

**Andrew Jackson to John Ellis Wool, August 23, 1836,
from Correspondence of Andrew Jackson. Edited by
John Spencer Bassett.**

TO BRIGADIER-GENERAL JOHN ELLIS WOOL.

Nashville, August 23, 1836.

D'r sir, your letter without date, but Post marked august 15th, is this moment recd. just as I was leaving this place for Mrs. Coffees, Alabama and I have but a moment to reply to it.

It is to be much regretted that an access of 1200 hundred men over the requisition made on this state by the War Department have been received by you, mustered into the service of the united states and particularly that you should believe that under your instructions you were athorized to muster and receive more than the requisition made under the law. how could such an idea be taken up under your instructions when applied to the act of Congress and the requisition made on Tennessee. The act of congress authorised the raising of 10,000 volunteers. this precise number and no more could be raised under the law, and appropriations for the service of that number was made. When the law passed the President as the act authorised him apportioned the 10,000 to the several States and Territories, most exposed, and engaged in Indian hostilities—a larger portion was requird from Tennessee than her population would authorise, but she covered the states of Alabama and Georgia and Florida engaged in hostilities, and bordered on the cherokees whose attitude was a threatened hostility, and it is strange that the Governor and yourself did not at once recollect, that the President had no power to legislate or alter the law, that his whole power was to execute and see that the laws were faithfully executed; and whilst I feel sensibly for the injury and expence that those brave and patriotic men have been put to and whilst I admire that patriotic zeal which brought them voluntarily into the

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field, I have no power to order them to be paid until there is an appropriation made by Congress. all my influence will be made to procure them Justice, but a moments reflection will shew you that no more than those authorised by the requisition of the Dept of war can be *legally paid* . suppose every state and Territory had presented 1200 men over the requisition and been accepted, we would have in the field 15,000, under the act of Congress authorising only 10,000, to be raised—?what would congress say to this, would they not move an impeachment for a violation of the law. if it did not, it would fail to do its duty. You will there[fore] pay those in East Tennessee organised into a Brigade agreable to the requisition, and for the excess await the appropriation by congress, as there can be no appropriation for any but those authorised by the requisition under the law, and as apporioned to each state and Territory.

In haste I am yours respectfully