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in place in which the said Bank and branches thereof may be established, unless the Secretary of the Treasury should otherwise order and direct; in which case he was required to give his reasons to Congress. This was but a continuation of his pre-existing right, as the head of an Executive Department, to direct, as the head of an Executive, the conduct of his office, with the superadded obligation of giving his reasons to Congress for making them elsewhere than in the Bank of the United States and its branches. It is not to be considered that this provision in any degree altered the relation between the Secretary of the Treasury and the President, as the commanding Head of the Executive Department. He was bound by his constitutional obligation to "take care that the laws be faithfully executed." On the contrary, it increased his responsibilities, by adding another to the long list of laws which it was his duty to carry into effect.

It would be an extraordinary result, if, lessening the power of the Secretary, would deprive

of the secretaries, it were less the duty of the President to see that law faithfully executed, than other laws enjoined duties upon subordinate officers or private citizens. If there be any difference, it would seem, that the obligation is the stronger in relation to the former, because the secretaries are in his presence, and the latter at a distance.

It cannot be denied, that it was the legal duty

of the Secretary, to have the public deposits

of the Government, deposited in the Bank of the United States, whenever sufficient reasons existed for making the change.

If, in such a case, he neglected or refused in act, he would neglect to refuse to execute the law. What would then be the responsibility of the Secretary? That he has no right to do so, is now denounced. The visitations of Congress, and was had attended our Government, violent party, watchful to take advantage of any seeming irregularity on the part of the Executive, had discredited our counsels; frequent appeals, or forced resignations, in every sense tantamount to removals, had been made of the Secretary, and other officers of the Treasury; and yet, in no one instance is it known, that any man, whether patriot or partisan, had raised his voice against it, as a violation of the Constitution. The expedition and justice of such changes, in reference to public officers of all grades, have frequently been the topics of discussion; but the constitutional right of the President to appoint, control, and remove the head of the Treasury, as well as all other departments, seems to have been universally conceded. And what is the occasion upon which other principles have been first officially asserted? The Bank of the United States, a great monied monopoly, had attempted to obtain renewal of its charter, by controlling the elections of the People, and the action of the Government.—The use of its corporate funds and power in that attempt, was fully disclosed, and it was made known to the President, that the corporation was putting in train the same course of measures, with the view of masking another vigorous effort, through an infringement in the elections of the people, to control public opinion, and force the Government to yield to its demands. This influence of such proceedings on the press, its violation of its charter, its exclusion of the Government Directors from its proceedings, its neglect of duty, and arrogant pretensions, made it, in the opinion of the President, incompatible with the public interest, and the safety of our institutions, that it should be longer employed as the fiscal agent of the Treasury. A Secretary of the Treasury, appointed in the recess of the Senate, who had not been confirmed by that body, and whom the President might, or might not, at his pleasure, nominate to them, refused to do what his superior in the Executive Department considered the most imperative of his duties; and became, in fact, however innocent his motive, it is a dangerous precedent, for the first time, that those who framed the Constitution, understood, it is that first Congress, and all its successors, have been under a delusion; that the practice of near forty-five years, is but a continued usurpation; that the Secretary of the Treasury is not responsible to the President; and that to remove him is a violation of the Constitution, and laws, for which the President deserves to stand forever dishonored on the journal of the Senate.

There are also some other circumstances connected with the discussion and passage of the resolution, to which I feel it to be not only my right, but my duty, to refer. It appears by the journal of the Senate, that, among the twenty-six Senators who voted for the resolution on its final passage, and who had supported it in its original form, were one of the Senators from the State of Maine, the two Senators from New Jersey, and one of the Senators from Ohio. It also

obtained the sanction of the Executive, and was approved and concurred in, by all the departments of the Government, and the nation itself, approved or acquiesced in these sets of resolutions.

During the last year, a corresponding resolution, according to the provisions of its charter, and the solemn decision of the American people, of the Bank of the United States, made it expedient, and it exposed abuses and corruptions made it, in my opinion, the duty of the Secretary of the Treasury, to place the money of the United States in another port. The Senate did not concur in that opinion, and declined passing the necessary order and direction. By glancing were the abuses and corruptions of the bank, as evident its fixed purpose to persecute in them, and so palpable its design, by its money and power, to control the Government and change its character, that I deemed it a imperative duty of the Executive, to satisfy the nation, and to give up the Constitution, and law, in the hope to cloak its error, and lessen its ability to do mischief, even in the fatal alternative of dismissing the Head of one of the Departments. At the time the removal was made, other causes sufficient to justify it existed, but if they had not, the Secretary would have been dismissed for this cause only.

His motives, I supplied by one whose opinions

were well known to me, and whose frank expression of them, in another situation, and whose generous sacrifices of interest and feeling, when unexpectedly called to the station he now occupies, ought forever to have shielded his motives from suspicion, and his character from reproach.

In seeing him so persecuted, with my sanction, to make arrangements for depositing the money of the United States in other safe institutions.

The resolution of the Senate, as originally framed, and as passed, if it refers to these acts, presupposes a right in that body to interfere with this exercise of executive power.

If the principle be once admitted, it is not difficult to perceive, where it may end.

by a mere denunciation, like this resolution,

the President should ever be induced to act,

in a matter of official duty, contrary to the honest convictions of his own mind, in compliance with the wishes of the Senate, the constitutional independence of the Executive Department would be as effectually destroyed, and its power as effectually transferred to the Senate, as there is no direct responsibility to the people in that important branch of the Government, to which is committed the care of the national finances. And it is in the power of the Bank of the United States, or any other corporation, body of men, or individuals, if a Secretary shall be found to succeed in practice to promote their views, to control through him the whole action of the Government, (so far as it is exercised by his department,) in defiance of the Chief Magistrate, elected by the people and responsible to them.

But the evil tendency of the particular doctrine

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The President is the direct representative of

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If the Secretary of the Treasury be indepen-

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