open. What then, I ask, subsequently occurred? Instead of treating this new indignity, the return of my letter, with silence, or evincing any other mode of satisfaction, I felt that I was on duty at a public post, and that I ought not to suffer it to be taken by surprise. I could not now mistake, in concluding that it was intended to insult me out of office, or to draw from me some expression, which might form a pretext for my removal on a minor point, so doubtful was the President, after all, of the propriety of removing an officer for not yielding, when desired, the discretion given to him by law.

Accordingly, I sent letter No. 4, subsequently withdrawn for alteration, and then letters Nos. 5 and 6—No. 5 especially because the President did not seem to comprehend me, when in my letter No. 2, I said, that after what had occurred subsequently to July 22, I felt absolved from obligation to observe the assurances given at that time.

These last appeals, indicative of any thing but bad feelings or disrespect, were also sent back to me, in a letter No. 7, declaring my services no longer necessary. I submit to all just men to determine, by whom an assurance was given, and without cause disregarded.

Thus was I thrust from office—not because I had neglected any duty—not because I had differed with the President on any other point of public policy—not because I had differed with him about the Bank of the United States—but, because I refused, without further enquiry or action by Congress, to remove the deposites.

If in my letter No. 2, there is any thing, that should not have been there, I ask it to be borne in mind, that it was written under a deep sense of injury and insult.

I appeal to all prior letters and intercourse to shew that I have not on any occasion forgotten my respect for the Chief Magistrate, or for myself; and I deny that, in my letter, there was inaccuracy of fact, with my knowledge.

As I considered my removal inevitable, I asked in my personal interview, and by letter No. 6, such order, as, when shown to the representatives of the people, would be an apology for leaving the station under my care. Had such order been given, all subsequent unpleasantness would have been prevented; for the present result I am not accountable.

If any doubt existed as to the propriety of submitting the annexed letters to the public eye, it is removed by the example set by the President in the attack which he has sanctioned, and against which this is my defence.

I appeal to the justice and generosity of all publishers of newspapers, who have inserted therein the attack upon me, whether I have not a claim upon them to allow me to be heard, by publishing the present letter, and the annexed documents.

Very respectfully yours,

W. J. DUANE.

Philadelphia, December 2, 1833.

APPENDIX.—No. 1.

From the Globe of Sept. 20, 1833.

"We are authorised to state that the deposites of the public money will be changed from the Bank of the United States to the State Banks, as soon as necessary arrangements can be made for that purpose; and that it is believed they can be completed in Baltimore, Philadelphia, New York, and Boston, in time to make the change by the first of October and perhaps sooner, if circumstances should render an earlier action necessary on the part of the Government.

"It is contemplated, we understand, not to remove at once, the whole of the public money now on deposite in the Bank of the United States, but to suffer it to remain there until it shall be gradually withdrawn by the usual operations of the government. And this plan is adopted in order to prevent any necessity, on the part of the Bank of the United States, for pressing upon the commercial community and to enable it to afford, if it think proper, the usual facilities to the merchants. It is believed that by this means the change need not produce any inconvenience to the commercial community, and that circumstances will not require a sudden and heavy call on the Bank of the United States so as to occasion embarrassment to the institution or the public."

No. 2.

The Secretary of the Treasury to the President of the United States.

TREASURY DEPARTMENT, Sept. 21st, 1833.

SIR:—I have the honor to lay before you—

1. A copy of my commission, empowering and enjoining me to execute my duty according to law, and authorising me to hold my office at your pleasure.
2. A copy of my oath of office, wherein I solemnly pledged myself to execute the trust committed to me with fidelity.
3. A copy of the 19th section of the law chartering the Bank of the United States, whereby the discretion to discontinue the deposite of the public money in that Bank, was committed to the Secretary of the Treasury alone.
4. An extract from your letter to me of the 29th of June, wherein you promise not to interfere with the independent exercise of the discretion, committed to me by (the above mentioned) law over this subject.
5. An extract from your exposition of the 18th instant, wherein you state that you do not expect me, at your request, order or dictation, to do any act which I may believe to be illegal, or which my conscience may condemn.

When you delivered to me, on the 18th instant the exposition of your views, above referred to, I asked you whether I was to regard it as direction, by you to me, to remove the deposites; you replied that it was your direction to me to remove the deposites, but upon your own responsibility; and you had the goodness to add, that if I would stand by you, it would be the happiest day of your life.

Solemnly impressed with a profound sense of my obligations to my country and myself, after painful reflection, and upon my own impressions, unaided by any advice such as I expected, I respectfully announce to you, sir, that I refuse to carry your directions into effect.

1. Not because I desire to frustrate your views, for it would be my pleasure to promote them, if I could do so, consistently with superior obligations
2. Not because I desire to favor the Bank of the United States, to which I have ever been, and ever shall be, opposed.
3. Not to gratify any views, passions or feelings of my own—but
4. Because I consider the proposed change of the depository, in the absence of all necessity, a breach of the public faith.
5. Because the measure, if not in reality, appears to be vindictive and arbitrary, not conservative or just.
6. Because if the Bank has abused and perverted its powers, the judiciary are able and willing to punish; and in the last resort, the representatives of the people may do so.
7. Because the last House of Representatives of the United States, pronounced the public money in the Bank of the U. States safe.
8. Because, if, under new circumstances, a change of depository ought to be made, the representatives of the people, chosen since your appeal to them in your veto message, will in a few weeks assemble, and be willing and able to do their duty.
9. Because a change to local and irresponsible banks will tend to shake public confidence and promote doubt and mischief in the operations of society.
10. Because it is not sound policy in the Union to foster local banks, which, in their multiplication and cupidity, derange, depreciate and banish the only currency known to the constitution, that of gold and silver.
11. Because it is not prudent to confide, in the crude way proposed by your agent, in local banks, dependent in a great degree upon each other; one dollar in silver cannot be paid for six dollars of the paper in circulation.
12. Because it is dangerous to place in the hands of a Secretary of the Treasury, dependent for office on executive will, a power to favor or punish local banks, and consequently make them political machinery.
13. Because the whole proceeding must tend to diminish the confidence of the world in our regard for national credit and reputation, inasmuch as, whatever may be the abuses of the Directors of the Bank of the U. S., the evil now to be endured must be borne by innocent persons, many of whom, abroad, had a right to confide in the law that authorized them to be holders of stock.
14. Because I believe that the efforts made in various quarters to hasten the removal of the deposites, did not originate with patriots or statesmen, but in schemes to promote selfish and factious purposes.
15. Because it has been attempted by persons and presses known to be in the confidence and pay of the administration, to intimidate and constrain the Secretary of the Treasury, to execute an act in direct opposition to his own solemn convictions.

And, now, sir, having, with a frankness that means no disrespect, and with feelings such as I lately declared them to be, stated to you, why I refuse to execute what you direct, I proceed to perform a necessarily connected act of duty, by announcing to you that I do not intend voluntarily to leave the post, which the law has placed under my charge, and by giving you my reasons for so refusing.

It is true, that, on the 22d July, you signified in language sufficiently intelligible, that you would then remove me from office, unless I would consent to remove the deposites, on your final decision; it may also be true that I should then have put it to test; and it is also true, that under a well-grounded assurance, that your bank plan, the only one then embodied in the instructions drawn up by me for your agent, would be, as it proved, abortive, that for this and other causes, you would be content, I did state my willingness to retire, if I could not concur with you.

But I am not afraid to meet the verdict of generous men, upon my refusal, on reflection, and after what has since occurred, to do voluntarily what I then believed I never could be asked to do. If I had a frail reputation, or had any sinister purpose to answer, I might be open to censure, for a neglect of punctilious delicacy; but I can have no impure motives, much less can I attain any selfish end; I barely choose between one mode of retirement and another; and I choose that mode which I should least of all have preferred, if I had not exalted and redeeming considerations in its favor

I have, besides, your own example; I do not say, that after you had promised 'not to interfere with the independent exercise of the direction vested in me by law,' you were wrong in interfering, if you really thought the public welfare a superior consideration to a mere observance of assurance made to me; nor can you say that I err, when upon a solemn sense of duty, I prefer one mode of removal from this station to another.

The course is due to my own self-preservation, as well as to the public, for you have in all your papers held out an assurance that you would not 'interfere with the independent exercise of the discretion committed to me by law,' over the deposites, and yet every thing but actual removal of me from office, has been done to effect that end. So that, were I to go out of office voluntarily, you might be able to point to official papers, that would contradict me, if I said you interfered, and I should thus be held up as a weak or faithless agent, who regarded delicacy not shewn to himself, more than duty to his trust.

Sir, after all, I confess to you, that I have had scruples, for it is the first time that I have ever condescended to weigh a question of the kind; but I am content that it shall be said of me, that in July last I forgot myself, and my duty too, rather than it should be said that now, knowing the course that you pursue, I had in any way favored it; on the contrary, if I have erred, I am willing to be reproved, but my motives no man can impugn.

My refusal to resign cannot keep me, one moment longer than you please, in an office that I never sought, and at a removal from which I shall not grieve on my own account; it must, on the contrary, hasten my exit. So that if you shall proceed in wresting from the Secretary of the Treasury the citadel in his possession, the act can only be accomplished by a mandate which will be my apology for no longer standing in the breach.

And now, sir, allow me to repeat to you in sincerity of heart, that in taking the present course, under a solemn sense of my obligations, I feel a sorrow on your account, far greater than on my own. I have been your early, uniform and steadfast friend; I can have no unkind disposition, but shall cherish those of a kind nature, that I feel. You proudly occupy the hearts of your countrymen: but still it is the lot of humanity, at times to err. I do ample justice to your motives, but I am constrained to regret your present proceedings, and I devoutly wish that you may live to see all my forebodings contradicted, and your measures followed by results beneficial to your country, and honorable to yourself.

With the utmost consideration,

Your obedient servant,

W J. Duane.

No. 3.

The President of the United States to the Secretary of the Treasury.

WASHINGTON, Sept. 21, 1833.

SIR—After you retired, I opened and read the paper you handed to me: I herewith return it as a communication which I cannot receive. Having invited the free and full communication of all your views, before I made up a final opinion upon the subject, I cannot consent to enter into further discussion of the question.

There are numerous imputations in the letter, which cannot, with propriety, be allowed to enter into a correspondence between the President and the head of a department. In your letter of July last, you remark—"But if, after receiving the information and hearing the discussion, I shall not consider it my duty, as a responsible agent of the law, to carry into effect the decision that you may then make, I will, from respect to you, and for myself, afford you an early opportunity to select a successor, whose views may accord with your own on the important matter in contemplation." My communication to my cabinet was made under this assurance received from you; and I have not requested you to perform any thing which your sense of duty did not sanction. I have merely wished to be informed, whether as Secretary of the Treasury, you can, consistently with your opinion on the subject of the deposites, adopt such measures in relation to them, as in my view the public interests, and a due execution of the laws, render proper. If you will now communicate that information, it will confer an obligation on,

Your obedient servant,

(Signed) **Andrew Jackson.**

No. 4.

The Secretary of the Treasury to the President of the United States.

TREASURY DEPARTMENT, Sept. 21, 1833.

SIR—I have the honor to acknowledge the receipt of your note, returning the communication, that I presented to you this morning; the grounds on which it is returned, are, that further discussion of the deposite question is unnecessary, and that there were imputations therein, that could not be admitted into a correspondence between the President and the head of a department.

Allow me respectfully to say, that it was not with a view to a further discussion, that I presented my reason for declining to act, agreeably to your direction, in removing the deposites, but to justify my refusal; nor was it my desire or intention that any matter contained in my letter should be disrespectful, or open to such a supposition: that any thing therein should be so construed, I very much regret.

My object throughout was to justify the course, on the two points stated in my letter, which, under the most solemn impressions, I felt it to be my duty to pursue.

To shew you my obligations, I presented a copy of my commission, a copy of my oath of office, and a copy of the law giving the Secretary of the Treasury the discretion to change the public depository; to shew you upon what I relied, in my course of conduct, I quoted your letter of June 26th, and your exposition of the 18th inst. In order to justify my refusal to resign, I described the circumstance under which your letter of July 22, and my reply of the same date, were written, and showed the new posture in which I was placed by subsequent reflection and occurrences.

When I entered your administration, I had no knowledge that you had come to any decision on the deposite question, or that you meditated a change of depository without the action of Congress.

As soon as I was made acquainted with your views, I anxiously sought to accord with them; and as you invited a full disclosure of my thoughts, by assuring me in your letter of the 26th of June, that you did not intend to interfere with the independent exercise of the discretion committed to me by law over the deposites, I opened myself freely to you, against any change of the depository; at all subsequent stages, although I have kept myself open to explanation. I have invariably declined to make that change, and I remain in the same resolution still.

Permit me respectfully to say, that I am not aware, that my willingness or unwillingness to afford you an opportunity to select a successor, could have had any influence or bearing upon any question, before the cabinet, but I am willing to meet that consideration, as well as those stated to you this day in our interview.

In short, sir, as I stated to you, at that interview, my course is justificatory towards you: I desire no unkind feeling, I have no unkind purpose; however ardent or unusual my language may be, it is at least sincere.

Allow me then very respectfully to state, as declared at our interview, that under the most serious convictions of my duty, I refuse to aid, assist, or in any way participate in the proposed change of the public depository—that I refuse to relinquish a post conferred upon me by the law—and that, without in the most remote degree meaning any sort of disrespect to you, I protest against any interference, on your part, with powers and duties, which I believe, were designedly withheld from the President, and committed to the Secretary of the Treasury, the fiscal agent of the law.

With fervent wishes that your measures may conduce to the advantage of your country, and to the honor of yourself,

I am with the utmost consideration,

Your obedient serv't.

W. J. Duane.

No. 5.

The Secretary of the Treasury to the President of the United States.

TREASURY DEPARTMENT, September 21, 1833.

SIR:—Allow me, with great respect, to present to you another view in addition to those stated in my letter of this date.

If I understand your wish, as it is to be collected from your note of this date, which I have just now again perused, it is to hold me, upon principles of delicacy at least, to my assurance of July 22d, that unless I agreed with your decision, after enquiry and discussion, I would promptly afford you an opportunity to obtain a successor according to your views.

I pray you dispassionately to consider, whether you did not absolve me, even upon principles of delicacy, from all obligation upon this view of the matter.

1. On Wednesday, Sept. 18th, I signified in cabinet, my desire to take and examine your exposition; you gave it to me, saying, in reply to my enquiry as to your direction, that I was to consider myself directed to act, on your responsibility.

2. On Thursday morning, Sept. 19th, you applied to me to know if I had come to a decision, and I returned by your messenger, who brought your note, this reply:

"To the President of the United States:

"Sir—Upon a matter that deeply concerns not only myself, but all who are dear to me, I have deemed it right, as I have not a friend here to advise with, to ask the counsel of my father at this crisis; I wrote to him last night, and am sure that nothing but sickness will prevent his presence to-morrow night: on ths next day, I trust I shall be able to make a communication to you. With the utmost respect, your obt. servt.,

W. J. Duane.

Sept. 19th, 1833."

3. On the same day, Thursday, 19th Sept. your private secretary, Major Donelson, called on me to say, that you proposed to publish in the Globe of next day, your decision. I replied that I thought you ought not, that I was not a party to it, and as a matter of delicacy to myself, could not approve of it.

Lest words should be forgotten, I wrote and delivered to Major Donelson, this reply:

'A. J. Donelson, Esq.

'Deat Sir:—The world is so censorious, that I am obliged upon reflection, to express to you my hope, that you will not regard me as approving of any publication: it would seem to me but delicate to defer such an act until I shall either concur or decline: however, all I desire to have understood, is, that I do not approve of the course you mentioned. Were I the president, I would consult, at least reasonably, the feelings of a man who has already anxiety enough. As to the newspapers, they will know what has been done without an official communication.

'Very respectfully, yours,

W. J. Duane.

'Sept. 19, 1833.'

4. In the Globe of Friday, Sept. 20, you caused to be announced to the world that the die was cast, thus altogether disregarding the rights of the Secretary of the Treasury, and my own feelings and fame, and refusing besides to wait even until the next day to receive my decision.

Allow me, therefore, very respectfully, but confidently to say, that I was thus discharged from any sort of obligation, or respect for, or on account of, the past.

You gave me no opportunity to let you know, whether I would or would not afford you an opportunity to choose a successor; in short, the Secretary of the Treasury was, as far as an executive act would do it, nullified; and I hold it, therefore, that after such a course, I may stand before my country, acquitted of any disregard even of delicacy.

Trusting, sir, that you will be so good as to permit this to enter into your consideration, with my former note of this date, and that we may close, without discredit to either, the pending matter,

I am, with the utmost consideration,

Your obedient servant,

W J. Duane.

No. 6.

The Secretary of the Treasury to the President of the United States.

TREASURY DEPARTMENT, September 21, 1833

SIR:—As you had not, in any written communications, given a direction as to the deposites, but, on the contrary, had left the action to the Secretary of the Treasury as a matter of option, I deemed it my duty, when I had the honor to receive from you your exposition, of the 18th instant, to ask you whether I was to consider myself directed to remove the deposites, and you replied that I was directed on your responsibility.

I was preparing to lay before you an exposition of our relative position and views, from the first moment of my entry into your administration, when your decision was authoritatively announced in the Globe—a proceeding unsanctioned by me, that rendered all further discussion needless, and any attempt of the kind derogatory to myself.

A communication, justificatory of my course under present circumstances, which I delivered to you yesterday, having been returned, on account of alleged objectionable matter therein, the presence of which, if disrespectful, I regret; it now becomes my duty, in reply to your letter returning that communication, respectfully to announce my unwillingness to carry your direction as to the deposites into effect; and in making known that decision, without meaning any sort of disrespect, to protect myself, by protesting against all that has been done, or is doing, to divest the Secretary of the Treasury of the power to exercise, independently of the President, the discretion committed to him by law over the deposites.

I have already, Sir, on more than one occasion, and recently without contradiction, before the cabinet, stated that I did not know, until after my induction into office, that you had determined, that the deposites should be removed without any further action by Congress; if I had known that such was your decision, and that I should be required to act, I would not have accepted office. But, as soon as I understood, when in office, what your intention was, I sought for all information calculated to enable me to act uprightly in the embarrassing position in which I was unexpectedly placed.

You were so good as to transmit to me, to that end, from Boston, not only the opinions of the members of the cabinet, but your own views in detail upon the deposite question; but instead of intimating to me, that my disinclination to carry those views into effect, would be followed by a call for my retirement, you emphatically assured me, in your letter of the 26th June, that you "did not intend to interfere with the independent exercise of the discretion, committed to me by law over the subject."

Fully confiding in the encouragement thus held out, I entered into an exposition of my objections to the proposed measure. Discussion ended in an understanding that we should remain uncommitted, until after an inquiry, which your agent was to make, should be completed and until the discussion of the subject in the cabinet. But pending the preparation for this inquiry, I received your letter of July 22d, conveying what I understood to be an intimation, that I must retire, unless I would then say that I would remove the deposites, after the inquiry and discussion, in case you should then decide to have them removed.

Without entertaining, or desiring to manifest towards you, sir, the slightest disrespect, but solemnly impressed with a consideration of my responsibility to the country, and my duty to myself, I now definitely declare that I will not in any way aid or assist to cause the public money to be deposited in any other institution, bank or place, than that provided by the 16th section of the Act chartering the United States Bank, until Congress shall direct or authorise such change to be made, unless good cause shall arise, such as, in my judgment, does not now exist.

I am further constrained, owing to occurrences and circumstances that in part have come to my knowledge, or have taken place, of late, to leave it to you, sir, to determine whether I am or am not longer to remain a member of your administration.

I sincerely hope and beg, sir, that you will consider that I owe it to myself, my family, and my friends, not to leave my course at this most trying moment of my life, open to doubt or conjecture; that my conduct has already sharpened the dagger of malice, as may be seen in some of the public prints; that you, who have been assailed in so many tender parts, and in whose defence I have devoted many a painful day, ought to make allowance for me, in my present position, that were I to resign, I could meet no calumniator without breach of duty; that I ask such order or direction from you, in relation to my office, as may protect me and my children from reproach, and save you and myself from all present and future pain; that I desire to separate in peace and kindness; that I will strive to forget all unpleasantness, or cause of it; and that I devoutly wish that your measures may end in happiness to your country, and honor to yourself. With the utmost consideration, your obt. servt.,

W. J. Duane.

No. 7.

The President of the United States to the Secretary of the Treasury.

SEPTEMBER 23, 1833.

Sir—Since I returned your first letter of September 21st, and since the receipt of your second letter of the same day, which I sent back to you at your own request, I have received your third and fourth letters of the same date. The too last, as well as the first, contain statements that are inaccurate; and as I have already indicated in my last note to you that a correspondence of this description is inadmissible, your two last letters are herewith returned.

But from all your recent communications as well as your recent conduct, your feelings and sentiments appear to be of such a character, that after your letter of July last, in which you say should your views not accord with mine "I will from respect to you and for myself, afford you an opportunity to select a successor, whose views may accord with your own, on the important matter in contemplation," and your determination now to disregard the pledge you then gave—I feel myself constrained to notify you that your further services as Secretary of the Treasury are no longer required.

I am respectfully

Your obedient servant,

(Signed) **Andrew Jackson.**

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