THE IMPEACHMENT TRIAL.

The Answer of the President.

To the following is the answer of the President to the impeachment charges, which was presented to the Senate yesterday afternoon:

To the Senate of the United States sitting as a Court of Impeachment for the trial of Andrew Johnson, President of the United States.

The answer of the said Andrew Johnson, President of the United States, to the articles of impeachment exhibited against him by the House of Representatives of the United States, respectfully—

Answer to Article 1. For answer to the first article he says that Edwin M. Stanton was appointed Secretary for the Department of War on the 15th day of January, 1862, by Abraham Lincoln, then President of the United States, during the first term of his presidency, and was commissioned according to the authentication and laws of the United States; that the office during the pleasure of the President; that the office of Secretary for the Department of War was created by an act of the 8th day of August, A. D. 1789, and that by the act of March 2, A. D. 1867, it was provided and enacted that the said Secretary for the Department of War shall perform and execute such duties as shall from time to time be enjoined on and intrusted to him by the President of the United States, agreeably to the Constitution, relative to the subjects within the scope of the said Department; and that the said Edwin M. Stanton, the said Secretary, shall continue to hold the said office of Secretary for the Department of War during the term of the President by whom he was appointed and the term of one month thereafter, subject to removal by the President; further answering, says that, by a vote of the senate of the United States, on the said appointment, the said Stanton became the principal officer in one of the executive departments of the Government, within the true intent and meaning of the second section of the second article of the Constitution of the United States, and according to the true intent and meaning of the provisions of the Constitution of the United States, and in accordance with the settled and established practice of the Government of the United States, and the said President, being informed and believing, as long as he should continue to hold the office of President of the United States, he could not, must continue to be, one of the advisers of the President of the United States, as well as the person entrusted to act for and represent the President in the management of the Department of War, and to execute such orders as should be given him by the President touching the Department aforesaid, and for whom and for which capacity subordinate to the President, the President is, by the Constitution and laws of the United States, made responsible, and this respondent, further answering, says that, on the 12th day of August, A. D. 1867, the President, being desirous of relieving himself from the duties of the said office, and of the responsibility for the acts of the said Secretary of War, which responsibility was imposed upon him by the Constitution and laws of the United States, and being desirous that the said Secretary should perform the duties of the said office in accordance with the views and purposes of the President, and being of the opinion that the said Secretary was not willing to perform the said duties in accordance with the views and purposes of the President, and being of the opinion that the said Secretary was not a proper person to be allowed to continue in charge of the said Department, and being of the opinion that the said Secretary was not a person with whom the President could, consistently with the public interest, confidently consult concerning the public business, and upon whose advice and assistance the President could rely, and being of the opinion that the said Secretary was not a person who was fairly entitled to hold the said office against the will of the President of the United States, the said President, on the said 12th day of August, A. D. 1867, and during the recess of the Senate of the United States, addressed to the said Secretary a notice in writing, of which the following is a copy:

WASHINGTON, D. C., August 12, 1867.

SIR: By virtue of the power and authority vested in me as President, by the Constitution and laws of the United States, you are hereby suspended from office as Secretary of the Department of War, and will cease to exercise the duties of the office on the receipt of this letter. You will at the same time transmit to me the name of the person who shall be authorized and empowered to act as Secretary for the Department of War ad interim, and will also transmit to me the records, books, papers and all other public property now in your custody and charge belonging to the War Department.

Hon. E. M. Stanton, Secretary of War.

To which notice the said Stanton made the following reply:

WAR DEPARTMENT, WASHINGTON CITY, August 12, 1867.

SIR: Your note of this date has been received, signifying that public considerations of a high character constrain you to say that my resignation as Secretary of War will be accepted. In view of the grave character of the public interests involved in the question, I have felt that I ought not to hesitate to comply with your request, to continue in the office of Secretary for the Department of War until the next meeting of Congress.

Very respectfully, yours, EDWIN M. STANTON.

(Signed) EDWIN M. STANTON.

The respondent, as President of the United States, was thereon of opinion that, having regard to the circumstances set forth in the said notice, the office of Secretary for the Department of War is a President's office, according to the Constitution and laws of the United States, and that the said Secretary was held to the responsibility of the President for the conduct of the said Secretary, and having regard to the paramount executive authority of this office which the respondent holds under the Constitution and laws of the United States, it was impossible, consistently with the public interest, to allow the said Stanton to continue to hold the said office of Secretary for the Department of War, against the will of the President of the United States, to the said Stanton to surrender the said office.

This respondent was informed, and verily believes, that it was contrary to the wish of the Congress of the United States, and had been so considered and duly construed by the President of the United States, and in accordance with the settled and established practice of the Government of the United States, and the said President, being so long as he should continue to hold the said office of President of the United States, and was expected by the country and the world to be responsible for the conduct of the Department of War, must continue to be, one of the advisers of the President of the United States, as well as the person entrusted to act for and represent the President in the management of the said Department of War, and to execute such orders as should be given him by the President touching the Department aforesaid, and for whom and for which capacity subordinate to the President, the President is, by the Constitution and laws of the United States, made responsible, and this respondent, further answering, says that, on the 12th day of August, A. D. 1867, the President, being informed by relatives of the death of Abraham Lincoln, then President of the United States, on the 15th day of April, 1865, that the said Stanton was then holding the said office of Secretary for the Department of War, under and by virtue of an appointment and commission aforesaid, and not having been removed from office by this respondent, desired the said Stanton continued to hold the same under the appointment and commission aforesaid, and not have been removed from office by this respondent, for the purpose of the President, and this respondent, further answering, says that, by a vote of the senate of the United States, on the said appointment, the said Stanton became the principal officer in one of the executive departments of the Government, within the true intent and meaning of the second section of the second article of the Constitution of the United States, and according to the true intent and meaning of the provisions of the Constitution of the United States, and in accordance with the settled and established practice of the Government of the United States, and the said President, being so long as he should continue to hold the said office of President of the United States, and was expected by the country and the world to be responsible for the conduct of the said Department of War, must continue to be, one of the advisers of the President of the United States, as well as the person entrusted to act for and represent the President in the management of the said Department of War, and to execute such orders as should be given him by the President touching the Department aforesaid, and for whom and for which capacity subordinate to the President, the President is, by the Constitution and laws of the United States, made responsible, and this respondent, further answering, says that, on the 12th day of August, A. D. 1867, the President, being informed and believing