

THE TRIAL OF ANDREW JACKSON

By Dr. M. McGrath
AP US History 2019

Andrew Jackson, the seventh president of the United States, is impeached by the House of Representatives on March 1, 1837. Two days later, a day before he is due to retire from office, he is brought before the Senate. Congratulations! You are to relive this tense and totally fictitious moment.

The “trial” will begin on _____. Be Ready. On that date the two defense attorneys and the two prosecuting attorneys will interview the prospective witnesses. They will decide which witnesses they plan to call at least one day prior to each charge and together decide on the order of the witnesses in the trial. Tentatively, the charges against President Jackson are as follows:

“*The President has...*”:

- **CHARGE#1:** Undermined the separation of powers by illegally expanding the powers of the executive branch (“Spoils System”, Maysville Road Veto, vetoes in general, “Kitchen Cabinet “ and cabinet reshufflings, *Worcester V. Georgia* & Cherokee cases)
- **CHARGE#2:** Undermined the federal system of government by eroding the power of state governments (Nullification Crisis, Indian Removal & Cherokee cases, Maysville Road Veto)
- **CHARGE#3:** Undermined the economy of the U.S. by ill-advised and politically-motivated actions (Biddle and the Bank War, Specie Circular)
- **CHARGE#4:** Failed to carry out the principles of the Declaration of Independence in regard to blacks, Indians, women, laborers, Mormons, Catholics, and others similarly without power (Indian Removal, slavery, Peggy Eaton affair, others)

The attorneys can reframe the above charges or add additional charges if they wish. *Note: In the interest of time, instructor may reduce the number of charges.*

REQUIREMENTS FOR PARTS (project worth total of 150pts per player):

- The attorneys will submit an IN-paper at the start of each charge indicating how they will approach the case and identifying the reasons why the defendant is either guilty or innocent on that charge (each IN-paper is worth 15pts x 4 charges = 60pts total). In the papers, they should indicate how they intend either to attack or use the testimony of the key witnesses for that day. Each IN-paper should be limited to 1-2 pages typed and should contain substantial evidence of research beyond Foner. Mr. Jackson will likewise submit IN-papers for each charge explaining why he is innocent of all charges. A score out of an additional pts will be allotted to all lawyers and Jackson based on their “performance” during the trial.
- All WITNESSES including President Jackson must be prepared to testify when called upon by the attorneys and should prep their testimony with friendly attorneys ahead of time (witnesses will NOT necessarily have contact with unfriendly attorneys in advance, so must be ready for tough questions under cross-examination!). Witness testimony on the stand is worth up to 50pts. Witnesses will also double as JURORS who will vote their own conscience (and not that of their character) at the end of each charge (these votes will be counted up for fun at the end of each day to determine the “winner” on that charge but neither “winning” nor “losing” the vote has any impact on grades). After the trial is over, jurors will write a 4-5 page OUT-Paper defending how they voted on each charge by citing specific evidence brought up in the course of the trial AND any outside evidence discovered during independent research the weekend after the trial. For jurors, this OUT-paper is worth the remaining 100pts.

DAILY FORMAT FOR EACH CHARGE:

1. Opening statements (prosecution and defense briefly summarize their positions on all 4 charges on first day- about 2 minutes each)
2. Charge #1
 Prosecution witnesses: examination by prosecution, cross-examination by defense
 Defense witnesses: examination by defense, cross-examination by prosecution
 Jury votes secret ballot on Charge#1
3. Charges #2-4 (repeat the procedure for Charge#1)
4. Closing statements (prosecution and defense- time permitting)

Note: Recall of witnesses will be permitted only if a witness is absent on a day when his or her testimony was relevant. Witnesses can only be called 1 time for a single “redirect” question. When this happens, the opposing attorneys will also be permitted a single “redirect” cross-examination question.

(WHITE I CLASS)

ROLES:

Prosecuting attorneys: Kubal & Lau

Defense attorneys: Creveling & Wilke

Andrew Jackson: Datillo

WITNESSES:

Roger B. Taney & Lowell Mill Girl Button

John Quincy Adams, Dorothea Dix, & John Ross Grider

Thomas Hart Benton, Peggy Eaton & William Lloyd Garrison Zhu

John C. Calhoun & Chief Black Hawk Kizer

Henry Clay & Angelina Grimke Greenwalt

Martin Van Buren & Nicholas Biddle Xu

The ghost of John Marshall, Samuel Swartout, & David Walker Wolfla

Daniel Webster & Lucretia Mott Dr. McGrath

CELEBRITY CAMEOS (at the discretion of the attorneys)

William Marcy

Elijah P. Lovejoy

Brigham Young

Fanny Wright

Alexis de Tocqueville

Catherine Beecher

The ghost of Nat Turner

A rep for the Workingman's Party of NY

(WHITE II CLASS)

ROLES:

Prosecuting attorneys: Hayward & Bailey

Defense attorneys: Laughner & Griesemer

Andrew Jackson: Gregg

WITNESSES:

Henry Clay Murphy

John C. Calhoun Dak. Sciscoe

Roger B. Taney Thomas

Nicholas Biddle Kigamwa

Lowell Mill Girl Niazi

Ghost of John Marshall Kittle

David Walker & John Ross Archey

John Quincy Adams & Peggy Eaton Chun

William Lloyd Garrison Maclean

Daniel Webster & Lucretia Mott Kacena-Merrell

Thomas Hart Benton & Angelina Grimke Pan

Dorothea Dix & Samuel Swartout Crossin

Martin Van Buren & Chief Black Hawk Drics

CELEBRITY CAMEOS (at the discretion of the attorneys)

William Marcy

Elijah P. Lovejoy

Brigham Young

Fanny Wright

Alexis de Tocqueville

Catherine Beecher

The ghost of Nat Turner

A rep for the Workingman's Party of NY

(RED CLASS)

ROLES:

Prosecuting attorneys: Mobasser & Long

Defense attorneys: Betz & Dyl. Sciscoe

Andrew Jackson: Hoskins

WITNESSES:

Henry Clay Christian

John C. Calhoun Wempe

Roger B. Taney Wessler

Nicholas Biddle Song

Lowell Mill Girl Clifford

Ghost of John Marshall McClain

David Walker & John Ross O. White

John Quincy Adams & Peggy Eaton de Dios Molina

William Lloyd Garrison Posey

Daniel Webster & Lucretia Mott Flowers

Thomas Hart Benton & Angelina Grimke Piper

Dorothea Dix & Samuel Swartout Miller

Martin Van Buren & Chief Black Hawk Gallagher

CELEBRITY CAMEOS (at the discretion of the attorneys)

William Marcy

Elijah P. Lovejoy

Brigham Young

Fanny Wright

Alexis de Tocqueville

Catherine Beecher

The ghost of Nat Turner

A rep for the Workingman's Party of NY

The Characters

*denotes Dr.McGrath has a copy!

General Sources on Andrew Jackson & Jacksonian Era:

- *Various proclamations and speeches of AJ himself available in the doc books
- **The correspondence of Andrew Jackson*- Andrew Jackson
- **Andrew Jackson & the Course of American Democracy* vl.2 and 3*- Robert Remini
- **Andrew Jackson & His Indian Wars*- Remini
- **Andrew Jackson & The Bank War*- Remini
- **The Life of Andrew Jackson*- Remini
- **The Revolutionary Age of Andrew Jackson*- Remini
- **The Passions of Andrew Jackson*- Burnstein
- * *The Party Battles of the Jackson Era*- Bowers
- **Jacksonian America*- Pessen
- **Andrew Jackson*- H.W. Brands
- **What Hath God Wrought?*- Howe (defends the Whigs)
- **The Rise of American Democracy*- Wilentz (defends Old Hickory)
- The Presidency of Andrew Jackson*- Cole
- Jacksonian Promise: America, 1815-1840*
- Most Uncommon Jacksonians*- Pessen
- **Jacksonian Democracy: Myth or Reality?*- Ed. Bugg
 - “King Andrew”
 - “Homeric Battles of His Administration”
- **Andrew Jackson: Portrait of a President*- James
- **The Jackson Era*- Van Deusen
- The Rise and Decline of Andrew Jackson*- Van Deusen
- **The Age of Jackson*- Schlesinger
- The Jacksonian Persuasion*- Meyers
- **Andrew Jackson: Symbol of an Age*- Ward
- The Presidency of Andrew Jackson*- Latner
- **Readings in American History*- “Jacksonian Democracy: Myth or Reality?”- Rader
- Market Revolution: Jacksonian America 1815-1846*- Sellers (for \$\$ issues)
- **Liberty and Power: The Politics of Andrew Jackson*- Watson & Foner
- The Turbulent Era: Riot and Disorder in Jacksonian America*- Feldberg
- Second American Party System*- McCormick
- The Politics of Individualism: Parties and the American Character*- Kohl
- **The Age of Jackson*- Documents edited by Robert Remini
- **Waking Giant: America in the Age of Jackson*- Reynolds

John Quincy Adams:

- John Quincy Adams and the Union*- Bemis
- John Quincy Adams*- Remini
- The President Who Wouldn't Retire*- Faulkner
- The Diary of John Quincy Adams*- Adams
- Adams, An American Dynasty*- Russell

John Quincy Adams- Nagel
John Quincy Adams: Policymaker for the Union- Lewis
**The Presidency of John Quincy Adams- Hargreaves*

John C. Calhoun:

John C. Calhoun Sectionalist- Wiltse
**John C. Calhoun: Opportunist- Capers*
John C. Calhoun- Coit
**Heirs of the Founders: The Epic Rivalry of Henry Clay, John Calhoun & Daniel Webster- H.W. Brands*
**Readings in American History- "A Cast-Iron Man: John C. Calhoun"- Harrison*
**American Political Tradition(ed.Hofstadter)- Chap.4 "John C. Calhoun: The Marx of the Master Class"*
The Nullification Controversy in South Carolina- Bouchier
**Prelude to the Civil War- Freehling*
The Great Tariff Debate- Taylor
**Olive Branch and Sword- Peterson*
Cotton is King- Elliot
The Papers of John C. Calhoun- Calhoun
**Jacksonian Democracy: Myth or Reality?- Ed. Bugg*
"King Andrew"
"Homeric Battles of His Administration"
The Essential Calhoun- Calhoun
The Union at Risk- Ellis
**Prelude to Civil War: The Nullification Controversy in SC 1816-1836- Freehling*

Henry Clay:

**Henry Clay- Eaton*
**Henry Clay: America's Greatest Statesman- Harlow Giles Unger*
Henry Clay and the Art of American Politics- Eaton
Henry Clay- Van Deusen
**The Rise and Fall of the American Whig Party- Holt (only chap1&2)*
**Heirs of the Founders: The Epic Rivalry of Henry Clay, John Calhoun & Daniel Webster- H.W. Brands*
**Prelude to Civil War- Freehling*
Henry Clay- Schurz
Also Rans- Seitz
The Papers of Henry Clay- Clay
**Henry Clay: Statesman for the Union- Remini*
**Olive Branch and Sword- Peterson*
Andrew Jackson vs. Henry Clay- Watson
Henry Clay and the American System- Baxter

Martin Van Buren:

The Fox at Bay- Curtis
Martin Van Buren- Niven

Van Buren- Hoyt
The Jacksonians- White
Martin Van Buren and the Making of the Democratic Party- Remini
The Presidency of Martin Van Buren- Wilson
Panic of 1837- McGrane
**Readings in American History*- "Trail of Tears"- Brown
**Who Built America?*- pgs 335-353 (Specie Circular & depression)
**The Long, Bitter Trail*- Wallace
American Talleyrand- Alexander
Martin Van Buren: Law, Politics and the Shaping of the Republican Ideology- Rayback & Mushkat

Daniel Webster:

**Daniel Webster*- Current
**Heirs of the Founders: The Epic Rivalry of Henry Clay, John Calhoun & Daniel Webster*- H.W. Brands
Daniel Webster and the Trial of American Nationalism- Dalzell
Daniel Webster and the Politics of Availability- Brown
Daniel Webster- Fuess
Speak for Yourself Daniel- Lewis
Daniel Webster- Bartlett
The Papers of Daniel Webster- Webster
One and Inseparable- Baxter
**The Rise and Fall of the American Whig Party*- Holt (chaps 1&2 only)
Daniel Webster: The Man and His Time- Remini
Daniel Webster: Defender of the Union- Allen

John Marshall:

**A People's History of the Supreme Court*- Irons (pgs 137-155)
The politics of Indian Removal- Green
**Readings in American History*- "Trail of Tears"- Brown
**The Long, Bitter Trail*- Wallace
**John Marshall: Definer of a Nation*- Smith
John Marshall and the Heroic Age of the Supreme Court- Newmyer
John Marshall: Defender of the Constitution- Stites
The Cherokee Cases: The Confrontation of Land and Politics- Norgren
Cherokee Cases: Two Landmark Federal Decisions in the Fight for Sovereignty- Norgren
Cherokee Nation v. Georgia- Sherrow
The Cherokee Nation vs. Georgia- Aaseng
**Jacksonland*- Steve Inskeep

Roger B. Taney:

**A People's History of the Supreme Court*- Irons (pgs 137-155)

Jackson v. Biddle- Taylor
The Jacksonians vs. the Banks- Sharp
The Politics of Indian Removal- Green
**The Long, Bitter Trail*- Wallace
Roger B. Taney: Jacksonian Jurist- Smith
The Life of Roger B. Taney, Chief Justice of the United States Supreme Court-Steiner

William Lloyd Garrison:

Early copies of *The Liberator*
North of Slavery- Litwack
Massachusetts Anti-Slavery Society Annual Report
William Lloyd Garrison- Grimke
***All On Fire*- Mayer
Angry Abolitionist- Archer
The Letters of William Lloyd Garrison- Garrison
Jacksonian Antislavery and the Politics of Free Soil- Halperin Earle
Gentleman of Property and Standing- ?
**William Lloyd Garrison & the Challenge of Emancipation*- Stewart
**The Slave's Cause*- Manisha Sinha
**Holy Warriors*- James Brewer Stewart

Nicholas Biddle:

* *Andrew Jackson and the Bank War*- Remini
* *Jackson vs. Biddle's Bank*- Taylor
* *Jacksonian Democracy: Myth or Reality?*- Ed. Bugg
 "Homeric Battles of His Administration"
* *American Political Tradition*(ed.Hofstadter)- Chap.3 "Andrew Jackson and the Rise of Liberal Capitalism"
Banks and Politics in America- Hammond
Biddle- Govan
Biddle's Bank- Wilburn
The Jacksonians vs. the Banks- Sharp
The Jacksonians and the Money Power- Gattell
**The Jacksonian Economy*- Temin

Alexis De Tocqueville:

**Democracy in America*- De Tocqueville
**Readings in American History*- "Travels With Tocqueville"- Barry
Tocqueville in America- Pierson

Lowell Mill Girl:

*article-"The Uncommon Mill Girls of Lowell"- Wright
**America's Working Women*(ed. Baxandall)- pgs 41-66
The Reform Impulse- Hugins
Jacksonian Democracy and the Working Class- Hugins
I am a Factory Girl: Documents of the Lowell Mill Girls- Karabatsos

Loom and Spindle- Hanson Robinson
The Lowell Mill Girls: Life in the Factory- Weisman
The Lowell Offering- Eisler

Peggy Eaton:

**The Petticoat Affair*- Marszalek
That Eaton Woman: In Defense of Peggy O'Neale Eaton- Ross

Thomas Hart Benton:

Old Bullion Benton, Senator from the New West- Chambers
**Thomas Hart Benton*- Theodore Roosevelt

Chief Black Hawk:

**Black Hawk's Farewell*- Black Hawk
Black Hawk: Frontier Warrior- Oppenheim
Black Hawk's Autobiography- Black Hawk
Black Hawk, Sac Rebel- Bonvillain

John Ross:

**The Cherokee Removal: A Brief History With Documents*- ed. Perdue & Green
**Jacksonland*- Innskeep
**Andrew Jackson and His Indian Wars*- Remini
**The Long, Bitter Trail: Andrew Jackson and the Indians*- Wallace

Angelina Grimke:

Slavery As it Is- Grimke
**The Grimke Sisters From South Carolina*- Lerner
Lift Up Thy Voice- Perry
Angelina Grimke: Voice of Abolition- Todras
Turning the World Upside Down- Willimon & Willimon
Walking By Faith: The Diary of Angelina Grimke- Grimke
Moralists and Modernizers- Mintz
American Reformers 1815-1860-Walters
The Slave's Cause- Manisha Sinha

Samuel Swartwout:

The Adventures of Samuel Swartwout in the Age of Jefferson and Jackson- Brunson
Fragile Empires- Morgan, Brunson, Swartwout & Bass

Dorothea Dix:

Dorothea Dix: New England Reformer- Brown
Dorothea Dix: Hospital Founder- Malone
Voice for the Mad- Gollaher
Dorothea Dix and the Politics of Institutional Reform- Herrmann
Dorothea Dix: Social Reformer- Witteman
Moralists and Modernizers- Mintz

**American Reformers 1815-1860- Walters*

Lucretia Mott:

Valiant Friend- Hope Bacon

Lucretia Mott- Faber

Lucretia Mott- Sawyer

Lucretia Mott- Sterling

**American Reformers 1815-1860- Walters*

The ghost of Nat Turner:

**The Rebellious Slave- French*

Fanny Wright:

William Wirt:

William Marcy:

Lemuel Shaw:

THE WITNESS LIST

Here is a list of the witnesses that the prosecution and the defense tentatively plan to call for each charge. This list should be posted AT LEAST ONE DAY prior to the charge that is being heard. Although this list is subject to last-minute changes, you should be prepared to testify when called.

• CHARGE#1:

Prosecution:

- 1.
- 2.
- 3.

Defense:

- 1.
- 2.
- 3.

• CHARGE#2:

Prosecution:

Defense:

- 1.
- 2.
- 3.

- 1.
- 2.
- 3.

- CHARGE#3:

Prosecution:

- 1.
- 2.
- 3.

Defense:

- 1.
- 2.
- 3.

- CHARGE#4:

Prosecution:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Defense:

- 1.
- 2.
- 3.

NOTE: If a witness is absent on a day when he/she is scheduled to testify, the attorneys may recall him/her at a later date. When this is not possible or if time issues prevent the recall, Dr. McGrath will step in the “play” that testimony.