

Section 2<sup>nd</sup>

The badge of Sovereignty is the Right of self negotiation with foreign powers. in Confederacies this is sometimes guarded against. But to be recognised by foreign nations must have External Sov. as well as Internal Sovereignty.

A State is a union of men in a political society for purposes not inconsistent with law of nature showing exclusion control over the inhabitants & must possess a definite territory. The Barbary Powers are not constituted for the purpose of Piracy - but this is only an incident & never does keep them from being recognised as a State.

Holy Alliance - Combination in 1815 to stop Revolution in Europe -  
 Monroe Doctrine - Declared that Govt U.S. would regard any interference in domestic quarrels on this Continent as oppression.

Hole. Cls of Absolute Rights of Nations.

- 1<sup>st</sup> Right of Indep. Sov.
2. Right of equality
3. Right of negotiation

4

181 Right of Judg. Sover. - see  
1. Right of Property. This treated of  
in the negotiation about Oregon. E.g.  
held that Columbian River was  
already known when the shores  
discovered. (1) Our claim of  
discovery was based on discovery  
of Privois ship. That of Eng on  
discov. of Wood ship. (3)

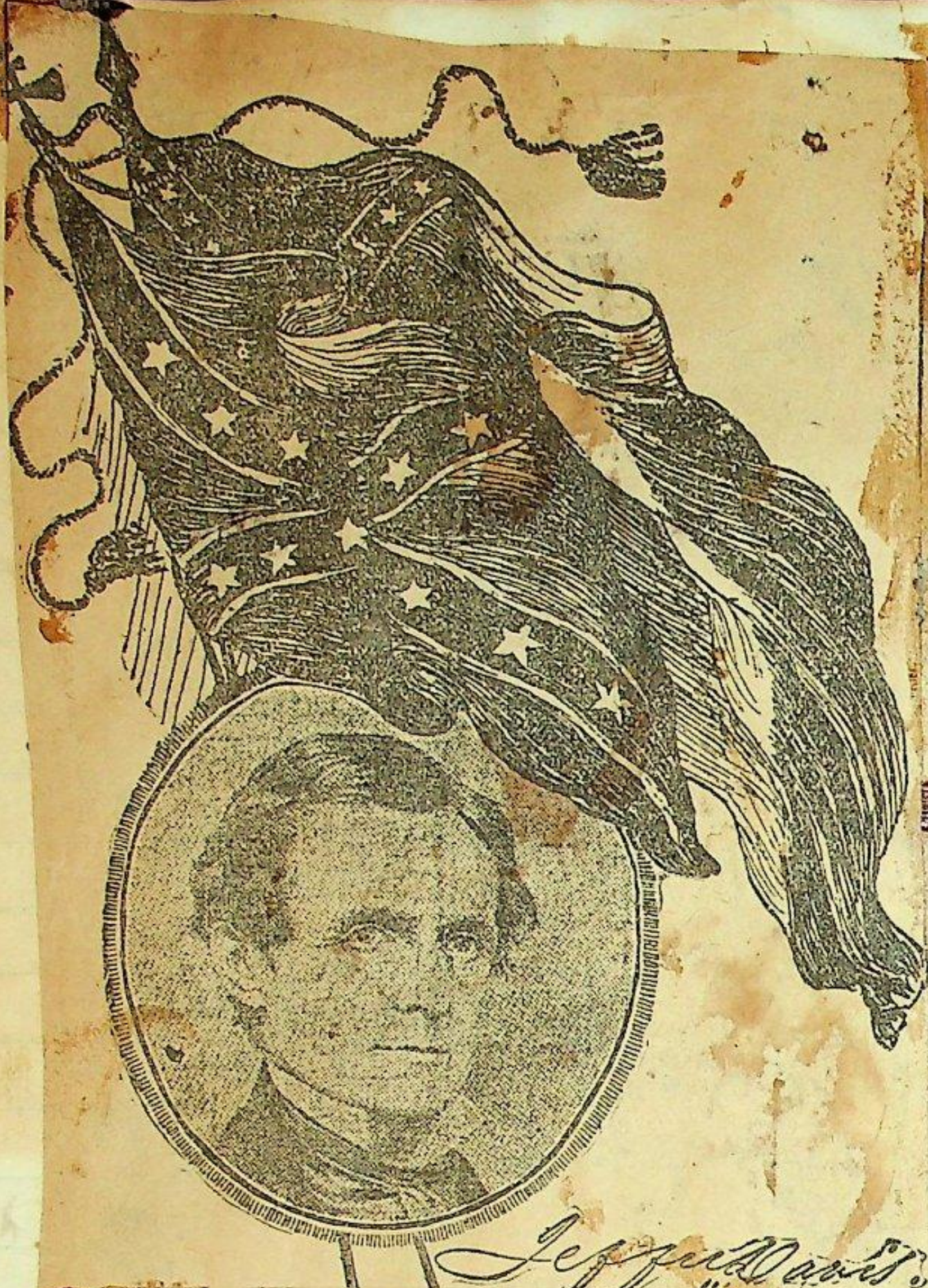
2. Right of Govt. as to determine its  
own Institution. (1) To govern over  
Citizens. This touches on the Core  
of Domestic Jurisdiction.

Foreign nations no right to be  
arrested Right or who party is the  
de jure Sovereign. but bound  
to recog. any existing de facto  
Govt. & this for its own protection  
E.g. Spanish Colonies. Portugal  
& Spain. Cromwell. Amer. Revolut.  
then on cases however when this  
exclusive power of Govt. may be interfused  
with. then are 3 classes

(1) A state may intervene for the purpose  
of vindicating any great principle  
of public law or the interest of man-  
kinds to maintain. See Kossuth.

(2) To prevent a state from making such  
acquisition of territory or will make it  
dangerous to the independence & security  
of its neighbors. See Russian acquit.  
Hempden.

(3) A transaction occurring within  
any state strictly domestic but  
yet such as to put in jeopardy  
some interest of other nations  
must be serious danger. E.g. Dec. 1810  
Turkey. sell of Greece & Bulgaria in Arabs.



*Jefferson Davis*

Printed by Beason, Hanson Co., N.H.

25th July 1881

H. C. Holland Esq.  
My Dear Sir

Accept my thanks for your kind letter of the 28th inst. In reply to your inquiry I would say:

The States cannot be deprived of their reserved rights except by their own action in a general Convention such as formed the constitution

As each state did, by its own consent, in separate convention delegate certain powers and reserve the rest, so must each State grant any additional power as the only means by which it can justly be deprived of it.

Force may prevail over right, but cannot destroy truth.

The exercise of the power to coerce a State cannot give to that act constitutional authority, but it has been so acquiesced in that the remedy of secession by an oppressed minority must be considered impracticable.

The South never asked for more than a faithful construction of the constitution as interpreted by the men who made it, and if in the future that can be secured we may be content, though we cannot surrender a right even while admitting our inability to maintain it.

I was much gratified by the expression of your opinion in regard to the past and tender to you my sincere regard

Respectfully and

Truly yours

*Jefferson Davis*

Autograph Letter of President Jefferson Davis.

This letter of the President of the Southern Confederacy, a fac-simile of which appears above, was written July 25, 1881, to Rev. Dr. R. C. Holland, former pastor of St. Mark's Lutheran church, of Charlotte, and while Dr. Holland was attached to the faculty of Roanoke College, Virginia. It touches upon the vital issue of 1861-'65, and was written in answer to an inquiry made by Dr. Holland, who was called upon at that time to answer questions propounded by the senior students in Roanoke College in regard to national questions under the constitution. It has been held in confidence for 28 years and is now given to the public for the first time as worthy of publication. This is the full text of the letter:

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JEFFERSON DAVIS.

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violability of territory -  
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- the Canada over -*

# JEFFERSON DAVIS

Old Kentucky Home of the Taylors—The Howell Mansion in Mississippi.

## CARL SCHURZ ON MR. DAVIS

When I went to St. Louis Mr. Brownell was very kind and showed me many valued attentions. Among other things he insisted that I ought to visit the house in which Jefferson Davis had been married to the beautiful and accomplished Sarah Knox Taylor. I was not aware that such a house existed in St. Louis, but as he claimed to know a good deal about it, I cheerfully followed him to the place where he said it could be found. It was a two-story wooden erection, situated somewhere in the midst of a great forest of structures made of brick and stone, and wore an aspect of dignity and distinction. One could easily persuade himself that it had once been provided by the government as a residence for some of the officers of the army, though it had then descended to the estate of a storehouse for hardware merchandise.

I was ushered into a room on the ground floor, where I was gravely assured that the solemn observance had been celebrated, and standing there amid a great collection of hammers, bolts, cythes and nails, the eloquence of Mr. Brownell conjuring back to life the figures of each of the high contracting parties, and the notable incident went forward to its conclusion before our very eyes and ears. It brought a delightful sensation; a thrill of very rare satisfaction.

I had read the account given of this incident by Mr. Davis himself, and had observed the fact that he had laid the scene of it in Kentucky, but the suggestion of such an item in such a place would have been ungracious in the high-degree. People cannot abide those who interfere with their traditions. It is an welcome and dangerous business in any or country.

Returning to Kentucky I jested good-naturedly with some of my friends of Taylor family about the new learning that I had acquired in St. Louis, told them exactly how Mr. Davis Miss Taylor appeared at their wedding ceremony in that city in the long But it was no laughing matter with Taylor family. They took it seriously, and thought something should be done to vindicate the truth of history.

### The Real Taylor Home.

Virginia Taylor, a grandniece of Taylor, and one of the members of the whole family, took the arrangements in hand and decided that as I had refused to report in the Western I should hear the exact truth of the case in Kentucky. In due season arranged that a company of should make an expedition in to the scene where the marriage really occurred. The place is Beechland, and is situated about 15 miles from Louisville. A kodak was our equipment, and when we arrived pictures were taken of it, which are omitted herewith. The lady who in both of them is the Miss Virginia Taylor mentioned above.

There were two rooms in the building, the larger than the other, and I was invited to the ceremony took place in the smaller room to the left. The property was at the time of the wedding the home of John Gibson Taylor, Esq., and his wife Elizabeth Taylor, who was the eldest sister of General Taylor, and the occasion drew together a large assemblage of members of the Taylor family. General Taylor was engaged in military operations against the Indians at the Falls of St. Anthony, in the far West, and could not be present in person, but he had full knowledge of the proposed union; it was in no sense a runaway match.

Beechland long since ceased to be the property of the Taylors. At the time of our visit it was in the possession of a family of German gardeners, and the house served the purpose of sleeping rooms for laborers employed in their service. These were kept with much neatness, and the covering of the beds seemed to be composed of feather beds, such as one may find everywhere in the fatherland.



JEFFERSON DAVIS.  
From a daguerreotype made about 1853.

### The Taylors of Kentucky.

The Kentucky Taylors are said to count three several Presidents in their genealogical line, namely, Madison, Taylor and Davis, and I have sometimes tried to form a conclusion in their estimation. I have never heard one of them institute any comparisons—perhaps it never occurred to a member of the family that such comparisons would be in order—but they are certainly devoted to the memory of President Davis. As a young lieutenant he had a somewhat serious misunderstanding with Colonel Zachary Taylor, but the quality of his manhood and his bearing towards the Taylor family were both so superb as to win their whole-hearted admiration and loyalty.

Some years before my visit to Beechland I was present at a convention in Natchez, Miss., where I was royally entertained in one of the historic mansions of the city. My host was one of the most cultivated specimens of the old South, and carried me everywhere to see the sights. Among other places I remember that we visited the grave of Sergeant S. Prentiss, and the house where Miss Varina Howell and Jefferson Davis were married. I had failed to bring a kodak, and therefore it was not possible in this case to take any picture; but if my recollection serves me well the Howell mansion was a more showy structure than that in which the marriage with Miss Taylor was celebrated. It was built of wood, and was of the type known as a frame dwelling, while Beechland was apparently a log house that had afterwards been weather-boarded for the sake of neatness and adornment. There was a wide view from the Natchez house across the Mississippi, which included, I believe, the town of Vidalia, in Louisiana. The house was a typical Southern residence, and I was particularly impressed by the large glass partition in the hall, which could be raised up so that the breezes might circulate more readily throughout the lower story. The parlor in which the ceremony occurred was on the right hand as we entered, and was a roomy and somewhat showy apartment.

Mr. Davis as Carl Schurz Saw Him.

The earliest picture of Jefferson Davis appears to be that which serves as a frontispiece to Volume I of the memoir by his wife. It is a portrait, and one can hardly make out his age at the time it was painted. The earliest photograph of which we have any account is a daguerreotype that was taken in the year 1853, shortly after he became Secretary of War in the Cabinet of President Pierce. It is a striking representation, and may be found in the November number of McClure's Magazine. It is not one of the least services which that important periodical has rendered to have obtained from Mrs. Davis almost in her closing days the privilege of publishing such a valuable monument. An admirable position has been accorded it in the "Reminiscences of a Long Life," by Carl Schurz. This great man, in describing his first visit to Washington City shortly after the time when the daguerreotype was taken, supplies the following description of Mr. Davis as he then appeared:

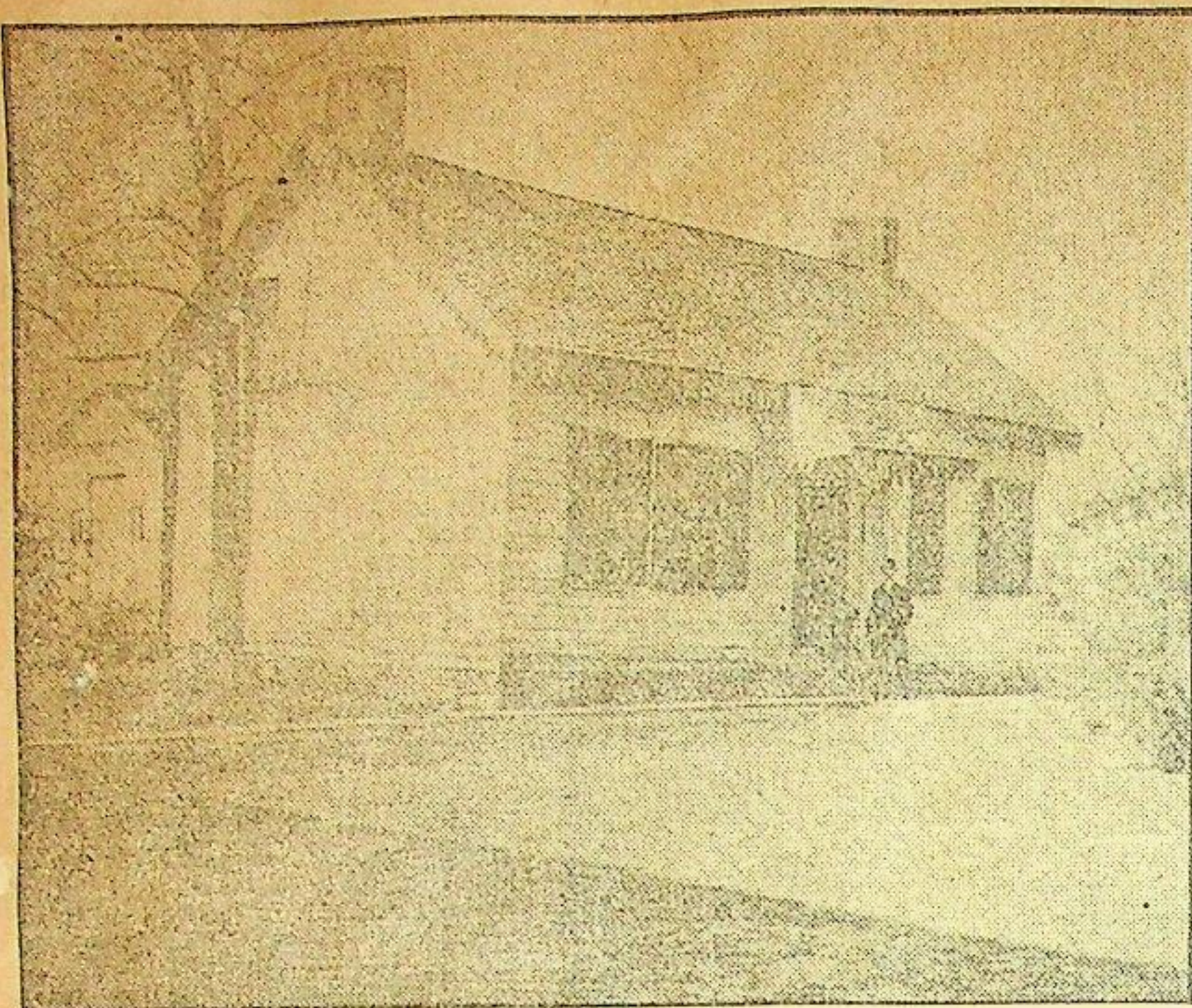
"The first call I made was at the War Department, to present my letter of introduction to the Secretary, Mr. Jefferson Davis. Being respectful, even reverential, by natural disposition, I had had in my imagination formed a high idea of what a grand personage the War Minister of this great republic must be. I was not disappointed. He received me graciously. His slender, tall and erect figure, his spare face, keen eyes and fine forehead, not broad, but high and well-shaped, presented the well-known strong American type. There was in his bearing a dignity that seemed entirely natural and unaffected—that kind of dignity which does not invite familiar approach, but will not render one uneasy by lofty assumption. His courtesy was without any condescending air. Our conversation confined itself to the conventional commonplace. A timid

attempt on my part to elicit from him an opinion on the phase of the slavery question brought about by the introduction of the Nebraska bill, did not meet with the desired response. He simply hoped that everything would turn out for the best. Then he deftly resumed his polite inquiries about my experiences in America and my plans for the future, and expressed his good wishes. His conversation ran in easy, and so far as I could judge, well-chosen, and sometimes even elegant phrases, and the timbre of his voice had something peculiarly agreeable. A few years later I heard him deliver a speech in the Senate, and again I was struck by the dignity of his bearing, the grace of his diction and the rare charm of his voice—things which greatly distinguished him from many of his colleagues."

There was no more competent and discriminating critic of men and affairs than Mr. Schurz at that period within the limits of the United States. He found very little to approve in any other public man whom he encountered in the Federal city during the visit in question. His respect for Mr. Davis was almost unique, and was unabated by the circumstance that Davis resided on the Southern side of the line. Moreover, he retained it unimpaired, in spite of the prejudices that must have accrued during the War between the States. His judgment will likely go far to elevate Mr. Davis in the opinion of thoughtful men. The "Reminiscences of a Long Life" have been widely read and much appreciated. They constitute, perhaps, the most striking series of articles now running in any American magazine, and McClure's has increased its influence decidedly by offering such a contribution to our country's thought and life.

WILLIAM H. WHITSITT,  
Richmond College.

*Handwritten notes in the right margin:*  
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"BEECHLAND,"

Where Jefferson Davis was married to Miss Sarah Knox Taylor, daughter of Colonel Zachary Taylor, afterwards General Zachary Taylor, and President of the United States.

#### Jefferson Davis's History of the Civil War.

Nothing which has yet been published on the subject of the late war has been read with a title of the curiosity and interest sure to be awakened by the work to which Mr. JEFFERSON DAVIS is known to have devoted many years, and which is now issued by the Appletons in two large volumes, under the title of *The Rise and Fall of the Confederate Government*. No witness that could be brought before the tribunal of history by the defeated party in our great quarrel will be heard with more patient and earnest attention, for none could have had such ample opportunities of knowledge as were possessed by the President of the late Confederacy. We may add that no reader of this book, whatever his personal convictions or predilections, can fail to be profoundly impressed with the breadth and quality of the intellectual force displayed in this defence of a lost cause. There is exhibited in the preliminary discussion of principles with which the narrative of events is introduced an exhaustive acquaintance with constitutional law and with the facts bearing on the intentions of the framers of the Constitution for which we could find a parallel only in the foremost rank of American statesmen. Nor have we reason, upon the whole, to complain of the spirit in which the writer sets forth the details of the struggle which turned on the disputed right of secession from the Union. Touching some of the assertions made there will be, no doubt, a conflict of evidence and of opinion, and the trend of the author's sympathies is, of course, distinctly pronounced, but the general tone of the narrative is marked by dignity and sobriety, by candor and sincerity. Regarded as an historical document this book will unquestionably outlive everything that has thus far been written on either side of the great question destined to be resolved by war. And after such a calm, deliberate, majestic plea on behalf of the revolution with which his own name will always be identified, the author may leave with a certain measure of equanimity the ultimate decision on the merits of the case—as Bacon left the final verdict on his own life taken as a whole—to other countries, and to his own when some time has passed over.

It is of prime importance that Mr. Davis's motive in writing this history should not be misconceived, nor is there any excuse for misconceiving it. No candid student of these volumes can charge the author with anything so puerile as the desire to fan the embers of sectional hostility and foster feelings that might provoke a second attempt to break up the Union. Mr. Davis frankly and emphatically acknowledges the Union of these States to be indissoluble. He admits that secession has been demonstrated once for all to be impracticable. For good or for evil, the lot of the South is inextricably coupled with that of the North; and whatever perils shall hereafter menace the people of the whole country in their political and civil liberties will be those engendered not of disintegration but of consolidation. For these very reasons many generous and upright men of all parties will concur with Mr.

Davis in thinking that the time has come to weigh dispassionately the character of the motives and the soundness of the arguments which led the Southern States to form an independent federation. If it be true that the Union is henceforth indestructible, it has clearly become our paramount duty to see to it that the common flag is what it once was, a symbol of sympathy and fraternity, and not the detested emblem of compulsory aggregation. We must no longer permit ourselves to think or speak of the late Confederates as "rebels," for the term begs the whole question hinging on the purport of the Constitution, and is really inapplicable to men who simply held and applied a conception of that instrument which was not even disputed for many years after the formation of the Union, and to which Northern advocates of secession had recourse long before the project of separation was mooted at the South. We must not forget that even after the Gulf States had seceded and formed a new confederacy, so careful a student of American constitutional history as Horace Greeley acknowledged that the right of peaceful withdrawal seemed to lie by implication at the root of the powers and guarantees reserved to the individual commonwealths, and that he could discern no power in the Federal Government to coerce a State. We must bear these things in mind; we must forego ugly epithets, which only serve to breed bad blood and befog the intellect; we must admit freely that from their point of view the Southern States had as much right to resist the attempt to force them back into the Union as the majority of the Northern people had to exercise coercion. Each party, in a word, was equally "loyal" to that theory of the Constitution which was dominant in its locality. Without a general recognition of this truth, it is impossible for the two sections to understand and appreciate each other's motives and actions, and such an understanding is indispensable to the reestablishment of mutual confidence, esteem, and amity. We do not envy the man who can dispose of all the equities involved in a constitutional problem with a jeer or a taunt, who has no comment but *vacielis* for the devotion of a brave people to the principle of State rights, and who still in his heart surveys the South as a conquered country. Such a man's notion of the Union is, indeed, a sordid and hateful thing; it has nothing in common with the benignant conception of concord and fraternity which the fathers sought to embody in the American Constitution, and which it is the duty and the hope of patriots to restore.

Mr. Davis had, as we have said, a twofold purpose in the composition of this narrative. His first aim was to prove by historical authority that each of the States, as sovereign parties to the compact of union, had the reserved power to secede from it whenever it should be found not to answer the ends for which it was established. From this premise he would draw the inference that the war was on the part of the United States Government one of aggression and usurpation, while, on the part of the South, it was a war for the defence of an inherent, inalienable right. We do not propose, at this time, to follow Mr. Davis in the historical inquiry from which he draws the arguments in support

of his main thesis, but we commend to the thoughtful and candid reader his discussion of the powers reserved to the individual States, and of the specific right of withdrawal from the confederation, as being the most learned, comprehensive, sagacious, and satisfactory examination of the question that we have ever seen, and we do not except the contributions of Webster and Calhoun to the enlightenment of American opinion upon the subject. Those who imagine that Mr. Davis in his treatment of this theme would lay himself open to the charge of special pleading, or of suppression of facts, will do well to scan his pages closely, and compare each of his assertions with the text of the Constitution, with the records of the National Convention which framed it, and of the State Conventions which accepted it, and with the published utterances of those men who had the largest share in the preparation and advocacy of our organic law. Mr. Davis need not fear the judgment of such readers, and he writes for no others.

We would chiefly direct notice for the present to that portion of this book allotted to the second of the two objects which the author had in view. "My second purpose," says Mr. Davis, after an attempt to demonstrate the essential reasonableness and rightfulness of secession, was to show "by the gallantry and devotion of the Southern people in their unequal struggle how thorough was their conviction of the justice of their cause"—to maintain, further, what has been denied in some quarters, that "by their humanity to the wounded and captives they proved themselves the worthy descendants of chivalric sires, and fit to be free," and to assert, finally, that in every case—as when, for example, their army invaded Pennsylvania—"such was the respect of the Southern people for private rights, such their morality and observance of the laws of civilized war, as to entitle them to the confidence and regard of mankind." These are the main affirmations which the mass of materials collected in this work are intended to support. In our judgment the author has made a very strong case for each of his averments, but for most of the evidence brought forward we must of course refer the reader to these capacious volumes. We can merely indicate the drift and force of the argument by brief extracts culled mainly from those chapters and paragraphs dealing with matters touching which Mr. Davis must have had exclusive or specially favorable opportunities of gaining information.

The impression has been current at the North that the secession of the Gulf States was not the outcome of a popular movement, but the result of a so-called conspiracy in which many of the Southern Senators and Congressmen took part, and in which Mr. Davis himself was a chief promoter. This view can scarcely be sustained hereafter in the face of the overwhelming evidence brought forward in these volumes. As regards the part taken by himself, Mr. Davis proves, by the written testimony of eye-witnesses, that he was one of the last men among those prominent in Mississippi politics to approve the secession of his State, and that from the first he never shared the prevailing opinion that a withdrawal from the Union could be peacefully accomplished. Not, of course, that he doubted the abstract right of secession, but he long questioned the expediency of its exercise. It seems to us also that Mr. Davis successfully refutes the assumption that the South was the aggressor in the conflict which ensued. It is hard to see how Mr. Seward can be freed from the charge of flagrant bad faith in his dealings with the Confederate Commissioners sent to Washington for the purpose of negotiating an amicable transfer of the forts and other Federal property in the seceding States. Nor will reasonable men deny, now that nothing is to be gained by quibbling, that the first overt act of hostility was not the attack on Fort Sumter by Gen. Beauregard, but the attempt to reinforce that post, made in violation of the pledges repeatedly given by Mr. Seward to the Commissioners. We think no candid person can fail to be convinced by the ample documentary testimony brought forward by Mr. Davis that the seceding States were sincerely anxious to live on terms of peace and amity with those who adhered to the old Union, and that with very few exceptions, among which Mr. Davis must be counted, the leading men of the Confederacy believed up to April, 1861, that the formation of an independent Government at the South would encounter no resistance. They were unquestionably misled by the pacific tone of the Northern press, and especially by the attitude of the *New York Tribune*. It will be remembered that this journal, which had contributed so largely to the election of Lincoln, had declared after the election of its candidate:

"Whenever a considerable section of our Union shall deliberately resolve to go out, we shall resist all coercive measures designed to keep her in. We hope never to live in a republic where of one section is pinned to the residue by bayonets."

Another popular misconception is not likely to survive the publication of this history. We refer to the assertion that large quantities of arms and ammunition had been transferred, during the latter part of Buchanan's administration from the Federal arsenals at the North, to points in the Southern States where they could readily be seized on the outbreak of hostilities. There really seems to be but little ground for this notion. Mr. Davis shows that for some months after military preparations were begun the Southern States were but slenderly provided with muskets, and well-nigh destitute of powder and percussion caps, and that for ammunition they were wholly dependent upon supplies purchased at the North, until they were able to organize manufactories in their own territory. There was not it seems, at the time of the attack on Fort Sumter, a single powder mill or a cap-making machine in the Southern States. For nearly a year afterward the operations of the Confederates were well-nigh paralyzed by the dearth of arms. Thus, in the winter of 1862, when Gen. A. S. Johnston was trying to form an army at Bowling Green, he could not obtain a single gun from the Gulf States, and in answer to his earnest demand for 30,000 muskets, he was obliged to the arming of his men, President Davis was only able to send him 1,000.

Another interesting question seems to be settled by this book. The evidence here submitted makes it clear that Mr. Davis was in no sense accountable for the failure of the Southern army to move on Washington after the first battle of Manassas. Gen. Beauregard affirmed on information, which he considered trustworthy, that there were strong fortifications on the south side of the Potomac, occupied by garrisons which had taken no part in the battle, and were therefore not affected by the panic which had seized the defeated army. We now know that the supposed fortifications and garrisons did not exist, and that if the Southern forces had followed close upon the Northern troops they could have taken possession of the Federal capital. But, as we have said, the reports upon which the Confederate Generals had to base their action represented a widely different state of things. Few readers, however, will refrain from drawing an inference which Mr. Davis himself carefully refrains from sanctioning, namely, that Gen. Beauregard, who had been in command at Manassas, ought to have acquired exact and definite information. It is plain enough now that the Confederacy failed to profit at Manassas by its first great opportunity, but it is also certain that Mr. Davis, who arrived upon the ground during the battle, and had to rely on others for his facts, can in no wise be held responsible for the blunder.

Of the battle of Shiloh, Mr. Davis writes, "Sidney Johnston fell in sight of victory; the hour he had waited for, the event he had planned for, had arrived. \* \* \* The extracts which have been given sufficiently prove that when Gen. Johnston fell the Confederate army was so fully victorious that had the attack been vigorously pressed Gen. Grant and his army would, before the setting of the sun, have been fugitives or prisoners. \* \* \* Grant's army being beaten, the next step of Gen. Johnston's programme should have followed, the defeat of Buell's and Mitchell's forces as they successively came up, and a return by our victorious army to Tennessee and Kentucky. The great embarrassment had been the want of good military weapons; these would have been largely supplied by the coquest hoped for, and, in the light of what had occurred, not unreasonably anticipated. \* \* \* I believe that again in the history of war the fate of an army depended on one man, and more, that the fortunes of a country hung by the single thread of the life that was yielded on the field of Shiloh." Elsewhere Mr. Davis tells us that his estimation of Sidney Johnston was based on long and intimate acquaintance. "Beginning in our youth, it had grown with our growth, without check or variation, and when he first arrived in Richmond was expressed to some friends yet living in the wish that I had the power by resigning to transfer to him the Presidency of the Confederate States."

It is now known that in the battles on the Peninsula, in the spring of 1862, the Confederate forces, which were supposed to outnumber the Northern army, really comprised less than 50,000 men. Gen. McClellan's report of April 30 shows that he then had present for duty 112,000. In describing the Peninsula campaign, Mr. Davis takes occasion to defend Gen.

Lee against the charge of negligence in permitting the escape of Gen. McClellan's army. "Gen. Lee," we are told, "was not a man of hesitation, and they have mistaken his character who suppose caution was his vice. He was prone to attack, and not slow to press an advantage when he gained it." But after the battle of Malvern Hill, Gen. McClellan succeeded in gaining Westover on the James River, where his position was one of great natural and artificial strength, being flanked on each side by a creek, with the approach in front commanded by the heavy guns of his shipping, as well as by those mounted in his intrenchments. Under these circumstances it was deemed inexpedient to attack him." And again: "Under ordinary circumstances the army of the enemy should have been destroyed. Its escape was due to the causes already stated. Prominent among these was the want of correct and timely information; this fact, together with the character of the country, enabled Gen. McClellan skillfully to conceal his retreat, and to add much to the obstructions with which nature had beset the way of our pursuing columns. We had, however, effected our main purpose: the siege of Richmond was raised, and the object of the campaign, which had been prosecuted after months of preparation at an enormous expenditure of men and money, was completely frustrated."

As regards the battle of Antietam or Sharpsburg, Mr. Davis shows from official reports that the total strength of Lee's army was but 35,000 men, whereas Gen. McClellan states that he had in action on that field 89,000 of all arms. Mr. Davis evidently considers this engagement a drawn battle; he points out that every effort to dislodge the Confederate forces from their positions had been defeated with severe loss; that, on the ensuing day, though too weak to assume the defensive, Lee waited, without apprehension, a renewal of the attack, and that on the following night he withdrew his army to the south side of the Potomac without loss or molestation. It is not the less true that the object contemplated by the invasion of Maryland, viz., by threatening Pennsylvania, to compel the Northern forces to withdraw from Southern territory for the protection of their own, was thwarted by Gen. McClellan at Antietam.

It appears that at Fredericksburg the Confederate army had present for duty but 57,000 men, and at Chancellorsville considerably less. The Northern forces opposed to them in these battles are computed at 132,000, with an artillery force of 400 guns. Of Gen. Jackson, who fell at Chancellorsville, Mr. Davis says: "As an executive officer he had no superior, and war has seldom shown an equal. Too devoted to the cause he served to have any personal motive, he shared the toils, privations, and dangers of his troops when in chief command; and in subordinate position his aim was to understand the purpose of his commander, and faithfully to promote its success. He was the complement of Lee; united, they had achieved such results, that the public felt secure under their shield. To us his place was never filled."

Mr. Davis does not blame Gen. Pemberton for the surrender of Vicksburg, but although he refrains from explicit censure of Gen. Johnston's conduct, it is clear that he holds the latter accountable for the failure to relieve the besieged commander. Mr. Davis himself deemed it of vast importance to hold the two positions of Vicksburg and Port Hudson. Gen. Pemberton agreed with him, but Gen. Johnston, who commanded the Department of the Mississippi, entertained quite different views. The latter considered the safety of the garrison of such paramount importance that the place should be evacuated rather than the loss of the troops hazarded; the former regarded the holding of Vicksburg as of such vital consequence that Gen. Johnston's army ought to risk an attack upon Gen. Grant in order to retain its possession. It seems that while Gen. Pemberton was besieged great efforts were made by the Confederates to reinforce Gen. Johnston. That commander made no attempt, however, to raise the siege.

The impression left on the reader by Mr. Davis's account of the battle of Gettysburg is that he ascribes the failure of the Confederates to Gen. Longstreet's delay. Gen. Lee manifested, we are told, extreme displeasure with the tardy corps commander. Mr. Davis computes the strength of Lee's army on this occasion at 62,000 of all arms. Gen. Meade, in his testimony before the committee on the conduct of the war, averred that his strength at Gettysburg was a little under 100,000 men—about 95,000. "Thus closed," says Mr. Davis, "the campaign in Pennsylvania. The battle of Gettysburg was unfortunate. Though the loss sustained by the enemy was greater than our own, theirs could be repaired, ours could not. Had Gen. Lee been able to compel the enemy

to attack him in position, I think we should have had a complete victory." But Meade could wait, Lee could not. "To compel Meade to retire would have availed but little to us, unless his army had first been routed. To beat that army was probably to secure our independence. The position of Gettysburg would have been worth nothing to us if our army had found it unoccupied. The fierce battle that Lee fought there must not be considered as fought for the position; to beat the great army of the North was the object, and that it was of possible attainment was to be inferred by the various successes of our arms." Mr. Davis thinks that "had there been a concentrated attack at sunrise on the second day, made with the same gallantry and skill which were exhibited in the partial assaults, it may reasonably be assumed that the enemy would have been routed." "This, from the best evidence we have, was the plan and the expectation of Gen. Lee. These having failed, from whatever cause, and Meade having occupied in force the commanding position of Round Top it must be conceded that it would have been better to withdraw than to renew the attack on the third day." Mr. Davis will not acknowledge that the Southern army was defeated, but submits that its opponent's claim to a victory is refuted by the fact that when Lee halted on the banks of the Potomac, Meade, instead of attacking, as a pursuing general would a defeated foe, halted also, and commenced intrenching. In the author's judgment, the consequences of the battle of Gettysburg have fully justified the amount of attention it has received. "It may," he says, "be regarded as the most eventful struggle of the war; by it the drooping spirit of the North was revived. Had their army been there defeated, those having better opportunities to judge than I, or any one who was not among them, have believed it would have ended the war. On the other hand, a drawn battle, where the Army of Northern Virginia made an attack, impaired the confidence of the Southern people so far as to give malcontents the power to represent the Government as neglecting, for the specific interests of Virginia, the safety of the more Southern States. \* \* \* The volume thus given to the voice of disaffection was most seriously felt by us."

Did Gen. Lee's surrender necessarily entail the immediate collapse of the Confederacy? To that question Mr. Davis returns a decided negative, and it seems probable that had his orders been obeyed the struggle would have been considerably prolonged. His account of the events which followed the evacuation of Richmond, is invested with peculiar interest. He tells us that in the spring of 1865 the importance of Richmond regarded as a depot for the manufacture and storage of arms was much diminished by the creation of analogous facilities at Augusta, Fayetteville, Selma, and Macon. Mr. Davis had proposed to evacuate Richmond in the early part of March, but Gen. Lee objected on the sufficient ground that "his artillery and draught horses were too weak for the roads in their then condition, and that he would have to wait until the roads were firmer." The programme finally approved was to retire as soon as possible to Danville, at which place supplies should be collected and a junction made with the troops under Johnston. The combined force was then to be hurried upon Sherman in North Carolina, with the hope of defeating him before Grant could come to his relief." Then the more southern States, freed from pressure and encouraged by this success, would, it was expected, send large reinforcements to the army, and Grant, drawn far from his base amid a hostile population, might yet, it was hoped, be defeated, and Virginia be delivered from the invader. This plan was frustrated by the interposition of a Federal force across the route to Danville, and Lee was accordingly compelled to move, not southward but westward, toward Appomattox Court House.

Three days after Lee's surrender Mr. Davis held a conference with Gen. Johnston and Gen. Beauregard at Greensboro, N. C. "Though I was," writes Mr. Davis, "fully sensible of the gravity of our position, I did not think we should despair. We still had effective ar-

from raids, together with its salubrity, the abundance of water and timber, and the productive farming country around it." Owing to the congregation of prisoners, however, garrigue and scurvy made their appearance by the middle of May, and arrangements were made as soon as possible to provide quarters for them elsewhere. By September the main body of prisoners had been transferred to Millen, Georgia, and to Florence, South Carolina. Major Wirz is pronounced by the writer "the victim of men who in his kindness he paroled to take care of their comrades, and who, after having violated their parole, appeared to testify against him." Of

in the field, and a vast extent of rich and productive territory both east and west of the Mississippi, whose citizens had evinced no disposition to surrender. Ample supplies had been collected in the railroad depots, and much still remained to be placed at our disposal when needed by the army in North Carolina." Mr. Davis goes on to say that his motive in holding an interview with the senior Generals of the army in North Carolina was not at all to learn their opinion as to what might be done by negotiation with the United States Government, but simply "to derive from them information in regard to the army under their command, and what it was feasible and advisable to do as a military problem." The failure of several attempts to open negotiations with the Federal Government, and notably of the last made by the Commissioners who met President Lincoln at Hampton Roads, had convinced Mr. Davis of the utter hopelessness under existing circumstances of obtaining better terms than were then offered, viz., surrender at discretion. At all events, Mr. Davis was justified, as the result proved, in believing that better terms for his country would not certainly be secured by laying down his arms and trusting to the magnanimity of the victor than by keeping organized armies in the field. Mr. Davis asserted in this conference at Greensboro his conviction that, even if Gen. Sherman should assent to terms more favorable than those offered at Hampton Roads, his Government would not ratify his action. He yielded, nevertheless, to the judgment of his constitutional advisers, only one of whom held his views, and consented that Gen. Johnston should, by way of experiment, enter into negotiations with Gen. Sherman.

It will be remembered that the first agreement between Sherman and Johnston was approved by Mr. Davis, but was not ratified by the Federal Government. Thereupon Gen. Johnston was directed by the President of the Confederacy to retire with his cavalry and so large a force of infantry as could be mounted on draught horses, together with some light artillery. The rest of the infantry was to be disbanded and a place of rendezvous appointed. This order, Mr. Davis tells us, was disobeyed. Gen. Johnston, without any authority from the executive head of the Confederacy, and in the teeth of his explicit instructions, surrendered his army on the same terms which had been granted to Lee. The situation, however, of the two Generals was widely different. Lee's supplies had been cut off, his men exhausted by fatigue and hunger, and no reinforcements were in view. His starving army, moreover, was surrounded by large masses of hostile troops, through which he had tried, though vainly, to cut his way. On the other hand, Johnston's line of retreat was open, and supplies had been placed upon it. His cavalry was superior to that of the enemy, as had been proved in every engagement, a fact which insured to him a safe retreat. Moreover, Maury, Forrest, and Taylor still had armies in the field—not large, but strong enough to have collected around them the men who had already left Johnston's army and gone to their homes to escape the rumored surrender, as was the case with those who, under similar circumstances, had left Lee. Mr. Davis then believed, and still believes, that all the mischiefs of the reconstruction epoch may be traced to Johnston's surrender; that "the show of continued resistance would have overcome the depression which was spreading over the country, and that the exhibition of a determination not to leave our political future at the mercy of our enemy, which had for four years been striving to subjugate the States," would have led the United States authorities to assent to any terms which might be needed to terminate forthwith the existing war.

As to the circumstances attending Mr. Davis's capture, they are thus set forth: His small party, it will be remembered, were endeavoring to reach the coast of Florida. "One of my staff," writes Mr. Davis, "who had ridden into a neighboring village, returned, and told me he had heard that a marauding party intended to attack the camp that night." This decided him to wait where he was long enough to see whether there was any truth in the rumor, which he supposed would be ascertained in a few hours. "My horse," he continues, "remained saddled and my pistols in the holsters, and I lay down, fully dressed, to rest. Nothing occurred to rouse me until just before dawn, when my coachman, a free colored man, who faithfully clung to our fortunes, came and told me there was firing over the branch just behind our encampment. I stepped out of my wife's tent and saw some horsemen, whom I immediately recognized as cavalry, deploying around the encampment. I turned back and told my wife

these were not the expected marauders, but regular troopers. She implored me to leave her at once. I hesitated from unwillingness to do so, and lost a few precious moments before yielding to her importunity. Mr. Davis's horse and arms were near the road by which he had expected to leave, and down which the cavalry were approaching. It was therefore impracticable to reach them, and he was compelled to start in the opposite direction. "As it was quite dark in the tent," continues Mr. Davis, "I picked up what was supposed to be my 'raglan,' a waterproof light overcoat without sleeves; it was subsequently found to be my wife's, so very like my own as to be mistaken for it. As I started, my wife thoughtfully threw over my head and shoulders a shawl." He had gone perhaps fifteen or twenty yards when a trooper galloped up and ordered him to halt and surrender, to which Mr. Davis returned a defiant answer, and, dropping the shawl and raglan from his shoulders, advanced toward him. "He levelled his carbine at me," the writer goes on to tell us, "but I expected that if he fired he would miss me, and my intention was in that event to put my hand under his foot, tumble him off on the other side, spring into his saddle, and attempt to escape. My wife, who had been watching, when she saw the soldier aim his carbine at me, ran forward and throw her arms around me. Success depended on instantaneous action, and recognizing that the opportunity had been lost, I turned back, and, the morning being damp and chilly, passed on to a fire beyond the tent."

These two indentments furnish a far indication of the characters of these two great players on the world's stage and of their attitude toward each other. Always polite and dignified, but always bitter.

LESLIE J. PERMY.

Most respectfully your obedient servant,  
J. E. DONKSTON, General.

President understands the cause of it.  
General: I regret the want of interest in the report, but am gratified that Adjutant and Inspector General,  
GEO. S. COOPER,

Richmond, Dec. 21, 1864.

Adjutant General, closing as follows:  
I have the honor to acknowledge the receipt of your letter of the 20th inst., and in reply to inform you that the report of the Adjutant General, Johnston, was permitted to see this in many important points.

JEFFERSON DAVIS.

The impression created by other communications contemporaneous with the events referred to, the absence of the reports of subordinate officers, and the want of interest on the part of the Adjutant General, suggest a reason for the want of interest on the part of the Adjutant General.

November 12, 1864.

The case as presented is very different from that of his Atlanta operations.

Davis indorsed upon Johnston's official report, but the war ended ere he could execute his threat, that he would prefer charges against that officer in the or at hand. When Johnston read Hood's report he noted the adjutant general's name in the or at hand. When Johnston read Hood's report he noted the adjutant general's name in the or at hand. When Johnston read Hood's report he noted the adjutant general's name in the or at hand.

It is a singular fact that Davis himself indicated during the war on either side.

CONFIRMED BY DAVIS' OWN LOGIC.

It is a singular fact that Davis himself indicated during the war on either side.

base in the interior, on the first favorable opportunity. He pertinently observed, that like himself, Lee was falling back before Grant in Virginia, yet constantly gaining in military renown, and further, that Lee, Breagg and Pemberton were forgiven faults for which he was condemned.

He points with telling force to the fact that a trial of the cyclone policy of offense against the Federals was immediately fatal to the objects of the campaign and of the war, and expresses the opinion that if either Hardee or Stewart had been placed in command instead of Hood Atlanta would have been saved. Finally, in general, he holds that it was a lack of statesmanship and not military resources or leadership to which the failure of the south is to be ascribed. It was not the greater population and resources of the north that conquered, Johnston expresses the opinion that at first the southern was a more effective soldier than the man of the north by reason of his experience from youth with firearms and natural aptitude for the military life. Yet in the very earliest battles these "inexperienced" northern soldiers inflicted the greatest loss on their enemy that occurred during the war on either side.

Gen. Winder, who had the chief command of the Confederate prisons, Gen. Samuel Cooper writes in 1871, that "he was an honest, upright and humane gentleman. He had the reputation of treating the prisoners confined to his general supervision with great kindness and consideration." To the photographs which were at one time circulated at the North as illustrations of prisoners, we find the following in this book: "On two occasions," says Mr. Davis, "we were specially asked to send very sick and desperately wounded prisoners, and a particular request was made for men who were seriously hurt that it was doubtful whether they would survive a removal, a few miles down James River. Accordingly, some of the worst cases, contrary to the judgment of our surgeons, but in compliance with the piteous appeals of the sick prisoners, were sent away. After being delivered they were taken to Annapolis, Maryland, and there photographed as specimen prisoners. The Annapolis photographs," continues Mr. Davis, "were terrible, indeed, but the misery they portrayed was surpassed by that of some Confederate prisoners we received at Savannah." It was not thought necessary, however, to photograph the latter in order to fire the Southern heart.

In the introduction to these volumes it is submitted by the author, as a proposition admitting of no dispute, that the form of servitude existing in the Southern States was incomparably milder than any which has borne the name of slavery in other countries or at other epochs of history. Most impressive testimony to the good will and confidence which generally characterized the relation of master and slave is furnished by an act of the Confederate Congress providing for the arming and training of slaves with a view to service in the army. Seneca Saco, whose explanation of the slave's condition has been noticed in these volumes, would have accounted this a fact of profound significance. It appears that as early as Feb. 17, 1861, the Secretary of War was authorized to employ 25,000 negro slaves in connection with the fortifications and military defenses of the country. Mr. Davis strenuously urged the enrollment of negroes in the ranks. "I stated," he tells us, "to a member of the Senate the fact of my having led negroes against a lawless body of armed white men, and the assurance which the experiment gave me that they might, under proper conditions, be relied on in battle." It was in this conference that he used the expression, referring to the prejudice which undoubtedly existed in many quarters against the arming of the blacks: "If the Confederacy falls there should be written on its tombstone, Died of a Theory." We learn that Gen. Lee heartily concurred with Mr. Davis in advocating the enlistment of negroes. Ultimately, as we have said, a bill was passed empowering the President to ask for and accept from their owners such a number of negroes as he might deem expedient provided that no more than twenty-five per cent of all male slaves between the ages of 18 and 40 should be called out. The restriction was introduced in order to leave on the plantations sufficient number of hands for cultivation. We should add that the measure was taken too late to have any practical results.

An interesting chapter of this book is devoted to the Confederate Navy. The author dwells on the almost insuperable difficulties under which the Naval Department of the Confederate Government labored, and admits that the result of their efforts may seem insignificant if measured by the actual number of cruisers sent forth on the high seas. He points out, however, that the damage inflicted upon Northern commerce was out of all proportion to the force employed. On this head some impressive statistics are cited. Thus, whereas in 1860 nearly 70 per cent of the foreign commerce of the country had been carried in American ships, only 45 per cent was so transported in 1864, and in 1872 only 28 per cent. So, too, the capacity of the vessels engaged in the coasting trade, which in 1861 had reached 1,735,000 tons, had shrunk three years afterward to 867,000. Again, the export of broadstuffs, which had been valued at \$42,500,000 in the last quarter of 1861, had declined in the last quarter of 1864 to less than \$2,000,000.

We have been able to glance at but a few of the important topics discussed by Mr. Davis in these volumes. It is not to be expected that his conclusions will pass without sharp protest and vehement outcry from those whose judgment in his or whose policy receives harsh judgment in his pages. But he has one immense advantage over any man who is likely to controvert his assertions. His book will live long after their rejoinders are forgotten. This account of the rise and fall of the Confederate Government belongs to that very small but precious class of narratives, wherein events of great significance and magnitude are chronicled by a chief actor and eye-witness. It belongs to the category of which the writings of Thucydides, of Xenophon, and Caesar have been reckoned heretofore the most eminent examples, and what it may lack in comparison with them as regards the graces of literary treatment is more than compensated by the incomparably greater moral and historical value.

M. W. H.

In accordance with the request of Governor Swanson the one hundredth anniversary of the birthday of Jefferson Davis, will be appropriately observed on June 3rd by the chapter, Miss Hilda Forsberg, chairman of the committee of arrangements announced that the following addresses have been promised for that occasion:

The domestic life of Jefferson Davis, by Rev. Dr. R. H. Bennett, pastor of Court Street Methodist church.

His life as a statesman, by Rev. Dr. Carter Helm Jones, pastor of the First Baptist church.

His life in the Confederacy, by Rev. E. R. Carter, rector of Grace church.

## A WORK OF HISTORY.

### Collection of the Writings and Speeches of Jefferson Davis.

To the Public:

The Mississippi Department of Archives and History has formulated a plan for the collection and publication of the writings and speeches of Jefferson Davis. In order that the undertaking may be successful, it will be necessary to secure the co-operation, not only of the historical societies and patriotic organizations which have original Davis letters, but also of individuals who have preserved them. Up to this time there has been no systematic effort made for the collection in one repository of the letters and speeches of Mr. Davis. These valuable historical materials that are still in private hands, will, in course of time, disappear or be destroyed if they are not collected and preserved in some central repository.

That the duty of preserving and publishing these records rests upon the Mississippi Department of Archives and History is very evident; and in response to the obligation the Department issues this appeal for co-operation on the part of those who are interested in the preservation of historical materials, not only in the South, but in every part of the United States.

The papers of Mr. Davis is not preserved alone in the Southern States; while it is doubtless true that the greater part of them are in the South, it is well known that there are valuable collections in other parts of the country.

The true story of the Southern Confederacy lies in the letters, speeches, and State papers of its leaders and its best justification will come after such historical materials, have been made accessible to the truth-loving historian of the future.

The private and public papers of such Southern leaders as Calhoun, Davis, and Lee, will reveal, as nothing else can, the principles for which they contended and give to posterity the true estimate of their lives and deeds.

In order that those who are interested may know the kind of papers wanted, it may be well to state that all writings of Mr. Davis, public or private, official or unofficial, in manuscript or printed form, are worthy of preservation and are desired. In other words, any paper in his handwriting or signed by him, is of value. The papers which are apparently of least value may give impressions which are of the greatest historical importance. It has been truly said that the account books kept by Washington and Jefferson have afforded to historians an insight into their habits and characteristics which could not have been obtained from the Declaration of Independence or the Farewell Address. It may be gathered from this illustration that the private papers of great men are by no means unimportant to the historian.

The most valuable historical materials in the United States relating to the American Revolution, are the original papers of such leaders as Washington, Franklin, Jefferson and Madison, which are preserved in the Manuscript Division of the Library of Congress.

The most desirable form of historical material is the original document. It is often the case, however, that the owner of the original is unwilling to part with it, and an accurate copy is all that can be had. In gathering up the Davis writings and speeches it is the intention of the Mississippi Department of Archives and History to make the largest possible collection of originals that can be obtained. In the event that the original documents cannot be secured, copies, accurately made and certified, can be used to good advantage and will be gladly accepted; and when any expense is incurred, the amount expended will

be returned. Where Davis collections are in the custody of historical societies or other patriotic organization, or where they are part of the National or State archives, permission to have copies made by persons designated by the officials in charge is requested. In the case of private collections, where the owners are unwilling to give up the original documents, but are willing to furnish, or allow copies to be made, it will be best to allow the original to accompany the copies for purpose of verification.

The collection and publication of the writings and speeches of Mr. Davis should strongly appeal to the people of Mississippi among whom his life was spent, it should also have the active co-operation of every patriotic organization in the South, and it is confidently believed that such an undertaking will command the sympathy of searchers for the truth everywhere. The Mississippi Department of Archives and History invites the co-operation of every historical agency in the United States which has Davis writings or speeches in its collections, and it solicits the active aid of those who have in their keeping the archives of the various Southern States in making a worthy undertaking a success. The Department appeals to Confederate Veterans, Sons of the Confederacy, Daughters of Confederate Veterans, and Memorial and Monumental Associations throughout the country to give active aid and support to the movement which has for its motive the preservation of truth.

Correspondence should be directed to the Director of the Department of Archives and History, Jackson, Miss.

With the belief that the collection and publication of such historical materials will redound to the honor of the Southern people, and add something of permanent value to the history of the whole country, I am

Yours respectfully,

DUNBAR ROWLAND.

Director Mississippi Department of Archives and History.  
Jackson, Mississippi.

### THE WEST POINT OF DAVIS' BOYHOOD.

(From "Jefferson Davis at West Point," by Pro. Walter L. Fleming, in the June Metropolitan Magazine.)

Scattered over the face of the plain were the cottages occupied by instructors and traders, and six large buildings: The Long Barracks or Bombardier Barracks, occupied by a detachment of troops; the hotel kept by one Gridley; the North Barracks and the South Barracks, the Mess Hall and the Academy. There were also a barber shop, sutler's store, and a fruit and candy shop. At Gridley's hotel, or "Old Grid's," where the cadets stopped until admitted to the Academy, Davis stayed during the week before his admission, and had the pleasure of sleeping "three in a bed." The Mess Hall was a long two-story stone building, the upper story of which was used by the drawing department. On the lower floor was the dining room. There were no tableware on the long bare tables. The seats were wooden benches, which in the rush to and from meals the mischievous cadets delighted in kicking over. The Academy building contained the adjutant's office, the library, recitation rooms for engineering, philosophy, chemistry and drawing, and the chapel, a long narrow hall in which the cadets read and nodded during the long sermons of Mr. Picton, the chaplain, during the session of 1824-'25. The chapel was also used for dances and concerts.

Farmville Herald: We never write nor speak the name of Jefferson Davis without a feeling akin to reverence, not that he was more nor less than human, not that he was faultless, not that he did not make mistakes, not that he was not at times moved by passion and at others the victim of prejudice, but that he bore in his own body, as it were, and we write it reverently, the sins of the Confederacy if sins it committed. He alone when others were free to go to their homes and to their loved ones, suffered behind prison bars and suffered the weight of galling chains. He alone was unforgiven. He, the foremost citizen of the nation, alone was denied the rights of citizenship. He alone was most misunderstood and misrepresented. He alone was fired upon after the flags had been furled. Upon his devoted head the vials of wrath continued to pour. Of him alone the enemy has never spoken a kindly word. Upon his grave no flower has ever been placed save by those who loved him while he lived and honor his memory now that he is dead. And we cannot build the monuments too high which are to perpetuate his form, and our children's children shall be taught that he was a patriot, and brave, and humble, and chivalric and Christian.

### DAVIS ANNIVERSARY.

Celebration to Be Held by the Old Dominion Chapter.

The one-hundredth anniversary of the birthday of Jefferson Davis will be appropriately celebrated by the Old Dominion Chapter at the Y. M. C. A. Auditorium Wednesday afternoon, beginning at 4:30 o'clock. All the Confederate organizations of Lynchburg and of Campbell, Amherst, and Appomattox counties, as well as the Woman's Club of this city, have been invited and it is expected that a large number of people will be present.

Dr. R. H. Bennett will speak on the private life of Jefferson Davis, and will be followed by a vocal selection by Mrs. A. Lynch Ward.

Dr. Carter Helm Jones will speak of Davis as a statesman, after which Miss Annie Gilliam will render a violin solo.

Rev. E. R. Carter will make an address on Jefferson Davis as President of the Confederacy, after which three prizes will be delivered for the three best essays from pupils of the Fifth street, Monroe and Court Street schools, on the life of Jefferson Davis.

### OPTION CLOSED

FOR PURCHASE OF JEFFERSON DAVIS' BIRTHPLACE.

Reports Will Be Made At Meeting of Association In Louisville To-day.

S. A. Cunningham, of Nashville, Tenn., vice president and director-general of the Jefferson Davis Home Association, will meet the members of the association at 11 o'clock this morning in the directors' room of the Louisville National Banking Company's office, Fifth and Market streets. Thomas D. Osborne, secretary of the association, has notified the seventeen division vice presidents of the closing of the option and nearly all have made remittances. Capt. Cunningham will make a statement of the Nashville receipts. On account of the large demand the supply of memorial membership certificates is about exhausted and a fresh supply will have to be procured.

Col. Bennett H. Young will have a gratifying report to make of the responses to his call for contributions. Maj. John H. Leathers, the treasurer, will make a detailed report. There is a great revival of interest among the chapters of the Daughters of the Confederacy, and Capt. Cunningham is planning for them to have a supply of certificates in every chapter throughout the South. Arrangements will also be made to-day for celebrating at Fairview, Ky., on June 3, the anniversary of the birth of Jefferson Davis.





us without reference to our relations with the seceded States. Not so with Moultrie, Johnson, Castle Pinckney and Sumter, in Charleston Harbor; not so with Palaski, on the Savannah river; not so with Morgan and other forts in Alabama; not so with those other forts that were intended to guard the entrance of a particular harbor for local defense. \* \* \*

"We cannot deny that there is a Southern Confederacy, *de facto*, in existence, with its capital at Montgomery. We may regret it. I regret it most profoundly; but I cannot deny the truth of the fact, painful and mortifying as it is. \* \* \* I proclaim boldly the policy of those with whom I act. We are for peace."

The General and Chief of the United States Army, Winfield Scott, was also known to be in favor of evacuating the forts in Charleston harbor, the proposition which Judge Black denounces as absurd and which must have been rejected with disdain. If the General's long and illustrious services as a soldier should not shield his opinion from such characterization, Judge Black may not discredit the sole witness he produces to his endowment as a military genius.

I will now offer the testimony of another soldier, whose long and faithful service in the army of the United States, both in war and in peace, entitle his views to respect, and who, with the refinement and instincts of a gentleman, was not willing to accept all the benefits of an understanding for the preservation of the statu quo, while diavowing its obligations, and who shows, even in the guarded expressions of an official letter, the reluctance he felt to the inauguration of civil war. He, Major Anderson, commanding Fort Sumter, wrote as follows:

"FORT SUMTER, S. C., April 8, 1861.

"TO COLONEL L. THOMAS, Adjutant General United States Army:

"COLONEL: I have the honor to report that the resumption of work yesterday (Sunday) at various points on Morris Island, and the vigorous prosecution of it this morning, apparently strengthening all the batteries which are under the fire of our guns, shows that they either have just received some news from Washington which has put them on the *qui vive*, or that they have received orders from Montgomery to commence operations here. I am preparing, by the side of my barbettes guns, protection for our men from the shells which will be almost continually bursting over or in our work."

"I had the honor to receive by yesterday's mail the letter of the Honorable Secretary of War, dated April 4, and confess that what he there states surprises me very greatly—following, as it does, and contradicting so positively the assurance Mr. Crawford telegraphed he was 'authorized' to make. I trust that this matter will be at once put in a correct light, as a movement made now, when the South has been erroneously informed that none such would be attempted, would produce most disastrous results throughout our country. It is, of course, now too late for me to give any advice in reference to the proposed scheme of Captain Fox. I fear that its result cannot fail to be disastrous to all concerned. Even with his boat at our walls, the loss of life (as I think I mentioned to Mr. Fox) in unloading her will more than pay for the good to be accomplished by the expedition, which keeps us, if I can maintain possession of this work, out of position, surrounded by strong works which must be carried to make this fort of the least value to the United States Government."

"We have not oil enough to keep a light in the lantern for one night. The boats will have to, therefore, rely at night entirely upon other marks. I ought to have been informed that this expedition was to come. Colonel Lamson's remark convinced me that the idea, merely hinted at to me by Captain Fox, would not be carried out."

"We shall strive to do our duty, though I frankly say that my heart is not in this war, which I see is to be thus commenced. That God will still avert it, and cause us to resort to pacific means to maintain our rights, is my ardent prayer! I am, Colonel, very respectfully,

"Your obedient servant,

"ROBERT ANDERSON,

"Major First Artillery, commanding."

Thus spoke the man who was to bear the first shock of battle, who as a soldier would not shrink from duty, however dangerous or repulsive, and whose patriot soul abhorred the idea of an internecine war. In what strong contrast it stands to him who, at a distance, was fanning the conflagration by which he took care not to be scorched. Avoiding the evil example of Judge Black, I will not impute motives for his slanderous attack upon me, which would have been more offensive if it had been less demonstrably false; nor ask why, when rewards are so lavishly poured upon those who are accredited with efficiency in the war upon the Southern States, he presents himself before the public as the instigator of the measures which he, like others, should have anticipated would result in a conflict of arms, and offers in evidence of his zeal the argument pressed upon the President for the employment of the army and navy under the poor pretext that it was to aid the officers of the United States in the execution of the laws, knowing that no case existed or could arise under existing circumstances, there being no United States officers in South Carolina by whom civil process could be issued. Thus insidiously and treacherously did he offend

against the letter and the spirit of the United States Constitution he had sworn to support. Not only did that instrument, as President Buchanan admitted, give no power to the General Government to coerce a State, but this negation of a power to coerce is further enforced by the limitation on the power to protect a State against "domestic violence, i. e., that the power should be exercised on application of the Legislature or of the Executive when the Legislature cannot be convened." Nor is this all; power was delegated to Congress to provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions.

To draw from these or other grants of the Constitution or the debates of the conventions, general and State, by which it was adopted, power in the Executive Department to employ the army and navy forcibly to enter a State not on application, but against the protest of its authorities, or to perform a duty for which the Constitution empowered the Congress to employ the militia, seems inconsistent with the workings of any honest mind. Not only was the Congress the depository of the power, but the militia was the force to be called forth to aid in the execution of the laws. Thus did the founders of the Union manifest their distrust of standing armies as instruments dangerous to free government. Now, let it be remembered that the Congress had not called forth the militia; that the Governor of South Carolina had not invoked the aid of the Federal Government; that no civil process had been resisted; there was no insurrection against the State and no prospect of an invasion, except by such usurpation as Judge Black advocated.

President Buchanan had, in his message and in his correspondence with Carolina officials, distinctly disclaimed the power of the United States to coerce a State, and I am glad at this late day to learn that it required much pressure to bring him to consent to those acts from which I then thought and now believe sprang the woes of civil war. To learn what might and should have been done it may be satisfactory to refer to the conduct of the patriots and sages who at an early period administered the general government, the fundamental law of which they were largely instrumental in forming and may be supposed to have well understood.

Three cases of insurrection mar the peaceful history of the State governments, two of which occurred in the State of which Judge Black is a citizen. In 1794, in the western counties of Pennsylvania, was an organized and violent resistance to the laws of the United States. President Washington issued a proclamation requiring the opposers of the laws to desist and making a requisition on the Governors of Pennsylvania, New Jersey, Maryland and Virginia for a body of militia, to sustain the civil officers and to disperse the insurgents. It will be observed that President Washington drew militia from the State in which the insurrection occurred and from the bordering States. The militia of Pennsylvania was led by the Governor of the State and the whole proceeding, under the wise administration of Washington, was in aid of the State and in maintenance of resisted processes of law.

The other of the two cases of insurrection referred to occurred in 1799, under the administration of the second President, John Adams. Armed resistance having been made in several of the northeastern counties of Pennsylvania to the execution of the laws by the proper civil officers of the United States, the President issued a proclamation ordering the insurgents to disperse and asserting the constitutional authority to call forth the military force to suppress the resistance to the execution of the laws of the United States. In connection therewith, the Secretary of War on March 20, 1799, addressed a letter to the Governor of Pennsylvania, as follows:

"To suppress the insurrection now existing in the counties of Northampton, Bucks and Montgomery, in the State of Pennsylvania, in opposition to the laws of the United States, the President has thought it necessary to employ a military force, to be composed in part of such of the militia of Pennsylvania whose situation and state of preparation will enable them to march with promptitude. The corps of militia first desired on this occasion are the troops of cavalry belonging to this city and one troop from each of the counties of Philadelphia, Bucks, Chester, Montgomery and Lancaster. These troops I have the honor to request your Excellency will order to hold themselves in readiness to march on or before the 25th instant, under the command of Brigadier General McPherson."

"I have the honor to be, with great respect, sir,

"Your obedient servant,

"JAMES MCHENRY.

"To his Excellency GOVERNOR MIFFLIN."

Thus it will be seen that the two first Presidents of the United States, alike conspicuous for devotion to the cause of the Colonies and influential in the formation of the constitutional union of the States, looked to the militia as the military force to be employed to suppress insurrection and overcome armed resistance to the execution of

the laws and with due regard to the sentiment of community independence preferred first to employ the militia of the State to which the offenders belonged and next that of the States most contiguous to the scene of disturbance.

If Judge Black objects to the examples cited as inapplicable to his case, so much the worse for his case, as it proves that to sustain it he had to disregard the limitations of the Constitution and so outrage the people of South Carolina and those of the contiguous States the they could not be relied upon to sustain the action of the General Government, the just powers of which they had learned were derived from the consent of the governed, and for that consent they turned to the compact of union.

When it shall no longer be popular to have instigated and aided in the prosecution of the war against the Southern States; when the sober second thought of the people shall have taken an account of wasted treasure, of sacrificed lives, of a land saddened by the wail of the widow and the orphan, and last, but not least, the subversion of those sound principles of free government for which the colonies fought the war of the Revolution and to perpetuate which the Union was formed, then when consent is the foundation and fraternity the cement of our political structure, the desires of President Buchanan towards a peaceful solution of the questions presented by South Carolina may receive the reward due to the wisdom and patriotism of his conciliatory policy. To that better day I refer the judgment which may be rendered upon the opposite policy of his bellicose adviser, whose military laurels were gathered so far from the field as to be unstained by either the blood or the smoke of battle.

JEFFERSON DAVIS.

BEAUVOIR, Miss., July 30, 1863.

Jefferson Davis.

[From the Memphis Avalanche, 20th inst.]

"Treason doth never prosper; what's the reason?"

"Why, if it prosper, none call it treason."

Hon. Jefferson Davis is still in the city. For two days the Peabody Hotel has been thronged with ladies and gentlemen, the old and the young, all anxious to pay their respects to one which the august tribunal of history will adjudge the hero of a heroic age. Every possible and conceivable manifestation of respect has been extended toward Mr. Davis. He has been serenaded, and often urged to consent to a public banquet; but he prefers to see his friends as a private citizen, while he is cautiously silent on the subject of politics. As a matter of duty, and not of choice, he received those who suffered and sympathized with him; but for their good he has seated his lips, and refuses to give utterance to the thoughts and feelings that burn in his great soul. But this reticence is not the confession of regrets or self-reproaches, for Mr. Davis scorns the thought of shrinking from the keenest gaze and scrutiny of the world on account of what he did during the war, for he knows, and his friends and confederates know, that he acted conscientiously, and that he has done right according to the judgment of millions of honest, just and good men. He can stand self-reliantly and proudly in the presence of the noblest patriots of the land, feeling himself to be fully their equal.

Jefferson Davis with the oath of loyalty upon his great and true soul, is more to be trusted than "Bottled up" Butler, "Dirty Work" Logan, and the thousands of "trophy loil" thieves and knaves, who by their infamy have been degrading the nation. Mr. Davis may grieve over the nothingness of the cause that once filled his heart and brain and the dream of life; he may mourn to see our soil billowed by the grave of our noble brothers, sons and fathers; but he feels and sees and knows that the privations and long suffering, the fortitude of our noble women, and the bravery of our fearless warriors will live in song and story and erect to himself and his compeers an indestructible monument to a fruitless struggle for the right. History has told Mr. Davis that the Poles, the Irish and the Greeks have no stains upon their honors, nor are they the scoff of Christendom because they were forced, at the point of the bayonet, to submit to such insults as the mercilests strong can always, by brute force, inflict upon the weak. Tradition also informs him that the most heroic patriot who fought before Warsaw or Missolonghi, and was conquered, is not honored the less by the impartial judgment of the world, because when utterly overwhelmed by numbers he yielded, to save the wife of his bosom and his helpless little ones from death and starvation.

for Equity  
to act on it.



# "Died for their State."

(Continued)

the war of the revolution for the people of the states respectively. The South accepted the contest thus forced upon her with the eager and resolute courage characteristic of her proud-spirited people. But the Federal government though weak in right, was strong in power; for it was sustained by the mighty and multitudinous North. In effect, the war became one between the states: between the Northern States, represented by the Federal government, upon the one side; and the Southern States, represented by the Confederate government, upon the other—the border Southern states being divided.

The odds in numbers and means in favor of the North were tremendous. Her white population of nearly twenty millions, was four-fold that of the strictly Confederate territory; and from the border Southern states and communities of Missouri, Kentucky, East Tennessee, West Virginia, Maryland and Delaware, she got more men and supplies for her armies than the Confederacy got for hers. Kentucky alone furnished as many men to the Northern armies as Massachusetts. In available money and credit the advantage of the North was vastly greater than in population, and it included the possession of all the chief centres of banking and commerce. Then she had the possession of the old government, its capital, its army and navy, and mostly, its arsenals, dockyards, and workshops, with all their supplies of arms and ordnance, and military and naval stores of every kind and the means of manufacturing the same. Again the North, as a manufacturing and mechanical people, abounded in factories and workshops of every kind, immediately available for the manufacture of every species of supplies for the army and navy; while the South, as an agricultural people, were almost wanting in such resources. Finally, in the possession of the recognized government, the North was in full and free communication with all nations, and had full opportunity, which she improved to the utmost, to import and bring in from abroad not only supplies of all kinds but men as well for her service; while the South, without a recognized government, and with her ports speedily blockaded by the Federal navy, was almost entirely shut up within herself and her own limited resources.

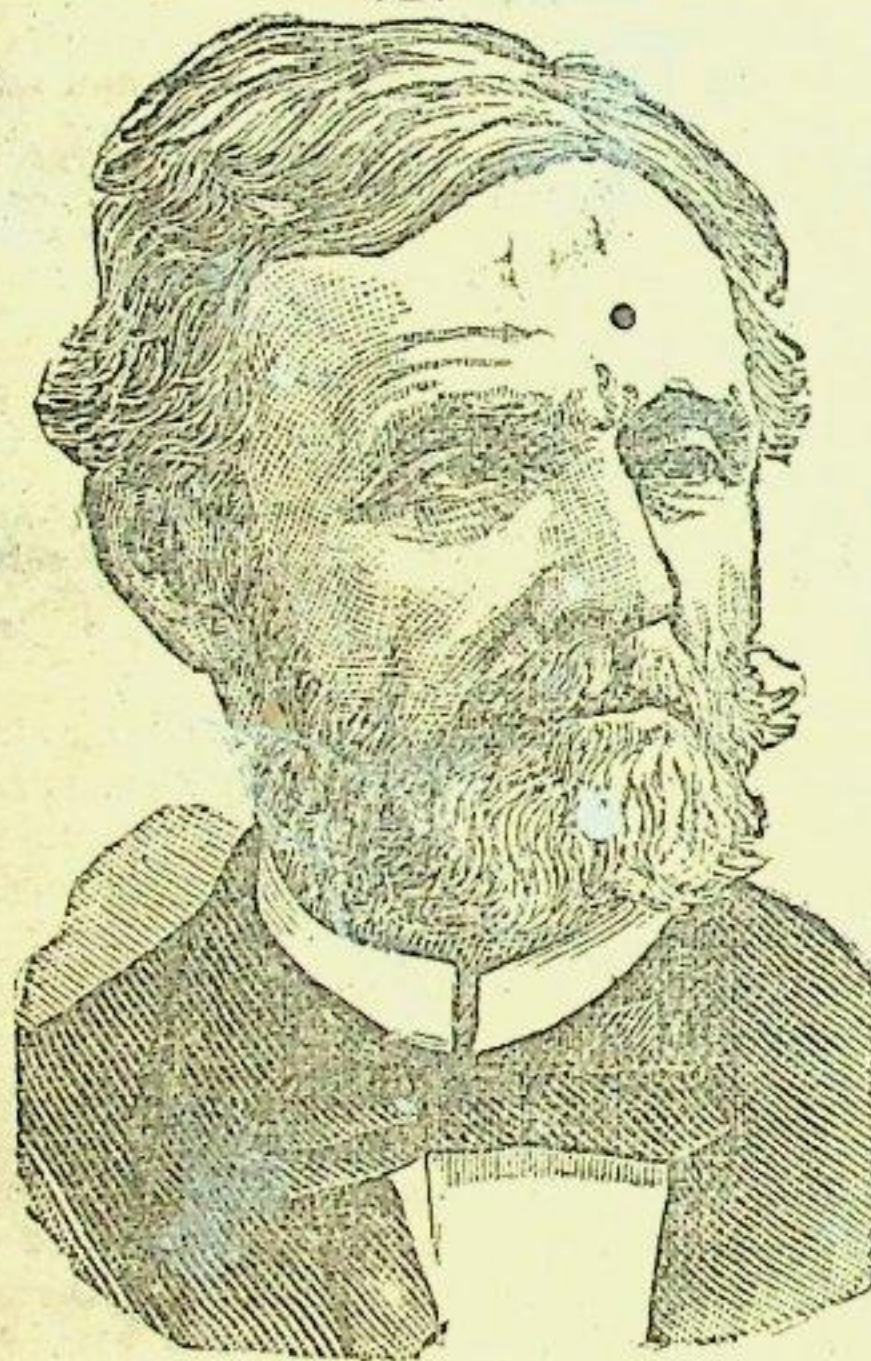
Among all these advantages possessed by the North, the first, the main, and decisive one was the navy. Given her all but this and they would have been ineffectual to prevent the establishment of the Confederacy. That arm of her strength was at the beginning of the war in an efficient state, and it was rapidly augmented and improved. By it, the South being almost without naval force, the North was enabled to sweep and blockade her coasts everywhere, and so, aside from the direct distress inflicted, to prevent foreign recognition; to capture one after another, her seaports; to sever and cut up her country in every direction through its great rivers; to gain lodgments at many points within her territory, from which numerous destructive raids were sent out in all directions; to transport troops and supplies to points where their passage by land would have been difficult or impossible; and, finally, to cover, protect, and save, as by the navy was so often done, the defeated and otherwise totally destroyed armies of the North in the field. But for the navy, Grant's army was lost at Shiloh; and but for it, on the Peninsula, in the second year of the war, McClellan's army, notwithstanding his masterly retreat from his defeats before Richmond, was lost to a man, and the independence of the Confederacy established. After a glorious four years' struggle against such odds as have been depicted during which independence was often almost secured, when successive levies of armies amounting in all to nearly three millions of men had been hurled against her, the South, shut off from all the world, wasted, rent and desolate, bruised and bleeding, was at last overpowered by main strength; outfought never, for, from first to last, she everywhere outfought the foe. The Confederacy fell, but she fell not until she had achieved immortal fame. Few great established nations in all time, have ever exhibited capacity and direction in government equal to hers, sustained as she was by the iron will and fixed persistence of the extraordinary man who was her chief; and few have ever won such a series of brilliant victories as that which illuminates forever the annals of her splendid armies; while the fortitude and patience of her people, and particularly of her noble women, un-

der almost incredible trials and sufferings, have never been surpassed in the history of the world.

Such exalted character and achievement were not all in vain. Though the Confederacy fell as an actual physical power, she lives, illustrated by them, eternally in her just cause, the cause of constitutional liberty. And Mr. Davis's Southern tour is nothing less than a veritable moral triumph for that cause and for himself as its faithful chief, manifesting to the world that the cause still lives in the hearts of the Southern people, and that its resurrection in the body, in fitting hour, may yet come.

Here in the North, that is naturally presumptuous and arrogant in her vast material power, and where, consequently, but little attention has in general been given to the study of the nature and principles of constitutional liberty as connected with the rights of the states, there is, nevertheless, an increasing understanding and appreciation of the Confederate cause, particularly here in the New England states, whose position and interests in the Union are in many respects peculiar, and perhaps require that these states, quite as much as those of the South, should be the watchful guardians of the state sovereignty. Mingled with this increasing understanding and appreciation of the Confederate cause, naturally comes also a growing admiration of its devoted defenders; and the time may yet be when the Northern, as well as the Southern, heart will throb reverently to the proud words upon the Confederate monument at Charleston:—  
"These died for their State."

BENJ. J. WILLIAMS.



MR. JEFFERSON DAVIS.

TWO PRIVATE LETTERS TO MRS. DAVIS.

DANVILLE, Va., April 5, 1865.—My Dear Wife: I have in vain sought to get into communication with General Lee, and have postponed writing in the hope that I would soon be able to speak to you with some confidence of the future.

On last Sunday I was called out of church to receive a telegram announcing that General Lee could not hold his position longer than till night and warning me that we must leave Richmond, as the army would commence retiring that evening. I made the necessary arrangements at my office, and went to our house to have the proper dispositions made there. Nothing had been done after you left, and but little could be done in the few hours which remained before the train was to leave. I packed the bust and gave it to John Davis, who offered to take it and put it where it should never be found by a Yankee. I also gave him charge of the painting of the heroes of the valley. Both were removed after dark. The furniture of the house was left, and very little of the things I directed to be put up, bedding and groceries, were saved. Mrs. Omelia behaved just as you described her, but seemed anxious to serve, and promised to take care of everything, which may mean some things.

The auctioneer returned account of sales, \$28,400. Could not dispose of the carriages—Mr. Grant was afraid to take the carriage to his house, etc., etc. I sent it to the depot to be put on a flat. At the moment of starting it was said they could not take it in that

train, but would bring it on the next one. It has not been heard from since. I sent a message to Mr. Grant that I had neglected to return the cow, and wished him to send for her immediately.

Called off on horsback to the depot. I left the servants to go down with the boxes, and they left Tippy—Watson came willingly. Spencer came against my will. Robert, Alf, V. B., & Ives got drunk. David Bradford went back from the Depot to bring out the spoons and forks which I was told had been left—and to come out with General Breckinridge. Since then I have not heard from either of them.

I had short notice, was interrupted so often, and so little aided that the results are very unsatisfactory.

The people here have been very kind, and the Mayor & Council have offered assistance in the matter of quarters, and have very handsomely declared their unabated confidence—I do not wish to leave Va., but can not decide on my movements until those of the army are better developed—I hope you are comfortable and trust soon to hear from you—

Kiss my dear children—I weary of this sad recital, and have nothing pleasant to tell.

May God have you in His holy keeping is the fervent prayer of your ever affectionate

HUSBAND.

J. D. Howell is here, though I have not seen him; he and Joe Nick came together as a guard to Treas'y specie—

CHARLOTTE, N. C. April 23, 1865.—My Dear Winnie: I have been detained here longer than was expected when the last telegram was sent to you. I am uncertain where you are, and deeply feel the necessity of being with you, if even for a brief time, under our altered circumstances. Governor Vance and General Hampton propose to meet me here, and General Johnston sent me a request to remain at some point where he could readily communicate with me. Under these circumstances I have asked Mr. Harrison to go in search of you and to render you such assistance as he may. Your brother William telegraphed, in reply to my inquiry, that you were at Abbeville, and that he would go to see you. My last dispatch was sent to that place, and to the care of Mr. Burt. Your own feelings will convey to you an idea of my solicitude for you and our family, and I will not distress by describing it.

The dispersion of Lee's army and the surrender of the remnant which remained with him destroyed the hopes I entertained when we parted. Had that army held together, I am now confident we could have successfully executed the plan which I sketched to you, and would have been to-day on the high road to independence. Even after that disaster, if the men who "straggled," say 30,000 or 40,000 in number, had come back with their arms and with a disposition to fight, we might have repaired the damage; but all was sadly the reverse of that. They threw away theirs and were uncontrollably resolved to go home. The small guards along the road have sometimes been unable to prevent the pillage of trains and depots. Panic has seized the country.

J. E. Johnston and Beauregard were hopeless as to recruiting their forces from the dispersed men of Lee's army, and equally so as to their ability to check Sherman with the forces they had. Their only idea was to retreat, of the power to do so they were doubtful, and subsequent desertions from their troops have materially diminished their strength, and, I learn, still more weakened their confidence.

The loss of arms has been so great that should the spirit of the people rise to the occasion it would not be at this time possible adequately to supply them with the weapons of war.

General Johnston had several interviews with Sherman, and agreed on a suspension of hostilities and the reference of terms of pacification. They are secret, and may be rejected by the Yankee Government.

To us they are hard enough, though freed from wanton amputation and expressly recognizing the State governments and the rights of person and property as secured by the constitutions of the United States and the general States.

General Breckinridge was a party to the last consultation and to the agreement. Judge Reagan went with him and approved the agreement, though not present at the conference.

Each member of the Cabinet is to give his opinion in writing to-day; first, upon the acceptance of the terms; second, upon the mode of proceeding if accepted. The issue is one which it is very painful for me to meet. On one hand is the long night of oppression which will follow the return of our people to the "Union;" on the other the suffering of the women and children and carnage among the few brave patriots who would still oppose the invader, and who, unless the people would rise en masse to sustain them, would struggle but to die in vain.

I think my judgment is undisturbed by any pride of opinion or of place. I have prayed to our Heavenly Father to give me wisdom and fortitude equal to the demands of the position in which Providence has placed me. I have sacrificed so much for the cause of the Confederacy that I can measure my ability to make any future sacrifice required, and am assured there is but one to which I am not equal, my wife and my children. How are they to be saved from degradation and want is now my care. During the suspension of hostilities you may have the best opportunity to go to Mississippi, and thence either to sail from Mobile for a foreign port or to cross the river and proceed to Texas as the one or the other may be more practicable. The little sterling you have will be a very scanty store and under other circumstances would not be counted, but if our land can be sold that will secure you from absolute want. For myself it may be that our enemy will prefer to banish me; it may be that a devoted band of cavalry will cling to me, and that I can force my way across the Mississippi, and, if nothing can be done there which it will be proper to do, then I can go to Mexico and have the world from which to choose a location.

Dear wife, this is not the fate to which I invited when the future was rose colored to us both, but I know you will bear it even better than myself, and that of us two I alone will ever look back reproachfully on my past career. I have thus entered on the emotions involved in the future to guard against contingencies. My stay will not be prolonged a day beyond the prospect of useful labor here, and there is every reason to suppose that I will be with you a few days after Mr. Harrison arrives.

Mrs. Omelia behaved very strangely about putting the things you directed. Robert says she would not permit to pack, that she even took groceries out of the mess chest when he had put a small quantity there. Little Maggie's saddle was concealed, and I learned after we left Richmond was not with the saddles and bridles which I directed to be all put together.

At the same time I was informed that your saddle had been sent to the saddler's and left there.

Everybody seemed afraid of connection with our property, and your carriage was sent to the depot to be brought with me; a plea was made that it could not go to the cars of that train, but should follow in the next; specific charge and promise was given, but the carriage was left.

The notice to leave was given on Sunday; but few hours were allowed, and my public duties compelled to rely on others; count on nothing as saved which you valued except the bust, and that had to be left behind.

Mrs. Omelia said she was charged, in the event of our having to leave, to place the valuables with the Sisters, and that she would distribute everything. I told her to sell what she could, and, after feeling distrust, asked Mrs. Grant to observe her, and after that became convinced that she, too, probably under the influence of her husband, was afraid to be known as having close relations with us.

Kiss Maggie and the children many times for me. The only yearning heart in the final hour was poor, old Sara wishing for "pie cake;" and thus I left our late home. No bad preparation for a search for another. Dear children, I can say nothing to them, but for you and them my heart is full, my prayers constant, and my hopes are the trust I feel in the mercy of God.

Farewell, my dear; there may be better things in store for us than are now in view, but my love is all I have to offer, and that has the value of a thing long possessed, and sure not to be lost. Once more, and, with God's favor, for a short time only, farewell.  
YOUR HUSBAND.

#### IN THE LAST DITCH.

We publish this morning a series of letters written by Mr. Jefferson Davis to his wife in April, 1865. In the same connection we publish the letters of several members of Mr. Davis' Cabinet, written the last week in April, 1865, in answer to a request of Mr. Davis as to what course he should pursue in view of the surrender of General Lee and his army and the agreement made by General Joe Johnston with General Sherman. These letters show that at that time Mr. Davis conceded the case of the Southern Confederacy to be hopeless. And it is a significant fact that every member of his Cabinet not only coincided with this view, but advised Mr. Davis to direct his efforts not to prolong the struggle, but to

measures that would secure the best terms for the conquered from the conquerors.

Each member of the Cabinet had a theory as to the settlement, and it will be noticed not one of them spoke with bitterness or resentment of the Union army or of the North. They all seemed at that time to believe that the Union could and would be reconstructed, and that their whole theory of secession and a separate form of government had fallen flat. They had made their fight, had failed, and were ready to accept, not to make, terms.

The letters of Mr. Benjamin and Mr. Reagan are particularly worth close attention in view of the after careers of these two men. Mr. Benjamin, who wrote so dispassionately of the Confederacy in its last extremity, went abroad and lived a life separate from the reconstructed Union. Mr. Reagan, who wrote at a greater length than any of his associates, has been for years prominent among the Democrats in the House of Representatives. What Mr. Reagan wrote then may shed a little light on what Mr. Reagan believes now.

Mr. Davis and all his Cabinet hoped a great deal from the agreement between Sherman and Johnston. This agreement, it will be remembered, was not approved by the government, and none of the plans suggested in the letters now published were followed. Instead, the plan of the conquerors was followed, and the result is better than any of the gentlemen then hoped for from the plan which seemed to them the best that could be submitted. In other words, the men who fought the war to an end made terms that were better in results than the terms which the defeated leaders of the Confederacy were ready to accept.

CHICAGO, SUNDAY, FEB. 14, 1886.



JUDAH P. BENJAMIN.

A HOPELESS CASE FOR CONFEDERATES.

To the President.  
CHARLOTTE, N. C., April 22, 1865. Sir: I have the honor to submit this paper as the advice in writing which you requested from the heads of the departments of the government.

The military convention made between General Johnston and General Sherman is in substance an agreement that if the Confederate States will cease to wage war for the purpose of establishing a separate government the United States will receive the several States back into the Union with their State governments unimpaired, with all their constitutional rights recognized, with protection for the persons and property of the people, and with a general amnesty.

The question is whether, in view of the military condition of the belligerents, the Confederate States can hope for any better result by continuing the war; whether there is any reason to believe that they can establish their independence and final separation

from the United States.

To reach a conclusion it is requisite to consider our present condition and the prospect of a change for the better.

The General-in-Chief of the armies of the Confederacy has capitulated, and his army, the largest and finest within our country, is irretrievably lost. The soldiers have been dispersed, and remain at home as paroled prisoners. The artillery, arms, and munitions of war are lost, and no help can be expected from Virginia, which is at the mercy of the conqueror.

The army next in numbers and efficiency is known as the Army of Tennessee, and is commanded by Generals Johnston and Beauregard. Its rolls call for more than 70,000 men. Its last returns show a total present for duty, of all arms, of less than 20,000 men. This number is daily diminishing by desertion and casualties. In a recent conference with the Cabinet at Greensboro, Generals Johnston and Beauregard expressed the unqualified opinion that it was not in their power to resist Sherman's advance, and that as fast as their army retreated the soldiers of the several States in the line of retreat would abandon the army and go home. We also hear on all sides, and from citizens well acquainted with public opinion, that the State of North Carolina will not consent to continue the struggle after our armies shall have withdrawn further South, and this withdrawal is inevitable if hostilities are resumed.

This action of North Carolina would render it impossible for Virginia to maintain her position in the Confederacy, even if her people were unanimous in their desire to continue the contest.

In the more Southern States we have no army except the forces now defending Mobile and the cavalry under General Forrest. The enemy are so far superior in numbers that they have occupied within the last few weeks Selma, Montgomery, Columbus, and Macon, and could continue their career of devastation through Georgia and Alabama without our being able to prevent it by any forces now at our disposal. It is believed that we could not at the present moment gather together an army of 30,000 men by a concentration of all our forces east of the Mississippi River.

Our sea-coast is in possession of the enemy, and we can not obtain arms and munitions from abroad, except in very small quantities and by precarious and uncertain means of transportation. We have lost possession in Virginia and North Carolina of our chief resources for the supply of powder and lead.

We can obtain no aid from the Trans-Mississippi Department, from which we are cut off by the fleets of gunboats that patrol the river. We have not a supply of arms sufficient for putting into the field even 10,000 additional men, if the men themselves were forthcoming.

The Confederacy is, in a word, unable to continue the war by armies in the field, and the struggle can no longer be maintained in any other manner than by a guerilla or partisan warfare.

Such a warfare is not, in my opinion, desirable, nor does it promise any useful result. It would entail far more suffering on our own people than it would cause damage to the enemy, and the people have been such heavy sufferers by the calamities of the war for the last four years that it is at least questionable whether they would be willing to engage in such a contest unless forced to endure its horrors in preference to dishonor and degradation.

The terms of the convention imply no dishonor, impose no degradation, exact only what the victor always requires, the relinquishment by his foe of the object for which the struggle was commenced.

Seeing no reasonable hope of our ability to conquer our independence, admitting the undeniable fact that we have been vanquished in the war, it is my opinion that these terms should be accepted, being as favorable as any that we, as the defeated belligerent, have reason to expect or can hope to secure.

It is further my opinion that the President owes it to the States and to the people to obtain for them, by a general pacification, rights and advantages which they would, in all probability, be unable to secure by the separate action of the different States.

It is natural that the enemy should be willing to accord more liberal conditions for the purpose of closing the war at once, than would be granted if each State should continue the contest till separate terms could be made for itself.

The President is the chief political executive of the Confederacy, as well as the Commander-in-chief of its armies. In the former capacity he is powerless to act in making peace on any other basis than that of independence. In the latter capacity he can ratify the military convention under consideration, and execute its provisions relative to the disbandment of the army and the distribution of the arms. He can end the hostilities.

The States alone can act in dissolving the Confederacy and returning to the Union according to the terms of the convention.

I think that if this convention be ratified by the United States, the President should by proclamation inform the States and the people of the Confederacy of the facts above stated; should ratify the convention so far



rying with them the archives, and thus to close, for the time being at least, the regular operations of its several departments, with no place now open to us at which we can re-establish and put those departments in operation, with any prospect of permanency or security, for the transaction of the public business and the carrying on of the government. The army under the command of Johnston has been reduced to fourteen or fifteen infantry and artillery and cavalry regiments, and this force is from demoralization and despondency, melting away rapidly by the troops abandoning the army and returning to their homes, single and in numbers large and small, it being the opinion of Generals Johnston and Beauregard that, with the men and means at their command, they can oppose no serious obstacle to the advance of General Sherman's army.

General Johnston is of the opinion that the enemy's forces now in the field exceed ours in number by probably ten to one. Our forces in the south, though still holding the fortifications at Mobile, have been unable to prevent the fall of Selma and Montgomery in Alabama, and of Columbus and Macon in Georgia, with their magazines, workshops and stores of supplies.

The army west of the Mississippi is unavailable for the arrest of the victorious career of the army east of that river, and is inadequate for the defence of the country west of it. The country is worn down by a brilliant and heroic, but exhausting and bloody struggle of four years. Our ports are closed so as to exclude the hope of procuring arms and supplies from abroad; and we are unable to arm our people if they were willing to continue the struggle.

The supplies of quartermaster and commissary stores in the country are very limited in amount, and our railroads are so broken and destroyed as to prevent, to a great extent, the transportation and accumulation of those remaining. Our currency has lost its purchasing power, and there is no other means of supplying the Treasury; and the people are hostile to impressments, and endeavor to conceal such supplies as are needed for the army from the officers charged with their collection.

Our armies, in case of a prolongation of the struggle, will continue to melt away as they retreat through the country. There is danger, and I might say with certainty, based on the information we have, that a portion, and probably all, of the States will make separate terms with the enemy as they are overrun, with the chance that the terms so obtained be less favorable to them than those contained in the agreement under consideration. And the despair of our people will prevent a much longer continuance of serious resistance unless they shall be hereafter urged to it by unendurable oppressions.

The agreement under consideration secures to our people, if ratified by both parties, the uninterrupted continuance of the existing State governments; the guarantees of the Federal constitution and of the constitutions of their respective States; the guarantee of their political rights, and of their rights of person and property, and immunity from future prosecutions and penalties for their participation in the existing war, on the condition that we accept the constitution and government of the United States and disband our armies by marching the troops to their respective States, and depositing their arms in the State arsenals, subject to the future control of that government, but with a verbal understanding that they are only to be used for the preservation of peace and order in the respective States.

It is also to be observed that the agreement contains no direct reference to the question of slavery, requires no concession from us in regard to it, and leaves it subject to the Constitution and laws of the United States and of several States, just as it was before the war.

With these facts before us, and under the belief that we can not now reasonably hope for the achievement of our independence, which should be dearer than life if it were possibly attainable, and under the belief that a continuance of the struggle, with its accumulation of sufferings, without a reasonable prospect of success, would be both unwise and criminal, I advise that you assent to the agreement as the best you can do for the people who have clothed you with the high trusts of your position.

In advising this course I do not conceal from myself, nor would I withhold from your excellency, the danger of trusting the people who drove us to war by their unconstitutional and unjust aggressions, and who will now add the consciousness of power to their love of dominion and greed of gain.

It is right also for me to say that, much as we have been exhausted in men and resources, I am of opinion that if our people could be induced to continue the contest with the spirit which animated them during the first years of the war our independence might yet be within our reach. But I see no reason to hope for that now.

On the second question, as to the proper mode of executing the agreement, I have to say that, whatever you may do looking to the termination of the contest by an amicable arrangement, which may embrace the extinction of the government of the Confederate States, must be done without special authority to be found in the Constitution. And yet I am of opinion that, charged as you are with the duty of looking to the general welfare of the people, and without time or opportunity, under the peculiarity and necessities

of the case, to submit the whole question to the States for their deliberation and without danger of losing material advantages provided for in the agreement; and as I believe that you, representing the military power and authority of all the States, can obtain better terms for them than it is probable they could obtain each for itself; and as it is in your power, if the Federal authorities accept this agreement, to terminate the ravages of war sooner than it can be done by the several States, while the enemy is still unconscious of the full extent of our weakness, you should, in case of the acceptance of the terms of this agreement by the authorities of the United States, accept them on the part of the Confederate States, and take steps for the disbanding of the Confederate armies on the terms agreed on. As you have no power to change the government of the country or to transfer the allegiance of the people, I would advise that you submit to the several States, through their Governors, the question as to whether they will, in the exercise of their own sovereignty, accept, each for itself, the terms proposed. To this it may be said that after the disbanding of our armies and the abandonment of the contest by the Confederate government they would have no alternative but to accept the terms proposed or an unequal and hopeless war, and that it would be needless for them to go through the forms and incur the trouble and expense of assembling a convention for the purpose.

To such an objection, if urged, it may be answered that we entered into the contest to maintain and vindicate the doctrine of State rights and State sovereignty and the right of self-government, and that we can only be faithful to the Constitution of the United States and true to the principles in support of which we have expended so much blood and treasure, by the employment of the same agencies to return into the old Union which we employed in separating from it and in forming our present government, and that if this should be an unwelcome and enforced action by the States it would not be more so on the part of the States than on the part of the President, if he were to undertake to execute the whole agreement, and while they would have authority for acting he would have none.

This plan would at least conform to the theory of the Constitution of the United States, and would, in future, be an additional precedent, to which the friends of State rights could point in opposing the doctrine of the consolidation of powers in the central government; and if the future shall disclose a disposition (of which, I fear, the chance is remote) on the part of the people of the United States to return to the spirit and meaning of the Constitution, then this action on the part of the States might prove to be of great value to the friends of constitutional liberty and good government.

In addition to the terms of agreement an additional provision should be asked for, which will probably be allowed without objection, stipulating for the withdrawal of the Federal forces from the several States of the Confederacy, except a sufficient number to garrison the permanent fortifications and take care of the public property until the States can call their conventions and take action on the proposed terms. In addition to the necessity for this course, in order to make their action as free and voluntary as other circumstances will allow, it would aid in softening the bitter memories which must necessarily follow such a contest as that in which we are engaged.

Nothing is said in the agreement about the public debt and the disposition of our public property beyond the turning over of the arms to the State arsenals. In the final adjustment we should endeavor to secure provisions for the auditing of the debt of the Confederacy and for its payment in common with the war debt of the United States. We may ask this on the ground that we did not seek this war, but only sought peaceful separation to secure our people and States from the effects of unconstitutional encroachments by the other States, and because, on the principles of equity, allowing that both parties had acted in good faith, and gone to war on a misunderstanding which admitted of no other solution, and now agree to a reconciliation and to a burial of the past, it would be unjust to compel our people to assist in the payment of the war debt of the United States, and for them to refuse to allow such of the revenues as we might contribute to be applied to the payment of our creditors.

If it should be said that this is a liberality never extended by the conqueror to the conquered, the answer is that if the object of the pacification is to restore the Union in good faith, and to reconcile the people to each other, and to restore confidence and faith and prosperity and homogeneity, then it is of the first importance that the terms of reconciliation should be based on entire equity, and that no ground of grief or complaint should be left to either party. And to both parties, looking not only to the present, but to the interest of future generations, the amount of money which would be involved, though large, would be as nothing when compared with a reconciliation entirely equitable, which should leave no sting to honor and no sense of wrong to rankle in the memories of the people, and lay the foundation for new difficulties and for future wars.

It is to this feature, it seems to me, the greatest attention should be given by both sides. It will be of the highest importance to all, for the present as well as for the future, that the frankness, sincerity, and justice of both parties shall be as conspicuous in the adjustment of past difficulties as their courage and endurance have been during the war, if we would make peace on a basis which would be satisfactory and might be rendered perpetual.

In any event, provisions should be made which will authorize the Confederate authorities to sell the public property remaining on hand, and to apply the proceeds, as far as they will go, to the payment of our public liabilities, or for such other disposition as may be found advisable.

But if the terms of this agreement should be rejected or so modified by the government of the United States as to refuse a recognition of the right of local self-government, and our political rights and rights of person and property, or as to refuse amnesty for past participation in this war, then it will be our duty to continue the struggle as best we can, however unequal it may be; as it would be better and more honorable to waste our lives and substance in such a contest than to yield both to the mercy of a remorseless conqueror. I am, with great respect, your Excellency's obedient servant,

JOHN H. REAGAN, Postmaster General.  
To the President.

#### MR. REAGAN ALSO SUBMITS A MEMORANDUM.

General Johnston will see that the accompanying memorandum omits all reference to details, and to the necessary action of the States and the preliminary reference of the proposition to General Grant for his consent to the suspension of hostilities, and to the government of the United States for its action. He will also see that I have modified the first article, according to his suggestion, by omitting the reference to the consent of the President of the Confederate States, and to his employing his good offices to secure the acquiescence of the several States to this scheme of adjustment and pacification. This may be done at a proper subsequent time.

JOHN H. REAGAN.

APRIL 17, 1865.

As the avowed motive of the government of the United States for the prosecution of the existing war with the Confederate States is to secure a reunion of all the States under one common government, and as wisdom and sound policy alike require that a common government should rest on the consent and be supported by the affections of all the people who compose it, now, in order to ascertain whether it be practicable to put an end to the existing war and to the consequent destruction of life and property, having in view the correspondence and conversation which has recently taken place between Major General W. T. Sherman and myself, I propose the following points as a basis of pacification:

1. The disbanding of the military forces of the Confederacy, and
2. The recognition of the Constitution and authority of the government of the United States on the following conditions:
3. The preservation and continuance of the existing State governments.
4. The preservation to the people of all the political rights and rights of person and property secured to them by the Constitution of the United States and of their several States.
5. Freedom from future prosecution or penalties for their participation in the present war.
6. Agreement to a general suspension of hostilities pending these negotiations.

#### THE ATTORNEY GENERAL.

OPINION OF GEORGE DAVIS.

CHARLOTTE, N. C., April 22, 1865. —To the President, Sir: The questions submitted by you to the members of your Cabinet for their opinions are:

1. Whether the convention agreed upon on the 18th inst. by and between General Johnston, commanding the Confederate forces, and Major General Sherman, commanding the forces of the United States, in North Carolina, should be ratified by you.
2. If so, in what way it should be done.

The terms of that convention are substantially as follows:

That the armies of the Confederate States shall be disbanded and their arms surrendered; that the several State governments shall be recognized by the Executive of the United States upon their officers and Legislatures taking the oaths prescribed by the Constitution of the United States, and where there are conflicting State governments the question to be referred to the decision of the Supreme Court; that all political rights and franchises and all rights of person and of property shall be respected and guaranteed; that a general amnesty be granted, and no citizen be molested in person or property for any acts done in aid of the Confederate States in the prosecution of the war.

Taken as a whole, the convention amounts to this: that the States of the Confederacy shall re-enter the old Union upon the same footing on which they stood before seceding from it.

These States having in their several conventions solemnly asserted their sovereignty and right of self-government, and having established for themselves and maintained through four years of bloody war a government of their own choosing, no loyal citizen consent to its abandonment and destruc-



butcher, and guiltless of either manliness or statesmanship, and that I had heard Lincoln repeatedly say when speaking of these expressions which grieved him sorely that if the South only understood him better there would be more hope of peace.

#### Proposition to Pay for Slaves.

I told him of the conversation I had with Lincoln in August, 1864, when Lincoln was a candidate for re-election and when he showed me in his own handwriting his proposition to pay the South \$400,000,000 to close the war and accept emancipation; of Lincoln's expression at the time that the war if continued for four months would cost the four hundred millions with the additional loss of life and property, and that then the South would simply be a community of implacable hostiles, unwilling to accept the reunion of the States. I asked him whether he had any knowledge of Lincoln's willingness to pay the South four hundred millions as compensation for slaves if peace and the abolition of slavery were accepted. He said he had simply heard of it, but that there was no public or official expression from Mr. Lincoln, and there was nothing for him to act upon. I then asked him whether, if he had known Lincoln's willingness to end the war in that way, he would have restricted Vice-President Stephens when sent to meet Lincoln at the City Point Conference to consider peace only on the basis of the perpetuity of the Confederacy. His answer was logical, and I then for the first time appreciated the omnipotence of the sentiment of State rights. He said that Lincoln, representing a centralized government, could make such a proposition to the Confederacy; but that he, President of the Confederacy, whose corner stone was the sovereignty of the States, could do nothing but maintain the integrity of the Confederacy until peace on the basis of reunion was proposed by one or more sovereign States. While he then knew when Stephens was sent to meet Lincoln at City Point that the military power of the Confederacy was absolutely broken, his sworn duty as the President of the Confederacy was to struggle for its maintenance until the sovereign States called for peace. He was much gratified at the many instances of Lincoln's kindly feeling to the South, and I shall never forget the earnestness and pathos of the expression which closed the conversation of that subject. He said: "Next to the day of the fall of the Confederacy, the darkest day the South has known was the day of the assassination of Abraham Lincoln."

#### If Lincoln Had Been Alive.

I speak advisedly when I say that Jefferson Davis would never have been captured at the close of the war had Lincoln been alive. I was present at the very earnest discussion of the subject between General Butler, Colonel Forney, and some others in Lincoln's room a few months before the close of the war. Butler was violent against the South and Forney sympathized with him, and both demanded the severest punishment of the Southern leaders. I asked Butler whether as a lawyer he could assume that Davis, who had been at the head of a government that beleaguered our own capital for nearly four years and that had been recognized by the civilized governments of the world and practically by ourselves as a belligerent power, could be punished for treason. His answer was that he could be punished because he was a sworn officer of the United States when the war began. It was a legal fallacy, of course, and we had quite a discussion on the subject. Lincoln listened patiently, and he finally closed the conversation by telling the story of the Western drunken vagrant who had been gathered up by his friends into a temperance society repeatedly, only to fall again, and who had finally gotten back in the temperance association and into the church, when he decided to make a desperate effort to live a sober life;

but his appetite was stronger than himself, and when calling for a glass of soda he inquired whether the server could not put "a drop of the creeter in unbeknownst to him." He said: "If these men shall get away unbeknownst to us, it will be the most fortunate solution of the issue." His desire was that those whom the popular vengeance of the North demanded for punishment should escape from the country until reason resumed its throne; and if he had been living when Davis had started for the coast, Lincoln's special care would have been that no Union troops would find him and hinder him in his journey.

I am glad to have lived until I have seen the North and South thoroughly reunited not simply in the union of States, but a union of hearts, of sympathy, of interest, and of patriotic devotion to one government and one flag. It was accomplished through countless suffering and sacrifice, but today the whole American people can

#### WILL MAKE AMENDE.

Jefferson Davis' Name to Be Restored on Cabin John Bridge.

Washington, February 22.—Official amende for the sensational elimination of Jefferson Davis' name from the stone tablet on Cabin John bridge, six miles west of this city during President Lincoln's administration is given in directions the President issued today through the Secretary of War to the chief of engineers of the army to restore the name.

The tablet is on the bridge that arches Cabin John Run on the Maryland side of the Potomac river, a structure famous for years as the longest single span stone bridge in the world.

The bridge carries the conduit which brings Washington's water supply from the upper Potomac. It was begun under Davis as Secretary of War and when he joined the Confederacy, and became its President his name under government orders, was chiseled from the tablet.

Repeated efforts to restore it have been made. At the 1907 convention of the Daughters of the Confederacy at Richmond a resolution was adopted asking for the Davis restoration and Representative Meyer of Louisiana, sought unsuccessfully to have this carried out. The erasure of the name was by direction of Caleb Smith, Lincoln's Secretary of the Interior, after a suggestion by Caleb Hagrow of Pennsylvania then Speaker of the House.

#### TO PRESENT PORTRAIT.

Picture of Jefferson Davis to Go to Memorial Hall.

The portrait of Jefferson Davis, late President of the Confederate States of America, will be presented to the Louisiana Historical Association by the Ladies' Confederate Memorial Association at 8 o'clock this evening.

The presentation address will be delivered by Hon. E. B. Kruttschnitt, and the portrait will be received by Hon. F. A. Monroe on the part of the Louisiana Historical Association. An interesting feature of the evening will be the reading of the farewell address of Jefferson Davis to the United States Senate. This part of the programme has been assigned to Gen. J. A. Chalaron.

F. Pitman, who has given recently several song recitals, and Mrs. F. C. Font, the contralto of the Jesuits' Church choir, have offered their services. All Confederate organizations have been invited to attend, and there is a general invitation extended to all who desire to pay tribute to the memory of Jefferson Davis, soldier, statesman, Christian gentleman, the President of the Confederate States of America, and the martyr to the cause of his people.

The portrait was executed by Miss Kate Harding Helm, daughter of Gen. Ben Harding Helm of Kentucky, and was painted from a photograph furnished by Mrs. V. Jefferson Davis, as the likeness preferred by her. Feb. 18 was chosen for the presentation as the anniversary of the inauguration of Mr. Davis as President of the Confederate States of America, in Montgomery, Ala., in 1861.

The trustee auth-  
- of the trust  
- or unless a  
- formed unind  
- of persons  
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Equity will  
- follow  
- shadow - the  
- or when  
- appointed  
- or when  
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Equity will  
- follow  
- shadow - the  
- or when  
- appointed  
- or when  
- will appoint

Relief - viz a case of a dowry  
who was allowed to set up this  
legal title of hers on ground of  
precedent -

The Equit (Justice) must be equal  
when no legal title at all  
but only a quest. between  
Equity - proving in time gives  
precedence to the Equity -

2<sup>nd</sup> Maxim -

Equity looks upon things as they  
to be done for val. Considered  
as actually done in favor  
of those persons who have a  
right to pray that they should be  
done -

This doctrine frequently called  
the Doctr. of Equitable Conversion -  
E.g. a binding contract for purchase  
of real est. the purchaser altho  
he has not acquired a legal title  
of Equity will regard him as  
being owner of the property & the  
vendor will be considered as  
owner of the purchase money.  
& the effect of this is that heir  
of purchaser will take the real  
as heir & he may require  
Estate to pay the money for the  
land out of the person of his  
of the estate -

On the other hand if vendor  
dies the heir will be considered  
a trustee for the purchaser -  
This maxim proceeds on the  
ground that accident has  
prevented the sale being completed  
& also on the ground that

# JEFFERSON DAVIS.

A Long and Eventful Career in Business, War and Politics.

FOUR SCORE YEARS AND MORE.

The Two Kentucky Boys, Lincoln and Davis—On the Northern Frontier—A Cotton Planter—Enters Congress—The Mexican War—President of the Southern Confederacy—Imprisonment, Release and Old Age.

More than eighty years ago two Kentucky boys, born in widely different social spheres, entered upon still more widely diverse careers:

Abraham Lincoln, in Hardin (now Larue) county, and Jefferson Davis, in Christian (now Todd) county; Lincoln born February 12, 1809, and Davis on the 3d of June preceding.



JEFFERSON DAVIS.

[From a war time portrait.]

No dark sibyl hailed them at their birth as the coming exponents of an awful struggle. No prophet would have dared predict in the days of their prominence that the rugged Lincoln was soon to fall, while the defeated, an invalid during a third of his life, would survive his great antagonist for a quarter of a century, outliving all the actors of his age in the great struggle, yet such was to be the irony of fate. History presents many paradoxes, but none greater than this: that the victor should fall in the very hour of victory and the defeated live till almost every trace of the conflict had vanished, to die of mere old age.

The ancestors of Jefferson Davis were of pure English stock, but so long resident in America that the type had become thoroughly southern American. On both sides they served in the war for American independence, his father, Samuel Davis, winning some distinction in the mounted troops of Georgia. Of his two sons, Jefferson early became a soldier, while Joseph, a man of talent, scarcely, if at all, inferior, gained a local success as lawyer and planter in Mississippi. The brothers were notably affectionate in childhood, and remained through life devoted to each other.

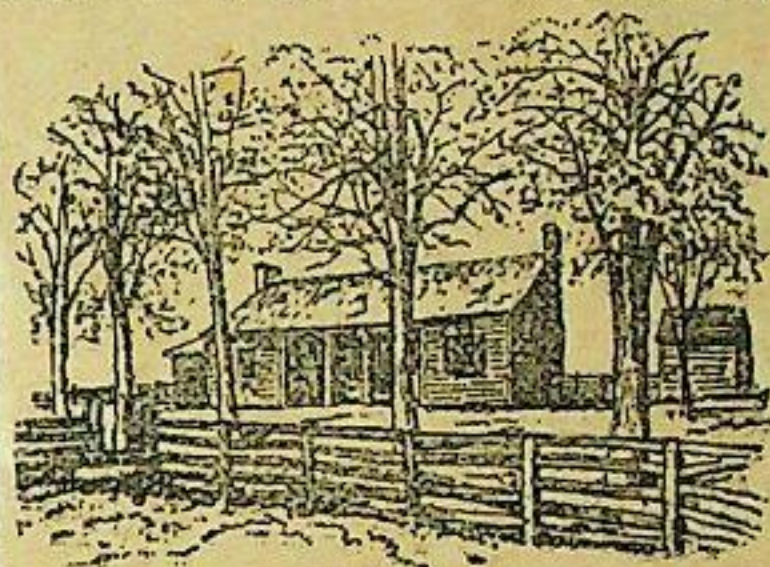
Soon after the birth of Jefferson, Samuel Davis removed to Mississippi, locating near Woodville, in Wilkinson county. The sons there acquired an unusually good English education for the time, and at an early age Jefferson entered Transylvania college, Kentucky. In 1824, however, President Monroe appointed him a cadet at West Point, whence he was graduated in 1828, at the early age of 20. He had stood high in his class, and at once entered on active duty, though for some time commissioned only as a brevet second lieutenant. Promotion was very slow in those peaceful times, but he soon won his full commission, and in the next three years demonstrated his organizing capacity, both as infantry and staff officer on the northwestern frontier.

The year 1831 brought a surprise and many promotions. Black Hawk entered on his famous campaign, and Jefferson Davis was at once given an active and responsible position to muster in and organize the new recruits. There has long been a tradition that in this capacity he mustered in the company of Illinois volunteers from New Salem and vicinity commanded by Capt. Abraham Lincoln, but there is no record of it.

## CAMPAIGNS AGAINST THE INDIANS.

Early in 1833 Lieut. Davis was transferred from his place in Company B, First United States infantry, and in recognition of his services in the Black Hawk war was promoted to a first lieutenancy in the First United States dragoons, of which command he was soon made adjutant. In this position he made a very brilliant record, not only as an organizer and efficient administrator in garrison life, but in several active campaigns against the Comanches, Pawnees and other Indians. And it is at this stage of his career that active, one might say acrid, criticism first concerns itself with Jefferson Davis. Those writers who persist in attributing the downfall of the Southern Confederacy to President Davis allege that thus early he exhibited the same faults and virtues which marked his administration in greater and greater degree with each successive increase of rank and power. The greatest fault alleged, perhaps, is unreasonable attachment to a few friends and corresponding prejudice against other persons.

It was while in this service that Lieut. Davis wooed and won a daughter of the eminent general and president, Zachary Taylor. Her father was in command of Fort Crawford, near Prairie Du Chien, and his daughter, a beautiful and refined young lady, was the center of attraction among the subordinate officers. Innumerable are the romantic stories of their rivalries, the final success of Lieut. Davis, the bitter opposition of the "stern parent" and old Indian fighter, and the final departure by night of the young couple to be married by a priest on the western bank of



JEFFERSON DAVIS' BIRTHPLACE.

the Mississippi. Let the young and romantic continue to read and believe. Suffice it that the father remained obdurate for some time; and was not completely reconciled to his son-in-law till the latter lay wounded in his tent after the battle of Buena Vista. There are as many accounts of what was said there as of the battle of Shiloh. Gen. Taylor's words appear to have been these, or very near them: "Colonel, you have saved the day—God bless you! When Dolly would have you, she was a better judge of a man than I was."

## EIGHT YEARS A PLANTER.

June 29, 1835, Lieut. Davis resigned his commission and located in Mississippi, where he lived for eight years the quiet life of a cotton planter. Then came a "crisis;" the annexation of Texas may be taken as the first issue over which distinctively northern and southern parties confronted each other. In 1843 Lieut. Davis took an active and most effective part in the state campaign and in 1844 he was one of the Democratic electors for Mississippi. In 1845 he was elected a representative in congress, and in December of that year took his seat in the house. It was called then a "stormy session," but in retrospect after the long session of 1849-'50, it was thought mild.

Mr. Davis took an active part in the discussions on the tariff, the Oregon boundary issue, the Mexican imbroglio, and the slavery question so far as it came up, but his speeches at that time indicate a position far more moderate than was afterwards attributed to him. It is of no great consequence now, but worth noting as curious matter of history, that in the heated discussions regarding Texas the threats of disunion came largely from the extreme northern men, while the most eloquent eulogies upon the union came from the south. In a speech on the Oregon question, Feb. 6, 1846, Mr. Davis said:

"From sire to son has descended the love of union in our hearts, as in our history are mingled the names of Concord and Camden, of Yorktown and Saratoga, of Moultrie and Plattsburg, of Chippewa and Erie, of New Orleans and Bunker Hill. Grouped together they form a monument to the common glory of our common country; and where is the southern man who would wish that that monument were less by one of the northern names that constitute the mass?"

## COL. JEFFERSON DAVIS.

His Heroic and Successful Action at Buena Vista.

While Mr. Davis was active in congress in July, the First regiment of Mississippi volunteers enrolled for the Mexican war elected him their colonel. He resigned at once, overtook his regiment at New Orleans, organized and drilled it to a high state of efficiency, and early in September was on the Rio Grande, in the army of his father-in-law, Gen. Zachary Taylor. A few days later he bore a conspicuous part in the siege and storming of Monterey, and, as commissioner, aided in drawing up the terms of capitulation.

Five months of comparative quiet followed, and then came the crowning glory of his military career, the achievement of which, more than all else, fixed him firmly in the affections of the southern people, aided him effectively at each turning point in his subsequent career, made him secretary of war and finally president of the Southern Confederacy. This was his gallantry, coolness in danger and soldierly skill at the battle of Buena Vista, Feb. 23, 1847.

In July, 1846, Mr. Davis was in congress, in September he was leading his regiment against Monterey; in February, 1847, he was at Buena Vista, and July of the same year found him again a peaceful planter, the regiment's term of service having expired. In August, 1847, the governor of Mississippi appointed him a United States senator to fill a vacancy; the legislature in 1848 re-elected him to complete the term, and in 1850 re-elected him for a full term. The ever memorable congress of 1849-'51, at its long session, had adopted the noted "compromise measure," but fully satisfied neither party.



MEMMINGER. WALKER. REAGAN. MALLORY. STEPHENS. TOOMBS. BENJAMIN. CONFEDERATE CABINET AND VICE PRESIDENT.

The result was the famous Foote-Davis gubernatorial campaign of 1851. The "Union" party, as it was called, carried the state by 7,500 majority on the convention question, but Mr. Foote's majority for governor was but 999—a remarkable proof of the popularity of Col. Davis. He had resigned his seat in the senate, and now remained in retirement till 1852, when he canvassed several states for the Democratic candidates.

## WAR SECRETARY DAVIS.

His Able Administration of the War Department.

March 4, 1853, President Franklin Pierce named Col. Jefferson Davis as secretary of war. That of Pierce was a strong cabinet, and secretary Davis was certainly among the strongest men in it. Men of all parties agreed that his administration of the war department was marked by ability and energy, and many old officers testify that of all secretaries in their time Col. Davis was (save for his quarrel with Gen. Scott) most popular with the army. He reorganized almost the entire service, drafted a new code of army regulations, introduced the light infantry rifle system of tactics, tried the experiment of camels for transportation on the southwestern deserts, added four regiments to the regular army, and improved the entire system of sea coast defenses. He also had the boundaries between Mexico and the United States fixed accurately, and secured the complete survey and almost the adoption of the southern route for a Pacific railroad. He sent Capt. George B. McClellan and two other officers to the Crimea to study the military tactics of the armies there (in 1854-'5), and was so pleased with their report that he retained warm personal feelings for them even through the civil war.

With the events of President Pierce's administration congress and the country may be said to have entered in full course upon the proceedings which led to the civil war. It is not to be expected that any American