

The ordinary routine of duties, which upon the seaboard and the inland frontier devolve upon it in a time of peace. The system, so wisely adopted and so long pursued, of constructing fortifications at exposed points, and of preparing and collecting the supplies necessary for the military defence of the country, and thus providentially furnishing in peace the means of defence in war, has been continued with the usual results. I recommend to your consideration the various subjects suggested in the report of the Secretary of War. Their adoption would promote the public service and meliorate the condition of the Army.

Our relations with the various Indian Tribes have been undisturbed since the termination of the difficulties growing out of the hostile aggressions of the Sacs and Fox Indians. Several treaties have been formed for the relinquishment of territory to the United States, and for the migration of the occupants to the region assigned for their residence west of the Mississippi.

Should these treaties be ratified by the Senate, provision will have been made for the removal of almost all the tribes remaining east of that river, and for the termination of many difficult and embarrassing questions arising out of their anomalous political condition. It is to be hoped that those portions of two of the southern tribes, which in that event will present the only remaining difficulties, will realize the necessity of emigration and will speedily resort to it. My original convictions upon this subject have been confirmed by the course of events for several years, and experience is every day adding to their strength.

That those tribes cannot exist, surrounded by our settlements, and in continual contact with our citizens, is certain. They have neither the intelligence, the industry, the moral habits, nor the desire of improvement which are essential to any favorable change in their condition. Established in the midst of another and a superior race, and without appreciating the causes of their inferiority, or seeking to control them, they must necessarily yield to the force of circumstances, and ere long disappear. Such has been their fate heretofore, and if it is to be averted, and it is, it can only be done by a general removal beyond our boundary, and by the recognition of their political system upon principles adapted to the new relations in which they will be placed.

The experiment which has been recently made has so far proved successful. The emigrants generally are represented to be prosperous and contented, the country suitable to their wants and habits, and the essential articles of subsistence easily procured. When the report of the Commissioner now engaged in investigating the condition and prospects of those Indians, and in devising a plan for their intercourse and government is received, I trust ample means of information will be in possession of the Government for adjusting all the unsettled questions connected with this interesting subject.

The operations of the Navy during the year, and its present condition, are fully exhibited in the annual report from the Navy Department.

Suggestions are made by the Secretary of various improvements which deserve careful consideration, and most of which if adopted, bid fair to promote the efficiency of this important branch of the public service. Among these are the new organization of the Navy Board, the revision of the pay to officers, and a change in the period of time, or in the manner of making the annual appropriations, to which I beg leave to call your particular attention.

The views which are presented on almost every portion of our naval concerns, and especially, on the amount of force, and the number of officers, and the general course of policy appropriate in the present state of our country, for securing the great and useful purposes of naval protection in peace, and due preparation for the contingencies of war, meet with my entire approbation.

It will be perceived from the report referred to, that the fiscal concerns of the establishment are in an excellent condition, and it is hoped that Congress may feel disposed to make promptly, every suitable provision desired, either for preserving or improving the system.

The General Post Office Department has continued upon the strength of its own resources to facilitate the means of communication between the various portions of the Union with increased activity. The method, however, in which the accounts of the transportation of the mail has always been kept, appears to have presented an imperfect view of its expenses. It has recently been discovered that from the earliest records of the Department, the annual statements have been calculated to exhibit an amount considerably short of the actual expense incurred for that service.

These illusory statements, together with the expense of carrying into effect the law of the last session of Congress, establishing new mail routes, and a disposition on the part of the Head of the Department to gratify the wishes of the public in the extension of mail facilities, have induced him to incur responsibilities for their improvement beyond what the current resources of the Department would sustain. As soon as he had discovered the imperfection of the method, he caused an investigation to be made of its results and applied the proper remedy to correct the evil. It became necessary for him to withdraw some of the improvements which he had made, to bring the expenses of the Department within its own resources.

These expenses were incurred for the public good, and the public have enjoyed their benefit. They are now but partially suspended, and that, where they may be discontinued with the least inconvenience to the country.

The progressive increase in the income from postage has equalled the highest expectation, and it affords demonstrative evidence of the growing importance and great utility of this department. The details are exhibited in the accompanying report from the Postmaster General.

The many distressing accidents which have of late occurred in that portion of our navigation carried on by the use of steam power, deserve the immediate and unremitting attention of the constituted authorities of the country. The fact that the number of these fatal disasters is constantly increasing, notwithstanding the great improvements which are every where made in the machinery employed, and the rapid advances which have been made in that branch of science, shew very clearly that they are in a great degree the result of criminal negligence on the part of those by whom the vessels are navigated, and whose care and attention the lives and property of our citizens are so extensively entrusted.

That these evils may be greatly lessened, if not substantially removed, by means of precautionary and penal legislation, seems to be highly probable: so far therefore as the subject can be regarded as within the constitutional purview of Congress, I earnestly recommend it to your prompt and serious consideration.

I would also call your attention to the views I have heretofore expressed of the propriety of amending the Constitution in relation to the mode of electing the President and Vice President of the United States. Regarding it as all important to the future quiet and harmony of the people, that every intermediate agency in the election of these officers should be removed, and that their eligibility should be limited to one term of either four or six years, I cannot too earnestly invite your consideration of the subject.

Trusting that your deliberations on all the topics of general interest to which I have adverted, and such others as your more extensive knowledge of the wants of our beloved country may suggest, may be crowned with success, I tender you in conclusion, the co-operation which it may be in my power to afford them.

ANDREW JACKSON.

WASHINGTON, 3d. Dec. 1833.

MR. DUANE'S EXPOSITION.

From the Philadelphia Commercial Intelligencer. TO THE PEOPLE OF THE UNITED STATES.

Fellow Citizens,—I announced on the 20th ultimo, that, at an early day I would appear before you, at least to repel imputations cast upon my character, contained in a publication in the Globe, the official paper of the Executive, of the preceding day.

If the calumnious attack referred to had not been obviously sanctioned by the President of the United States, such is the character of the newspaper under his protection, that I should not have felt myself called upon to notice it.

In addressing you, I have hesitated between the adoption of a general exposition, and of a brief defensive address, accompanied by that part of the correspondence between the President and myself, which the official paper seems to have challenged me to produce. I adopt the latter course. In the correspondence you will find ample materials for an accurate comprehension of my case—one of insult and oppression.

On the 4th of December, 1832, without any solicitation on my part, I was unexpectedly invited to accept the office of Secretary of the Treasury. I sought to shun the station, did not consent to serve until asked for my decision, on the 30th of January, and then consented reluctantly.

No doubt, subsequently to, as before, the adjournment of Congress, speculators, for their own selfish ends, agitated the deposit question, and kept up an excitement, felt by the President; but it was never intimated to me that he desired to concentrate in himself the power to judge and execute—to absorb the discretion given to the Secretary of the Treasury—and even to nullify the law itself. I never heard until after my entry into office, that he meant to remove the deposits, without further inquiry by Congress, or that he had asked the opinions of the members of the cabinet, on the subject, on the contrary, when, after having entered the treasury department unpledged, untrammeled, and unsuspected, I was informed of what was meditated, I felt surprise at the intelligence, and mortification at the manner in which it was communicated to me.

On the 3rd of June, the President himself made known to me what was in contemplation, and that he had taken the opinions of the members of the cabinet on the point; two of whom concurred with him, two of whom did not concur, and the fifth had not yet given a written opinion. He said that he would submit to me the written opinions of the four members of the cabinet, with his own views, and that he would expect me to give him my opinions frankly and fully. As if to urge me to avoid all reserve, he assured me, in a letter dated Boston, June 26, transmitting the opinions and views, that "it was not his intention to interfere with the independent exercise of the discretion committed to me by law over this subject."

But when, on the 10th July, I gave my opinions frankly and fully, as an honest minister and man should do, there was every return but that of approbation. On the contrary, on the 22d of July, I was asked whether it was my intention to refuse to remove the deposits, if after inquiry by an agent and advisement with the cabinet, the President should decide to remove them, as in such case, it "would become his duty, in frankness and candour, to suggest the course, which would be necessary on his part."

Not on my own account, but as an act of duty to the country, I now subjected my pride and feelings to restraint, by tendering, in order to avert a present hostile breach, a future surrender of my post, in case I should not ultimately concur with the President. But before my concurrence or non-concurrence was made known, and whilst I still held in my hands the manuscript exposition, which was read in the cabinet on the 15th September, and then delivered to me by the President for my consideration, he virtually dismissed me as an officer, and insulted me as a man, by causing the official announcement, hereto appended No. 3, to be published in the Globe of the 20th September.

Yet, after this, when it must have been obvious, that independently of other considerations of great weight, I was absolved from all respect for my past assurance, a letter No. 2, which I personally presented to the President on the 21st of September, according to my promise of September 19, was contemptuously sent back to me in letter No. 3, intimating the existence of improper imputations in mine, No. 2, calling my attention to my assurance of July 22, and inquiring whether I concurred in removing the deposits. From this letter, No. 3, it must be evident that when it was written, my dismissal was not then deemed justifiable, on grounds subsequently suggested; for when the President wrote it, he knew that I refused to resign; he knew the contents of the letter deemed offensive, and yet he held the correspondence 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 disapprobation, 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 all obligation to observe the assurances given at that time.

These last appeals, indicative of any thing but bad feeling or disrespect, were also sent back to me in 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.

This was I trust from office—not because I had neglected my 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 deposits.

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 show, that I had not on any occasion forgotten my respect for the Chief Magistrate, or for myself; and I deny that, in any 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 September 20, 1833.

"We are authorized to state that the deposits 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 and 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 deposit 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 honour to lay before you—

1. A copy of my commission, empowering and enjoining me to execute my duty according to law, and authorizing 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 confided to me with fidelity.

3. A copy of the 16th section of the law chartering the Bank of the United States, whereby the discretion to discontinue the deposits of the public money in that bank were committed to the secretary of the treasury alone.

4. An extract from your letter to me of the 26th of June, wherein you promised not to interfere with the independent exercise of the discretion committed to me (by the above mentioned) law over the 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 direction, 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 inst. 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 deposits; you replied that it was your direction to me to remove the deposits, but upon your 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 wishes, 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, am, 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 or 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. S. 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 would 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 capacity, 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, when on an average of all the banks in Federal circulation, 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 deposits, 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 a lately declared them to be, stated to you, why I refused 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, when the law has placed under my charge, and by giving you my reasons for so refusing.

It is true, that, on the 23d July, you signed in language sufficiently intelligible, that you would then remove me from office, unless I would consent to remove the deposits, on your final decision; it may also be true, that I should then have put it to the test, and it is also true, that under a well grounded assurance, that your bank plan, the only one then embodied in the instruction 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 should 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 discretion 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 assurances made to me; nor can you say 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 deposits; 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 shown 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 so said, me, that in July last I forgot myself and my duty too, rather than at 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 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 honourable 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 latter, 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 discussions, 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 your 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 deposits, adopt such measures in relation to them, as I may 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, ANDREW JACKSON.

No. 4. The Secretary of the Treasury to the President of the United States. Treasury Department, Sep. 21st, 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 deposit 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 reasons for declining to act agreeably to your direction, in removing the deposits, 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 show 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 show you upon what I relied, in my course of conduct, I quoted your letter of July 26th, and your exposition of the 18th instant. In order to justify my refusal to resign, I described the circumstances 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 deposit 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 of the deposits, 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, in that interview, my course is justifiable to 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 servant, W. J. DUANE.

No. 5. The Secretary of the Treasury to the President of the United States. TREASURY DEPARTMENT, Sept. 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 to act on your responsibility.

2. On Thursday morning, Sept. 18th, you applied to me to know if I had come to the decision, and I returned by your messenger who brought the 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 the next day, I trust I shall be able to make a communication to you. With the utmost respect, your obedient servant, W. J. DUANE."

Sept. 19th, 1833. 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. Last words should be forgotten, I wrote and delivered to Major Donelson this:

"A. J. Donelson, Esq.—Dear 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 be but polite to defer such an act until I shall either concur or decline; however, all that I desire to have understood is, that I do not approve of the course you mentioned. Were I the feelings of a man, who has already reasonably 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. In the Globe of Friday, Sept. 20, you caused it to be announced to the world, that the discharge of the duties of the Treasury, and my own feelings and fame, 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, 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 21st, 1833.

Sir—as you had not, in any written communications, given a direction as to the deposits, but, on the contrary, had left the action to the Secretary of the Treasury as a matter of opinion, I deemed it my duty, when I had the honor to receive from you your exposition of the 18th inst. to ask you whether I was to consider myself directed to remove the deposits, 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—proceeding unannounced 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 deposits into effect, and to 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 divert the Secretary of the Treasury of the power to exercise, independently of the President, the discretion committed to him by law over the deposits.

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 installation into office, that you had determined that the deposits 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 deposit question; but instead of intimating to me, that my conclusion to carry those views into effect, could 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 by 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 could then say, that I would remove the deposits, after the inquiry and discussions in case you should then decide to have them removed.

I would have at once considered this letter as an order to retire, and would have obeyed it, if I had not thought it my duty to hold the post entrusted to me as long as I could do so with benefit to the country, and without discredit to myself; instead therefore of retiring voluntarily or otherwise, I subjected my feelings to restraint, and stated as you quote in your letters of this day, that if I could not, after enquiry and discussion, as the responsible agent of the law, carry into effect the decision that might be made, I would afford you an opportunity to select a successor, &c.

Under these circumstances, the enquiry was executed upon, it ended in showing, as I had predicted, that the plan submitted to me on 26th June, was impracticable and in a report without any defined substance according to my comprehensions of it.

After a consideration of the subject in the cabinet, you gave directions as stated at the commencement of this letter, and I wrote to you that I would make a communication to you on Saturday, 21st inst. and accordingly did so, as heretofore stated.

Upon the present time, therefore, I have been struggling, under painful circumstances, not to retain a post that I never sought, and the loss of which I shall not regret on my account, but to maintain it for the country, under a serious sense of duty to it, and to avert a measure that I honestly feared might affect yourself.