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## THE CONFEDERATE CONGRESS.

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The stress of battle and the clash of arms have absorbed the interest in the ill-starred Confederacy. Little is spoken or heard of those men who battled not less valiantly in the halls of its Congress. This Congress was born in the hour of strife, lived its life in the stormy days of war, and died in the darkness of defeat when victorious armies were marching "on to Richmond."

Little has been written, for little is known. Most of its labor was performed behind closed doors, for the stern demands of war permitted little publicity. Its record have not been printed, and few, if any, of its members have written memoirs. Yet there were many acts that were necessarily made public. In those chambers we can hear the sound of debate, and catch glimpses of men fighting to found and perpetuate the cause they loved. In this Congress were men bold, patriotic, experienced, and wise. Many of them had been leaders in the Federal Government, some came from the Federal Cabinet to cast their lots with the Confederacy, and others from Congress. The congressional history of the Southern Confederacy divides itself into three parts. The Provisional Congress, or convention that met in Montgomery, February 4, 1861, and closed its labors in Richmond one year later; the first Congress which met in Richmond, February 18, 1862, where it held many sessions till it expired two years later; and the second Congress which met in May, 1864, and adjourned *sine die* March, 1865, on the eve of the fall of Richmond.

## THE PROVISIONAL CONGRESS.

The Presidential election of 1860 was fraught with the greatest excitement. The old Democratic party went down in defeat, for it had divided itself into two wings—the Northern and the Southern. The new and untried Republican party had succeeded in electing Lincoln President. No sooner was the news of the Republican triumph made known than secession became a burning issue in some of the Southern States, for the new President had declared on the hustings that the country could not remain “one part slave and the other free.”

South Carolina was the first to act. On December 17, 1860, a convention met and passed the ordinance of secession, which repealed the ordinance of 1788 by which the State became a part of the Federal Union. Again South Carolina had become a State, separate and independent, as she was in 1788, before she had joined the Federal compact. A Governor and Cabinet were selected and commissioners appointed to the Government at Washington. Mississippi, Florida, Alabama, Georgia and Louisiana followed in quick succession. A call was made for these States to send representatives to a convention to meet at Montgomery, Alabama, on February 4, 1861. The purpose of the convention was to form a confederation of those States that had seceded from the Federal Government. These delegates met on February 4th, in the capital of Alabama, and so Montgomery became the “cradle of the Confederacy.” They met in a hall on whose walls hung the pictures of Washington, Clay, Marion, and Andrew Jackson. Amid surroundings like this the new-born Confederacy first saw the light of day.

There were present about fifty delegates, for Texas had joined the number on February 1st.

Howell Cobb, of Georgia, who had only two months before surrendered the portfolio of the United States Treasury, was elected permanent chairman, or president, and J. J. Hooper, of Alabama, secretary.

Mr. Cobb, in his address, declared that separation was now "perfect, complete, and perpetual," that we should accord to our late sister States, who are identified with us in interest, feelings, and institutions, a cordial welcome to unite with us in a common destiny, while with former Confederates we should maintain a most friendly and peaceful relation, both politically and commercially."

The rules of procedure were prepared by Alex. H. Stephens. Mr. Stephens had had much experience in deliberative bodies and knew that simplicity was the desirable feature of parliamentary procedure. Mr. Stephens was always very proud of the simplicity of his rules. Of course, they were drawn on the principle that each State is sovereign, and hence entitled to only one vote.

The first real work of the convention was the organization of a provisional government for the States assembled. There had been little change in the State governments, but some form of union among these seven States was desirable. A committee was appointed who reported on the 8th of February. Their work was discussed in secret, but it was finally adopted. The report was that the new provisional government should be modelled on the old with a few necessary amendments. "Confederacy" was to be substituted for "Union;" the legislative power of the provisional government was to reside in the convention then assembled, which was to

be called a congress, a single-chambered body; a provisional president was to be elected for the Confederacy, who was to hold his office for one year, unless superseded by the establishment of a permanent government; each State was to be a judicial district, the judge having all the powers vested in the district and circuit judges; the several district or State judges together constituting the Supreme Court; the African slave trade was to be prohibited; and Montgomery was to be the temporary capital.

The first work of this Provisional Congress was the election of a Provisional President and Vice-President. There were several names mentioned. In the canvas of members it was found that some were for Robert Toombs, of Georgia, a staunch and bitter secessionist, whose fiery speeches in the halls of the National Congress had made his name and character well known. Others were favorably inclined toward Howell Cobb, another favorite son of Georgia, who had taken a prominent part in the secession movement. Still others looked kindly upon Rhett, but in the election that followed Jefferson Davis, of Mississippi, who was not a member of the Congress, received the cordial and unanimous vote of all members. For years Mr. Davis had been one of the best known and most trusted men of the nation. As a soldier he had won an enviable reputation in the Mexican war under Taylor; in Congress he had the reputation of a scholar and statesman; in the management of the war department under President Pierce he had won merited distinction for his ability and sincerity. He had not been averse to secession as a means of righting wrongs that he thought were being heaped upon his section. He was a member of the



United States Senate when Mississippi seceded. He at once bade farewell to the Senate in a speech replete with gentlemanly dignity and bearing. He was at his home in Vicksburg when news came to him that he had been elected President of the new Confederacy. In no way had he sought the office. He started at once for Montgomery. His line of travel was one long ovation.

Alexander H. Stephens was elected Vice-President. He was the very opposite of Mr. Davis. Mr. Davis belonged to the old aristocratic South, proud of its heritage and jealous of its honor. Mr. Stephens was a self-made man. Davis was tall and every inch a soldier. Mr. Stephens was feeble in body though a giant in intellect. Davis was friendly to secession, while Stephens had fought against it to the last. In Georgia he had begged his people not to join the movement. But he felt that his first allegiance was to his State, so that when Georgia joined the secession movement he followed his State. His election was expected to please those who were slow to secede.

On February 18th the inaugural exercises took place on a large platform erected in front of the capitol. Mr. Davis, Mr. Stephens and other officials appeared at noon. Mr. Davis' inaugural was a defense of the new-born Confederacy. "Thus," said he, "the sovereign States here represented proceeded to form this Confederacy; and it is by the abuse of language that their act has been denominated revolution. They formed a new alliance, but in each State its government has remained."

Mr. Davis later announced his Cabinet, which was to consist of Robert Toombs, Ga., Secretary of State; L. P. Walker, Ala., of War; S. R. Mallory, Fla., of the Navy; J. H. Reagan, Texas, of Postoffice; C. G. Menninger,

South Carolina, of Treasury, and Judah P. Benjamin, Louisiana, Attorney-General.

These men were for the most part men of national reputation and extensive experience in governmental affairs. They represented their States; they were now, as they had been before, the chosen leaders. They were not leaders new and revolutionary. They had been and were trusted.

Various committees were appointed to report on departmental organization. One committee was to report on the adoption of a new national flag. The report of this committee provoked a warm discussion. Walter Brooke, of Alabama, declared that he was for making few changes, only enough to distinguish it from the old on the field of battle. He declared further that "the flag of 'Stars and Stripes' is the idol of the heart, around which cluster memories of the past which time can not efface nor cause to grow dim." But Miles, of South Carolina, spoke in quite a different vein. He replied that he had "regarded from his youth the 'Stars and Stripes' as emblems of tyranny and oppression."

It was finally decided that the new flag should consist of two broad horizontal bands of red, separated by a white band of the same width, with seven white stars in a circle. This flag was first unfurled over the Montgomery capitol on March 4th. Later this flag was changed. It was so like the Federal flag that mistakes were unavoidable.

On the 7th of March President Davis was authorized to organize an army of 100,000 men "to repel invasion, maintain the rightful possessions of the Confederacy, and to secure independence against threatened assault." Gustave T. Beauregard was made Brigadier-General of

the Provisional Army. He was a West Pointer and had already established a reputation for soldierly qualities.

On March 11th a permanent constitution was adopted by this convention-congress, but it was not to go into effect for one year. In the meantime it was to be submitted to the States for ratification or rejection. This permanent constitution was, like the provisional constitution, a transcript of the Federal Constitution, with a few wise amendments. These were a clear statement of the status of slavery in both States and Territories; the President was to hold his office for six years and was not eligible for re-election, heads of departments might have seats on the floor of the legislative bodies, and appropriations to be more restricted by the President. Yancey, Mann and Rust were appointed commissioners to Europe.

This convention, having organized and proposed a permanent constitution, now adjourned, after a session of six weeks, subject to the call of the President. These men had organized the new government. They were now to rest from their labor for a season. Both the Federal and Confederate Governments stood halting. Neither knew the wise step; in neither had sentiment crystalized. Virginia and North Carolina—both Southern States—were opposed to the secession movement. The border States were very doubtful.

But things were not to remain this way very long. On April 8th Mr. Lincoln informed Gov. Pickens, of South Carolina, that he would provision Maj. Anderson in Fort Sumter at all cost. Gen. Beauregard, who was in command of the troops at Charleston, wired for instructions from the Confederate Secretary of War. The government ordered him to compel the evacuation of

the fort at once. All this resulted in the firing on Fort Sumter on Friday morning, April 12th, which ushered in the civil war.

As soon as Mr. Davis learned Mr. Lincoln would provision Fort Sumter, he issued a call for a meeting of the Provisional Congress at Montgomery on April 29th. But before the Congress re-assembled, the war had begun. Virginia and North Carolina had both refused the call of troops made upon them by President Lincoln. Virginia was quick then to secede, and at the second session asked to join the Confederacy. Missouri also was admitted. North Carolina had not yet seceded, but Thos. L. Clingman was present and announced that his State would co-operate with the Confederacy. President Davis, in his call for this meeting, said that it was for the purpose of "meeting the hostile declarations of President Lincoln, sent to the government of South Carolina." In his address Mr. Davis reviewed the history of the country, his sending "three peace commissioners to Washington who were deceived by the crooked paths of diplomacy" of Mr. Seward, of the affair at Fort Sumter, and recommended increased activity in every department.

The Congress adopted resolutions declaring that a state of war existed between the Confederacy and the United States, for the months of April and May saw many troops pouring into the City of Washington. This session was very short, not lasting longer than three weeks—April 29th—May 22d. Little was done, for it was thought that the government had ordnance and ammunition enough for 150,000 men. An enlistment act was passed without any time limit; \$50,000,000 in bonds, payable in 20 years, at not more than 8 per cent, as

the treasurer preferred, \$20,000,000 in treasury notes of not less than \$5 denominations were ordered to be issued.

Congress now determined to change its place of meeting. It was ordered that the President and all the departments be removed to Richmond, and that the next meeting of the Congress be held there. Virginia had joined the Confederacy, and it was thought that this move would give the new government all the weight of Virginian influence. Early in the struggle it was seen that the Potomac would be the battle arena. On May 22nd Congress adjourned to meet at Richmond July 20th.

But this recess of four months were not idle days. Each government felt that a critical stage would be reached soon. There was fighting in the border States and along the Potomac. The government of the Confederacy moved to Richmond, and a line of batteries were placed along the Southern side of the Potomac. Little Bethel was fought, Virginia was invaded. Troops were rushed from the more Southern States to guard the soil of Virginia and the government at Richmond. On July 21st, the day after the meeting of the Congress in Richmond, the first great fight and Confederate victory took place at Manassas.

The Congress that now met in the third session was full of joy and buoyancy. Hope sprang high in their breast, but Mr. Davis knew that though a battle had been won, no victory had yet been achieved. He urged that the Congress devote itself to ways and means for further conduct of the war. He realized that the sting of defeat would only madden the North and make them more to be feared than ever. Congress authorized Mr. Davis to accept the services of 400,000 volunteers for at least one and not more than three years; to take con-

trol of telegraph lines, to expel aliens, to sequester the property of alien enemies as a retaliatory measure for Federal confiscations. More bonds were issued—the amount not to be more than \$100,000,000, and treasury notes payable after treaty of peace. Then followed the war tax of fifty cents on the hundred dollars. Such legislation was the beginning of that financial system that laid its hand upon all property and caused such grievous losses.

Mr. Davis was very anxious that the Confederacy should receive the recognition of European governments, and still other commissioners were appointed to follow Yancey, Mann, and Rush to Europe. These appointees were Mason and Slidell, both of whom had been U. S. Senators. To place the new government in a favorable light before Europe, Congress adopted the principles of maritime law agreed upon at the Paris Convention of 1856, except the right of privateering.

Congress then adjourned to meet on November 18th. At the appointed hour this Congress met in what was to be its last session. To all now it was evident that the battle at Manassas settled nothing. During the year North and South Carolina had been invaded on the sea-coast, and Louisiana was soon to be threatened. The ports were guarded by Federal war vessels, and McClellan had been ordered to train a great army for the conquest of Richmond. The mighty North was awakening to the task, but the South was confident that all invaders could be expelled.

Sixty-six million dollars was voted to the army while only \$4,000,000 for the navy. The South did not realize that her greatest foe was not the land forces of the Federal government, but those fearless watch-dogs of

the navy that guarded the entrance to her ports. To supply these funds, in addition to the Treasury notes and Government bonds that had been issued, the government proposed that planters should subscribe for bonds and pay for them when the cotton crop was sold. The banks in the Confederacy tried hard to float all these loans, the bankers met at Atlanta in June and agreed to receive these notes in payment of all dues. They adjourned and met in Richmond, where they declared that it was the duty of banks and capitalists to aid the government with all their resources. They urged that the war should be conducted vigorously.

This session continued till February 7, 1862, when the provisional government expired and the permanent government in a few days took its place. This ends the first year of the civil history of the new-born Confederacy. During this time the Southern tier of border States had joined the Confederacy, the new constitution had been adopted by the States, election had been held and Senator and Congressman were now wending their way to Richmond to take their seats in the First Congress of the Confederacy. With regret Mr. Davis saw this body break up. He had become very much attached to them. They had been the leaders, the fathers of the new Confederacy, and appreciated the task of making a new government. Of this body Mr. Alexander H. Stephens said that it was the ablest body with which he ever served, and singularly free from revolutionary spirit.

#### THE FIRST CONGRESS.

Thirteen States had elected Senators and Representatives to this First Congress under the permanent Government. All the slave-holding states were represented

except Delaware and Maryland. Wm. L. Yancey, the leader of the "fire-eaters," had returned from his fruitless mission in Europe, and now took a seat as Senator from Alabama. This bold, fiery orator could not stir the heart of Europe as he had stirred the South. R. M. T. Hunter, who had succeeded Robt. Toombs in the Department of State, now gave us this portfolio and became Senator from Virginia.

On February 18 this government began its existence. On that day at noon the vice-president elect Stephens called the Senate to order. R. M. T. Hunter was made president *pro tem*. At the same hour Howell Cobb called the new House of Representatives to order, and T. S. B<sup>7</sup>acock, of Virginia, was elected speaker. He made an address of some length in which he said: "Our new constitution is put into operation in time of war, and its first movements are disturbed by the shock of battle. Our new system is designed to avoid the errors of the old. Certainly it is founded in a different system of political philosophy. In the whole book of expediency there is no place for falsehood or perjury."

On the next day the Senate came to the House of Representatives, and the electoral vote for the presidency was counted. It was found that Davis and Stephens had been unanimously re-elected, each having 109 votes.

On the 22d of February, the anniversary of Washington's birth, the inauguration took place. In the capitol square at Richmond stands a most magnificent equestrian statue of Washington. It was under the shadow of this monument, during a snow-storm, that President Davis took the oath of office and delivered his inaugural. Mr. Davis alluded to this monument in the opening paragraph of his inaugural. "On the birth day of the



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man most identified with the establishment of American Independence, and beneath a monument erected to commemorate his heroic virtues and those of his compatriots, we have assembled to usher into existence the permanent government of the Confederate States." The inaugural address of Mr. Davis spoke of the cause that led to secession, the triumph of a "sectional party," Mr. Lincoln's daily sacrifice of personal liberty, the growth of the Confederacy in one year from six to thirteen States, the great debt of the North under which they would sink, the rising patriotism of the South, the consequences of a blockade and self-support, and faith in the final outcome, though the cost would be enormous in blood and means.

This new Congress then began its work. It was indeed a new body; not many of the old convention body had been returned. Out of about fifty who met in the Montgomery Congress one year before, not more than fifteen were returned. Many had joined the army, Toombs, Walker, and even Davis himself had preferred strenuous military life to the dull routine of civil administration.

The first heated discussion arose on the conduct of war. The "defensive policy" had been adopted, no effort had been made to invade the territory of the enemy, and no pursuit was made after the Federal flight at Manassas. At present there was no plan for attacking the enemy. Mr. Foote, of Tennessee, introduced a resolution condemning this policy and urging that the aggressive policy be substituted for it. Mr. Foote declared that "after Bull Run the Confederate troops should have marched into 'heroic Maryland,' the war might now be over, for then the enemy had only 75,000 men and

they were out mostly on a 4th of July holiday." But the policy of the administration had been to allow the generals in the field to use their discretion concerning the campaigns. The Congress refused to interfere and the resolution was tabled.

The early hopes of the South fondly cherished the delusive idea that "Cotton was King." Mr. Cobb, of Georgia, in the first session of the Provisional Congress at Montgomery, opposed an export duty on cotton declaring that that power (cotton) would exert an influence mightier than armies and navies. Now, one year later, the delusion had been removed, and Congress urged planters not to cultivate cotton and tobacco, but corn, cattle, hogs, and provisions. But such a motion met with strong opposition. Many declared that it was bad in policy, but most of them had learned that King Cotton was a delusion and a snare. Said Semmes, of Louisiana, "I have abandoned the idea that Cotton is King. We have tested the power of King Cotton and found him to be wanting. We must now abandon all dependence on foreign intervention. The English will never interfere, because it is not for their interest. Rather than make war against the United States, the English government would maintain her hordes of storing operatives."

Congress refused to pass the measure, but nevertheless King Cotton was not destined to be the key to unlock the treasures of Europe or provoke the active sympathy of the outside world. Commissioners had been sent to the various States of Europe, especially those with whom the South traded and who drew raw material from the South. So firmly had a portion of the Congress become convinced that foreign aid was hopeless, that a motion

was made requesting President Davis to recall the commissioners sent to Great Britain, but the motion was lost. ✓

But the most important work that lay before this body ✓ was to prepare an army to resist the threatened invasion from Washington. They knew that the army of McClellan had been training all the winter and would not be raw volunteers such as the Confederate armies had met at Manassas. Then, too, the joy of the first victory had been sullied by the loss of Roanoke Island, for which loss Congress blamed Major-General Huger and Secretary of War Benjamin. But the saddest of all was the loss of the battle of Shiloh. Grant had begun to win victories in the West. The infallible Beauregard had been defeated. The great question now was to prepare to meet McClellan in whatever way he might come. Many of those who had fought in the battle of Manassas had gone home, foolishly thinking that their independence had been achieved.

To fill up these decimated ranks and to secure more ✓ troops was the chief work of the Congress. At first, enlistments were for one year only. These enlistments expired just as McClellan was getting his well-drilled troops in shape for his famous Peninsular Campaign. To meet this exigency President Davis recommended to Congress the passage of a "Conscript Law," which recommendation was enacted into a law April 16th. This Conscript Law annulled all previous contracts made by volunteers, and by explicit terms made all men under the age of thirty-five and over fifteen, or until they attained the age of thirty-five, soldiers for the war.

It drew every male citizen within the prescribed lim- ✓ it from the control of the State and placed them under the president for the war. Finally none were allowed

to withdraw from the army, regardless of the conditions of enlistment, not even physicians were always exempted. Mr. Davis justified this injustice to the volunteers on the ground that it was to ward off pressing danger.

The method of administering the law was to send a Confederate officer into each State to take charge of the enlistments. The Governors of the States were asked to assist, but if they refused, then officers of the Confederacy were to take it in charge. Of course, there were many exemptions, but the effect of the new law was felt in June by the rapid increase of the Confederate armies, so great an increase that President Lincoln issued in July an extra call for 300,000 more men for the war and 300,000 for ninety days. But the enforcement of the conscription law begat the usual opposition.

It was urged by some States that it was unconstitutional, an interference with the right of the State. Governor Brown, of Georgia, protested against the enlistment of the militia officers. North Carolina was very much chagrined that every able-bodied man should become a "hireling soldier." Mr. Davis justified the extreme measure by the constitutional war power of the president. State sovereignty was an inconvenient encumbrance for war purposes. This was the first step toward a military government with power consolidated in the Confederate government. But such acts are the necessities of war on a huge scale.

Congress had now striven hard to prepare the Confederacy to meet the great army of McClellan. They now adjourned for the summer to await the results. Before they meet again in August the first great struggle around Richmond will have occurred, and Fair Oaks, Seven Pines, Savage's Station, and Malvern Hill will



have become household words and many thousands of soldiers lie dead on these fields of carnage.

On August 18th the adjourned session of Congress met and the president's message was read. This message spoke of the vast armies that had threatened the Capital of the Confederacy and their defeat, the forgery of the money obligations of the Confederacy by citizens of the United States, of Benjamin F. Butler's conduct, of the harmonious action of the States, of a need for increase of the army and the exchange of prisoners.

Soon after the meeting of the Congress, Lee won the second battle at Manassas and started on his first invasion of the North. Again Congress began to discuss the wisdom of the movement, but deemed it best to leave such matters to the generals in the field. The aggressive policy was indorsed by Congress, the press, and public sentiment.

But Lee's venture into Maryland was futile. He soon returned to Richmond. Many questions of importance came up in Congress, but they were not matters concerning the conduct of armies. They were how to support the armies and supply the vacancies. The conscription was extended from thirty-five to forty-five years, and a tax measure was proposed collecting one-fifth of all the provisions produced in the South. This was to be in the nature of a forced loan.

Propositions of a peace nature were heard for the first time. It was proposed that the Northwest should be guaranteed the free use of the Mississippi River if that section would cease hostilities. A motion was tabled to appoint commissioners to Washington to arrange for a peace.

But it was Mr. Lincoln's threatened emancipation

proclamation that excited the ire of the Congress and the people. Vice-President Stephens said that this threat uncovered the motive for the war, and now he urged the people to die for their rights. Representative Semmes, of Louisiana, said that if any attempt were made to execute the proclamation, he favored hoisting the "black flag" against the invaders of Confederate soil. Phelan, of Mississippi, declared that he had always favored the "black flag" as the quickest means of ending the war. Hill, of Georgia, however, thought that Congress took too much notice of the proclamation, that it was a mere *brutem fulmen* to serve a temporary purpose in the North, and was so intended by Mr. Lincoln. To meet any danger that might arise, the Judiciary Committee reported a bill punishing with death any one commanding negroes or inciting them to insurrection. Finally the discussion was ended by a resolution declaring that Congress would sustain the president in any retaliatory measures he might adopt.

The Confederate money was being counterfeited by the Federals. To check this it was made a felony, punishable with death. There was a long discussion on the sequestration of property which involved the whole question of allegiance, both toward the State and the Confederacy. The theories of peace and the necessities of war ever clashed on this point. Mr. Hill, of Georgia, in a speech, said: "No man found cause for dissolution in anything the Federal government did, for all declared they wanted to preserve the Union, till Lincoln was elected; not against the Supreme Court—that tribunal was faithful till the last; not against the Federal Congress, for there you had a majority; not against Mr. Buchanan, par excellence the man chosen by the South.

The Northern States nullified the laws of Congress. State judges took it upon themselves to set aside the acts of Congress. These were the enormities that drove the South to her condition of determined secession."

The year '62 closed with greater unanimity in the South, and a stronger determination to uphold the Confederacy. The States ceased to insist upon constitutional rights in the face of grave dangers. The secret sessions of the Congress were not approved. The people wanted to know what was being done and talked about by their representatives. So strong did this feeling become that Wm. L. Yancey proposed that no more sessions be held in secret, but his motion failed.

The year '63 was the critical year of the war. In that year the tide of war reached its highest point. Already the Confederate Army had reached its greatest number. Chancellorsville was won, but Gettysburg and Vicksburg were lost. The effective blockade of Southern ports began to gnaw into the vitals of the Confederacy. Suffering at home and in the army became intense. The whole country came practically under military control. The Confederacy was making a desperate effort through Congress to fill up and feed the ranks of its hungry army. The conscription act was extended to fifty years and no substitutes were allowed. In the year 1863 little was left for Congress to do. The South was one vast military camp, all was being sacrificed to the god of war. Impressment commissioners were appointed for each State to determine what the government should pay for food supplies. The paper currency had become so abundant that prices were demoralized. The agent of the government was authorized to seize all except enough to maintain the family. The administration of

this law was necessarily hard and shook the confidence of the people. Transportation facilities were so poor that the tithe often rotted before the tithe-gatherer came to take it away. Railroads gave out. Ten miles an hour was fast time. No repairs had been made, for the employees had been conscripted. The irons were worn out, and there were no new rails to replace them.

Mr. Davis had urged the necessity of food supply, but the fisheries on the coast had been closed and the wheat crop in 1862 in many places had been a failure. Bread riots occurred in Raleigh, Salisbury, Richmond, and Mobile. But how could it be otherwise when prosperous sections had been devastated by the enemy, when the farmers had been conscripted, and the paper money was no longer medium of exchange? It was a time like this that elections were coming on for a new Congress. What a change from the election day of 1861! Of the men who voted in 1861 many were dead on the battle fields, others were prisoners, and the rest doing military duty of some kind. The elections were held and the new Congress met in Richmond, May, 1864.

#### THE SECOND CONGRESS.

The newly-elected Congress met in its first session on May 2d, at Richmond. Of the old members fifty-seven were returned, while forty were new members. Thus some States made radical changes. Out of a delegation of twelve, North Carolina returned only four. The year 1864 was to witness a more desperate struggle than 1863. The disasters and misfortunes of 1863 had begotten a Peace Party in the South. In each State there was a party that longed for peace. The suffering had become so fearful that stout hearts were failing. In some States

there was such a strong feeling for peace that it was asked for "at any price." Some were for "peace made between their States and the United States without consulting the Confederate government. In North Carolina the campaign issue was "peace at any price," or "peace through the Confederacy." W. W. Holden and his following were for peace at any price, but Vance said that "peace could come about only through Confederate channels; that North Carolina was in duty bound to her sister States." No sooner was the new Congress assembled than this matter began to be discussed. Two days after the session opened one member announced that he was in favor of appointing commissioners to be ready to treat with the United States when they stood ready. Another declared that the suspension of the writ of *habeas corpus* had begotten so much fear and disloyalty in his State that he was for peace on the basis of the independence of the South if it should be obtained, but for peace on the best terms possible short of subjugation. The same member introduced resolutions on May 23d favoring the appointment of peace commissioners and an armistice of ninety days to consider such terms of peace as will be consistent with honor, dignity, and the independence of the States, and compatible with the safety of our social and political rights. Through May and June this discussion continued, and it is said often became "somewhat stormy and personal." Finally the matter was tabled, and not taken up again till the next session.

In the meantime Grant began his fearful hammering in the wilderness. Each stroke of his gigantic hammer made a gap in the Confederate ranks that no conscript law could fill up. When Congress re-assembled in No-

vember peace was again discussed, and a motion made to appoint thirteen peace commissioners, one from each State, to see what might be done. Some States like North Carolina and Georgia thought that something might be done in this way. There was also in some quarters a growing discontent with the Davis administration. It was charged on the floor of Congress that Mr. Davis had his favorites, and that they were among those who were rankest for secession—the old line Democrats. Josiah Turner, of North Carolina, said that so intense was this feeling in his State “that at the last election only one Democrat was returned, and that he was elected by the small majority of sixteen.” But the peace party could not succeed in making much headway at this time, for in the midst of the discussion the following resolutions were proposed by Mr. Henry, of Tennessee: “We will defend our altars and firesides till the last votary of freedom falls around them.”

As the army of Sherman came into North Georgia and took possession of the rich granaries, a growing discontent with the Confederate government became manifest. No person manifested this feeling more than Governor Brown. In his message to the Legislature in March, 1864, he declared that “the action of Congress in funding certain notes resembled repudiation and bad faith; that the secret sessions were a blighting course convenient for discussing what will not bear the light; that the new conscript law was unconstitutional, as was also the suspension of the writ of *habeas corpus*.” The Legislature, however, voted their confidence in the president and the Confederate government. Governor Brown proposed to General Sherman, and later in November stated in a message to the Legislature, that the war should stop

and each State determine for itself what its future relations should be—"whether she will remain in, or, if out, return to the old Union, or adhere to her present league." Many newspapers in Georgia and Alabama openly advocated this plan. In Congress such a plan met little sympathy.

So depleted was Lee's army by the constant hammering of Grant, that the arming of the slaves was now seriously considered. This matter had been under consideration for some time. The slaves had been used in various capacities since the beginning of the war. They had labored on fortifications as cooks, pioneers, nurses, and teamsters. In 1861 and 1862 Tennessee and Virginia had discussed the enlistment of free negroes. Slaves were needed to work on fortifications, but many masters refused to hire them. Governor Brown, of Georgia, threatened to draft them. In February, 1864, Congress made all male negroes between eighteen and fifty liable to such military duty as the secretary of war might prescribe. He was also authorized to employ twenty thousand slaves, and to guarantee their owners against death or escape.

The governors of several States had held an informal convention at Augusta and had recommended the extensive use of the negro in the army. These measures of the early part of the year are distinct from the proposition made at the November session of Congress that looked to the arming of the slave and putting him into the ranks of the Confederate Army. In November Mr. Davis informed Congress that the February act that looked to the use of 20,000 slaves "had produced less results than was anticipated." Mr. Davis now in November, 1864, proposed that the Confederate govern-

ment should acquire the entire property in slaves to the number of 40,000, train them in camp and engineering work, and promise emancipation for faithful service. Beyond this Mr. Davis did not think that it was wise to go at this time. He declared that he dissented from the opinion of those who favored a general levy and arming, but he declared further "that if the alternative ever be presented of subjugation or the employment of the slave as a soldier, there seems no reason to doubt what should then be our decision." A bill was introduced embodying the president's suggestions and even more, but public sentiment was not yet ready for the passage of such a bill. The bill passed the House, but was defeated in the Senate by one vote. In the Senate it was opposed by Chambers, of Mississippi, and Hunter, of Virginia. They argued that "there was no necessity for it; that the recent Wilderness campaigns were the most brilliant victories of the war; that the army was not approaching exhaustion; that the negro was a poor soldier; that he would desert to the enemy; and finally, that if he were fit to be a soldier, he was fit to be a freeman; that his emancipation, which, of course must follow, was a surrender of all for which the war had been fought; that he would not volunteer, for they feared the Yankees now that they had begun to conscript them."

These arguments were paradoxical. True it was that Lee's campaigns in the Wilderness were victories, but they were Pyrrhic victories. Weaker and weaker grew the resistance that kept Grant from Richmond. True, there was food in the South. But what booted it if it could not be delivered to the starving soldiers in Virginia?

Upon the failure of the Hampton Roads Peace Con-



ference, a great meeting was held in the African church at Richmond. Secretary of War Benjamin addressed the meeting and closed by demanding that the slaves should be freed and put into the army to fight for their country. On the next day a bill was introduced in the House to give effect to the suggestion of Mr. Benjamin.

Public sentiment was in advance of Congress, for the Virginia Legislature had already requested her Senators to vote for the measure. These Senators changed their votes and the bill for arming slaves was passed. The main provision was that not more than 25 per cent. of the negro male population between the ages of 18 and 50 were to be employed; that the General-in-chief was to organize them and the President to appoint officers for them, but no mention was made of emancipation.

General Lee and President Davis had both favored this measure, but Congress delayed too long to be able to reap any benefit from it. February was too late. Grant's army would soon be in motion drawing closer and closer around Richmond. The measure was the last desperate effort to stem the torrent that was about to overwhelm the thinned ranks of Lee's army. Before the slaves could be armed the Confederacy had ended. After the conference at Hampton Roads, at which Messrs. Lincoln and Seward conferred with Messrs. Stephens, Hunter and Campbell, there were many in the Congress who felt that then and there peace should have been made upon the best terms possible. The Federal government, through Mr. Lincoln, positively refused to recognize the independence of the Confederacy, but the world knew that its doom was already sealed. All see it now. The wonder is that the Confederacy survived

so long. Its courage was the courage of despair, and its strength the strength of a military despotism.

Congress was in session during these last days of the Confederacy, but Mr. Davis dominated; its voice was seldom heard, and then only in weak tones. Till the last, however, it preserved the appearance of a deliberative body, but Grant's army was too near for important action. In fact, Congress, like the army, was nearing exhaustion. But both had determined to end the struggle with a courage worthy of their sacrifices. Within one month of the disappearance of the Confederacy, Congress united in one last desperate appeal to the people. This appeal is full of vigor and determination and pictures in lurid colors how the Confederate States would be held as "conquered provinces" by the despotic government at Washington, the negro slave elevated above his master, and the property distributed among the African bondsmen."

On March 13th, President Davis sent his last message to the Congress, urging them to make more useful the system of impressment, and saying that the delay of the bill enlisting negroes would diminish their efficiency. They had tried to do his orders, or rather professed that they had done the best they could. On March 18th, Congress adjourned never to meet again. Many of them knew that the end was at hand. In a few days the lines around Richmond were broken, and soon the end came at Appomattox. The last days of Congress had not been full of harmony. The "peace party" was not favorably regarded. They were reconstructionists who would sacrifice the Confederacy, but their constituents had become convinced that the Confederacy was striving only to protect Richmond; that the rest had been sacrificed.

When the records of this Congress shall have been published, then it may be possible to pass wiser judgment upon men and measures. Its days were days of storm and tempest. The standards of peace may not measure its worth.







