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NEW ORLEANS:
SATURDAY MORNING, FEB. 29, 1868.

THE PRESIDENT'S POWER OF REMOVAL.

The Senate having adopted and forwarded to the President a resolution which declares that, under the Constitution and laws of the United States, the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim*, thus implying a censure upon the President for his removal of Mr. Stanton, Mr. Johnson sent a message to the Senate, which we publish in this issue, and in which he discusses, with remarkable clearness and ability, his power to remove Mr. Stanton even under the Tenure-of-Office bill, without considering the question of his power to remove under the Constitution.

1. The President asserts that the uniform practice from the beginning of the Government, as established by every President who has exercised the office, and the decisions of the Supreme Court of the United States, have settled the question in favor of the power of the Executive to remove all officers, excepting a class holding appointments of a judicial character.

2. He then shows that by the legislation of Congress creating the Department of War, the power of the President to remove its head is distinctly recognised as existing in the Executive alone, without the concurrence of the Senate or of any other Department of the Government.

3. The only other act which refers to this question, the President says, is that regulating the tenure of certain civil officers, passed by Congress on the second day of March, 1867, and he shows by its very terms that before he can be deprived of the power to displace them, it must appear that he himself has appointed them; that it is only in that case they have any tenure-of-office, or any independent right to hold during his term and one month after the expiration of his official functions. Mr. Johnson shows that the provision of the Act which is alleged to take from him the power to remove Mr. Stanton, gives no tenure-of-office to any one of the Secretaries of Department named in the law, beyond one month after the accession of the successor of the President who has appointed them.

4. Mr. Johnson then alleges that the only appointment under which Mr. Stanton held the office of Secretary of War, was that conferred upon him by Mr. Lincoln; that Mr. Stanton has never held from him (Mr. Johnson) any appointment as the head of the War Department; that whatever right Mr. Stanton had to hold the office was derived from that original appointment and his (Mr. Johnson's) sufferance. Mr. Johnson admits the 1st section of the Tenure-of-Office Act takes from him the power to remove, without the consent of the Senate, such of the heads of Departments as he himself has appointed, but that it does not protect such of them as he did not appoint, nor give to the latter any tenure-of-office beyond his pleasure.

5. Mr. Johnson establishes the correctness of his construction of the law by putting the question as to what would be the power in the matter, of his successor, over the removal of a Cabinet officer he (Mr. Johnson) had appointed. Suppose his successor were to retain beyond thirty days one of Mr. Johnson's appointees, is it to be said that that successor would have no power to remove such appointee? The law will bear no such construction. It says distinctly that "the Secretaries of State, of the Treasury, of War, of the Navy, of the Interior, the Postmaster General, and the Attorney General, shall hold their offices respectively *for and during the term of the President by whom they may have been appointed and for one month thereafter*, subject to removal by and with the advice and consent of the Senate." The President then argues that if his successor be not bound by the law to retain the heads of Departments he finds in office, neither can it be said that he (Mr. Johnson) is required by the law to retain the appointees of his predecessor, would be a violation of the plain meaning of the law in question, to place Mr. Stanton on the same footing as the heads of Department who have been appointed by Mr. Johnson. In this connection of the Tenure-of-Office Act, Mr. Johnson asserts he was sustained by every member of his Cabinet, *including Mr. Stanton himself*, when the act was under consideration previous to its being vetoed.

This argument seems to us conclusive and unanswerable. For logical power and close reasoning few men on the public stage equal Mr. Johnson, and we think he has made of Congress and their Tenure-of-Office Act a laughing stock. It appears they cannot frame a law which does not defeat the purpose it was designed to effect. But Mr. Johnson and his cabinet are not the only officers of the Government who gives this construction to the Tenure of Office Bill. In the debate on the proceedings of the Senate in Executive session on last Friday, we find a debate upon this resolution centering on the subject of removing Mr. Stanton, and strange to say Senators Sherman of Ohio, Fessenden of Maine, Morton of Indiana, Trumbull of Illinois, and Drake of Missouri, all Republican leaders—some of them extreme Radicals—were all unable to say that the President had violated the law, and were opposed to the resolution of censure. We subjoin the condensed report of this debate as taken from the New York *Herald* of the 24th. How the Radicals can satisfy themselves in this manner is past comprehension, except upon the belief that "whom the gods wish to destroy they first make mad."

When the Senate had assembled in executive session on the President's message, it was laid before the body, and Senator Bayard, of Delaware, took the floor for the first time since he announced, a few days ago, his intention to oppose the resolution disapproving of the President's action and arraigning him for acting in opposition to the law, and argued at length upon both the unconstitutionality of the Tenure of Office Bill, and upon its entire inefficiency, then admitting its constitutionality to restrain the President from removing any member of his Cabinet. Mr. Dixon followed, and took the ground that the President had the right to remove from position the Cabinet those whom he deemed were neither friends nor advisers. The Tenure of Office bill contemplated the protection of those who might be fairly designated enemies of the Executive. Mr. Sherman was included more especially in the number, and radical friendship was sought, even at the expense of harmony in the government, to retain him in defiance of law. Sumner followed and argued that as an called advisor, but really as a spy upon the Executive.

Mr Hendricks spoke in very strong terms against what he designated as imposition on one of the co-ordinate branches of the Government, to which neither of the other two would timely submit. He lamented the extraordinary change of sentiment which some Republican members of the Senate had undergone of late when an alleviation of the political position seemed impending.

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Mr. Howe got the floor and argued very logically, though it reflected upon his party, that the Senate had no power to curtail the organic privileges of the Executive; yet, though he was opposed to the general scope of the policy embodied in the Tenure of Office bill, he was unable to decide in this instance who was most to blame, Congress or the President.

Messrs Trumbull, Fessenden and Drake followed, and each in turn expressed his inability to give an opinion on the law which would favor the construction of the resolution offered that the President had violated the law.

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OFFICE 73 CHARTRES STREET. NEW ORLEANS, SATURDAY MORNING, FEBRUARY 29, 1868. Vol. XLI.—Whole—14,377.

AUCTION SALES THIS DAY.

By G. de Feriet, at 10½ o'clock, a. m., at No 86 Bienville street, furniture, gas pipes, glasses, glassware, etc.

By C. P. Girardey & Co., at 12 o'clock, m., real estate at the Merchants and Auctioneers' Exchange, Royal street.

By J. S. Green, at 12 o'clock, m., real estate, at the Merchants and Auctioneers' Exchange, Royal street.

VALUABLE PLANTATION AT AUCTION BY MESSRS. BARRETT.—Particular attention is called to the sale at auction of seven lots of ground adjoining each other, with all the buildings and improvements thereon, situate in this parish, on the right bank of the Mississippi river. For particulars and terms see advertisement.

THE REMOVAL OF STANTON.

MESSAGE OF THE PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I have received from your body the resolution adopted by the Senate on the 21st instant, as follows:

"Whereas, The Senate have received and considered the communication of the President, stating that he had removed Edwin M. Stanton, Secretary of War, and has designated the Adjutant General of the army to act as Secretary of War *ad interim*; therefore,

"*Resolved by the Senate of the United States*, That under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim*."

This proposition, as confined to the power of the President to remove the Secretary of War, and designate another officer to perform the duties of the office *ad interim*, and by its preamble is made expressly applicable to the removal of Mr. Stanton, and the designation to act *ad interim* of the Adjutant General of the army. I object therefore attempting to discuss the general power of removal as to all officers upon which subject no expression of opinion is contained in the resolution, I shall confine myself to the question as thus limited to the power to remove the Secretary of War.

It is declared in the resolution that under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim*. As to the question of power under the Constitution, I do not propose at present to enter upon its discussion. The uniform practice from the beginning of the Government, as established by every President who has exercised the office under the decisions of the Supreme Court of the United States, have settled the question in favor of the power of the President to remove all officers excepting a class holding appointments of a judicial character. No practice or any decision has settled the Secretary of War from this general power of the President to make removals. It is only necessary then that I should refer to the power of the Executive under the laws of the United States to remove from office a Secretary of War.

The resolution denies that under these laws this power has any existence. In other words, it affirms that no such authority is recognized or given by the statutes of the country. What, then, are the laws of the United States which deny the President the power to remove that officer? I know but two laws which bear upon this question. The first in order of time is the act of January 7th, 1789, creating the Department of War, which, after providing for a Secretary as its principal officer, proceeds as follows: "And that there shall be an inferior officer in said department, to be employed by the said principal officer, to be employed therein as he shall deem proper, and to be called chief clerk in the Department of War, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy during the recess, shall have the charge and custody of all records, books and papers appertaining to the said department." It is clear that this act, passed by a Congress many of whose members bore a part in the formation of the Constitution, so far from denying the power of the President to remove the Secretary of War, recognizes it as existing in the Executive alone, without the concurrence of the Senate or of any other department of the Government. Furthermore, this act does not purport to confer the power by legislative authority, nor in fact, was there any either existing legislation through which it was devolved upon the Executive. The recognition of the power by this act is therefore complete, as a recognition under the Constitution itself, for there was not any other source or authority from which it could be derived.

The other act which refers to this question, is that regulating the tenure of certain civil offices, passed by Congress on the 2d day of March, 1867. The 1st section of that act is in the following words: "That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and any person who shall hereafter be appointed to any such office and shall become duly qualified to act therein, is and shall be entitled to hold said office until a successor shall have been in like manner appointed or duly qualified, except as herein otherwise provided: provided that the heads of the State, Treasury, War, Navy, Interior, Post Office, Secretary of the Treasury, Secretary of War, Secretary of the Navy, Secretary of the Interior, the Postmaster General and the Attorney General shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to be removed by and with the advice and consent of the Senate; and the fourth section of the same act restricts the term of office to the time prescribed by the law creating the office. The second section, under which procedes the proviso, declares that every person holding a civil office, to which he has been or may be appointed by and with the advice and consent of the Senate, shall hold such office until a successor should be in like manner appointed. It purports to take from the Executive, during the fixed time established for the tenure of office, the independent power of removal, and to require for such removal the concurrent action of the President and the Senate. The proviso that follows proceeds to fix the term of office of the several heads of departments, whose tenure had been defined before, provided that the heads of the Department of State, respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to be removed by and with the advice and consent of the Senate.

Thus, as to these enumerated officers, the proviso takes from the Presidential power of removal, except with the advice and consent of the Senate. By its terms, however, before he can be deprived of the power to displace them, it must appear he himself has appointed the party thus protected. It is only in that case they have any tenure of office or any independent right to hold during his term and one month after the expiration of his official functions. Mr. Johnson shows that the provision of the Act which is alleged to take from him the power to remove Mr. Stanton, gives no tenure-of-office to any one of the Secretaries of Department named in the law, beyond one month after the accession of the successor of *the President who has appointed them*.

4. Mr. Johnson then alleges that the only appointment under which Mr. Stanton held the office of Secretary of War, was that conferred upon him by Mr. Lincoln; that Mr. Stanton has never held from him (Mr. Johnson) any appointment as the head of the War Department; that whatever right Mr. Stanton had to hold the office was derived from that original appointment and his (Mr. Johnson's) sufferance. Mr Johnson admits the 1st section of the Tenure-of-Office Act takes from him the power to remove, without the consent of the Senate, such of the heads of Departments as he himself has appointed, but that it does not protect such of them as he did not appoint, nor give to the latter any tenure-of-office beyond his pleasure.

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This argument seems to us conclusive and unanswerable. For logical power and close reasoning few men on the public stage equal Mr. Johnson, and we think he has made of Congress and their Tenure-of-Office Act a laughing stock. It appears they cannot frame a law which does not defeat the purpose it was designed to effect. But Mr. Johnson and his cabinet are not the only officers of the Government who gives this construction to the Tenure of Office Bill. In the debate on the proceedings of the Senate in Executive session on last Friday, we find a debate upon this resolution centering on the subject of removing Mr. Stanton, and strange to say Senators Sherman of Ohio, Fessenden of Maine, Morton of Indiana, Trumbull of Illinois, and Drake of Missouri, all Republican leaders—some of them extreme Radicals—were all unable to say that the President had violated the law, and were opposed to the resolution of censure. We subjoin the condensed report of this debate as taken from the New York *Herald* of the 24th. How the Radicals can satisfy themselves in this manner is past comprehension, except upon the belief that "whom the gods wish to destroy they first make mad."

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In a matter of such grave consequence I was not disposed to rest upon my own opinions, though fortified by my constant advisers. I have, therefore, sought to bring the question at as early a day as possible before the Supreme Court of the United States for a final and authoritative discussion.

In respect to so much of the resolution as relates to the delegation of an officer to act as Secretary of War *ad interim*, I have only to say I have exercised this power under the provisions of the first section of the act of Feb. 13, 1795, which, so far as they are applicable to a vacancy caused by removals, I understand to be still in force.

The legislation upon the subject of *ad interim* appointments in the executive departments stands as to the war office as follows: The section of the act of the 7th of August, 1789, made no provision for a vacancy in the very case of a removal of the head of the War Department, and upon such a vacancy devolves the charge and custody of the records, books and papers to the chief clerk.

By the act of the 8th of May, 1792, section 8, it is provided that in the case of vacancy occasioned by death, absence from the seat of government, or sickness of the head of the War Department, the President may authorize a person to perform the duties of the office until a successor is appointed or the disability removed.

The act, it will be observed, does not provide for the case of a vacancy caused by removal. Then by the first section of the act of Feb. 13, 1795, it is provided that in case of any vacancy the president may appoint a person to perform the duties while the vacancy exists.

These acts are followed by that of the 20th of February, 1863, by the first section of which provision is again made for a vacancy caused by death, resignation, absence from the seat of government, or sickness of the head of any executive department; and upon the occurrence of such vacancy, power is granted to the President to authorize the head of any other Executive Department, or either of said departments, whose appointments were vested in the President, at his discretion, to perform the duties of the said respective offices until a successor be appointed, or such absence or inability by sickness shall cease. Provided, That no one vacancy shall be supplied in the manner aforesaid for a longer period than six months.

This last, with some additional section, re-enacts the act of 1797, and provides as did that act for the sort of vacancy to be filled, but the act of 1792 makes no provision for a vacancy occasioned by removal. It has reference altogether to vacancies arising from other causes.

According to my construction of the act of 1863 while it implicitly repeals the act of 1792 regulating the vacancies therein described, it has no bearing whatever on so much of the act of 1795 as applies to vacancies caused by removal.

The act of 1795 therefore furnishes the rule for a vacancy occasioned by removal, one of the vacancies expressly referred to in the act of the 7th of August, 1789, creating the department of war.

Certainly there is no express repeal by the act of 1863 of the act of 1795. The repeal, if there is any, is by implication, and can only be admitted so far as there is a clear inconsistency between the two acts; the act of 1795 is inconsistent with that of 1863 as to a vacancy occasioned by death, resignation, absence, or sickness, but not at all incompatible as to a vacancy caused by removal. It is assuredly proper that the President should have the same power to temporarily a vacancy occasioned by removals, he has to supply a place made vacant by death or expiration of a term. If, for instance, the incumbent of an office should be found wholly unfit to execute the functions, and the public service should require his immediate expulsion, a remedy should exist and be at once applied, and time be allowed the President to select and appoint a successor, as is permitted him in case of a vacancy caused by death, or the termination of an official term. The necessity, therefore, for an *ad interim* appointment is just as great, and indeed may be greater, in cases of removal than in others.

If it be held, therefore, that the power given by the act of 1795 to fill a vacancy by removal is abrogated by succeeding legislation, an express repeal ought to appear so wholesome a power, it should certainly not be taken away by loose implication.

It may be, however, that in this as in other cases of implied repeal, doubts may arise. It is accordingly one of the subtle and debatable questions which pertain to the construction of statutes.

If, upon such a question, I have fallen into an erroneous construction, I submit whether I should be characterized as a violator of official duty and of law.

I have deemed it proper, in vindication of the course which I have considered it my duty to take, to place before the Senate the reasons upon which I have based my action. Although I have been advised by every member of my Cabinet that the entire tenure-of-office act is unconstitutional, and therefore void, and although I have expressly concurred in that opinion in the veto message which I sent to the house, which returned it, then I returned the bill for consideration, I have refrained from making a violation of any officer contrary to the provisions of the law, and I have only asserted that power in the case of Mr Stanton, which, in my judgment, did not come within its provisions. I have sedulously endeavored to act in a great crisis, and have acted only in an extreme and exceptional case, and carefully followed the course which I have marked out for myself as a general rule faithfully to execute the laws, though passed over my objections on the score of constitutionality. In the present instance I have preferred to await the action of that final arbitre fixed by the Constitution for the determination of all such questions.

To this course I have been impelled by the solemn obligations which rest upon me to sustain inviolate the powers of the high office committed to my hands whatever be the consequence. I merely pronounce to myself I could not allow them to prevail against a public duty so clear to my own mind and so imperative if what was possible had been certain.

If I had been fully advised when I removed Mr. Stanton that in thus defending the trust committed to my hands, my own removal was sure to follow I could not have hesitated, actuated by public considerations of the highest character I earnestly protest against the resolution of the Senate which charges me in what I have done with a violation of the Constitution and laws of my country.

ANDREW JOHNSON.
WASHINGTON, D. C., Feb 22, 1868.

CITY INTELLIGENCE.

Reportorial Repertory.—The firemen of New Orleans and vicinity are preparing for a special second celebration of their association on the 4th of March.

A grand Democratic mass meeting will take place at Carrollton this evening.

Counterfeits of the two dollar denomination of city notes are said to be in circulation. The name of the Comptroller and Treasurer are lithographed instead of written. Counterfeit Convention warrants are also said to be in circulation.

Mr. Jacob Kirtener and his family, who were so brutally beaten last Tuesday night, at their residence on Gentilly Road, near the Fair Grounds continue in the same comatose state as when discovered the next morning. The matter is likely to remain a mystery, as they were probably beaten in the darkness of the night by unknown parties.

Robbery—At about dusk Thursday evening Mr Cunningham was robbed of a pocketbook containing $500. Mr. Cunningham, who is the owner of a number of hacks and carriages, has an office and residence on Franklin street, between Bienville and Customhouse. He had just returned from a visit to Carrollton, and by one of his hackdrivers, and had put the money in his pocket-book, when some one reached over his shoulder and took it away. Mr. Cunningham at first supposed it was his wife who had taken it, and before he had had time to discover his mistake the thief had disappeared.

THE LOUISIANA CONVENTION.

SEVENTY-FOURTH DAY—FEBRUARY 28, 1868.

The Convention was called to order at 10½ o'clock, President Taliaferro in the chair, and opened with prayer by the Rev Josiah Fiske. Minutes approved.

Motion by Mr. P. G. Deslonde to vote thanks to Gen. Grant and the Congress of the United States for their remarkable action and efforts to arrive at the reconstruction of the United States. Laid over under the rules.

Mr. Wyles offered an amendment to article 98 of the Constitution that all persons shall be restored to the right of suffrage except the following:

All persons who have held office under the organization of the so called Confederate States, civil or military, for one year or more; all persons who signed the secession ordinance and voted therefor; all persons who wrote newspaper articles in favor of said organization, both editors and proprietors; and all who preached sermons of secession import.

Whole subject laid on the table on motion of Reagan.

Mr. and Mrs. Jefferson Davis arrived in the city yesterday morning and are stopping at the St. Charles Hotel.

Military Domination—Imperial Style Sprouting at Washington.

[Correspondence of Chicago Times.]

Gen. Grant has ordered a detail of soldiers to officiate as a body guard at his receptions. They are picked men; not quite up, as yet, it is true, in discipline, uniform and equipment, to the Cent Gardes of the Emperor Napoleon, or even the so called Household Troops of "our good cousin Victoria." But we are a young empire as yet, and age will necessarily bring with it those artistic tastes in politics, as well as general culture, which must one day place us in the front rank of nations that acknowledged the imperial purple. The younger branches of the General's family, I observe, go about the city escorted by military equerries. So, you see, we are gradually more and more aping the style and taste of the old world despotic. I remember the time when old President Taylor used to go to the market here and purchase a milch cow, and help the man to drive her home, too, if she was contrary. Now, the city is filled with at the earliest possible moment these doubts should be settled, and the true construction of the act settled by decision of the Supreme Court of the United States.

My order of suspension in August last was intended to place the case in such a position as would make a resort to a judicial decision both necessary and proper. My understanding both wishes, however, under that order of suspension was frustrated, and the late order for Mr. R. Sneed's removal was a further step toward the accomplishment of that purpose.

I repeat that my own convictions as to the constitutionality of the law in question and its nonconstitutionality were well settled and were sustained by every member of my Cabinet, including Mr. Stanton himself. Upon the question of constitutionality, I do not, however, definitely advised me that the tenure of office act was unconstitutional. Upon the question whether as to those members who were appointed by my predecessor, the act took from me the power to remove them, one of those members said emphatically, in presence of the others sitting in the Cabinet, that they did not come within the provisions of the act, and it was no protection to them. No one dissented from this construction. I understood them all to acquiesce in its correctness.

The New Orleans Bee.

BY TELEGRAPH.

[To the New Orleans Bee.]

FROM WASHINGTON.

Proceedings of Congress.

Progress of the Impeachment Question.

The Charges of the Impeachment Committee.

Further About the Late Elections in Alabama.

The Southern Conventions.

FROM EUROPE.

Miscellaneous Intelligence.

Foreign and Domestic Markets.

From Southwest Pass.

Washington, Feb. 28.—SENATE.—A bill was reported abolishing the Bureau of Statistics.

Rules of proceeding in impeachment cases were presented. Consideration postponed.

$100,000 was appropriated to enable the Secretary of the Treasury to defend against claimants for captured and abandoned property in the Court of Claims.

The bill covering into the Treasury the proceeds of captured and abandoned property was passed. Adjourned.

HOUSE—Feb. 28.—A bill reimbursing for certain bonds destroyed by fire was passed after considerable opposition. The bill to this case was clear, the Secretary of the Treasury being able to identify the bonds from the charred remains.

A bill regulating the custody and expenditure of public moneys passed. It forbids transfer from one Bureau to another and application of money to purposes in deficiency, with imprisonment for penalty for violation, imprisonment and fine.

The Civil Appropriation bill was resumed.

The Speaker announced that the Impeachment Committee were probably report articles of impeachment to morrow.

Adjourned.

The Senate will proceed with the consideration of the impeachment articles the day after they are presented.

PROCEDURE IN IMPEACHMENT.

The day after the articles are presented the Senate will resolve itself into Court at one o'clock, when the Chief Justice of the Senate to constitute a quorum of the Court. After the trial commences the Court will sit daily. Legislation will proceed during recess of Court. The final argument will be allowed to be made on either side—the House having the opening and closing speeches. All orders and decisions to be made by yeas and nays. Without debate on the part of Senators Judge Chase and Senator Wade. The President need not appear in person.

The following oath will be administered to Senators:

"That in all things appertaining to the pending impeachment I will do impartial justice, according to the Constitution and laws, so help me God."

The Court may compel attendance and inflict punishment for contempt, and may fix a day for the trial, by vote of two thirds of the Senate.

The Senate has rejected M. M. Hiswall as Commissioner of Revenue.

Stanton's complaint for false imprisonment, that he will attend to it by attorney.

Chas. Van Winkle has been nominated Marshal of Virginia vice Jno. Underwood.

Washington, Feb. 28.—Senator McCrary, of Kentucky, was sworn in to day.

The Impeachment Committee held another meeting to day, and considered further the various drafts of articles of impeachment which have been submitted. It is found very difficult to come to any agreement, there is so much difference of opinion among the members of the committee as to the character of the articles to be reported to the House. It is understood, however, that a majority of the committee are in favor of confining the articles to a few distinct charges, so as to dispense with a long array of witnesses and a tedious trial.

The committee will not meet again until to-day, except the Secretary of War.

General Thomas had an interview with the President and several members of the Cabinet to-day. He (General Thomas) will make no further demand on Stanton to vacate.

The *quo warranto* was not applied for to-day, though it was prepared to myself I could not allow them to prevail against a public duty so clear to my own mind and so imperative if what was possible had been certain.

If I had been fully advised when I removed Mr. Stanton that in thus defending the trust committed to my hands, my own removal was sure to follow I could not have hesitated, actuated by public considerations of the highest character I earnestly protest against the resolution of the Senate which charges me in what I have done with a violation of the Constitution and laws of my country.

ANDREW JOHNSON.
WASHINGTON, D. C., Feb 22, 1868.

CITY INTELLIGENCE.

Reportorial Repertory.—The firemen of New Orleans and vicinity are preparing for a special second celebration of their association on the 4th of March.

A grand Democratic mass meeting will take place at Carrollton this evening.

Counterfeits of the two dollar denomination of city notes are said to be in circulation. The name of the Comptroller and Treasurer are lithographed instead of written. Counterfeit Convention warrants are also said to be in circulation.

Mr. Jacob Kirtener and his family, who were so brutally beaten last Tuesday night, at their residence on Gentilly Road, near the Fair Grounds continue in the same comatose state as when discovered the next morning. The matter is likely to remain a mystery, as they were probably beaten in the darkness of the night by unknown parties.

Robbery—At about dusk Thursday evening Mr Cunningham was robbed of a pocketbook containing $500. Mr. Cunningham, who is the owner of a number of hacks and carriages, has an office and residence on Franklin street, between Bienville and Customhouse. He had just returned from a visit to Carrollton, and by one of his hackdrivers, and had put the money in his pocket-book, when some one reached over his shoulder and took it away. Mr. Cunningham at first supposed it was his wife who had taken it, and before he had had time to discover his mistake the thief had disappeared.

THE LOUISIANA CONVENTION.

SEVENTY-FOURTH DAY—FEBRUARY 28, 1868.

The Convention was called to order at 10½ o'clock, President Taliaferro in the chair, and opened with prayer by the Rev Josiah Fiske. Minutes approved.

Motion by Mr. P. G. Deslonde to vote thanks to Gen. Grant and the Congress of the United States for their remarkable action and efforts to arrive at the reconstruction of the United States. Laid over under the rules.

Mr. Wyles offered an amendment to article 98 of the Constitution that all persons shall be restored to the right of suffrage except the following:

All persons who have held office under the organization of the so called Confederate States, civil or military, for one year or more; all persons who signed the secession ordinance and voted therefor; all persons who wrote newspaper articles in favor of said organization, both editors and proprietors; and all who preached sermons of secession import.

Whole subject laid on the table on motion of Reagan.

Mr. and Mrs. Jefferson Davis arrived in the city yesterday morning and are stopping at the St. Charles Hotel.

Military Domination—Imperial Style Sprouting at Washington.

[Correspondence of Chicago Times.]

Gen. Grant has ordered a detail of soldiers to officiate as a body guard at his receptions. They are picked men; not quite up, as yet, it is true, in discipline, uniform and equipment, to the Cent Gardes of the Emperor Napoleon, or even the so called Household Troops of "our good cousin Victoria." But we are a young empire as yet, and age will necessarily bring with it those artistic tastes in politics, as well as general culture, which must one day place us in the front rank of nations that acknowledged the imperial purple. The younger branches of the General's family, I observe, go about the city escorted by military equerries. So, you see, we are gradually more and more aping the style and taste of the old world despotic. I remember the time when old President Taylor used to go to the market here and purchase a milch cow, and help the man to drive her home, too, if she was contrary. Now, the city is filled with at the earliest possible moment these doubts should be settled, and the true construction of the act settled by decision of the Supreme Court of the United States.

My order of suspension in August last was intended to place the case in such a position as would make a resort to a judicial decision both necessary and proper. My understanding both wishes, however, under that order of suspension was frustrated, and the late order for Mr. R. Sneed's removal was a further step toward the accomplishment of that purpose.

I repeat that my own convictions as to the constitutionality of the law in question and its unconstitutionality were well settled and were sustained by every member of my Cabinet, including Mr. Stanton himself. Upon the question of constitutionality, I do not, however, definitely advised me that the tenure of office act was unconstitutional. Upon the question whether as to those members who were appointed by my predecessor, the act took from me the power to remove them, one of those members said emphatically, in presence of the others sitting in the Cabinet, that they did not come within the provisions of the act, and it was no protection to them. No one dissented from this construction. I understood them all to acquiesce in its correctness.

Frankfort, Feb. 28.—Bonds 75.

Liverpool, Feb. 28—Evening.—Cotton closed heavy under unfavorable Manchester advices: uplands 9¾d; Orleans 9¾d; sales to-day 800 bales.

Southwest Pass, Feb. 28, 6 P. M.—Wind N. N. E., light.

Arrived, steamer Alabama, Bowers, master, with merchandise and passengers to C. A. Whitney & Co; steamship Harlan, Lewis, master, with merchandise and passengers to C. A. Whitney & Co.

[Previous Dispatches.]

Raleigh, N. C., Feb. 27.—The Convention met and adjourned at an early hour to attend the Radical Nominating Convention. That body, up to 3:30 P. M had made the following nominations:

For Governor, W. W. Holden, of Wade county; Lieutenant Governor, Todd R. Caldwell, of Burke county; Secretary of State, J. J. Menninger, of Ohio; Public Treasurer, D. A. Jenkins, of Gaston county; Auditor, Henderson Adams, of Davidson county; Superintendent of Public Works, C. T. Harris, of Wake county; Superintendent of Public Instruction, R. S. Ashley, of Massachusetts. Judges of Supreme Court, R. M. Pearson, present, Chief Justice; R. P. Dick, of Guilford; W. B. Rodman, of Beaufort, and perhaps two others of the Superior Court Judges; First Circuit Court, C. C. Poole, of Pasquotank; Second, E. W. Jones, of Washington; Third, C. R. Thomas, of Craven; Fourth, D. L. Russell, Jr., of Brunswick; Fifth, R. Buxton, of Cumberland.

Seven others to be nominated. The following nominations were made by the district meetings held here: First Congressional District, John R. French, of Washington City, said not to be a citizen of the State; Second District, Col David Heaton, of Ohio; Fourth District, Col. J. T. Dewess, of Illinois.

It is said that J. H. Harris, a negro, was first nominated but declined, giving as a reason that the Radicals in Congress didn't wish negroes in that body.

Southwest Pass, Feb. 28, 11 A. M.—Wind N. N. E. and fresh.

Arrived: Ships Wm. Woodbury, McLean, Liverpool, 42; Lowell & Bailey; British ship Cambria, Harrington, from Havana, in ballast, to Lowell & Bailey; ship Gen. Berry, Watts, from Valencia, to master; steamship Star of the Union, Cooksey, Philadelphia, via Havana, to Creavy, Nickerson & Co.

Nothing sailed.

London, Feb. 28—Noon.—Consols, 93⅞ to 93; bonds, 74⅞.

Paris, Feb. 28.—Bullion in the Bank of France has increased 18,000,000 francs. Bourse heavy; rentes weak.

Liverpool, Feb 28—noon.—Cotton dull; sales 8000 bales; sales of the week 51,000 bales, for export 9000 bales, speculators 7000 bales; stock 292,000 bales, of which