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Dismissal of the Comptroller and Secretary of State, by the Council of Appointment of New-York.

On Monday last, the 10th of August, the Council of Appointment of this state, commenced an open and avowed warfare upon principle, by a removal of the Officers of Government from their stations, who were appointed under the administration of Governor Jay. Their proceedings, as thus by the late Secretary, were as follows:

"When the business of the day was nearly completed, Mr. Spencer proposed to the Council, that John V. Henry, be removed from the office of Comptroller of this state, observing, that Mr. Henry had, in debate in the house of Assembly, during the last session of the legislature, expressed certain sentiments, which convinced him that it would be improper to continue him in office; and that Mr. Henry had continued the practice of law, which could not have been intended at the time of his appointment, as it must necessarily prevent him from paying proper attention to his official duties; he therefore was of opinion that he should no longer be continued in office.

"Mr. De Witt Clinton expressed a wish to make some observations to the Council on the subject—He observed, that for some years past, the administration of this State had been in hands which had made all the appointments in one way, to the entire exclusion of a large proportion of its citizens—that the people of this state as well as of the United States, had expressed their disapprobation of that administration, and of the principles by which it was governed, in the late elections for President of the United States, and the Civil Magistrate and Representatives for this state—that pursuant to the public opinion so expressed, he should feel it his duty to remove all the officers appointed under that administration—that he should concur in the removal of Mr. Henry, and the other heads of Departments in the state, but did not suppose it would be proper to do more than equalize the offices in the respective counties.

"Mr. Spencer then drew a resolution, to be entered on the minutes, directing a supersedeas to Mr. Henry, which was read by the Governor, and passed by the three members present unanimously, to wit, Messrs. Clinton, Spencer and Rooseboom, Mr. Saunders being in ill health and unable to attend. Governor Clinton, during the proceedings, only observed, that he felt no resentment against any of the officers of government, and did not require their removals: but as governor Jay had admitted the right of removal to be vested in him, as the Council, they must act their pleasure, or words substantially to that effect. His Excellency, however, made no attempts to repeal or discountenance the proceedings, but appeared fully to acquiesce in them.

"Mr. Spencer then proposed Mr. Elisha Jenkins to supply the place of Mr. Henry, whom he recommended as a gentleman well qualified to perform the duties of Comptroller; the Governor put the question on Mr. Jenkins, which was carried unanimously.

"A short pause then took place, during which Mr. Spencer walked to Mr. Clinton, whispered for a few moments, and returned his place; after which, Mr. Clinton proposed to the Council, that the same resolution be entered as to the Secretary. The question was put by the Governor, and carried unanimously.

"The Secretary then asked leave to put some questions to the Council in respect to himself, which was permitted, and after some evasions, on the part of Mr. De Witt Clinton, who declared that they were unnecessary, from the grounds on which he had already stated the removals were made, but the Secretary persisting, they were put and answered as follows:

"1st. Whether there was any charge of any delinquency against the Secretary for want of the most strict attention to every part of the duties of his office?

"2d. Whether he had evinced a want of talents to enable him perfectly to execute those duties?

"3d. Whether he had on any occasion shewn the least degree of perfidious or partiality towards any person in executing his official duties, from the influence of his political opinions?

"4th. Whether there was any doubt of his principles of integrity as a man?

"Each of which questions was answered in the negative, in the most decided and unequivocal manner.

"The Secretary then sat down, and deliberately entered his own removal on the minutes; where it now stands a record of one of the most infamous, atrocious, and dangerous acts of injustice, tyranny, and oppression, that ever disgraced the proceedings of a *Marat*, *Danton*, or a *Robespierre*. Can it be the wish of the good people of this state to countenance and support such proceedings as these? Is it for their interest, is it their desire, that men, who are acknowledged by their very tyrants and oppressors, to be men of talents, men of integrity, and faithful, vigilant officers should be oppressed and disgraced, for no other cause than that of maintaining their honest and independant principles, and for the fair support of order and good government upon the republican principles—No, it cannot be. The good people of this state are friends to freedom, to justice—they detest tyranny and oppression, they cannot, they will not support men who commenced and practice it, though they should continue to court their favour and support, under the hypocritical and insidious mask of the generosity, equality, and rights of man, as a cover to the cloven-foot of aristocracy, tyranny and oppression, and for purposes of self interest and aggrandisement.

"Five candidates were then named, by the Governor for the office of Secretary, to wit: Jasper Hopper, John P. Van Ness, Thomas Tillotson, Abraham G. Lansing, and General Peter Gansevoort, and the nomination of two of them made by the Secretary, after which he informed the Council, that Jasper Hopper was his Deputy, that whatever political prejudices there might be against himself they must not be visited on Mr. Hopper, that he was a warm and decided friend to Gov. Clinton and to his politics, and he knew him to be so at the time he employed him as a Deputy, that such conduct should not prevent him from placing the utmost confidence in him, and treating him with friendship and respect; that Mr. Hopper had declared to him, previous to the last election, his intention to support Governor Clinton—that he had replied, he was perfectly right in doing, as he was a free man, and was justifiable in enjoying his own independent principles; that Mr. Hopper was a man of business, and a man of integrity, and was better calculated to execute the duties of Secretary than any other man in the state, and as such he recommended him to the Council.

"The Governor proceeded to nominate Mr. Hopper, who was unanimously rejected, as was Mr. Van Ness—and Mr. Tillotson was unanimously agreed to.

"Mr. Spencer then objected to the Secretary, that there was one circumstance which applied to him, which did not to Mr. Henry, which was, that he had held a very respectable office, from which he derived a certain degree of influence; that he had taken a decided part in the late election, in which to his knowledge, he had been influential; and whether it was not probable, that from his office it was that influence had been materially increased—to which the Secretary replied that he believed no man in the state could entertain such opinions, that his office was merely ministerial, from which he could derive no possible degree of influence, that it was not an office of authority, nor even of direct responsibility, that if he had any influence in society, it was from his standing as a citizen, not as a public officer; but, that of all men, Mr. Spencer was one of the left who should bring forward that circumstance as a charge against him, he (Mr. Spencer) held a public office (assistant attorney-general) to which was attached both authority and responsibility; he had for several elections past been active and influential, to a far greater degree than himself and how had he been treated?—had he been injured in the least degree in consequence of his having supported his political opinions? and that had the former administration attempted to remove him from office, in consequence of his having supported his principles, he (the Secretary) would then have openly declared it an act of tyranny.

"The Secretary added, that he had been decidedly active during the last election, and the reflection gave him great pleasure; he had supported principles which were dear to him, and which he would never completely relinquish. Mr. De Witt Clinton interfered, and put a stop to the conversation, when the Council adjourned; or the Secretary would have added, that his dread, was, should Governor Clinton succeed in his election, his administration would be feeble and inert, and Ambrose Spencer and De Witt Clinton would become the rulers and tyrants of the state.

Let any man, that has a view of Gov. Jay's administration, and compare it with the present proceedings under that of Gov. Clinton.

When De Witt Clinton, who had been in violent opposition to Governor Jay's election, called on him, with his predecessor, to deliver up the seals and papers, the governor received him with the most friendly smile, entered into familiar conversation with him, in the course of which he made an offer of his future service, with the promise of the first office that fell vacant, which he would will to fill. It is not substantially true, Mr. Clinton will please to contradict it.

Governor Jay found Mr. Scott in the office of Secretary, Mr. Lawrence in that of Attorney-General, Mr. Gurnsey in that of Auditor (the office answering to that of the present Comptroller) Mr. De Witt in that of Surveyor-General, and Colonel Van Horne in that of Commissary-General; all of these officers were necessarily made under Governor Clinton's administration, and each of the incumbents decidedly in political principles with him.

"The public opinion was certainly as strongly and decidedly expressed in the election of Gov. Jay and a federal legislature at that day, as it now can possibly be, in the election of Gov. Clinton and a representation in political sentiments with him. Governor Jay also ceded to his council the right of removal from office. Did Mr. Jay in his council attempt to remove any of their officers—No. They all remained—The Auditor and Secretary died in office—The Attorney-General remained until he thought proper to resign—The Adjutant-General remained until he was utterly incapacitated, from a fatal disorder, and absolute necessity compelled the appointment of another, whole appointment was only temporary, provided his predecessor should recover—The Surveyor General still remained in office.

In the several counties of the state, there remained at Gov. Clinton's present election, Ezra L'Hommedieu, Esq. Clerk of Suffolk, David Gelston, Surrogate of New-York, Richard Lush, Clerk, and Abraham G. Lansing, Surrogate, of Albany, Dirk Swart, Clerk of Saratoga, John Wood, Surrogate of Ulster, Sheriffs, and many other public officers, appointed by governor Clinton, who with Ambrose Spencer, Adjutant Attorney-General, have uniformly been the most decided and active opposers of Mr. Jay's politics and elections—not one of whom were removed or suffered the least injury from the open avowal and exercise of their political sentiments.

But by some of the supporters of the present violent and tyrannical proceedings, Gov. Jay has set the example and we only follow it; he has made many violent and improper removals, for no other than political prejudice, and some have undertaken to say that their number amounts to upwards of three hundred; this is a barefaced and an infamous falsehood.—Mr. Jay never issued a single supersedeas without an actual complaint, and the whole holl of federalists and federalism to the Writ Clinton and Ambrose Spencer are challenged to mention one—they cannot do it—two or three county officers and magistrates may have been superseded without a hearing during Mr. Jay's administration, but they were cases in which the charges were so evident and the proofs so pointed, as in the opinion of the Council, to preclude the necessity of hearing; where the conduct was flagrantly correct, is a point that does not require an immediate difficulty—the only point here maintained is, that no supersedeas was ever issued by Mr. Jay, without a direct complaint of misconduct.

De Witt Clinton declares, according to the secretary's statement, as one of the indicements to the present proceedings, that for some years past the appointments to office have been all made in one way, to the entire exclusion of a certain description of citizens. Let us see how for this allegation is founded in fact.

Ezra L'Hommedieu, Esq. a very respectable member of the senate, and a decided and warm friend to Governor Clinton's politics, during the last session, openly declared on the floor of that house, that when he was in the council of appointment, Governor Jay made it a practice to inform his council, that he did not wish to hear what were the politics of a candidate for office, but was he an honest man, was he a respectable man, and was he qualified to fill the office for which he was named; and during Governor Jay's administration, it is notorious that John Lansing, jun. Esq. who was appointed chief justice, John Taylor, Esq. first judge of the county of Albany, Ebenezer Purdy, Esq. first judge of the county of Westchester, Jonas Wheeley, a judge of Herkimer, Benjamin Wheeley a judge of Chenango, David Fye, clerk of Rockland, Abner Stone, sheriff of Washington, Joseph C. Yates, mayor of Schenectady, and among the last acts of the council which preceded the present, John Rutsel was appointed assistant justice of Oneida, and Silas Stow a judge of Onondaga, all of whom were decidedly in their appointment, and continue to this day, in decided opposition to the political principles of Governor Jay, and serve to give a consciousness to Mr. Clinton's declaration. Many other appointments of men of a similar political description could no doubt be mentioned, was a reference had to official documents; and there can be no doubt, were the different county officers referred to, but the names of numbers of officers and magistrates of the same description would appear, who were appointed under the administration of Governor Jay, or continued by him from original appointments made under the former administration of Governor Clinton.

That variations have frequently been made in the civil offices of many of the counties, during Governor Jay's administration, is a fact; but the particular causes which led to this can only be explained by the members of former councils, or by those members of the legislature who recommended such lists. This was equally the case under Governor Clinton's former administration, and is a circumstance utterly unavoidable.

It is also a fact, that during the last part of Governor Jay's administration, the nominations were pretty generally in favor of men who acquiesced in or supported his administration, and it had been a preference to men who were openly and incessantly abusing, reviling and opposing it, it would have been strange indeed; Silas Stow and his friends are however an exception to this—And if Governor Clinton had confined himself to appointing none but his own decided friends and partizans to offices, as they fell vacant, and had even went so far as to turn out every man who shewed a decided opposition to his administration, he would have met with no censure from the considerate part of the Federal interest of the state.

The circumstance of bringing forward the removal of the Secretary in his own presence, and in the very act of faithfully