

The Albany Democrats Resolution, 1863 from Wzz 538 “Civil War – Habeas Corpus”

Is the President of the United States violating the Constitution in making arrests?

HEAR THE PRESIDENT’S ANSWER

Albany, May 19, 1863

To his Excellency the President of the United States:

The undersigned, officers of a public meeting held at the City of Albany, on the 16th Day of May, instant, herewith transmit your Excellency a copy of the resolutions adopted at the said meeting, and respectfully request your earnest consideration of them. They deem it proper on their personal responsibility, to state that the meeting was one of the most respectable as to numbers and character, and one of the most earnest in support of the Union, ever held in this city.

Yours, with great regard,
Erastus Corning, President, &c., &c.

The following Letter is his own defence for making arrests. It was addressed to a Committee of Albany Democrats, but doubtless, with the hope to reach every citizen of the United States. Every man is bound, in common honesty, to give the President a fair and impartial hearing, and in such spirit we hope this letter will be read by all.

It was called out this way.

A great “Democratic meeting” was held at Albany on the 16th ult., to denounce the arrest of Vallandigham, and demand his restoration to liberty. . . . This meeting having unanimously *Resolved*, That we demand that the Administration shall be true to the Constitution; shall recognize and maintain the rights of States and the liberties of the citizen; shall everywhere, outside the lines of necessary military occupation and the scenes of insurrection, exert all its powers to maintain the supremacy of civil over military law.

Resolved, That, in view of these principles, we denounce the recent assumption of a military commander to seize and try a citizen of Ohio, Clement L. Vallandigham, for no other reasons than words addressed to a public meeting, in criticism of the course of the Administration, and in condemnation of the military orders of that General.

Resolved, That this assumption of power by a military tribunal, if successfully asserted, not abrogates the right of the people to assemble and discuss the affairs of Government, the liberty of speech and the press, the right of trial by jury, the law of evidence, and the privilege of *habeas corpus*, but it strikes a fatal blow at the supremacy of law, and the authority of the State and Federal Constitutions.