SUSPENSION OF SECRE-TARY STANTON.

Mr. Johnson's Reasons for his Action.

THE CORRESPONDENCE IN FULL.

Mr. Stanton's Reply to the Prestdent's Letter of Suspension.

THE TENURE OF OFFICE BILL.

New Orleans Riot of Last Year.

Etc., Etc., Etc., Etc., Etc., Etc.

WARHINGTON, Dec. 14, 1867.

The Removal of Secretary Stanton. The following is the communication from the Presi-

from the office of Secretary of War, of Edwin M. To the Sanate of the United States; -On the 19th of August last, I suspended Mr. Stanton from the exer-cise of the office of Secretary of War, and on the same day designated General Grant to act as Secretary of

The following are copies of the Executive orders:-Executive Mansion, Washington, Aug. 19, 1867.

Sir:—By virtue of the power and authority rested in me as President, by the Constitution and laws of the United States, you are hereby suspended from office as Secretary of War, and will cease to exercise any and

all functions pertaining to the same.
You will at once transfer to General Ulysses S.
Grant, who has this day been authorized and empowered to act as Secretary of War ad interim, all records, books, papers, and other public property now in your

custody and charge.

The Hon. Edwin M. Stanton, Secretary of War. The Hon. Edwin M. Stanton, Secretary of War.
Executive Managos, Washington, D. C., Aug. 12,
1867.—Sir:—The Hon, Edwin M. Stanton having been
this day suspended as Secretary of War, you are
hereby authorized and empowered to act as Secretary
of War ad interim, and will at once enter upon the discharge of the duties of the office.

The Secretary of War has been instructed to transfer to you all the records, books, papers, and other
public property now in his custody and charge.

General Ulysses S. Grant, Washington, D. C.
The following communication was regarded from

The following communication was received from

Mr. Stanton:

WAR DEPARTMENT, WAGHINGTON CITY, Aug. 12, 1867.

—Sit:—Your note of this date has been received, informing me that by virtue of the powers and anthority vested in you as President, by the Constitution and Laws of the United States, I am suspended from office as Secretary of War, and will cease to exercise any and all functions pertaining to the same; and also directing me at once to transfer to General Ulysses S. Grant, who has this day been authorized and empowered to set as Secretary of War ad interim, all records, booke, papers and other public property, now in my custody and charge.

Under a sense of public duty, I am compelled to deny your right under the Constitution and laws of the United States, without he advice and consent of the Senate, and without legal cause, to suspend me

the Senate, and without legal cause, to suspend me from office as Secretary of War, or the exercise of any or all functions pertaining to the same, or without such advice and consent to compel me to transfer to

any person the records, books, papers and public pro-perty in my custody as Secretary.

But, Inasmuch as the General commanding the armore of the United States has been appointed ad interim, and has notified me that he has accepted the appointment. I have no alternative but to submit er protest, to superior force, the President.

The suspension has not been revoked, and the business of the War Department is conducted by the Secre-tary ad interior. Prior to the date of this suspension, I had come to the conclusion that the time had arrived when it was proper Mr. Stanton should rative from my Cabinet. The mutual confidence and general acmoved subjects wh d exist in such a relation ha I supposed that Mr. Stanton was well advised that his I supposed that Mr. Stanton was well advised that his continuance in the Cavinet was contrary to my wishes, for I had repeatedly given him so to understand by every mode short of an express request that he should resign. Having waited full time for the voluntary action of Mr. Stanton, and seeing no manifestation on his part of an intention to resign, I addressed him the following note on the 5th of August:

Six:—Public considerations of a high character constrain me to say that your resignation as Secretary of

Sir:—Fubic considerations of a high character constrain me to say that your resignation as Secretary of
War will be accepted."
To this note I received the following reply:—
War Department, Washington, Aug. 5, 1867.—
Sir:—Your note of this daythas been received, stating
That public considerations of a high character constrrin you to say that my resignation as Secretary of
War will be accepted.

War will be accepted.

In reply, I have the bonor to say that public considerations of a high character, which alone have induced me to continue at the head of this department, constrain me not to resign the office of Secretary of War before the next meeting of Congress.

This reply of Mr. Stanton was not merely a declination of compliance with the request for his resignation; it was a defiance, and something more. Mr. Stanton does not content himself with assuming that public considerations bearing upon his continuance in office form as fully a rule of action for himself as for the President, and that upon so delicate a question as the fitness of an officer for continuance in his office, the officer is as competent and as impartial to decide the officer is as competent and as impartial to decid as his superior who is responsible for his conduct; but he goes further, and plainly intimates what he means by "public considerations of a high character;" and this is nothing else than his loss of confidence in his superior. He says that these public considerations have "slone induced me to continue at the head of this department," and that they "constrain me not to resign the office of Secretary of War before the next meeting of Congress.

meeting of Congress."

This language is very significant. Mr. Stantonholds the position unwillingly. He is ready to leave when it is safe to leave, and as the danger which he apprehends from his removal then will not exist when Congress is here, he is constrained to remain during the interim. What, then, is that danger which can only be averted by the presence of Mr. Stauton or of Congress? Mr. Stanton does not say that "public considerations of a high character" constrain him to hold on to the office indefinitely. He does not say that no one other than himself can at any time be found to take his place and perform his duties. On the contrary, he expresses a desire to leave the office at the saying the expresses a desire to leave the office at the saying the expresses and the saying the say head to be a saying the say her than the saying the saying the say her than the saying the saying the say her than the saying the saying the saying the saying the saying the say the saying the saying the saying the say that the say the saying th earliest moment consistent with these high public

He says, in effect, that while Congress is away he must remain, but that when Congress is here, he can go. In other words, he has lost confidence in the Pre-sident. He is unwilling to leave the War Department in his hands, or in the hands of any one the President may appoint or designate to perform its duties. If he resigns the President may appoint a Secretary of War that Mr. Storten does not something. that Mr. Stanton does not approve. Therefore, he will not resign. But, when Congress is in session the President cannot appoint a Secretary of War which the Senate does not approve. Consequently when Congress meets Mr. Stanton is ready to resign.

Whatever cogency these "considerations" may have had upon Mr. Stanton, whatever right he may have had upon the second considerations.

had to entertain such considerations, whatever pro-priety there might be in the expression of them to others, one thing is certain, it was official misconduct, to say the least of it, to parade them before his supe-

Lipon the receipt of this extraordinary note, I only delayed the order of suspension long enough to make the necessary arrangments to fill the office. If this were the only cause for his suspension it would be sample. Necessarily it must end our most important official relations, for I cannot imagine a degree of effrontery which would embolden the head of a department to take his seat at the conneil table in the Executive Mansion after such an act. Nor can I imagine a President so forgetful of the proper respect and dignity which belong to his office as to submit to such intrusion. I will not do Mr. Stanton the wrong to suppose that he entertained any idea of offering to act as one of my constitutional advisors after that note was written. There was an interval of a week between that date and the order of suspension, during which two Cabinot meetings were held. Mr. Stanton did not present himself at either; nor was he expected.

On the 12th of August, Mr. Stanton was notified of his suspension, and that General Grant had been authorized to take charge of the department. In his answer to this notification, of the same date, Mr. Stanton expresses himself as follows: "Under a sense of public duty I am compelled to depy your right under the Constitution and laws of the United States, without the advice and consent of the Senate, to suspend mis from office as Secretary of War, or the exercise of any or all functions pertaining to the same, or without such advice and consent to compel me to Upon the receipt of this extraordinary note, I only

cise of any or all functions pertaining to the same, or without such advice and consent to compel me to without such advice and consent to compel me to transfer to any person the records, books, papers and public property in my custody as Secretary. But inas-much as the General commanding the the armies of United States has been appointed ad interim and has

notified me that he has accepted the appointment, I have no alternative but to submit, under protest, to

frecior force." It will not escape attention, that in his note of August 5. Mr. Stanton stated that he had been con-strained to continue in the office, even before he was requested to resign, by considerations of a high public orneler. In this note of August 12, a new and dif-ent sense of public duty compels him to deny character. In this note of August 12, a new and dif-ferent sense of public duty compels him to deny the President's right to suspend him from office without the consent of the Senate. This last is the public duty of resisting an act contrary to law, and he charges the President with violation of the law in ordering his

President with violation of the law in ordering his suspension.

Mr. Stanton refers generally to the "Constitution and laws of the United States," and says that a sense of public daty "under" these compets him to deny the right of the President to suspend him from office. As to his sense of daty under the Constitution, that will be considered in the sequel. As to his sense of daty under "the haw of the United States," he certainly cam of refer to the law which creates the War Department, for that expressly confers upon the President the unlimited right to remove the head of the department. The only other haw bearing upon the question is the Terure of Office act, passed by Congress over the Presidential veto March 2, 1867. This is the law which, under a sense of public duty, which Mr. Stanton volunteers to defend.

which, inder a sense of public daty, which Mr. Stanton volunteers to defend.

There is no provision in this law which compels any officer coming within its provisions to remain in office. It forbids removals, not resignations. Mr. Stanton was perfectly free to resign at any moment, either upon his own motion, or in compliance with a request or an order. It was a matter of choice or taste. There was nothing compulsory in the nature of legal obligation. Nor does he put his action upon that imperative ground. He says he acts under a sense of public dury," not of legal obligation, cor selling him to hold on, and leaving him no choice The public duty which is upon him arises from the respect which he owes to the Constitution and the laws, violated in his own case. He is, therefore, compalled by this sense of public duty to vindicate violated law and to stand satis champion.

This was not the first occasion in which Mr. Stan-ton, in discharge of a public duty, was called upon to consider the provisions of that law. That Tenure of Office inw did not pass without notice. Like other acts, it was sent to the President for approval. As is my custom, I submitted its consideration to my Cabimy custom, I submitted its consideration to my Cabi-net for their advice upon the question, whether I should approve it or not. It was a grave question of constitutional law, in which I would of course, rely most upon the opinion of the Attorney-General and of Mr. Stanton, who had once been Attorney-General. Every member of my Cabinet advised me that the proposed law was unconstitutional. All spoke with-out doubt or reservation; but Mr. Stanton's condem-nation of the law was the most claborate and empha-tic. He referred to the constitutional provisions, the ic. He referred to the constitutional provisions, the tebates in Congress—especially to the speech of Mr. Buchanan, when a Senstor—to the decisions of the Supreme Court, and to the usage from the beginning of the government through every successive administration, all concurring to establish the right of removal as vested by the Constitution in the President. To all these he added the weight of his own deliberate judgment, and advised me that it was my duty to define the review of the President from usurgation and

end the power of the President from usurpation, and o yeto the law. I do not know when a sense of public duty is more imperative upon a head of department than upon such an occasion as this. He acts then under the gravest obligations of law; for when he is called upon by the President for advice, it is the Constitution which speaks to him. All his other duties are left, by the Constitution, to be regulated by statute; but this y was deemed so momentous that it is imposed by

After all this, I was not prepared for the ground taken by Mr. Stanton in his note of August 12. I was not prepared to find him compelled, by a new and indefinite sense of public duty under "the Constitution," to assume the vindication of a law which, under the solumn obligations of public duty, imposed by the Constitution itself, he advised me was a violation of that Constitution. I make great allowance for a that Constitution. I make great anowance for a change of opinion, but such a change as this hardly falls within the limits of greatest indulgence. Where our opinions take the shape of advice and influence the action of others, the utmost stretch of charity will scarcely justify us in repudiating them when they come to be applied to ourselves.

But to proceed with the narrative, I was so much struck with the full mastery of the question manifested by Mr. Stanton and was at the line so this so

fested by Mr. Stanton, and was at the time so fully occupied with the preparation of another veto upon the pending Reconstruction act, that I requested him to prepare the veto upon this Tenure of Office bill. This he declined to do, on the ground of physical disability to undergo, at the time, the labor of writing, but stated

to undergo, at the time, the labor of writing, but stated his readiness to furnish what aid might be required in the preparation of materials for the paper.

At the time this subject was before the Cabinet it, seemed to be taken for granted that as to those members of the Cabinet who had been appointed by Mr. Lincoln their tenure of office was not fixed by the provisions of the act. I do not remember that the point was distinctly decided; but I well recollect that it was suggested by one member of the Cabinet who was appointed by Mr. Lincoln, and that no dissent was ex-

Whether the point was well taken or not, did not seem to me of any consequence, for the unanimous expression of opinion against the constitutionality and policy of the net was so decided that I felt no concern, so far as the act had reference to the gentlemen then present, that I would be embarrassed in the fu-ture. The bill had not then become a law. The limithen present, that I would be embarrassed in the inture. The bill had not then become a law. The limitation upon the power of removal was not yet imposed, and there was yet time to make any changes.
If any one of these gentlemen had then said to me
that he would avail himself of the provisions of that
bill in case it became a law, I should not have hesitated a moment as to his removal. No pledge was
then expressly given or required. But there are circametances when to give an express pledge is not necessary, and when to require it is an imputation of
possible bad faith. I felt that if these gentlemen
came within the purvlew of the bill, it was, as to
them, a dead letter, and that none of them would ever
take reinge under its provisions.

I now pars to another subject. When, on the 15th
of April, 1865, the duties of the Presidential office devolved upon me, I found a full Cabinet of seven members, all of them selected by Mr. Lincoln. I made no
change. On the conteary, I shortly afterwards ratified
a change determined upon by Mr. Lincoln, but not
perfected at his death, and admitted his appointee,
Mr. Harlan, in the place of Mr. Usher, who was in
office at the time.

The generat duty of the time was to re-establish go-

office at the time.

The great duty of the time was to re-establish go-The great duty of the time was to re-establish government, law and order in the insurrectionary States. Congress was then in recess, and the sudden overthrow of the Rebellion required speedy action. This grave subject had engaged the attention of Mr. Lincoln in the last days of his life, and the plan according to which it was to be managed had been prepared, and was ready for adoption. A leading feature of that plan was that it should be carried out by the Executive hority, for, so far as I have been informed, neither Lincoln nor any member of his Cabinet doubted his authority to act or proposed to call an extra session of Congress to do the work. The first business transacted in Cabinet after I became President was this unfinished business of my predecessor. A plan or scheme of reconstruction was produced which had been prepared for Mr. Lincoln by Mr. Stanton, his Secretary of War. It was approved, and, at the earliest moment practicable, was applied in the form of a pro-clamation to the State of North Carolina, and afterward became the basis of action in turn for the other

Upon the examination of Mr. Stanton before the Impeachment Committee, he was asked the following question:—"Did any one of the Cabinet express a doubt of the power of the Executive branch of the doubt of the power of the Executive branch of the government to reorganize State Governments which had been in Rebeilion, without the aid of Congress?" He answered—"None, whatever, I had, myself, entertained no doubt of the authority of the President to take measures for the organization of the Rebeil States on the plan proposed, during the vacation of Congress, and agreed in the plan specified in the proclamation in the case of North Carolina."

There is, perbaps, no act of my administration for which I have been more denounced than this. It was not originated by me; but I shrink from no responsibility on that account, for the plan approved itself to my judgment, and I did not hesitate to carry it into

my judgment, and I did not hesitate to carry it into Thus far, and upon this vital policy, there was per-

fect accord between the Cabinet and inyself and I saw no necessity for a change. As time passed on there was developed an unfortunate difference of opinion and policy between Congress and the President upon this same subject and upon the ultimate basis upon which the reconstruction of these States should proceed, especially upon the question of

States should proceed, especially upon the question of negro suffrage.

Upon this point three members of the Cabinet found themselves to be in sympathy with Congress. They remained only long enough to see that the difference of policy could not be reconciled. They felt that they should remain no longer, and a high sense of duty and propriety contrained them to resign their positions. We parted with mutual respect for the sincerity of each other in opposite opinions, and mutual regret that the difference was on points so vital as to cerity of each other in opposite opinions, and mutual regret that the difference was on points so vital as to require a severence of official relations. This was in the summer of 1866. The subsequent sessions of Congress developed new complications when the Suffrage bill for the District of Columbia and the Reconstruction acts of March 2 and March 25, 1867, all passed over the voto. It was in Cabinet consultations upon these bills that a difference of opinion upon the most vital points was developed. Upon these questions there was perfect accord between all the members of the Cabinet and myself, except Mr. Stanton. He stood alone, and the difference of opinion could not be reconciled. That unity of opinion which, upon great questions of public policy or administration is so essential to the Executive, was gone.

I do not claim that the head of a department should have no other opinions than those of the President.

have no other opinions than those of the President. He has the same right, in the conscientions discharge of duty, to entertain and expense his own opinions as has the Pricient. What I do claim is, that the Presi-

dent is the responsible head of the administration and when the opinions of the head of a department are irreconcilably opposed to those of the President, in grave matters of policy and administration, there is but one result which can solve the difficulty, and that is a severance of the official relation. This, in the past history of the government, has always been the rule; and it is a wise one, for such differences of

rule; and it is a wise one, for such differences of opinions among its members must impair the efficiency of any summistration.

I have now referred to the general grounds upon which the withdrawal of Mr. Stanton from my administration seemed to be proper and necessary; but I cannot omit to state a special ground, which, if it stood alone, would vindicate my action.

The sanguinary riot which occurred in the city of New Orleans on the 20th of August, 1866, justly aroused public indignation and public inquiry, not only as to those who were engaged in it, but as to those, who more or less remotely, might be held to responsibility for its occurrence. I need not remind the Senate of the effort made to fix that responsibility on the President. The charge was openly made, and on the President. The charge was openly made, and again and again resterated all through the land, that he President was warned in time, but refused to in

By telegrams rom the Lieutenant-Governor and Attorney-General of Louisians, dated the 27th and 25th of August, I was advised that a body of delegates, claiming to be a constitutional convention, were about to assemble in New Orleans; that the matter was before the Grand Jury, but that it would be impossible to execute civil process without a riot, and this question was asked :- "Is the military to interthis question was asked;—"Is the military to interfere to prevent process of court?" This question was asked at a time when the civil courts were in the full exercise of their authority, and the answersent by telegraph, on the same 28th of Angust, was this:—
"The military will be expected to austain, and not interfere with the proceedings of the courts."

On the same 28th of August the following telegram was sent to Mr. Stanton, by Major-General nairo, then convey to the absence of General Sheridan) in com-

owing to the absence of General Shoridan) in com-Hon. Edwin M. Stanton, Secretary of War:—A convention has been called, with the sanction of Governor Wells, to meet here on Monday. The Lieutenant-Governor and city suthorities think it milawful, and propose to break it up by arresting the delegates. I save given no orders on the subject, but have warned the parties that I could not countenance or permit Please instruct me at once by telegraph. The 28th of August was on Saturday. morning, the 29th, this despatch was received by Mr. Stanton at his residence in this city. He took no action upon it, and neither sent instructions to Gene-

ral Baird himself nor presented it to me for such in-structions. On the next day (Monday) the riot occurred. I never saw this despatch from General Baird until some ten days or two weeks after the riot, when, upon my call for all the despatches, with a view to their publication, Mr. Stanton sent it to me. These facts all appear in the the testimony of Mr. Stanton before the Judiciary Committee in the impeachment investigation.
On the 50th, the day of the riot, and after it was suppressed, General Baird wrote to Mr. Stauton a long letter, from which I make the following extracts:—

"Sir:-I have the honor to inform you that a very serious riot occurred here to-day. I had not been apserious riot occurred here to-day. I had not been applied to by the Convention for protection, but the Lieutenant-Governor and the Mayor had freely consulted with me, and I was so fully convinced that it was so strongly the intent of the city authorities to preserve the peace, in order to present military interference, that I did not regard an outbreak as a thiny to be apprehended. The Lieutenant-Governor had assured me that even if a writ of arrest was issued by the court, the Sheriff would not attempt to rerve it without my permission, and, for to-day, they designed to suspend it. designed to suspend it.

"I inclose herewith copies of my correspondence with the Mayor, and of a despatch which the Lieutenant-Governor claims to have received from the President. I regret that no reply to my despatch to you of Saturday has yet reached me. General Sheridan is still absent in Texas."

The despatch of General Baird, of the 28th, asks for immediate instructions, and his letter of the 30th, after detailing the terrible riot which had just happened, ends with the expression or regret that the in structions which he asked for were not sent. It is no the fault or the error or the omission of the President that this military commander was left withon instruc-tions; but for all omissions, for all errors, for all fail-ures to instruct, when instruction might have averted this calamity, the President was openly and persist-ently held responsible.

Instantly, without waiting for proof, the delin-quency of the President was heralded in every form of utterance. Mr. Stanton knew then that the President was not responsible for this delinquency. The exwas not responsible for this delinquency. The exculpation was in his power, but it was not given by
him to the public, and only to the President in obedience to a requisition for all the despatches.

No one regrets more than myself that General
Baird's request was not brought to my notice. It is
clear from his despatch and letter, that if the Secretary of War had given him proper instructions, the
riot which arose on the assembling of the Convention
would have been averted.

There may be those ready to say that I would have given no instructions even if the despatch had reached in time; but all must admit that I ought to have The following is the testimony given by Mr. Stan-

The iollowing is the testimony given by Mr. Stanton before the Impeachment Investigation Committee as to this despatch:—
"Q. Referring to the despatch of the 28th of July by General Baird, I ask you whether that despatch, on its receipt, was communicated?
"A. I received that despatch on Sunday forenoon; I examined it carefully, and considered the question presented; I did not see that I could give any instructions different from the line of action which General Baird proposed, and made no answer to the despatch.

Baird proposed, and made no answer to the despatch. Q. I see it stated this was received at 10-20 P. M. Was that the hour at which it was received by you? "A. That is the date of its reception in the telegraph office Saturday night; I received it on Sunday fore-noon, at my residence. A copy of the despatch was furnished to the President several days afterwards, along with all the other despatches and communications on that subject, but it was not furnished by me before that time; I suppose it may have been ten or fitteen days afterwards. fificen days afterwards The President himself being in correspondence

with those parties upon the same subject, would it not have been proper to have advised him of the reeption of that despatch?"
"A. I know nothing about his correspondence, and know nothing about any correspondence except this one despatch. We had intelligence of the riot on Thursday morning. The riot had taken place on Monday.

Monday."

It is a difficult matter to define all the relations which exist between the heads of departments and the President. The legal relations are well enough defined. The Constitution places these officers in the relation of his advisers when he calls upon them for advice. The acts of Congress go further; take for example, the act of 1789, creating the War Department. It provides that "there shall be a principal officer therein, to be called the Secretary for the Department of War, who shall perform and execute such duties as shall from time to time be enjoined on or intrusted to bim by the President of the United States;" and furthermore, the said principal officer shall con-duct the business of the said department in such manner as the President of the United States shall,

from time to time, order and instruct."

Provision is also made for the appointment of an inferior officer by the head of the department, to be called the Chief Clerk, "who, whenever said principal officer shall be removed from office by the President of the United States," shall have the charge and enstody of the books, records and papers of the de-

The legal relation is analogous to that of principal and agent. It is the President upon whom the Constitution devolves, as head of the Executive Department, the duty to see that the laws are faithfully executed; but, as he cannot execute them in person, he is allowed to select his agents, and is made re-sponsible for their acts within just limits. So complete is this presumed del egation of authority in the relation of a head of department to the President, that the Supreme Court of the United States have decided that an order made by a head of department is presumed to be made by the President himself.

The principal, upon whom such responsibility is placed for the acts of a subordinate, ought to be left as free as possible in the matter of selection and of dismissal. To hold him to responsibility for an officer beyond his control—to leave the question of the fitness of such an agent to be decided for him and not by him to allow such as the president. ness of such an agent to be decided for him and not by him, to allow such a subordinate, when the President, moved by "public considerations of a high character," requests his resignation, to assume for himself an equal right to act upon his own views of "public considerations," and to make his own conclusion paramount to those of the President, to allow all this, is to reverse the just order of administration, and to place the subordinate above the superior.

There are, however, other relations between the President and a head of department beyond these defined legal relations which necessarily attend them, though not expressed. Chief among these is mutual confidence. This relation is so delicate that it is sometimes hard to say when or how it ceases. A single flagrant act may end it at once, and then there is no difficulty. But confidence may be just as effectually destroyed by a series of causes too subtle for demonstration. As it is a plant of slow growth, so, too, it may be slow in decay. Such has been the pro-

too, it may be slow in decay. Such has been the pro-

I will not pretend to say what acts or omissions have broken up this relation. They are hardly susceptible of statement, and still less of formal proof. ceptible of statement, and still less of formal proof.

Nevertheless, no one can read the correspondence of
the 5th of August without being convinced that this
relation was effectually gone on both sides, and that,
while the President was unwilling to allow Mr. Stanton to remain in his administration, Mr. Stanton was
equally unwilling to allow the President to carry on
his administration without his presence.

In the great debate which took place in the House
of Representatives in 1789, in the first organization of

the principal departments, Mr. Madison spoke as fol-"It is evidently the intention of the Constitution that 'he first magistrate abould be responsible for the executive department. So far, therefore, as we do not make the officers who are to aid him in the daties of that department responsible to him, he is not respon-sible to the country. Again, is there no danger that an officer, when he is appointed by the concurrence of an officer, when he is appointed by the concurrence of the Senate, and has friends in that body, may choose rather to risk his establishment on the favor of that branch than rest it upon the discharge of his duties to the satisfaction of the executive branch, which is constitutionally authorized to inspect and control his conduct? And if it should happen that the officers connect themselves with the Senate, they may mutually support each other, and for want of efficacy, reduce the power of the President to a mere vapor, in which case his responsibility would be annihilated, and the expectation of it is unjust. The high executive officers, joined in cabal with the Se-nate, would lay the foundation of discord, and end in an assumption of the executive power only to be removed by a revolution in the government."

Mr. Sedgwick, in the same debate, referring to the proposition that a head of department should only be

removed or suspended by the concurrence of the Senate, uses this language:

"But if proof be necessary, what is then the consequence? Why, in nine cases out of tan, where the case is very clear to the mind of the President that the man ought to be removed, the effect cannot be produced, hereaves it is absolutely invessible to produced. duced, because it is absolutely impossible to produce the necessary evidence. Is the Senate to proceed without evidence? Some gentlemen contend not. Then the object will be lost. Shall a man, under these circumstances, be saddled upon the President, who has been appointed for no other purpose but to aid the President in performing certain duties? Shall be be continued, I ask again, against the will of the President? If he is, where is the responsibility? Are you to look for it in the President, who has no control over the officer, no power to "emove him if he acts unfeelingly or unfaithfully? Without you make him responsible, you weaken and destroy the strength and beauty of your system. What is to be done in cases which can only be known from a long acquaintance with the conduct of an officer?" conduct of an officer?"

eonduct of an officer?"

I had indulged the hope that inpon the assembling of Congress, Mr. Stanton would have ended this napleasant complication, according to the intimation given in his note of August 12. The duty which I have felt myself called upon to perform was by no means agreeable; but I feel that I am not responsible for the controversy, or for the consequences.

Unpleasant as this necessary change in my Cabinet has been to me, upon personal considerations, I have the consolation to be assured that, so far as the public

he consolation to be assured that, so far as the publi interests are involved, there is no cause for regret Salutary reforms have been introduced by the Secrelary ad interim, and great reductions of expenses have been effected under his administration of the War Department, to the saving of millions to the Treasury.

Andrew Jourson. Washington, Dec. 12, 1867.

FURS.

1867. FALL AND WINTER. 1867

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