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A D D R E S S

TO THE

OFFICERS OF THE FOURTH BRIGADE,

GIVING

THE GROUNDS OF HIS RESIGNATION;

RESPECTFULLY SUBMITTED TO THEM BY

JAMES SIMONS,

July, 1861.



CHARLESTON:

STEAM-POWER PRESSES OF EVANS & COGSWELL,

No. 3 Broad and 103 East Bay Streets.

1861.



T. R.
~~5011A~~

A D D R E S S .

TO THE OFFICERS OF THE FOURTH BRIGADE, S. C. M.:

It is, of course, known to you that I have lately handed, to my superior officer, my resignation as Brigadier-General. For near twenty-eight years I have had the honor of holding a commission in the militia of South Carolina, having risen from a lieutenancy, through all the grades, to the rank from which I have lately felt myself constrained to withdraw.

To leave any post of labor or responsibility in the present condition of public affairs, naturally prompts inquiry; but when such is, besides, a military post affording some prospect of honorable distinction in the performance of public duty, it ought to excite much surprise.

I believe that I have, hitherto, discharged my duties in such way as to command the approval of all who have had an opportunity of forming a judgment. Earnestly desiring to retain the good opinion of those who have been so lately subject to my command, I hope you will not regard it as intrusive that I should put before you, as far as considerations of delicacy and propriety allow, the views and reasons which have governed me in the step just taken. In ordinary times, a decent regard to the personal consideration due to an official post may fairly be allowed to influence us in such questions; but, on occasions of public peril, everything should, in my view, give way to the single consideration of the public service, and it is only when this is involved with considerations of self-respect that the latter should be at all regarded.

My conduct, in the present instance, has been determined exclusively with reference to this guide. It was only when, according to my solemn convictions, I could no longer expect to be able to discharge, efficiently, the important duties supposed to devolve upon me in my official capacity, that I felt myself at liberty to consult my own feelings of self-respect, and withdraw from it.

However reluctantly brought thus to the conclusion, not

only that I could not continue in office, consistently with my own self-respect, and that I had no guarantee that I should be in command of my troops when called into the field, but that from my relations to the Governor and his views of my duties, my efficiency would be materially abridged, if not wholly destroyed—setting aside all personal views and feelings, it did not appear to me that I could have any alternative.

The annexed correspondence will set forth, with sufficient clearness, the grounds from which these conclusions have been drawn; and in connection with that which points to my efficiency and official usefulness, I would observe that if the Governor acted on the settled determination, as he intimates, that he would not consult me on public matters, nor receive my opinions, because I had differed from him on one or two occasions on which I had been called into council; if I were to be regarded as a mere *locum tenens*, and put to do duties only ministerial and clerical in their character because, when called to counsel, I would not relinquish, merely in respect to station, however exalted, the honest convictions of my judgment; if, more particularly, my urgent application for preparation for the defence of Charleston and my plans of carrying the same into effect were to be rejected because, as Brigadier-General, I had differed with the Commander-in-Chief on former occasions, or because my scheme for this great work would cost \$86,000, and the treasury could not bear the expense, it is manifest that my usefulness to those whom I represented was materially abridged, if not wholly destroyed. I can understand that a superior should expect his views and orders to be carried out by his subordinate officers, without regard to their approbation or dissent, but I cannot understand that when an officer is called into consultation, it is on condition that he is not to dissent from the conclusions of his superior.

I think that the ensuing correspondence will be better understood by the statement of some circumstances which do not appear therein. On the 2d January last, Governor Pickens sent for me. I waited on him immediately. His Excellency wished me to take command forthwith of Fort Moultrie. I replied that the Legislature would meet in Charleston the next day, pursuant to adjournment, and that as it involved the giving up of my office of Speaker of House of Representatives for what I apprehended might, as to time, be an ephemeral com-

mand, I desired to consider my relations to the State, whether, under their double aspect, they would be resolved into civil or military, and requested some little time for reflection. More than some ten or fifteen minutes were denied me for this purpose; when, after such hurried consideration as I could give the matter, I very soon announced to him that I had decided my relations to the State—that they should be military, and I would give up the Speaker's office for the command of Fort Moultrie; which being said, he thanked me very warmly, and then proceeded to give me his commands, verbal and written. These received, I instantly prepared to leave forthwith for Fort Moultrie, and part of the baggage of our staff was actually on the wharf when I received orders to the effect that I was relieved from the command, and that I should turn it over to the Adjutant and Inspector-General—reason assigned, that my duties as Speaker required my attention in the House of Representatives, notwithstanding that I had already decided that question for myself.

I immediately resigned. On the 8th January I withdrew my resignation, at the instance of the Secretary of War, General Jamison.

Thenceforward, I was not permitted to do any duty, except of a mere clerical character. As Brigadier-General, I was not informed, still less consulted, as to any measure affecting the movements or well-being of my brigade. My troops were taken away from my command; my regiments and even companies disintegrated, and sent oftentimes I knew not where, and transferred I knew not to whose command. As for myself, as Brigadier-General, I might as well have been out of commission; so that, when events were converging to the bombardment of Fort Sumter, I could remain quiet no longer, I besought the Secretary of War to let me be sent into service, and requested my friend, Governor Means, to use his influence to this end. I learned, however, that the night before I had been designated to the command of Morris' Island, to which post I instantly repaired.

Thus admonished, from having been with no position which allowed me to serve with my brigade, or be useful to them as their commander, and fearing that, although holding the high office of Brigadier-General, I might again have the mortification of seeing my brother officers, my troops, my friends and relatives in the service of the State, whilst I should have to

remain a spectator of scenes in which I was not allowed to participate, I thought it not only my right, but my special duty to the brigade, to seek some certain assurance that I should have a post in the field, if my brigade, or any part of it, should again be called out. The correspondence will show that this was satisfactorily given me at one time (16th June), when orders were issued that my staff and myself should put ourselves in readiness for active duty from the 1st July to 1st October; and his Excellency informed me, by letter of same date (16th June), that the orders were "intended to conform, as far as possible, with your (my) views and desires." On the 1st of July we were accordingly about to report to the Adjutant-General for duty, when, to my utter surprise, I received orders direct from the Governor (letter 29th June) which, in my opinion, so materially modified and altered the arrangements already determined on as to destroy the grounds of my expectation; and, although I instantly laid the matter before the Adjutant-General in my written communication, which was presented to the Governor at my instance, and requested to have the matter settled on a definite footing, I was wholly unsuccessful, and was left in as much doubt and uncertainty as before, although I plainly requested that, if his Excellency had no authority to enable me efficiently to discharge the duties he called on me to perform—if he had given me assurances it would embarrass him to make good, or if he had no authority to assign me a post in the field, he would frankly say so. Yet I got no other reply to these important inquiries than an argument against pay, which has been repeated again and again, as if his Excellency conceived that the only object of my staff and myself was to get pay from an exhausted treasury, which could not bear the draft—confining himself to that, and that alone, which we regarded as the least important, and omitting what was in our view of prime consequence and the most urged by us.

For these reasons I have felt myself constrained to retire from a place which I thought I could hold no longer with a proper sense of self-respect, with usefulness to the brigade or the city, or with any reasonable and certain assurance that I should be allowed to participate with the troops when they should be called to the honorable defence of our State.

JAMES SIMONS,
Charleston, S. C.

HEAD-QUARTERS FOURTH BRIGADE, S. C. M.,
Charleston, May 30, 1861.

YOUR EXCELLENCY :

I have had the honor to receive a communication from you through the Adjutant-General, of date 27th instant, in relation to the organization of the troops of this brigade, resident in Charleston, to meet any emergency that may arise during the summer, and authorizing me to take such measures as my judgment may direct to effect this end.

I had prepared the scheme enclosed, when I received a further communication from your Excellency, through the same channel, of 29th instant, in relation to taking the census of the 16 Inf'try, etc., etc. This latter is one of the minor, although necessary details of organization, and is, of course, included, as you will perceive, in the scheme as one of its items.

I invite your Excellency's attention to the scheme. It is the only effective, practical plan, according to my judgment; but, inasmuch as it embraces arrangements and involves expenditures which do not appear to have been contemplated when your Excellency's orders of the 27th were under consideration. I would not, of course, venture to proceed to the organization until I should lay it before you for consideration. No organization can be effective unless it be practical, and hence a paper organization is worse than useless, because it has the additional vice of being delusive. It is only by experience that disciplinary economy and responsibility in such matters can possibly be attained.

You desired, in the brief interview with which you were so kind as to indulge me to-day, to ask for an estimate of the expense. I am very diffident on this subject. Estimates seldom square with results. After some consultation, however, I would put the cost of carrying into operation my plan, as *laid down*, at about \$86,000—presuming that only such number of the troops are mobilized at a time as set down in the scheme. This, however, would necessarily be subject to modification and change, according to my judgment and discretion.

I have the honor to be, with great respect, your Excellency's obedient servant,

JAMES SIMONS,

Brig.-Gen'l Comm'g Fourth Brigade, S. C. M.

To his Excellency, Governor PICKENS,

Commander-in-Chief.

HEAD-QUARTERS FOURTH BRIGADE, S. C. M.,
Charleston, May 28, 1861.

SCHEME suggested for the Organization of the Troops resident in the City of Charleston, under the communication of his Excellency the Governor, of date 27th instant.

I. To inspect the Sixteenth Regiment Infantry (Beats); to make new, rigid and accurate census of the regiment, and to enrol the names of persons liable to do military duty, ordinary and extraordinary, with their residences, so as to be ready for draft in event of necessity.

II. To inspect, thoroughly, the Rifle Regiment, Regiment Artillery and Seventeenth Regiment, so as to ascertain—

1. The numerical force of each company.

2. To distinguish between the regular members and the members *ex-honore*, and to throw out of calculation all those of the latter class, and either compel them to join the beats or be enrolled in the volunteer company to which they belong, as regular members, for active service, ordinary and extraordinary.

III. To ascertain the organization of each company, battalion, and regiment—its officers, commissioned and non-commissioned, field, staff and line—and to supply the deficiencies of those not provided in the A. A. 1841, by conforming to the provisions of the A. A. 1860, as cumulative to the former.

IV. To ascertain what arms, implements, equipments and camp equipage, either their own property or belonging to the State, are now in the possession of the several companies, battalions or regiments, and what of each are wanted and ought to be furnished in proportion to the force of each.

V. To establish the Quartermaster's and Commissary Departments on a brigade footing, so as to ensure certainty, uniformity, economy, and official responsibility.

VI. To establish one or more suitable depôts in Charleston for the safe keeping of the implements, equipments and camp equipage assigned to the command, to be placed under the charge of the proper brigade department, to be ready in the event of any requisition.

VII. Whatever may be taken from any company, being their own property, and consisting of any of these articles, to be kept separate from the general property in brigade depôt, for the special use of such company, or be taken at their value

(the company being reimbursed), and become the property of the State.

VIII. To provide vehicles for transportation suitable in kind and quality (as well as number) for the use of the command, the same to be kept at the depôts mentioned in No. VI. The depôts to be under charge of the Quartermaster's Department, with proper pay and allowance for the care and custody.

IX. Munitions for artillery, infantry and rifles to be kept on hand, and especially designated by the State Ordnance Officer for the use of the command or any part of it when called into service, in sufficient quantity to answer any exigency—so that there may be no delay in procuring the same. The kind and character of the munitions for ordnance carefully to be adjusted and determined on by the Ordnance Officer on conference with the Brigadier-General.

X. These arrangements being made, and the organization and equipment, equipage, etc., being complete, a battalion roster to be made of the Seventeenth Infantry, Regiment of Rifles, and Artillery Regiment, and these corps to be forthwith put into the field in active service, by *battalions*, according to roster, preserving the regimental organization, and with the battalion, the field and staff of the regiment to be called out, and this service to continue until the roster be got through—or artillery, infantry and rifles battalions together, as the Brigadier-General may think proper: that is to say, the active service to commence from the time the first battalion on the roster be moved into the field, and continue until 1st November—making three or four weeks' service for each battalion. The field and staff of each regiment serving with each battalion during the whole term of service. The brigade department to be in service during the whole period, and the Brigadier-General to command the same under the brigade organization.

XI. The troops thus organized and commanded to be under the direction of the Commander-in-Chief of this State—since they do not come under the volunteer organization of A. A. 1860, and being under the A. A. 1841, are not to be mustered into the service of the Confederate States.

XII. The pay of the officers and men to be the same as that of the Confederate army, and to begin from the time they respectively go into active service according to the roster, and to cease when relieved.

XIII. All munitions, equipments and camp equipage, together with the pay, to be furnished by the State, and to be accounted for to the State authorities.

XIV. The troops, when called into service, to be under and subject to the like rules and discipline enforced and exercised in the Confederate army, and in all respects to be considered as ordered into service by the Commander-in-Chief, as in case of apprehended invasion, according to the A. A. 1841.

JAMES SIMONS,
Brigadier-General Fourth Brigade, S. C. M.

ESTIMATE.

For transportation, pay, etc., of troops.....	\$50,000
For camp equipage, etc.....	10,000
For artillery horses (if purchased) for one battery, \$12,500	12,500
For feed.....	3,000
	15,500
Contingencies.....	10,500
	\$86,000

NOTE.—At the date of the foregoing scheme, the Sixteenth Regiment did not form part of the troops contemplated then to be mobilized, because I designed, in the course of the summer, with the sanction of the Governor and the consent of the officers of the Sixteenth Regiment (field, staff and line), to avail myself of the resolution of the Convention (see Journal, page 297) to organize the independent companies already in commission (if they would consent), together with the Marion Rifles (Captain Sigwald, Sixteenth Regiment), and five or more other companies, to be raised in the Sixteenth Regiment, as a legion or regiment—to be engrafted, so to speak, on the Sixteenth Regiment. I intended to propose that new officers be elected (supposing the old, who should also be eligible for re-election, consent), and that this body, so organized, should stand in the place of the Sixteenth Regiment, and do all the duty, ordinary and extraordinary, of that regiment during the war, or until the Legislature thought proper to make other arrangements.

I supposed that we would raise thus from one thousand to twelve hundred effective men, and, make a superb corps of it. In consideration that a great many persons not liable to ordinary duty in the Sixteenth Regiment, would thus be relieved from being called into the field, it appeared to me that they would take pleasure in assisting to uniform and otherwise equip the new regiment, and thus the force of Charleston would be so increased and rendered effective by the whole plan, that with certain works in the Ordnance and Engineer's Departments, which I further contemplated, the enemy would entertain very little hope of taking vengeance on our city. It will be perceived that this would have been a work of some time and expense, and the mobilization of the other regiments could not have been kept back on this account. I ought to remark that the reason why this machinery would have to be resorted to is, that a new regiment, of itself, cannot be raised in the existing condition of the A. A. 1841, for this brigade. It could only be accomplished by an Act of the Legislature, except through the agency above mentioned

J. S.

HEAD-QUARTERS FOURTH BRIGADE, S. C. M.,
Charleston, June 5, 1861.

YOUR EXCELLENCY:

I had the honor to transmit to you, on the 31st ult., a scheme for the organization of the troops of the Fourth Brigade in this city, in pursuance of your orders to organize, dated 27th ult. Several days having elapsed, I hope your Excellency will pardon me for requesting a reply to my communication. The importance of the subject, the public interest manifested in it, and my own personal responsibility will, I trust, prove sufficient reasons for obtruding myself on your Excellency again.

Moreover, I have received several orders requiring attention since those of the 27th ult., above referred to, which, as it appears to me, materially concern the scheme of organization, and very closely affect both the public service and my own responsibility, I trust this may be regarded as a further justification of this note.

I have the honor to be, very respectfully,

Your Excellency's obedient servant,

JAMES SIMONS,

Brig.-General Comm'g Fourth Brigade, S. C. M.

To his Excellency Governor PICKENS.

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,
June 5, 1861.

TO GENERAL SIMONS:

Sir:—I received yours, dated this instant, and hasten to say that the delay in my answer arose from constant engagements and my desire to examine the details of your plan, and particularly the estimate as to expenses. I have not yet finally decided as to that part which involves the expenditure of eighty-six thousand dollars, except so far as to say that, at present, with our exhausted means, it would be impossible to encounter as large an expense as that.

At present, I desire the other orders executed, particularly as to the census to be taken by the Beat Captains in the Six-

teenth Regiment, and a full roll made of all men liable for military duty, and as thorough an organization of the regiment as can possibly be made for the present, and after these census returns are made, and the rolls returned (which I hope will be as soon as possible), then the companies must be ordered out for company drill, according to law, and a full return made of the arms they may have; and, at the same time, I hope your brigade will be put under special orders to hold itself in readiness for any emergency that may arise through the summer, so that we can rely on it for the defence of the city, until other troops are ordered to their support, if any attack of the enemy should be made or threatened.

F. W. PICKENS.

Charleston, June 10, 1861.

MY DEAR SIR:

I had hoped to have had a further interview with you before you left Charleston, but being disappointed, I must ask the favor of you to allow me this means of further communication.

I am progressing with the arrangements of the volunteer troops and Sixteenth Regiment (Beats), under your orders. There are twenty-five companies, and a competent inspection, to ascertain what they have and what they want, as they are not brought together in camp, will take a long time, and be very laborious. Further arrangements consequent upon these inspections will require no less labor, industry and zeal. You showed me the orders you had written preparatory to your leaving. Among the plans it was stipulated that Col. Anderson, in the event of necessity, should call on me for troops. At this point I inquired of you whether it was designed that my troops should be disintegrated, as they had been on former occasions, company by company, and taken from my command, until the last moment. I said that if I were to be put to all the labor and responsibility of the organization and preparation, and had to incur all the odium of enforcing duty and imposing punishment for the neglect of it, I hoped I would be put into service with the troops, or any portion of them, on their first call. You were kind enough to assure me, unqualifiedly, that such would be the case. I even proposed, if it

would relieve you from embarrassment, to waive rank to Col. Anderson, for as he was a regular officer, I felt that it might be a proper and becoming concession under such circumstances.

In consideration, therefore, of the labor and responsibility I am now undergoing, I would request you to put me, with my staff, under orders for immediate active service and duty. I will thus have authority and be able to enforce obedience in the organization you have ordered. I will also be enabled to avail myself of your assurance that I should accompany any of the corps of my brigade that may be ordered into the field. And, moreover, I can have the services of the staff for the organization, which it is scarcely reasonable to expect under other circumstances. If I cannot offer any expectation of service to these gentlemen, surely I cannot ask them, at the entire sacrifice of their own business and their personal convenience, to unite with me in a work that requires private expense, labor and responsibility, and it may be will incur odium, whilst it offers no active and honorable participation in the great work of the defence of the State.

The objection to this proposition may be the expense of the pay. Yet I apprehend such arrangements can be made on that head, as to obviate much of that difficulty.

I would say something more as to the scheme of organization which I laid before you. I find it gives general satisfaction to officers and citizens, and if you will begin the experiment, I will use every effort to practice rigid economy and to enforce exact accountability in all the departments.

I am anxious to see Charleston adequately prepared for defence, but I feel sure that nothing can be effectual to this end that is not practical, and it is impossible to put troops on a war footing without expense.

You will find my excuse, I hope, for troubling you, in the general interest manifested by our citizens at this time, in the subject of the defence of Charleston, which, in a military point of view, we regard the key of the State.

Without further apology, and hoping to hear from you shortly,

I am, very respectfully,

And truly yours,

JAMES SIMONS.

To His Excellency Governor F. W. PICKENS,

Edgefield C. H., S. C.

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,
June 16th, 1861.

MY DEAR SIR :

I received yours on my return from my Savannah river place a few days ago, and would have answered, but for the great pressure upon my time. * * * * *

* * * * * But it still behooves us to be thoroughly prepared for any emergency that may occur; and to keep the fine military forces of Charleston in proper order for any immediate call that may be made, I principally rely upon you this summer. I have never seen in any country, better drilled companies than are your volunteer companies of Charleston. They are equal to any men in the world, and I feel assured that you will be able to keep in check any force that may threaten you during the sickly season. * * *

* * * * * I have sent an order to Gen. Gist in relation to yourself and staff, a copy of which I enclose to you, which is intended to conform, as far as possible, to your views and desires. I allowed you a special clerk for three months also, with pay at fifty dollars per month. You will excuse me in my desire to practice rigid economy, for the State finances greatly require it, and I sincerely hope there is no danger to us at present; but if things change, and I see any danger, I shall not only be with you immediately, but shall spare no expenditure then to meet any event that may threaten. I shall be at Columbia as soon as there is any necessity, so as to be within striking distance of Charleston. At present I only wait events in Virginia, to shape my course more definitely for the summer. I think in about ten days we may expect a decided turn to matters in Virginia, and perhaps if advance parties come into conflict, they may force on at an earlier day a decided battle.

Yours, very respectfully,

F. W. PICKENS.

To Gen. SIMONS.

NOTE.—It is necessary to omit some parts of this letter which concern public affairs and the movements of certain troops in Virginia and in this State, but in no wise affecting the subject of this correspondence. J. S.

(Copy.)

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,
June 16th, 1861.

To Adjutant-General GIST:

Sir:—You will order General Simons and staff to put themselves in readiness for active duty from the 1st of July to the 1st of October, and direct General Simons to put his brigade into thorough organization upon the plan suggested in the last orders issued just before I left Charleston, and if any portion of the troops in his brigade shall be called out under requisitions or orders from Colonel Anderson, commanding, they shall be under pay; and if there shall be two or more battalions thus called out, it will be understood that General Simons shall be in their actual command, subject to concert of action with Colonel Anderson, and to be assigned to position by the direction of Colonel Anderson, and in no event is Colonel Anderson to be superseded in his command for the summer, except by special orders from head-quarters. No portion of Gen. Simons' brigade, however, to be considered in active service unless some threatened emergency shall occur, and if there should be need, Colonel Anderson will immediately make his requisitions upon General Simons, and send a notice of the same to head-quarters. Serve a copy of this order on Colonel Anderson.

F. W. PICKENS.

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,
June 29th, 1861.

To Brigadier-General SIMONS:

Sir:—I hope you and your staff do not consider yourselves under pay for three months, unless in actual service. I issued an order to call your staff into service, to be under your command, if you desired them to aid you particularly in any duty connected with the organization of your brigade, under the special orders I had issued. Of course, it will not take the whole three months to execute those orders, and if there is no invasion to make it necessary to call them into active service

on the field, then they will not receive pay. I am willing, as long as you may have them with *yourself, actually engaged in active daily service*, to the neglect of their business, and on expense, to allow the ordinary pay, without extras. But I hope this will not be longer than one month at farthest, and that by that time everything will be held under your organization in such a position that you can easily bring them out on any emergency, without the necessity of keeping them on pay all the time. Of course, I must leave a great deal to your discretion; but I feel assured that you are as much interested as I am in causing no expense to our State but what is *absolutely necessary*. I hope you will appreciate this note, as it is intended to prevent confusion hereafter. I have ordered Colonel Heyward's Regiment into encampment, and without pay, and so, too, of Colonel Manigault's; and I have issued orders for a reorganization of the old Militia Regiments throughout the country districts, and so forth, without pay.

Very respectfully and truly, yours,

F. W. PICKENS.

HEAD-QUARTERS, FOURTH BRIGADE, S. C. M.,
Charleston, July 1, 1861.

GENERAL :

Understanding, at our interview this morning, that you are about to visit the Governor, I beg to call your attention to the present condition of my orders.

On the 10th June I addressed the Governor a letter, copy of which I have sent to you. In that communication I requested that the Governor would put my staff and myself on active duty.

First. To give me the prestige of authority to enforce his orders for the organization of the troops of Charleston, and to put them on an efficient footing for active duty in the field.

Second. To enable my staff and myself to discharge these laborious and responsible functions without sacrifice of our time and private business at actual personal expense; and,

Third. To enable us to realize his assurance that our troops would not be disintegrated, company by company, as heretofore, without us; but that whenever any part of them were called out, I should be put in actual command of them.

On the 16th June the Governor replied to me satisfactorily, and sent me orders of the same date, of which he transmitted you a copy, requiring you to charge the staff and myself to prepare for active duty from 1st July to 1st October.

You did not think any further order from you necessary to carry this arrangement into effect; but told me to consider the staff and myself on duty on the 1st July.

With this direction I called my staff about me. Two gentlemen have come to the city, from their residence in the country, and all of them have arranged their business in pursuance of the Governor's orders of 16th June.

To my surprise, I received this morning the communication from the Governor of date 29th June, exhibited to you to-day.

I must ask the favor of you, in your visit to the Governor, to have the matter definitely settled on a certain footing. I have suggested the points on which I have put my application to the Governor.

If the Governor has called upon me to discharge military duties which he has no power to enable me efficiently to perform; if he have given me assurances which would embarrass him in any way, as the Executive, to make good; if he have no authority to assign me a post in the field if my troops be called into service, now is the time frankly to apprehend it, that there may be no misunderstanding hereafter.

It concerns every officer to apprehend his position perfectly. For the last six months I have been permitted to do little more than transmit orders, and, certainly, except with a slight interval, whilst in command at Morris' Island, exercised none of the powers of a Brigadier-General. I seek nothing more now than what appears to me to be due to my civil and military station and services in the State.

I cannot disguise from myself that I hold the third rank, both civil and military, in this Commonwealth, and whilst I occupy them I will not cease to consider what is due to them.

You will not be surprised, then, that under these circumstances, and at my time of life, I desire to understand with certainty and distinctness, the terms on which I am to be

treated and considered by the Executive, in devoting my services to the public.

I am, General, with much esteem,

Very respectfully, yours,

JAMES SIMONS,

Brigadier-General Fourth Brigade, S. C. M.

To Adjutant and Inspector-General GIST.

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,

July 6th, 1861.

To Brigadier-General SIMONS, Charleston:

Sir:—General Gist read to me yesterday your communication to him, and mentioned your request that it should be laid before me.

A Brigadier-General accepts his office with the condition implied of performing all its duties according to usual custom. It has always been a leading duty of a Brigadier-General of South Carolina Militia either to keep his brigade thoroughly organized, or if it should not be so, then it is his general duty to have it thoroughly reorganized, ready for service. The orders issued to you were intended to carry out these general duties. But as, from peculiar circumstances, your brigade had become more disorganized than usual, I was desirous of having it put in superior order for any emergency that might arise, particularly as the volunteer corps were so well armed and drilled. I therefore issued the special order as to yourself and staff, relating to your pay.

I still think one month's pay sufficient to effect all purpose beyond your ordinary duties, which, as Brigadier-General, you would perform at any rate, and hereby beg that you will not extend the order for pay of your staff beyond one month in active service, unless further exigency shall arise, calling for active duties in the field, and in that case you will be informed accordingly. If I were to adopt any other rule, it would fur-

nish a precedent, and I would have claims from every brigade in the State presented for more or less time occupied by different officers in their ordinary duties. We are in the midst of revolution and war, and all must submit to greater calls upon their time than in ordinary times. Take my own office for example—my whole time is occupied, and the pay does not cover one-third of the expenses, not to calculate that I have not a day for my private business.

I would most respectfully suggest that a new volunteer regiment be formed out of the Sixteenth, and that the volunteer corps, now independent of the Seventeenth, or the Rifle or Artillery Regiments, all join this new volunteer regiment. I shall address a suggestion to Captains Carew, G. S. Hacker, General Martin, and Captain Jeffords, who obtained permission to raise independent volunteer companies.

But I would be glad if you would give me the outlines, as briefly as possible, of your plans. I think if you adopt what I suggest, that you will then have a very efficient brigade of the best material. This new volunteer regiment out of the Sixteenth, and then the Seventeenth, and the Rifle and the Artillery Regiments, will give you four noble regiments that might be relied upon in any service, and which would make Charleston feel quite secure.

With the highest respect, yours, etc.,

F. W. PICKENS.

CHARLESTON, July 10th, 1861.

YOUR EXCELLENCY :

I have received your letters of the 29th June and 6th July, and ask leave to reply that I may be put right on the record.

I regret that you should have found it necessary in the latter, to instruct me as to the general obligations and duties of a Militia Brigadier-General. None of your predecessors have found anything in my official conduct which would subject me to the imputation either of ignorance or delinquency. I cannot suppose you designed any such suggestion, yet it appears to me that the tenor of your observations would naturally be in-

terpreted to import that meaning. I have thought it necessary to say so much on this head, and I now proceed with all becoming deference to your person and high office, to set forth the true position which I have claimed for myself and my staff.

I desired my letter to the Adjutant-General to be laid before you, that it might be answered in such a manner that I would know my position now and in the future. I desired that my staff and myself should be put into active service on these three grounds clearly stated :

1. To give me the prestige of authority to enforce command in the organization.

2. To relieve them and myself from devoting our whole time and service to the country at our own expense.

3. To have the assurance that, when the troops should be called into service, we might participate with them in the honorable defence of the country.

You have required me to put the brigade on a footing for active service in the field, to wit: on a war-footing. The militia law nowhere provides for such an organization or arrangement, or for the discharge of any such service by man or officer. I made no question on the law, but only desired that in carrying that plan into execution I and my staff should occupy the same condition that any other officer would in actual service.

You have not noticed either the first or third points.

You give me no satisfactory assurance that I shall be permitted to serve with the troops after I have organized them, but you confine yourself to the matter of *pay*, as if the gentlemen of my staff and myself—gentlemen of the highest respectability in the city and State—were actuated by no higher or more honorable motive than the sordid stimulus of pay. A casual reader of your two letters would naturally infer that you were resisting a hard or unconscionable bargain of some public claimant, rather than that you were replying to officers who were anxious to do their duty and were only seeking justice and their common rights. It is here that we wish to be put right on the record; we wish to keep it before your mind, that we are, *at least*, as solicitous to have an assurance that we should share in the defence of our country as to *draw our pay* or enjoy the prestige of authority.

I hope, however, to give your Excellency no further trouble,

as I have tendered my resignation to the Major-General, and trust he will have your sanction for accepting it.

I have been compelled to resort to this measure in self-respect, and you will permit me to detail some of the causes which have led to it.

From the 8th January, 1861, to 27th May, ultimo, except during the short period I commanded at Morris' Island, you suffered me to do no more than merely to copy and transmit your orders; any clever orderly could have done the same.

Although I was on the spot, and third in rank to yourself, you never consulted me as to any movements or measures in which my troops, company by company, were taken from me and employed by you, nor in any manner treated me as a general officer, except when I was sent to Morris' Island. In the midst of revolution, and whilst the enemy were at our gates, I lost sight of self and remained a silent spectator of the scenes in which I was not allowed to participate.

On the 27th May, ultimo, you directed me to organize and arrange the troops for *active service*, and to take such measures as my judgment might direct to effect this end. I then hoped you were about to recognize my rank and to permit me to exercise authority consistent with my station.

I was disappointed. The next day after committing this matter to my judgment—to wit: on the 28th May—you ordered, through me, a general court-martial in my brigade. I called on you and ventured, deferentially, to urge that in my opinion there were legal and political grounds of objection to the court. You disregarded my opinion; you had a right to do so, and I do not complain of that; but you said that Colonel DeSaussure approved it, and you subsequently insisted on the execution of the order. Colonel DeSaussure was a junior field officer, and however much he was entitled to our mutual consideration and respect, I think it without precedent that the Commander-in-Chief should throw into the teeth of one of his general officers the opposite opinion of a lieutenant-colonel of that General's command.

I passed this over, also, in silence, but in mortification.

On the 29th May, you directed me simply "to extend" an order on the subject of the organization of the Sixteenth Regiment, which order was included in quotation marks, and left me no discretion but to follow its very terms. Notwithstand-

ing you had put that subject under my charge, to be managed as my judgment "might direct"—and notwithstanding, too, that the order prescribed ministerial matter, the execution of which was peculiarly within my own jurisdiction, and was embraced in the same general duties which you affirm in your letter of 6th instant, belonged by law to my office; thus depriving me, even in so small a matter, of the discretion not only vested in me by the law itself, but indeed by the terms of your own order of 27th May.

Further, after mature reflection, I submitted to you, on the 31st May, a scheme for carrying into effect your orders of the 27th, with an estimate of the expense. To this day you have given me no reply on the merits of the scheme, but simply objected that at present there was not enough in the treasury to meet the expense.

Moreover, I was astonished to find, from your order of 29th June, which I procured from the Adjutant-General's office, that you have ordered Captain Jeffords' Company of Mounted Riflemen to be received as an *Independent Volunteer Company*. You had before this organized in my brigade four other companies, wholly independent of any legal organization, and not subject to my orders, without any notice to, or consultation with me whatever. Against your action in these cases I have kept silent. On this last occasion, however, although you communicated with me on the very day (June 29) that you made the order above mentioned, yet so far from consulting me, you did not even apprise me of your action. You were informed by the application of Captain Jeffords that a large portion of his company was "drawn from the Beat" (meaning, of course, the Sixteenth Regiment, part of my command), yet you have ordered that his company be received, to be independent of my command, without even giving me notice of your action, to say nothing of not asking my opinion as commander of the brigade. I ought not longer to be silent.

Finally, I will add a word for the defence of the staff and myself. We did not desire to hold our places for the mere honor of office; but we wished to serve our country in her hour of peril, according to the best of our ability. We have sought in vain for a satisfactory assurance that we would enjoy this right and privilege in common with the troops. We have urged you to declare it at once, if you have no power to make

good such an assurance to us, if you could not assign us a post in the field to say so. Yet you have preserved silence on the point of greatest interest to us, and have replied to that which is of least moment.

I have, therefore, decided that I cannot longer remain in my present office; and in this the staff unanimously concur, and resign also. Their names are below, and you will not be unacquainted with them.

I have the honor to be, very respectfully,

Your Excellency's obedient servant,

JAMES SIMONS.

To His Excellency, Governor F. W. PICKENS,
Commander-in-Chief,
 Columbia, S. C.

STAFF FOURTH BRIGADE.

General JAMES SIMONS, *Brigadier-General.*

Major ED. N. THURSTON, *Brigade Inspector-General.*

Major J. J. PRINGLE ALSTON, *Brigade Judge Advocate.*

Captain MOTTE A. PRINGLE, *Brigade Quartermaster-General.*

Captain CASPAR A. CHISOLM, *Aide-de-Camp.*

Captain J. CALHOUN CAIN, *Aide-de-Camp.*

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,
July 11th, 1861.

To Brigadier-General SIMONS:

Sir:—I received yours this moment, dated 10th instant, and hasten to say that I regret your resignation, and still more the grounds upon which you put it. Nothing was further from me than to instruct you as to the general obligations of your office,

but merely said what I did by way of illustration, as to what we all had to lose in a revolution, by devoting more of our time than usual to the duties of the offices we accept. I then tried to express myself, so as to embrace what I thought were ordinary duties, and what might be considered as extra duties, and desired to say that I was more than willing to allow pay for the extra duties that might be encountered, but even then did not make it positive, but only expressed the opinion that a month's time only would be required for the extra duties, that is for more than what might be considered the ordinary or common duties of your office. This was necessary to explain the difference between us, merely as to the estimate of time, you having intimated that it would require the whole of the three months. I did not even make my estimate positive, but intimated the time, and surely I could have no other object than the public interest, for the State had already incurred very heavy expenses. It was done with no desire to inform you of what were your duties, but to illustrate what I had intimated. As to your complaint that I did not indicate what your position would be, if any of your forces were called into active service, the reason that I did not mention it again was, that I had before, in my communication dated about June 17th, distinctly stated that if *two or more battalions* were called out by Colonel Anderson, you would be put, with your staff, in command, and I knew this itself was not a brigadier's command, but I knew also that other troops besides these would be also in the field, and your position would rank so as to command them all. Without this your under officers would claim their special commands.

You complain that I threw up to you the opinion of Colonel DeSaussure, as in favor of a Court-Martial, against your opinion, and that he was your junior. I thought that you had intimated there was no call or necessity for a Court-Martial, and I said "yes, there were many who desired it," and mentioned, I think, Captain Pope and Colonel DeSaussure, because I supposed them good officers and well informed, but with no view at all, I assure you, to throw into your face the "opinion" of one of your inferior officers.

As to your complaint of my not consulting you in all important matters this last winter, although you say you were the third person in rank, I think upon further reflection, you will

hardly think anything of that, for you know I did consult you at first, and called you and Major-General Schnierle, and other officers, into my room at the "Mills House," expressly to consult immediately after Major Anderson moved into Sunter, and that you there, in the presence of "junior officers," differed widely with me in everything I had done, and even demanded to know by what authority I had assumed to put out guard-boats in the harbor, to watch and report any movement; and you also said that Major Anderson had done exactly right, and the only wonder with you was that he had not long before fired into my boats, and you even appeared to lecture me as to my duties. And, again, I, after that, called you to my room early in the morning after Major-General Schnierle was taken ill, and you then differed widely with me. You afterward, about the 29th day of December last, made a regular military protest against everything I had done or prepared to do, and demanded a "Council of War." On the 3d of January last, I endorsed on the back of your demand for a "Council of War," that "I would agree to no 'Council of War' that would drive me to any such conclusions." These were important points in our early intercourse, and on the most vital issues as to policy; I had made up my mind, and to have consulted further with you then would only have added to our differences, and produced disorganization when everything depended on unity of council and action. Besides, in a few days afterward, the Convention called upon me to appoint a "Council of Safety." And I then deemed it more prudent to council with those whom the Convention called upon me to appoint.

As to the permission to Captain Jeffords to raise an independent company, you will find, if you will examine again the Adjutant-General's office more particularly, that I considered the organization of this corps, as requested, to be under the resolutions of the Convention, which provided for raising independent companies in the parishes of the sea-coast, on certain conditions. When the Adjutant-General inquired of me, in a communication dated the 6th day of July, if this corps was first required to comply with the conditions of the Convention, I replied, under date of the 7th of July, "Of course, Captain Jeffords must comply with the conditions in the resolutions of the Convention." Now, one of those conditions was the express consent of the officers commanding the organizations

to which they belonged, and before that command would be recognized it must first receive their sanction or permission. So there was no necessity for consulting you at that time, as it had first to be brought before those commanding officers, and it then was to continue not longer than days after the close of the next regular session of the Legislature, and is obviously only a temporary command.

No matter how high my personal respect may be for you, yet, in the discharge of public duties, I may be bound to differ. Called into office at the commencement of a revolution, after having been in a foreign land for three years, and somewhat unacquainted with men, I have often had to assume very painful responsibilities against the opinions of those immediately around. Everything was in confusion, and, you may say, in a revolution—the consequences of which will be felt for generations to come. I was held responsible for the high trust reposed in me, and I had the most decided opinions of public policy. However painful and unpleasant it may have been to differ with persons of your high position, yet there is no motive for any public act which I have performed, or any orders I have issued, into which I do not defy scrutiny. I have done things in which I differed from my dearest friends, and, perhaps, have often acted impetuously, as supposed by them, but there never has been a moment in these perilous times in which I did not feel more devotion to my country than to the ties even of friendship.

I think the reasons you give for resigning are not sufficient, and I deeply regret that you should have taken exception to what I have done; but, nevertheless, as your Major-General has transmitted your resignation, I will accept it.

With high personal consideration,

Yours, very respectfully,

F. W. PICKENS.

CHARLESTON, July 15, 1861.

YOUR EXCELLENCY:

I had hoped I would not have been obliged to extend this correspondence, but I am sure your sense of justice will indulge me a little further.

I have assigned, among other reasons, for resigning, that you have not shown that recognition which appeared to be due to me as a general officer. I detailed several instances, but confined myself to the facts, neither canvassing nor questioning your intention or motive. You reply, that you do not think my reasons for resigning are sufficient. Yet you adopt a line of argument to arrive at this conclusion, which not only admits the facts I have stated, but is founded, as you intimate, on a settled intention not to consult me—and why? Because on two occasions having been called into council, and my opinion specially asked, I ventured to differ from you, and express opinions not in conformity with yours. In other words, my rank, position and counsel as a public officer were to be overlooked because I did not yield acquiescence to that which did not accord with my honest convictions. So far from not resigning now, let me respectfully add, that had your Excellency then hinted at what you now express I would by no means have yielded to the solicitation of the Secretary of War to recall my resignation of the 8th January, but would have persisted in retiring.

I must ask your indulgence a little longer. You say that about the 29th December I made “a regular military protest” against every thing you had done, or were prepared to do, and demanded a council of war; that, on the 3d day of January last, you endorsed on the back of my demand for a council of war that you would agree to no council of war that would drive you to any such conclusions.

Permit me, in justice to myself, to show you the mistaken impressions under which you seem to labor. The date of my report was 1st January, and not 29th December. This date is important, as you will see in the sequel. I respectfully ask leave to correct your misapprehension also as to its being a “regular military protest.” It appears to me that you are mistaken. The paper I sent you was a Report on the Defences of the Harbor of Charleston.

I sent it to you because, on the 31st December, 1860, you directed Major-General Schnierle, in your own words, as follows:

"You are now ordered to see and attend particularly to the objects and the different commands I have detailed to you above, and for this purpose you are directed to call into requisition and council the valuable aid and coöperation of Brigadier-General Simons."

Thus called, and in pursuance of my responsibility and duty as Brigadier-General, I made a report of my examination of the harbor, and my opinion thereon. That it was a *report*, and not a *protest*, I cite your Excellency as both witness and judge. On the 2d January you say, in a letter to me: "*Your extraordinary report* I received last night, and have only to say that I do not pretend that the orders and disposition of the forces in Charleston harbor are at all perfect or beyond the criticism of strict military rule."

If you thought it then a regular military protest, it seems to me that you would not have called it a report. When you referred it the same day to the members of your Board of Ordnance, if they thought it a protest, it is strange they should call it a report in their reply to you.

In this connection, speaking of your not consulting me, you say that, on reflection, I will hardly think anything of that, since I differed widely from you at the Mills House, and appeared to lecture you on your duties in the presence of juniors, etc., etc. In reply, I would beg you to bear in mind, that the Mills House conference was on the 27th December, the day after Major Anderson's move. I certainly could not suppose that, by reason of the Mills House transaction, you would not consult with me, for this reason, that afterward, on the 30th December, so far from not consulting me, you named me second in a council of war "to consider and report, without delay, the most approved plan for the reduction of Fort Sumter;" and, still later, on the 31st December, so far from not consulting me, you ordered Major-General Schnierle to call me into council as to all your arrangements, and used to him the flattering and commendatory expressions I have already quoted. I could not, therefore, attribute your refusal to consult me to any matters anterior to 31st December, 1860; nor could I have attributed it to my report of the 1st January; for the language then used was of the most deferential kind, and, as I shall

presently show, I was confirmed in my views by two distinguished members of your Board of Ordnance. I have said this much in reply, and only to set you right as to what appears to me to be a misapprehension on your part. I have not questioned your motives and intentions, and will not in any way attempt to do so; and, in my letter of 10th July, you will find I have confined myself to events subsequent to the 8th January, 1861, when I recalled my former resignation.

Further: you say I *demand*ed a council of war, etc. I respectfully ask leave again to correct this misapprehension. My words were (see Report):

“With great respect, I pray your Excellency, at this moment of great peril, to consider the suggestions herein submitted, and to lay the matter before a council of war, in accordance with the custom of armies engaged in active operations.”

I cannot conceive how this can be called a demand; and I frankly say I think I understood my duty too well to have been so disrespectful as to have made a demand.

In relation to Captain Jeffords' company, I beg leave to say, that on examination you will find that your order of 29th June, authorizing the Adjutant-General to receive them as an independent volunteer company, was without condition or qualification. Even admitting that the suggestion of the Adjutant-General to you, of the 6th July (which was after I had conferred with him and stated my dissatisfaction), and your reply of the 7th of July, were part of the *res gesta*, still I have not urged the unlawfulness of your order as a ground of my resignation. The point of my complaint was, that although I was engaged from day to day, laboriously endeavoring to organize the “great portion” of those very men, according to your own orders, you took them from my command without giving me the least notice. Your justifying this confirms me in the necessity of my withdrawing, both on my own account and for the public service.

In conclusion, I ask leave to make a request of you. You say that you endorsed on my report, above mentioned, that you would agree to no council of war that would drive you to any such conclusions.

This stamp of your condemnation of my report, of course, must be part of the record, and therefore, as a matter of justice to myself, I ask the favor of you to send me a copy of the

report of the members of your Board of Ordnance, to whom you referred my report.

The gentlemen were General James Jones and Col. Thomas F. Drayton (the same who had been members, with me, of the Council of War, 30th December, 1860), men of military education and experience, who possess the entire confidence of the people of this commonwealth, and who were not only selected by you for your Board of Ordnance, but called specially to consider this report. I think their reply was very nearly in the following words, but the copy will be more precise:

They say to you in writing, I think under date 2d January, 1861, that at your request they had examined the report of Brig. General James Simons, of the Fourth Brigade, as to the defences of the harbor of Charleston, and beg leave respectfully to report that they agree with General Simons in the positions he has assumed and the conclusions he has deduced therefrom; and they return you my report with their communication under both their signatures.

As this document forms part of the public record of this transaction, and may be of use to me in after-history, at any rate as it gives me the satisfactory confirmation of such distinguished authority, I will be greatly obliged to you to send me a copy.

In ending this correspondence, I extremely regret its apparent controversial character. I disclaim any aggressive intention or spirit against yourself or your administration of public affairs. I hope I am too loyal a citizen to set so evil an example. I have been obliged to present myself, as it appears to me, right on the record, and to disclose the grounds on which I felt myself constrained to retire from my post at such a season; but this does not abate my consideration for your high official station, or my ardent hope for the successful termination of the great revolution in which we are engaged.

I have the honor to be, very respectfully,

Your Excellency's obedient servant,

JAMES SIMONS.

To his Excellency Governor F. W. PICKENS,

Columbia, S. C.

STATE OF SOUTH CAROLINA, HEAD-QUARTERS,

July 17th, 1861.

To General SIMONS:

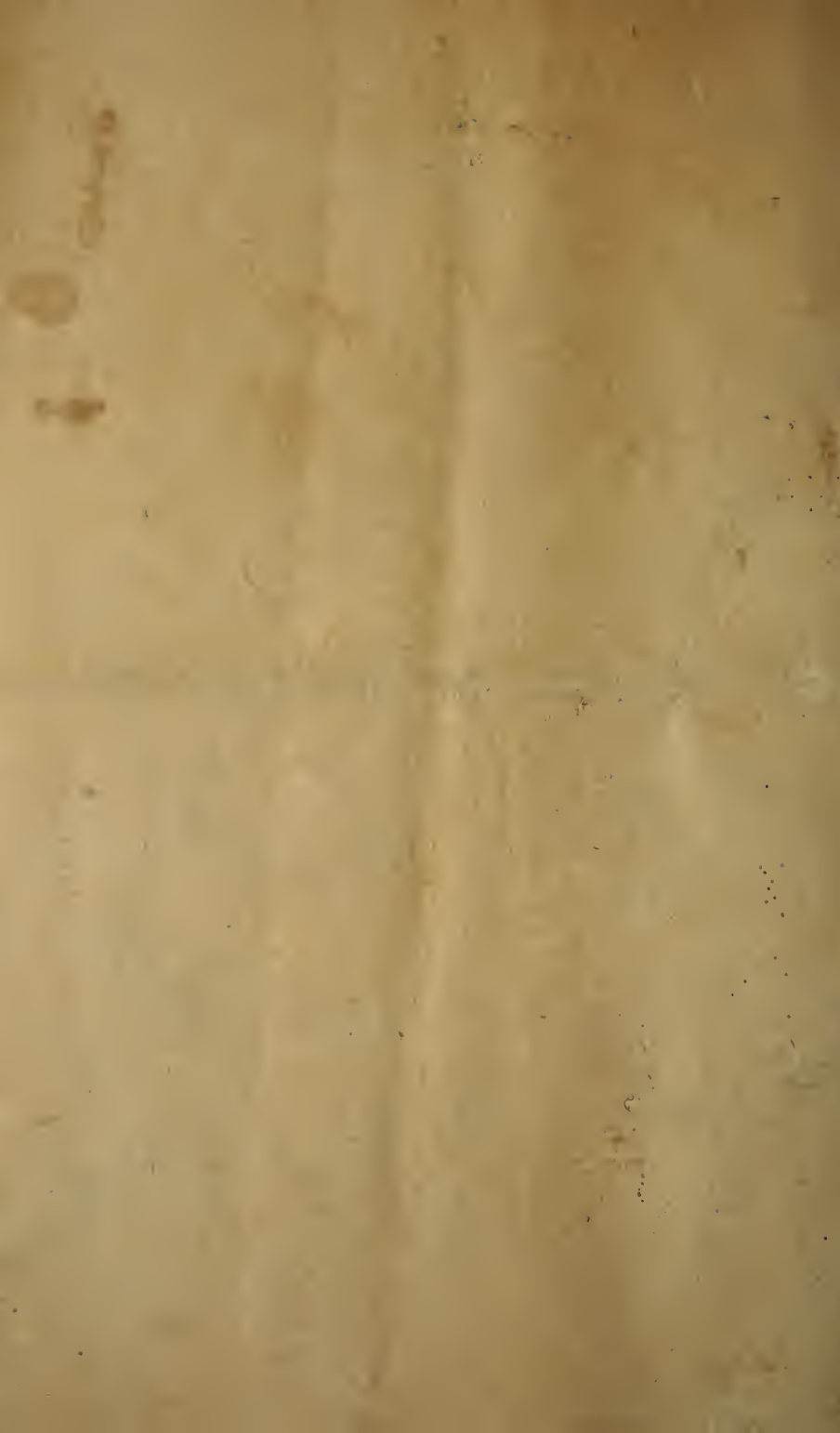
Dear Sir:—I received yours this morning, dated the 15th instant, and hasten to say that my letter in answer to your reasons for resigning the other day, was written from memory of dates and language, as I had none of the original correspondence before me, nor did I have your “report” or my endorsement, and this is the reason I said “about the 29th of December,” instead, more accurately, the “1st of January,” which you state to be the true date. I did not mean to be exactly precise as to dates or terms, but merely to give the substance of what I recollected. The original papers are all in the Adjutant-General’s office, or ought to be, and you are at perfect liberty to take copies, and show this to the acting Adjutant-General Simonton, and let him note what papers you take copies of, and then, of course, have them all filed carefully, as they constitute a public record.

I recollect the “report” you mention of General Jones and Colonel Drayton, and perhaps, upon reflection, my endorsement was made upon that rather than upon your “report;” but, in either case, the substance is the same. Very probably the words you quote as my endorsement were not exactly as they are on the original document, but it is nearly the same, as well as I recollect. I only mention it to illustrate the difference of opinion between us.

I hope that you have read to your staff my letter fully, because I desire they shall know that nothing I have ordered or directed was in the slightest degree offensive, or, at least, was not at all so intended by me. There may be the widest difference of opinions between gentlemen as to the best mode of executing anything, and also as to all public questions, and yet perfectly consistent with the preservation of the highest mutual personal regard and respect.

Very respectfully yours,

F. W. PICKENS.



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