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LIFE OF
Col. J. F. H. Claiborne

By
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BY FRANKLIN L. RILEY.¹

Col. William Claiborne, an ancestor of the subject of this sketch, came from the manor of Claiborne, or Cleborne, Westmoreland, England. He settled in Virginia in the reign of Charles I., and was prominently connected with the history of the colony under that sovereign, as well as under Cromwell and Charles II. His spirited struggle for Kent Island won for him the title of "The evil genius of Maryland."

William Claiborne, of Richmond, Va., the grandfather of Col. J. F. H. Claiborne, was married to Miss Mary Leigh, an aunt of Hon. Benjamin Watkins Leigh, United States Senator from Virginia. Four sons were born of this union,—Gen. Ferdinand Leigh Claiborne,² father of Col. J. F. H. Claiborne; Gov. William Charles Cole Claiborne;³ Dr. Thomas A. Claiborne; and the Hon. N. H. Claiborne, who was for twenty years a member of Congress from Virginia.⁴

Gen. F. L. Claiborne was connected with the army of the United States during the greater part of his life, and died in 1815 from a wound received in the service. His wife was a daughter of Col. Anthony Hutchins, a British officer, who in 1771 obtained from the Crown a large tract of land near Natchez, Miss., in what was then West Florida.

The eldest son by this marriage was born near Natchez, April 24, 1807. He was named after a German officer, Baron John

¹ A biographical sketch of the author of this paper will be found in Godspeed's *Biographical and Historical Memoirs of Mississippi*, and in *Who's Who in America* for 1901-1902 and 1902-3.—EDITOR.

² A sketch of Gen. Claiborne's life will be found in Claiborne's (J. F. H.) *Mississippi as a Province, Territory and State*, p. 333, *et seq.*

³ A sketch of Gov. Claiborne will be found in *Ibid.*, p. 250, *et seq.* An account of his career as Governor of Mississippi will be found in *Ibid.*, ch. XXII., and of his connection with Louisiana history in *Publications of the Mississippi Historical Society*, Vol. III., pp. 247-259.

⁴ Campbell's *History of Virginia* contains numerous references to the Claiborne family.

Francis Hamtramck,⁵ who had served as colonel of the First regiment of United States infantry, Wayne's legion, in which the father had been captain and adjutant. A few years after the death of Gen. Claiborne his eldest son was sent to relatives in Virginia to be educated. Four years later he began the study of law in the office of his cousin, Hon. Benjamin Watkins Leigh, of Richmond. Having suffered shortly afterwards from a slight hemorrhage, he decided to return to the warmer climate of his childhood home. He resumed his studies in the office of Griffith & Quitman, of Natchez, but becoming alarmed at the condition of his health, he again gave up his work and went to Cuba, for the double purpose of regaining his physical vigor and of studying the Spanish language. His health rapidly improved, and six months later he was back in Virginia studying law in the school of Gen. Alexander Smythe, at Wytheville. In less than a year thereafter he completed his course and was admitted to the bar.

On account of his delicate constitution he abandoned his intention of settling in Liberty, Bedford county, Va., and returned to Natchez. When he reached that place he found the country greatly excited over the second presidential contest between Adams and Jackson. The young lawyer, being an ardent Democrat, was drawn into the contest in behalf of Gen. Jackson. In compliance with a request of the Democratic executive committee he took temporary control of a paper which was then published in Natchez by the venerable Andrew Marschalk. Mr. Claiborne's valuable services as a writer and speaker soon attracted widespread attention, and having once entered upon a political career he found it difficult to extricate himself therefrom. Yielding to the solicitations of his friends, he became a Democratic candidate for the Legislature from Adams county before he had reached his 21st year. He was elected for three successive terms, "each time by an increasing majority." In 1833 his friends insisted upon his becoming a candidate for Speaker of the lower House of the Legislature, but he declined an election, which it is thought would have been well nigh unanimous, and used his influence in behalf of his relative, Col. Joseph Dunbar, of Jefferson county, who was elected without a dissenting vote. In December, 1830, Mr. Clai-

⁵ A brief sketch of Baron Hamtramck will be found in Lossing's *Pictorial Field Book of the Revolution*, p. 53.

borne delivered a speech which was probably the most eloquent and pretentious effort made by him during his services as a member of the Legislature. It was in defense of a bill for the relief of Jefferson College, and was devoted for the most part to a discussion of "the *expediency* of adopting a system of *domestic education*, and its *absolute necessity* in a free government." Although this speech was rather ornate, it showed a depth of knowledge and a brilliancy of imagination seldom excelled by a young man of twenty-three years. The following extract therefrom will show the style of Mr. Claiborne's early oratorical efforts as well as the spirit of the speaker:

"Where then, Sir, let me again inquire, where are you to educate your sons? Will you send them to the cities and colleges of the eastern States * * * * Will you drag them from their native soil, to grow up sickly exotics in a northern hot-house? Send them to the North and you change their habits; you tear away all those strong associations of childhood, those feelings and affections, that vegetate only under the parental roof. You give a new tendency to character, perhaps a worse destiny to your child * * * * Sir, I do not wish to alarm parental sensibilities; but in nine cases out of ten the dissipated circle of students at the eastern colleges, the 'Knights of the Round Table' and the gentlemen of the 'fancy' are made up of the sons of southern planters, who have been compelled, by the parsimonious policy of their own State to send them abroad, and from a mistaken affection, furnish them with an allowance of five hundred to a thousand dollars *per annum*. Sobriety and industry are not to be expected in a youth of eighteen, suddenly removed from the solitude of a country residence and from the elbow chair of a father or mother to the company of a hundred volatile young men, who teach him that tutors are tyrants and disobedience a virtue. Prompted by that innate dread of control, which prevails in every breast, the temptation becomes too strong and he soon musters under the standard of rebellion. There is too, Mr. Speaker, in all colleges, a species of vampire, that attach themselves to the southern youth—not like the fabulous monster, feeding on human blood, but equally voracious in opening the veins and arteries of the *purse*. It comes in the garb of friendship—studies the disposition of its subject and whether his propensities lead him to the gambling table or to more serious meditations of the closet, still does this vampire cling to its deluded victim, until it gorges the last cent, either by some well turned trick at cards or under the more fascinating name of *benevolence!* Thus, sir, is it with the southern youth: 'Turned adrift from the quiet haven into the tempestuous seas, richly freighted, but with no steersman at the helm, is it strange that they should founder along the breakers?'"¹⁰

In December, 1828, Mr. Claiborne was married to Miss Martha Dunbar, of Dunbarton, near Natchez. They had three children,—

¹⁰ A copy of this pamphlet will be found in the Claiborne Historical Collection.

Annie, now Mrs. Clarence Pell, of New York; Willis Herbert,⁷ who died from the effects of wounds received in the War between the States, and Martha, now Mrs. Henry Garrett, of Natchez.

About 1833 Mr. Claiborne purchased and removed to what is known as the "Standley Prairie," near the present line of Holmes and Carroll counties. A year or two later he settled in Madison county. Almost immediately thereafter (1835) he was nominated by acclamation as a candidate for Congress by the first Democratic convention that was ever held in the State, of which convention he was not a member. In the canvass which followed, Mr. Claiborne spoke in every county of the State and in every precinct in some of the counties. He was elected by a large majority, but his colleague on the Democratic ticket, Col. B. W. Edwards, was defeated by Gen. David Dickson, an independent candidate.

Mr. Claiborne was not only the youngest member of the lower House of Congress when he entered that body, but "the only member from the west of the mountain" at that time who was a native born citizen of that region. He prudently "held himself in the background" during the greater part of his first year in Congress, making his first speech late in the session. Although he was in ill health during this entire session, he was a daily attendant on the House, and discharged his duties with commendable promptness and thoroughness.

It was through his exertions that the House was induced "in the expiring moments" of this session (July 2, 1836), to pass a bill establishing what is now known as the Chickasaw School Fund. Gales & Seaton's *Register of Debates in Congress* contains the following suggestive comment upon this act:

"This bill is peculiarly interesting to the people of Mississippi. It makes an appropriation out of the Treasury of an amount equal to 5 per cent. on the net proceeds of the sales of the Chickasaw lands, probably \$30,000, and authorizes the State to locate other lands in half or quarter sections, or eighths, in lieu of the 16th sections neglected to be secured by the provisions of the treaty; and the land thus located is for the use

⁷ Shortly before he was twenty-one years of age, Willis H. Claiborne was elected without opposition to represent Hancock county in the lower House of the Legislature. At the outbreak of the War between the States, he resigned his seat in the Legislature and entered the Confederate army as a private soldier. While in the service in Virginia he was made captain and major successively. He was afterward transferred to Vicksburg, where he remained until its fall. He then served in the army of Georgia until the close of the war. In his last campaign he received a wound which ultimately resulted in his death.

of schools in the twelve counties recently organized in the Chickasaw cession. Alabama is alike interested, but in a smaller degree.”

At the beginning of his second session, Col. Claiborne produced a profound impression upon the House by the eloquent and effective way in which he announced the death of his colleague, the Hon. David Dickson. A contemporary account of this event, written by one of his political opponents,⁹ reads as follows:

“He rose to discharge the painful office under evident and strong embarrassment; but at last, controlling his feelings, he proceeded to offer a few unstudied and generous remarks on the character of the deceased, preparatory to offering the usual resolutions, but before he closed he had won every heart and elicited the sympathies and tears of the assembled multitude. Never did man effect more in so few words; never was a stronger feeling produced by the eloquence of the unpremeditated language of the heart.

“Although nothing like effect was aimed at, the speech produced everything that could have been desired, and Mr. Claiborne was immediately ranked among the most eloquent orators of the House of Representatives.”

This short but eloquent eulogy soon went “the rounds of the British press,” and was warmly commended as “a specimen of refined and effective eloquence.”

The Journals of the House and the public press of the country give ample evidence of the character of Mr. Claiborne’s services while a member of Congress. We are told that “he was placed on the Committee on Foreign Relations at a period when the northeastern boundary involved the question of war or peace.” He was thus brought into intimate association with some of the greatest statesmen of that day. Although he was in feeble health during the greater part of his congressional career, his vigorous and eloquent speeches in “Defence of the Settlers on Public Land,”¹⁰ and on the “Doctrine of Contempts,”¹¹ established his reputation as an orator and debater.

The first of these speeches was made January 4, 1837, in reply to the Hon. Clinton Allen, of Kentucky. Referring to it, the New York *Evening Post*, which was then edited by William Cullen Bryant, says, in its issue of February 2, 1837:

⁹ Gales and Seaton’s *Register of Debates in Congress*, XII., 4612; see also *Congressional Globe*, Vol. III., 483-4.

¹⁰ The Washington Correspondent of the *Pennsylvania Inquirer* (the leading organ of the National Whig party), in a letter of Jan. 28, 1837, quoted from Lynch’s *Bench and Bar of Miss.*, p. 526.

¹¹ See the *Congressional Globe*, Vol. IV., Appendix, pp. 87-9.

¹² See *Ibid.*, pp. 236-8.

"The cause of humanity and equal rights has gained an able advocate, in the Hon. Mr. Claiborne of Mississippi. High-spirited, fearless, and independent, possessing natural talent of the first order, and extensive acquirements, he bids fair to be an ornament to the House and country. His speech in defence of the settlers on the public domain, delivered upon an amendment offered by him to the resolution of Mr. Allen, of Kentucky, would do honor to the orators of Greece or Rome. The best judges pronounce it a finished specimen of logic and eloquence. It should be in the hands of every friend of humanity and equal rights."

The following extract from this speech will doubtless justify, in the mind of the reader, the sentiments expressed by the writer quoted above:

"Can the settler come in competition with the opulent planter or associated capital? Can he purchase at ten or twenty dollars per acre? No, sir; no. Deceived by his Government, cheated by the deceitful illusions, not broken until the last hour, that some reservation, authorized by law, would be made in his favor, the care-worn occupant returns with a bitter and rebellious spirit, to witness the disappointment and wretchedness of his own fireside; * * * * himself, decrepid and penniless, driven forth by the influence of wealth, and the ingratitude of his country. O, sir, it is unwise thus to sport with the affections of your people; it is hard thus to deprive one of his home, humble though it be. Sprung from the earth, and destined to return to it, every man wishes to acquire an interest in it—some little spot that he may call his own. It is a deep, absorbing feeling that nature has planted in us. The sailor on the 'vast deep'; the lone Indian and wild-bee hunter on the prairies of Missouri; the mountaineer, as he threads his chamois track; and the soldier, perishing for fame ere he freezes into a stiffened corpse, dreams, all dream of their early home; and when every other feeling is subdued and withered, the heart that would not blench at scenes of crime and blood, will soften under the *Ranz des Vaches*, the early songs of childhood.

"It is an undying feeling; and when one has gone out from his father's wasted roof, and in the untrodden forest clustered his family around some humble shed, can he see it wrested from him by the laws of his country, without cursing that country and those who govern it? Sir, what can compensate a Government for the loss of the love of its people? What is your overflowing treasury when it is filtered from the tears of the wretched, wrung from the hard earnings of those who would coin their blood for your protection, and rampart round this Capitol with their dead bodies before it should be polluted by the presence of an enemy? Sir, if you wish to perpetuate this Union, if you wish to extinguish the fatal feeling to which I have alluded, to secure the quiet enjoyment of vested rights for ages to come, you will give to every man who seeks it a home in the soil. There is little faith in parchments or charters or in the liberty they affect to guaranty; but it is probable this Government would endure uncounted centuries, if every quarter section of the public domain was the *bona fide* property of an actual settler. Incorporate every man with the soil, cluster around him the blessed endearments of home, and you bind him in an allegiance stronger than a thousand oaths.

"Mr. Speaker: For years past our legislation and our Constitution, or at least the spirit of our Constitution, have been frequently, antipodes to each other. The Constitution rose from the wreck of ancient prejudices, a structure of light and beauty, based upon the great principle of equal rights, and dedicated to rational liberty and law. The other has too often been deformed by features incompatible with the genius of the age;

stamped with the crude conceptions of feudal times; fettered with restrictions dug up from sepulchred centuries. Thus your criminal code in this age of philosophy is founded on the precepts of Draco. The dungeon and the scaffold do their work as they did a thousand years ago; and the Promethian light of science that we hold in our hands, serves but to show the skeletons of the victims shut up for debt, who have perished amid the death damps of your jails and your prisons. The same current runs through your whole system of jurisprudence * * * * *

"Mr. Speaker, this is the only Government that ever speculated in the soil. England, when she held domain here, was prodigal in her donations. Spain gave away her lands. Her sons were the pioneers of this new world; nor storms, nor unknown seas, nor famine, nor shipwreck, could deter them. On they went, in the career of high adventure. Land and honors were the rewards she held out to them, and their whole history is a series of phenomena from the outset of her great navigator to the downfall of her great Montezuma—the most extraordinary triumph ever obtained by civilized valor over physical force. Texas has pursued the same policy, and its wisdom is evident. If her public domain had been fettered with the same legal restraints to settlement that exist here, not five hundred of the many thousands now there would have crossed the Sabine. But she has invited them by liberal donations; and when that soil was invaded and the flag of despotism reeking over her beautiful prairies, look how bravely those emigrants have rushed to her defence. Oh, sir, you may rifle the leaves of history for deeds of fame; you may search among the fallen columns and mutilated tombs of Greece and Rome, immortal even in their dissolution, but you will never find a cause more sacred, that has been more nobly maintained than the cause of Texas. Land of the brave and free! refuge of the unfortunate! home of the poor! Soon may thy star shine in cloudless beauty from our own loved banner of living glory!"

Mr. Claiborne's speech on the "Doctrine of Contempts" was made on February 10, 1837, in defence of Mr. Reuben Whitney, who having been summoned before a select committee of the House appointed to investigate the management of the deposit banks, had not only declined to answer "a question which he considered disrespectful and improper," but while before the committee threw his arm behind his back," as if to draw a weapon. The committee hastily adjourned, and on the day following one of the members moved "that Whitney be arrested and brought to the bar of the House." As this committee was "evidently seeking to implicate the administration in some illegitimate transaction," the case appealed strongly to Mr. Claiborne, who was a staunch supporter of the principles of the party in power.¹² He moved in behalf of Whitney to amend by adding "and that he be allowed counsel when brought to the bar, should he desire it." This amendment being accepted while Mr. Claiborne was addressing the House, he said "it removes from this proceeding its most ob-

¹² Lynch's (James D.) *Bench and Bar of Miss.*, page 519.

noxious feature, but I doubt, if I do not deny, the propriety of dragging Whitney to this bar." He then made an eloquent and searching inquiry into the principles involved in the question under discussion, and thereby materially aided in defeating the ultimate purpose of the committee. Among other things he said :

"Sir, your doctrine of contempts is a dangerous doctrine, that originated in times unfavorable to human liberty; in those old days of privilege and prerogative, when the rights of the *Citizen*, if understood, were not defined, and when parliamentary bodies were used by kings, as instruments of oppression and persecution. The power of Congress to punish for contempts, if such a power exists at all, is not expressly conferred, but is incidental, and arises *ex necessitate rei*. Where is the clause in the Constitution making the grant and defining a contempt? Sir, it is a constructive and incidental power. The powers and privileges of Congress are not like those of the British Parliament, unlimited, and omnipotent; on the contrary they are abridged and specific. Our courts of justice have the power to punish for contempts; but it is not a constructive power, arising out of the mere act that established them, but was conferred by a statute, restraining in its character, in 1789. * * * * *

"Whence is this prerogative derived? If from the Constitution, point out the clause. If conferred by the Constitution, is it not the duty of Congress, before resorting to it, to settle and define its boundaries, and to prescribe the penalties by law? But it is said to be a *necessary incident* of a legislative body, necessary to preserve its existence, and enable it to transact the public business. There may be some foundation for this delicate but dangerous claim to be *inherent*, undelegated grants, as regards *actual* contempts committed in the presence of this body and obstructing its operations. Such a claim may be allowed on the principle of necessity; but where is the *necessity* of the power in regard to constructive or implied contempts, and what is the limitation upon it? The moment we step beyond the doctrine of punishment for actual offences of this kind, we venture upon a *terra incognita*, whose boundaries have never been delineated; whose powers and extent have never been defined by any code, ancient or modern. Let us pause, and closely examine the tenures by which we claim, before we enter upon grounds so uncertain, so dangerous, so obnoxious to the spirit of our Government and people. It may be very *convenient* for this House to punish a citizen for an implied misdemeanor but the convenience of the doctrine does not grant the power. Show me, Sir, a case of absolute necessity to warrant the exercise of this power. What *is* the doctrine of constructive contempts? How far does it go? Where does it stop? * * * * * Can you convert this House into a judicial tribunal, which shall be judge, witness, accuser and prosecutor, in its own case, and inflict any punishment it chooses? If so, where is the freedom of the citizen; where our boasted trial by jury; where that 'due process of law' that 'LIBERTY' guaranteed by the Constitution? Carry out these undefined, discretionary doctrines, and it will demonstrate either your unbounded power, or your utter impotency. Tell me not, Sir, of the precedents of the British Parliament. *That* is a body confessedly omnipotent. *This* is one of limited powers. *Their* claim to punish for offences of this nature is drawn from a system of recognized law. *We* are mere agents for the exercise of limited and specific grants; and I thank God that it is so. I rejoice that freedom of speech and the right of self-defense cannot be curtailed; that all your enactments in relation to these are void; that gentlemen cannot, if they would, have a legislative *auto da fe*, and burn every man for contempt who will not follow them, or applaud their acts."

In the latter part of this speech he contrasted the offence of Mr. Whitney with those of Mr. John Quincy Adams, who, as a member of the House, was arousing much animosity by persistently keeping the slavery question before that body. On this subject Mr. Claiborne spoke as follows :

“Mr. Speaker, I will not impeach the great body of the people of the North * * * * * But it will be her *crime*, if she does not resist and stifle its denationalizing strain, until it swells into a tide of blood. It will be her *crime* if she sits tamely by while her sons heave in among us poisoned missiles and *burning tiles*. Sir, in times gone by this would not have been allowed. One common blood cemented the broad altar of liberty around which we worshiped. When the iron hurricane of war swept over this country, our fainting banner was borne aloft amid the din of battle and the dusky storm by united valor. And now, when the Confederacy is sought to be destroyed; when the incendiary is lighting his torch, and the vultures of society are looking on with felon eyes—oh, now! May the sainted spirits of the dead, may the holy memories of the past, inspire the brave and patriotic, in every quarter of the North, to rally upon the ramparts of the Constitution. Sir, with my hand on this heart, I can freely say that, in defence of the Union, I would shed my blood. But there are RIGHTS and INSTITUTIONS dearer still, part of our inheritance, essential to our existence, indispensable to our peace; and I should be a traitor and a craven to shrink from their defence. * * * * * Mr. Speaker, if this House joins the abolitionists; if you thus permit their avowed organ upon this floor to menace us with a future interference with our domestic rights, I warn you of the catastrophe that is at hand. We will abandon your councils; we will seize our arms and tear down the banner of the Union that floats over our heads. On you be the crime—on your hands the blood. But by our common ancestry, by the recollections of the past and the hopes of the future, by the altars of our holy religion, by our hundred battlefields and the bones that rest upon them, I implore you to retrace your steps. Sir, we are on the verge of a frightful crisis * * * * * Will you pause to punish an obscure citizen, while you allow the member from Massachusetts (Mr. Adams) to banquet upon the excitement he has occasioned?”

After the death of General Dickson, Col. Samuel J. Gholson was chosen to fill the vacancy in Congress, defeating Gen. John A. Quitman in a special election. At the adjournment of the 24th Congress it was the intention of Col. Claiborne and Col. Gholson to stand for reëlection at the regular election in November. But President Van Buren called an extra session of Congress to meet on the first Monday in September, 1837, and in order to provide for the representation of the State in the lower House, Gov. Lynch issued a proclamation for a special election in July. In this proclamation he stated that the representatives chosen by the special election would serve only until the regular congressional election in November. It was argued, however, by the press and the people generally that the governor had no authority to limit

the terms of the representatives to less than the constitutional term of two years, and we are told that "each party assumed that the persons elected under his proclamation would either be denied admission altogether or be admitted for the entire Congress." After a spirited contest the election resulted in the following vote: Claiborne, 11,203; Gholson, 9,921; Prentiss, 7,143; Acee, 6,691.

As Claiborne and Gholson were uncompromisingly opposed to the banking system, their right to seats in the House was challenged by one of the leaders of the bank party on the first day of the extra session, on the ground that the election under the proclamation issued by the governor of Mississippi was null and void. This objection was overruled, however, and the matter was referred to the Committee on Elections. After a careful investigation this committee reported that the sitting members had been duly elected members of the 25th Congress and were entitled to their seats. Messrs. Claiborne and Gholson continued in the discharge of their duties in Washington until the adjournment of Congress on October 16th. In the meantime the November elections were coming on and Messrs. Prentiss and Word were canvassing the State. Realizing that their right to continue in Congress would be again challenged after the general election, Messrs. Claiborne and Gholson were inclined to return to Mississippi "to argue their case before the people." The question was presented to a caucus of the Democratic members of the House, who insisted that they remain in their seats, it being thought that this course was necessary in order to carry through the House the measures outlined by the administration. The same view was expressed by the leading men of the Democratic party at home. When, therefore, the regular election was held in November fully two-thirds of the Democratic voters of the State refused to vote, on the ground that the State had chosen her representatives in the 25th Congress, as had already been decided by the House. In the November election the vote stood as follows: Prentiss, 13,651; Word, 12,340; Claiborne, 6,258; Gholson, 6,032.

At the opening of the next session Messrs. Prentiss and Word presented themselves, claiming that they had been lawfully elected to represent the State and were therefore entitled to seats in the House. The matter was again referred to the Committee on Elections, which reaffirmed its former report. When the report was

under discussion in the House, Mr. Prentiss delivered his celebrated speech which thrilled the House with his eloquence and gave him a national reputation as an orator. Under the magic influence of this great speech the House reversed its former act by which it declared that Claiborne and Gholson had been lawfully elected. It refused, however, to seat Prentiss and Word, and referred the case back to the people of Mississippi. While these stirring events were taking place in the House, Claiborne and Gholson were forced to be absent on account of sickness. At the outset of the contest in Congress Mr. Claiborne was seized with a hemorrhage in the room of the Committee on Foreign Relations, and for a period of two months lay prostrated and weakened from the loss of blood. Under the medical treatment of Dr. William G. Austin, later of New Orleans, he slowly recuperated and was finally able to return home. Acting upon the advice of Dr. Austin, Mr. Claiborne retired from public life and went to Cuba a second time for his health. At the request of his friends he permitted the use of his name in the political campaign which followed, but his former colleague, Mr. Gholson, declined to be a candidate. Prentiss and Word made their memorable canvass, speaking in every part of the State. The vote stood as follows: Prentiss, 12,722; Word, 12,007; Claiborne, 11,779; Davis, 10,346. There is little doubt that if Mr. Claiborne had been physically able to take an active part in this campaign he would have been reelected.

The personal relations existing between Mr. Claiborne and Mr. Prentiss up to this time are best expressed in Mr. Claiborne's own language, which is as follows:

"During all the excitement of the contested election, my relations with Mr. Prentiss were perfectly friendly. He visited me while I was sick in Washington. My acquaintance with him commenced when he was a stranger—young, poor and diffident—teaching school in the family of my relative, Mrs. Wm. B. Shields, and afterwards here, in the family of my wife's mother. He occupied this very office. There stood his bed. This was the table on which he wrote. Here are the Greek and Latin authors that he read. Here is a leaf of Plato turned down by him. Here in this Greek tragedy, his pencil marks. In both families his extraordinary genius was recognized and he was treated with the respect due a Professor."

Mr. Claiborne afterwards returned to Natchez, and in July, 1841, became one of the editors of the *Mississippi Free Trader*, which was one of the most influential and widely circulated or-

gans of the Democratic party in the State. This change of occupations was in full harmony with his tastes. In speaking of journalism he said:

"It demands the seclusion of the closet, which I have always preferred to the clash and clamor of the hustings and the bar. It best comports with the habits of a student, and my practice of considering both sides of a question and the merits as well as demerits of a party; whereas, the lawyer and the professional politician examine but one side of a case, and exert all their energies in that behalf. The journalist has a grander mission, and if conscientiously pursued, it is the highest and noblest of all avocations."

His sketches entitled "Trip Through the Piney Woods" and his first contributions to the history of Mississippi appeared in the *Free Trader* shortly after the beginning of his connection with it.

In 1842 Mr. Claiborne was appointed president of the Board of Choctaw Commissioners, which was authorized to examine and adjudicate the claims of the Choctaw Indians under the 14th article of the treaty of Dancing Rabbit. The claims under this article involved the possession of many thousands of acres of the best land that had been ceded to the government by the treaty. The integrity of these claims depended upon the question as to whether or not the Indians had disposed of them within a period of five years after the treaty. It was found upon investigation that most of the claimants had violated this term of the treaty, their sworn statements before the commission to the contrary notwithstanding, and that companies of speculators composed of men of all ranks had purchased claims for a very small consideration. Mr. S. S. Prentiss was employed by the company "on a contingent fee of \$100,000," to protect its interest before the commission. While sitting at Hopahka the board gave judgment in favor of a number of claims which were sent to Washington. At a subsequent meeting of the commissioners in Yazoo village Gen. Reuben Grant, a prominent citizen of Noxubee county, made charges of fraud against the claims that had been passed upon at a former meeting. As a result, Col. Claiborne advised the department to suspend all claims until they could receive further investigation. Another meeting of the commission was announced to be held at Hillsborough on the third Monday in November, 1843, to review its adjudication, the Hon. T. J. Word being appointed to act in the meantime as an agent to collect evidence relative thereto.

An article, containing further charges of fraud, which had been prepared at the request of Col. Claiborne, appeared in the Vicksburg *Sentinel* of the 10th of November, and gave what was termed the plan of the speculators for effecting their purpose.

This part of the communication reads as follows:

"The Indians were to emigrate under the charge of John B. Forrester, (the United States paying \$20 per head) who was to accompany them, and then receive the whole of their scrip, one half of which he was to retain and the other half to lay out for the Indians in goods, cattle, &c. To accomplish this plan, a crowd of speculators repaired to Washington, some going openly, others pretending that they were going to St. Louis only. Their object was to obtain *from the War Department a confirmation* of their suspended claims, thus forestalling the action of the board, and stifling the proposed investigation. They have been laboring for this scheme for weeks, and it is whispered, have received *aid from a quarter* from which such aid cannot come without *gross corruption* * * * *

* * * Influential men, members of Congress, and others, have been engaged at enormous fees, to effect this nefarious design of transferring these questions of fraud from the tribunal established by Congress, to the Department at Washington, where facts have been represented by interested persons only, and witnesses cannot have a hearing * * * * * And after all this, these speculators covertly go to Washington—employ members of Congress, and seek to induce the Department to overrule the objections of the Board, and pass claims to an enormous amount! This is really monstrous! The Hopahka claims alone, thus sought to be passed, over the recommendations of the Board, and in the teeth of the solemn protest of Col. Claiborne, amount to some 350,000 acres, as we learn * *

* * * * *

"We cannot believe that the Department could be so deceived. It surely will not stifle the investigation it itself recommended. It will hardly cut off Gen. Grant from a hearing, and thus facilitate the most stupendous fraud upon the Government and robbery of the Indians, that has ever been devised. It will take three millions of acres to satisfy these claims. There is not so much unsold land left in the country ceded by the Choctaws. The deficit is to be made up with scrip payable to the Indians and receivable at the land offices as gold and silver. Now will it be credited, that these speculators have, by fraud and deception, obtained from the Indians absolute deeds of conveyance for the whole of their lands, and powers of attorney to receive their scrip, having given their bonds to pay over one-half of it to the Indians when the claim was closed! Incredible as this may seem, it is nevertheless so. And all this for what? Simply for undertaking to attend the claim before the Commissioners, an attention altogether superfluous, and which the Commissioners are sent to attend to themselves; an attention, if necessary at all, certainly not worthy of the enormous fee exacted of the poor Indians—one-half their lands or scrip absolutely, and the control and management of the other * * * * * Report says that every acre of land yet patented to these Hopahka Indians, is held by one Forrester, who has not paid a dollar. It is said he held 30,000 acres * * * * * If the agencies at work at Washington succeed, Forrester will realize half a million at once out of nothing."

When the Commissioners met at Hillsborough, November 20th, 1843, Mr. Prentiss appeared as counsel for certain claims and raised the preliminary question as to Col. Claiborne's competency

to act, contending that in consequence of the article in the *Sentinel* he had prejudged the case. On the day following Mr. Claiborne presented a protest against the proceedings of the former day in which he denied the right of anyone to question his competency or of his colleagues to decide such a question. Among other things he said that until his rights and powers should be adjudged by a competent tribunal he would exercise his authority and discharge his duties, "not only as a Commissioner and counsel for the Government, but a citizen of the State and as a Reporter for the Press, for it is my intention, over my own signature, to report the proceedings under this investigation, *that all the aid and moral influence of PUBLIC OPINION may be brought to bear to sustain the rights and interests of Government.*" He closed this protest by denying the right of any agent or attorney to challenge or dispute his competency or to file or enter any paper, protest or proceeding of any kind, affecting his competency or official conduct on the records of the commission. He then left the room where the board was in session. There was much excitement among the speculators and their friends, who were collected in great numbers. Threats of violence and curses were freely uttered against Mr. Claiborne and he received notice from a number of friends, informing him of plots that had been made to assassinate him and warning him that he would appear in the streets at the peril of his life. On the morning of November 24th he resumed his place among the Commissioners, taking with him "an elaborate legal argument on the question of fraud to submit to the board." This paper was not presented, however, as it had been determined before that time that there should be no investigation. The board was, therefore, adjourned "until the authorities at Washington could be heard from."

Challenges to fight duels were then received by Col. Claiborne from Mr. Forrester and Mr. Prentiss. In his reply to the challenge from the latter gentleman, Mr. Claiborne wrote among other things:

"But whether you choose to be regarded as attorney or speculator, I deny the slightest accountability to you, or any one else, for any step I may choose to take to protect the public interest, in the legitimate discharge of my duties. And, in resisting a combination so formidable, I feel perfectly justifiable in invoking to my aid, and to the aid of the country, the moral influence of the PRESS, so far as the *power* and *threats* of your associates have left the press free to act. A thousand frowns, and a thou-

sand challenges will not deter me from my duty, if I am permitted to discharge it. My blood will not acquit the parties implicated of the charge, nor wash out the suspicions that rest upon their transactions. Investigation, deep, broad, searching and uninterrupted, can alone settle the point. Bullying, and dragooning, and even assassination will not do it."

Referring to these experiences, Mr. Claiborne wrote as follows in a communication in which he reviewed the proceedings of the Board of Commissioners:

"It is impossible for me to predict how many more of these agreeable invitations to 'coffee and pistols for two' I am to receive, but I am bound to believe that some of the parties concerned never intended there should be a formal meeting between Col. Forrester and myself, though they designed he should have all the glory of sending a challenge to a man, *placed by their own act*, in a position to forbid his acceptance. If they intended we should fight, on fair and equal terms, why threaten me with *impeachment*, at the moment of sending the challenge? and if they design to impeach why force me to *fight*, or distract my attention with challenges, until I had made preparations for defence? They have every advantage. They are a band of men, associated for a gigantic speculation, with capitalists, lawyers, prompt and willing witnesses, and even their regular bullies to back them. I am an officer of Government, opposing their schemes, exposed to their malice, all I say or do liable to be perverted, and my errors magnified into crimes. Surely when there is so much disparity, the party having the advantage, should resort to no unfair means to quash a scrutiny or put down an adversary."

The document from which the above extracts have been taken was published in pamphlet form (17 pages), and a copy of it was laid on the desk of every member of Congress. As a consequence, the speculation was crushed and those concerned therewith were ruined.

A motion was then made in the lower House of Congress by John Bell, of Tennessee, to refer the matter to a select committee. As this committee would have to be appointed by the Speaker, who was said to be interested in the claims, Mr. Thompson, of Mississippi, had the matter referred to the Committee on Indian Affairs, of which he was chairman. Although President Tyler threw his influence against Mr. Claiborne, the plan which was recommended by Mr. Claiborne was adopted. It was to the effect that the Indians should receive neither land nor money for their claims, but the value of their claims for removal to the West was funded, they being paid the interest annually.

Mr. Prentiss and Col. Claiborne, both of whom were wrecked in fortune, removed to New Orleans shortly after the acrimonious conflict referred to above. They often met, but never spoke. A

few days before the death of Mr. Prentiss, John J. McRea, former governor of Mississippi, effected a reconciliation. In speaking of this incident, Col. Claiborne says that he was deeply affected and Governor McRea wept like a child.

Col. Claiborne admired the talent of the brilliant orator and expressed in the latter part of his life a purpose to write a biography of Mr. Prentiss. Referring to the biography which had been written by Mr. Prentiss' brother, Mr. Claiborne says that it was full of error of fact and a mere travesty of his career, personal and political. He stated further that this book represented Mr. Prentiss "as a semi-saint and somewhat of a Puritan, to please New England tastes, when all knew that he was the farthest possible removed from saintliness and Puritanism." Col. Claiborne said further :

"No man living knew S. S. Prentiss better than I did; he crossed my path and I crossed his, in the last blow given to his fortune. We were early friends; bitter enemies; reconciled on the death bed."

Upon his removal to New Orleans (1844) Mr. Claiborne assumed editorial control of the *Jeffersonian*, published in French and in English, and of the *Statesman*, published in German and in English. These arduous duties required twelve hours of work daily. Several years later he was induced to undertake the editorial control of the *Louisiana Courier*, which paper became under his direction one of the strongest supporters of Mr. Pierce in his campaign for the presidency. Mr. Pierce had been one of the most intimate friends of Col. Claiborne in Congress, and when he became president he offered Mr. Claiborne "an eligible diplomatic position abroad or a comfortable berth at Washington." Mr. Claiborne declined these kindly offers, however, desiring to make his home in the pine woods on the seacoast of Mississippi, where on the advice of Dr. Austin he had purchased a large tract of land. With this object in view he proposed that Alabama, Mississippi and Louisiana be combined into one district and that the care of the public timber therein should be confided to him, with an appropriate salary. As this measure met the hearty approval of the senators and representatives from the three States, all of whom were Mr. Claiborne's personal friends, it was promptly passed by Congress and Mr. Claiborne was appointed to fill the newly created office. He was reappointed by President Buchanan, who

was also his intimate friend, and continued in the discharge of his duties until the States that constituted his district had seceded from the Union.

Soon after obtaining his appointment from President Pierce, Mr. Claiborne removed to a plantation which he had purchased near Bay St. Louis, in Hancock county, about twelve miles from Fort Pike, on the Rigolets. Here he engaged in the culture of Sea Island cotton. The salt sea breezes seem to have given him a new lease of life and enabled him to outlive most of his colleagues in Congress, who greatly excelled him in physical vigor.

He attributed his long life to the fact that his delicate health compelled him to be always on his guard and to be systematic in his habits. While living in New Orleans he made it a rule "to go to bed at dark and be up with the sun." Owing to his delicate constitution he was never connected with any social or political club or fraternal order, and rarely attended places of public amusement. He was strictly temperate and never gambled nor witnessed a horse race.

The following incidents in Col. Claiborne's first congressional campaign, which give an insight into his character, are here told in his own language:

"On my first canvass for Congress, Governor Runnells and I were traveling together. We halted for the night at the house of a worthy Baptist, in Noxubee county, where there happened to be three or four clergymen. I had observed them in earnest consultation during the evening, and though all were polite to me, there was no cordiality. After supper, when the ladies of the household had retired, one of the preachers said: 'Col. Claiborne, we are all of your way of thinking in politics, and were rejoiced to hear of your nomination; but we cannot support you. We can't square it with our consciences to vote for a *horse racer*.'

"I was speechless from astonishment, but at length protested that I had never owned a race-horse, and never saw a race in my life.

"They smiled incredulously, and said there was, in the next county, a gentleman who had been introduced to me on the track at Natchez; and won a thousand dollars on my horse; and then 'played poker with me all night.'

"This was piling on the agony, but I could only declare that I owned no race-horse, and never had learned a game of any kind.

"The whole thing was a puzzle, until Governor Runnells at length said, 'Gentlemen, there is a mistake here. I can vouch for all that my friend has said. But he has a brother, who is one of my aids. He is very fond of the turf, and keeps two or three fast horses, and will sometimes indulge in a game. The brothers resemble each other; own adjoining plantations, and one has been mistaken for the other.'

"These good men were greatly relieved, and before we parted for the night they gave me a special blessing.

"But now for the sequel. Our next appointment was for DeKalb, Kemper county. Parties there were pretty equally balanced, and I pro-

posed to secure as many votes as possible from the opposition. I addressed myself particularly, several times and in a very complimentary way, to a certain rich sporting gentleman, who controlled the opposition. I made the desired impression, as I thought, and directly after my speech, he took me by the arm, and led me out of ear-shot of the crowd. This alone was good for fifty votes. He then said, 'Old fellow, I saw your game, but it was not necessary; we are going for you, not for your d—d politics, *but on account of your horses*. I won a cool thousand on your Guy, the last race, and I hope to win five thousand the next time.'

"I perceived the mistake, but deemed it unnecessary to explain, and merely said: 'Colonel, if the religious folks hear this, they will go against me.'

"'I know that,' said he, 'we all understand it, and will be mum until after the election.' Before I left DeKalb he handed me a list of turf men on my route of travel who were in the secret, and I always found them O. K."

At the outbreak of the War between the States Col. Claiborne sent his wife and daughter to their relatives at Natchez, and he remained at home to care for his plantation. Shortly after the capture of Fort Pike by the United States Navy, a Federal force under the command of a captain visited Mr. Claiborne's home with orders to search the house for Confederate flags, which it was reported had been hoisted over the premises. After due examination the officer declared himself satisfied. Col. Claiborne then replied very solemnly:

"I confess to you, sir, that I have a flag."

The officer said in reply: "You need not criminate yourself, but if you persist in this statement my orders will require me to carry you under arrest to the fort."

The reply was: "You have overlooked one of my trunks and I wish it to be examined."

Col. Claiborne then pointed to an old weather-worn trunk, marked "F. L. C., U. S. A.," which the officer then proceeded to search. He found it in "the regalia and insignia of a royal arch Mason, the epaulettes of a general officer, a silk sash, discolored with blood, and carefully folded the old regiment flag of the 1st regiment, United States Infantry, of which Gen. Claiborne had been captain and adjutant." Col. Claiborne then said with much feeling: "Sir, this is the only flag I have ever had; if you take me to Fort Pike, that flag must go with me." Of course neither the colonel nor the flag was taken to the fort. During the remainder of the war the Union troops frequently passed his premises, but he was never disturbed, his property being carefully protected from all spoliation.

Col. Claiborne's sectional animosities seem to have partly died out after his retirement from public life. He was, therefore, enabled to view the great issues that brought on the "inevitable conflict" in a calmer and more dispassionate light than could those who were directing public sentiment. He opposed the secession of the Southern States, and had no official connection with the Confederacy. We are told that he blamed both sections for the war,—“the North for its unconstitutional encroachments, the South for its precipitate action and want of statesmanship in not providing for the general emancipation of the slaves, thus reconciling itself to the civilization of the age and acquitting its conscience of a great crime.”

After the war he was regarded as one of the most conservative and conciliatory citizens of the State. He maintained that the true policy of the South was “a pronounced loyalty to the Government.” A united effort to build up the waste places and thereby to secure public order and tranquility.¹³ To use his own words:

“The Government of our fathers, the noblest of human wisdom, perished in the war. It can never be restored. We have indeed a republic—the grandest that ever existed—but it is sectional, not constitutional. Great Britain has no written constitution but under the customs, maxims and traditions of a thousand years, there are sufficient bulwarks against usurpation and oppression, and it is the safest government on earth. We have no traditions, no common law, and are controlled by universal suffrage and popular majorities, and subjected to the rule of the ignorant and alien.

“There is no permanent security for us but in a strong national government to preserve the peace, repress disorders and develop the great resources of the country. A general attempt to revive our old doctrine of State rights will end in the loss of the remnant that has survived the war.”

In 1869 an effort was made to induce Col. Claiborne to become a candidate for Congress. In reply to a letter from Capt. P. K. Mayers, editor of the *Handsboro Democrat*, he wrote as follows, under the date of August 10, 1869:

“I have no disabilities to remove, but have scruples to overcome, and an invincible repugnance to the strife of politics. For fifteen years I have not attended a political meeting. Since the surrender I have not written a political article. It has been my misfortune, or my weakness, to differ with all parties too much, to expect to be popular with either. I differed with the Democrats in their ill-advised and abortive attempts to organize the State government under the promptings of Andrew Johnson. I witnessed with regret, the gross and unaccountable blunders committed by their Legislature and Convention. I differed with them when they elected Senators

¹³ *Lynch's Bench and Bar of Mississippi.*

and Representatives to Congress, certain to be rejected; when they blindly advised the people to vote for delegates to a Convention, after the election had been *ordered*, and thus threw the responsibility of making a constitution into the hands of their opponents, and superinduced most of our present difficulties. I differed with them in their opposition to the removal of political disabilities by application to Congress, and in their refusal to accept office—especially the appointment of Registrar—from the military authorities—thus compelling the commanding generals to confer commissions chiefly on strangers. I personally know that they would have given the preference to established citizens.

"I differed with the Republicans in the implacable resentments they manifested for the vanquished; in the political superiority they desired to confer on an inferior race, by disfranchising a heroic people, glorious in their struggle for independence—more glorious in their fall.

"I know very well that I have friends throughout the district, who remember my name and my services in the past. It would be affectation to undervalue what I know I still retain, of old-time popularity. But I stand without a party—owing allegiance to none; in fellowship with none; asking favors of none; under obligations to none; and I can bring no strength to those who wish me to unfurl their standard."

Before this time Col. Claiborne had become completely absorbed in historical investigations. Having inherited from his grandfather, Gen. F. L. Claiborne, his uncle, Gov. W. C. Claiborne, and his maternal grandfather, Col. Anthony Hutchins, all of whom were connected with the early history of the State, a large collection of "time-worn papers and documents," he set himself to work to add thereto from all available sources. He spent much time collecting matter and writing a *History of the Southwest*, upon which he says he was "long engaged." Unfortunately the manuscript of this volume "when ready for the press" was lost "by the sinking of a steamer on the Mississippi." This work contained a memoir of Sam Dale, one of the most interesting characters in the early history of the Southwest, written from notes of his personal adventures, "taken down from his own lips," by Franklin Smith and Henry A. Garrett. As is usually the case with historical investigators, having once undertaken work of this kind he was never afterwards able to abandon it. Although the history was lost and the notes were destroyed, Col. Claiborne prepared from memory the interesting book, entitled *Life and Times of Gen. Sam Dale, the Mississippi Partisan*, which was published by Harper & Brother in 1860. In the same year he also published his *Life and Correspondence of John A. Quitman*, which was issued in two volumes from the press of the same publishers. Unfortunately for Mr. Claiborne these valuable contributions to the biography and history of Mississippi were issued at a time when the public attention was absorbed by the sectional questions which were just then culminating in war.

Shortly after the close of the War between the States Col. Claiborne, warned by declining health, retired for the most part from all other pursuits and devoted his energies to the writing of a history of Mississippi, which was the dominant ambition of the latter part of his life. In 1870 he removed to "Dunbarton," his wife's ancestral home, situated ten miles east of Natchez. The years which he had devoted to the collecting of papers, pamphlets, manuscripts, etc., had not been spent in vain. He realized that they constituted a rich historical mine, and he began to work it with an energy seldom excelled by a man of his advanced years and physical infirmities. We are told that the great object of his life was not only to make a history of his native State, but to have it printed in and distributed from a Mississippi publishing house. Against the advice of friends he, therefore, delivered the manuscript of the first volume of his history, as soon as it was ready for the press, to that great publisher and journalist of Mississippi, Col. J. L. Power, to whose care and skill the successful execution of the work is largely due. In the year 1881 this book, entitled "Mississippi as a Province, Territory and State, with Biographical Notices of Eminent Citizens, by J. F. H. Claiborne, volume I.," appeared from the press of Power & Barksdale, Jackson, Miss.

During the latter part of his life he reaped some of the fruits of his valuable services in the literary honors which were bestowed upon him at home and abroad. In 1875 he received the degree of LL.D. from the University of Mississippi. Five years later he was unanimously elected a Fellow of the Royal Historical Society of England. A few months afterwards he was invited to read a paper before this learned society, but was prevented from doing so because of ill health. In 1881 he was elected to membership in the Virginia Historical Society.

By indefatigable efforts and persevering industry he completed the second volume of his history, which was unfortunately destroyed by the burning of his home on the night of March 2d, 1884.¹⁴ This calamity prevented the fruition of his cherished

¹⁴ The following communication relates to this unfortunate event:

"State of Mississippi,
"Executive Department,
"Jackson, Miss., April 8th, 1884.

"Hon. John F. H. Claiborne,
"Natchez, Miss.

"Dear Sir: It affords me pleasure to transmit to you a copy of the joint resolution unanimously adopted by the Legislature, expressive of our sense

hope. He was not spared to rewrite the pages upon which he had bestowed so much labor. His delicate constitution was unable to bear the shock and the grief incurred by this great loss, and he died at the home of his brother-in-law, William H. Dunbar, Esq., in Natchez, Saturday morning, May 17, 1884. He was buried from Trinity Church, Natchez, on the day following.

One side of his tomb bears the following inscription:

J. F. H. CLAIBORNE,
Mississippi's Historian,
Born in Natchez,
April 24, 1807.
Died there
May 17, 1884.

Blessed are the merciful, for they shall obtain mercy.

On the other side of the stone is written the following:

His early life was dedicated to the service of his native State and he was a member of the National Congress from 1835 to 1837.

Upon retiring from public life he devoted himself to literature and "touched nothing which he did not adorn." His last years were spent in writing History, and his work, "Mississippi as a Province, Territory and State," will be an enduring monument to his fame.

Col. Claiborne was a man of striking personal appearance. He was as straight as an Indian and walked with a firm and rapid tread. Owing to the fact that he was very strongly opposed to having his picture taken the writer has had a good deal of trouble

of the great loss we have sustained in common with you, in the destruction of Dunbarton and the rare historical documents which, after years of industrious research, you had accumulated; and tender you in this bereavement the affectionate sympathy of our people, who still cherish grateful recollections of your distinguished services of half a century.

"With renewed assurances of my cordial esteem,

"I have the honor to remain

"Your friend, truly,

"ROBERT LOWRY.

"Senate Joint Resolution.

"Resolved, by the Legislature of the State of Mississippi, That it has heard with profoundest regret of the irreparable loss which our distinguished fellow-citizen, the Hon. J. F. H. Claiborne, has sustained and it recognizes that the loss to the State is even greater, as in Dunbarton was preserved with all of a scholar's care more of the papers, records and documents pertaining to the history of Mississippi than is now left in existence elsewhere.

"Resolved 2, That we tender to the distinguished scholar and antiquary thus bereft of his valuable compilations and literary accumulations, our sympathy, and express to him our hope that his now feeble health may be restored, and that he may be long spared, and by pen and word stimulate the youth of the land to vigorous and honorable endeavors, and may long

in getting a likeness of him to illustrate this article. In fact, the one here reproduced is the only picture of him in existence, and it is said by his daughter to be a very imperfect likeness. Having been once pressed to have his photograph taken, Col. Claiborne declined for the following reason :

“Many years ago, being in an old mansion in Virginia, which belonged to a family sprung from the proudest Normans that followed the Conqueror into England, I missed the portraits which had once adorned the walls. I was told that they had been seized by the sheriff for debt, and tossed about and ridiculed by the vulgar crowd, and I then resolved never to risk subjecting my portrait to a similar indignity. In England, where estates are entailed, and titles of honor respected, portraits might be proper enough; but in this country, they are not secure for two generations.”

On one occasion he said that he had never had a portrait taken, and added that there would be no monument or marble over his remains. In commenting upon these expressions he said :

“I will sleep better under the daisies and violets, and the only inscription will be FAITH. Great historical events are the proper subjects of commemoration. The Pyramids and the Assyrian inscriptions are the records of mighty nations. But any attempt to perpetuate frail mortality, to reverse the Supreme decree, ‘dust thou art, and unto dust shalt thou return,’ by gaudy monuments and chiseled panegyrics, I consider profane. For myself, when I die, I invoke the charity of silence.”

Col. Claiborne had an impetuous temper and, for this reason, he was afraid to trust himself with arms at a time when a pistol or bowie knife was considered as an almost necessary part of the dress of every gentleman. He said, however, that when he was

continue to shed lustre upon the name of Mississippi. That these resolutions be communicated by His Excellency to the Hon. J. F. H. Claiborne.”

Col. Claiborne’s reply is as follows :

“Natchez, Miss, April 12, 1884.

“His Excellency Gov. Lowry.

“I acknowledge the receipt of your communication covering the joint resolution of the two branches of the Mississippi Legislature. I am at a loss for words to say how deeply you have touched my sensibilities by your kind expressions and generous sentiments. Your lifetime friend from your early boyhood, you are familiar with my whole career and all its vicissitudes, and such a testimonial is above all price.

“My gratitude to the Legislature, my appreciation of its sympathy in the misfortunes that have lately befallen me, and the high estimate they have placed on my humble efforts to serve my native State, cannot be expressed. Your letter and their resolution will be my monument, and will be preserved as long as one of my family survives.

“With great respect, your friend and servant,

“J. F. H. CLAIBORNE.”

in the habit of traveling on the wetsern steamboats, where "snagging and explosion" were the rule, he carried a cord, a little brandy and a bowie knife. The cord was intended to enable him to make a float, the brandy to sustain him in the water and the bowie knife to protect him and his craft against some strong man who might attempt to take it from him. He never carried arms on any other occasion.

Fortunately for posterity, Col. Claiborne had in 1882 presented his invaluable collection of historical papers to the State, and they thus escaped the flames which consumed his home. In tendering to the State these valuable sources of history, Col. Claiborne wrote to Gov. Lowry as follows:

"Age, infirmity and the necessities of every day life are pressing heavily upon me, and I cannot hope to utilize what I have gathered with so much labor and hoarded as so much treasure."

He therefore intrusted these papers to the State he loved so well and had served so faithfully, with a hope that some young Mississippian who shared the pride he had cherished for the State would be encouraged by the help of these documents to do the work his own failing powers had prevented his doing. The Legislature in a set of resolutions offered by Mr. Howry, member of the lower House from Lafayette county, voted to accept the generous donation and to place the papers in the custody of the University of Mississippi. They are now in the library of that institution and are carefully protected against all injury. In commenting upon this generous act of Col. Claiborne, the *Clarion* says:

"Mississippi, rich as she is in illustrious sons, can boast none who have loved her with a more devoted and unselfish heart than the illustrious historian, statesman and patriot to whose grateful care she is indebted for this precious contribution to her historical treasury."

The importance of Col. Claiborne's history entitles it to something more than a passing comment. As is indicated by the title, this book consists principally of two parts:—a narrative history of the State from the earliest times to the close of the Creek War and a series of biographical sketches of prominent citizens of the State.

The last two chapters of the work are devoted to the jurisprudence of the Territory and State and the Indians of Mississippi. There is an appendix which bears the title "Natchez and the

Olden Times." In his introduction Col. Claiborne states that in writing the book he was not "prompted by a desire for fame or profit, but to preserve the time-worn papers and documents" confided to him by those who had long since passed away. He also states that he did the work "in declining health, in pain and suffering" and expresses a hope that he might "plead for many imperfections."

Notwithstanding his efforts to record an impartial narrative of events and to present correct estimates of men, he did not always succeed, particularly in the latter undertaking.

That part of Colonel Claiborne's history which deals with the career of his maternal grandfather, Col. Anthony Hutchins, who became a leader of one of the factions into which the district of Natchez was divided, is not entirely free from partisan bias. A few of these mistakes are as follows:—On page 176 Col. Claiborne states that a certain memorial prepared and sent by Col. Anthony Hutchins to the Secretary of State contained recommendations which were "all in due time successful, and have shaped and colored the policy of the Territory and the State." He also states that the men who defended and supported this memorial "won the ear of Congress and the confidence of the government." An impartial investigation will reveal the fact that Col. Claiborne placed too high an estimate upon Col. Hutchins' memorial, and that the opposing faction really won the ear of Congress.

In another place Col. Claiborne incorrectly charges the delay of the Spaniards in surrendering the posts on the Mississippi north of the 31st degree to the action of Maj. Andrew Ellicott, while as a matter of fact procrastination was only in keeping with the historic policy of the Spanish nation.

On page 205 of his history Col. Claiborne makes a serious mistake in his conclusion that the opposition to Gov. Sargent was entirely personal. In making this statement the writer ignored the important fact that party lines were then closely drawn and that the Republicans of the State resented the presence of a Governor, who was not only a New Englander, but an ardent Federalist.

Colonel Claiborne also charges (page 209) Sargent and two of his territorial judges, Tilton and McGuire, with framing the code of territorial laws against which the citizens of Mississippi

protested so vigorously. As a matter of fact Judge Bruin's name was signed to many of them which are still in existence in manuscript form.

Historical writers of the present time have frequently expressed surprise over the estimate which Colonel Claiborne placed upon the character of General Wilkinson. There are no facts contained in the Claiborne collection which would lead to any other conclusion than that formed by Col. Claiborne. Subsequent investigation has thrown more light upon this subject, however, and Colonel Claiborne's conclusions are generally rejected.

Col. Claiborne has doubtless done a greater injustice to the life and character of George Poindexter than to that of any other subject of his numerous biographical sketches. There is no doubt but that in writing this chapter Col. Claiborne tried to do full justice to the career of his former antagonist, but the spirit of vindictiveness seems to have returned to him as he recorded with vitriolic pen the last page (414) of this sketch. The following extract, dealing with the closing scenes of Poindexter's life, will suffice to illustrate this point:

"His countenance had assumed a harsh, suspicious and cynical expression, and his heart, could it have been revealed, was doubtless a whited sepulcher of dead men's bones. He had contracted the habit of looking frequently over his left shoulder, as though he heard unexpected and unwelcome footsteps. Were these spectres of a guilty conscience? The vision of an innocent wife blighted in her youth and beauty by his shameful suspicions; of a son driven from his household to live the life of a vagabond and die the death of a pauper—of bloody feuds—of friendships severed—of faith and covenant sacrificed for gold—all these doubtless came like chiding ghosts, to embitter and disturb his last days. Neither the rattle of dice, the lucky run of cards nor the jests and jibes of low associates brought a smile to his lips. His licentious eye, glazed and frozen, knew not the luxury of a tear. In the largest crowds, amidst the ribaldry and revelry, he felt the solitude and the torments of Prometheus—chained to the rock of his remorse."

Col. Claiborne's mistakes in recording the facts connected with the history of the Indians of Mississippi are numerous. This doubtless arises from the fact that in order to add to the effectiveness of his style he put into the mouths of Indian heroes the thoughts of his own mind. Among the mistakes of this kind are the speeches of Tecumseh and Push-ma-ta-ha (page 487).¹⁵

Notwithstanding the blemishes, which must characterize all pi-

¹⁵ See *Publications of the Mississippi Historical Society*, Vol. I., pages 101-103.

oneer historical efforts, Col. Claiborne is entitled to the honor of being the greatest writer of Mississippi history. His valuable work must still be considered the basis upon which rests the early history of the State, and while we are adding other stories to this great edifice, let us not forget to honor the memory of him who laid its foundations, broad and deep.

The permanent results of Col. Claiborne's life work may be briefly summarized as follows:

1. He procured the passage through the lower House of Congress of a bill establishing the Chickasaw School Fund of Mississippi.

2. He protected the State, the General Government, and the Choctaw Indians against speculators, thereby saving a vast area of the public domain.

3. He protected for many years against depredators the valuable timber resources of a large part of the gulf coast.

4. He made valuable contributions to Mississippi biography.

5. He wrote the most complete account of the early history of Mississippi, and gave a coloring to all subsequent histories of the State.

6. He collected, preserved and transmitted to posterity a large number of historical manuscripts of inestimable value.

BIBLIOGRAPHICAL NOTE.

The Claiborne Historical Collection contains three hundred and twelve manuscript letters which were sent to Col. J. F. H. Claiborne by men in public and private life during his long and eventful career. It also contains several printed speeches, circulars and historical monographs which were written by Mr. Claiborne and several bound copies of newspapers, which were edited by him. A complete catalogue of this collection will be found in the "Report of the Mississippi Historical Commission" (*Publications of the Mississippi Historical Society*, Vol. V., pp. 203-227).

An interesting sketch of Col. Claiborne's life which was published in the *West Point News* in 1880 and several other clippings which relate to his life and services are now in the possession of his daughter, Mrs. Henry A. Garrett, of Natchez, Miss. The only existing photograph of Col. Claiborne, from which the accompanying illustration is taken, is also in her possession. Mrs. Garrett also has the following documents that relate to the public career of Col. Claiborne:

1. Memorial of J. F. H. Claiborne to the Senate and House of Representatives of the United States relative to the Choctaw Claims,—Feb. 19, 1844.

2. Copy of *Mississippi Free Trader* of Sept. 16, 1843, containing a full account of the origin and history of the Choctaw Claims.

3. A circular letter issued by Col. Claiborne on May 5th, 1845, relative to the timber on the public lands on the sea coast to Louisiana, Mississippi and Alabama.

4. A copy of DeBow's *Review* of October, 1860, containing a brief notice of Col. Claiborne.

The Journals of the House and Gales and Seaton's *Register* and Benton's *Abridgements* afford ample information with reference to Col. Claiborne's services in Congress.

The Mississippi Historical Society has a valuable letter which was written by Col. Claiborne to Maj. Wm. T. Lewis, on Sept. 15, 1857. It contains a sketch of the Claiborne family.

The library of the University of Mississippi contains bound volumes of the *Louisiana Statesman* and the *Mississippi Free Trader*, both of which were edited by Col. Claiborne.

Lynch's *Bench and Bar of Mississippi* (pp. 516-529) and Goodspeed's *Memoirs of Mississippi* (Vol. I., pp. 544-546) give biographical sketches of Col. Claiborne.

The *Publications of the Mississippi Historical Society* contain several interesting references to Col. Claiborne.

A bibliography of Col. Claiborne's published books and pamphlets will be found in Owen's *Bibliography of Mississippi*.

The following are the most important published contributions from the pen of Col. Claiborne:

1. Trip through the Piney Woods (a series of sketches published in the *Mississippi Free Trader* in 1841).

2. *Life and Times of Gen. Sam Dale, the Mississippi Partisan* (illustrated by John McLenan and published by Harper & Brothers, New York, 1860, 12 mo., pp. 233).

3. *Life and Correspondence of John A. Quitman, Major General U. S. A. and Governor of the State of Mississippi* (published by Harper & Brothers, 8 vo., Vol. I., pp. 400; Vol. II., pp. 392).

4. *Mississippi as a Province, Territory, and State*, Volume I., (published by Power and Barksdale, Jackson, Miss., 1880, 8 vo., pp. xxii+545).

5. *Historical Account of Hancock County and the Sea Board of Mississippi* (Hopkin's Printing Office, New Orleans, 1876, 8 vo., pp. 16).

6. *Interesting Centennial Reminiscences* (in the *Natchez Democrat*, Centennial Edition, 1876).

7. *Sketch of Sir William Dunbar* (published in the *Natchez Democrat* of Sept. 1, 1873).

8. *The Pine District of Mississippi* (published in the *Weekly Clarion*, Jackson, Miss., Dec. 27, 1876).

9. *Memorial of J. F. H. Claiborne* to the Congress of the United States relative to the Choctaw Claims, Feb. 14, 1844, 8 vo., 6 pages.

10. *Proceedings of the Board of Choctaw Commissioners* ("Col. Claiborne's Statement." Natchez, Miss., Nov. 30, 1843, 8 vo., 17 pages). veteran neighboring.

11. *Sketch of Harvey's Scouts* (published partly in the *Clarion*, Jackson, and in the *East Mississippi Times*, Starkville).

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