

THE CONFEDERATE CAUSE
AND CONDUCT IN THE
WAR BETWEEN THE STATES



HUNTER MCGUIRE
GEORGE L. CHRISTIAN

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Gen Bennett H. Young
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Hunter McGuire

The
Confederate Cause and Conduct

IN THE
War Between the States

As set forth in the Reports of the
History Committee of the
Grand Camp, C. V.,
of Virginia

And Other Confederate Papers

BY

HUNTER McGUIRE, M. D., L.L.D.
Late Medical Director Jackson's Corps, A. N. V.

AND

HON. GEORGE L. CHRISTIAN
Of Richmond, Va.



With an Introduction by
REV. JAMES POWER SMITH, D. D.
Last Survivor of the Staff of "Stonewall" Jackson



L. H. JENKINS, Publisher
Richmond, Va.

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by

George L. Christian and Stuart McGuire
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ADDITION TO TABLE OF CONTENTS

Abraham Lincoln.

An address delivered before R. E. Lee Camp No. 1, Confederate Veterans, at Richmond, October 29, 1909, by Hon. George L. Christian, a member of the Camp.

Roger Brooke Taney.

An address delivered before the Virginia State Bar Association at its annual meeting held at Hot Springs, Va., August 8, 1911, by Hon. George L. Christian, President of the Association.

PREFACE TO SECOND EDITION

The two principal reasons for bringing out the second edition of this work are:

(1) The favor with which the first edition was received, evidenced by the many letters from prominent Confederates, as well as readers, not Confederates, in other sections of the country; and

(2) To add to that volume the two addresses on President Lincoln and Chief Justice Roger Brooke Taney, which throw much light on some of the subjects discussed in the reports contained in the first edition.

The address on Mr. Lincoln was prepared and delivered at the request of R. E. Lee Camp No. 1 of Confederate Veterans in October, 1909, two years after the publication of the first edition. It was published by order of the Camp, and the edition then published has been exhausted for some time. The author has had numerous applications for additional copies which he has been unable to supply. He has, therefore, thought it wise to add that address to this edition, and in addition, to publish a new and larger edition of it in pamphlet form.

The address on Chief Justice Taney was delivered before the Virginia State Bar Association at its annual meeting in 1911. It was received by that body with evident commendation, and has been in great demand and widely circulated. It is believed that this address will also add considerable interest to this volume.

PREFACE

The "History Reports" contained in this volume (with the exception of the last one) were prepared for the Grand Camp of Confederate Veterans of Virginia, and are republished just as they were submitted to that body.

When these papers were severally read to the Grand Camp, they were enthusiastically received and approved, were published in many of the newspapers of the country, and five thousand copies of each report were directed to be printed for general distribution. The fact that this issue has been exhausted, coupled with the further fact that many letters have been received from nearly every section of the country commending these reports, has been deemed a sufficient reason to warrant their publication in this more permanent form.

It will be noticed that there is some little repetition in the last report of some of the statements contained in some of the others; but it must be remembered that this last report was prepared for the United Confederate Veterans which had already endorsed many of the former reports prepared for the Grand Camp of Virginia, and had directed that these should be incorporated in, and form a part of, the history reports of that great body of Confederate Veterans.

The lecture on "Stonewall" Jackson and the account of the last hours and death of this remarkable man, prepared by his late Medical Director, are such interesting contributions to history, and have been so favorably received, that no apology is deemed necessary for inserting them in this volume.

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INTRODUCTION

When the thin ranks of the armies of the Southern Confederacy were at last dissolved, the survivors of the great struggle, who had marched and fought so long and so well, went back across untilled fields and to impoverished homes. Whatever perils they had faced, and whatever losses they had suffered, they had not lost their manhood, and they had not surrendered their self-respect and honor, nor anything of their faith in the right and justice of their cause. With a heroism as true and honorable as that displayed on many fields of battle, they returned to work, without capital and almost without implements, some of them crippled for life, and some in broken health, but unscathed in honor and uncrippled in will. They were again to prove their manhood on more difficult fields; to feed and clothe their women and children, to rebuild their homes and to re-establish government and all the institutions of their civilization.

It was not long before these veterans began to gather in Camps, and with no other than peaceful purposes. They would cheer one another in a cordial comradeship. They would remember their fallen comrades, and bury their dead, and succor the old and dependent, and care for the widow and the orphan. There was no thought of continuing a useless and wasting strife, or of fanning the fires of sectional animosities.

Soon the pen began its useful work. Incident and story were narrated. Memories of camp and field were committed to print, the art preservative. Volume after volume was sent from the press to the library shelf, and into many homes. Materials of history were gathered. The biographies of leaders, statesmen and great soldiers, were written. The President and the Vice-President of the Confederate States gave to the world and to generations to come the great books which tell the story of the causes and purposes of the Confederacy and its appeal to arms. Histories were pub-

lished of the current of events as the war clouds gathered and then as the armies marched and joined in the shock of battle.

The Southern Historical Society in 1876 began its invaluable series of annual publications. The first volume was opened with the strong paper of the Hon. R. M. T. Hunter, Senator and Statesman; thorough, calm, vindicating the righteousness of the Southern cause; and it was followed by the no less convincing paper of Commodore Mathew Fontaine Maury, scholar, scientist and Christian gentleman. To these were added the vigorous demonstrations made in the books of Albert Taylor Bledsoe, and Robert L. Dabney and J. L. M. Curry, and others.

Valuable as was this accumulating literature, confident as the people of the Southland felt that in the tribunal of history in all coming years the cause, to which like their forefathers they gave their lives, their fortunes and their sacred honor, could not fail of an assured and enduring justification; there emerged as the years went by a condition and a necessity which had not been anticipated. With utmost difficulty the schools of the South had been re-established, and seminaries and colleges had been re-opened, in the faithful effort to preserve the intelligence and character of the generation of sons and daughters rising up through the land. It was discovered with a shock of pain and indignation that the great body of the youth of the land were being fed with a literature created by alien authors. Histories, biographies, readers, issued by publishers whose one purpose was to secure the great market now opening in every school district far and wide over the South, were found to be replete with error and misrepresentation. Consciously or unconsciously, the aims of the people of the South, and of their State governments were falsified, and the characters of great and good men were belittled and defamed. The poison of unjust accusation was carried to the minds of all the children of the Southland, and already a generation was growing up with conceptions of the motives of their fathers, and the causes of the war between the sections which were not only mistaken, but altogether dishonorable. The youth of the whole South were being stealthily robbed of an heritage glorious in itself and elevating and ennobling

to themselves and all who came after them. It was a condition and a process which could not be consented to for a moment. There was no surrender at Appomattox, and no withdrawal from the field which committed our people and their children to a heritage of shame and dishonor. No cowardice on any battlefield could be as base and shameful as the silent acquiescence in the scheme which was teaching the children in their homes and schools that the commercial value of slavery was the cause of the war, that prisoners of war held in the South were starved and treated with a barbarous inhumanity, that Jefferson Davis and Robert E. Lee were traitors to their country and false to their oaths, that the young men who left everything to resist invasion, and climbed the slopes of Gettysburg and died willingly on a hundred fields were rebels against a righteous government.

The State Camp of Virginia of Confederate Veterans rose promptly and vigorously to resist another invasion, which would have turned the children against their fathers, covered the graves of patriots and heroes with shame and made the memory of the Confederacy and its sacrifices and struggles a disgrace in all coming history. The camps throughout the South had a new task given them. They were to meet the threatening evil at the door of every school house in the land. All that was, or is now, desired is that error and injustice be excluded from the text-books of the schools and from the literature brought into our homes; that the truth be told, without exaggeration and without omission; truth for its own sake and for the sake of honest history, and that the generations to come after us be not left to bear the burden of shame and dishonor unrighteously laid upon the name of their noble sires.

It was in 1898 that the State Camp of Virginia made Dr. Hunter McGuire the Chairman of its History Committee. Himself a Confederate Veteran, the friend of Jackson and intimately acquainted with General Lee and other leaders high in office and distinguished in service, surgeon, professor and author, he was eminently qualified for the work assigned him. With others he examined thoroughly the histories introduced into the schools, and in 1899 he gave to the Commonwealth and the South the thorough

and able report which is the first paper of the collection made in this volume. It refutes the common charge made against the South that the protection of the money value of slave property was the cause of the war which the South waged in its defence. It exposes the misrepresentations of Mr. John Fiske and other authors, and recommends that these and such like books be vigorously and universally excluded from all schools and institutions of learning in all the States of the South.

This work of defence for the South, begun with such ability by Dr. McGuire, was devolved upon Judge George L. Christian, an honored soldier of the Confederacy, a lawyer of notable ability at the Richmond bar, and a writer of clearness, courage and strength. Through seven years, from 1900 to 1907, he gave patient and faithful labor to painstaking research and most elaborate preparation of the five papers which are included in this volume. Beginning in 1900 with the right of secession as shown upon the testimony of Northern Statesmen and other authors, Judge Christian discusses in 1901 the war as conducted by the Federal and Confederate armies, again upon the testimony of Northern witnesses. In 1902 he reviews the treatment of prisoners of war, and the history of the exchange of prisoners. In 1907 he reverts to the serious question of where the responsibility rested for bringing on the sectional strife, with all its loss of life and wealth and all the unhappiness it spread over the broad land. One who went himself to battle so promptly and then suffered so much in all the years since, has had the fidelity to truth and the courage of heart to do his duty in the defence of his people and of the generations to come.

To these official reports from the History Committee of the Grand Camp of Virginia are added two papers of similar force and value from the pen of Dr. McGuire. One is the magnificent address on Stonewall Jackson, delivered at the V. M. I. in 1897, an appreciation and study of the character and career of Jackson which no one else in the world was so well fitted to make. With this also is the paper of Dr. McGuire on the Wounding and Death of Stonewall Jackson, which has preserved for all time the story of which the author was himself a part and a witness, such a narrative

as the great surgeon and friend could only himself give to the world.

The publication of these papers had a wide-spread and powerful effect. They not only caused the exclusion of certain books from our schools and colleges, and the preparation of truthful history for the use of the young. They corrected the mistaken views of many of our own people, and they went far and wide in every section of the land and to other lands. In large degree they have produced a better understanding of the great issues at stake, and have brought men of fair and large minds to recognize the fundamental justice of the cause of the South and the unselfish patriotism and lofty devotion of the men who filled the ranks, and the high character and great ability of many who led them.

As the large editions of these papers have been exhausted and their importance has been yet more widely recognized, the demand has risen for their collection and republication in the present volume. The book now before you is not merely for preservation on library shelves, but that being read, the children and youths of all the country may know that their sires and grandsires have left them examples of unselfish devotion to a righteous cause and a heritage of imperishable honor.

JAMES POWER SMITH.

REPORT

BY

DR. HUNTER MCGUIRE,

Chairman.

OCTOBER 12, 1899.

- I. Slavery not the Cause of the War.
- II. Attempts of Northern Writers to Misrepresent the South and its Cause.
- III. The Northern Cause will be Finally adjudged the "Lost Cause."
- IV. Criticism of the Writings of Mr. John Fiske, and of "Our Country," by Cooper, Estill and Lemon.
- V. All the South asks is that THE TRUTH be stated.

REPORT OF OCTOBER 12, 1899.

Commander and Comrades, Ladies and Gentlemen:

The work assigned to your History Committee has been done according to our ability. The various histories and geographies authorized to be used in the schools of the State were assigned to the several members for examination. At a called meeting, held in Richmond on the 5th of June, the different reports were read and discussed. They are herewith respectfully submitted. They are marked by ability and conscientious work, and should have a place in your transactions. I read the list, as follows:

Freye's Elements of Geography; Freye's Complete Geography—John J. Williams.

Cooper, Estill, and Lemon's "Our Country"—Rev. S. Taylor Martin.

Fiske's History of the United States—Rev. Beverly Tucker and Captain Carter R. Bishop.

Lee's Primary History of the United States—R. S. B. Smith.

Lee's Brief History of the United States—Captain M. W. Hazlewood.

Lee's Advanced History of the United States—Dr. R. A. Brock.

Jones' School History of the United States—James Mann.

Montgomery's Beginners' American History—T. H. Edwards.

Judson's Young American (civics)—W. H. Hurkamp.

Morris' Advanced History of the United States—John H. Hume.

Myer's General History—M. W. Hazlewood.

INDIVIDUAL PAPERS.

In preparing the committee's report, I have felt at liberty to use any or all of the individual papers. The committee appointed by the general citizens' and soldiers' meeting, held in Richmond, October 17, 1898, made a second report confirming and explaining the report of 1897. That also is herewith submitted. One member

of that committee, Mr. John P. McGuire, made a special report on the whole subject, which has been incorporated in this paper.

It was supposed some eighteen months ago that the History Committee of the Grand Camp of Virginia, successful in the efforts of that period, had finished its labors and had no further cause for action nor reason for existence. We imagined that books hostile to the truth and dishonoring to the dead and living of the South, had been driven from our State, and that with them would go opinions derived from them and of like effect, and therefore debasing to those who held them.

The actual situation is such that we consider it wise to begin this report with a brief description of our position at home and of the forces arrayed against us. It should serve to guide and concentrate our own action. It ought to secure the vigorous co-operation of all the Confederate camps in the South.

WORK NOT DONE.

We were in error in supposing our work done. We are not altogether rid of false teachings, whatever may be said of the purposes of our teachers. Because of newly-aroused thought, the opinions alluded to are less prevalent than they were at the time we speak of, but they are still heard from young men who, during the last thirty years, have been misled as to the characteristics of our people and the causes of the "war between the sections," for some who, "looking to the future," as they phrase it, foolishly ignore the lessons of the past, and from others who, thinking themselves impoverished by the war and being greedy of gain, have neither thought nor care for anything nobler. There are a few older men who think that the abandonment of all the principles and convictions of the past is necessary to prove their loyalty to the present. There are some who dare to tell us that "the old days are gone by and are not to be remembered;" that "it is a weakness to recall them with tender emotions." To these we reply, "Put off thy shoes from off thy feet, for the place whereon thou standest is holy ground." Young or old, these men are few, but they are ours, and their children inherit their errors.

IGNORANT TEACHERS.

Those not already aware of it, will be surprised to learn that there are teachers in the South—high in position—but, as we think, very ignorant of our history—who accept the Northern theory that “slavery was the cause of the war,” and must accept the dishonoring consequence that its preservation was our sole object in that struggle—the favorite position of the Northern advocates and the last support of their cause. This position they take in spite of the fact that the quarrel between the North and the South began when slavery existed in all the States. That writers or readers should ignore the proofs of this is surprising. We cite, for instance, Washington’s stern order issued to the army before Boston in 1775, promising summary punishment to any man who should say or do anything to aggravate what he calls “the existing sectional feeling.” For that feeling in that day we cannot find cause in slavery, for the good people of New England shared our Southern guiltiness. Nor is it to be explained except as springing from the old jealousy of Puritan and Cavalier, and the resentment of the Virginians against the New Englanders for failing to help them in the Indian war; whence, according to some authorities, the epithet, “Yankee” sprang.

At a later day (in 1786) Mr. Jay recommended to Congress that in exchange for a favorable commercial treaty with Spain we should yield to her condition that “no American vessel should navigate the Mississippi below the mouth of the Yazoo,” New England—caring nothing for the distant Mississippi—supported this narrow and selfish policy; exciting, say contemporary writers, “the fierce indignation of the South, and especially of Virginia, to which State Kentucky then belonged.” We quote in substance from Mr. Fiske’s “Critical Period of American History.” He recites the fact, but sees no connection between the incident and sectional war.

OF GRAVE IMPORT.

So of New England’s pursuit of separate interests in 1812, the tariff iniquity of 1828, and the nullification struggle; all of which

intensified the general bad feeling. These are matters of commonest knowledge and of the gravest import. They are, nevertheless, ignored by many Northern writers as causes of the war. One prominent writer—Mr. Fiske—very briefly mentions the Hartford Convention of 1814. Even our old enemy, Mr. Barnes, gives the list in a fine print note. The fact is, these matters do not serve the purpose, as none of them could be depended upon to enlist the sentimental sympathy of the world against the South. Slavery and Southern action thereupon must be, for these historians, the cause of the war. There are people at home who, with these men, ignore all this history and accept and support their view. We are glad they are few, but they exist; and, therefore, Virginians do not feel as they did when, at the touch of hostile spear, the shield of the State rang true; when at the call of honor, the State of Virginia stepped to the front, to stay to the end of the war. For all of us there is cause to fear that our success in suppressing the more flagrant evils has lessened our watchfulness against subtler forms which may prove harder to expel; reason to apprehend that our people of Virginia and other Southern States may sink down into blind content with a situation which is still full of danger. If you will look over the lists of books allowed in some of our States you will be amazed. The artifices and corruption that secured their adoption would furnish a curious subject for a student of human nature.

VIRGINIA'S HOPE.

Here in Virginia our hope is in this Grand Camp, with its allies among the scholars in the State, and in the men upon whom the law has laid the heavy responsibility belonging to our State Board of Education. We are glad to know that these are good men and true; that they have on the whole given the public schools of Virginia by far the best set of books they have ever had. So we are glad to acknowledge the good work they have done for the State, however strongly we may dissent from and protest against some of their conclusions. With respect to the situation abroad, it describes it not unfairly if we say that the reasons for the existence of our History Committee are, in a modified form, the same that

in 1861 brought into existence and moved to action the armies of the South.

“In the Sectional War” (not the “Civil War,” for that title accords with the extreme national conception and admits that we were not separate States) we were called upon to resist an invasion of soldiers, armed and sent into our country by the concurrent purposes of several fairly distinct parties then and now existing in the North. They came seeking our injury and their own profit. A new invasion, with like double purpose, is being prosecuted by the lineal successors of some of these parties. Two of them chiefly concern us and our work. The one came— or sent representatives to the war—bent upon the destruction of our Southern civilization, the eradication of the personal characteristics, opinions, thought, and mode of life which made our men different, antagonists, and hateful to them. The other preferred war to the loss of material prosperity, which they apprehended in case the South should attain a position beyond the reach of Northern law-makers and Northern tax-collectors. Mr. Lincoln represented the latter, when, in reply to Mr. John Baldwin and Mr. A. H. H. Stuart, who, as representatives of the Virginia Convention, then in session, urged him to delay the action that opened the war, he asked, “What is to become of my revenue in New York if there is a 10 per cent. tariff at Charleston?” The following incident points to the former: About the year 1850 a distinguished Northern statesman said to a party of Southern congressmen, “You gentlemen will have to go home and beat your plow-shares into swords and your pruning-hooks into spears, for the Northern school-mistresses are training a generation to fight the South.”

AGAINST TWO PARTIES.

No longer concerning ourselves with the sentimental unionists and honest abolitionists—whose work seems to be over—we still struggle against the two parties we have described. These exist in their successors to-day—their successors who strive to control the opinions of our people, and those who seek to make gain by their association with us.

Co-operating with these and representing motives common to them all, is a new form of another party, which has existed since sectionalism had its birth; the party which has always labored to convince the world that the North was altogether right and righteous, and the South wholly and wickedly wrong in the sectional strife. This party is to-day the most distinctly defined and the most dangerous to us. Its chief representatives are the historians against whose work we are especially engaged. We are enlisted against an invasion organized and vigorously prosecuted by all of these people. They are actuated by all the motives we have described; but they have two well-defined (and, as to us,) malignant purposes. One of them is to convince all men, and especially our Southern children, that we were, as Dr. Curry expresses their view, "a brave and rash people, deluded by bad men, who attempted in an illegal and wicked manner, to overthrow the Union." The other purpose—and for this especially they are laboring—is to have it believed that the Southern soldier, however brave, was actuated by no higher motive than the desire to retain the money value of slave property. They rightly believe that the world, once convinced of this, will hold us degraded rather than worthy of honor, and that our children, instead of reverencing their fathers, will be secretly, if not openly, ashamed.

They now seek to carry out their purposes not by the aid of armed soldiers, but through the active employment of energies, agencies, and agents, who are as the caterpillar and canker-worm for destructiveness, and as the locust for multitude. The whole force of journalists, poets, orators, and writers of all classes is employed in their cause, especially the Northern history-makers, whose books have been and are now, to some extent, in the hands of Southern children.

LABORED FOR EVIL.

The character of the work has been in greater or less degree such as might have been expected. By every variety of effort, from direct denunciation to faint praise, by false statement and more subtle suggestion, by sophistry of reasoning and unexpected inference, by every sin of omission and commission, these writers have

labored since the close of the war, as their predecessors had done before it, to conceal or pervert the facts of our history. In the past they have been to a great extent successful. Up to the war our people were as unknown as if they had lived on another planet—or known only to be condemned. The world has grown wiser. Therefore, these men, hopeless of retaining in the high court of the future the packed juries and prejudiced judges before whom they have heretofore urged their cause against us, gradually despairing of final success in distorting facts as touching either the legal aspect of the case or our military history, still retain the hope, and now bend their energies to the task, of convicting us all—leaders and people—of such motives as shall appear to the world, and to our children, as proof of dishonor; and rob statesmen, faithful citizen and soldier alike, of the admiration now justly accorded.

A distinguished writer has lately said that “history as written, if accepted in future years, will consign the South to infamy.” He further observes that “the conquerors write the histories of all conquered peoples.” Whether or not the records of mankind show this last statement to be true, it is certainly not true that all conquered peoples have so learned the story of their father’s deeds; nor can it be shown that the conquerors have habitually sought to force such teachings upon them. Wiser statesmen have known with Macaulay, that “a people not proud of the deeds of a noble ancestry will never do anything worthy to be remembered by posterity.” He is a stupid educator who does not know that a boy ashamed of his father will be a base man. Such a direct attempt to change the character of a people has been almost unknown. It is true that traces of the Latin language show us where the Roman legions marched. Norman French was the court language in England after the conquest, and entered our English speech. These results, long resisted by patriotic men, came by natural assimilation. The relentless and remorseless “man of blood and iron” did—as a last measure of utter subjugation—attack the minds of the children of Alsace and Lorraine through the books ordered for the schools. Through dire penalties these orders were enforced; in hopeless despair these provinces submitted. The

Prussian is not entirely alone, and doubtless had thought of retributive justice in mind. For the demon Corsican, in his day of sweeping conquest, compelled conquered provinces to submit to French school laws. The most recent history furnishes one more example. Under date of June 28, 1899, we find an order of the United States Provost-Marshal-General in Manila compelling the attendance of all children between six and twelve at the reopened public schools and ordaining that "one hour's instruction per day shall be devoted to teaching the English language." We have not yet heard what history of the present war the Philipinos are to study. It is not exactly in point, but it is interesting to note that the schools of France to-day use histories that teach the children how entirely Frenchmen won the American War of Independence. Doubtless an instance may be found here and there of compulsory study of the history of a conquest by the conquered people. When occurring it has been the conqueror's final and to his mind most radical expedient, applied by and with relentless force, and with deadly intent to change the minds and characters of the new subjects.

CRUELEST CONQUERORS.

It remained for these, our Southern States, with this State of Virginia leading and guiding the others, (as we fear the record shows) to present the first instance of voluntary submission to this last resort of the cruelest conquerors. The history of the human race furnishes no like example of men who, by their own action, have so exposed their children; of men, who, unconstrained, have dishonored the graves and memories of their dead. Our own people have aided and are still aiding, with "all the insistence of damned and daily school-room iteration," in the work of teaching those malignant falsehoods to Southern children; in the work of so representing a brave people to the world of to-day and the ages to come. How amazing the folly! How dark the crime!

The folly of crime for the State of Virginia is primarily chargeable to the men, who, immediately after the war—when our hearts, if not our intellects, might have been on guard—brought Northern men and Northern histories into our schools and for

years employed them to teach us why and how Southern men fought against the North. Certain honest efforts have been made to expel these books and their teachings. Differences of opinion should not, and do not, induce us to impugn the motives of faithful men; but we regret that these efforts have not been entirely successful.

The general views so far expressed have been presented before. The situation seemed to us to require their forcible repetition. Now, however, and by the last remarks with respect to the histories, we are brought to the special work expected from your committee of this year, the examination of the books allowed for use by the last ruling of our Board of Education, and now in use in the "public" and some of the private schools of the State.

ALL ARE UNFIT.

To begin with, and in general: As the result of our examination and such scholarly aid as we have been able to secure, we have to report the positive conclusion that no Northern author has yet written a school history in which it is not easy to trace one or more of the purposes we have described and denounced. All that we have seen are for this reason unfit for use in Southern schools.

Nor do we hesitate to express the opinion that, standing, as these people do to the truth of history, conscious that their section is on trial with respect to the sectional war, and well aware of the growing signs that theirs is to be the "Lost Cause" at last—human nature being imperfect—fair history cannot be expected of Northern authors, unless they be of the rarest and boldest, worthy to rank with the inspired historians who wrote the simple truth. If they imitate these great writers they conquer self to an extent impossible for simple mortals; offend their own people, and fail of their market. They cannot do the first; fear to do the second; the third, their publishers will not allow. Ignorantly or knowingly, seeing with the blinded eyes of prejudice or intent that others shall not see, they are constrained to falsify the record in fact or in effect; otherwise they must be silent. They have not been silent.

NEED TO PLEAD.

Without enlarging upon the point or using the abundant material to be had from English and American literature, we stop a moment for one or two evidences that these writers have need to plead their cause by such means as they can devise. The chairman of this committee on one occasion, being in England, heard a number of British officers of high rank, especially engaged in the study of military history, express their opinion—which we rejoice to recognize, and which these Northern men dread as the world's final verdict—that while Washington, Lee, and Jackson were of the great leaders of the world's history, the North had never produced a great commander; that Grant, Sherman, and Sheridan were not to be thought of; that the renegade Virginian, Thomas, was the only man on the Northern side who had approached that rank. On another occasion, travelling in New England, he encountered a gentleman who declared himself a student of history, and desired to be told how it happened that in every crisis of the country's history he found five times as many Southern men as Northern prominently managing affairs. He knew, he said, that the time would come when—utterly wrong and unjust, as he thought it—all the romance and glory of this war would gather around Lee and Jackson, and not around Grant and Sheridan. The passing years already prove the soundness of his judgment. Well may they dread to appear at the bar of their own consciences. With respect to their latest act of war, giving the suffrage to the blacks—a deed unsurpassed for hypocrisy as to purpose, malignant intent, and disastrous effect upon all concerned—these writers know that their best men are uniting to condemn it, and will ere long confess that it was indeed conceived in iniquity and born in sin, and is now itself yielding a legion of devils armed to torment the State. Alas! that teachers in our Southern States should, through any mistake of judgment or counsel, join the North in teaching that, as far as we are the sufferers, we reap the due reward of our deeds.

FISKE'S HISTORY.

Now, to return and deal with the particular books we were set to examine:

First in order is Mr. John Fiske's History. This book has been very carefully examined, noting the changes appearing in the edition of 1899. Rev. Dr. Tucker's and Mr. Carter A. Bishop's reports upon it have already been submitted. The work done by both of these gentlemen is able and conclusive. To read their reports would, of course, overrun our time.

It is evident to all of us that Mr. Fiske is an able man and a student of history. He has seen, more plainly than any other perhaps (what the Northern orators and writers are silently or openly yielding), that every claim of the South, of such sort as naturally rests upon categorical facts, is already *res adjudicata* in our favor at the bar of the world. He knows from the writers around him (Mr. Lodge and others) that our claim to the right of secession cannot be resisted; that the right of coercion cannot be maintained; that the superior personal and military character of our leaders is beyond dispute; that estimating Americans, foreign mercenaries, and the negroes in their ranks, the average type and quality of their private soldier was far below ours; and their numbers so far superior that the Southern victories set the world wondering. He knows, too, that the records made up along the track of armies and their own statistics of deaths in prison have forever proved our higher civilization in war. So he foresees and dreads the day of doom, when, as already prophesied, history is to declare the truth triumphant and his the "Lost Cause." His writings, the others as well as the history, prove his consciousness that there remains to his section only this last resort—to make the world believe that our motives were base—a charge which they hope will be answered with more difficulty, inasmuch as it rests upon unsubstantial and intangible interpretation of facts, and not upon facts themselves.

ELEGANCE OF DICTION.

With elegance of diction and wealth of knowledge sufficient to blind and interest a multitude of readers he devotes himself to this object. He is an advocate seeking to procure pardon for the wrong-doings of his own section by persuading the world of the guilt

of ours; by convincing all who read or study his book (our own children among them) that in defiance of all reasons to know the wrong of slavery, we argued before the war and fought in it, not from conviction of duty or loyalty to our constitutional rights and those of our children, not even from insulted and outraged manhood, but simply to hold the negro in possession.

We do not assert his insincerity; it may well be that he believed what he said on that point. He is, therefore, the more dangerous as teaching falsehood with all the force that belongs to the conviction of truth.

It will go far to establish our proposition as to Mr. Fiske's inability to see the truth when slavery and the war enter his field of view and the consequent entire unfitness of his "history" for school use, if we briefly examine other noted writings that have come from his hand. It is a maxim laid down by a famous philosopher and writer that children are more influenced by the spirit and the unexpressed opinions of the teacher than they are by the words they chance to hear from his lips. We, therefore, examine Mr. Fiske. His personality is in his history; the chapter and verse criticism of that book is in the able reports of Captain Bishop and Rev. Dr. Tucker. We turn to the latter half of the 191st page of his much-lauded "Old Virginia and Her Neighbors." It contains matter which will not only prove our criticism just, but furnish us occasion for much astonishment. Speaking of the slave-trade and its abolition, Mr. Fiske tells us that George Mason in his lifetime denounced the "infamous traffic" "in terms which were to be resented by his grandsons, when they fell from the lips of Wendell Phillips." All this we quote literally. A handsome antithesis and well proportioned sentence, you will observe. The author is not careful to present (we avoid saying that he is careful not to present) the true point of contrast. George Mason denounced as "infamous" the sale of free men into slavery and the horrors of the middle passage, and argued against slavery in Virginia on economic and social grounds. Wendell Phillips denounced the South and Southern slave-holders. Mr. Fiske's readers do not learn from him that this was the offence that we resented, and that with a just indigna-

tion which Mr. Mason would have shared to the full had he been alive. The inference that Virginians of the two periods were not of one mind, both as to the slave trade and Yankee interference, is absolutely false, and should not be suggested to Southern children.

UNSAVORY WORDS.

On that same 191st page Virginians are told that there was once "a short-lived emancipation party" in their State, but that "after the final suppression of the slave-trade in 1808 and the consequent increased demand for Virginia-bred slaves, the thought of emancipation vanished from the memory of man." The same offensive suggestion is made in almost the same language, "the breeding of slaves * * * such a profitable occupation in Virginia" in his "Critical Period," etc., page 73, and again on page 266, where we are told that when the inventions of Arkwright, Cartwright, and Whitney so greatly increased the value of cotton, there resulted a great demand for slaves "from Virginia as a breeding ground, and the Abolitionist Party in that State thereupon disappeared, leaving her to join in the odious struggle for introducing slavery into the national domain." In both passages we quote him, perhaps, a little roughly; in his pages all this is handsomely expressed, for Mr. Fiske's style is very fine, as you may learn from some of his friends. It would, however, be difficult to discover anywhere, pen pictures so advantageously incomplete—advantageously incomplete, because a statement of the facts would not have represented, as do these most slanderous sentences, a mere race of slave-breeders easily sacrificing their convictions for the value of slave property and ready to fight for it when occasion should arise.

UTTERLY UNRELIABLE.

It is impossible to consider these passages without becoming convinced of the utter unreliability of this historian when speaking of slavery, the causes of the war, or the rights asserted by the South. It was to be supposed that in writing Virginia history he would at least consult Virginia documents. He should not assume that all Virginians are equally careless, or as ignorant of

Virginia history as the record proves him to be, or as charity compels us to assume that he is. Eighteen hundred and eight is his date for the disappearance of all thought of emancipation in Virginia. Selecting from a mass of documents, he might have read two of Mr. Jefferson's letters—one to Mr. Coles, another to Mr. Jared Sparks—urging his views, and plans for emancipation and deportation to Sierre Leone, etc., one dated August 25, 1814; the other February 4, 1824. (See Volume IV., Jefferson's Correspondence.) But chiefly, and utterly overthrowing all title he may have to credit when writing of these subjects, we have, and he might have had, Mr. Thomas W. White's volume, published in 1832, containing the great Deportation and Emancipation Debate in the Virginia Legislature in January and February of that year; the debate enlisting the strongest speakers of the State and consuming a great part of those two months. A debate pending, which, as will be remembered, the Virginia House of Delegates under date of January 25, 1832, passed its resolution declaring it "expedient to adopt some legislative enactments for the abolition of slavery"; and made in that behalf a most vigorous movement, which was finally defeated by a very small majority, and that only because no man could say where the necessary means to deport the free blacks could be found, and none could suggest any other wise and safe disposition to be made of the slaves when set free. The recent Southampton insurrection had strengthened the hands, and added to the number of those who wished to get rid of the negroes altogether. It is to be observed that the Virginia arguments were not of the hypocritical, sentimental variety, nor were they the vehicles to covert hatred for anybody. They expressed the views long held by the leaders of public opinion here as to the best social and economic conditions for Virginia and Virginians. It is further to be said, and that with great emphasis, that the character and conduct of free State populations as exhibited in our subsequent history, and the strongly contrasted character and conduct of our Southern people, bring into the very gravest doubt the wisdom of our fathers in these opinions, which opinions we admit, and (as against Mr. Fiske's statements) claim that they held and acted upon long after his date of 1808.

We return to say that when our fathers tried to find out how to get rid of the blacks, it did not occur to them to solve the question as our Northern friends had done by sales to the South. Nor could we further imitate them in contemplating with indifference such consequences of abolition as now confront us. The fact that all this history, of date subsequent to 1808, is omitted in both of the books quoted proves that it is not an accidental result of Mr. Fiske's misleading love for a rounded period. Our teachers should not allow our children to think of this venerable State as a mere negro "breeding ground," or of her people as won from other thoughts while gloating over the money value of the blacks.

Mr. Fiske apparently does not know that during these very years the African Colonization Society, laboring to effect these very objects, had among its vice-presidents General John Mason, of Virginia, son of George Mason, and father of Senator James M. Mason; also General Charles Fenton Mercer, of Virginia, who, about the year 1825, introduced in Congress the resolution declaring the slave trade "piratical warfare," and, at his own expense, visited various European countries, seeking to have them reach the same decision. These gentlemen should hardly be denounced as mere slave-breeders.

In Mr. Fiske's country he is not very familiar with individual acts of emancipation; nor does he know how many Virginians, long after 1808, manumitted their slaves—among them John Randolph of Roanoke, whose executor, Bishop Meade, located them in the beautiful region where now stands the town of Xenia, Ohio; giving them good homes, of which the neighboring whites shortly dispossessed them. Many, many such cases marked the time to "the fifties," when, as all men know, the end of emancipation in Virginia came about through the "pious" interference of the Northern Abolitionist. In consequence of which a Virginian, manumitting his slaves, in effect, gave the weight of his influence to the sentiment represented by the destroyers of our peace, and so felt that he must at least suspend his purpose lest he should become an ally of the enemies of the State. This is the exact truth of the situation with respect to that matter. Mr. Fiske's writings teach us the opposite. Our children, taught by him, would neither learn

it nor readily believe it. Our conviction is that this half page, though taken from his "Old Virginia," to say nothing of his yet more objectionable "Critical Period," is enough to banish from Southern schools Mr. Fiske's history and everything else that he ever wrote. We quote indifferently from other books than the history, as we are merely engaged in proving Mr. Fiske's unfitness as a guide for Southern readers, even if the North is content to follow him. We, therefore, turn again to the "Critical Period of American History." He is speaking of the successive ratifications of the Constitution of 1787. Page 330, speaking of "amendments offered by Massachusetts," he says: "It was not intended that the ratification should be conditional." Pages 336-7-8, he is telling us of the triumph of Madison and Marshall in securing Virginia's ratification by a narrow majority of 89 against 79. He goes on to use these words: "Amendments were offered after the example of Massachusetts." We appear from his statement to have acted after that example. It is perfectly true that both States, after ratifying the Constitution, did recommend certain notable amendments. Not one word is there to indicate any different action at all. We necessarily suppose that here, too, "it was not intended that the ratification should be conditional." Would any uninformed or unsuspecting reader imagine that while the Massachusetts act was a simple acceptance, there occurred in the body of the Virginia act of ratification the following emphatic declaration? "We, the delegates of the people of Virginia, do, in the name and behalf of the people of Virginia declare and make known that the powers granted under the Constitution being derived from the people of the United States may be resumed by them whensoever the same shall be perverted to their injury or oppression, and that every power not granted thereby remains with them and at their will," etc. Mr. Fiske evidently did not think this worth mentioning. The effect of the point of view upon the historic perception is simply wonderful.

IS MISLEADING.

In speaking of the New York ratification (page 344), he says that Hamilton, fighting over the question whether New York could ratify the Constitution conditionally, reinforced himself with the advice of Madison. The question was, "Could a State once adopt the Constitution and then withdraw from the Union if not satisfied?" "Madison's reply," he says, "was prompt and decisive." Such a thing could never be done. * * * "There could be no such thing as a constitutional right of secession." How much of this he intends to give as direct quotation from Madison's lips does not appear.

The letter itself our readers will find in Hamilton's works, volume I., or more conveniently in Henry's "Patrick Henry," volume II., page 368, where will also be found some interesting comments thereupon. It (the letter) does not contain Mr. Fiske's exact words, but it cannot be said that he overdraws that individual paper. It loses none of its force in his hands. Our author, however, thus presenting Mr. Madison to his readers, deals unfairly in failing to avail himself of the opportunity to give certain very important counter utterances of that statesman. We think that in fairness to him and in order that readers might be more truly informed, a few lines might have been added setting forth the fact that Mr. Madison (with Marshall and Nicholas) procured the passage of the Virginia act that we have quoted, and was himself the reputed author of the "Resolutions of 1798." That being done, Mr. Madison's absolute concurrence with Mr. Fiske as to the whole question, might not have been so clear. The quotation actually given would have at least lost much of its force, as an unbiased reader would have thought Mr. Madison singularly at variance with himself, if not with Mr. Fiske. Let teachers, at least, tell the whole story.

It is enough to say, further, that Mr. Fiske, writing Virginia history, makes no allusion to the Virginia resolution, joining the Union in language which the concurrent debate (Elliott, volume II., pages 625 and 626) proves to have been understood as a condition of right to withdraw. Not universally, of course (nor, perhaps, by extreme Federalists), but so far as to secure its adoption. And so far, be

it said, as forever to debar any other parties to the compact from any question as to the terms upon which we entered the Union. This is Virginia (and United States) history, as it is; but not as Mr. Fiske sees it and teaches it to Virginia children. Even the extreme Federalists supported this view by implication, if not in direct terms. Mr. Madison, on one occasion, replying to Mr. Henry's charge that they were constructing a consolidated government, declares that "the parties to the Constitution are not the people (of the United States) as composing one great body, but the people as composing thirteen sovereignties." Mr. Nicholas uses the words "the condition is part of the compact." At any rate, the resolution which we have quoted (though not from Mr. Fiske's account) passed the Virginia Legislature, and was the law until the 9th of April, 1865.

With respect to New York, the untrained reader would necessarily infer that the failure of the condition in that State was complete, while from the same Elliot's Debates (volume I., pages 327-329) we find the language scarcely less emphatic than that of the Virginia resolution—to some minds even more emphatic.

We are not ourselves attempting or professing to give that whole story of both sides of the debates which fair history would require. But Mr. Fiske *is* writing *history*, or professes to be. Our duty is to inquire whether he has given us such history as should be taught. We believe and claim that the contrast between his pages and the full records show that he has given but one side, and so has presented a picture unfit to be shown to our schools.

OFFENSIVE DOCTRINE

We return to the most offensive doctrine of the books that we condemn, the charge that the Southern soldier fought for slave property. If this charge be just, let the truth be taught. It is false. The answer to it is on every page of our history, and the books that make the charge should not be used in our schools.

We all remember how many Virginians of 1861, knowing that the bloodthirst of Naseby and Marston Moor was unslaked, yet weary of the blood-feud that had antedated the Revolution; tired of sec-

tional strife recurring with every question of general interest; simply weary of quarrelling; convinced by the election of Lincoln that the quarrel never would end—went into the war in hope of conquering peace, and before going gave their negroes leave to be free, if they chose. The attitude of one or two prominent fighters with respect to slave property will be sufficient for our purpose. The “Campaigns of Stonewall Jackson,” by Colonel G. F. R. Henderson, of the British Staff College, Camberley, England, should be read by every man, woman, and child in the South. It would help the Northern people to a knowledge of the truth. On page 108, volume I., of that great book we find the following extract from a letter of General Robert E. Lee: “In this enlightened age,” wrote the future general-in-chief of the Confederate army, “there are few, I believe, but will acknowledge that slavery as an institution is a moral and political evil. It is useless to expatiate on its disadvantages. I think it is a greater evil to the white than to the colored race, and while my feelings are strongly interested in the latter, my sympathies are more deeply engaged for the former. The blacks are immeasurably better off here than in Africa—morally, socially, and physically. The painful discipline they are undergoing is necessary for their instruction as a race, and, I hope, will prepare them for better things. How long their subjection may be necessary is known and ordered by a merciful Providence. Their emancipation will sooner result from the mild and melting influence of Christianity than from the storms and contests of fiery controversy. This influence, though slow, is sure. The doctrines and miracles of our Saviour have required nearly two thousand years to convert but a small part of the human race, and even among Christian nations what gross errors still exist! While we see the course of the final abolition of slavery is still onward, and we give it the aid of our prayers and all justifiable means in our power, we must leave the progress as well as the result in His hands who sees the end and who chooses to work by slow things, and with whom a thousand years are but as a single day. The Abolitionist must know this, and must see that he has neither the right nor the power of operating except by moral means and suasion; if he means well to the slave

he must not create angry feelings in the master. Although he may not approve of the mode by which it pleases Providence to accomplish its purposes, the result will nevertheless be the same; and the reason he gives for interference in what he has no concern holds good for every kind of interference with our neighbors when we disapprove of their conduct." On the same page Colonel Henderson quotes from the lips of Mrs. Jackson like opinions held by her husband. These are opinions expressed before the war. Do they indicate that Lee and Jackson fought to preserve slave property? I myself know that at the beginning of the war General Lee, wise and far-seeing beyond his fellow-men, was in favor of freeing all the slaves in the South, giving to each owner a bond, to be the first paid by the Confederacy when its independence should be secured; and that Stonewall Jackson, while believing in the Scriptural right to own slaves, thought it would be politic in the white people to free them. He owned two—one a negro man, whose first owner, being in financial difficulties, was compelled to sell. The negro asked General Jackson to buy him, and let him work until he accumulated the money to pay the General back. He was a waiter in a hotel, and in a few years earned the money; gave it to Jackson, and secured his freedom. The other was a negress about to be sold and sent away from Lexington. She asked Jackson to buy her, which he did, and then offered to let her work as the man had done and secure her freedom. She preferred to stay with the General and his wife as a slave, and was an honest, faithful, and affectionate servant. General Joseph E. Johnston never owned a slave. How much of the fighting spirit and purpose of the South was in the breast of Lee, Johnston, and Jackson? Do the facts recited indicate that the desire to retain slave property gave them nerve for the battle? Does any man living know of a soldier in this State who was fighting for the negro or his value in money? I never heard of one. The Stonewall Brigade of the Army of Northern Virginia, was a fighting organization. I knew nearly every man in it, for I belonged to it for a long time; and I know that I am within proper bounds when I assert that there was not one soldier in thirty who owned

or ever expected to own a slave. The South fighting for the money value of the negro! What a cheap and wicked falsehood!

MOTIVES OF ACTION.

Finally, and this deserves a separate paragraph—with respect to the motives of action, we would be glad if Mr. Fiske or any other Northern author would relieve us of the mental confusion resulting from the contemplation of the facts that Robert E. Lee set free all of his slaves long before the Sectional War began, and that U. S. Grant retained his as slaves until they were made free as one of the results of Lincoln's Emancipation Proclamation.*

Soldiers and gentlemen, we accepted in full faith and honesty the arbitrament of the sword. We are to-day all that may be honorably meant by the expression "loyal American citizens." But we are also loyal to the memory of our glorious dead, and the heroic living of the Confederacy, and we will defend them in our poor way from the false and foul aspersions of Northern historians as long as brain can think or tongue and pen can do their office. We desire that our children shall be animated by the same spirit.

Mr. Fiske furthermore teaches our children that, but for the war the South would have reopened the slave trade. He tells, without quotation of authorities, a certain story of slave ships landing their cargoes in the South. Those of us who were men in the later fifties will remember a rumor that about that time a vessel (called *The Wanderer*, and commanded by a Southern man) brought a cargo of Africans into a Southern river. It was also rumored that one or more ships, owned and commanded by Northern men, were engaged in the same work. The stories may or may not have been true. Granted the truth; the fact that one or more Yankee slave-traders had returned to the sins of their fathers does not prove that 20,000,000 of them were about to do so; nor does the purchase of such

*"Few, perhaps, know that General Grant was a slave-holder, but the fact is that he had several in the State of Missouri, and these were freed, like those in the South, by the Emancipation Proclamation. 'These slaves,' said Mrs. Grant, 'came to him from my father's family, for I lived in the West when I married the General, who was then a lieutenant in the army.'"

cargoes by half a dozen Southern planters prove that 5,000,000 of them had determined thus to strengthen their working forces.

WHAT HE OVERLOOKS.

In his work Mr. Fiske overlooks the fact that the Confederate Government, at the first meeting of its Congress, incorporated into its Constitution a clause which forever forbade the reopening of the slave trade. I beg you to consider the following contrast: George III. forced the Virginia Governor to veto our Virginia act of 1769, prohibiting the further importation of slaves. Mr. Fiske tells us that "in Jefferson's first draft of the Declaration of Independence this act (of the King) was made the occasion of a fierce denunciation of slavery, but in deference to the prejudices of South Carolina and Georgia, the clause was struck out by Congress."

The different impressions made on different authors by the same facts is to be observed. Mr. George Lunt, of Boston (Origin of the Late War), understood Mr. Jefferson to show that the omission was very largely due to "the influence of the Northern maritime States." Mr. Jefferson wrote the passage and describes the incident. To us, it appears from his account that this denunciation was of the King not less than—perhaps more than—of this traffic to which we Virginians were so much opposed. As to the omission of the passage, he gives Mr. Fiske's statement as to South Carolina and Georgia, but adds the following, which Mr. Fiske omits: "Our Northern brethren also, I believe, felt a little tender under these censures, for though their people had very few slaves, yet they had been pretty considerable carriers of them to others." Of course, historians cannot say everything—must omit something. We could wish, however, that our author had displayed a less judicious taste in omissions. Be it understood that we ourselves omit many things that we would say, but for the fact that we are only seeking to supply some of Mr. Fiske's omissions, and so establish our proposition that our children cannot get true pictures from this artist's brush, and that his book ought not to be in our schools.

UNHOLY COMBINATION.

“The Origin of the Late War,” published by the Appleton’s in 1866, but out of print for lack of Northern popularity, is a book pre-eminently, worthy of reading. Its author, Mr. George Lunt, of Boston, in Mr. Fiske’s own State of Massachusetts, tells us that an unholy combination between Massachusetts Freesoilers and Democrats to defeat the Whigs, with no reference to any principle at all, sent Sumner to Congress and materially contributed to the cause of the war, partly through the Preston Brooks incident, which Mr. Fiske so unfairly describes. “Slavery,” this author observes, “was the cause of war, just as property is the cause of robbery.” If Mr. Fiske will read the Lincoln and Douglass debates of the time before the war; if he will lay aside preconceived opinion and read the Emancipation Proclamation itself, he will see that not even for Lincoln himself was slavery the cause of action, or its abolition his intent; that emancipation was simply a war measure, not affecting, as you know, the border States that had not seceded; even excluding from its operation certain counties of Virginia; simply intended to disable the fighting States, and more thoroughly to unite the rabid Abolitionists of the North in his own deadly purpose to overthrow the constitutional rights of the States. Just after the battle of Sharpsburg, from which, as you remember, he dated his abolition proclamation, he very clearly indicated his view of the cause or purpose of the war on his part. “If he could save the Union,” he said, “by freeing the slaves, he would do it; if he could save it by freeing one-half and keeping the other half in slavery, he would take that plan; if keeping them all in slavery would effect the object, then that would be his course.” Further, with respect to the provocation offered to the South that led to the war—so far as slavery was its cause—Mr. Webster, in his speech at Capon Springs in 1851, used these words: “I do not hesitate to say and repeat that if the Northern States refuse willfully and deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, the South would no longer be bound to keep the compact.” Mr Lunt and Mr. Webster were Massachusetts men, like Mr. Fiske. Mr. Webster was a great constitutional lawyer; Mr.

Lincoln was President. Yet we do not learn from Mr. Fiske that any of these heresies or mistaken purposes had currency in Massachusetts or in the Union. He would teach all men that Mr. Lincoln claims immortality as the apostle of freedom. He is the co-worker with the orator of their absurd Peace Jubilee, who lately proclaimed that the flag of Washington was the flag of independence; the flag of Lincoln the flag of liberty.

FALSE PICTURE.

“Demands of slave-holders,” “Concessions to slave-holders.” These and the like are the expressions our author uses to paint a picture of an aggressive South and a conciliatory North. Through and through this author’s work runs the same evidence of preconception as to the causes of war, and predetermined purpose as to the effect his book is to produce; the same consciousness of the necessity laid upon him and his co-laborers; the same proof of his consequent inability to write a true history of the sectional strife; the same proof that his book is unfit to be placed in the hands of Southern children.

A curious observation is to be made. Just where we ourselves would say that slavery was the cause, or at least, the occasion of the outbreak of the war, Mr. Fiske does not see the connection. He would have us take even his own statement on that point with a very marked limitation. “Slavery was the cause,” but only in so far as the action of the South made it so, and by no means in consequence of any act done by the North or Northern men. That is the doctrine that we must teach our children. Even the John Brown raid is outside of the group of causes. That was beyond question an overt act of Northern men. Therefore, the incident is to be minimized in history and effect. Those of you who remember the situation and possibly marched to Harper’s Ferry on that occasion, will be surprised to note that Mr. Fiske says “he (Brown) intended to make an asylum in the mountains for the negroes, and that the North took little notice of his raid.” There is no occasion for answering such a statement. We know that Brown and those who sent him here, aiding him to buy his pikes, etc., purposed war, in-

tending that his fort should be the headquarters of an insurrection of the negroes, and purposed that his pikes should be driven into the breasts of Virginia men and women. All of us remember the platform and pulpit denunciation of our people, the parading, the bell-tolling, and other clamorous manifestations of approval and sympathy which went through the North and convinced the people of Virginia that the long-threatened war of the North against the South had at last begun. In this sense, perhaps, it was not of the causes of the war; it was the war. I myself saw the demonstration of the Northern people on that occasion. Happening to be at that time living in Philadelphia, it was instantly plain to me that I was in an enemy's country. The southern students around me saw it as plainly as I did. It took but a dozen sentences to open the eyes of the least intelligent. It was only to say, "Come on, boys! Let's go!" and three hundred of us marched over on our side of the line. The war for us was on, and I know that the State of Virginia knew that was what the North meant. Just how Mr. Fiske enables himself to make the statement quoted, we cannot understand. We only see another proof that his point of view distorts the picture in his mind, to such an extent that he ought not to be employed as a painter for us or our children.

Much has been said of Mr. Fiske's elegant style. We will only observe that the sugar-coating of a pill does not justify our administering poison. The Trojan horse may have been a shapely structure, but in its belly were concealed the enemies of the city. It has been said, perhaps untruly, that the rounded period marks the unreliable historian. There have been notable examples of it. And it is certainly true that an inconvenient fact does sometimes give pain to a writer who is in the habit of testing his sentences by his ear. This is the apparent explanation of some of Mr. Fiske's observations as to slave-breeding in Virginia.

ONE MORE POINT.

One other point remains. The statement has been made, and denied, that this book was adopted on the recommendation of the Citizens' Committee of 1898, endorsed by the Grand Camp Commit-

tee of the same year. However the impression as to that recommendation arose or was made on the mind of any member of the Board of Education or anybody else, we are prepared to prove by the text, and by a recent report of the same committee, that they recommended only two books—the Jones and Lee histories.

The second book to be noticed, also erroneously supposed to have been recommended by the committee for 1898, is the Cooper and Estill history, "Our Country." The effective detailed criticism of that work also is handed you in the able report of Rev. S. Taylor Martin. Like the last, this needs only a general criticism as a basis for the resolution we shall offer for your adoption. If you will read the "Introduction" you will see that the author proposes to write such a book as will serve to cultivate a large patriotism and eradicate sectionalism. This is doubtless a worthy motive. But a preconceived purpose in writing is the bane of the historian. The great Scripture models indicate no purpose; they simply tell the naked truth. Reading the so-called history these gentlemen have given us in the light of their own announced intention, we shall find that it has led them again and again so to present incidents antagonistic to their purpose that the real truth is not told. Many paragraphs in support of this statement may readily be selected. We respect their purpose, but it has far misled the authors; so that, to put it briefly, the book is simply not a history of the country.

CAUSE OF STRIFE

The preconceived purpose to write a book that will cultivate a large patriotism has led these authors so to deal with the elements of strife between the North and South as to make it appear that no guilt or blame attached to either party; that all differences arose naturally and innocently; that the war itself was the logical outcome of circumstances of growth and development for which the parties engaged were not responsible; and that it was not the result of any such hostile feeling on the one side as any principle required the other to return in kind. The preface, to which allusion has been especially made, and such paragraphs as 416, 519, etc., for example, sufficiently illustrate our meaning. The book is clearly

in error as to some very important matters, as, for instance, in 550; but it is with respect to and in consequence of the effort to carry out the apparently commendable purpose with which it is written, that we are compelled to say that it presents a picture utterly inconsistent with the truth. Its principal errors thus concern matters of right and principle, as to which it is of the first and last importance that our children should be rightly informed, and so to absolutely forbid its use in our schools. The book is all the more pernicious because its authors pose as Southern men. Such may be the truth, but they certainly do not teach the truth of history. This so-called history does not anywhere mention the names of Generals Ewell, Hill, Cheatham, McLaws, Wheeler, Gordon, and Stephen D. Lee. Nor is there any record of the battles of Ball's Bluff, Gen. Lee's West Virginia campaign, Drewry's Bluff, Chantilly, Shepherdstown, Forrest's battle of Murfreesboro, Salem Church, Ewell's defeat of Milroy at Winchester. The defence of Fort Sumter for three years, the battle of Trevillian's Station, and numerous other heavy engagements are considered unworthy of notice by these Texas authors. The affair of the Merrimac and Monitor is misleading and inaccurate. The story of the campaign of Lee and Grant in 1864 is a model of inaccuracy. In fact, it is difficult to believe that such a compilation could be the work of Southern men.

LEE AND JONES.

Finally, with respect to the Lee and Jones histories. They have been re-examined by members of the committee, and while we still regard them as the best so far published, we are glad to know that new editions of them have been or are to be issued, and we recommend to the authors and publishers such careful improvements in style and arrangement as their great merits deserve. A much improved edition of the first has just come to hand. We regard both of them, however, as insufficient for the higher classes in our schools and for collegiate use.

Accordingly, we offer for your adoption the following resolutions:
Resolved, 1. That this committee, after due examination and

consideration of the merits of the several histories recently put upon the list by the State Board of Education for use in the public schools of Virginia, earnestly protests against the retention on the list of the history by Professor John Fiske, of Cambridge, Mass., and of Cooper, Estill and Lemon's "Our Country," and urge that the said histories be eliminated from said list.

2. That we likewise earnestly urge that the histories objected to above be not taught in the private schools of the State, and that we appeal to the parents of the school children of Virginia to aid in securing their exclusion.

3. That in our judgment, we cannot now use Northern histories in Southern schools; and in action upon this resolution we invite the co-operation of the other Grand Camps of the South.

4. That it is recommended to our "Confederate Camps" to inquire into the cost and expediency of publishing and circulating throughout the State such a sketch of the errors that have been and now are being promulgated in Virginia as will rouse the young people falsely taught during past years to attempt their own re-education.

BOOKS TO READ.

5. And, as a suggestion to the library committee of our various camps, that we recommend the reading of the following books and papers:

"The Origin of the Late War," by Mr. George Lunt, an attorney of Boston, published in 1866 (Appleton & Co.); a book to be read by our people, even at cost of steps to be taken to secure its republication.

Lieutenant-Colonel Henderson's "Campaigns of Stonewall Jackson," the new edition of which it is hoped will be easily within our reach.

Hon. J. L. M. Curry's "Southern States and Constitution," and also some of the very valuable works of Mr. John C. Ropes, of Boston.

6. That the Grand Camp of the Confederate Veterans of Virginia earnestly appeal to all the other camps in the South to demand the elimination of all false histories from public and private

schools; that they appoint committees, whose duty it shall be to see that this is done; to urge the Sons of Veterans and Daughters of the Confederacy to co-operate with them in this holy work, and to remember that unless this effort is made that the curse that belongs to those who dishonor father and mother will belong to them.

All of which is respectfully submitted,

HUNTER MCGUIRE,

Chairman.



W. L. Christian

REPORT

BY

JUDGE GEORGE L. CHRISTIAN,

Acting Chairman.

OCTOBER 11, 1900.

- I. The Right of Secession Established by
Northern Testimony.
- II. The North the Aggressor in Bringing on
the War, Established by Their
Own Testimony.

REPORT OF OCTOBER 11, 1900

To the Grand Camp of Confederate Veterans of Virginia:

Some time in July last, Dr. Stuart McGuire, seeing that his father, Dr. Hunter McGuire, the able and distinguished Chairman of this Committee, was permanently disabled for longer discharging the duties devolving on him, sent his resignation to your Commander. A meeting of this Committee was promptly called, and it was the unanimous opinion of the members present that the resignation should not be accepted, but that some member of the Committee should be designated to write the report for this meeting. I was designated by the Commander for the performance of this important task.

Fully recognizing then, as I do now, both my inability and the lack of time at my command, for the proper discharge of the duty thus assigned me, I earnestly asked to be excused from the undertaking, and nothing but my devotion, both to Dr. McGuire and the Confederate cause, could have induced me to consent to undertake a work for which I felt so poorly prepared.

Since that time, the Hand that strikes no erring blow has taken from us our able and beloved Chairman, and he now sleeps in beautiful Hollywood. I have no words to express the personal loss I feel at this calamity, and I know that you, and each of you, share with me in these feelings. Distinguished both in war and in peace for ability and fidelity to every trust, there was nothing for which he was more distinguished, than his love and fidelity to our cause, and to those who fought to sustain it. He is lost to us as counsellor and friend; he is lost to us as our leader in labor for the truth. I am here not to supply his place. No one can know, as I do, how unequal I am to such an undertaking; but I am here to try, as best I may, to carry out the plans he had formed, to obey his instructions, all unconsciously given. I persuade myself that in this attempt I shall have your kind indulgence.

SOUTH NOT THE AGGRESSOR.

The evening before Dr. McGuire was stricken with the malady which forever incapacitated him for any earthly service, I was with him, and as was frequently the case, we were talking about the war. In the course of the conversation, he alluded to the Report of last year, and feelingly expressed his just pride in the way you received it. He then said: "I am already making preparations for my next Report. I intend in that to vindicate the South from the oft-repeated charge that we were the aggressors in bringing on the war"; and he then added: "This will be my last 'labor of love' for the dear Southern people." Within less than twenty hours from the time that sentence was spoken, the splendid intellect that conceived it was a mournful wreck, and the tongue which gave it utterance was paralyzed.

My task, therefore, is to show that your Chairman was right in saying that the South was not the aggressor in bringing on the war; that, on the contrary, we did all that honorable men could do in the vain attempt to avert it—all that could be done without debasing the men and women of the South with conscious disgrace, and leaving to our children a heritage of shame; and I shall further prove that the Northern people, with Abraham Lincoln at their head, brought on the war by provocation to war and by act of war; and that they were and are, therefore, directly responsible for all the multiplied woes which resulted therefrom. In doing this, I shall quote almost exclusively from Northern sources; and, whilst I cannot hope to bring to your attention at this late day anything new, I do hope, by reiterating and repeating some of the old facts, I shall be able to revive impressions which may have faded from the minds of some: I shall hope, too, to reach the many, many others, especially the young, who have been the victims of false teaching with respect to these facts, or have had no opportunity, or, perhaps, little disposition, to become familiar with them.

REASONS FOR SUCH PAPERS.

It is well to set forth the reasons that actuate us in preparing such papers as these. These reasons were presented with great

force in the Report of 1899. Now, as then, they are found in the fact that the denials or perversions of the truth are sown broadcast all over the literature of the North. Not only does this characterize their permanent histories, as then shown with such clearness of criticism and cogency of reply, but their story-writings, their periodicals and transient newspaper publications—all, are vehicles, to a degree at least, of misrepresentation on these points. Their worthiest orators and writers have dared to tell the truth on important points, but the literature we have described is that which reaches the haphazard reader and permeates the South as well as the North. The Grand Army of the Republic contains many brave men. We have met them with arms in their hands. It contains others whose weapons of warfare are opprobrious epithets and denunciatory resolutions. This is a matter of annual display. Annually the Northern public is again misled, and its day of repentance is postponed. The men of the South are, therefore, constrained to make record of the truth. I proceed then to restate my purpose, which is to show *that the South did not, and that the North did inaugurate the war*. Before proceeding to the direct discussion of this question, and because the right of a State to secede from the Union was the real issue involved in the conflict, and the proximate cause thereof, I think it pertinent to inquire particularly, in what special locality, if in any, this doctrine originated? By whom, if by either party rather than the other, it was most emphatically taught? and especially which, if in either section, the threat of the application for the dissolution of the Union was first, most frequently and most ominously heard? In pursuing this inquiry, and adhering to our plan of calling the North to witness, let us ask first, What was the opinion of Northern and other unprejudiced writers on this question both prior to and since the war? Of course, we know that the right of a State to secede was commonly held by the statesmen of the South, and we venture the assertion that no unprejudiced mind can to-day read the history of the adoption of the Constitution and the formation of this government under it without being convinced that the right of secession as exercised by the South did exist.

THE RIGHT OF SECESSION.

A distinguished English writer says:

“I believe the right of secession is so clear, that if the South had wished to do so, for no better reasons than that it could not bear to be beaten in an election, like a sulky school-boy out of temper at not winning a game, and had submitted the question of its right to withdraw from the Union to the decision of any court of law in Europe, she would have carried her point.”

Indeed, the decision of this question might, with propriety, and doubtless would, have rested for all time on the principles enunciated in the Virginia and Kentucky resolutions of 1798 and '99, and the report of Mr. Madison on these resolutions. The Virginia resolutions and report were drawn by Mr. Madison, the “father of the Constitution”; and those of Kentucky by Mr. Jefferson, the author of the Declaration of Independence.

These principles, emanating from these “master-builders,” would as we have said, have settled the rights of the States on this question forever, but for the fact, as Mr. Henry Cabot Lodge, of Massachusetts, tells us, that the North was controlled by *expediency*, and not by *principle*, in the consideration of them. These resolutions, when adopted by Virginia and Kentucky, were sent to the Northern Legislatures for their concurrence; and the distinguished Senator from Massachusetts, from whom we are quoting says in terms, in his Life of Webster, that when the resolutions were thus submitted, “they were not opposed on *constitutional grounds*, but only on those of *expediency* and hostility to the revolution they were considered to embody.” That they did not, and could not, cite any constitutional principle as ground for their rejection, only they held that the revolution involved in their application was at that time *inexpedient*. In other words, *it did not pay* the New England States to endorse the principles of those resolutions then; but when they thought they were being oppressed by the Federal Government a few years later (as we shall presently see), they were not only ready to endorse these resolutions, *but actually threatened to secede from the Union.*

TWO PERTINENT QUESTIONS.

But I wish to advance a step further in the argument, and inquire:

- (1) *Where the doctrine of secession originated? and*
- (2) *What distinguished Northern statesmen have said of the right, both before and since the war?*

Here we may properly add the clear statement of an able Northern writer, who declares his opinion (presently to be quoted in full) that at the time the Constitution was accepted by the States, *there was not a man in the country who doubted the right of each and every State peaceably to withdraw from the Union.* In fact, we may at once answer our first inquiry by saying that the doctrine of secession *originated* in neither section, but was recognized at the first as underlying the Constitution and accepted by all parties. In confirmation of this view, but particularly with respect to the region of its earliest, most frequent, most emphatic and most threatening assertion, we proceed to show further, that a recent Northern writer has used this language:

“A popular notion is that the State-rights—secession or disunion doctrine—was originated by Calhoun, and was a South Carolina heresy. But that popular notion is wrong. According to the best information I have been able to acquire on the subject, the State-rights, or secession doctrine, was originated by Josiah Quincy, and was a *Massachusetts heresy.*”

This writer says Quincy first enunciated the doctrine in opposing the bill for the admission of what was then called the “Orleans Territory” (now Louisiana) in 1811, when he declared that “if the bill passed and that territory was submitted, the act would be subversive of the Union, and the several States would be freed from their federal bonds and obligations; and that, *as it will be the right of all (the States), so it will be the duty of some to prepare definitely for a separation, amicably if they can, violently if they must.*”

Whilst this author may be right in characterizing the development of the doctrine, and fixing this right as a “Massachusetts

heresy," he is wrong in fixing upon its first progenitor, and in saying that the date of its birth was as late as 1811; for in 1803, one Colonel Timothy Pickering, a senator from Massachusetts, and Secretary of State in the Cabinet of John Adams, complaining of what he called "the oppression of the aristocratic Democrats of the South," said, "I will not despair; I will rather anticipate a new confederacy." . . . "That this can be accomplished without spilling one drop of blood I have little doubt." . . . "*It must begin with Massachusetts.* The proposition would be welcomed by Connecticut; and could we doubt of New Hampshire? But New York must be associated; and how is her concurrence to be obtained? She must be made the center of the confederacy. Vermont and New Jersey would follow, of course; and Rhode Island of necessity."

THE HARTFORD CONVENTION.

In 1814, the Hartford Convention was called and met in consequence of the opposition of New England to the war then pending with Great Britain. Delegates were sent to this Convention by the Legislatures of Massachusetts, Rhode Island and Connecticut, and several counties and towns from other Northern States also sent representatives. This Convention, after deliberating with closed doors on the propriety of withdrawing the States represented in it from the Union, published an address, in which it said, among other things:

"If the Union be destined to dissolution . . . it should, if possible, be the work of peaceable times and deliberate consent. . . . Whenever it shall appear that the causes are radical and permanent, a separation by equitable arrangement will be preferable to an alliance by constraint among nominal friends, but real enemies."

In 1839, Ex-President John Quincy Adams, in an address delivered by him in New York, said:

"The indissoluble link of union between the people of the several States of this confederated nation is, after all, not *in the right*, but in the heart. If the day should ever come (may Heaven avert

it) when the affections of the people of these States shall be alienated from each other, the bonds of political association will not long hold together parties no longer attracted by the magnetism of consolidated interests and kindly sympathies; *and far better will it be for the people of the disunited States to part in friendship with each other than to be held together by constraint.*"

This same man presented to Congress the first petition ever presented in that body for a dissolution of the Union.

Mr. William Rawle, a distinguished lawyer and jurist of Pennsylvania, in his work on the Constitution, says:

"It depends on the State itself to retain or abolish the principle of representation, because it depends on itself *whether it will continue a member of the Union.* To deny this right would be inconsistent with the principles on which all our political systems are founded, which is that the people have in all cases a right to determine how they will be governed."

In the case of the *Bank of Augusta against Earle*, 13 Peters, 590-592, it was decided by the Supreme Court of the United States the same year in which Mr. John Quincy Adams made his speech above quoted from that—

"They are *sovereign States.* . . . We think it well settled (says the Court) that by the law of comity among nations a corporation created by one sovereign is permitted to make contracts in another, and to sue in its courts, and that the same law of comity prevails among the several *sovereignties* of this Union."

Shortly after the nomination of General Taylor, a petition was actually presented in the Senate of the United States, "asking Congress to devise means for the dissolution of the Union." And the votes of Messrs. Seward, Chase and Hale were recorded in favor of its reception.

In 1844, the Legislature of Massachusetts attempted to coerce the President and Congress by the use of this language:

"The project of the annexation of Texas, unless arrested on the threshold, may tend to drive these States (New England) into a dissolution of the Union."

Daniel Webster (the great "expounder of the Constitution," as

he is called), notwithstanding his famous reply to Mr. Hayne, delivered in 1830, in which he so ingeniously denied the right of a State to determine for itself when its constitutional powers were infringed, and also that the Constitution was a compact between sovereign States, and contended that the power to determine the constitutionality of the laws of Congress was lodged only in the Federal Government, in a speech delivered at Capon Springs, Virginia, in 1851, used this language:

“If the South were to violate any part of the Constitution intentionally and systematically, and persist in so doing from year to year, and no remedy could be had, would the North be any longer bound by the rest of it; and if the North were deliberately, habitually and of fixed purpose to disregard one part of it, would the South be bound any longer to observe its other obligations? . . . How absurd is it to suppose that when different parties enter into a compact for certain purposes, either can disregard any one provision and expect nevertheless the other to observe the rest! . . . A bargain cannot be broken on one side and still bind the other.”

He said, in a speech delivered at Buffalo, N. Y., during the same year:

“The question, fellow-citizens, (and I put it to you as the real question)—the question is, Whether you and the rest of the people of the great State of New York and of all the States, will so adhere to the Union—will so enact and maintain laws to preserve that instrument—that you will not only remain in the Union yourselves, but permit your Southern brethren to remain in it and help to perpetuate it.”

How different is the language above quoted from Mr. Webster in his Capon Springs speech from the proposition as stated by Mr. Lincoln in his first inaugural, when he says:

“One party to a contract may violate it—break it, so to speak—but does it not require all to lawfully rescind it?”

But, what more could be expected of Mr. Lincoln, when it is well known that he held that the relation of the States to the Union was the same as that which the counties bear to the States of which they respectively form a part?

HIS REPLY TO HAYNE.

Those who deny the right of secession are fond of quoting as their authority extracts from Mr. Webster's reply to Mr. Hayne, made in 1830. It is worthy of note that the Capon Springs and Buffalo speeches were made in 1851; and these last are the product of his riper thinking—his profounder reflections. He had evidently learned much about the Constitution in the twenty-one years that had intervened, and in his maturer years, was indeed speaking as a statesman, and not only as an advocate, as he did in 1830.

But it is all-important to remember that Mr. Webster nowhere in this whole speech refers to *the right of secession*. His whole argument in this connection, is against the right of *nullification*, another and very different thing; but one which, as we will presently show, was *actually being exercised* by fourteen out of the sixteen Free States in 1861.

In 1855, Senator Benjamin F. Wade, of Ohio (afterwards, as we know, one of the most notorious South-haters), said in a speech delivered in the United States Senate:

“Who is the judge in the last resort of the violation of the Constitution of the United States by the enactment of a law? Who is the final arbiter, the General Government or the States in their sovereignty? Why, sir, to yield that point is to yield up all the rights of the States to protect their own citizens, and to consolidate this government into a miserable despotism.”

And he further said on the 18th of December, 1860:

“I do not so much blame the people of the South, because I think they have been led to believe that we to-day, the dominant party, who are about to take the reins of government, are their mortal foes, and stand ready to trample their institutions under foot.”

And notwithstanding the expression of these sentiments, we know, as we say, that this man became one of the most ardent supporters of the “miserable despotism” established by Abraham Lincoln, and became the second officer in that “despotism” on the assassination of Mr. Lincoln.

DOCTRINE HELD BY GREELEY.

On the 9th of November, 1860, Mr. Horace Greeley, the great apostle of the Republican party, and who was often referred to during Mr. Lincoln's administration as the "power behind the throne—greater than the throne itself"—said in his paper, the *New York Tribune*:

"If the Cotton States consider the value of the Union debatable, we maintain their perfect right to discuss it; nay, we hold with Jefferson, to the inalienable right of communities to alter or abolish forms of government that have become oppressive or injurious; and if the Cotton States decide that they can do better out of the Union than in it, we insist on letting them go in peace. *The right to secede may be a revolutionary one, but it exists nevertheless*; and we do not see how one party can have a right to do what another party has a right to prevent."

On the 17th of December, 1860, just three days before the secession of South Carolina, he again said in the *Tribune*:

"If it (the Declaration of Independence) justified the secession from the British Empire of three millions of colonists in 1776, we do not see why it would not justify the secession of five millions of Southrons from the Federal Union in 1861. If we are mistaken on this point, why does not some one attempt to show wherein and why?"

Again, on February the 23rd, 1861, five days after the inauguration of President Davis at Montgomery, he said:

"We have repeatedly said, and we once more insist, that the great principle embodied by Jefferson in the Declaration of American Independence—that governments derive their just powers from the consent of the governed—is sound and just, and if the Slave States, the Cotton States, or the Gulf States only, choose to form an independent nation, they have a clear moral right to do so."

And we know that this man was one of the foremost of our oppressors during the war, although his kindness to Mr. Davis and others after the war, we think, showed that *he knew he had done wrong*. And yet, he had the audacity (and may we not justly add

mendacity, too?) to say, after the war, that he never at any moment of his life had "imagined that a single State, or a dozen States, could rightfully dissolve the Union." Comment is surely unnecessary.

On November the 9th, 1860, the *New York Herald* said:

"Each State is organized as a complete government, holding the purse and wielding the sword; possessing the right to break the tie of the confederation as a nation might break a treaty, and to repel coercion as a nation might repel invasion. . . . Coercion, if it were possible, is out of the question."

Both President Buchanan and his Attorney-General, the afterwards famous Edwin M. Stanton, decided about the same time that there was no power under the Constitution to coerce a seceding State.

SENTIMENT IN THE NORTH.

But this "Massachusetts heresy," as the writer before quoted from calls the right of secession, was not only entertained, as we have shown, at the North before the war, but has been expressed in the same section in no uncertain terms long since the war. In an article by Benjamin J. Williams, Esq., a distinguished writer of Massachusetts, entitled "Died for Their State," and published in the *Lowell Sun* of June 5th, 1886, he says, among other things:

"When the original thirteen Colonies threw off their allegiance to Great Britain, they became independent States, independent of her and of each other." . . . "The recognition was of the States separately, each by name, in the treaty of peace which terminated the war of the Revolution. And that this separate recognition was deliberate and intentional, with the distinct object of recognizing the States as separate sovereignties, and not as one nation, will sufficiently appear by reference to the sixth volume of Bancroft's History of the United States. The Articles of Confederation between the States declared, that 'each State retains its sovereignty, freedom and independence.' And the Constitution of the United States, which immediately followed, was first adopted by the States in convention, each State acting for itself, in its sovereign and in-

dependent capacity, through a convention of its people. And it was by this ratification that the Constitution was established, to use its own words, 'between the States so ratifying the same.' It is then a compact between the States as sovereigns, and the Union created by it is a federal partnership of States, the Federal Government being their common agent for the transaction of the Federal business within the limits of the delegated powers."

LAW OF CO-PARTNERSHIPS.

This able writer then illustrates the compact between the States by the principles of law governing ordinary co-partnerships, just as Mr. Webster did. And he then says:

"Now, if a partnership between persons is purely voluntary, and subject to the will of its members severally, how much more so is one between sovereign States? and it follows that, just as each, separately, in the exercise of its sovereign will, entered the Union, so may it separately, *in the exercise of that will, withdraw therefrom.* And further, the Constitution being a compact, to which the States are parties, 'having no common judge,' 'each party has an equal right to judge for itself, as well of infractions as of the mode of measure and redress,' as declared by Mr. Jefferson and Mr. Madison in the celebrated resolutions of '98, *and the right of secession irresistibly follows.*"

"But aside from the doctrine either of partnership or compact, upon the ground of State sovereignty pure and simple, does the right of *secession impregnably rest.*"

We have quoted thus fully from this writer not only because he is a Northern man, but because he has stated both the facts and the principles underlying the formation of the Union, and the rights of the States therein, with an accuracy, clearness and force, that cannot be surpassed.

But again: In his life of Webster, published in 1899, Mr. Henry Cabot Lodge, from whom we have before quoted, and who is at this time one of the distinguished senators from Massachusetts, uses this language in speaking of Mr. Webster's reply to Mr. Hayne. He says:

“The weak places in his (Webster’s) armor were historical in their nature. It was probably necessary (at all events Mr. Webster felt it to be so) to argue that the Constitution at the outset was not a compact between the States, but a national instrument, and to distinguish the cases of Virginia and Kentucky in 1799, and of New England in 1814, from that of South Carolina in 1830. The former point he touched upon lightly; the latter he discussed ably, eloquently and at length. *Unfortunately the facts were against him in both instances.*”

And in this connection, Mr. Lodge then uses this language:

“When the Constitution was adopted by the votes of the States at Philadelphia, and accepted by the votes of the States in popular convention, it is safe to say that there was not a man in the country, from Washington and Hamilton on the one side to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered into by the States, *and from which each and every State had the right peaceably to withdraw—a right which was very likely to be exercised.*”

Mr. James C. Carter, now of New York, but a native of New England, and perhaps the most distinguished lawyer in this country to-day, in a speech delivered by him at the University of Virginia, in 1898, said:

“I may hazard the opinion that if the question had been made, not in 1860, but in 1788, immediately after the adoption of the Constitution, whether the Union as formed by that instrument could lawfully treat the secession of a State as rebellion, and suppress it by force, few of those who participated in forming that instrument would have answered in the affirmative.”

NORTH’S ATTITUDE SINCE THE WAR.

And we should never forget this pregnant and, we think, conclusive fact in regard to this question, namely: the conduct of the North after the war in regard to Mr. Davis, General Lee, and others of our leaders. As is well known, Mr. Davis was indicted three times in their own courts upon charges which directly and necessarily involved a decision of the right of a State to secede from the

Union. Immediately on the finding of these indictments, he (through his eminent Northern as well as Southern counsel) appeared at the bar of the court and demanded a speedy trial, in order that he might judicially vindicate his course and that of his people before the world. This right of trial was postponed by the Federal Government for nearly three years. During two of these years, he was confined in a casemate at Fortress Monroe and subjected to indignities and tortures, by which it was attempted to break the spirit of the distinguished captive; and at the same time to degrade the people whom he represented, and for whom he was a vicarious sufferer. It is hardly necessary to say, that this conduct is to-day universally regarded as not only unworthy of the representatives of the government which held Mr. Davis as its prisoner, but that it has made a page in its history of which it ought to be, and we believe is, ashamed.

When at last the Government consented to try the case, it declined to meet the question involved, in its own chosen tribunal; and having been advised by the best lawyers and statesmen at the North that the decision must be against the North and in favor of the South, in order to evade the issue, Chief Justice (Chase) himself suggested a technical bar to the prosecution, which was adopted and the cases dismissed. The South was entirely in the power of the North, and could do nothing but accept this, their own confession that they were wrong and that the South was right.

CRUEL, WICKED, RELENTLESS WAR.

And so we say, our comrades, that just because the States of the South did, in the most regular and deliberate way, exercise their constitutional and legal right to withdraw from a compact which they had never violated, but which the Northern States had confessedly violated time and again, a right which, as we have seen, was not only recognized by the leading statesmen of the North, but which it had threatened on several occasions to put into execution—we say, just because the Southern States did take this perfectly legal step in a legal way, these same people of the North, with Abraham Lincoln as their head, proceeded, as we shall pres-

ently show, without warrant of law or justice, to inaugurate and wage against the South one of the most cruel, wicked and relentless wars of which history furnishes any record or parallel. Is there wonder, then, that the representatives of the Grand Army of the Republic would have us be silent about the facts which we have referred to, and not teach the truths of this history to our children, *when we thus condemn them out of their own mouths?*

But we come now to consider, who were the aggressors who inaugurated this wicked war?

We think it important to make this inquiry, for the reasons already given, and because we apprehend there is a common impression that inasmuch as the South fired the first gun at Fort Sumter, it really thereby brought on the war, and was hence responsible for the direful consequences which followed the firing of that first shot. *Nothing could be further from the truth.* Mr. Hallam, in his Constitutional History of England, states a universally recognized principle, when he says:

“The aggressor in a war (that is, he who begins it) is not the *first who uses force*, but the *first who renders force necessary.*”

Now which side, according to this high authority, was the aggressor in this conflict? Which side was it that *rendered the first blow necessary?*

WHAT MR. STEPHENS SAYS.

Says Mr. Stephens, in his “War Between the States”: “I maintain that it (the war) was inaugurated and begun, though no blow had been struck, when the hostile fleet, styled the “Relief Squadron,” with eleven ships carrying two hundred and eighty-five guns and two thousand four hundred men, was sent out from New York and Norfolk, with orders from the authorities at Washington to reinforce Fort Sumter, peaceably if permitted, *but forcibly if they must.*”

He further says:

“The war was then and there inaugurated and begun by *the authorities at Washington.* General Beauregard did not open fire upon Fort Sumter until this fleet was to his knowledge, very near

the Harbor of Charleston, and until he had enquired of Major Anderson, in command of the Fort, whether he would engage to take no part in the expected blow, then coming down upon him from the approaching fleet?"

Governor Pickens and General Beauregard had been notified from Washington of the approach of this fleet, and the objects for which it was sent, but this notice did not reach them (owing to the treachery and duplicity of Mr. Lincoln and Mr. Seward, practiced on the Commissioners sent to Washington by the Confederate Government, which, are enough to bring the blush of shame to the cheek of every American citizen,) until the fleet had neared its destination. But Anderson refused to make any promise, and when he did this, *it became necessary* for Beauregard to reduce the fort as he did. Otherwise his command would have been exposed to two fires— one in front and the other in the rear.

SEWARDS TREACHERY AND DUPLICITY.

I wish I had the time to give here the details of this miserable treachery and duplicity practiced on the Confederate Commissioners by Mr. Seward, with, as he says, the knowledge of Mr. Lincoln. These gentlemen had been sent to Washington, as they stated in their letter to Mr. Seward, to treat with him, "with a view to a speedy adjustment of all questions growing out of this political separation, upon such terms of amity and good will as the respective interests, geographical contiguity and future welfare of the two nations may render necessary."

I can only state that although Mr. Seward refused to treat with the Commissioners directly, he did so through the medium of Justices Campbell and Nelson, of the Supreme Court of the United States; that through these intermediaries the Commissioners were given to understand that Fort Sumter would be evacuated within a few days, *and they were kept under that impression up to the 7th of April, 1861, although during that interval of twenty-three days the "Relief Squadron" was being put in readiness for reinforcing Sumter. And even on that date (the day after the Squadron was ordered to sail) Mr. Seward wrote Judge Campbell, "Faith as to*

Sumter fully kept; wait and see," when he must have known that nothing was further from the truth, and as events then transpiring conclusively showed. Judge Campbell wrote two letters to Mr. Seward, setting out all the details of the deception practiced on the Commissioners through him and Justice Nelson, and asked an explanation of his conduct. But no explanation was ever given, *simply because there was none that could be given.* And Mr. Seward's own memorandum, made by him at the time, shows that he was acting all through this matter with the knowledge and approval of Mr. Lincoln. History affords but few parallels, if any, to such base conduct on the part of those occupying the high and responsible positions then held by these men. The only excuse that can be given for this conduct, is that *they regarded it as a legitimate deception to practice in a war which they had then already inaugurated.*

LINCOLN ADMINISTRATION RESPONSIBLE.

Mr. George Lunt of Massachusetts, in speaking of the occurrences at Fort Sumter, uses this cautiously framed language, as the question of which side commenced the war is one about which the North is very sensitive. As we know, on the 7th of April, 1861, President Davis said:

"With the Lincoln administration rests the responsibility of precipitating a collision and the fearful evils of protracted civil war."

And so Mr. Lunt says:

"Whether the appearance of this fleet (the Relief Squadron) under the circumstances could be considered a pacific or hostile demonstration may be left to inference. Whether its total inaction during the fierce bombardment of the fort and its defenses continued for days, and until its final surrender, justly bears the aspect of an intention to avoid the charge of *aggression*, and to give the whole affair the appearance of *defense* merely, may also be referred to the judgment of the reader."

The question also occurs, he says—

"Whether this sudden naval demonstration was not a palpable violation of the promised 'faith as to Sumter fully kept,' *as to be*

an *unmistakable menace of 'aggression,' if not absolute aggression itself.*"

And he further says:

"It should also be considered that when the fleet came to anchor off Charleston bar, it was well known that many other and larger vessels of war, attended by transports containing troops and surf boats, and all the necessary means of landing forces, had already sailed from Northern ports—'destination unknown'—and that very considerable time must have been requisite to get this expedition ready for sea, during the period that assurances had been so repeatedly given of the evacuation of the fort.

"It bore the aspect certainly of a manœuvre, which military persons, and sometimes, metaphorically, politicians, denominate '*stealing a march.*'"

He says further on:

"It was intended to 'draw the fire' of the Confederates, and was a *silent aggression*, with the object of producing an *active aggression* from the other side."

This very cautious statement from this Northern writer, clearly makes the Lincoln Government the REAL AGGRESSOR, under the principle before enunciated by Mr. Hallam.

Mr. Williams, the Massachusetts writer before quoted from, says:

"There was no need for war. The action of the Southern States was legal and constitutional, and history will attest that it was reluctantly taken in the last extremity, in the hope of thereby saving their whole constitutional rights and liberties from destruction by Northern aggression, which had just culminated in triumph at the Presidential election by the union of the North against the South."

And he says further on:

"The South was invaded, and a war of subjugation, destined to be the most gigantic which the world has ever seen *was begun by the Federal Government* against the seceding States, in complete and amazing disregard of the foundation principle of its own existence, as affirmed in the Declaration of Independence, that 'Governments derive their just powers from the consent of the governed,'"

and as established by the war of the Revolution for the people of the States respectively. The South accepted the contest thus *forced upon her*, with the eager and resolute courage characteristic of her proud-spirited people."

But I propose to show further that this war did not really begin with the sailing of that Northern fleet, and certainly not at Fort Sumter; and that the *first blow* was actually struck by John Brown and his followers, as the representatives of the abolitionists of the North, *in October, 1859, at Harper's Ferry, Va.*

THE JOHN BROWN RAID.

A Northern writer says of the "John Brown Raid":

"Of course, a transaction so flagitious, with its attendant circumstances, affording such unmistakable proof of the spirit by which no small portion of the Northern population was actuated, could not but produce the profoundest impression upon the people of the South. *Here was an open and armed aggression*, whether clearly understood and encouraged beforehand, certainly exulted in afterwards, by persons of a very different standing from that of the chief actor in this bloody incursion into a peaceful State."

John Brown and his associates did attempt insurrection, and *did commit murder* in that attempt, upon the peaceful, harmless citizens of Virginia, and he expiated these, among the highest crimes known to the law, upon a felon's gallows. How was that execution received at the North? And in what way did the representatives of the Republican party endorse and adopt as their own the conduct of this felon in his outrages, his "first blow" struck against the South? We will let the same Northern writer tell. He says:

"In the tolling of bells and the firing of minute guns upon the occasion of Brown's funeral; the meeting-houses were draped in mourning as for a hero; the prayers offered; the sermons and discourses pronounced in his honor as for a saint."

Two of Brown's accomplices were fugitives from justice, one in the State of Ohio, and the other in that of Iowa. Requisitions were

issued for them by the Governor of Virginia; and the Governor of each of these Northern States refused to surrender the criminal, thus making themselves, and the people they represented, to a degree at least, *particeps criminis*. And the newspapers have recently informed us that the present Chief Magistrate of this nation, and the head of the same party, which deified John Brown, and approved of his crimes, has visited and stood "uncovered" at his grave, as if he still recognized him as the "forerunner" of him whom they term the "Savior of the Country"; so we regard, and rightly regard, his attempted insurrection, as the legitimate forerunner of the cruel, illegal and unjustifiable war, inaugurated and waged by Mr. Lincoln against the South.

AGGRESSIONS OF THE NORTH.

But we advance still a step further in the argument, to show from Northern authorities alone still other *aggressions* of the North against the South, *in bringing on this war*. In his speech, entitled "Under the Flag," delivered in Boston, April 21st, 1861, Wendell Phillips used this language, which we are persuaded, is the opinion of many misinformed people to-day, both at the North and at the South. He says:

"For thirty years the North has exhausted conciliation and compromise. They have tried every expedient; they have relinquished every right, they have sacrificed every interest, they have smothered keen sensibility to national honor, and Northern weight and supremacy in the Union; have forgotten they were the majority in numbers and in wealth, in education and in strength; have left the helm of government and the dictation of policy to the Southern States," &c.

We propose to show, from *the highest Northern sources*, that so far from the above statement being true, it is *exactly the opposite of the truth*.

Gen'l John A. Logan, afterwards a Major-General in the Federal Army, a United States Senator and a candidate for the Vice-Presidency on the Republican ticket, in a speech delivered in the House of Representatives, on the 5th of February, 1861, uses this language:

“The Abolitionists of the North have constantly warred upon Southern institutions, by incessant abuse from the pulpit, from the press, on the stump, and in the halls of Congress denouncing them as a sin against God and man . . . By these denunciations and lawless acts on the part of Abolition fanatics such results have been produced as to drive the people of the Southern States to a sleepless vigilance for the protection of their property and the preservation of their rights.”

The Albany *Argus* of November 10th, 1860, said:

“We sympathize with, and justify the South as far as this: their rights have been invaded to the extreme limit possible within the forms of the Constitution; and beyond this limit, their feelings have been insulted, and their interests and honor assailed by almost every possible form of denunciation and invective; and if we deemed it certain that the real animos of the Republican party could be carried into the administration of the Federal Government, and become the permanent policy of the nation, we should think that all the instincts of self-preservation and of manhood, rightly impelled them to resort to revolution and a separation from the Union, and we would applaud them, and wish them God-speed in the adoption of such a remedy.”

The Rochester *Union*, two or three days later, said:

“Restricting our remarks to actual violations of the Constitution, the North has led the way, and for a long period has been the sole offender or aggressor.” . . . “Owing to their peculiar circumstances, the Southern States cannot retaliate upon the North *without taking ground for secession.*”

STARTED BY MR. SEAWARD.

The New York *Express* said, on April 15th, 1861, (the day after the surrender of Sumter):

“The ‘Irrepressible conflict’ started by Mr. Seward, and endorsed by the Republican party, has at length attained to its logical foreseen result. That conflict undertaken ‘for the sake of humanity’ culminates now in inhumanity itself.” . . . “The people of the United States, it must be borne in mind, petitioned, begged and implored these men (Lincoln, Seward, *et id*), who are

become their accidental masters, to give them an opportunity to be heard before this unnatural strife was pushed *to a bloody extreme, but there petitions were all spurned with contempt,*" &c.

Mr. George Lunt, a Boston lawyer, in an able work, published in 1866, entitled "The Origin of the Late War," from which we have before quoted, says of the action of the Northern people :

"But by incessantly working on the popular mind, through every channel through which it could be possibly reached, a state of feeling was produced which led to the enactment of Personal Liberty bills by one after another of the Northern Legislative Assemblies. At length fourteen of the sixteen Free States had provided statutes which rendered any attempt to execute the fugitive slave act so difficult as to be practically impossible, and *placed each of those States in an attitude of virtual resistance to the laws of the United States.*"

If these acts were not *nullification*, what were they?

LINCOLN QUOTED AS PROOF.

We propose to introduce as our last piece of evidence that which it seems to us should satisfy the mind of the most critical and exacting, and which establishes, beyond all future cavil, which side was the aggressor in bringing on this conflict. We propose now to introduce *Mr. Lincoln himself*. In the latest life of this remarkable man, written by Ida M. Tarbell, and published by Doubleday & McClure Co. in 1900, she introduces a statement made to her by the late Joseph Medill, editor of the *Chicago Tribune*, of what took place between Mr. Lincoln and a Committee of which he (Medill) was a member, sent from Chicago to Washington, to intercede with the authorities there to be relieved from sending more troops from Cook county, as was required by the new draft just then ordered, and which, as we know produced riots in several parts of the North. The author makes Medill tell how his Committee first applied for relief to Mr. Stanton, and was refused, how they then went to Mr. Lincoln, who went with them to see Stanton again, and there listened to the reasons assigned *pro* and *con* for a change of the draft. He then says :

“I shall never forget how he (Lincoln) suddenly lifted his head and turned on us a black and frowning face:

“‘Gentlemen,’ he said, in a voice full of bitterness, ‘*After Boston, Chicago has been the chief instrument in bringing this war on the country.*’ The Northwest has opposed the South, as New England has opposed the South. It is you who are largely responsible for making blood flow as it has. You called for war until we had it. You called for emancipation, and I have given it to you. Whatever you have asked, you have had. Now you come here begging to be let off. You ought to be ashamed of yourselves. I have a right to expect better things of you. Go home and raise your 6,000 extra men.’”

And Medill adds that he was completely silenced by the truth of Lincoln’s accusation, and that they went home and raised the 6,000 additional troops. We could multiply testimony of this kind almost indefinitely; but surely we have introduced enough not only to prove that the statement made by Mr. Phillips is utterly without foundation, but to show further, by the testimony of our *quondam* enemies themselves, that they were the aggressors from every point of view, and that the South only resisted when, as the *New York Express* said of it at the time, it had, “in self-preservation, *been driven to the wall, and forced to proclaim its independence.*”

VIRGINIA’S EFFORTS FOR PEACE.

We can only briefly allude to the noble efforts made by Virginia, through the “Peace Congress,” to avert the conflict, and how these efforts were rejected almost with contempt by the North. Mr. Lunt, speaking of this noble action on the part of the “Mother of Presidents,” as he calls Virginia, says:

“It was like a firebrand suddenly presented at the portals of the *Republican Magazine*, and the whole energy of the radicals was at once enlisted to make it of no effect.”

Several of the Northern States sent no Commissioners to this Congress at all; others, like Massachusetts, only sent them at the last moment, and then sent only such as were known to be opposed to any compromise or conciliation.

The following letter of Senator Chandler, of Michigan, indicates too clearly the feelings of the Republican party at that time to require comment. It is dated February 11th, 1861, a week after Congress assembled, and addressed to the Governor of his State. He says:

“Governor Bingham (the other Senator from Michigan) and myself telegraphed to you on Saturday at the request of Massachusetts and New York, to send delegates to the Peace Compromise Congress. They admit that we were right and they were wrong, *that no Republican State should have sent delegates*; but they are here and can't get away. Ohio, Indiana and Rhode Island are caving in, and there is some danger of Illinois; and now they beg us, for God's sake to come to their rescue and save the Republican party from rupture. *I hope you will send stiff-backed men or none.* The whole thing was gotten up against my judgment and advice, and will end in thin smoke. Still I hope as a matter of courtesy to some of our erring brethren, that you will send the delegates.

“Truly your friend,

“Z. CHANDLER.”

“*His Excellency, Austin Blair.*”

“P. S.—Some of the Manufacturing States think that a *fight* would be awful. *Without a little blood-letting this Union will not, in my estimation, be worth a curse.*”

Mr. Lunt says:

“If this truly eloquent and statesmanlike epistle does not express the views of the Republican managers at the time, it does at least indicate with sufficient clearness their relations towards the ‘Peace Conference’ and the determined purpose of the radicals to have ‘a fight,’ and it furthermore foreshadows the actual direction given to future events.”

HELD OUT TO THE LAST.

But I cannot protract this discussion further. Suffice it to say, that Virginia, North Carolina, Tennessee and Arkansas did not secede until Mr. Lincoln had actually declared war against the seven Cotton and Gulf States, then forming the Southern Confed-

eracy, and called on these four States to furnish their *quota* of the seventy-five thousand troops called for by him to coerce these States. This act, on Mr. Lincoln's part, was without any real authority of law, and nothing short of the most flagrant usurpation, Congress alone having the power to declare war under the Constitution. He refused to convene Congress to consider the grave issues then confronting the country. When it did assemble, on the 4th of July, 1861, he tried to have his illegal usurpation validated; but Congress, although then having a Republican majority, refused to consider the resolution introduced for that purpose. The four States above named, led by Virginia, only left the union then, after exhausting every honorable effort to remain in it, and only when they had to determine to fight *with or against* their sisters of the South. This was the dire alternative presented to them, and how could they hesitate longer what to do?

In the busy, bustling, practical times in which we live, it will doubtless be asked by many, and, with some show of plausibility, why we gather up, and present to the world, all this array of testimony concerning a cause which is almost universally known as the "lost cause," and a conflict which ended more than thirty-five years ago? Does it not, they ask, only tend to rekindle the embers of sectional strife, and thus can only do harm? You, our comrades, know that such is not our purpose or desire. Our reasons have been very briefly stated. It is the truth that constrains. The apologists for the North, using all the vehicles of falsehood, are insistent in spreading the poison; with it the antidote must go. If others attribute to us wrong motives in this matter, we are sorry, but we have no apologies to make to any such. We admit that the Confederate war is ended; that slavery and secession are, forever dead, and we have no desire to revive them. We recognize, too, that this whole country is one country and our country. We desire that, government and people doing that which is right, it may become in truth a glorious land, and may remain a glorious inheritance to our children and our children's children. But we believe the true way to preserve it as such an inheritance is to perpetuate in it the principles for which the Confederate soldier fought—the principles

of Constitutional liberty, and of local self government— or, as Mr. Davis puts it, “the rights of their sires won in the Revolution, the State sovereignty, freedom and independence, which were left to us, as an inheritance, and to their posterity forever.” This definition, a distinguished Massachusetts writer says, is “the whole case, and not only a statement, but a complete justification of the Confederate cause, to all who are acquainted with the origin and character of the American Union.”

Yes, we repeat, this is our country, and of it, we would say, with Virginia’s dead Laureate at the Yorktown celebration :

“Give us back the ties of Yorktown,
Perish all the modern hates,
Let us stand together, brothers,
In defiance of the Fates,
For the safety of the Union
Is the safety of the States.”

At Appomattox, the Confederate flag was furled, and we are content to let it stay so forever. There is enough of glory and sacrifice encircled in its folds, not only to enshrine it in our hearts forever ; but the very trump of fame must be silenced when it ceases to proclaim the splendid achievements over which that flag floated.

BATTLE-FIELD, NOT A FORUM.

But Appomattox was not a judicial forum ; it was only a battle-field, a test of physical force, where the starving remnant of the Army of Northern Virginia, “wearied with victory,” surrendered to “overwhelming numbers and resources.” We make no appeal from that judgment, on the issue of force. But when we see the victors in that contest, meeting year by year and using the superior means at their command, to publish to the world, that they were *right* and that we were *wrong* in that contest, saying that we were “Rebels” and “traitors,” in defending our homes and firesides against their cruel invasion, that we had no legal right to withdraw from the Union, when we only asked to be let alone, and charge that we brought on that war ; we say, when these, and other wicked and false charges are brought against us from year to year, and the attempt is systema-

tically made to teach our children that these things are true, and, therefore, that we do not deserve their sympathy and respect because of our alleged wicked and unjustifiable course in that war and in bringing it on—*then it becomes our duty*, not only to ourselves and to our children, but to the thousands of brave men and women who gave their lives a “free-will offering” in defence of the principles for which we fought, to vindicate the justice of our cause, and to do this, we have to appeal only to the bar of truth and of justice.

THE TRUTH WILL LIVE.

We know the Muse of History may be, and often is, startled from her propriety for a time; but she will soon regain her equipoise. Our late enemy has unwittingly furnished the great reservoir from which the truth can be drawn, not only in what they have said about us and our cause, both before and since the war; but in the more than one hundred volumes of the official records published under the authority of Congress. We are content to await, “with calm confidence,” the results of the appeal to these sources.

We have, as already stated in this report, attempted to *vindicate our cause*, by referring to testimony furnished almost entirely from the speeches and writings of our adversaries, both before and since the war. *We believe we have succeeded in doing this.* Nay, the judgment, both of the justice of our cause, and the conduct of the war, on our part, has been written for us, and that too by the hand of a Massachusetts man. He says of us:

“Such exalted character and achievement are not all in vain. Though the Confederacy fell as an actual physical power, she lives illustrated by them, *eternally in her just cause—the cause of Constitutional liberty.*”

Then, in the language of Virginia’s Laureate again, we say:

“Then stand up, oh my countrymen,
 And unto God give thanks
 On mountains and on hillsides
 And by sloping river banks,
 Thank God, that you were worthy
 Of the grand Confederate ranks.”

Since your last year's Report was mainly directed to the vindication of our people from the false charge that we went to war to perpetuate slavery, we have thought we could render no more valuable service in this Report, than to show—(1) That we were right on the real question involved in the contest; and (2) That notwithstanding this, and the further fact, that the South had never violated the Constitution, whilst the North had confessedly repeatedly done so; nay, that fourteen of the sixteen Free States had not only nullified, but had *defied* acts of Congress passed in pursuance of the Constitution, and the decisions of the Supreme Court sustaining those acts, *and that the North, and not the South, had brought on the war.* We believe we have established these propositions by evidence furnished by our late adversaries; and the last, by that of Mr. Lincoln himself. On this testimony, we think we can afford to rest our case. And we believe that the evidence furnished in our last Report, and in this, *will establish* the justice, both of our cause and of the conduct of our people in reference to the war.

HISTORIES IN OUR SCHOOLS.

The several histories, used in schools, were so fully discussed in our last Report, that we deem it unnecessary to add anything further on that subject. We are gratified to be able to report that the two works adversely criticised in our last Report, viz.: Fiske's and Cooper, Estill & Lemon's Histories, respectively, have found but little favor with the School Boards of our State. This is shown by the fact that out of the 118 counties and corporations in the State but one has adopted Fiske's, and that one has purchased a supply of Jones' History to be used by the pupils in studying the history pertaining to the war. That Cooper, Estill & Lemon's History is now only used in six places; whilst all the other counties and corporations (with the exception of one, which uses Hantsell's) use either Mrs. Lee's or Dr. Jones' Histories, or the two conjointly, the relative use of these being as follows: Lee's, 68; Jones', 25; Lee and Jones, conjointly, 17.

It will thus be seen, that the danger apprehended from the use

of the two works criticised, is reduced to the minimum. But we must not be satisfied until that danger is entirely removed by the abolishment of these books from the list of those adopted for use by our State Board of Education. We are informed by this Board that it can do nothing in this direction pending the existing contracts with the publishers of these works, which contracts expire on July 31, 1902. But we are also informed, that under the provisions of a law passed prior to the making of these contracts, it is competent for County and City School Boards to change the text-books on the history of the United States whenever they deem it proper to do so. We would, therefore, urge these local boards to stop the use of the two works criticised in our last report, *at once*.

COMPOSED OF GOOD MEN.

It is almost gratifying to us to state what you, perhaps, already know, that all three of the members of our State Board of Education, are not only native and true Virginians, but men devoted to the principles for which we fought, and that they, and each of them, stand ready to co-operate with us, as far as they can legally and properly do so, in having our children taught "the truth, the whole truth and nothing but the truth," in regard to the war, and the causes which led to it. *We would ask for nothing more, and we should ask for nothing less, from any source.*

We repeat the recommendation heretofore made, both to this Camp and to the United Confederate Veterans, that separate chairs of American history be established in all our principal Southern Colleges, so that the youth of our land may be taught the truth as to the formation of this government, and of the principles for which their fathers fought for the establishment and maintenance of Constitutional liberty in our land.

Our attention has recently been called to the fact that in none of the histories used in our schools, is any mention made (certainly none compared with what it deserves) of the splendid services rendered our cause by the devoted and gallant band led by Col. John S. Mosby. This organization, whilst forming a part of Gen'l Lee's

army, and at all times subject to his orders, was to all intents and purposes an independent command. We believe, that for its numbers and resources, it performed as gallant, faithful and efficient services as any other command in any part of our armies, and that no history of our cause is at all complete, that fails to give some general idea, at the least, of the deeds of devotion and daring performed by this gallant band and its intrepid leader.

UNION OF OUR FATHERS.

We sometimes hear (not often, it is true, but still too often) from those who were once Confederate soldiers themselves, or from the children of Confederates, such expressions as—"We are glad the South did not succeed in her struggle for independence." "We are glad that slavery is abolished," &c.

We wish to express our sincere regret, that any of our people should so far forget themselves as to indulge in any such remarks. In the first place, we think they are utterly uncalled for, and in bad taste. In the second place, to some extent, they reflect upon the Confederate cause, and those who defended that cause; and in the third place, it seems to us, if *our own self-respect* does not forever seal our lips against such expressions, that the memories of a sacred past, the blood of the thousands and tens of thousands of those who died, the tears, the toils, the wounds, and the innumerable sacrifices of both the living and the dead, that were freely given for the success of that cause, would be an appeal against such expressions, that could not be resisted. If all that is meant by the first of these expressions is, that the speaker means to say, "He is glad that the 'Union of our Fathers' is preserved," then we can unite with him in rejoicing at this, if this is the "Union of our Fathers," as to which we have the gravest doubts. But be this as it may, we have never believed that the subjugation of the South or the success of the North, was either necessary, or the best way to preserve and perpetuate the "Union of our Fathers."

On the secession of Mississippi, her Convention sent a Commissioner from that State to Maryland, who, at that time, it may be

sure, expressed the real objects sought to be attained by secession by the great body of the Southern people. He said:

“Secession is not intended to break up the present Government, but to perpetuate it. We do not propose to go out by way of destroying the Union, as our fathers gave it to us, but we go out for the purpose of getting further guarantees and security for our rights,” &c.

MIGHT HAVE BEEN BETTER.

And so we believe, that with the success of the South, the “Union of our Fathers,” which the South was the principal factor in forming, and to which she was far more attached than the North, would have been restored and re-established; that in this Union the South would have been again the dominant people, the controlling power, and that its administration of the Government in that union, would have been along constitutional and just lines, and not through Military Districts, attempted Confiscations, Force Bills, and other oppressive and illegal methods, such as characterized the conduct of the North *for four years after the war*, in its alleged *restoration* of a Union which it denied had ever been *dissolved*.

As to the abolition of slavery: Whilst we know of no one in the South who does not rejoice that this has been accomplished, we know of no one, anywhere, so lost to every sense of right and justice as not to condemn the iniquitous way in which this was done. But we feel confident that no matter how the war had ended, it would have resulted in the freedom of the slave, and as surely with the success of the South as with that of the North, although perhaps not so promptly.

We are warranted in this conclusion, from several considerations—(1) It was conclusively shown in our last Report, that we did not fight for the continuation of slavery, and that a large majority of our soldiers were non-slaveholders; (2) That our great leader, General Lee, had freed his slaves before the war, whilst General Grant held on to his until they were free by the Emancipation Proclamation; and (3) Whilst Mr. Lincoln issued that proclamation, he said in his first inaugural:

“I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. *I believe I have no lawful right to do so, and I have no inclination to do so.*”

EMANCIPATION OF SLAVES.

With the success of the South, we believe emancipation would have followed by some method of compensation for the property rights in slaves, just as the North had received compensation for the same property, when held by it. Certainly it would not have been accomplished *by putting the whites under the heel of the blacks*, as was attempted by the North. In the contest between Lincoln and McClellan, in 1864, the people of the North were nearly equally divided on the issues involved in the war, Lincoln having received 2,200,000 votes in that contest, whilst McClellan received 1,800,000 (in round numbers). We know, too, that Lincoln was not only a “minority” President, but a big “minority” President, his opponents having received a million more votes in 1860 than he received. So that, with a *divided* North, and a *united* South, on the principles for which we contended, if the South had been successful in the war, her people would have dominated and controlled this country for the last thirty-five years, as they did the first seventy years of its existence, and, in our opinion, both the country and the South would have been benefited by that domination and control.

Again, think of the difference between the South being made to pay the war debt and pensions of the North, and the latter having to pay those of the former. And again, we reason, that if the South, in all the serfdom and oppression in which it was left by the results of the war, has accomplished what it has—(it has made greater material advances in proportion than any other section)—what could it not have done, if it had been the conqueror instead of the conquered?

We simply allude to these material facts, with the hope that these, and every consideration dictated by self-respect, love of, and loyalty to, a sacred and glorious past, will prevent a repetition of the

expressions of which we, as representatives of the Confederate cause and people, justly complain, and against which we earnestly protest. All of which is respectfully submitted.

GEORGE L. CHRISTIAN,

Acting Chairman History Committee.

REPORT

BY

JUDGE GEO. L. CHRISTIAN,

Chairman.

October 25, 1901.

A Contrast Between the Way the War was
Conducted by the Federals and the Way it
was Conducted by the Confederates, drawn
Almost Entirely from Federal Sources.

REPORT OF OCTOBER 25, 1901.

To the Grand Camp of Confederate Veterans of Virginia:

Before entering upon the discussion of the subject selected for consideration in this report, your Committee begs leave to tender its thanks to the Camp, and to the public for the many expressions it has received of their appreciation of its last two reports. These expressions have come from every section of the country, and they are not only most gratifying, showing as they do, the importance of the work of this Camp in establishing the justice of the Confederate cause; but that this work is also causing the truth concerning that cause to be taught to our children, which was not the case until these Confederate Camps effected that great result. Our report of 1899, prepared by your late distinguished and lamented Chairman, Dr. Hunter McGuire, was directed mainly to a criticism of certain histories then used in our schools, and to demonstrate the fact that the South did not go to war either to maintain or to perpetuate the institution of slavery, as our enemies have tried so hard to make the world believe was the case. That of 1900 was directed—

- (1) To establish the right of secession (the real question at issue in the war) by *Northern testimony alone*, and
- (2) To establish the fact *that the North was the aggressor in bringing on the war, and by the same kind of testimony.*

These two reports have been published, the first for two, and the second for one year, and as far as we know, no fact contended for in either has been attempted to be controverted. We feel justified, therefore, in claiming that these facts *have been established.*

HOW THE WAR WAS CONDUCTED.

Having then, we think, *established* the justice of the Confederate Cause, and that the Northern people were responsible for, and the aggressors in bringing on the war, and both of these facts by testi-

mony drawn almost exclusively from Northern sources, it is only left for us to consider how the war, thus forced upon the South by the North, was *conducted* by the respective combatants through their representatives, both in the Cabinet and in the field? We fully recognize that within the limits of this report it is impossible to do more than to "touch the fringe," as it were, of this important inquiry. The details of the horrors of the four years of that war would fill many, many volumes, and it is not our purpose or desire to go fully into any such sad and harrowing recital. We propose, therefore, only to give the principles of civilized warfare as adopted by the Federal authorities for the government of their armies in the field during the war, and then cite some of the most flagrant violations of those principles by some of the most distinguished representatives of that government in the war waged by it against the South. Of course, in doing this we shall have to refer to some things very familiar to all of us; but the repetition of them in this report would nevertheless seem necessary and proper to its completeness.

In performing this distasteful task we wish, in the beginning, to disclaim any and all purpose or wish on our part to reopen the wounds or to rekindle the feelings of bitterness engendered by that unholy and unhappy strife. As we said in our last report, we recognize that this whole country is one country and our country, and we of the South are as true to it, and will do as much to uphold its honor and defend its rights, as those of any other section. But we are also true to a sacred past, a past which had principles for which thousands of our comrades suffered and died, and which are living principles to-day—principles which we fought to maintain, and for which our whole people, almost without exception, willingly and heroically offered their lives, their blood and their fortunes; and whilst we do not propose to live in that past, we do propose that the principles of that past shall live in us, and that we will transmit these principles to our children and their descendants to the latest generations yet unborn. We believe that only by doing this can we and they make good citizens of the republic, as founded by our fathers, *and that not to do this would be false to the memory of our dead and to ourselves.*

Then let us enquire, first, what were the rules adopted by the Federals for the government of their armies in war? The most important of these are as follows:

(1) "Private property, unless forfeited by crimes, or by offences of the owner against the safety of the army, or the dignity of the United States, and after conviction of the owner by court martial, can be seized only by way of military necessity for the support or other benefit of the army of the United States."

(2) "All wanton violence committed against persons in the invaded country; all destruction of property not commanded by the authorized officer; all robbery; all pillage or sacking, even after taking a place by main force; all rape, wounding, maiming, or killing of such inhabitants, are prohibited under penalty of death, or such other severe punishment as may seem adequate for the gravity of the offense."

(3) "Crimes punishable by all penal codes, such as arson, murder, maiming, assaults, highway robbery, theft, burglary, fraud, forgery and rape, if committed by an American soldier in a hostile country against its inhabitants, are not only punishable, as at home, but in all cases in which death is not inflicted, the severer punishment shall be preferred, because the criminal has, as far as in him lay, prostituted the power conferred on a man of arms, and prostituted the dignity of the United States."

Now, as we have said, these were the important provisions adopted by the Federals for the government of their armies in war.

General McClellan, a gentleman, a trained and educated soldier, recognized these principles from the beginning, and acted on them. On July 7, 1862, he wrote to Mr. Lincoln from Harrison's Landing, saying, among other things:

"This rebellion has assumed the character of a war; as such it should be conducted upon the highest principles of Christian civilization. It should not be a war looking to the subjugation of the people of any State in any event. It should not be at all a war upon populations, but against armed forces and political organizations. Neither confiscation of property, political executions of persons, territorial organization of States, nor forcible abolition of slavery, should be contemplated for a moment."

“In prosecuting the war, all private property and unarmed persons, should be strictly protected, subject only to the necessity of military operations. All property taken for military use should be paid or receipted for; pillage and waste should be treated as high crimes; all unnecessary trespass sternly prohibited, and offensive demeanor by the military towards citizens promptly rebuked.”

See 2 Am. Conflict (Greeley), p. 248.

The writer's home was visited by the Army of the Potomac, both under McClellan and under Grant. At the time McClellan was in command guards were stationed to protect the premises, with orders to shoot any soldier caught depredating, and but little damage was actually done; none with the consent or connivance of the commanding general. But when the same army came, commanded by Grant, every house on the place, except one negro cabin, was burned to the ground; all stock and everything else of any value was carried off. The occupants were only women, children and servants; nearly all the servants were carried off; one of the ladies was so shocked at the outrages committed as to cause her death, and the other and the children were turned out of doors without shelter or food, and with only the clothing they had on. So that the writer has had a real experience of the difference between *civilized* and *barbarous warfare*. To show how little the advice of McClellan, as to the principles on which the war should be conducted, was heeded at Washington, and it would seem stimulated in an opposite course by his suggestions, we find in two weeks from the date of his letter to Mr. Lincoln, just quoted—viz., on July 20, 1862—that General John Pope, commanding the “Army of Virginia,” issued the following order:

GENERAL POPE'S ORDERS.

(1) “The people of the Valley of the Shenandoah and throughout the regions of the operations of this army, living along the lines of railroad and telegraph and along the routes of travel in rear of the United States forces, are notified that they will be held responsible for any injury done to the track, line or road, or for any attack upon trains or straggling soldiers by bands of guerrillas in their

neighborhood." * * * * "Safety of life and property of all persons living in the rear of our advancing armies depends upon the maintenance of peace and quiet among themselves, and of the unmolested movement through their midst of all pertaining to the military service. They are to understand distinctly that this security of travel is their only warrant of safety. It is therefore ordered, that whenever a railroad, wagon road, or telegraph is injured by parties of guerrillas, the citizens living within five miles of the spot shall be turned out in mass to repair the damage, and shall, besides, pay to the United States, in money or a property, to be levied by military force, the full amount of the pay and subsistence of the whole force necessary to coerce the performance of the work during the time occupied in completing it. If a soldier or a legitimate follower of the army, be fired upon from any house, the house shall be razed to the ground, and the inhabitants sent prisoners to the headquarters of the army. If an outrage occurs at any place distant from settlements, the people within five miles around shall be held accountable, and made to pay an indemnity sufficient for the case."

We defy investigation in the history of modern warfare to find anything emanating from a general commanding an army as cowardly and as cruel as this order. Just think of it: The women, children and non-combatants, living within five miles of the rear of an invading army, ordered to protect it from the incursions of the opposing army, or upon failure to do this, whether from inability or any other cause, to forfeit their lives or their property.

Again, this same commander, on July 23, 1862, issued the following order:

"Commanders of army corps, divisions, brigades and detached commands, will proceed immediately to arrest all disloyal male citizens within their lines, or within their reach, in rear of their respective stations. Such as *are willing to take the oath of allegiance to the United States, and will furnish sufficient security for its observance*, shall be permitted to remain at their homes and pursue, in good faith, their accustomed avocations. Those who refuse shall be conducted south, beyond the extreme pickets of this army,

and be notified that if found anywhere within our lines, or at any point within our rear, they will be *considered spies and subjected to the extreme rigor of military law*" (i. e., death by hanging).

See "The Army Under Pope," by Ropes, pp. 175-6-7.

This last order Mr. John C. Ropes, of Boston, a distinguished Northern writer, one generally fairer to the South than others who have written from that locality, criticises most harshly, and he does this, too, although he is about the only apologist, as far as we have seen, of this bombastic and incompetent officer.

General Steinwehr, one of Pope's brigadiers, seized innocent and peaceful inhabitants and held them as hostages to the end that they should be murdered in cold blood should any of his soldiers be killed by unknown persons, whom he designated as "bushwhackers."

On the very day of the signing of the cartel for the exchange of prisoners between the Federal and Confederate authorities (July 22, 1862), the Federal Secretary of War, by order of Mr. Lincoln, issued an order to the military commanders in Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas and Arkansas, directing them to seize and use any property belonging to the inhabitants of the Confederacy, which might be "necessary or convenient for their several commands," and no provision was made for any compensation to the owners of private property thus seized and appropriated.

This order was such a flagrant violation of the rules of civilized warfare—those adopted by the Federal Government itself, as hereinbefore quoted—that the Confederate Government sought to prevent it being carried into execution by issuing a general order, dated August 1, 1862, denouncing this order of the Federal Secretary, and those of Pope and Steinwehr, as "acts of savage cruelty," violative "of all rules and usages of war," and as converting the "hostilities hitherto waged against armed forces into a campaign of robbery and murder against unarmed citizens and peaceful tillers of the soil." And by way of retaliation, declared that Pope and his *commissioned* officers were not to be considered as soldiers, and therefore not entitled to the benefit of the cartel for the parole of future prisoners of war, and ordered that if Pope, Steinwehr, or

any of their commissioned officers, were captured, they should be kept in close confinement as long as the foregoing orders remained in force.

(See 1 South. His. Society Papers, 302-3.)

General Robert E. Lee, on receiving this order from the Confederate authorities, at once sent a communication to "The General Commanding the United States Army at Washington," in which, referring to these orders of Pope and the Federal War Department, he said:

"Some of the military authorities of the United States seem to suppose that their end will be better attained by a savage war, in which no quarter is to be given and no age or sex will be spared, than by such hostilities as are alone recognized to be lawful in modern times. We find ourselves driven by our enemies by steady progress towards a practice which we abhor, and which we are vainly struggling to avoid."

He then says:

"Under these circumstances, this government has issued the accompanying general order (that of August 1, 1862), which I am directed by the President to transmit to you, recognizing Major-General Pope and his commissioned officers to be in a position which they have chosen for themselves—that of *robbers and murderers*—and not that of public enemies, entitled, if captured, to be treated as prisoners of war."

At this day it may be safely said, that there are few, if any, either at the North or in the South, who will question either that General Lee knew the rules of civilized warfare, or that he would have denounced those who were guilty of violating these rules as "robbers and murderers," had they not been justly entitled to this distinction. And let it be distinctly borne in mind, that the order of the Federal Secretary of War was issued *by order of the President, Mr. Lincoln*, and if he ever rebuked Pope or Steinwehr, or any of the others, to whom we shall hereafter refer, for their outrages and cruelties to the Southern people, the record, as far as we can find it, is silent on that subject.

GENERAL MILROY'S ORDER.

On the 28th November, 1862, General R. H. Milroy had an order sent to Mr. Adam Harper, a man 82 years old, and a cripple, one who had served as a soldier in the war of 1812, and who was a son of a Revolutionary soldier, who had served throughout that war, which was as follows:

“MR. ADAM HARPER:

“Sir,—In consequence of certain robberies which have been committed on Union citizens of this county by bands of guerrillas, you are hereby assessed to the amount of (\$285.00) two hundred and eighty-five dollars, to make good their losses, and upon your failure to comply with the above assessment by the 8th day of December, the following order has been issued to me by General R. H. Milroy:

“You are to burn their houses, seize all their cattle and shoot them. You will be sure that you strictly carry out this order. You will inform the inhabitants for ten or fifteen miles around your camp, on all the roads approaching the town upon which the enemy may approach, that they must dash in and give you notice, and upon any one failing to do so, you will burn their houses and shoot the men.

“By order of Brigadier-General R. H. Milroy.

“H. KELLOG,” *“Captain Commanding Post.”*

Could the most brutal savagery of any age exceed the unreasoning cruelty of this order. (See 1. South. His. Society Papers, p. 231.)

GENERAL SHERMAN'S CONDUCT.

But we must go on. In the earlier part of the war, General William T. Sherman knew and recognized the rules adopted by his government for the conduct of its armies in the field; and so, on September 29, 1861, he wrote to General Robert Anderson, at Louisville, Ky., saying, among other things:

“I am sorry to report, that in spite of my orders and entreaties, our troops are committing depredations that will ruin our cause. Horses and wagons have been seized, cattle, sheep, hogs, chickens taken by our men, some of whom wander for miles around. I am

doing, and have done, all in my power to stop this, but the men are badly disciplined and give little heed to my orders or those of their own regimental officers."

(See Sherman's Raid, by Boynton, page 23.)

Later on General Sherman said: "War is hell." If we could record here all the testimony in our possession, from the people of Georgia and South Carolina, who had the misfortune to live along the line of his famous "march to the sea," during nearly the whole length of which he was warring against, and depre-dating on, women, children, servants, old men, and other non-combatants (as to which he wrote in his telegram to Grant, "I can make this march and make Georgia howl," Boynton, page 129), it would show that he had certainly contributed all in his power to make war "*Hell*," as he termed it; and has justly earned the distinction of being called the ruling genius of this creation.

We will first let General Sherman himself tell what was done by him and his men on this famous, or rather *infamous*, march. He says of it in his official report:

"We consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah; also the sweet potatoes, hogs, sheep and poultry, and carried off more than ten thousand horses and mules. I estimate the damage done to the State of Georgia at one hundred million dollars, at least twenty millions of which enured to our benefit, *and the remainder was simply waste and destruction.*"

But we will introduce other witnesses, and these some of his own soldiers, who accompanied him on his march; Captain Daniel Oakley, of the Second Regiment, Massachusetts Volunteers, in "Battles and Leaders," says this:

"It was sad to see the wanton destruction of property, which was the work of 'bummers,' who were marauding through the country committing every sort of outrage. There was no restraint, except with the column or the regular foraging parties. * * The country was necessarily left to take care of itself and became a howling waste. The 'Coffee Coolers' of the Army of the Potomac were archangels compared to our 'bummers,' who

often fell to the tender mercies of Wheeler's cavalry, and were never heard of again, meeting a fate richly deserved."

Another Northern soldier, writing for the "Detroit Free Press," gives the following graphic account: After describing the burning of Marietta, in which the writer says, among other things, "soldiers rode from house to house, entered without ceremony, and kindled fires in garrets and closets and stood by to see that they were not extinguished." He then further says:

"Had one been able to climb to such a height at Atlanta as to enable him to see for forty miles around the day Sherman marched out, he would have been appalled at the destruction. Hundreds of houses had been burned, every rod of fence destroyed, nearly every fruit tree cut down, and the face of the country so changed that one born in that section could scarcely recognize it. The vindictiveness of war would have trampled the very earth out of sight had such a thing been possible."

Again he says:

"At the very beginning of the campaign at Dalton, the Federal soldiery *had received encouragement to become vandals.* * * When Sherman cut loose from Atlanta *everybody* had license to throw off restraint and make Georgia 'drain the bitter cup.' The Federal who wants to learn what it was to license an army to become vandals should mount a horse at Atlanta and follow Sherman's route for fifty miles. He can hear stories from the lips of women that would make him ashamed of the flag that waved over him as he went into battle. When the army had passed nothing was left but a trail of desolation and despair. No houses escaped robbery, no woman escaped insult, no building escaped the firebrand, except by some strange interposition. War may license an army to subsist on the enemy, but civilized warfare stops at live stock, forage and provisions. It does not enter the houses of the sick and helpless and rob women of their finger rings and carry off their clothing."

He then tells of the "deliberate burning of Atlanta" by Sherman's order, of the driving out from the city of its whole popula-

tion of all ages, sexes, and conditions in the fields of a desolated country to starve and die, as far as he knew or cared. You have only to read these recitals and you have the picture which Sherman made and which he truly denominated "Hell."

The correspondence between Mayor Calhoun and two councilmen of Atlanta, representing to General Sherman the frightful suffering that would be visited on the people of that city by the execution of his inhuman order, and General Sherman's reply, can be found in the second volume of Sherman's Memoirs, at pages 124-5; we can only extract one or two paragraphs from each. The letter of the former says, among other things:

"Many poor women are in advanced state of pregnancy, others now having young children, and whose husbands, for the greater part, are either in the army, prisoners, or dead. Some say, I have such a sick one at my house, who will wait on them when I am gone? Others say, what are we to do? We have no house to go to, and no means to buy, build or rent any; no parents, relatives or friends to go to."

* * * * *

"This being so (they say) how is it possible for the people still here (mostly women and children) to find any shelter? And how can they live through the winter in the woods—no shelter or subsistence, in the midst of strangers who know them not, and without the power to assist them much if they were willing to do so."

"This (they say) is but a feeble picture of the consequences of this measure. You know the woe, the horrors and the suffering cannot be described by words; imagination can only conceive it, and we ask you to take these things into consideration."

* * *

To this pathetic appeal Sherman coolly replied on the next day, his letter commencing as follows:

"I have your letter of the 11th, in the nature of a petition to revoke my orders removing all the inhabitants from Atlanta. I have read it carefully, and give full credit to your statements of the distress that will be occasioned, and yet I shall not revoke my

orders, because they were not designated to meet the humanities of the case, but to prepare for the future struggles in which millions of good people outside of Atlanta have a deep interest," &c. * * *

After he had started on his "march to the sea" he gives an account of how the foraging details were made and carried out each day, and concludes by saying:

"Although this foraging was attended with great danger and hard work, there seemed to be a charm about it that attracted the soldiers, and it was a privilege to be detailed on such a party."

"Lastly, they returned mounted on all sorts of beasts, which were at once taken from them and appropriated to the general use, but the next day they would start out again on foot, only to repeat the experience of the day before. *No doubt (he says) many acts of pillage, robbery and violence were committed by these parties of foragers, usually called 'bummers,' for I have since heard of jewelry taken from women and the plunder of articles that never reached the commissary,*" &c. * * *

(See 2 Mem., page 182.)

He not only does not say that he tried to prevent his army from committing these outrages, but says, on page 255, in referring to his march through South Carolina:

"I would not restrain the army, lest its vigor and energy should be impaired."

He tells on page 185 how, when he reached General Howell Cobb's plantation, he "sent word back to General Davis to explain whose plantation it was, and instructed *him to spare nothing.*"

To show what a heartless wretch he was, he tells on page 194 about one of his officers having been wounded by the explosion of a torpedo that had been hidden in the line of march, and on which this officer had stepped. He says:

"*I immediately ordered a lot of rebel prisoners to be brought from the provost guard, armed with picks and spades, and made them march in close order along the road, so as to explode their own torpedoes, or to discover and dig them up. They begged hard but I reiterated the order, and could hardly help laughing at their stepping so gingerly along the road where it was supposed sunken torpedoes might explode at each step.*"

It may be fairly inferred, from General Sherman's middle name (Tecumseh), that some of his ancestors were Indians. But whether this be true or not, no one can read this statement of his without being convinced *that he was a savage*. But he was not only a confessed savage, as we have seen, but a confessed *vandal* as well. He says, on page 256, in telling of a night he spent in one of the splendid old houses of South Carolina, where, he says, "the proprietors formerly had dispensed a hospitality that distinguished the old *regime* of that proud State:" "I slept (he says) on the floor of the house, but the night was so bitter cold, that I got up by the fire several times, *and when it burned low I rekindled it with an old mantel clock and the wreck of a bedstead which stood in the corner of the room—the only act of vandalism that I recall done by myself personally during the war.*" Since the admissions of a criminal are always taken as conclusive proof of his crime, we now *know* from his own lips that General Sherman was a *vandal*.

But we also find, on page 287, that he *confessed* having told a falsehood about General Hampton, so that we cannot credit his statement that the foregoing was his *only act of vandalism*. Indeed, we think we have most satisfactory evidence to the contrary. (It will be noted, however, that Sherman makes a distinction between his *personal* acts of vandalism and those he committed through others.) A part of this evidence is to be found in the following letter from a lieutenant, Thomas J. Myers, published in Vol. 12, Southern Historical Society Papers, page 113, with the following head note:

"The following letter was found in the streets of Columbia after the army of General Sherman had left. The original is still preserved, and can be shown and substantiated, if anybody desires. We are indebted to a distinguished lady of this city for a copy, sent with a request for publication. We can add nothing in the way of comment on such a document. It speaks for itself."

The letter, which is a republication from the Alderson West Virginia Statesman, of October 29, 1883, is as follows:

CAMP NEAR CAMDEN, S. C., February 26, 1865.

My Dear Wife:

"I have no time for particulars. We have had a glorious time in this State. *Unrestricted license to burn and plunder was the order of the day.* The chivalry have been stripped of most of their valuables. Gold watches, silver pitchers, cups, spoons, forks, &c., &c., are as common in camp as blackberries. The terms of plunder are as follows: The valuables procured are estimated by companies. Each company is required to exhibit the result of its operations at any given place. *One-fifth and first choice falls to the commander-in-chief and staff, one-fifth to corps commander and staff, one-fifth to field officers, two-fifths to the company.* Officers are not allowed to join in these expeditions, unless disguised as privates. One of our corps commanders borrowed a rough suit of clothes from one of my men, and was successful in his place. He got a large quantity of silver (among other things an old milk pitcher), and a very fine gold watch from a Mr. DeSaussure, of this place (Columbia). DeSaussure is one of the F. F. V.'s of South Carolina, and was made to fork out liberally. Officers over the rank of captain are not made to put their plunder in the estimate for general distribution. This is very unfair, and for that reason, in order to protect themselves, the subordinate officers and privates keep everything back that they can carry about their persons, such as rings, earrings, breastpins, &c., &c., of which, if I live to get home, I have a quart. I am not joking. I have at least a quart of jewelry for you and all the girls, and some No. 1 diamond pins and rings among them. *General Sherman has gold and silver enough to start a bank. His share in gold watches and chains alone at Columbia was two hundred and seventy-five.*

"But I said I could not go into particulars. All the general officers, and many besides, have valuables of every description, down to ladies' pocket handkerchiefs. I have my share of them, too.

We took gold and silver enough from the d—d rebels to have redeemed their infernal currency twice over. * * * I wish

all the jewelry this army has could be carried to the Old Bay State. It would deck her out in glorious style; but, alas! it will be scattered all over the North and Middle States.

“The damned niggers, as a general thing, preferred to stay at home, particularly after they found out that we wanted only the able-bodied men, and to tell the truth, the youngest and best looking women. Sometimes we took them off by way of repaying influential secessionists. But a part of these we soon managed to lose, sometimes in crossing rivers, sometimes in other ways. I shall write you again from Wilmington, Goldsboro, or some other place in North Carolina. The order to march has arrived, and I must close hurriedly.

“Love to grandmother and Aunt Charlotte. Take care of yourself and the children. Don’t show this letter out of the family.

“Your affectionate husband,

“THOMAS J. MYERS,

“*Lieutenant, &c.*”

“P. S.—I will send this by the first flag of truce, to be mailed, unless I have an opportunity of sending it to Hilton Head. Tell Lottie I am saving a pearl bracelet and earrings for her. But Lambert got the necklace and breast-pin of the same set. I am trying to trade him out of them. These were taken from the Misses Jamison, daughters of the President of the South Carolina Secession Convention. We found these on our trip through Georgia.

“T. J. M.”

“This letter is addressed to Mrs. Thomas J. Myers, Boston, Mass.”

It was published in the Southern Historical Society Papers, in March, 1884. About a year thereafter one Colonel Henry Stone, styling himself “Late Brevet Colonel U. S. Volunteers, A. A. G. Army of the Cumberland,” realizing the gravity of the statements contained in this letter, and the disgrace these, if uncontradicted, would bring on General Sherman and his army,

and especially on the staff, of which he (Colonel Stone) was a member, wrote a letter to the Rev. J. William Jones, D. D., the then editor of the Historical Society Papers, in which he undertook to show that the Myers letter was not written by any officer in General Sherman's army. (This letter can be found in Vol. 13, S. H. S. Papers, page 439.) The reasons assigned by Colonel Stone were plausibly set forth, and Dr. Jones, in his anxiety to do justice even to Sherman's "bummers," after publishing Colonel Stone's letter, said editorially, he was "frank to admit that Colonel Stone seems to have made out his case against the authenticity of this letter." If the matter had rested here, we would not have thought of using this letter in our report, notwithstanding the fact (1) that we think the letter bears the impress of genuineness on its face; (2) it is vouched for by what Dr. Jones termed a "responsible source," and what the first paper publishing it cited as a "distinguished lady," who, it also stated, said that the original was "still preserved and could be shown and substantiated;" (3) the statements contained in Colonel Stone's letter are *only his statements, uncorroborated and not vouched for by any one, or by any documentary evidence of any kind*, and being those of an alleged accomplice, are not entitled to any weight in a court of justice; (4) we think the reasons assigned by Colonel Stone for the non-genuineness of this letter are for the most part not inconsistent with its genuineness; and (5) some of his statements are, apparently, inconsistent with some of the facts as they appear in the records we have examined, *e. g.* He says "that of the ninety regiments of Sherman's army, which might have passed on the march near Camden, S. C., but a single one—a New Jersey regiment—was from the Middle States. All the rest were from the West. A letter (he says) from the only Thomas J. Myers ever in the army would never contain such a phrase," referring to the fact that Myers had said this stolen jewelry, &c., would be scattered "all over the North and Middle States." Sherman's statement of the organization of his army on this march shows there were several regiments in it from New York and Pennsylvania, besides one from Maryland and one from New Jersey (all four middle States). But we think this, like other reasons assigned by Colonel Stone, are without merit.

But, as we have said, notwithstanding all these things which seemingly discredit the reasons assigned by Colonel Stone for the non-genuineness of this letter, we should not have used the latter in this report, had not the substantial statements in it been confirmed, as we shall now see. The Myers' letter was first published on October 29, 1883. On the 31st of July, 1865, Captain E. J. Hale, Jr., of Fayetteville, N. C., who had been on General James H. Lane's staff, and who is vouched for by General Lane as "an elegant educated gentleman," wrote to General Lane, telling him of the destruction and devastation at his home, and in that letter he makes this statement:

"You have doubtless heard of Sherman's 'bummers.' The Yankees would have you believe that they were only the straggling pillagers usually found in all armies. *Several letters written by officers of Sherman's army, intercepted near this town, give this the lie.*

"In some of these letters were descriptions of the whole bumming process, and from them it appears that it was a regularly organized system, under the authority of General Sherman himself; *that one-fifth of the proceeds fell to General Sherman, another fifth to the other general officers, another fifth to the line officers, and the remaining two-fifths to the enlisted men.*"

Now, compare this division of the spoils with that set forth in the Myers' letter, published, as we have said, eighteen years later, and it will be seen that they are almost identical, and this statement was taken, as Captain Hale states, from "several letters written by officers of Sherman's army," intercepted near Fayetteville, N. C., and as we have said, they confirm the statements of the Myers' letter, and its consequent genuineness, to a remarkable degree. It is proper, also, to state, that we have recently received a letter from Dr. Jones, in which he states that after carefully considering this whole matter again, he is now satisfied that he was mistaken in his editorial comments on Colonel Stone's letter, that he is now satisfied of the genuineness of the Myers' letter, and that

in his opinion we could use it in this report "with perfect propriety and safety."*

We have discussed this letter thus fully because we feel satisfied that the annals of warfare disclose nothing so venal and depraved. Imagine, if it is possible to do so, Robert E. Lee and Stonewall Jackson commanding an army licensed by them to plunder the defenceless, and then sharing in the fruits of this plundering!

We can barely allude to Sherman's burning of Columbia, the proof of which is too conclusive to admit of controversy. On the 18th December, 1864, General H. W. Halleck, major-general, and chief of staff of the armies of the United States, wrote Sherman as follows: * * * * *

"Should you capture Charleston, I hope that by *some accident* the place may be destroyed, and if a little salt should be thrown upon its site, it may prevent the future growth of nullification and secession."

To this suggestion from this high (?) source to commit murder, arson and robbery, and *pretend it was by accident*, Sherman replied on December 24, 1864, as follows:

"I will bear in mind your hint as to Charleston, and do not think that 'salt' will be necessary. When I move the Fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first, and if you have watched the history of that corps, you will have remarked that *they* generally do their work pretty well; the truth is the whole army is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble for her fate, *but feel that she deserves all that seems in store for her. I look upon Columbia as quite as bad as Charleston, and I doubt if we shall spare the public buildings there, as we did at Milledgeville.*"

2 Sherman's Men., pages 223, 227-8.

*Since this report was submitted, we have received a letter from the husband of the lady who had the original of this Myers' letter, setting forth the time, place and all the circumstances under which it was found the day after Sherman's army left Camden. (It was found near Camden, and not on the streets of Columbia,) and these statements, together with others contained in this letter and in the Myers' letter, too, established the genuineness of the Myers' letter, in our opinion, beyond any and all reasonable doubt.

We say proof of his ordering (or permitting, which is just as bad) the destruction of Columbia is overwhelming. (See report of Chancellor Carroll, Chairman of a committee appointed to investigate the facts about this in General Bradley T. Johnson's *Life of Johnston*, from which several of these extracts are taken.) Our people owe General Johnson a debt of gratitude for this and his other contributions to Confederate history. And Sherman had the effrontery to write in his *Memoirs*, that in his official report of this conflagration, he "distinctly charged it to General Wade Hampton, and (says) *I confess I did so pointedly to shake the faith of his people in him.*" (See 2 Sherman's *Memoirs*, page 287.)

The man who confessed to the world that he made this false charge with such a motive needs no characterization at the hands of this Committee.

General Sherman set out to "make Georgia howl," and proposed, as he said, to "march through that State smashing things to the sea." He wrote to Grant after his march through South Carolina, saying:

"The people of South Carolina, instead of feeding Lee's army, will now call on Lee to feed them."

(2 *Memoirs*, page 298.)

So complete had been his destruction in that State, he also says:

"Having utterly ruined Columbia, the right wing began its march northward," &c.

2 *Memoirs*, page 288.

On the 21st of February, 1865, only a few days after the burning of Columbia, General Hampton wrote to General Sherman, charging him with being responsible for its destruction, and other outrages, in which he said, among other things:

"You permitted, if you have not ordered, the commission of these offences against humanity and the rules of war. You fired into the city of Columbia without a word of warning. After its surrender by the Mayor, who demanded protection to private property, you laid the whole city in ashes, leaving amid its ruins thousands of old men and helpless women and children, who are

likely to perish of starvation and exposure. Your line of march can be traced by the lurid light of burning houses, and in more than one household there is an agony far more bitter than death.

“The Indian scalped his victim, regardless of age or sex, but with all his barbarity, he always respected the person of his female captives. Your soldiers, more savage than the Indian, insult those whose natural protectors are absent.”

3 Great Civil War, 601.

SHERIDAN'S ORDERS AND CONDUCT.

But whilst no one will dispute the fact that Sherman has a clear title to the distinction we have accorded him in this report, yet, unfortunately for the people of the South, he had other willing and efficient aids in his work of devastation, destruction and vandalism; and we must now take up, for a time, the work of his “close second,” General Philip H. Sheridan. This officer is reputed to have said that the true principles for conducting war are—

“First. Deal as hard blows to the enemy's soldiers as possible, and then cause so much suffering to the inhabitants of the country that they will long for peace and press their government to make it.” “*Nothing*” (he says) “*should be left to the people but eyes to lament the war.*”

He certainly acted on the last of these principles in his dealings with the people of the beautiful Valley of Virginia, which by his vandalism was converted from one of the most fertile and beautiful portions of our land, into a veritable “valley of the shadow of death.” He actually boasted that he had so desolated it, that “a crow flying over would have to carry his own rations.”

In Sheridan's letter to Grant, dated Woodstock, October 7, 1864, he says of his work:

“In moving back to this point the whole country, from the Blue Ridge to the North Mountain, has been made untenable for the rebel army.

“I have destroyed over 2,000 barns filled with wheat and hay and farming implements; over 70 mills filled with flour and wheat; have driven in front of the army over 4,000 head of stock, and have

killed and issued to the troops not less than 3,000 sheep. This destruction embraces the Luray Valley and Little Fort Valley, as well as the main valley.

"A large number of horses have been obtained, a proper estimate of which I cannot now make.

"Lieutenant John R. Meigs, my engineer officer, was murdered beyond Harrisonburg, near Dayton. For this atrocious act *all the houses within an area of five miles were burned.*"

It is not generally known, we believe, that this policy of devastation on the part of Sheridan was directly inspired and ordered by General Grant, who, in his Memoirs, writes with great satisfaction and levity of the outrages committed by Sherman, before referred to, and which he, of course, understood would be committed, from the terms of Sherman's telegram to him, and which he, at the least, asquiesced in.

On the 5th of August, 1864, he (Grant) wrote to General David Hunter, who preceded Sheridan in command of the Valley, as follows, viz.:

"In pushing up the Shenandoah Valley, where it is expected you will have to go first or last, it is desirable that *nothing should be left to invite the enemy to return. Take all provisions, forage and stock wanted for the use of your command; such as cannot be consumed destroy.*" * *

And says Mr. Horace Greely:

"This order, Sheridan, in returning down the Valley, *executed to the letter.* Whatever of grain and forage had escaped appropriation by one or another of the armies which had so frequently chased each other up and down this narrow but fertile and productive vale, *was now given to the torch.*"

2 Am. Conflict, 610-11. 2 Grant's Memoirs, 581, 364-5.

The facts about the alleged murder of Lieutenant Meigs, for which Sheridan says he burned all the houses in an area of five miles, are these: Three of our cavalry scouts, in uniform, and with their arms, got within Sheridan's lines, and encountered Lieutenant Meigs, with two Federal soldiers. These parties came on each other suddenly. Meigs was ordered to surrender by one of

our men, and he replied by shooting and wounding this man, who, in turn, fired and killed Meigs. One of the men with Meigs was captured and the other escaped. It was for this perfectly justifiable conduct in war that Sheridan says he ordered all the houses of private citizens within an area of five miles to be burned.

(See proof of facts of this occurrence, to the satisfaction of Lieutenant Meigs' father, 9th South. His. Society Papers, page 77.)

BUTLER'S ORDER.

Butler's infamous order No. 28, directing that any lady of New Orleans who should "by word, gesture or movement insult or show contempt for any officer or soldier of the United States, she shall be regarded and treated as a woman of the town, plying her avocation," not only infuriated the people of the South and caused the author to be "outlawed" by our government, and denominated the "beast," but Lord Palmerson, in the British House of Commons, "took occasion to be astonished to blush and to proclaim his deepest indignation at the tenor of that order." (2 Greely, p. 100.)

But we are sick of these recitals, and must conclude our report, already longer than we intended it should be. We therefore only allude to the orders found on the person of Dahlgren, to burn, sack and destroy the city of Richmond, to "kill Jeff. Davis and his Cabinet on the spot," &c.

The infamous deeds of General Edward A. Wild, both in Virginia and Georgia, and that of Colonel John McNeil in Missouri, some of which can be found set forth in the first volume of the Southern Historical Papers, at pages 226 and 232, are shocking and disgraceful beyond description.

Now contrast with all these orders and all this conduct on the part of the Federal officers and soldiers, the address of General Early to the people of York, Pa., when our army invaded that State in the Gettysburg campaign; or, better still, the order of General Robert E. Lee to his army on that march. We will let that order speak for itself. Here it is:

“Headquarters A. N. V.,

“Chambersburg, Pa., June 27, 1863.

“GENERAL ORDERS NO. 73.

“The commanding general has marked with satisfaction the conduct of the troops on the march and confidently anticipates results commensurate with the high spirit they have manifested. No troops could have displayed greater fortitude or better performed the arduous marches of the first ten days. Their conduct in other respects has, with few exceptions, been in keeping with their character as soldiers, and entitles them to approbation and praise.

“There have, however, been instances of forgetfulness on the part of some, that they have in keeping the yet unsullied reputation of the army, and the duties exacted of us by civilization and Christianity are not less obligatory in the country of the enemy than in our own. The commanding general considers that no greater disgrace could befall the army, and through it to our whole people, than the perpetration of the barbarous outrages upon the innocent and defenceless and the wanton destruction of private property, that have marked the course of the enemy in our own country. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army and destructive of the ends of our present movements. It must be remembered that we make war only on armed men, and that we cannot take vengeance for the wrongs our people have suffered without lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain. The commanding general therefore earnestly exhorts the troops to abstain, with most scrupulous care, from unnecessary or wanton injury to private property; and to enjoin upon all officers to arrest and bring to summary punishment all who shall in any way offend against the orders on this subject.

“R. E. LEE, *General.*”

The *London Times* commented most favorably on this order, and its American correspondent said of it and of the conduct of our troops:

“The greatest surprise has been expressed to me by officers from the Austrian, Prussian and English armies, each of which have representatives here, that volunteer troops, provoked by nearly twenty-seven months of unparalleled ruthlessness and wantonness, of which their country has been the scene, should be under such control, and should be *willing to act in harmony with the long suffering and forbearance of President Davis and General Lee.*”

To show how faithfully that order was carried out, the same writer tells how he saw, with his own eyes, General Lee and a surgeon of his command repairing a farmer's fence that had been damaged by the army. Indeed, we might rest our whole case on the impartial judgment of a distinguished foreigner, who, writing in 1864, drew this vivid picture and striking contrast between the way the war was conducted on our part and on that of the Federals. He says:

“This contest has been signalized by the exhibition of some of the best and some of the worst qualities that war has ever brought out. It has produced a recklessness of human life, a contempt of principles, a disregard of engagements, * * the headlong adoption of the most lawless measures, the public faith scandalously violated, both towards friends and enemies; the liberty of the citizen at the hands of arbitrary power; the liberty of the press abolished; the suspension of the *habeas corpus* act; illegal imprisonments; midnight arrests; punishments inflicted without trial; the courts of law controlled by satellites of government; elections carried on under military supervision; a ruffianism, both of word and action, eating deep into the country* * *; the most brutal inhumanity in the conduct of the war itself; outrages upon the defenceless, upon women, children and prisoners; plunder, rapine, devastation, murder—all the old horrors of barbarous warfare which Europe is beginning to be ashamed of, and new refinements of cruelty thereto added, by way of illustrating the advance of knowledge.”

He further says:

“It has also produced qualities and phenomena the opposite of these. Ardour and devotedness of patriotism, which might alone make us proud of the century to which we belong; a unanimity such as was probably never witnessed before; a wisdom in legislation, a stainless good faith under extremely difficult circumstances, a clear apprehension of danger, coupled with a determination to face it to the uttermost; a resolute abnegation of power in favor of leaders in whom those who selected them could trust; with an equally resolute determination to reserve the liberty of criticism, and not to allow those trusted leaders to go one inch beyond their legal powers; a heroism in the field and behind the defences of besieged cities, which can match anything that history has to show; a wonderful helpfulness in supplying needs and creating fresh resources; a chivalrous and romantic daring, which recalls the middle ages; a most scrupulous regard for the rights of hostile property; a tender consideration for the vanquished and the weak. * * * And the remarkable circumstance is, that all the good qualities have been on the one side and all the bad ones on the other.”

In other words, he says that all the good qualities have been on the side of the South, and all the bad ones on the side of the North. (See Confederate Secession, by the Marquis of Lothian, p. 183.)

And all this was written prior to the conduct of the armies under Sherman and Sheridan, some of which we have herein set forth. How could the learned Marquis find words to portray those things?

We could cite other authorities to, substantially, the same effect; but surely this arraignment from this high source ought to be sufficient. If any one thinks this distinguished writer has overdrawn the picture, especially in regard to illegal arrests and imprisonments and brutal conduct towards women and children, and the defenceless generally, let them read a little book entitled, “*The Old Capital and its Inmates*,” which has inscribed on its cover what Mr. Seward boastingly said to Lord Lyons, the British Minister at Washington, on September 14, 1861, viz.:

“My Lord” (he says), “I can touch a bell on my right hand and order the arrest of a citizen of Ohio. I can touch a bell again

and order the arrest of a citizen of New York. Can the Queen of England in her dominions do as much?"

The late Judge Jeremiah S. Black, of Pennsylvania, at one time President of the Supreme Court of that State, and afterwards Attorney-General of the United States under Mr. Buchanan, one of the most distinguished lawyers and writers of his day, thus writes of Mr. Seward and his little bell:

"Now as to the little bell. The same Higher Law which gave the Federal Government power to legislate against the States, in defiance of the Constitution, would logically justify any executive outrage that might be desired for party purposes, on the life, liberty and property of individuals. Such was Mr. Seward's theory, and such was the practice of himself and his subordinates, and some of his colleagues."

He says further to Mr. Charles Frances Adams (to whom he was writing):

"I will not pain you by a recital of the wanton cruelties they inflicted upon unoffending citizens. I have neither space nor skill nor time to paint them. *A life-size picture of them would cover more canvas than there is on the earth.*" * * * "Since the fall of Robespierre" (he says) "nothing has occurred to cast so much disrepute on republican institutions. When Mr. Seward went into the State Department he took a little bell to his office, in place of the statute book, and this piece of sounding brass came to be a symbol of the Higher Law. When he desired to kidnap a free citizen, to banish him, to despoil him of his property, or to kill him after the mockery of a military trial, he rang his little bell, and the deed was done."

(See Black's Essays, page 153.)

In speaking of the murder of Mrs. Surratt, he says:

"In 1865, months after the peace, at the political capital of the nation, in full sight of the Executive mansion, the Capitol and the City Hall, where the courts were in session, a perfectly innocent and most respectable woman was lawlessly dragged from her family and most respectably put to death, without judge or jury, upon the mere order of certain military officers convoked for that purpose. It was,

take it all in all, as foul a murder as ever blackened the face of God's sky. But it was done in strict accordance with Higher Law, and the Law Department of the United States approved it."

Now this is what a *Northern man*, living in Washington at the time, a profound lawyer and statesman, has to say of these things.

As a matter of course, the North will attempt to reply (about the only reply they can offer with any apparent justification): *Well, they will ask, was not Chambersburg burnt by General Early's order?* Yes, it was; but under circumstances which show that that act was no justification whatever for the outrages we have set forth in this paper, and was only resorted to by General Early by way of retaliation, *and to try, if possible, to stop the outrages then being committed.* It was only resorted to, too, after full warning and an offer to the municipal authorities of Chambersburg to prevent the conflagration by paying for certain private property just previously destroyed by General Hunter. But this offer these authorities refused to accede to, saying "they were not afraid of having their town burned, and that a Federal force was approaching." General Early says in his report:

"I desired to give the people of Chambersburg an opportunity of saving their town by making compensation for part of the injury done, and hoped that the payment of such a sum (one hundred thousand dollars in gold, or five hundred thousand in greenbacks) would have the desired effect, and open the eyes of the people of other towns at the North to the necessity of urging upon their government the adoption of a different policy."

(See Early's Memoirs, where the full report of this occurrence is given.)

Among the private property destroyed by Hunter, for which this sum was demanded by General Early, were the private residences of Andrew Hunter, Esq. (then a member of the Senate of Virginia, who had prosecuted John Brown as Commonwealth's Attorney of Jefferson county, Va.); of Alexander R. Boteler, Esq. (an ex-member of the Confederate and United States Congresses), and of Edmund J. Lee, Esq. (a relative of General Lee), with their

contents, only time enough having been given the ladies to get out of these houses.

General Hunter had also just caused the Virginia Military Institute, the house of Governor Letcher, and numerous other houses in the Valley, to be burned. Even General Halleck, writing to General Sherman on September 28, 1864, refers thus to this conduct of Hunter. He says:

“I do not approve of General Hunter’s course in burning private houses or uselessly destroying private property. *That is barbarous.*” * *

See 2 Sherman’s Mem., page 129.

No soldier in the Confederate army understood better than General Early the rules of civilized warfare, or was more opposed to vandalism in every form. His conduct at York, Pa., before referred to, and his address to the people of that town, show this in the most satisfactory manner. He says:

“I have abstained from burning the railroad buildings and car shops in your town because, after examination, I am satisfied that the safety of the town would be endangered. Acting in the spirit of humanity, which has ever characterized my government and its military authorities, I do not desire to involve the innocent in the same punishment with the guilty. Had I applied the torch without regard to consequences, I would have pursued a course which would have been fully vindicated as an act of just retaliation for the unparalleled acts of brutality on our soil. But we do not war upon women and children.”

General R. H. Anderson, in his report of the Gettysburg campaign, says:

“The conduct of my troops was in the highest degree praiseworthy. Obedient to the order of the commanding general, they refrained from retaliating upon the enemy for outrages inflicted upon their homes. Peaceable inhabitants suffered no molestation. In a land of plenty, they often suffered hunger and want. One-fourth their number marched ragged and bare-footed through towns in which merchants were known to have concealed ample supplies of clothing and shoes.”

On the 2nd of July, 1863, when the battle of Gettysburg was being fought, and when President Davis had every reason to believe we would be victorious, he wrote:

“My whole purpose is, in one word, to place this war on the footing of such as are waged by civilized people in modern times, and to divest it of the savage character which has been impressed on it by our enemies, in spite of all our efforts and protests.”

Hoke's Great Invasion, p. 52.

Of course, we do not pretend to say that there were not individual cases of depredation committed, and even on our own people, by some of our soldiers. Indeed, it was often *necessary* for our army to subsist on the country through which it marched, which was perfectly legitimate. And when we remember the sufferings and privations to which our armies had to be subjected by reason of our lack of necessary supplies of almost all kinds, it is amazing that so little “foraging” was done by our men. But what we do contend for and state, without the least fear of contradiction, is that the conflict was conducted throughout on the part of the South—by the Government at home and the officers in the field—upon the highest principles of civilized warfare; that if these were ever departed from, it was done without the sanction and against the orders of the Confederate authorities. And that exactly the reverse of this is true as to the Federal authorities, we have established by the most overwhelming mass of testimony, furnished almost entirely from Northern sources.

But we cannot protract this paper; it is already much longer than we intended or desired it should be. We would like to have embraced in it a full discussion of the treatment of prisoners on both sides; but we must leave this, and the treatment of Mr. Davis whilst a prisoner, for some future report. If any one desires, in advance of that, to see a full discussion of these subjects, we refer, as to the former, to the very able articles by Rev. J. William Jones, D. D., in Vol. I., Southern Historical Society Papers, beginning with page 113, and running through several numbers of that volume, in which he adduces a mass of testimony, and completely vindicates the South. He shows—

(1) (As Mr. Davis states it) "From the reports of the United States War Department, that though we had sixty thousand more Federal prisoners than they had of Confederates, six thousand more Confederates died in Northern prisons than died of Federals in Southern prisons."

(2) That the laws of the Confederate Congress, the regulations of our Surgeon-General, the orders of our generals in the field, and those who had the immediate charge of prisoners, all provided that they should be kindly treated, supplied with the same rations that our soldiers had, and cared for when sick in hospitals and placed on precisely the same footing as Confederate soldiers.

(3) If these regulations were violated by subordinates in individual instances, it was done without the knowledge or consent of the Confederate authorities, which promptly rebuked and punished any case reported.

(4) If any prisoners failed to get full rations, or had those of inferior quality, the Confederate soldiers suffered the same privations, and these were the necessary consequences of the mode of carrying on the war on the part of the North, which brought desolation and ruin on the South, and these conditions were necessarily reflected on their prisoners in our hands.

(5) That the mortality in Southern prisons resulted from causes beyond our control, but these could have been greatly alleviated had not medicines been declared by the Federal Government as "contraband of war," and had not the Federal authorities refused the offer of our Agent of Exchange, the late Judge Ould, that each Government should send its own surgeons and medicines to relieve the sufferings of their respective soldiers in prisons—refused to accept our offer to let them send medicines, &c., to relieve their own prisoners, without any such privilege being accorded by them to us—refused to allow the Confederate Government to buy medicines for gold, tobacco, or cotton, &c., which it offered to pledge its honor should only be used for their prisoners in our hands—refused to exchange sick and wounded, and neglected from August to December, 1864, to accede to our Agent's proposition to send transportation to Savannah and receive *without any equiv-*

alent from ten to fifteen thousand Federal prisoners, although the offer was accompanied with the statement of our Agent of Exchange (Judge Ould), showing the monthly mortality at Andersonville, and that we were utterly unable to care for these prisoners as they should be cared for, and that Judge Ould again and again urged compliance with this humane proposal on our part.

(6) That the sufferings of Confederates in Northern prisons were terrible, almost beyond description; that they were starved in a land of plenty; that they were allowed to freeze where clothing and fuel were plentiful; that they suffered for hospital stores, medicines and proper attention when sick; that they were shot by sentinels, beaten by officers, and subjected to the most cruel punishments upon the slightest prettexts; that friends at the North were, in many instances, refused the privilege of clothing their nakedness or feeding them when they were starving; and that these outrages were often perpetrated not only with the knowledge, but by the orders of E. M. Stanton, Secretary of War of the United States.

And (7) That the sufferings of prisoners on both sides were caused by the failure to carry out the terms of the Cartel for exchange, and *for this failure the Federal authorities were alone responsible.*

These propositions are stated substantially in the language employed by Dr. Jones, and although twenty-five years have since elapsed, they have never been controverted in any essential particular, as far as we have heard or known. Our people owe Dr. Jones a debt of gratitude for this able and effective vindication of their course in this important matter, which they can never repay.

As to the treatment of Mr. Davis whilst a prisoner:

Captain Charles M. Blackford, of Lynchburg, Va., in an article read before the Virginia Bar Association at its meeting at Old Point, in 1900 (the facts of which article were taken entirely from the official records of the Federal Government), showed in a masterly manner that this treatment was the *refinement of cruelty and cowardice* on the part of the Federal authorities, and such as should bring the blush of shame to the cheek of every

American citizen who was in sympathy with, or a participant in, those acts. Our people owe Captain Blackford a debt of gratitude also for this article. It can be found in the printed reports of the Virginia Bar Association for 1900. Ten thousand copies of it were ordered by the Association to be printed for distribution.

As we said in our last report, it will doubtless be asked by some, who have no just conception of the motives which actuate us in making these reports, Why we gather up and exhibit to the world these records of a bitter strife now ended more than a third of a century? Does it not, they ask, only do harm by keeping alive the smouldering embers of that conflict? We reply to all these enquiries, that such is not our intention or desire. But the four years of that war made a history of the people of the North and of the people of the South, much of which has been written only by historians of the North. In this history, *all the blame* concerning the war has been laid on the people of the South, and the attempt made to "consign them to infamy." There were two sides to the issues involved in that war, and the historians of the North, with the superior means at their command, have used, and are still using, these means to convince the world that they were *right* and that we were *wrong*. They are striving, too, to teach our children that this was the case, and for thirty years their histories were taught in our schools, unchallenged, and in that way the minds of our children were prejudiced and poisoned against the acts and conduct of their parents in regard to that conflict. We therefore feel that we *owe it to ourselves and to the memories of those who suffered and died for the cause we fought so hard to maintain*, to let our children and the world know the *truth* as to the causes of that conflict, and how it was conducted. This Camp has, as we have said, done much in that direction; it can do much more; *and, in our opinion, no higher or more sacred duty could be imposed on or undertaken by men.*

There were during the war, and there are now, many brave and true men at the North. There were many such in the Federal armies, and there were many of these who, whilst taking sides

with the North on the question of maintaining the Union, were shocked and disgusted at the methods pursued by it to accomplish that result. These have written and spoken about these methods, both of what they thought and of what they knew, and we have only gathered up some of this testimony in support of the justice of our cause, and of the course pursued by us to maintain it. Surely, the North cannot complain *if we rest our case upon their testimony*. We have done this almost exclusively, both in this and in former reports. The history contained in these reports, then, is not only that *made*, but also that *written by Northern men*.

As we have said, many of these were brave and true men, and one of them wrote that the acts committed by some of their commanders and comrades were enough to make him "ashamed of the flag that waved over him as he went into battle." Is it surprising that such was the case?

It is said that General Hunter had to deprive forty of his commissioned officers of their commands before he could find one to carry into execution his infamous orders.

We have drawn this contrast, then, between the way the war was conducted by the North and the way it was conducted by the South, for many good reasons, but especially to show *that the Confederate soldiers never made war on defenceless women and children, whilst the Federal soldiers did, and that this was done with the sanction of some of their most noted leaders, some of whom, as we have seen, shared in the fruits of the depredations committed on these defenceless people*. In doing this, we *believe we have done only what was just to ourselves and our children*.

It must be remembered, too, that a large number of persons at the North still delight to speak of that war as a "Rebellion" and of us as "Rebels" and "Traitors." We have shown by the testimony of their own people, not only that they rebelled against, but *overthrew the Constitution to make war on us*, and that when they did go to war, they violated every rule they had laid down for the government of their armies, and waged it with a savage cruelty unknown in the history of civilization.

The late commander-in-chief of the British armies has recently written of our great leader, that "in a long and varied life of wandering, I have" (he says) "only met two men whom I prized as being above all the world I have ever known, and the greater of these two was General Lee, America's greatest man, as I understand history."

The present Chief Magistrate of this country wrote twelve years ago, that "the world has never seen better soldiers than those who followed Lee, and that their leader will undoubtedly rank as, without any exception, the greatest of all great captains that the English-speaking people have brought forth." See *Life of Benton*, page 38.

Is it a matter of surprise, then, that the same hand should have recently written:

"I am extremely proud of the fact that one of my uncles was an admiral in the Confederate Navy, and that another fired the last gun fired aboard the *Alabama*. I think" (he says) "the time has now come when we can, all of us, be proud of the valor shown on both sides in the civil war."

If President Roosevelt really believed that his uncles were ever "rebels" and "traitors," would he be "*extremely proud*" of that fact? Would he be proud to be the nephew of Benedict Arnold? No; and no man at the North who knows anything of the formation of this Government believes for a moment that any Confederate soldier was a "rebel" or "traitor," or that the war on our part was a "Rebellion." Even Goldwin Smith, the harshest and most unjust historian to the South, who has ever written about the war (as demonstrated by our distinguished Past Grand Commander, Captain Cussons), says:

"The Southern leaders ought not to have been treated as rebels," for, says he, "Secession was not a rebellion."

And so we say the time has come when these intended opprobrious epithets should cease to be used. But whether called "rebels" or not, *the Confederate soldier has nothing to be ashamed of*. Can the soldiers of the Federal armies read this record and say the same?

Yes, our comrades, let them call us "rebels," if they will; we are proud of the title, and with good reason. More than a hundred years ago, when, as Pitt said, "even the chimney sweeps in London streets talked boastingly of their subjects in America," Rebel was the uniform title of those despised subjects (and as our own eloquent Keily once said):

"This sneer was the substitute for argument, which Camden and Chatham met in the Lords, and Burke and Barre in the Commons, as their eloquent voices were raised for justice to the Americans of the last century. 'Disperse Rebels' was the opening gun at Lexington. 'Rebels' was the sneer of General Gage addressed to the brave lads of Boston Commons. It was the title by which Dunmore attempted to stigmatize the Burgesses of Virginia, and Sir Henry Clinton passionately denounced the patriotic women of New York. At the base of every statue which gratitude has erected to patriotism in America you will find 'Rebel' written. The springing shaft at Bunker Hill, the modest shaft which tells where Warren fell, * * * the fortresses which line our coasts, the name of our Country's Capital, the very streets of our cities—all proclaim America's boundless debt to *rebels*; not only to rebels who, like Hamilton and Warren, gave their first love and service to the young Republic, but rebels who, like Franklin and Washington, *broke their oath of allegiance to become rebels.*"

And so we say, let them call us what they may, the justice of our cause precludes fear on our part as to the final verdict of history. We can commit the principles for which we fought; we can confide the story of our deeds; we can consign the heritage of heroism we have bequeathed the world to posterity with the confident expectation of justice at the hands of the coming historian.

"In seeds of laurel in the earth
The blossoms of your fame is blown,
And somewhere waiting for its birth
The shaft is in the stone."

Yes, truly.

"The triumphs of *might* are transient—they pass and are for-

gotten—the sufferings of *right* are graven deepest in the chronicle of nations.”

We have nothing to add to what has been stated in our former reports about the histories now used in our schools, since, as has been stated, we think they are the best now obtainable.

We are glad to note that the Rev. J. William Jones, D. D., has had issued a new edition of his school history of the United States, which is a great improvement on the first edition, and that he is now preparing an edition for use in High Schools and Colleges. We are also informed that the Rev. Henry Alexander White, D. D., of Washington and Lee University, has in press a history of the United States. Judging from Dr. White's *Life of General Lee*, we shall be disappointed if his book is not a good one.

We hail the advent of these works by Southern authors with the greatest interest and pleasure, and we feel satisfied that they are the natural and logical outcome of the efforts made by these Confederate Camps to have the *Truth* taught to our children. As we said in our last report, so we repeat here: *We ask for nothing more, and will be satisfied with nothing less.*

Fiat justitia ruat coelum.

GEORGE L. CHRISTIAN,

Chairman.

REPORT
BY
HON. GEO. L. CHRISTIAN,
Chairman.

ON THE TREATMENT AND EXCHANGE OF PRISONERS.

October 23, 1902.

REPORT OF OCTOBER 23, 1902.

To the Grand Camp of Confederate Veterans of Virginia:

Your History Committee again returns its thanks to you, and the public, for the very cordial way in which you have shown your appreciation of its labors, as contained in its last three reports. It may interest you to know, that whilst these reports have been published and scattered broadcast over this land, no attempt has been made to controvert or deny any principle contended for, or fact asserted, in any of them, so far as we have heard. We think we can, therefore, justly claim that the following facts have been established:

First. That the South did not go to war to maintain, or to perpetuate, the institution of slavery.

Second. The right of secession (the real issue of the war), and that this right was first asserted at the North, and as clearly recognized there as at the South.

Third. That the North, and not the South, was the aggressor in bringing on the war.

Fourth. That on the part of the South the war was conducted according to the principles of civilized warfare, whilst on the part of the North it was conducted in the most inhuman and barbarous manner.

The last of the above named was the subject of our last report, in which we drew a contrast between the way the war was conducted on our part, and the way it was conducted by our *quondam* enemies, which, we think, was greatly to the credit of the South. The subject of this report, the

“TREATMENT AND EXCHANGE OF PRISONERS,”

is really a continuation and further discussion of the contrast begun in that report and a necessary sequel to that discussion. The further treatment of this subject becomes most important, too, from the fact that our people know very little about the

true state of the case, whilst both during and since the war, the people of the North, with the superior means at their command, have denounced and maligned the South and its leaders as murderers and assassins, and illustrated these charges by the alleged inhuman and barbarous way in which the South treated their prisoners during the late war: *e. g.*, the late James G. Blaine, of Maine, said on the floor of the United States Congress in 1876:

“Mr. Davis was the author, knowingly, deliberately, guiltily and wilfully of the gigantic murder and crime at Andersonville, and I here before God, measuring my words, knowing their full extent and import, declare, that neither the deeds of the Duke of Alva in the Low Countries, nor the massacre of Saint Bartholomew, nor the thumb-screws and engines of torture of the Spanish Inquisition, begin to compare in atrocity with the hideous crimes of Andersonville;” and he quoted and endorsed a report of a committee of the Federal Congress made during the war, in which they say:

“No pen can describe, no painter sketch, no imagination comprehend, its fearful and unutterable iniquity. It would seem that the concentrated madness of earth and hell had found its final lodgment in the breasts of those who had inaugurated the rebellion and controlled the policy of the Confederate Government, and that the prison at Andersonville had been selected for the most terrible human sacrifice which the world had ever seen.”

It is true that the statement made by Mr. Blaine was denied, and its falsity fully shown by both Mr. Davis and Senator Hill, of Georgia; and the report of the Committee of the Federal Congress, and an equally slanderous and partisan publication entitled “Narration of Sufferings in Rebel Military Prisons” (with hideous looking skeleton illustrations of alleged victims), issued by the United States Sanitary Commission in 1864, were fully answered by a counter report of a committee of the Confederate Congress. And it is also true that in 1876, the Rev. John William Jones, D. D., who was then editing the Southern Historical Society Papers, made a full and masterly investigation and report on this subject, vindicating the South and its leaders from these asper-

sions (for which work, as said in our last report, the Southern people owe Dr. Jones a lasting debt of gratitude). (The letter of Mr. Davis, the report of the Committee of the Confederate Congress, with other valuable material collected by Dr. Jones, are all published in the first volume of the Southern Historical Papers, and also in a separate volume.) But whilst these publications were most satisfactory to us at the time, they, necessarily, did not contain the contemporaneous correspondence in reference to the exchange and treatment of prisoners, contained in the publication known as "Rebellion Official Records," published by the Federal Government since that time—a correspondence invaluable, as it makes the representatives of the two Governments, at the time, tell, in their own way, the true story of these events. It is from these letters and other contemporaneous orders and papers, that we propose to show *which side was responsible* for Andersonville, Salisbury, "The Libby," and "Belle Isle," in the South, and for Camp Douglas, Gratiot Street, Fort Delaware, Johnson's Island, Elmira, Point Lookout, and other like places in the North. In doing this we do not think it either necessary or proper to revive the tales of horror and misery contained in many of the personal recitals of the captives on either side, such as are collected in the works of Dr. Jones, the "Sanitary Commission," and others. Many of these are simply heart-sickening and disgusting; and, making allowances for all exaggerations necessarily incident to the surroundings of the writers, there is enough in them to convince any candid reader that there were cruelties and abuses inflicted on helpless prisoners, by petty officers and guards, that should never have been inflicted, and which we hope the higher officers of neither government would have permitted or tolerated for a moment.

But what we are concerned about is, to show by these "official records" *that neither Mr. Davis, nor any Department or representative of the Confederate Government, was responsible for the establishment of these prisons, and the sufferings therein, as heretofore charged by our enemies, and that the Federal Government, through Edwin M. Stanton, H. W. Halleck, and U. S. Grant as its representative actors, was directly and solely responsible for the estab-*

lishment of these places, and consequently for all the sufferings and deaths which occurred therein.

The reports and correspondence relative to the exchange and treatment of prisoners fill four of the large volumes of the "Rebellion Records," and whilst we have striven to tell the full story, or rather, to omit nothing essential to the truth, it is simply impossible, within the limits of this report, to do more than call attention to some of the more important and salient features of the correspondence, etc., and only to an extent necessary to disclose the real conditions at the several dates referred to. This is all that we have attempted to do, but we have tried to do this faithfully.

THE POLICY OF THE CONFEDERATE GOVERNMENT AS SHOWN BY ACTS OF CONGRESS, ETC.

To show the declared purpose and policy of the Confederate Government towards prisoners of war from the beginning: As early as May 21st, 1861, two months before the first battle of Manassas, the Confederate Congress passed an act providing that—

"All prisoners of war taken, whether on land or at sea, during the pending hostilities with the United States, shall be transferred by the captors from time to time, and as often as convenient, to the Department of War; and it shall be the duty of the Secretary of War, with the approval of the President, to issue such instructions to the Quartermaster-General, and his subordinates, as shall provide for the safe custody and sustenance of prisoners of war; and that rations furnished prisoners of war shall be the same in quantity and quality as those furnished to enlisted men in the Army of the Confederacy."

By an Act of February, 1864, the Quartermaster-General was relieved of this duty, and the Commissary-General of Subsistence was ordered to provide for the sustenance of prisoners of war, and according to General Orders No. 159, Adjutant and Inspector General's Office, it was provided that "*Hospitals for prisoners of war are placed on the same footing as other Confederate States' Hospitals in all respects, and will be managed accordingly.*"

GENERAL LEE'S ORDERS.

General Lee, in his testimony before the Reconstruction Committee of Congress, says of the treatment of prisoners on the field:

"The orders always were, that the whole field should be treated alike. Parties were sent out to take the Federal wounded, as well as the Confederate, and the surgeons were *told to treat the one as they did the other. These orders given by me were respected on every field.*"

And there is nothing in all the records, so far as we can find, which indicates that any Department of the Confederate Government, or any representative of any such Department, failed to carry out these provisions of the law, and these orders, *as far as they were able to do so*. Of course, there were times when, by reason of insufficient transportation, and insufficient supplies of food and clothing of all kinds, it was simply impossible to get proper supplies and in sufficient quantities to prevent great suffering among the prisoners in Southern prisons. But this was equally true as to the Confederate soldiers in the field, and the assertion on page 68 of the before-referred-to publication by the Northern Sanitary Commission, headed by Dr. Valentine Mott, shows its partisanry and worthlessness as history, when it charges the Confederate authorities with "deliberately withholding necessary food from their prisoners of war, and furnishing them with what was indigestible and loathsome, when their own army was abundantly supplied with good and wholesome food;" * * * "of depriving their prisoners of their own clothing, and also of withholding the issue of sufficient to keep them warm when the soldiers of their own army were well equipped and well protected from exposure to wet and cold." The world now knows, that at the very time when these false charges were being formulated, the Confederate soldiers in the field were almost naked and starving, and that nearly ninety per cent. of the rest of their equipment had been captured from their enemy in battle.

EXCHANGE OF PRISONERS.

From the very beginning, the Confederate authorities were anxious to make an arrangement for the exchange of prisoners, and, indeed, that the war should be conducted in all of its features on the highest and most humane plane known to civilized nations. To that end Mr. Davis wrote Mr. Lincoln on July 6th, 1861, as follows:

“It is the desire of this Government so to conduct the war now existing, as to mitigate its horrors as far as may be possible; and with this intent, its treatment of the prisoners captured by its forces has been marked by the greatest humanity and leniency consistent with public obligation. Some have been permitted to return home on parole, others to remain at large under similar conditions, within this Confederacy, and all have been furnished with rations for their subsistence, such as are allowed to our own troops.”

This letter was sent to Washington by a special messenger (Col. Taylor); but he was refused an audience with Mr. Lincoln, and was forced to content himself with a verbal reply from General Scott to the effect that the letter had been delivered to Mr. Lincoln, and that he would reply to it in writing as soon as possible. *But no answer ever came.*

For nearly a year after the war began, although many prisoners were captured and released on parole, on both sides, the Federal authorities refused to enter into any arrangement for the exchange of prisoners, taking the absurd position that they would not treat with “rebels” in any way which would recognize them as belligerents. The English government had already recognized us as “belligerents” as early as May, 1861. As the Earl of Derby tersely said in the House of Lords:

“The Northern States could not claim the rights of belligerents for themselves, and, on the other hand, deal with other parties, not as belligerents, but as rebels.”

After a while the pressure on the Federal authorities by friends of the prisoners was so great that they were induced to agree to

a cartel for the exchange of prisoners on the very basis offered by the Confederates in the beginning. These negotiations were commenced on the 14th of February, 1862, Gen. John E. Wool representing the Federals and Gen. Howell Cobb the Confederates, the only unsettled point at that time being that General Wool was unwilling that each party should agree to pay the expenses of transporting their prisoners to the frontier; and this question he promised to refer to his Government. At a second interview on March 1st, 1862, General Wool informed General Cobb that his Government would not consent to pay these expenses, and thereupon General Cobb promptly receded from this demand and agreed to accept the terms offered by General Wool. General Wool had stated in the beginning that he alone *was clothed with full power* to effect this arrangement, but he now stated that his Government "had changed his instructions." And so these negotiations were broken off, and matters left as before they were begun.

The real reason for this change was that in the meantime the capture of Forts Henry and Donaldson had given the Federals a preponderance in the number of prisoners. Soon, however, Jackson's Valley campaign, the battles around Richmond, and other Confederate successes, gave the Confederates the preponderance, and this change of conditions induced the Federals to consent to terms, to which the Confederates had always been ready to accede.

And so on July 22nd, 1862, Gen. John A. Dix, representing the Federals, and Gen. D. H. Hill, the Confederates, at Haxall's Landing, on James river, in Charles City county, entered into the cartel which thereafter formed the basis for the exchange of prisoners during the rest of the war whenever it was allowed by the Federals to be in operation. Article four of this cartel provided as follows:

"All prisoners of war, to be discharged on parole, in ten days after their capture, and the prisoners now held and those hereafter taken, to be transferred to the points mutually agreed upon, at the expense of the capturing party."

Article six provided that—

"The stipulations and provisions above mentioned are to be

of binding obligation during the continuance of the war, it matters not which party may have the surplus of prisoners." * * * "That all prisoners, of whatever arm of the service, are to be exchanged or paroled in ten days from the time of their capture, if it be practicable to transfer them to their own lines, in that time; if not, as soon thereafter as practicable."

Article nine provided that—

"In case any misunderstanding shall arise in regard to any clause or stipulation in the foregoing articles, it is mutually agreed that such misunderstanding shall not interrupt the release of prisoners on parole, as herein provided; but shall be made the subject of friendly explanation, in order that the object of this agreement may neither be defeated nor postponed."

It is readily seen that both General Dix and General Hill acted with the utmost good faith in the formation of this cartel, with a common purpose in view, to the carrying out of which each pledged the good faith of his Government; and in Article nine they made ample provision to prevent any cessation in the work of exchanging promptly all prisoners captured during the war. And we now propose to show that this would have been the case but for the bad faith and bad conduct of the representatives of the Federal Government.

As was contemplated by the cartel, each of the two Governments appointed its Commissioners of Exchange to carry it into execution. On the part of the Federals, Major General E. A. Hitchcock was appointed, with two assistants, Col. Wm. H. Ludlow, and Captain (afterward Brigadier-General) John E. Mulford, as assistants. On the part of the Confederates, the late Judge Robert Ould, of the Richmond (Va.) Bar, was the sole representative. The writer had the privilege of knowing both General Mulford and Judge Ould well, and, in his opinion, no better selections could have been made by their respective Governments. Judge Ould was a man of splendid judicial bearing, singular honesty of purpose and kindness of heart, with capacity both in speaking and in writing, to represent his Government with unsurpassed ability. General Mulford was a man of fair abilities, and of great kind-

ness of heart. Of General Hitchcock and Colonel Ludlow, he can only speak from what they disclose of their characteristics in their letters. General Hitchcock exhibits profound distrust of what he terms the "rebel" authorities in all of his letters, and frequently displays a temper and impatience, seemingly, not warranted by the surrounding circumstances. Colonel Ludlow, at times, exhibits great fairness; at other times, manifest unfairness, but always displays shrewdness and ability.

There is abundant evidence in these records to show that the true reason why Mr. Lincoln did not reply to Mr. Davis's letter of July 6th, 1861, hereinbefore quoted, was that he and the other authorities at Washington did not intend from the beginning to conduct the war, in any of its features, according to the recognized principles of civilized warfare, although they had adopted the rules of Dr. Leiber apparently for this purpose, as the law to govern the conduct of their armies in the field. As conclusive evidence of this, it was shown in our last report that on the very day of the date of the cartel, the Federal Secretary of War, by order of Mr. Lincoln, issued an order to the Military Commanders in Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas and Arkansas, directing them to seize and use any property belonging to citizens of the Confederacy which might be "necessary or convenient for their several commands," without making any provision for compensation therefor. About the same time, and doubtless by the same authority, Generals Pope and Steinwehr issued their infamous orders, also referred to in our last report. All of these orders were so contrary to all the rules of civilized warfare, and especially to those adopted by the Federal authorities themselves, that on August 1, 1862 (just ten days from the date of the cartel), the Confederate authorities were driven to the necessity of issuing an order declaring, among other things, that Pope and Steinwehr and the *commissioned* officers of their commands, "had chosen for themselves (to use General Lee's words) the position of *robbers and murderers*, and not that of public enemies, entitled, if captured, to be treated as prisoners of war." Later on, in the fall of that year, came the bar-

barous orders and conduct of Generals Milroy, Butler and Hunter, which led to the proclamations of outlawry against these officers, and directing that they and their *commissioned* officers should not be treated, if captured, as prisoners of war, and, therefore should not be exchanged, but kept in confinement.

In September, 1862, Mr. Lincoln's emancipation proclamation was issued, to take effect January 1st following, which caused Mr. Davis to issue another proclamation on December 23rd, 1862, directing that any Federal officer who should be arrested whilst either enrolling, or in command of negroes, who were slaves, should be turned over to the authorities of the several States in which the offenses were committed, and punished for the crime of inciting servile insurrection. These several proclamations of Mr. Davis created considerable uneasiness among the Federal authorities, and furnished the very pretext for which they were doubtless longing, for either violating, or suspending, the terms of the cartel. And so on January 16th, 1863, we find Colonel Ludlow writing to his superior, General Hitchcock, as follows:

"I have the honor to enclose to you a copy of the *Richmond Enquirer*, containing Jeff. Davis' message. His determination, avowed in most insolent terms, to deliver to the several State authorities all commissioned officers of the United States that may hereafter be captured, will, I think, be persevered in. You will remember that after the proclamation of Jeff. Davis, of Dec. 23rd, 1862, I urgently advised another interview (the last one I had with Mr. Ould, and in which very important exchanges were declared). I then did so anticipating that the cartel might be broken, and wishing to make sure of the discharge from their parole of 10,000 of our men. This was effected, and in a manner so advantageous to our Government that we gained in the count of 20,000 exchanged, about 7,000 men. I had almost equally good success in the exchange declared on November 11th, 1862. If an open rupture should now occur, in the execution of the cartel, we are well prepared for it. I am endeavoring to get away from the Confederate prisons all our officers captured previously to the date of the message of Jeff. Davis (the 12th instant), with what success I shall know early next week."

(See Series II., Vol. V., Reb., Rec. Serial 118, p. 181.)

This transaction, of which we find Col. Ludlow thus boasting to his superior, will surely be sufficient to establish his reputation for *shrewdness* as a trader, or *exchanger*. So flagrant had been the violations of the cartel and the abuses committed by the Federals in pretending to carry it out, (some of which are confessed, as we have just seen, by Col. Ludlow), that on January 17th, 1863 Judge Ould wrote Col. Ludlow, complaining in the strongest terms, and stating that if he (Col. Ludlow) had any Confederate officer in his possession, or on parole, he would be exchanged for his equivalent. But that beyond that, he would not, and could not, parole *commissioned* officers then in his possession, but would continue to parole non-commissioned officers and privates. He said:

“This course has been forced on the Confederate Government, not only by the refusal of the authorities of the United States to respond to the repeated applications of this Government in relation to the execution of Mumford, but by their persistence in retaining Confederate officers who were entitled to parole and exchange.”

He said further:

“You have now, of captures that are by no means recent, many officers of the Confederate service, who are retained in your military prisons East and West. Applications have been made for the release of same without success, and others have been kept in confinement so long as to justify the conclusion that you refuse both to parole and exchange.” *Id.*, pp. 186-7.

Judge Ould then called Col. Ludlow's attention to several instances of these abuses and mistakes, and asked that they be corrected. In his letter of January 25th, 1863, he says:

“If any injustice has been done to you by our agreement, about reducing officers to privates, or in any other subject matter, I will promptly redress it.” * * * “There must be many officers in your and our possession who, by our agreement, made at the last interview, were declared exchanged. Such certainly ought to be mutually delivered up. The excess is on our side, but I will stand it because I have agreed to it. I must, however, insist

upon the immediate delivery of such of our officers as are included in the agreement." P. 213.

On December 30th, 1862, the following order was issued by Gen. H. W. Halleck, signing himself as "Gen'l.-in-Chief":

"No officers, prisoners of war, will be released on parole till further orders." Id., p. 248.

This, he said, was done in consequence of the course then being pursued by the Confederate authorities. But notwithstanding this order, and this action of the Confederate authorities here complained of, exchanges seem to have gone on, the Commissioners on either side constantly complaining that his adversary had broken the cartel. And on April 11th, 1863, we find Judge Ould again writing Colonel Ludlow, saying:

"I am very much surprised at your refusal to deliver officers for those of your own, who have been captured, paroled and released by us since the date of the proclamation and message of President Davis. The refusal is not only a flagrant breach of the cartel, but can be supported on no rule of reciprocity or equity." * * * "You have charged us with breaking the cartel. With what sort of justice can that allegation be supported, when you delivered only a few days ago over ninety officers, most of whom had been forced to languish and suffer in prison for months before we were compelled, by that and other reasons, to issue the retaliatory order of which you complain? Those ninety-odd are not half of those whom you unjustly held in prison. On the other hand, I defy you to name the case of one who is confined by us, whom our Government has declared exchanged. Is it your idea that we are to be bound by every strictness of the cartel, while you are at liberty to violate it for months, and that, too, not only in a few cases, but hundreds?" * * * "If captivity, privation and misery are to be the fate of officers on both sides hereafter, let God judge between us. I have struggled in this matter as if it had been a matter of life and death to me. I am heart-sick at the termination, but I have no self-reproaches." Id., p. 469.

In Ludlow's reply to this letter, he simply says Judge Ould was mistaken in his charges and complaints, but he did not suc-

ceed in pointing out one single instance in which Judge Ould was in error.

Notwithstanding all these charges and counter charges, exchanges still went on, and so we find Colonel Ludlow reporting to Secretary Stanton on May 5th, 1863, as follows:

"I have just returned from City Point, and have brought with me all my officers who have been held by the Confederates, and whom I send to City Point to-night. I have made the following declarations of exchanges:

(1) "All officers and enlisted men, and all persons, whatever may have been their classification or character, who have been delivered at City Point up to the 6th of May, 1863.

(2) "All officers who have been captured and released on parole up to April 1st, 1863, wherever they may have been captured.
* * * Id., p. 559, See also, p. 564.

It seems that the Confederate Congress had refused to sustain Mr. Davis, in his suggested retaliatory measures about the treatment of officers to the extent he had recommended, and so exchanges went on with the result as just above reported, up to May 6th, 1863, and with but few, if any, complaints against the Confederates of ill treatment to prisoners to that time. But how does the case stand, in this respect, at this time, with the Federals? We have only space here for two quotations to show this, and both of these are from their own witnesses, and it would seem that these would offset "Andersonville," "The Libby," or any other place this side of the infernal regions.

On February 9th, 1862, Judge Ould wrote Col. Ludlow:

"I see from your own papers, that some dozen of our men captured at Arkansas Pass were *allowed to freeze* to death in one night at Camp Douglas. I appeal to our common instincts, against such atrocious inhumanity." Id., p. 257.

We find no denial of this charge. On May 10th, 1863, Dr. Wm. H. Van Buren, of New York, on behalf of the United States "Sanitary Commission," reported to the Secretary of War the condition of the hospitals of the prisoners at Camp Douglas, near Chicago, and Gratiot street, St. Louis. In this report he incor-

porates the statements of Drs. Hun and Cogswell, of Albany, N. Y., who had been employed by the Sanitary Commission to inspect hospitals, and Dr. Van Buren commends these gentlemen as men of high character and eminent fitness for the work to which they had been assigned. It is from the statement of these Northern gentlemen that we quote. They caption their report from Albany, April 5th, 1863, and say, among other things, as follows:

“In our experience, we have never witnessed so painful a spectacle as that presented by these wretched inmates; without change of clothing, covered with vermin, they lie in cots, without mattresses, or with mattresses furnished by private charity, without sheets or bedding of any kind, except blankets, often in rags; in wards reeking with filth and foul air. The stench is most offensive. We carefully avoid all exaggeration of statement, but we give some facts which speak for themselves. From January 27th, 1863, when the prisoners (in number about 3,800) arrived at Camp Douglas, to February 18th, the day of our visit, 385 patients have been admitted to the hospitals, of whom 130 have died. This mortality of 33 per cent. does not express the whole truth, for of the 148 patients then remaining in the hospital a large number must have since died. Besides this, 130 prisoners have died in barracks, not having been able to gain admission even to the miserable accommodations of the hospital, and at the time of our visit 150 persons were sick in barracks waiting for room in hospital. Thus it will be seen that 260 out of the 3,800 prisoners had died in twenty-one days, a rate of mortality which, if continued, would secure their total extermination in about 320 days.”

They then go on to describe the conditions at St. Louis, showing them to be even worse than at Chicago, and after stating that the conditions of these prisons are “discreditable to a Christian people,” they add:

“It surely is not the intention of our Government to place these prisoners in a position which will secure their extermination by pestilence in less than a year.” See, also, report of U. S. Surgeon A. M. Clark, Series II., Vol. VI., p. 371. See, also, *Id.*, p. 113.

Is it not a little surprising, that when the representatives of this same "Sanitary Commission" published their savage and partisan report in September, 1864, as to the way their prisoners were being treated in Southern prisons, which report they had adorned with pictures of skeletons alleged to have come from our prison hospitals, they did not make some allusion to the condition of things as found by them in their own hospitals?

But as further evidence of violations of the cartel, it will be seen that on May 13th, 1863, Judge Ould wrote to Col. Ludlow again calling his attention to the "large number of our officers captured long since and still held by them"; threatened retaliation if the unjust and harsh course then pursued by the Federals towards our officers was persevered in; and concluded as follows:

"Nothing is now left as to those whom our protests have failed to release, but to resort to retaliation. The Confederate Government is anxious to avoid a resort to that harsh measure. *In its name I make a final appeal for that justice to our imprisoned officers and men which your own agreements have declared to be their due.*" Id., p. 607.

Again, on the next day, he wrote, naming several of Mosby's men who had been carried to the Old Capitol prison. He then said:

"They are retained under the allegation that they are bushwhackers and guerrillas. Mosby's command is in the Confederate service in every sense of the term. He is regularly commissioned, and his force is as strictly Confederate as any in our army. Why is this done? This day I have cleaned every prison in my control as far as I know. If there is any detention anywhere let me know and I will rectify it. I am compelled to complain of this thing in almost every communication. You will not deem me passionate when I assure you it will not be endured any longer. If these men are not delivered, a stern retaliation will be made immediately." Id., p. 632.

Again on the 22nd of May, 1863, he wrote, saying:

"You are well aware, that for the last six months I have been presenting to you lists of Confederate officers and soldiers and

Confederate citizens, who have been detained by your authorities in their prisons. Some of these, on my remonstrance, have been released and sent to us, but by far the greater number remain in captivity.”

He then tells Colonel Ludlow, that he is satisfied that he (Ludlow) has tried to have these prisoners released, but without avail, and then tells him again that the Confederates were compelled to notify him that they must resort to retaliation; but telling him further that he will be notified of each case in which this course is pursued.

On the same day he wrote another letter calling Ludlow's attention to the report that Captains McGraw and Corbin had been tried and sentenced to be shot for recruiting for the Confederates in Kentucky, and saying that if these men were executed the Confederate authorities had selected two captains for execution in retaliation; and he concludes this letter with this significant language:

“In view of the awful vortex into which things are plunging, I give you notice, that in the event of the execution of these persons, retaliation to an equal extent at least, will be visited upon your own officers, and if that is found ineffectual the number will be increased. The Great Ruler of Nations must judge who is responsible for the initiation of this chapter of horrors. Id., p. 690-1.

In a letter of January 5th, 1863, Judge Ould wrote:

“Nothing is nearer my heart than to prevent on either side a resort to retaliation. Even if made necessary by course of events, it is much to be deplored. These are not only my own personal views, *but those of my Government.*”

It is almost unnecessary to say that, of course, these complaints and threats and appeals, would not have been made, at the time, and in the manner they were made, had not just cause existed therefor, and that the Federal authorities were *solely responsible for the condition of affairs then existing.* (See another letter of the same date on the same page as to political prisoners.)

This being the condition of things, on May 25th, 1863, the following order was issued by the Federals:

“WAR DEPARTMENT, WASHINGTON, D. C., *May 25, 1863.*

GENERAL SCHOFIELD:

“No Confederate officer will be paroled or exchanged till further orders. They will be kept in close confinement, and be strongly guarded. Those already paroled will be confined.

“H. W. HALLECK,

“*General-in-Chief.*”

And similar orders were sent to all commanders of Federal forces throughout the country. *Id.*, p. 696. See, also, pp. 706-7, 722.

It is surely unnecessary then, after reading these letters, and this order, to say which side was responsible for violations of the cartel while it remained in operation, and for the suspension of its operations, as well as for the first maltreatment of prisoners.

With the exception of exchanges in individual cases, this suspension of the cartel continued. So that, on July 2nd, 1863, Mr. Davis addressed a letter to Mr. Lincoln in which he said, among other things, after referring to the differences that had arisen between the Commissioners in carrying out the cartel, and the hardships incurred by reason of its suspension—as follows:

“I believe I have just ground of complaint against the officers and forces under your command, for breach of the cartel, and being myself ready to execute it at all times, and in good faith, I am not justified in doubting the existence of the same disposition on your part. In addition to this matter, I have to complain of the conduct of your officers and troops in many parts of the country, who violate all the rules of war by carrying on hostilities, not only against armed foes, but against non-combatants, aged men, women and children, while others not only seize such property as is required for the use of your troops, but destroy all private property within their reach, even agricultural implements, and openly avow the purpose of seeking to subdue the population of the districts where they are operating by starvation that must result from

the destruction of standing crops and agricultural tools. Still again others of your officers in different districts have recently taken the lives of prisoners who fell into their power, and justify their act by asserting a right to treat as spies the military officers and enlisted men under my command who may penetrate into States recognized by us as our allies in the warfare now waged against the United States, but claimed by the latter as having refused to engage in such warfare. I have therefore on different occasions been forced to make complaints of these outrages, and to ask from you, that you either avow or disclaim having authorized them, and have failed to obtain such answer as the usages of civilized warfare require to be given in such cases. These usages justify and indeed require redress by retaliation as the proper means of repressing such cruelties as are not permitted in warfare between Christian peoples. I have, notwithstanding, refrained from the exercise of such retaliation because of its obvious tendency to lead to war of indiscriminate massacre on both sides, which would be a spectacle so shocking to humanity, and so disgraceful to the age in which we live, and the religion we profess, that I cannot contemplate it without a feeling of horror that I am disinclined to doubt you would share. With the view then of making our last solemn attempt to avert such calamities, and to attest my earnest desire to prevent them, if possible, I have selected the bearer of this letter, the Hon. Alexander H. Stephens, as a Military Commissioner, to proceed to your headquarters, under flag of truce, there to confer and agree on the subjects above mentioned; and I do hereby authorize the said Alexander H. Stephens to arrange and settle all differences and disputes, which have arisen, or may arise in the execution of the cartel for exchange of prisoners of war, heretofore agreed on between our respective land and naval forces; also to prevent further misunderstandings as to the terms of said cartel, and finally to enter into such arrangement and understanding about the mode of carrying on hostilities between the belligerents as shall confine the severities of the war within such limits as are rightfully imposed, not only by modern civilization, but by our common Christianity." *Reb. Rec., Series II., Vol. VI., p. 75-6.*

On the 4th of July, 1863, Mr. Stephens, accompanied by Judge Ould, took the foregoing letter and proceeded down the James river under flag of truce, for the purpose of delivering the letter, and of conferring with Mr. Lincoln. They were stopped by the blockading squadron, under the command of Acting Rear-Admiral S. P. Lee, near Newport News, and Mr. Stephens then communicated to Admiral Lee the nature of his mission. This communication to Admiral Lee was reported to the Secretary of the Navy, Mr. Gideon Wells, and by the latter to the Secretary of War, Mr. Edwin M. Stanton. After Mr. Stephens had been kept for two days awaiting a reply, he was informed that the Secretary of War refused to permit him to proceed further on the ground that "the customary agents and channels are considered adequate for all needful communications and conferences." See Mr. Stephens' report, *Id.*, p. 94.

Between the date of Mr. Davis' letter and the 6th of July, when the refusal came to allow Mr. Stephens to proceed further on his attempted mission of mercy and justice, Gettysburg had been fought, and Vicksburg had fallen, and these disasters to the Confederates had not only made the Federals arrogant, but had also given them for the first time since the cartel a preponderance of prisoners, and hence from that time forward, their interest and their policy was to throw every obstacle possible in the way of the further exchanges of prisoners.

The foregoing letter of Mr. Davis exhibits the loftiest statesmanship and Christian character, and should inspire us with a new desire to do honor to his memory, as well as fill us with pride that we had as our civil leader, one so noble, so humane, so just and so true.

It is interesting to us to know that Mr. Davis and General Lee were in full accord in their views on the question of retaliating on prisoners for offences committed by others. On the 13th of July, 1864, Mr. Seddon, the Confederate Secretary of War, wrote to General Lee, calling his attention to the murder of two citizens in the Valley of Virginia by General Hunter's orders, or by his command, suggesting that some course of retaliation should

be put in operation to prevent further atrocities of the kind, and asking General Lee "What measure of punishment or retaliation should be adopted?" (Id., p. 464.) To this inquiry General Lee replied as follows:

"I have on several occasions expressed to the Department my views as to the system of retaliation, and revolting as are the circumstances attending the murder of the citizens above mentioned, I can see nothing to distinguish them from other outrages of a like character that have from time to time been brought to the attention of the Government. As I have said before, if the guilty parties could be taken, either the officer who commands, or the soldier who executes such atrocities, I should not hesitate to advise the infliction of the extreme punishment they deserve, but I cannot think it right or politic, *to make the innocent, after they have surrendered as prisoners of war, suffer for the guilty.*" * * *

On this letter, Mr. Davis makes this endorsement:

"The views of General Lee I regard as just and appropriate."

Contrast this letter and this endorsement with the treatment accorded by General Sherman to prisoners, as detailed by him on page 194, Vol. II, of his Memoirs, and you will see the difference between the conduct of a Christian and a savage.

But we must proceed with the subject of the exchange of prisoners. Some time in the summer of 1863, Gen. S. A. Meredith was appointed a Federal Commissioner of Exchange, and in September Judge Ould attempted to open negotiations with him, for a resumption of the cartel. To this attempt by letter no reply was received. He renewed these efforts on October 20th, 1863, saying—

"I now propose that all officers and men on both sides be released in conformity with the provisions of the cartel, the excess on one side or the other, to be on parole. Will you accept this? I have no expectation of an answer, but perhaps you may give one. If it does come, I hope it will be soon." Id., p. 401.

But nothing was accomplished by both of these efforts. Some time in November or December, 1863, Gen. B. F. Butler was appointed the Federal Commissioner of Exchange. It will be re-

membered that this man had been outlawed by the Confederate authorities prior to this time and it was openly charged, and generally believed, that this appointment was made solely to make communication between the belligerents the more difficult by embarrassing the Confederates, and consequently to throw this additional obstacle in the way of further exchange of prisoners.

Immediately on taking charge, General Butler says he saw Mr. Stanton, Secretary of War, and suggested that the Confederate prisoners in their hands, should be sheltered, fed, clad and otherwise treated as Federal prisoners were being treated by us; and this suggestion, he says, Mr. Stanton at once assented to. (See Butler's Book, p. 585.) In other words, he says, in effect, that because the Confederates, in their exhaustion and poverty, *could not* adequately supply the needs of their men in our prisons, therefore, he and the Federal Secretary of War thought it right as an act of revenge and retaliation, to withhold these comforts and supplies from our men in their prisons when they had adequate means of all kinds to supply the needs of these men. Surely comment on this statement is unnecessary.

After Mr. Lincoln's emancipation proclamation went into effect, as we have said, on January 1st, 1863, the Federals enrolled a large number of slaves in their armies. This greatly embarrassed, as well as exasperated, the Confederates. We have heretofore stated the stand proposed by Mr. Davis, and recommended by him to the Confederate Congress, to turn over the officers of these colored troops to the State authorities in which any of them might be captured, to be tried in the courts of such State for the crime of inciting servile insurrection, and that Congress refused to sustain him in this recommendation. The question then arose as to exchanging negro prisoners. The Federal authorities contended that where slaves were captured by them, or when they deserted and came to them and enlisted in their armies, they thereby became free, and should be placed on the same footing with their white soldiers, in respect to exchanges, as well as in all other respects. The Confederates, on the contrary, contended that whatever might be the effect on the *status* of the slave by going to the

Federals and enlisting in their armies; yet should they be recaptured by the Confederates, that restored them to their former *status* as slaves, and they should then be returned to their masters, or put to work by the Confederates, and their masters compensated for their labor. In those cases where the masters did not reside in the Confederacy, or could not be ascertained, such Negroes were to be exchanged as other prisoners.

The letter from General Lee to General Grant, stating the Confederate position on this subject, is a masterpiece, whether considered from a legal, historical or statesmanlike point of view. See Series II., Vol. VII., Serial No. 120, p. 1010. General Grant, in his reply, seeing that he could not answer the arguments of General Lee, contents himself with saying, on this point:

"I have nothing to do with the discussion of the slavery question; therefore decline answering the arguments adduced to show the right to return to former owners such Negroes as are captured from our army." *Id.*, p. 1018.

But to return to General Butler. He says he soon learned that the Confederates were anxious to exchange the prisoners held by them, and so he proposed to the Secretary of War "the plan of so exchanging until we had exhausted all our prisoners held by the Rebels, and as we should then have a surplus of some ten thousand to hold them as hostages for our colored troops, of which the Rebels held only hundreds, and to retaliate on this surplus such wrongs as the Rebels might perpetrate on our soldiers." (See Butler's Book, p. 585.)

At first Judge Ould refused to treat with General Butler at all, but in order to resume the cartel, which he was anxious to do, this position was soon abandoned, and so on the 30th of March, 1864, he, by appointment, conferred with General Butler on the subject of resuming the exchange. As the result of this interview, General Butler wrote the Secretary of War that with the exception of the question about the exchange of Negroes, "all other points of difference were substantially agreed upon, so that the exchange might go on readily and smoothly, man for man and officer for officer, of equal rank, and officers for their equivalents

in privates, as settled by the cartel." (Butler's Book, p. 590.) Judge Ould left General Butler on the 31st of March, with the understanding that Butler would confer with his Government about the points discussed, and then confer further with him.

"In the meantime the exchanges of sick and wounded and special exchanges were to go on."

On the first day of April, 1864, General U. S. Grant appeared on the scene, and General Butler says:

"To him the state of the negotiations as to exchange was communicated, and most emphatic verbal directions were received from the Lieutenant-General not to take any steps by which another able-bodied man should be exchanged until further orders from him." Butler's Book, p. 592.

And the reason assigned by General Grant for this course was that, *the exchange of prisoners would so strengthen General Lee's army as to greatly prolong the war, and therefore it was better that the prisoners then in confinement should remain so, no matter what sufferings would be entailed thereby.* "I said," says General Butler, "I doubted whether, if we stopped exchanging man for man, simply on the ground that our soldiers were more useful to us in Rebel prisons than they would be in our lines, however true that might be, or speciously stated to the country, the proposition could not be sustained against the clamor that would at once arise against the administration." * * * Id., p. 594. And he adds:

"These instructions in the then state of negotiations rendered any further exchanges impossible and retaliation useless."

This condition of affairs, for which, as we have seen, General Grant was solely responsible, continued, with little change, till the latter part of January, 1865. It was during this interval of nearly a year that the greatest sufferings and mortality occurred. Finally the clamor was so great for a renewal of the cartel that General Grant consented, and from that date exchanges continued to the end of the war, although when a large number of prisoners were sent to General Schofield, at Wilmington, on February 21st, 1865, he refused to receive them. Vol. VIII., p. 286.

On the 10th of January, 1864, in view of the large numbers of prisoners then held on both sides, and the sufferings consequently engendered thereby, Judge Ould addressed a letter to Major (afterwards General) Mulford, proposing to deliver all prisoners held by us for an equivalent held by the Federals. But to this letter no reply was ever made. On the 22nd of August he wrote making the same offer to General Hitchcock, but received no reply to this letter either. And so on the 31st of August, 1864, Judge Ould published a statement setting forth in detail the efforts made by the Confederate authorities to carry out the cartel in good faith, stating how it had been violated from time to time, and finally suspended, *solely by the bad faith and bad conduct of the Federals.*

On the 1st of October, 1864, General Lee proposed to General Grant to renew the cartel, but no agreement could be reached on the subject, and so on the 6th of October, 1864, Judge Ould addressed a letter to General Mulford and proposed, in view of the probabilities of the long confinement of prisoners on both sides, "that some measures be adopted for the relief of such as are held by either party. To that end, I propose," says he, "that each Government shall have the privilege of forwarding for the use and comfort of such of its prisoners as are held by the other, necessary articles of food and clothing." * * * P. 930.

Whilst this proposition was finally accepted by the Federals, it took a whole month to get their consent to it. General Mulford's reply is dated November 6th, 1864. As early in that year as January 24th, Judge Ould had written General Hitchcock, proposing that the prisoners on each side be attended by their own surgeons, and that these surgeons should "act as Commissaries, with power to receive and distribute such contributions of money, food, clothing, and medicines as may be forwarded for the relief of prisoners." "I further propose," (says he), "that these surgeons be detailed by their own Governments, and that they shall have full liberty at any and all times, through the agents of exchange, to make reports, not only of their own acts, but of any matters relating to the welfare of prisoners."

“To this very important and humane letter,” Judge Ould says, “No reply was ever made.” 1 S. H. S. Papers, 128. If its terms had been accepted by the Federals (and nothing could have been fairer), what sufferings would have been prevented and how many lives would have been saved? But, as we now know, General Grant did not wish to keep these men from dying in our prisons. On the contrary, he preferred that the Confederates should be burdened with caring for them when living and charged with their death should they die, and in this way he would continue to “fire the Northern heart” against us. On the same principle, and for the same reason, he not only refused to agree to let us purchase medicine and other necessary supplies for these sick prisoners, but refused for months to receive from ten to fifteen thousand, which we offered to deliver up without receiving any equivalent in return. But above all these, he did not wish them exchanged, because of the recruits which would thereby come to General Lee’s army.

Notwithstanding the fact, as shown by our last report, it was by General Grant’s orders that General Sheridan devastated the Valley of Virginia, as he did, yet his considerate treatment of General Lee and his men at Appomattox and his fidelity to General Lee’s parole there given, after the war, have caused us to think kindly of him and to place him in a different class from that in which we have placed Stanton, Halleck, Sherman, Sheridan, Pope, Butler, Hunter, Milroy, and other Federal officers, who took such delight in treating us with such wicked and wanton brutality during the war. But as has been recently said of him, by a distinguished Northern writer, who was an officer in his army, and therefore knew him better than we did, General Grant was “of coarse moral as well as physical fibre”; and nothing demonstrates this more clearly than the cruel and heartless way in which he treated his own as well as our prisoners. He was so vindictive and cruel that on February 7th, 1865, he refused to make any arrangement with Judge Ould whereby our prisoners could receive contributions of assistance from friends at the North. (Vol. VIII., p. 140.) And as we have just seen, he preferred that his own men should die in our prisons, rather than to relieve them, when we offered to de-

liver them to him without any equivalent in return, because of the great mortality at Andersonville, which we were unable to avert, and of which he was fully apprised.

At the expense of being tedious, then, we have thought it right to give in much detail the facts in relation to the formation and operation of the cartel for the exchange of prisoners, and to show clearly from the records, why this cartel was suspended, and who was responsible therefor. And we have done so, *because this conduct was the true cause of substantially all the sufferings and deaths which came to the prisoners on both sides during the war. That we have shown that the Federal Government, with Edwin M. Stanton, H. W. Halleck and U. S. Grant as its representatives, is solely responsible, we think cannot be denied, and that history will so attest.*

Mr. Charles A. Dana, the Federal Assistant Secretary of War, in an editorial in the *New York Sun*, commenting on the letter of Mr. Davis to Mr. James Lyons, written in reference to the strictures of Mr. Blaine, referred to in the early part of this report, said, as follows:

“This letter shows clearly, we think, that the Confederate authorities, and especially Mr. Davis, ought not to be held responsible for the terrible privations, sufferings and injuries which our men had to endure while they were kept in Confederate military prisons. The fact is unquestionable, that while the Confederates desired to exchange prisoners, to send our men home, and to get back their own, General Grant steadily and strenuously resisted such an exchange.” * * *

“‘It is hard on our men held in Southern prisons,’ said Grant, in an official communication, ‘not to exchange them; but it is humane to those left in the ranks to fight our battles. If we commence a system of exchanges which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught they are no more than dead men.’” * * *

“This evidence (says Dana) must be taken as conclusive. It proves that it was not the Confederate authorities who insisted on keeping our prisoners in distress, want and disease, *but the*

commander of our own armies." * * * "Moreover (says he) there is no evidence whatever, that it was practicable for the Confederate authorities to feed our prisoners any better than they were fed, or to give them any better care and attention than they received. The food was insufficient, the care and attention were insufficient, no doubt, and yet the condition of our prisoners was not worse than that of the Confederate soldiers in the field, except in so far as the condition of those in prison must of necessity be worse than that of men who are free and active outside."

This is the statement, as we have said, of the Federal Assistant Secretary of War, during the war, and, of course, he knew whereof he wrote. He was the man by whose authority General Miles put the shackles upon Mr. Davis, when he was in prison at Fortress Monroe, and was, therefore, prejudiced in the highest degree against Mr. Davis and the Confederate authorities generally. And his statement *must be taken as conclusive of this whole question.*

When we add to this the pregnant fact that the report of the Federal Secretary of War, Mr. Stanton, dated July 19, 1866, shows that of the Federal prisoners in Confederate prisons only 22,576 died; whilst of the Confederate prisoners in Federal prisons 26,436 died, and the report of the Federal Surgeon General Barnes, published after the war, showing that the whole number of Federal prisoners captured and confined in Southern prisons during the war was, in round numbers, 270,000 while the whole number of Confederate prisoners captured and confined in Northern prisons was, in like round numbers, 220,000. From these two reports it will be seen that whilst there were 50,000 more prisoners in Southern than in Northern prisons, during the war, the deaths were four thousand less. The *per centum* of deaths in Southern prisons being under nine, while the *per centum* of deaths in Northern prisons was over twelve.

We think it useless to prolong this discussion, and feel confident that we can safely submit our conduct on this, as on every other point involved in the war, to the judgment of posterity and the impartial historian, and can justly apply to the Southern Confederacy the language of Philip Stanhope Wormsley, of Oxford

University, England, in the dedication of his translation of Homer's *Iliad* to General Robert E. Lee, "the most stainless of earthly commanders, and, except in fortune, the greatest."

"Thy Troy is fallen, thy dear land
Is marred beneath the spoiler's heel;
I cannot trust my trembling hand
To write the things I feel.

"Ah realm of tombs; but let her bear
This blazon to the end of time:
No nation rose so white and fair,
None fell so pure of crime."

HISTORIES NOW USED IN OUR SCHOOLS.

We have but little to add to what was said in our former reports concerning the histories now being taught in our schools, except to express our sincere regret that the State Board of Education, after first excluding it, reversed its action, and put on the list of histories to be used in our public schools, the work entitled "Our Country," by Messrs. Cooper, Estill & Lemon. And with the profoundest respect for each member of the Board, we think they committed an unintentional mistake.

We understand the Board based its later action on the ground that the edition of this work, published in 1901, contained important amendments, as well as omissions, not found in that of 1896, which was, in our opinion, so justly criticised and condemned by the late Dr. Hunter McGuire and Rev. S. Taylor Martin, D. D., in their reports to this Camp in 1899. Whilst it is true that this latest edition has been freed from many of the objections then urged against the former edition, and it is apparent that the authors have profited by these criticisms, and tried to adapt this "new issue" to the sentiments which gave them birth; yet there are such fundamental objections to this work still that should, in

our opinion, have excluded it from our schools forever. In the first place, we call attention to the fact, that the new edition does not show on the cover, or elsewhere, that it is a new edition at all. It is bound and labeled just as the former was; the preface in the new edition is dated in 1895, and is the same as that in the old; so that if the publishers were so disposed, they could easily palm off on the unwary teacher or child the *old* for the *new* edition.

But we have other objections to the book of a much more serious character. The first is, *that the authors are the same in both editions*, and authors who could state the *causes of the war*, as stated in the first edition at Section 521, and then state them (when objected to) as in Section 520 in the new edition, are not, in our opinion, such historians as we should allow to write history for our children, it matters not if they are Southern writers. This smacks too much of the methods said to be pursued by the G. A. R. of "making history to order." As Dr. Martin wrote of the first edition, so think we of this. He said:

"The book is a feeble production. The controlling idea is evidently the production of a history that would be acceptable to both North and South."

To accomplish such a task is (as it should be) an *impossibility*. But we condemn this work more for what it fails to say about the causes of the war, than for any inaccuracies we have noticed in what it does say on that and other subjects. Its text is on the order of those who say, "we thought we were right," rather than that "we were right." We did know we were right then, and we do know it now; and we are entitled to have this told to our children.

Writers at the North are almost daily saying to the world that the Southern States had the right to secede. Even Goldwin Smith, the most learned and able, as well as the most prejudiced historian against the South, who has written about the war, said in the *Atlantic Monthly* of this year:

"Few who have looked into the history, can doubt that the Union originally was, and was generally taken by the parties to it to be, a *compact*, dissoluble, perhaps most of them would have

said, at pleasure, dissoluble certainly on breach of the articles of the Union."

And that liberal and cultured statesman and writer, Mr. Charles Francis Adams, of Boston, in an address delivered by him in June last in Chicago, (whilst as we understand him, not conceding the right of secession to exist in 1861), said, quoting from *Donn Piet's Life of General George H. Thomas*, as follows:

"To-day no impartial student of our constitutional history can doubt for a moment, that each State ratified the form of government submitted in the firm belief that at any time it could withdraw therefrom."

With our *quondam* enemies thus telling the world that we had the *right* to do what we tried to do, and only asked to be let alone, and when we know that when we did go to war, we only went to repel a ruthless invasion of our homes and firesides, *our case could not be made stronger*. And we *have the right, therefore, to insist that our children shall be told the truth about it, and we should be content with nothing less*.

Dr. Jones, in his history, says:

"The seceding States not only had a perfect right to withdraw from the Union, but they had amply sufficient cause for doing so, and that the war made upon them by the North was utterly unjustifiable, oppressive and cruel, and that the South could honorably have pursued no other course, than to resist force with force, and make her great struggle for constitutional freedom."

Is there any doubt in the mind of any Southerner that this is the truth? If not, then let it be so told to our children. We suffered and did and dared enough to entitle us to have this done, and that we were unsuccessful makes it the more important that it should be done. A successful cause will take care of itself; an unsuccessful one *must rest only on its inherent merits*, and if it can't *do this*, then those who supported it were rebels and traitors. We feel then that we can't do better than to repeat here what we said in our report of 1900, on the importance of the trust committed to our hands. We then said:

"Appomattox was not a judicial forum: it was only a battle-

field, a test of physical force, where the starving remnant of the Army of Northern Virginia, "wearied with victory," surrendered to "overwhelming numbers and resources." We make no appeal from that judgment, on the issue of force. But when we see the victors in that contest, meeting year by year, and using the superior means at their command, to publish to the world that they were *right* and that we were *wrong* in that contest, saying that we were "rebels" and "traitors," in defending our homes and fire-sides against their cruel invasion, that we had no legal right to withdraw from the Union, when we only asked to be let alone, and that we brought on that war: we say, when these, and other wicked and false charges are brought against us from year to year, and the attempt is systematically made to teach our children that these things are true, and therefore, that we do not deserve their sympathy and respect because of our alleged wicked and unjustifiable course in that war and in bringing it on—*then it becomes our duty*, not only to ourselves and our children, but to the thousands of brave men and women who gave their lives a "free-will offering" in defence of the principles for which we fought, to vindicate the justice of our cause, and to do this we have to appeal only to the bar of truth and of justice."

Respectfully submitted,

GEORGE L. CHRISTIAN,

Chairman.

REPORT
BY
HON. GEO. L. CHRISTIAN,
Chairman.

OCTOBER 28, 1903.

NORTH CAROLINA AND VIRGINIA IN THE CIVIL WAR.

REPORT OF OCTOBER 28, 1903

To the Grand Camp of Confederate Veterans of Virginia:

Your History Committee again returns its thanks to you and the public for the flattering and cordial way in which you have received its last report. It will be as gratifying to you as it is to the committee to know that we have heard of no attempt to controvert any statement contained in any report of this committee up to this time. It will also be gratifying to you to learn that at the late reunion of the United Confederate Veterans, held in New Orleans, the several reports of your committee were not only incorporated as a part of the report of the History Committee of that great organization, but received its unanimous and unqualified endorsement.

REGRETS OF COMMITTEE.

We had expected in this report to discuss a very different subject from that which now claims our attention. Indeed, we deeply regret that the matter which demands our attention at this time should have to be considered by us at all. But we conceive it to be our first duty to our mother State to see that her record in the Confederate war is kept true, and not misunderstood or misrepresented by either friend or foe. We have always deprecated controversies between the Confederates. We think, as General Early once said, there is glory enough attached to the Confederate struggle for all of us to have a share, *that we should stand together and see that the truth of that conflict is preserved; this is all we have a right to ask, and we should be content with nothing less.*

This being our position, we repeat our sincere regret that some recent publications from representatives of our sister State of North Carolina have come to us in such a way, and that these publications emanate from such sources, that they *demand* consideration and attention at the hands of your committee. We again repeat our sorrow that we feel compelled to notice these matters,

and in doing so we shall strive to say nothing which will even tend to detract from the fame won by the glorious "Old North State" in the Confederate war, except in so far as attempts have been made to augment that fame at the expense of Virginia.

THE PEOPLE OF NORTH CAROLINA.

We know the people of North Carolina and greatly admire their many virtues and noble characteristics. We knew the soldiers sent by her to the Army of Northern Virginia. We have seen their splendid bearing and frightful sacrifices on many a field of carnage, and we bear willing testimony to the fact that no truer, better, or braver soldiers ever stood on the "bloody front of battle." North Carolina is truly a great State, inhabited by a noble people, and with a record of which she has a right to be proud. We love State pride, and particularly that State pride and devotion to principle which has made North Carolina do what she could to preserve the names and records of her soldiers in the Confederate armies. Every other Southern State should follow her example, *no matter what it may cost to do so.*

No truer patriots ever lived or died for their country than those who fought in the Confederate armies. These men are as well satisfied now as they ever were that their cause was just. They enlisted at the command of their several States; they did their duty to the best of their ability; they are, and have a right to be, proud of their achievements, and they have a right to expect that their States will see to it that their names and the record of their deeds are preserved.

CLAIMS MADE BY NORTH CAROLINA.

Conceding, as we cheerfully do, the great fame achieved by North Carolina in the Confederate war, it seems to us, from reading the publications to which we have referred, that some of our friends from that State have not been either just or generous in some of their allusions to her sister States, and have seemed both spiteful and boastful in some of their charges, claims, and references to their "next-door neighbor," Virginia. What Virginia

may have done to provoke this, we are not advised. If aught, we regret it. It is these charges, these claims, and seeming reflections on Virginia alone, that we now propose to consider, as we feel in duty bound to do. In doing this we shall not imitate the course pursued by some of the writers to whom we have referred. Some of these have not hesitated to reflect on the people and soldiers from Virginia in the harshest and, in our opinion, most unjust manner. We shall not imitate these writers (1) because we feel confident they do not, in their criticisms of Virginia and her people, reflect the real feelings of North Carolinians toward Virginia, and (2) because neither the people of Virginia nor the soldiers sent by her to the Confederate armies need any defense at our hands. The presentation of the truth of what Virginia did and dared and suffered for the Confederate cause is her complete vindication, and it is a part of this task that we now filially but cheerfully assume.

THAT SHE FURNISHED MORE TROOPS.

First. The first and most serious claim, made by North Carolina is that she furnished more troops to the Confederacy than any other Southern State.

This claim has been made and published far and wide, and, as far as we know, no attempt has been made to refute it. It generally assumes the form of a *boast*, but is sometimes made the basis of a *complaint*. We saw not long since in a North Carolina paper (the *Charlotte Observer* of May 17, 1903,) a statement from the pen of a distinguished writer of that State, in which he complained that partiality had been shown to Virginia, and consequent injustice done to North Carolina, during the war, in the appointment of the general officers of the army, especially, he said, since Virginia had furnished only about 76,000 troops to the Confederacy to North Carolina's 126,000, *or 50,000 more than Virginia.*

PRESIDENT DAVIS.

So far as the question of partiality is concerned, since President

Davis, who made all these appointments, was not a Virginian, there was no reason why he should have been partial to Virginians unless their merits warranted it. And, in our opinion, no good reason is given by this writer for any such alleged misconduct on his part. We believe Mr. Davis was not only a true patriot but a great and good man, and that it would have been almost impossible to have found any one who could or would have discharged the delicate and difficult duties of his office more satisfactorily to all than he did.

But what concerns us far more is the claim made by this writer that North Carolina, with a smaller white population than Virginia, *furnished fifty thousand more troops to the Confederacy*. This claim necessarily implies that North Carolina was more loyal to the Confederate cause than Virginia, or, in other words, discharged her duty in this, the greatest crisis in the history of these States, better than Virginia.

Let us examine the record on this point first, then, and see if this claim is sustained by it.

In Series IV., Vol. III., at page 95, of what are termed "The War of the Rebellion Official Records," will be found a carefully prepared official report to the "Bureau of Conscription" of the Confederate War Department, giving in much detail the number and character of the troops furnished by the States of Virginia, North Carolina, South Carolina, Georgia, Alabama, and Mississippi up to January 25, 1864. This report shows that the "total number of men sent to the field" by Virginia up to that time was (page 102) 153, 876, whilst the total number sent by North Carolina up to that time was only 88,457, or 65,419 less than Virginia.

This report further shows that according to the then last census there were remaining in Virginia, between the ages of eighteen and forty-five, 13,248 men to be accounted for as soldiers; and in North Carolina, 12,877. So that, if *every man* of those unaccounted for in North Carolina had been subsequently sent to the field, and *not one* of those from Virginia, still, according to this report, Virginia would have furnished *fifty-two thousand, five hundred and forty-three more than North Carolina*.

At page 99 of this report, in referring to North Carolina, the following statement is made:

“The Adjutant General of the State has estimated that the State has put into the service 100,000 men, but his calculations contain an apparent error, in which he has accounted for 14,000 men twice. His estimate should therefore be less than mine.”

We do not quote this for the purpose of intimating that North Carolina may (unintentionally, of course,) still be “counting twice,” in making up the number she now claims, but only to show that her own Adjutant General did not then claim that North Carolina had furnished more than one hundred thousand men, whilst Virginia had then sent to the field, as shown by this report, one hundred and fifty-three thousand, eight hundred and seventy-six, and rather more than double the number with which she is credited by the distinguished writer to whom we have just referred.

At page 100 of this same report, in accounting for the troops furnished by South Carolina, occurs this item and statement—viz.:

“Without passing through camps 13,953.”

“A large part of this number (13,953) will be found to have volunteered in *North Carolina* regiments, having been drawn into that State by the inducements of double bounty, which was at one time offered to volunteers.”

These troops from South Carolina are, doubtless, counted by North Carolina in the number she now claims, and may, to some extent, account for how she furnished 10,000 more soldiers to the Confederacy than her voting population, as shown in a then recent election, of which fact she now justly boasts.

REPORT CORRECT.

As showing that the report from which we have quoted is substantially correct, the largest number of troops we have seen anywhere claimed to have been furnished by North Carolina is that contained in the report from the present Adjutant General's office, and this number is put at about 127,000, and, of course, this in-

cludes the "total of all men disposed of" from the State—all in the field, and all exemptions from whatever cause. The report from which we have quoted above (page 103) gives North Carolina 126,623 and to Virginia (counting in the same way) 178,933, or 52,316 more than North Carolina.

COMPARATIVE NUMBER OF REGIMENTS, ETC.

Whilst this report gives the number of regiments, battalions, and batteries furnished by Virginia, it does not give the number of those furnished by North Carolina. But we are enabled to supply this apparent omission from another source, to be found in the same volume at page 722. As late as October 11, 1864, Gov. Vance wrote to Gen. Bragg (a native of North Carolina), then stationed in Richmond, asking Bragg to furnish him with the number of troops furnished by North Carolina to the Confederacy, and saying he wished this information in order to "know what North Carolina had done in comparison with the other States," in view of a proposed meeting of the Governors of the South, then about to assemble at Augusta, Ga. On this letter of inquiry there is an indorsement stating that, whilst the number of troops furnished by North Carolina could not be given without laborious research, there was then in the Confederate service from that State sixty-seven regiments, five battalions, twelve unattached companies, two State regiments doing service for the Confederacy, and nine battalions of reserves then organized. The report of January 25, 1864, above referred to, shows that Virginia had then sent to the field sixty-three regiments of infantry, forty battalions of infantry, twenty regiments of cavalry, forty battalions of cavalry, and one hundred and twenty-five batteries of artillery (page 96).

A comparison of these organizations of the two States gives this result—viz.: That where North Carolina had furnished the Confederacy, in all arms of the service, *sixty-nine* regiments, Virginia had furnished *eighty-three*; where North Carolina had furnished *fourteen battalions*, Virginia had furnished *eighty*; and where North Carolina had furnished *twelve* unattached companies (presumably batteries), Virginia had furnished *one hundred and*

twenty-five batteries; and it is worthy of remark, that the report showing the number of these Virginia organizations is dated eight months in advance of that showing the number of the North Carolina organizations.

COMPARATIVE EXEMPTIONS.

Second. Another charge made by another distinguished North Carolina writer (Capt. W. R. Bond in his pamphlet entitled "Pickett or Pettigrew,") is that "citizens of Virginia were filling nearly one-half of the positions of honor and trust, civil and military," in the Confederacy.

So far as the appointment of the general officers of the army is involved in this charge, we have already said that we believed they were made by Mr. Davis solely on the merits of the appointees; and we think it will be admitted by *all* that some of these appointments could not have been improved upon, or perhaps made at all from any other State.

As to the charge, so far as it applied to the other *military* officers, this was made by Gov. Vance during the war, and if any one wishes to see a complete refutation of it, they have only to refer to the letter from Gen. Lee to the Confederate Secretary of War, dated September 9, 1863, Reb. Rec., Series I., Vol. XXIX., Part II., p. 723.

As to the *civil* positions of honor and trust of which this writer says *one-half* were filled by Virginians, and that Richmond thought "*all* should be thus filled." If he means by this to charge that Virginia had a larger number of men exempted from military duty to fill these places than any other State (as would have been reasonable, since she had the largest number in the field and was the seat of the capitol, with all the departments of the government), then the report, from which we have just quoted, shows that in this he is greatly mistaken. This report, at page 103, shows that the "total exempts" in Virginia at that time were *twenty-five thousand and sixty-three*; whilst those in North Carolina numbered *thirty-eight thousand, on hundred and sixty-six*. And in the same volume in which this report is to be found, at

page 851, will be found this remarkable exhibit, under the heading "Number of State Officers" in each Southern State exempted on certificates of their Governors. This last paper shows that while the number of these officers exempted in Virginia was *one thousand, four hundred and twenty-two*, the number exempted in North Carolina was *fourteen thousand six hundred and seventy-five*, more than ten times as many as in any other Southern State.

EFFECTS OF FIGHTING OF THE "BETHEL REGIMENT."

Third. A third claim made by another distinguished North Carolina writer is that one of the effects of the fight made by the "Bethel Regiment" at Bethel was the "possibly holding Virginia in the Confederacy." (See article by Maj. Edward J. Hale, "North Carolina Regiments, '61 to '65," Vol. I., p. 123.)

The only theory on which we can account for this uncalled-for suggestion is, that the writer wished to attribute to this regiment the greatest possible achievement the fecundity of his imagination could conceive of, and hence this "unkindest cut of all" at our old mother. Virginia joined the Confederacy before North Carolina; and we will show later on, by the testimony of *all* the representatives of *all* the Southern States, that no State in the Confederacy showed more devotion to the cause, and that none was ready to make or made greater sacrifices in its behalf.

NO DESIRE TO MAGNIFY WORK OF VIRGINIA.

We have no intention or desire to magnify either the services rendered by Virginia to the Confederacy or the sufferings and sacrifices of her people for the Confederate cause. Indeed, from what we know of these, we think it would be difficult to do this. But since some North Carolina writers have laid so much stress on the part performed by their State in these directions (a claim we have no disposition to contest), it seems to us both pertinent and proper to call attention to two things which apply to Virginia, but do not apply to North Carolina or to any other Southern State. These are:

VIRGINIA A "BATTLE GROUND."

1. *Virginia was a "battle ground" from the beginning to the end of the war.* No people who have not had this experience can form any conception of what it means, and this was literally true of Virginia "from her mountains to her seashore." Every day and every hour for four long years the tramp or the camp, the bivouac or the battle of *both armies* were upon Virginia's soil. Six hundred of the two thousand battles fought were fought in Virginia, and the fenceless fields, the houseless chimneys, the charred ruins and the myriad graves left all over Virginia at the close of the war marked and measured the extent to which her material resources had contributed to that struggle, and the devotion of her people to the Confederate cause. These things also showed in the utter desolation produced by the war, and in the difficulties and disadvantages the State and her people have labored under ever since.

VIRGINIA DISMEMBERED.

2. *Virginia was the only Southern State dismembered by the war.* One-third of her territory (the richest in many respects) and one-third of her people were actually torn from her by the mailed hand of war not only without her consent *but contrary to an express provision of the Federal Constitution.* The true history of this "political rape," as it was termed by Gen. Wise, is one of the blackest political crimes in the annals of history.

OTHER CLAIMS MADE BY NORTH CAROLINA.

Fourth. The fourth claim or claims (and the last to which we can refer) preferred by North Carolina are set forth in these very striking terms—viz.: That she was

First at Bethel; Farthest to the Front at Gettysburg and Chickamauga; Last at Appomattox."

This legend in this form is inscribed on the cover of each of the five volumes published by the State, entitled "North Carolina Regiments, 1861-65," to be thus perpetuated throughout all time.

Of course, such claims, thus asserted, and conveying to the world what these necessarily do, should be above and beyond all criticism or cavil. Let us see if these will stand this test. Before instituting this inquiry, let us first ask, respectfully, why these claims are made at all. The learned editor of the volumes to which we have just referred disclaims that they are intended as a *boast*. But we again respectfully ask: Can they mean anything else than that North Carolina means by them to proclaim the fact that the troops furnished by her *were better, and therefore did better at the important points named, than those from any other State?*

It is worthy of note, too, that our friends are getting more aggressive in their claiming with the passing of time. The first form assumed by this legend, and inscribed on the Confederate monument at Raleigh, was only:

“First at Bethel; Last at Appomattox.”

We next hear of it as inscribed on her memorial room in Richmond as:

*“First at Bethel; Farthest to the Front at Gettysburg;
Last at Appomattox.”*

And now Chickamauga’s “bloody front” is also included. One of her writers has already claimed that “Chancellorsville” was a ‘North Carolina fight,’ and that Gettysburg ought to be so denominated, too; and so our friends go on claiming from step to step just as during the war.

“From rank to rank their volleyed thunders flew.”

As before stated, we have no intention or desire to detract one iota from the fame of North Carolina, except where attempts have been made to augment that fame at the expense of Virginia. Keeping this purpose steadily before us, we now propose to inquire whether or not some of the claims set up by North Carolina in this

legend do injustice to Virginia. And first as to the claim that she was "first at Bethel."

"FIRST AT BETHEL."

In Volume IV. of the "Confederate Military History," at page 19, will be found a carefully prepared account of the battle at Bethel, written by D. H. Hill, Jr., son of the intrepid soldier of that name who commanded the First North Carolina in that fight, and, therefore, one with every natural incentive to say all that could be said truthfully, both on behalf of his father and his regiment. He says: "About nine o'clock in the morning of the 10th (June) the Federals appeared on the field in front of the Southern works, and Greble's battery took position. *A shot from a Parrott gun in the Confederate works ushered in the great Civil War on the land.*"

This first shot was fired from the battery of the Richmond (Va.) Howitzers, which had already fired the "first shot" fired on Virginia's soil nearly a month before at Gloucester Point. We are not claiming, however, any special credit for having fired this conceded *first shot*, the firing of which was *only* fortuitous. But Virginia was at Bethel, along with North Carolina, not only represented by the commanding general, himself a Virginian, but by all three arms of the service (infantry, artillery, and cavalry), and these troops are mentioned by the commanding general, along with those from North Carolina, not only in his report of the battle but also, and in complimentary terms, in the report of Gen. (then Col.) D. H. Hill, commanding the only North Carolina troops there. Was not Virginia at Bethel, then, standing side by side with North Carolina? Did she not do her duty there as well? If she did, why the invidious claim that North Carolina was *first at Bethel*? Is this just to Virginia? We think not, in all kindness and courtesy. Bethel is in Virginia, and to claim that the troops of any other State were more prompt in defending her soil than those from Virginia necessarily reflects on Virginia.

FARTHEST AT GETTYSBURG.

AS TO GETTYSBURG: We were there, and by reason of our position on the field, we saw that battle as we never saw any other. We saw the charges of Pickett's, Pettigrew's, and Pender's Divisions. We saw some of Pickett's men go over the enemy's works and into their lines. We did not think then, and do not think now, that Pettigrew's and Pender's went so far, and we know this was the *consensus* of opinion of those around us at the time.

But be this as it may, the world's verdict is that Pickett's men went as far as men could go and did all that men could do. Mr. Charles Francis Adams has recently written of them, that the vaunted charge of Napoleon's "Old Guard" at Waterloo did not compare with that of Pickett's men, and was "as boys' play beside it."

Gen. John B. Gordon, of Georgia, perhaps the most distinguished Confederate officer now living, who was at Gettysburg, has very recently written that the "point where Pickett's Virginians, under Kemper, Garnett, and Armistead, in their immortal charge swept over the rock wall, has been appropriately designated by the government as *the high-water mark of the rebellion.*" And we believe this will be the verdict of history for all time.

Since there has been so much discussion on this point, and some of it, we think, both unfortunate and intemperate, we propose to consider this claim calmly and dispassionately, not from what we saw, or what we and others may have thought at the time of the battle, or may think now, but from the *official reports of the commanding officers*, written only a few days after the battle. These reports are the *best evidence*, and must and will be accepted as conclusive of what then occurred. We have read so much of all of these reports, Confederate and Federal, as we could find published and as would throw light on this question, and we propose to make such extracts from the most important of these as we think should settle this controversy for all time. It is proper to say in this connection that the statements contained in these reports were accepted as true at the time, and remained so for thirty years.

History, both at the North and at the South, has been based on them, and it seems to us remarkable that this controversy should have arisen so long after the happening of the events as thus established. But the controversy has now arisen, and hence the necessity for appealing to the record to settle it. The question is, Which troops went "farthest to the front"—*i. e.*, penetrated the enemy's works farthest—on the 3d day of July, 1863, at Gettysburg in the famous charge of that day—Pickett's, Pettigrew's, or Pender's? We say Pickett's; North Carolinians say Pettigrew's.

In order to understand the situation and the quotations we shall make from the reports, it is necessary to state what forces constituted the "charging column" and the dispositions and alignments of these forces. This column was composed of Pickett's Virginia Division on the *right* and a part of Heth's Division (commanded by Pettigrew) on the *left*, with a part of Anderson's Division to guard the left flank of Pettigrew, and Wilcox's and Perry's Brigades of Anderson's Division the right flank of Pickett. Pickett's Division was called the "directing division," and was composed of Kemper's, Garnett's, and Armistead's Brigades—Kemper's on the right, Garnett's on the left, supported by Armistead in the rear and center. Pettigrew's Division was composed of Archer's, Pettigrew's, Davis's, and Brockenbrough's Brigades, supported by Scales's and Lane's Brigades of Pender's Division, then commanded by Gen. Trimble; Scales's Brigade (commanded by Col. Lowrance) being in rear of Archer's (commanded by Col. Fry), and Lane's being on the left of Scales, supporting Pettigrew's Brigade (then commanded by Col. Marshall). All of the reports refer to the magnificent way in which all of these troops advanced to the charge, and we shall institute no comparison between them; they were all gallant and glorious Confederate soldiers, and, we believe, the "best the world ever saw," as they have been pronounced by the present Chief Magistrate of this country.

We come now to the reports. We quote first from that of Gen. Lee, written after he had received those of his subordinates, and based upon what was contained in them, as well as what he saw on the field; and his position on the field was such that he could see

the whole movement with distinctness. He says this in his official report:

“Gen. Longstreet ordered forward the column of attack, consisting of Pickett’s and Heth’s Divisions in two lines, Pickett on the right. Wilcox’s Brigade marched in rear of Pickett’s right to guard that flank, and Heth’s (commanded by Pettigrew) was supported by Lane’s and Scales’s Brigades under Gen. Trimble. The troops moved steadily on under a heavy fire of musketry and artillery, the main attack being directed against the enemy’s left center. His batteries opened as soon as they appeared. Our own, having nearly exhausted their ammunition in the protracted cannonade that preceded the advance of the infantry, were unable to reply or render the necessary support to the attacking party. Owing to this fact, which was unknown to me when the assault took place, the enemy was enabled to throw a strong force of infantry against *our left, already wavering* [italics ours] under a concentrated fire of artillery from the ridge in front and from Cemetery Hill on the left. It (the left) *finally gave way, and the right, after penetrating the enemy’s lines, entering his advance works*, and capturing some of his artillery, was attacked simultaneously in front and on both flanks and driven back with heavy loss.”

We have only to remember that Pettigrew’s Division was on the *left* and Pickett’s on the *right* to understand clearly what Gen. Lee here says.

We next quote from Gen. Longstreet’s report, who was standing not very far from Lee and saw the whole movement. He says:

“The advance was made in very handsome style, all the troops keeping their lines accurately and taking the fire of the batteries with coolness and deliberation. About halfway between our position and that of the enemy a ravine partially sheltered our troops from the enemy’s fire, where a short halt was made for rest. The advance was resumed after a moment’s pause, all still in good order. The enemy’s batteries soon opened on our lines with canister, and the *left* seemed to stagger under it, but the advance was resumed and with the same degree of steadiness. Pickett’s troops did not appear to be checked by the batteries, and only halted to deliver a

fire when close under musket range. Maj. Gen. Anderson's Division was ordered forward to support and assist the *wavering columns of Pettigrew and Trimble. Pickett's troops, after delivering fire, advanced to the charge, and entered the enemy's lines, capturing some of his batteries and gaining his works. About the same moment, the troops that had before hesitated broke their ranks and fell back in great disorder* [italics ours], many more falling under the enemy's fire in retiring than while they were attacking. *This gave the enemy time to throw his entire force upon Pickett* [italics ours], with a strong prospect of being able to break up his lines or destroy him before Anderson's Division could reach him, which would in its turn have greatly exposed Anderson. He was, therefore, ordered to halt. In a few moments the enemy, marching against both flanks and the front of Pickett's Division, overpowered and drove it back, capturing about half of those of it who were not killed or wounded."

Surely comment here is unnecessary, and no one who has read Longstreet's book will accuse him of partiality to Virginians.

We next quote from the report of that gallant soldier and splendid gentleman, Gen. James H. Lane, who was at first in command of Pender's Division, but having been relieved of that by Gen. Trimble, then commanded his own North Carolina Brigade. He says:

"Gen. Longstreet ordered me to form in the rear of the right of Heth's Division, commanded by Gen. Pettigrew. Soon after I had executed this order, putting Lowrance (commanding Scales's Brigade) on the right, I was relieved of the command of the division by Gen. Trimble, who acted under the same orders that I received. Heth's Division was much larger than Lowrance's Brigade and my own, which were its only support, and there was consequently no second line in rear of its left. Now in command of my own brigade, I moved forward to the support of Pettigrew's right, through the woods in which our batteries were planted, and through an open field about a mile in full view of the enemy's fortified position and under a murderous artillery and infantry

fire. As soon as *Pettigrew's command gave back* [italics ours] Lowrance's Brigade and my own, without ever having halted, took position on the left of the troops, *which were still contesting the ground with the enemy* [italics ours]. My command never moved forward more handsomely. The men reserved their fire, in accordance with orders, until within good range of the enemy, and then opened with telling effect, repeatedly driving the cannoneers from their pieces, completely silencing the guns in our immediate front, and breaking the line of infantry which was formed on the crest of the hill. We advanced *to within a few yards of the stone wall* [italics ours], exposed all the while to a raking artillery fire from the right. My left was here very much exposed, and a column of the enemy's infantry was thrown forward from that direction, which enfiladed my whole line. This forced me to withdraw my brigade, the troops on my right having already done so."

The troops directly on Lane's right were those of Lowrance. But if he refers to Pickett's too, then he does not pretend that his own men entered the enemy's works, as Pickett's did, which, as we shall see, is the real point at issue.

Scarcely a more striking illustration of the frailty of human memory or the unsatisfactory nature of the *post-bellum* statements relied on entirely, it would seem, by the advocates of North Carolina's claim, can be found than by contrasting Gen. Lane's report with what is said by Capt. Louis G. Young (now of Savannah, Ga., a gallant and gifted Confederate who was in the charge as an aide on Gen. Pettigrew's staff). In an address recently delivered by him on Gettysburg, a copy of which he has kindly sent us Capt. Young says:

"Gen. Trimble and his brigade (division) were not, and had not been, in supporting distance. They also must have been delayed, as was Davis's Brigade, in the woods on Seminary Ridge. Be this as it may, they were too late to give any assistance to the assaulting column. When I delivered my message I knew it was too late, and I recall my sad reflection, 'What a pity that these

brave men should be sacrificed! Already had the remnant of Pickett's and Heth's Divisions broken. *They broke simultaneously.* They had together struck the stone fence, driven back the enemy posted behind it, looked down on the multitude beyond, and, in the words of Gen. McLaws, who was watching the attack, 'rebounded like an India rubber ball.' The lodgment effected was only for an instant. Not twenty minutes elapsed, as claimed by some, before the handful of braves was driven back by overwhelming numbers. Then Trimble's command should have been ordered to the rear. It continued its useless advance alone, only to return *before it had gone as far as we had.*"

It will be seen that this statement is (unintentionally, we know) not only at variance with the report of Gen. Lane, but also with those of Gens. Lee, and Longstreet, both of whom confirm Gen. Lane in the statement that Pettigrew's men gave way *before those of Pickett did.*

But let us quote again from the official reports, and this time from that of Col. Lowrance, who, it will be remembered, commanded Scales's North Carolina Brigade, which was supporting Pettigrew. He says:

"We advanced upon the enemy's line, which was in full view at a distance of a mile. Now their whole line of artillery, which was on an eminence in front strongly fortified and supported by infantry, was playing upon us." . . . "All went forward with a cool and steady step; but ere we had advanced over two-thirds of the way *troops from the front came tearing through our ranks* [italics ours], which caused many of our men to break, but with the remaining few we went forward until the right of the brigade *touched the enemy's line of breastworks*, as we marched in rather an oblique line. Now the pieces in our front were silenced. Here many were shot down, being then exposed to a heavy fire of grape and musketry upon our right flank. Now all, apparently, had forsaken us."

Now the troops in front of Lowrance were those of Pettigrew, and he says they gave way a third of a mile before they got to the enemy's works. But be this at it may, he nowhere says *that any of his men entered the enemy's works*; and none of the reports that

we have seen say that any North Carolina troops did this, which, as we have seen, is the real point at issue. We have already shown, and will do so more conclusively later, that Pickett's men or some of them, certainly did this. The report of Maj. Joseph A. Englehard, assistant adjutant general of Pender's Division, then commanded by Trimble, is substantially to the same effect as those of Gen. Lane and Col. Lowrance, and for that reason we do not quote what he says. That of Col. Shepard, of Archer's Brigade, after describing the charge, and saying our lines, both right and left, gave way, says:

"Archer's Brigade remained at the works fighting as long as any other troops, either on their right or left, so far as I could observe. Every flag in the brigade, excepting one, was captured *at or within the works of the enemy.*" (Italics ours.)

This is the only *official* statement we have found which claimed that any other troops than those of Pickett entered the enemy's works. But since Archer's Brigade, which, Gen. Heth says, were the "heroes of Chancellorsville," was composed entirely of Tennesseans and Alabamians, we hardly think our North Carolina friends can mean their claim to be mistaken for what the men of this brigade did.

The report of Maj. J. Jones, of the Twenty-sixth North Carolina, who commanded Pettigrew's Brigade after Col. Marshall was wounded, says:

"When within about 250 or 300 yards of the stone wall, behind which the enemy was posted, we were met with a perfect hailstorm of lead from their small arms. The brigade dashed on, *and many had reached the wall*, when we received a deadly volley from the left. The whole line on the *left* had given way, and we were being rapidly flanked. With our thinned ranks and in such a position it would have been folly to stand, and against such odds. We, therefore, fell back to our original position in rear of the batteries."

It will be seen that this officer does not claim that any of his men entered the works or that the troops on his *right* (Pickett's

and Archer's) gave way first; but those on his *left*, the other two brigades of Pettigrew's Division. The reports of Gen'ls. A. P. Hill, Heth, and Davis throw no light on the question, and we have been unable to find any from Gen. Pickett or from any officer of his division, except that of Maj. Charles S. Peyton, of Garnett's Brigade, which would throw any further light on this question. Maj. Peyton says this:

"Our line, much shattered, still kept up the advance until within about twenty paces of the wall, when for a moment it recoiled under the terrific fire that poured into our ranks both from their batteries and from their sheltered infantry. At this moment Gen. Kemper came up on the right and Gen. Armistead in rear, when the three lines, joining in concert, rushed forward with unyielding determination and an apparent spirit of laudable rivalry to plant the Southern banner on the walls of the enemy. His strongest and last line was instantly gained; the Confederate battle flag waved over his defenses, and the fighting over the wall became hand-to-hand and of the most desperate character; but, more than half having already fallen, our line was found too weak to rout the enemy. *We hoped for a support on the left* (which had started simultaneously with ourselves), *but hoped in vain.* [Italics ours.] Yet a small remnant remained in desperate struggle, receiving a fire in front, on the right, and on the left, many even climbing over the wall and fighting the enemy in his own trenches until entirely surrounded; and those who were not killed or wounded were captured, with the exception of about 300 who came off slowly, but greatly scattered, the identity of every regiment being entirely lost and every regimental commander killed or wounded."

Col. Walter H. Taylor, of Gen. Lee's staff, who was on the field standing by Gen. Lee and saw the movement, says:

"It is needless to say a word here of the heroic conduct of Pickett's Division. That charge has already passed into history as 'one of the world's great deeds of arms.' While doubtless many brave men of other commands reached the crest of the

height, this was the only *organized* body which entered the works of the enemy."

Gen. Long, who was also on Gen. Lee's staff, after describing the order in which the charge was made, says:

"But the tempest of fire which burst upon the devoted column quickly reduced its strength. The troops of Heth's Division (Pettigrew's), decimated by the storm of deadly hail which tore through their ranks, faltered and fell back in disorder before the withering volleys of the Federal musketry. This compelled Pender's (Trimble's) Division, which had marched out to support the movement, to fall back, while Wilcox, on perceiving that the attack had grown hopeless, failed to advance, leaving Pickett's men to continue the charge alone. The other supports, Hood's and McLaw's Divisions, which had been expected to advance in support of the charging column, did not move, and were too remote to offer any assistance. The consequence was that Pickett was left entirely unsupported.

"Yet the gallant Virginians marched steadily forward through the storm of shot and shell that burst upon their devoted ranks with a gallantry that has never been surpassed. As they approached the ridge their lines were torn by incessant volleys of musketry as by a deadly hail. Yet, with unfaltering courage, the brave fellows broke into the double-quick, and with an irresistible charge burst into the Federal lines and drove everything before them toward the crest of Cemetery Hill, leaping the breastworks and planting their standards on the captured guns with shouts of victory."

Whilst nearly all of the Federal reports which refer to this charge do so in almost as enthusiastic terms as the Confederate, yet only two or three of them designate by name the troops who were in advance and who actually entered their works. These few, however, leave no doubt on this point. Gen. Hancock says:

"When the enemy's line had nearly reached the stone wall, *led by Gen. Armistead*" [*italics ours*], etc.

Gen. Webb, who commanded the brigade immediately in front of Pickett, says:

“The enemy advanced steadily to the fence, driving out a portion of the Seventy-first Pennsylvania Volunteers. *Gen. Armistead passed over the fence with probably over a hundred of his command* [italics ours] and with several battle flags,” etc.

Gen. Henry J. Hunt, who commanded the Federal artillery, says:

“The enemy advanced magnificently, unshaken by the shot and shell which tore through his ranks from the front and from our left. . . . When our canister fire and musketry were opened upon them it occasioned disorder, but still they advanced gallantly until they reached the stone wall, behind which our troops lay. Here ensued a desperate conflict, *the enemy succeeding in passing the wall and entering our lines* [italics ours], causing great destruction of life, especially among the batteries.”

The other reports show what “enemy” is here meant. It will thus be seen that *every one of the official reports*, both Federal and Confederate (with the exception of that of Col. Shepard, of Archer’s Brigade, not composed of Carolinians), which refer to the troops who entered the enemy’s works, *point unmistakably to those of Pickett’s Virginians*. This is the *positive* testimony on this point, and the *negative* is almost as strong; which is that *none of the official reports from the officers commanding the North Carolina troops make any such claim for their troops*—a claim that would certainly have been made if the facts had warranted it. Not only is this true, but Gen. Lane, in his letter published long after the war in the “Southern Historical Society papers,” whilst complaining (and, perhaps, justly) of the little credit given the North Carolina troops for their conduct in this charge, *makes no such claim for them*. Indeed, Capt. S. A. Ashe, of North Carolina, late adjutant general of Pender’s Division, who was in the charge, in his address published in Volume V. of “North Carolina Regiments, ’61-’65,” whilst claiming at the close that North Carolina troops “advanced the farthest and remained the longest,” says at page 152:

“Some of Pettigrew’s North Carolinians *advanced to the wall*

[italics ours], doing all that splendid valor and heroic endurance could do *to dislodge the enemy, but their heroism was in vain.*"

And only a very few of the many *post-bellum* witnesses quoted from by Capt. Ashe claim any more than the official reports show. As to the value of these *post-bellum* statements, as compared with the "official reports" prepared at the time, we cannot do better than to quote from what Gen. Lane said in the article in the Southern Historical Society papers before referred to. He says, speaking of his own report of the battle of Gettysburg:

"I am sure the public will consider this official paper, written about a month after the battle, a more valuable historical document than the many recent articles written from memory, which is at all times treacherous, and as every Confederate soldier knows, particularly so as regards the incidents, etc., of our heroic struggle for independence."

He then goes on to give instances of the unreliability of these writings from memory.

We have heretofore said we could find no official report of this battle from Gen. Pickett. The following letter explains why this report was not published. It will be found in Series 1, Volume XXVII., Part III., page 1075, "Reb. Rec.," and is as follows:

"GEN. GEORGE E. PICKETT, COMMANDING, ETC.

"*General*:—You and your men have crowned yourselves with glory; but we have the enemy to fight, and must carefully, at this critical moment, guard against dissensions which the reflections in your report would create. I will, therefore, suggest that you destroy both copy and original, substituting one confined to casualties merely. I hope all will yet be well.

"I am, with respect, your obedient servant,

"R. E. LEE, *General*."

We make no comment on this letter, and when read in the light of the official reports, it would seem to need none.

We do not intend to be misunderstood. We have not done so and do not intend to reflect in any way on any of the North Caro-

lina troops. On the contrary, we think, considering the fact that they were engaged and sustained heavy losses in the first day's battle, and were thus deprived of many of their brigade, regimental, and company officers *they behaved with signal gallantry*. But our contention and our only point is: that the present claim set up by North Carolina that her troops were "farthest to the front" at Gettysburg *is not sustained by the record*.

We have recently learned that our friends from North Carolina do not now claim that their men entered the enemy's works, as some of Pickett's did. Yet they say that inasmuch as at the point where Pickett's men struck these works they were farther advanced to the front than where Pettigrew's men struck them, and as "Capt. Satterfield and other North Carolinians of the Fifty-fifth North Carolina fell within nine yards of that wall. This settles (it) that the men from this State (North Carolina) fairly earned the title "Farthest at Gettysburg." (Note by the editor, "North Carolina Regiments, '61-'65," Vol. V., p. 101.)

We remark in the first place that the Fifty-fifth North Carolina was in Davis's Brigade, the farthest brigade to the left (save one) in the "charging column," and being without any support, as explained by Gen. Lane, we thought it was conceded that this brigade and Brockenbrough's *were the first troops to give way*.

But surely our friends are not basing their claim on any such narrow and technical ground as is here intimated, and as surely this is not the meaning they intended to convey by this claim. We might as well claim that the picket on the flank of Meade's army or captured within his lines was "farthest to the front." Every soldier knows that the "*front*" of an army is wherever its line of battle is (whether that line is zigzag or straight), and the opposing troops which penetrate that line are farther to the front than those which do not.

We have shown, we think, conclusively that the Virginians under Pickett did penetrate the enemy's line on the 3rd of July, '63, in the famous charge at Gettysburg, and that the North Carolinians, under Pettigrew and Trimble, did not.

Another ground on which, we understand, North Carolina bases this claim is that her losses in this battle were greater than those of Pickett. All the statistics of losses we have seen of the battle of Gettysburg include those in the different commands *in all three days* combined. Since, therefore, Pettigrew's and Trimble's men were engaged in the battles of the *first* day, as well as those of the *third*, and as Pickett's were only engaged on the *third* day, of course the losses of the first two divisions in the *two* days' battles were greater than those of the last named in the *one* day's battle.

If our friends from North Carolina would adopt the language of her gallant son Capt. Ashe, from whom we have already quoted, and say of Gettysburg:

"It was, indeed, a field of honor as well as a field of blood, and the sister States of Virginia and North Carolina have equal cause to weave chaplets of laurel and cypress there," no one in Virginia would have just cause of complaint and certainly none would ever have come from this committee on this point. But when her claim is set forth in the invidious (and, we think, unjust) form it is, *we think it not only our right but our duty to appeal to the record, and to set Virginia right from that record, and this is all we have tried to do.*

AS TO CHICKAMAUGA.

AS TO CHICKAMAUGA: We have already protracted this report too far to warrant us in investigating the ground on which this claim is based by North Carolina. Virginia was at Chickamauga, too, along with North Carolina. We have always understood that these Virginia troops did their duty on this field as well as those from any other State. This is all we claim, and all that was claimed for North Carolina until very recently. We can only remark as to this belated claim that we have read the full and detailed report of this great battle, written by the commanding general, a native of North Carolina, and in it he nowhere refers to any specially meritorious services rendered by the few North Carolina troops there.

AS TO APPOMATTOX.

AS TO APPOMATTOX: The writer had been permanently disabled by wounds before Appomattox, and, therefore, cannot speak personally of what occurred there, and there are no official reports to appeal to. From what we have heard of the surroundings there—the scattered condition of the different commands, the desultory firing, and the confusion incident to that event—we should think it difficult, if not impossible, to prove with any degree of certainty what troops were really entitled to the honor claimed there by North Carolina.

We do know, however, that this honor is claimed by troops from several of the Southern States; and we have heard it asserted with great plausibility that the last fighting was done by troops from Virginia. We cannot prolong this report to discuss the merits of these several claims, a discussion which would, in our opinion, be both fruitless and unsatisfactory.

ENOUGH GLORY FOR ALL TO HAVE A SHARE.

In the Army of Northern Virginia nearly every Southern State was represented. The Confederate Secretary of War says of that army in his report of November 3, 1864, that it was one “in which every virtue of an army and the genius of consummate generalship had been displayed.” And this, we believe, is the world’s verdict. Is not this glory enough to give us all a share? Let us then not be envious and jealous of each other where all did their part so well.

VIRGINIA’S CLAIMS.

Virginia makes no boast of the part borne by her in that, the greatest crisis of her history. She only claims that *she did her duty to the best of her ability*. She has, therefore, no apologies to make either for what she did or may have failed to do. It is true that she was somewhat reluctant to join the Confederacy, not because she had any doubt of the right of secession or of the justice of the Confederate cause, but only because of her

devotion to the Union of our fathers which she had done so much to form and to maintain from its foundation. But when she did cast her lot with her Southern sisters, she bore her part with a courage and devotion never surpassed; *and the record shows this in no uncertain way.* In the address issued and signed by every member of the Confederate Congress in February, 1864, not written by a Virginian, she is thus referred to:

“In Virginia the model of all that illustrates human heroism and self-denying patriotism, although the tempest of desolation has swept over her fair domain, no sign of repentance for her separation from the North can be found. Her old homesteads dismantled; her ancestral relics destroyed; her people impoverished; her territory made the battle ground for the rude shocks of contending hosts, and then divided with hireling parasites, mockingly claiming jurisdiction and authority, the Old Dominion still stands with proud crest and defiant mien ready to trample beneath her heel every usurper and tyrant, and to illustrate afresh her *Sic Semper Tyrannis*, the proudest motto that ever blazed on a nation’s shield or a warrior’s arms.”

On such testimony as this Virginia can safely rest her title to share equally with her Southern sisters in the “wealth of glory” produced by the war, and this equality is all she asks or would have. She disdains to pluck one laurel from a sister’s brow.

SCHOOL BOOKS.

We have but little to add, since our last report, about the books used in our schools, as there has been no change in these so far as we know. We have received from the publishers, the American Book Company, a copy of the “School History of the United States,” by Philip A. Bruce, Esq. This work is well-written, accurate in its statements, as far as we are capable of judging, well gotten up by the publishers, and is a very good school history. Mr. Bruce is a Virginian, and his book is therefore written from a Southern point of view. But we think he fails to state the South’s position, in reference to the late war, as strongly as it can

or should be stated to our children—*e. g.*, at Section 418, he says, “The Southern people maintained that the Constitution was simply a compact or agreement between sovereign and independent States,” etc., without saying whether they were right or wrong in so maintaining. Again, at Section 419, he says, “The South thought,” etc. We think we know what the opinions of the author are on these important questions, and that our children should have the benefit of these opinions, wherever they are based on such well-ascertained facts as are here referred to.

“STEPPING-STONES TO LITERATURE.”

The volumes with this title have been brought to our attention by Capt. Carter R. Bishop, of Petersburg, a member of the committee; and at our request he has prepared the following, it would seem, well-merited criticism, which we respectfully commend to the serious consideration of the Board of Education of the State.

Capt. Bishop's paper is as follows:

“This committee has hitherto confined its attention entirely to matters of history proper; but the lamented Dr. Hunter McGuire, in outlining our work, included among the subjects of our criticism such text-books of our schools as failed to do justice to the South.

“We have recently examined, critically, the series of readers in most common use, and find them far from what they should be. An intelligent child soon learns that authors may dogmatize in the statement of facts about which there may be a difference of opinion. This puts him on his guard, and he accepts the teachings in his history as truths subject to such future corrections as may be justified by a wider knowledge of the matter.

“But the most ineradicable opinions are those formed by inference, without assertions or contradiction, during the formative period of a child's mind. The error thus implanted is never suspected till it is unalterably fixed. There are poisons whose only manifestation is the inexplicable death of the victim. An antidote would have saved him, but its need was not indicated till death made it useless.

“Did the South, during the last century and a half, have no orators, poets, nor writers, whose works might be of service in the literary development of the child? Were the Southerners so enervated by the luxury of slavery as to produce nothing worthy of a place among the selections from the best writers and speakers of the language? The average child using the ‘Stepping-Stones to Literature’ would be forced so to conclude. For, mark you, this series of readers consists of seven grades; the majority of children in our schools never reach the last or the seventh, and in this one only is there a word from a Southern lip or pen. The selections were made, or approved, by a Boston lady, naturally, from the literature with which she was most familiar. The New England school of authors is fully represented, and biographical notes make sure that the child shall know the section to which they belong and the loving reverence in which they are held. But the information of this kind about the Southern authors is marked in its meagerness. Its extent is as follows: Patrick Henry ‘lived in Virginia during the Revolutionary War;’ Mrs. Preston ‘was born in Philadelphia and lived in Lexington, Va. ;’ ‘Gen. Gordon was a Confederate officer;’ and ‘Sidney Lanier was a Southern poet.’ For the man who does not want his child to know more than this of the home and nativity of Southern authors, these books are good enough. But if there is such a man in our land, his only plea for such a wish would have to be his own unbounded ignorance.

“The South has produced orators whose impetuous eloquence has made men rush with a glad cheer into the very jaws of death; statesmen whose wise counsel has restrained the fierce heat of a hot-blooded people; preachers whose words have convinced the sinner, cheered the saint, and comforted the bereaved; writers whose sentiments have placed the wreath of undying glory on the tomb of heroes, and inspired a people of desolated homes to rehabilitate their land made sacred by the graves of such heroes; poets whose graceful fancy has gilded the mountain tops with the lights of other days and caused those in the gloom of despair to

look up and resolve to lead lives worthy of such hallowed associations.

“Must the children of the South grow up in ignorance of these authors? Such is the unconscious intent of our Board of Public Education, as evinced by their adoption of these readers for our schools.

“The seventy-eighth Psalm contains a long catalogue of God’s dealings with his chosen people. It was appointed to be sung in the temple service. Was it that the elders might warm their hearts afresh and restrain their evil inclinations as they recited again and again God’s mercies and his wrath? Possibly this was one result of its use, but that it was not its main object we learn from the introduction to this Psalm of instruction where we read: ‘For he established a testimony in Jacob and appointed a law in Israel, which he commanded our fathers that they should make them known to their children; that the generation to come might know them, even the children which should be born; who should arise and declare them to their children.’ There you have it. The divine plan was to lodge that which we wish to remain in the mind of *the child*. Can we improve upon His plan?

“If we wish the authors so dear to us, of whom we are so justly proud, to be loved in the future, or even known outside of a mere handful of dry and bloodless bookworms, we must to-day make them known to our children.

“All the criticisms so far made on the ‘Stepping-Stones to Literature’ are negative. We have pointed out things that are wanting. But there is one selection to which we shall call special attention. It is ‘The Battle Hymn of the Republic,’ by Julia Ward Howe, in the Sixth Reader, which represents the invading Northern army as the coming of the Lord in vengeance. Comment on such blasphemy is unnecessary. Surely no Southerner could have taken the trouble to advise himself of the existence of such an outrage on our children.”

Respectfully submitted.

GEORGE L. CHRISTIAN, *Chairman.*

Report of the History Committee of
the U. C. V., Made to the Reunion
of Confederate Veterans, held at Rich-
mond, Va., May 30th-June 3d, 1907.

BY

JUDGE GEORGE L. CHRISTIAN,
of Richmond, Va.

- I. Which side was responsible for the existence of the cause or causes of the war ?
- II. Which side was the aggressor in provoking the conflict ?
- III. Which side had the legal right to do what was done ?
- IV. Which side conducted itself the better, and according to the rules of civilized warfare, pending the conflict ?
- V. The relations of the slaves to the Confederate cause ?

REPORT

Within the limits prescribed for this paper it is impossible to discuss with any degree of satisfaction the issues involved in the great conflict between the North and the South from 1861 to 1865. These have, however, been so fully discussed by other members of this committee on former occasions, that but little remains to be added.

In a recent work, with the somewhat arrogant title, "The True History of the Civil War," the writer begins by saying: "The seeds of dissolution between the North and the South were carried to Virginia in the ships commanded by Newport and to Massachusetts in the Mayflower. Each kind fell upon soil well adapted to nourish its characteristics. . . . There was in the beginning an almost imperceptible rift between the people of the North and those of the South. This gradually widened until, notwithstanding the necessity for union, a separation in sentiment, thought, and custom arose. This estrangement developed until it gave to the people of the North and the South the aspect of two races manifesting toward each other all the antipathy of rival and dissimilar nations, and in their disagreement rendering impossible either sympathy with each other's standpoint or patient listening to each other's contention."

Without intimating any opinion as to how far all the other statements contained in this work warrant the author in giving it the title selected, a few glances at history will convince the most skeptical that the foregoing statement is well founded.

In 1775, when Washington's army was in front of Boston, that great patriot-soldier issued a stern order threatening severe punishment to any man found guilty of saying or doing anything to aggravate what he termed "the existing sectional feeling." And during the same year when Peyton Randolph, of Virginia, the first

President of the Continental Congress, died, his brother-in-law, Benjamin Harrison, also from Virginia, was nominated for that position; but as John Hancock, of Massachusetts, was likewise nominated, it is said that Mr. Harrison, "to avoid any sectional jealousy or unkindness of feeling between the Northern and Southern delegates at so momentous a crisis," had his own name withdrawn and insisted on the election of Mr. Hancock. And so, too, in the Virginia Convention of 1788, Mr. Henry, in opposing the adoption of the Federal Constitution, after pointing out the provisions to which he objected, and in which his almost prophetic ken saw dangers lurking, which have since been realized, said after all he did not so much object to the form of the instrument as he did to the character and dispositions of those with whom we were forming the compact. And another distinguished Virginian, with fervid eloquence, exclaimed that our oppressions under the compact would be "worse than British tyranny."

With these early and seemingly innate antipathies, stimulated and developed by growing and conflicting interests, arising out of tariffs, acquisitions of territory, and other causes, the "irrepressible conflict," as Seward termed it, would seem necessarily only a question of time.

As to the real cause or causes which precipitated that conflict, there have been, and still are, differences of opinion. In our view the settlement of this question is secondary, and the vital questions to be determined are:

(a) *Which side, if either, was responsible for the existence of the cause or causes? And if slavery was the cause, as some allege, which side was guilty of wrong-doing in dealing with that cause?*

(b) *Which side was the aggressor in provoking the conflict?*

(c) *Which side had the legal right to do what was done?*

(d) *Which side conducted itself the better, and according to the rules of civilized warfare, pending the conflict?*

It seems to us that an answer to these questions is pertinent at all times, and at this distance for the conflict they can be discussed dispassionately without engendering sectional bad feeling.

Our quondam enemies, knowing, as it seems to us they must know, that the evidence on every other point is overwhelmingly against them, and relying on the sentiment of the world now existing against slavery, are prone to charge that the South fought for the perpetuation and extension of that institution; or, to put it in the brief and common form, they charge (as some of our younger people in their ignorance seem to believe) that "slavery was the cause of the war."

It would seem to the unprejudiced mind, that the mere statement of the fact (which, we believe, was a fact) that more than eighty per cent. of the Confederate soldiers owned no slaves, that General Lee, our representative soldier, freed his slaves before the war, whilst General Grant, the representative soldier of the North, held on to his until they were freed by the results of the war, and the further fact that General Lee said at the beginning of the war that if he owned all the slaves in the South and could by freeing them save the Union he would do so with the stroke of his pen, ought to furnish a satisfactory refutation of this unjust charge.

But let us admit, for the sake of the argument only, that the charge is true. How, then, does the case stand as to us both on the law and the facts?

It will not be charged by the greatest enemy of the South, that it was in any way responsible, either for the existence of slavery, or for inaugurating that vilest of traffics—the African slave trade. On the contrary, history attests that slavery was forced upon this country by England, against the earnest protests of the South, as well as of the North, when the States were colonies under the control of that country; that "the first statute establishing slavery in America is to be found in the famous Code of Fundamentals or Body of the Liberties of the Massachusetts Colony of New England, adopted in December, 1641," that the "Desire," one of the very first vessels built in Massachusetts, was fitted out for carrying on the slave trade; "that the traffic became so popular that great attention was paid to it by the New England shipowners, and that they practically monopolized it for a number of years." ("The

True Civil War." pp. 28, 29, 30.) And history further attests that Virginia was the first State, North or South, to prohibit the slave traffic from Africa, and that Georgia was the first to incorporate that prohibition in her Constitution.

We have no desire to say unkind things about the North. But it is easy to show, that as long as slavery existed there, as it did in all the Colonies when independence was declared, the treatment of slaves by the people of that section was as harsh as, if not more so, than was ever known in any part of the South. Not only is this true, but it is also easy to show that as long as the people of the North were the owners of slaves they regarded and treated and disposed of them as "property," just as the people of England had done since 1713, when slaves were held to be "merchandise" by the twelve judges of that country, with the venerable Holt at their head. We could further show that slavery existed at the North just as long as it was profitable to have it there; that the moral and religious sense of that section was only heard to complain of that institution after it was found to be unprofitable, and after the people of that section had, for the most part, sold their slaves to the people of the South; and that, after Whitney's invention of the cotton gin, which wrought such a revolution in the production of cotton at the South as to cause slave labor greatly to increase in value, and which induced many Northern men to engage in that production, these men almost invariably purchased their slaves for that purpose, and many of these owned them when the war broke out.

The South was then in no sense responsible for the existence of slavery within its borders, but it was brought there against its will; it was clearly recognized and attempted to be controlled and protected by the Constitution—the supreme law of the land—and the people of the South, not believing that any other or better disposition could be made of the slaves than by holding them in bondage, only continued to do this.

In the meantime numerous efforts were made, both by Southern States and by individuals, to abolish the institution, and it is the

almost universal belief now that these efforts would have succeeded gradually, but for the harsh and unjust criticisms of the Southern people by some of those at the North, and the outrageous, illegal, and incendiary interference, by the Abolitionists and their emissaries. As early as 1769 the House of Burgesses of Virginia tried to abolish slavery in Virginia, but was prohibited by the veto of George III., then King of England, "in the interests of English commerce." And throughout the period from 1776 to 1832, when the work of the Abolitionists first began to be felt, the question of how to accomplish emancipation engaged the thought of some of the most eminent men of Virginia and other Southern States.

Mr. George Lunt, a distinguished lawyer of Massachusetts, in his interesting work, entitled "Origin of the Late War," in which he shows that the North was the aggressor and wrongdoer throughout, says: "Slavery in the popular sense, was the cause of war, just as property is the cause of robbery."

Whilst we do not indorse this statement, looking at the subject from the view-point of a Southerner, yet if it were true, surely there is nothing in it from which the people of the North can take any comfort or credit to themselves.

But so anxious are our former enemies to convince the world that the South did fight for the perpetuation of slavery that some of them have, either wittingly or unwittingly, resorted to misrepresentations or misinterpretations of some of the sayings of our representative men to try to establish this as a fact. A noted instance of this is found in the oft-repeated charge that the late Mr. Alexander H. Stephens, Vice-President of the Confederacy, had said in his famous speech, delivered at Savannah in February, 1861, that "slavery was the corner stone of the Confederacy."

We have heard this charge made by one of the most enlightened and liberal men at the North, and yet we have at hand utterances from this same Northerner tantamount to what Mr. Stephens said in that speech. Mr. Stephens was speaking of the Confederacy, just then organized, and contrasting some of the principles on which it was founded with some of those of the Republican party,

then coming into power for the first time, and he said: "Our government is founded on exactly the opposite idea (that the two races, black and white, are equal); its foundations are laid; its corner stone rests upon the great truth that the negro is not the equal of the white man; that slavery, subordination to the superior race, is his (the negro's) natural and normal condition."

Now it will be observed in the first place, that Mr. Stephens said the "corner stone" of the Confederacy "rests upon the great truth that the negro is not the equal of the white man." And isn't this fact recognized as true to-day in every part of this land?

But hear now the utterances of this liberal and cultured Northerner on the same subject when he says as he does: "The Africans are distinctly an inferior order of being, not only in the South, or slave States, but throughout the North also, not entitled to unrestricted pursuit on equal terms of life, liberty, and happiness."

Is there any difference in principle between these two utterances? If, as this distinguished Northerner asserts, and as every one knows to be true, the negroes are "distinctly an inferior order of being" and "not entitled to the unrestricted pursuit on equal terms [with the whites] of life, liberty, and happiness," does not this make "subordination to the superior race his natural and normal condition," as Mr. Stephen says?

But hear now what Mr. Lincoln, the great demigod of the North, had to say on this subject in a speech delivered at Charleston, Ill., in 1858, when he said: "I will say, then, that I am not now, nor never have been, in favor of bringing about in any way the social or political equality of the white and black races. I am not now, nor never have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor of intermarriage with white people; and I will say, in addition to this, that there is a physical difference between the white and black races which, I believe, will forever forbid the two races living together on terms of social and political equality. Inasmuch as they cannot so live, while they do remain together, there must be a position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white man."

Again we ask: Is there any difference in principle between what is here said by Mr. Lincoln and what was said by Mr. Stephens in his famous "corner stone" speech?

And, notwithstanding Mr. Lincoln issued his "Emancipation Proclamation" eighteen months later, he said in his first inaugural: "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so."

Could he have used stronger language to show, that he believed not only in the legality of the position of the South on the subject of slavery, but that he believed in the propriety of that position as well?

Mr. Toombs said in a speech delivered in Boston in 1856:

"The white is the superior and the black the inferior, and subordination, with or without law, will be the status of the African in this mixed society. Therefore it is to the interest of both, and especially to the black race, that this status should be fixed, controlled, and protected by law." And this is just as true to-day as it was when this statement was made by this great statesman in 1856.

But there is this remarkable fact in connection with slavery, and its relations to the war, which we have not seen elsewhere referred to, and which is to our mind a conclusive refutation of the charge that the continuation or the extinction of slavery, had any influence whatever on the conduct of the Southern people, and especially that of the Confederate soldier in that war.

The writer belonged to one of the three companies in the army, the personnel of which is so vividly described by the author of "Four Years under Marse Robert," in which there were serving as privates, many full graduates of the University of Virginia, and other leading colleges, both North and South. In these companies a variety of subjects pertaining to the war, religion, politics, philosophy, literature, and what not, were discussed with intelligence, and often with animation and ability, and yet neither he, nor any of his comrades can recall the fact, that they ever heard the subject of

slavery, or the relations of the slaves to the war, referred to in any way during that period, except that, when it was determined to put slaves in our army, a violent protest against doing so went up from the ranks, and the only thing which even partially reconciled our men to this proposed action, was the knowledge of the fact that it had the sanction and approval of General Lee. We have inquired of comrades of various other commands about this, and with the like result. Do men fight for a thing or a cause they never speak of or discuss? It seems to us that to ask this question is to furnish the answer.

Not only is the foregoing statement true, but with the exception of the steps taken to send negroes to help erect fortifications, employing them as laborers, etc., but little consideration seems to have been given them, or of their *status* to the war, either by the Congress or the Cabinet of the Confederacy. The reasons for this are manifest to those of us who lived in those days, but a word of explanation may be necessary to those who have since come on the stage of life. In the first place slavery, as it existed in the South, was patriarchal in its character; the slaves (servants, as we called them) were regarded and treated as members of the families to which they severally belonged; with rare exceptions, they were treated with kindness and consideration, and frequently the relations between the slave and his owner, were those of real affection and confidence. As Mr. Lunt, the Boston writer, from whom we have already quoted, says: "*The negroes were perfectly contented with their lot. In general they were not only happy in their condition, but proud of it.*"

Their owners trusted them with their families, their farms, and their affairs, and this confidence was rarely betrayed—scarcely ever, unless the slaves were forced to violate their trusts by coming in contact with the Federal armies, or were beguiled and betrayed themselves by mean and designing white men. The truth is, both the white and the black people of the South, regarded the Confederate cause alike as their cause, and looked to its success with almost, if not equal, anxiety and delight. A most striking illustration of

this and of the readiness of the slaves to fight even, if necessary, for the Confederate cause is furnished by the following incident: In February, 1865, when negro troops had been authorized to be enrolled in the Confederate army, there were employed at Jackson Hospital, near Richmond, seventy-two negro men (slaves). The surgeon in charge, the late Dr. F. W. Hancock, of Richmond, had these men formed in line; and after asking them "if they would be willing to take up arms to protect their masters' families, homes, and their own, from an attacking foe, *sixty out of seventy-two responded that they would volunteer to go to the trenches and fight the enemy to the bitter end.*" ("War Rebellion Records," Series IV., Volume II., p. 1193.)

At the date here referred to, we know, that the life of the confederate soldier was one of the greatest hardship and peril, and the fact that, five out of every six of these negroes, were then ready to volunteer and go to the trenches, showed conclusively how truly they regarded the Confederate cause as their cause as well as that of the white people of the South. Indeed, we doubt if a larger per cent. of the whites, in any part of the country, would have volunteered to go to the front at that stage of the war. If, then, it were true, as alleged, that the white people of the South were fighting for slavery, does it not necessarily follow that the slaves themselves were ready and willing to fight for it too? One of these propositions is just as true as the other.

We think we have shown then that even if we admit that slavery was, as falsely charged, the "cause of the war" the South was in no way responsible for the existence of that cause; but it was a condition forced upon it, one recognized by the supreme law of the land, one which the South dealt with legally and justly, as contemplated by that law, and history shows *that in every respect, and in every instance, the aggressions and violations of the law were committed by the North.* Mr. Lunt says: "Of four several compromises between the two sections of country since the Revolutionary War, each has been kept by the South and violated by the North." Indeed, we challenge the North to point out one single instance in

which the South violated the Constitution or any of the laws made in pursuance thereof; whilst, on the contrary, fourteen of the Northern States passed acts nullifying the fugitive slave law, passed by Congress in obedience to the Constitution, denounced and defied the decisions of the Supreme Court, and Judge Black, of Pennsylvania, says of the Abolitionists: "They applauded John Brown to the echo, for a series of the basest murders on record. They did not conceal their hostility to the Federal and State governments nor deny their enmity to all laws which protected white men. The Constitution stood in their way, and they cursed it bitterly. The Bible was quoted against them, and they reviled God the Almighty himself."

(2) *Our next inquiry is: Which side was the aggressor in provoking the conflict?*

Mr. Hallam, in his "Constitutional History of England," states a universally recognized principle when he says: "The aggressor in war—that is, he who begins it—is not the first who uses force, but the first who renders force necessary."

We think we have already shown, by Northern authorities, that be the "cause of the war," and it is easy to show, by like authorities, that it was clearly the aggressor in bringing on the war.

On the 7th of April, 1861, President Davis said: "With the Lincoln administration rests the responsibility of precipitating a collision and the fearful evils of a cruel war."

In his reply to Mr. Lincoln's call for Virginia's quota of seventy-five thousand troops to coerce the South, on April 15, 1861, Governor Letcher said: "You have chosen to inaugurate civil war, and you can get no troops from Virginia for any such purpose."

But we are not content to rest this question on the statements of these Southern authorities, as high as they are, but will let Northern writers say what they think about this important matter.

Mr. Lunt says in reference to Mr. Lincoln sending the fleet to reënforce Sumter in April, 1861: "It was intended to draw the fire of the Confederates, and was a silent aggression with the object of producing an active aggression from the other side."

Mr. Benjamin J. Williams, another Massachusetts writer, says: "The South was invaded and a war of subjugation, destined to be the most gigantic which the world has ever seen, was begun by the Federal government against the seceding States, in complete and amazing disregard of the foundation principle of its own existence, as affirmed in the Declaration of Independence, that governments derive their just powers from the consent of the governed."

But let us hear what Mr. Lincoln himself has to say on this question, and with his testimony we shall regard the question as conclusively settled. In reply to a committee from Chicago sent to intercede with him to be relieved from sending more troops from that city to the Northern armies, Mr. Lincoln said in a tone of bitterness: "Gentlemen, after Boston, Chicago has been the chief instrument in bringing this war on the country. The Northwest has opposed the South, as New England has opposed the South. It is you who are largely responsible for making blood flow as it has. You called for war until we had it; you called for emancipation, and I have given it to you. Whatever you have asked, you have had. Now you come here begging to be let off. You ought to be ashamed of yourselves." (See Tarbell's "Life of Lincoln," Volume II., p. 149.)

Not only then are we justified in saying that the North was the aggressor in bringing on the war, but the latest Northern writer we have read from on this subject states this fact in as unmistakable terms as it was stated by President Davis on April the 7th, 1861, above quoted. This writer says:—

"The determination expressed by Lincoln in his inaugural 'to hold, occupy and possess the property and places belonging to the United States,' precipitated the outbreak." (James Kendall Hosmer, L.L.D., in the *American Nation; A History*, Vol. 20, page 26).

And again on page 43 the same writer says:—

“Lincoln’s announced determination ‘to hold, occupy and possess the property and places belonging to the Government, and to collect the duties and imposts’ was practically the announcement of an offensive war.”

(3) Which side had the legal right to do what was done?

On the column of the monument erected to our great civic leader are the words *pro aris et focis*, meaning that the real cause of the South was that we fought in defense of our altars and our firesides. And the man who would not

“Strike for his altars and his fires,
God and his native land,”

is a craven and a coward and unworthy even of the name of man. Our country was invaded by armed men intent on coercion and conquest. We met them on the threshold and beat them and drove them back as long as we had anything to eat or strength to fight with. We could do no more, we could do no less, and history, our children, and even many of our former enemies, now applaud our conduct.

There were, however, two, and but two, question really involved in the conflict. We can scarcely do more than state these and cite some of the many Northern authorities to sustain the position that the South was right on both of these. They were: (1) *The right of a State to secede*, and (2) *the right of the Federal government to coerce a seceding State*. As to the first of these questions, the late Judge Black, of Pennsylvania, said what is true: “Secession, like slavery, was first planted in New England. There it grew and flourished and spread its branches far over the land before it was ever dreamed of at the South.” And he further says that John Quincy Adams, in 1839, and Abraham Lincoln, in 1847, made elaborate arguments in favor of the legal right of a State to secede.

Mr. William Rawle, also late of Pennsylvania, in his work on the Constitution, the text-book used at West Point before the war, says: “It depends on the State itself to retain or abolish the principle of

representation, because it depends on itself whether it will continue a member of the Union."

Timothy Pickering, Josiah Quincy, and Mr. Henry Cabot Lodge, all of Massachusetts, the late Horace Greeley, Goldwin Smith, General Don Piet, of the Federal Army, and the Hartford Convention, all asserted and affirmed the same doctrine. *And we know, that had not this right been understood to exist at the time of the adoption of the Constitution, it would never have been adopted.*

As to the second of these questions—*i. e., the right of the Federal government to coerce a seceding State.* This question was discussed to some extent in the convention which framed the Constitution. Mr. Madison (the "Father of the Constitution") said: "The more he reflected on the use of force, the more he doubted the practicability, the justice, and the efficiency of it when applied to people collectively and not individually. *A union of the States containing such an ingredient seemed to provide for its own destruction.*" (Italics ours.)

And Mr. Hamilton said: "But how can this force be exercised on the States collectively? It is impossible. *It amounts to war between the parties. Foreign powers also will not be idle spectators. They will interpose, and a dissolution of the Union will ensue.*" (5th Mad. Pap. 140 and 200.) *And no such right or power can be found anywhere in the Constitution.*

The late James C. Carter, of New York (a native of New England), one of the greatest lawyers this country has ever produced, said: "I may hazard the opinion that if the question had been raised, not in 1860, but in 1788, immediately after the adoption of the Constitution, whether the Union, as formed by that instrument, could lawfully treat the secession of a State as rebellion and suppress it by force, few of those who participated in forming that instrument would have answered in the affirmative."

In November, 1860, the New York *Herald* said: "Each State is organized as a complete government, holding the purse and wielding the sword, possessing the right to break the tie of confederation as a nation might break a treaty, and to repel coercion as a nation

might repel invasion. . . . *Coercion, if it were possible, is out of the question.*"

The question was maturely considered by Mr. Buchanan and his Cabinet at the close of his administration, *and it was unanimously determined that no such right existed.*

One of the resolutions of the platform of the Chicago Convention, on which Mr. Lincoln was elected, and which he reaffirmed in his first inaugural, was the following:

"Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

To show that Mr. Lincoln was fully cognizant of the fact that he was committing this "gravest of crimes" when he caused his armies to invade the Southern States, we will give his own definition of the meaning of the terms "invasion" and "coercion," as contained in his speech delivered at Indianapolis on his journey to Washington to be inaugurated in February, 1861. He asks: "What, then, is 'coercion?' What is 'invasion?' Would the marching of an army into South Carolina, without the consent of her people, and with hostile intent toward them be 'invasion?' *I certainly think it would, and it would be 'coercion' also if South Carolinians were forced to submit.*"

Is not this exactly what he did to South Carolina and to all the other Southern States? And is it not true that this "gravest of crimes" having been committed by him without the authority of Congress, or any legal right, was the sole cause why the Southern people went to war? We know that such is the fact, and surely no further authorities can be necessary to show that the South was right on both of the only two questions involved in the war; and if it had not resisted and fought under the circumstances, in which it was placed, *it would have been eternally disgraced.*

We can only state and without discussing at all our last inquiry, which is:

(4) *Which side conducted itself the better and according to the rules of civilized warfare pending the conflict?*

With the notoriously infamous records of the conduct of Sheridan, Hunter, and Milroy in the Valley (to say nothing of how far Grant participated in that conduct), of that of Pope and Steinwehr in Piedmont, Va., of that of Butler in Norfolk and New Orleans, and, worse than all, the confessed vandalism of Sherman on his "March to the Sea," together with his burning Atlanta and Columbia, the last stimulated and encouraged by Halleck, the chief of staff of the armies of the Union; and then contrast all this with the humane order of General Lee, on his campaign of invasion into Pennsylvania, and the conduct of his army in that campaign, and there can be but one answer to this inquiry. *That answer is that the South did right and that the North did wrong.*

"God holds the scales of justice;
He will measure praise and blame.
And the South will stand the verdict,
And will stand it without shame."

Respectfully submitted on behalf of the History Committee,
U. C. V. GEORGE L. CHRISTIAN.

STONEWALL JACKSON

AN ADDRESS BY

HUNTER MCGUIRE, M. D., L.L. D.,

MEDICAL DIRECTOR JACKSON'S CORPS, A. N. V.

At the dedication of Jackson Memorial Hall, Virginia Military Institute, and repeated before R. E. Lee Camp, No. 1, C. V. Richmond, Va., July 9th, 1897.

STONEWALL JACKSON.

*Mr. President, General, Cadets of the Virginia Military Institute,
Ladies and Gentlemen:*

I understand, and I beg this audience to understand, that I am here to-day, not because I have any place among the orators, or am able to do anything except "to speak right on" and "tell you that which you yourselves do know," but because the noblest heritage I shall hand down to my children is the fact, that Stonewall Jackson condescended to hold and to treat me as his friend. I know, and you know, that as long as valor and virtue are honored among men, as long as greatness of mind and grandeur of soul excite our admiration, as long as Virginia parents desire noble examples to set before their sons, and as long as there dwells in the souls of Virginia boys that fire of native nobleness which can be kindled by tales of heroic endeavor, so long will Virginia men and women be ready to hear of the words and the deeds of Virginia's heroic sons, and, therefore, ready and glad to hear how valorous and how virtuous, how great and how grand, in every thought and action, was the Virginian of whom I speak to-day—to know in what awesome Titanic mould was cast that quiet Professor who once did his duty here; that silent stranger, whom no man knew until "the fire of God fell upon him in the battle-field," as it did upon Arthur—the fire by which Sir Launcelot knew him for his king—the fire that like the "live coal from off the altar touched the lips" of Jackson and brought from them that kingly voice which the eagle of victory knew and obeyed. For a king was Stonewall Jackson, if ever royalty, anointed as by fire, appeared among men.

When Egypt, or Persia, or Greece, or Rome was the world; when the fame of a king reached the borders of his own dominion but scarcely crossed them; when a great conqueror was known as far as his banners could fly; friends (or enemies) could assign a warrior's rank amongst mankind and his place in history. These lat-

ter ages have agreed that a Ramases, a Cyrus, an Alexander or a Constantine shall be styled "The Great," accepting therein the estimate put upon them by the contracted times in which they lived, supported perchance by the story of their deeds as laboriously chiseled on some long-buried slab, recorded on some hardly-recovered sheets of ancient parchment, or written on some dozen pages of a literature, the language of which serves the purposes of the ghosts along the Styx, as they tell each other of glories long departed.

To-day the world is wide, and before the world's tribunal each candidate for historic honors must appear. The world's estimate, and that alone, posterity will accept, and even that it will hereafter most carefully revise.

The young Emperor of Germany, seeking to decree his grandfather's place in history, would have him styled "William the Great." Here and there, in one nation and another, press and people combine to deify some popular hero, and offer him for the plaudits or the worship of the age. It is a vain endeavor. The universal judgment cannot be forestalled. No force nor artifice can make mankind accept as final the false estimate instead of the true. Money, powerful, dangerous and threatening as it now is in this Republic, cannot for long buy a verdict. The unbiased world alone is capable of stamping upon the forehead of man, that mark which neither the injustice of adverse interest, nor envy's gnawing tooth, nor the ceaseless flow of the river of time, is able to efface.

Therefore, it was with swelling heart and deep thankfulness, that I recently heard some of the first soldiers and military students of England declare, that within the past two hundred years the English-speaking race has produced but five soldiers of the first rank—Marlborough, Washington, Wellington, Robert Lee and Stonewall Jackson. I heard them declare that Jackson's campaign in the Shenandoah Valley, in which you, and you, and you, and I myself in my subordinate place, followed this immortal, was the finest specimen of strategy and tactics of which the world has any record; that in this series of marches and battles there was never a blunder

committed by Jackson; that this campaign in the Valley was superior to either of those made by Napoleon in Italy. One British officer, who teaches strategy in a great European college, told me that he used this campaign as a model of strategy and tactics and dwelt upon it for several months in his lectures; that it was taught for months of each session in the schools of Germany; and that Von Moltke, the great strategist, declared it was without a rival in the world's history. This same British officer told me that he had ridden on horseback over the battle-fields of the Valley and carefully studied the strategy and tactics there displayed by Jackson. He had followed him to Richmond, where he joined with Lee in the campaign against McClellan in 1862; that he had followed his detour around Pope—his management of his troops at second Manassas; that he had studied his environment of Harper's Ferry and its capture, his part of the fight at Sharpsburg, and his flank movement around Hooker, and that he had never blundered. "Indeed," he added, "Jackson seemed to me (him) inspired." Another British soldier told me that for its numbers the Army of Northern Virginia had more force and power than any other army that ever existed.

High as is my estimate of the deeds of the Second Corps of the Army of Northern Virginia, I heard these opinions with a new elation, for I knew they presented the verdict of impartial history; the verdict that posterity will stamp with its approval; a verdict—in itself such a tribute to valor and virtue, devotion and truth—as shall serve to inspire, exalt and ennoble our children, and our children's children, to the remotest generations.

You will not be surprised to hear of my telling them that of these five, thus overtopping all the rest, three were born in the State of Virginia; nor wonder that I reverently remember that two of them lie, side by side, here in Lexington, while one is sleeping by the great river, there to sleep till time shall be no more—the three consecrating in death the soil of Virginia, as in life they stamped their mother State as the native home of men who, living as they lived, shall be fit to go on quest for the Holy Grail.

And now I hope I may be able to tell you what evidences of this

accredited greatness—what warrant for the justness of this verdict—I, and others with me, saw in the quiet of the camp and in the rush of the battle; and how I saw with my own eyes, and stand here to declare, that his greatness vanished not nor faded, but the brighter shone, when the shadows of evening were falling and the darkness of death gathered around him.

In seeking to define Jackson's place in history I accept Lord Wolseley's definition of a great commander. He declares, in effect, that the mark of this rare character are: First of all, the power—the instinct, the inspiration—to divine the condition and the purposes of your enemy. Secondly, the genius that in strategy instantly devises the combinations most likely to defeat those purposes. Thirdly, the physical and moral courage—the absolute self-reliance—that takes the risk of decision, and the skill that promptly and properly delivers the blow that shatters the hostile plans, so managing one's own forces (even when small) as to have the greater number at the point of attack. Fourthly, the cool judgment that is unshaken by the clash and clamor of emergencies. And last, but not least, the provision—the caution—that cares for the lives and well-being of the private soldiers, and the personal magnetism that rouses the enthusiasm and affection, that makes the commander's presence on the battle-field the incentive to all that human beings can dare, and the unquestioned hope and sure promise of victory.

Many incidents of Jackson's career prove that he possessed the instinctive power to know the plight, and to foretell the purposes of the Federal army and its commanders. To describe the first that I recall: While dressing his wounded hand at the first Manassas, at the field-hospital of the brigade at Young's Branch, near the Lewis House, I saw President Davis ride up from Manassas. He had been told by stragglers that our army had been defeated. He stopped his horse in the middle of the little stream, stood up in his stirrups (the palest, sternest face I ever saw) and cried to the great crowd of soldiers "I am President Davis—follow me back to the field." General Jackson did not hear distinctly. I told him who it was and what he said. He stood up, took off his

cap and cried, "We have whipped them—they ran like sheep. Give me 10,000 men and I will take Washington City to-morrow." Who doubts now that he could have done so?

When, in May, 1862, he whipped Banks at Winchester, and had, what seemed then and even now, the audacity to follow him to Harper's Ferry, he not only knew the number and condition of Banks's army, but in his mind he clearly saw, the locality and strength of the armies of Fremont and McDowell, gradually converging from the east and west towards Strasburg to cut off his retreat. He knew the leaders of these hostile forces, their skill and moral courage, and calculated on it, and this so nicely that he was able to pass between them without a moment to spare. Indeed, he held these hosts apart, with his skirmishers, while his main army passed through, each commander of the Federal army in doubt and dread whether the mighty and mysterious Jackson intended one of his overwhelming blows for him; both, doubtless, hoping the other one would catch it. Certainly they acted in a way to indicate this.

With the help of Ashby and Stuart, he always knew the location and strength of his enemy. He knew the fighting quality of the enemy's forces, too. "Let the Federals get very close," he said to Ewell at Cross Keys, "before your infantry fires, they won't stand long." I asked him at Cedar Run if he expected a battle that day. He smiled and said, "Banks is in our front and he is generally willing to fight," "and," he added very slowly and, as if to himself, "and he generally gets whipped."

At Malvern Hill, when a portion of our army had been beaten and, to some extent demoralized, Hill and Ewell and Early came to tell him they could make no resistance if McClellan attacked them in the morning. It was difficult to wake General Jackson, as he was exhausted and very sound asleep. I tried it myself, and after many efforts partly succeeded. When he was made to understand what was wanted, he said "McClellan and his army will be gone by daylight," and went to sleep again. The generals thought him mad, but the prediction was true.

At Sharpsburg, when on the 17th, our army had repulsed three

great assaults in succession and was reduced to a thin line, happening to have urgent business that took me to the front, I expressed to General Jackson my apprehension lest the surging mass of the enemy might get through. He replied, "I think they have done their worst and there is now no danger of the line being broken." McClellan's inaction during the long 18th, when General Lee stood firm and offered him battle, proves that Jackson knew his enemy's condition.

At Fredericksburg, after Burnside's repulse, he asked me how many bandages I had. I told him, and asked why he wanted to know? He said he wanted to have a piece of white cloth to tie on each man's arm that his soldiers might recognize each other in a night attack, and he asked to be allowed to make such an attack and drive the foe into the swollen river or capture him. Subsequent events demonstrated that he would have accomplished his purpose.

It was said that at a council of war, called by General Lee after the Fredericksburg battle, Jackson went to sleep during the discussion, and when suddenly aroused and asked for his advice he simply replied "Drive them into the river."

That he possessed the genius to devise and the skill and courage to deliver the blow needed to defeat his foes; is this not amply proved by the fact, that his army in the Valley campaign was never over 17,000, and generally less, and that for a time, he was keeping at bay 100,000 Federal soldiers—60,000 in or near the great Valley, and 40,000 at Fredericksburg—soundly thrashing in the field, from time to time, large portions of this great army? Not to mention details, Jackson and his small force influenced the campaign to the extent of keeping 100,000 Federal troops away from Richmond, and in compelling the Federal Government to employ a larger force than the whole of the Confederate army, in order, as Lincoln said, "to protect the National Capital." In the operations necessary to accomplish this result, he encountered one (his first and only) defeat—that at Kernstown, which he and others, who trusted his judgment believed was due to an untimely order to fall back, given by one of his bravest and truest brigade commanders. But that defeat

was so full of brilliant results to our cause that the Confederate Congress thanked him for the battle. The gallant and brilliant officer who gave this order was put under arrest (whether wisely or not is not for present discussion), but the effect was to prevent any other man or officer from ordering a retreat on any subsequent field of battle where Jackson was, whether out of ammunition or not. Thence he went immediately to McDowell, Winchester, Cross Keys and Port Republic, winning battle after battle, having always the smaller army, but the larger number actually fighting (except at Cross Keys), illustrating the truth of what a Federal officer tells us a Yankee soldier said after the stern struggle at Groveton: "These rebels always put their small numbers in strong positions and then manage to be the stronger at the point where the rub comes." And so, notwithstanding the tremendous odds against him in the whole theatre of action, he met another test of a great commander, in concentrating against his opponent the larger force.

I cannot give you any instances or illustrations of the mental action by which he reached his conclusions or devised the combinations which defeated his enemy; for Jackson took no counsel save with his "familiar," the Genius of War, and his God. *He did hold one, and only one council of war.* In March, 1862, at Winchester, Jackson had in his small army less than 5,000 men. General Banks, who was advancing upon Winchester from Harper's Ferry and Charlestown, had 30,000 men. General Jackson repeatedly offered General Banks battle, but the latter declined, and on the night of the 11th of March went into camp four miles from Winchester. General Jackson sent for his officers and proposed to make a night attack, but the plan was not approved by the council. He sent for the officers a second time, some hours later, and again urged them to agree to make the night assault, but they again disapproved of the attempt. So, late in the afternoon, we withdrew from Winchester and marched to Newtown. I rode with the General as we left the place, and as we reached a high point overlooking the town, we both turned to look at Winchester, just evacuated and now left to the mercy of the Federal soldiers. I think that a man may some-

times yield to overwhelming emotion, and I was utterly overcome by the fact that I was leaving all that I held dear on earth, but my emotion was arrested by one look at Jackson. His face was fairly blazing with the fire that was burning in him, and I felt awed before him. Presently he cried out with a manner almost savage, "That is the last council of war I will ever hold!" And it was—his first and last. Thereafter he held council in the secret chambers of his own heart, and acted. Instantaneous decision, absolute self-reliance, every action, every word displayed. His voice displayed it in battle. It was not the peal of the trumpet, but the sharp crack of the rifle—sudden, imperative, resolute.

I venture a word as to a battle in which Jackson's conduct has been criticised. The delay at Gaines' Mill has been the subject of much comment. The truth is, that General Lee directed Jackson to place his corps on our extreme left, where he would be joined by the command of D. H. Hill. He ordered him to form in line of battle with Hill and wait until McClellan retreated towards the Pamunkey, and then to strike him a side blow and capture him. For this purpose Jackson had, with Hill's division, 25,500 men. When we arrived at Gaines' Mill, D. H. Hill had engaged the enemy. Jackson, obeying Lee's instructions, sent an aide to inform Hill of the orders of the Commander-in-Chief, and it was with some difficulty that he withdrew him from the fight. It was only when Jackson found that McClellan was not being driven from his works he put into the battle every man he had.

General Jackson waited at White Oak Swamp during the battle of Frazier's Farm because he was directed to stay on this road until further orders. As a soldier he could do nothing else. He gave the same unquestioned obedience to the officer above him, that he demanded of those under him. Moreover, the stream was impassable for infantry under fire, and impassable for artillery without a bridge. Jackson and his staff, with Colonel Munford's cavalry, tested it, riding across through quagmires that took us up to the girths of our horses; but by a fierce artillery attack he kept Franklin's and part of Sumner's corps from joining with McCall to resist the attack at Frazier's Farm. This attack General Jack-

son began with twenty-eight pieces of artillery at 12 o'clock that day. The battle at Frazier's Farm began at 5 o'clock the same afternoon. White Oak Swamp road is but five miles distant. If General Lee had wanted Jackson he could have sent for him, but General Lee did not want him. He expected to defeat McCall, and isolate Franklin and Sumner, and then capture them with Jackson's co-operation from the position he knew he occupied.

Cedar Run battle has been criticised as a barren victory, but while it did not accomplish all that Jackson intended, it was far from barren in its results. Pope, who had more than double the force of Jackson, was preparing to attack us at Gordonsville and destroy the railroad. We remained two weeks at Gordonsville, waiting for Pope to make a false move, when, finding that Pope's divisions were widely separated—the left wing being at Fredericksburg and the right under Sigel at Sperryville, fifty-five miles from the left wing, the main army on the Rappahannock, with Banks thrown out to Culpeper Courthouse—Jackson determined to strike them in detail. I know this was his purpose and his subsequent report proves it. He intended first to attack his old antagonist, Banks, at Culpeper, and then to descend like a thunderbolt on McDowell at Fredericksburg. On our route we lost an entire day because one of the division commanders marched two miles instead of twenty-five. This gave Pope time to concentrate his forces. That night, as we pursued the beaten army of General Banks, we captured some of McDowell's men, proving that the Federals had had time to concentrate, and this prevented him from carrying out his original plan of striking them in detail. As it was, Banks's army was so crippled as to be "of little use," as General Pope reports, "during the rest of that campaign." The prestige of our troops and commanders was raised, and the Federal confidence in Pope diminished. But, more than this, and more important, Pope's plans were disconcerted and ten days were gained, by which time General Lee and the rest of our army joined us.

The imperturbable coolness of a great commander was pre-eminently his. He was always calm and self controlled. He never lost his balance for one moment. At first Manassas, when we

reached the field and found our men under Bee and Bartow falling back—when the confusion was greatest, and Bee in despair cried out “They are driving us back”—there was not the slightest emotion apparent about Jackson. His thin lips were compressed and his eyes ablaze when he curtly said, “Then, sir, we will give them the bayonet.” At Port Republic, where he was so nearly captured, as he escaped he instantly ordered the Thirty-seventh Virginia regiment, which was fortunately near at hand and in line, to charge through the bridge and capture the Federal piece of artillery placed at its mouth.

In the severe engagement at Chantilly, fought during a heavy thunder-storm, when the sound of the artillery of heaven could scarcely be distinguished from that of the army, an aide came up with a message from A. P. Hill that his ammunition was wet and that he asked leave to retire. “Give my compliments to General Hill, and tell him that the Yankee ammunition is as wet as his; to stay where he is.” There was always danger and blood when he began his terse sentences with “Give my compliments.”

One of the most striking illustrations of his courage and absolute self-reliance was shown at the battle of Groveton. He had been detached from General Lee’s army, and in a march of two days captured Manassas Junction, directly in Pope’s rear, and destroyed the immense stores accumulated at that point. After this he marched his command to a field which gave him a good defensive position and the readiest means of joining with Longstreet. At that point, if he was compelled to retreat, he had the Aldie Gap behind him, through which he could pass and rejoin General Lee. Pope, disappointed at not finding Jackson at Manassas, and confused by the different movements that different portions of Jackson’s corps had made, was utterly disconcerted and directed his army to move towards Centreville, where they could easily join with the forces of McClellan, then at Alexandria. Almost any other soldier would have been satisfied with what had already been accomplished—the destruction of the immense stores of the enemy, the forcing of Pope from the Rappahannock to Bull Run, and the demoralization produced in the Federal army—but General Jackson

knew that the Confederate design demanded that a battle with Pope should be made before reinforcements were received from McClellan, and so he determined with his little army to attack the Federal forces and compel them to stop and give battle. Our army lay concealed by the railroad cut, the woods and the configuration of the ground, near the same field on which we had fought the first battle of Manassas. The different columns of the enemy were moving in such a confused way that it was difficult to tell what they intended. General Jackson, who had been up the whole of the previous night directing the movements of his troops, was asleep in a fence-corner, when mounted scouts came in to inform us that a large body of Pope's army was moving by us on the Warrenton road and in the direction of Centreville. As soon as he was waked up and informed of the state of affairs, General Jackson sprang up and moved rapidly towards his horse, buckling on his sword as he moved, and urging the greatest speed on all around him, he directed Ewell and Taliaferro to attack the enemy, which proved to be King's division. With about 20,000 men he attacked Pope's army of 77,000 men, so determined was he that Pope should not escape to Centreville, there to intrench and wait for the reinforcements of McClellan, then on their way to him. The attack that evening brought on the bloody battle of Groveton.

I must recur to the battle of Sharpsburg, as that was one of the sternest trials to which Jackson was ever subjected. Eighty thousand Federal soldiers under McClellan attacked 35,000 Confederates under Lee, making the contest a most unequal one. It was a pitched battle in an open field. There were no fortifications or entrenchments, and the ground, as far as sites for artillery went, was decidedly more favorable for the Federals. To defend the left wing of the Confederate line, Jackson had, including D. H. Hill's three brigades, less than 8,000 men. In front of him was Hooker with 15,000, Mansfield with 10,000, and Sumner with Sedgwick's division, 6,000—8,000 Confederates to 31,000 veteran Federal soldiers. Hooker, at daylight, attacked and was routed. Then Mansfield came over the same ground and met the same fate. Then Sumner came up and was thrashed. Eight thousand half-starved,

shoeless, ragged Confederates had routed 31,000 of McClellan's best soldiers, and in a plain open field without an entrenchment. But the 8,000 Confederates were veterans and were commanded by Stonewall Jackson. That night 20,000 dead and wounded men lay on the field of Sharpsburg.

About one o'clock that day I rode forward to see the General. I found him a little to the left of the Dunkard church. I remember that I had my saddle-pockets filled with peaches to take to him—knowing how much he enjoyed fruit—and was eating a peach when I approached him. The first thing he asked me was, if I had any more. I told him yes, that I had brought him some. After he got them he began to eat them ravenously, so much so, that he apologized and told me he had had nothing to eat that day. I told him why I had come. That our lines were so thin and the enemy so strong that I was afraid that at some point our line might be broken, and, in the rush, the hospital captured. He was perfectly cool and quiet, although he had withstood three separate attacks of vastly superior numbers. He thought the enemy had done their worst and made me the reply I have already quoted, but he agreed that I should establish the hospital in Shepherdstown. Before returning to my post I rode forward with him to see the old Stonewall Division. They had been reduced to a very small body of men and were commanded by Colonel Grigsby. In some cases lieutenants commanded brigades and sergeants, regiments. Nearly all his generals had fallen, but he had two left who were hosts within themselves—the unconquerable D. H. Hill, and that grand old soldier, Jubal Early. While talking to Grigsby I saw, at a distance in a field, men lying down, and supposed it was a line of battle. I asked Colonel Grigsby, Why he did not move that line of battle to make it conform to his own? He said "Those men you see lying over there, which you suppose to be a line of battle, are all dead men. They are Georgia soldiers." It was a hard struggle, but Jackson always expected to hold his lines. I heard him once say "We sometimes fail to drive the enemy from his position. He always fails to drive us." But he was never content with the defensive, however successful or however exhausting. In this most

destructive battle he was looking all of that day for a chance to make the counter-stroke. He urged General McLaws, who had been sent to his assistance, to move forward and attack the enemy's right flank, but McLaws was so hotly engaged with those directly in his front that he never had an opportunity to do what General Jackson desired. Other efforts, with the same intent, marked his conduct during all that day.

His tactics were mostly offensive, and by his marvelous strategy and skill, by his consummate daring and absolute confidence in himself and his men, he made up for his deficiency in numbers. When circumstances obliged him to act on the defensive, he always at such times kept in view the counter-stroke. He did not wish to fight at Fredericksburg. His objection was, that there was no room for this return blow in the day-time, with the enemy's guns on Stafford Heights.

I cannot refrain from speaking of the statement, recently made, that General Jackson advised General Lee on the night of the 17th of September to recross the Potomac into Virginia. I think it is a mistake. He told me at one o'clock that McClellan had done his worst. He was looking all the afternoon for a chance to strike the enemy, but he never had sufficient force to do it. He agreed with General Lee entirely during the whole of this campaign, and especially during this battle. General Lee writes, in a letter which I have recently read: "When he (Jackson) came upon the field, having preceded his troops, and learned my reasons for offering battle, he emphatically agreed with me. When I determined to withdraw and cross the Potomac, he also agreed and said, in view of all the circumstances, it was better to have fought the battle in Maryland than to have left it without a struggle." I say it with all possible deference to a distinguished soldier and most respected gentleman, but there is every indication that General Stephen D. Lee's recollection as to Jackson's having proposed to cross the river on the night of the 17th is at fault. He says, at the interview he reports, that Longstreet came first and made his report. Longstreet says in his book that he was the last to come. General Lee's letter, above referred to, shows the entire concurrence between him-

self and General Jackson with respect to their movements both before and after the battle. That General Jackson should have advised Lee, without being asked, to cross the river the night of the 17th is entirely at variance with his character. It was a liberty he certainly never would have permitted one of his subordinates to take with him.

As for his care for the lives of his men, the great military critics, whose opinions I have quoted, told me that in this respect, especially, appeared the superiority of the Valley campaign to the Italian campaigns of Napoleon. While the strategical combinations were equally rapid and effective, the successes were attained with a proportion of loss to numbers engaged comparatively small. In the whole Valley campaign his losses did not exceed 2,500 men. His care was not only for numbers but for individuals. It was my habit to tell him after a battle the whole sad story of the losses, as they came under my observation. He always waited for this detailed report, and when I was delayed he would order that he should be waked up when I came in. Presently I shall have occasion to show you how, from time to time, he received such news. His commissaries and quartermasters know how minutely he looked into all the details of their departments. To give only one illustration of his care for his soldiers. I remember in our march to the rear of Pope's army, which we made without any supply train, he called for two of his officers, and sent them with a squad of cavalry ahead of his army to tell the people he was coming and to ask them to send some provisions to his men. The people responded nobly to this appeal and brought liberal supplies of flour and meat and other things to the troops, and Jackson recognized the fact that these officers and the people had done a good service that day.

Had he the personal magnetism that characterizes a great commander? Did he arouse the enthusiasm of his men? What army ever had more unbounded confidence in its general, than did the army of Jackson? And what general ever trusted and depended on his army more than Jackson? Jackson knew the value of the Southern volunteer better and sooner (as I believe) than any other of our great leaders. When General Johnston took command at Harper's

Ferry, the general staff went with the command. One day when the Second Virginia regiment, composed of men from my county, marched by, I said to him, "If these men of the Second Virginia will not fight, you have no troops that will." He expressed the prevalent but afterward changed opinion of that early day in his reply, saying, "I would not give one company of regulars for the whole regiment." When I returned to General Jackson's staff I had occasion to quote to him General Johnston's opinion. "Did he say that?" he asked, "and of those splendid men?" And then he added, "*The patriot volunteer, fighting for country and his rights makes the most reliable soldier on earth.*" Was the confidence returned? When, at sight of him, the battle-shout of fighting thousands shook the far heavens, who could doubt its meaning? Did his men love him? What need of proof or illustration? Do we not feel it to-day in every throb of our hearts, though the long years have rolled away, though three and one-half decades have done their sad work of effacement?

I would like to show you Jackson as a man, for I think that only those who were near him knew him; and to them the picture of him as a man with the heart of a man is nobler—his memory as a true Christian gentleman is dearer—and he himself is greater—than he seemed even as a soldier. Under a grave and generally serious manner, sometimes almost stern, there were strong human passions dominated by his iron will—there was also intense earthly ambition. The first time I was under fire, the attempt to diagnose my feelings did not discover anything that I recognized as positive enjoyment. I was not clearly and unmistakably conscious of that feeling until after I got out of it. I told General Jackson frankly what my feelings were, and asked him how he felt the first time he experienced it. Just a glimpse of his inner nature flashed forth in a most unusual expression. "Afraid the fire would not be hot enough for me to distinguish myself," he promptly replied.

There was in this great soldier a deep love for all that is true, for the beautiful, for the poetry of life, and a wealth of rich and quick imagination for which few would give him credit.

Ambition! Yes, far beyond what ordinary men possess. And yet, he told me, when talking in my tent one dreary winter night near Charlestown, that he would not exchange one moment of his life hereafter for all the earthly glory he could win. I would not tell these things except that it is good for you and your children that you should know what manner of man Stonewall Jackson was.

His views of war and of its necessities were of the sternest. "War means fighting; to fight is the duty of a soldier; march swiftly, strike the foe with all your strength and take away from him everything you can. Injure him in every possible way, and do it quickly." He talked to me several times about the "black flag," and wondered if in the end it would not result in less suffering, and loss of life; but he never advocated it.

A sad incident of the battle of Fredericksburg stirred him very deeply. As we stood that night at our camp, waiting for some one to take our horses, he looked up at the sky for a moment and said, "How horrible is war!" I replied, "Yes, horrible, but what can we do? These people at the North, without any warrant of law, have invaded our country, stolen our property, insulted our defenceless women, hung and imprisoned our helpless old men, behaved in many cases like an organized band of cut-throats and robbers. What can we do?" "Do," he answered, and his voice was ringing, "Do; why shoot them." At Port Republic, an officer commanding a regiment of Federal soldiers and riding a snow-white horse, was very conspicuous for his gallantry. He frequently exposed himself to the fire of our men in the most reckless way. So splendid was this man's courage that General Ewell, one of the most chivalrous gentlemen I ever knew, at some risk to his own life, rode down our line and called to his men not to shoot the man on the white horse. After a little while, however, the officer and his white horse went down. A day or so after, when General Jackson learned of the incident, he sent for General Ewell, and told him not to do such a thing again; that this was no ordinary war, and the brave and gallant Federal

officers were the very kind that must be killed. Shoot the brave officers and the cowards will run away and take the men with them.

His temper, though capable of being stirred to profoundest depths, was singularly even. When most provoked he showed no great excitement. When the Secretary of War treated him so discourteously that Jackson resigned his commission, he showed little resentment or indignation. He was the only man in the army who was not mad and excited. Two days after Malvern Hill, when his 'staff did not get up in the morning as soon as he had ordered them, he quietly ordered his servant, Jim, to pour the coffee into the road, to put the mess-chest back into the wagon and to send the wagon off with the train, and Jim did it; but he showed no temper, and several days after, when I described the ludicrous indignation of one of his staff at missing his breakfast that day, he laughed heartily over the incident, for he often showed a keen sense of humor; and when he laughed (as I often saw him do) he did it with his whole heart. He would catch one knee with both hands, lift it up, throw his body back, open his mouth wide, and his whole face and form would be convulsed with mirth—but there was no sound.

His consideration for his men was very great, and he often visited the hospital with me and spoke some words of encouragement to his wounded soldiers. The day after the fight at Kernstown, as we were preparing to move further up the Valley, as the enemy was threatening to attack us, I said to him, "I have not been able to move all our wounded." He replied, "Very well, I will stay here until you do move them." I have seen him stop while his army was on the march to help a poor simple woman find her son, when she only knew that this son was in "Jackson's company." He first found out the name of her county, then the companies from that county, and by sending couriers to each company he at last found the boy and brought him to his mother. And I can never forget his kindness and gentleness to me when I was in great sorrow and trouble. He came to my tent and spent hours with me, comforting me in his simple, kindly, Christian

way, showing a depth of friendship and affection which can never be forgotten. There is no measuring the intensity with which the very soul of Jackson burned in battle. Out of it he was very gentle. Indeed, as I look back on the two years that I was daily, indeed hourly, with him, his gentleness as a man, his great kindness, his tenderness to those in trouble or affliction—the tenderness indeed of a woman—impress me more than his wonderful prowess as a great warrior.

A short time before the battle of Second Manassas, there came from Lexington to join the "Liberty Hall" Volunteers a fine lad, whose parents lived there and were dear friends of General Jackson. The General asked him to stay at his headquarters before joining his company, and he slept and messed with us. We all became much attached to the young fellow, and Jackson, in his gentle, winning way, did his best to make him feel at home and at his ease, the lad's manners were so gentle, kindly and diffident, and his beardless, blue-eyed, boyish face was so manly and handsome. Just before the battle he reported for duty with his company. The night of the day of the great battle I was telling the General of the wounded as we stood over a fire where Jim, his servant, was making some coffee. I mentioned many of the wounded and their condition, and presently, calling by name the lad we all loved told him he was mortally wounded. Jim—faithful, brave, big-hearted Jim, God bless his memory!—rolled on the ground, groaning in his agony of grief; but the General's face was a study. The muscles were twitching convulsively and his eyes were all aglow. He gripped me by the shoulder till it hurt me, and in a fierce, threatening manner, asked why I left the boy. In a few seconds he recovered himself, turned and walked off into the woods alone. He soon came back, however, and I continued my report of the wounded and the dead. We were still sitting by the fire drinking the coffee out of our tin cups when I said, "We have won this battle by the hardest kind of fighting." He answered me very gently and softly, "No, no; we have won it by the blessing of Almighty God."

When General Gregg, of South Carolina, was wounded at Fredericksburg, an interesting incident occurred. General Jackson had had a misunderstanding with Gregg, the nature of which I do not know recall. The night after this gallant gentleman and splendid soldier, was mortally wounded, I told General Jackson, as I generally did of friends or prominent men who had been killed and wounded. General Gregg was one of the most courteous and gallant gentlemen I had ever known. He exposed himself that day in a way that seemed unnecessary, so much so, indeed, that Colonel Pendleton, of Jackson's Staff, rode up to him, and, knowing he was quite deaf, shouted to him that the Yankees were shooting at him. "Yes, sir; thank you," he replied, "they have been doing so all day." When I told General Jackson that Gregg was badly wounded, he said, "I wish you would go back and see him; I want you to see him." I demurred a little, saying it had not been very long since I had seen him, and that there was nothing more to be done for him. He said, "I wish you to go back and see him, and tell him I sent you." So I rode back to the Yerby House, saw General Gregg, and gave him the message. When I left his bedside and had gotten into the hall of the house I met General Jackson, who must have ridden close behind me, to have arrived there so soon. He stopped me, asked about General Gregg and went into the room to see him. No one else was in the room, and what passed between the two officers will never be known. I waited for him and rode back to camp with him. Not a word was spoken on that ride by either of us. After we reached the camp occurred the brief conversation I have quoted as to the horrors of war.

A very remarkable illustration of Jackson's religious liberality was shown just before the battle of Chancellorsville. We had been ordered to send to the rear all surplus baggage, and—to illustrate how rigidly this was done—only one tent, and that a small one, was allowed for the headquarters of the corps. It was intended to make the campaign of 1863 a very active one. "We must make this campaign," said Jackson, "an exceedingly active one. Only thus can a weaker country cope with a stronger. It

must make up in activity what it lacks in strength, and a defensive campaign can only be made successful by taking the aggressive at the proper time. Don't wait for the adversary to become fully prepared, but strike him the first blow." When all the tents, among other surplus baggage, were taken away, a Roman Catholic priest, of one of the Louisiana regiments, sent in his resignation because he could not perform the duties of his office without the privacy of a tent. Jackson asked me about Father ———. I told him he was one of the most useful men in time of battle that we had; that I would miss his services very much. He ordered that this Roman Catholic priest should retain his tent, and he was the only man in the corps who had that privilege.

We now approach the close of Jackson's career. Wonderful career! Wonderful in many respects, and to some minds more wonderful in that it took him only two years to make his place in history. Cæsar spent eight years in his first series of victories, and some two years more in filling out the measure of his great reputation. Napoleon, teaching the lesson of indifference to danger to the boys he gathered around him after the fatal Russian campaign, said, "The cannon balls have been flying around our legs for twenty years." Hannibal's career occupied about fifteen years. No other great commander in the world's history has in so short a time won so great a fame as Jackson. Two years, crowded with weighty deeds, now drawn to a close, and Chancellorsville witnesses, perhaps, the most important single incident of his life as a soldier. The whole story has been too often told. Hooker, in command of what was called by the North "the finest army on the planet," crossed the Rappahannock and marched to Chancellorsville. He had 123,000 soldiers; Lee less than 58,000. Notwithstanding this Hooker was frightened by his own temerity in coming within striking distance of Lee and Jackson, and he at once set his whole army to work to throw up intrenchments and make *abattis* of the most formidable character. Lee and Jackson had to meet the present difficulty without the aid of a large portion

of their army, which was absent with Longsteet. Lee and Jackson! How well I remember their meeting before this battle and their confiding conference! How these two men loved and trusted each other! Where in all history shall we find a parallel to their mutual faith and love and confidence? I can find none. Said Jackson, "Lee is a phenomenon. I would follow him blind-fold." And Lee said to an aide-de-camp of Jackson's, who reported that Hooker had crossed the river, "Go back and tell General Jackson that he knows as well as I what to do." After they arrived in front of Hooker our movements are described in a hitherto unpublished letter of General Lee's. That great commander, after saying that he decided not to attack in front, writes as follows: "I stated to General Jackson, we must attack on our left as soon as practicable," and he adds, "In consequence of a report from General Fitz. Lee, describing the position of the Federal army, and the roads which he held with his cavalry leading to its rear, General Jackson—after some inquiry concerning the roads leading to the Furnace—undertook to throw his command entirely in Hooker's rear, which he accomplished with equal skill and boldness." General Jackson believed the fighting qualities of the Army of Northern Virginia equal to the task of ending the war. During the winter preceding Chancellorsville, in the course of a conversation at Moss Neck, he said: "We must do more than defeat their armies; we must destroy them." He went into this campaign filled with this stern purpose; ready to stretch to the utmost every energy of his genius and push to its limit all his faith in his men in order to destroy a great army of the enemy. I know this was his purpose, for after the battle, when still well enough to talk, he told me that he had intended, after breaking into Hooker's rear, to take and fortify a suitable position, cutting him off from the river and so hold him, until, between himself and General Lee, the great Federal host should be broken to pieces. He had no fear. It was then that I heard him say, "We sometimes fail to drive them from position; they always fail to drive us."

Never can I forget the eagerness and intensity of Jackson on that march to Hooker's rear. His face was pale, his eyes were flashing. Out from his thin compressed lips came the terse command: "Press forward, press forward." In his eagerness, as he rode he leaned over on the neck of his horse as if in that way the march might be hurried. "See that the column is kept closed and that there is no straggling," he more than once ordered—and "Press on, press on" was repeated again and again. Every man in the ranks knew that we were engaged in some great flank movement, and they eagerly responded, and pressed on at a rapid gait. Fitz. Lee met us and told Jackson he could show him the whole of Hooker's army if he went with him to the top of a hill near by. They went together, and Jackson carefully inspected through his glasses the Federal command. He was so wrapped up in his plans that on his return he passed Fitz. Lee without saluting or thanking him, and when he reached the column he ordered one aide to go forward and tell General Rodes, who was in the lead, to cross the Plank road, and go straight on to the turnpike, and another aide to go to the rear of the column and see that it was kept closed up, and all along the line he repeatedly said "Press on, press right on." The fiercest energy possessed the man, and the fire of battle fell strong upon him. When he arrived at the Plank road he sent this, his last message, to Lee: "The enemy has made a stand at Chancellorsville. I hope as soon as practicable to attack. I trust that an ever kind Providence will bless us with success." And as this message went to Lee, there was flashing along the wires—giving brief joy to the Federal Capital—Hooker's message: "The enemy must either ingloriously fly, or come out from behind his defences and give us battle on our own ground, where certain destruction awaits him."

Contrast the two. Jackson's—modest, confident, hopeful—relying on his cause and his God. Hooker's—frightened, boastful, arrogant, vainglorious. The two messages are characteristic of the two men and of the two people.

But this battle has been so often described in its minutest detail I forbear to tax your patience. I forbear for another reason.

While I can write about it, I cannot speak of it to old soldiers without more emotion than I wish to show. The result of that great battle the world knows. Except for the unsurpassed—the wonderful campaign of 1864—this is perhaps the finest illustration of General Lee's genius for war, and yet, in writing to Jackson he says: "I have just received your note, informing me that you were wounded. I cannot express my regret at its occurrence. Could I have directed events, I would have chosen, for the good of the country, to have been disabled in your stead, I congratulate you on the victory, which is due to your skill and energy."

See the noble spirit of our great commander! Not further removed is pole from pole than was any mean jealousy or thought of self in his great soul. He obeyed the hard command that "In honor ye prefer one another." This note displays his greatness, yet it is also history, in that we know, on his testimony, that Jackson shared with him the glory of that battle. These great soldiers loved and trusted one another, and in death they are not divided. How sacred is the soil of Lexington! for here they rest side by side.

I have already told the story of Jackson's death; it is so familiar to you all, that, though intimately associated with its scenes, I will not narrate it again. I will only declare that he met this great enemy as he had met all others, calmly and steadily, expecting as always to conquer, but now trusting, not in his own strength—not as heretofore in the prowess of mortal arms, nor in the splendid fibre of mortal courage, but in the unseen strength upon which he had always relied—the strength that never failed him—and so, foreseeing the rest that awaited him on the other side, he crossed over the river. "My hand is on my mouth, and my mouth is in the dust."

Already I have told you much that you already knew. In this I beg you to observe I have but fulfilled my promise. My apology is that my thoughts are in Lexington, and that I stand by the grave of Jackson. Under such circumstances love does not seek new stories to tell, new incidents to relate. Just to its own heart

or to some sympathizing ear, it goes over the old scenes, recalls the old memories, tenderly dwells upon and tells them over and over again, says farewell, and comes back again and stands silent in the presence of the dead, and so I finish what I had to say and bid farewell to Stonewall Jackson. And yet, all is not said, for even in the presence of his mighty shade, our hearts bow down and we are awed by another presence, for the towering form beside him is that of Robert Lee. Thought and feeling and power of expression are paralyzed. I cannot help you now with words to tell all that is in your hearts.

Time fails, and I trust to your memories to recall a group more familiar, in whose presence perhaps we would not be so oppressed, and yet a list of names that ought to be dear to every Confederate. I think that in the wide, wide world, no country of equal size has had so long a list of glorious dead—so many around whose memories a halo of glory gathers. Reverently I salute them all.

And so I leave the grave of my General and my friend, knowing that for centuries men will come to Lexington as to a Mecca, and to this grave as to a shrine, and wonderingly talk of this man and his mighty deeds. I know that time will only add to his great fame. I know that his name will be honored and revered forever, just as I know that the beautiful river, flowing near by, will sing an unceasing requiem to his memory—just as I know that the proud mountains, like some vast chain of sentinels, will keep eternal watch over his honored grave.

Account of the Wounding and Death
of Stonewall Jackson

By HUNTER MCGUIRE, M. D., L. L. D.,
Medical Director Jackson's Corps, A. N. Va.

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Wounding and Death of Jackson.

Supported upon either side by his aids, Captains James Smith and Joseph Morrison, the General moved slowly and painfully toward the rear. Occasionally resting for a moment, to shake off the exhaustion which pain and the loss of blood produced, he at last reached the line of battle, where most of the men were lying down, to escape the shell and cannister, with which the Federals raked the road. General Pender rode up here to the little party, and asked who was wounded, and Captain Smith, who had been instructed by General Jackson to tell no one of his injury, simply answered "a Confederate officer;" but Pender recognized the General, and springing from his horse, hurriedly expressed his regret, and added that his lines were so much broken, he feared it would be necessary to fall back. At this moment the scene was a fearful one. The air seemed to be alive with the shrieks of shells and the whistling of bullets; horses, riderless and mad with fright, dashed in every direction; hundreds left the ranks and fled to the rear, and the groans of the wounded and dying, mingled with the wild shouts of others to be led again to the assault. Almost fainting as he was, from loss of blood, fearfully wounded, and as he thought, dying, Jackson was undismayed by this terrible scene. The words of Pender seemed to rouse him to life. Pushing aside the men who supported him, he stretched himself to his full height, and answered feebly, but distinctly enough to be heard above the din of the battle, "General Pender, you must hold on to the field, you must hold out to the last." It was Jackson's last order upon the field of battle. Still more exhausted by this effort, he asked to be permitted to lie down for a few moments, but the danger from the fire, and capture by the Federal advance, was too imminent, and his aids, hurried him on. A litter having been obtained, he was placed upon it, and the bearers passed on as rapidly as the thick woods and rough ground per-

mitted. Unfortunately, one of the bearers was struck down, and the litter having been supported at each of the four corners by a man, fell and threw the General to the ground. The fall was a serious one, and as he touched the earth, he gave, for the first time, expression to his suffering, and groaned piteously.

Captain Smith sprang to his side, and as he raised his head, a bright beam of moonlight, made its way through the thick foliage and rested upon the pale face of the sufferer. The Captain was startled by its great pallor and stillness, and cried out, "Oh! General, are you seriously hurt?" "No," he answered, "don't trouble yourself, my friend, about me," and presently added something about winning the battle first, and attending to the wounded afterwards. He was placed upon the litter again, and carried a few hundred yards, when I met him with an ambulance. I knelt down by him, and said, "I hope you are not badly hurt, General." He replied very calmly, but feebly, "I am badly injured, Doctor; I fear I am dying." After a pause, he continued, "I am glad you have come." I think the wound in my shoulder is still bleeding. His clothes were saturated with blood, and hemorrhage was still going on from the wound. Compression of the artery with the finger arrested it, until lights being procured from the ambulance, the handkerchief which had slipped a little, was readjusted. His calmness amid the dangers which surrounded him, and at the supposed presence of death, and his uniform politeness, which did not forsake him, even under these, the most trying circumstances, were remarkable. His complete control, too, over his mind, enfeebled as it was by loss of blood, pain, &c., was wonderful. His suffering at this time was intense; his hands were cold, his skin clammy, his face pale, and his lips compressed and bloodless; not a groan escaped him—not a sign of suffering, except the slight corrugation of his brow, the fixed, rigid face, and the thin lips so tightly compressed that the impression of the teeth could be seen through them. Except these, he controlled, by his iron will, all evidence of emotion, and more difficult than this even, he controlled that disposition to restlessness which

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many of us have observed upon the field of battle, attending great loss of blood. Some whiskey and morphia were procured from Dr. Straith, and administered to him, and placing him in the ambulance, it was started for the Corps Field Infirmary, at the Wilderness Tavern. Col. Crutchfield, his Chief of Artillery, was also in the ambulance. He had been wounded very seriously in the leg, and was suffering intensely.

The General expressed, very feelingly, his sympathy for Crutchfield, and once, when the latter groaned aloud, he directed the ambulance to stop, and requested me to see if something could not be done for his relief. Torches had been provided, and every means taken to carry them to the hospital, as safely and easily as possible. I sat in the front part of the ambulance, with my finger resting upon the artery, above the wound, to arrest bleeding if it should occur. When I was recognized by acquaintances, and asked who was wounded, the General would tell me to say, "a Confederate officer." At one time, he put his right hand upon my head, and pulling me down to him, asked "if Crutchfield was dangerously wounded?" When I answered "No, only painfully hurt," he replied, "I am glad it is no worse." In a few moments after, Crutchfield did the same thing, and when he was told that the General was very seriously wounded, he groaned and cried out, "O, my God!" It was for this, that the General directed the ambulance to be halted, and requested that something should be done for Crutchfield's relief.

After reaching the hospital, he was placed in bed, covered with blankets, and another drink of whiskey and water given him. Two hours and a half elapsed before sufficient reaction took place, to warrant an examination. At two o'clock Sunday morning Surgeons Black, Walls and Coleman being present, I informed him that chloroform would be given him, and his wounds examined. I told him that amputation would probably be required, and asked if it was found necessary, whether it should be done at once. He replied promptly, "Yes, certainly; Doctor McGuire, do for me whatever you think best." Chloroform was then administered,

and as he began to feel its effects, and its relief to the pain he was suffering, he exclaimed, "What an infinite blessing," and continued to repeat the word "blessing," until he became insensible. The round ball, (such as is used for the smooth-bore Springfield musket) which had lodged under the skin, upon the back of his right hand was extracted first. It had entered the palm, about the middle of the hand, and had fractured two of the bones. The left arm was then amputated, about two inches below the shoulder, very rapidly, and with slight loss of blood, the ordinary circular operation having been made. There were two wounds in this arm, the first and most serious was about three inches below the shoulder-joint, the ball dividing the main artery, and fracturing the bone. The second was several inches in length; a ball having entered the outside of the forearm, an inch below the elbow, came out upon the opposite side, just above the wrist. Throughout the whole of the operation, and until all the dressings were applied, he continued insensible. Two or three slight wounds of the skin on his face, received from the branches of trees, when his horse dashed through the woods, were dressed simply with isinglass plaster. About half past three o'clock Colonel (then Major) Pendleton, the Assistant Adjutant General, arrived at the hospital, and asked to see the General. He stated that Gen. Hill had been wounded, and that the troops were in great disorder. General Stuart was in command, and had sent him to see the General. At first, I declined to permit an interview, but the Colonel urged that the safety of the army and success of the cause depended upon his seeing him. When he entered the tent the General said, "Well, Major, I am glad to see you; I thought you were killed." Pendleton briefly explained the condition of affairs, gave Stuart's message, and asked what should be done. General Jackson was at once interested, and asked in his quick rapid way, several questions. When they were answered, he remained silent a moment, evidently trying to think; contracted his brow, set his mouth, and for some moments was obviously endeavoring to concentrate his thoughts. For a moment it was believed he

had succeeded, for his nostrils dilated, and his eyes flashed its old fire, but it was only for a moment; his face relaxed again, and presently he answered very feebly and sadly, "I don't know—I can't tell; say to General Stuart he must do what he thinks best." Soon after this, he slept for several hours, and seemed to be doing well. The next morning he was free from pain, and expressed himself sanguine of recovery. He sent his aid-de-camp, Morrison, to inform his wife of his injuries, and to bring her at once to see him. The following note from General Lee, was read to him that morning by Captain Smith: "I have just received your note, informing me that you were wounded. I cannot express my regret at the occurrence. Could I have directed events, I should have chosen, for the good of the country, to have been disabled in your stead. I congratulate you upon the victory which is due to your skill and energy." He replied, "General Lee should give the praise to God." About ten o'clock his right side began to pain him so much that he asked me to examine it. He said he had injured it in falling from the litter the night before, and believed that he had struck it against a stone or the stump of a sapling. No evidence of injury could be discovered by examination; the skin was not broken or bruised, and the lung performed, as far as I could tell, its proper functions. Some simple application was recommended, in the belief that the pain would soon disappear.

At this time the battle was raging fearfully, and the sound of the cannon and musketry could be distinctly heard at the hospital. The General's attention was attracted to it from the first, and when the noise was at its height, and indicated how fiercely the conflict was being carried on, he directed all of his attendants, except Captain Smith, to return to the battlefield, and attend to their different duties. By eight o'clock, Sunday night, the pain in his side had disappeared, and in all respects he seemed to be doing well. He inquired minutely about the battle, and the different troops engaged, and his face would light up with enthusiasm and interest when told how this brigade acted, or that officer dis-

played conspicuous courage, and his head gave the peculiar shake from side to side, and he uttered his usual "Good, good," with unwonted energy when the gallant behavior of the "Stonewall Brigade" was alluded to. He said, "The men of that brigade will be, some day, proud to say to their children, 'I was one of the Stonewall Brigade.'" He disclaimed any right of his own to the name Stonewall. "It belongs to the brigade and not to me."

This night he slept well, and was free from pain. A message was received from General Lee the next morning, directing me to remove the General to Guinea's Station, as soon as his condition would justify it, as there was some danger of capture by the Federals, who were threatening to cross at Ely's Ford. In the meantime, to protect the hospital, some troops were sent to this point. The General objected to being moved, if, in my opinion, it would do him any injury. He said he had no objection to staying in a tent, and would prefer it, if his wife, when she came, could find lodging in a neighboring house, "And if the enemy does come," he added, "I am not afraid of them; I have always been kind to their wounded, and I am sure they will be kind to me." General Lee sent word again late that evening that he must be moved if possible, and preparations were made to leave the next morning. I was directed to accompany, and remain with him, and my duties with the corps, as Medical director, were turned over to the Surgeon next in rank. General Jackson had previously declined to permit me to go with him to Guinea's, because complaints had been so frequently made of General officers, when wounded, carrying off with them the surgeons belonging to their commands. When informed of this order of the Commanding General, he said, "General Lee has always been very kind to me, and I thank him." Very early Tuesday morning he was placed in an ambulance and started for Guinea's Station, and about eight o'clock that evening he arrived at the Chandler House, where he remained till he died. Captain Hotchkiss, with a party of engineers, was sent in front to clear the road of wood, stone, etc., and to order the wagons out of the track to let the ambulance pass. The rough

teamsters sometimes refused to move their loaded wagons out of the way for an ambulance, until told that it contained Jackson, and then, with all possible speed, they gave the way, and stood with hats off, and weeping, as he went by. At Spotsylvania C. H., and along the whole route, men and women rushed to the ambulance, bringing all the poor delicacies they had, and with tearful eyes they blessed him, and prayed for his recovery. He bore the journey well, and was cheerful throughout the day. He talked freely about the late battle, and among other things, said that he had intended to endeavor to cut the Federals off from the United States Ford, and taking a position between them and the river, oblige them to attack him; and he added, with a smile, "My men sometimes fail to drive the enemy from a position, but they always fail to drive us away." He spoke of Rodes, and alluded in high terms to his magnificent behavior on the field Saturday evening. He hoped he would be promoted. He thought promotions for gallantry should be made at once, upon the field, and not delayed; made very early, or upon the field, they would be the greatest incentives to gallantry in others. He spoke of Colonel Willis,* who commanded the skirmishers of Rodes' Division, and praised him very highly, and referred to the death of Paxton and Boswell very feelingly. He alluded to them as officers of great merit and promise. The day was quite warm, and at one time he suffered with slight nausea. At his suggestion, I placed over his stomach a wet towel, and he expressed great relief from it. After he arrived at Chandler's house, he ate some bread and tea with evident relish, and slept well throughout the entire night. Wednesday he was thought to be doing remarkably well. He ate heartily, for one in his condition, and was uniformly cheerful.

I found his wounds to be doing very well to-day. Union by the first intention, had taken place, to some extent, in the stump, and the rest of the surface of the wound exposed, was covered with healthy granulations. The wound in his hand gave him little pain, and the discharge was healthy. Simple lime and water dress-

*Subsequently killed in battle.

ings were used both for the stump and hand, and upon the palm of the latter, a light, short splint was applied, to assist in keeping at rest the fragments of the second and third metacarpal bones. He expressed great satisfaction when told that the wounds were healing, and asked if I could tell from their appearance, how long he would probably be kept from the field? Conversing with Capt. Smith, a few moments afterwards, he alluded to his injuries, and said, "Many would regard them as a great misfortune, I regard them as one of the blessings of my life." Captain S. replied, "All things work together for good to those that love God." "Yes," he answered, "that's it, that's it."

At my request, Dr. Morrison came to-day, and remained with him.

About one o'clock Thursday morning, while I was asleep upon a lounge in his room, he directed his servant, Jim, to apply a wet towel to his stomach, to relieve an attack of nausea, with which he was again troubled. The servant asked permission to first consult me, but the General knowing that I had slept none for nearly three nights, refused to allow the servant to disturb me, and demanded the towel. About daylight I was aroused, and found him suffering great pain. An examination disclosed pleuro-pneumonia of the right side. I believed, and the consulting physicians concurred in the opinion, that it was attributable to the fall from the litter, the night he was wounded. The General, himself, referred it to this accident. I think the disease came on too soon after the application of the wet cloths, to admit of the supposition, once believed, that it was induced by them. The nausea, for which the cloths were applied that night, may have been the result of inflammation already begun. Contusion of the lung, with extravasation of blood in his chest, was probably produced by the fall referred to, and shock and loss of blood, prevented any ill effects until reaction had been well established, and then inflammation ensued. Cups were applied, and mercury, with antimony and opium administered.* Towards the evening he became better,

*A detailed account of the treatment is prevented by the loss of notes kept of the case. These notes, with other papers, were captured by the Federals, March, 1865.

and hopes were again entertained of his recovery. Mrs. Jackson arrived to-day, and nursed him faithfully to the end. She was a devoted wife, and earnest Christian, and endeared us all to her by her great kindness and gentleness. The General's joy at the presence of his wife and child was very great, and for him unusually demonstrative. Noticing the sadness of his wife, he said to her tenderly, "I know you would gladly give your life for me, but I am perfectly resigned. Do not be sad; I hope I may yet recover. Pray for me, but always remember in your prayers to use the petition, 'Thy will be done.'" Friday his wounds were again dressed, and although the quantity of the discharge from them, had diminished, the process of healing was still going on. The pain in his side had disappeared, but he breathed with difficulty and complained of a feeling of great exhaustion. When Dr. Breckinridge (who with Dr. Smith, had been sent for in consultation) said he hoped that a blister, which had been applied, would afford him relief, he expressed his own confidence in it, and in his final recovery.

Dr. Tucker, from Richmond, arrived on Saturday, and all that human skill could devise was done, to stay the hand of death. He suffered no pain to-day, and his breathing was less difficult, but he was evidently hourly growing weaker.

When his child was brought to him, to-day, he played with it for some time; frequently caressing it, and calling it his "little comforter." At one time, he raised his wounded hand above its head, and closing his eyes, was for some moments, silently engaged in prayer. He said to me, "I see from the number of physicians that you think my condition dangerous, but I thank God, if it is His will, that I am ready to go." About daylight, on Sunday morning, Mrs. Jackson informed him that his recovery was very doubtful, and that it was better that he should be prepared for the worst. He was silent for a moment, and then said: "It will be infinite gain to be translated to Heaven." He advised his wife, in the event of his death, to return to her father's house, and added, "You have a kind and good father, but there

is no one so kind and good as your Heavenly Father." He still expressed a hope of his recovery, but requested her, if he should die, to have him buried in Lexington, in the Valley of Virginia. His exhaustion increased so rapidly, that at eleven o'clock, Mrs. Jackson knelt by his bed, and told him that before the sun went down, he would be with his Saviour. He replied, "Oh, no! you are frightened, my child; death is not so near; I may yet get well." She fell over upon the bed, weeping bitterly, and told him again that the physicians said there was no hope. After a moment's pause he asked her to call me. "Doctor, Anna informs me that you have told her that I am to die to-day; is it so?" When he was answered, he turned his eyes towards the ceiling, and gazed for a moment or two, as if in intense thought, then replied, "Very good, very good, it is all right." He then tried to comfort his almost heart-broken wife, and told her he had a good deal to say to her, but he was too weak. Colonel Pendleton came into the room about one o'clock, and he asked him, "Who was preaching at headquarters to-day?" When told that the whole army was praying for him, he replied, "Thank God—they are very kind." He said: "It is the Lord's Day; my wish is fulfilled. I have always desired to die on Sunday."

His mind now began to fail and wander, and he frequently talked as if in command upon the field, giving orders in his old way; then the scene shifted, and he was at the mess-table, in conversation with members of his staff; now with his wife and child; now at prayers with his military family. Occasional intervals of return of his mind would appear, and during one of them, I offered him some brandy and water, but he declined it, saying, "It will only delay my departure, and do no good; I want to preserve my mind, if possible, to the last." About half-past one, he was told that he had but two hours to live, and he answered again, feebly, but firmly, "Very good, it is all right." A few moments before he died he cried out in his delirium, "Order A. P. Hill to prepare for action! pass the infantry to the front rapidly! tell Major Hawks" — then stopped, leaving the sentence unfinished. Pres-

ently, a smile of ineffable sweetness spread itself over his pale face, and he said quietly, and with an expression, as if of relief, "Let us cross over the river, and rest under the shade of the trees;" and then, without pain, or the least struggle, his spirit passed from earth to the God who gave it.

ADDENDA

ABRAHAM LINCOLN

*An address delivered before R. E. Lee Camp, No. 1, on October 29, 1909,
by Hon. George L. Christian, and published by order of the Camp.*

“Out of the old fieldes,
Cometh al this new corne.”—*Chaucer.*

COMRADES OF LEE CAMP, LADIES AND GENTLEMEN :

By a resolution adopted by the unanimous vote of this Camp, I have been asked to deliver an address on the life and character of Abraham Lincoln, late President of the United States. Believing the request a reasonable one to be preferred by the Camp and that such a request from the Camp to one of its members is equivalent to a command, I have, with some hesitation, and with greater distrust of my ability to meet the expectations of the Camp, undertaken the fulfilment of the uncongenial and perhaps unprofitable task thus imposed upon me. I wish to state in the outset that what I shall say on this occasion will be said in no spirit of carping criticism, with no desire to do injustice to my remarkable subject, and will be as free from sectional prejudice and passion as one who has suffered as I have, by the conduct of Mr. Lincoln and his followers, can make it; and I shall also strive to say what I do say *solely in the interest of the truth of history.*

“*Ye shall know the truth, and the truth shall make you free,*” is a maxim of the Divine Teacher, and it embodies a principle which should be the “guiding star” of every writer of history. The *truth* about the cause, the character and conduct of the leaders in the great conflict from '61 to '65 is all that we of the South ask, or have a right to ask, *and we should be satisfied with nothing less than the truth about these.*

Whenever the good character of a person is put in issue, the party avouching that good character challenges the opposite side to show, by all legitimate means, the contrary of the fact thus put in issue. In the war between the States the character and conduct of the leaders on both sides were necessarily involved, and especially was this true of the character and conduct of the official heads of the respective sides. Last year was the centennial of the birth of Jefferson Davis, the civic leader and official head of the Southern Confederacy; the South duly celebrated that centennial and avouched to the world the conduct and the character of their representative head and his leadership, and we think every one who loves the memory of the Confederacy, and of our great struggle to maintain it, ought to feel gratified and satisfied with the result.

This year is the centennial of the birth of Abraham Lincoln, the civic leader and official head of the United States during the existence

of the Confederacy, and the North has, with singular temerity, as it seems to us, thrust this character and conduct before the world, some of them even claiming that he was the "greatest, wisest and godliest man that has appeared on the earth since Christ." (See *Facts and F falsehoods*, 4.)

This being true, and since some Southern writers have united in these, it seems to us, unmerited adulations of this man, no apology would seem to be necessary for enquiring as to the real basis of the claims of these eulogists of Mr. Lincoln to the admiration, veneration and alleged greatness now attempted to be heaped upon him.

In this discussion we would, if we could do so and speak the truth, gladly adopt the Roman maxim, to speak nothing but good of the dead. But since some of Mr. Lincoln's nearest and dearest friends (?) have not seen fit, or been able to do this, surely a Southern writer should not be criticized or judged harshly for repeating what some of these friends, who apparently knew him best and loved him most, and who tell us they are only telling what they know to be true of this remarkable man, have to say about him, his character and his conduct.

That the career of Mr. Lincoln was one of the most remarkable recorded in history, and that he must have had some element of character which made that career possible, no one will deny. But that he was the pious and exemplary Christian, the great and good man, "the prophet, priest and kind," the "Washington," the "Moses," the "Second to Christ," now being portrayed to the world by some of his prejudiced and intemperate admirers, we unhesitatingly deny, and we think it our duty, both to ourselves and to our children, to correct some of the false impressions attempted to be made about this man's character and career, let the criticisms or consequences be what they may.

We have no right to do so, and we do not object, in the least, that Mr. Lincoln shall be put forward as the representative man and ideal of the North; but we do object to, and protest against, his being proclaimed to the world as the exemplar and representative of the South and its people. We proclaim Washington, Henry, Jefferson, Madison, Monroe, Jefferson Davis, Robert E. Lee, "Stonewall" Jackson, Joseph E. and Albert Sydney Johnston, Wade Hampton, Jeb Stuart, and such like men, as our heroes and ideals and as the exemplars for our children and our children's children.

REASONS FOR LINCOLN'S FAME.

There are three reasons which we think in great measure account for the erroneous conceptions and extravagant portrayals now being made of Mr. Lincoln, viz.:

(1) The cause of which he was the official head has, temporarily at least, been deemed a success.

(2) The manner of his death was such as to shock all right-thinking people and to create sympathy in his behalf; for, like the great Roman

Germanicus, it may well be said, he was most fortunate in the circumstances of his death.

(3) He was the first President of the Republican party—the party which has practically dominated this country ever since Mr. Lincoln's first election.

The acts and doings of that party during the time he was its official head, many of which were illegal, unconstitutional, tyrannical and oppressive, will be judged, to a degree at least, by the character and conduct of the man who held that official position; and the representatives of that party have, therefore, hesitated at nothing to try to make it appear that their official leader was a great and good man, and that, therefore, they were justified in following his leadership.

In the course of this address we shall say but little of Mr. Lincoln's private life, and shall refer to it only to show that much of it was utterly at variance with the life of the man now being portrayed to us; and we shall certainly not criticise his humble and obscure birth and origin, but, on the contrary, we extol him for being able to rise so far as he did above these, believing, as we do, with Pope, that

"Honor and shame from no condition rise,
Act well your part; there all the honor lies."

As to the cause of which he was the official head being successful, we will only remark that it was certainly successful in preventing the establishment of the Southern Confederacy within certain territorial limits; but whether successful in any other sense, remains yet to be determined. The *Washington Post*, of August 14, 1906, said:

"Let us be frank about it. The day the people of the North responded to Abraham Lincoln's call for troops to coerce sovereign States, the Republic died and the Nation was born."

And a Massachusetts man has written of the Confederates that—

"Such character and achievement were not all in vain; that though the Confederacy fell as an actual physical power, it lives eternally in its just cause—the cause of constitutional liberty."

MANNER OF LINCOLN'S DEATH AND THE MURDER OF MRS. SURRETT.

As to the manner of Mr. Lincoln's death, aside from the abhorrence with which we regard and denounce every form of assassination, we have to remark: (1) That it really exalted his name and fame as nothing before it happened had done, or, in our opinion, could have done; and (2) as dastardly, as cowardly and cruel as that deed was, it was, in our opinion, not so dastardly, cowardly or cruel, and no more criminal in the eye of the law, than the murder of Mrs. Surratt, an innocent woman, by Andrew Johnson, Edwin M. Stanton, Joseph Holt, David Hunter and their wicked and cowardly associates. The act of Booth was that of a frenzied fanatic, taking his life in his own hands, and attempting to avenge his people's

wrongs by ridding the world of the man he believed to be the author of those wrongs; the act of Johnson, Stanton and others in murdering Mrs. Surratt was the deliberate and criminal act of cruel, cowardly men, perpetrated on a helpless, harmless and innocent woman, through instrumentalities and forms as cruel as any that were ever devised in the darkest ages of the world, but by methods and at a time when the perpetrators knew that their cowardly bodies were safe from all harm. (See *DeWitt's Assassination of Lincoln*, p. 92, *et seq.*) This woman was tried and convicted by a military commission, of which General David Hunter was the president. It was pointed out to the so-called court, by that great lawyer, Reverdy Johnson, that such a tribunal had no jurisdiction to try the case, and it was afterwards expressedly so decided in *Ex parte Milligan*, 4th Wallace. But this commission convicted this woman, who even such a creature as Ben Butler said was perfectly innocent, thereby bringing themselves within the principle stated by Lord Brougham in a famous case, when he said:

“When the laws can act, every other mode of punishing supposed crimes is itself an enormous crime.”

EXAGGERATIONS ABOUT LINCOLN AND APOTHEOSIS AFTER HIS ASSASSINATION.

In all our reading, we know of no man whose merits have been so exaggerated and whose demerits have been so minimized as have those of Abraham Lincoln. Indeed, this course has been so insistently and persistently pursued by some Northern writers that it amounts to a *patent perversion of the truth, and a positive fraud on the public.*

General Don Piatt, an officer in the Federal Army, a man of character and culture, says:

“With us, when a leader dies, all good men go to lying about him. * * * Abraham Lincoln has almost disappeared from human knowledge. I hear of him, and I read of him in eulogies and biographies, but I fail to recognize the man I knew in life.” (*Facts and Falsehoods*, p. 36-7; *Men Who Saved the Union*, p. 28.)

William H. Herndon, Mr. Lincoln's close friend and law partner for twenty years, who, we are informed, wrote a biography of him in 1866, which is said to have been bought up and suppressed, simply because it told the unvarnished truth, said:

“I deplore the many publications pretending to be biographies of Lincoln, which teemed from the press so long as there was hope for gain. Out of the mass of these works, of only one (Holland's) is it possible to speak with any degree of respect.” (*Facts and Falsehoods*, p. 37; *Lamon's Preface*, iii.)

And Ward Hill Lamon, who was Mr. Lincoln's close friend and at

one time his law partner, who was especially selected by Mr. Lincoln to accompany him on his midnight journey to the capital when he was to be inaugurated, who was appointed by him marshal of the District of Columbia, who was probably his closest and most confidential friend and adviser during his whole official life, says immediately after his assassination, "there was the fiercest rivalry as to who should canonize him in the most solemn words, who should compare him to the most sacred character in all history. He was prophet, priest and king. He was Washington. He was Moses. He was likened to Christ the Redeemer. He was likened to God. (*Facts and Falsehoods*, p. 9; *Lamon*, 312.)

Again says Lamon :

"Lincoln's apotheosis was not only planned but executed by men who were unfriendly to him while he lived, and that the deification took place with showy magnificence some time after the great man's lips were sealed in death. Men who had exhausted the resources of their skill and ingenuity in venomous detraction of the living Lincoln, especially during the last years of his life, were the first when the assassin's bullet had closed the career of the great-hearted statesman to undertake the self-imposed task of guarding his memory—not as a human being endowed with mighty intellect and extraordinary virtues, *but as a god.*" (*Lamon's Recollections of Lincoln*, p. 169.)

And again he says :

For days and nights after his assassination "it was considered treason to be seen in public with a smile on the face. Men who spoke evil of the fallen chief, or ventured a doubt concerning the ineffable purity and saintliness of his life, were pursued by mobs, were beaten to death with paving stones, or strung up by the neck to lamp posts." (*Lamon*, 312.)

We shall attempt to show you that this whole apotheosis business not only took place, as Lamon says, after Mr. Lincoln's assassination, and because of the manner of his death, but why it was begun then, and has continued until this day.

We have already said that Mr. Lincoln was the first President of the Republican party. He was the official head of that party through the most terrible and trying conflict recorded in history. The leaders of that party were, and are still, in need of a real hero. They knew that they and their conduct would be judged by the character and conduct of their official head. The country was stunned and dazed by the assassination of this leader—the first assassination of the kind in its history. The South was prostrate and helpless at the feet of the North, and its leaders charged with complicity in that awful crime. That time, of all others, afforded the leaders of the Republican party—always quick and bold in action—the opportunity to deify this its first President; and those leaders, with a

stroke of audacity and genius never surpassed, seized upon that opportunity and manufactured a false glamour with which they have surrounded the name and fame of their chosen head calculated to deceive the "very elect"; and they have so persisted in their efforts in this direction, from that day to this, that the lapse of nearly half a century has failed to dispel the delusions manufactured at that time and amid these surroundings by these people. Mr. Lincoln is credited with the saying:

"You can fool some of the people all the time; you can fool all the people some of the time, but it is impossible to fool all the people all the time."

We believe the time is coming, if it is not already here, when the scales will fall from the eyes of a great many in regard to the true history and character of this chosen hero of the North.

CHARACTERISTICS OF LINCOLN.

Of course, within the limits of this paper, we shall make no attempt to do more than to give some glimpses of the true character, characteristics and conduct of Mr. Lincoln, nor shall we attempt to follow his biographers in their details of the career and conduct of this enigmatical man.

Lamon says he was "morbid, moody, meditative, thinking much of himself, and the things pertaining to himself, regarding other men as instruments furnished to hand for the accomplishment of views which he knew were important to him, and therefore considered important to the public. Mr. Lincoln was a man apart from the rest of his kind. * * * He seemed to make boon companions of the coarsest men on the list of his acquaintances—low, vulgar, unfortunate creatures." * * * "It was said that he had no heart—that is, no personal attachments warm and strong enough to govern his passions. It was seldom that he praised anybody, and when he did, it was not a rival or an equal in the struggle for popularity and power." * * * "No one knew better how to damn with faint praise, or to divide the glory of another by being the first and frankest to acknowledge it."—(*Lamon*, pp. 480-1.) * * * "He did nothing out of mere gratitude, and forgot the devotion of his warmest partizans as soon as the occasion for their services passed."—*Id.*, p. 482. * * * "Notwithstanding his overweening ambition, and the breathless eagerness with which he pursued the objects of it, he had not a particle of sympathy with the great mass of his fellow-citizens who were engaged in similar struggles for place."—*Id.*, p. 483.

Now mark you, this is what Lamon, his closest friend, and most ardent admirer, has to say of the "make up" of Mr. Lincoln. Is this the stuff of which the world's greatest characters, heroes, martyrs, and the exemplars for our children are made? Surely it would seem not, and further comment is deemed unnecessary.

LINCOLN NOT A CHRISTIAN.

One of the commonest, and one of the most attractive, claims now asserted by the admirers of Mr. Lincoln is, that he was a pious man and a Christian. Lamont tells us after his assassination he was compared to the Saviour and Redeemer of mankind. One of his reverend admirers compares his assassination to the crucifixion of our Lord; and since both of these events occurred on Good Friday, the writer says "*even the day was fit.*" But since Mr. Lincoln's "taking off" was in a theater, it may be noted that this fanatical divine says nothing as to the *fitness of the place* at which this "taking off" occurred.

Another divine, in an oration delivered this year on the centennial anniversary of Mr. Lincoln's birth, begins it with the words:

"There was a man sent from God whose name was Abraham Lincoln."

He then speaks of him as being "like unto Melchizedek," and as the "*one great man, and mystery and miracle of the nineteenth century.*"

It seems to us that the real *mystery* here is the fact that any one anywhere should be so foolish in this enlightened age as to suppose he can make sensible people swallow any such twaddle, nonsense and sacrilege as this.

Herndon says of Mr. Lincoln's alleged Christianity:

"Lincoln was a deep-grounded infidel. He disliked and despised churches. He never entered a church except to scoff and ridicule. On coming from a church he would mimic the preacher. Before running for any office, he wrote a book against Christianity and the Bible. He showed it to some of his friends and read extracts. A man named Hill was greatly shocked and urged Lincoln not to publish it; urged it would kill him politically. Hill got this book in his hands, opened the stove door, and it went up in flames and ashes. After that Lincoln became more discreet, and when running for office often used words and phrases to make it appear that he was a Christian. He never changed on this subject; he lived and died a deep-grounded infidel." (*Facts and Falsehoods*, p. 53.) (See also *Lamon*, 489-493.)

Lamon says:

"Mr. Lincoln was never a member of any church, nor did he believe in the inspiration of the Scriptures in the sense understood by evangelical Christians." * * * "Overwhelming testimony out of many mouths, and none stronger than out of his own, place these facts beyond controversy." (*Lamon*, p. 486.) * * * "When he went to church at all, he went to mock, and came away to mimic." (*Id.*, p. 487.)

Lamon further says:

"It was not until after Mr. Lincoln's death that his alleged orthodoxy became the principal topic of his eulogists; but since then the effort on the part of some political writers and speakers to impress the public mind erroneously seems to have been general and systematic." (Id., 487.)

He then inserts the letters of a number of Mr. Lincoln's closest friends and neighbors, all of whom fully sustain his statements. One of these says:

"Lincoln was enthusiastic in his infidelity."

Another says:

"Lincoln went further against Christian beliefs and doctrines and principles than any man I ever heard. He shocked me." (*Id.*, 488.)

Another (Herndon) says:

"Lincoln told me a thousand times that he did not believe the Bible was a revelation from God as the Christian world contends." * * * "And that Jesus was not the Son of God." (*Id.*, 489.)

Another (Judge David Davis) says:

"He had no faith, in the Christian sense of the term." (*Id.*, 489.)

Lamon then quotes Mrs. Lincoln as saying:

"Mr. Lincoln had no hope and no faith, in the usual acceptance of those words." (*Id.*, 489.)

And Mr. Nicolay, Lincoln's private secretary, as saying:

"Mr. Lincoln did not, to my knowledge, in any way change his religious views, opinions or beliefs from the time he left Springfield to the day of his death." (*Id.*, 492.)

It seems to us that these statements from these sources ought to settle this question, and that it is wrong, and nothing short of an *outrage on the truth of history to assert* that Mr. Lincoln was, or ever claimed to be, a Christian; that such an assertion can only reflect on those who make it, and must bring upon them the application of the maxim, *falsus in uno falsus in omnibus*; for surely those who are so reckless as to misrepresent a fact of this nature will not hesitate to misrepresent any other fact that it suits them to misrepresent or to misstate.

CONTRADICTIONS OF CHARACTER.

We come now to consider some other phases of this strange man, his conduct and his character.

First. We think it can be safely affirmed that Mr. Lincoln was one of the most *secretive, crafty, cunning* and *contradictory* characters in all history, and therein lies, we believe, the true reason why the world now deems him great. In short, he and his unscrupulous eulogists have, for the time being, outwitted and deceived the public. Mr. Seward said his "cunning amounted to genius"; and if there ever was on this earth a judge of real cunning, William H. Seward was that man. The best evidence of the contradictions of his character is furnished by Holland, one of his most partizan admirers and biographers. Mr. Holland says, at page 241 :

"To illustrate the effect of the peculiarity of Mr. Lincoln's intercourse with men, it may be said that men who knew him through all his professional and political life have offered opinions as diametrically opposed as this, viz.: That he was a very ambitious man, and that he was without a particle of ambition; that he was one of the saddest men that ever lived, and that he was one of the jolliest men that ever lived; that he was very religious, but that he was not a Christian; that he was a Christian, but did not know it; that he was so far from being a religious man or Christian that the least said on that subject the better; that he was the most cunning man in America, and that he had not a particle of cunning in him; that he had the strongest personal attachments, and that he had no personal attachments at all, only a general good feeling toward everybody; that he was a man of indomitable will, and that he was a man almost without a will; that he was a tyrant, and that he was the softest-hearted, most brotherly man that ever lived; that he was remarkable for his pure-mindedness, and that he was the foulest in his jests and stories of any man in the country; that he was the wittiest man, and that he was only a retailer of the wit of others; that his apparent candor and fairness were only apparent, and that they were as real as his head and his hands; that he was a boor, and that he was in all essential respects a gentleman; that he was a leader of the people, and that he was always led by the people; that he was cool and impassive, and that he was susceptible of the strongest passions."

Now it seems to us, with all deference to the opinions of others, that any man who could play the chameleon and present to the world such contrasts and contradictions of character as are here described must be singularly devoid of the finest ingredients which are essential to real greatness, viz.: unwavering and steadfast devotion to principle and to duty and that uniform bearing towards his fellow-man which can only

lift those who have these characteristics into the atmosphere of true greatness.

Another of Mr. Lincoln's friends, a brother lawyer, having been asked to describe him, says:

"My opinion of him was formed by a personal and professional acquaintance of over ten years, and has not been altered or influenced by any of his promotions in public life. The adulations by base multitudes of a living, and the pageantry surrounding a dead President, do not shake my well-settled convictions of the man's mental calibre. Phrenologically and physiologically, the man was a sort of monstrosity. His frame was large, bony and muscular; his head was small and disproportionately shaped; he had large, square jaws; a large, heavy nose; a small, lascivious mouth; soft, tender, bluish eyes. I would say he was a cross between Venus and Hercules. I believe it to be inconsistent with the law of human organism for any such creature to possess a mind capable of anything great. The man's mind partook of the incongruities of his body. It was the peculiarities of his mental, and the oddity of his physical structure, as well as his head, that singled him out from the mass of men." (See *3 Herndon & Weik*, p. 584.)

Mr. Morse in the preface of his biography makes this very remarkable statement. He says:

"If the world ever settles down to the acceptance of any definite, accurate picture of him (Lincoln), *it will surely be a false picture. There must always be vague, indefinable uncertainties in any presentation of him which shall be truly made.*"

Is this the record of any other of the world's great heroes and leaders? Will any *accurate picture* of any one of them "surely be a false picture"? What does Mr. Morse mean? We confess we do not know.

We have heretofore referred to the fact that Mr. Lincoln was secretive, cunning, crafty and tricky, and certainly his course during his public life, as will be pointed out later on, fully sustains this view of his character. We have already noted what Mr. Seward had to say of this feature of his character. Herndon says:

"The first impression of a stranger, on seeing Mr. Lincoln walk, was that he was a tricky man." (*Facts and Falsehoods*, p. 54.)

The duplicity practiced by him in preventing the renomination of Hamlin, as described by Colonel McClure in "Lincoln and Men of War Times," is a striking illustration of his ability in this direction.

Stanton says:

"I met Lincoln at the bar and found him a low, cunning clown." (*Facts and Falsehoods*, p. 19.)

And several of his biographers make reference to his secretiveness, cunning and craftiness as among his chief characteristics.

OPINIONS OF CONTEMPORARIES.

But one of the best evidences of the real worth and true character of a man is shown by the estimation in which he was held by his contemporaries and those who were brought in daily contact with him. Up to the time of the assassination of Mr. Lincoln, several members of his cabinet were engaged in what Lamon calls "venomous detractions" of his character both as a man and as a statesman. Nor were these detractions by any means confined to his cabinet. Besides Seward, Stanton and Chase of the cabinet, Hamlin, Fremont, Sumner, Trumbull, Wade, Wilson, Thad. Stevens, Beecher, Henry Winter Davis, Greeley and Wendell Phillips were among those who did not hesitate to denounce and belittle him in every way in their power. Members of his cabinet were in the habit of referring to him as "the baboon at the other end of the avenue," and some senators referred to him as the "idiot of the White House." (*Facts and Falsehoods*, p. 9.) Lamon says:

"The opposition to Lincoln became more and more offensive.

The leaders resorted to every means in their power to thwart him.

This opposition continued to the end of his life." (*Idem*, p. 32.)

Nicolay and Hay say that—

"Even to complete strangers Chase could not write without speaking slightly of President Lincoln. He kept up this habit to the end of Lincoln's life. Chase's attitude toward the President varied between the limits of active brutality and benevolent contempt." (*Idem*, p. 12.)

Colonel McClure says:

"Outside of the cabinet, the leaders were quite as distrustful of President Lincoln's ability to fill the great office he held."

(*Idem*, p. 32.)

And Charles Francis Adams (the elder), in his memorial address on Mr. Seward, says Mr. Lincoln was "selected partly on account of the absence of positive qualities," and "with a mind not open to the nature of the crisis."

And he further says:

"Mr. Lincoln (in his contact with Seward) could not fail to perceive the fact that whatever estimate he might put on his own natural judgment, he had to deal with a superior in native intellectual power, in extent of acquirement, in breadth of philosophical experience, and in the force of moral discipline. On the other hand, Mr. Seward could not have been long blind to the deficiencies of his chief in these respects." (See *Well's Reply to Adams*, p. 24.)

DOMINATED BY SEWARD AND STANTON.

And Joseph Medill, of the *Chicago Tribune*, wrote to Schuyler Colfax in 1862, saying:

"Seward must be got out of the cabinet; he is Lincoln's evil

genius. He has been President *de facto*, and has kept a sponge saturated with chloroform to Uncle Abe's nose all the while, except one or two brief spells." (*1 Bancroft's Seward*, p. —.)

The "*Pennsylvanian*" characterized Mr. Lincoln's first inaugural as a "tiger's claw concealed under the fur of Sewardism," and the "*Atlas and Argus*," of Albany, as "weak, rambling, loose-jointed" and as "inviting civil war." (See *2 Tarbell's Lincoln*, p. 13.)

We refer to these last citations especially to show, what we have always maintained, viz.: that Mr. Lincoln was dominated by Seward and Stanton, in our opinion, two of the worst men this country has ever produced.

In his speech at Cooper Institute in 1864 Wendell Phillips said:

"I judge Mr. Lincoln by his acts, his violations of the law, his overthrow of liberty in the Northern States. I judge Mr. Lincoln by his words and deeds, and so judging him, I am unwilling to trust Abraham Lincoln with the future of this country. Mr. Lincoln is a politician; politicians are like the bones of a horse's fore shoulder—not a straight one in it." (*Facts and Falsehoods*, p. 17.)

Mr. Lincoln was asked if he had seen the speech of Wendell Phillips, and he said:

"I have seen enough to satisfy me that I am a failure, not only in the opinion of the people in rebellion, but of many distinguished politicians of my own party." (*Lamon's Recollections*, p. 187.)

But enough of this; and we have made these citations only for the purpose of showing, *first*, that the character of Mr. Lincoln, as now presented to the world, is utterly at variance with his character as understood by those who knew him best and were daily brought in contact with him whilst living; and, *secondly*, to show that if his character was such as is presented to us by those who best knew him in life, that character was in keeping with his conduct towards the people of the South in the great war from '61 to '65.

SOME VIOLATIONS OF THE CONSTITUTION.

We, therefore, come now to consider some of the things (because we can only refer to a few of them) which Mr. Lincoln did in bringing on, and in the conduct of, that war.

When Mr. Lincoln was inaugurated as President of the United States on the 4th of March, 1861, he took an oath to support the Constitution of the United States. Says one of his most ardent admirers, McClure:

"As the sworn executive of the nation, it was his duty to obey the Constitution in all its provisions, and he accepted that duty without reservation."

In his first inaugural, Mr. Lincoln said:

"I have no purpose, directly or indirectly, to interfere with

the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." And yet we know that within eighteen months from that time he issued his Emancipation Proclamation.

EMANCIPATION PROCLAMATION.

As to this proclamation, it is worthy of remark, that it is claimed to have been issued by virtue of some kind of "war power" vested in the President by the Constitution and laws. *The Northern historian Rhodes*, Vol. 4, p. 213, says:

"There was, as every one knows, no authority for the proclamation in the letter of the Constitution, nor was there any statute that warranted it."

Let us ask, then, where did Mr. Lincoln find any authority to issue it? Certainly not in the Constitution. For, says the Supreme Court of the United States in *Ex parte Milligan*, 4 Wallace 120:

"The Constitution of the United States is a law for rulers and people equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. *Such a doctrine leads directly to anarchy or despotism.*"

And says Chief Justice Chase, in the same case, p. 136-7:

"Neither President, nor Congress, nor courts, possess any power not given by the Constitution."

So that the issuing of that proclamation (which, it is also worthy of note, did not even attempt to emancipate all the slaves in all the States, as generally supposed, but only those in ten named States, and only in certain parts of some of these) was a palpable violation of the Constitution and of Mr. Lincoln's oath of office; and the only plea on which the friends of Mr. Lincoln can justify his conduct is the plea of "necessity," the last refuge of every tyrant.

DUPLICITY TOWARD VIRGINIA COMMISSIONERS.

But before we refer to other violations of the Constitution we propose to consider some acts of deceit and duplicity practiced by Mr. Lincoln, or to which he was a party, on representatives of the South.

After the secession of seven of the Southern States and the formation of the Southern Confederacy, with its capital at Montgomery, and after the failure of the "Peace Conference" inaugurated by Virginia in her most earnest effort to prevent war between the sections, and during the sessions of the Virginia Convention that body determined to send commissioners to Washington to ascertain, if possible, what course Mr. Lincoln intended to pursue towards the seceded States, since it was impossible to determine this course from the ambiguous language employed in

his inaugural address. These commissioners, the Honorables William Ballard Preston, Alexander H. H. Stuart and George W. Randolph, went to Washington and had an interview with Mr. Lincoln, and an account of that interview will be found in the first volume "Southern Historical Society Papers," at page 443. At page 452, Mr. Stuart says:

"I remember that he (Lincoln) used this homely expression, 'If I do that (recognize the Southern Confederacy), what will become of my revenue? I might as well shut up housekeeping at once.'"

But, says Mr. Stuart, "his declarations were distinctly pacific, and he expressly disclaimed all purpose of war."

Mr. Seward, the Secretary of State, and Mr. Bates, the Attorney-General, also gave Mr. Stuart the same assurances of peace. That night the commissioners returned to Richmond, and the same train on which they traveled brought Mr. Lincoln's proclamation calling for seventy-five thousand men to wage a war of coercion against the Southern States.

"This proclamation," says Mr. Stuart, "was carefully withheld from us, although it was in print, and we knew nothing of it until Monday morning when it appeared in the Richmond papers. When I saw it at breakfast, I thought it must be a mischievous hoax, for I could not believe Lincoln guilty of such duplicity."

This proclamation is now conceded by nearly all Northern writers to be a virtual declaration of war, which Congress alone has the power to declare. Congress alone having the power to "raise and support armies"; to "provide for calling forth the militia to execute the laws of the Union, suppress insurrection and repel invasions"; to "provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States."

And yet Mr. Lincoln, in violation of the Constitution and of his oath, did all of these things before Congress was allowed to assemble on the 4th of July, 1861, and it is said he had an organized army before the assembling of Congress of over three hundred thousand men. We know too that, without any authority to do so, he did not hesitate to suspend the privilege of the writ of *habeas corpus*, which Congress alone had the power to authorize the suspension of, according to the decision of Chief Justice Taney in *Merriman's case*, and there are numerous other decisions to the same effect.

DUPLICITY TOWARDS CONFEDERATE COMMISSIONERS.

But again, we know too (at least, Mr. Seward says so), that Mr. Lincoln was a party to the duplicity and deception practiced through Mr. Seward on the commissioners sent by the Confederate Government to treat with him "with a view to speedy adjustment of all questions growing out of the political separation upon such terms of amity and good will as the respective interests, geographical contiguity and future welfare of the two nations may render necessary."

Mr. Lincoln and Mr. Seward practiced this deception on these commissioners by promising the evacuation of Fort Sumter, through Justices Campbell and Nelson, of the Supreme Court of the United States. Mr. Seward was charged by Judge Campbell with the enormity of his conduct in regard to this matter, and he was asked to explain it, but no explanation was ever made, simply because there was none that could be made.

VIOLETIONS OF RULES OF CIVILIZED WARFARE.

But again, Mr. Lincoln was the Commander-in-Chief of the Armies and Navies of the United States, and he, therefore, had the power, *and it was his duty*, to see that the war was conducted on the principles adopted by the Federals themselves for the government of their armies, *and which are those adopted and enforced by all civilized nations*. Two of the most important of these rules were :

(1) "That private property, unless forfeited by crimes, or by offences of the owner against the safety of the army, or the dignity of the United States, and after conviction of the owner by court martial, can be seized only by way of military necessity for the support or benefit of the army of the United States.

(2) "All wanton violations committed against persons in the invaded country, all destruction of property not commanded by the authorized officer, all robbery, all pillage, all sacking even after taking a place by main force, all rape, wounding, maiming or killing of such inhabitants, are prohibited under penalty of death, or such other severe punishment as may seem adequate for the gravity of the offence."

Now, we repeat, these were the rules adopted by the United States for the government of its armies in the field, and *it was the duty of Mr. Lincoln, as the Executive head of the government and Commander-in-Chief of its armies, to see that they were respected and enforced*. We know how palpably these rules were violated by Grant, Sherman, Sheridan, Pope, Butler, Hunter, Milroy, Steinweyer, and in fact by nearly every Federal commander; *and we know too that these officers would not have dared to thus violate these rules, unless these violations had been known by them to be sanctioned by their official head, Mr. Lincoln, from whom they received their appointments and commissions, and whose duty it was to prevent such violations and outrages*.

General McClellan, a gentleman and a trained soldier, wrote to Mr. Lincoln from Harrison's Landing on July 7, 1862, saying, among other things :

"In prosecuting the war, all private property and unarmed persons should be strictly protected, subject only to the necessity of military operations. All property taken for military use should be paid or receipted for, pillage and waste should be treated as high crimes, and all unnecessary trespass sternly prohibited, and

offensive demeanor by the military towards citizens promptly rebuked." (See *2 Am. Conflict, by Greeley*, page 248.)

And yet, within two weeks from that time, the Federal Secretary of War, *by order of Mr. Lincoln*, issued an order to the military commanders in Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas and Arkansas, directing them to seize and use any property belonging to the inhabitants of the Confederacy which might be necessary or convenient for their several commands; and no provision whatever was made for any compensation to the owners of private property thus directed to be seized and appropriated.

SHERMAN'S CONDUCT.

General Sherman says in his official report of his famous (or rather infamous) march to the sea:

"We consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah, also the sweet potatoes, hogs, sheep and poultry, and carried off more than ten thousand horses and mules. I estimate the damage done to the State of Georgia at one hundred million dollars, at least twenty millions of which inured to our benefit, and the remainder was simply waste and destruction."

General Halleck, who was at that time Lincoln's chief of staff, and, therefore, presumably in daily contact with him, wrote to Sherman on the 18th of December, 1864:

"Should you capture Charleston, I hope that by some accident the place may be destroyed, and if a little salt should be thrown upon its site it may prevent the future growth of nullification and secession."

To which Sherman replied on the 24th of the same month:

"I will bear in mind your hint as to Charleston, and do not think that salt will be necessary. When I move, the Fifteenth Corps will be on the right of the right wing, and their position will naturally bring them into Charleston first; and if you have watched the history of that corps, you will have remarked that they generally do their work pretty well," etc. (*2 Sherman's Memoirs*, pp. 223-227-8.)

Of this infamous conduct on the part of Sherman, Mr. Whitelaw Reid, of New York, our present representative at the Court of St. James, has recently written in "Ohio in the War," pp. 475-8-9, referring especially to the burning of Columbia, as follows:

"It was the most monstrous barbarity of this barbarous march. * * * "Before this movement began, General Sherman begged permission to turn his army loose in South Carolina and devastate it. He used this permission to the full. He protested that he did not wage war upon women and children. But, under the operation of his orders, the last morsel of food was taken from

hundreds of destitute families, that his soldiers might feast in needless and riotous abundance. Before his eyes rose, day after day, the mournful clouds of smoke on every side, that told of old people and their grandchildren driven, in mid-winter, from the only roofs there were to shelter them, by the flames which the wantonness of his soldiers had kindled." * * * "Yet, if a single soldier was punished for a single outrage or theft during that entire movement, we have found no mention of it in all the voluminous records of the march."

Let us ask, Who alone had any semblance of authority to give this permission to Sherman and who gave it? There can be but one answer—Abraham Lincoln, the then President of the United States. Will the people of the South lick the hand that thus smote their fathers, their mothers, their brethren and their sisters by now singing peans of glory to his name and fame?

"Lord God of hosts, defend us yet
Lest we forget, lest we forget."

The New York *Evening Post*, one of the most sectional papers in the country, said editorially, a short time since, that—

"Mention of Sherman still opens flood gates of bitterness. He was a purloiner of silver; his soldiers spared neither women nor children; he burned towns that had not offended, and cities that had surrendered; and he spared not even the convents occupied by women of his own religious faith." (See *Myer's letter in "Confederate Cause and Conduct,"* p. 84.)

GRANT AND SHERIDAN'S CONDUCT.

On the 5th of August, 1864, General Grant wrote to General David Hunter, who preceded Sheridan in command of the Valley:

"In pushing up the Shenandoah Valley, where it is expected you will have to go first or last, it is desirable that *nothing should be left to invite the enemy to return.* Take all provisions, forage and stock wanted for the use of your command; *such as cannot be consumed, destroy.*"

And it was Grant who suggested to Sheridan the order that Sheridan executed in so desolating the Valley that "a crow flying over it would have to carry his own rations." Sheridan says:

"I have destroyed over two thousand barns filled with wheat and hay and farming implements; over seventy mills filled with flour and wheat; have driven in front of the army over four thousand head of stock, and have killed and issued to the troops not less than three thousand sheep. This destruction embraces the Luray Valley and Little Fort Valley, as well as the main Valley."

Contrast these orders, and this conduct, with General Lee's Chambersburg order of June 27, 1863, when his army invaded Pennsylvania, and the conduct of his army in that hostile country, and you have the difference between barbarous and civilized warfare.* General Lee's order was approved by President Davis; Grant's, Sherman's, Sheridan's and others by President Lincoln. To which of these two will you men and women of the South render the meed of your reverence, honor and respect? I know your answer because I know and honor you.

But this is, by no means, all. Judge Jeremiah S. Black, of Pennsylvania, writing to Mr. Charles Francis Adams, said:

"I will not pain you by a recital of the wanton cruelties they (the Lincoln administration) inflicted upon unoffending citizens. I have neither space, nor skill, nor time, to paint them. A life-sized picture of them would cover more canvas than there is on earth. * * * Since the fall of Robespierre, nothing has occurred to cast so much disrepute on republican institutions." (See *Black's Essays*, p. 153.)

Verily,

"He left a Corsair's name to other times
Linked with one virtue and a thousand crimes."

* "HEADQUARTERS A. N. V.,
"CHAMBERSBURG, PA., June 27, 1863.

"GENERAL ORDERS No. 73.

"The Commanding General has marked with satisfaction the conduct of the troops on the march and confidently anticipates results commensurate with the high spirit they have manifested. No troops could have displayed greater fortitude or better performed the arduous marches of the first ten days. Their conduct in other respects has, with few exceptions, been in keeping with their character as soldiers, and entitles them to approbation and praise.

"There have, however, been instances of forgetfulness on the part of some, that they have in keeping the yet unsullied reputation of the army, and the duties exacted of us by Civilization and Christianity, are not less obligatory in the country of the enemy than in our own. The Commanding General considers that no greater disgrace could befall the army, and through it our whole people, than the perpetration of the barbarous outrages upon the innocent and defenceless and wanton destruction of private property that have marked the course of the enemy in our own country. Such proceedings not only disgrace the perpetrators and all connected with them, but are subversive of the discipline and efficiency of the army and destructive of the ends of our present movements. It must be remembered that we make war only on armed men, and that we cannot take vengeance for the wrongs our people have suffered without lowering ourselves in the eyes of all whose abhorrence has been excited by the atrocities of our enemy, and offending against Him to whom vengeance belongeth, without whose favor and support our efforts must all prove in vain. The Commanding General therefore earnestly exhorts the troops to abstain, with most scrupulous care, from unnecessary or wanton injury to private property; and to enjoin upon all officers to arrest and bring to summary punishment all who shall in any way offend against the orders on this subject. "R. E. LEE, *General*."

GENERAL LEE'S LETTER TO THE PEOPLE OF MARYLAND.

In the address issued by General Lee to the people of Maryland when his army first entered that State, in September, 1862, he said :

“It is right that you should know the purpose that brought the army under my command within the limits of your State, so far as that purpose concerns yourselves. The people of the Confederate States have long watched with the deepest sympathy the wrongs and outrages that have been inflicted upon the citizens of a commonwealth allied to the States of the South by the strongest social, political and commercial ties. They have seen with profound indignation their sister State deprived of every right and reduced to the condition of a conquered province. Under the pretense of supporting the Constitution, but in violation of its most valuable provisions, your citizens have been arrested and imprisoned upon no charge, and contrary to all forms of law. The faithful and manly protest against this outrage made by the venerable and illustrious Marylander (Taney), to whom in better days no citizen appealed for right in vain, was treated with scorn and contempt; the government of your chief city has been usurped by armed strangers; your legislature has been dissolved by the unlawful arrest of its members; freedom of the press and of speech has been suppressed; words have been declared offences by an arbitrary decree of the Federal Executive, and citizens ordered to be tried by a military commission for what they may dare to speak. Believing that the people of Maryland possessed a spirit too lofty to submit to such a government, the people of the South have long wished to aid you in throwing off this foreign yoke, to enable you again to enjoy the inalienable rights of freedom, and restore independence and sovereignty to your State. In obedience to this wish, our army has come among you, and is prepared to assist you with the power of its arms in regaining the rights of which you have been despoiled.

“This, citizens of Maryland, is our mission, so far as you are concerned. No constraint upon your free will is intended; no intimidation will be allowed within the limits of this army, at least. Marylanders shall once more enjoy their ancient freedom of thought and speech. We know no enemies among you, and will protect all, of every opinion. It is for you to decide your destiny freely and without constraint. This army will respect your choice, whatever it may be; and while the Southern people will rejoice to welcome you to your natural position among them, they will only welcome you when you come of your own free will

“R. E. LEE, *General Commanding.*”

No more severe or more just arraignment of the tyranny practiced

by Lincoln's administration can be written than this, and that it is true no one will have the temerity to deny. The contrast here presented, too, is as striking as it is painful. It is that between the Christian soldier and the Godless tyrant.

WHAT NORTHERN PEOPLE THOUGHT IN NOVEMBER, 1864.

And it should never be forgotten that in the election held in November, 1864, between Lincoln and McClellan, in which the platform of McClellan's party charged that the war had been a failure; that the Constitution had been disregarded in every part; that justice, humanity, liberty and the public welfare demanded that immediate efforts be made for a cessation of hostilities with the ultimate convention of all the States that these may be restored on the basis of a federal union of all the States; * * * that they considered the administration's "usurpation of extraordinary and dangerous powers not granted by the Constitution" as "calculated to prevent a restoration of the union"; and which further charged that administration with "woeful disregard of its duty to prisoners of war"; that during this canvass Lincoln was denounced as a "remorseless tyrant," and his administration as the "Rebellion of Abraham Lincoln." That out of a vote of four millions of the Northern people cast in that election, nearly one-half, viz., 1,800,000 voted for McClellan and in condemnation of Mr. Lincoln on the foregoing platform and charges. So with this evidence of the condemnation of Mr. Lincoln and his administration, just five months before his death, by so many of his own people, we must be excused if we decline to accept the portraiture of his character and conduct as now so persistently presented to us by these same people, and we must be excused too for being skeptical about *their sincerity in believing in the truthfulness of that portraiture themselves.*

We charge, and without the fear of successful contradiction, that Mr. Lincoln, as the head of the Federal Government, and the Commander-in-chief of its armies, was *directly responsible for the outrages committed by his subordinates; and that the future and unprejudiced historian will so hold him responsible, we verily believe.*

TREATMENT OF PRISONERS.

But this is not all. *Mr. Lincoln was directly responsible for all the sorrows, sufferings and deaths of prisoners on both sides during the war.* At the beginning of the war, the Confederate Government enacted that "rations furnished prisoners of war shall be the same in quantity and quality as those furnished to enlisted men in the army of the Confederacy"; that "hospitals for prisoners of war are placed on the same footing as other Confederate States' hospitals in all respects, and will be managed accordingly." And General Lee says, "The orders always were that the whole field should be treated alike; parties were sent out to take the Federal wounded as well as Confederate, and the surgeons were told to treat the one as they did the other. These orders given by me were respected on every field."

At the very beginning of hostilities, the Confederate authorities were likewise most anxious to establish a cartel for the exchange of prisoners. The Federals refused to do this until July 22, 1862, and almost directly after this cartel was established it was violated and annulled by the Federal authorities with Mr. Lincoln at their head. On the 6th of July, 1861, Mr. Davis wrote to Mr. Lincoln, saying:

“It is the desire of this government so to conduct the war now existing as to mitigate its horrors as far as may be possible, and with this intent its treatment of the prisoners captured by its forces has been marked by the greatest humanity and leniency consistent with public obligation.”

This letter was sent to Washington by a special messenger (Colonel Taylor), but he was refused even an audience with Mr. Lincoln, and although a reply was promised, no reply to it was ever made.

On the 2d of July, 1863, Mr. Davis addressed another letter to Mr. Lincoln and tried to send it to him by the hands of Vice-President Stephens, saying:

“I believe I have just grounds of complaint against the officers and forces under your command for breach of the cartel; and being myself ready to execute it at all times, and in good faith, I am not justified in doubting the existence of the same disposition on your part. In addition to this matter, I have to complain of the conduct of your officers and troops in many parts of the country, who violate all the rules of war by carrying on hostilities not only against armed foes, but against non-combatants, aged men, women and children, while others not only seize such property as is required for the use of your troops, but destroy all private property within their reach,” etc.

And he implored Mr. Lincoln to take steps “to prevent further misunderstanding as to the terms of the cartel, and to enter into such arrangement and understanding about the mode of carrying on hostilities between the belligerents as shall confine the severities of the war within such limits as are rightfully imposed, not only by modern civilization, but by our common Christianity.”

And yet Mr. Stephens, with a letter of this import, was not even permitted to go through the lines to carry it.

Mr. Charles A. Dana, the Assistant Federal Secretary of War, the same man who permitted the shackles to be placed upon Mr. Davis, says:

“The evidence must be taken as conclusive: It proves that it was not the Confederate authorities who insisted on keeping our prisoners in distress, want and disease, but the commander of our armies.”

And that commander-in-chief of their armies, the one who had

absolute control of the whole matter, was Abraham Lincoln. We know that President Davis even went so far when the prisoners at Andersonville were suffering from disease and want, which the Confederate Government could not relieve or prevent, as to send a delegation of these prisoners to Mr. Lincoln to beg him to renew the cartel for their exchange, and Mr. Lincoln sent these men back to die; and, further, that when Mr. Davis offered to send home from ten to fifteen thousand of these prisoners at one time, without demanding any equivalent in exchange, this humane offer was indignantly rejected; that medicines were declared "contraband of war," and the Federal Government not only refused to furnish these for their own prisoners, to be administered by its own doctors, but refused to allow the Confederates the means to procure them when they were informed that these prisoners were dying on account of the need of these medicines. Hence we say that *Mr. Lincoln, as the head of the Federal Government and the Commander-in-chief of its armies, is directly responsible for all this misconduct and cruelty on the part of his subordinates, and for the deaths, sufferings and sorrows which ensued in consequence of that misconduct and cruelty.*

WAS HE A TRUE FRIEND OF THE SOUTH?

But it is often said that, notwithstanding all these things, Mr. Lincoln was a friend of the Southern people, and that his death was a great misfortune to the South, since he would have been able to prevent the outrages, severities and cruelties of "Reconstruction." As some evidence of this, it is claimed, first, that in the so-called "Peace Conference" held in Hampton Roads in February, 1865, Mr. Lincoln offered, if the South would return to the Union, that the Federal Government would pay for the slaves by making an appropriation of four hundred millions of dollars for that purpose. Indeed, it is claimed that he said to Mr. Stephens:

"Let me write 'Union' at the top of this page, and you may then write any other terms of settlement you may deem proper."

We undertake to say, after a careful reading of the joint and several reports of our commissioners (Messrs. Stephens, Hunter and Campbell), and after reading the message sent by Mr. Lincoln to Congress after his return from that conference, *that there is no just foundation for any such claim.*

Mr. Lincoln himself says:

"No papers were exchanged or produced, and it was in advance agreed that the conversation was to be informal and verbal merely. *On our part, the whole substance of the instructions to the Secretary of State hereinbefore recited was stated and insisted upon, and nothing was said inconsistent therewith.*"

The instructions to the Secretary here referred to in reference to slavery were:

“No receding by the Executive of the United States on the slavery question from the position assumed thereon in the annual message to Congress and in preceding documents.”

And the terms here referred to in the annual message to Congress were:

“I retract nothing heretofore said as to slavery. I repeat the declaration made a year ago, that while I remain in my present position I will not attempt to retract or modify the Emancipation Proclamation.”

Certainly there was nothing in the Emancipation Proclamation which indicated any intention or desire on his part to make any compensation for the slaves of the Southern people.

And Colonel McClure, who, as before stated, is a partizan of Mr. Lincoln, and claims everything for him that could possibly be claimed, says this matter was not even suggested by Mr. Lincoln to Mr. Stephens, for reasons which he attempts to explain. (See *Lincoln and Men of War Times*, p. 92.)

But again it is claimed that Mr. Lincoln would have been most lenient and kind in his treatment of the people of the South after the termination of the war, and that hence his death was a great calamity to the South. The sole basis of this claim seems to be that when Mr. Lincoln came to Richmond on the 5th of April, 1865, two days after the evacuation by the Confederates, he had a conference with Judge Campbell, Assistant Secretary of War of the Confederacy, and Mr. Gustavus A. Myers, then a member of the Legislature from Richmond, and suggested to them to have the Virginia Legislature re-assemble for the purpose of restoring Virginia to the Union. In a statement published in Vol. 36, page 252, of the “Southern Historical Society Papers,” Judge Campbell gives an interesting account of this interview with Mr. Lincoln, and says, among other things:

“Mr. Lincoln desired the Legislature of Virginia to be called together to ascertain and test its disposition to co-operate with him in terminating the war. He desired it to recall the troops of Virginia from the Confederate service, and to atton to the United States and to submit to the national authority.”

Judge Campbell further says that whilst he (Campbell) expressed the opinion that General Lee’s army was in such a condition that it could not be held together for many days, “Mr. Lincoln did not fully credit the judgment that was expressed as to the condition of General Lee’s army. He could not realize the fact that its dissolution was certain in any event, and that its day was spent. He knew that if the ‘very Legislature’ that had been sitting in Richmond were convened and did vote as he desired, that it would disorganize and discourage the Confederate army and government.”

In our opinion, this was the true and only reason why Mr. Lincoln wanted the Legislature recalled. It was that it might order the withdrawal of the Virginia troops, with General Lee at their head, from the Army of Northern Virginia, and in that way destroy the efficiency of that army.

But whatever may have been Mr. Lincoln's motives and purposes at that time, we know that as soon as he knew that the Army of Northern Virginia had surrendered, *and only two days before his assassination, he recalled the suggestion for the assembling of the Virginia Legislature because of the fact, as alleged, that conditions had changed since he made that suggestion; and the great change in these conditions was the surrender of the Army of Northern Virginia.* And Colonel McClure himself says, at page 227:

"What policy of reconstruction Lincoln would have adopted, had he lived to complete his great work, cannot now be known."

We have reached the conclusion, therefore, that there is no good reason to believe, and certainly no satisfactory evidence on which to found the opinion, that had Mr. Lincoln survived the war he would have been either willing or able to withstand the oppressions of the malicious and revengeful men in his cabinet and in Congress in their determination to further punish the people of the already prostrate and bleeding South, *to which condition of affairs he had done so much to contribute.* A striking evidence of this is furnished by the statement of Admiral Porter, who was with Mr. Lincoln when he came to Richmond immediately after the evacuation. Admiral Porter says that when Lincoln told him he had authorized the re-assembling of the Virginia Legislature, and began to reflect on what Seward would have to say about this, he (Lincoln) sent a messenger post haste to General Weitzel and revoked the order before he left Richmond. (See *Porter's Naval History*, p. 779.)

Although Andrew Johnson was, as we have heard General Wise say of him "as dirty as cart-wheel grease," we have always believed he withstood the malice of these bad men longer than Mr. Lincoln would have done, and that he (Johnson) really tried to help the South after the war, as we know that he tried to prevent the adoption and carrying out of the wicked "Reconstruction" measures.

We know that on May 9, 1865, within less than a month from his inauguration, Johnson issued an executive order restoring Virginia to the Union; that on the 22d of the same month he proclaimed that all the Southern ports, except four in Texas, should be opened to foreign commerce on July 1, 1865; that on the 29th of May he issued a general amnesty proclamation (with some notable exceptions), after which the irreconcilable differences between him and his party became so fierce and bitter that he was obstructed in every way possible, and came very near being impeached, and mainly on account of his attempted acts of kindness to the Southern people. So that, we are constrained to say, if Mr. Lincoln was a true friend of the South, *Good Lord, deliver us from our friends."*

CAREER IN DETAIL.

But let us now examine Mr. Lincoln's career, somewhat in detail, and see what we can find in it to entitle him to rank with the good and great men of the earth.

(1) Up to the time he attained his majority he was literally a "hewer of wood and a drawer of water." This was, of course, his misfortune, a thing for which he was in no way to blame, and we only refer to it as a fact, and not by way of reproach to him in any sense.

(2) For three or four years after attaining his majority, he first kept a store, then a post office, did some surveying, and employed his leisure hours in studying and preparing himself for the bar.

(3) He practiced law about twenty-five years, and made but little reputation as a lawyer, beyond the fact that he was regarded as a shrewd, sensible and honest lawyer. During that period he was sent to the Illinois Legislature four times, but made little or no reputation as a legislator.

(4) In 1847 he was elected to Congress, and served only one term. He certainly made no reputation as a member of Congress, unless his speech advocating the right of secession, as referred to by Judge Black in his Essays, entitled him to such distinction.

(5) We next hear of him in the canvass with Stephen A. Douglas for the Senate, in which he did make reputation both as a ready debater and stump speaker, and was regarded as one of the most ambitious and shrewdest politicians of his time. He was twice defeated for the Senate, but the reputation won in his last canvass with Douglas laid the foundation for his candidacy for the presidency, although Seward was, by far the foremost candidate for that office up to the time of the meeting of the Convention. This convention, fortunately for Lincoln, met in Chicago, where his "boosters" did most effective work in his behalf. He was only nominated by means of a corrupt bargain entered into between his representatives and those of Simon Cameron, of Pennsylvania, and Caleb B. Smith, of Indiana, by which Cabinet positions were pledged both to Cameron and to Smith in consideration for the votes controlled by them, in the convention, and which pledges Lincoln fulfilled, and, in that way made himself a party to these corrupt bargains. (1 *Morse*, 169; *Lamon*, 449.) He was nominated purely as the sectional candidate of a sectional party, and not only received no votes in several of the Southern States, *but he failed to get a popular majority of the section which nominated and elected him, and received nearly one million votes less than a popular majority of the vote of the country.* (1 *Morse*, 178.)

(6) After his election, he sneaked into the national Capitol at night in a way he was, and ought to have been, ashamed of the rest of his life, and commenced his administration by acts of deceit and duplicity and by palpable violations of the Constitution he had sworn to support, as already set forth herein, and by plunging the country into war without any authority or justification for so doing.

(7) At the end of two years his administration had become so un-

popular and was deemed so inefficient, that the appointment of a Dictator was seriously considered, and Lamon says, if Grant had not succeeded in capturing Vicksburg in July, 1863, "*certain it is that President Lincoln would have been deposed, and a Dictator would have been placed in his stead as chief executive, until peace could be restored to the nation by separation or otherwise.*" (*Lamon's Recollections*, 183-4.)

(8) We have already alluded to his standing with the Northern people at the election in November, 1864, when nearly one-half of these people voted gainst him, and when, but for the improper use of the army in controlling the election, it is believed he would have been defeated by McClellan, since in many of the States carried by Lincoln the popular vote was very close. (See *Butler's Book* and *McClellan's Platform*.)

(9) Between the time of his second election and his assassination, the South had become so completely exhausted, that he had only to keep his armies, as already marshalled, in the field, to accomplish its defeat. Says Lamon :

"At the time McClellan took command of that army (Army of the Potomac), the South was powerful in all the elements of successful warfare. It had much changed when General Grant took command. Long strain had greatly weakened and exhausted the resources of the South." (*Lamon's Recollections*, p. 199.)

(10) And Lamon says of him at the time of his election :

"Few men believed that Mr. Lincoln possessed a single qualification for his great office." * * * "They said he was good and honest and well meaning, but they took care *not to pretend that he was great*. He was thoroughly convinced that there was too much truth in this view of his character. He felt deeply and keenly his lack of experience in the conduct of public affairs. He spoke then and afterwards about the duties of the presidency with much diffidence, and said with a story about a justice of the peace in Illinois, that they constituted his 'great first case misunderstood.'" (*Lamon*, p. 468.)

That he had no just appreciation of the gravity of the situation, or of the duties of the office he was about to assume, is best evinced by the character of the speeches made by him *en route* to Washington to be inaugurated. Of these speeches, the Northern historian, Rhodes. (3 *Rhodes*, 303), thus writes :

"In his speeches the commonplace abounds, and though he had a keen sense of humor, his sallies of wit grated on earnest men, who read in quiet his daily utterances. The ridiculous, which lies so near the sublime, was reached when this man, proceeding to grave duties, and the great fame that falls to few in the whole world, asked at the town of Wakefield, for a little girl correspondent of his, at whose suggestion he had made a change in his personal

appearance, and when she came, he kissed her and said, 'You see I have let these whiskers grow for you, Grace.'"

But let us ask, can *statesmanship* be predicated of any *American*, who expressed the opinion, as Mr. Lincoln did, that the relations of the States to the Union were the same as those of the counties to the States of which they severally formed a part? Surely comment is unnecessary.

Mr. Lincoln had in his cabinet five of the ablest men then in the country, and we think it fair to assume that these men are entitled to much, if not most, of the credit (if it can be so called) now so recklessly and unsparingly ascribed to him. But did it require genius or ability in any man, or set of men, to wear out, as by "attrition," six hundred thousand half-starved and poorly equipped men with two million eight hundred thousand well-fed and thoroughly equipped men with unlimited resources of all kinds?

Napoleon said :

"A man who exhibited no evidence of greatness before reaching forty, has no element of greatness in him."

Mr. Lincoln was fifty-two when he was elected President, and Lamont says no one pretended he had developed any element of greatness up to that time.

So that, with every disposition to write truthfully about Mr. Lincoln, we are unable to find in his career any substantial basis for the great name and fame now claimed for him by his admirers both at the North and at the South, and certainly nothing either in his character, career or conduct to engender veneration, admiration and love for his memory on the part of the people of the South.

CAN'T RELY ON WHAT IS NOW WRITTEN.

The fact is, most of the Northern, as well as some Southern, writers have so distorted and exaggerated nearly every word and act of Mr. Lincoln's that it is impossible to arrive at the truth about anything said or done by, or concerning him or his career from their statements. Many illustrations of this could be given, but owing to the length of this paper, one or two must suffice. Perhaps nothing that Mr. Lincoln ever said or did has been so applauded as his Gettysburg speech, a speech of about twenty lines in length, embodying less than a dozen thoughts, not original, but very well expressed. Lamont says he was present at the time of the delivery of that speech; that it fell perfectly flat on the audience, and Mr. Everett and Mr. Seward expressed great disappointment at it. Mr. Lincoln himself said: "*It fell like a 'wet blanket,' and I am distressed about it.*" o o o "*It is a flat failure and the people are disappointed.*" (*Lamont's Recollections*, 171-2). And Lamont then adds:

"In the face of these facts, it has been repeatedly published that this speech was received by the audience with loud demon-

strations of approval; that amid the tears, sobs and cheers it produced on the excited throng, the orator of the day, Mr. Everett, turned to Mr. Lincoln, grasped his hand and exclaimed, 'I congratulate you on your success,' adding in a transport of heated enthusiasm, 'Ah, Mr. President, how gladly would I give my hundred pages to be the author of your twenty lines.' Nothing of the kind occurred (says Lamon). *It is a slander on Mr. Everett, an injustice to Mr. Lincoln and a falsification of history.*" (*Idem*, p. 172-3.)

Again (and we would not refer to this but for the fact that it is discussed by several of his biographers with almost shameless freedom): The relations between Mr. Lincoln and his wife were notoriously unpleasant. After he had fooled her even when the day had been set for their marriage and the bridal party had assembled, by failing to appear, Lamon says: "They were married, but they understood each other, and suffered the inevitable consequence as other people under similar circumstances. But such troubles seldom fail to find a tongue, and it is not strange that in this case neighbors and friends, and ultimately the whole country, came to know the state of things in that house. Mr. Lincoln scarcely attempted to conceal it, but talked of it with little or no reserve to his wife's relatives as well as to his own friends." (*Lamon*, 474. See also 3 *Herndon-Weik*, 429-30.) Herndon says: "I do not believe he knew what happiness was for twenty years." "*Terrible*" was the word which all his friends used to describe him in the black mood. "It was 'terrible,' it was 'terrible,' says one and another." (*Lamon*, 475; 1 *Morse*, 65-5.)

And yet, in the face of this testimony, one of his latest biographers (Noah Brooks), writing for the series of "*Heroes of the Nations*," says:

"The relations of Lincoln and his wife were a model for the married people of the republic of which they were the foremost pair." (P. 422.)

Verily, as Dr. Lord says:

"Nothing so effectually ends all jealousies, animosities and prejudices as the assassin's dagger." (12 *Beacon Lights of History*, 314.)

So that, repeat, you have to take everything written or said about Mr. Lincoln, by most of the Northern and some Southern writers, *with many grains of allowance*, for there seems to be no bounds to their exaggerations and misrepresentations. It is not out of place to add here that one of his biographers, Hapgood, says foreign writers have written but little about Mr. Lincoln, which would seem to indicate that they are yet waiting to learn the truth about him.

We cheerfully admit that Mr. Lincoln was an honest man in the sense that he was absolutely free from what is now termed "graft," and

that he never manifested any disposition to "put money in his purse" which did not properly belong there. He may have been a patriot, too, in the usual acceptation of that term; but as we diagnose his patriotism, it was so intermingled with, and controlled by, an inordinate personal ambition it is impossible to say how far that predominated. Certainly his readiness to sacrifice the lives and property both of his friends and his foes would seem to show a recklessness and heartlessness more consistent with ambition than with any characteristic which was noble and good. If he was a patriot or a statesman at all, he ought certainly to have known that a union "pinned together with bayonets," enforced by the power of coercion, "against the consent of the governed" in a large part of that union, *could never be the "Union" as formed by "our fathers."*

"Popular beliefs in time come to be superstitions, and create both gods and devils," says Don Piatt, in speaking of how little is now known of the "Real Lincoln." (*Men Who Saved the Union*, p. 28.) And the same writer further says:

"There is no tyranny so despotic as that of public opinion among a free people. The rule of the majority is to the last extent exacting and brutal, and when brought to bear on our eminent men, *it is also senseless.*" (*Idem*, p. 27.)

The North has had and has exercised the "rule of the majority" over the South for nearly half a century, and in many respects that rule has truly been "exacting and brutal," and especially is this true in their attempts to make us fall down and worship their false gods. Let us never consent to do so. No,

"Better the spear, the blade, the bowl,
Than crucifixion of the soul."

We are not vain enough to think that what we have said to-night will have any other effect than to inform the members of this Camp of the true character and conduct of this contradictory, strange and secretive man, but we are vain enough to think that you, at least, will believe that what we have said to you *we believe to be the truth, and nothing but the truth.* And we further believe that if the cause espoused by Mr. Lincoln had not been deemed successful, and if the "assassin's bullet" had not contributed so greatly to immortalize him, his name would be now bandied about as *only that of an ordinary, coarse, secretive, cunning man and wily politician, and one of the greatest tyrants of any age.*

But it will doubtless be replied to all these things, that, admitting their truth, "*He saved the Union, and the end was worth and justified the means.*"

If this was an argument at all, we might feel the force of it, viewing the matter from a Northern standpoint. But, in our opinion, any such attempted answer is an evasion, and "begging the question" now under discussion. The real question is, not what was accomplished, but *what was the character and conduct of the man, and what were the methods*

and instruments employed by him to do his work? Was the character of Abraham Lincoln such as to make him an ideal and exemplar for our children, and were the methods employed by him such as to excite and command the reverence, admiration and emulation of those who come after us? *We answer, No; a thousand times, No.*

REASONS FOR THIS PAPER.

But some will doubtless ask, and with apparent justification, Is it not wrong in this Camp to bring forward these things, especially at this time, when so much is, ostensibly, being done to allay sectional feeling between the North and the South?

The answer to all such inquiries is, to our mind, perfectly simple and satisfactory. In the first place, these efforts to allay sectional bitterness are far more *apparent* than *real*, as any one who has read the history and current literature which has teemed from Northern presses ever since the war, and is still issuing from those presses, will be forced to admit. These histories and this literature, written almost wholly by our conquerors, naturally give their side of the conflict, and they not only exalt their leaders, and seek especially to deify Mr. Lincoln, but they misrepresent the cause and motives of the Southern people, and vilify us and our leader, Mr. Davis, in the most flagrant and outrageous way. Mr. Lincoln is portrayed, as we have seen, as a man of ineffable purity, piety and patriotism, and his cause as the cause of humanity, patriotism and righteousness, whilst Mr. Davis was the Arch traitor and felon, our cause that of treason, rebellion and inhumanity, our people are denominated a "slave oligarchy," and their only reason for going to war was to prolong their "slave power," with no higher motive than to save the money value of their slaves. As an illustration of the way our people have been misrepresented and maligned, we need only refer to the fact that such a Northern writer as James Russell Lowell has preserved in his most permanent form of literature statements that during the war our Southern women "wore personal ornaments made of the bones of their unburied foes"; that we wilfully "starved prisoners," "took scalps for trophies," and we are called "rebels" and "traitors," deserving punishment for our crimes as such, when we were only defending our homes against ruthless invasion. In a word, that we are a *bad people*, led by those who were worse, whilst they are all *good people*, led by those who did and could *do no wrong*. These things are taught to our children by the literature to which we have referred, and the effect of such teaching must in the end make them deplore, if they do not come to despise, the cause and conduct of their fathers.

It is proper to say that there are some fair-minded and truthful Northern writers, who, whilst differing from us to the justice of our cause, have had the manliness and candor to say that we were honest and patriotic in the course we pursued, and these have written kindly and considerately about us, our cause and some of our leaders, and to all such we express our appreciation and gratitude. But the great mass of Northern

histories and literature is such as we have described them, and especially is this true of the biographies and literature concerning the life, the conduct and character of Mr. Lincoln, the writers of these, as a rule, apparently seeming to think they could only exalt their subject by belittling and belying us, our cause and our leaders.

The members of this Camp are all ex-Confederate soldiers; they loved the Confederate cause, and they love it still; they believed it was right when they enlisted in its defence, *and they believe so now*; they gave their young manhood, they suffered, they made sacrifices; many of them shed their blood, and have seen thousands of their comrades die on the field, in hospitals and in prisons in defence of that cause; they *know* that many of the things written about the cause and conduct of the North, and its leaders, *and especially about Mr. Lincoln, are false*. Are we so debased and cowed by the results of the conflict that we must remain silent about these for the sake of political expediency or material gain, and not tell our children *the truth*, when our *quondam* enemies have furnished us the evidences of *that truth*? If we do, then, in our opinion, we are unworthy of our Confederate uniforms, and to have been the followers of Lee and Jackson and their compeers. If we remain silent, can we expect those who come after us to speak? Nay, will they not rather interpret our silence as a confession of guilt, and that we deemed our cause an unholy one? So that, it seems to us, this address not only finds its justification on the low plea of "relation in kind," but that its justification rests upon the *impregnable foundations of truth and necessity, as well as that of a duty we owe alike to the memories of our dead comrades, to ourselves, our children and our children's children.*

"Ye shall know the truth, and the truth shall make you free."

ROGER BROOKE TANEY

ADDRESS BY JUDGE *GEORGE L. CHRISTIAN* OF RICHMOND.

President of the Virginia State Bar Association.

Hot Springs, Va., August 8, 1911.

Gentlemen of the Virginia State Bar Association, Ladies and Gentlemen:

It is needless to say that I greatly appreciate the honor conferred on me by this Association in making me its President, and that I especially prize the recollection of the cordial way in which that honor was conferred.

In casting about for a subject for this address, I recalled the genuine pleasure experienced by us in having at our last meeting so many representatives of the Maryland bar, and I thought it would be a fitting reminder of that occasion to choose as the theme for this a distinguished jurist and native of that State. I confess that other motives prompted me to speak of **ROGER BROOKE TANEY**.

He was a great man and a great judge, a brave and true patriot, who dared to do his duty as he saw it in the most trying and perilous period of his country's history, and, as was said of another great American, "I admired him for the enemies he had made."

Before referring to the public career of Mr. Taney, it will be appropriate to glance briefly at some of the incidents of his early private life. These are detailed by him with beautiful simplicity in an autobiography begun in 1854, when in his seventy-eighth year, but of which he only completed one chapter. He was born in Calvert county, Maryland, on March 17, 1777, and was the son of Michael Taney and Monica, his wife, who was Monica Brooke. His father resided on his farm on the banks of the Patuxent River; was the owner of quite a number of slaves, and there reared a family of four sons and three daughters, of which Roger was the third child and second son. Both of his parents were Roman Catholics, and naturally he was of the same faith, and was a devoted follower of his Master in the profession of that faith. The country adjacent to his home was sparsely settled, and "the old field schools" he attended were as indifferent as they were inaccessible; but notwithstanding these hindrances, his determination to acquire an education and his capacity for learning were such that at the age of fifteen he was prepared to enter Dickinson College at Carlisle, Pennsylvania, from which he graduated with honors in three years. After leaving college, he studied law in the office of Judge Jeremiah Townley Chase in Annapolis, and after three years of close study was admitted to the bar in the spring of 1799. His account of his early experiences at the bar, and especially his reminiscences of the great lawyers of Maryland of that day—Luther Martin, William Pockney, Philip Barton Key, John Thompson Mason and others—are entertaining to a degree. He first located in his home county, Calvert, and was almost at once sent to the legislature as a Federalist, when the names of the two great political parties were Federalists and Republicans, the former then led by John Adams and the latter by Thomas Jefferson. He was a candidate for re-election to the next legislature, but was defeated, doubtless, owing, as he intimates, to the unpopularity of Mr. Adams, who he was then supporting. In 1801 he removed to Frederick City, where he practiced his profession successfully for twenty-three years, and was sent to the State Senate. On the 7th of January, 1806, he married Anne Phebe Charlton Key, a sister of Francis Scott Key, the author of the "Star Spangled Banner," to whom his devotion can be best illustrated by inserting here a letter written on the forty-sixth anniversary of their marriage, in which he says:

"I cannot, my dearest wife, suffer the 7th of January to pass without renewing to you the pledges of love which I made to you on the 7th of January forty-six years ago. Although I am sensible that in that long period I have done many things that I ought not to have done, and left undone many things that I ought to have done, yet, in constant affection to you, I have never wavered—

never been insensible how much I owed you—and now pledge to you again a love as true and sincere as that I offered on the 7th of January, 1806, and shall ever be,

“Your affectionate husband,

“R. B. TANEY.

“Mrs. Anne Taney.”

It is a pity that more letters like this are not written in these days.

Mr. Taney was a thoroughly trained lawyer in every department of the profession. He had studied the principles from the “old masters” of the law—Coke, Littleton, Bracton, Fleta and others—and not from the digests and encyclopedias of the present day, which, whilst being great labor savers in supplying precedents, practically paralyze both the inclination and power of thought and the application of principles.

Whilst a member of the Frederick bar, Mr. Taney’s reputation as a lawyer was such that he argued cases on appeal from every part of Maryland and stood in the very front rank of the Maryland bar.

In 1823, William Pinckney, “the greatest forensic character who has ever appeared in the American courts,” had died, whilst representing Maryland in the United States Senate. In announcing his death to the House of Representatives, John Randolph of Roanoke said:

“I arise to announce to the House the not unlooked-for death of a man who filled the first place in the public estimation in the first profession in that estimation in this or any other country.”

Luther Martin had then become such a mental and physical wreck that the General Assembly of Maryland had passed an act taxing every lawyer who applied for admission to the bar five dollars annually for Mr. Martin’s support during his life. The opening at the Baltimore bar caused by the retirement of these great lawyers suggested to Mr. Taney the propriety of removing to that city and placing himself in the position he felt he was entitled to occupy at that, the leading bar of the State. About this time the party to which Mr. Taney belonged had so far disintegrated that in the election of a successor to Mr. Monroe all four of the candidates for the presidency were Republicans; but Mr. Taney had become so thoroughly disgusted with the conduct of the eastern Federalists, now masquerading as Republicans, in the war of 1812, when they acted as traitors to their country and as the abettors of its enemies, that he has left on record his condemnation of this unpatriotic and cowardly conduct on their part.

General Andrew Jackson, a successful military hero, had then asserted his ascendancy in the political horizon, and it was not long before Mr. Taney became one of his most devoted followers, although in doing this he seems at the time to have had no political aspirations. William Wirt, Walter Jones and Taney were then the recognized leaders of the Maryland bar, and on the unanimous recommendation of the Baltimore bar, Mr. Taney was appointed Attorney-General of his State by an adminis-

tration opposed to him politically, the only office he said then he had ever desired to hold.

HIS POLITICAL CAREER.

We must now take a glance at Mr. Taney's political career, a career apparently wholly unsought, undesired, uncongenial and unexpected to him, but as stormy in many of its aspects as the fiercest of some of those in his judicial career, to which we shall allude hereafter.

General Jackson was elected President and inaugurated on March 4, 1829. Soon after his inauguration, and because of difficulties which occurred in his cabinet about Mrs. Eaton, every member of his cabinet resigned. There were then so many aspirants to the succession to the presidency, that General Jackson became greatly concerned how to form a new cabinet of such material as would make his administration a success. On the 21st of June, 1831, he appointed Mr. Taney Attorney-General, and subsequent events showed he could scarcely have made a more fortunate selection, from the President's point of view. The administration of John Quincy Adams, with Mr. Clay as its inspiration, had been rankly federal in its tendencies, and among other things had fostered the operations of the Bank of the United States, and, by a scheme of high tariff and internal improvements, with the influence and co-operation of the moneyed power of the country, through the influence of the bank, was striving to introduce the centralizing policy which had been rejected by the country in the election of Mr. Jefferson. Mr. Clay went even further in the direction of encouraging measures of centralization than had ever been advocated by Alexander Hamilton. This was the issue then between the two great parties led by giants on both sides when Mr. Taney was called into Jackson's cabinet, and we shall presently see that it was upon him, in the fiercest struggle of the administration, with its powerful antagonists, that the hardest blows fell. We shall also see that these blows were returned with such force and effect that the Democratic policy triumphed and that party came out of the contest victorious.

In his first message to Congress in December, 1829, Jackson avowed his hostility to the Bank of the United States, and advised against the renewal of its charter, which would expire by limitation in 1836, not, it seems, on the ground of the doubtful constitutionality of the act creating the bank, but because it had "failed in the great end of establishing a uniform and sound currency." The country was thus notified that the decentralizing policy of Jefferson would be attempted to be restored, and it was to assist Jackson in carrying out this policy that Mr. Taney consented to become a member of his cabinet. As is well known, Congress passed an act extending the charter of the bank, which was vetoed by Jackson, Mr. Taney assisting in the preparation of the famous veto message. Mr. Taney also advised the removal of the deposits from the bank to the State banks, and when the President ordered Mr. Duane, Secretary of the Treasury, to have this done, and Duane refused either to obey the order or to resign, he was removed by the President, and Mr.

Taney appointed in his stead. No man ever lived who dreaded the baneful influences of the combinations of the moneyed power more than Mr. Taney. He said:

“It is a fixed principle of our political institutions to guard against the unnecessary accumulation of power over persons and property in any hands, and no hands are less worthy to be trusted than those of a moneyed corporation.”

Almost immediately on his appointment as Secretary of the Treasury, Mr. Taney ordered the removal of the deposits to the State banks. No one understood better than he the violence of the storm which this act would bring upon his head, but he saw his duty clearly, and did not hesitate to perform it. The manner in which he was assailed for this conduct in the Senate, especially by the great triumvirate—Clay, Calhoun and Webster—and in the House by McDuffie, Binney, Adams and others, is perhaps without a parallel; so that when his nomination as Secretary of the Treasury was laid before the Senate, it was promptly rejected, the first time in the history of the country where the Senate refused to confirm a cabinet appointment named by the President. Mr. Webster even went so far as to refer to Mr. Taney as the “pliant instrument of the President, ready to do his bidding,” to which Mr. Taney, at a dinner given him at Elkton, replied:

“Neither my habits, nor my principals, lead me to bandy terms of reproach with Mr. Webster, or any one else; but it is well known that he has found the bank a profitable client, and I submit to the public whether the facts I have stated do not furnish ground for believing that he had become its pliant instrument, and is prepared on all occasions to do its bidding whenever and wherever it may choose to require him.”

There was no more chivalrous man than Mr. Taney, and so with all his intellectual powers, the thin texture of Mr. Webster’s moral armour was easily pierced by this arrow from the quiver of Mr. Taney.

The rottenness of the bank, and the corruption and subsequent indictment of its officers, were a complete vindication both, of the patriotism and wisdom of the course pursued by the President and Mr. Taney in the removal of the deposits; and whilst the Senate adopted a resolution of censure on the President for his course in this matter, that resolution was subsequently, through the efforts of Mr. Benton, expunged from the record.

In January, 1835, Judge Gabriel Duval resigned his position as Associate Justice of the Supreme Court, and President Jackson at once nominated Mr. Taney as his successor. Although his confirmation was urged by Chief-Justice Marshall, at the last hour of the session of the Senate, it was indefinitely postponed, which was equivalent to a rejection.

Chief-Justice Marshall died in the summer of 1835, and in December following, President Jackson nominated Mr. Taney as his successor. Although the complexion of the Senate had changed since the previous

session, yet the confirmation of Mr. Taney was again vigorously opposed, the opposition still led by Clay and Webster, yet smarting under the effects of the blow inflicted by Mr. Taney on the bank, and, through that, on the country, as these Senators insisted. He was, however, confirmed on March 16, 1836, by a majority of fourteen, and Mr. Clay subsequently apologized to Mr. Taney for the part he had taken in opposing his confirmation, and admitted that he was wholly wrong in the strictures he had then brought against him.

HIS JUDICIAL CAREER.

We come now to consider, by far, the most eventful, as well as the most important and interesting, part of Mr. Taney's life—his judicial career. Of course, within the limits of this address, it will be impossible to do more than to glance at some of the most important incidents of that career. In a work entitled, "The Dartmouth College Case and the Supreme Court of the United States," published in 1879 by John M. Shirley of New Hampshire, that writer, in speaking of the Supreme Court, says:

"The present judges are of varying, but in general of eminently respectable attainments. Some of them are very eminent in special departments, but no fact is more painfully apparent to those who have studied closely the course of that great tribunal than that its decisions lack the unity which marked them during the dictatorship of Marshall, and under the great triumvirate of the 'old bench'—Taney, Nelson and Campbell. For years it has had no commanding spirit on its quarter deck; it has lost its reckoning; it has been beating about in a storm; it has relapsed into a chaos of doubt and uncertainty which marked the earlier years of its existence when the politicians and statesmen of that day bivouacked in the chief-justiceship on their march from one political position to another." * * * "It has suffered from internal dissensions and outside pressure; it has sometimes done the things which it ought not to have done, and much oftener omitted to do those things which it ought to have done."

What particular spleen could have engendered some features of this criticism, we are not advised, and it may not be amiss to say that we do not concur in some of the things this writer says. We prefer to think of the Supreme Court, as was said of it by Charles Carroll of Carrollton, the last survivor of the signers of the Declaration of Independence, when he said:

"I consider the Supreme Court of the United States as the strongest guardian of the powers of Congress and the rights of the people. As long as that Court is composed of learned, upright and intrepid judges, the union will be preserved and the administration of justice will be safe in its extended and extending empire."

But, in so far as Mr. Shirley refers to Marshall, Taney, Nelson and Campbell, we fully concur with him, and whilst the names of other great judges who have sat on that bench at almost every period since that time could, with propriety, be added to the four named as "master spirits" of the Court, it will scarcely be claimed that any of them were superior in any way to the two great Chief Justices, Marshall and Taney.

Judge Curtis, in his admirable address delivered before the Boston Bar Association at the time of the death of Chief-Justice Taney, said:

"It is one of the favors which the providence of God has bestowed on our once happy country, that for the period of sixty-three years this great office has been filled by only two persons, each of whom has retained to extreme old age his great and useful qualities and powers. The stability, uniformity and completeness of our national jurisprudence are in no small degree attributable to this fact."

I could not if I would, and would not if I could, detract one iota from the great name and fame of Chief-Justice Marshall, and especially from the great work done by him in the constructive period of the Government under the present Constitution; but candor compels me to say that, in my humble judgment the trend of some of Chief-Justice Marshall's opinions has laid the foundation for that centralization of powers in the Federal Government which are not only a menace to the stability of the Republic as such, but to the liberties of the people as well.

Mr. Tyler, in his life of Taney, says:

"In the case of *McCulloch* against the State of Maryland, Chief-Justice Marshall was made to swerve from his earlier strictness of construction by the moulding and transforming logic, aided by the delusive light of the seductive fancy of Pickney. The great Orator put his own thoughts into the mind of the Chief Justice without his knowing it, until he made him see in the auxiliary provision of the Constitution, 'to make all laws which may be necessary and proper to carry into execution' the specific powers granted—powers as original as those they are to carry into execution, and the Chief-Justice never afterwards freed himself from the persuasive coercion of that master of the forum."

Mr. Carson, in his history of the Supreme Court, says of Chief-Justice Taney:

"He adhered closely to the language of the Constitution, never extending the words of the grant upon the ground of convenience or necessity. He was always anxious to protect the States in the full and unfettered exercise of their reserved powers." * * *

"He read the Constitution as, strange to say, Oliver Wolcott once feared that Marshall would do—as if it were a penal statute—and was sometimes embarrassed with doubts of which his friends will not perceive the importance; yet on occasions his judgments bore the stamp of the broadest statesmanship. Limitations upon the

doctrine of the Dartmouth College Case, as expressed in the Charles River Bridge case, have produced the happiest results in freeing the States from the grasp of monopolists and in leaving them uncrippled in the exercise of most important rights of sovereignty; while in the case of *Waring against Clarke*, 5 Howard, and the *Genesee Chief*, 12 Howard, in which the admiralty and maritime jurisdiction of the federal courts is extended above Tidewater on the Mississippi and to the entire chain of the Great Lakes and the waters connected with them, his opinions are characterized by great judicial breadth of view; and in *Ableman versus Booth*, 21 Howard, he was most emphatic in the maintenance of the supremacy of the federal law."

And this same writer further says, that:

"In reviewing the decisions delivered by the Supreme Court during Taney's administration, it is clear that the doctrines announced by the Court are characterized by much closer adherence to the language of the Constitution than had been common in the days of Marshall; and that, as a whole, the authority of the States had been extended and supported upon numerous occasions in a manner which qualified, if it did not restrict, the principles announced by the great Chief-Justice."

It will thus be seen, that the judicial administration of Chief-Justice Taney was a distinct reaction against the latter tendency of that of Chief-Justice Marshall. Taney believed with Jefferson in the "support of the State governments as the most competent administrations for our domestic concerns," and he sounded the key-note of his decisions in the first case in which he delivered the opinion of the Court, *Charles River Bridge against Warren River Bridge*, 11 Peters, in which he upheld the power of the States to regulate corporations within their limits, holding that where there is no express grant of an exclusive privilege, an implied contract to that effect will not be inferred. This case was a distinct limitation of the previous liberal construction given to that clause of the Constitution which prohibits a State from passing any law impairing the obligation of contracts; and we are thankful to say, that several recent decisions of the Supreme Court upholding the police powers of the State and protecting State officers when acting within their proper spheres, are in line with these decisions of Chief-Justice Taney; and these decisions of the Supreme Court make that Court, in our opinion, the true "palladium of our liberties."

Whilst it is true that the appointments of both Marshall and Taney to the exalted office of Chief-Justice was due primarily to the fact that each had rendered some special service to the president making the appointment—that of Marshall for his masterly defense in Congress of President Adams' administration in the *Jonathan Robbins* case, and that of Taney for his services to Jackson on the bank question, and especially in the removal of the deposits; yet their successive administrations of

this office by the great Virginia and great Marylander form, in our opinion, to use the language of another, the "noblest chapter in the history of our government." Indeed, few men have ever come to the discharge of the duties of any office better equipped in every respect than was Chief-Justice Taney when he assumed the duties of the office of Chief-Justice of this nation. As is said by Mr. Carson:

"In knowledge of technical details; in all the departments of legal learning; in the mastery of principles derived from constant and varied occupation; in the argument of causes in courts of inferior and superior jurisdiction, both State and national, he excelled every one of his predecessors." * * * "He was singularly possessed of that insight, that unconscious sympathy with human affairs which induces a judge, whilst scrupulously administering existing law to expand and advance and develop it commensurate with human needs." * * * "He was a man of the highest integrity, of great simplicity and purity of character. By watchfulness of himself, he had acquired perfect self-control. His courage was unflinching; his industry was great, and his powers of analysis were unusual, even among men remarkable for such a gift. His judicial style was admirable, lucid and logical, and his arguments displayed a thorough knowledge of the intricacies of pleading and niceties of practice as well as a thorough comprehension of underlying principles."

The resolutions adopted by the Boston bar, which were drawn by his late associate, Justice Curtis, embodied in a few words, the consensus of opinion of the bench and bar of the whole country, outside of those prejudiced and vindictive spirits to which we shall feel obliged to refer presently. The resolutions said:

"That the members of this bar render the tribute of their admiration and reverence for the pre-eminent abilities, profound learning, incorruptible integrity and signal private virtues exhibited in the long and illustrious judicial career of the late lamented Chief-Justice Taney."

At the great meeting of the bar of the Supreme Court, held on the 6th of December, 1864, when there were present many of the most distinguished lawyers of the country, and when splendid tributes were paid to the worth and work of the great Chief-Justice, by such men as James M. Carlisle, Thomas Ewing, Reverdy Johnson, Charles O'Conner and others, Mr. O'Conner, in the course of his remarks, said of the Chief-Justice:

"His transcendent merits have been portrayed with a force measured only by the utmost capacity of human speech. The eulogies pronounced, as well elsewhere as here at this time, would seem, as we read or listen, to have exhausted all power of expressing the emotion of grief for his departure from among us, and that of admiration for his high personal qualities." * * * And then he asks, "Who shall hesitate to recognize the moral

greatness of the Supreme Court under the presidency of John Marshall and his most fit and worthy successor, Roger B. Taney? It secured justice to the humblest individual who appealed to it for the protection or enforcement of his rights; but when occasion required, it also summoned to its bar the greatest States in our united galaxy, and with mild dignity, but resistless power, executed justice upon them."

The reports of the Supreme Court during the twenty-eight years Chief-Justice Taney presided over it, contain about three hundred of his opinions. Of these only seven are dissenting opinions, and three of these are admiralty cases, turning wholly on questions of fact. Indeed, there appears, during all these years, to have been but twenty-six cases in which the Chief-Justice differed from the judgment rendered by the Court, and in nearly all of these he had the concurrence, in his dissent, of two or three of the most eminent of his associates on the Court.

From the earliest period, the relations between the justices of the Supreme Court, with rare exceptions, have been of the most friendly and cordial character, and this was peculiarly true, during the administrations of Marshall and Taney. When Washington was small, and had but few conveniences, and the salaries of the judges were also small, the judges usually lived and dined together, and this custom afforded the best opportunities for consultation and social friendly intercourse. In the simplicity of those days, when the only indulgence was a bottle of Madeira, it is said, Chief-Justice Marshall would ask one of his associates to go to the window and see how the weather was, and if that judge reported that there was a cloudless sky, the old Chief would say, "Well, our jurisdiction is so extensive that I am confident it is raining in it somewhere today, and so I think, on a survey of the whole, we will take a bottle of Madeira."

As is well known, Judge Marshall was very fond of out-of-door manly sports, and would doubtless have rivalled our present Chief Magistrate at "Golf," had that game been in vogue in his day. His fondness for "quoits," and his membership in the "Buchanan Spring" quoit club, then near Richmond, and now nearly in the heart of that City, are among the most pleasant traditions of that great Judge. Chief Justice Taney was also fond of these sports, and in the one chapter of his autobiography he gives, with evident zest, an account of his boyhood days, spent for the most part, in fishing, hunting, riding and rowing. When he was appointed Chief-Justice, and had to go on the Circuit, in which Richmond was embraced, he was elected an honorary member of the "Buchanan Spring Club"; his letter accepting that honor, is a model of courtesy, dignity and appreciation, and in it he says:

"I will most gladly avail myself of the privileges conferred on me by the Club whenever it is in my power."

I remember seeing Chief-Justice Taney presiding on the Circuit in Richmond, just before the breaking out of the late war, and I can vividly

recall how I was impressed, as a boy, with the dignity and courtesy of his bearing as a judge, as well as the decorum and order which prevailed in his court room. The old Chief looked the personification of justice, as his court room had the appearance of being its temple. He commanded, too, the love and veneration of the bar, and of all with whom he came in contact.

THE DRED SCOTT DECISION.

The language quoted above from the resolutions of the Boston bar, was that of the great Judge who differed so widely from Chief Justice Taney in the famous Dred Scott decision; and yet we shall presently see that because of that decision, this great and good man and great judge, who had liberated his own slaves long before the war, was hounded and denounced by the Abolitionists of that day as few men in this country have ever been at any time in its history. Stump-speakers, newspapers and pamphlets vilified him; some even stigmatizing him as the "unjust judge." They did not hesitate to displace and distort the language used by the Chief-Justice in his opinion to give color to their vile strictures; and, indeed, hesitated at nothing in the way of libel, slander and defamation to try to accomplish their base purposes.

But what else could be expected of those who, as Judge Jerry Black said of them:

"They applauded John Brown to the echo for a series of the basest murders on record. They did not conceal their hostility to the Federal and State governments, nor deny their enmity to all laws which protected white men. The Constitution stood in their way, and they cursed it bitterly. The Bible was quoted against them, and they reviled God, the Almighty himself."

And these and their followers abused the great Chief-Justice to the end of his life, and, as we shall see later on, did not even stop then. We can only refer to one specimen of this abuse as contained in a booklet entitled, "The Unjust Judge," in which, referring to his confirmation by the Senate, the writer says:

"A long series of opinions too trite even to be quoted, and too dull to be read, which would not confer distinction on a judge of the most inferior judiciary in the land, and the Dred Scott decision, are an all-sufficient justification of the minority of the Senate which steadily refused to consent to the substitution, in so lofty and important a position, of suppleness for firmness, of obsequiousness for independence, of mediocrity in all things for greatness in all things."

Contrast this language with that used by Mr. Wirt, and we can then appreciate the extremes to which prejudice and passion carried some of the men of that day. Mr. Wirt referred to the mind of the Chief Justice as "the moonlight mind, the moonlight of the Arctics, with all the light of day without its glare"; and another great jurist said of his opinions:

"Taken with those of the other judges of that Court, they

form a body of law, constitutional and otherwise, and in every department of the profession, unsurpassed in the records of courts in the security which it gives to political, personal and municipal rights."

It is proper to say, too, that notwithstanding the calumny and abuse which were heaped upon the Chief Justice because of his decision in the Dred Scott case, as far as we have been able to discover, not one statement of fact or principle of law as set forth by him in that opinion has ever been successfully controverted. As is well known, many of the Northern States refused to abide by that decision, and these actually nullified the provision of the Constitution, and the laws passed in pursuance thereof in reference to the rendition of fugitive slaves, by the enactment by fourteen of these States of what they termed "personal liberty bills," thus making these States guilty of nullification, an offense against the Constitution with far less reason and justification than even the North can allege against the action of the South in seceding from the Union. This refusal of the people of these Northern States to abide by the decision of the Supreme Court in the Dred Scott case was sought to be justified on the ground that the Court in that case decided it had no jurisdiction of the case, and, therefore, said they, its decision was *obiter dicta*. But even if this was true, as it was not, on the merits of the case, the same thing was true in the case of Marbury against Madison, 1 Cranch, which laid the foundation for the great fame of Chief Justice Marshall, and the principles of which have been recognized as the law of the land from that day to this.

It is difficult for us at this time, to realize the extent to which some of the Abolitionists allowed their venom and spite against the Chief Justice for rendering that decision to carry them. Some idea can be gathered of it, from the fact that Wm. H. Seward, the talented but unscrupulous Senator from the great State of New York, then the leading aspirant of the Republican party for the presidency, on the floor of the United States Senate, charged that there was a conspiracy formed between Mr. Buchanan, the Democratic nominee for the presidency in 1856, and the Justices of the Supreme Court, by which the Dred Scott case was gotten up, in order that the decision reached in that case might be rendered, and because Buchanan referred in his inaugural address to the pendency of that case in the Supreme Court, and said he would abide by the decision whatever it might be; Seward charged that the Chief Justice, who was sitting by the President-elect, to administer the oath of office, at the time of his inauguration, had whispered in his ear what the decision, rendered two days thereafter, would be, and hence he charged the reference was made in the inaugural to that decision. The truth is, the Dred Scott case was begun in the courts of Missouri, long before Mr. Buchanan was even thought of for the presidency, and whilst he was absent from the country as Minister to England. *And no one knew better than Mr. Seward that there was not the slightest foundation in fact for*

this charge. Seward was one of those recklessly unscrupulous public men who never let such little things, as he considered the *truth*, stand in the path of his political preferment, and, therefore, did not hesitate to say or do anything which he thought would advance his personal or political interests or ambitions. His whole public career, as I read it, is strewn with acts of perfidity, duplicity and falsehood, of which his conduct towards the Confederate Commissioners in regard to the evacuation of Sumter (to which he says Mr. Lincoln was a party), is a conspicuous illustration. Chief Justice Taney was so indignant at Seward's conduct in regard to this matter, that he said, if Seward had been elected President, instead of Lincoln, and had called on him to administer the oath of office, as has been the custom since the foundation of the Government, he would have refused to administer that oath "to any such man." And no one can read the review of Mr. Seward's "Foreign Correspondence of 1862," by Charles Ingersol, a Northern man, in which he says:

"In a small way, Mr. Seward's tortuousness has no parallel, for he seems to think that it is rather a clever thing to mislead one of his own ministers abroad, as well as the Government to which he is accredited, by the positive assertion of a fact which was no fact, and then not only never to correct the misstatement, but to publish it to the world as one of the trophies of his statesmanship." * * * "It is no wonder that Mr. Adams was all the time begging to be told the truth as to what was going on at home." (*Legal and Political Pamphlets*, 1862-63, p. 13.)

We say, no one can read this review, showing this correspondence to be a mass of falsehood and misrepresentation, without being satisfied that our characterization of Seward is just. This review also shows, by quotations from Mr. Lincoln's messages to Congress, that the President was either frequently misled by misrepresentations, or that he was the pliant tool of his wily and wicked premier.

JOHN MERRIMAN'S CASE.

But Chief Justice Taney rendered another decision which brought on his devoted head almost as much criticism and abuse as that rendered in the Dred Scott case. I refer, of course, to his decision on the petition of John Merriman for a writ of *Habeas Corpus*, the difference in the main being, that in the former case the abuses, with rare exceptions, emanated from prejudiced and often ignorant fanatics; whilst in the latter case they were from lawyers, and some of them eminent in their profession, like Horace Binney and Judge Joel Parker—men who seemed willing to prostitute their learning and abilities to serve the "Powers that be" in obedience to the behests engendered by the passions and prejudices of the times. The facts in the Merriman case, as set forth in the petition, were these: Merriman was a resident of Baltimore county, Maryland. While peaceably in his own home with his family, he was, at two o'clock in the morning of the 25th of May, 1861, arrested by an armed force

professing to act under military orders. He was then compelled to rise from his bed, was taken in custody and carried to Fort McHenry, where he was imprisoned by the commanding officer without warrant from any lawful authority. The commander of the fort, General George Cadwalader, by whom he was detained in confinement, in his return to the writ, did not deny any of the facts alleged in the petition. He stated that the prisoner was arrested by order of General Keim of Pennsylvania and carried a prisoner to Fort McHenry by his order and placed in his (Cadwalader's) custody, to be there detained by him as a prisoner. A copy of the order or warrant under which the prisoner was arrested was demanded by his counsel and refused. It was not alleged in the return that any specific act constituting an offense against the laws of the United States had been charged against the prisoner, but he appeared to have been arrested upon general charges of treason and rebellion without proof, and without the names of the witnesses and without even specifying the acts which, in the judgment of the military officer, constituted any offense; and having the prisoner thus in custody, upon these vague and unsupported allegations, General Cadwalader refused to obey the writ of *Habeas Corpus* upon the ground that he was duly authorized by the President of the United States (Mr. Lincoln) to suspend it. The case then, as stated by the Chief Justice in his opinion, was simply this:

“A military officer residing in Pennsylvania issues an order to arrest a citizen of Maryland upon vague and indefinite charges, without any proof, so far as appears. Under this order, his house is entered in the night, he is seized as a prisoner, conveyed to Fort McHenry, and there kept in close confinement, and when a *Habeas Corpus* is served on the commanding officer requiring him to produce the prisoner before a Justice of the Supreme Court, in order that he may examine into the legality of the imprisonment, the answer of the officer is, that he is authorized by the President to suspend the writ of *Habeas Corpus* at his discretion, and, in the exercise of that discretion, suspends it in this case, and, on that ground, refuses obedience to the writ.”

This terse recital, as made by the Chief Justice is, of itself, enough to stir the blood of any freeman, especially if he be a lawyer imbued with the principles of *Magna Charta*.

It is almost impossible for us to understand, in these “piping times of peace,” not only that any Chief Magistrate of the country could have resorted to such an act of tyranny and oppression as is here set forth, but that nearly a whole section of this Republic, and some of the great lawyers of that section, were, apparently, so subservient to, and intimidated by, their then surroundings, that they submitted to, and some of them actually endorsed this and many other similar acts of usurpation and tyranny emanating from the same course. Mr. Horace Binney's attempted justification of this conduct of President Lincoln consists of a process of refinement of statement and special pleading unworthy of his

great name and fame as a lawyer, and, to any fair and unprejudiced mind, is, we think, absolutely inconclusive and unsatisfactory. He even repudiates the principles laid down by Marshall, Story and Taney, and says, they are not authority on this question when they state the opposite views to those presented by him in the most explicit terms. The argument of Judge Parker on the same side is, as we understand him, whilst straining his ingenuity and imagination to cite illustrations and incidents which never had, and probably never could occur, practically admits the soundness of the opinion of Chief Justice Taney; but claims, as we understand him, that the President had the right to do what he did in suspending the writ of *Habeas Corpus* in this case by virtue of some sort of "war power" not recognized by the Constitution or laws of the land, just as was claimed for Mr. Lincoln to warrant the issuance of the Emancipation Proclamation. A complete answer to all such contentions as these is found in the opinion of the Supreme Court in *Ex parte Milligan*, 4 Wallace, 120, where Mr. Justice Davis, in delivering the opinion of the Court, says:

"The Constitution of the United States is a law for rulers and people equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy and despotism."

And Chief Justice Chase said in the same case:

"Neither President, nor Congress, nor Courts, possess any power not given by the Constitution."

A distinguished Northern writer, in replying to the argument of Mr. Binney, said:

"It is precisely for such occasions that constitutions and laws are made. They are the garbs of freedom to be perpetually worn. They cannot be laid aside except by Revolution. They are worthless if they will not endure the strain for which they are made. The saving of the national life is a great and glorious object, but that saving must be done under and by virtue of the law. Outside or above the law, there can be no health. Milton puts the word necessity into an apt mouth when he says:

*'So spake the fiend, and with necessity
'The tyrant's plea excused his devilish deeds';*

And this plea is still the shibboleth of the descendants of the Prince of Darkness."

Another great Kentucky lawyer (John C. Bullitt), replying in a most satisfactory way to the argument of Mr. Binney, says:

"The Constitution knows no 'higher law' than its own plain precepts. That doctrine was born later down in the life of the

nation. It is an excrescence thrown out in the heat of sectional and fanatical strife. It is neither scriptural nor constitutional. It sweeps away all landmarks, human and divine, and would carry us back in chaos, moral, social and political."

In referring to this action of Mr. Lincoln in authorizing the suspension of the writ of *Habeas Corpus* in the Merriman case, Mr. Tyler says:

"There is not, in the history of nations, a more flagrant usurpation than this act by which President Lincoln suspended all the guarantees of personal liberty, and put the military power above the civil. From that moment, the Government of the United States was converted into an instrument by which the whole power of one section of the country was wielded by a sectional party against another section.

"And there is nothing more sublime in the acts of great magistrates, that give dignity to governments, than this attempt of Chief Justice Taney to uphold the supremacy of the Constitution and the civil authority in the midst of arms. His Court was open, and he sat upon the Bench to administer the law. The cannon of Fort McHenry, where Merriman was imprisoned, pointed upon the City of Baltimore. But the Chief Justice, with the weight of eighty-four years upon him, as he left the house of his son-in-law, Mr. Campbell, remarked, that it was likely he should be imprisoned in Fort McHenry before night, but he was going to Court *to do his duty.*"

When General Lee's Army went into Maryland, in September, 1862, the Commander of that Army published an address to the people of that State, in which he said, among other things:

"Under the pretense of supporting the Constitution, but in violation of its most sacred provisions, your citizens have been arrested and imprisoned upon no charge and contrary to all forms of law. The faithful and manly protest against this outrage made by the venerable and illustrious Marylander (Chief Justice Taney), to whom in better days no citizen appealed for right in vain, was treated with scorn and contempt; the government of your chief city has been usurped by armed strangers; your Legislature has been dissolved by the unlawful arrest of its members; the freedom of the press and of speech has been suppressed; words have been declared offences by an arbitrary decree of the Federal Executive, and citizens ordered to be tried by a military commission for what they may dare to speak."

In this extract, the Commander of the Army of Northern Virginia referred to the great Chief Justice, of whom he was a great friend and admirer, and I know that this opinion of this illustrious Confederate will carry its weight in every audience where virtue has a votary, and where true greatness is appreciated.

It was the fortune of Chief Justice Taney to occupy his high and conspicuous position during times of revolution and strife, when one section of his country was arrayed against the other, and when the blood of his brethren was red on a million hands. In such a crisis, no man in his position and with his record could hope to escape criticism and abuse. His constitutional opinions, in the most permanent form of literature, were a part of the jurisprudence of the country, and he could not, and would not, change them because the tempest was howling about him.

It was the conviction of his life that the Federal Government was one of limited powers, and that these limitations were fixed by the Constitution, made for its control both in war and in peace, and he could not surrender these convictions even though his life should pay the forfeit. With his expressed views as to the reserved rights of the States and of the people, there can be little doubt, had his own State been allowed to secede, like General Lee, he would have recognized his allegiance to it as his first and highest duty, and would have gone with it. He had said in *Bank of Augusta v. Earl*, 13 Peters, that the States were "Sovereign States," with the same rights of comity, &c., that existed between independent nations, and with all the reserved rights, privileges and powers, which they had not delegated to the Federal Government remaining in them. The right of allegiance to, and the services of her citizens, are among the highest and most precious of these rights; and it was never suggested that these were ever lost or delegated to the General Government. [*In Wheeler v. Smith*, 9th Howard, the Supreme Court said "the State as a Sovereign is *parens patriae*"]. Indeed, such a thing as citizenship of the United States, was never mentioned in the Constitution of the United States until the adoption of the Fourteenth Amendment, after the termination of the war. The Chief Justice doubtless, knew, too, that even Mr. Lincoln had said on the floor of Congress on the 12th of January, 1848, in contending that the war with Mexico was both unnecessary and unconstitutional, that:

"Any people anywhere, being inclined, and having the power, have the right to rise up and shake off the existing government and form a new one which suits them better. This is a most valuable, a most sacred right—a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can, may revolutionize and make their own of so much of the territory as they inhabit. More than this, a majority of any portion of such people may revolutionize, putting down a minority intermingled with or near about them who may oppose their movements."

And the Chief Justice knew that what Mr. Lincoln here says was, in effect, what the people of the South were then doing, in defence of their rights and of their homes from the usurpations and aggressions of the North.

The age and official position of the Chief Justice, of course, forbade

his taking any active part in the pending conflict, except when his judicial powers were invoked in attempts to liberate the oppressed from the usurpations of the oppressor. When ever this was done, even amid the sound of the trumpet and the clash of contending arms, his judgments were rendered in no uncertain tones. He stood, as it were, in the rush of the torrent, and since he was immovable, it swept over him. Nor did his death, which occurred on the 12th day of October, 1864, stop the mouths of his defamers; and so, when a motion was made in the Senate of the United States to appropriate the paltry sum of one thousand dollars to have his bust placed by those of his predecessors in the Supreme Court room which he had filled, and which still re-echoes his fame, this was refused, and a fresh outburst of wrath and abuse was enkindled against him. Senators Sumner and Wilson of Massachusetts, Hale of New Hampshire and Wade of Ohio, were most scurrilous and abusive of the Chief Justice in opposing the appropriation, comparing him to the cruel and corrupt Jeffreys, and all because of his decision in the Dred Scott case. A single citation from the speech of Mr. Sumner must suffice. He said:

“It is not enough that he held high place, that he enjoyed worldly honors, or was endowed with intellectual gifts.

‘Who wickedly is wise or madly brave

‘Is but the more a fool, the more a knave.’”

And even so great a man as the late Justice Miller said when he took his seat in the Court, his mind was in the thrall of a deep-rooted prejudice against Chief Taney on account of his decision in the Dred Scott case; but so completely did the Chief Justice live down this prejudice, that Justice Miller became one of his greatest admirers, both as a jurist and as a man.

The jewels of our Republic, like those of the Roman mother, are her children, and it is the radiance of their virtues and talents which constitutes the effulgence of their regalias. Fortunately the time has come in our history when the clouds of passion and prejudice have been swept away, and in their stead sober judgment, truth and righteousness have come to dwell; when men can recognize true greatness and right conduct wherever they are to be found. Although the mortal remains of the great Chief Justice rests in the quiet cemetery near Frederick, in the spot chosen by him beside the grave of his devoted mother, his Mother State has caused his statue to be erected in her Capital City as a protest both against the injustice and wrong once done to, and as a memorial of the name and fame of, her illustrious son.

“Ah, the world has its praise for the men who prevail,

“For the victors who triumph by wrong and by might;

“But the heart has its love for the vanquished who fail, yet battle
for right.

“And their names, they will shine when the conquerors pale

“Like stars in the night.”

