

Published and circulate this letter. To the President of the United States. Unhappy man! And is this to be the end of the disgraceful administration with which, for our sins, you have been permitted to curse this long suffering people? ... After eighty years of prosperity achieved by the labours, the sufferings and the blood of thousands, the American republic fell, without a blow, through the cowardise and treachery of its fifteenth President James Buchanan ... Andrew Jackson. [1861?].

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To the PRESIDENT of the UNITED STATES.

Unhappy Man!

And is this to be the end of the disgraceful administration with which, for our sins, you have been permitted to curse this long suffering people? Is it not enough that by your mismanagement millions have been lavished in futile expeditions, that by your corruption untold amounts of the public money have rewarded your political partisans? And now, as the day hastens when you are to resign the guardianship of the Temple of American Liberty, with which you were foolishly entrusted, will you pull down its pillars and bury us in its ruins? I shall not attempt to confute the transparent sophistry by which you, in your Message, and the Attorney General of the United States—I mean the *Attorney General of James Buchanan* would deceive an outraged people. Is any man so foolish as to suppose that you deceive *yourself* by your false issues of “War against a State,” and other such assumptions?

You have nothing to do with “*States*,”—you are required to punish TRAITORS! But not only would you try to persuade us, that *you* have no authority to punish treason, but, doing as much as in you lies to destroy the last hope of the Nation—the courage and energy of Congress,—you strive to emasculate our National Representatives by terrifying them into the mortal tremor which convulses your own august person. Nor do you stop here! You fling a “Parthian dart” behind you, in your ignominious flight, aimed at the next administration, by declaring that unless those States which are alleged to have passed laws deemed by some unconstitutional, shall repeal these laws, the Southern States will be justified in resisting the Federal Government! Monstrous doctrine! As if every well-instructed school-boy did not know that it is the province of the Supreme Judicature, not that of any particular State, to decide whether laws are or are not unconstitutional! And yet, almost in the same breath, you tell us, despite these local laws, that in every case which has occurred under your administration the Fugitive Slave Law has been enforced! If 2 it be right for two or three hands to contribute to the manufacture of a document signed by one person, surely it is not unreasonable to

ask that the signer shall at least *read* what has been inserted into *his special* "Message" by others:— otherwise strange contrasts of fabric, texture and colour will be apt to strike unpleasantly the public eye. Sir! have you not lent yourself—I should say your high office—to the purposes of one portion of the Confederacy in antagonism to the other? Have you not demanded certain concessions by the North, with the threat—"Give them this, or they will destroy your country, and I will let them destroy it." But not to enter into a consideration of this phase of the question, may I be permitted to ask— Who is it that with Pharisaical scrupulosity refuses to use an item of power with which, as he untruly asserts, he is not clothed by law? Listen, ye disciples of Grotius, of Wheaton and Vattel! It is the same man who in the famous (I mean infamous) Ostend Manifesto, openly advocated the robbery of Cuba from Spain, provided that robbery were deemed by the United States essential to their interests! He would break all laws, divine and human, national and international, to steal territory, but he would not deviate from the code—no not "in the estimation of a hair"—to save thirty millions of his fellow citizens from the peril of anarchy and civil war! But we ask no use of unlawful authority. Not only are you fully invested with authority to punish traitors, but you have solemnly sworn that you will do so. When, unhappily for yourself, your country, and the cause of liberty throughout the world, you were raised to the Presidency of these United States, you took this oath:

"I do solemnly swear that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

A pretty defender forsooth, you proved yourself to be on the only—or certainly the most important—occasion which has ever called for your active interposition! Do you ask for your warrant to repress the Rebellion which is now raging in South Carolina? Here it is in language clear as a sunbeam:

"The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States." *Constit. U. States, Art. II., Sec. 2.*

Therefore he has power to call upon the Army and Navy of the United States, the Militia of each State, and every man in every State, to aid him in punishing offences against the United States.

What is the intended offence of South Carolina, and perhaps of other States? Treason—according to the explicit definition of the Constitution of the United States:—

"Art. 3, Sec. 3. Treason against the United States shall consist only in levying War against them, or in adhering to their enemies, giving them Aid and Comfort," &c.

Now is it not certain that “ Treason against the United States, i. e. that LEVYING WAR AGAINST the United States, has occurred in South Carolina, and that 3 traitors are openly enlisted to resist the laws of the United States! And is it not equally certain that it is the duty of the President of the United States (who is now leaving a few hundred of his own soldiers to be murdered by a mob!) to immediately despatch an armed force to punish every traitor in that State, or in any other State? Do you tell us that it is for Congress to decide when the time has arrived to use force in suppression of treason? I answer that the Constitution and the Supreme Court of the United States tell you otherwise:—

“Article I, Section VIII, Clause 15. To provide for calling forth the Militia to execute the laws of the Union, suppress insurrections and repel invasions.”

Judicial Constructions. —The act of 1795 which confers power on the President to call forth the Militia in certain exigencies is Constitutional; and the President is the exclusive and final judge whether the exigency has arisen. “Martin v. Mott 12 Wh. 19.”

Towle's Hist. and Analysis of the Const. pp. 128, 129.

Now, as you have already declared that traitors in South Carolina are, or soon will be, in a state of open rebellion against the United States, it will not answer to pretend that the exigency has not arisen. Never in the history of Rebellion was there a clearer case of duty,—never a more cowardly or criminal neglect of duty! And what is the consequence of the miserable submission to treason preached to us by the Commander-in-Chief of the Army and Navy of the United States? Other States—no, traitors in and traitors representing other States—now openly avow their intention to “secede” from a Government which (and it is no marvel!) they despise; and traitors in and representing New York avow their intention to cut off the city of New York from the State of New York! Let Congress *act*, and that with vigour, and if our representatives falter for fear of not being able to find an executive arm to carry out the laws—if President and Vice-President refuse to obey the orders of Congress lawfully expressed—let us in our hour of peril be cheered by the public declaration of the General-in-Chief, hoary in the service of his country, that as the President of the United States has abandoned the Constitution and practically deserted his post in the hour of trial, he, Winfield Scott, General-in-Chief of the Army of the United States, stands ready, at the bidding of Congress, to carry out the laws of the United States! For it will be seen that the wisdom of our Fathers provided for just such an emergency as that which is now upon us. Section I. Article 2, of the Constitution enacts that

“In case of the Removal of the President from office, or of his Death, Resignation, or *Inability to discharge the Powers and Duties of the said Office*, the same shall devolve on the Vice-President and

Congress may, by law, provide for the case of the Removal, Death, Resignation, or Inability both of the President and Vice-President, declaring what Officer shall then act as President, and such officer shall act accordingly, until the Disability be removed, or a President shall be elected."

"Inability" to discharge the power and duties of his office, the nominal President 4 of the United States has already pleaded. Then let the constitutional remedy be at once applied Let General Scott be clothed by Congress with authority to execute the laws, and punish treason and traitors wherever found in this Republic!

And as for you, unhappy old man! well had it been for your long abused and now betrayed country, that you had never been born, or had remained in peaceful security engaged in the unostentatious discharge of those humble duties for which alone you are fitted! But obscurity alas, can never more be yours! Should the United States now perish, by your treachery, be assured that when the history of this once glorious Confederacy shall be written—this once happy Republic, the blessings of which were designed by our fathers for us, for our children, and our children's children,—it shall be told to those children—perhaps distracted by anarchy or manacled by despotism—that when the citadel of Constitutional Liberty was intrusted to your care, you, on the first approach of danger, not only deserted your post, but bound your country hand and foot and basely delivered it to its enemies! Think not, unhappy old man, "to escape the just judgment of God," the indignation of the world, the scorn and loathing of posterity! Surely if any sufferer since the hour of the bitterness of the first fratricide can take up *his* lamentation, *you* may well exclaim with him, even as regards this world, only, "My punishment is greater than I can bear!"

But, oh the "something after death!" The meeting with the shades of the great Apostles of Liberty, who founded and cemented with their blood and tears, the Republic which you are about to permit to perish before your eyes! How will you meet the awful gaze, the dread reproach, of Washington, of Franklin, of Hamilton, of Jefferson, of Jackson, when the story of your shame and the destruction of your country's liberties shall be rehearsed in the solemn convocation of the departed! How can you anticipate the damning records of history:—

After eighty years OF PROSPERITY ACHIEVED by the LABOURS, the SUFFERINGS and the BLOOD OF THOUSANDS, the American Republic fell, *without a blow*, through the cowardice and treachery of its fifteenth President James Buchanan! Let it not be added—"and through the criminal supineness of the thirty-sixth Congress!"

ANDREW JACKSON.

By S. Allibone, Phila

