

he was *breveted* as a Brigadier by General Jackson, then President of the United States.

At the period of the late appointment, which is the subject of your inquiry, General Towson, holding the office of Paymaster General, at Washington, under the immediate eye of the President, was doubtless amongst those, to whom his attention was drawn, when making choice of a Brigadier. Upon the principle of *selection*, which the President was authorised to pursue, unrestrained by the pretensions of mere seniority in commission, it was as fully in his power, if he chose, to fix his choice on General Towson, as to have conferred the honor on General Wool, or any other of the distinguished officers of the Army, whether in the line or staff. General Towson was ranked at least by Atkinson and Brady; and many other officers claimed precedence of him, under their views of subsisting rank in the Army. It may be proper to state, that which I derive from other sources than any confidential matter in the Senate,—that General Towson is of opinion that there is an error or omission as to the date of his last brevet, which, if it could have been corrected by some competent authority, he thinks, would have placed him in *rank* before General Wool: but, if that could have been effected, the result would not have given him precedence of General Atkinson and General Brady and others. Yet, whatever actual relation General Towson bore to them, in rank, he was as *eligible* as they, had it been the will of the President to nominate him to the vacant place of a Brigadier; and the power of that high officer to withdraw or alter his nomination, at any moment before its confirmation, would never be denied by the Senate. I speak with perfect sincerity, when I say, that, had the nomination fallen on that gallant son of my own native State, I would have cherished, with satisfaction, the opportunity in my hands of confirming it by my vote; and this is all, I think, that the occasion calls upon me to say, on that point.

The President nominated General Wool—not on account of *seniority*, for that could not be pretended,—but of his own sound discretion, according to an undoubted authority to do so, under the Constitution, military usage, every where, and the express rules and regulations of the army. Those rules declare that original vacancies shall be supplied by *selection*, or free choice, and accidental vacancies *to the rank of Colonel*, by *promotion*, according to *seniority*, except in extraordinary cases; but appointments to the rank of *Brigadier* or Major General are to be made by *selection*, independently of the claims of seniority. The force of the reasons for such provisions is well understood even in the Militia of the States. To the President belongs, under the Constitution, the power to *nominate* all officers of the United States, civil and military, and to the Senate is as exclusively assigned the authority to confirm or reject his nominations. As he has the *sole* power to nominate, the entire responsibility for the wisdom and integrity of his selections rests upon him. The Senate, as an independent body, has the right to examine into the fitness of the candidate