

# Resignation Offer, Presidential Response (1941)

*John Q. Barrett\**

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In January 1940, President Franklin D. Roosevelt nominated his number two official in the United States Department of Justice, Solicitor General Robert H. Jackson, to move up into the Department's top job. It was becoming vacant due to the President's simultaneous appointment of Attorney General Frank Murphy to become an Associate Justice of the Supreme Court of the U.S.

The U.S. Senate swiftly confirmed the appointments. President Roosevelt signed Jackson's commission and he was sworn in as Attorney General on January 18, 1940.

Later that year, war engulfed the European continent. By June, the United Kingdom stood alone as unconquered by Nazi Germany. The U.S. pursued significant rearmament, provided desperately needed aid to the U.K., and reinstated military conscription. The prospect that world war would engulf the U.S. was real and alarming. And in November, President Roosevelt was reelected to an unprecedented third term.

In January 1941, as Inauguration Day approached, Attorney General Jackson was battling illness. In the end, it caused him to miss the inauguration ceremony and related events. But Jackson made it a point, on January 16, to dictate, sign, and send this a formal letter to the White House:

My dear Mr. President:

I hereby present my resignation as  
Attorney General of the United States effective  
at your pleasure.

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\* Professor of Law, St. John's University School of Law, New York City, and Elizabeth S. Lenna Fellow, Robert H. Jackson Center, Jamestown, New York ([www.roberthjackson.org](http://www.roberthjackson.org)). I emailed an earlier version of this essay to The Jackson List on September 24, 2018.

For an archive of selected Jackson List posts, many of which include document images or photographs, visit <http://thejacksonlist.com>. This essay is posted there as a PDF file with "live" hyperlinks.

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You are about to enter a new administration significant because of the problems peculiar to these rapidly moving times. It seems appropriate to relinquish a position for which I was chosen in very different conditions and for qualifications which may no longer be appropriate.

It would be impossible in words to express my appreciation for the honor of your confidence.

Respectfully yours,  
[s/ Robert H. Jackson]<sup>1</sup>

President Roosevelt responded two days later by writing, in longhand, this note:

Dear Bob

I do hope you're feeling better – Don't try to attend anything Monday [January 20] unless the M.D. really says yes.

Thank you for your note. It can only have one answer:  
Stay put

Affec.  
FDR<sup>2</sup>

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<sup>1</sup> Attorney General Robert H. Jackson to President Franklin D. Roosevelt, Jan. 16, 1941 (unsigned carbon copy), in Robert H. Jackson Papers, Library of Congress, Manuscript Division, Washington, D.C., Box 19, Folder 4.

<sup>2</sup> President Franklin D. Roosevelt to Attorney General Robert H. Jackson, Jan. 18, 1941 (original), *in id.*

RESIGNATION OFFER, PRESIDENTIAL RESPONSE (1941)

THE WHITE HOUSE  
WASHINGTON

June 18  
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