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THE DIVINE STANTON.

THE PRESIDENT'S MESSAGE ON HIS DISMISSION.

The ex Secretary has [illegible] the war he was a all renegades. Previously [illegible] party and gave his member of the Dem[illegible] resistance to the Southern secession [illegible] manifesting to the aggressive Southern Republican party, approving their position from the Union as a right which he believed they possessed and were justified in exercising. From his subsequent actions it would seem he was insincere or came to the conclusion that it would pay better to become a radical. We believe him to have been at that time a thoroughly dishonest man and that he is now meeting with the fate his unprincipled conduct so richly merits.

A lawyer of eminent abilities, he was daily compelled during his administration of the Department of War, having once entered upon this downward course, to turn his back upon fundamental principles of law—the accumulated learning of years, and perpetrate one wrong after another until he became entirely reckless of consequences which formerly would have appalled him, and found himself in a position from which there was no retreat, detested by his old friends and despised by his new. He is without a defender. The abler organs of the Republican party have been unable to answer the crushing charges brought against him by the President, and have determined quietly to abandon him. Mr Stanton himself has not attempted to answer the terrible indictment, except by endeavoring to throw the responsibility upon Radical leaders, at whose special request he remained in the Cabinet, and he stands convicted before the nation of acting as a spy upon his chief, contrary to law which the public prefer to believe to the promptings of his own conscience. He has not, because he could not, attempt to justify conduct so vile, and therefore he turns upon his accomplices and seeks to make them answerable for the outrage. But Edwin M Stanton cannot thus escape. At the bar of public opinion he must plead to the accusations of stand self-condemned of the offences laid to his charge. Our readers will remember the history of this case. It is set forth at length in a message sent by Mr. Johnson to the Senate, on the 12th of the present month. The following is a brief extract of its contents. The President states that

"Prior to the date of Mr. Stanton's suspension, he had come to the conclusion that the time had arrived when it was proper Mr. Stanton should retire from my Cabinet. The mutual confidence and general accord which should exist in such a relation had ceased. I supposed that Mr. Stanton was well advised that his continuance in the Cabinet was contrary to my wishes, for I had repeatedly given him 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.

SIR—Public 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, August 5th, 1867.

SIR—Your note of this day has been received, stating that public considerations of a high character constrain you to say that my resignation as Secretary of War will be accepted. In reply, I have the honor 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.

"The reply of Mr. Stanton was not merely a declination of compliance with the request of his resignation; it was a defiance, and something more. Mr Stanton does not conceal his, for I will assuming that public considerations bearing upon his continuance in office form an entirely a rule of action for himself as for the President, and that upon such a delicate question as the fitness of an officer for continuance in his office, the officer is as competent and impartial to decide 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 less than a loss of confidence in his superior. He says that these public considerations have induced me to continue at the head of this Department, and that they "constrain me not to resign the Secretary of War before the next meeting of Congress."

The language is very significant. Mr. Stanton holds the position unwillingly. He is ready to leave when it is safe to leave, and at a time prior 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. Stanton 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 man 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 earliest moment consistent with higher public considerations. 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 President. 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 which the Senate 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 to entertain such considerations, whatever propriety 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 superior officer. Upon the receipt of this extraordinary note I only delayed the order of suspension long enough to make the necessary arrangements to fill the office. If this were the only cause for his suspension I would be unjust. Necessarily in most of our most important official relations, for I cannot imagine a degree of effrontery which would embolden the head of a Department to take issues at the council 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 the idea of offering to act as one of my constitutional advisers after that note was written. There was an interval of one week between that date and the order of suspension, during which two Cabinet 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 Gen 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 deny your right, under the Constitution and laws of the United States, without the advice and consent of the Senate, to suspend me from office as Secretary of War, or the exercise of any and all functions pertaining to the same, or without such advice or consent to compel me to transfer to any person the records, books, papers and public property in my custody as Secretary. But inasmuch as the General commanding the armies 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, under protest, to superior force."

The President then goes on to show how mistaken "the sense of public duty," which compelled Mr. Stanton to deny the President's right under the Constitution and laws to suspend him without the advice and consent of the Senate—that the only laws bearing upon the question are the law creating the War Department—which expressly confers upon the President the unlimited right to remove the head of the Department and the Tenure-of-office act, passed by Congress over the Presidential veto, March 2d, 1867—which forbids removals but not resignations, that there was nothing compulsory in that act in the nature of legal obligation, and Mr. Stanton was perfectly free to resign, as his choice or inclinations might dictate. Where then and upon what considerations did the sense of duty arise? The President states that this was not the first occasion in which Mr. Stanton, in discharge of a public duty, was called upon to consider the provisions of the Tenure-of-office act, that it was submitted to his cabinet for their advice upon the question whether he should approve it or not, and that every member of the Cabinet—Mr. Stanton included—advised him that the act was unconstitutional, that all of them spoke without doubt or reservation but Mr Stanton's condemnation of it was the most elaborate and emphatic, that he (Stanton) quoted the constitutional provisions, the debates in Congress, especially the speech of Mr. Rutherford when a Senator—the decisions of the Supreme Court, and emerged the range from the beginning of the Government, through every precedent, administration, and concurring in the veto message of the President, he (Stanton) added the weight of his own deliberate opinion, and advised the President it was his duty to defend the power of the Executive department and to veto the bill.

After all this, Mr. Lincoln urged he was not prepared for the present action by Mr. Stanton which he (Lincoln) regarded as a breach of faith on the part of a man with whom he had been on the most intimate relations for years, and whom he had treated as a friend, and upon whose judgment he had relied in the Executive mansion. Mr. Lincoln adds that he felt that he was entitled to the full support of his Secretary of War in the discharge of the most important official relations, for I cannot imagine a degree of effrontery which would embolden the head of a Department to take issues at the council 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 the idea of offering to act as one of my constitutional advisers after that note was written. There was an interval of one week between that date and the order of suspension, during which two Cabinet 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 Gen 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:

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