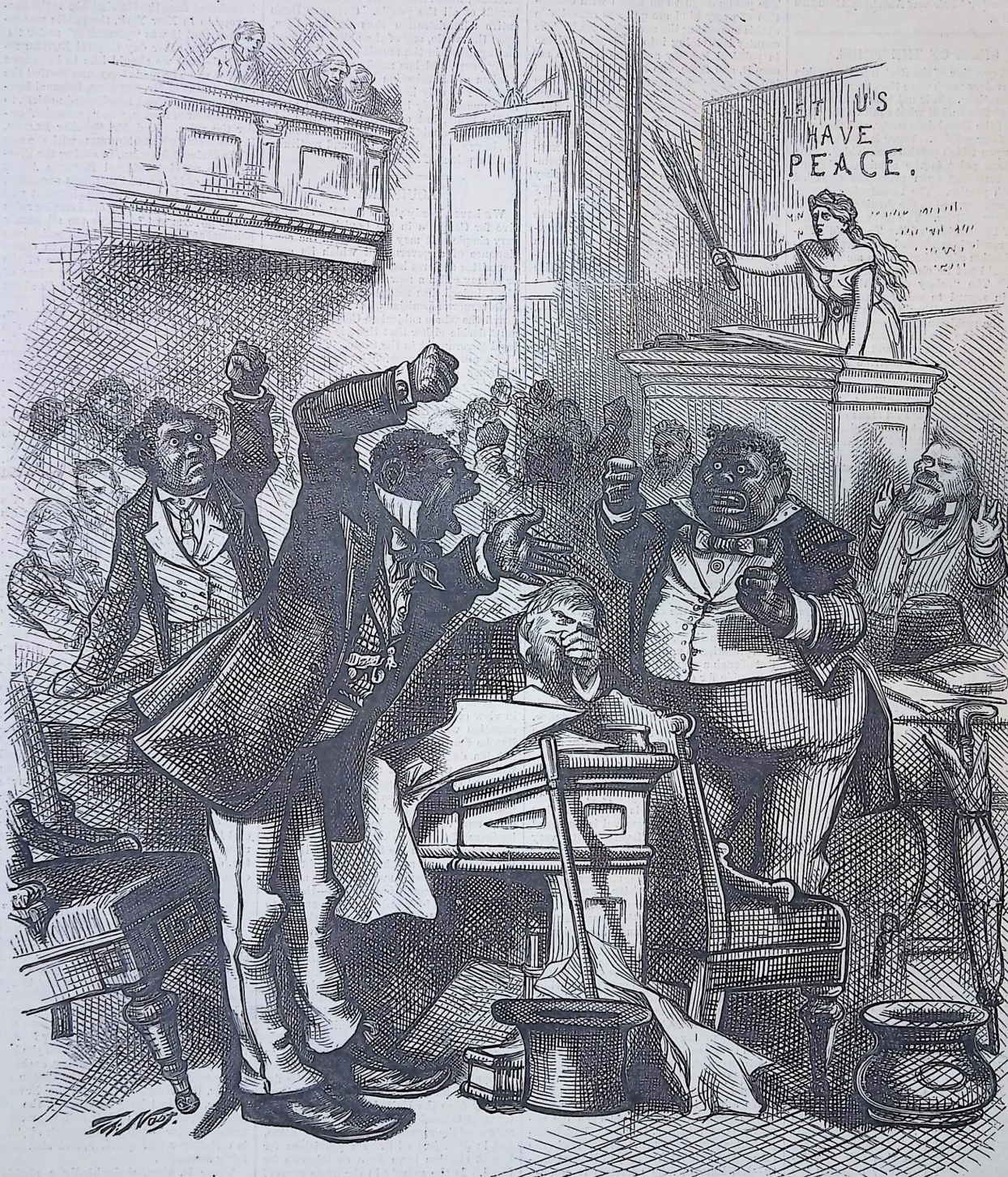
A JOURNAL OF CIVILIZATION.

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COLORED RULE IN A RECONSTRUCTED (P) STATE.—[SEE PAGE 242.]

(THE MEMBERS CALL EACH OTHER THIEVES, LIARS, RASCALS, AND COWARDS.)

COLUMBIA. "You are Aping the lowest Whites. If you disgrace your Race in this way you had better take Back Seats."

## HARPER'S MAGAZINE, WEEKLY, AND BAZAR.

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## HARPER'S WEEKLY.

SATURDAY, MARCH 14, 1874.

With this Number of HARPER'S WEEKLY is sent out gratuitously a beautifully

### ILLUSTRATED SUPPLEMENT,

containing two splendid Temperance Cartoons, and other features of interest.

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### SIGNS OF THE TIMES.

THE question of the Boston Collectorship involves much more than mere personal considerations. It is not who shall be Collector at Boston, but what shall be the character of the Republican party, and the tendency of our politics. There is now no great issue upon which parties are divided. The important point is the administration of the government upon principles conceded by both parties. The threatening danger to the country and to the dominant party is mercenary politics. The last year has been full of illustrations of it. The *Credit Mobilier* revelations showed an alarming demoralization of sentiment even among those who could not be charged with deliberate fraud. The "salary grab," the startling facts in regard to seizures and moieties, the Washington Ring, the SANBORN contracts, the recklessness in appropriation described in the speech of Mr. DAWES, the Congressional arguments and demands for inflation, the prevalent doctrine that office is a mere means of pushing personal ambitions and of making money out of the public, the acrid partisan hostility to a reform of the civil service—are all signs of a tendency and a danger not to be denied, and to be resolutely opposed by the united efforts of all good citizens.

Now, as there is no national issue to divide parties, the control of the organization of the dominant party is of the last importance to clever political gamblers, because it promises to secure them their plunder and their purposes. But their game can be played out only at the cost of the existence of the party. General BUTLER, the chief of the "salary grabbers," an original repudiator, an inflationist of the extreme school, and the most truculent defender of a corrupt system of the civil service, is the most conspicuous representative of that laughing scorn of political morality, and of a high sense of public honor, which is the most mischievous tendency of the time. He is a man of indisputable political ability, of great adroitness, of unblushing effrontery, and of that profound contempt for the people and servile flattery of them which are essential to the accomplished demagogue. He is withal a strict observer of party forms and precedents; and being earnest in nothing but his personal advancement, and of consummate coolness, he never submits to being "bottled up," and even in the midst of contemptuous defeat, and what to a man of fine honor would be shameful humiliation, he gayly turns the laugh upon his adversaries, and for the moment seems to make public decency, honor, purity, patriotism, and sincerity ridiculous.

A curious combination of circumstances has involved the personal career of General BUTLER with the harmony and existence of the Republican party. The immense army of bums that always surround a party long in power look to him with enthusiasm as their leader and patron. The President, whose original dislike of him is well known, evidently thought that it was better to have him for a friend than an enemy, and this gave him at once an ascendancy in the abuse of patronage that made every office-holder in Massachusetts fear his power. This was the lever by which he hoped to make himself Governor of that State, and from that post to aim at the Presidency. Two years ago, and again last year, he tried, with the assistance of the office-holders, to secure the State nomination; but he not only failed, but so aroused the indignation of honorable Republicans that they pointedly denounced him, and indirectly censured the President. How unrelaxed is General BUTLER's purpose, however, and how little affected is the President by the censure, are shown by the nomination to the Collectorship, in defiance of the whole spirit and pur-

pose of the President's civil service reform, of General BUTLER's chief political lieutenant, whom the Republican Convention of Massachusetts had by implication stigmatized for improper interference with the electoral freedom of citizens.

General BUTLER is, we say, the representative of the immoral tendency of our politics. And if the Administration, as seems to be now plainly evident, proposes to sustain him against the representatives of political decency and morality, it will ruin the party. The Republicans of Massachusetts will not accept General BUTLER as their leader; and if by sustaining him the Administration pierces the line of the party in that State, it will be broken every where. Whether Mr. SIMMONS be Collector at Boston or not is comparatively of little importance: his nomination is the serious thing, for it shows that the Administration either does not see the signs of the time, or does not care for them. We have no fear, indeed, that this baser tendency in our politics will prevail. The public disgust and wrath with corruption of every kind are quite as remarkable at this moment as the corruption itself. The country is dividing into those who believe in political honesty and who mean to secure it, and those who laugh it to scorn as impracticable sentimentality. What sincere Republicans ask, and do not receive, is some unmistakable sign from Washington that their Administration is with the former and not with the latter. They do not see that sign in the appointment of Governor SHEPHERD, in the SANBORN contracts, in the nomination to the Boston Collectorship, as they did not see it in the approval of the "salary grab," in the retention of Mr. CASEY, in the tendency to inflate the currency, and in the hesitation to retrench. That demand, however, will not be relaxed. An attempt in the White House to Johnsonize the Republican party failed, and an effort to Butlerize it will be equally useless.

### GOVERNOR DIX AND THE POWER OF REMOVAL.

THAT Governor DIX is not disposed to strain the constitutional power of removal from office is shown by his conduct in regard to the defalcation in the State Treasury which was disclosed last autumn, and by his allusion to the subject in his annual Message. In that document he said: "The Constitution authorizes the Governor to remove the Treasurer for any 'violation of his duty.' In a matter involving the reputation of a public officer it was right, in my judgment, that this provision should be construed strictly, and that the power of removal should not be exercised unless some duty expressly enjoined by law had been omitted, or some act expressly forbidden had been committed. Under this provision, thus interpreted, it did not appear to me that a case had arisen to warrant the extreme measure referred to." This shows how carefully and leniently the Governor construes the clause empowering him to remove.

We are inclined, indeed, to think that his interpretation is much too lenient. The object of such a grant of power is not so much to provide for cases necessarily involving a legal violation of duty, for which the law itself provides, as for those which do not admit of remedy in the courts. For instance, a degree of official negligence, without the least dishonest intent, which greatly facilitates the fraud of others, seems to be precisely the case which the Constitution contemplates. Such negligence exposes the State to enormous loss, yet it is not cognizable by law, and it is to prevent that loss that the power of removal is conferred upon the Governor. Governor DIX very properly said in regard to the Treasurer and his deputies, excepting the defaulting clerk, that there was not the slightest ground for impeaching their integrity. But he added: "There is no doubt the defalcation would have been prevented if the Treasurer had been at his post, and given to his duties the attention the State has a right to exact from the custodian of its treasure." Now this absence and negligence seem to us to be precisely the kind of "violation of duty" which the Constitution contemplates. If the loss to the Treasury had been five millions of dollars instead of three hundred thousand, a loss which the proper diligence of the Treasurer would have prevented, public opinion would justly have demanded his removal. The principle, however, would have been unchanged.

We allude to this subject to show with what extreme care, to avoid even the appearance of injustice, Governor DIX interprets this power. When, therefore, as in the case of the District Attorney of Kings County—Mr. BRITTON—he exercises it and removes the officer, the public may be very sure that it is the result of the most careful deliberation and of the profoundest conviction of duty. An immense body of testimony in this case, obtained as the law directs,

was submitted to the Governor. He gave the accused attorney a copy of the charges, and the opportunity to be heard in his defense, which the Constitution requires; and he gave himself ample time to examine the evidence and consider it. The Governor states most clearly and, as we think, conclusively the reasons for his opinion that the District Attorney "has wholly neglected to perform his duty;" and he therefore removes him and appoints a successor. The Governor's action is in strict accordance with the view taken in the Message, that the power of removal should not be exercised "unless some duty expressly enjoined by law had been omitted." This, as we have said, seems to us a rule too stringent. But under this stringent rule the Governor has acted. His conduct in this matter commands him only the more closely to those Republicans who, in voting for him, believed that they were supporting a man who would be independent of all jobs and cliques, and who, while not unmindful of proper party interests, would administer his office for the benefit of all the people. Governor DIX's entire administration thus far has been, upon the whole, one of the ablest and most distinguished in the annals of the State for many years, and has amply vindicated the wisdom of his selection by the Republican party. Not only has he been sustained almost unanimously by the Republican press of the State, but even the opposition, although not doubting his Republican fidelity, have conceded the ability and rectitude of his conduct of affairs.

### LOUISIANA.

WE have already stated that the alternative for Congress in the Louisiana case is very simple. It may acquiesce in the continuance of a government which its own committee declares has no legal foundation, or it may order a new election. The President, indeed, has recognized Mr. KELLOGG as Governor of Louisiana, but he has also referred the whole subject to Congress, which must decide either that there is or is not a legal government in the State. This is the direct question presented by Senator CARPENTER's bill, which begins by declaring that there are no legal officers or Legislature in Louisiana. To defeat the bill is virtually to declare that the KELLOGG government is legal, which the committee of Congress, sent to Louisiana to investigate the facts, forcibly denies—a declaration in which every well-informed person agrees. To adopt the bill is to decide that there is no legal government. In that case the President's recognition would not enable Mr. KELLOGG to maintain himself by national military power, and no pretended laws of the pretended Legislature, as Mr. CARPENTER describes them, nor any official commissions, would be valid. There would, in fact, be no government in the State, nor would there be any method, under the State Constitution, of obtaining one until the next election. Louisiana would be menaced with anarchy; and in this situation would there be any alternative but to order a new election?

If Congress is unwilling to do this because of constitutional doubts, is it willing to declare the existing government in Louisiana legal? To avoid action altogether, in view of the facts, is to insist that it is a situation which the President must settle. But he does not wish to settle it, and it is not his duty. Besides, is Congress quite willing to make such a precedent? Is it willing to say that a government which its own committee has declared to be fraudulent shall be recognized by the President as legal and valid? Again, if it is not the business of Congress, but that of the State, what prospect has the State? For if nothing be done, and another election for State officers be held some months hence, and exactly the same condition appears—the same conflict, the judge's order, and the appeal to Washington—it must be supposed that Congress would do again as it does now, and thus with its consent a situation which its committee denounces as fraudulent, and therefore a subversion of the rights of the people of the State, would be indefinitely maintained by the national authority in Louisiana. Is that constitutional? Is that securing to the State a republican form of government?

For the question is plainly presented in Louisiana, if it never was before, whether if republican government in a State be destroyed under republican forms, there is no remedy from the United States. The government in Louisiana does not exist in pursuance of the republican State Constitution, but in disregard of it. Its provisions for honest election have been overthrown by fraud. Is the remedy in the State courts? But they sustain the fraud. Is the action of the President conclusive? But he has referred the subject to Congress. And suppose that he had not referred it; suppose that he and Congress were at variance; sup-

pose that a State government in New York, existing in spite of the State Constitution, and sustained by a State court—as was possible under the Ring—were recognized by the President, would Congress be satisfied with the argument that the Constitution of New York is republican in form? We think it would rather say that a government existing in defiance of a republican constitution was not a republican form of government; that the object of having a constitution republican in form had been defeated; and that it was its duty, therefore, not to recognize such a government, but to enable the people of the State to establish one in pursuance of their constitution. And this it would do for the reason that if it be its duty to guarantee to every State a republican form of government, it can not properly recognize a government that outrages that form.

### BROKEN PLEDGES.

A YEAR ago, when General SHARPE was transferred from the Marshalship to the Surveyorship in New York, the public was informed that it was "promotion" under the rules. The other day General BUTLER remarked—and we should like to have seen his face when he made the remark—that the appointment of Mr. SIMMONS, Internal Revenue Supervisor (and henceman-in-chief), to be Collector of Boston, was "promotion" under the rules. And Mr. Speaker BLAINE, Senators HAMLIN and MORRILL, with the rest of the Maine delegation, in asking the President to appoint Internal Revenue Agent MAXLEY, of Maine, as SIMMONS's successor, said in their letter, "The appointment will be in accordance with the civil service rules of the government." These are all purely political appointments, sought by politicians for political purposes, and made in direct defiance of the spirit and purpose of the rules; and we hope that no honest friend of reform will be deceived by the talk about "promotion."

The rules, indeed, provide for promotion, but a promotion which is advance in the line of the office, not transfer from one department of the service to another. It may be presumed that this very question was the subject of careful and prolonged consideration by the Commission, and the provisions finally adopted and approved by the President show that the transfer of a distributing clerk in the San Francisco Post-office to be examiner of silks in the New York Custom-house was not to be regarded as a promotion. If nobody in the line of examiner were found qualified, the clerk might take his chance with all other applicants. In the case of a Collector or Surveyor the President by his rules directed that the Secretary of the Treasury should first ascertain whether any of the subordinates in the customs service of the district were properly qualified, and if such were found, the nomination should be made from not more than three persons reported to the President. But if such were not found, the President might nominate at discretion, being, of course, honorably bound to exercise his discretion in the spirit of his rules, namely, to take the office out of politics. In the nomination of Mr. SIMMONS, as in many similar nominations, the President has so wholly disregarded both the form and the purpose of his rules that proper self-respect would seem to require their formal and official revocation. As they are now "observed" they are the scorn and laughing-stock of all who know the facts, and merely strengthen the mischiefs and abuses which they were designed to correct. In pursuing the President to a course which brings his own reform of the civil service into contempt, General BUTLER has taken an exquisite revenge upon the general who, as he has not forgotten, described him as "bottled up" by the enemy.

### REPUBLICANS AND "LIBERALS."

It is sometimes said that the present tone of the Republican press, which is one of sharp criticism, is the ample vindication of the Liberal movement of two years ago. "Do not the Republican papers say to-day just what we said then?" ask the Liberals. "Did not we decry extravagance and corruption? Did not we say that there was no hope of reform within the party? And is not that the conclusion to which the better part of the party is now coming, as shown in the tone of such papers as the Boston *Advertiser*, the Hartford *Courant*, the Newark *Courier*, the Pittsburg *Commercial*, the Detroit *Post*, the Toledo *Blade*, and many other representative Republican journals?" This is certainly a fair question, and should be fairly answered.

There is, then, undoubtedly a striking and most cheering independence in the tone of the Republican press. It does not hesitate to expose and denounce corruption, and it does not deny Republican responsibility when it can be justly charged. So far its cri-

