



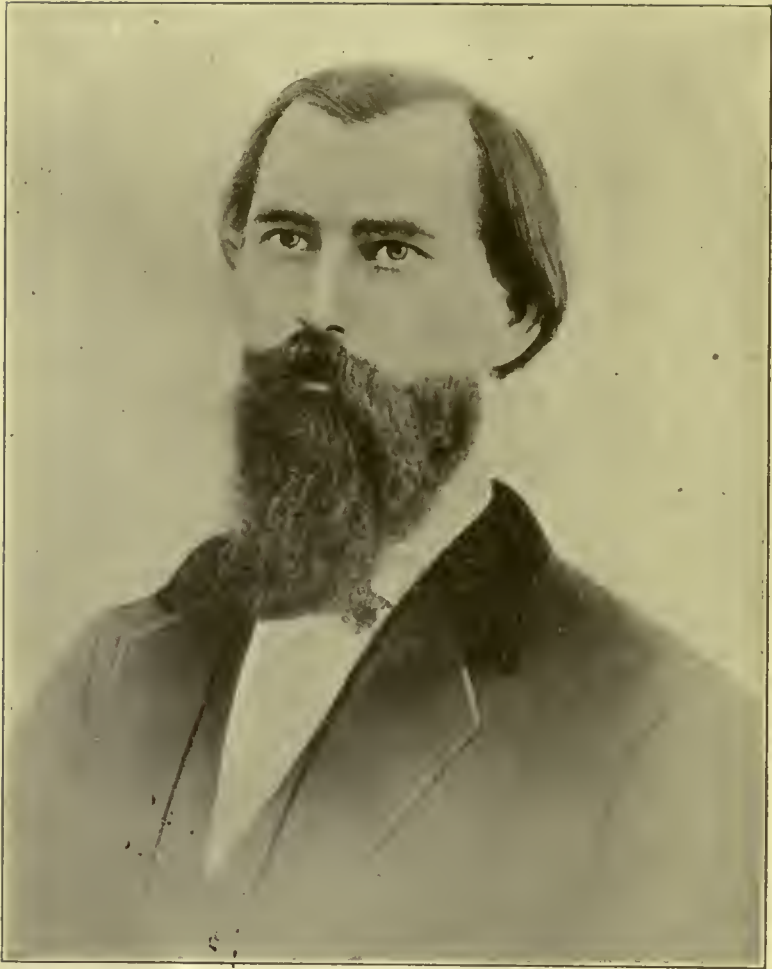
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**PUBLICATIONS**  
**OF THE**  
**MISSISSIPPI HISTORICAL SOCIETY**

**Centenary Series—Volume II**







COL. R. A. PINSON



~~MS Hist.~~  
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# PUBLICATIONS

OF THE

# MISSISSIPPI HISTORICAL SOCIETY



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EDITED BY  
DUNBAR ROWLAND, LL. D.  
*Secretary*

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CENTENARY SERIES  
VOLUME II

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## INTRODUCTORY NOTE.

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This volume of the Publications contains monographs of very real interest to the student of Mississippi history. Captain J. S. McNeily, whose ready and accurate pen has charmed and instructed a generation of intelligent and patriotic Mississippians, as the brilliant editor of the Vicksburg Herald and as an able and accurate historian, completes in this volume a monumental work on Reconstruction. Dr. J. G. Deupree, the beloved and honored educator under whose instruction many of the best men of Mississippi received their literary training, has contributed a valuable and interesting paper dealing with the history of the gallant command of which he was a member. Two other cultured Confederate veterans have papers in the volume. Judge Baxter McFarland, the learned lawyer, gallant soldier, upright judge and stainless gentleman, offers to military annals the history of the famous Eleventh Mississippi Regiment at Gettysburg. Col. E. T. Sykes, the Nestor of the Mississippi bar in active practice, the brave soldier and friend of Edward Cary Walthall, gives the public a paper of value and interest. The Mississippi Centennial Poem by Mrs. Dunbar Rowland, which is given the place of honor in the volume, is worthy of the theme and has been well received. The discussion between Judge J. P. Young of Memphis and the Editor seems to be convincing that DeSoto discovered the Mississippi River in Tunica County, Mississippi, thus settling an interesting historical question. It is with pride and pleasure that the Editor offers this volume to an intelligent, patriotic and discriminating public.

DUNBAR ROWLAND.

Department of Archives and History,  
Jackson, Mississippi, December 15, 1917.



# MISSISSIPPI

1817-1917

## *Centennial Poem*

Note.—This poem has received the favorable criticism of Dr. John Erskine, Professor of English of Columbia University of New York City, who congratulated the author upon the composition.

O State of mine! what golden wealth of deeds  
Has placed the fair corona 'round thy brow!  
What valiant blow, dealt with Arthurian art,  
Has made thee victor of the tourney now!

Yea, much hast thou of which the tongue might boast:  
Thy faith untouched by any doubts or fears,  
Thy children eager from thy presses full  
To tread a glowing measure through the years.

Thy valor, ever-blooming, stars the land  
As fair as in its dazzling, primal glow,  
When but a fragment of the nation's strength  
In Freedom's name thy legion met the foe;

As fierce as when for honor's sake it flamed  
So high that love fraternal paled before  
Its burning heat, bequeathing history  
A face with look that Hampden's ever wore.

For ev'ry failure thou hast had thy palms;  
For ev'ry cruel rent and stain that mar  
Thy garment's loveliness, ten thousand marks  
Of honor thy fair vesture braid and star.

For ev'ry tongue that shames thee with its guile  
Ten thousand lips speak true and golden word,  
And clean hands lay upon thy altars gifts  
That keep thy temple pure, thy spirit stirred.

Yet this might not have been thy history  
Had'st thou not claimed a high, heroic day  
From whose unfailing sources thou could'st draw  
A timely strength when tested in the fray.

Since distant day, earth's boldest, bravest hearts,  
Impelled by story of thy wondrous strand,  
Have sought thy ports, leaving on thy first page  
The jeweled impress of an ordered land.

And jealous kings have counted thee a prize  
Well worthy of long tilt of gain and loss,  
While men saw in thy wilding grove and vale,  
Site only for sweet Freedom and the Cross.

Yea, all the burning sweat and bitter stress  
Of thy stern pioneers in fearsome time,  
And ev'ry crimson drop for honor shed  
Serve but to make more fair thy glowing prime;

More sweet the land where hearts would fain once more  
On Freedom's holy altar lay their all,  
And spirits leap to bugles with old fires  
That thrilled thy sons at Liberty's first call.

Thy manhood had not been of that high mold  
In which thy strong defenders e'er were cast,  
Had these not with certain prescience wrought  
Fair miracles that ever more shall last.



Nor in her crucial hour could woman stand  
    Before her mighty task unterrified,  
But for the virtues and infinite grace  
    Of mother who her every need supplied.

Rich in thy past and present, prophecy  
    Full horns through coming years foretells for thee,  
And golden opportunity divines,  
    Vouchsafed by Freedom and Democracy.

Dear land! Dear land! Aye, more my eyes descry,  
    A vision of thy fuller destiny  
Flames up as fair as Bethlehem's clear Star,  
    The vision of God-like humanity.

MRS. DUNBAR ROWLAND.



## COLONEL R. A. PINSON.

By J. G. DEUPREE.

Richard Alexander Pinson was the seventh child, the third and youngest son, of Joel and Elizabeth Dobbins Pinson, born April 26th, 1829, in Lincoln County, Tenn., near Fayetteville, the county seat. In 1835, the family emigrated and came to Pontotoc County, Miss. There were then no railroads, and the trip was made in private conveyances. Richard Alexander, having through life a most remarkable memory, always insisted that he remembered all the important incidents of the journey. Reaching their destination, they found a wilderness, peopled by Indians, with only a few white families dotted here and there. Judge Pinson erected a residence where the town is located; and near the residence still many descendants are now living. He opened a real estate office and sold the first acre of land in the city of "Hanging Grapes", the Indian meaning of Pontotoc. He was generous to the corporation, and among other donations he gave the plot to be used as a cemetery; and his own daughter was the first white person buried therein.

Richard, or as more familiarly known, Dick, attended a school taught by John W. Thompson. Being an apt pupil, he early displayed accuracy, thoroughness, and thoughtfulness, unusual for one of his age. His advancement in books was rapid. After a few years in this primary school, his father sent him back to his native heath where in the same neighborhood in which he first saw the light he attended the *Viney Grove Academy*, an institution of which Tennesseans were proud, and where such men as the illustrious John M. Bright were educated.

Returning to Pontotoc, he was welcomed by a devoted family and a host of friends. Deferential and obedient to his parents,

affectionate and tender to his brothers and sisters, it is small wonder that he was so fondly loved and cherished. Indeed, he was the object of admiration and affection throughout his entire life. His father wished *him* to understand and love agriculture, since he lived in a farming country; and, therefore, gave him a section of land near Pontotoc. He took great interest in his farm and called it "*Primrose*." Though so many years have elapsed and though the farm, still one of the best in the county, passed into other hands many years ago, it is still known as "*Primrose*".

The ebony faces of his slaves would ever shine with joy at the approach of "*Marse Dick*", as they fondly called him. He often made his home with his mother, whose farm "*Stony Lonesome*", adjoined "*Primrose*". Horseback riding was a favorite diversion of his; and, as he was also a great lover of nature, he found un-failing pleasure in his rides. His appearance was undeniably commanding, whether on foot or in the saddle, for he was of splendid physique and superb carriage, measuring six feet and two and a half inches in height and perfectly proportioned in every way. His smile was so genial, the look he bestowed so benign, and his hand-clasp so warm and strong, that one remembered it and felt better long after the greeting. In public and in military life, in politics and in the quiet atmosphere of home, he was a compelling force,—a man of wonderful magnetism and influence.

In the late "Fifties", he ran for the State legislature and was elected on the Whig ticket because of his personal popularity, despite the fact that the constituency was overwhelmingly Democratic. At the outbreak of the Civil War, he enlisted in the Confederate service. A braver, truer soldier never shouldered a musket nor gave his country more valiant and faithful service. In the autumn of 1861, he was chosen Captain of his company and in the following year was elected Colonel of his regiment, the First Mississippi Cavalry. He was in many battles and participated in countless skirmishes and raids. Colonel Pinson, as he must now be called, was seriously wounded but once, at Davis' Bridge in 1862. He soon after returned to his post of duty and continued till the last days of the war in performance of the

great trust his office implied. His courage never wavered for an instant; on the contrary, his brave spirit grew more dauntless as the days and months fled by.

Soon after his return from the war, his friends importuned him to become a candidate for Congress. He was elected by a handsome majority, but was never permitted to serve because the State had not been reconstructed. This was a bitter disappointment to his friends who realized what a factor for usefulness he might have been at this critical time, when the country was in such a state of upheaval and sorely needed the wisest and most tactful Representatives. Soon after this, Colonel Pinson entered the cotton business in Memphis. Among the various honors bestowed upon him by the city of his adoption, none was more appreciated than his election as President of the Chamber of Commerce. A member of the Episcopal Church, he was broad and liberal in his religious views, as he was magnanimous and generous in all other respects. He was, indeed, a Christian in the true meaning of the word.

In the spring of 1864, the gallant young Colonel led to hymen's altar Miss Sina E. Duke, the amiable and accomplished daughter of Colonel William H. and Mrs. Sina Bankhead Duke. This world has never known a happier marriage,—angels must have guarded and guided them through the nine perfect years they lived together. But in the spring of 1873, he was claimed as the first victim of cholera, which proved to be a long epidemic in the city of Memphis. After but a short illness, the fearless spirit of this good man took its flight to the God who gave it, meeting the last enemy as calmly as he always faced the foe on the field of battle. He was laid to rest in beautiful Elmwood; and it was, indeed, fitting that he should sleep at last in the land of his birth,—fair, sunny Tennessee.

THE NOXUBEE SQUADRON OF THE FIRST MISSISSIPPI CAVALRY, C. S. A., 1861-1865.

BY J. G. DEUPREE.

PROLEGOMENA.

It is the purpose of this writer briefly to sketch the history of the Noxubee Squadron of the First Mississippi Cavalry, i. e., Cos. F and G, known at home as the Noxubee Cavalry and the Noxubee Troopers. Of course, it will be impossible to give a full and detailed account of every skirmish or battle, to mention every personal incident or noteworthy deed, to give the particulars of every casualty, or even simply to note the death of every victim of battle or disease incident to military life. Having kept no diary during the war, having access to little written by surviving comrades, within reach of no comrade with whom he may confer orally, and beginning this delightful task too late in life to recall perfectly scenes and events once vividly impressed on memory's tablet, the writer must inevitably omit many things that would appeal to descendants of the gallant horsemen that composed this squadron. It is his purpose, however, to produce a readable and reliable story and to give some characteristic features of camp-life, marches, skirmishes, and battles, though necessarily omitting far more than he gives. The four years of the war demanded of the cavalry arduous and continuous service, rendering it impossible even to outline all this Noxubee Squadron was called upon to do in picketing, scouting, repelling invaders, raiding, covering the flanks and rear of our armies, or fighting dismounted in the trenches with infantry. The writer must content himself, there-

fore, with a selection of scenes and events which he would undertake to portray.

I must say that *the history of any other company of the First Mississippi Cavalry*, if written up in detail, would be equally full of patriotic and daring deeds, as is the story of either of the Noxubee companies. In fact, every squadron and each company of the regiment has often won distinction and commendation, and I only regret that the scope of this paper precludes the attempt to write up the many gallant actions of other companies or squadrons, in which a Noxubee company did not participate.

#### ORGANIZATION.

In the fall of 1860, after Lincoln's election, political excitement ran high in Noxubee County, Miss.,—the dominating question being whether the Southern States should secede separately or all together. That the Union was to be dissolved seemed a foregone conclusion. A large majority of slaveholders, however, had voted for Hon. John Bell or Hon. Stephen A. Douglass, while most of the non-slaveholders had voted for Hon. John C. Breckenridge. A policy of coercion on the part of the Federal Government seemed probable; and after the expiration of Buchanan's administration and the inauguration of Lincoln, the invasion of the South was expected. Self-protection suggested measures of resistance. The Noxubee Rifles, Capt. George T. Wier, had been organized, drilled, and equipped for years, and were ready for active service. Now seemed to be a propitious time to organize a company of mounted men. Accordingly, on the last Saturday in November, when Macon was filled with people from all parts of Noxubee County, a meeting was held in the Court House. After some discussion, Hon. J. L. Hunter, past sixty years of age, who had been a captain of cavalry in his youth, upon urgent solicitation undertook to organize the troopers. Mounting his blooded stallion, meeting the volunteers in the open field not far from Purdy's Corner, he soon brought order out of chaos, drilling the men briefly in evolutions by fours and platoons. After marching several times up and down Main

street, he halted the company, had them dismount, hitch horses, and repair to the Town Hall for the election of officers. The old Captain declined to allow his own name to be voted on, stating that age and decrepitude forbade him to serve, but urged the selection of the best officer possible. Upon the first ballot, by unanimous vote, Judge H. William Foote was elected Captain with three efficient lieutenants; three sergeants and four corporals were appointed; also, a bugler, Mr. J. J. Hunter, who like many others in the company had followed hounds in the chase and could sound a cow's horn to perfection. Money was raised; carbines, pistols, and sabres were ordered; and the meeting adjourned.

The company grew rapidly by accessions, as they met every Saturday for drill. Many enlisted from old and prominent families,—Beasleys, Boyles, Brooks, Jarnagins, Jacksons, Whites, Yateses, and others. Sometimes, squads of brothers and cousins enrolled together. For example, there were: Bush, A. H.; Bush, Albert; Bush, Anderson; Bush, J. D.; Dantzler, J. L.; Dantzler, J. L., Jr.; Dantzler, G. H.; Dantzler, T. M.; Dantzler, Jack; Deupree, J. L.; Deupree, J. G.; Deupree, J. W.; Deupree, T. J.; Deupree, T. M.; Deupree, W. Daniel; Deupree, W. Drewry; Deupree, J. Ellington; Deupree, J. Everett; Greer, A.; Greer, F. B.; Greer, F. J.; Greer, J. H.; Greer, J. A.; Hunter, C. M.; Hunter, H. M.; Hunter, H. D.; Hunter, W.; Hunter, J. J.; Hunter, J. W.; etc. Many families had as many as three or four representatives. It was, indeed, an aggregation of citizens of every class and condition; planters, overseers, merchants, clerks, doctors, lawyers, officials and politicians, men of means and men without,—but all alike inspired with patriotic fervor and determined to repel invasion, sacrificing even life itself, if need be, on the sacred altar of their country.

#### NOXUBEE CAVALRY.

In due time, sabres, carbines, and pistols came. Buckling the sabres on the left side, swinging the carbines on the right, and putting the pistols in our belts, we were so heavily armed that



we found difficulty in mounting. Afterwards, we learned to keep pistols in the holsters on our saddle-horns, and by practice became adepts in using sabres or carbines at will, whether mounted or dismounted. We drilled regularly, and progress was made. Captain and lieutenants studied the tactics diligently. Men and horses, with almost equal facility, learned to discriminate and execute the various commands. Drills were frequent in firing carbines, shooting pistols, and using sabres. Maneuvers were practised on foot, as well as on horseback, for several consecutive weeks.

At length, excitement grew apace. States began to secede, South Carolina leading off, followed by Mississippi. Governors called for troops. The seceded States sent delegates to Montgomery, Ala., to form a Provisional Government, for the Confederate States of America. The Federal Government raised large armies, threatening to coerce the South. Several companies from Noxubee county had enlisted in the Confederate service. Lieutenant J. L. Deupree, private J. Ellington Deupree, and other cavalymen had withdrawn from Foote's company and joined the Noxubee Rifles under Capt. Wier, fearing the war would end before the cavalry would see active service. Seeing a tendency to disintegration, Capt. Foote, on the next drill-day, rode in front and said it seemed to him that the time had come when duty called at least a part of the company to volunteer for active service at the front, and ordered all who would volunteer thus to ride ten paces forward. About half the men obeyed and Capt. Foote put himself at their head. They withdrew and organized the *Noxubee Cavalry* with seventy five privates by electing H. W. Foote, Captain; Hampton Williams, First Lieutenant; C. M. Hunter, Second Lieutenant; and T. J. Deupree, Third Lieutenant. The necessary non-commissioned officers were appointed, and T. J. Deupree and Sam Day were directed to recruit the additional men needed by the following Saturday,—which they did.

## VOLUNTEERING.

In April, 1861, when "Faith as to Sumter" had not been kept by the Federal Government, when Lincoln had called for 75,000 men to invade the South, and when the tocsin of war had thus been sounded, the people of Dixie Land rushed to arms almost *en masse*, with a precipitancy and unanimity unparalleled in the history of the world. Until then, they had differed widely as to the policy of secession, though not as to the right to secede; but now, confronted with the menace of subjugation, the South resolutely armed herself for protection, and all differences vanished. This is an inalienable right, inherent in every people, in every age and clime. At that time the masses were intelligent as to public affairs. All knew that the power to coerce a sovereign State had been denied the Federal Government by the Convention that adopted the U. S. Constitution. They knew, too, that this sacred Compact between States had been shamelessly trampled underfoot and denounced by Abolition leaders as "a covenant with Death and a league with Hell".

Before April, 1861, comparatively few military companies existed in the Southern States in anticipation of war. Now, volunteer organizations became well-nigh universal. Everywhere, with the approval of older and wiser heads, girls and matrons gave picnics and encouraged enlistment, while men and boys gallantly fell into line. Noxubee County, Mississippi, one of the richest and fairest of all the South, was no laggard in this glorious and patriotic movement. The first company to leave for the seat of war was the Noxubee Rifles, which was entrained at Macon for Virginia early in April. It became Company F in the Eleventh Mississippi, winning fame and glory on many bloody battlefields. The Rifles were feted and honored by the people of Macon; able and patriotic addresses were made by Rev. G. H. Martin, pastor of the Baptist Church and by Hon. Israel Welch, a private in the company and afterwards a member of the Confederate Congress.

CAMP GOODWIN.

The Noxubee Cavalry impatiently witnessed the farewell ceremonies incident to the departure of the Rifles, longing to go with them and wondering why they, too, had not received marching orders. No longer satisfied with weekly drills on the field east of Calhoun Institute and west of Cedar Creek, the Cavalry repaired to Camp Goodwin, a few miles below Macon, on the Noxubee River, for more intensive drilling and more persistent instruction in all that pertains to military service on horseback. Here we had ample room for all movements by twos, by fours, by platoons, or by company. Bathing and fishing, as well as hunting, were enjoyed greatly. The good people, from far and near, coming every day to see our drills and parades, never failed to spread most bountiful picnic dinners, which we eagerly consumed. At night we held moot courts, in which culprits were tried for alleged offenses against "law and disorder" of every kind; and, also, we had public debates on various questions of "sense and non-sense", ranging from the ridiculous to the sublime. Our lawyers and college graduates led the debates. It may be incidentally remarked in passing that such trials and debates gave diversion to camp-life long after these embryo soldiers became war-seasoned veterans in the Confederate service.

Our stay at Camp Goodwin culminated in a flag-presentation. The fair ladies of the county had designed, and procured in Mobile, a silk banner at a cost of not less than \$100 in gold. It was, indeed, exquisitely beautiful, about four feet square and of the best possible material. Its colors were rare and radiant, and it was fringed with golden tassels. On one side on a white field, it was dedicated to the Noxubee Cavalry; and on the other, were the patriotic words: "Dulce et decorum pro patria mori". Most gracefully and in charming phrases, the presentation-speech was delivered by Miss Mattie Haynes, and the response was eloquent and patriotic by Mr. J. E. Deupree, now living in Fannin County, Texas. Not a cloud flecked the sky while we were in Camp Goodwin, and this flag was presented on as fair a day as was ever known in our Sunny South. The Company had been formed

into a hollow square with the eleven young ladies representing the eleven seceded States occupying the fourth side of the square. Though nearly three-score years have passed since that glorious day, its precious picture lingers still in my mind as clear and as distinct as an event of yesterday. But my old and feeble pen cannot portray the scene so that readers may comprehend its beauty and brilliancy. I shall not try. All know that a beautiful woman is the prettiest thing on earth, and a fine horse next; and the combination simply defies description. The whole time at Camp Goodwin was most delightful to us all, and ever since then it has been a place of blessed memory to every survivor.

#### UNION CITY

Early in June, the company occupied the Fair Grounds in Macon, preparatory to entraining for Union City, Tenn. Additional carbines, pistols, and sabres had been procured from Jackson to supply our new recruits. Intensive drilling was practiced. Messes were organized, eight or ten men to each and a two-horse wagon for transportation of baggage and cooking utensils, and two servants, one to cook and the other to groom horses. Personal servants attended many officers and privates who owned slaves. We all fared well and looked forward joyously to the time when we should meet the enemy. At length, the day came when we were to break camp and leave Mississippi. Horses, baggage, and wagons were put aboard the train; officers and men kissed their good-byes to loved ones, some shedding copious tears, but all rejoicing that we were going toward the front. We had a pleasant trip and reached Union City without the loss of man, horse, or baggage. Capt. Foote reported promptly to General Frank Cheatham, who was in command of several thousand infantry and a small battalion of cavalry, to which we were assigned as its fourth unit. Capt. John Henry Miller had been elected Major, and the organization was known as the First Battalion of Mississippi Cavalry. Other companies were added from time to time till there were ten, when it became famous as the First Mississippi Cavalry. Now the battalion was composed of

the Pontotoc Dragoons, Capt. A. B. Cole; the Thompson Cavalry from Oxford, Capt. A. J. Bowles; the Bolivar Troopers, Capt. F. A. Montgomery; and the Noxubee Cavalry, Capt. H. W. Foote. Major J. H. Miller was a Presbyterian clergyman, thoroughly educated, descended from military ancestors, tall and straight as an arrow, chivalrous and eloquent. Though about fifty years old, he was overflowing with energy and military ardor, and as active and alert as the youngest trooper in his command. General Frank Cheatham was a veteran of the War with Mexico, frank and genial, for whom all subordinates entertained the profoundest respect and affection. Constant drills and reviews were the order of the day, combined with picketing and scouting. We grew more and more impatient to draw nearer the enemy, as we read daily reports from Virginia, South Carolina, and Missouri. News of the Battle of Manassas and the complete defeat of the Federals made us believe that the war would soon end and that we should never see an armed enemy nor fire a shot in actual battle. Alas! how little did we appreciate the grim determination of the Northern soldier! At length, drilling and scouting became too strenuous for Lieut. Hampton Williams, nearing three-score years of age, and he resigned, R. O. Wier being elected Third Lieutenant to fill the vacancy created by the promotion in sequence of the other lieutenants.

#### NEW MADRID, MO.

Late in August, baggage, tents, and ammunition, were loaded on cars for Memphis, and the men were ordered to cook three days rations and prepare to march. Much speculation was indulged, but no one outside of headquarters knew the purpose of the movement nor the destination. However, we marched westward and in due time found ourselves on the bank of the Mississippi several miles south of New Madrid, Mo. Thither we were transported in steamboats. Here within a few days was concentrated an army of 10,000 men of all arms. We now felt

closer to the enemy, for every day came rumors of fights between the Federals and Jeff Thompson's State Guards, composed of Missourians and Indians. These were reported sometimes north near Charleston and sometimes west near Sikeston. General Thompson's men were armed mainly with old-fashioned squirrel rifles. Experienced in the use of these weapons, inured to hardships, largely destitute of fear, and thoroughly at home in the saddle, they were antagonists not to be despised. The General himself was a wiry little man, active as the traditional cat, and a noted horseman. His mount was a milk-white stallion with large black spots, like a circus horse; and he dashed along like a boy on his first pony, invariably followed by his big Indian orderly flashily dressed in the garb of his tribe. Wherever and whenever they appeared they were cheered vociferously. Occasionally, straggling men from this command passed through our camp, telling many stories, hardly credible, of their battles with the enemy, as well as evidently fictitious tales of Jeff Thompson's Indian contingent.

#### WATKINS' FARM.

General Gideon Pillow, famous veteran of the War with Mexico, commanded our Army of Liberation, so designated because we supposed we were about to march to St. Louis. To lend color to this supposition, Maj. Miller's cavalry were ordered to report to General Thompson, west of Sikeston. Cole's and Foote's companies were thence sent towards Benton, in Scott County. We camped on Watkins' Farm, where we had a most delightful time in spite of hard service in picketing and scouting. Fat beeves were plentiful, as well as flour, lard, and bacon. Details were made daily to shoot beeves for the companies. This scribe recalls that one day, when ordered to shoot a beef, he fired his Maynard, and lo! not one beef but two fell dead instantly! The ball had passed through the head of one and the heart of another. To the gratification of all, our meat rations were unusually lib-

eral that day. In this connection, I transcribe from the MACON (Mississippi) BEACON, dated Sept. 11th, 1861, the following

LETTER FROM CAPT. H. W. FOOTE.

Camp Watkins, near Benton, Mo.,  
August 18th, 1861.

My Dear Mr. Ferris:—

We have been about three weeks in this delightful country,—far too good to give up without a struggle on the part of the South. The granaries are all overflowing with this year's harvest, and every prospect promises an abundant crop of wheat in the coming spring. The rich lands and the good appearance of the country in every respect justify our claiming and holding Missouri. The people, so far as I can judge, are with us in sentiment. Prudence has kept them silent. Those daring to express themselves have been molested in divers ways; some with personal violence, others by having their property confiscated and carried away, while the homes of many have not escaped the torch. The farm adjoining our camp has suffered heavily; a fine steam-mill, a large barn, two thousand bushels of wheat, and many other valuables were burned by the Federal Germans before we came to this neighborhood. Homes have been entered and bayonets pointed at innocent women by the marauding brutes; some private citizens have been captured; large fields of corn have been destroyed; horses, mules, negroes, and cattle, have been driven away; and every conceivable species of mischief and destruction has been done by these cowardly wretches. They have come, as many as 600 in a body, and forced their way everywhere, their headquarters being a stone church in the town of Hamburg, built by Roman Catholic Germans. This is their general rendezvous, about three miles from the county site of Scott County.

We shall probably leave here tomorrow night. When I write again, I may have, in all probability, something more important to communicate.

Until then, adieu.

(Signed)

H. W. FOOTE.

We were ordered back to New Madrid. A movement now occurred, for which doubtless there were good reasons, though they have not yet come to light. Tents, baggage, infantry and artillery

were put on steamboats, and the cavalry marched down the river fifteen or twenty miles and bivouacked on its bank. The boats came and were tied up. Next morning we were ordered back, boats and all, recalling the famous historic incident, when

“The King of France with his ten thousand men  
Marched up the hill and then marched down again”.

#### HICKMAN, KY.

Early in September, the cavalry were ferried across the river and rode to Hickman, Ky., whither General Cheatham and a brigade of infantry had gone on a steamboat. Dense columns of smoke were visible far up the river; women and children were screaming in the streets, as we arrived; bugles were sounded; and guns were placed in commanding positions to resist an expected attack, for a large force was believed to be coming down, threatening the capture of Hickman. First to come in sight was a little Confederate stern-wheeler, the *Grampus* painted black, with a six-pounder on her bow and commanded by Captain Marsh Miller wheeled the *Grampus* around and opened fire on his pursued by two formidable gun-boats, which were constantly firing at him. As he came under the protection of our batteries, Capt. Miller wheeled the *Grampus* around and opened fire on his pursuers with a six-pounder. His shots fell short. Now the twelve-pounders on the bank began to fire, and the gun-boats thus threatened with destruction quickly withdrew out of range. General Pillow with infantry and artillery had hurried forward by land but reached Columbus just a little too late to intercept the Federal gun-boats.

#### COLUMBUS, KY.

Our cavalry on reaching Columbus found General Pillow in possession. Additional forces were soon assembled and General Leonidas Polk assumed command. Capt. Tobe Taylor's company from Panola was here added to Miller's battalion,—a most valuable accession, for Captain Taylor became one of the best officers the regiment ever had. The Pontotoc Dragoons had become



so numerous it was deemed expedient to divide the company, Captain Cole retaining the larger portion, and Adjutant R. A. Pinson being elected Captain of the new organization. Our camp was on the river bank about one mile south of the railroad depot. When off duty, we enjoyed nothing more than to gather on the bluff just north of Columbus to see gun-boats pursue Capt. Marsh Miller as he returned from his daily scouts up the river, which here flowed without a bend from north to south for many miles. Sometimes the *Grampus* was gone so long we feared she had been captured; but at length she would be seen in the distance under a full head of steam and with her shrill whistle doing its utmost to be heard all down the river; and beyond were the gunboats, firing as they came. After getting under protection of our land batteries, the *Grampus* never failed to turn and "pop away" with her six-pounder, much to our amusement and doubtless to the amusement of the Federals as well. But the enemy would turn back before coming within range of our guns. At length, we procured a big gun, christened "*The Lady Polk*", which we all confidently expected to destroy the gun-boats; but on its first fire it exploded, and killed and wounded several of our best gunners. Scouting, drilling, parading, picketing, and reviews kept us busy. Rumors of intended attacks on Columbus never ceased. By accessions of three other companies our battalion became a regiment of nine companies, and our Major became Lieutenant-Colonel Miller in command.

#### BELMONT, MO.

Col. Tappan's regiment of Arkansas infantry and Beltzhoover's battery were on the west bank of the Mississippi in Belmont, Mo.; also, Montgomery's and Bowles' companies from our regiment of cavalry. Gus Watson was with Montgomery, one of several brothers, all men of means and note, all good poker-players, who before the war had made frequent trips on palatial steamboats up and down the Mississippi, ostensibly on business but really to indulge in the fascinating game. From their reckless style of play arose the well-known expression "*to play like the Watsons*", still

frequently heard, I am told, by poker-players everywhere to this good day. Gus Watson had equipped Beltzhoover's battery at his own expense and was with it, though holding no office. He usually accompanied Capt. Montgomery in his scouts near Bird's Point, which was held by a considerable force of Federals. Once, Montgomery with thirty picked men met a Federal captain with more than fifty, well-mounted and fully equipped. Quite a fusillade occurred, in which both sides stood their ground for some time; but, at length to Montgomery's gratification, the Federals by twos and fours began to wheel out of line and give way. Pursuit was inadvisable, as Montgomery was far from any supporting force. Riding up to the abandoned Federal line, he saw stretched in death a fine-looking young man wearing the chevrons of a sergeant, his Burnside carbine by his side on the ground. This was the first man killed in open fight between the opposing troops from the hostile armies, encamped at Cairo and Columbus. The dead Federal was left with citizens to be buried; his sabre was given to Gus Watson, and his pistols and carbine to cavalrymen not fully equipped. How many Federals were wounded and carried away was never ascertained. Montgomery had five horses killed and one man so seriously wounded that his right arm was amputated near the shoulder. The men were proud to get back to camp and relate the incidents of their victory. The whole camp turned out to greet them and to hear their account of the "battle", news of which had already been wired to the Memphis papers. Montgomery and his men were heroes of the hour. Active scouting and picketing continued. On Nov. 7th, the cavalry were the first to meet Grant's reconnoitering force, consisting of one brigade of infantry with the usual complement of artillery, probably more than 3,000 men, marching south down the west bank of the Mississippi, hoping to capture the whole of Tappan's force. Our cavalry did valiant service, gallantly receiving the first shock and bravely skirmishing against great odds so as to delay their progress as much as possible, in order that Tappan might prepare his infantry and artillery for the impending battle. Even as it was, Grant came on so rapidly that Tappan was not fully ready and his men were driven to the water's edge and

some of them into the water. Here they resisted heroically. Lieutenant-Colonel Miller, who had been commanding other companies of his regiment north of Columbus, in anticipation of an attack, after becoming satisfied no attack would be made on Columbus, crossed the river and put himself at the head of his squadron in Belmont. While Miller was holding his position on the flank of the infantry, the commanding officer rode up to him and said: "Col. Miller, lead your men into action, Sir, and give the Yankees hell". Miller saluted and replied: "That is the command I have been waiting and wishing to hear". Putting spurs to his horse he ordered and led the charge of his two companies against a battalion of Federal cavalry and drove them in utter confusion from the field. His favorite horse, "Arab", which he had raised on his own plantation, was killed under him in this action. Meantime, Cheatham's brigade had been ferried across and by rapid marching hoped to cut off Grant's retreat. This he almost succeeded in doing, being greatly aided by the cavalry in pursuing the fleeing enemy. But Grant's men were too fleet of foot to be overtaken. They boarded their boats and steamed away.

On the next day, Foote's company, the Noxubee Cavalry, were sent across the river to relieve Montgomery and Bowles, and to supervise the Federals who came down under a flag of truce to bury their dead on the battlefield. Some of us followed General Cheatham on the steamboat, whither he went to meet General Grant, whom he had known well in the Old Army. After awhile the Generals stepped to the bar to take a social glass, it being Grant's treat. As they lifted the liquor to their lips, Grant said, "Here's to General Washington, the Father of his Country", when Cheatham promptly added, "and the first great Rebel"; and simultaneously they drank the amended toast. We found a few wounded Confederate soldiers aboard, whom the Federals had collected from farm-houses in the neighborhood; and General Cheatham promptly and very properly ordered them to be removed to shore, for it was clearly in violation of the laws of civilized warfare for men under flag of truce to capture prisoners. To us, who had as yet little experience in war, the battlefield pre-

sented a ghastly appearance; and the Rev. G. H. Martin, who was up from Macon on a visit to his many friends in our company, was so heart-sickened he could scarcely endure the sight, and as soon as possible cut short his visit and returned home. Our dead were all decently interred. The Federals buried theirs hastily, without coffins or blankets; in one instance, laying 41 clad, just as they fell, in a single long trench and covering them with earth to the depth of about two feet. After the work was completed, the Federals departed in their boats and we were recalled to Columbus.

#### COLUMBUS, KY.

One morning at Cheatham's headquarters, there suddenly appeared Ned Saunders from California. His father had been a noted criminal lawyer in Natchez; and, as far back as 1851, had been a pronounced secessionist. After the triumph of Union sentiment in the memorable campaign of that year, he left the State and made his home in California. When he became of age, Ned Saunders joined General Walker, the great fillibuster, in his expedition against Nicaragua and won the grade of Major-General in Walker's army. While Walker was *de facto* President of Nicaragua, Saunders was married, Walker performing the ceremony. After the defeat of Walker's army, Saunders managed somehow to effect his escape and thus did not share the fate of Walker. Receiving the necessary authority through the help of General Cheatham, Saunders raised a company of scouts, including his younger brother, and did excellent service till the war ended.

#### CAMP BEAUREGARD.

For many weeks parties of our cavalry made long rides through all portions of the Jackson Purchase, finding ample evidence of Southern sympathy. In fact, the whole population seemed to be loyal to the South, for those really in sympathy with the North were discreet enough to keep quiet. We believed then, as we believe now, that people had a right to think for themselves and to follow their own convictions, so long as they did not

interfere with the rights of others. In the light of this principle, we could not but enjoy an amusing incident some of our cavalry witnessed. Not far from Mayfield, while riding along a public highway, they passed a farm-house; and on the verandah sat an elderly gentleman, whose surplus adipose hung low enough to cover his femurs, as he rested his pedal extremities on the ballusters in front of him. He gesticulated wildly and shouted lustily: "*Hurrah for Jeff Davis and the Southern Confederacy!*", while in another part of the house a little girl was seen struggling with might and main to haul down the *Stars and Stripes*, symbolic doubtless of the real political sentiments of the family. As a matter of course the fat old gentleman "*got the horse laugh*" from the troopers. Through the purchase, however, we rode to little purpose, for the Federals rarely ventured beyond their lines about Paducah and always carefully evaded meeting the rebels. This hard service, nevertheless, made us take on the ways of the soldier and taught us valuable lessons of the bivouac, which stood us in good stead, when afterwards we were compelled to use scanty resources to the best advantage. There was another benefit: a goodly number of recruits joined us, and these Kentuckians all made valiant soldiers. Some of our companies, including the Noxubee Cavalry spent the latter part of the month of January at Camp Beauregard, near the village of Feliciana, which proved to be for us a charming little place. Our younger and marriageable soldiers, especially, enjoyed the society of the many fascinating young ladies, most of whom were genuinely Southern. Then, too, we lived well, drawing rations freely from adjoining farms and finding a plentiful supply of chickens, turkeys, and guineas, as well as "*peach and honey*". None of us neglected our opportunities. But like all good things, life at Camp Beauregard must come to an end.

#### SHILOH.

A change had come. Grant captured Forts Henry and Donelson and was moving towards Pittsburgh Landing on the Tennessee River. Confederate forces were concentrating at Corinth. Columbus, Ky., was evacuated and Miller's regiment was to cover

the retreat. When Polk's army had reached Lexington, Tenn., on April 24th by order of General Polk, Col. A. J. Lindsay, an Old Army officer, was assigned to the command of the First Mississippi Cavalry, Lieutenant-Colonel Miller retaining his grade and being subordinate to Colonel Lindsay, as he was too good a patriot to resign when a battle was impending. Though at the risk of being somewhat tedious, to show how a great battle appeared to a private in the cavalry, this writer will here practically repeat much of an article he previously contributed to a publication by the *Mississippi Historical Society*.

While in Jackson, Tenn., enroute to his new regiment, Colonel Lindsay received a telegram directing him to march immediately to Monterey. He accordingly dispatched a courier with instructions to this effect to Lieutenant-Colonel Miller, and Lindsay himself overtook the regiment a few miles from the village and at once modestly assumed command. His quiet dignity and soldierly bearing won immediate confidence and respect, so that ready obedience was accorded him from the first. Later, the men held him in high esteem after witnessing his coolness under fire, as he sat amid shot and shell with a leg thrown over the horn of his saddle and puffing away with seeming unconcern at his corncob pipe, though at the same time displaying instinctive knowledge when to move, where to move, and how to move.

There had been no pursuit of our army and no fighting on the retreat from Columbus; but the feeling now prevailed that we should fight and not retreat, as our soldiers all believed that the disasters of Forts Henry and Donelson should be retrieved. We knew that the exultant enemy was steaming up the Tennessee and the Cumberland; and there was universal joy in our ranks, when at Purdy, Tenn., we wheeled eastward towards the Tennessee River. As we moved on, we heard more and more of the mighty converging of Confederate forces. The roads grew worse. Wrecked and abandoned wagons and caissons in the mud gave ample evidence that we had been preceded by many commands of infantry and artillery. As we advanced we found roads, woods, and fields filled with troops, eagerly pressing forward and intensely anxious to meet the invaders. From couriers and strag-

glers we heard of numerous commands ahead. They told us of troops from Kentucky, from Tennessee from Alabama, from Louisiana, from Arkansas, and from Florida. Forrest's cavalry and Terry's Texas Rangers were also mentioned. We heard that the invincible Albert Sidney Johnston, the iron-hearted Braxton Bragg, the superb John C. Breckenridge, and the wary Beauregard would be there. To think of the presence of these great leaders made all hearts bouyant. We of the army from Columbus knew General Albert Sidney Johnston. We had often seen his majestic form as he rode with his staff to view the fortifications of Chalk Bluff and to inspect the troops of our warlike Bishop. We had often seen him standing on the bluff, when his gigantic form and eagle eye showed to best advantage, inspiring all with undaunted heroism. Johnston's very looks betrayed the born commander, and under his leadership we felt assured of victory on the morrow.

On the night before the battle, our regiment bivouacked in the tall timbers on the very edge of the battlefield. We were, indeed, much nearer the enemy than any of us imagined. We knew that for miles and miles the woods were full of our friends, but we knew not that we were within easy range of Grant's rifled artillery. It has seemed a mystery to me ever since, how there could have been so perfect quiet amid the mighty hosts of those two opposing armies on that ominous night. No bugles sounded, no bands played; there was no firing, no cheering, no loud talking, no noise, and no disturbance of any kind. Whether this stillness resulted from orders of our great commander, I do not know; but I do know that all was then quiet along the Tennessee. Verily, it was but the calm before the storm. On our part, we were happy that the long retreat had ended; and in all my life I can recall no sounder or sweeter sleep than I enjoyed that night with my saddle for a pillow, grass and leaves for my bed, and the silent stars as sentinels smiling propitiously from above.

April 6th, 1862, a holy sabbath day, dawned clear and bright. We were awakened from our dreamless sleep by myriads of songsters in the boughs above us. We made hasty breakfast from

the remnants of rations issued and cooked two days before. As soon as it was light enough to see, the clear ringing notes of Cox, our regimental bugler, called us "*to boots and saddles*". Hardee's advance had already encountered in the gray of dawn the 25th Missouri and the 12th Michigan, which a brigade commander in Prentiss's division had on his own initiative sent forward to reconnoitre, because of an indefinable conviction that all was somehow not right in his immediate front. At the sound of the sharp rifles, the pent up enthusiasm of Confederates could no longer be restrained and

"At once there came from a deep and narrow dell  
As wild a yell.  
As if all the fiends from Heaven that fell  
Had pealed the battle-cry of Hell".

The regiment was formed promptly into line and then wheeled by companies into hollow squares; and in the centre of each company, the captain read the following

ADDRESS OF ALBERT SIDNEY JOHNSTON.

"Soldiers of the Army of Mississippi, I have put you in motion to offer battle to the invaders of your country. With the resolution and discipline and valor becoming men fighting, as you are, for all worth living for or dying for, you cannot but march to a decisive victory over the agrarian mercenaries sent to subjugate you and to despoil you of your liberties, your property, and your honor. Remember the precious stake involved; remember the dependence of your mothers, your wives, your sisters, and your children, on the result; remember this fair, broad abounding land, and the happy homes that would be desolated by your defeat.

The eyes and hopes of eight millions of people rest upon you; and you are expected to show yourselves worthy of your lineage, worthy of the women of the South, whose noble devotion in this war has never been exceeded. With such incentives to brave deeds, and with the trust that God is with us, your Generals will lead you confidently to the combat,—assured of success."



I can never forget the fervid and impressive eloquence with which this address was read to our company by our gallant Captain H. W. Foote. It fired all hearts and awoke still sterner resolution in the breast of every trooper. Those brave words have lingered for more than fifty years in my memory, clustering like a halo about the name and the fame of the great commander on the battlefield of Shiloh.

The ground on which our line rested at its first formation was a heavily wooded plateau without brush or undergrowth. We could see the lines of our army for long distances on the right and on the left as they advanced with marvelous precision and in perfect order through the open woods, with regimental colors flying and all the bands playing "*Dixie*". It seems but as yesterday when we watched those advancing hosts and listened to those martial airs. The engagement had soon become general, and the enemy were evidently yielding to the sledge-hammer blows of Hardee's corps. The First Mississippi Cavalry marched forward on the right of Cheatham's division, keeping in line with it until just before engaging the enemy, when Col. Lindsay was ordered to pass to the rear. Then Cheatham's infantry became heavily engaged, while we remained close in their rear for about two hours. The enemy were driven steadily, with no hesitation or confusion on our part. The rattle of musketry, the booming of cannon, the screaming of shells, the whistling bullets,

"The rocket's red glare,  
And the bombs bursting in the air",—

all united to create emotions within us that words cannot describe. The deafening sounds, the stunning explosions, and the fiery flames of battle seemed to pass along the line in great billows from right to left.

Being in the rear of Cheatham's division, we were not under direct fire till about 10 o'clock, when the infantry were lying down in front of us, and our cavalry became a target for the artillery and sharpshooters of the enemy. A Federal battery began to play upon us with a good degree of accuracy. We could hear the heavy missiles whizzing around and above us; and some of them,

too, were distinctly visible. One great shot I shall never forget. As it came through the air it was clearly seen. Capt. Foote saw it as it ricocheted, and spurred his horse out of the way. Lieutenant T. J. Deupree was not so fortunate. This same shot grazed his thigh, cut in two the sabre hanging at his side, and passed through his noble stallion, which at once sank lifeless in his tracks. It also killed a second horse in the rear of Lieutenant Deupree, and finally striking a third horse in the shoulder felled him to the ground without disabling him or even breaking the skin. That ball was then spent. My own horse, "Bremer", in the excitement and joy of battle raised his tail on high, and a cannon-ball cut away about half of it, bone and all; and ever afterwards he was known as "*bob-tailed Bremer*". Many solid shot we saw strike the ground, bounding like rubber balls, passing over our heads and making music in their course. Colonel Lindsay at this time counter-marched the regiment and took shelter in a neighboring ravine. Thus, while in supporting distance of the infantry, we were often under fire, unless protected by the nature of the ground, by dense thickets, or by deep ravines.

During this great battle, the Noxubee Cavalry held the right of the regiment and was always in front when marching by twos or fours from one position to another on the battle-line. I rode beside my cousin J. E. Deupree, comrade and mess-mate. Being on the right of the company, Joe and I were the first two of the regiment, and in this favored position we were in close touch with the regimental officers, so that we could hear every order given or received by Colonel Lindsay. By close attention to these orders, we would the better comprehend the movements made and more intelligently observe the progress of the battle. This cousin we called "Texas Joe" for distinction's sake, as at one time, there were three Joe Deuprees in the company. As the name given him indicates, he was from Texas. He was perfectly willing, however, to serve with Mississippians under that beautiful flag, which he received so eloquently at Camp Goodwin about a year before. Yet he could not but long to have the "*Lone Star of Texas*" to float above his head. Joe had been a student of law at Lebanon, Tennessee, in April, 1861. Secession broke up the

school, and the students of the Cumberland University dispersed to their homes in order to prepare to enter the Confederate service. On his way back to Texas, Joe found it convenient to visit his relatives in Noxubee County, Mississippi, and was persuaded to enlist with them in the Noxubee Cavalry, believing that the war would be fought entirely east of the Mississippi and that, if he proceeded to Texas, he would simply have a long and toilsome ride back in order ever to get into battle. By agreement with Captain Foote, however, he was to be transferred to a Texas regiment if ever he chose to do so. This he did some months later and soon thereafter was captured. In consequence, he spent more than two and a half years in prison on Johnson's Island. Some day, it is hoped, he will write out and publish his sad experience.

Once on Sunday morning, General Cheatham rode up and inquired as to the health of his "Hell-roaring Battalion of Cavalry". His coat was all torn by a minie-ball; and when asked if he were wounded, he assured us to the contrary and rode away amid the cheers of his admiring friends. He evidently thought not of self, though ever anxious and vigilant for the welfare of his command, doing all possible to promote their success as well as to save them from needless exposure.

When the infantry again pressed forward, Col. Lindsay received an order to report to General Bragg, by whom he was directed to support a body of infantry further up the hill. Then came an order through a staff-officer of General Breckenridge to place the regiment near General Jackson's column. Here we waited till another staff-officer brought an order to Colonel Lindsay to move the regiment with all possible speed towards the river. We rode in a sweeping gallop till we came to the place where General Prentiss had just surrendered, when Colonel Lindsay reported to General Polk for orders. It was now after 5 o'clock, and Col. Lindsay was directed to take command of all the cavalry on this part of the field, to go up the river, and to cut off the enemy's retreat. In obedience to this order, Col. Lindsay attempted to collect other cavalry, meantime directing Lieutenant-Colonel Miller to take command of the First Mississippi. The

ever impetuous and daring Colonel Miller at once put himself at the head of the regiment and shouted: "Charge boys, charge! Colonel Lindsay says, Charge!" Then we rushed at full speed for more than a quarter of a mile, yelling like devils incarnate. A Federal battery was observed about three hundred yards ahead, with horses attached, evidently intent on making its escape. But on discovering us the artillerymen turned, unlimbered, and made preparations to open fire upon us. But we came on them so rapidly, they could neither fire nor escape. Every man, every horse, and every gun was captured. By this time Col. Lindsay, who failed to find other cavalry, had ridden to the front of our column. Giving orders to Col. Miller to send this captured Michigan battery, with its six brass Napoleons and all its caissons, under escort to General Polk, and seeing another battery just across a deep ravine, he put himself at the head of Foote's company, the Noxubee Cavalry, and rushed forward to seize it. We at once captured one of the caissons, but coming upon the battery we found ourselves in the immediate presence of Federal infantry drawn up in line, evidently belonging to Nelson's division of Buell's army, who were just taking position on the field. They fired at us; but, from excitement, they fired so wildly and so high in the air, that we all escaped unharmed into the ravine and there rejoined the regiment. Some years ago, I may state in this connection, at a Reunion of Blues and Grays on the battlefield of Shiloh, Dr. T. J. Deupree and I had a brief but delightful interview with that great soldier and cultured gentleman, General Don Carlos Buell, in which he told us that he well remembered seeing that little company of cavalry dash into his lines like dare-devils, as if resolved to rob him of his battery, *nolens volens*, support or no support. He seemed greatly astonished when we told him that we escaped without the loss of a man or a horse, and he said he saw no reason why every saddle had not been emptied by the volley his infantry fired into our ranks.

Col. Lindsay reported to his superiors what he had seen. Some of us had watered our horses in the Tennessee. Grant's army was crowded in disorder and confusion about the landing, every one anxious to make his escape across the river; men and even

officers were afloat on logs, making their way towards the opposite shore. A semicircle of artillery, mainly siege guns intended for use at the anticipated siege of Corinth since most of their field batteries had been captured, was about all that intervened between Grant's army and destruction, in as much as but few of Buell's men were yet in line of battle. This was, indeed, the supreme moment for a general and sweeping advance of the Confederates to drive the Federals into the river or force a capitulation.

I shall not attempt to describe the splendor of the Federal camp nor the boundless army-stores and munitions that fell into our hands; nor shall I tell of the efforts made by Confederate officers to prevent pillaging, nor speak of the Irishman with his captured barrel of whiskey, nor of the dead and dying, nor of the horrors of the hospitals, nor of the burning woods ignited by Federal shells and causing untold agonies to helpless wounded till God in mercy sent rain from heaven to extinguish the flames. I shall not tell of the long hours of picket and vidette duty on Sunday night, nor of the wretched condition of our soldiers, so utterly exhausted that they slept like dead men in spite of the shells hurled incessantly upon them from Federal gunboats and in spite of the torrents of rain that so thoroughly deluged the ground upon which they bivouacked.

Monday morning, the reinforced and thoroughly reorganized enemy took the initiative. The 25,000 men of Buell's army, comparatively fresh, added to the survivors of Grant's, say about 15,000, made a total of some 40,000 men against which the Confederates could muster scarcely 20,000, none of whom were fresh. The battle began at day-light and raged furiously from right to left for about six hours. Notwithstanding the heavy odds against them, even at 1 o'clock the Confederates had not receded from the position in which they had concentrated as soon as it was certain another battle must be fought. But their ranks were fearfully depleted. They had, indeed, been able to hold in check the superior numbers of the enemy only by brilliant and sanguinary charges, involving fearful loss of life. At this hour, fewer than 15,000 men were in line. Seeing, there-

fore, the unprofitable nature of the struggle, General Beauregard determined not to prolong it further. Accordingly, about 2 o'clock, the retrograde movement began, and it was executed with a steadiness that would have done credit to veterans of a hundred battlefields. Col. Lindsay had been ordered to take position on the Bark road, and during the day we had supported successively the divisions of Breckenridge and Hardee, and in the afternoon we covered the retreat of Hardee. Along with Forrest's cavalry and Wheeler's, skirmishing with the enemy and at times driving him back, we retired sullenly and were among the last to leave the field.

As a fitting conclusion of this story of Shiloh, I submit a brief extract from the official report of General Hardee:

"General Johnston about 1 o'clock on Sunday afternoon brought up the reserve under Breckenridge. Deploying it *in echelon by brigades* with admirable skill and rapidity, he turned the enemy's left and, conducting the division in person, swept down the river towards Pittsburg Landing, cheering and animating the men and driving the enemy in wild disorder to the shelter of their gunboats. At this moment of supreme interest, it was our misfortune to lose the commanding general, who fell mortally wounded at 2 o'clock, and expired in a few moments in a ravine near where Breckenridge's division had charged under his eye. This disaster caused a lull in the attack on the right, and precious hours were wasted. It is in my opinion the candid belief of intelligent men that but for this calamity we would have before sunset achieved a triumph, not only signal in the annals of this war, but memorable in all history".

Before resuming the thread of my narrative, I pause long enough to insert just here a list of those members of the Noxubee Cavalry who took part in this great battle of Shiloh, since their descendants in years to come will find pleasure in reading their names:

H. W. Foote, Captain; T. J. Deupree, 2nd Lieutenant; C. M. Hunter, 1st Lieutenant; R. O. Wier, 3d Lieutenant; W. H. Foote, 2d Sergeant; G. H. Dantzler, 3d Sergeant; F. M. Mauldin, 4th Sergeant; W. D. Deupree, 5th Sergeant; L. E. Eiland,

1st. Corporal; F. E. Carlton, 2d Corporal; G. W. Praytor, 3d Corporal; J. C. Jarnagin, 4th Corporal; and privates, W. E. Beasley, A. J. Boswell, Mike Callahan, E. C. Clements, W. H. Crawford, J. Courtes, F. S. Cox, J. E. Deupree (Texas Joe), J. G. Deupree W. D. Deupree, Jr., W. V. Dooly, W. W. Douglass, S. B. Day, J. A. Grant, F. B. Greer, J. Greer, A. Greer, T. J. Goodwin, O. M. Higgins, J. E. Hardy, G. W. Hinton, H. M. Hunter, W. Hunter, W. A. Hughes, H. C. Howlett, J. B. Hudson, H. C. Haynes, W. J. Hudson, C. S. Jenkins, P. H. Jones, R. H. Joiner, W. Jackson, S. Jackson, R. W. Keown, N. Lynch, A. J. Lyon, M. Lyon, J. J. May, J. McCormick, L. Perkins, T. M. Pierce, W. Pagan, W. B. Porter, M. Ruff, W. R. Randall, George Sherrod, A. G. Wesson, J. C. Williams, R. I. Walker, W. P. Wilson, K. E. White, H. Yates.

LIEUTENANT-COLONEL JOHN H. MILLER.

When our army reached Corinth, the First Mississippi Cavalry was stationed on the left wing at Chiwalla. Here Lieutenant-Colonel Miller tendered his resignation. Patriotism and ardent courage prevailed over sensitiveness till after the battle, when indignation asserted itself that he had been superseded; and he returned to Pontotoc to resume his work as minister of the gospel, a work dear to his heart and for which he was peculiarly fitted. To show how he was esteemed by the regiment, I shall make an extract from a private letter written some years ago by Colonel Joseph E. Deupree, of the Texas Division of Confederate Veterans, now residing near Bonham, Texas. The extract follows:

“Of course, you remember, John, how we captured that Battery on Sunday afternoon. Lieutenant-Colonel Miller was temporarily in command. He had just dismounted for some purpose when you and I exclaimed: ‘Look! Colonel, they are Yankees!’ He looked and instantly saw they were Yankees and perceived what they were doing. Springing to his feet, he shouted, ‘Charge, boys, charge!’; and flinging himself into his saddle, he put spurs to his horse and led the charge. I can never forget those words nor the Colonel’s excited manner at the time. . .

I always loved Colonel Miller. He was a brave man, a patriot, and a Christian. He should have due credit for his quickness of comprehension and prompt action at that critical moment. The slightest hesitation would have resulted in the annihilation of our company, if not the destruction of the regiment; for, as you remember, we were in front. Never a more timely order was given, and never one more gallantly and promptly obeyed. Yes, John, from that day till now I have always felt that I owed my life to Colonel Miller, and I was very sorry when he saw proper to tender his resignation. Honored and blessed be his memory!"

In concluding this tribute, I quote a condensed statement of facts concerning his untimely death, as portrayed by Dr. John M. Waddell:

"Brother Miller was on his way to Ripley to fulfill an engagement with brother Wm. A. Gray, pastor of this church, to preach for him; and, as he drew near to Ripley, on Sabbath morning, March 22d, he learned that the village was held by Colonel Hurst's regiment of renegade Tennesseans. Knowing that he was particularly obnoxious to them because of his strong Southern sympathy, his zeal and his military services, he determined to go back to Pontotoc. About two miles from Ripley, he met two of Hurst's men, escorting two prisoners. He was too near to attempt an escape by flight. They overpowered him, dragged him from his horse, and shot him through the head and through the heart. Either wound was mortal. They robbed his person of \$60, a gold watch, gold spectacles, silk hat, sermon, and a set of artificial teeth leaving his dead body lying in the road where the foul and dastardly murder was committed. Negroes drew the corpse to a place of safety till it could be sent to Ripley. The murderers reported that they had killed a '*Secesh Colonel*,' because he had resisted arrest. But the testimony of the prisoners who had witnessed the tragedy was altogether different. By request of Mrs. Buchanan, a devoted friend, the body of Colonel Miller was given into her care and subsequently taken to Pontotoc for interment beside several dear little ones, who had preceded him to the glory-world."



## COMPANY F, THE NOXUBEE TROOPERS.

After the Noxubee Cavalry went into active service, the Noxubee Troopers still maintained their organization, holding themselves ready for any emergency. In March, 1862, they tendered their services to the Confederate Government, being officered as follows: James Rives, Captain; Charley Dowling, 1st Lieutenant; R. O. Beasley, 2nd Lieutenant; J. R. Bealle, 3rd Lieutenant; and Mirabeau Craven, Orderly Sergeant. Being mustered in at Columbus, they began their march through the country to Corinth. At Cotton Gin, Lieutenant Dowling was standing beside his horse, when the animal shook himself and thus caused a pistol in the holster on the saddle-horn to be discharged. The ball struck the Lieutenant in the leg and lodged in his heel. He was sent home and in a few days he died of the wound. Thus, even before getting to the army, a most valuable officer was lost,—a lieutenant, honored and loved by the entire company, as well as by countless friends at home. Reaching Corinth April 6th, the company proceeded on the 7th towards Pittsburg Landing. In the late afternoon, they met Beauregard's army. Falling in with other cavalry, they helped to cover the retreat. On the 8th, the company was regularly assigned to the First Mississippi Cavalry, to be known afterwards as Co. F and to form with Co. G the Noxubee Squadron. The regiment was near Chiwalla under the command of Col. A. J. Lindsay, and Captain Frank A. Montgomery, Senior Captain, was second in command. I may take occasion to remark here, that Colonel Lindsay was a fearless soldier and a most capable officer when in action, but ordinarily he seemed lacking in vigor and energy. His chief pleasure when in camp, and about his only employment, was a game of *solitaire*. Consequently, most of his duties fell on Captain F. A. Montgomery. Some weeks later, at our reorganization, Colonel Lindsay left us to go west.

While at Chiwalla, Lieutenant R. O. Beasley in command of a picket was surprised and fiercely assailed by a battalion of Federal cavalry. He stood his ground bravely till his small force was overwhelmed. On coming back to camp, the

men reported that Bishop and Lieutenant Beasley had been killed. On reestablishing the picket post after the enemy had withdrawn, the body of Bishop was found, and then it was supposed that Lieutenant Beasley had been wounded and captured. The locality was hilly and densely wooded; and on the following day some men on picket going down the hillside discovered Lieutenant Beasley, still alive but unconscious. A bullet had struck him in the centre of his forehead; and he had evidently walked down the hill, possibly in search of water, for he had unbuckled his sabre and his pistol was lying beside him. He lived some hours and died the soldier's death. About this time, too, another gallant member of this company and a prominent and useful citizen of Noxubee County, Dr. T. M. Deupree, died of measles. Thus the Noxubee Troopers in less than one month of service lost four of their best members. It may not be amiss just here to mention that the two sons of Lieutenant Beasley, William and Jerry, members of the Noxubee cavalry, afterwards gave their lives for their country.

As the First Mississippi Cavalry one moonless night moved along a narrow road, through a heavily timbered country, some miles northwest of Corinth, the Noxubee Squadron in front and Lieutenant Wier commanding the advance-guard, we were suddenly halted by the ringing words, "*Who comes there?*" to which Lieutenant Wier replied: "*Friends.*" "*Advance, friends, and give the countersign,*" was the next challenge. This scribe, being one of the front four and within twenty paces of the challenger, suspicious and apprehensive, quietly reined "*bobtailed Bremer*" to one side and waited till Lieutenant Wier had ridden forward and the Federal officer was heard to say: "*Give up your arms and dismount*". He then wheeled and rode at full speed till he met Captain Foote at the head of the Squadron, to whom he reported what had occurred. Our column was halted for the night, but early in the morning we advanced and easily swept the Federal cavalry from our front. Wier and his party of six were sent to Chicago and held as prisoners till the end of the war.

The character of our service for some weeks may be gathered

from the following letter written by comrade H. D. Foote, and published in the MACON BEACON:

In camp near Bethel, Tenn., April 30, 1862.

*Dear Mr. Ferris:—*

We have had another little round with the enemy, which is considered a very small affair, but for the information of folks at home I will relate it.

On Friday morning last our Colonel was ordered to march with his regiment from Lexington to Purdy, a point between Lexington and Corinth. We arrived at Colonel Brewer's camp Sunday at 12 o'clock, pitched our tents in the woods remaining quiet till Monday night, when our sweet sleep was disturbed by one of our pickets coming in with a report of a Federal advance, which however proved to be a false alarm. Next morning, Tuesday the 29th, pickets came in from the Savannah and Pittsburg road and reported the enemy advancing in heavy columns of cavalry and infantry. A heavy skirmish was kept up by the sharpshooters on the respective sides for several hours, or until about 2 o'clock, when the enemy retired and has not been heard from since. Their strength is a matter of doubt, variously estimated at from 1,000 to 3,000. Ours did not exceed 500.

While their sharpshooters were engaged with us, others among them less courageous, remained in Purdy to apply the torch to dwellings of men who dared to be Southern in sentiment. It was trying to the feelings of our men to see those dark clouds of smoke rolling up from the burning houses of honest, patriotic citizens, innocent and helpless women and children.

Yours truly,

(Signed) H. D. FOOTE.

#### REORGANIZATION.

Bragg withdrew his army to Tupelo. Many enlistments, originally but for one year, had expired, and reorganization was imperative. The First Mississippi Cavalry, as did most of the army, reenlisted for the war. The election of officers was superintended by Col. A. J. Lindsay, who then bade us an affectionate farewell. Capt. R. A. Pinson was elected Colonel by a majority of one over Capt. H. W. Foote; Capt. F. A. Montgomery was elected Lieutenant-Colonel; Capt. E. G. Wheeler, Major; Lucius Sykes, Adjutant General; William Beasley, Sergeant-

Major; T. B. Dillard, Quartermaster; Robert Ligon, Commissary; Dr. C. L. Montgomery, Surgeon; and Dr. A. C. Ferrell, Assistant Surgeon. The officers chosen for Company G were: J. A. King, Captain; T. J. Deupree, First Lieutenant; S. B. Day, Second Lieutenant; W. H. Foote, Third Lieutenant; and J. A. Greer, Orderly Sergeant. In Company F, J. R. Bealle was elected Captain; Mirabeau Craven, First Lieutenant; Scribner Smith, Second Lieutenant; John Lyle, Third Lieutenant; and Thomas Stevens, Orderly Sergeant. The Captains chosen by the other companies were: J. R. Taylor, J. L. Simmons, Charles Marshall, T. B. Turner, W. V. Lester, J. R. Chandler, Gadi Herrin, and G. N. Wheeler.

#### ABBEVILLE.

Within a few days after our reorganization, Col. Pinson was ordered to report to General Villipigue, whose headquarters were then at Abbeville, Miss. Here our squadron was in camp near a large mill-pond in an old field that furnished excellent grazing. We were in the habit day after day of hobbling our horses and turning them loose to graze to their own satisfaction. One morning as Sam Jackson and a number of others were fishing in the mill-pond, Sam's sorrel pony quietly, hobbled as he was, walked into the pond to drink. He soon was in deeper water than he needed for mere drinking purposes; and with his head tied down close to his fore-foot, he became strangled and was drowned before anyone reached him. Poor Sam, after a long and solemn pause, out of the deep anguish of his soul, though to the amusement of his comrades, exclaimed: "*Now, isn't this a hell of a tale to write home to Pap?*" He wept, they laughed. However, they cheered him and helped him. He bought another horse, of which he took better care, and ever afterwards as before made a valiant and faithful soldier. We were here for several weeks, and our horses grew fat and sleek. One after another, companies were detailed to burn cotton in the Delta to prevent its falling into Federal hands. It was an unpleasant service, and no incidents worthy of note are recalled. The Bolivar Troopers, Captain Gadi Herrin, were fortunate in being al-

lowed to disperse and spend a few days at their homes, and our Lieutenant-Colonel F. A. Montgomery was also delighted to be in command of the companies thus detailed, as it gave him likewise an opportunity to spend some days and nights with his family.

#### COLDWATER RIVER.

We were next ordered to report to Col. Wm. H. Jackson, afterwards known as "Red Jackson", in camp on Coldwater River, not far from Holly Springs. We were now brigaded with the Seventh Tennessee Cavalry, a most gallant regiment, with which we served either in the same brigade or the same division till near the close of the war. Jackson was a thoroughly trained soldier and rapidly grew in favor with officers and men. Though lacking, perhaps, in brilliancy and dash, he certainly possessed solidity, good sense, and firmness, so that he won the implicit confidence of Van Dorn, Forrest, and Joseph E. Johnston,—enough to be said of any soldier. We soon began a series of marches and countermarches through northern Mississippi to Tennessee and back. Each expedition closely resembled the one preceding and following, and to attempt to narrate a tithe of the incidents that occurred in them would be tedious to writer and reader. I shall, therefore, touch only some of the higher places as I proceed with this narrative. On one of the expeditions, which I cannot now clearly differentiate from some others so closely like it, a detachment from our command failed by a very narrow margin to capture Gen'l U. S. Grant at the home of Josiah Deloach. This adventure doubtless gave rise to the story, long current after the war, that because of the timely warning given Grant by Deloach, that after he became President he appointed Deloach postmaster at Memphis.

There was soon gathered here the largest cavalry force we had yet seen. In addition to Jackson's and Pinson's regiments, there were the regiments of Wirt Adams and Bob McCullough and, perhaps, one or two others. General Frank Armstrong, who had but recently been made a brigadier-general, arrived from Virginia, assumed command, and proceeded to cut the M.

& O. R. R., on which Rosecrantz' army at Corinth depended for supplies. As we advanced by way of Grand Junction, we encountered a Federal force near Middleburg on August 20th. Here the Second Illinois Cavalry under Colonel Hogg made a gallant charge upon the Second Missouri under Colonel McCullough. Colonels Hogg and McCullough met with drawn sabres and fought desperately till Tom Turner, a young Missourian, by a well-aimed shot killed Colonel Hogg and, in all probability, thus saved the life of his own colonel. Captain Champion and some other Missourians were killed, as well as some Federals.

#### MEDON AND BRITAIN'S LANE.

After cutting the railroad at various points and tearing up many miles of track, we crossed the Hatchie River and moved towards Medon. Near the depot we found a strong Federal force well posted and protected by cotton bales. A charge on horseback by Co. E of Jackson's regiment resulted only in the useless loss of several good men and the serious wounding of Captain Bassett. The Noxubee Squadron and two other companies of the First Mississippi were ordered to dismount and prepare to assault the Federal position. But, just as we were adjusting the line-up, large reinforcements for the Federals began to arrive, when much to our gratification we were ordered to remount. We withdrew to a creek and bivouacked for the night. Early on the morning of September 1st, 1862, we began our return to Mississippi by a road leading towards Denmark, Tenn. We were all greatly fatigued and decidedly hungry, having been away from our wagons for a week. No one now expected further fighting but all anticipated a long and tiresome march, as we were headed south. The Noxubee Squadron was in front of our regiment, and Lieutenant-Colonel Montgomery was riding at its head with Captain J. R. Bealle of Co. F, a genial, jovial gentleman, who somehow seemed unusually reticent, for he was usually full of life and fun and frolic; and like General J. E. B. Stuart, was a fine vocalist and took delight on the march in entertaining all within reach of his far-carrying voice,

by his comic, semi-sentimental and patriotic airs. What could be the matter with Captain Bealle now? Colonel Montgomery could not tell, till Capt. Bealle quietly remarked that he was deeply impressed by a presentiment that he was to be killed this day before getting back to Mississippi soil. Colonel Montgomery told him laughingly that his presentiment signified nothing and that he himself would also be laughing at it by to-morrow, adding that we would not see another enemy on this raid. But before this remark was finished, firing was heard a mile in front, and we were ordered forward in a gallop. Jackson's regiment in Britain's Lane, not far from Denmark, had met a force which had been sent out from Jackson, Tenn., to intercept us. It consisted of infantry, artillery, and cavalry, and was strongly posted directly across our line of march. The Seventh Tennessee, Jackson's regiment, charged at once and dispersed the Federal cavalry, which retreated in confusion towards Jackson, Tenn., and were not seen again in the battle. But the infantry were too numerous and too well posted to be dealt with so effectively. They held their ground valiantly. Our regiment, having come up at full speed, were dismounted and gallantly led in a charge by Colonel Pinson against the brigade of infantry lying flat on the ground just below the brow of the hill and firing their rifles in our faces. It was intensely hot and our men suffered greatly but never faltered. Federal batteries and rifles soon cut down the corn in the field through which we advanced, but forward the rush continued. Though this was to many of the men their first baptism of fire, yet in it the regiment as a whole displayed a steadiness which forecast that admirable courage afterwards exhibited on many bloody fields. The ground was rough, broken by ditches and gullies, but the men moved across it in hot haste and speedily drove the infantry of the enemy from their chosen position. They retreated precipitately to the next hill. Then Colonel Wirt Adams led his regiment, formed in a column by fours, in a brilliant charge through a lane against the battery, which was captured and sent to the rear. The Federal infantry, now reenforced and on a wooded hill, poured a withering fire on Adams' column and compelled its withdrawal. I take

occasion just here to remark in passing that General Adams was a splendid gentleman and chivalric soldier, whose sad fate years afterwards it was to become involved in a street-duel in Jackson, Miss., with Mr. John Martin, a newspaper editor, in which both participants were killed.

Our loss in this action was considerable, especially in the First Mississippi. But how any one escaped alive from that cornfield is among the things inexplicable in war. One of the most prominent of the more than half-hundred killed was Capt. John R. Bealle of Co. F, the Noxubee Troopers, whose presentiment was quickly and all too surely realized. Lieutenant Matthews of Marshall's company was also killed. Captain Chandler was so seriously wounded as afterwards to be unfitted for field service, and he became a surgeon and rendered valuable help in hospitals. Lieutenant Craven was made Captain of Company F, Lieutenants Smith and Lyle promoted in regular sequence, and Thomas Stevens was made Third Lieutenant. We had force enough to envelop the enemy and it should have been done. Pinson and Montgomery both urged a renewal of our attack by a flank movement which inevitably would have resulted in the capture of the entire Federal force. But this was not to be. To the surprise of all, we abandoned our position under orders to withdraw and thus lost the fruits of our costly victory. Instead of attacking separately and successively, all our regiments should have united in the attack, and complete destruction or capture of the enemy would have rewarded our effort.

#### CAMP ON COLDWATER.

By a circuitous route we got back into the road some miles south, and without again meeting the enemy reached our camp, all of us exceedingly hungry and anxious to draw rations. Within a few days, General Armstrong left us. It was said that he had prematurely assumed command as brigadier-general, it being some months before he actually received his commission, and that "Red Jackson's" commission, when received, really antedated that of Frank Armstrong. We all know that afterwards



Jackson outranked Armstrong, for Jackson commanded our division when Armstrong commanded our brigade. Soon all the other cavalry were ordered elsewhere, leaving but Jackson's and Pinson's regiments under command of Jackson, as senior colonel.

#### OUR ENCOUNTER WITH GRIERSON.

It goes without saying that our men were discouraged by the results of the raid under General Armstrong, as it seemed that we paid dearly for what little we had gained. The weather continued hot and dry, and horses were in bad condition. True soldiers, however, when well treated in camp, rapidly recover from the effects of any disaster, great or small; and horses seem instinctively, in this regard, to follow the example of their riders. How sweet was the rest now! But it could not be long. Van Dorn and Price were planning the details of an assault on Rosecranz at Corinth. Lieutenant-Colonel Montgomery was ordered to take four companies of the First Mississippi, including the Noxubee Squadron, and four of the Seventh Tennessee, and go in search of Colonel Grierson and his Sixth Illinois Cavalry, who were on a raid from Memphis. The Noxubee Squadron was in advance, followed by the two other companies of Mississippians and by the four companies of Tennesseans. We passed through Byhalia and Cockrum and crossed Coldwater on the road to Hernando. Turning north, we recrossed the Coldwater on a rude bridge at Holloway's, about ten miles northwest of Byhalia. We seemed to be making but an ordinary march. When, however, we reached the foothills of the east side, word was passed down the line that Grierson had crossed the bridge behind us and was preparing to fall upon our rear. He had thrown his regiment into line on both sides of the road. In consequence, there was more or less commotion in our ranks along with some degree of excitement. An order was promptly given by Montgomery to wheel about by fours and countermarch to meet the enemy. This movement put the Tennesseans in front. Immediately, there were signs that the enemy were near. In fact, they were really much nearer than we had suspected. The

Tennesseans and Mississippians were thrown into column, front into line by companies,—the first company unfortunately very near the enemy, who had stealthily advanced on foot, well concealed by the dense undergrowth. They instantly opened a brisk fire with their carbines, which meant certain death to men and horses of the front company of Tennesseans. As a matter of course, there was a bolt to the rear, and what is known to all participants as the Coldwater Stampede began. Nothing could surpass it in excitement and confusion. When the first company in retirement had reached the second, great momentum had been acquired and the excited horses were beyond control, as they dashed headlong through the ranks of the second company, which (including both men and horses) instantly caught the infection of demoralization; and the same happened in succession to all the remaining companies as the on-rush passed over each, so that all were involved and the rout was complete. True, some men spoke encouragingly to comrades, even denouncing the retreat as cowardly, thus manifesting in-born courage or personal pride and self-esteem. But however much some were inclined to stand firm, concert of action was out of the question; then those, who at first had resolved to fight, were soon getting away as fast as the others. While we did not take to the woods, there was no delay in crossing a high staked-and-ridered-fence into a cornfield with the rankest growth of crab grass we had ever seen. We ran down the rows till we had crossed the entire field and put another fence between ourselves and our pursuers. Now, everybody was willing to halt, and the command was at once reorganized and brought into line. Smarting with shame and mortification, these Mississippians and Tennesseans, would have then and there put up the best fight of their lives, could they have been promptly led into action. Various reasons were given for the disaster, but none brought consolation. Clearly, we had been outgeneralled by one of the shrewdest and most alert of Federal cavalrymen, indeed, the first to achieve a reputation on his side as a bold and successful raider.

In describing this affair in his "*Reminiscences*", Lieutenant-Colonel Montgomery writes, as follows: "Taking three or four

days' cooked rations without wagons, I moved as rapidly as possible and crossed the Coldwater on a bridge not far from Hernando, with scouts out in every direction to see if I could hear of Colonel Grierson. But I could not locate him; and, as I had been gone about as long as had been contemplated, I recrossed the river by the same bridge in order to return to camp. I had proceeded, perhaps, two miles from the bridge, had gotten out of the bottom into the foothills, when Captain Jack Bowles overtook me and reported that he had a small party of scouts and had been skirmishing with Grierson beyond the Coldwater about five miles from the bridge, and that Grierson was coming on this way. I at once countermarched and went to find him, which I did much sooner than I expected. The Coldwater bottom where I reentered it was all woods so dense that we could see but a little way. We had proceeded to within about a half-mile from the bridge, when our advance after firing a few shots came back in hot haste. I had barely time to form; in fact, my lines were not *fully* formed, when I saw that Grierson's whole regiment was impetuously charging. After one ineffectual volley, my men gave way for awhile with the loss of two killed in Wheeler's company and several wounded in the command and, perhaps, some few killed. Confusion lasted but a short time, for the men were easily rallied; and, in our turn, we advanced. Colonel Grierson having found a larger force than he expected, retired immediately; and, before we reached the Coldwater, he had recrossed and torn up the bridge. I had no means of repairing it, and besides I could not have overtaken him. Remaining on the ground that night and giving each of the brave men who had fallen a soldier's burial in a soldier's grave, I returned to camp. While these patriots fell in no great battle, they were heroes all the same, and they deserve all the honors that can be paid to our heroic dead, most of whom sleep in unknown graves, remembered, perhaps, as in this instance, by a few surviving comrades."

Among others killed, I recall the name of John Allen, of Co. E, Seventh Tennessee; and the substitute of Cy Jenkins of the Noxubee Cavalry was also killed, whose name I cannot recall;

but Cy was ever afterwards reported as *dead*. With some other intrepid spirits of our Squadron, W. G. White of the Noxubee Troopers stood in the firing line till his horse was shot and killed under him; and, as the Squadron fell back, White was captured. He was sent to Cairo, Illinois; and, within a few weeks, he was sent down the Mississippi River to Vicksburg and exchanged. Soon afterwards, he rejoined his company and did valiant service till the end of the war.

"Shortly afterwards", says Colonel Montgomery in his *Reminiscences*, "Colonel Jackson made full inquiry into this affair in the presence of all the officers of the two regiments, and not only acquitted me of all blame but praised my conduct."

Later, however, Jackson did prefer charges against Montgomery, as to which Colonel Montgomery states, "I was courtmartialled and promptly acquitted".

#### AFFAIR AT POCAHONTAS.

Our camp was moved nearer to Holly Springs on a road leading north. Grant had many garrisons posted east of Memphis and was concentrating a large army at Grand Junction, where he could be supplied by the two railroads there, evidently preparing to invade Mississippi. About the middle of September, Jackson with his own and Pinson's regiment had been ordered to reconnoiter in the direction of Corinth. Going by way of Ripley, and thence turning north, then proceeding till he had reached the main Corinth road, parallel with the railroad, he turned east, intending to cross the Big Hatchie where the railroad crossed it. But late in the afternoon as the sun was setting, Pinson's regiment in front, we reached an old village, called Pocahontas, perched on quite a hill, whence the road sloped gradually down to Davis' Bridge, perhaps half a mile away. The village seemed deserted, but we caught here a Federal cavalryman from whom we learned that his regiment had gone into camp just across the river. He had eluded the guard and was on a private foraging adventure for himself and his messmates. Pinson promptly informed Jackson of the proximity of Ingersoll's Eleventh Illinois

Cavalry with a company of U. S. Regulars, going into camp beyond the river. Jackson's laconic reply was, "Charge them". Pinson, without the loss of a moment, led his regiment in a sweeping gallop across the rickety bridge, overrunning the pickets, straight into the camp of the enemy, many of whom were gathering corn from a field just across the road. The Seventh Tennessee brought up the rear, waking the echoes with a rebel yell. Firing was promiscuous, but casualties were few. Pinson was the only Confederate wounded. Riding up in the gloom to a squad of men he supposed to belong to his regiment, he found them to be Federals and ordered them to surrender, when one of them fired on him. Here, Pinson manifested the spirit and courage of the hero, while he was borne to the Davis' residence on a cot we had procured for the purpose. There was good reason to believe the ball had penetrated his intestines and that he was mortally wounded; but he spoke cheerfully to anxious inquirers and said smilingly: "Boys, it is a small matter; I shall soon be all right again".

The spoils were great. We brought off 150 fine Illinois horses with their accoutrements and arms, and captured some 60 unwounded prisoners; but most of the enemy effected their escape in the dense undergrowth to the left of the road. These fine horses, pistols, and sabres, should have been distributed among our men who needed them, and their inferior animals and equipment turned over to the ordinance department. This could have been done under a board of survey in such a way as not only to increase the efficiency of our command but also to stimulate the men for future enterprises. But we did not get even a halter. All went to supply the needs of other commands. There was one particularly fine horse among those captured, evidently somewhat of a pet with his owner. Jim Weatherby, a Tennessean, from Somerville, was not slow to discover the fine qualities of this steed, as well as his "smart trick", and he soon had him cantering along, as if he had owned him always. But alas! this beautiful brown with two white feet had to be turned in, and Weatherby was disconsolate. Thereafter, when legitimate captures fell in our way, "*mum*" was the word. Colonel Pinson was

sent home in the care of a surgeon. As Colonel Jackson was determined to get off with the prisoners at once, we marched nearly all night towards Ripley.

#### ASSAULT ON CORINTH.

It was the last of September. Van Dorn was ready to move against Corinth with Price and Lovell as division commanders. The movement began from Ripley with an army well equipped, well fed, and in fine spirits. As there had been no rain for many weeks, the dusty roads and scarcity of water made severe the necessary marches to effect the concentration of the troops. But the prospect of a successful assault on the works of Corinth with the capture of Rosecrans and his army made buoyant the spirits of our soldiers. Jackson's cavalry led the way, with Montgomery in front in command of the First Mississippi. We had ridden about ten miles and reached Chiwalla hills, when we encountered a considerable body of Federal cavalry, which Jackson ordered the Mississippians to charge. We did it in gallant style and readily swept the Federals from the field, pursuing them several miles. This was the first day of October.

The next day we picketed the roads, while preparations and dispositions were made for the assault. On the 3rd, the earth trembled with the roar of artillery and the rattle of small arms, as Price drove the enemy before him north of the M. & C. railroad. It was a struggle to the death, in which both sides lost heavily. The Federal positions had been strengthened by heavy earthworks and fallen timber, making very difficult the approach to the main fort. All day it went well with the Confederates, though the killed and wounded were numerous. Being in the rear, we saw much of the progress of the battle. It was, indeed, a bloody spectacle to see the dead and wounded borne back for burial or surgical attention. Our army held the position it had won and bivouacked on the field. Early on the 4th, the battle recommenced with renewed fury. About noon, Colonel Jackson was ordered to go round Corinth to the Iuka road leading east from Corinth, supposedly, to intercept the enemy, who were

thought to be making preparations to escape; for we had heard that Price had captured the town. Our brigade circled the town, passing many deserted picket posts and not seeing an enemy, though we were at no time more than a mile from the courthouse, invisible, however, because of intervening forests. Meanwhile, the thundering cannon and rattling musketry were heard incessantly till we had come to the Iuka road. Suddenly all firing ceased and oppressive silence followed. We could form but one conjecture,—that the enemy had surrendered. Not being able to get definite information, Jackson retraced the route he had come, until we reached the road by which we had advanced on Corinth. Here, much to our surprise, we found our army retreating. The Federals, however, were too badly demoralized to make a vigorous pursuit. When Price was in Corinth, Lovell failed to come to his support, and Price could not hope to hold the place against the heavy reinforcements Grant had sent. During the night, McPherson's division from Jackson, Tenn., had come in and were preparing to overwhelm Price. Also, Hurlburt's division had marched down from Bolivar to Davis' Bridge, in order to dispute our passage. With McPherson in our rear and Hurlburt in front of us, we were apparently trapped. Shrewd generalship on the part of the Federals should have captured our whole army. But Van Dorn boldly attacked Hurlburt at the bridge, while the Confederate trains were ordered to take the only possible road of escape, that up the Hatchie River. Our cavalry preceded the trains; and, having crossed the Hatchie by a ford, we attacked Hurlburt's rear. Then for some hours there were two Federal and two Confederate forces, one of each facing two ways and fighting both in front and in rear. Van Dorn, however, drew off at the proper time and followed his trains, fording the Hatchie where we had crossed. Then the cavalry fell back behind the infantry and covered their retreat. The infantry on the march rearward drank all the wells dry, and all the creeks were without water, so that the cavalry, men and horses, suffered greatly from thirst, while the Federals pursued almost to Ripley. Often as many as a dozen times daily, the First Mississippi were ordered to hold an assigned position till further

notice; then the enemy would advance in strong lines of infantry, supported by batteries of artillery, and brisk fighting would continue, till we were ordered to retire to a new position, where the same program would be repeated. We grew very hungry, for our rations had all been devoured several days before and the infantry, as they preceded us, had exhausted what supplies we might otherwise have found along the road. Finally, to our great delight, the enemy ceased to pursue us as we drew near to Ripley, and we were permitted to go to our wagons. For the first time in many days we had a much-needed rest with all the rations we could devour. The hillsides were covered with dewberries, ripe and delicious; and, as sugar was issued to us in abundance, we feasted in luxury.

It may be well incidentally to explain just here, that the cavalry on leaving Ripley in the advance on Corinth had started with three days' cooked rations, and that under such circumstances a cavalryman, hoping to lighten the weight for his horse as well as relieve himself of more or less annoyance, usually consumes all his rations at once and trusts to luck for something to eat when hunger overtakes him. On this expedition, however, we had all been too constantly in the presence of the enemy and too actively engaged with them to find time and opportunity to forage for man or beast, and in consequence had begun our retreat from Corinth with our stomachs as thoroughly empty as our haversacks. Day after day for several successive days, we had simply tightened our belts in lieu of eating. It is not astonishing, therefore, that when we did get back to camp, we all ate ravenously.

While covering the retreat, let me say, that the First Mississippi elicited praise from Colonel Jackson, who complimented especially the conduct of Captain Gadi Herrin of the Bolivar Troopers, Captain Craven of the Noxubee Troopers and Lieutenant Foote of the Noxubee Cavalry.

#### OXFORD AND VICINITY.

Van Dorn's army was transferred to Holly Springs that it might be in front of Grant, who seemed to be headed down the Mississippi Central railroad. At Holly Springs were assembled



the exchanged Fort Donelson prisoners. Why Van Dorn had not awaited their coming before attacking Corinth, I do not know. It would certainly have changed the result of the battle. But fate was against us. "The stars in their courses fought against Sisera". We rested at Holly Springs till Grant moved out from Memphis, menacing us with a large force. It would be a long story to tell of the sullen retreat of this army, now rapidly recovering from the effects of the late disaster. Lovell's division and Price's Missourians were again ready to fight. The cold rainy days of winter had come and nothing seemed more certain than a battle on the line of the Tallahatchie. That line, however, was abandoned. The enemy made a furious attack on the cavalry rear-guard at Oxford. Here, while leading a charge by the Second Mississippi Cavalry, Colonel James Gordon narrowly missed running over Colonel Jacob Thompson, whose horse had been shot under him and who was looking about him for his spectacles. He had resigned as Secretary of the Interior in Buchanan's Cabinet and joined our army. Our cavalry now had orders to hold the Federals in check until the artillery and the trains were safe behind the Yocona. It was one of those times when all the woods were alive with "Blue Coats". The following letter, written by a member of Co. E of the Seventh Tennessee Cavalry, gives a graphic account of affairs:

"Editor of The Commercial Appeal:

"Whenever I hear the patriotic spirit of Southern women al-  
luded to, I somehow mentally revert to what came under my own  
observation one day in December, 1862, at Oxford, Miss. Price  
and Van Dorn had been forced to abandon the line of the Tall-  
hatchie and were falling back to the Yalobusha. Our cavalry  
were stubbornly resisting overwhelming odds, endeavoring to  
hold them in check long enough to get our trains out of immedi-  
ate danger. A cold rain was falling and there seemed to be no  
bottom to the roads. The citizens were panic-stricken and our  
army was sullen. The terrible weather added to the distress:  
'Blue Ruin' seemed to stare us in the face. Colonel Wheeler,  
temporarily commanding Jackson's brigade, was trying to hold  
the Abbeville road. No picket was out in our front, and a call  
was made for somebody to reconnoitre. It was not a positive

order from the Colonel commanding, but as he rode along the line, he said, 'Some of you men with carbines will go out there, if you please, and see where they are.' It was a time when it was nobody's business in particular, but everybody's in general. I asked Sam Clinton if he would go with me. We rode forward, followed by a few men from other companies. We realized the danger and would have much preferred to be elsewhere. Soon we stirred up 'a veritable hornets' nest.' A gun was fired and a singing minie passed just above our heads. Instantly, a heavy skirmish line of Kansas Jayhawkers, who knew well how to shoot, rose up in the bushes on either side of the road. They fired a volley; we replied in kind, and retreated at a rapid pace. Private Wilson, of Co. I, was struck, his thigh-bone being fractured and making him a cripple for life. The gallant Joe Wicks, of Memphis, just then came with orders for our squad to fall back,—but we had already taken our orders from the Jayhawkers. But poor Joe Wicks was never seen alive again! Having other orders to deliver, he dashed into the forest, and in a few minutes his riderless horse ran at full speed back to our command. Wicks never delivered his orders. His body was recovered some days afterwards and buried by the good people of Oxford.

"As we came back through Oxford, retiring before the advancing Federals, we found it a town of tearful women and weeping maids. This but added to our overwhelming cup of woe. On the verandah of a cottage south of the court-house, a maiden was standing who did not seem to be weeping. Her spirit had risen to the occasion. She was most forcibly expressing her opinion, as she saw us giving up the town to the merciless Yankees. Her short skirts and her youthful appearance mollified her impeachment; for, if we had taken her opinion as solid truth and had viewed ourselves as she saw us, we should have regarded ourselves as the most cowardly aggregation of 'skedadling' cavalry in the whole Confederacy. But who was this little maiden with such lofty and patriotic impulses? Everybody wanted to know. We fondly hoped ere long to have her think better of us. Cad Linthicum, our little Kentuckian, who somehow had a penchant for knowing all the girls in divers places, said it was Miss Taylor Cook; and so it was. The '*Miss Taylor Cook*' went down the line, repeated by every trooper affectionately and most respectfully. She had become famous in a twinkling. The Seventh Tennessee Cavalry would have gladly adopted her as the '*daughter of the regiment*', if she could have appreciated the honor. She was, indeed, worthy to become the

wife of Nathan Bedford Forrest's only son. And she did. Whenever I pause at her grave in beautiful Elmwood, I recall that sad day in Oxford.

(Signed)

J. M. HUBBARD, Co. E, 7th Tennessee"

On the following day, we placed the Yokona between ourselves and the enemy. We destroyed the bridges so as to obstruct pursuit. Here we committed, perhaps, our first depredation upon a citizen: we burnt his fences. It was very cold, we were wet and had no axes. We spoke of it, among ourselves, as an outrage; but it felt good any way to dry ourselves by the blazing fires. We satisfied conscience by the reflection, that if a patriot the citizen would not complain, but if not he deserved no serious consideration. At night, we had a great time, eating sweet potatoes we had roasted in the ashes and had opened up to let the gravy from fat bacon drip into them, as we held over hot coals thin juicy slices pierced with a sharpened stick. It was a feast, indeed, good enough for a king. Some of the men spent the whole night thus, roasting and eating potatoes. No one in Company G could eat more potatoes than Mr. G. W. Alford, of the Deupree Mess. He always contended that potatoes were the best food we could get. Some others, and among them this scribe, preferred roasting ears, when cooked in the ashes in the shuck. One of our Mess, whom I need not name, on one occasion gathered twenty-five long and large, splendid, ears, gave twelve to his horse and retained thirteen for himself, contending he had made a fair and equitable division because the horse got the shucks from twelve ears and the cobs and the fodder from twenty-five. Reader, be it known that the best way on earth to cook roasting ears is to cook them in their jackets and thus preserve all their delicious sweetness and aroma. Thus cooked, in my judgment they surpass even the roasted potato. Try it and be convinced.

Suddenly, early next morning Bugler Cox sounded "Boots and Saddles", for already the Federal cavalry were between us and Water Valley. There was but one thing to do,—to put on a bold front and ride over them. This was done quickly and thoroughly by our leading squadron, so that the rest of the com-

mand didn't come in sight of the enemy. Just north of Coffeeville, we assisted in forming an ambuscade, into which the Federal cavalry rode unsuspectingly, and we gave them such a defeat that they withdrew rapidly to Oxford.

#### ANTIOCH CHURCH.

We next went into camp six miles north of Grenada, at Antioch Church.

While the army was at Grenada, President Davis made us a visit. It was the first time he had come into the State since he became Chief Magistrate of the Confederacy and the last till he had been released from Fortress Monroe. He reviewed the army. All the infantry and artillery and some cavalry were in line, totalling more than twenty thousand and presenting a splendid appearance. They received the President with wild enthusiasm, as he rode along the line, halting at the centre of each command to return its salute. His courtesy and soldierly bearing won all hearts.

We were getting well along into the second year of the war, and our prospects were growing gloomy. North Mississippi was overrun by the enemy, and it seemed probable our army might be driven to the Gulf. Though Van Dorn had not achieved success as commander of an army, or the projector of a military campaign, yet he was known to be a born cavalryman, and one in every way qualified to lead a bold movement to cut Grant's communications. Accordingly, a cavalry command was organized to be led by Van Dorn, with Holly Springs as the objective. This place had been abundantly supplied with everything needed by an army of 50,000 men, and it was garrisoned by 8,000 men of all arms. In the reorganization of the cavalry, Jackson, who had become a brigadier-general, commanded the Seventh and other Tennessee regiments; Colonel Griffith commanded the Texas brigade, composed of the Third, Sixth, and Ninth cavalry; Col. Bob McCulloch, of the Second Missouri, commanded a brigade consisting of his own regiment and the First Mississippi. Our brigade had their camp at Antioch Church. When

not on duty, the men spent their time in various ways. Most of them were devout believers in christianity and read their bibles daily with pleasure and profit. Many indulged in sports of all kinds, a goodly number playing checkers or chess on oil-cloth diagrams spread on the ground, with pieces and men hand-carved, which they carried in their haversacks, but more playing cards for mere amusement and a number playing for money. In fact, so many games were played in the church on rainy days that its name was changed from Antioch to Ante-Up. On Sunday, when not on duty, men and officers usually attended divine service conducted by the regular chaplain, or by a visiting evangelist, or by some officer or private, who was an ordained minister of the gospel, for there were many such in our army, from Bishop General Polk down. The most eloquent and attractive chaplain we had during the war was Rev. —. —. Osborne, whose initials I cannot now recall. Not only men from our regiment but many from other regiments would hang with delight upon his discourses. I recall a favorite exclamation of his: "*If religion is worth anything, it is worth everything.*" It cannot be remembered at this time when he left us nor where, but we missed him sadly. Amusing incidents often occurred. Once as General Polk was reprimanding severely an offender against military law and order, Mike Callahan, an Irish member of our company, involuntarily shouted: "Let me cuss him out for you, General". The general quietly replied, "Thank you, sir, I do not think it will be necessary; I think, I have said enough". And he had, for the offense was never repeated.

#### CAPTURE OF HOLLY SPRINGS.

Time sped on. Men and horses were rested and reinvigorated. On the 17th of December, late in the afternoon, rations for three days were issued to McCulloch's brigade. Jim Douglass of Co. G at once ate all his rations, saying they were more easily carried in stomach than in haversack and less burdensome to the horse. We were ordered to mount and fall into line and to join the brigades of Griffith and Jackson. From "THE LOST CAUSE" published some years ago in Louisville, Ky., I clip the following:

The capture of Holly Springs by Dr. J. G. Deupree, of the University of Mississippi, is an interesting story, by a survivor of the famous column of cavalry that rode into Holly Springs before daybreak on a cold December morning, nearly fifty years ago.

The narrative opens by describing the military situation as it was about the middle of December, 1862. Grant's main army was near Oxford, and his outposts at Coffeeville; and Pemberton was south of the Yalobusha with front and flanks covered by Van Dorn's cavalry, about 2,500 troopers. The story tells how Van Dorn with his cavalry moved east from Grenada on the night of December 17th, ostensibly to destroy or to capture the Federal Colonel Dickey with his 1,000 raiders, operating on the M. & O. railroad above and below Tupelo; how Van Dorn, when about to encounter Dickey, so maneuvered as to pass through Pontotoc in the direction of New Albany and allow Dickey to follow him if he chose, or else simply to note his direction and go and report to Grant at Oxford that he had seen Van Dorn at the head of his cavalry moving north and apparently bent on going into Tennessee to join Forrest at Bolivar or Jackson. As the story goes, Dickey chose the latter course. The narrative brings out clearly the skillful tactics of Van Dorn in keeping the enemy always behind him and never giving him an opportunity to obstruct his march or to send to any Federal garrison warning of Van Dorn's approach. It shows, too, how Van Dorn kept the enemy deceived as to his objective, as long as possible, and then moved so rapidly that hostile pickets or scouts could not report his coming far enough in advance to be of any service.

After telling of many amusing incidents on the march, and how on the night of December the 19th Van Dorn's troopers halted at 10 o'clock within five miles of Holly Springs, dismounted, and in grim silence and without fires, stood holding their horses, ready to mount at a moment's notice, the story continues, as follows:

"Before daylight an order was quietly passed along the column to mount and form fours in the road. It chanced to be the day for the First Mississippi to lead McCulloch's brigade. Lieu-

tenant S. B. Day commanded the advance-guard of twenty men, and the front four were Groves Dantzler, Bob White, W. Drewry Deupree, and J. G. Deupree. Orders were given to move forward on two roads at a gallop, to capture the pickets or follow them so closely that no alarm could precede us. The wisdom of the order was appreciated by all, and it was obeyed with alacrity. The First Mississippi were to enter Holly Springs from the northeast, charge through the infantry camp without halting to fight or to receive any surrenders, but to attack the cavalry as soon as discovered. The Second Missouri were to dismount at the edge of town, charge on foot and capture or disperse any infantry encountered. Ross' Texans were to approach from the east, coming in by the railroad station, and thus prevent any reinforcements from surprising us in that direction; also, a detachment of Texans was to go south and watch the Abbeville road. Jackson's Tennesseans were to approach from the north, preventing possible reinforcements from Bolivar, as well as watching the road coming in from Memphis on the west.

As we neared the town, we increased our speed. Pinson's regiment rode through in a sweeping gallop, ignoring the infantry, though many of them, awakened and startled by the charge, ran out of their tents in night-attire and fired into our column, wounding nearly every horse in the advance-guard and some of the men. As we approached the Fair Ground, where we expected to find the Federal cavalry, the gallant men of the Second Illinois, under Col. Neill and Maj. Mudd, were in line answering to roll-call, prepared to go and look for Van Dorn, as they had heard he was coming. Brave and courageous as they were, they boldly charged upon us with drawn sabres. I shall not undertake to describe all that occurred in the melee, but simply shall mention some things that came under my own observation. Little Jere Beasley, a lad of fifteen summers, was just about to be cut down by a stalwart Federal, when Lieutenant Day shot the bold rider as with uplifted arm he was about to let fall the fatal stroke. Our Major Wheeler had his thumb cut off in a sabre duel with a Federal officer. Adjutant Lawrence Yates, was seriously cut in the forehead, and the blood gushing from

the long wound ran down his face and neck. My horse had been shot twice as we came through the infantry camp, and here he received the third and fatal bullet and fell lifeless to the ground. I simply made breastworks of the dead animal until I could catch the horse of the Federal with whom I had been personally engaged, and who had been shot by some Confederate. Then, mounting the captured horse, I was soon with the regiment chasing the routed enemy. Pistols in the hands of Mississippians had proved superior to sabres wielded by the hardy sons of Illinois. Many thrilling deeds done by Federals and Confederates on that day will remain forever unknown. But it may be said that the First Mississippi in the Second Illinois met foemen worthy of their steel, for as great nerve was required to make as to receive that charge. Few of our men were killed, though many were more or less seriously wounded. As victors, we arranged to have the wounded all well cared for and to send our disabled men south by a detour eastward."

Next, this valuable paper gives interesting details of the entry of the other Confederate commands, of the surrender of the Federal infantry, of the destruction of the vast stores of every kind, which had been accumulated here for Grant's army, as well as of the excitement and confusion incident to the occasion. The scene was described as "wild and exciting, Federals running, Confederates yelling and pursuing, tents and houses burning, torches flaming, guns popping, sabres clanking, negroes and abolitionists begging for mercy, women in dreaming-ropes clapping their hands with joy and shouting encouragement to the raiders,—a mass of excited, frantic, human beings, presenting in the early morning hours a picture which words cannot portray".

Most of the storehouses around the public square were full of food, clothing, and medical supplies. A large livery stable had been converted into an immense arsenal for storage of arms and munitions. There were three long trains of cars standing on the track, filled with supplies, ready to be sent south to Grant's army. The sutlers and small dealers who follow an army were all richly supplied, as if they expected to stay permanently in the sunny South. The cotton speculators were in large force and



had many hundred bales stored wherever they could find room. It was hard to realize that we were in actual possession of the greatest booty captured by any Confederate force thus far during the war. Everybody wanted to carry off something, but it was difficult to make a selection. Whiskey, brandy, and wines of the best quality, in original and unbroken packages, were among the spoils; and everybody so disposed could help himself; and a great many were so disposed. A. S. Coleman, sutler of the First Mississippi, had left his wagon in Grenada and donned his fighting clothes for this raid. He was a sort of free lance, assuming special privileges. He searched some of the richest depots and selected such articles as he thought would please the boys. He soon "hove in sight" with a string of hats as long as a plough-line wound about himself and horse. What appeared to be the effigy of a man, clothed in blue trowsers of large dimensions and cut in twain in the middle and footless, sat bolt-upright on the pommel of his saddle. When the contents of the effigy were displayed, there was more good liquor than there was room for. Then, all were soon in fine trim to attack the commissary stores. As with the liquors, the boys likewise did materially reduce the visible supply of good edibles. People of all classes, without regard to previous condition of mastery or servitude, were free to walk up and help themselves, which they gladly did. Children, too, reveled in the pleasures of the occasion, and grown people declared it was the grandest day Holly Springs had ever seen.

The work of destruction was begun in earnest in the afternoon. When our men had supplied themselves with pistols, sabres, and carbines, and all else they needed, the arsenal was fired, as well as the trains, and the storehouses. Town and country were enveloped in smoke, and long after we had gone reports of explosives were heard. Van Dorn had so completely reaped the fruits of victory that his praise was on every tongue. Our men rode out of town at night-fall, the most thoroughly equipped body of cavalry the Confederacy had known,—all in high glee and eager for adventures further north. On the road next morning after a brief rest, we looked like a Federal column, as thous-

ands of blue overcoats were utilized on this bright frosty morning. We reached Davis' Mills, now Michigan City, early on the 21st of December, on Wolf River about twenty miles north of Holly Springs. The Federal garrison here was small but well protected by a fort, rifle-pits, and a barricaded mill-house. The Confederates on foot assailed the position furiously, but unfortunately without artillery. The firing from across the narrow river was so galling, that our men on retiring sheltered themselves for a time behind the mill-dam along the bank. We suffered considerably in killed and wounded, for retreat to our horses was perilously exposed, while the little garrison took advantage of their opportunity to the utmost. While we were lying in the ditch behind the mill-dam, a hat held up on a stick would instantly receive several bullet-holes. A member of Company F had his new Holly Springs hat ruined by a minie-ball, passing through it and on through his hair, slightly wounding his skull.

After the affair at Davis' Mill, we withdrew to the Lane Farm and rested part of the night, and our horses had a bountiful feed. What was to be done must be done quickly. According to orders, we mounted and moved off in a gallop. My Yankee horse seemed to know instinctively just what to do at all times and under all circumstances. At every halt he would lie down like a tired dog, but was all full of life and animation when the column moved. Across Wolf River at Moscow in the early morning, we took the road towards Somerville, Tenn. It was rumored we were to repeat the Holly Springs business at Bolivar. All hopes ran high. We were ready to lead a surprise party or an assault. But we moved on to Danceyville, and that did not look like going to Bolivar. But after a short halt to feed horses, we countermarched and felt sure we were on the way to Bolivar.

We had traveled over much of Fayette and Hardeman counties in Tennessee, when we bivouacked on Clear Creek early in the night of December 23d. The rank and file confident that next morning we would go into Bolivar, only a few miles away, and there spend a jolly Christmas. But this was not to be. Our

scouts and spies reported that the Federals were in great force there, strongly fortified, and ready to give us a warm reception. They had evidently heard from Holly Springs. Van Dorn drew off to Middleburg, seven miles southwest from Bolivar, where a small garrison was protected by a large brick church, with hall above through the walls of which they had made portholes. Here, again, we needed one or two pieces of artillery. The Federals stood bravely and rejected every invitation to surrender. It was a detachment of the Twelfth Michigan Infantry, which the citizens represented as the most devilish lot that ever came south. Here we saw the prettiest line of battle we had ever seen up to this time. It was Col. Sul Ross leading his Sixth Texas dismounted, with a firing line of skirmishers several rods in advance. As we sat upon our horses in reserve, some distance in the rear, we could not but admire this fine body of young Texans. Sul Ross had been a gallant Indian fighter, became a Confederate Brigadier-general, and after the war was an incorruptible statesman, governor of Texas, and conceded to be the most popular man in the Lone Star State.

Finding it impossible to get the Michiganders out of the church, Van Dorn drew off without molestation, for the garrison was doubtless glad to see us go. Now Grierson and Hatch with two thousand cavalry and mounted infantry were at our heels and threatening to crowd us. Van Dorn turned eastward and later southward, passing through Ripley, New Albany, and Pontotoc, keeping up constant battle for some time with his cautious pursuers, and at the same time beating off Mizener and others that attempted to intercept him. We reached Grenada after an absence of thirteen days, during most of the time fighting by day and riding by night. Horses and men were exhausted and enjoyed rest once more. Before going on this raid, the First Mississippi was taken from Jackson's brigade and given to Bob McCullough's. General Jackson now took occasion to express his regret at losing the regiment and his gratitude and admiration "for their cheerful attention to every military duty, their hearty cooperation at all times, and their cool and determined courage in every engagement while under his command."

## THOMPSON'S STATION.

In January, further reorganization of the cavalry was effected. The First, the Fourth, and the Twenty Eighth Mississippi were thrown together into a brigade to be commanded by Brigadier-General G. B. Cosby. Late in February, Van Dorn began his march into Middle Tennessee. Forrest's brigade, already at Columbia, was to become a part of Van Dorn's corps. Whitfield and Armstrong preceded Cosby on the march. Forrest informed Van Dorn that a reconnaissance was expected to be made by the enemy at Franklin, Tennessee, because early in March Rosecrans had become desirous of more definite information as to the positions and intentions of the Confederates. On March 4th, Van Dorn concentrated the brigades of Forrest, Whitfield and Armstrong, south of Thompson's Station, on the pike on which the Federals were advancing. Cosby was still beyond the swollen Duck River, coming as rapidly as he could. General Jackson, commanding the division composed of Whitfield's and Armstrong's brigades, had been facing the Federals. Seeing their column of infantry, cavalry, and artillery, stretched along the pike for miles, he had concluded that they were too numerous for him to attack without additional support. He, therefore, retired a short distance. Col. Coburn with nearly three thousand infantry and cavalry, in addition to the Eighteenth Ohio Battery, followed him closely. As night fell, Federals and Confederates bivouacked almost in sight of each other, the Federals about Thompson's Station and the Confederates not far south. "During the night", says Van Dorn, "my scouts reported the enemy to consist of a brigade of infantry, two regiments of cavalry, and a battery of artillery". The Union commander, Colonel Coburn, was not pleased with the outlook. In his imagination, Van Dorn's force grew to exceed fifteen thousand, and he did not know whether to fight or run. Spring Hill seemed more remote than when he set out from Franklin by order of Brigadier-General James A. Garfield to go thither and ascertain the positions and numbers of the Confederates. Greatly perplexed, he sent a message disclosing the situation, as it appeared to him, and

asked, "What shall I do?" Getting no answer, early on March 5th he sent back to Franklin eighty wagons of surplus baggage, resolved to obey Garfield's order and proceed to Spring Hill despite opposition.

By daylight, Van Dorn was in the saddle and his forces in line of battle awaiting the approach of the enemy. Armstrong's and Whitfield's brigades, on foot, occupied a ridge crossing the pike at right angles, Armstrong west of the pike and Whitfield east. Deliberately and with grim determination, Coburn's brigade came on, but slowly, so slowly in fact, that the engagement did not begin till after 10 o'clock. The Thirty-third and Eighty-fifth Indiana regiments, with two rifled cannon, forming the right of Coburn's line west of the pike, and the Twenty-second Wisconsin and the Nineteenth Michigan, his left wing, east of the pike. Still further to his left, in a dense cedar thicket, on a considerable knoll, were several companies of dismounted cavalry, and just behind them, screened by the knoll, mounted and in line stood the remainder of Jordan's regiment of Federal cavalry. On our extreme right, to watch these cavalry was Forrest's brigade. The One Hundred-twenty-fourth Ohio was in reserve with the Federal train. As the Federal cavalry made a demonstration on our right, the Indianians charged Armstrong on our left, while the artillery of both sides thundered incessantly. King's battery was a little to the right of the pike and Freeman's with Forrest. A lively fusilade of rifle-fire arose, when the Federals in gallant style charged King's battery, supported as it was by the Texans behind a stone fence. When the enemy had gotten within two hundred yards, the Texans fired a volley, leaped over the stone fence and counter-charged, driving back the Federals more rapidly than they had advanced. Meantime, the Fourth Tennessee under Colonel Starnes had driven the dismounted Federal cavalry from the knoll, and Forrest had pushed forward Freeman's battery and so posted it as to enfilade the Federal infantry and also to sweep their artillery and drive it from the field, just as their cavalry had been dispersed. After a brief interval, Coburn, being reinforced, compelled Armstrong and Whitfield to withdraw to their original positions. Van Dorn, learning that Sheridan

was rushing additional reinforcements to Coburn, ordered a renewal of the charge by Whitfield and Armstrong. A fierce encounter at close quarters ensued, in which both sides suffered heavily. Forrest began to close down on the left and rear of the enemy, with a view to cutting off their escape north or east, causing the Twenty-second Wisconsin to break into a stampede. Cosby's brigade was crossing Duck River, the men of the First Mississippi and of the Twenty-eighth coming over in a ferry-boat, their horses being forced to swim the swollen stream. In obedience to an order from Van Dorn, we rode at full speed to gain our extreme left, and then wheeled into line so as to close avenues of escape west or northwest. Here we did but little fighting and lost only three men. Coburn, perceiving the disaster occasioned by Forrest's movements, withdrew slowly and with fixed bayonets in order to receive Forrest. Then, when Forrest had approached within twenty feet and his men were drawing their pistols from holsters, Coburn, realizing that his last avenue of escape was hopelessly closed against him by the Mississippians, and that further resistance would be futile, raised the white flag and surrendered. Thus closed this spirited battle. We captured more than 1500 officers and men, unwounded, while our loss was less than 350, mostly in Whitfield's and Armstrong's brigades.

In the late afternoon, after burying their dead, the Federal prisoners were escorted to the rear by Col. James Gordon's regiment. We of the first Mississippi held the battlefield and made the wounded of both armies comfortable by building for them great fires of cedar rails and keeping them replenished with ample fuel during the night.

#### GRANGER OUTWITTED.

Next day we were ordered back to our cantonments near Spring Hill, in a beautiful grove of sugar maples, such as few of us had ever seen before. By tapping the trees, drawing and boiling the sap, most delicious maple syrup was obtained, which greatly improved our breakfast menu of wheaten cakes and butter, so abundant in this garden-spot of Middle Tennessee. But the Federals had determined to keep us busy. On the 8th, Gen-

eral Granger, with a column of 10,000 infantry and half as many cavalry and artillery, moved out from Franklin and down the Columbia pike. Heavy skirmishes resulted, but the Confederates, largely outnumbered, retired slowly and deliberately. For several days, heavy rains had fallen, greatly swelling Duck River and its tributaries. Behind Rutherford Creek, Van Dorn ordered us to make a stand, in order to gain time to send his trains across Duck River, hoping for an opportunity to repeat on Granger the tactics he had used against Coburn. But as Rutherford Creek and Duck River continued to rise, Van Dorn decided it would be imprudent to risk battle between those streams against a force so far superior to his own. If beaten, he would probably lose the greater part of his command and leave Columbia exposed. He, therefore, determined to ride up the river to a bridge twenty miles away and return down the river by a forced march and cover Columbia again, before Granger's men could cross both streams, though to do this Van Dorn had forty miles to ride and Granger's cavalry only four. This bold and desperate movement was successfully accomplished despite the fact that his vigilant enemy was aware of Van Dorn's perilous position and was pressing his right vigorously in order to force him into the fork of the river and the creek. So soon as they discovered that Van Dorn had outwitted them and extricated his cavalry and had reached Columbia before they could make preparation to cross Duck River, they retired. They evidently feared lest longer absence from Franklin would tempt their resourceful and fearless foe to ride around them and by a rapid march get into Franklin behind them. Then, Van Dorn at once resumed his position near Spring Hill.

Just here I shall quote a pertinent letter written soon after these events and published in the *Macon Beacon* of April 1st, 1863:

"Camp Pork and Biscuits,  
 March 15th, 1862. Not far from Spring Hill, Tenn.  
 "Dear Pa:—

I wrote you last from near Spring Hill, directly after the battle of Thompson Station. I was mistaken in the estimate I made of the prisoners taken. The number did not exceed 1500, exclusive

of the wounded that fell into our hands. But my estimates of the killed and wounded on either side may be regarded as very nearly correct. Several days afterwards, the Federals again advanced from Franklin with an overwhelming force of twenty regiments of infantry and five of cavalry. On the 9th, Van Dorn with his whole cavalry force retreated in good order and took up a new line of defence behind Rutherford Creek, swollen by excessive rains so as to become impassable at the ordinary fords. It was Van Dorn's intention to hold the enemy in check, until a bridge of boats could be constructed across Duck River for the transportation of his artillery and wagon trains. On the 10th, the heavy rain began to fall and continued incessantly during the night to descend in torrents upon our soldiers drenched to the skin and shivering with cold, as they crowded around their feeble fires. Our company and Captain Chandler's, having been detailed as sharpshooters, had taken position on the banks of the Rutherford in two little stockade-forts, built last summer by the Federals. It was in one of these that little Jere Beasley came to his untimely and melancholy end by the accidental discharge of a pistol in the hands of his dear comrade. The ball entered Jere's head immediately behind his left ear and passed through, coming out two inches behind the right ear. Contrary to all expectations, Jere survived three days and was buried in Rose Hill cemetery, in Columbia, on yesterday. Lieutenant T. J. Deupree had a neat stone properly engraved and placed over the spot to mark it permanently. The death of no one else could have caused such deep grief in the company. "Jerry," as he was familiarly called, was dearly beloved by all who knew him.

"On the evening of the 10th, the Federals were in considerable force in our front on the opposite bank of the creek. By night the Duck River had so risen and the current had become so strong, that all hopes of successfully constructing the bridge had vanished. Our condition began to grow critical. Prospects were gloomy. Hemmed in by a force double our own in front and with no means save a single small and frail ferry for crossing the turbid river in our rear, we expected nothing on the morrow but a desperate and bloody engagement or a melancholy and unconditional surrender. But when the morning sun arose beautiful and clear for the first time in many days, our hopes revived and general confidence in our officers was restored. The wagons had been conveyed across the river during the night, and only the four pieces of artillery and the caissons awaited transportation. These were speedily carried across. The Federals began early to reconnoiter our position and to shell our camp from ad-



jacent hills. They doubtless thought from the numerous fires, which we had kindled by Van Dorn's order, as well as from the excessive yelling that prevailed, that we had received heavy reinforcements. After detailing Colonel Woodward's Kentucky regiment to cover the retreat, Van Dorn by skillful maneuvering succeeded in drawing off his forces and proceeded up the river some twenty miles and crossed on a bridge near White's Mills. The enemy did not learn of the withdrawal till about night. They believed that we intended to get in their rear again, and began a hasty retreat to Franklin, whence they came. We reached our present camp yesterday. Duck River has fallen so as again to be almost fordable. Our lines now extend beyond Spring Hill. Horses generally need shoeing, and many are now unfit for service on account of lameness caused by traveling over those rocky roads and pikes.

"We believe that God has been with us and pray that He will still bless and protect us. Especially, we pray for peace and national prosperity. Love to all,

Affectionately,  
JOHN."

The pontoon bridge at Columbia was rapidly reconstructed, and the cavalry of Van Dorn had advanced beyond Spring Hill by March 15th.

#### THE DASH INTO FRANKLIN.

Cosby's and Whitfield's brigades, now of Jackson's division, on the Columbia pike were keeping up continuous skirmishing with the Federal outposts, while Armstrong's and Starnes' brigades of Forrest's division did likewise on the Lewisburg pike. On the 28th, Forrest assailed Brentwood and captured the garrison of about 780 men, with their arms, munitions, and baggage. Then the usual routine of outpost service continued without noteworthy incident till about April 9th, when General Jackson, commanding the advance, was led to believe that Granger was evacuating Franklin. With a view to a reconnaissance and to creating a diversion in favor of Bragg's army in front of Tullahoma, Van Dorn moved early on the morning of April 10th to attack Franklin. Unluckily, as the sequel proved, he was twenty-four hours too late, for Granger had received reinforcements,

including Stanley's strong brigade of cavalry which was destined to save Granger from overwhelming disaster. Jackson's cavalry, with the First Mississippi in advance, under the immediate eye of Van Dorn, rode at full speed on the Columbia pike, running over the opposing cavalry and right up against the bristling bayonets of the Fourth Ohio Infantry, strongly posted as a reserve. Within less than five minutes, the Noxubee Squadron had lost a dozen horses, and some men wounded. By this time, the regiment had wheeled into line. Colonel Pinson ordered us to draw pistols and charge the Ohioans. With a wild yell, we rode at full speed, leaping the ditch and forcing the enemy to seek shelter within the fort. To our left, the Twenty-eighth Mississippi with drawn sabres swept into the town, winning plaudits from Van Dorn, while Jackson complimented the First Mississippi. Armstrong's brigade on the Lewisburg pike, under the eye of Forrest, had likewise driven the enemy within their fortifications in the edge of town. All were now preparing for a final assault. Whitfield's brigade on the Columbia pike and Starnes' brigade on the Lewisburg pike were approaching. But about this time Armstrong's attack suddenly ceased, for something untoward had occurred two miles rearward of his position. In disregard of orders, Stanley's cavalry including the Fourth Regulars had withdrawn from their position and had ridden westward, intending to strike Armstrong's rear at Hughes' mill, and was moving rapidly towards the Lewisburg pike, along which Starnes was marching in column and in fancied security towards Franklin to join in Armstrong's assault. Unexpectedly, Stanley's men collided with Starnes' column.

At the mill, the road leading to the Lewisburg pike forked. By one fork it was a mile to the pike, and by the other it was a mile and a half. On the shorter road, Stanley dispatched three regiments, and on the longer two with the Fourth Regulars leading. The Regulars arrived within a hundred yards of the pike, before their presence was discovered. Captain Freeman promptly put his four cannon in position; but before he could fire, the Regulars were upon him, driving off the few cavalry that had gathered to support the battery, and capturing Captain Freeman,

his guns, and 36 of his men. Starnes at once retrieved the error, of not guarding his flanks, by leading a furious assault against the Regulars, driving them off, and recapturing Freeman's battery. The Regulars hurried off with their prisoners, shooting down Captain Freeman and others unable to run as rapidly as the Regulars wished to retreat before Starnes. This retreat of Stanley ended the fighting,—but he had saved Granger.

Here I beg to quote the following pertinent letter, copied from the *Macon Beacon* of April 29th, 1863:

“In camp, near Spring Hill, Tenn., April 11, 1863.

“Dear Pa:—

Thinking you will doubtless hear of the terrible battle in which Cosby's brigade was engaged yesterday, knowing you will be uneasy until you hear definitely of casualties in our regiment, I write at once; and to dissipate your uneasiness, I state at the outset that no one was seriously hurt in the Noxubee Squadron.

“About 10 o'clock yesterday morning, our brigade being in advance and supplied with two days' rations and forty rounds of ammunition, began its march towards Franklin, to make a reconnaissance in force in order to determine whether the enemy were evacuating their works or not on Harpeth River, as scouts reported they were doing. Our regiment was in front and was ordered to drive in the Federal pickets and outposts. Within two miles of Franklin, we discovered a small force of hostile cavalry strongly posted on Winston Hill. We advanced on them in a gallop; they fled precipitately, without firing or being fired on. We pursued closely till within a half-mile of Franklin. Here they rallied, supported by two or more companies of infantry, and thus checked for the time our further advance in that direction. At this point, one man was killed in Taylor's company and one wounded in Cravens'. Colonel Pinson, seeing the strength of their position and not being able to learn their exact number, concealed as they were behind the brow of the hill, immediately dispatched a courier to state the facts to the general and ask for reinforcements. Orders came to move to the right and, if possible, to turn the enemy's flank and thus dislodge him. We had gone about one-fourth of a mile east of the pike, when we were thrown into line to receive the charge of a party of Federal cavalry. But as soon as we began to move towards them, they 'turned tail' and moved off rapidly. At this time, General Van Dorn, attended by his own and General Jackson's escort, appeared on the field.

Our regiment was now divided: the major part under Major Wheeler, moving further east, being dismounted and posted in the woods, was briefly engaged, but without loss, as each man was protected by a tree or stump; the remainder of the regiment, i. e., companies A, D, I, and G, led by Colonel Pinson in person, charged across an open field, 400 yards wide, for the purpose of routing the enemy, supposed to be in small force on the opposite edge of the field. These Federals, concealed by a slight elevation of ground, waited till we were within 100 yards and then arose, about 500 strong, and poured a galling fire into our ranks, doing dreadful execution, as regards horses. We halted and calmly stood the fire, though unable to return it as our guns had previously been discharged. We then retired with deliberation for about 100 yards, when we halted and prepared to make another charge upon the enemy. Though we charged desperately, the result was as before. Pinson dispatched to Van Dorn, that it was impossible, when so outnumbered, to dislodge the enemy; and this is the reply he received, which I know to be true, for *Latt* was the bearer of the message: "Hold your position as long as possible; you shall be reinforced". In order to hold his position, Pinson again charged but with like result. As we began the third charge, my horse was rapidly growing weaker from loss of blood flowing freely from a wound received in the first charge, and I was ordered by Cousin Jeff in command of the company to fall out of ranks and go to the rear. This order I obeyed with alacrity. I was immediately joined by Cousin Latt and several others with wounded horses. Soon Starkes' regiment, commanded by Major Jones, came up in gallant style to the support of Pinson, forming on our left. Then Ballentine formed left of the pike. A charge was immediately made, and the Federals were routed and driven into town. Major Jones and Colonel Ballentine followed them closely through the streets and, like Pinson's men, punished them severely. The Federals, however, under cover of their artillery, succeeded in crossing Harpeth River. After collecting a considerable amount of valuable spoils, and being shelled by the Federal batteries, we rode out of Franklin. Had not many of the Federal infantry taken refuge in the courthouse and other brick buildings and kept up therefrom such a continuous fire, many prisoners might have been brought off with us. We remained in the vicinity of Franklin, keeping the enemy beyond the Harpeth, till late in the day, when we withdrew into camp.

"Bill Jackson, of Co. G, was slightly wounded in the chin; Montague's, Holberg's, Billy Pagan's and John Hudson's horses

were killed; Latt's and mine so badly wounded, that they were condemned; Tom Brooks's horse was slightly wounded; Lieutenants Deupree, Day, and Foote led the company bravely in every charge, the two last untouched, and the former struck by a minie ball on the shin bone below the knee and receiving thus a black and sorely bruised spot that lingered many days, though no bone was broken and no blood was shed. Company F had J. J. Hunter painfully wounded in the foot, and suffered some in horse-flesh. Company A lost one man killed, and had two wounded by a grape-shot, and lost in horses about as we did. Company E had one man killed. Company C lost one man killed and had four wounded. Companies D and I, each, lost four men wounded; but their loss in horses did not equal ours. Companies E and C suffered some loss in horses, I do not know how much.

"Starkes' regiment lost eleven men killed and forty-two wounded. Ballentine's loss was slight.

"I am grateful to God for His preserving care in answer to the prayers of loved ones at home.

Affectionately, your son,  
JOHN."

#### THE ASSASSINATION OF VAN DORN.

It was now dark and our cavalry withdrew to Spring Hill. Not long afterwards, Forrest was sent in pursuit of Streight who was bent on destroying the Confederate munition-plant at Rome, Ga. Van Dorn and his staff occupied the house of Dr. Peters, a prominent citizen of Spring Hill, while his body-guard bivouacked not far away. Being alert, fearless, and skillful, Van Dorn gave the enemy great cause for vigilance and anxiety, and some of them would not have scrupled to employ any means, however reprehensible, to get rid of him. On May 7th, General Van Dorn sat at his desk in conference with a member of his staff in his office on the second floor. Dr. Peters, with evil intent, though pretending the greatest friendliness, entered the room and requested a passport to go into Nashville through the Confederate lines. The staff-officer withdrew, as Van Dorn turned to his desk to write the passport. Then, just as Van Dorn had finished the signature, Dr. Peters, standing at his back, fired the fatal bullet through his head, seized the passport, walked quietly out of the room and down stairs through the hall,

mounted his horse at the gate, and rode rapidly across the fields to the Federal lines before the alarm could spread and troopers be sent in pursuit. But soon all was excitement and confusion, for thousands of desperate horsemen were prepared to chase the fugitive, but too late! Had they caught him, he would have been instantly torn to pieces. He remained under Federal protection till the war ended. It was rumored that he went directly to Nashville and received his reward. It is a fact, at any rate, that after the war he soon recovered his plantation on the Mississippi and held it till his death. Unfortunately for us, thus passed away the brilliant Van Dorn, hero of more than a score of battles and just on the verge, as we believed, of entering on the greatest enterprise he had ever conceived, to wit, the invasion of Ohio with his invincible corps of cavalry. General Joseph E. Johnston telegraphed to Adjutant S. Cooper at Richmond, Va., "I have just received the painful intelligence of the death of the distinguished Major-General Earl Van Dorn, which occurred this morning at Spring Hill." General W. H. Jackson issued General Order No. 3, from which I quote these words, which so fittingly depict Van Dorn's character: "Upon the battlefield, he was, indeed, the very personification of courage and chivalry. No knight of the olden time ever advanced to the contest more eagerly; and, after the fury of the struggle was over, none was ever more generous and humane to the sufferers than he. As a commanding officer, he was warmly beloved and highly respected; as a gentleman, his social qualities were of the rarest order; and for goodness of heart he had no superior. His deeds have rendered his name worthy to be enrolled beside the proudest in the Confederate Capitol and will ever be fondly cherished in the hearts of his command".

#### BACK TO MISSISSIPPI.

Brigadier-General W. H. Jackson was now the ranking officer of the cavalry corps until Forrest, after capturing Streight, returned to Spring Hill and assumed command on March 16th. A few days later, General Jackson was ordered with his division of Whitfield's and Cosby's brigades to return to his former field of

operations in Mississippi. Cosby's brigade now included King's battery, Pinson's First Mississippi, Starke's Twenty-eighth Mississippi, Gordon's Second Mississippi, and Ballentine's regiment, mostly Tennesseans but containing one Mississippi company, commanded by Captain R. H. Taylor of Sardis,—a splendid company and admirably officered. After a long and monotonous march, we reached Mechanicsburg the latter part of May, on the right wing of the army which General Joseph E. Johnston was assembling to relieve Vicksburg, after General Pemberton, in violation of orders, had allowed himself to be shut in. Captain Herin's Squadron, which had been on detached duty near Pocahontas, to our gratification, rejoined the regiment; and we also welcomed the return of Lieutenant-Colonel Montgomery, who in consequence of ill-health, had been absent on furlough for several weeks. Colonel Ross was now commanding Whitfield's brigade, which at this time also included Jackson's old regiment, the Seventh Tennessee, and also, perhaps Wirt Adams' regiment. We were in constant touch with the enemy, and frequent skirmishes along our picket lines resulted in small losses to either side. Perhaps, the letter I find in *Montgomery's Reminiscences*, will more clearly reveal the situation, as it was written in our camp here. It is as follows:

"Camp near Mechanicsburg, June 28th, 1863.

"\* \* \* A few days ago, two regiments from the command were sent out on a scout, and had a pretty sharp fight with the Yankees, killing 30 and capturing unwounded as many more; our own loss being 20 killed and wounded. Howell Hinds, a free fighter with Adams' regiment, was dangerously wounded. A few days later, General Cosby led us out again, but we saw no Yankees. Colonel Pinson is out of camp, sick. I expect him back today. \* \* \* It is impossible to say where or when General Johnston will move. No one knows but himself. \* \* \* At this camp we hear every cannon fired at Vicksburg; and for days and nights the firing has been terrific. I hope Johnston will move against the enemy in time to save the city. But his plans are known only to himself. The other day, a lady asked him some questions, to whom he replied, 'If my hat knew my thoughts, I would burn it up'. He keeps his own counsel".

The Howell Hinds mentioned above was a son of General

Thomas Hinds, who won fame under General Andrew Jackson in the War of 1812. Though badly wounded, Howell Hinds recovered, only to be killed in Greenville two years after the war, while trying to separate two of his friends engaged in a pistol duel."

Every day we anxiously awaited orders to advance, ever ready to move at a moment's notice. But the fateful day found us still in camp here and on that day Colonel Montgomery in a letter wrote, as follows:

"Camp near Mechanicsburg, July 4th, 1868.

"\* \* \* We are living pretty hard at present, some days faring moderately well and on others badly. Nearly every day, however, some of the boys bring me a pint or more of blackberries, which are very plentiful now and which I enjoy very much. Roasting ears are ripe, too, and we cannot starve, nor can our horses. Time drags on. We have not yet attacked the enemy. But the attack may begin at any time, and I believe we shall be able to whip the Yankees and relieve our gallant army in Vicksburg, who have been shut up for so many weeks and exposed to incessant storms of shot and shell. More than 50,000 shells have been thrown into the city, according to the best estimates, and our army loses many killed and wounded by these missiles every day; among them, valuable officers. \* \* \* The signs are favorable. A New York paper a few days ago advocated peace upon terms which would recognize our independence, equitably divide the territories, and grant the border States the privilege of choosing for themselves whether they will remain in the Union or join the Confederacy. Nothing now but some great victory, like the fall of Vicksburg, can reanimate the North. But even with the loss of Vicksburg no true Southerner would despair. It would only prolong the war."

#### THE FALL OF VICKSBURG.

We know now that even while Colonel Montgomery was penciling this interesting letter to his wife, negotiations were in progress between Grant and Pemberton, and the great victory for the North and disaster for the South became an accomplished fact, though several hours must pass before we could know it.

On July 4th, we broke camp and in the afternoon marched down the west side of Big Black about twenty miles and



bivouacked near the river. Not far away pontoons had been laid, and our infantry and artillery had received orders to begin crossing the river by daylight on the 5th; and, with our cavalry in advance, they were to assail Grant's right wing, with a view to giving Pemberton an opportunity to withdraw his army from Vicksburg. But, unfortunately for the South, this was not to be.

“Alas! for the Southron, that struggle was o'er;  
Our banners were waving over Vicksburg no more;  
The Stripes of the Yankees were floating instead;  
And the hopes of Mississippi were broken and dead.”

More than half a century has passed since this sad surrender, but I still feel that Pemberton chose the wrong day for capitulation. Many pronounced him a traitor; if so, may God forgive him! But this victory fired the Northern heart with renewed determination to redouble their efforts to subjugate us, and this defeat spoiled for us the joy of July 4th forever, for how can we participate in its celebrating and thus apparently rejoice in the surrender of Vicksburg? Pemberton must have known Johnston's intention and should have held out a few days longer, at all hazards.

Just before daylight on the 5th, a courier reported the surrender of Vicksburg, and we were ordered to cross Big Black. Our wagons went towards Jackson, while we proceeded south and struck the V. & M. railroad between Edwards and Bovina. We began to destroy the track, removing and twisting the rails and burning the cross-ties, as we retired slowly towards Jackson, followed closely by the enemy in great numbers. We found Jackson entrenched and defended by Johnston's army. We passed through the city and went into camp east of the Pearl. We rested here till Jackson was evacuated on the night of the 16th, when we were ordered to fall behind the army and to cover its retreat. We took position between Jackson and Brandon. One day Pemberton rode through our camp to get to the railroad and take a train for Richmond, Va. His downcast and sorrowful countenance excited commiseration. Reaching Richmond, he re-

signed his commission as Lieutenant-General, and we heard of him no more during the war. Afterwards, to his credit be it said, he died *poor and obscure*, and thus he was relieved of the suspicion that he had been a traitor.

#### IN RANKIN.

The infantry and artillery moved on to Meridian. We remained in Rankin County, inactive for sometime. One day, a company of Federal infantry with several wagons had crossed the Pearl and were plundering the citizens. Captain Herrin's squadron was sent to intercept them. Within a few hours he returned to camp with 60 prisoners and four wagons heavily loaded with all sorts of plunder. He had surprised the Federals. In the resulting fight, he had suffered no loss and but one Federal was killed. A few days later, a terrific thunderstorm passed over our camp and private High of the Pontotoc Dragoons was killed by lightning. The following extract from a letter written by Colonel Montgomery will give a good idea of the prevailing sentiment in our command at the time:

"Near Brandon, August 4th, 1863.

"\* \* \* The people from all parts of Mississippi are fleeing to Alabama and Georgia, and I don't know what is to become of them all nor how they are to live. I am convinced some effort ought to be made to save negro property by sending it off, yet it is best for families in the present state of affairs to remain at home, as they will lose less, besides saving themselves the annoyance and trouble inevitable from running away. Besides, the best place they can run to may eventually prove unsafe. Mobile, doubtless, will soon be invested and probably fall, if the war lasts long. So may every stronghold; but we will not be conquered, nor will we ever be, while our armies are in the field and our people are unsubdued.

"Never despair; we shall yet have peace on terms honorable to the South. News from Europe is by no means unfavorable. I am satisfied, Mr. Yancey is correct, when he says that England and France will intervene, whenever they think there is danger of our being conquered. But while there is no danger of that, there is danger that the war will yet last a long time, unless they intervene, and this they will do before the war ends. Louis Na-

oleon has brought his war with Mexico to a close, and so certain as the sun rises and sets *he* will soon recognize our independence, whether any other nation does or not.

"I believe a great battle will soon be fought in Virginia with important results, for just now the North believes that, if Lee can be whipped, the war will be practically over. \* \* \* But, even should Lee be defeated, and though Richmond be captured, tens of thousands of Southern men will never lay down their arms nor give up the struggle till they have wrested victory from their enemies; and among that number, if life and health be spared, I know, my dear wife, while you would mourn the necessity, you would be proud to count me. For we are fighting for all we hold dear on earth; and eternal shame and dishonor await those who may refuse to sacrifice all in defense of home and liberty."

#### FAYETTE.

Of course all hope of foreign intervention in our behalf proved to be but the "stuff dreams are made of". By 6 o'clock next morning, we were ordered to Jackson. The Federals had withdrawn, and we proceeded to Fayette. General Clark, who had been desperately wounded, was living here, still unable to walk, but still defiant. He had been exchanged; and later, incapable of military service, he was made governor. After a brief stay in Fayette, we moved eastward and then northward, passed through Terry and encamped near Jackson for a few days. The object of this scout, I suppose, was to encourage the people, for we had not seen even one enemy.

#### LEXINGTON.

Next, our regiment was ordered to join Jackson's division at Lexington. Here we participated in a grand review, in which the division made a magnificent display. This, too, tended to cheer the spirits of the people, who could not fail to observe that the cavalry were again ready for active work and sanguine of ultimate success. Horses and men were in excellent condition, well prepared for fall and winter campaigns. Winter-Quarters were not thought of. Even tents had long ago disappeared. But under any and all sorts of weather conditions, wherever and

whenever even a temporary halt was made, the men had learned to improvise adequate shelter. For convenience in procuring subsistence from the country, brigades and regiments had been separated by intervals of miles, but all were so located as to watch the enemy and to be within easy call of division headquarters, in case it became necessary for them to be massed quickly and unexpectedly. For some weeks we had little to do except to send out pickets and scouting parties so as to keep in touch with any hostile movements of the enemy along the Mississippi or the Yazoo River, where they had considerable forces. The Sixth Texas and the First Mississippi were thrown together, Colonel Sul Ross, as senior to Colonel Pinson, being in command of the brigade; for General Cosby had been assigned to duty elsewhere, and we never saw him again. He was a splendid officer, when sober; and, when not, the adjutant-general would invariably let the ranking colonel of the brigade know it. At any rate, we were happy to be under Ross, one of the best cavalrymen in the service, in whose subsequent promotion we all rejoiced. Also, I will say incidentally, just here, that those of us who survived the war and for a time lived in the Lone Star State, were especially delighted when he was elected governor and were proud of his splendid administration of that high office, as well as of the universal esteem and love which the people always manifested for him.

#### RICHLAND.

One day at Richland, General Reuben Davis visited our camp and made an able and very eloquent speech, which we all thoroughly enjoyed. He had seen service in the war with Mexico, and at this time he was a candidate for governor against General Clark. Confederate soldiers were by law entitled to vote for governor; and, in exercising this privilege, we cast our ballots overwhelmingly for General Charles Clark, who because of his wounds could not make a canvass. Some years after the war, General Davis published his "*Reminiscences of a Long Life*," which easily rivalled in merit and interest Baldwyn's "*Flush Times in Alabama and Mississippi*."

The citizens of Richland and vicinity gave our brigade a great barbecue. Long tables were filled with perfectly barbecued and highly seasoned beef and mutton, roasting ears, sweet potatoes, and many other good things too numerous to mention here. We all eagerly showed our appreciation in the most direct and practical way. For once, at any rate, every man in the two regiments had all he could eat and as much as he could carry away in his haversack. Next day, the fair ladies of Richland presented a new battleflag to the First Mississippi. The field was blue. The red diagonals formed a cross bearing eleven white stars, for the eleven Confederate States, the largest star being at the intersection of the diagonals in the centre of the flag. A bright yellow border encircled the whole. A most beautiful young lady mounted on a handsome horse made the presentation-speech in most charming style, to which this scribe responded in the purest and tersest English he could command. The flag was exceedingly beautiful and the regiment in appropriate resolutions expressed their thanks and appreciation. Soon it was to wave in face of the foe; and, ere the year closed, two brave boys had shed their precious blood while bearing it to victory. It was our battle flag till the end of the war.

#### THE TENNESSEE VALLEY.

In the last days of October, Ross with his own and Pinson's regiment was ordered to the Tennessee Valley to retard the progress of Sherman on his march from Corinth to reinforce Grant at Chattanooga. We rode across the country to Pontotoc. Leaving our wagons there, we carried five days' cooked rations and reached Pride's Station on the M. & C. railroad about ten miles west of Tuscumbia, just ahead of Sherman's advance detachment, which our scouts reported as coming on rapidly. About six miles west of Tuscumbia, on a high and rocky and wooded hill stood a country church. At the base of the hill ran the railroad, and a mile away towards Tuscumbia flowed a creek, fringed with forest trees. At the church, Ross made his first stand. Late in the afternoon, a company of Texans, deployed as pickets and standing on a hill a mile in front of us, saw the advancing Fed-

erals as they moved steadily forward. Between the hills, the country was open, and from our hill we could plainly see the Texans holding their own against odds, until the ever-increasing numbers of the enemy compelled our Texans to yield ground, which they did slowly, deliberately, and in perfect order, with the loss of many horses and a few men wounded, most of them but slightly. The enemy's infantry and artillery seized the hill which Ross's men had left, and with a rain of shells made our position at the church quite *uncomfortable*, especially as we had no artillery and our carbines could do them but little harm a mile away. How we got off with so few casualties is among the marvels of the war. It was late and the enemy did not follow that night. Ross led his command across the creek, which seemed a good line of defense. Though our strength was totally inadequate, Ross determined to contest every foot of ground and to delay Sherman as much as possible on his march towards Chattanooga.

As soon as day dawned, rifle-firing began. Our pickets, a company of Texans and a company of Mississippians, were not easily driven. As they were well posted and well protected, the sun was up more than twenty degrees, before they withdrew, as they did in good order and with slight loss. Heavy lines of hostile infantry and two batteries of artillery followed them closely. When they came within range of our two regiments holding the line of the creek, the firing became fast and furious. Here we held our position firmly till a large flanking force was reported to be moving south of us; and then we retired, having lost a few men killed and about forty wounded. As the enemy came forward in close array through the open, while we were more or less screened by the timber skirting the creek, their loss must have greatly exceeded ours, especially as we were veterans and well armed. We buried our dead near Tuscomb and placed the wounded in a hospital improvised for the occasion. But alas! among the wounded was our youthful, gallant, and dearly beloved adjutant, William E. Beasley, whom Colonel Pinson sent home to Macon, Miss., in care of Dr. Shelt Wellbourne, a physician in the Noxubee Cavalry, in which Beasley still claimed

membership. Though he was seriously wounded in the leg, it was believed he would be able to endure the long trip through Alabama in an ambulance; and so he did. But his wound had not been thoroughly disinfected, nor had it been properly dressed for several days before he arrived in Macon. Consequently, gangrene had set in, and amputation below the knee was imperative. After a few days, gangrene again appeared, necessitating a second amputation, this time above the knee. A day or two passed, when suddenly a tie of the artery gave way and this patient and heroic sufferer quickly bled to death. He was a mere boy, under twenty years of age, as chaste and modest as a maiden, yet as brave and fearless as Julius Caesar. His memory will be cherished and loved as long as a member of the First Mississippi Cavalry survives. The noble spirits of his father and younger brother, as previously recorded in this narrative, had preceded him to the glory-land, their lives like his having been sacrificed in the same holy cause. At this writing, a sister, Mrs. Connie Beasley Owen, is the only survivor of the illustrious Beasley family of Noxubee County.

This was our hardest struggle with Sherman's men. We fell back, sometimes directly facing the enemy and sometimes hovering on his flanks. Sherman evidently did not like our close and persistent attention; for, ere we reached Decatur, he crossed the Tennessee and continued his march north of that river. We then withdrew and camped a day or more at the biggest spring I ever saw. A thousand horses could easily be watered there at the same time. As we could render no further service in the Tennessee Valley, we were again transferred to Mississippi. We crossed the mountains, and the latter part of November we were again in Pontotoc.

#### PONTOTOC.

Here, to our great gratification, we found our wagons, for we had been without regular rations for weeks. However, if cavalry be given food for their horses, the men will contrive somehow to live. We remained in Pontotoc several days. The people all gladly contributed to our enjoyment. This was the home

of Colonel Pinson, and Pontotoc County was the home of two of our best companies; and all did their utmost to extend a hearty welcome and entertainment to their comrades in the First Mississippi and Sixth Texas. Of course, while here we saw little of our beloved Colonel, for this was also the home of the accomplished Miss Sina Duke, whom a few months later he led as a bride to the altar. At this writing, she still survives and with her sister lives in a handsome and commodious home in the city of Memphis, honored and revered by all the survivors of the thousands who knew and loved Col. R. A. Pinson.

#### MOSCOW.

From Pontotoc we were ordered to New Albany to report to General S. D. Lee, who had assembled here other commands. Under Lee, we marched north, striking the M. & C. railroad between Middleton and Saulsbury, in order to escort General Forrest and his small force into West Tennessee, where Forrest was to encourage the people and to gather recruits. As Forrest proceeded north, Lee moved west along the railroad, destroying it as he went and making it useless to the enemy, while also diverting attention from Forrest. Having passed La Grange and gone around Moscow, which was strongly garrisoned, we struck the railroad again several miles west of Moscow and tore up the track, especially to prevent reinforcements from Memphis coming to the aid of Moscow. Then with the view of assailing Moscow, General Lee headed his column east and proceeded at a rapid trot. Lieutenant S. B. Day, of the Noxubee Cavalry, as daring an officer as the regiment could furnish, led the advance-guard of twenty men from the Noxubee Squadron, ten from Company F and ten from Company G, including George Alford, T. S. Brooks, J. G. Deupree, Chesley Jarnagin, Jake Holberg, and others whose names cannot at this time be recalled. We were about one-hundred yards in front of the regiment, and Lieutenant Day had orders to charge whatever hostile force he might encounter. From the top of a ridge which overlooked the Wolf River bottom lying between us and Moscow, the country



was open, with the exception of a fringe of forest trees a hundred yards wide, or less, immediately along the river's bank. Wolf River was narrow and deep, with precipitous banks and well-nigh impassable otherwise than by means of the bridge. Lieutenant Day, on ascending the ridge and looking towards Moscow, saw several hundred cavalry and some artillery that had evidently just come across the bridge, and others following. He promptly ordered and led the charge. Raising the rebel yell, we followed Day at full speed. Intuitively taking in the situation, Colonel Pinson, with General Lee riding beside him, likewise led the regiment at full speed; and, fronting into line, struck the enemy like a thunderbolt from the clear sky. For a brief interval, we were exposed to a severe fire, especially those of us in the advance-guard. The Federals used cannon as well as carbines, one small piece being fired several times from the "business-end" of a mule. But quicker than the story can be told, we drove them into the river and many of them were drowned. Some of them escaped across the bridge. Never was victory more swift and complete. They lost not less than 175 in killed and wounded. Besides, we captured not less than 40 horses and unwounded men. Reinforcements from Moscow held the bridge and prevented our crossing into town. However, from our side of the river we poured into them from carbines and pistols such a fusilade as to drive them to the fortifications. We suffered severe losses. Lieutenant Miller, the promising young son of our former Colonel, was killed while bearing the regimental flag; after him, another brave boy was shot down, as he raised it over his head; but the third, who seized the falling colors, bore them till the victory was achieved. Colonel Pinson as always, was in the thickest of the fray, sitting erect on his horse and cheering his men. Seeing one of his old company firing from behind a tree, he suggested that better sight and better aim could be had, if he would step in front of the tree. The soldier at once took the hint and stepped in front. As he did so, he was wounded in the right arm, but he continued firing till the fight ended.

Of our twenty with Sam Day, scarcely one escaped entirely,

every one being shot or having his horse shot under him, though most of the wounds were slight. I remember some of the unfortunates now: J. Chesley Jarnagin, eldest and noble son of the eminent lawyer and jurist, Hampton L. Jarnagin, of Macon, was killed by a bullet through his brain. Jake Holberg, as brave a trooper as ever drew sabre, was painfully wounded by a cannon ball, which passed through the shoulder of his horse and then carried away his stirrup and his great toe. From excessive pain Jake was impelled to exclaim, "Mein Gott! O mein Gott!" At once I asked where he was hit. He continued to scream, "O mein Gott! mein Gott! mein toe!" Alas! his toe was gone forever! and henceforth Jake was assuredly to be to a certain extent, no-to(e)-ri-ous. But he survived the war and lived a long and useful life, always ready to help a Confederate veteran and to serve his city and State to the best of his ability. Macon had no better citizen. I wish I could name every hero who on that day shed blood for his country. About 40 were killed in the First Mississippi. The Sixth Texas got into the firing line just as the fighting ceased.

#### SOUTH MISSISSIPPI.

This was the last fight on this raid. By December 22d, we were again not far from Jackson, brigaded with the Twenty-eighth Mississippi, Starke as Senior Colonel now being in command. The month of January, 1864, was bitterly cold, and we did only as much as was absolutely necessary. We remained in front of Jackson and the railroad was in operation to Meridian. Early in February, Sherman began again to invade Mississippi. General Leonidas Polk was in Meridian in command of the Department, but his army was small. Jackson's cavalry could hope only to delay and harass the march of Sherman's large and well-equipped army, so that Polk might be adequately reinforced and prepared to give battle between Jackson and Meridian. With three regiments of cavalry and King's battery, we were well posted on a hill ten miles northwest of Clinton, on or near the plantation of General Joe Davis, when the Federals were seen a mile or more away on another hill. Several regiments of in-

fantry, with one or more batteries of artillery, preceded by a heavy line of skirmishers, advanced steadily in battle-array, evidently despising the smallness of our force. A little dog trotted gaily along in front of them, as if they simply meant only to set him on us in order to show their contempt for our cavalry. At any rate, we felt it as an insult. By a few well-aimed shots, the little dog was either killed or driven out of sight. But we could never learn whether the dog was the "mascot" of some regiment or merely a "scalawag" deserter from the loyal dogs of the State. In the brief engagement that followed, few of us were hurt and but one man killed,—a member of King's battery. What casualties occurred among the Federals we never ascertained. Next morning not far from Clinton, in a sharp skirmish without dismounting, we inflicted considerable loss upon the enemy, while we had only a few horses and men disabled. We made our next stand in the breastworks at Jackson on the Clinton road near the present home of Bishop Bratton. Holding this position, we did considerable execution, before the enemy by a flank movement on our left threatened our line of retreat. Then we hastily mounted and rode rapidly till we had crossed the railroad into Capitol street, and then somewhat less rapidly till we came to West street. Here, as we turned north, we passed Judge William Yerger standing on the sidewalk that borders the Governor's Mansion. Many knew this famous lawyer and greeted him affectionately. He returned most graciously the salutes; and, as we passed on, he was still standing and gazing towards the railroad station, while the Federals were approaching it in great numbers. We rode on at a slower pace and bivouacked north of the Insane Asylum. Next morning we crossed the Pearl and followed a road leading east, parallel with the A. & V. railroad and north of it, while Sherman's army was marching along a similar road south of the A. & V. R. R. Our force was too weak to make effective resistance, and we could only restrict the sweep of devastation by compelling the Federals to march in compact masses and keep their columns well closed up.

We reached Meridian on February 18th, and General Polk had already crossed the Tombigbee into Alabama. It was a part

of Sherman's plan for Smith and Grierson's forces to converge and join him in Meridian; but the ubiquitous Forrest had thwarted this well-conceived strategy. While under orders to go to Forrest's support, soon after passing through Macon we learned of Forrest's brilliant victory over Smith and received orders to go towards Jackson and harass Sherman on his retreat to Vicksburg.

By March 1st, we had reached Sharon a few miles from Canton. In a fight next day with a detachment from McPherson's corps, in which we had a few horses killed and a few men wounded more or less seriously, Colonel Montgomery had a narrow escape when his horse was shot and killed under him. On this occasion, Dr. Montgomery, our brigade surgeon, thought it would be fine sport and rode out to the firing line, but not liking the music of the minies soon reached the conclusion that a doctor would better be at his own business, dressing the wounds of others than risking a wound himself. He had ridden only a hundred yards towards the rear, when a Federal battery opened fire and the first shot killed the doctor's new blooded horse, which he valued very highly.

In the afternoon, the First Mississippi was ordered on a scout near Canton. To avoid a large part of McPherson's corps, we made a detour by a neighborhood road running west, which would lead into the main road that ran nearly due south into Canton. The Noxubee Squadron was in front with Lieutenant Foote in command of the advance-guard, which included T. S. Brooks, Nat Pierce, Dallas Pack, Henry Foote, and some others, whose names I regret I cannot recall. Just before coming back into the main Canton road, Lieutenant Foote detected the rear of a Federal wagon train passing the intersection of the roads and moving south, towards Canton. The infantry guard following the train was fully a quarter of a mile behind it. As usual, quick to take in the situation, Lieutenant Foote led a charge against the wagons while the Noxubee Cavalry joined him. We thus captured and brought off nine splendid six-mule teams and as many wagons loaded with food and forage enough for our brigade for many days. But as Capt.

Craven, at the head of the Noxubee Troopers, immediately following us, reached the forks of the road, the rear guard of Federal infantry was approaching at double-quick, determined to save their wagons. Without the slightest hesitation, Craven led a brilliant charge against the infantry, routing them completely and bringing off about forty unwounded prisoners. Craven's loss included a few horses shot and fewer men wounded, among them J. J. Hunter, brother of Lieutenant Charley Hunter and one of the bravest of the patriotic Hunter family. He carried the scar of honor till death many years after peace had been declared. As it was now night-fall and our proximity to McPherson's corps was too close to be comfortable, we withdrew, leaving the Federal dead and wounded to the care of their own comrades.

Around our campfire that night, among other incidents related was an adventure by Lewis Perkins, one of the best soldiers of the Noxubee Cavalry. He had pursued a fleeing Federal trooper to the edge of the woods, when the latter suddenly wheeled and began shooting at him with one of the army pistols drawn from the holster on the pommel of his saddle. Perkins reined up, drew his own navy-six and returned the fire till but one ball remained in the cylinder. Then, while the Federal continued to fire, Perkins very deliberately took careful aim, knowing it was his last and only chance; and, as he fired, his foeman threw up his arm and fell to the ground, exclaiming, "You have kilt me, Sir". Perkins found in his pockets money, jewelry, and a lady's watch marked with her initials. Next day, guided by an old citizen of the neighborhood, he found the lady, who told him how rudely the German villain had robbed and insulted her and how she had said to him, "I shall pray to God that you may never live to enjoy what you have stolen". To this, he replied, "I don't not fear dein Gott". Perkins then said to her, "Madam, your prayer has been answered". He then handed her all her jewelry and her watch. Of course, Perkins declined any compensation; but it may be added, that in answer to the prayers of this good lady, Perkins survived the war and was permitted

to live many years as an honored and useful citizen of Noxubee county.

Within a few days, Sherman's army withdrew into Vicksburg, but we followed them closely, so as to circumscribe their depredations within the narrowest limits possible. About March 10th, we went into camp at Moore's Bluff on the Big Black, after having been almost constantly in the saddle for more than thirty days. Of course, we rejoiced to meet our wagons here. It is needless to say we spent a pleasant month, till men and horses could be made ready for further service. Colonel Pinson was furloughed that he might go to Pontotoc to marry the highly accomplished Miss S. E. Duke. Early in April, Jackson's division was ordered to Grenada and thence to Columbus to prepare for a long march to Johnston's army in Georgia. Colonel Pinson rejoined us ere we reached Columbus. About a day's march from Grenada, that dashing cavalryman, General Frank C. Armstrong met us and was assigned to the command of our brigade, which he retained till the end of the war. From Colonel Montgomery's "*Reminiscences*", I clip the following pertinent letter:

"Woodburn, Va., August 16, 1900.

"Colonel Frank A. Montgomery,  
Rosedale, MISSISSIPPI.

"My dear friend:—

Yours of the 12th received. I am here for a few weeks during this very hot spell. I was very glad to hear again from you, for I love to be in touch with my old comrades of the war. Yes; you are correct; my first service with your gallant regiment was our raid around Bolivar, Tenn. I assumed permanent command of the Mississippi Brigade near Grenada, en route to Johnston's army in Georgia, and retained command till the end of the war. After the battle of Chickamauga, I went with Longstreet to East Tennessee, and by request of Forrest and Lee was transferred to Mississippi. When orders came to send Jackson's division to Georgia, I expressed a desire for service in front of Atlanta, and was assigned to the old brigade, each regiment of which I had known well before. Though I gave up a larger command and district, I never regretted it, as the honor and satisfaction of commanding that glorious old Mississippi brigade, the First, the Second, the Twenty-eighth, and Ballentine's regi-

ment, with King's Missouri battery, was my pride. Always ready, perfectly reliable, and under all circumstances and conditions efficient, it was then, and has since ever been my pride to be remembered as the commander of such patriotic and heroic men.

In Georgia, and on Hood's advance into Tennessee, and on the retreat from Nashville to the Tennessee River, they were always nearest to the enemy and they never faltered. Often without rations or forage, with nothing but their determination and honorable sense of duty to sustain them, they stood their ground, yielding only under orders. When we returned to Tupelo, you will remember, with General Dick Taylor's consent I furloughed the brigade, and I pledged myself that these regiments would return at the appointed time better equipped and mounted than they were when furloughed. They faithfully kept my pledge. I can truly say that they were always loyal to their duty and to the cause, and they never failed me in a single instance. My love and respect for you all will only end when I am dead. Of the dear old First Mississippi Cavalry, Colonel Dick Pinson, yourself, as well as all the officers and privates, nothing is too complimentary. My confidence never wavered with the old First on the line. I hope to see some of these old friends of mine again. I cannot close without expressing to you, my dear old comrade, the great satisfaction you always gave me in the discharge of duty, as you frequently commanded the regiment. I was sometimes temporarily commanding the division, Pinson the brigade, and you the old First. You both did your duty so perfectly, that I always thought it a pity it could not be permanently so. I send you a photograph taken a few months ago. Would you know it?

Always, as heretofore, yours sincerely,  
(signed)

FRANK C. ARMSTRONG."

#### THROUGH ALABAMA.

We left Columbus, full of hope and confidence, and passed through Tuscaloosa, Montevallo, Talladega, and Anniston, on our way to Rome, Ga. The pellucid streams, the charming valleys, and the encircling mountains, as well as the hospitable citizens of towns and country, all contributed to our comfort and happiness. This region had not yet been ravaged by hostile bands nor traversed by many Confederates. We naturally gave

way to feelings of joy and gladness while we could, for well we knew that ere long we should experience a rude contrast to these pacific and delightful scenes.

On May 15th, we arrived at Rome. General Jackson being away, Armstrong commanded the division, Pinson our brigade, and Montgomery our regiment. Early next morning, Ross's brigade encountered a strong force of Federal cavalry, and Montgomery with the First Mississippi was sent to support Ross. After a short and sharp skirmish, the enemy became satisfied and retired, having met much stouter resistance than had been expected.

#### ADAIRSVILLE.

We then rode all night and joined Johnston's army at Adairsville by daylight on the 17th, and immediately went into action on Wheeler's right. Here let me say in passing that from that day till the fall of Jonesboro on September 1st, we were so constantly engaged in skirmishing, scouting, and picketing, that it would be too tedious to go into minute details, and I shall undertake simply to tell something of the more important engagements in which we took part. General Jackson was kept too busy to find time to write reports and left no record of the operations of his command from May 6th to May 31st, nor from July 14th to October 9th, 1864.

As stated above, we were sent to Wheeler's aid, when he was doing his utmost to hold the enemy in check. The Federals, however, brought forward heavy reinforcements and drove Wheeler and Armstrong back. Then, Hardee's corps was ordered out to resist the enemy's advance and Armstrong's brigade was ordered to support Hardee. In *Johnston's Narrative*, it is simply stated that Jackson's cavalry had joined his army and that with Hardee's corps they had checked the advance of Sherman. In fact, we fought in line with Hardee's corps for more than three hours and did not yield an inch of terrain; and our brigade lost 31. Being in the woods, we were somewhat protected, for we did not scruple to utilize every available tree, log, or stump as a shelter from bullets. The Twenty-eighth lost



more heavily than the First Mississippi, because it was the first of our regiments to get into the fight and was somewhat more exposed than the First. We made a most favorable impression on our infantry in line behind us, and they cheered us lustily as we were ordered to the rear. After dark, our army fell back, and we again marched all night to get into proper position on the left flank of the army to cover the retreat. Every old trooper of Armstrong's brigade now living will remember that night. It was the second night we passed in the saddle with a busy day intervening. As short halts occurred at long intervals, the men would throw themselves on the ground to snatch a few minutes of sleep; but a great majority of us had learned to sleep in the saddle, and thus we fared better than our faithful horses.

#### CASSVILLE.

On the morning of the 18th, we reached Cassville. Our brigade was ordered out immediately to repel hostile cavalry advancing rapidly and but four miles away on the Fairmount road. In a lively skirmish for some hours, we inflicted some loss on the enemy and drove them from the field. We were then, to our gratification, ordered to go into camp behind the infantry. We needed both rest and food. Gladly we unsaddled our horses and fed them bountifully, and then we drew rations for ourselves.

Next day, May 19th, we had but little to do, though there was firing along the whole front all day, as the enemy continued to press the rear-guard. Late in the afternoon, a ringing battle-order from General Johnston was read in every regiment, awakening the greatest enthusiasm in every breast. The position assigned to Armstrong's brigade was on the extreme left of the army, adjoining Polk's corps. So thither we marched and bivouacked there about 9 o'clock that night. To our great surprise on awakening in the morning, our army had fallen back. Wheeler on the east and Jackson on the west screened the movements of the infantry.

## NEW HOPE CHURCH.

On the 28th, our brigade was ordered to occupy some trenches on the left of Bates' division. In our immediate front, the trees and undergrowth were thick and effectually hid from our view the Federal works not more than two hundred yards away. General Armstrong had orders from General Bates at a given signal to charge the hostile entrenchments, supposed by General Bates to be held by a mere line of skirmishers. We were under the impression that Bates would advance synchronously with us. Late in the afternoon the signal gun was fired, and with a wild yell we leaped from the trenches and rushed forward, the First Mississippi being next to Bates' men. We drove the enemy from his works and captured a battery. Bates' men failed to move forward; and, in consequence, the enemy rallied, and enfiladed us, thus compelling us to withdraw and to abandon the captured battery and leave our dead and some wounded on the field. With others under the immediate eye of Lieutenant Foote, Willis Hunter had been desperately wounded, and Jack White and J. G. Deupree were ordered to carry him back to our field hospital. To do this was one of the most trying experiences we had during the war, for the Federals returning to their works concentrated rifle and cannon fire upon us as soon as our line began to withdraw. Missiles of death coming from behind are far more frightful than when coming from the front, and every moment we felt that we would be struck down, but somehow we carried our burden through and committed dear Willis to the hospital. He was another of the famous Hunter group to give his life to the cause, for he died within a few days. He and I had been schoolmates at Howard College, where he was universally esteemed. I recall the name of another member of our Squadron killed here, that of Ed Crawford, also a gallant soldier, a member of Company F. The total loss in our brigade was 171, almost equally distributed among our regiments. We lost many excellent officers and none better than Captains Herrin and Turner of the First Mississippi, who fell within the enemy's entrenchments. Had Bates' division advanced with us, we might

have held the Federal works and brought off many prisoners. Our charge was made down one hill and up another, the opposing battery being on the crest of the hill and directly in front of our regimental centre. Behind the battery were strong earthworks filled with soldiers, thus rendering it impossible for us to hold what we had gained, when the right of our regiment, by Bates' men not coming forward, was thus exposed to enfilading fire by those Federals immediately fronting Bates. But when we reoccupied our own trenches, we hoped the Federals would then assail us, as we thought "turn about would be fair play", and we were sanguine that we could give them a hotter reception than they had given us. But they were content to shell us from a distance more or less continuously during the night. The prisoners we captured were amazed to find, as they said, "the Confederate infantry wearing spurs", mistaking us for the "web-footed", because we had assailed them so furiously.

On June 2d, Sherman withdrew from our immediate front and extended his lines still further around Johnston's right wing. While Sherman and Johnston were playing their game of strategy for many weeks and thousands of good men were shedding their blood, our cavalry were engaged more or less every day in skirmishes with detachments of the enemy, but with slight losses as compared with those we believed we had inflicted on our foe. The Federal cavalry, as estimated by General Johnston, numbered more than 15,000, greatly exceeding the combined cavalry of Wheeler and Jackson; and they were far better equipped. So we were kept exceedingly busy, watching their maneuvers and thwarting their plans.

#### LOST MOUNTAIN.

On June 5th, our regiment was on top of Lost Mountain, whence we had a grand view of Sherman's vast army encircling Johnston's and gradually outflanking it on one wing or the other, thus forcing it to yield one position after another in order to maintain communication with Atlanta. Some of our companies had quite a skirmish near the base of the mountain with a de-

tachment of Federal infantry to-day, who were evidently searching for Johnston's left wing, that they might find some way to get in his rear. As we held the higher ground, we readily drove the Federals within their own lines.

#### DEATH OF GENERAL POLK.

Early on the morning of June 14th, Generals Johnston, Hardee, and Polk, rode to the top of Pine Mountain to inspect the position of Bates' division. The captain of a Federal battery six hundred yards in front observed the distinguished group and opened fire upon them. The third shot struck General Polk and passed through his chest from left to right, killing him instantly. This sudden death of the eminent Christian and fearless soldier, who had distinguished himself in every battle fought by the army of Tennessee, produced the deepest sorrow among all the troops, and more especially in his own corps, to which we practically belonged. General Polk had been a classmate of President Davis at West Point and they were devoted personal friends. Had General Polk lived a few weeks longer, he might have prevailed upon President Davis not to remove Johnston from the command of this army, and thus the fall of the Confederacy might have been indefinitely postponed.

#### IN REAR OF SHERMAN.

In the last days of June, General Armstrong was ordered to select a detachment from his brigade, consisting of twenty-five men from each company, and cut the railroad between Etowah and Alatoona. Lieutenant-Colonel Montgomery was in command of the men from our regiment, who had been selected because our horses were in the best condition. We took with us five days' cooked rations. The strictest secrecy was observed lest any inkling of the expedition or its purpose might reach the enemy; for it was a matter of great importance that we should get into the rear of Sherman's army without being discovered. Moving west for some miles and then turning north, we eluded the hostile outposts and got too far ahead of them to be over-

taken, if we should be discovered and pursued, before we could strike the railroad. Whether we could ever get back was altogether another question, which we would have time enough to consider when the emergency came. We passed directly across our old battlefield at New Hope Church, and to our astonishment every tree was dead, evidently having been killed by the countless scores of bullets from the rifles of Federals and Confederates, striking the trees from near the ground to ten and twenty feet above. Many trees had been entirely cut down by minie balls and cannon shot, even trees more than three feet in circumference. Passing on rapidly, we reached the railroad somewhat north of Alatoona, dispersed a force of cavalry and infantry, and captured more than forty prisoners, without incurring any loss whatever. Having fewer than 900 men and no artillery, Armstrong found Alatoona too strongly garrisoned and fortified to be successfully assailed. He, therefore, destroyed the railroad so far as possible, and with his prisoners moved west ten miles and bivouacked for the night. We found abundant forage for the horses in the wheatfields.

Next morning, Armstrong lingered here, hoping he might find an opportunity to capture a wagon train or a cavalry detachment; but none came in sight during the day. Late in the afternoon, after giving Montgomery orders to remain here twenty-four hours longer, Armstrong with the detachments from his other regiments and with the prisoners set out towards Lost Mountain, going first west and then south, somewhat in the same way he had come. Montgomery, apprehensive that he might be discovered, concealed his troops as much as possible in a thicket, passed the night quietly with pickets out on all roads; but spent the next day more or less in dread of encountering a superior force, supposing, of course, that cavalry would be sent in pursuit of us. However, the appointed hour came, and just before night we were all exceedingly glad to start on our return to Lost Mountain. We moved off rapidly, in order to put ten miles or more between us and possible pursuers. We spent the latter portion of the night in thick woods, but daylight found us again in the saddle, going rapidly and diverging but little from the

route we had come. At noon we halted in a deep valley to feed and rest our horses. It was raining hard, but that made no difference, for we had long since grown accustomed to getting wet, as it had rained on us during the last forty-five days, day or night without exception. We reached camp just before night, fed our horses, and drew rations for ourselves. Horses and men then enjoyed a night of solid and undisturbed repose.

#### ON THE CHATTAHOOCHEE.

Next morning we learned that Sherman was still extending his right wing, and by the 2d of July General Johnston reported that Sherman's right was nearer Atlanta than our left, thus threatening the railroad bridge and Turner's ferry. But on July 1st a division of Georgia State troops had come to support Jackson's cavalry, which opposed the Federal advance on our extreme left. On July 4th, General Smith withdrew his Georgians within their intrenchments and thus necessitated our yielding some ground. We had been constantly engaged since the 1st of July, incurring some losses, as we fought outside the entrenchments. After crossing the Chattahoochee on July 5th, we were kept busy guarding the river for twenty miles below Atlanta. General Johnston's *Narrative* says: "On July 14th, a division of Federal cavalry crossed the river by Moore's bridge near Newnan, but was driven back by Armstrong's brigade, which had been sent by General Jackson to meet it". Newnan is forty miles southwest from Atlanta on the railroad leading to West Point, Ga. The enemy's cavalry intended to cut this important artery of communication with one of our sources of supply. But we made a forced march and intercepted the Federals before they reached the railroad, and with but one brigade we drove back their division, with considerable loss to them and little to us. We then destroyed Moore's bridge and awaited orders.

The morning of July 19th dawned. O fateful day! and never to be forgotten! Just as we began moving out in obedience to orders to intercept this same cavalry division, Colonel Pinson informed us of Johnston's removal from the command of the

Army of Tennessee and the substitution of Hood in his place. We were greatly surprised and deeply grieved. We could scarcely believe it possible. We marched rapidly to head off the Federals who were on a raid to West Point, and we rode hard all day and all night, and the melancholy gloom that overshadowed officers and men can never be told. We believed that the hopes of the Confederacy rested largely on Johnston, for we knew well with what alacrity he had always been obeyed, the absolute confidence the army had reposed in him, the matchless skill with which he had thus far outwitted Sherman, and the great losses he had inflicted on the Federals at comparatively small cost to the Confederates; and we felt sure that Johnston would have administered a crushing blow when Sherman's army was divided in crossing Peach Tree Creek. It was the universal conviction of the army that Joseph E. Johnston was one of our greatest commanders, ranking with Albert Sidney Johnston and Robert E. Lee; and that his removal was equal to the loss of one half of the army. Even to this day, the theme is too sad to dwell upon, and I turn from it and resume the thread of my story.

#### IN CAMP ON BATTLEFIELD.

Our all day and all night ride ended at La Grange. The enemy had turned back without reaching West Point, so soon as he learned that we were in position to cut off his retreat, in case he advanced further. After a few days, we were ordered back to Atlanta and arrived there on July 24th, after the memorable battle of the 22d. I will not say what impression Hood made on us and on the army; but he was in authority and we must obey without question. Colonel Pinson reported to Hood in person, and our regiment was ordered to pass through Atlanta and go into camp on the battlefield of July 22d. The scene was horrible; decomposing horses were lying scattered in all directions; the dead of both armies had been buried in shallow graves, barely covered with earth; legs, arms, and heads might be seen protruding; and the green flies were so multitudinous, that it was well-nigh impossible to prepare food or to eat it. But the posi-

tion was important and must be held. The hostile infantry had been withdrawn from our immediate front in order to continue the extension of their right wing. We had, however, minor engagements with bodies of cavalry and easily repelled their attacks. We fought with them for the corn in a field lying between us and them, and we got our full share of the corn. We were here because temporarily all of Wheeler's cavalry were employed elsewhere. Early on the 28th, however, we were relieved from this disagreeable place and ordered to join our brigade on the Lick Skillet road northwest of Atlanta on the extreme left of our army.

#### BATTLE OF THE 28TH.

Our regiment was sent to relieve a Georgia regiment at the edge of a skirt of woods, which bordered an open field two hundred yards wide along our front. As our pickets took intervals and began to cross this field, they were suddenly fired upon, and the woods beyond the field were full of "blue-coats" advancing in line of battle. We could not yield without resistance, for we must give warning to the brigade. A brief, sharp skirmish resulted, in which J. J. Hunter, of Company F, was sure he killed one Federal; and it was clear that we were facing not less than a brigade and possibly a division. But we retired slowly through the woods, firing from every stump and tree and prostrate log into the ranks of the enemy. As we were steady veterans, good shots, with good guns, we must have done considerable execution. The caution displayed in their advance attested somewhat the accuracy of our marksmanship. We halted on the crest of the next hill, protecting ourselves more or less behind houses and fences. As the enemy came on in close array, they suffered heavily, while our loss was comparatively light. Seeing, however, that we could not stop their persistent advance, Colonel Pinson ordered us to withdraw to the next hill and mount our horses. But as we gained the summit of the hill, we heard a noise in the woods back of our horses and were overjoyed to meet a brigade from S. D. Lee's corps on the double quick hastening to our support. It goes without saying, the advance of the Federals was instantly checked. Thus was brought on



the battle of the 28th of July, and this was our part in it. Both sides brought up reinforcements, each extending its battle-line eastward. Lee's whole corps and A. P. Stewart's came into action, and the battle raged till night, according to Hood without material advantage to either belligerent. Each failed to dislodge the other. Losses were heavy, perhaps not less than from 4,000 to 5,000 to either the Federals or the Confederates.

Meanwhile, Jackson with his two other brigades and Wheeler's cavalry under Wheeler and Iverson had been pursuing the Federal commands of Stoneman and McCook. On the 29th, a telegram from Wheeler stated: "We have just completed the killing, capturing, and breaking up of the entire raiding party under General McCook, capturing 950 unwounded prisoners, two pieces of artillery, and 1200 horses and equipments." On the same day, a dispatch from Iverson said: "General Stoneman, after being routed yesterday, surrendered 500 of his men; the rest are scattered and fleeing towards Eatonton; and many have already been killed and captured." Armstrong's brigade regretted not being permitted to participate in these brilliant achievements, though just as profitably employed in guarding the left flank of Hood's army.

#### DEFEAT OF KILPATRICK.

After the battle of the 28th, Atlanta was regularly besieged and this lasted a month. Wheeler was sent north to interrupt Sherman's communications. Sherman, taking advantage of Wheeler's absence, made yet another attempt to cut the Macon railroad by sending for this purpose a strong detachment of cavalry under General Kilpatrick, who passed rapidly around our left. General Jackson with two brigades pursued, and Pinson's regiment and most of Armstrong's brigade followed shortly afterwards. Kilpatrick had crossed the railroad at Jonesborough, burned the depot, and torn up several miles of track, before he was overtaken by Jackson. General Ross had thrown his brigade across Kilpatrick's path while our brigade under Armstrong was pressing him in the rear. As the Texans were between Kilpatrick and safety by flight, he withdrew the force fighting us, formed his troops into column by companies and charged

through Ross' thin line that had been stretched out to cover Kilpatrick's front. The heroic Texans, firing first in the faces of the advancing Federals and then at their backs after they had passed on, inflicted heavy losses on them. Likewise, the men of King's battery, right in the road of Kilpatrick's charging column, fired into it one or two rounds as it came on; then, dodging under their guns till the last company of Kilpatrick's column had passed, they rose, wheeled their guns around, and again fired into the retreating column. Afterwards, Armstrong followed rapidly on the heels of Kilpatrick and brought him to bay. Pinson was ordered to dismount his regiment and begin the attack. This he did promptly and furiously. We routed Kilpatrick's rear-guard and drove it pell-mell a mile or more, though for awhile they put up a stout resistance. Here, our loss was about fifty, killed and wounded, and we killed, wounded, and captured many more than fifty. At length, on a high ridge the Federals made another stand, but before we could assail them, or Armstrong could bring up the regiments already mounted, the Federals remounted and fled precipitately.

The Federal dead and wounded were left on the field and many unwounded were also captured. Kilpatrick's sole aim now was to escape. This he did. I regret I cannot give the names of our killed and wounded, other than of two of the bravest of the Noxubee Squadron, Tommy Staunton and Hall Haynes, both members of Company F. In charging through the Texans in line of battle, the Federals had little time or thought for anything else than flight; but as they reached the Texan horseholders and horses, they stampeded these horses and carried off as prisoners a few of the horse-holders, all of whom, however, succeeded in getting away and coming back to Ross during the night. Most of Kilpatrick's artillery horses and pack-mules were killed, and his cannon and rich supplies of food and forage were abandoned. As night had fallen, and further pursuit was useless, Colonel Pinson ordered us back into camp. That night, every man of us had genuine coffee in abundance and all the good edibles heart could wish; and our horses had corn, oats, and hay,—all they could devour.

IN SHERMAN'S FRONT.

Next day, we received orders to hasten back to the left of Hood's army, for Sherman had begun his flank movement in earnest, because, as he says in his book, his cavalry either could not or would not disable a railroad; and, therefore, he had resolved to throw his infantry on the railroad in rear of Hood. As Sherman extended his left, Armstrong was always found in his front to obstruct his advance: One day we held a rocky ridge facing west with an open view for at least a mile across a cultivated field; and along a road on the opposite ridge we watched for a long while thousands and thousands of infantry march South. We had no artillery and the range was too great for effective use of our carbines. The Federals, however, not relishing our constant firing into their moving column, deployed not less than a brigade and slowly drove back the First Mississippi. Late in the day, the head of Sherman's column crossed the railroad near Fairburn; during the day we had captured a few prisoners from three different corps, indicating that at least three-fourths of Sherman's army were engaged in this movement.

We had kept General Hood fully advised of the progress of events, and at last he was convinced, as we had been for many days, that Sherman was moving with his whole army, that his purpose was to destroy the Macon railroad, and that the fate of Atlanta depended on the possibility of defeating Sherman. Our infantry and artillery then in the neighborhood of Atlanta had been reduced to about 35,000 men. Wheeler with 4,500 men was doing valuable service in the region around Chattanooga, but service useless in the present emergency. Jackson with two of his brigades was busy elsewhere, and only Armstrong's brigade of about 1,500 men was in Sherman's immediate front. After crossing the West Point railroad, Sherman's progress was slow. The country was open and Armstrong availed himself of every desirable position at which he could offer even temporary resistance and retard somewhat the march of Sherman's immense column. On the 30th of August, we crossed the Flint River not many miles from Jonesboro, whither

Hood had dispatched the brigades of Lewis and Reynolds to reinforce Armstrong. We halted on the south bank of the Flint and for awhile offered stout resistance. But the enemy crossed above and below us about 6 o'clock in the afternoon, and this compelled us to withdraw.

Our next stand was on a ridge at right angles to the road. We had a broad open field in front and woods behind us. We piled up rails as a fortification and sent our horses to the rear under the hill. First a heavy line of skirmishers advanced against us. Waiting till they were well within range, we fired a volley and they retreated rapidly over the hill, leaving their dead and wounded behind them. But soon appeared two solid lines of infantry, and at least one battery of artillery opened fire upon us. The first shots went wild above our heads; but, soon getting the range, they fired with greater precision of aim, causing our rails to fly in all directions, and rendering our position more dangerous than in the open. I distinctly remember that one member of our Noxubee Cavalry, a new recruit and a noted street "bully" at home that would fight even a wild-cat in a fisticuff encounter, at this moment threw down his gun, turned his back to the foe, and fled as fast as his legs could carry him. We never saw him again. I do not care to reproduce his name, as some respectable descendant might grieve over his cowardice. We were ordered to get in front of our rail-piles; but this position was tenable only a short time, since the Federal line extended far beyond ours on each flank and enabled them to enfilade us.

#### JONESBORO.

When we reached Jonesboro, we found Lewis' brigade in the trenches. We dismounted and joined them. Reynolds' brigade had not yet come. Early the next morning, the enemy massed heavy forces, used long-range artillery, and drove us out. Hardee's corps coming a little too late assaulted the works of the enemy in vain, losing about 1,400 in killed and wounded. Lee's corps arrived still later. Had these two corps been twelve hours

earlier, the result at Jonesboro would have been different. Hood then assembled his whole army at Lovejoy and Sherman took possession of Atlanta.

PALMETTO.

After the removal of the Federal prisoners from Andersonville, the destruction of railroads radiating from Atlanta, the strengthening of the fortifications of Macon, Augusta, and Columbus, the recall of Wheeler's cavalry from Tennessee, and the transfer of all army supplies to the West Point railroad, Hood on the 18th of September began to extend his left towards the Chattahoochee, which his advance reached on the 19th. He formed his line of battle on the 20th, his right east of the railroad and his left resting near the river, with headquarters at Palmetto. On the 28th, Jackson's cavalry advanced, a detachment being sent to operate against the railroad between Marietta and the Chattahoochee. The First Mississippi captured a long and well loaded train of cars with its guard complete. Kilpatrick's cavalry was north of the Chattahoochee and Girard's had gone in the direction of Rome.

ALATOONA.

At Alatoona, large supplies were stored, guarded by a brigade of infantry well entrenched, which General French's division had been ordered to capture. A squadron from Pinson's First Mississippi under Capt. Tobe Taylor accompanied French and served as eyes and ears for him. We tore up considerable stretches of the railroad; but when Sherman's army on its march north came too close and threatened to cut off our communication with Hood, General French, having captured only a portion of the Federal works and destroyed them, despite his several desperate assaults, retreated westward and rejoined Hood.

DALTON.

On October 10th, our cavalry was dispatched to hold in check the Federals at Rome; and on the 11th Hood's army marched towards Resaca and Dalton, and on the 13th captured the latter

place with more than 1,000 prisoners. Wheeler's cavalry was resisting and retarding Sherman's march north. Hood had planned to give battle, but his corps-commanders advised him that it would be unwise with less than 35,000 effectives to risk an engagement with 65,000 veterans, flushed with recent victory. Hood next conceived the idea of moving into Tennessee. Beauregard, commanding the Department, assented but directed Hood to leave Wheeler's cavalry to protect Georgia from state-wide depredation by Sherman's army. Then, as Sherman turned south, Hood moved north and on Nov. 13th established headquarters at Florence.

#### DEATH OF CAPTAIN KING.

A few days previously, Captain King of the Noxubee Cavalry, who had long entertained a presentiment that he would be killed, while riding at the head of his company and leading the advance of Armstrong's brigade, was struck centrally in the forehead by a minie-ball and instantly killed, to the utter amazement of all. No one was apprehensive of danger, not an enemy was in sight, and no firing was heard in any direction. We were ascending a hill but could not yet see over it. Evidently, the ball had been fired by a Federal sharpshooter from a long-range gun and was on its descending trajectory when it struck Captain King. King's presentiment like that of Bealle previously mentioned in this narrative was thus realized. His death was deeply lamented, for he was universally popular. First Lieutenant T. J. Deupree from this time till the end of the war commanded the Noxubee Cavalry. After mounting the hill and advancing more than a mile, we discovered the enemy's line, and a brief but sharp skirmish followed, in which among the first to fall was Lieutenant Henley of the Noxubee Troopers. Thus in less than an hour our Squadron lost two of the best officers we ever had.

#### DEFEAT OF COON.

On Nov. 18th, General N. B. Forrest, in obedience to orders from General Beauregard, reported to General Hood. Then Jackson's division, that is, the brigades of Ross and Armstrong,

were added to Forrest's command. Now in command of all the cavalry of Hood's army, numbering about 5,000 effectives, Forrest moved out from Florence in advance of the infantry and went into camp on Shoal Creek. Thence, Buford's and Jackson's divisions were ordered to advance northward over the military road. Next day, Nov. 19th, a foraging detachment from Buford's division, while gathering corn, came suddenly into contact with a Federal brigade of cavalry under Colonel Datus Coon of Hatch's division, which charged the Kentuckians so vigorously and unexpectedly, that they fled and abandoned two wagons belonging to Buford's headquarters. Fortunately, Armstrong's brigade was also gathering corn from a field not far away. Upon hearing the firing, Armstrong promptly led his Mississippians at a gallop to the scene and fell furiously on the right and rear of the Federals; while Buford's men, quickly rallying after recovering from their surprise, again faced their pursuers. The Federals were thus caught between the Mississippians and the Kentuckians and were roughly handled. They were routed and driven precipitately and in great disorder from the field, leaving many prisoners and the recaptured wagons in our hands.

#### CAVALRY COMPLIMENTED

Meanwhile, Forrest with his remaining division under Chalmers had set out on his march towards Nashville, going through Kelly's Forge, and reaching Henryville on the 23d. On the 22d, Buford and Jackson, coming into Lawrenceburg, again encountered a portion of Wilson's cavalry, which after slight resistance retreated towards Pulaski. That our cavalry made itself severely felt is gracefully acknowledged by Colonel Henry Stone, U. S. A., on the staff of General George H. Thomas, who says in his report: "The Confederate army began its northward march from Florence Nov. 19th, in weather of great severity. It rained and snowed and hailed and froze. Forrest had come up with 6,000 cavalry and led the advance with indomitable energy. Hatch and Cox made such resistance as they could; but on the 22d the head of Hood's column was at Lawrenceburg, sixteen miles west of

Pulaski". As the scope of my narrative is designed to give in the main only the operations in which the Noxubee Squadron of the First Mississippi took part, I regretfully forbear to recount the brilliant action of Rucker's brigade, Chalmer's division, under Forrest's own eye at Henryville.

#### DEFEAT OF HATCH.

Jackson and Buford continued the pursuit towards Pulaski on separate roads, and at night on the 23d Jackson learned that the enemy were rapidly evacuating this portion of Tennessee. Next day, therefore, he moved more directly north and at Campbellsville found in his front more than a division of cavalry under Hatch. Promptly making his dispositions to attack, Jackson threw forward a part of Ross's brigade, while Armstrong's brigade made a wide detour and fell with fury upon Hatch's right and rear, and at the same time Young's battery from a favorable ridge opened with telling effect. In a few moments, too, Buford's guns were heard a mile or more away. He had also come up against the enemy on his line of pursuit. Thus, Kentuckians, Mississippians, and Texans were all thrown with a common aim against Hatch. Our fierce attack was, indeed, irresistible, and the enemy was speedily routed. Buford on his part of the field charged and captured more than 100 unwounded prisoners; and Jackson's brigades, pressing their advantage, captured still more, with horses and equipments, four stands of colors, and sixty-five fat beeves.

#### BETWEEN COLUMBIA AND FRANKLIN.

Next day, Buford and Jackson joined Forrest near Columbia. This was Nov. 24th. Columbia was held by the Fourth and Twenty-third corps under General Schofield and by Wilson's cavalry, with heavy lines of skirmishers in rifle-pits encircling the town. General Forrest immediately invested the place and held his position till the 27th, when Hood's infantry arrived and the Federals began the evacuation of Columbia by crossing to the north side of Duck River. On the 28th, the main portion of our cavalry



succeeded in effecting a crossing. Forrest's celerity and boldness in leading Hood's invasion was now giving to General Thomas at Nashville grave concern for the safety of Schofield's army. After crossing Duck River we promptly drove back all hostile cavalry on the roads leading to Spring Hill and Franklin. Before midnight, Forrest with Chalmers' division was eight miles beyond Columbia on the Spring Hill road, greatly disappointed to learn that Buford was slow to cross Duck River by reason of the stubborn resistance he had met and that he could not join him earlier than 8 o'clock on the morning of the 29th. Jackson's division had been directed to move on the Lewisburg pike towards Franklin. Erelong Armstrong's brigade, being in the lead, sent back word to Forrest that the enemy had been found in force and waited for instructions. Forrest ordered Armstrong to hold the enemy and not press them too closely till he could with Chalmers' division gain their flank and rear. Forrest then moved rapidly towards Spring Hill with Chalmers' division and within two miles of the village encountered Union pickets. By this time Buford had come up and in conjunction with Chalmers advanced against the enemy, who being well fortified held their position heroically. Strong barricades had been erected and Coon's brigade of Hatch's division had reinforced the Federals. By his usual flanking process, however, Forrest at length dislodged them; and then we were ordered to press them with vigor, which Armstrong was always glad to do. About this time, Colonel Wilson of the NINETEENTH Tennessee was thrice wounded while leading his mounted regiment in a desperate charge across an open field; but he refused to leave his regiment. The fight speedily became general, and word came from Hood to hold the position at all hazards, and that the head of the infantry column was only two miles away. Chalmers' division moved upon the enemy's right. A charge was ordered. Thus the enemy, driven from his rifle-pits, fled towards Spring Hill. Jackson's division was ordered to ride at a gallop to Thompson's Station, to hold it, and thus cut off Schofield's retreat. In obedience to this order, we reached the railroad by 11 o'clock that night, and found the advance of Stanley's division of Schofield's army passing north.

We assailed them promptly, took possession of the road and held it firmly, despite their fierce attacks, till daylight. But the odds against us grew constantly as Schofield's army retreating from Columbia swelled the number of our assailants, till with overwhelming forces they drove us from their front. All this time, while we were doing our utmost to hold the pike, Hood with Cheatham's corps was within easy striking distance; and, if he had thrown Cheatham's veterans boldly and with vigor upon the Federals, they would have inevitably been routed and captured. This would have assured the complete success of Hood's campaign into Tennessee.

But failure to make the most of this great opportunity gave rise to a bitter controversy between Hood and Cheatham; and in this connection, I am sure, my readers will be glad to see the following letter from Governor Isham G. Harris:

"Memphis, Tenn., May 20th, 1877.

"Governor JAMES D. PORTER,  
Nashville Tennessee.

My dear Sir:—

General Hood on the march to Franklin spoke to me in the presence of Major Mason of the failure of General Cheatham to make the night attack at Spring Hill, and censured him in severe terms for disobedience of orders. Soon after this, being alone with Major Mason, the latter remarked to me that General Cheatham was not to blame about the matter, that he did not send him the order. I asked him if he had communicated that fact to General Hood. He answered that he had not. I replied that it was due General Cheatham that this explanation should be made. Thereupon, Major Mason joined General Hood and gave him the information. Afterwards, General Hood said to me that he had done injustice to General Cheatham, and requested me so to inform him, that he held him blameless for the failure at Spring Hill; and on the day following the battle of Franklin I was informed by General Hood that he had addressed a note to General Cheatham saying that he did not censure him with the failure to attack.

"Very respectfully,  
(signed) ISHAM G. HARRIS."

FRANKLIN.

On the next day, the 30th, Forrest with his entire force pressed the enemy closely, until they reached Winstead's Hill, where they were strongly posted and offered stouter resistance. When Hood's infantry came up, the Federals withdrew within the fortifications of Franklin. Hood then directed Forrest to take charge of the cavalry during the impending battle; and, if the assault was successful, to capture all who attempted to escape. I shall not undertake to describe this bloody battle. Though our army failed to carry all the breastworks, they made lodgments in many places and held on firmly till the enemy late at night withdrew and fled to Nashville.

WILSON'S CROSS-ROADS AND BLOCK-HOUSES.

Crossing the Harpeth and moving along the Wilson pike, Forrest struck the enemy in force at Wilson's Cross-roads. Morton's battery was ordered to the front and opened fire. Buford's division charged, driving the enemy and capturing many prisoners. Without further resistance, some of our cavalry pursued the fugitives several miles towards Nashville. As the infantry had come up, next morning the cavalry began to operate against block-houses and detached garrisons, and to obstruct navigation on the Cumberland River. Buford's division captured several important stockades on the 3d and 4th of December. On the 5th, Jackson's division captured a redoubt near LaVergne with its garrison, two pieces of artillery, many wagons, and a great quantity of munitions and supplies of food and forage.

MURFREESBOROUGH.

When Bates' division had come to cooperate with Forrest against Milroy's forces at Murfreesborough, the cavalry were ordered to picket the pikes leading from Murfreesborough to Nashville and Lebanon, while the division of Chalmers was operating successfully along the Cumberland. On the 6th, Forrest made a reconnaissance in force of the enemy's works at Murfrees-

borough by advancing in line of battle Bates' division, two additional brigades of infantry under Sears and Palmer, and Jackson's cavalry. Skirmishing continued for some hours, and the Federals withdrew into the intrenchments. Forrest ordered the infantry to remain in line, while with Pinson's regiment he rode forward to make a careful inspection of the fortress. This he did very leisurely, as it seemed to us who escorted him around, exposed to the fire of sharpshooters more or less all the time. He satisfied himself that the position was too strong to justify direct assault, but hoped to hold Milroy there till the battle of Nashville was fought.

On the morning of the 7th, however, Milroy's forces moved out of Murfreesborough and advanced with great gallantry, halting now and then to discharge a volley at our infantry in line of battle. When they had come within three-hundred yards of Bates' division, those veterans who had faced far greater odds and held their ground unflinchingly on many a battlefield, became panic-stricken and from some inexplicable cause broke into wild disorder. Forrest, in his report says: "The enemy moved boldly forward, driving in my pickets, when the infantry with the exception of Smith's brigade, from some cause I cannot explain, made a shameful retreat, losing two pieces of artillery. I seized the colors of the retreating troops and endeavored to rally them, but they would not be moved by any entreaty or appeal to their patriotism. Major General Bate did the same thing, but was as unsuccessful as I. I hurriedly sent Major Strange of my Staff to Brigadier General Armstrong and to Brigadier-General Ross of Jackson's division, with orders to say to them that everything depended on the cavalry. They proved themselves equal to the emergency by charging on the enemy, thereby checking his further advance".

As stated in Wyeth's Life of Forrest, Mr. W. A. Galloway of Atlanta, Ga., at that time an artillerist in Young's battery, says: "I was an eye-witness to an interesting incident in this battle of Murfreesboro. During the stampede, Forrest rode among the infantry, ordering the men to rally and doing all in his power to stop their retreat. As he rode up and down the line, shouting

'Rally, men, for God's sake, rally!' the panic-stricken soldiers paid no attention to him. Rushing to a color-bearer who was running for dear life, Forrest ordered him to halt. Failing to have his command obeyed, he drew his pistol and shot the retreating soldier down. Forrest dismounted, seized the colors, remounted, and rode in front of the soldiers, waved the colors, and finally succeeded in rallying them to their duty."

The charge made by Armstrong and Ross had checked the Federals, and they retired immediately within their works. In camp that night, the men of our company indulged in chess, checkers, cards, and other amusements, necessary to relieve the anxieties of the day. As is well known, chess is emphatically a game of war; and our company contained more than a dozen devotees of Caissa. Among them was our first Captain, H. W. Foote; then, T. J. Deupree, who as First Lieutenant had been in command of the company since the death of Captain King near Florence, was an excellent player; also, Lieutenant S. B. Day, James Rives, Alec McCaskill, Frank Adams, and J. G. Deupree were more or less expert amateurs. There were others, whose names I cannot now recall. By a seeming coincidence, Lieutenant Deupree that night was ordered to appear before a board of officers, presided over by Captain Porter of Memphis, for examination with a view to his promotion. The Lieutenant rode several miles on the pike towards Nashville to face this board. On arrival at headquarters, he was at once challenged to a game of Chess by Captain Porter, who said: "Beat me and I shall add another bar to your collar, Sir." The reader will bear in mind that a First-Lieutenant wore two bars and a Captain three. There was no dodging. Porter opened the game with "Pawn to Queen 4", and proceeded speedily and skillfully to marshal his forces. The Lieutenant replied with "P to King 3", and having much at stake concentrated his mind on the game and likewise proceeded to develop his forces to the best advantage. The game was long and hotly contested. At length, by a judicious sacrifice of a rook, the Lieutenant overreached the Captain and effected *mate* in a style that would have done credit to a Morphy or a Capablanca. There was no need of further examination.

Courage and coolness in action had been tested in actual battle many times, and intellectual power was proved in this game of war. Captain Porter and his board unanimously recommended Deupree's promotion, and thus the Lieutenant became Captain. In this connection, it may be added that he was a favorite of Colonel Pinson's, who when in command of the brigade always appointed T. J. Deupree to a staff position.

#### HOOD'S REAR-GUARD.

While Buford picketed the Cumberland towards the Hermitage and some infantry destroyed the railroad from LaVergne to Murfreesboro, Jackson's cavalry operated south of Murfreesboro and by a brilliant dash captured a train of nineteen cars and the Sixty-first Illinois Infantry. The train loaded heavily with military supplies was burned and the prisoners were sent to the rear. Receiving a message from Hood that a general engagement was in progress in front of Nashville with instructions to hold his command in readiness to participate, Forrest on the 18th withdrew to Wilkinson's Cross-Roads. Here he received tidings of Hood's disastrous defeat. He was ordered to fall back towards Duck River, concentrate the cavalry, and be prepared to fall in the rear of our retreating army. Chalmers' division, joined by Buford's at Franklin, in conjunction with S. D. Lee's corps, now in the rear, fought heroically during the 17th and 18th to hold back the pursuing enemy, who made every possible effort to rout the retreating column. Though he had been seriously wounded on the 17th, Lee would not relinquish his command till the safety of his corps was assured. He was then succeeded by Major-General Stephenson. After reaching Duck River, where he had purposed to spend the winter, Hood decided that the heavy losses incurred at Franklin and Nashville had so reduced his strength that he must cross the Tennessee as soon as possible. Forrest agreed to protect the rear and to check the relentless pursuit made by Wilson's cavalry and Thomas' infantry, if in addition to his cavalry, now not more than 3,000 effectives, he could have under his orders 4,000 select infantry under General E. C.

Walthall. Just here, I shall quote from the report of General Thomas the following pertinent paragraph:

“Forrest with his cavalry and such other detachments, as had been sent off from his main army, joined Hood at Columbia. He had formed a powerful rear-guard, numbering about 4,000 infantry and all his available cavalry. With the exception of this rear-guard, his army had become a disheartened and disorganized rabble of half-armed and bare-footed men, who sought every opportunity to fall out by the wayside and desert their cause, so as to put an end to their sufferings. *The rear-guard, however, was undaunted and firm and did its work bravely to the end.*”

In this connection, I also quote the following from Wyeth's *Life of Forrest*: “Of the infantry which volunteered its service to cover the Confederate retreat, fully three hundred were without shoes, and their feet were so badly cut by the ice and the rocks that they could with difficulty hobble along on foot. The brave fellows, however, had not lost heart, but were willing to fight to the death, if needed. They wrapped pieces of blanket around their raw and bleeding feet, tied them up with thongs, and trudged painfully along, staining the snow and slush as they went, until Forrest ordered some wagons to be emptied of their contents in order to furnish transportation to these unconquerable men. Whenever it became necessary to fight off the Union advance, they left their wagons, took their places in line, and did effective service. When the uncomplaining sacrifices which these heroic patriots made becomes fully known, historians and poets will transmit to posterity the thrilling story of the immortal rear-guard of Hood's army under Forrest and Walthall.”

#### RICHLAND CREEK.

At Richland Creek south of Columbia, Forrest made a stand. Six pieces of artillery were favorably placed on the main pike, supported by the cavalry. What impression was made on General Wilson, after coming up and viewing the position, may be gathered from the following extract from his report: “The pursuit was resumed on the 24th. Hood's reorganized rear-guard

under the redoubtable Forrest was soon encountered by the cavalry advance-guard; and Forrest was a leader not to be attacked by a handful of men, however bold. The few remaining teams and the rabble of Hood's army had been hurried on towards the Tennessee, marching to Pulaski by turnpike and thence to Bainbridge by the dirt roads of the country. Hood's rear-guard had thus a clear road, and when hard pressed could fall back rapidly. The country to the right and the left of the pike was open and broken, heavily timbered and almost impassable, while the turnpike itself, threading the valleys, depressions, and gorges, offered many advantageous positions for defense; hence with a few men offering determined opposition, the pursuing force could be made to halt and develop a front almost anywhere, and its progress in consequence was at many times comparatively slow."

Wilson would not attack but waited for Thomas' infantry to come to his aid, and then with his cavalry he began a flanking movement to gain our rear. Forrest withdrew in order to meet this maneuver, leaving Armstrong's and Ross' brigades to make obstinate resistance against any attack that might be made upon them. This they did and retired only when about to be overwhelmed.

#### ANTHONY'S HILL.

Forrest's next stand was at Anthony's Hill, seven miles south of Pulaski, forty-two miles from Bainbridge, where Hood's army was to cross the Tennessee. At this time, as General Thomas Jordan says in his "*Campaigns of General Forrest*", the enemy were coming on in vast numbers. General Wilson had already passed Pulaski with 10,000 cavalry, and Thomas had reached that point with a larger force of infantry; and both were pressing forward in eager pursuit. To prevent the annihilation of Hood's army, a desperate effort must be made to delay the enemy as long as possible. Fortunately, the ground was favorable. The approach to Anthony's Hill for two miles was through a defile formed by two steep high ridges, which united at their common southern extremity to form Anthony's Hill, whose ascent was steep. Both these ridges and Anthony's Hill in which they united, were heav-



ily wooded. In the language of General Jordan, "Morton's battery was established on the immediate summit of the Hill so as to sweep the hollow below as well as the road running through it. Along the crest of the hill and around on the ridge were Featherston's and Palmer's brigades of Walthall's division, reinforced by 400 of Ross' Texans and a like number of Armstrong's Mississippians, dismounted. The rest of Jackson's division were disposed as cavalry on either flank, with Reynold's and Field's brigades of infantry held in reserve. The infantry had further strengthened their position by breastworks of rails and logs, and skirmishers were posted in line under cover on the hillside. At the same time, Chalmers was halted a mile and a half to the rightward, on the road along which he was moving, in order to guard that flank from being turned. So broken and deeply timbered was this region that the concealment of the Confederates was complete. About 1 o'clock the Confederate cavalry withdrew slowly into the mouth of the glen and the Federal cavalry pursued closely. To the Federals the place began to look so dangerous that their commander thought it requisite to dismount several of his regiments before ascending the hill. These he pushed forward with a piece of artillery. The Confederates, meanwhile, had ridden rapidly through the hollow, up and over the hill, as if they had been left unsupported, and the enemy was permitted to ascend within fifty paces of our skirmishers without hindrance. Then Morton broke the grim silence with cannister, while the skirmishers enveloped the enemy with a hot galling fire from front and flank, followed soon by a still heavier fire from the main line of Confederate infantry. The enemy, thoroughly surprised and returning but a feeble and scattering fire, gave way to disorder, when the Confederates sprang forward with a yell and charged down the hill upon them, rushing through the horses of the dismounted men and halting but once to deliver another volley. Thus the enemy were driven in great confusion out of the defile. Then Forrest recalled his men from their hot pursuit so as to avoid becoming entangled with the Federal infantry, which by this time was near at hand. The enemy left behind 158 killed and wounded, 59 un-

wounded prisoners, 300 cavalry horses fully equipped, as many overcoats, one 12-pounder Napoleon, with its team of eight horses intact. The Confederate loss did not exceed 15 killed and 40 wounded."

Among our wounded at Anthony's Hill was George W. Alford of the Deupree Mess of the Noxubee cavalry. No truer or braver man ever faced the foe in battle. As usual he was with the foremost in pursuit of the fleeing Federals, when a bullet pierced his chest. So serious was his condition, he could not be transported rearward even in an ambulance. His young friend and mess-mate, T. S. Brooks, volunteered to remain and care for him, though knowing that this would result in his capture and imprisonment, after we retreated. Brooks was at this time only a lad under eighteen years of age, though a veteran by reason of two years of service with us. By tender, faithful, and affectionate nursing, Alford slowly and gradually began to recover. But long before he could be moved without pain, or serious risk to life, the Federals sent Alford and Brooks to a Northern prison, where they remained till the war ended. Afterwards, for many years, Alford was a useful citizen and christian in the Deerbrook neighborhood of Noxubee county; and at this writing, Brooks is living with a married daughter on our Gulf coast, esteemed by all who know him as an honest man and a devout follower of the lowly Nazarene.

Pertinent to the fight at Anthony's Hill, I quote the following from the report of Wilson to the commander of the Fourth Army Corps: "We are now four miles from Pulaski on the Lamb's Ferry road, and have met with a slight check. If you bring up your infantry, we may get some prisoners; and, I think, then I shall be able to drive Forrest off. Just before sundown on Christmas-Eve, Forrest in a fit of desperation made a stand on a heavily wooded ridge at the head of a ravine, and by a rapid and savage counter-thrust drove back Harrison's brigade, captured one gun, which he succeeded in carrying away as the sole trophy of his desperate attack."

SUGAR CREEK.

The day was now drawing to a close and heavy columns of Federal cavalry by making wide detours had begun to menace seriously our flanks. All the advantages of this position had been exhausted; and, after sending ahead all prisoners and captured munitions, Forrest retired in good order. The roads were wretched. Horses had to be driven or ridden through slush and mud from two to three feet deep. Infantry marched, many of them barefooted, through ice-cold streams waist-deep, while rain and sleet beat upon them from above. However, by 1 o'clock that night we reached Sugar Creek, a clear stream with pebbly bottom. Here both men and horses were glad to halt and to have the mud and mire washed from their feet and legs. Being now thoroughly wet, we built fires and rested till daylight.

When the first streaks of dawn flushed the eastern sky, we strengthened our position by a lay-out of rails and logs, and then quietly awaited the approach of the enemy. A thick fog concealed our breastworks. As the Federals advanced, our pickets with little resistance fell back slowly, till they had drawn their pursuers within musket-range of the unseen Confederate line. Having then joined us, our pickets fired a volley into the unsuspecting Federals and threw them into more or less confusion, and they began a rapid and disorderly retreat. A charge by Ross' cavalry and two infantry regiments completed the rout of the enemy. Strong bodies of infantry and cavalry were met marching rapidly to rally and reinforce the fugitives, when our men withdrew to Sugar Creek and remained in line of battle for more than two hours. As the enemy failed to appear, we retreated towards the Tennessee. General Forrest in his report says "The enemy made no further attacks between Sugar Creek and the Tennessee River, which stream I crossed on December the 27th."

TWENTY DAYS' FURLOUGH.

Forrest proceeded to Corinth with all the cavalry, except Armstrong's and Roddy's brigades, that were to protect Hood's rear till the army passed westward of Cherokee Station. All the cav-

alry but Ross' brigade were then allowed to disperse to their homes to get remounts, winter-clothing, and recruits. The Texans were too far from home and the Mississippi River was too well guarded by gun-boats. The Noxubee Squadron of Pinson's regiment were furloughed for twenty days. It goes without saying, we had the time of our lives. All the delights of home were experienced. I cannot describe them as they deserve to be portrayed, and shall not undertake to do so. But I hazard naught when I claim that Lieutenant S. B. Day, Alec McCaskill, and J. G. Deupree were at least somewhat more fortunate than the others. We were challenged one afternoon by three beautiful and amiable and expert Chess amateurs, Misses Duck Foote, daughter of our first Captain, Judge H. W. Foote, Pattie Lyle, afterwards famous as Mrs. Pattie Lyle Collins of the Dead Letter Office in Washington, and Fannie Lucas, afterwards Mrs. Featherstone of Brooksville, to play a consultation game of Chess that evening at the hospitable home of Judge Foote. In the exuberance of joy, we accepted, knowing full well the great pleasure in store for us. When we arrived, we found all preparations had been made. Two tables and sets of Chess-men had been arranged, one in each of the double parlors. Around one table sat the three queens of grace and beauty while at the other the cavalrymen took their places. Judge Foote, himself a good player also, was chosen referee by unanimous vote; for though we knew his innate gallantry would incline him to give the benefit of any doubt to the ladies, we felt sure his rare judicial temperament would make him a just arbiter of any disputed point that might arise in the progress of the game. By drawing, the ladies won the *Whites* and the initial move. They moved *Pawn to King 4*. We replied *the same*. Shortly after we had passed the mid-game, the cavalrymen by skillful maneuvering outwitted the opposing team and were preparing to give the *coup de grace*. Each side had a *passed Pawn* on the seventh rank. It was the *Black's* turn to play. After some consultation, the cavalrymen decided they would advance the *passed Pawn* to the eighth rank, claim a *Knight*, and thus at the same time *check* the white King and menace the white Queen. But, foreseeing this impending disaster,

the ladies executed a novel strategy to prevent it. By the tintinnabulation of a tiny bell, they summoned a maid-servant bearing a waiter, which contained seven foaming glasses of egg-nog, better far, from a soldier's view-point, than the nectar of Olympian Jupiter. The ladies sipped gently, while the soldiers drained their glasses. While there is no positive proof that these last glasses were extra-strong, it is certain that an instantaneous thrill sped along the nerves of the cavalymen, obfuscated their reasoning faculties, and kindled their imaginations. Caring naught for hazard or peril, they shoved the *passed Pawn*, and, forgetting their decision to claim a *Knight*, they called for a *Queen*, which did not *check*, as the *Knight* would have done. This was fatal. The ladies then quietly pushed forward their *passed Pawn* and very properly claimed a *Queen*, which *checked* our *King* and after a few moves effected a *mate*. Thus ended the game and an evening of delight. How sad it is now to reflect that I am the only survivor of that most felicitous evening's entertainment!

#### CLASH WITH UPTON.

I need not undertake to give a full and detailed account of Wilson's invasion of Alabama, with perhaps the largest and in all respects the best armed body of cavalry ever assembled on the continent of America. To those interested, I advise the reading of Wyeth's *Life of Forrest*. After the expiration of furloughs, Armstrong's brigade all assembled near West Point, Miss., just as Armstrong had pledged General Dick Taylor they would do; and, on March 25th with King's battery, were put in motion towards Selma, Ala. The cavalry had been regrouped somewhat, so that Jackson commanded a division of Tennesseans and Texans, while Armstrong was put in the division of Chalmers. Forrest temporarily enlarged his own escort by adding to it two-hundred men with the best horses selected from the several regiments of Armstrong's brigade. With them was Captain T. J. Deupree of the Noxubee Cavalry. By hard riding accompanied by this enlarged escort, on the afternoon of the 31st Forrest was moving along the road leading from Centre-

ville to Montevallo, while Crossland's three-hundred Kentuckians and Dan Adams' Alabama Militia and Roddy's small division were driven before Upton's and Long's troops under Wilson. Forrest at length came in behind these Federals into the road on which the Alabamians and Kentuckians were retreating and the Federals were pursuing. What occurred I shall now tell in the language of Dr. Wyeth:

"Having approached within less than one-hundred yards of the Federals, who were in considerable confusion after having lost their formation in their hot pursuit of the fleeing Confederates, Forrest boldly, at the head of his staff and his enlarged escort, ordered the men to draw their six-shooters and in column of fours charged directly into the road, riding along with the Federal cavalry. This sudden and altogether unexpected attack, its boldness, and the severe work of the repeating pistols in the hands of those picked men, threw the Federals into still greater confusion, and drove them in a stampede from the scene. Having captured a number of prisoners, Forrest learned that Wilson's main command had passed down the road and was between him and Selma. With this information, he left the road and after a detour of eight or ten miles rapidly passed around the Federal column, and reached his command about 10 o'clock that night near Randolph and directly in the path of the approaching enemy.

#### UNWELCOME TIDINGS FROM CHALMERS.

"As the divisions of Upton and Long advanced towards Selma early on the morning of April 1st, they encountered small detachments of Confederates and drove them back with slight effort until they reached a point several miles north of Plantersville, known as Ebenezer Church. Here Forrest was greatly chagrined to receive a message from Chalmers informing him he had met with such obstacles in his route that he could not reach Plantersville in time to unite with him on that day. Forrest was furious with rage on reading this dispatch. He then sent an urgent dispatch to his lieutenant that Wilson was pressing down upon him with great vigor and overwhelming forces,

and that he would accept no excuse for his not uniting with him at Plantersville or between that place and Selma, before he should be driven into the works of that city. Forrest insisted that Chalmers had not moved with the alacrity and swiftness which the emergency demanded, and which had characterized him on all other occasions. Chalmers, with Starke's brigade, was marching eastward by one route, while Armstrong commanding the other brigade of the division was some five miles further north travelling by a parallel road. The messenger from Forrest to Chalmers passed through Armstrong's command, and Armstrong read the dispatch and forwarded it immediately to Chalmers, informing him that under the circumstances he would not wait to receive orders but would march to Forrest on his own responsibility and urged the division commander also to press on towards Plantersville to the rescue of their chief. He added that he could then hear firing in that direction and that he would rapidly march towards it. Armstrong, who had the soldierly habit of always arriving in time, swept forward with great rapidity and reached Forrest just at dark on the night of April 1st.

#### BOGLER'S CREEK.

"Realizing the desperate situation of his command at this juncture and the necessity for holding the advance of the Federals in check until Chalmers could reach Plantersville and be in supporting distance, Forrest had selected a naturally strong position at the crossing of Bogler's Creek, had thrown up lay-outs of rails and logs, and had placed the small force and artillery at his command in the best possible position for defense. Here Roddy's division, Crossland's brigade, and Dan Adams' militia were thrown into line of battle. Forrest with his enlarged escort, including the two-hundred men selected from Armstrong's brigade, took position immediately with the artillery commanding the road coming from the north. To his left, Crossland's three-hundred Kentuckians were posted, while on the extreme right a detachment of State troops under Dan Adams was placed. The entire Confederate force on the field did not exceed

2,000 men. To assail this force, General Wilson had on the ground and in action Upton's division, 3,900 strong, Long's division of 5,127, and two full batteries of artillery.

#### SIX-SHOOTERS AGAINST SABRES.

"At 4 o'clock in the afternoon, the Federals appeared with Long's division in front. As soon as the skirmishers opened fire, Long reinforced his advance-guard. . . . Pushing these forward, Wilson and Long ordered a rash sabre-charge by four companies of the Seventeenth Indiana Cavalry. As soon as Forrest saw these gallant troopers riding down upon him with their sabres in air, he placed himself in line with his augmented escort and Crossland's Kentuckians. He ordered the men to reserve their rifle-fire until the enemy had come within one-hundred yards of their position, then to fire a volley, then to draw their revolvers, and with one in each hand to ride among and along with their assailants and use these weapons at close quarters. As the Federals came near, the horse of one trooper in their front platoon became unmanageable, ran far ahead of the line, bolted through the Confederates, and struck the wheel of a gun with such momentum as to knock the wheel from its spindle, dismount the gun, kill the horse, and throw the brave rider to the ground, where he was instantly killed by being knocked in the head with a gun-stick by one of the artillerists. As the main body of the charging column swept into the Confederate line, Forest and his enlarged escort and two companies of Kentuckians under Captain H. A. Tyler rode in among them, and the desperate encounter which occurred may be more easily imagined than described in words. It was, indeed, one of the most terrific hand-to-hand conflicts which occurred between cavalry soldiers during the war. It was a test between the sabre in the hands of as brave a lot of men as ever rode horses and the six-shooter in the hands of experts that were just as desperately brave and daring. Forrest himself was most viciously assaulted. His conspicuous presence made him the object of direct attack by a brave young officer, Captain Taylor of the Seventeenth In-



diana Cavalry, and five or six other Union troopers, who were killed in their attempt to slay the Confederate General. In this fierce onslaught, the Federals lost twelve killed and forty wounded. . . . On the Confederate side, General Forrest and Captain Boone of his escort and about a dozen troopers were wounded, but none of them fatally". I regret my inability to give the names of the wounded troopers from the First Mississippi Cavalry in Forrest's enlarged escort.

Meantime, Upton's division, led by Alexander's brigade, advanced upon the flank, practically in rear of the Confederates, striking the militia. Without offering the slightest resistance, these fled in disorder, compelling the entire Confederate line to be withdrawn.

#### AT SELMA.

When General Forrest reported on April 2d to General Dick Taylor, Departmental Commander in Selma, he evidently made a strong impression, for General Taylor said in an official communication: "General Forrest had fought as if the world depended on his arm. He appeared, both horse and rider covered with blood, and announced the enemy at his heels, and said I must move at once to escape capture. I felt anxious for him, but he said he was unhurt and would cut his way through, as most of his men had done, whom he had ordered to meet him west of the Cahawba. My engine started towards Meridian and barely escaped."

By the departure of General Taylor, the chief command devolved upon Forrest, who began at once to make dispositions for defense, hopeless as it seemed, as three of his largest brigades were absent and beyond his control. Armstrong's brigade, about 1,400 strong, was stationed on the left and west, with the men deployed at intervals of 12 or 15 feet, in order to cover all the ground assigned to the brigade. On the right of Armstrong was Dan Adams with his State Militia, also deployed at like intervals, and to the right of the militia were Roddy's men, in the same extended development. Altogether, Forrest had about

3,000 men in works that had been designed and constructed for 20,000.

Lieutenant Tom Stevens and a dozen men from the Noxubee Squadron were detailed as scouts to go out and ascertain the number of Federals approaching on the Plantersville road. Shelt Skinner and J. G. Deupree were posted in a thicket only a few feet east of the road with instructions to count the *fours* as the column of Federals rapidly passed along the road. This they did quietly and unobserved by the Federals for some time. At length, however, flankers discovered Skinner and Deupree and charged upon them. Quickly mounting and finding it impossible to get into the Selma road ahead of the Federal column, Skinner and Deupree rode east at a gallop through field and forest with a number of pursuing Federals chasing and firing at them till after sunset. Lieutenant Stevens and others of our squad were likewise cut off from Selma.

Meantime, General Wilson had come within sight of Selma and made observations that induced him to attack. Confident of success and appreciating the prize now almost within his grasp, he approached with special care to avoid needless loss. An extensive wood in front of Armstrong's position was favorable for this purpose. Though not provided with suitable ammunition, having only solid shot, the Confederate artillery opened about 5:30 p. m. upon the Federals as they were forming for assault. Undaunted, the Federals moved steadily and handsomely forward to their work. They were all well armed with Spenser rifles, repeaters, and breech-loaders, and from their massive lines three-deep they poured out an incessant stream of leaden hail, to which the return-fire of the attenuated Confederate line was as that of a skirmish to the mighty uproar of a great battle at its climax. Long in person led the desperate charge of his gallant division against Armstrong's position. With well-attested courage and stubbornness, Armstrong's men held their ground. Meanwhile, the militia began to yield and gradually abandoned the breastworks, leaving a wide gap between Armstrong and Roddy, and thus exposing Armstrong's right. Roddy was thereupon ordered to move by his left flank westward and close this

gap; but, before he could do it, the enemy had rushed the deserted line and interposed great numbers between Armstrong and Roddy, thus effectively cutting them asunder. Turning westward, the on-rushing Federals poured an enfilading fire upon Armstrong, who had repulsed three attacks upon his front and inflicted heavy loss upon his immediate assailants. Now, however, under fire from flank and rear as well as front, Armstrong withdrew and his brigade necessarily suffered greatly. The last to leave their position were the First Mississippi Cavalry under Pinson. They stoutly stood until the enemy were completely in their rear, so that the Colonel, the Lieutenant-Colonel, and most of the intrepid officers and men were captured.

Lieutenant-Colonel Montgomery in his "*Reminiscences*" says: "Our regiment occupied the works to the left, extending from the road to a deep and narrow ravine which crossed the works and ran for a little way in front of the works on our extreme left. Near the road was a special fort, in which a few hundred men might find shelter, with embrasures for guns. Here two guns were placed. Ballentine's regiment was in the works on the right of the road. . . . About half-way to the extreme left of the First Mississippi, resting on the ravine, there were high earthworks projecting at right angles from the breastworks some thirty feet or more. This was designed, perhaps, to prevent an enfilading fire, if the enemy should gain possession of our works on either side of this salient. Here I had tied my horse, a very fine one and but recently purchased. I walked then up to the fort; Colonel Pinson and I agreed that if an assault was made, he would take charge of the right and I of the left of the regiment, since the regiment had been stretched into a long line. Forrest, Armstrong, Pinson, and I were in the fort with some other officers. Occasionally a cannon shot was fired at the ridge which hid the enemy from our view. They then brought up a gun and returned our fire. I doubt not, Forrest was cursing Chalmers for not coming up or else praying that he would come speedily. The sun was nearly down. A long dark line of men appeared on the brow of the ridge, moving slowly forward for a while, but soon charging and cheering and rush-

ing onward. I hastened to my place in line and was just in time to caution the men not to fire till I gave the word, for the enemy were yet too far for our fire to be effective.

"Rapidly approaching behind the dismounted Federals, could be seen on the ridge a strong column of mounted men, awaiting a favorable moment to charge. I could no longer restrain my men; they would begin firing too soon. But, as the enemy came nearer, I could plainly see the effects of our fire, though it did not appreciably check the progress of our assailants. Because of the salient, I could not see what was going on towards our right; but in my immediate front the enemy had reached the ravine and were crowding into it to protect themselves from our galling fire. Many of them were within less than twenty feet of our breastworks. Stepping up on the banquette at the base of the parapet, I fired my *Tranter* five times into the struggling mass and had begun reloading, when I heard wild cheering to the right. With me were four companies, including Montgomery's and the Noxubee Squadron; and, knowing we had effectively repulsed the enemy in our immediate front and that two companies could now hold our line, I ordered two companies to follow me to the right. As I came round the salient, I saw Forrest, Armstrong, and their staffs, and other mounted men, with one or two caissons, going at headlong speed towards the city. . . . I knew that all was lost. The right of the regiment was even then rapidly retreating, Pinson with them calling '*Halt*' at every step. There was no time for me to speak to the Colonel. Unhitching my horse and calling to the men to follow, I fell back towards the ravine in our rear, but my horse fell dead before we reached it. I could see the Federals pouring over the works to the right not a hundred yards away and their mounted column fast approaching. As we reached the ravine, the enemy were firing upon us. Realizing the impossibility of getting away, I gave my last order during the war, which was for the men to throw down their arms. In a moment a crowd of blue-coats had gathered around us. I suppose I had fifty men with me under Captain Cravens. Captain Montgomery had gotten across the ravine and was one of the few men of the regiment to escape

death or wound or capture. I at once recognized a Federal sergeant from his chevrons. He demanded my pistol. I handed it to him. He then asked for my pocket-book. I took it out, saying it contained a locket with my wife's portrait which I would like to keep. He said that would be all right; and as I opened my pocket-book, he saw Confederate money and said if that was the only sort of money I had that I might keep it. This was the unkindest cut of all. I put the purse back into my pocket. He looked up and told me to give him my hat. It was brand new and had been smuggled through Memphis, and my wife had looped it up on one side and embroidered a star on it. I prized it highly and hated to part with it. But the sergeant had lost his in the charge and would take no denial. I then gave it to him with as good a grace as possible. All this was done in less time than it takes to tell it. . . . As we were marching back towards our fort, a straggler of the Federal army stepped up to me and with an oath threatened to shoot me; but the brave sergeant threw up the gun and cursed him as a cowardly scoundrel, who had shirked the fight and now wished to murder prisoners. . . . The sun was down and as a Major on General Wilson's staff rode up, I introduced myself and related what had just happened. He at once called the sergeant and gave him stringent orders to protect the prisoners. . . . Then as dusk came on, Colonel Pinson, Major Simmons, Captains Taylor, Lester, Deupree, and other officers of the regiment were brought in; and the fort would not hold us all. In fact, the First Mississippi had fought its last battle; and almost to a man, we had been killed, wounded, or captured. . . . I have never seen General Wilson's report. Neither Forrest nor Armstrong ever made a report.

"They guarded us in the fort through the long and dreary night, and next morning dawned upon us woe-begone a lot of cavalry as was ever seen during the war. Tired, hungry, sleepy, and dirty, we must have been a hard-looking set, if we looked at all as we felt. . . . In the course of the morning, Colonel Pinson, myself, and Captain Tobe Taylor requested permission to go over the field and see our dead and wounded. This was

promptly granted. A guard went with us. From the works as far back as some of our men had gone when trying to escape, fully a half-mile, we found dead and wounded, though some of the wounded had been carried to a hospital under the care of our surgeons.

"As we went over the ground, we found that the pockets of the dead had been turned wrong-side-out. One brave fellow, whom I knew well, who had gotten further than any other of the dead, had his pockets also turned inside-out, and by his side lay his bible. He had been noted for his piety as well as for his courage, and his influence for good was marked. He belonged to Captain Lester's company, was a good man in every way and a brave soldier, and has gone to his reward. . . . Our guard took us to our hospital, which had been hastily prepared. Here we found among others our Adjutant Johnston, and we were shocked when Dr. Montgomery told us his hours were numbered. We said all we could to cheer him and bade him an affectionate and final adieu. He died that night. Many others of our regiment and brigade were there, and we saw them all; some lived, and some died; but I cannot now recall their names. Altogether, about one hundred in our regiment were killed and wounded, and about as many in Ballentine's. We were then escorted back to our prison in the fort. While we were walking over the field, a Federal took a fancy to Colonel Pinson's hat, but our guards proved to be kind-hearted and brave and protected Colonel Pinson."

I have heard Captain T. J. Deupree tell how he and Lieutenants Day and Foote emptied their navy-sixes right into the faces of the Federal assailants on their part of the line, and how our Noxubee men stood firmly and repulsed several assaults and inflicted heavy loss on the enemy. He also told how the Federal cavalry, after rushing through the gap left by the fleeing militia, had turned westward and come up directly in the rear of the Noxubee Squadron and fired into their backs before they left the breastworks. He said that he and Day and Foote and others fell flat on their faces and feigned death to protect themselves from the frenzied Federals till a commissioned officer came, to

whom they might surrender. Though but a few minutes, it seemed an age and a fearful one at that. At length, however, a Major came along, and they were saved. The Major received their surrender and ordered the officers to the fort.

It will be of interest just here to insert the following condensed statement from the Diary of Sergeant J. J. Hunter, of the Noxubee Troopers:

When the First Mississippi fronted into line, before going into the breastworks at Selma, they counted off by *fours*; and I, being No. 4, was among those who had to hold horses. We carried the horses back two-hundred yards into a dense pine-thicket to hide them from the artillery. But the hostile artillerymen somehow discovered us and shelled us, killing many horses and wounding a few men. A fragment of shell grazed my shoulder and a passing shell blew my hat off and exploded within the belly of a horse not far behind me and made hash-meat of the horse. We held our position, however, till the Yankees began pouring over the breastworks. Then most of the horseholders stampeded to the rear, riding their own horses but turning loose the others. I with a few others walked back slowly, each leading four horses, obliquing so as to fall-in with General Armstrong, who was trying to rally his men. He ordered us to mount and to follow him. Just at this moment, a minie-ball passed through my right knee; and I violently clutched the bridles of my horses till I could recover from the shock, resting my weight entirely on my left leg. General Armstrong saw me and ordered some men to put me on my horse. I then fainted, leaning on my horse's neck and clinging to his mane, while a man on each side held me in the saddle, as we were all going at full speed. I next found myself lying on the ground beside the road about one-hundred yards from a railroad station-house and platform. About one-hundred yards behind me was the Yankee line firing at our men about the station as they crouched behind cotton-bales and the blocks of the platform. I was midway between the two firing lines and fully realized my danger. I pulled my wounded leg from under me and crawled about ten feet and got behind a bale of cotton, which protected me from the Yankee missiles; and a Confederate officer

ordered our men to be careful not to shoot me. During a brief lull in the firing, two of Roddy's men came and carried me back to the station and laid me behind one of the platform blocks. When the Yankees resumed firing, I borrowed an Enfield and fired four rounds at them before they fled. I was then put on a pallet and left in the station. An Alabamian staid with me. The Yankees came and we surrendered. They carried off the unwounded Alabamian. A rough old German asked me if we were not sufficiently whipped. I told him we would fight to the last to protect homes, fire-sides, women and children. He jerked out his pistol and said that the bullet should have gone through my head, rather than through my knee; and said he would put one there. I told him he might kill my body but could not terrify my soul. Just then some Westerners came up and presented their pistols to his face, denounced him as a coward, and ordered him at once to put his pistol in its holster, and leave the helpless prisoner. Those brave Westerners assured me I should not be hurt. At length, one of them looking me closely in the face asked if I was not Sergeant Hunter. I told him this was what was left of me. He grasped my hand and said: "Here is the man who once guarded me as a prisoner for several days and treated me as cleverly and kindly as I could wish. Comrades, join me now in returning his generous kindness". He introduced me and they all gave me the hand of comradeship and proffered to help me all they could. They told me all of our regiment had been captured at the breastworks and quite a number had been killed, much to their regret, as they considered the First Mississippi the best cavalry regiment in the Southern army, noted as a dare-devil body of men, who feared nothing whatever, as they had found out in many engagements but especially at Moscow, Tennessee, where the First Mississippi had run into their brigade of three regiments and so destroyed them, that afterwards the three regiments were consolidated into one and called the Second Iowa-Illinois. They said they were in the third line in the charge on our breastworks at Selma, that the two lines in front of them gave way, but they rushed on and got under cover of the breastworks and dared not go further, knowing the First Mississippi



was in front of them. They waited till the First Mississippi had been attacked in the rear, and then did what they could to save their lives, capturing all the officers and many of the men. Before leaving me, they had me taken to a private house near by. Here I fell to the care of an old negro who had been left in charge when the family fled to escape the Yankees. I was put in the kitchen. When I got cold, the good negro made me a fire. I dropped off to sleep but was waked soon by bursting shells. I looked out and saw the town on fire and the station house, too, whence I had been brought. Cinders and sparks fell almost everywhere, thick and fast around the house I was in. I called the negro but he did not answer. I fell, at length, into a gentle sleep. I awoke next morning and the sun was shining brightly, and I spent the day reading quietly and all alone. At night I was sleeping when three of my Yankee friends woke me about 9 o'clock and told me they had an ambulance ready to take me to the Confederate hospital. They said they had been busy all day burying the dead and caring for the wounded. Their loss, they said, exceeded 800, and ours 300, exclusive of a large number of prisoners. At the hospital, the surgeons consulted as to the amputation of my leg, and but one opposed amputation. Then the chief surgeon came and after my pleading with him, consented to leave me my leg. It was washed and dressed, and I was placed on a bunk, so that my leg could hang over the side. It got well with a crook in it and it has that same crook yet. The Yankee surgeon sent me some nice food which I enjoyed amazingly, for I had eaten nothing during thirty-six hours. Father and mother came within the next few days and remained with me. I was well treated and recovered rapidly. I was soon on my crutches. . . So ended the war with me."

Besides J. J. Hunter, who had here received his fifth wound since entering the service, Gus Fant and others were wounded in Company F; while Nat Barnett, James Brooks, John Fraser, Charley Gray, Dabney Gholson, William Perry, and Wiley Shaw were killed. The killed and wounded in Company F were fully 50% of those engaged in the battle. I regret I cannot give a list of the killed and wounded in Company G. But their casual-

ties were comparatively few; and it will always be a mystery how and why the losses of Co. F so far exceeded those of Company G at Selma, when the two companies were interlaced, as it were, in the breastworks, each member of one company being sandwiched, so to speak, between two members of the other company. All other members of the Noxubee Squadron, except some horseholders, were captured, as were our dashing and intrepid Adjutant, Lawrence Yates and other regimental and company officers.

Wyeth's *Life of Forrest* tells how he escaped and on his way out fought the Fourth U. S. Regulars, and by personal prowess put *hors de combat* his thirtieth armed enemy, and how Armstrong and his followers escaped.

Our squad under Lieutenant Stevens, after being chased by the Federals till late, somehow next morning came together, and by capturing several distinct detachments of straggling and pilfering Federals soon had more than twice as many prisoners as there were men in our squad. We reported late at night to Colonel Matt Galloway at Marion, Ala. Here in a few days were concentrated Jackson's division and Chalmers' brigade. Not long afterwards, Forrest ordered all to Gainsville.

General Wilson remained in Selma a week and then crossed the Alabama River, taking all unwounded prisoners with him, as he marched towards Montgomery. Hundreds escaped during the night-march, as only the officers were closely guarded. It is evident that Wilson intended to scatter the Confederates along the way; for on successive days he paroled many at long intervals. For example, he paroled W. G. White and Frank White, two brothers and both valiant and faithful soldiers, more than 100 miles apart. Then, after confirmation of Lee's and Johnston's surrender, Wilson paroled all the officers and the few Confederate privates still with him. Finally, all made their way to Gainsville.

After the surrender of General Dick Taylor, Forrest on May 9th issued an address to his command, from which I quote the following paragraphs:

*"Soldiers,--*

By an agreement between Lieutenant-General Taylor and Major-General Canby, the troops of this Department have been surrendered. The terms are favorable and should be satisfactory to all. They manifest a spirit of magnanimity and liberality on the part of the Federal authorities, which should be met on our part by a faithful compliance with all the stipulations and conditions therein expressed. As your Commander, I sincerely hope that every officer and soldier of my command will cheerfully obey the orders given and carry out in good faith all the terms of the cartel.

"Civil war, such as you have just passed through, naturally engenders feelings of animosity, hatred, and revenge. It is our duty to divest ourselves of such feelings, and to cultivate friendly feelings toward those with whom we have so long contended, and heretofore so widely and honestly differed. Neighborhood feuds, personal animosities, and private differences should be blotted out; and, when you return home, a manly, straight-forward course of conduct will gain the respect even of your enemies. Whatever may be your responsibilities, whether to government, to society, or to individuals, meet them like men.

"In bidding you farewell, rest assured that you carry with you my best wishes for your future welfare and happiness. . . . Your courage and determination, as exhibited on many hard-fought fields, have elicited the respect and admiration of friend and foe. I now cheerfully and gratefully acknowledge my indebtedness to you, the officers and men of my command, whose fidelity and unflinching bravery have been the greatest source of my success in arms.

"I have never on the field of battle sent you where I was unwilling to go myself; nor would I now advise you to a course which I felt myself unwilling to pursue. You *have* been good soldiers; you *can* be good citizens. Obey the laws, preserve your honor, and the Government to which you have surrendered can afford to be, and will be magnanimous.

"(signed)

N. B. FORREST,  
*Lieutenant-General.*"

The utmost eagerness now prevailed to get home. General Dennis, a courteous gentleman, did all he could to accelerate the work of issuing paroles, and did it in a manner most acceptable to his late antagonists. By May 16th, 8,000 officers and men

had been paroled and allowed to start home. To that extent, at least,

"To them the blooming life is sweet;  
But not for all is there return".

Alas! how sad it is to reflect that thousands of our dear comrades, as valiant and strong of soul as ever died on battlefield in defense of their birthright, after making bright records at Donelson, Murfreesboro, Thompson Station, Moscow, and in that dreadful winter retreat from Nashville, were in their graves on that day when Forrest's Cavalry ceased to exist!

#### APPENDIX A

##### Roster of Company G

Adams, Frank	Caston, Mid G.
Adams, Robert, Sergeant	Cheatham, W. A.
Alford, George W.	Clark, Matthew
Armstrong, William	Clarke, A. V.
Atterberry, C. S.	Clemments, Early C.
Augustus, William B., Corporal	Coats, James A.
Ball, I. H.	Colbert, William H.
Barnham, John	Colbert, Jack
Barton, Thomas P.	Cole, Washington
Beasley, J. R.	Connor, W. D.
Beasley, W. E., Adjutant	Connor, W. S.
Binlon, A. D.	Cornelius, R.
Binion, W.	Cotton, I. B.
Bogges, Thomas	Cox, F. L., Bugler
Boswell, A. J.	Cranford, William H.
Boyle, Robert W.	Daniel, James.
Brooks, James F., Sergeant	Daniel, H. M.
Brooks, Thomas S.	Dantzler, A. J.
Bush, A. H.	Dantzler, Groves H, Sergeant
Bush, Albert, Jr.	Dantzler, J. L., Sr.
Bush, Anderson	Dantzler, J. L., Jr.
Bush, John D.	Dantzler, Thomas M.
Cahill, P. F. N.	Day, Samuel B., Second Lieutenant
Caldwell, Robert L.	Deal, Nick
Callahan, Michael	Deupree, Joseph Lattimore, Third Lieutenant
Channing, George	
Carleton, Finnis E.	

Deupree, Joseph Ellington	Haynes, H. C., Corporal
Deupree, Joseph Everett	Hibbler, J. E.
Deupree, John G.	Hibbler, Robert, Corporal
Deupree, Thomas Jefferson, Captain	Hibbler, Tol
Deupree, William Daniel	Higgins, O. H.
Deupree, William Drewry	Hinton, George W.
Doogan, J. L.	Holberg, Jacob, Sergeant
Dooly, William W.	Howlett, Jack
Douglass, James H.	Howlett, H. C.
Douglass, William W., Sergeant	Hudson, H. A.
East, Samuel	Hudson, William J., Sergeant
Eckford, H. G.	Hughes, William A.
Eckford, James W., Third Lieutenant	Hunter, C. M., Third Lieutenant
Edwards, T. J.	Hunter, Henry M., Corporal
Elland, James O.	Hunter, Willis
Elland, Lake Erie	Ingram, J.
Evans, John H.	Jackson, Samuel D.
Fairforce, J. W.	Jackson, William R.
Farrow, W. L.	Jarnagin, J. C.
Foote, Henry D.	Jenkins, Cyrus
Foote, H. W., Captain	Johnson, Woodson
Foote, W. H., Third Lieutenant	Joiner, R. H.
Garvin, Robert	Jones, R. H.
Glass, A. D.	Keown, Robert W., Corporal
Glass, E.	King, James A., Captain
Goodwin, George H.	Lea, Joseph, Sergeant
Goodwin, Thomas J.	Lea, Pryor, Jr.
Grant, J. A.	Lewis, Clarke
Greenwood, J. E.	Lewis, Samuel P.
Greer, Alonzo.	Lindsay, H. M., First Lieutenant
Greer, Felix B., Sergeant	Little, William
Greer, Fred J.	Lockett, A. J.
Greer, John H.	Lockett, R. A.
Greer, Julius A., Sergeant	Lynch, Nicholas
Haley, Daniel D.	Lyon, A. J.
Hall, R. B.	Lyon, Augustus
Hamilton, T.	Lyon, Major
Hardy, John C.	Magee, T. H.
Hardy, Louis W.	Mauldin, Frank
Harper, A. C.	Mauldin, Jesse
Harper, J. C.	May, Joseph J., Corporal
Harper, R. H.	McCaskill, A. P.
Hartly, S. B.	McCormick, Joseph
	McDavid, P.
	McIntosh, Daniel

McClelland, Robert G.  
 McMullan, James D.  
 Menees, I. R.  
 Minor, H. A.  
 Montague, Charles  
 Muse, J. M.  
 Neal, J. H.  
 Pack, Dallas  
 Pack, J. L.  
 Pagan, William L.  
 Parker, William  
 Pendleton, John  
 Perkins, Louis  
 Pettus, Henry J.  
 Pierce, Jacob H., Corporal  
 Pierce, Nathaniel  
 Pierce, John  
 Pierce, Richard R.  
 Pierce, Thomas M.  
 Porter, H.  
 Praytor, George W.  
 Randall, W. R., Corporal  
 Randall, John  
 Rives, James H.  
 Rives, Robert O.  
 Ruff, F. M.  
 Simmons, William H.  
 Skfner, I. L.  
 Skinner, K. S.  
 Smith, E. C.

Smith, Robert  
 Spann, John  
 Suttrell, P. T.  
 Swift, Robert B.  
 Swift, Doctor J.  
 Tate, C. M.  
 Tate, William  
 Taylor, William B.  
 Thompson, Robert  
 Walker, L. W.  
 Walker, R. J.  
 Watson, John, Sergeant  
 Weinberg, Julius  
 Weir, Robert  
 Welbourne, W. H.  
 Wellborne, Dr. S. G.  
 Weston, A. J.  
 White, Charles N.  
 White, R. E., Orderly Sergeant  
 Wier, R. O., Second Lieutenant  
 Williams, Hampton, Second Lieutenant  
 Williams, Henry  
 Williams, J. C.  
 Williams, John  
 Wilson, W. P.  
 Wright, J. J., First Lieutenant.  
 Yates, H.  
 Yates, Lawrence T., Adjutant

## APPENDIX B

### Roster of Company F

Adams, F. M.  
 Adams, J. B.  
 Adams, L. M.  
 Anderson, Benjamin  
 Anderson, Ephraim  
 Archer, M.  
 Aust, J. O.  
 Barnett, Watt  
 Barnhill, T. F.  
 Bealle, John R., Captain

Beasley, H. O., Second Lieutenant  
 Bell, William  
 Bethune, W. L.  
 Bishop, G. L., Corporal  
 Black, Joe  
 Blair, John M.  
 Boyle, D. C.  
 Bridges, Thomas E.  
 Brooks, James F., Sergeant

Brown, C.  
 Brown, Jesse  
 Brown, S. M.  
 Buck, John B.  
 Burks, J. D.  
 Cade, Jaff D., Sergeant  
 Clieuthe, J.  
 Colbert, Jack  
 Coleman, William H.  
 Coleman, C. M.  
 Coran, R. A.  
 Cotton, James  
 Cotton, John  
 Cox, W. A.  
 Craven, L. Mirabeau, Captain  
 Crawford, A. B.  
 Crawford, G. W.  
 Crossley, J. W.  
 Dallas, John  
 Dancy, Henry  
 Daniel, Isaac  
 Daniel, J. T.  
 Davis, David  
 Davis, James M., Sergeant  
 Davis, John H.  
 Davis, William M.  
 Dean, William F.  
 Denton, William, Corporal  
 Denton, Jonah  
 Dorroh, J. W.  
 Deupree, Dr. T. M.  
 Diggs, Willis  
 Dowling, Charles, First Lieutenant  
 Drake, M. A.  
 Duncan, J. F.  
 Dyer, J. B.  
 Eddings, W. W.  
 Edgerton, J. N.  
 Edwards, M. B.  
 Edwards, W. A.  
 Edwards, W. J.  
 Erwin, C. H.  
 Fancher, Augustus A.  
 Fancher, F. B.

Fancher, N. F. B.  
 Fancher, J. F.  
 Ferrell, H. H., Assistant Surgeon  
 Ford, Robert  
 Freeman, E. B., Assistant Surgeon  
 Freeman, W. W.  
 Gillespie, Lucullus  
 Garmon, M. M.  
 Gary, C. F.  
 Garvin, G. P.  
 Gholson, Jason L.  
 Gholson, W. D.  
 Gholson, W. H.  
 Gifford, Joseph  
 Goodwin, G. W.  
 Grant, John  
 Gregory, G. W.  
 Haley, Andrew  
 Happen, T. W.  
 Hardy, John E., Assistant Surgeon  
 Hardy, William B.  
 Hare, William F., Sergeant  
 Harris, Noah  
 Harris, N. S.  
 Harris, V. F.  
 Harrison, A. T.  
 Haynes, A. S.  
 Haynes, J. M.  
 Haynes, T. J.  
 Henly, G. H.  
 Henry, John  
 Higgins, O. M.  
 High, J. M.  
 Hill, J. B.  
 Hill, J. C.  
 Hill, J. V.  
 Hinton, Lafayette  
 Holman, J. N.  
 Hopper, J. F.  
 Horn, W. A.  
 Howard, Thomas  
 Howze, H. L.  
 Hudson, O. W.  
 Hughes, Thomas  
 Hunt, W. B.

Hunter, H. M., Sergeant  
 Hunter, H. D.  
 Hunter, J. J., Sergeant  
 Hunter, W. W.  
 Hunter, Willis  
 Irwin, F. R.  
 Jackson, T. F.  
 Joiner, William  
 Jones, J. L.  
 Jordan, J. J.  
 Jenkins, J. F.  
 Johnson, B. W.  
 Johnson, T. W., Corporal  
 Kelley, W. R.  
 Lagrone, N. C.  
 Little, E. S.  
 Lockett, James  
 Lockett, W. B.  
 Logan, D. S.  
 Logan, W. R.  
 Long, R. F.  
 Lovelace, W. T.  
 Luke, James  
 Lyle, J. B., First Lieutenant  
 Marshall, W. H.  
 Martin, J. B.  
 Martin, J. L.  
 McDonald, Robert  
 McKibben, W. A.  
 McLeod, Randall  
 McNeal, W. L.  
 Menasco, J. H.  
 Miller, W. L.  
 Misso, Roscoe  
 Montgomery, D. C.  
 Montgomery, F. A.  
 Moore, Andy, Corporal  
 Moore, W. A.  
 Moore, Thomas G.  
 Moore, William  
 Morgan, Samuel  
 Morris, S. M.  
 Morris, Zebulon  
 Morrow, F. W.  
 Morrow, G. W., Sergeant

Mosely, J. T.  
 Moulden, J. N.  
 Nicholdson, F. G.  
 Nix, David, Corporal  
 Osborne, Egbert  
 Park, E., Sergeant  
 Payne, R. C.  
 Payne, W. U.  
 Pearre, James, Corporal  
 Pearre, M. T.  
 Perdue, J. F.  
 Permenter, J. S.  
 Perry, W. W.  
 Peterson, S. M.  
 Peterson, W. W.  
 Petway, M. L., Sergeant  
 Phillips, J. T.  
 Prince, E.  
 Putnam, L. D.  
 Rives, J. H., Captain  
 Rives, R. G., Sergeant  
 Robins, J. R.  
 Robins, James  
 Robins, Winter  
 Robinson, J. W.  
 Rogers, James  
 Rogers, Nick  
 Rye, D. W.  
 Saunders, F.  
 Saunders, A. H.  
 Shaw, Wiley  
 Simmons, J. S.  
 Sisk, W. A.  
 Slaughter, Felix  
 Slaughter, Henry  
 Smith, G. W.  
 Smith, Scribner, First Lieutenant  
 Smith, J. J. S.  
 Sorrell, J. F.  
 Spann, Frank  
 Staunton, Thomas S., Sergeant  
 Stevens, Thomas, Third Lieutenant  
 Stewart, T. B., Sergeant  
 Stone, Samuel



Strickland, J. N.  
 Swann, M.  
 Sykes, Smith, Corporal  
 Thomas, B. B.  
 Thomas, D. N.  
 Thomas, W. E.  
 Trimble, D. E.  
 Walker, Benjamin, Corporal  
 Walker, L. W.  
 Walker, R. J.  
 Walker, W. J.  
 Warren, G. W.  
 Warren, J. B.  
 Warren, W. E.  
 Warren, W. S.  
 Watts, Benjamin

Weathered, James  
 Weinberg, Julius  
 Wheeler, E. G.  
 White, William G.  
 White, Frank S.  
 White, A. J.  
 Wilder, John  
 Wilder, William  
 Williams, John  
 Williams, D. A., Sergeant  
 Williams, J. R.  
 Williams, W. L.  
 Wilson, T. E.  
 Wimbish, J. D.  
 Wooten, J. S.  
 Wright, E.

#### APPENDIX C

##### Survivors of the Noxubee Squadron, October 1st, 1917

###### Of Co. F—

M. J. Clark, S. Reed Ave.,  
 Mobile, Ala.  
 J. D. Weatherhead, Atlanta,  
 Ga.  
 Frank S. White, Birming-  
 ham, Ala.  
 W. G. White, West Point,  
 Miss.

###### Of Co. G—

Deal A. Binion, Macon,  
 Miss.

T. S. Brooks, Gulf Port,  
 Miss.  
 Thomas Dantzler, Beau-  
 voir, Miss.  
 J. E. Deupree, Ivanhoe,  
 Tex.  
 J. G. Deupree, Jackson,  
 Miss.  
 T. J. Deupree, Texarkana,  
 Ark.  
 J. E. Hibbler, Macon,  
 Miss.  
 Robert Hibbler, Gainesville,  
 Ala.

## DID DE SOTO DISCOVER THE MISSISSIPPI RIVER IN TUNICA COUNTY, MISS.?<sup>\*</sup>

BY DUNBAR ROWLAND, LL. D.

Director Mississippi Department of Archives and History.

After the discovery of America by Columbus, the Spaniards made two heroic efforts to explore the interior of North America. DeSoto and Coronado were the intrepid leaders of the expeditions, and if their routes are linked together, they almost reach across the continent from Georgia to the Gulf of California. The march of DeSoto has received most attention from historians and it deserves the distinction. His coming marks the advent of the white man on the soil of six great Southern States and the narratives of his march contain the earliest accounts of the Lower South,—of its flora, fauna and topography, of the Choctaws, Chickasaws, Creeks and Seminoles,—Indian tribes famous in history, story and song, and of the discovery of the Mississippi River and the first crossing of its waters by a white race.

After the disastrous expedition of Narvaez, 1527-28, the vast region called Florida by the Spaniards was neglected. Their imagination, however, was much inflamed by the wealth found in Mexico and Peru by Cortez and Pizarro, and the next to try his fortune was Hernando de Soto, the son of an esquire of Xerez de Badajoz, who had been with Pizarro in the conquest of Peru, and who was eager to rival the exploits and achievements of Cortez and Pizarro.

The best evidence of all the incidents connected with the DeSoto expedition is, of course, the written statements, made at

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<sup>\*</sup> Where did DeSoto discover the Mississippi River? The Editor of these publications holds the opinion that the place of discovery was in Tunica county, Mississippi. The question is discussed by Judge J. P. Young of Memphis and the Editor in the following papers.

the time by accurate and truthful men who accompanied it, and such narratives only can be received by the conscientious and careful historian. We have several satisfactory, accurate and reliable records of the DeSoto expedition, chief among which are several contemporary and independent narratives of the progress of the march, correctly translated from the original Spanish, viz: "Narrative of the Gentleman of Elvas," (supposed to be Benedict Fernandez), which is the longest and one of the most accurate; "The Narrative of Louis Hernandez de Biedma," the factor of the expedition, which is highly colored and unreliable; "The History of Hernando DeSoto and Florida," by Garciloso de la Vega (the Inca), compiled from oral statements of three of DeSoto's companions and written in 1591, fifty years after the expedition. This narrative is the least trustworthy as the writer had no personal knowledge of the facts. The official report of the expedition which Rodrigo Ranjel, the secretary of De Soto, drew up from his diary, made from day to day on the march, on reaching Mexico, is the accepted and best account. My authority for these estimates is Dr. E. G. Bourne, of Yale, the scholarly author of "Spain in America."

The purpose of this paper is not to trace the entire route of DeSoto's tragic expedition. My purpose is to answer, guided by the best authorities, the question: "Did DeSoto discover the Mississippi River in Tunica County, Mississippi?" Candor compels me to answer in the affirmative and to give the reasons for my conclusion and the evidence upon which it is based.

I freely admit in the outset that the claim of Memphis as the place where the great river was discovered has been accepted by some Memphians, but that acceptance has, no doubt, been based upon the narrative of Garciloso de la Vega, "The Inca," which careful and complete investigation has shown to be unreliable and not in accord with the narratives of the facts as given in all contemporary accounts.

My contention is that the Mississippi River was discovered in Tunica County, Mississippi, at Willow Point, which the map of De L'Isle made in 1718, places about 30 miles in a straight line below Memphis, and in Tunica County. Not a map, so far as

I know, gives Memphis the honor of being the point at which the Mississippi was discovered.

The most painstaking and accurate study of the route of the DeSoto expedition is that of Theodore Hayes Lewis, the learned antiquarian, archaeologist and historian, which appears in Volume VI., Pages 449-467, Publications of the Mississippi Historical Society. I quote from that authority that part of his study which deals with the march of DeSoto from April 26 to June 18, 1541, which includes his immediate journey to and crossing of the river.

"On Tuesday, April 26th, they left Chicacilla and slept at Alabamo. On Thursday they came to another savanna, where the Indians had constructed a very strong fort of palisades, which was located on the bank of a small river, near a ford. The Spaniards stormed it and drove the Indians out and across the river. This fort and ford were on the Tallahatchie river, and probably at or near New Albany, in Union County. Rocky Ford, located on section 17, town 7, range 1 east, some 15 miles below New Albany, is the last point down the river at which a crossing can be made by fording, but the topography makes it an improbable point. On Saturday, April 30th, the army left this enclosed place, turning to the westward. According to Elvas, the country they were now passing through was a wilderness of thick forests, having many marshy places that were fordable, and some basins and lakes (sluggish streams) that were not. In another place he says: "The land is low, abounding in lakes." Ranjel says they passed over bad roads leading through woods and swamps. This part of the route lay wholly within the State of Mississippi, for, had it been toward Memphis, they would have passed through a hilly region instead of one of swamps. While the route by way of Sacchuma would have been practically of the same general character, they were prevented from taking it by reason of the hostility of the Indians, for then they would have had both tribes to contend with.

"At noon on Sunday, May 8th, they arrived at the first town in Quisquis, and carried it by sudden assault. A league distant was the second town, and at the end of another league they came to the third town, "where they saw the great river." On Saturday, May 21st, they moved to a meadow lying between the river and a little town,—the fourth one. Elvas says there was a crossbow-shot from the first town, and that they moved to another one (Ranjel's third town), a half league from the river,

and from there to a plain near the river. The crossing was made either at Council Bend or Walnut Bend, in Tunica County, in a straight line some 25 to 38 miles below Memphis. DeL'Isle (1718) seems to have been the first geographer to attempt to map the route, and he places the crossing at "Pointe d'Oziers" (Willow Point); but the place cannot be identified. D'Anville (1735) shows "Point d'Oziers," plainly enough as being about halfway between the mouths of the St. Francis and White rivers; but this is too far down. The Chiaves map of 1598 (Ortelius' edition) and the Sanson map of 1656, the information on both of which is taken from the Elvas narrative, the Leide map (1700) having the names from Elvas and the Inca intermixed, and other maps of a similar character, are not taken into consideration.

"The Memphis theory of the location of Quisquis and the crossing, which is based upon the Inca's account, is untenable, and a fair analysis or review of his statements will show that neither the town nor the crossing was located at that point. He says: "They arrived in sight of a town called Chisca, which stood near a great river," which he calls the Chucagua; that "many Indians gathered here (on the mound) and others in a very fine wood which lay between the town and the great river;" and that "because of the many streams around there they could not use their horses." It will readily be seen that this description does not apply to the Fort Pickering mound. Rangel gives the distance between the first and the third towns as being two leagues (over five miles); Elvas says that they moved to another (the third) town, gives the distance between it and the river as being a half league, and the Inca fills in this space with "a very fine wood." Biedma says the town was near the banks of the Espiritu Santo, which statement refers to the third town. If commentators are right, and the town was located at the Fort Pickering mound, they should follow their authority (the Inca) for "four little days journey of three leagues each, up the river," which would make the crossing about 31 miles above the mound. The reason given by the Inca for this journey of 12 leagues was the dense woods, together with the high, steep banks of the ravines leading to the river (and evidently the river banks also), "so that one could neither go up nor down them." It is a well known fact that, wherever the channel of the lower Mississippi river strikes the edge of the flood plain, it is continually cutting away the bank, so that it is perpendicular or nearly so. Therefore, this part of his description is applicable to all such places. It should be borne in mind, however, that none of the narratives mention this journey."

The scholarly study of Mr. Lewis was published in 1902 and no historian has thought it wise to question his conclusions.

The best translation of the narratives of the DeSoto expedition is found in the "Narratives of DeSoto," edited by Edward Gaylord Bourne, LL. D., Professor of History in Yale University, published in 1904, in two volumes as a part of "The Trail Makers." In his introductory note he gives an accurate estimate of the narratives of the expedition and in his opinion "The Inca" cannot be relied on. John G. Shea, another authority on the route of DeSoto, is of the same opinion. All the narratives, with the exception of "the Inca's," were written by participants in the expedition and were contemporary with it.

My purpose in presenting this question is to correct what I believe to be an error which has almost become an accepted fact among many well informed and intelligent people. If I am depriving the great and prosperous City of Memphis of one of her most cherished traditions, let me assure her people that I do so with regret. If some of your images are broken by this discussion, truth requires it. If you are in error in claiming that DeSoto discovered the great river from your beautiful bluffs, I know that you will graciously concede it and heartily accord the honor to the State which bears the name of the mighty stream, discovered by the intrepid Spaniards three hundred and seventy-five years ago.

State Department of Archives and History,  
Jackson, Miss., January 30, 1917.

## DE SOTO AT CHICKASAW BLUFFS

A Review of the Works of Various Historians of the Great Spaniard's Life.\*

BY JUDGE J. P. YOUNG.

An article entitled "Discovery of the Mississippi," which appeared in *The Commercial Appeal* of Feb. 18, ult., from the pen of Dr. Dunbar Rowland, director, Mississippi Department of Archives and History, and the conclusions reached by the learned historian as to the point at which DeSoto first saw the great river, calls for a challenge from the people of Memphis, to whom he appeals for an indorsement. To assent would be to tamely surrender what they have so fondly claimed for nearly a century, the distinction of living about the site of the village at which it was discovered in 1541, the Indian hamlet of Chisca. The author of the article says:

"I freely admit in the outset that the claim of Memphis as the place where the great river was discovered has been accepted by some Memphians, but the acceptance has been based no doubt on the narrative of Garcilaso de la Vega, 'The Inca,' which careful and complete investigation has shown to be unreliable and not in accord with the narratives and facts as given in all contemporary accounts."

Which particular Memphians our good friend intends to describe by the adjective "some" in this paragraph is not made clear, but playfully, we with equal freedom are willing to admit that there are about, say, 100,000 of the class described now living on the lower Chickasaw Bluff, and they are as jealous as the abor-

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\*Reply to the foregoing paper by Judge J. P. Young, Circuit Judge of Shelby county, Tennessee.

iginal Chickasaw would have been of this invasion of their beloved title to a distinction justly belonging to them.

But, seriously, let us examine the article of Dr. Rowland, who is a man of great learning and high repute, and carefully weigh his claim that we have fallen into a great historical error in accepting a tradition or legend as a truth. The writer is himself a native of Mississippi, though a citizen by adoption of Tennessee for more than half a century, and would not wantonly remove one olive leaf from the brow of his mother state. No historian or investigator, however, has any proprietorship in the history of any place or era. He cannot even be original in history, except in rare instances, perhaps, in treating of contemporary events of which he has had personal observations, but is limited to weighing and comparing the writings of others in order to reach the truth.

In the article referred to Dr. Rowland lays down these postulates as the basis of his attacks on the "cherished traditions" of Memphis.

First—That there are only four sources of information as to the journey of DeSoto, viz.: The "Narrative of the Gentleman of Elvas," "the largest and one of the most accurate"; the narrative of Louis Hernando de Biedma, the factor of the expedition, "which is highly colored and unreliable"; the "History of Hernando De Soto and Florida," by Garcilaso de Vega, "the Inca," "which is the least trustworthy," and the official report of the expedition which Rodrigo Ranjel, the secretary of DeSoto, drew up from his diary, and which "is accepted as the standard and best account." He gives Dr. Edward Gaylord Bourne of Yale as his authority for these estimates.

Second—To quote: "My contention is that the Mississippi was discovered in Tunica County, Miss., at Willow Point, which the map of De l'Isle, made in 1718, places about 30 miles in a straight line below Memphis, in Tunica County. Not a map, so far as I know, gives Memphis the honor of being the point at which the Mississippi was discovered."

Third—Dr. Rowland refers to the article of Theodore Hayes Lewis, appearing in "Publications of the Mississippi Historical



Society." Vol. VI, in 1902, as "the most painstaking and accurate study of the route of DeSoto," and quotes him as saying of the march of DeSoto from the Tallahatchie River at or near New Albany, Miss., to the Mississippi River:

"The army left this inclosed place (an Indian fort, Alibamo, where there was a battle), turning to the westward. According to Elvas the country they were now passing through was a wilderness of thick forests, having many marshy places that were fordable and some basins and lakes (sluggish streams) that were not. In another place, he says, the land was low, abounding in lakes. Ranjel says they passed over bad roads leading through woods and swamps. This part of the route lay wholly within the State of Mississippi, for had it been towards Memphis they would have passed through a hilly region instead of one of swamps.

\* \* \* At noon on Sunday, May 8, they arrived at the first town in Quisquis and carried it by sudden assault. \* \* \* The crossing was made either at Council Bend or Walnut Bend, in Tunica County, in a straight line some 25 to 38 miles below Memphis. De l'Isle (1718) seems to have been the first geographer to attempt to map the route and he places the crossing at Pointe de Oziers (Willow Point), but the place cannot be identified. D'Anville (1755) shows Point d'Oziers plainly enough as being about half way between the mouths of the St. Francis and White rivers; but this is too far down. \* \* \* The Memphis theory of the location of Quisquiz and the crossing which is based upon the Inca's account, is untenable, and a fair analysis or review of his statements will show that neither the town nor the crossing was located at that point."

Fourth—The scholarly study of Mr. Lewis was published in 1902 and no historian has thought it wise to question his conclusions.

Fifth—My purpose in presenting this question is to correct what I believe to be an error, which has almost become an accepted fact among some well informed, intelligent people. If I am depriving the great and prosperous City of Memphis of one of her most cherished traditions, let me assure her people that I do so with regret.

To rapidly review the foregoing conclusions of Dr. Rowland, reference will first be simply made to his estimate of the nature of the several narratives of the DeSoto chroniclers, the authority for which is given as Prof. Edward Gaylord Bourne of Yale. We do not find in Prof. Bourne's introduction any statement that the narrative of Biedma is "highly colored and unreliable," but he does say that "Biedma's Relation possesses the important advantage of being the official report of a king's officer; but it is brief and is given as a whole with comparatively few details, except as to directions and distances."

Of the History of Florido and DeSoto by Garcilaso de la Vega, Prof. Bourne, after reviewing the work of the Portuguese gentleman, says, "Next in order of publication and equal in fame comes 'La Florida del Inca.'" And in another place writes: "In making another (narrative of DeSoto), a descendant of the Incas of Peru transmitted the tale of hardships and meetings with the Indians, friendly and hostile, into an old romance of chivalry—the first and certainly the most celebrated one dealing with an American theme—in which a groundwork of fact is richly embroidered by the author's imagination, with romantic details, into a whole so full of charm as to have beguiled even professed historians."

Much has been written by critics to disparage the Inca's narrative, because out of harmony with the other three narrators in adding details and incidents not referred to by the latter. It seems reasonable to suppose, however, that these differences arose, as similar phenomena have arisen in our own day, in the frequent and truthful sidelights thrown upon the stories of the battles and marches of the Civil War in the incidents related by the survivors, which do not appear in the official reports of the commanders, or in the official army itineraries kept by the staff officers. Garcilaso was not present with DeSoto, nor were his modern critics. But Garcilaso had the acquaintanceship of several survivors and his critics have nothing but the official reports and diaries. For instance, Garcilaso says: "The Spaniards departed from the encampment of Alibamo (on the Tallahatchie River), still marching towards the north to avoid the sea." Theodore Hayes Lewis

says: "On Saturday, April 30, the army left this inclosed place, turning to the westward." The first course would take DeSoto towards the lower Chickasaw Bluff. The latter would take him to the Mississippi in the vicinity of Moon Lake, in Coahoma County, Miss. Garcilaso had in this instance the statement of survivors. Mr. Lewis had no guide whatever, as the other three narrators do not mention the direction of the march. Let us as historians be fair in this inquiry.

Taking up next the second postulate of Dr. Rowland, as noted above, viz: "My contention is that the Mississippi River was discovered in Tunica County, Miss., at Willow Point, which the Map de l'Isle made in 1718 places about 30 miles in a straight line below Memphis, in Tunica County." This must be an inadvertance on the part of Dr. Rowland. The map of De l'Isle (Amsterdam edition, 1707, but the same as above referred to) shows clearly the assumed route of DeSoto, and places the crossing at Pointe de Oziers (Willow Point), midway between the mouth of the Arkansas River and Lac des Michigamea, adjoining the mouth of St. Francis River and 80 miles in a straight line below Memphis instead of in Tunica County, 30 miles below, as claimed by Dr. Rowland. In addition to this, the writer has before him the map of Lieut. Ross of the British army, "taken on an expedition to the Illinois in the latter end of the year 1765, improved from the survey of the river made by the French." This map places the crossing of DeSoto on the thirty-fourth parallel about five miles below "Oziers Point," which on this map is about midway between the mouths of the St. Francis and Arkansas rivers. But these old French and English maps are not reliable guides, as the cartographers had less information from the DeSoto narratives than is now available and infinitely less knowledge of the country through which DeSoto marched than the school boy of today.

And, referring next to the third contention of Dr. Rowland, in which he quotes so fully and approves the study of Theodore H. Lewis of DeSoto's march from the Tallahatchie River to the Mississippi River at "Council Bend," or at "Walnut Bend," in Tunica County, Miss., as set out above. Mr. Lewis argues from

the character and topography of the country between Alibamo and Council Bend, as compared with that between the same point and Memphis, as described by the narrators in the DeSoto narratives, that the former was swampy and the latter high and hilly. In this Dr. Rowland is perhaps again not fortunate. The writer has passed over both routes several times, and they are practically identical if the route lay north of the Tallahatchie Swamps, in topographic characteristics and elevations, except the last 12 or 15 miles of approach to Council Bend and Walnut Bend, which is in the alluvial basin of the delta, so-called, and is flat and swampy.

Finally, on this subject, in his fourth contention, Dr. Rowland says:

"The scholarly study of Mr. Lewis was published in 1902 and no historian has thought it wise to question his conclusions."

Perhaps not more than one history, written since 1902, has questioned his conclusions. But among historians writing before 1902 many noted ones have taken a different view and arrived at opposite conclusions as to DeSoto's point of crossing the great river. Bancroft says, volume 1, page 51, he crossed "probably at the lowest Chickasaw Bluff, not far from 35 parallel of latitude." John Gilmary Shea, writing in and for Winsor's *Narrative and Critical History of America*, volume 2, page 291, states: "As to the point of DeSoto crossing the Mississippi, there is a very general agreement on the lowest Chickasaw Bluff."

The great Mississippi historian, J. F. H. Claiborne, in his *Mississippi As a Territory and State*, volume 1, page 8, thus describes the discovery:

"Still shaping his course to the northwest, he struck the great river at the lower Chickasaw Bluff, just below old Fort Pickering, in May, 1541. Any route from the Chickasaw Old Fields south of the one assumed would have carried him into the impenetrable swamps of the Yalobusha and Tallahatchie and their tributaries, where there were no paths and no footing for men or horses."

J. G. M. Ramsey, the Tennessee historian, in the *Annals of Tennessee*, 1853, writes:

"It is generally conjectured that Chisca, the village near which DeSoto was encamped, and which bore the name of the chieftain of the province through whose territories the Spaniards were passing, occupied the site of the present thriving City of Memphis, and that the point where they crossed the Mississippi was near the Chickasaw Bluff."

J. M. Keating, in his history of Memphis, 1888, describes the approach of DeSoto to the mighty river thus:

"They entered the village of Chisca near the high mound which overlooks the great river, where it divides to flow southward on either side of what is known as President's Island."

Another similar view of DeSoto's approach to the Mississippi River at Memphis is expressed in Young's History of Memphis, 1912, in these words:

"Comparing these four narratives (Elvas', Biedma's, Ranjel's and Richelet's version of Garcilaso, given in full in the text, of the march from the Tallahatchie River), which are in peculiar agreement with each other, except the last, it can readily be seen that Ranjel, in speaking of the villages a league apart to which the Spaniards moved in turn for the purpose of obtaining provisions, was merely describing the usual group of villages which went to make up a settlement among these Indians, such as the Spaniards found in the Chickasaw towns in Pontotoc County, Mississippi, and in no way contradicts the other narratives. The fact seems to be that DeSoto came upon the town of Chisca, where the great mound was and still remains, which was near the wide river with a forest between, and then, without reaching the river, he moved from village to village on the bluff for more convenient access to corn or maize, by which his army was supported, and finally pitched his camp under the bluff at the foot of a ravine, probably near the mouth of Wolf River and within crossbow shot of the water, where he constructed and launched his boats."

We can, in conclusion, question the statement of Dr. Rowland that the views of "some Memphians as to the place of discovery and crossing of the Mississippi" has been based no doubt on the narrative of Garcilaso de la Vega, the Inca, which careful

and complete investigation has shown to be unreliable and not in accord with the narrative and facts as given in all contemporary accounts.

There are but two facts mentioned in Garcilaso's narrative which aid effectively in locating Memphis as the site of the village of Chisca, or Quizquiz, as some wrote it, where DeSoto first found the river.

These are, first, "That Spaniards departed from the encampment of Alibamo, still marching towards the north to avoid the sea," as translated by Irving; or, "The Spaniards, in leaving Alibamo, marched across a waste country, bearing always towards the north in order to get further away from the sea," as rendered by Richelet, and second, that Chisca, the chief, lived on "a high mound which commanded a view of the whole place." There are merely details added to the other three narratives and in no way contradict them. John G. Shea, in his chapter on Ancient Florida, written for Winsor's history, above referred to, says on page 290, volume VI: "The spirit of exaggeration which pervades throughout this volume (Garcilaso's narrative) has deprived it of esteem as an historical authority, though Theodore Irving and others have accepted it." But on the next page, 291, he says: "As to the point of De Soto's crossing the Mississippi there is a very general agreement on the lowest Chickasaw bluff."

There is another most persuasive fact well established by many writers which points to Memphis as the point of De Soto's crossing, viz., that an ancient trail existed from the lower Chickasaw bluff, southeastward to the Chickasaw old fields and from there it is traced still southeastward, by Claiborne, to the Choctaw crossing of the Tombigbee at Lincacums Shoals, just above the mouth of Tibbee Creek, and along which it is generally agreed that DeSoto marched to Chickasaw in December, 1540. It was this trail he followed to the Chickasaw Bluff, as Claiborne contends. The Portuguese narrative states, in describing the march to Alibamo fort that the army had to pass a desert seven days' journey in extent, and men were sent out to hunt for maize for the journey, and that "Juan de Anasco, the comptroller, went with 15 horses and 40 foot on the course the governor would have to

march and found a staked fort where the Indians were awaiting them." This fort, Alibamo, was at Rocky Ford, on a high hill overlooking the Tallahatchie River, and in almost an airline from the Village of Chicacilla. De Soto began his long march to the lower Chickasaw bluff along the famous Chickasaw trail to the bluffs above mentioned, and not manifestly along the route indicated by Mr. Lewis.

In 1849 Frederick P. Stanton, the congressman from the Memphis district, was instrumental in having the celebrated painting of De Soto discovering the Mississippi River made for the national capitol at Washington, and suggested the features of the picture to Powell, the artist. This was at the period when the march of DeSoto was being most widely discussed by the historians and the public and the great historic painting was approved by the nation.

This article has been written in reply to Dr. Rowland only to get at the truth of history so far as it sheds light on the story of De Soto's discovery, and is confidently submitted to the discerning judgment of the public and in the broadest spirit of good will towards Dr. Rowland, the eminent and learned writer. We believe that it plainly proves that the leading historians, except Dr. Theodore Lewis and his supporter, Dr. Rowland, have correctly placed the discovery and crossing at the lower Chickasaw bluffs, where Memphis now stands.

A SECOND CHAPTER CONCERNING THE DISCOVERY  
OF THE MISSISSIPPI RIVER BY DE SOTO,  
IN TUNICA COUNTY, MISSISSIPPI.\*

BY DUNBAR ROWLAND, LL. D.

Director Mississippi Department of Archives and History.

The Commercial-Appeal of March 18th contains an answer by Judge J. P. Young to my article on the discovery of the Mississippi River by DeSoto, which appeared in the same paper of February 18th, in which he attempts to establish the contention that De Soto discovered and crossed the Mississippi River at Memphis. The issue is made, and is based on historical evidence. I accept it with pleasure, not only on account of Judge Young's high character, great ability, and gentlemanly courtesy in controversy, but because I am convinced that a full and fair study of the evidence, as contained in the records made by eye-witnesses and participants, and of the opinions of the best historians, will establish the fact that De Soto discovered and crossed the Mississippi River within the 34th parallel in Tunica County, Mississippi, and not at Memphis, as contended by Judge Young. In making the claim for Tunica County, I unhesitatingly assume the burden of proof, which requires that my contention be established by a preponderance of the evidence. Let us carefully examine the original testimony.

THE BEST EVIDENCE.

In the article of February 18th, referred to above, it was stated that: "The best evidence of all the incidents connected with the De Soto expedition is, of course, the written statements made at the time by accurate and truthful men who accompanied it, and

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\*Rejoinder by the Editor.



such narratives only can be received by the conscientious and careful historian." The most reliable source of information is found in original records; the most unreliable source is tradition, which is nothing more than hearsay evidence. The acceptance of the first source and the rejection of the last is the distinguishing characteristic of the scientific historian. Judge Young applies these well known rules of evidence in the court over which he presides with learning, courtesy and dignity. If a litigant in his court, by his attorney, should attempt to introduce into the record of the case the same kind of hearsay and unsupported evidence which he introduces in support of his contention that De Soto discovered the Mississippi River at Memphis, it would be ruled out as soon as offered. I refer to his acceptance of authorities who wrote from hearsay and without special investigation.

What is the original record evidence in the question under discussion? Who made it, and when was it made? Did the authors making the records know the facts, and were they truthfully recorded? These are important questions in arriving at a correct conclusion. In my first article, in dealing with the narratives of the expedition which have come down to us, I stated that they were four in number, that the best and most reliable was the account of Rodrigo Ranjel, that the narrative of the Gentleman of Elvas was the longest and stood next in rank, that the account of Biedma was less reliable than the other two, and that the story of "The Inca" was unworthy of serious consideration, as it was founded on highly colored hearsay evidence.

That accounts of the expedition should contain descriptions of the country through which it passed, is natural and to be expected, as next to the presence of the Indians the topography of the country, its physical geography, flora, forests, streams, lakes, and high and low lands would attract the interest of the narrators. Such descriptions do occur in the narratives of Ranjel and Elvas. Since 1541 the Indians have gone, their towns and villages are no more, and the forests have given place to cultivated fields, but the topography of the country through which De Soto and his men passed is the same today as it was then; we have the same

character of country now; time has not changed the geological formations. North Mississippi from Pontotoc County, along the old Chickasaw Trail in a northwesterly direction to Chickasaw Bluffs, is the same hilly country today that it was in 1541, and West Mississippi, lying between the bluff formation which runs from Memphis to Satartia, Yazoo County, Miss., and the Mississippi River, is the same low country abounding in streams, lakes and slashes as it did when De Soto passed over it on his way westward to the river. The route of the great explorer is written indisputably in the topographical features described by Ranjel and Elvas. It is common knowledge that the counties of Pontotoc, Union, Marshall and De Soto, Mississippi, and Shelby County, Tennessee, through which the Chickasaw Trail ran, over which Judge Young contends that De Soto passed on his way to the Chickasaw Bluffs, is hilly throughout. Do Ranjel and Elvas describe the "vermilion hills" of North Mississippi, or the bottom lands of the Mississippi Delta? They say that from April 30th to May 8th, seven days, the expedition struggled through a wilderness of forests, marshes, lakes and sluggish streams. Can there be a reasonable doubt that the seven days preceding the discovery of the river, on May 8th, were passed in the low, marshy lands of the Mississippi Delta? Do the counties in North Mississippi, mentioned above, abound in lakes, basins, marshes and sluggish streams? Can the wildest stretch of the imagination lead us to believe that those seven days were spent on the well-trodden trail of the Chickasaws, on the high lands and ridges of those counties? It is not difficult to see why Judge Young touched so lightly on the topographical argument as given in my article of February 18th. Elvas and Ranjel described conditions existing in the section of Tunica County, between Coldwater River west to the Mississippi.

If the DeSoto expedition ever reached such a prominent point as the Chickasaw Bluffs, is it possible that the narratives would not mention such a height overlooking the great river? The fact that it was not mentioned seems conclusive that the place was never seen.

## EVIDENCE FROM MAPS.

In my former article it was stated that: "Not a map, so far as I know, gives Memphis the honor of being the point at which the Mississippi was discovered." This of course was a direct request for such evidence. It is fair to presume that inasmuch as Judge Young failed to name a map which supports his contention, the evidence is not available. Such evidence in support of my contention is abundant. Delisle's map has already been cited; in addition to that citation, I call attention to the map of Dr. Mitchell as given in "De Soto and Florida," by Barnard Shipp, Page 660; to that in Channing's "History of the United States," Vol. I., Page 73; to Vol. II., "Narratives of De Soto," at the title page, edited by Bourne; to "Spain in America," page 134, also by Bourne. These could be reinforced by many others, but it is not deemed necessary to give them, in the absence of evidence to the contrary. Next to facts obtained from first hand testimony, and the evidence given by the topography of the country, the facts gathered from maps are the most important and convincing. Geography is a science dealing with the earth and its life, and its findings of fact are most important in all historical investigations.

## JUDGE YOUNG'S AUTHORITIES.

In the preparation of his article, Judge Young evidently felt the weakness of his case from the standpoint of the evidence contained in the original narratives of the expedition, and of maps fixing the place of the discovery and passage of the river, and he seems to rely more on the secondary evidence in the case as contained in the work of commentators, who had never specially investigated the subject. In support of his contention, he quotes Bancroft, Shea, Ramsey, Claiborne, Keating and himself. Before quoting authorities in support of my contention, it may be best to deal with his citations. Bancroft is quoted as saying, that De Soto "crossed probably at the lowest Chickasaw Bluff, not far from the 35th parallel of latitude." That is certainly not putting it very strong. Bancroft also says, "The search for some

wealthy region was renewed; the caravan marched still further to the west. For seven days it struggled through a wilderness of forests and marshes; and at length came to Indian settlements in the vicinity of the Mississippi." The Judge is not happy in quoting Bancroft for several reasons. In the first place, the word, "probably" is not quite convincing; then he describes the Mississippi Delta and not the "vermilion hills" of North Mississippi; and says that the expedition "marched still further to the west," which is in conflict with the Judge's unqualified statement that the march was always to the northwest. Judge Young's greatest misfortune in quoting Bancroft lies in the fact that the eminent historian cites as authorities historians who disagree with him. He cites Belknap 1,—192 who says De Soto crossed the river within the thirty-fourth degree; Andrew Ellicott's Journal 125 which gives the crossing place as "Thirty-four degrees and ten minutes"; McCullah's Researches 526, "Twenty or thirty miles below the mouth of the Arkansas River." As Memphis lies well above the 35th parallel it is readily seen that the citations are against it. The same comment applies to John Gilmary Shea. The position of Claiborne is disposed of in that portion of this article which gives the topographical evidence. As Ramsey, the Tennessee historian, only conjectures that Memphis was the place of discovery and crossing, such a statement carries little weight. Col. J. M. Keating in his history of Memphis says that the Village of Chisca was on the river; this is in direct conflict with narratives and maps, and the same may be said of Young's History of Memphis. These are all the authorities quoted by Judge Young.

#### OTHER AND MORE AUTHENTIC AUTHORITIES.

While I do not attach the same importance to the opinions of commentators, (which is only secondary evidence) as I do to the primary sources of information such as the original narratives and topography, I am at the same time entirely willing to meet my worthy and learned friend in that field also, and I shall now cite certain eminent authorities whose findings are not in accord with the Memphis theory.

One of the first eminent historians who wrote the history of the Mississippi Valley was Dr. John W. Monette, and while his two-volume work, entitled "Monette's Valley of the Mississippi," was published in 1846, it has never been superseded as the standard work on the subjects with which it deals, by any later history. In treating of the subject under discussion, he says, (Vol. I., Page 47) "Much doubt and uncertainty has obtained as to the precise point at which De Soto reached the Mississippi. It was evidently much below the latitude of Memphis, where he was toiling four days in advancing twelve leagues up the river, and seven days in his westward march through swamps and deep forests, from the up-lands east of the Tallahatchee. At no point above Helena are the highlands, on the east side of the river, more than ten or fifteen miles distant. The point where De Soto crossed the river was probably within thirty miles of Helena. The changes of the channel in the lapse of three hundred years may have been such as to defy identification now." Harper's Encyclopedia of United States History says, (Vol. III., Page 106) "Turning northward with the remnant of his forces, he fought his way through the Chickasaw country, and reached the upper waters of the Yazoo River late in December, where he wintered in great distress. Moving westward in the spring, he discovered the Mississippi River in all its grandeur in May, 1541. It was near the lower Chickasaw Bluff in Tunica County, Mississippi." In the history of the United States by Dr. Edward Channing, Professor of History in Harvard University, (Vol. I., Page 73), a map is given which fixes the place of discovery about 20 miles below the 35th parallel in Tunica County. These works have both been issued since the painstaking and scholarly study of the DeSoto route of Professor Theodore Hayes Lewis, quoted in my first article. In Larned's "History for Ready Reference," (Vol. II, Page 1178) it is stated that "At length, in the third year of their journeying, they reached the banks of the Mississippi, 132 years before its second (or third?) discovery by Marquette \* \* \* The Spaniards passed over to a point above the mouth of the Arkansas." Dr. Edward Gaylord Bourne in his "Spain in America," gives a map at page 134, which places the crossing in

Tunica County, Mississippi. Belknap and Ellicott, referred to above, place the passage and discovery within the 34th parallel. And finally, Professor Lewis, in his study of every phase of the subject and every mile of the route as given in the publications of the Mississippi Historical Society, (Vol. VI., Pages 449—467), quoted at length in a former paper, fixes the discovery at Willow Point, in Tunica County, Mississippi. And let me repeat my assertion that the open-minded investigator cannot study his wonderful presentation of the subject without complete agreement with his conclusions.

I believe that it is not over-stating the case to claim that the following contentions have been established by this and my first paper:

First: That the best evidence of the De Soto route establishes the fact that, from April 30 to May 8, 1541, it was through the low lands of the Mississippi Delta and not through the high lands of North Mississippi and West Tennessee.

Second: That the topography of the country, as described in the narratives up to the very day of the discovery of the river, confirms the contention that it was made in the midst of a low country, abounding in marshes, lakes and sluggish streams.

Third: That the maps of the route of De Soto all give the point of the discovery and crossing within the 34th parallel.

Fourth: That the best and most accurate commentators on the subject place the point of discovery and crossing between the mouth of the Arkansas River and the 35th parallel.

Fifth: That the preponderance of evidence gathered from both original and secondary sources, establishes the contention that Tunica County, Mississippi, was the scene of the discovery and crossing of the Mississippi River, May 8, 1541, by Hernando De Soto,

WAR AND RECONSTRUCTION IN MISSISSIPPI  
1863-1890.

By J. S. McNEILY.

"A redder sea than Egypt's wave,  
Was piled and parted for the slave,  
A darker cloud moved on in light,  
A fiercer fire was guide by night."

INTRODUCTION.

The events of Southern reconstruction constitute a distinct and memorable era of history. The irrepressible conflict between the free and the slave holding sections had blazed forth after a half a century of brooding storm in four years of bloody and relentless war. How the South had contended with the vastly superior forces of coercion, impartial historians have told. The culmination of the issue and the end are thus clearly and concisely summed up by a noted historian, Dr. Von Holtz: "The South had stood still, while the rest of the country had undergone vast changes; and remaining still she had retained the old principles that had once been universal. Both she and her principles, it turned out, were caught at last in the great national drift. Her stored up economic resources were no match for the mighty strength of the nation with which she had fallen out of sympathy. There is in history no devotion, not religious, no constancy not meant for success, that can furnish a parallel to the devotion and the constancy of the South in this extraordinary war." The war had passed, leaving the South laid low in defeat—agonized and devastated. And then there rose up a severer test, a more trying ordeal, than war.

The terms of readmission to her former position in the Union imposed on the South were debasing to American citizenship, a perversion of the government as ordained by the fathers, destructive of social order and civilization and to the last degree revolting to pride of race and cherished popular traditions. True to themselves and their trusts, with spirits unsubdued by conquest and threats, and unseduced by pleas of expediency that would have lowered character for temporal good and gain, the people opposed the odious and revolting laws to the limit of their powers, through peaceable means. In the resistance of the forces of the government exerted to abase them under the rule of black men, in adherence to their principles and fortitude in endurance of shameful wrongs, there is, indeed, no other story comparable to the record of the Southern people. It is for testimony of the truth of this claim that this history of reconstruction in Mississippi has been undertaken. It goes forth under no pretense of divestiture of sectional sentiment. It is written from the Southern viewpoint by a Southern man—one who was actively, if not conspicuously, engaged with the history making of the period. The central purpose of the work, is to secure a just appreciation of the leaders and the people of the reconstruction years—the base and tyrannical infliction they bore, the severe and manifold trials and wrongs, from which they have emerged victorious. To make all this clear to the succeeding generations of their countrymen, to vindicate their judgment and patriotic purposes from misconstruction and derogation, the facts carefully gleaned from the contemporary chronicles, is the aim and argument of the author.

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#### RECAPITULATION OF CHAPTERS PREVIOUSLY PUBLISHED.

This contribution to a volume of the State Historical Society has been preceded by others dealing with that period of state history commonly known as the Reconstruction Era, and connected antecedent events of the last years of the war. It is much regretted that the previous chapters have not appeared in chronological order. The first to be published—a sketch of the an-



nullment of the negro suffrage status, imposed by the reconstruction laws, and the war amendments of the U. S. constitution, by the state constitutional convention of 1890—was the last in point of time to occur. It was contained in Volume VI. of the Historical Society series. The next was under the title of "The Enforcement Act of 1871 and the Ku Klux Klan in Mississippi," in Volume IX. This was followed in Volume XII, by "Climax and Collapse of Reconstruction in Mississippi," embracing the years 1874–1876. The next of the chapters told the story from 1865 to 1868—from "Organization to Overthrow of the State's Provisional Government." The present contribution fills out the gaps, and completes the story. It begins with the emancipation proclamation and the order for enlistment of negro soldiers, in the early days of 1863; opening co-incidentally with the campaign that was concluded in the fall of Vicksburg and the re-opening to trade and commerce of the Mississippi river. As President Lincoln said with dramatic portent when that death blow to the Confederacy was announced: "The Father of Waters again flows unvexed to the sea." Appreciated commendation of preceding chapters upon Mississippi reconstruction history stimulates the hope of some day, publishing the entire series of contributions to the volumes of the State Historical Society, in book form.

From the beginning of the war until achieved, recovery of the Mississippi river was held by the Washington government of equally vital military consequence and consideration with the defense of Washington. Due to limited resources in men and equipment partly, and partly to confidence in the impregnability of points that had been fortified, which had been seemingly vindicated in the easy repulse of the first attempts on Vicksburg, concerted and adequate means of defense had not been provided. Here the first mortal wound was inflicted upon the Southern Confederacy in the conquest of the Mississippi river. Unlike disasters elsewhere it was hopelessly irretrev'able. While on other fields the tide of war ebbed and flowed, the loss of that vital point of vantage was final. It was doubly calamitous, for in the occupation of the lower river a limited but invaluable supply of

cotton was procured for the New England mills; and nearly two hundred thousand black soldiers were enlisted. Probably as many more army and navy employees, each one relieving a white recruit for the battle line, were secured. Previous to the fall of Vicksburg, and the occupation of the lower valley, the emancipation proclamation had been looked on by the large slaveholders, and the small ones, with derision, as a vain threat. When it materialized at their doors, a genuine despondency spread over the land.

The blow inflicted on the South in the reopening of the river was doubled, in the inspiriting effect it had upon the Western people. Railroad development was scarcely emerged from its infancy, when that powerful and opulent section was deprived of an avenue and means of trade that was felt to be an incalculable and an intolerable loss. It was in a plea to "a great Union meeting," for holding up his arms in the prosecution of the war, that President Lincoln sententiously announced the fall of Vicksburg and the conquest of the Mississippi by the Union armies and fleets, in the words above quoted. While the blow fell heavily on the Southern Confederacy, it descended as the knell of doom on the valley people. The extent of the calamity was probably more fully comprehended at Washington than at Richmond, for "the Father of Waters to flow unvexed to the sea" meant little in the Eastern states of the Confederacy by comparison with the consequence attached to it in the west and north-west. To them it represented the true *casus belli*. And not even the fall of Richmond would have been so gladly hailed as that the Union forces held the river and its fortresses clear to the Gulf. Planning for the campaign which consummated this great purpose, Gen. Halleck, President Lincoln's military adviser and the titular commander in chief of the Union armies, in the fall of 1862 wrote Gen. N. P. Banks, who had succeeded Butler in command of the Department of the Gulf: "The President regards the opening of the Mississippi river as the most important of all our military operations." He specified the two main objects of the two armies, Grant's operating down the river from Memphis, and Banks' up from New Orleans, in cooperation with

the fleets of Admirals Farragut and Porter. These were the capture of Vicksburg and the possession of the Red river; the fortifications at Port Hudson being the key to the latter.

More than the mere occupation of the country by a hostile force, it was the effect of these two disasters—arming the slaves and trading in cotton—that cast a blight over the spirit of the people. They combined to appall and corrupt. Hitherto, the Lincoln administration had resisted the importunities and temptations of arming the slaves. Even tenders of free negro soldiers were declined during the first year of hostilities. A regiment of negroes raised by Gen. David Hunter, commanding the Union forces on the South Carolina coast, was made the subject of a congressional resolution of enquiry. Fearful of the effect on sentiment, especially of the border states, this action was disavowed and the organization disbanded. There was a strong, at that period a predominant, party in the North that still looked to a restoration of the Union with slavery. That idea was sustained by President Lincoln's declaration, that if the Union could be saved with slavery preserved, he would thus save it. Not until the war was more than a year old was the emancipation policy seriously entertained. The flocking of the negro runaways and refugees to the camps was an embarrassment that led to an act of congress, July 17, 1862, authorizing the President "to make provision for transportation and colonization or settlement in some tropical country beyond the limits of the United States, of negroes escaped from slavery as may be willing to emigrate." In his message of December, 1862, President Lincoln referring to "such colonization as contemplated by act of congress," said "several of the South American republics have protested against the sending of such colonies to their respective territories. . . . I have offered to the several states situated within the tropics to negotiate with them to favor the voluntary emigration of persons of that class to their respective territories. Liberia and Hayti are as yet the only countries to which colonists of African descent from here could go with certainty of being received as citizens, and I regret to say such persons contemplating colonization do not seem so willing to migrate nor so willing as I

think their interest demands. I believe, however, opinion among them in this respect is improving, and that ere long there will be an augmented and considerable emigration to both those countries from the United States." A communication from Gen. Grant at Holly Springs, to Gen. Halleck, at Washington, January 6th, 1863, is quoted: "Contraband question becoming a serious one. What shall I do with surplus negroes? I authorized an Ohio philanthropist a few days ago to take all that were at Columbus, Kentucky, to his state at government expense. Would like to dispose of more same way." The problem of disposing of the "surplus negroes" was shared by all the Union army commanders to a greater or less degree at this period of the war.

The impression in the South, based on such evidence, of the attitude of the government at Washington toward the slave, that after the war had run its course there could be a settlement preserving slavery, was not without a reassuring influence; especially in the sections of large negro population. This was most unfortunate, for it was wholly deceptive. In its nature the war was one to be fought to a finish. As it progressed, as the exactions of blood and treasure grew heavier, the purely military policy could but sweep away mitigating sentiment and rule everything. Thus it came about that the course of the war as related to the slaves and slavery radically changed—that the administration moved up to the position of the extremists who had from the beginning contended for an emancipation proclamation. This consummated, in January, 1863, the decision for arming the slaves, for fully utilizing them in bringing the war to a close was adopted and acted upon. The policy was looked on as a risky and dubious one at first. True Gen. Butler had secured the President's authority even before the emancipation proclamation to raise two regiments of "colored men"—the "darkest of whom" as Butler wrote the war department, "was about the color of the late Daniel Webster." In the fall of 1862 they had formed part of a force operating in Southwest Louisiana and commanded by Gen. Godfrey Weitzel. He declined the command November 11th, 1862, in a communication to Gen. Butler, which is quoted: "The reason I must decline is because

accepting the command would place me in command of all the troops in the district. I cannot command those negro regiments. The commanding general knows well my private opinion on this subject. What I stated to him privately, while on his staff I see now before my eyes. Since the arrival of the negro regiments symptoms of servile insurrection are becoming apparent. I cannot assume the command of such a force and thus be responsible for its conduct. I have no confidence in the organization. Its moral effect in this community which is stripped of nearly all its able bodied men is terrible. Women and children are in terror. It is heart rending and I cannot make myself responsible for it. I will gladly go anywhere with my own brigade that you see fit to order me. I beg you therefore to keep the negro brigade directly under your own command."

The time had now come when it was decided to put aside, or quell, such scruples as Gen. Weitzel entertained and which had animated the Union generals and soldiers generally, heretofore. Both army and civilian instinct, or prejudice, against black troops was to be overcome. But the plunge once taken, all objection and obstacle disappeared. No more was needed, in fact, in the then doubtful war outlook, than to show its imperative necessity. Very shrewdly, the first step taken was to convince the army. March 23, 1863, the adjutant general of the army, Lorenzo Thomas, received instructions from Secretary of War Stanton to visit the army operating under Gen. Grant, in the Mississippi valley. The matter of main importance entrusted to him was stated in the following passage:

"The President desires that you should confer freely with Maj. Gen. Grant, and the officers with whom you have conversation and explain to them the importance attached by the government to the use of the colored population emancipated by the President's proclamation, and particularly for the organization of their labor and military strength. You will cause it to be understood that no officer in the United States service is regarded as in the discharge of his duties under the acts of congress, the President's proclamation and the orders of this department, who fails to employ to the utmost extent, the aid and

cooperation of the loyal colored population in performing the labor incident to military operations and in performing the duties of soldiers under proper organization, and that any obstacle thrown in the way of these ends is regarded by the President as a violation of acts of congress and the declared purposes of the government in using every means to bring the war to an end. You will ascertain what military officers are willing to take command of colored troops and if troops can be raised and organized you will so far as can be done without prejudice to the service retire officers and privates from the service in which they are engaged to receive commissions in the brigades, regiments and companies of colored troops; and to organize such troops for military service to the utmost extent to which they can be obtained in accordance with the rules and regulations of the service."

In a subsequent report to the secretary of war upon this mission Gen. Thomas said: "You undoubtedly recollect that the determination to send me on this duty (the organization of colored troops) was a sudden one, and the purpose was only unfolded to me prior to the date of the instructions and you urged expedition in the matter. The subject was new to me and I entered on the duty by no means certain of what I would be able to effect. . . . The prejudice against colored troops was quite general and it required in the first instance all of my efforts to combat it. . . . I found the treatment of the blacks varied very materially at the different military stations, some commanders received them gladly, others indifferently, whilst in very many cases they were refused admission within our lines. This resulted from the fact that no policy in regard to them (the blacks) had been made known. But as soon as I had announced by your authority the views of the President and yourself all opposition to their reception ceased."

At the same time orders were issued to Gen. Banks at New Orleans, to immediately raise a large military force from the colored population of Louisiana. There had been several regiments enlisted in that department, shortly before the formal announcement by Adjutant General Thomas of the policy determ-

ined upon. The great expectation from arming the negroes is evidenced in the following letter from President Lincoln to Governor Andrew Johnson, March 26th, 1863: "I am told you have at last thought of raising a negro military force. In my opinion the country now needs no specific thing so much as some man of your ability and position, an eminent citizen of a slave state and a slave holder himself, to go to this work. The colored population is the great available and yet unavailed of force for restoring the Union. The bare sight of 50,000 armed and drilled black soldiers upon the banks of the Mississippi would end the rebellion at once."

General in Chief Halleck, the President's personal military adviser, wrote Gen. Grant March 31: "It is the policy of the government to withdraw from the enemy as much productive labor as possible. So long as the Rebels retain and employ their slaves in producing grain, etc., they can employ all the whites in the field. Every slave withdrawn from the enemy is equivalent to a white man put hors de combat. Again, it is the policy of the government to use the negroes as far as practicable as a military force for defense of forts, depots, etc. They certainly can be used with advantage as laborers, teamsters, cooks, etc., and it is the opinion of many that they will do as a military force, . . . It is expected that you will use your official and personal influence to remove prejudice of this character. . . . The character of the war has very much changed the last year. There is now no possible hope of reconciliation with the Rebels. We must conquer or be conquered by them. This is the phase the rebellion has now assumed. We must take things as they are. The government has adopted a policy and we must faithfully carry it out." Writing to Secretary of War Stanton from Helena April 6th, 1863, Gen. L. Thomas said: "I addressed 7,000 troops today and the policy respecting arming the black man was most enthusiastically received. Gens. Prentiss, Washburn and Hovey made speeches in high commendation. It has inspired new life into the troops and they say now they see that the rebellion will be crushed. . . . Gen. Hurlburt says his corps will give the policy of arming the blacks their support, especially

the regiments that have been in battle." Other addresses to the soldiers were reported, who received the announcement "with great enthusiasm." At Lake Providence, being followed by Gen. Jno. A. Logan, Gen. Thomas wrote: "He not only fully indorsed my own remarks but went far beyond them." From Milliken's Bend, where Gen. Grant's main force was camped, he wrote, "the predjudice in the army respecting arming the negroes is fast wearing out. I send by mail plan for occupying abandoned plantations."

April 11th Gen. Grant, at Milliken's Bend wrote Gen. Steele at Greenville: "All negroes you have you will provide for where they are, issuing to them rations until other disposition is made of them. You will encourage all negroes, particularly middle aged males, to come within our lines. Gen. L. Thomas is now here with authority to make ample provision for the negro." After Vicksburg was taken the inflow of negroes to the Federal camps was greatly swelled. August 9th President Lincoln wrote Gen. Grant: "Adjutant General Thomas has again gone to the Mississippi valley with the view of raising colored troops. I have no reason to doubt that you are doing what you can upon the same subject. I believe it is a resource which, if vigilantly applied now, will soon close the contest. It works doubly—weakening the enemy and strengthening us. We were not fully ripe for it until the river was opened. Now I think at least 100,000 ought to be organized along its shores returning all the white troops to serve elsewhere." In fact a total of 186,000 negroes were enlisted from the slave states, as follows: Kentucky, 23,700; Missouri, 8,800; Tennessee, 20,100; Arkansas, 5,500; Mississippi, 17,800; Louisiana, 24,000; Maryland, 8,700; Alabama, 4,900; Georgia, 3,400; South Carolina, 5,400; North Carolina, 5,000; Virginia, 5,100. The rest of the total was raised by recruiting officers sent South by Northern Governors. They attracted recruits, who were credited on their draft quotas, by offers of large bounties. Thereupon, using this new form of enlistments were sought with such zeal that General Sherman, June 24th, 1864, issued an order forbidding "recruiting officers from enlisting negroes who are profitably employed in any of



the army departments, and any staff officers having a negro employed in useful labor on account of the government will refuse to release him by virtue of any supposed enlistment. Commanding officers of military posts will arrest and if need be imprison any recruiting officer who to make up companies of negro soldiers, interferes with the necessary gangs of hired negroes of the quartermaster's or other departments without the full consent of the officer having them in charge." General Thomas reported to the secretary of war that bounties offered by these recruiting agents were encouraging desertions from the negro regiments. About the same time, September, 1864, he complained that "Gen. Sherman was opposed to the organization of colored troops. He ought to bear in mind that they guard a long line of his communications, and that on the Mississippi river they are relied on for guarding important points." This rebuke was occasioned by Sherman's protest against "the invasion of his camp by agents from states for recruiting negroes." He was informed in a letter from Gen. Halleck that "the law was a ridiculous one, but it was passed through the influence of Eastern manufacturers who hoped to escape the draft through negro enlistments. They were making immense fortunes out of the war and could well afford to purchase negro recruits to keep their employees at home." He further wrote Sherman to reconcile himself to the slave arming policy—that "your ranks cannot be filled by the draft." In the Vicksburg Herald, August 16th, 1864, recruits were advertised for by agents from New York, Massachusetts, Ohio, Michigan, and Wisconsin. Liberal bounties were offered to all who would enlist to fill the quotas of the states named, respectively, under the call for half a million men. "It is comparatively easy," the Herald said, "for the loyal citizens to be represented in the U. S. army. Colored men will be accepted as substitutes, and these can be procured with but little difficulty and at very small cost for bounties."

The calculations upon the double effect of using the negro as a military force and agency, of the strength it would add to the North and take from the South, were fully verified. Every negro used in guarding posts and communication lines, and as

teamsters, etc., added a white soldier to the armies in the field. While Lincoln's assertion, that "the bare sight of a negro army would terminate the rebellion at once," failed of verification, demonstration of fact of such a reserve force for the Union armies to rely upon, was a material final factor in the failure of the Confederacy. The ensuing moral subjugation of the people of sections without the Confederate lines, was reflected in a letter to President Lincoln from Gen. Hurlburt, Aug. 11, 1863. Referring to an application of "fifty men of mark and position in Mississippi to hold a meeting to consider recognition by the United States, he wrote: "Mississippi is thoroughly broken spirited. . . . The terror inspired by the mission of Gen. L. Thomas of arming negroes will hasten results." The suggestiveness of the following letter from Gen. Hunter to Secretary of War Stanton, August 3d, 1863, readily explains the terror of communities without military protection, inhabited solely by old men, women and children:

"From all I can see and hear at the North and from the hopeless state of the rebels I am fully convinced you will shortly be overwhelmed with the cry of the 'Union as it was and the constitution as it is.' Slavery will thus be fixed forever and all our blood and treasure will have been expended in vain. Cannot this be prevented by a general arming of the negroes and a general destruction of all property of slaveholders thus making it their interest to get rid of slavery? Let me take the men you can spare from this city (New York), land at Brunswick, Ga., march through the heart of Georgia, Alabama and Mississippi to New Orleans, arming all the negroes and burning the house of every slaveholder. A passage of this kind would create a conviction among the negroes that they could be left to do the rest. Slaveholders have no rights a negro is bound to respect." It is but just to the North to state that Gen. Hunter was a Virginian, and that he subsequently practiced what he preached by ravaging and burning the homes of the valley section of which he was a native.

The social and industrial disorders brought to the state through the Union military policy, was greatest in the river and northern

counties. During this period the Confederate authorities were dragnetting the state for recruits and deserters. Conscription which was sweeping, drew forth the earnest remonstrances of the civil authorities. They protested against the state, which had been so largely abandoned by the Richmond government, being stripped of its male population. The negro male population was heavily drawn upon by both sides; the Confederates for building earthworks, repairing communication lines, etc., while they were being enlisted as soldiers, and employed in fortification works, as teamsters and in the multitude of camp uses by the Union army. Thousands were moved out of the state by their owners to prevent them from going in the Union lines. But the most potent of all the causes of demoralization and decay of the war spirit in the river country—more effective than all combined—was the trade in cotton. The blockade of the Southern ports had caused a great deal of cotton to accumulate in the interior; a considerable portion of the full crop of 1860-61 and practically all that had been grown in the two years ensuing. This cotton was being sought for at prices that now read like fiction. The total crop of 1860-61 was 4,861,000 bales. Of this Mississippi raised over a fourth. The ten counties and parishes in a radius of less than a hundred miles of Vicksburg produced nearly a seventh of the South's total. When that territory was opened up to speculators with official permits, with cotton selling around a dollar a pound, the people went cotton mad. A cotton famine abroad was an influence counted on heavily, to force foreign intervention. That calculation failed. Instead the smuggling demand sapped the Confederate foundations that rested on devotion to the cause. Under the Southern war policy, tens of thousands of bales had been burned by order of the Confederate authorities, to keep it out of the market. Could they have foreseen the evils of the cotton traffic, all would have been destroyed.

It did not help the Confederate cause that the fever of cotton speculation was almost as evil on the Federal as the Confederate side of the line. It was so recognized by General Grant when he made Memphis his base, in 1862. He sought to break up the

trade entirely through the most sweeping order. But he was powerless before the policy and the permits of the treasury department. In a letter to Secretary of War Stanton from his assistant, C. A. Dana, who had been sent on a mission to Gen. Grant's department, dated Memphis, Jan. 21, 1863, was the following: "The mania for sudden fortunes out of cotton, raging in a vast population of Jews and Yankees scattered throughout the country, and in this town has to an alarming extent corrupted and demoralized the army. Every colonel, captain or quartermaster is in secret partnership with some operator in cotton; while every soldier dreams of adding a bale of cotton to his monthly pay. I had no conception of the extent of the evil until I came and saw for myself. No private purchase of cotton should be allowed in any part of the occupied region. Let quartermasters buy at a fixed price of 20 or 25 cents a pound, and forward it to be sold at public auction on government account. I have seen Gen. Grant, who fully agrees with all my statements and suggestions except that implying corruption to every officer, which of course I did not intend to be taken literally. I have just attended a public sale of 5,000 bales of cotton confiscated at Oxford and Holly Springs. It belonged to Jacob Thompson and other notorious rebels. This cotton brought to-day over \$1,500,000."

After several campaigns and movements for effecting the conquest of the lower valley had been thwarted, success crowned Gen. U. S. Grant's efforts in the capture of Vicksburg, July 4th, 1863, and the army of near 30,000 men which the incapacity or cross purposes of the Confederate commanders opposing him had allowed to be cooped up there. With this signal success the undisputed control of the river by the Union fleets was consummated. Vicksburg had been treated by the Confederate government and looked on by the people as the valley stronghold, and the connecting bond between the Southern states, East and West of the Mississippi. Failure of former efforts to reduce or seize it had grown a feeling of false confidence in its impregnability. Its unlooked for fall followed by that of Port Hudson, involving the surrender of forces that could not be replaced, caused a

feeling of dismay and despair throughout Mississippi and the other Gulf states, that discounted Appomattox. Outnumbered and outgeneraled, beaten in battle and starved into surrender, the captured troops were paroled. Despondent and humiliated, they fared forth from the beleaguered city to spread abroad the contagion of despair. His government wished Gen. Grant to hold them until exchanged. But with a clearer sense of effects he released them on their parole; writing to Gen. Halleck: "Pemberton's army may be regarded as discharged from service." He thus explained himself in after years: "I was glad to give the garrison of Vicksburg the terms I did. There was a cartel in existence at that time which required either party to exchange or parole all prisoners either at Vicksburg or at points on the James River within ten days after capture or as soon thereafter as practicable. This would have used all the transportation we had for a month."

As the Confederate government had at the time of the surrender a large balance in prisoners of war to their credit, it was designed to immediately place the paroled garrison back in the service. Hence as soon as the formalities of surrender had been completed, parole lists made out and delivered, Pemberton's troops marched from the city July 11th, destined for private camps in the eastern part of the state to be reorganized and outfitted for immediate service. The departure was attended by ominous evidence that Gen. Grant had not miscalculated the extent of their demoralization. Gen. M. L. Smith, the Confederate parole commissioner, enquired of Gen. Pemberton "if men or regiments so desiring might be sent North instead of being paroled." After conference with the Federal commander, Pemberton replied they could not—they must accept parole and leave the post, nor would Gen. Grant "permit the oath of allegiance to the United States to be taken by any member of my army." Nevertheless, troops of Texas, Louisiana and Arkansas regiments were not interfered with in crossing the river, whence most of them vanished never to return. In the march across the state his command dwindled so rapidly that Gen. Pemberton urged that a general furlough be granted, to satisfy the incessant

clamor to visit their homes before again entering active service. July 17th he advised the war department that "the men, misled by many officers, insist on going home. I have no arms to prevent them. It is not to avoid a camp for paroled prisoners, but a determination to see their families. I have done everything in my power to keep them together, but in vain. Nearly all from the trans-Mississippi and from Mississippi have deserted already. Georgians, Alabamians and Tennesseans will go when they draw near home." To meet such a condition, badly as these troops were needed, they were furloughed for thirty days. July 20th the Confederate exchange commissioners proclaimed that all the Vicksburg army were exchanged. This declaration was challenged by the Federal commissioners. A dispute followed, which dragged on for weeks and months. This prevented the most of the men from repairing to the concentration camps until the close of the year. Many soldiers would not return to the ranks under a questionable status. Not a few of them never again did active service. Among the people the confidence lost when Vicksburg fell was never regained. Gen. Grant wrote Halleck on August 11th: "This state and Louisiana would be more easily governed now than Missouri or Kentucky, if armed rebels from other states could be kept out. In fact the people are ready to accept anything. The troops from these states, too, desert and return as soon as they find that they cannot be hunted down. I am informed on reliable authority through many parts of Mississippi of moves to unite the people to bring the state into the Union. I receive letters and delegations myself on the subject, and believe the people are sincere."

A communication from Gen. Jas. R. Chalmers, dated from Grenada, July 29th, 1863, to Gen. Jos. E. Johnston, told the story of a beaten people. It read as follows: "I regret to say that I am informed that there is some disaffection among the people of the northern parts of the state and that a few persons are openly advocating a policy of reconstruction. Is it advisable to attempt to suppress such expressions of sentiment; and if so what course shall I pursue toward persons guilty of using them"? Like reports emanated from various sections of the

state, in some there were disaffected gatherings of the weak hearted. While they were barren of direct result, they were infallible symptoms of defection that was fatal. In the case noted Gen. Chalmers was ordered "to arrest all who are openly advocating the policy of reconstruction." In a communication to Gen. Johnston from Gen. Daniel Ruggles, dated Columbus, August 10th, 1863, "the political status of the people of this district" was the subject of discussion. The following paragraph deals especially with a much noted cause of disaffection: "The spirit of volunteering has ceased to exist and although there are numbers of men apparently within conscription limits few go forward to swell the ranks of our armies, there being no sentiment sufficiently potent to impel them to enter the service. This want of patriotic fervor is traceable to a number of causes, coming under the ruling desire of saving property. It is to be apprehended that this feeling is reacting banefully on that class possessed of small estates. They assume that if the more wealthy portion of our population, slaveholders especially, will not enter the ranks of the army to defend their rights of property, it is not incumbent on them who have no such large interests at stake. The argument assumes the greater plausibility considered in connection with the number of substitutes employed by the more wealthy, and unless something is done and that right speedily to arrest this growing spirit of discontent, we shall cease to have that cordial support of citizens who constitute a majority of our fighting forces."

The conscription act, and the exemption from its drag net of managers of plantations with twenty negroes, went far to depopularize the war. Both undoubtedly proved their unwisdom, in doing more harm than good.

Writing to President Davis of the influences depopularizing the war, Senator Phelan of this state said: "There are many plausible reasons which I need not detail, for the desire to get away from the military service. The vigorous enforcement of the conscription act would tend to allay the spirit of discontent. Reorganize the whole system and let popular attention be started and attracted by the prominent, rich and influential men being

swept into the ranks. Never did a law meet with more universal odium than the exemption of slave owners. Its gross injustice is denounced even by those whose position enables them to take advantage of its privileges. Its influence upon the poor is most calamitous, and has awakened a spirit and elicited a discussion of which we may safely predict unfortunate results. I believe such a provision to be unnecessary, inexpedient and unjust. It has aroused a spirit of rebellion in some places, and bodies of men have banded together to resist it. I hope you will satisfy yourself of the truth with reference to the recommendations in your message." The intent of the law exempting from military service one white man on every plantation of twenty or more negroes was that the negro should be kept under proper control, his labor be intelligently supervised for support of the home population and the army. This seemed sound policy. But it was proved quite otherwise. When volunteering slackened and conscription was resorted to, the discrimination was looked upon as stated by Senator Phelan, and used by the demagogues of discontent to stir up opposition to the conduct and continuation of the war. The purchase of substitutes, while it did not prevail to any great extent—the substitutes being secured from the few able bodied men over conscript age who had not volunteered—was used in the same way.

The purpose of the Union establishment of freedmen's camps and employment agencies was to rid the towns and garrison points of the squatting hordes of negro idlers. These were centres of filth and vice that spread debauchery and disease among the troops. As a rule the abandoned plantations were leased out to favorites, or partners, of those who controlled the leasing. The field seemed an inviting one to Northern adventurers who came in the wake of the army. Any sort of a prospect for growing cotton worth a dollar a pound commanded capital for plantation supplies. Provisions were taken for protecting lessees from raiding bands of Confederates. Posts were garrisoned at points from which guards could be afforded. Lessees were empowered to enlist their own guards. They were further sheltered under an order issued by the commander at Vicksburg,



May, 1864, threatening indemnity contributions, to be levied on any property of the "disloyal" owners of adjacent lands, for depredations on the property of loyal lessees by guerrilla bands. A fine of \$10,000 was ordered, for the benefit of the family of any lessee thus killed. Firing on passing boats was ruthlessly retaliated upon adjacent houses and towns by burning. Thus Donaldsonville, La., Greenville, Miss., and Columbia, Ark., were totally destroyed, for acts of those over whom the citizens of the towns had no control. Under like circumstances a number of plantation homes were burned.

The so-called guerrillas were in fact acting for protection of the people from pillage. The outrage of burning Donaldsonville is emphasized by the following, from the report of Lieut. Roe, commanding the gunboat *Katahdin* only a few days before the burning: "I respectfully request instructions if the *Katahdin's* guns are to be used for protection of soldiers upon a marauding expedition, and if I am to use them in protection of drunken, undisciplined and licentious troops in the wanton pillage of a private mansion of wines, plate, silk dresses, chemises, female wearing apparel. I cannot further prostitute the dignity of my profession as I conceive I have done today. I blush to report that while the troops were thus engaged I pointed my fire upon guerrillas hovering in the rear, apparently occupied in preventing such acts of United States troops."

Terrifying as retaliation which fell only upon them was to the supplicating citizens, boats were fired on and leased plantations raided and broken up to the end of the war. The Palmyra, or Davis Bend plantations, were so located, with the river on three sides, that the following order was issued March 28th: "All the property in the Palmyra Bend except the Turner and Quitman plantations is hereby reserved for military purposes on which will be reserved 'a Home Farm,' to furnish land for freedmen for their own cultivation. The general superintendent of freedmen will have active control under the proper military authority.

"By order of the Secretary of War.

"L. THOMAS,  
Adjutant General."

By a subsequent order of the general in command, N. J. T. Dana, the Davis Bend arrangement seems to have been used for the profit of a few "fortunate persons." This order extended the "home farm" over the whole peninsula, "including the islands known as Hurricane, Palmyra and Big Black." The order referred to recited that "the limits described will easily support not less than twenty-five thousand freedman. Davis Bend is perfectly secured against rebel attack and raids. It was never intended that this security should be afforded at a high cost to the government under pretense of providing a 'freedman's home' in order that three or four fortunate persons should be favored with leases of plantations in so desirable a locality." All white persons were notified to leave the plantations named. Thus Davis Bend became the chief camp of freedmen.

"There is at Davis Bend," said *The Herald* of September 21, 1864, "a great experiment in progress of what the freedmen may be expected to do hereafter. There are about seventy-five farmers working land on their own account. About 1,200 acres in cotton and the same in corn. Jeff Davis' plantation is all covered with these negro farmers, and just where the rebellion was hatched shall rise up the demonstration that black men need only the opportunity to solve the great problem that has so vexed the politicians."

In October 1863 the following circular of the policy toward abandoned plantations was issued through Gen. L. Thomas, from Natchez, by order of Secretary of War Edwin M. Stanton:

The following regulations for the government of the commissioners for leasing plantations are published for the information of all concerned:

1. The primary objects are to line the Mississippi river with a loyal population and to give aid in securing the uninterrupted navigation of the river at the same time to give employment to the freed negroes, whereby they may earn wages and become self supporting.

2. The property of disloyal persons of right belongs to the United States, and when required may be taken. Such is the

case with plantations, crops, etc., owned by them, which the commissioners may take possession of and lease the plantations to loyal citizens.

3. The plantations of men of undoubted loyalty, especially those who have been so from the beginning of the rebellion, will be occupied and managed by themselves or leased by them to loyal citizens. In case they do neither, the commissioners may take possession and lease as in the above case.

4. Men of doubted loyalty if permitted to cultivate their plantations, will be required to take as a partner a loyal citizen.

February 20th, 1864, Gen. L. Thomas complained to the secretary of war of the maladministration of the affairs of freedmen and abandoned plantations by Mr. W. P. Mellen, agent of the Treasury Department. He wrote: "Since Mr. Mellen has taken charge of the abandoned plantations, instead of recognizing what had been done under my instruction for the present year, he required all permits to be revoked and introduced a system the workings of which the men of experience on the river assert to be impracticable. \* \* \* I do not wish to have anything to do with the abandoned plantations, but if the government will send a commission I will operate with them cordially and furnish all the labor required. I consider the negroes under my charge, but Mr. Mellen avers that they are entirely under him. The military authorities must have command of the negroes or there will be endless confusion." The answer to Gen. Thomas' complaint was a letter from President Lincoln that he "go at once to the Mississippi river and take hold of and be master of the contraband and leasing business." In a letter to the secretary of war some months later Gen. Grant wrote: "Through treasury agents on the Mississippi and by a very bad civil policy in Louisiana I have no doubt the war has been considerably protracted, and the states bordering on the river thrown further from sympathy with the government than they were before the river was thrown open to commerce."

March 11th, 1864, Gen. Thomas issued, from Vicksburg, a long and intricate code of instructions, interspersed with much

politico-moral disquisition, governing the labor and conduct of the abandoned plantations. His rules were prefaced by the following general announcement: "The occupation of the plantations and employment of the freedmen having been directed by the President of the United States, must be regarded as a settled policy of government, and it is the duty of all military commanders and troops to afford protection to the fullest extent to this most important interest whenever it can be properly done." Enthused by contemplation of his system he rhapsodised over it; "A more majestic and wise clemency history does not exhibit. Those who profess allegiance to other governments will be required as the condition of residence in the military division of the Mississippi to acquiesce without reservation, in the demands presented by government as a permanent basis of peace. The noncultivation of the soil, without just reason, will be followed by temporary forfeiture to those who will secure its improvement. \* \* \* The yellow harvest must wave over the crimson field of blood and the representatives of the people displace the agents of purely military power." Laying his scheme of occupation and cultivation of the river plantations before Gen. W. T. Sherman, it was condemned by that commander as "a long weak line easily approached, which can be broken at any point by bands of a hundred men with perfect impunity. \* \* \* Now I would prefer much to colonize the negroes on lands clearly forfeited to us by treason and for the government to buy or extinguish the claims of other and loyal people in the district chosen. I look on the lands bordering the Mississippi, Steele's Bayou, Deer Creek, Sunflower, Bogue Phalia, Yazoo, etc., in that rich alluvial region lying between Memphis and Vicksburg, as the very country in which we might collect the negroes, where they will find more good land already cleared than any district I know of." The *vae victis* of Brennus the Gaulish barbarian was mild, by comparison with the pains and penalties these two Union generals proposed for the people of the lower river. Between the upper and the nether millstone of military tyranny

and negroism they sought to grind the non combatant population to powder.

By act of congress, in July, 1864, the trade in cotton was limited to persons actively residing and producing the article within the Federal military lines. Beyond this limitation only the government could become the purchaser. This act was passed because of the cotton trade corruption of the army and to cut off the revenue derived from trade across the lines by the "rebels." Very elaborate regulations were promulgated from the treasury department, for executing this law. The following orders controlling and regulating "abandoned plantations" were published in the Vicksburg Herald:

Vicksburg, Miss., Sept. 8, 1864.

"The application of every planter for permit to ship cotton must be accompanied by certificate of the superintendent and provost marshal of freedmen, that the wages of the laborers have been paid, or that sufficient security has been given for the payment of the same. No permit will be granted without such certificate.

Vicksburg, Miss., Sept. 16, 1864.

For the information of the public, it is announced that the undersigned has been assigned by the general agent of the treasury department to permit the transportation of products from the district of Vicksburg, which were purchased under proper authority and paid for prior to July 29, 1864, in pursuance of section 55, regulations of July 29, 1864, upon the condition following:

The authority under which the products have been purchased must be presented to the undersigned, and a copy thereof must be filed at this office.

Vicksburg, Miss., Sept. 16, 1864.

(Circular.)

In order to secure to the government pay for rations furnished negroes working lands for themselves all sales of cotton

or corn made by negroes must be approved by the provost marshal of freedmen, and bear his certificate that all claim for rations and supplies furnished by the government have been settled.

This order applies to all cases, whether the parties have received any supplies or not as there is no way of finding out who have received except upon an examination of the parties themselves and the books in this office.

SAMUEL THOMAS,  
Col. and Provost Marshal of Freedmen.

Headquarters, District of Vicksburg,  
Vicksburg, Miss., Sept. 15th, 1864.

(Circular.)

Misapprehension appears to exist as to the authority under the right granted in the rules and regulations of the treasury department to ship products of the rebellious states, which were purchased and paid for prior to their adoption. Many persons appear to consider that this carries with it the understanding that products can still be produced beyond the lines of actual military occupation and brought within said lines for shipment.

General Order 33, current series, forbids the crossing of any property over the lines, except the personal property of bona fide refugees; and all persons are cautioned that that order will be literally construed, saving solely the coming crops of plantations which have been worked under the authority of the treasury department.

Pickets will be careful to prevent the coming in of any other products, and will increase their watchfulness to prevent and punish frauds by bad men attempting to smuggle old cotton under the pretense of its being a part of their crop.

By order of

MAJ. GEN. N. J. T. DANA.  
H. C. RODGERS, Asst. Adjt. Gen.

The special treasury agents, "after conference with the major general in command," at Vicksburg, issued trade permits under which alone could any one engage in merchandising. No per-

son could be so licensed who had not taken the oath of allegiance. Nor could his clerks be employed except on such condition. Products of leased plantations in the Mississippi district could only be offered for sale in Vicksburg and Natchez. But in spite of high priced cotton, and all of the advantages of protection and favoritism, more fortunes were lost than were made by those who invested money in planting. In addition to the losses of raids, the taxes and protection exactions, the army worm appeared in August, 1864, and seriously damaged the crop. A letter in the Vicksburg Herald of August 20th reported the destruction as very great. "Every plantation in this neighborhood," it read, "is laid waste and many fields will not make five bales to the hundred acres." Another account stated that "the whole crop would be cut short a half." October 5th the paper stated that "the season from the moment of planting was as propitious as could be wished up to about the 15th of August, when the army worm made its appearance and in a very short time the fair promises were blasted forever. There is no planter around here who will make a fourth the amount he reasonably expected, and some will scarcely make the seed, they planted," The following from a later Herald, after the yield was determined, refers to the Davis plantation: "We did not over-state the productiveness of the soil, the industry of the people or the reasonable expectations. But alas for human foresight, we did not allow for the waste of worms. They devoured as the locusts of Egypt. Five-sixths of the crop was thus destroyed. Some of the negro planters sold their crops before the worms came for large prices." Much of the disaster was attributed to the late planting, growing out of "the collision of the departments over them, the treasury and military, and the conflicts of authority."

While cotton growers on the abandoned plantations had burned their fingers in 1864, there was no abatement of the fever of high priced cotton. It was calculated that the experience of the past year would, if duly observed convert losses into gains. One thing sought was better protection from raiders. This was urged in a long memorial addressed to Gen.

Canby, commanding the military division of the gulf, and dated Dec. 12, 1864, reciting that "it was unnecessary to allude in detail to the many trials and difficulties endured by the loyal lessees of the Vicksburg district, in the past year. Suffice it to say, that invited by the government to cultivate the most necessary staple of our country—cotton—with promises of protection and all necessary facilities for pushing the business, thousands of enterprising and loyal citizens from various parts of the Union, with faith in the honest intentions of the government officials, that they would perform their pledges, accepted the invitation and invested capital and labor in planting." This preface was followed by a moving recital of "the murder and pillage of the loyal lessees by guerrilla bands." Bitter complaint was lodged against the military authorities for withholding protection—"many acts of unparalleled atrocity and murderous barbarity being committed almost within gun shot of Federal military posts." "Necessary arrangements were urged whereby the plantations may be resumed and reoccupied and made more secure for another year."

The details of the arrangement asked were set forth—all based upon a larger military protecting force. Otherwise it was stated that in the proposed district to the west of Vicksburg the government would lose a revenue of \$6,640,000 on 150,000 bales of cotton; or \$44 per bale. At this date cotton was selling in New York for \$1.24 per pound. Such a showing was deemed a sufficient argument for the employment of an army of plantation guards.

More regulations were published for systematizing and supervising the plantation control and management for the year 1865. The exact terms of contracts, with the specified wages, rations and clothing for the laborers, were prescribed as set forth in instructions from the treasury department and indicated in the following:

"All contracts made by white men with freedmen, either for furnishing plantation supplies or stock, for the leasing of land, for labor, or any other articles, involving the interests of the freedmen in any way, must be written out in full, the main



points clearly stated, and approved and filed in this office. Planters wishing freedmen to labor on plantations must apply at this office for a proper permit, and no planters who have not settled with their hands for labor done during the year 1864, and who have not taken up the bond for such settlement, deposited in this office, will be permitted to employ freedmen until such settlement is made and the bond cancelled.

After securing such permit, planters can proceed to any freedmen camps in the district and hire freedmen, but must enter into a written contract with them as required by the treasury regulations, before they are taken to the plantations, a copy of which contract must be filed as above.

All planters in this district will report to this office, in writing, upon the last day of each month, the names of all hands in actual employ during the month; date of entry upon labor, or of leaving the plantation; rate of wages paid or amount of interest in crop; amount of stoppage during month, and number of dependents upon each working hand.

By order of

COL. SAMUEL THOMAS,  
Pro. Mar. Gen. of Freedmen.

A lengthy document, dated March 21st, 1865, contained the following:

In addition to just treatment, wholesome rations, comfortable clothing, quarters, fuel, and medical attendance, and the opportunity for instruction of children, the planter shall pay to the laborer as follows:

Male Hands—First class, \$10 per month; second class, \$8 per month; third class, \$6 per month.

Female hands—First class, \$8 per month; second class, \$6 per month; third class, \$5 per month.

Boys under 14, \$3 per month.

Girls under 14, \$2 per month.

These classes will be determined by merit and on agreement between the planter and the laborers.

Engineers, foremen and mechanics will be allowed to make

their own contracts, but will always receive not less than \$5 per month additional to first-class rates.

One-half of the money wages due will be paid quarterly as follows: On the first days of May, August and November, and final payment of the entire amount then due, on or before the 1st day of January.

#### PENALTIES.

Wages for the time lost will be deducted in case of sickness; and both wages and rations where the sickness is feigned for purposes of idleness; and in cases of feigned sickness, or refusal to work according to contract, when able so to do, such offender will be reported by the provost marshal to the superintendent, put upon forced labor on public works, without pay.

Laborers will be allowed and encouraged to choose their own employers, but when they have once selected, they must fulfil their contract for the year, and will not be permitted to leave their place of employment (except in cases where they are permitted so to do for just reasons, by the authority of the superintendent) and if they do so leave without cause and permission, they will forfeit all wages earned to the time of abandonment and be otherwise punished as the nature of the case may require.

All crops and property on any plantation where laborers are employed will be held to be covered by a lien against all other creditors to the extent of the wages due employes, and such lien will follow such crops or property in any and all hands until such labor is fully paid and satisfied.

By command of

MAJOR GEN. HURLBUT.

GEORGE B. BLAKE,

Lieut. Col. and Assistant Adjt. Gen.

The weekly ration for laborers was fixed. No store could be opened except by permit, which was not saleable nor transferable. Lessees were granted permits to erect stockades and enlist guards who were to be officered by the military commander and equipped and rationed out of the government stores.

Guards were promised lessees by Gen. Dana, the Mississippi department commander, with headquarters at Vicksburg, "wherever they could be spared, to be stationed at such points and in such numbers as to save peril to boats, and prevent smuggling to the enemy. Monthly reports were required of each lessee.

The price of cotton, which so corrupted and crazed the people and the speculators, averaged 31.29 cents in New York, in 1861-62; 67.21 in 1862-1863; 101.50 in 1863-64; and 83.38 in 1864-65. The freight from Vicksburg to New York was 3 cents a pound. In a graphic, if scandalous picture of cotton trading across the line, Gen. N. J. T. Dana wrote Gen. O. O. Howard November 12, 1864, from Vicksburg: "It is utterly impossible for cotton and efficient war, loyalty and traitorous traffic, to grow together. Bad as Memphis is said to be, this place and Natchez were, prior to Gen. Canby's advent, much worse." Officers of high rank engaged in sharing the profits of this "traitorous traffic." One general was charged by an officer of his command with having netted \$10,000 in three months, while commanding at Natchez. In 1864, secure in possession of the river, extensive plans were laid for raising cotton on the riparian plantations. Treasury department agents were assigned to take possession of abandoned lands. Freedmen's camps had been provided for under general order 51, August 10, 1863. Army officers were detailed as superintendents of such camps, to issue rations, lease lands and give employment to freedmen. They were authorized to hire them out to civilians "on proper assurances that they would not be run off beyond the military jurisdiction of the United States." Negroes in such charge might also be hired on public works or in gathering abandoned crops. Under prescribed rules citizens might make contracts with their freed slaves for plantation work. Provost marshals were ordered to see that every negro in the military jurisdiction was employed by some white person, or sent to the freedmen's camps.

In correspondence of J. B. De Bow, general produce loan agent, after the fall of Vicksburg, the statement is made that

the Confederate government owned 200,000 bales of cotton in Mississippi. He was then instructed by the secretary of the treasury, C. S. Memminger, "to consult the military authorities and organize some system by which the cotton may be preserved when practicable and destroyed if otherwise there is great danger of its falling into the hands of the enemy." This cotton was scattered over the country, in the hands largely of planters who had sold it for Confederate notes or bonds. After the fall of Vicksburg some was moved out, some burned, some captured and much of it preyed upon and sold across the line by soldiers and citizens. Every bale was the object of speculation or greed. There was nothing elsewhere in the occupation of Confederate territory like the contamination of this trade in cotton. Its sordid and baleful effects duplicated those of the gold discoveries. It undermined virtue, public and private, destroying the self-sacrificial spirit that upheld the Confederate cause. This touchstone of evil had deeply infected West Tennessee and North Mississippi as early as the close of the second year of the war.

In a letter from Vicksburg to the Secretary of the Treasury Gen. Grant wrote July 23, 1863: "My experience in West Tennessee has convinced me that any trade whatever with the rebellious states is weakening to us at least thirty-three per cent of our force. No matter what restrictions are thrown around trade, if any whatever is allowed, it will be made the means of supplying to the enemy what they want. Restrictions, if lived up to make trade unprofitable, and hence none but dishonest men go into it. I will venture to say that no honest man has made money in West Tennessee in the last year while many fortunes have been made there during the time." Idle words, though true, these proved.

"Our people," writes Gen. R. Taylor in *Destruction and Reconstruction*, "were much debauched by the trade in cotton. I write advisedly, for during the last two and a half years of the war I commanded in the states of Louisiana, Mississippi and Alabama, the great producing states. Outpost officers would violate the law and trade. In vain were they removed; the temptation was too strong and their successors did the same.

\* \* \* I hated the very name of cotton, as the source of so much corruption to our people." When Gen. Taylor took command in the Trans-Mississippi he protested strongly against the cotton burning policy. But after he had become acquainted with the cotton itch, he thus reversed his opinion, in a report to Gen. Bragg, in Feb. 1864:

"My views upon the subject of the destruction of private cotton have undergone a decided change, and I am of the opinion that cotton belonging to private individuals should be destroyed whenever likely to fall into the hands of the enemy. \* \* \* So long as the Federals can receive cotton from our lines, or have any prospect of procuring it by occupation of any portion of our territory, they will observe their existing policy and requirements prohibiting the shipment of supplies to us. I have issued orders directing the destruction of private cotton whenever it is in danger of falling into the enemy's hands."

Writing to President Davis Jan. 5, 1865, Robert McHenry, a citizen of Union county, Arkansas, thus pictured the evil in that state: "The cotton speculation on the Mississippi river has been carried on for the last year on a very extensive scale. Under the pretense of obtaining clothing for the army it has had and is still having a very demoralizing effect on the Confederate army in the Trans-Mississippi \* \* \* The soldiers, I am sorry to say, are deserting and going home and to the enemy in consequence of the cotton speculation, and unless there is a stop put to it I fear the consequences. \* \* \* A large portion of the cotton returned to Richmond as being burned, has been stolen and sold to the enemy."

How much cotton was burned during the war is a moot question. The policy, and the orders of the Confederate authorities directed the burning of all cotton liable to be captured. After the investment of Vicksburg this was construed to mean all baled cotton between the Mississippi river and the Yazoo river on the east bank, and between the Mississippi and the Ouachita on the west bank. And, generally, south of Vicksburg on the east bank, and north of the Louisiana line in Arkansas, that was exposed to capture. Toward the close of the war large quantities

were burned in front of the advance of Gens. Sherman and Wilson. While there was doubtless less cotton burned than so reported, it is probable that as much as a million bales, and possibly more, was burned. Gen. Wilson reported 255,000 bales stored mainly at Selma, Alabama, and Columbus, Georgia, burned.

The corrupting cotton trade and attendant robbery of a defenseless people increased after the fall of Vicksburg. It was not so imperative for the commanders of garrison troops and posts to enforce discipline, as when confronted by hostile forces.

Impelled by intolerable conditions, forty citizens of Oak Ridge, near Vicksburg, met Sept. 4, 1863, to appeal to the military authorities for relief from "stragglers soldiers, and negroes armed and unarmed, who had despoiled them of their possessions and from whom their families were daily exposed to injuries and insults." Permission was asked to "unite as good orderly citizens for mutual aid in pursuing the vocations of life and protection of property and person." The "removal or disarming of the negroes on Roach's and Blake's plantations, who had robbed peaceable white citizens, and murdered citizens of Deer Creek," was asked. The question was asked, if "security of life and property would be afforded those who were planting and pursuing their vocations by the military." Copies of the proceedings of this meeting were sent Gens. Sherman and Grant. The former's response was as a stone to those who asked bread. In a long and spiteful harangue he informed these people that on account of "firing on our steamboats, and after the long and desperate resistance to our armies and in Mississippi generally, we are justified in treating the inhabitants as combatants and would be perfectly justifiable in transporting you all across the seas. . . . In due season the negroes at Blake and Roach will be hired or employed by the government. But in the meantime no one must molest them. . . . The moment your state can hold an open fair election and send senators and representatives to congress, I doubt not they would again be a part of the government. Until that is done

it is idle to talk of such little annoyances as you refer to at Roach's and Deer Creek."

Gen. Sherman further, and considerably informed these complaining citizens that "Gen. Grant was absent and would have no time to notice their petition, as he deals with a larger sphere; I have only reduced these points to writing that you people may have something to think about, and divert your minds from cotton, niggers and petty depredations." A copy of his correspondence being sent to Gen. Halleck, that officer referred it to Gen. Grant, who took occasion to write that "he did not coincide with Gen. Sherman as to the policy toward those people. . . . I think we should hold out terms that by accepting they would receive the protection of our laws." Subsequently, Gen. Sherman explained to Gen. McPherson, who commanded a corps under him that he "intended making planters feel that they were responsible for the safety of navigation, for collecting corn and cotton, giving receipts to the loyal only. They must be shown we can reach and punish them in case they connive at attacks on our boats." To disprove connivance, "they must be active as friends. They cannot be allowed to be neutral. They may protest against being held responsible for acts of Confederates. But in war we have a perfect right to produce results in our own way." Such distorted and brutal theory of methods of war found no echo either with Gen. McPherson or Gen. Grant.

In a letter to Gen. Halleck August 30th, General Grant thus referred to the Deer Creek affair: "Signs of negro insurrection are beginning to exhibit themselves. Last week some armed negroes crossed the Yazoo in the neighborhood near Haynes' Bluff, and went up into the Deer Creek country, where they murdered several white men. I cannot learn the full particulars of this occurrence. The negroes who committed this act, however, are not soldiers, but were probably some men from a negro camp occupying plantations near Haynes' Bluff. It seems that some of the citizens in that country have attempted to intimidate the negroes by whipping and (in a few instances) by shooting them. This probably was but a case of

retribution." Local chronicles reveal no retribution in this case. After the fall of Vicksburg all Confederate troops cleared out of the Deer Creek country, a section made up wholly of large plantations and no white men of military age remained. Knowing that they might rob and murder there with impunity, negro men from concentration camps at Blakeley and Roach's, being under no restraint, and armed by the Federals, depredated on the citizens as reported to Gen. Sherman.

The following account of the Deer Creek raid, in Aug. 1863, was obtained from Col. W. D. Brown, a planter and a gentleman of highest character and respectability, who was near the scene at the time:

"A murderous band of negroes from Haynes' Bluff on the Yazoo river, made a raid up Deer Creek. The raid was not authorized by the military authorities, but was planned by a few blood thirsty negroes, intent on murder of the few white citizens then resident on the Creek. At the Good Intent plantation (now Smedes station) they murdered a Mr. Sims, then the overseer or manager of that plantation. Moving up on the west side of the Creek they next captured Charles J. Fore, quite an old man, who had for many years been the general manager of the several plantations owned by H. R. W. Hill on Lower Deer Creek. They did not kill Mr. Fore, but according to my recollection they wounded him severely and left him—supposing he was dead or that he would die. Continuing up on the west side of the Creek they came to the home of Mr. Joe Clark, near the head of Neasome Bayou. Mr. Clark was shot to death by them, his wife clinging to him and begging for his life in the midst of the volley fired into his body and he fell dead in his room in the presence of his wife and little children. Continuing northward they next came to what is known as the Georgiana plantation, then the property of Mr. George F. Short. There they shot to death Mr. Johnson, the overseer of the plantation. A little further up the Creek they attempted to kill Mr. John M. Clark, but failed as the Creek lay between them. Mr. Clark escaped with a bullet hole through his hat. Continuing their raid to the point where Rolling Fork is now



located, they found an old Irishman in charge of the property of an absent owner, but did not molest him. There they made inquiry for the writer, whose residence was half a mile further up Big Deer Creek. Learning that he was absent from home, they turned back toward the Yazoo river."

Col. Brown makes this observation, which is eloquent of the restraints and the lessons of slavery: "A fact connected with these murders which excited no notice at the time, but which is very noticeable now, is that these unrestrained demons did not, even though nerved to indiscriminate plunder and murder of white men, in a single case offer to injure or insult women and children."

This murderous Deer Creek raid was one of the few actual symptoms, of "the slave insurrection" mentioned by Gen. Grant. A month before a document setting out such "a plan" came into the possession of the Confederate government, a part of the mail of a steamer captured between Norfolk and New Berne. It described "a plan to induce the blacks to make a concentrated and simultaneous movement or rising in the night of August 1st; to arm themselves as best they could and commence operations by burning railroad and county bridges, tearing up rails, destroying telegraph lines, etc. No blood is to be shed except in self-defense. Intelligent contrabands were to be selected to spread the plan and make the rising understood by several hundred thousand slaves by the time named." This document, which may be read on page 1068 of the War Records, Series I, Volume XVIII., was signed Augustus S. Montgomery and directed to Major General Foster, commanding the Department of North Carolina. He was assured that it would be communicated "to every other department in the seceded states." It was endorsed, "approved, C. Marshall, Major and Aide de Camp." Secretary of War Seddon in sending copies of it to Southern governors, wrote: "You will perceive that it dictates a plan of a general insurrection of the slaves on August 1st next, and while attaching no great importance to the matter, I deem it prudent to place your excellency in possession of the information."

The "negro insurrection" was calculated upon no little by Northern political leaders, as an agency in the subjugation of the South and the punishment of "rebels." The idea was not quenched by John Brown's failure. But it was never a cause of serious apprehension in the South, or by the Confederate authorities. Negro fealty and fear, contempt for their capacity of organization, prevented alarm. Dread of the visitations of independent companies which operated throughout the river country was sufficient to hold the slave population of the plantation belt in order. And a few months after the occurrence above related, the descent of a small body of Confederates broke up the negro camps at Blakeley and about Haynes' Bluff, though they were almost under the guns of the Vicksburg garrison.

This sense of security against insurrection by the slave population was rudely disturbed when the policy of arming the negro population and organizing them under white officers was announced. This did not have the effect announced by President Lincoln of at once ending the war. The negro troops in fact were never looked upon and never proved themselves formidable in battle. But in garrison, or on the raid, they "inspired a terror," as was foretold by Gen. Grant, that was frequently justified at the expense of the non-combatant population. While the Deer Creek murders was the most ominous event of the kind, there were others that spread fear of the armed bodies of negroes abroad over the land. In June, 1864, the people of Vicksburg were horrified by an affair thus related in *The Herald*: "John Bobb, a peaceable unoffending citizen, has been most brutally murdered by negro soldiers. Ordering a lot of negroes out of his yard, where they were picking flowers, Bobb was cursed, abused and insulted. He knocked down a negro sergeant, when they left vowing revenge. He immediately proceeded to headquarters and, after reporting the affair, was promised protection by Gen. Slocum. When he went to his home some fifteen or twenty negro soldiers, led by a sergeant, arrested him and a Mr. Mattingly, who was with him. He was taken through the machine shops and

150 rods down the bayou when a negro shot him in the back. He fell and another shot struck his face. Mattingly ran and was pursued and shot at. Gen. Slocum sent one of his staff to ascertain the facts. He found Bobbs dead, his distracted wife hanging over his body, surrounded by 100 negro soldiers who shouted, 'we've got them now.' He ordered the arrest of all the parties, but up to this writing the sergeant alone has been arrested. If Gen. Slocum does not find out and hang these men there is no security for life to any man, and he is unfit for the command." But beyond issuing an admonitory order of "the terrible consequences if the spirit which led to this act is not repressed" and that "hereafter the officers of any regiment guilty of such crimes will be held to a strict accountability," nothing seems to have been done.

Gen. Slocum's order was not, it seems by the following from the Herald of July 23d, taken seriously: "Complaints are daily made to the military authorities of outrages committed on the rights of the citizens, and no means have been resorted to for effective remedy. Several cases have come to our knowledge in the past week where colored soldiers have entered and stripped gardens of vegetables and fruit. Only yesterday this was done and when ordered out by a lady she was grossly insulted. This was in three hundred yards of two encampments." Other instances of a like nature followed, occasioning the observation that such "daily occurrences does not argue well for officers charged with the duty of maintaining discipline." The recurrent reports of disorder and turbulence of the negro soldiers continued. February 24th, 1865, the Herald tells of "the diabolical murder" of Mr. Garrity, manager of the Dick Christmas plantation, his wife and two children by two negro deserters from a gunboat. The house was robbed and burned. "We did not hear," the paper said, "of any efforts for arresting the fiends."

March 17, 1865, the Herald had an account of "a horrible affair, the shooting and mortally wounding by soldiers of the 66th colored infantry of Mr. S. B. Cook, some miles from Vicksburg on his plantation. They entered his house and be-

haved in a very insulting manner besides committing other outrages." Mr. Cook died from his wounds. No arrests or punishment of the murderers followed. This crime was closely followed up by another "horrible murder." The Herald's account reads as follows: "On the night of April 3d, after Major J. R. Cook, who lives seven miles from Vicksburg, and his family had retired, a party of about 25 negroes entered the house and shot Mrs. Cook. Major Cook sprang to her assistance and was severely if not mortally wounded. Supposing his wife, already dead, he succeeded in making his escape in company with his little son. The negroes remained in the house five hours, plundering. Mrs. Cook died the following morning. She spoke but few words, merely saying she had been shot by negroes dressed in uniform. Major General Dana has offered a reward of \$500.00 for apprehension of the guilty." This general, who had succeeded General Slocum, followed up his offer of reward by prompt and vigorous action. A dozen negro soldiers were arrested and tried by a court martial presided over by Gen. J. A. Maltby. They were convicted and ordered executed. The order was carried out May 26th, eight of the 52d colored infantry and one of the 5th colored heavy artillery being hung outside the city fortifications. Three of the guilty were respited by Gen. Warren, who had succeeded Gen. Dana in command.

Wherever the negro soldiers were stationed or marched, there was dread among the women and children. On one of Col. E. D. Osband's raids through the river country, with three white and one negro regiment, in October 1864, he surprised a small battery of light artillery. Before abandoning the guns a few shells were fired from near the residence of Judge Edward McGehee, a mile or so from Woodville. The negro regiment was detailed to burn him out. An old letter from a member of the family relates that "on the remonstrance of this old man, who told the officers in command that the house sheltered none but himself, his wife and three daughters, one seriously sick, he was dragged from the house and beaten over the head by the negro soldiers with their pistols. His wife begged the

white commander, a Captain J. B. Cook, of Kansas, not to 'let those negroes treat her husband so.' This wretch called out, 'do you hear that, boys? She called you niggers. Hit her.' And one of them knocked her down with his saber."

March 16 by order of Gen. Dana, "Provost courts" were established at the posts of Vicksburg and Natchez. There was conferred upon such tribunals original jurisdiction, with powers of "fine and imprisonment, hard labor and banishment" over misdemeanors and minor civil actions, and all cases of military offenses now triable by military commission. Provost courts were given authority to try "matters of difference between the United States government, its officers or agents, and citizens concerning the right or possession of personal property." All decisions, judgments and sentences were to be promptly referred to the commanding general of the district for approval, which was requisite before execution of the court's prescripts in cases of banishment, when the fine was over a hundred dollars, the imprisonment over thirty days, or the property interest over a hundred dollars.

Preceding contents are intended for enlightenment upon conditions and events in the sections that were virtually outside of the Confederacy, after Federal occupation of the river and the river cities and towns. There was little less demoralization and despondency in the adjacent counties. With the shift of the main military campaign and operations to the eastward, the whole of the state was open to hostile expeditions, from Memphis, Vicksburg and Natchez, which were frequent, extending pretty much to the eastern state boundary. In January, 1864, with no other apparent purpose than to lay waste the country, Gen. W. T. Sherman swept across the state from Meridian to Vicksburg with an army of 30,000 men. There being no force adequate to resist him, his march was scarcely opposed except by cavalry demonstrations and attacks on his trains. On reaching Meridian, then but a straggling town it was wantonly burned. Sherman then took up his return in March, via Hillsboro and Canton, burning and ravaging the country. All the way across the state a line of march from twenty to thirty miles

wide was marked by standing chimneys—mute sentry to the sheer barbarity of war. The country was stripped of corn and cotton, horses, mules and all stores of provisions, reducing the non combatant population to actual want. This was the forerunner to the manner of war soon to be visited upon Georgia, and the Carolinas by this same ruthless warrior.

Thereafter, to the war's close, except in the middle eastern part of the state, no regular or adequate force of Confederates was maintained for protection of the people. Such bodies of irregular cavalry as operated in the state effected little except to keep the negro population in a wholesome state of submission. The state was still looked to and heavily drawn upon for army supplies. Between such regular demands and the exactions and robberies of Union marauders, and the thinly disguised plunder of the people by Confederate shirkers, with consequent interference with farming operations in 1864, to secure the necessaries of life by the non-combatant population had become a problem by 1865. With the slave population that had grown over a million bales of cotton a year engaged wholly in the production of food supplies, there had been abundance even after supplying the requisitions for the army, up to 1864. Removal of the negroes and impressments of horses and mules with the drain and destruction of invasion had produced exhaustion that had brought the state to the verge of economic collapse. After the Vicksburg campaign in 1863, the capital of the state had been moved to Columbus; afterwards to Macon. The legislation of the war years was almost wholly devoted to acts for sustaining and co-operating in the Confederate military operations. Local government was centered upon providing for dependant families of soldiers. In each county there was a board of relief commissioners, one from each police district, whose duty it was to gather information of the necessities of the dependant, and with the boards of police administer to their wants. A most serious domestic problem was to furnish the people with salt. The legislature passed various acts to supply this pressing need. January 1st, 1863, half a million dollars was appropriated "out of the mili-

tary fund for the purpose of procuring salt for the people of the state, and particularly for the indigent families of soldiers." The government was authorized to appoint agents "to obtain salt by mining or otherwise." By act of April 5th, 1864, the governor or general salt agent was empowered to make good losses of salt, upon proof of the board of police of any county where salt furnished for indigent families had been captured or destroyed by the public enemy. The purchase of cotton and woolen cards was authorized also by legislation for the use of indigent families.

At the legislative session in January, 1863, the governor was authorized to impress all able bodied slaves between the ages of 18 and 50 years, or so many thereof as may be required by the military engineers of the state, or as may be called for either by the commander of the state or Confederate forces therein, with the use of tools and implements, wagons and teams necessary to render the labor of the slaves so impressed effective, to provide for the public safety by aiding the military forces of this state and of the Confederate states, to repel invasion and repress insurrection. But in a subsequent resolution, after the subjugation of northern and river counties, to repress abuses of slave impressments, the governor was called upon "to do all things in his power to protect the people from illegal pressing of slaves by officers of the Confederate army, or by parties assuming to be such officers; especially to prevent the wholesale pressing of slaves progressing in the border counties, which, if continued, will have the effect to cause the slaves of those counties to go almost en masse to the lines of the enemy." The increasing urgency for men in the Confederate armies was marked in a resolution of August 13, 1864, "waiving exemption from conscription of all officers under 45 of incorporated cities and towns; all relief commissioners, trustees for state institutions; road overseers; deputy sheriffs, except one in each county; deputy clerks, school commissioners." In this session the governor was empowered in time of invasion or threatened invasion of the state by the enemy, to call to the state military service all free white males between the ages of 16 and 55,

including all exempted or detailed by the Confederate state not actually in the military or naval or other service of the Confederate states. Only judges and clerks of courts of public record, extending to the principal clerk alone, the legislative department, one sheriff to each county, commissioners appointed to distribute the fund for relief of destitute families of soldiers not exceeding one for each police district; physicians above the age of 45 years, who are engaged in the practice in the county of their citizenship, such public millers absolutely necessary, comprised the exempt list. The governor vetoed a bill extending exemptions to members of the board of police, county treasurers, and ministers of the gospel, and it was passed over his veto. Though in a resolution of April 4, 1864, it had been declared that the Confederate congress had no constitutional power to conscript or place in the Confederate military service any legislative, executive, judicial, or military officer of the state government. Power to this extent was claimed in an act so sweeping that no exemptions of such officers was specified. Local officers such as were not dispensed with, were held by old men and disabled soldiers. In pursuance of the war policy, the people were encouraged and urged to the growth of food products solely; cotton planting above three acres per hand was interdicted under a heavy penalty. All private distillation of grain was prohibited, the state undertaking to supply the medicinal needs of alcoholic drink through a public distillery, and dispensaries. Some millions of bonds and notes were issued in aid of the war power—a million notes being paid out direct to the families of soldiers. To supply a sufficient money circulation and arrest the depreciation of the currency, five millions of notes known as cotton money, were used in the purchase of cotton, at five cents a pound. Thus secured it was expected this issue would pass on a parity with gold and silver. It was contracted that the cotton would be delivered when called for by the Governor, at such places as he might direct. With Confederate notes these state issues furnished the circulating medium.

Upon the breaking out of war gold and silver as a circulating medium disappeared of course. After the fall of Vicksburg Con-



federate notes depreciated almost to worthlessness. In the river counties after the capture of Vicksburg United States notes, greenbacks paid out for contraband cotton, circulated at an enormous premium. Judged by the prices, everything was a luxury. At the prevailing currency depreciation, however, price lists of the closing years of the war tell of nothing so much as the impending collapse. A bond sale authorized by acts of the legislature in August, 1864, provided that they should not be sold at less than par. The next day a supplemental act was passed that the said bonds should not be sold at less than 50 per cent of par. "Needs must when the devil drives."

The legislature continued to meet in regular and special sessions, to aid in and provide for the needs and emergencies of the Confederate war policies and operations. Attendance after the shift of the capital from Jackson, when occupied by the enemy in 1863, to Columbus, and then to Macon in 1864, was under many difficulties, and at heavy cost and inconvenience to the membership. Among the acts called for by the war's exigencies was one exempting the property of soldiers from levy and sale. Subsequently all collections at law, or under mortgage and trust deed sales were stayed until twelve months after the close of the war. Civil courts were thus practically deprived of business, and closed. The war and its burdens, the service and sacrifice required in the support of the forces in the field, combined and swayed the domestic life of the people as well as their political destiny. Yet while the state honored as far as possible all drafts upon her resources of men and material, inherent jealousy of infringements of the central government upon the rights of the states lingered. The core of these rights, the writ of habeas corpus, was treated as a sacred calf to be saved from the sacrificial altar on which the lives of the best and bravest had been so lavishly offered up to the wrath of Moloch. Through all the stress of storm, the darkness and disasters of war, the state and the South clung with a fatuous tenacity which materially weakened the resisting war power, to the writ of habeas corpus. Upon the recommendation of President Davis congress had, early in 1862, authorized a limited suspension of the writ. But its enactment,

and application in certain sections, so aroused hostility that it was repealed within the year. By unanimous vote the legislature of the President's own state, instructed the Mississippi senators and requested the representatives to support repeal. In February, 1864, upon the earnest recommendation of President Davis that the suspension of the writ of habeas corpus was the sole remedy for evils he enumerated, it was so enacted in a carefully restricted form for ninety days. Governor Brown, of Georgia, the evil genius of the Confederacy, by message incited the legislature of Georgia to declare the suspension unconstitutional by statute. Governor Vance of North Carolina, too, aired it as a grievance. The President's appeals and arguments for re-enactment of the suspension of the writ were vainly renewed until the adjournment of congress, just before the collapse. By a queer revolution of time's whirligig Senator Yancy, who had tolled the tocsin of war first and loudest, and Vice President Stephens, the most illustrious and influential opponent of secession led the fight against the writ. "I deny in toto," said the senator in debate, "that the war power in this government is superior to the civil power." The President's insistence upon suspension caused Mr. Stephens "to doubt his good intentions." Sailing through the storm lashed sea under such a dead weight of political barnacles, it is small wonder the Confederate ship of state went to the bottom.

Historians have remarked on the difference in the habeas corpus procedures of the two sections, furnishing as the contrast does a significant illustration of the more real and earnest devotion of the South to the rights and liberties of the citizens as safeguarded by constitutional prescription. The Confederate President unhesitatingly recognized that the suspension of the writ which he deemed essential in the conduct of war was vested in congress. On the other hand Mr. Lincoln suspended the writ at will. He even delegated this extraordinary and tyrannical power to his generals as he saw fit. The Northern practice is best illustrated by the boastful and memorable words of Secretary of State Seward; to Lord Lyons, the British minister. "My Lord, I can touch a little bell on my right hand and order the arrest of a

citizen of Ohio. I can touch a bell again and order the imprisonment of a citizen of New York, and no power on earth except the President can release them. Can the Queen of England do as much?" Short work would Lincoln and Seward have made of such obstructionists, thorns in the flesh of the struggling Confederacy, as Vice President Stephens, Senator Yancy, Governors Brown of Georgia, and Vance of North Carolina.

As late as March, 1865, the legislature of Mississippi—called in special session by Governor Clark for the reason that "the destitution of the people calls for immediate relief and other matters of importance demand prompt legislative action"—met in Columbus. Time and occasion was taken to pay tribute to the *habeas corpus* fetich of state's rights; with the death rattle sounding in the throat of the Confederacy, an act was passed to brace up that shelter for offenders against military authority and law. And in less than sixty days from the date of that act, the rights and liberties which the military power, shorn by the legislature, alone had guarded, were under the iron heel of a despotic foe. Thereafter, for years, the writ of *habeas corpus* was no more respected by the military commanders than the mace of the speaker of the house of commons, when raised against the usurpation of Cromwell. "Take away that bauble" was the reply in deed if not in words on a hundred occasions, by the epauleted rulers of the South, to appeals for rights under the law.

In special session of the legislature at Macon, in February, 1865, the act "to provide for families of soldiers" was extended and amplified. A fixed feature of both Confederate and state governments, growing out of a depreciated currency, was the gathering of tithes of food products. This tax in kind was two per cent, which with certain specified exemptions, was levied on the gross amounts of corn, wheat and bacon produced in the year 1865; on tolls of grain mills; on the gross profits of tanneries, and on all woolen and cotton fabrics and yarn manufactured, and on a number of other subjects. A new fund for the same purpose was created by a levy of a special tax of one hundred and fifty per cent on the regular state tax; not to apply to slaves, stock and plantations. Boards of police were directed to levy a

further tax in kind for "the 1864 deficit in the indigent fund." There were "Confederate state assessors" to return the amount of products of each producer, which returns the county district commissioners were to adopt, as a basis of the said tax in kind. These commissioners were for the purpose of equitable distribution of the "tax in kind," directed and empowered to prepare rolls of the number of such indigent families, with the number and age of each and deposit the same with the clerk of the board of police, which board was empowered to classify the dependents, and to verify any rolls that they doubted the correctness of. Families of deserters or soldiers absent without leave were barred from the tax in kind. All necessary details for its proper application and operation were provided in the law which was approved March 9th, 1865. The commissioners were empowered besides by a separate act to impress the surplus of all who had taken the benefit of the Confederate law exempting owners of twenty negroes from service. They were also empowered to make impressments of teams or boats necessary to the efficient discharge of their duties. Thus was the war brought home to every one, as an all controlling and ever present power, in the affairs of life.

To check the spread of demoralization, with the design of restoring order and obedience to the authorities, in that territory, Gen. N. B. Forrest was given command over a department including West Tennessee, Mississippi and East Louisiana. In an order dated January 21, 1865, he thus addressed himself to the task: "The rights and property of citizens must be protected and respected, and the illegal organizations of cavalry prowling through the country under various authorities not recognized as legitimate, or which have been revoked, must be placed regularly and properly in the service, or driven from the country. They are in many instances nothing more nor less than roving bands of deserters, absentees, stragglers, horse thieves, and robbers, whose acts of lawlessness and crime demand a remedy which I shall not hesitate to apply even to extermination. I sincerely hope \* \* \* I shall have the hearty co-operation of all subordinate command-

ers and the unqualified support of every brave and faithful soldier.”

The legislature being in session “hailed with great satisfaction the avowed purpose declared by Gen. Forrest in his recent published address; pledging him all the aid in their power in consummating so laudable a purpose.” The governor was requested “to use all the means at his command to effect the ends stated and to fully co-operate with Gen. Forrest in such measure as may be necessary to restore all delinquents to our army.”

The disturbed and deplorable state of affairs that Gen. Forrest was expected to restore to order is disclosed in a letter H. W. Walter, a prominent citizen of Holly Springs, who was an officer of the inspection department, wrote December 29, 1864, to Senator Watson of this state. He said “The conscript department was worthless;” that it employed more able bodied men than it had sent to the front.” He stated that “from a careful examination of the subject the number of deserters in the state was not less than 7,000. \* \* \* The number of skulkers under details is also very large. Every post is full of them, generally of young and healthy men. Large numbers of supernumerary and unnecessary officers are found everywhere. \* \* \* Portions of the state have been so repeatedly over run by the foe, that scarcely half our planters have been able to till the soil. In the northern tiers of counties sufficient food is not found for the home population.” He again wrote February 1, 1865, that “affairs are in a deplorable state. The county is infested by deserters, robbing friend and foe indiscriminately, and the condition of the citizens is pitiable. Dismounted Confederate cavalymen steal his horses, while a dastard foe robs him of food and clothing. Grain cannot be grown and food cannot be purchased. Our cavalry vigilant and successful in arresting the citizen whose wants compel him to send his bale of cotton to Memphis to procure necessary food, fail to molest the professional blockader who makes merchandise of treason. \* \* \* I am satisfied that not less than 1,000 deserters ten days since could have been found between the lines in this section. \* \* \* I cannot discover that one man has been added to the regular service by conscription

from this (Marshall) county for months past. Conscripts and deserters are daily seen on the streets of the town of Holly Springs \* \* \* Gen. Forrest with that energy and ability which always characterizes his actions has turned his attention to this evil. With the aid of his brother Col. Jesse Forrest, he has lately arrested and sent to their commands many deserters."

Writing from Leake county to President Davis November 25th, 1864, of bad state conditions, Judge R. S. Hudson reported a terrible confusion of military affairs. "The state reserves is composed mostly of persons liable to, or deserters from the Confederate service. The infantry is deserting to the cavalry. A large number calling themselves 'scouts,' and 'independent companies' are infesting the valley and are nothing less than murderers, plunderers and blockade runners. The cohesive band is spoils from our own people. Nearly all the deserters take refuge with them. They adopt a most extravagant furlough system to make sale or dispose of their booty. They demoralize the country from whence they came, through which they pass, and where they stay. They scatter at will, and reunite the same way, bearing such permission from their officers. The citizen is their victim in purse or property. The next evil is one resulting in a great measure from this. It is a general discontent and loss of confidence in the administration and our success, a disposition of opposition of the powers that be and declarations for reconstruction. Your proposition for the government to possess itself of the negroes for army uses finds great and general opposition." Such letters must have mournfully suggested to Mr. Davis the story of Job and his comforters.

The following from an account in the Memphis Bulletin of March 13th, supplies further evidence of conditions in North Mississippi as reported by a raiding force of Union troops: "The country was found to be in a desperate condition, the people in some places being on the verge of starvation. In Tippah county meetings had been held to devise means for getting and distributing food. An intense Union feeling prevailed, many who had been bitter secessionists were ready and anxious for peace on

any terms. \* \* \* In Marshall county home guards were organizing for protection from robbers. Negroes sent out of the way of the Federals were being brought back under wages agreements as the Confederacy was believed to have played out."

The thoroughness of Gen. Forrest's plan for checking the demoralizing and criminal practices that were rife is to be read in the following directions March 15th, to one of his subordinates, Col. Jesse Forrest: You will move with your command from this point (West Point) through Chickasaw, Pontotoc and Lafayette to Oxford \* \* \* You will spread out your men as much as possible to gather up deserters, absentees and stragglers \* \* \* From Oxford you will move in the direction of Panola, scouting well the counties of Marshall, Panola and De Soto. \* \* \* Arrest all persons taking cotton through the enemy's lines without proper authority, which can only be given by Maj. Jno. T. Wallis, approved by the lieutenant general commanding department. \* \* \* Having scouted the counties mentioned move to the Mississippi river near Horn Lake, then down the river as far as Issaquena, arresting absentees, deserters, stragglers, etc. \* \* \* While on your rounds you will collect all companies or parts of companies you may find, unless they be there under orders from department or district headquarters, ordering them to report to you for duty and taking them with you." Any officer resisting, Col. Forrest was ordered to arrest and place in irons. In the growing inclination to escape actual service, a number of companies of so-called cavalry had congregated in the counties of West Mississippi and East Louisiana under the pretense of guarding the river landings and approaches, and to break up the trade in cotton and mule stealing which many of their officers were engaged in. These were especial objects of Gen. Forrest's attention. The stringency of his orders and policy is illustrated in the following story, published by the Rev. S. Archer, a noted Presbyterian minister patriot of Greenville:

"On one occasion, I was called upon to marry a couple at the place known as, Winterville, then called the Ireys plantation. I met Capt. Evans within a mile of the place. He said: "Where are you going, sir?"

"I am going to marry Miss Copeland to Lieut. Johnson."

He replied: "It aint any use, I have just had him shot and flung into the river."

"Why, you are mistaken."

"No, it's a fact."

"What did you do that for?"

"He stole Mr. Halsey's mules, and I had orders from General Forrest, who commands the cavalry in this section, to shoot all such marauders, and simply executed my orders."

I repaired to the house and found that what he told me was literally true.

Could any man have brought order out of the confusion and despair that prevailed, nerved the heart of the people to renewal of faith and vigor in the failing cause Gen. Forrest would have. But the situation was become vain. Only in the ranks of the armies in the field did constancy and fidelity linger. With the people, the source of sustenance, the force of resistance had run out, and only the shell was left, to offer a short prolongation of the futile combat. In the Southern part of his department Gen. Forrest reported that no dependence should be placed on the forces stationed there for enforcing his orders. The utmost determination was shown by Gov. Clark to aid in the campaign for clearing the state of deserters and stragglers, and forcing them back in the ranks. But patriotic inspiration and the summons by brave leaders to battle had become idle as the call of spirits from the vasty deep. The tide of affairs of the Southern Confederacy was ebbing fast. The last breath of vitality went out at Appomattox, April 9th, 1865. What show or sign of prolonging the struggle thereafter was mere convulsion of dissolution.

So harrassed and outworn as the people were, so feeble had grown the pulsations of hope of a successful termination of the war, that the shock of the surrender of the armies in the field was broken. The effect of the collapse upon sentiment had been discounted as an inevitability. The bitterness of defeat, the underlying remorse and grief over the vast and vain sacrifices of blood and treasure was threaded by the natural sense of relief, that the end of war, with its agony and bloody sweat, had come. There



was joy, subdued and sombre in the home coming of the soldiers, and in the better feeling dispensed from the survivors of armies in which disaster and defeat had not extinguished the morale of a heroic struggle and a surviving sense of patriotic duty. There was no time for repining over the wasted and tear dimmed past—to “sit down by the waters of Babylon and weep.” In the stir of action, compelled to sustain life, hope rose above the ominous clouds that darkened the future.

It was at this crucial juncture that there befell the sorely afflicted South, a crowning and unlooked for calamity. April 15th President Lincoln was assassinated—an insane and wicked deed that plunged the North into the depths of grief, which for a time was well nigh predominated by invocations of rage and revenge toward the South. For the Southern people the loss of Mr. Lincoln from the nation’s helm was in itself a misfortune beyond calculation. And for this to have come on in a shape that enabled the haters of the South to inflame Northern sentiment against her was an overflow of the cup of ills. The current had set strongly for a just and kindly restoration of the Southern states to the Union. Instead there was raised a clamor of rage and revenge that swept away or silenced all kindly feeling for the Southern people. Even Gen. Grant, who had so recently won the gratitude of the Southern soldiers by the liberal terms he granted at Appomattox, was carried away by the passion that swept over the land. A dispatch to Gen. E. O. C. Ord, commanding at Richmond, read as follows:

Washington, April 15th, 1865.

Maj. Gen. Ord, Richmond, Va.:

Arrest J. A. Campbell, Mayor Mayo and the members of the old city council, who have not yet taken the oath of allegiance, and put them in Libby prison. Hold them guarded beyond the possibility of escape until further orders. Arrest all paroled officers and surgeons until they can be sent beyond our lines unless they take the oath of allegiance. The oath need not be received from any one who you have not good reason to believe will observe it, and from none who are excluded by the president’s proclamation

without authority of the president to do so. Extreme vigor will have to be observed whilst assassination remains the order of the day with the rebels.

U. S. GRANT,  
Lieutenant General.

It is to his eternal credit that Gen. Ord rose above the passion that raged and stayed the blind impulse of his superior officer. His reply is quoted:

Richmond, Va., April 15, '65.

Gen. U. S. Grant: Cipher dispatch directing certain parties to be arrested is received. The two citizens I have seen. They are old, nearly helpless, and I think incapable of harm. Lee and staff are in town among the paroled prisoners. Should I arrest them under the circumstances I think the rebellion here would be reopened. I will risk my life that the paroles will be kept, and if you will allow me to do so, trust the people here who, I believe, are ignorant of the assassination, done, I think by some insane Brutus with but few accomplices. Messrs. Campbell and Hunter pressed me earnestly to send them to Washington to see the President. Would they have done so if guilty? Please answer.

E. O. C. ORD,  
Major General.

Gen. Grant replied:

"On reflection I will withdraw my dispatch of this date directing the arrest of Campbell and Mayo and others so far as it may be regarded as an order and leave it only as a suggestion to be executed only so far as you may judge the good of the service demands." But a few days later he ordered the arrest and imprisonment of both Judge Campbell and Senator Hunter.

Secretary of War Stanton was the originator and a chief instigator of the charge, as cruel as it was false, that the assassination of Lincoln was other than the act of an "insane Brutus, with but few accomplices." On the morning of the President's death, in a letter to the British minister, he charged and promulgated that "evidence has been obtained that the horrible crime was com-

mitted in execution of a conspiracy deliberately planned and set on foot by rebels under pretense of avenging the South and aiding the rebel cause." Thus was the first authoritative, after the war, key note for firing the Northern heart against the South, sounded. It was taken up and echoed by a misguided multitude.

An eloquent denial of the base and palpable calumny was voiced in a letter of April 16th, from Gen. R. S. Ewell, in the Fort Warren Military prison to Gen. Grant, which read as follows: "General: You will appreciate, I am sure, the sentiment which prompts me to drop you these lines. Of all the misfortunes that could befall the Southern people, by far the greatest would be the prevalence of the idea that they could entertain any other than feelings of unqualified abhorrence for the assassination of the President of the United States. No language can adequately express the shock produced upon myself with all the other general officers confined here with me by the occurrence of this appalling crime and the seeming tendency in the public mind to connect the South and Southern men with it. Need we say that we are not assassins, nor the allies of assassins?"

Rhodes history is quoted: "One loves to linger over the last days of Lincoln. He had nothing but mercy and kindness for his by-gone enemies. There can be no such agony of vain and unceasing sorrow and regret in Northern hearts, as clouds Southern retrospection of Lincoln's direful taking off. No other event in history is so laden with the undying remorse of dwelling upon what might have been; of the years of trial and torment, of the enduring fruitage of evil, that Lincoln would in all human probability have arrested or vastly ameliorated. And when to this reflection is added the fact that he was slain by a Southern man, with the insane thought of avenging Southern wrongs, it is brought home to Southern men, as the most cruel dispensation of the irony of fate, in all the record of time."

There was one exception to the general grief too remarkable to be passed over in silence. Among the extreme radicals in congress Mr. Lincoln's pre-determined clemency and liberality toward the Southern people had made an impression so unfavorable that, though shocked at his murder, they did not, among themselves,

conceal their gratification that he was no longer in their way. In a political caucus held a few hours after the President's death, the thought was nearly universal, to quote the language of one of their most representative members, that "the accession of Johnson to the Presidency would prove a Godsend to the country." Heading a committee calling on President Johnson Senator Ben Wade said, (according to Rhodes' History, Vol. V, page 151): "Johnson, we have faith in you. By the gods there will be no trouble now in running the government." The President thanked him and replied: "I hold that robbery is a crime. Rape is a crime; treason is a crime and crime must be punished."

The files of the newspapers of the day testify to the prevalence of the abhorrent feeling, among radical leaders of the day, of gratification in Lincoln's death.

The prejudicial effects of the assassination of the President was not, at once or fully, appreciated in the South. The people could not believe that they would be held accountable for an act which they not only felt to be direful to their welfare, but naturally abhorrent to every Southerner. The war being over thought was fixed on the pursuits of peace—the changes that would be required. In regard to the status of the negro, it was only looked upon as an industrial question; at this time political, still less social, equality was not dreamed of. In the restoration of the "lately rebellious states" to their former station and relations in the Union, it was not foreseen, not even as a shadow, what destiny had decreed. Nor were the Southern people alone in looking on reconstruction as a simple matter. It was so regarded by Gen. Dana, and other department commanders. Under his sanction, and motion, Judge A. Burwell, of Vicksburg, came to the front, April 22d, in a lengthy address published in the Herald. The people of the state were called upon to "calmly consider the position of the country and reflect upon the course of duty and interest." In conclusion it was suggested "as every measure will have a beginning," that "the people hold meetings in every county to appoint good and true representatives to re-establish the state government under and in harmony with the laws of the United States." And that "there be an election of

delegates in every county in the state to meet in Vicksburg June 1st; to inaugurate such measures as will result in commemorating the full settlement of the state government. It becomes men of the south to act promptly. To act boldly." Judge Burwell had just returned from Washington, where he had lived during the war, in close touch with the administration. This fact, with the approval of the "suggestion" by Gen. Dana, caused much significance to be attached to the Burwell address. Commenting upon it editorially, the Herald said that "Judge Burwell's suggestion for a convention meets with the entire approval of Gen. Dana, the commander of this department, who authorizes us to say that safe conduct will be granted delegates to this city, to come and return."

Further evidence of the reconstruction idea entertained by the Union soldiers at this period, and of the liberal and patriotic views of Gen. Dana will be read in the following correspondence between himself and Gen. Davidson, commanding the Natchez district under him. Gen. Davidson wrote April 22d as follows: "General: I desire to know whether the lenient policy I asked of you shall be pursued, since the recent calamity to the country in the violent death of the President. I have felt a doubt about it until I should again hear from you, not knowing how far the plot might implicate the disbanded traitors." To this Gen. Dana nobly replied, April 24: "I do not see reason to change the policy alluded to because of the great calamity which has befallen the country. Even though contrary to any expectation, the rebel leaders in high positions should ultimately be found to be implicated in the diabolical assassination of the President, I have no idea that the masses or subordinate officers entertain any other feeling than utter abhorrence of the deed. \* \* \* It is my desire to avoid all action which might increase irritation of people outside of our lines. I wish to allay their fears and encourage them to be friends to the government. I am induced to believe that since their recent defeats mouths of men secretly for the Union have been opened and a loyal party is fast growing. I wish to develop it. \* \* \* Under the present aspect of affairs I counsel liberality and in the belief that a Union party is now growing in Mississippi, whose purpose is to bring the state back

to her allegiance, I am advising and giving countenance to the meeting of a convention here June 1st, at which I hope most of the counties will be represented. Its work will be merely preparatory. I hope you will do what you can, regularly, to encourage it. I have it in contemplation to order a civil government in a few days for Vicksburg and Natchez. I would be obliged to you to commence to advise with leading citizens and let me have your views in full, and suggest half a dozen names for a city government." This correspondence was published as "very important" in the Herald, April 25th. The editor, a Union officer, pronounced "the policy certainly highly praiseworthy. It is the initiatory step, if we may so speak, toward the restoration of civil government throughout the state."

Such roseate views of "restoration of civil government" were quickly shown to be delusions—the country was soon instructed that the south was to have no smooth sailing to reach the old anchorage in the Union. The first authoritative notice of the trouble in store came from the new President, Andrew Johnson. Called upon by the congressional delegation of Lincoln's home state, Illinois, for a declaration of his intention, he announced that "the American people must be taught that treason is crime, and must be punished. \* \* \* The people must understand it as the blackest of crimes and will be severely punished. \* \* \* What may be mercy to individuals is cruelty to the state." \* \* \* Let it be enjoined on every hand that treason is crime, and traitors shall suffer its penalty \* \* \* In regard to my future course, I will now make no pledges. \* \* \* I have no professions to offer; profession and promise would be worth nothing. I will not attempt to anticipate future results until they occur and it becomes necessary to act." While this was vague, in some passages almost incoherent, it was generally accepted as pointing to extreme measures toward "traitors."

Events of great import followed in close succession in those dark days. The next shock came April 20th, when Gen. Sherman announced an agreement with Gen. Jos. E. Johnston, for "a universal suspension of hostilities, looking to a peace over the whole surface of the country." Having been the most relentless

and savage of all the Federal commanders toward the Southern people, carrying the rigors and destruction of war to an extreme that transgressed all of the rules of warfare, Gen. Sherman passed to the other extreme upon the fall of the Confederate government. The terms of peace to which he subscribed were only too liberal and far reaching. They were promptly and sternly annulled by the President. The announcement of this disapproval by Secretary of War Stanton, was in terms of severest rebuke. In declaring "a cessation of the war, general amnesty, guarantee of political rights as well as rights of persons and property to the people and inhabitants of all the states as guaranteed by the constitution of the United States and of the states respectively" General Sherman was charged, first, with "assuming authority not vested in him, which on its face shows that both he and Gen. Johnston knew that Gen. Sherman had no authority to enter into such arrangement. Second, it was a practical acknowledgment of the rebel government. Third, it undertook to re-establish the rebel state governments, etc.; fourth, by restoration of rebel authority in the respective states they would be enabled to reestablish slavery." Half a dozen other reasons were assigned for the annulment of the peace arrangement. So unsparing was Secretary Stanton of the feelings of the commander whose management of the campaign allotted him had precipitated the overthrow of the Confederacy that, as though his loyalty was distrusted, Gen. Grant was ordered to proceed direct to Raleigh and assume the direction of operations against the Confederate forces. Gen. Johnston readily accepted the change, and surrendered on the terms given Lee at Appomattox.

In view of his subsequently declared policy of reconstruction, it was a fatal mistake in President Johnson that he did not sustain Gen. Sherman. There was no substantial difference in his terms and the settlement that the President was so soon brought to see was the only one consistent with the constitution, the national welfare and for which he vainly contended for throughout his entire administration. At that period there was no factious alignment on the question. The general wish for peace would have been fully met by the Sherman-Johnston plan. Gen. Grant, and the

commanders, with the rank and file of all the Union armies, would have been satisfied. But it was not to be—it was written in the book of fate that the wind having been sown, the whirlwind must be reaped.

In his "Forty Six Years," page 353, Gen. Schofield passed this telling comment on the Sherman terms of peace: "It may not be possible to judge how wise or how unwise Sherman's first memorandum might have proved if it had been ratified \* \* \* We know only this much—that the imagination of man could hardly picture worse results than those wrought out by the plan finally adopted."

Defending Sherman against Stanton's imputations Secretary Wells says in his *Diary of Recollection*: "But this error, if it be one, had its origin, I apprehend with President Lincoln, who was for prompt and easy terms. \* \* \* At a late period President Johnson assured me that Stanton's publication was wholly unauthorized by him—that he knew nothing of it until he saw it in the papers. We were all imposed on by Stanton, who had a purpose. He and the radicals were opposed to the mild policy of Lincoln, on which Sherman had acted and Stanton was determined to defeat it."

Upon learning of the annulment of the Sherman-Johnston terms, and the restriction of military commanders to acceptance of surrender of Confederate troops, Gen. Dana revoked an armistice to which he had agreed for "a total cessation of hostilities except in the apprehension of guerrillas and other offenders against the peace." On information of the surrender by Lieutenant General Taylor of all the Confederate forces in Mississippi General Dana issued an order authorizing resumption of trade and intercourse. "Permits and passes" it was announced, "are no longer necessary, and well disposed people of the country can come and go at pleasure." Commanding officers were notified that they would be held to strict accountability for exact discipline in their commands, and "for securing the people of the country against molestation or annoyance by their troops, and protection against injury from any sources. Supplies will be allowed to pass freely and products of the country. Well grounded complaints from



the citizens in case of injury will be welcomed and treated with kindness and attention."

The action taken in overruling Gen. Sherman was notice to all that the generals in the field could exercise no more authority than to receive the surrender of the Confederate forces and properties, paroling and dispersing the men to their homes, and to hold the country subject to the future dispositions of its political future and rehabilitation by the Civil government. Orders were issued to other generals in the field to be limited in accepting the surrender of their opposing forces, by the terms given by General Grant.

Col. H. A. M. Henderson, of the Confederate Bureau of Exchange of Prisoners, addressed several thousand returning soldiers. The following close of his address, published in the *Herald* of May 9th, faithfully reflected the prevailing sentiment among the Southern soldiers: "I know not whether ever again you will be rallied to that standard which through victory and defeat you have followed so gloriously for years. It may be the Confederate flag is furled forever. If this should be the case it is the duty of good men to respect authority. Predatory warfare can accomplish no good and only evil." A lengthy comment upon "the end" in the *Vicksburg Herald* closed as follows: "The war against the Union is virtually at an end in the state of Mississippi. It now remains with the people of the state to usher in the glorious reign of peace and prosperity and resume her proud position in the Union as a loyal state. The sooner this can be effected the better will be the condition of the people of the state. Peace must follow the end of the war, and the people will return to their rightful allegiance. The bitter hatred from the war must and will be forgotten. Hate must not be nursed—it is not a Christian virtue—it belongs to a barbarous race—the Southern people are not barbarians." Well would it have been had this article comprised all there was preliminary to the restoration of the state to her place in the Union!

Governor Clark issued an address from Meridian, May 6th, conveying the information that all the Confederate armies east of the Mississippi had surrendered. "All officers and persons in

possession of public supplies will be held to a rigid accountability. Arrangement will be made to supply the destitute. I have called the legislature to convene at Jackson the 11th inst. They will doubtless order a convention. Officers of the state government will immediately return with the archives to Jackson. County officers will be vigilant in the preservation of order and the protection of property. Sheriffs have power to call out the posse comitatus, and the militia will keep arms and obey orders for this purpose as in times of peace. The civil laws must be enforced as they now are until repealed. If the public property is protected and the peace preserved, the necessity for Federal troops in your counties will be avoided. You are therefore urged to continue to arrest all marauders and plunderers.

“The collection of taxes should be suspended, as the laws will doubtless be changed—Masters are responsible as heretofore for the protection and conduct of their slaves, and they should be kept at home as heretofore. Let all fearlessly adhere to the fortunes of the state; aid the returned soldiers to obtain civil employment, maintain law and order, condemn all twelfth-hour vapors, and meet stern facts with fortitude and common sense.

CHARLES CLARK,  
Governor of Mississippi.”

In a criticism of this call the Vicksburg Herald avowed the “belief that the United States government will not recognize or permit the action taken by Governor Clark as he is a civil officer of the state under rebel rule, and more than all he is not a loyal man.” The paper stated it as “altogether probable that Governor Clark had acted on his own responsibility.” But on the next day the paper said: “In an editorial yesterday we expressed our belief (from inference) that the government would not recognize or permit the action which Governor Clark had taken in calling together the state legislature. \* \* \* We have since canvassed the matter and have learned that the Governor’s course was taken by the advice and with the consent of Gen. Canby, and has in view this one object only—the calling of a convention of the people.” The paper of that date, May 12th, also announced the

presence in the city of Judges Wm. L. Sharkey and Amos R. Johnston, "to consult with Gen. Dana in regard to a policy for restoration of civil law."

May 7th Gen. Canby, who earnestly desired to share the burthens of relieving an existing evil condition in his department with civil government, wrote Secretary of War Stanton: "I am satisfied if permitted the legislature of Alabama will at once call a convention which, in 24 hours, will undo all that has been done in the past four years and settle favorably and definitely all questions that conflict with the superior authority of the government of the United States. I am not yet so fully advised with regard to the state of Mississippi, but I believe that the same conditions will control in that state." Gen. Canby wrote again: "I have answered all who have applied to me that I have no authority to determine any question affecting the political relations of the states to the general government, but have advised all civil officers to return to their posts with the archives and property in their charge; to report themselves to the military authority, and to wait the action of the general government. In my judgment it will be wise to use the agencies which now control. If they move in the wrong direction they can be guided, and if perverse can be stopped at any moment. Please advise me by telegraph by way of Nashville and duplicate by the Mississippi river." No reply was made to this question. In the state of affairs it was small wonder that Gen. Canby wrote to the secretary of war that "many officers who have surrendered in this command have applied for permission to leave the country. Can that be allowed, and if it can, under what conditions?"

Responding Gen. Grant recommended to the Secretary of War the publication of an order "authorizing any paroled prisoner who chose, to leave the country, not to return without authority."

Secretary Stanton turned a heart hard as flint to the pitiful conditions in the South. He was no more moved by the suffering and privations of the people than Marat was by those of the French "aristocrats." Like that monster his thoughts were all on bringing the leaders to judgment, and in guarding against dangers and plots which were pure concoctions of a mind diseased and

distorted by hate. April 25th he wrote Gen. Hooker, at Cincinnati, warning him that "the rebels in Canada are again plotting an attack on the frontier cities, and to be vigilant in guarding against attack." A few days later he wrote Gen. Palmer at Louisville, that "Geo. D. Prentice says that Lieut. Governor Jacobs stated to J. D. Osborn that he, Jacobs, knew that the rebels contemplated something that would startle the nation. But that he had no right to say anything further in regard to the matter. Please examine Jacobs under oath requiring him to say what he meant, and from whom he received his information and report the result." After all the armies and arsenal forces had surrendered, he directed the commander of the Gulf department to be on the lookout for an expedition of New Orleans parties to capture the Tortugas forts. He was as insane and diabolic on the subject of rebels, and punishing traitors as Jeffreys was, after the Monmouth rebellion. And under a like license of that guilt stained monster, he would have left a bloodier trail.

Governor Clark had been an old Whig in politics, with a strong bent for military affairs. Having commanded a Mississippi regiment in the Mexican war he was one of the first in commission of the state's brigadier generals. He was elected Governor after being disabled by wounds received at Shiloh, and Baton Rouge. Before calling the legislature in session he had conferred with Lieutenant General Richard Taylor, commanding department; also with a number of prominent citizens. All agreed that this was a proper step to take. May 16th Gen. Dana, who had administered the affairs of the department fairly, wisely and magnanimously, and who was in full sympathy with an early and liberal restoration of civil government, was succeeded in command by General G. K. Warren. A few days later the legislature assembled at Jackson, as called. In his message to it Gov. Clark dwelt upon the embarrassing circumstances environing the state, expressing grave fear that the reorganization of the state would prove a task both delicate and difficult. He especially prefigured the effects of the assassination of Lincoln, which he said had caused a feeling of "the profoundest sentiments of detestation," as exciting the fiercest passions. The

message closed with the recommendation of a call of a convention of delegates of the people to repeal the secession ordinance. In the meanwhile Gen. Canby had been instructed from Washington to "not recognize any officers of the Confederate or state government within the limits of his command as authorized to execute in any manner the functions of their late offices," and to "prevent by force if necessary any attempt of any of the states in insurrection, to assemble for legislative purposes and to imprison any members or other persons who may attempt to exercise these functions in opposition to orders." No order in contemplation of obedience to the government's will as expressed was needed. The mere rumor that General Osband, notorious as a dissolute commander of negro troops, was in Jackson, charged to enforce this order, was enough to secure the dissolution of the state legislature and the hasty hegira of the members thence. As reported by that official the session lasted about an hour, May 20th, and the proceedings consisted of three acts: To call a convention. To send three commissioners, Judges Sharkey, Wm. Yerger and Fisher to Washington to confer with the President relative to its assembling and finding out what was necessary to bring the state back into the Union. To deplore President Lincoln's death.

Col. Osband's report concludes as follows: Upon adjournment of the legislature I immediately notified Governor Clark that I could not recognize the civil government of Mississippi, and having placed the offices of the heads of departments under guard demanded the custody of public books, papers and property and the executive mansion, appointing Monday, May 22d, for their delivery. At 9 a. m. Governor Clark delivered all public property to me under protest, but without asking to have force employed."

Nothing was less thought of at this dire juncture, than the resistance of force. Whether to the credit or the discredit of the Southern people, the mere word of any uniformed authority was accepted without question. It is a pleasure to record that abuse of this authority by Union officers was rare. It was the saving grace of a sorely perplexing situation that the military com-

manders in Mississippi had no sympathy in the spirit of proscription and vindictiveness toward the South that emanated from Washington. Thanks to them and the kindly consideration with which they tempered the execution of a vindictive policy, the following from Garner's Reconstruction in Mississippi, is not founded in fact: "Many expected wholesale confiscation, proscriptions and the reign of the scaffold. People were thrown into more or less terror. Some held their breath indulging in the wildest apprehension. For days and weeks, frightened women lived in a state of fearful suspense, in hourly expectation of the beginning of all that their frightful imagination had pictured of Northern vandalism and rapacity. Old men as well as some younger ones shared largely in this belief!" This picture calls for correction. The author of this work, speaking from distinct memory, and the chronicles of the period, denies that there was any thought of "wholesale confiscation," or of the "scaffold." In the vicinity of the camps of negro soldiers there was some fear, possibly, "terror," on the part of women and children. There were no "days and weeks of fearful suspense." All this is fiction. There was disappointment and discouragement of the expectations of a wise and non-partisan settlement of a sorely trying and gravely embarrassed state of society. There was quite enough in the uncertainties of the industrial problem created by emancipation, the lack of faith in the freedman as a laborer, to darken the future, without the terrors of confiscation and beheading.

The friendly helpfulness of Generals Canby, Dana, Slocum and Osterhaus, was the almost complete antidote of the harshness of the President and the Secretary of War. A circular of instruction to post commanders by General Dana, through his adjutant, Capt. Frederic Speed, read as follows: "You are particularly directed not to molest or incommode quiet and well disposed citizens and will be held to strict accountability that your men commit no depredations of any sort. Houses, fences, farm property, etc., will be secure and remuneration will be compelled and punishment inflicted for all infractions of this rule. The well disposed people must be made to feel that the troops are

for their protection rather than for their inconvenience." Col. Hugh Cameron at Holly Springs was directed to "irritate the public mind as little as possible." Major Lyon, at Lexington, was "ordered to enforce the strictest discipline and that nothing must be taken from the people. If you are compelled to take forage you are to furnish the owners the necessary certificates, but it will be better to abstain entirely from taking anything."

"In taking command, June 18, of the Northern Mississippi District, Gen. Maltby was instructed by Gen. Canby "to give all assistance to citizens who are willing to resume their old pursuits and settle questions between the blacks and whites with a view to induce the former to remain at their old homes whenever their former masters recognize their freedom. The negro must be protected against any outrages by these old masters who must accept the changed condition and prepare to work their plantations on a basis of mutual agreement with their laborers. Vagrancy among the negroes must not be tolerated. All must work." Gen. Osterhaus, who had succeeded to the command in the state, reported to Gen. Canby June 6th that there was "a great deal of marauding over the larger portions of the state. As a general thing there are no supplies in the country to be shared for the troops." Gen. Osterhaus gave especial attention to the restoration of railroad facilities in the state. June 6th he reported to Gen. Canby that "after transfer of the railroad between Vicksburg and Big Black and all property belonging to the Southern railroad, it appears the president was utterly unable to put the road in order between Big Black and Jackson. No money, no credit, no energy is at the company's disposal, and if they had the force of laborers to do the work the company would look to the government exclusively to furnish them with rations and the necessary material, and it would not be completed in less than four or five months. Lieutenant Holgate of the U. S. Engineers, made the closest investigation of the road. It is his positive opinion that the thirty miles between Big Black and Jackson could be put in sufficient repair for operation in one month." In conclusion, as the road was of "undoubted utility to the government and almost a necessity to the people of cen-

tral Mississippi and Alabama," Gen. Osterhaus recommended that the order to transfer the road to the company be rescinded for the present and put in running order by the military authorities." Orders were taken accordingly and working parties placed on the road. A few days later Gen. Osterhaus reported that "the gap in the Southern road from Big Black to Jackson would be closed by July 15th. This road is in operation from Jackson to Meridian. The Mobile & Ohio is in regular operation as far north as Okalona and bids fair to soon be repaired its whole length. The New Orleans, Jackson and Great Northern is in operation from Canton to Brookhaven. The company has raised capital in New Orleans to complete all repairs. The Mississippi Central is running regular trains from Canton as far north as Senatobia. The Mississippi and Tennessee is running trains from Grenada to Oxford. No communication beyond Holly Springs. We are totally without the institution of mail. The condition of the country so far as my observation extends, may only be described as intensely quiet, generally. I hear of localities in which there are reported occasional disturbances of the peace. But this poverty stricken and utterly subjected people are only anxious for the restoration of authority of whatever description."

The arrest of a reconstruction initiative which was thought to be in full compliance with the results of the war and the urgent need of society, its treatment as a crime although sanctioned and encouraged by the military commanders, prolonged the chaotic condition. True the military authority had lifted the bars for a resumption of business and traffic. And, by executive order, April 29th, the President had removed all restrictions upon internal domestic and commercial intercourse in the Southern states east of the Mississippi river, with certain exceptions specified.

But this permission to resume trade with the outside world was handicapped and almost neutralized in the greedy search and surveillance of the treasury department, for "Confederate" cotton. Concerning this cotton the following order was issued May 10th, 1865, by Gen. E. R. S. Canby:



The cotton belonging to the Confederate government in East Louisiana, Mississippi, Alabama and West Florida, having been surrendered to the government of the United States, its sale to private individuals, or its transfer to any persons, except the officers or agents of that government, is prohibited. This order applies to all cotton procured by subscription to the cotton loan, by sale of Confederate bonds or notes, by the tax in kind, or by any other process by which the title was vested in the Confederate government, whether in the possession of the agents of that government, or still in the hands of the producers; and all persons in whose charge it may be, will be held accountable for its delivery to the agents of the United States. Commanders of districts will be furnished with a transcript, from the records of the cotton agents, showing the quantity and location of the cotton within the limits of their commands, and will give the agents of the treasury department, appointed to receive, such facilities as may be necessary to enable them to secure it."

"Any sales of this property, in violation of this order, will be treated as the embezzlement of public property." Gen. Canby reported to the Secretary of War, May 12th, that "the quantity of cotton to be turned over to the United States by the cotton agents in East Louisiana, Mississippi, Alabama and Florida, will probably reach 200,000 bales. The greater part of that, however, is still in the hands of the planters, and they have already manifested a disposition to appropriate on the ground that the rebel bonds and notes have no value. In this attempt they will be aided by the cotton speculators. The records of the (Confederate) cotton agents appear to be very complete and show the location and quantity in their possession and still in the hands of the planters. The tax in kind cotton is all in the hands of the planters and the greater part of it unginning. These records will be turned over to the (U. S.) treasury agents as soon as they are appointed and will give them every facility possible for collecting the cotton."

Cotton growers had in fact received no valuable consideration for this cotton. The notes or bonds paid them in its purchase were outlawed and made of no value by the power claiming the

cotton. Under all principle of right, by any line of reason, the government should, as a plain matter of justice, have made good the price of the cotton or made no claim to it. Under the circumstances the policy adopted was dishonest and merciless. It was in fact a denial to the Southern people of the belligerent right, recognized during the war. But this was not the limit of the injustice. An army of harpies, agents and special assistant agents, were turned loose on the country to ferret out Confederate cotton—all cotton being treated as Confederate cotton, or cotton subject to condemnation and confiscation, until proved to the contrary. Those who owned cotton dared not move it for fear of seizure and detention, with costs and fees, which went into the pockets of the treasury sleuths. April 23d Assistant Special Agent Tomeny reminded the public through The Herald that the law of July 2nd, 1864, "prohibits the sale of cotton in the insurrectionary states except to duly authorized government agents," and to avoid seizure and condemnation the law must be complied with. The military authorities sought to amend or modify the literal construction of laws and regulations framed for a condition of war. Another assistant special agent, Montross, having ordered that "all cotton moving in this district be secured and held as Confederate cotton." Gen. Canby directed that "all cotton be brought forward without any military restriction" and that "every facility consistent with the requirements and interests of the service be furnished"; "that there would be no more search for Confederate cotton."

But the order was not regarded by the treasury agents. The Herald of June 9th had the following: "There seems to be difficulty on the cotton question between the military and the financial departments of government. Gen. Slocum and Gen. Canby have issued very liberal orders in regard to bringing the staple forward, but the treasury officers seem determined to check its transportation. The Memphis Argus of 6th says that "Mr. Elbery, who is the purchasing agent for the United States at that place, has determined to seize all the cotton coming to Memphis by way of the river to be held by him until such time as the parties bringing it here can prove that it was raised by free labor

or purchased in good faith prior to July 29, 1864, and that the late so-called Southern Confederacy had no claim therein. Some two thousand bales were seized yesterday, but the greater portion was afterward released, the necessary proof having been furnished."

Some of the Confederate cotton seized in the hands of growers had not been paid for—it was only contracted for. But with agents paid from 25 to 50 per cent of the value of cotton "recovered," no explanation was respected. By commissions and stealages treasury agents made fortunes.

Another issue of the Herald told of the "seizure of a vast amount of cotton shipped on permits to St. Louis. Much of this cotton came out of the Yazoo. It was secured by Treasury Agent Howard, who expected a round sum for relinquishment of claims." But the merchants to whom this cotton was consigned would not submit to the robbery. They sent their lawyer to state the case to Secretary McCullough, who promptly ordered the "release of the Yazoo cotton and all secured for the same cause." It was the aim of these agents to harass holders of cotton into buying the facility of selling it, or to force them to sell it to them as purchasers for the government. When Montross issued his order of indiscriminate seizure, it was ostentatiously added that "the order does not prevent cotton being sold to the treasury purchasing agents, under provisions of treasury regulations of May 9th, 1865." This "regulation" which is deemed worth perpetuating in history, is here stated in its material sections:

Treasury Department, May 9, 1865.

I. Agents shall be appointed by the secretary of the treasury, with the approval of the president, to purchase for the United States, under special instructions from the secretary of the treasury, products of states declared to be in insurrection, at such places as may from time to time be designated by the secretary of the treasury as markets or places of purchase.

III. The operations of agents shall be confined to the single article of cotton; and they shall give public notice at the place in which they may be assigned, that they will purchase, in accord-

ance with these regulations all cotton not captured or abandoned, which may be brought to them.

IV. To meet the requirements of the 8th section of the act of July 2, 1864, the agents shall receive all cotton so brought, and forthwith return to the seller three-fourths thereof, which portion shall be an average grade of the whole, according to the certificate of a sworn expert or sampler.

V. All cotton purchased and resold by purchasing agents shall be exempt from all fees and all internal taxes. And the agent selling shall mark the same "free," and furnish to the purchaser a bill of sale clearly and accurately describing the character and quantity sold and containing a certificate that it is exempt from taxes and fees, as above.

VI. Purchasing agents shall keep a full and accurate record of all their transactions, including the names of all persons from whom they make purchases, the date of the purchase, a description of the cotton purchased by them, also the quality and quantity thereof; also of the one quarter retained by them. A transcript of this record will be transmitted to the secretary of the treasury on the first day of each month.

VII. Sales of the cotton retained by the purchasing agents under regulation IV, as the difference between three fourths the market price and the full price thereof in the city of New York, may be made by such agents at such places and times and in such manner as may be directed in special instructions from the secretary of the treasury. Where such sales are not so authorized, the agents shall, without delay, ship it to New York on the best terms possible, consigned, until otherwise directed, to S. Draper, cotton agent and disbursing officer at that place.

X. These regulations, which are intended to revoke and annul all others on the subject heretofore made will take effect and be in force on and after May 10, 1865.

HUGH McCULLOGH,  
Secretary of the Treasury.

Executive Chamber, Washington City, May 9, 1865.

Approved:

ANDREW JOHNSON.

I am prepared to receive cotton in conformity with the above amended regulations.

H. H. YEATMAN,  
U. S. Purchasing Agent.

Office on Crawford street, Vicksburg, Wirt Adams' Building.

Purchasing Agent Yeatman thus explained the regulations, in *The Herald* of June 6th, 1865: "This tax of one fourth must be paid. If you sell your cotton to a broker or merchant, you are charged this one-fourth, with the other taxes assessed by the authorities here and the incidental expenses of sale. But if you bring four bales of cotton to the purchasing agent, he takes one as the fourth due the government, and gives you his certificate that this government tax is satisfied, and you can then sell the other three to whomsoever you please."

A few days later Agent Montross cited an act of congress approved July 17th, 1862, entitled "an act to suppress insurrection, to punish treason and rebellion to seize and confiscate the property of rebels;" and which forbade "all persons residing in states declared in rebellion against the authorities of the United States, to make any sale or transfer of any property, stock, bonds, etc., and all such sales or transfers so made were declared void.

The purchaser under such sale or transfer neither can nor does acquire any title under such sale or transfer, but the title vests at once in the United States, by the abandonment of the previous owner. No sale or transfer is good or valid between parties but where the party conveying has taken the amnesty oath, in good faith, under the proclamation of his excellency Abraham Lincoln, dated December 8th, 1863, and not even then, is it good unless they belonged to the class expressly relieved thereby, to-wit: All soldiers and officers of the rebel army below the rank of colonel. No officers in the civil list, Confederate, state, county, or municipal, or who has accepted an agency under either, can claim the benefit of the amnesty oath. It does not apply to them, and they are required to obtain a full pardon from the president: Hence, all property, etc., so transferred by parties prior to taking the amnesty oath, and all so transferred by those not in-

cluded in the amnesty, is subject to be taken possession of by the United States at once."

By order of the treasury department rule III of local rules for special agencies, plantation trade registry, was amended by inserting the words "loyal and" before the words "well disposed" so that it will read, "all loyal and well disposed persons," etc.

In the Vicksburg Herald of May 16th Special Treasury Agent A. McFarland, of the "Skipwith District," published a warning to "persons purchasing cotton in this district raised in 1864 and attempting to ship same on old permits" as follows:

"Notice is hereby given that such transactions are illegal and in violation of the existing Treasury regulations. Cotton produced in 1864 and so shipped, is subject to seizure and confiscation. Parties having cotton produced in 1864, in the counties of Issaquena, Washington, Bolivar, Yazoo, Holmes, Carroll, Sunflower, and other counties lying east of these, in Mississippi, and desiring to ship the same, must report it at this office. This order also includes that portion of Arkansas and Louisiana lying between the Arkansas river and the south line of Carroll parish, Louisiana. On all such cotton so shipped, (if by owners), there is a tax of one cent per pound, to be paid at this office; if by lessees the tax to be paid here is two cents per pound. Such cotton can only be cleared as having been raised by free labor, and subject to this tax, or sold or shipped to a government agent, who retains one-fourth of it. Any attempt to evade this tax and control the cotton as having been purchased previous to July 29, 1864, will subject the cotton to seizure."

That is all persons with old cotton, living anywhere between the latitude indicated, from the Alabama to the Texas lines, before shipping their cotton, were required to "report at this office," at Skipwith, an obscure river landing in Issaquena county. This agent also notified planters of his district that "information having been filed in this office of certain persons shipping goods into that portion of Mississippi intersected by the Yazoo and Sunflower rivers, under pretence of their being plantation supplies, but with the design of selling them, notice is hereby given that all goods so taken into that territory are liable to seizure,

and if detected will be seized and confiscated. Persons owning or controlling plantations within the counties of Issaquena, Washington, Bolivar, Yazoo, Holmes, Carroll, Sunflower and other counties lying east of these in Mississippi, are requested to come forward and register their plantations in this office, after which they will be entitled to take out such supplies as they need for their own use. Recommendations for the same will be given at this office. This order also includes that portion of Arkansas and Louisiana lying between the Arkansas river and the south line of Carroll parish, Louisiana. Any attempt to evade these regulations by taking goods clandestinely in the above-named territory for sale, will subject them to seizure and confiscation."

April 27th, Treasury Agent Montross warned "planters who have been obliged to abandon their plantations on account of high water, that they must first make application to this office for permission to dispose of their plantation supplies and pay the (traders) assessment fee of three per cent." Every act and effort of the citizens, in buying or selling, even the calamity of a Mississippi river overflow, was penalized and preyed upon, by the drove of ruthless and hungry treasury sharks. Yet another hold the government had was the state's quota of the direct tax levied in 1861 for the sinews of war waged against her. Payment of this was demanded, and an arbitrary acreage assessment was imposed on the tax payers for an amount that in the aggregate was near half a million dollars. Only a part was paid, the remainder being charged against the state. As collection was difficult, to even up the account, in after years, there was a refund out of the treasury of all payments made by all states, Northern and Southern; millions to the former hundreds to the latter.

A true reflection of the iniquitous and oppressive government cotton policy at the war's close, is borrowed from the report of "the joint select committee, to enquire into the condition of affairs in the late insurrectionary states," commonly known as the Ku Klux report; testimony being taken in 1871 and the report submitted February 19th, 1872:

"As to the cotton frauds. When the war ended there were

on hand in the South at least five millions of bales, worth in Liverpool, five hundred million dollars. Of this five millions of bales, the Confederate States owned a mere fraction, the bulk of which was turned over to General E. R. S. Canby by General E. Kirby Smith May 24, 1865. The Confederate government had cotton stored at Montgomery, Alabama, and Columbus, Georgia, but it was all burned—with other cotton, the property of private individuals—on the approach of General Wilson's cavalry raid in the latter part of April, 1865. What became of this five million bales of cotton? Who got it, and where did it go? The Treasury Department filled the entire South with its agents, informers, and spies, in search of Confederate cotton, tobacco, etc. The Treasury Department had also given contracts to numerous parties, who were to receive from a quarter to half of all Confederate cotton discovered. These agents, spies, informers, and contractors went to work and seized indiscriminately everybody's cotton. They pretended in all cases to have proof that what they seized was Confederate cotton. Proofs piled mountain high rarely convinced them to the contrary. But when the proof of ownership was accomplished with an offer to surrender a part of the cotton for the return of the balance, the proposition was always accepted. The owner of a hundred bales of cotton on the first seizure would be tolled not less than twenty bales, and if the cotton was being moved from an interior place, it was not infrequently the case that the owner would have to submit to a second and often a third and fourth tolling before reaching market. Instances are numerous in New Orleans and New York where cotton was seized after it had reached those cities, by orders from the Treasury Department, although the cotton thus seized had run the gauntlet of tolling from the plantation to its place of destination. When seized in the large cities, enormous tolls were demanded either in cotton or money. But when terms were arranged by which the share demanded by the official was given up, the proof of private ownership was always satisfactory. The owners of the cotton had no redress, and they were compelled to either surrender a part or the whole. A Treasury regulation required all cotton seized in the Atlantic and



Gulf states to be shipped to Simeon Draper, United States cotton agent in the city of New York; and cotton seized on the waters of the upper Mississippi—north Georgia and north Alabama—to be shipped to William P. Mellen, United States cotton agent at Cincinnati. Much of the cotton seized was found on plantations before the owners could get home after the surrender of the southern armies. In such cases the agent making the seizure, after retaining from a quarter to a half, would ship the balance to his supervising agent, and this supervising agent would levy his contribution, when the remnant would be shipped either to Mellen at Cincinnati or Draper at New York. When the cotton reached Draper or Mellen it was again manipulated, and when offered for sale, it was always by samples; and the samples were invariably greatly inferior to the cotton represented. Such usually was the inferiority of the samples exhibited (frequently grades representing a quality of cotton known as low middlings) that the quality offered would only sell for ten or fifteen cents a pound, when in reality the cotton thus sold was worth in the market from sixty cents to one dollar and twenty cents per pound. The purchasers on such occasions were always the special friends of Draper, as well as partners in the swindle. Bales of cotton weighing from five to six hundred pounds, were always reduced by plucking from one to two hundred pounds before being offered for sale. This was called "waste cotton," and was carefully gathered up and sold as "trash" to the eastern manufacturer. When the owners of cotton traced their property to Draper, (if a thousand bales had been taken from them,) he would report that of the thousand bales seized he had only received two hundred; and that the "two hundred bales received was of very inferior quality, and only sold for ten or fifteen cents per pound, and that transportation, storage and commissions were so and so, which left only a small sum in his hands." Thus was cotton manipulated by Simeon Draper, United States cotton agent at New York. When Draper became cotton agent of the United States at New York, he was known to be a bankrupt. It is a well known fact that he settled his debts and died leaving property estimated at millions.

Draper only did on a large scale what was universally the practice of treasury agents on a lesser scale.

"In defiance of the President's proclamation and Treasury instructions, treasury agents continued to seize cotton as late as December 1865. Although the Supreme Court of the United States, the Chief Justice delivering the opinion, in the case of Mc-Leod vs. Callicott, decided that any cotton seized after the 30th of June, 1865, was unauthorized and therefore illegal and that the claimants of cotton seized after that date were entitled to recover from the United States what the cotton was worth in the markets at the time of the seizure, with lawful interest from date, these claims are generally unpaid."

"Of the five million of bales of cotton in the Southern states at the close of the war, in the spring of 1865, the agents and government of the United States appropriated not less than three million bales. On March 30th, 1868, congress passed a joint resolution covering into the treasury the proceeds of all captured and abandoned property. And when that resolution passed, Jay Cooke & Co. had \$20,000,000 of the proceeds of cotton in their possession, on which they had been banking for years." \* \* \* On page 10 of a report to the 37th congress made by the Secretary of the Treasury February 19th, 1867, Simeon Draper reports that he received 95,000 bales of cotton. This vast amount only netted the government \$15,000,000, when it should have sold for \$50,000,000."

There were also the officials of the Freedman's bureau to reckon with. This institution had grown out of the military occupation of the lower Mississippi Valley and the Carolina coast country, where large plantations and myriads of slaves had been left by their refugee owners. The necessity of exercising supervision over these negroes was recognized and provided for in an Act of Congress introduced in March 1864, but which only passed a year later. It established a "Bureau of Freedmen's Affairs." General O. O. Howard, a Union corps commander of intense negro phobic tendencies was made commissioner. His Mississippi assistant commissioner was Colonel Sam-

uel Thomas. The state was divided into three subdistricts, one for each of three acting assistant commissioners.

As the system thus provided was developed a local agent for each of the counties was appointed. These were usually detailed or discharged army officers, with a large sprinkling of Chaplains. To such a corps was entrusted the abandoned lands and the general supervision and care of the interest of the freedmen including that of education. Planters were reminded by an order from military headquarters that general order No. 34—which minutely defined and prescribed the terms and treatment of negro labor on the "abandoned plantations" while the war was waging, was still in full force and effect and that "a strict compliance with it would be exacted." And that "the provost marshal general of Freedmen, will take measures to inform the planters and the freedmen what is expected and required of them both, each in his station." This was followed by a published notice in the *Herald* from Col. Stuart Eldridge, provost marshal for freedmen at Vicksburg, that planters were using the order abolishing trade permits "to evade compliance with the regulations for hiring freedmen." And that "the policy of proper treatment for freedmen must be respected, and any planter found without a certificate from this officer of having complied with the government regulations for hiring freedmen will be waited on by a guard and compelled to compliance." This was, in fact, a notice to the planters to come forward and be bled. To add another nail for the cross on which the South was being crucified, the Rev. Thos. W. Conway, "General Superintendent of the bureau of free labor," went through this and adjoining states, taking notes. June 3d he wrote Gen. Canby: "I have found a perfect reign of idleness on the part of the negroes, and persecution and violence on that of the whites. The bitterness of the old slave holders and their determination to persecute and murder the freedmen leaves in my heart but one solemn impression and that is the only means of saving them lies in the military power. The returned rebel soldiers are the worst. They are filled with a spirit of lawlessness—hate. I am pained at the scenes I witnessed along my route. I saw freedmen whose ears were cut off

by former slave holders. I have seen others, whose throats were cut and still others whose heads were mutilated in a most barbarous and shocking manner." Gen. Canby gave no heed to this diatribe, which was disproved by the reports and correspondence of every military commander in his department.

Col. Howland, commanding at Macon, Georgia, reported "the old system of slavery working with more rigor than formerly, a few miles from garrison station—the revolution being so complete and the change so radical that it seems impossible for slaveholders to comprehend it. . . . This feeling is confined principally to the formerly wealthy planters, but does not seem to be participated in by returned Confederate soldiers. They usually manifest a very kindly feeling." But such testimony only added to the inflammation of sentiment against the South. Coming as did all of these inflictions of hate and exactions of greed to a people bankrupt and crushed by the ruin and the woes of war, well might they repeat after the Psalmist—"Mine enemies hem me in on every side."

The close of the war had not ended the depredations in the western counties of the state, of irregular and marauding bands of Confederates. Denounced and outlawed as guerrillas by commanders of both sides, co-operative measures were prepared against them. Just before the surrender and disbandment of all the Confederate forces in Mississippi, April 18th, Gen. W. F. Tucker addressed a communication to Gen. Dana at Vicksburg. He said he had information that the Federal commander "was anxious to correct lawlessness at present so rife in Warren county." He proposed a joint raid against them; that he would send a company of mounted men to meet and co-operate with a like force of Union soldiers "in this work of humanity." On May 1st Gen. Washburn, commanding at Memphis, gave notice of "a guerrilla hunt" by half a dozen different bodies of cavalry, of from one to two hundred each; the country from Memphis south and east, covering several Mississippi counties, was to be thoroughly scoured. "People in the country will be kindly treated, but must be informed that if they are known to harbor or encourage guerrillas they shall be utterly destroyed." It was

several months before law and order prevailed in this section of the state.

Instructive and impressive light is shed on the discouraging and unsettled condition that prevailed in Mississippi after the collapse of the Confederacy, by the following communication of one of the local military commanders and administrators, Col. Forbes, of the Seventh Illinois cavalry. It was addressed to his superior officer, Gen. Hatch, who forwarded it to Gen. Geo. H. Thomas, department commander, with the endorsement, "as an example under which every station throughout the district is laboring to a more or less extent."

"We are in the midst of a remote populous, sensitive district, without instructions to guide or orders to administer, except in a very limited sense. Not less than a territory of 2,500 square miles looks to this point as its natural centre, and the fact of a military occupancy gives the people the opportunity and in a manner the right to expect the announcement of public policy and some indications of private duty in the trying ordeal through which this, with all other communities, are passing. I am visited by hundreds of men asking information of vital interest, without being able to give more than a semi-intelligent guess toward solution. The needs of this region are imminent, pressing, critical, and unless some action is taken commensurate with their importance, the most deplorable consequences are not far away. First and foremost, as usual, are the negroes. They are becoming more and more demoralized daily, notwithstanding the most constant and consistent efforts on the part of the military to enjoin industry and quiet. A large portion of the able-bodied are already vagrants, and more are daily becoming more so. The slightest friction of the home harness is enough to drive them into vagabondism. As soon as they cease to work they subsist by stealing, and even the railroad, which has been rationing and paying them \$25 per month, cannot retain them in its employ. They desert their agreements in whole gangs, always leaving the night. The most trivial and childish reasons are sufficient to cause them to adopt courses which jeopardize not only their face security and comfort, but even their lives. Five stout negroes in

and about twenty women and children ran away en masse last night from a mistress who has permitted them to make their own living on her place for two years because one of them was angered when the mistress required him to catch and saddle a horse. In the night they stole her horses and clothing and came in here. This case is one of a hundred merely. Save as they fancy they are determined not to work. The vagrancy of the able leave the ineffective, a dead weight on the planters' hands, and in self-defense he thrusts these out to follow their providers. How can he be required to feed and clothe the imbecile when he is not confirmed in the control of the labor needful to provide the means? Great things are expected from the Freedmen's Bureau. I expect little from it, from the fact that it will be unable to connect itself with the black masses with sufficient intimacy to be able to control their movements, unless practically every master be constituted its supervising agent, and this would prove to be formal revival of slavery under federal authority. I fear that the vital truth for the present is that the freedmen of these interior regions are not able to be free. For them to be free is for them first to beg, then to steal, and then to starve. The nearest superintendent of freedmen is at Meridian. He enjoys the dignity of captain and announces some very fine theories for regulation of the labor question intended, as far as I can learn, to effect an area of about 10,000 square miles of territory, every square mile of which is in a state of fermentation and becoming every day more and more surcharged with gathering disgust and more dangerous passions. The whites hear nothing of his announcements, much less the blacks. He is the party by whom all contracts are to be registered; to him all the complaints of the negroes are to be submitted, and by him all discipline is to be enforced. He is 160 miles away, and needs to exercise a positive jurisdiction on every plantation every day; to be, in fact, universal overseer. The whites say, "What shall we do if <sup>pl.</sup> blacks refuse to work?" It may be answered, "Cease to feed to be and if contumacious, drive them away." The reply, "What treat<sup>ed</sup> won't go; but hide by day and steal by night?" Answer, or enc<sup>ed</sup>. them in crime and turn them over to the courts." We

answer, "General Thomas' recent order reestablishes the jurisdiction of the courts for the administration of the laws as in existence prior to the act of secession." They ask, "Can we administer our black code then?" We think not, for that contains the most authoritative possible recognition of slavery in all its old vital relations to society and law. They rejoin, "We have no other law." What then? What shall we do? There is but one reply left; it is: "Refer the matter to the nearest agent to the Freedmen's Bureau at Meridian." They then reply, "How shall they be restrained meanwhile during the pendency of the reference?" And you can resort to no law but that of force again, which is slavery. I have grown satisfied that there is, and can be, no such thing as the actual immediate emancipation of a large mass of plantation slaves. To announce their freedom is not to make them free, and the continuous rigors of necessity and restraints of authority, inseparable respectively from their own circumstances and the self-defensive action of society, constitutes essentially the substance of slavery still. As federal soldiers we can neither recognize slavery nor its equivalent, and are left helpless lookers-on, while the broken ship and the crazed crew are drifting on the rocks together. I see but one remedial plan. That is, to compel by some intimate, close-fitting system of prescriptions every able-bodied negro to work, the adoption of some appropriate rule of law for the government of the class, under which the courts can administer restraints and confirm rights, and the thorough, careful policing of the entire area of the slave states by mounted soldiery in support of the jurisdiction of the courts; that soldiery to be intimately subdivided and finally assigned to certain territorial limits. I presume that so comprehensive a measure will not be taken until some great and fatal mischief has indicated its necessity. Meanwhile, what am I to do, or to attempt toward restraining the vagrancy and violence of the negroes, and the cruelty and heartlessness of the bad masters? Starving people are coming in from every direction from five to sixty miles away for relief. I am clean worn out with their wan and haggard beggary. I would rather face an old fashioned war-time skirmish line any time than the in-

evitable morning eruption of lean and hungry widows that besiege me at sun up and ply me until night with supplications that refuse to be silenced."

A Methodist minister visiting Vicksburg where he had lived many years before wrote:

"I have heard of privation and sorrow here until my heart is sick. The town is lively—a great many negro soldiers are here, and they throng the streets all day. A large number of Northern men have come here to open business houses, and Washington street looks as if much trade was being carried on. Most of the old residents who survived the war have come back. They are all poor, many of them crippled for life, but seem to be submissive to their fate. Many families have not a male member left, all having perished in the revolution. Dr. Charles K. Marshall resides here. I breakfasted with him this morning."

Another pathetic picture of the hardship and destitution that prevailed after the war ended has been preserved in the report of Col. Dornblaser, commanding the post at Meridian, May 17th, 1865. "The raids," he said, "on the part of our army, and the Confederate impressments have almost entirely stripped the country of horses and mules, leaving citizens as well as returning soldiers wholly without means of planting and cultivating a crop. Many returned soldiers as well as citizens will have no employment and as idleness can only be productive of evil it would certainly be politic to adopt a remedy. I would therefore beg leave to suggest that all mules, horses and other property turned in by the Confederates be at once inspected, appraised and sold to county commissioners, payable at such times as the state of currency will make practicable, or distributed to the best advantage." This recommendation was supplemented by one from Capt. O. S. Coffin, quartermaster, stating that he was in possession of "the very mules impressed by the Confederates from surrounding farmers and never paid for." Permission was asked to return such mules. Such expressions of sympathy and desire to relieve the distress of the people were common with the Northern soldiers, when hostile operations had ceased.

Gen. Jno. E. Smith commanding at Memphis, in a circular or-



der, stated that he was "daily in receipt of petitions, which the reports of post commanders confirm, setting forth complaints arising from the new relations of colored people with land owners and praying for his authoritative action in adjustment of difficulties. Not alone are the freedmen responsible for the state of things. The planters themselves, too reluctant to practically accept the passing away of slavery, in numerous instances awaken and confirm disaffection among the negroes, which renders them so unfaithful and unreliable."

May, 31, 1865, Gen. Hatch, commanding in North Mississippi wrote Gen. Thomas: "Allow me to call your attention to the importance of a distinctive policy in regard to the negro. On the large plantations of the Tombigbee many are living in bands by plunder on the neighboring plantations. If they can be assured of being paid by the planters I think they will work for a living; or if assured of a fair share of the crops now growing it will prevent much suffering among them this year and keep them out of idleness."

How could the impoverished and destitute planters pay, or give assurance of, anything?

Being asked by Gen. Hatch for authority to carry out the intent of a considerable store of undistributed "tax in kind" corn—its distribution among the destitute and distressed families in North Mississippi—Gen. Thomas assented. He tainted his assent, however, by directing that "the holders of the corn be instructed that they had no right to it whatever, and should be thankful that the government elects to distribute it rather than to divide what they had in their private possession, with the poor."

May 22nd Thos. C. Billups, Geo. R. Clayton and 23 other citizens of Columbus addressed Gen. Grierson saying: "We have seen with regret that large bodies of negroes are leaving homes in the country and congregating in Columbus in great numbers without food or employment. Large quantities of growing crops of provisions and cotton now fully half cultivated will be entirely lost and all law and order in a great degree be destroyed. They will become demoralized and ready for crime and violence. Under the circumstances we are constrained to place ourselves

and families under your protection, and respectfully to ask that you by an order properly enforced keep the negroes on the plantations. By retaining to some degree the present relations until a new one shall be inaugurated by the government, much of the evil which will necessarily follow a change will be arrested."

The ominous outlook in the South, was given a darker hue at the time by the capture of the Confederate President, Jefferson Davis. His plan for escaping through the country and to the trans-Mississippi department was thwarted by the successive surrenders of the Confederate armies, and the penetration of the interior by the Union cavalry. He was overtaken in Georgia and sent to Fortress Monroe. President Lincoln had expressed the wish that Mr. Davis might get away and leave the country. There were other Northern leaders who took the same view; that to dispose of such a captive was sure to prove a problem and an embarrassment. In discussing the terms of his original convention with Gen. Johnston, Gen. Sherman is said to have stated that a ship would be placed at the service of Mr. Davis, for going to any foreign port he might choose. But no such views were entertained by Secretary of War Stanton and the radicals. They saw nothing but a short trial, a sure conviction and a bloody end. Doubtful of making out a case of treason, the monstrous accusation of instigation of the assassination of President Lincoln was trumped up to render Mr. Davis hated and infamous with the Northern people and the world. This charge was formally laid in a proclamation offering a reward of \$100,000 for his capture. It was alleged in the court martial charges against the persons caught red handed in the assassination crime. On learning of the capture of the Confederate president, Stanton despatched Gen. Q. A. Gilmore, commanding department: "These prisoners are to be dealt with as criminals of the most dangerous character. No consideration should control you in their secure delivery in Fortress Monroe to the officers who may be assigned." Gen. Halleck was ordered to repair to Fortress Monroe to "place a sufficient force there to secure against surprise or effort at rescue or escape." And to "send away the women and children constituting the family of Davis. Do not permit them to go north or remain

at Fort Monroe or Norfolk." Having doubts about Halleck for carrying out his malicious and brutal designs, Stanton sent after him his assistant secretary of war, C. A. Dana; a worthy tool of such a master. His report, in the War Records, Series 2, Volume 8, Page 564, is briefed as follows:

"The arrangements for the security of the prisoners seem to me as complete as could be desired. Each occupies the inner room of a casement. The window is heavily barred. A sentry stands within before each of the doors leading into the outer room. The doors \* \* \* are now secured by bars fastened on the outside. Two other sentries stand outside these doors. An officer is constantly on duty \* \* \* whose duty it is to see the prisoners every fifteen minutes. The outer door of all is locked on the outside and the key is kept exclusively by the general officer of the guard. Two sentries are stationed without that door. A strong line of sentries cuts off all access to the vicinity of the casemates. \* \* \* The casemates on each side and between those occupied by the prisoners are used as guard rooms and soldiers are always there. A lamp is constantly kept burning in each of the rooms. \* \* \* I have not given orders to have them placed in irons, as General Halleck seems opposed to it, but General Miles is instructed to have fetters ready if he thinks them necessary."

The "instruction" to Miles was thus expressed: "Brevet Major General Miles is hereby authorized and directed to place manacles and fetters upon the hands and feet of Jefferson Davis and Clement C. Clay whenever he may think it advisable in order to render their imprisonment more secure." (Signed) C. A. Dana, Assistant Secretary of War."

This was followed by the shameful and crowning infamy of placing Mr. Davis in irons. The outcry it raised led to the following dispatch from Washington: "Major General Miles will please report whether irons have or have not been placed on Jefferson Davis. If they have been, when it was done, and for what reason, and remove them." (Signed) Edwin M. Stanton, Secretary of War. To this came the following reply: "Hon. Ed-

win M. Stanton: I directed anklets to be put on his (Davis'), ankles—which would prevent his running, should he endeavor to escape.”

(Signed) N. A. Miles, Brig. Gen.

Dana's report to Stanton telling of the "arrangements for the security of the prisoners," prompts the query: Escape how, or where to—rescue from whence and by whom? There was not a crevice or a rat hole of exit from the Fort Monroe double locked door, window barred casemate, in which the Confederate chieftain was immured. Sleeping or waking he was under constant watch and guard. If given the freedom of the seagirt fortress, without the endowment of wings he could not have gained his liberty. He was as secure in the dungeon to which he was consigned as had he been in his grave. This fact was well known to this trio, Stanton, Dana, Miles. Shackling their illustrious victim could have no other design than to torture and degrade.

There has been controversy to this day as to the responsibility for placing prisoner of state Davis in irons. Yet the record here quoted discloses the whole plot. The last lines of Assistant Secretary of War Dana reveals that he left Washington with verbal order from Stanton to have Jefferson Davis shackled. As "Hal-leck seemed opposed to it," Dana was admonished to provide a loop hole for Stanton and himself. This Gen. Miles, an ambitious, rising young soldier, who was not of a character to stand upon scruples of conscience or right in seeking advancement, furnished. To win the favor of the all powerful secretary of war, which Dana doubtless pledged him, he would, if called to it, as readily have had his prisoner—then being under foot and gloated over, for whom no one in all the North dared speak out loud—strangled and thrown in the bay. For two months after the shackling scene, the incidents of which can never be read without a feeling of abhorrence and shame, Mr. Davis was kept in his cell under the "arrangements" stated in Dana's report. Than these there could not have been a more perfect adaptation for that favorite measure of torture by the Spanish inquisition, insomnia. Besides the constant tramp of the sentry before his

door and "the light kept burning in the room" of one whose weak eyes had been a cause of suffering for years, the officer of the guard was required "to see his prisoner every 15 minutes." The noise of guard mounting at his door every two hours further prevented any sleep, but that of exhaustion. He was deprived of the pipe which was a habit and a solace of years. When he was threatened with the total loss of his eye sight, or as Surgeon Craven reported that "there must be a change or he would go crazy or blind or both," the light in his cell was turned out. After having been immured in a veritable underground dungeon, the covered gun room of a casemate two months, Gen. Miles "suggested the propriety of allowing him to be taken out in the open air occasionally, this to be done under my own supervision, as that seems to be the only method of requiring him to take exercise, which he seems to avoid." After the lapse of three months Mr. Davis was permitted to write to his wife, solely upon family matters, his letters being read before being mailed by Gen. Miles and then the Attorney General, who forwarded them to Mrs. Davis. October 26 Gen. Miles in enclosing one to the Attorney General, wrote: "I would respectfully call your attention to the paragraph enclosed in brackets, namely: "For say three months after I was imprisoned here two hours sleep," etc. This statement is false in every particular as I know he rested and slept more than he says. His answer on being asked how he had slept was invariably, "very well." As Mr. Davis so loathed Gen. Miles that he preferred remaining in his casemate to taking the air in his company, he would have replied "very well" on a bed of coals, rather than complain to him.

Upon the repeated representation and protest of the surgeon, of the effects of the air of the damp and unventilated cell upon the health of Mr. Davis, a change was ordered. But it was delayed by Gen. Miles until he was directed specially to make it, October 3rd, when, after the summer heat was over, Mr. Davis was taken out of the casement, and given a room in the officers quarters. "The same guard" wrote Gen. Miles, "of one officer and ten sentinels are still kept over him."

The sympathy of the surgeon and every officer and man at the

post brought in contact with Mr. Davis, was won by the charm of his manner, his uncomplaining fortitude, his native dignity and force of character; all save Gen. Miles. For more than a year he kept up his practice of annoyance, of cruel and irritating espionage upon his prisoner. This is all recorded in his daily reports to Secretary of War Stanton, by the narrative publications of Surgeon Craven and others with personal knowledge. Mr. Davis told his wife, who was permitted to join him after a year of imprisonment, that "Gen. Miles had exhausted his ingenuity to find something more afflicting to visit upon him. He said that Gen. Miles never walked in enforced companionship upon the ramparts with him without saying something so offensive and insulting as to render the exercise a painful effort.

Mr. Davis' self control was not proof at all times against the petty persecution, the studied torture of his coarse mannered and morally blunted jailor. One instance is cited. As published in the War of Rebellion Record, Major Muhlenberg was ordered to remove a piece of red tape which Gen. Miles had chanced to spy in Mr. Davis' room. Being required to report what occurred, Major Muhlenberg narrated the following painful scene: "When I asked Mr. Davis if he had any use for the tape which Gen. Miles directed me to remove, he replied: "The ass! Tell the damned ass that it was used to keep up the mosquito net on my bed. I had it in the casement and he knew it. The miserable ass!" This was reported to Secretary of War Stanton, by Gen. Miles with the statement that he was led to believe by Mr. Davis' rage that he "desired it for improper purposes." This elicited Stanton's thanks, with the injunction that "there could not be too much vigilance at this time, and that care should be taken in reference to any of the officers who may have undue feelings in favor of the prisoner."

Upon publication of Dr. Cooper's narrative report, in August, 1866, there was an outburst of indignation and denunciation, of disgust and horror, in Northern papers that compelled the attention of the President to the case of Mr. Davis and Gen. Miles. Secretary McCulloch was requested by Mr. Johnson to go to Fortress Monroe and personally inquire into the fact of the re-

ports about the treatment of Mr. Davis. "I listened silently," reported Mr. McCullough, "to his statement; but I felt as he did, that he had for a time been barbarously treated." Soon thereafter President Johnson ordered a change of commanders at the fort. Gen. Miles, with a taste for his post as jailor, remonstrated to Secretary Stanton and begged that the order be held up. He complained bitterly that the President had ordered him away from Fortress Monroe because of his treatment of Davis. He wrote that he was the victim of the "base slanders and foulest accusations of the disloyal press. I am ready to vindicate my course to all honorable men, and as far as the confinement of Jefferson Davis is concerned, he has received better treatment than any other government would have given him." The story of the personal indignities inflicted upon Jefferson Davis has not and never will be "vindicated to honorable men." Not in modern times and in civilized nations has any such "treatment" been practiced on a prisoner of state, except French "terrorists." Only in barbaric times are there to be found precedents for the "course" of General Miles. And in after years, risen to the coveted eminence, and better versed in the weight of the moral equations of life, his sin has found him out. He has cowered under and sought to escape the Nessus shirt he donned so free of care in his youth. Even as Stanton and Dana tried to escape at his cost, so has he since vainly plead the mitigation of obedience to orders. As to the responsibility, the verdict of the eternal verities is that all three were equally, inexpably, guilty of bringing enduring shame on the nation—of doing that which no man, not the most ultra South hater, has ever defended or apologized for.

Though out of its chronological order, the story of Jefferson Davis is continued. In December, 1865, the senate, impatient over the delay "in making treason odious," by resolution enquired "on what charges or for what reasons, Jefferson Davis was still held in confinement, and why he has not been put on his trial." In response President Johnson transmitted reports of the Secretary of War, and the Attorney General. The former alleged that the indictment of Mr. Davis for high treason was pending in the court of the District of Columbia. And that he was "also charged

with inciting the assassination of Abraham Lincoln, and with the murder of Union prisoners of war by starvation and other barbarous and cruel treatment toward them;" and that "the President deeming it expedient that Jefferson Davis should first be put upon his trial before a competent court and jury for the crime of treason, he was advised by the law officers of the government that the most proper place for such trial was in the state of Virginia." The report of the Attorney General contended that "trials for high treason cannot be had before a military tribunal." He concluded as follows: "When the courts are open and the laws can be peacefully administered in those states whose people rebelled against the government \* \* \* the prisoner now held in military custody \* \* \* should be transferred into the custody of the civil authorities of the proper districts to be tried for such crimes as may be alleged against them. I think that it is the plain duty of the President to cause criminal prosecutions to be instituted. \* \* \* I should regard it as a direful calamity if many whom the sword has spared, the law should spare also. But I would deem it a more direful calamity still if the executive \* \* \* in bringing those prisoners before the bar of justice should violate the plain meaning of the constitution in the least particular." Plainly Attorney General Speed wished to go about the murder of Jefferson Davis under all the formalities of law and precedent.

A few days later, January 10th, 1866, the house adopted a resolution asking for "such reports among others as have been made by the bureau of military justice as to the grounds, facts or accusations upon which Jefferson Davis (et al.) are held in confinement." This brought out a long report from the official to whom the task of making out the case of inciting the assassination of Mr. Lincoln had been entrusted; Judge Advocate General Joseph Holt. Having been successful in hanging Mrs. Surratt and Capt. Wirz under drum head trial, he had set himself to the higher charge of placing the noose around the neck of Jefferson Davis. He proved both eager and fitted to his assignment—it was through no fault of his that there was failure. The report referred to states that the military commission which tried and con-



victed Mr. Lincoln's assassins "arrived at the deliberate judgment also, and so declared, that Davis was directly implicated in their crime and guilty with them of the murder of the President." This was followed by a recapitulation of the evidence, prepared and presented to the commission by Judge Advocate General Holt, which he bolstered with all the fertility of the advocate trained "to make the worse appear the better reason." The report concluded as follows:

"Impressed by the force of these proofs, which still exist and are within the reach of the government, I have entertained the opinion that Davis should be put upon his trial before a military commission such as condemned his alleged confederates in guilt—such a tribunal alone, in my judgment having jurisdiction of the offense, which was committed in aid of the rebellion and in violation of the laws and usages of war. My conviction is complete that the punishment of the wretched hirelings of Davis, some of whom have been sent to the gallows and some to the penitentiary, has made no sufficient atonement for this monstrous crime against humanity, but that on the contrary the blood of the President is still calling to us from the ground for justice." This is a plain averment of the murder plot contrived, which was only thwarted by the precedence given the civil law trial of treason.

The "proofs" on which Holt demanded the conviction of Mr. Davis consisted of a chain of alleged circumstances and unsubstantiated statements that bore falsehood and perjury so plainly, that his malevolent and blood thirsty report reacted in a wave of popular disgust and horror which overwhelmed and buried him in a sea of odium he never recovered from. This report is recorded on pages 847—855 of the official War Records, serial No. 121. To break the force of popular condemnation, July 3d Holt made report of his correspondence and communication with Sanford Conover, his chief procurer of witnesses and evidence, who had "repented," and sold the story of the plot to the N. Y. Herald. This is contained in the same volume, pages 931—945. Its purpose is declared in the following conclusion: "The history of Sanford Conover's agency and its results has been given thus circumstantially in order that you may discard the testimony pro-

duced by him from consideration, and also that you may understand under what constant encouragements and apparently trustworthy avenues the enquiry committed to his hands was continued on my part." Acknowledging that he had been misled by prepared statements, for which Conover was indicted, did not relieve Judge Advocate General Holt from the public scourge. Indeed his repudiation and persecution of Conover drew forth the counter assertion that Holt had suborned his witness into his false statements, and that he had sought to prevent the exposure of the fabrication. Writing under the execration he had drawn down on his head, the Judge Advocate General complained to Stanton of "a base endeavor through the disloyal press acting in the interest of Jefferson Davis and the rebellion" to so convict him; "charges of the utmost gravity affecting my official integrity and conduct have been preferred against me before the country that I suborned testimony which secured the conviction of Mrs. Surratt, and that I united with Conover in the fabrication of evidence of the complicity of Jefferson Davis in the assassination of President Lincoln." At the close of this complaint Holt asked for a court of enquiry. This was denied him in an indorsement, for the reason that the President was "entirely satisfied with the honesty and fidelity of the Judge Advocate General, in which view the Secretary of War fully concurs." But public opinion was not shaken out of the fixed belief of Holt's guilt. His part in the wicked and shameful chapter was held to be all the more infamous in that he was a Southern renegade. He had in former years lived in Mississippi, where he had won prominence and fortune at the Vicksburg bar. He was postmaster general when the other three of Buchanan's four Southern cabinet members resigned. Holt was then made secretary of war. In the closing months of Buchanan's administration he showed the proverbial zeal of the apostate, and great talent besides, in the initial war preparations. He subsequently, as judge advocate general, worked in complete harmony with the vindictive and saturnine Secretary of War Stanton. And like him he went to his grave wretched and abhorred—as the contriver of the murder of an in-

nocent woman, he lives in history "a fixed figure for the time of scorn to point his slow unmoving finger at."

Holt was regarded by President Johnson, according to the Welles' diary, with extreme aversion; as "cruel and remorseless, that his tendencies and conclusions were very bloody. All of his decisions partook of the traits of Nero and Draco." Welles agreed that Holt was "severe and unrelenting. He is credulous and often the dupe of his own imagination, believes men guilty on shadowy suspicions and condemns them without trial. Stanton has sometimes brought forward singular papers relating to conspiracies, and dark and murderous dangers in which he has faith and Holt has assured him in his suspicions."

More proof of the Davis murder plot may be read in a letter from General Carl Schurz to the president, and published in the Schurz reminiscences. It is quoted: "Permit me to avail myself of the privilege you gave me to write to you whenever I had anything worthy of communication to suggest. A few days ago I found it stated in the papers that the trial of the conspirators was to be conducted in secret. I did not believe it until now I see it confirmed. I do not hesitate to say that this measure strikes me as very unfortunate and I am not surprised to find it quite generally disapproved. \* \* \* When the government charged, before the whole world, the chiefs of the rebellion with having instigated the assassination of Mr. Lincoln, it took upon itself the grim obligation to show that this charge was based upon evidence sufficient to bear it out. I am confident you would not have ventured upon this step had you not such evidence in your possession. But the government is bound to lay it before the world in a manner which will command the respect even of the incredulous. You will admit that a military commission is an anomaly in the judicial system of this republic; still, I will not question here its propriety in times of extraordinary dangers. At all events, to submit this case to a military commission—a case involving in so pointed a manner the credit of the government—was perhaps the utmost stretch of power upon which the government could venture without laying itself open to the imputation of unfair play. But an order to have such a case tried by a mili-

tary commission behind closed doors, thus establishing a secret tribunal, can hardly fail to damage the cause of the government most seriously in the opinion of mankind. This is the most important state trial this country ever had. The whole civilized world will scrutinize its proceedings with the utmost interest, and it will go far to determine the opinion of mankind as to the character of our institutions."

General Schurz wrote President Johnson that he did not perceive what was to be gained by secrecy. But he explains it in the following from his own comment: "The evidence of Jefferson Davis' complicity in the assassination of Lincoln, which President Johnson had in his possession when he issued his proclamation offering a reward for Davis' capture, subsequently turned out to be absolutely worthless." Nothing but a secret trial could be relied upon for conviction on "worthless evidence."

The student of history is brought closer to the inner motive of events by the "Diary of the Reconstruction Period," by Secretary of the Navy Gideon Welles. Of the cabinet meeting of July 21st he wrote: "Chief subject was the offense and disposition of J. Davis. The President, it was evident was for procuring a discussion or the views of the cabinet." Here follows the respective views of the cabinet members. Stanton was thus quoted:

"Stanton was for a trial by the courts for treason—the highest of crimes—and by the constitution. Only the courts could try him for that offense. Otherwise he would say a military commission. For all other offenses he would arraign him before the military commission. Subsequently, after examining the constitution, he retracted the remark that the constitution made it imperative that the trial for treason should be in the civil courts, yet he did not withdraw the preference he had expressed. I was emphatically for the civil court and an arraignment for treason—for an early institution of proceedings—and was willing the trial should take place in Virginia."

\* \* \* \* \*

"The question of counsel and the institution of proceedings was discussed. In order to get the sense of each of the members, the President thought it would be well to have the matter presented in

a distinct form. Seward promptly proposed that Jefferson Davis should be tried for treason, assassination, murder, conspiring to burn cities, etc., by a military commission. The question was so put, Seward and Harlan voting for it—the others against, with the exception of myself. The President asked my opinion. I told him I did not like the form in which the question was put. I would have him tried for military offenses by a military court, but for civil offenses I wanted the civil courts. I thought he should be tried for treason, and it seemed to me that the question before us should first be the crime and then the court. The others assented and the question put was, shall J. D. be tried for treason? There was a unanimous response in the affirmative. Then the question as to the court. Dennison moved a civil court—all but Seward and Harlan were in the affirmative. They were in the negative.”

Stanton voted in the affirmative of the Welles motion, because in his heart he had resolved that there should be no occasion for a trial in the civil courts. He designed that there should be first the secret trial under the assassination charge, before a military court constituted to convict.

In “Men and Measure of Half a Century,” Hugh MacCulloch, Secretary of the Treasury, has the following: “The legal question, has Mr. Davis been guilty of such acts of treason that he can be successfully prosecuted? was submitted to Attorney General Speed, who, after a thorough examination of it and consultation with some of the ablest lawyers of the country, came to the conclusion that Mr. Davis could not be convicted of treason by any competent and independent tribunal, and that therefore he ought not to be tried. \* \* \* The President was chagrined by the decision, which was enforced upon the opinions of the Attorney General and other eminent lawyers. He was committed by his vindictive speeches made at the commencement of his administration, but he saw the correctness of it and from that time published his generosity to those whom he had denounced as traitors to an extreme.”

May, 1866, Mr. Davis was indicted in the Federal court at Richmond, for treason. But he was neither given a trial nor admitted

to bail. As his conviction was not possible, his trial was denied; the influence of the prosecution was centered upon keeping him in prison. To bolster up Stanton and Holt, a resolution was passed in the house upon motion of Geo. S. Boutwell, of Massachusetts, that he should be held in custody until tried. At the expiration of his second year of incarceration at Fortress Monroe, May, 1867, he was admitted to bail—a plain confession of the government that it had no case against him; Horace Greeley and Gerritt Smith, prominent abolitionists among others signing the appearance bond on which Mr. Davis was at last released. The following December his case was called and argued, and resulted in a mistrial on a motion to quash the indictment; Chief Justice Chase who was sitting in the case, being for the motion, and District Judge Underwood against it.

The two elements of encouragement and strength to a sorely stricken state in this interim between the surrender of the armies and the restoration of civil government, were the returned soldiers and the kindly, sympathetic sentiment of the Federal military commanders and, as a rule, the subordinate officers and their men of the Lamson commands. But the rejoicing, comforting feeling inspired by the home coming of the men of the disbanded armies was darkened by the sorrow, the unappeasable loss of those who had fallen in battle or died of disease. This formed a chronicle of pathos and tragedy that entered every household. The full extent, the total of this war tax upon the youth of the state has never been accurately stated, though the exhausting drain of priceless blood may be approximated from the material at hand. In February, 1864, the Confederate congress passed an act to aid any state in perfecting the records concerning its troops in the Confederate army. Subsequently the state passed a corresponding act creating the office of superintendent of army records in the state; to "collect and place in a form for permanent preservation and reference the names of all Mississippians in the Confederate service," et cet.

For the performance of this historically important labor Governor Clark appointed Col. J. L. Power. He proceeded to the Mississippi command in the Virginia army in December, 1864, and

was engaged in listing and tabulating them from that time until interrupted by the field operations that ended in the surrender at Appomattox. At the time his labors were thus broken in upon Col. Power had made a complete roster of the Griffith-Barksdale-Humphreys Brigade of four regiments, from which the following totals are quoted:

Whole number enrolled .....	5,615
Killed or died of wounds.....	833
Died of disease .....	761
	<hr/>
Total dead .....	1,594

The rolls of thirty-one of the forty companies of the Davis-Stone Brigade were also listed, from which the following is taken:

Whole number enrolled .....	3,792
Killed or died of wounds.....	502
Died of disease .....	463
	<hr/>
Total dead .....	965

There remained on the rolls of the former of these two commands, after deducting the discharged from wounds, etc., at the close of the war, 1,544 men, rank and file, and on the rolls of the thirty-one companies of the other 1,190. Deducting from these totals the absent, in Northern prison, on detail or furlough, the much greater number being prisoners of war, there were left to answer bugle call of officers and men in the first of the two commands only 400, and in the other 500. These remnants were, as organizations, totally destroyed in the last fighting, in the Petersburg defences and on the retreat to Appomattox. The third of the Mississippi Virginia Brigades shared much the same fate.

The following further matter is quoted from this report, which was submitted by Col. Power to Governor Humphreys, and by him to the legislature in October, 1865:

“From this and other data in my possession, I have thought it

might be interesting to deduce something like an approximate estimate of the total strength and losses of the troops furnished by the state of Mississippi—making in the aggregate about sixty-three regiments of all arms :

Whole number in service .....	78,000
Died of disease .....	15,500
Killed and died of wounds .....	12,000
Discharged, resigned, released .....	19,000
Deserted or dropped .....	11,000
Missing .....	250
Transferred to other commands .....	1,500
	<hr/>
Total loss from all causes .....	59,250
	<hr/>
Balance accounted for .....	18,750

It is an eternal pity that the recommendation accompanying Col. Power's report for completion of his work, for making up the records of all the Mississippi troops, was not acted upon. But so absorbing were the immediate demands of the prostrate state upon the legislature that assembled in 1865, so weighed upon was the provisional government by the difficult and perplexing cares of the people, that there was no room for consideration of even so patriotic and sacred a cause as that of preserving the records of the war. The number estimated of killed, or mortally wounded in battle, 12,000, is undoubtedly over stated. This seems calculated on the percentage of the twelve regiments of infantry in the Virginia army, some of which Col. Power has tabulated as quoted from their available field rolls. It is common knowledge, however, that few, if any other regiments suffered near so heavily. But estimating those who died in battle at a fourth less than 12,000, this with the 15,500 who died of disease, was a fearful depletion of the youth of the state. And of the 19,000 "discharged, resigned or dropped," the greater portion were disabled for life from wounds. The "deserted or dropped" constituted the dodgers and shirkers—men whose hearts grew faint after one or two



or three years service. Their case is thus stated in the report of Col. Power:

“Our reverses of the last two years of the war, the despondency, speculation and extortion of money of our people at home, the inability of the government to pay the troops promptly, or to furnish anything like adequate supplies of food or clothing, the absolute destitution of many families of soldiers, and toward the last the seeming hopelessness of the struggle, all conspired to depress the soldiers’ hearts, and caused thousands to retire from the service when there was greatest need for their services.”

Of the “balance accounted for,” of the 18,750, who had been faithful to the end, they came straggling home after the Appomattox surrender in early April, to the mid-summer days; according to when they were paroled in the field or released from Northern prisons. If the prodigals “fatted calf” was often denied them, the rejoicing on the home return of these sons of the “wayward sisters” made amends for all. Fortunately they brought home something else besides the hero’s laurels. In their four years tutelage under perils and privations of the camp, the field, the prison, they had been taught life’s hardest lessons; “learned to labor and to wait.” While there were “fallen angels,” it was the Confederate soldiers, so long as their numbers dominated the counsels and policies of the state, who tinted post bellum history with a fleeting renaissance of the virtues and the glories of the old South.

The contrast in the home-coming of the two armies, in the domestic conditions awaiting them, at the close of the war was marked. On the side of the North it was a triumph, with the South it was a tragedy of darkest tint. The Union hosts returned to the paths of peace with banners flying, trumpets peeling the notes of victory and gladness, crowds cheering and showering them with gifts. The thin grey line dissolved into straggling groups of dejected, despondent men. Foot sore and travel stained, they wended their way homeward where want and poverty, sorrow and affliction awaited them. But let the contrast of sections be spoken by the tongue of eloquence.

The following extract is from a speech delivered by Henry W. Grady of Atlanta, Ga., before the New England Club in New York on Dec. 21, 1886, following a speech by Rev. T. DeWitt Talmadge, the great preacher and orator. No truer pen picture of the Confederate soldier was ever drawn.

"Dr. Talmadge has drawn for you with a master's hand, the picture of your returning armies. He has told you how, in the pomp and circumstance of war, they came back to you, marching with proud victorious tread, reading their glory in a nation's eyes! Will you bear with me while I tell you of another army that sought its home at the close of the late war—an army that marched home in defeat and not in victory—in pathos and not in splendor, but glory that equaled yours, and to hearts as loving as ever welcomed heroes home. Let me picture to you the foot-sore Confederate soldier, as buttoning up in his faded gray jacket the parole which was to bear testimony to his children of his fidelity and faith, he turned his face southward from Appomattox in April, 1865. Think of him as ragged, half starved, heavy-hearted, enfeebled by want and wounds, having fought to exhaustion, he surrenders his gun, wrings the hands of his comrades in silence, and lifting his tear-stained and pallid face for the last time to the graves that dot old Virginia hills, pulls his gray cap over his brow and begins the slow and painful journey. What does he find—let me ask you who went to your homes eager to find in the welcome you had justly earned, full payment for four years' sacrifice—what does he find when, having followed the battle-stained cross against over-whelming odds, dreading death not half so much as surrender, he reaches the home he left so prosperous and beautiful? He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless, his social system, feudal in its magnificence, swept away; his people without law or legal status, his comrades slain, and the burdens of others heavy on his shoulders. Crushed by defeat, his very traditions gone, without money, credit, employment, material, or training; and beside all this, confronted with the gravest problem that ever met human intelligence—the establishment of a status for the vast

body of his liberated slaves. What does he do—this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal guns marched before the plow, and fields that ran red with human blood in April were green with the harvest in June; women reared in luxury with a patience and heroism that fit women always as a garment, gave their hands to work. There was little bitterness in all this. Cheerfulness and frankness prevailed.”

Under the environments of war's aftermath the state lost thousands of her remaining young men. A few went to South and Central America, mostly to return. The many that sought their fortunes in Texas and the West, were permanently lost to Mississippi. By a state census the next year an actual loss of population was shown as follows:

White 1860	-----	353,899
"    1866	-----	343,400
		<hr/>
Decrease 1866	-----	10,499
Negroes 1860	-----	437,404
"    1866	-----	381,218
		<hr/>
Decrease	-----	56,146

There was an increase of population from the Northern soldiers who remained to make their homes in the state after their regiments were mustered out, and of men who were tempted to locate here by the high price of cotton. These with the birth rates probably offset in numbers the war losses. It is entirely within the bounds of reason to assume a migration loss equal to the difference between the totals of 1860 and 1866. The negro decrease is easily accounted for. Over twenty thousand had been enlisted in the Union army—probably as many more were employed in

the army and navy in the various labors of the camp and marine service. Most of the regiments were mustered out in the state though some were sent West. The army death rate was excessive. A report in the war records series III, vol. IV, page 669, reads:

"In the casualties among the colored troops the most striking feature is the excessive proportion of deaths by disease. The ratio is no less than 141.39 per thousand, while the general volunteer ratio is 59.22; the highest (Iowa) being 114.02. The disparity is the more remarkable because the colored troops were not so severely exposed to the hardships of field service proper." Thousands of negroes were moved out of the state, to Alabama and Texas, when the state was invaded and the river counties conquered. Many of them never returned. Another cause of the decrease in population was the heavy death rate among the thousands who led lives of vagrancy and exposure the year after the war.

The surrender of the armies of the Confederacy and the occupation of the subjugated states having been completed, President Johnson was brought face to face with the problem of the restoration of civil authority in the South. He at once realized the embarrassment of the embraces of the radicals, already intent upon forcing the bitter pill of negro political equality upon the Southern people as a condition precedent to receiving their states back in the Union. At first they seem to have been confident of the sympathy and support of the President. In this expectation they were destined to disappointment. The President was not averse to hanging a few of the leaders, Jefferson Davis at least, whom he hated. But he balked at going further. Fully imbued with "poor white" color repugnance, he revolted from negro suffrage. This issue which was to prove the apple of national political discord, was first threshed out in the cabinet. How closely it followed on the close of the war is told in the recently published *Diary of Reconstruction*, by Secretary of the Navy Gideon Willes. Of a cabinet meeting May 9th, 1865, he wrote: "The condition of North Carolina was taken up, and a general plan of organization intended for all the rebel states submitted and de-

bated. No great difference of opinion was expressed, except on the matter of negro suffrage. Stanton, Dennison and Speed were for negro suffrage, McCulloch, Usher and myself were opposed. It was agreed on request of Stanton, we would not discuss the question, but each express his opinion without preliminary debate. \* \* \*

"Stanton has changed his position—has been converted—is now for negro suffrage. These were not his views a short time since." Mr. Welles himself at this meeting declared for "adhering to the rule prescribed in President Lincoln's proclamation," and for "no further subversion of the laws, institutions and usages of the states respectively, nor for (more) intermeddling in local matters than is absolutely necessary." In the following Mr. Welles clearly stated the trend of the question, and doubtless voiced the views of President Johnson and Secretary Seward: "The question of negro suffrage is beset with difficulties, growing out of the conflict through which we have passed and the current sympathy for the colored race," he wrote. "The demagogues will make use of it regardless of what is best for the country. . . . There is a fanaticism on the subject with some, who persuade themselves that the cause of liberty and the Union is with the negro and not with the white man. White men, and especially Southern white men, are tyrants. Senator Sumner is riding this one idea at top speed. There are others less sincere than Sumner, who are pressing the question for party purposes. . . . No one can claim that the blacks, in the slave states especially, can exercise the elective franchise intelligently. In most of the free states they are not permitted to vote. Is it politic and wise, or even right, when trying to restore peace and reconcile differences, to make so radical a change, provided we have the authority, which I deny?"

"There is an apparent determination among ingrained abolitionists to compel the government to impose conditions on the rebel states that are unwarranted. Prominent men are striving to establish a party on the basis of equality of the races in the rebel states for which the people are not prepared. Perhaps they never will be, for these very leaders do not believe in social

equality nor will they practice it. Mr. Sumner, who is an unmarried man, has striven to overcome what seems a natural repugnance." Thad Stevens, who shared the leadership of the "ingrained abolitionists," with Charles Sumner, was too, an unmarried man striving to overcome" the same "natural repugnance," through negro concubinage.

The feud between President Johnson and Secretary of War Stanton that was destined to be the centre of national politics, and of a heat and bitterness beyond all comparison, was yet in the bud. But it was being talked of to such an extent that on June 15th Stanton gave out a contradiction, through the Washington Chronicle. In it he declared that the relations between himself and the President were of "the most cordial and friendly, agreeable and confidential character; and that there had been no disagreement, difference or dispute much less a collision."

In a letter to an Iowa friend Secretary Harlan, of the interior, thus stated the President's attitude on the negro suffrage issue: "I beg leave respectfully to state that you misapprehend the position of President Johnson, and my own, as well as that of the Union party at large. The real question at issue, in a national point of view, is not whether negroes shall be permitted to vote, but whether they shall derive that authority from the National Government, or from the state governments respectively."

The factious battle was drawn on this line. "Radical senators and representatives immediately urged the importance of including freedmen in reorganizing electorates." (Vide Dunning's "Reconstruction," page 37).

Light is thus shed on the President's standing with the radical leaders at this juncture, by the historian Rhodes' Vol. 5, page 522: "While Johnson was talking in public at random he was in private giving the Radicals false hopes of negro suffrage. Chief Justice Chase and Sumner were earnest for the immediate enfranchisement of the freedmen \* \* \* During the first month of his administration they had many interviews with him, pressing the matter which they had at heart and were always listened to with attention and even sympathy. Writing to John Bright, Sumner said: 'My theme is justice to the colored race.

Johnson accepted this idea completely and indeed went so far as to say 'that there is no difference between us. He deprecates haste—thinks there must be a period of probation, but that meanwhile all loyal people, without distinction of color must be treated as citizens and must take part in any proceedings for reorganization.' But as no words of Johnson are stated in affirmance of the position Senator Sumner gives him, it is more than reasonable to believe that the Massachusetts negro-phobic assumed more than the truth warranted. From page 524, Vol. 5, Rhodes' History, Stanton's testimony before the impeachment investigation is quoted: "The question of negro suffrage came up (in the cabinet) May 9th when Secretary Stanton submitted a revision of the draft of a plan which had been discussed April 14 by Lincoln and his advisers. This provided that all "loyal citizens" might participate in the election of delegates to the state convention to be called for the adoption of a new state constitution. What is meant by "loyal citizens," was asked by Secretary Welles?" "Negroes as well as white men," was the reply. Upon expression of opinion, Stanton, Dennison and Speed declared for negro suffrage, McCulloch, Welles and Usher maintained that this was beyond the power of the Federal government, Welles arguing that President Lincoln and his cabinet had agreed that "the question of suffrage belonged to the states." Johnson expressed no opinion, but took the matter into "thoughtful and careful consideration."

The fact that three members of the cabinet had come to favor the imposition of negro suffrage upon the Southern states as early as May 9th, 1865, as a condition of their re-admission to the Union, indicated the quick and dangerous upgrowth of radicalism. A year before, as will be shown on a following page, while the South was yet unconquered, only a single cabinet member had favored the odious and revolutionary action. A year before congress had passed and President Lincoln had approved a law prescribing the terms upon which the people of the seceded states could reorganize their governments and resume their places in the Union, after resistance to the Federal authority had ceased. There was in that law no provision or suggestion of

subverting this power of the states—to prescribe qualifications for their electorates—no hint or threat of the odious and revolting outrage of negro suffrage. With but two opposing votes the senate had adopted a resolution at the beginning of the war, July 22nd, 1861, that “war is not waged upon our part in any spirit of oppression nor for any purpose of conquest or subjugation, nor for the purpose of overthrowing or interfering with the rights or established institutions of these (the seceded) states, but to maintain the supremacy of the constitution with all the dignity, equality and rights of the several states unimpaired.” In 1864 state governments were organized in Louisiana and Arkansas under President Lincoln’s plan and order, and through conventions chosen by the white voters only. After these shams on statehood had been effected President Lincoln wrote Provisional Governor Hahn thus guardedly, as to negro suffrage: “Now you are about to have a convention which among other things will define the elective franchise, I freely suggest for your private consideration whether some of the colored people may not be let in—as for instance the very intelligent, and especially those who have fought gallantly in our ranks. But this is only a suggestion, not to the public, but to you alone.” The situation was now changed. A degrading infliction that was not thought of when the South was defended by her armies, when the result of the war hung suspended in the balance, was vengefully demanded when she was prostrate and supplicating. That the unpatriotic and revengeful conspiracy was foreseen, and detected, by Mr. Lincoln is revealed in the account by Secretary Welles of the last cabinet meeting, thus quoted in Rhodes, page 137, Vol. V: Friday, April 14, Lincoln held his last cabinet meeting. General Grant was present. \* \* \* matters of routine were disposed of and then the subject of reconstruction was taken up. After some discussion the President said: “I think it providential that this great rebellion is crushed out just as congress has adjourned and there are none of the disturbing elements of that body to hinder and embarrass us. If we are wise and discreet we shall reunite the states and get their governments in successful operation, with order prevailing and



the union re-established before congress comes together in December. \* \* \* I hope there will be no persecution, no bloody work after the war is over. No one need expect me to take any part in hanging or killing these men, even the worst of them. \* \* \* Enough lives have been sacrificed. We must extinguish our resentments if we expect harmony and union. There is too much of a desire on the part of some of our good friends to be masters, to interfere with and dictate to those states, to treat the people not as fellow citizens. There is too little respect for their rights. I do not sympathize in these feelings." \* \* \* He said at the close of the meeting, "reconstruction is the great question pending and we must now begin to act in the interests of reason.

The new irrepressible conflict over the radical policy of reconstruction based on negro suffrage outcropped long before the surrender. It was given concrete form when President Lincoln through the military commander of Louisiana, as above stated, organized a state civil government; as when the question of recognizing this creation came up in the senate the issue around which the storm was destined to rage was raised. The opposition to the resolution of recognition consisted of a small body of Republicans and the Democratic senators. The position of the former is thus stated in Rhodes' History, page 55: "The importance of this debate lies in the opposition of Sumner to a plan matured by Lincoln. The two most influential men in public life were at variance. \* \* \* The serious difference between the President and the senator lay in the senator's insistence that the suffrage should be conferred upon the negroes on the same conditions as on the whites before the state should be received back into the Union." This "serious difference" in the Lincoln and the Radical view of reconstruction again came to the surface when he visited Richmond, the day after its occupation by the Union army. In an interview with Judge J. A. Campbell he gave the former justice of the United States supreme court a memorandum of the terms of peace; disbandment of all the Confederate armies, restoration of the national authority, and recognition of the emancipation of the slaves. Under

the influence of the array of opposition he met from his cabinet and radical congressmen this memorandum, and a permit issued to the military commander at Richmond for the assembly of members of the Virginia legislature to act under it, were withdrawn. But the record of Lincoln's plan of reconstruction is to be read in the incident nevertheless. It was yet again revealed in his memorable address in Washington, four days before his assassination, which is quoted: "By the recent surrenders reconstruction is pressed much more clearly upon our attention. It is fraught with great difficulty \* \* \* Nor is it a small additional embarrassment that we, the loyal people, differ among ourselves as to the mode, means and measures of reconstruction. As a general rule, I abstain from reading the reports of attack upon myself. In spite of this precaution, however, it comes to my knowledge that I am much censured from some supposed agency in setting and seeking to sustain the new state government of Louisiana \* \* \* The new government is also unsatisfactory that the elective franchise is not given to the colored men. I would myself prefer that it were now conferred on the very intelligent, and on those who serve our cause as soldiers. Still the question is: Will it be wiser to take it as it is, and help to improve it, or to reject and defer it?"

"It may be my duty to make some new announcement to the people of the South. I am considering, and shall not fail to act when satisfied action is necessary."

On the day this speech was made Chief Justice Chase communicated his views on Southern reconstruction in a letter to president Lincoln. Vide War of Rebellion Record, Serial No. 47, pt. III, page 427, from which the following is quoted: I am very anxious about the future, and most about the principles which are to govern reconstruction. . . . The easiest and safest way seems to me the enrollment of the loyal citizens without regard to complexion in the reorganization of state governments under constitutions securing suffrage to all citizens. This you know has long been my opinion. It is confirmed by observation more and more. This way is recommended by its simplicity, facility, and above all justice. It will hereafter

be construed equally a crime and a folly if the colored loyalists of the rebel states are left to the control of the restored rebels, not likely in that case to be either wise or just until taught both wisdom and justice by new calamities. . . . I most respectfully but earnestly commend these matters to your attention." This letter was followed up by a longer one the next day, after Mr. Chase had read Mr. Lincoln's speech. Referring to his expression of opinion when a member of Mr. Lincoln's cabinet, and when the amnesty proclamation was under discussion the chief justice wrote: "It is distinct in my memory though doubtless forgotten by you. It was an objection to the restrictions of participation in reorganization to persons having the qualifications of voters under the laws in force just before the rebellion. Ever since reconstruction has been talked about it has been my opinion that colored loyalists ought to be allowed to participate in it. I did not, however, say much about the restriction. I was the only one who expressed a wish for its omission and did not desire to seem pertinacious.

Once I should have been, if not satisfied partially, at least, contented with suffrage for the intelligent and for those who had been soldiers. Now I am convinced that universal suffrage is demanded by sound policy and impartial justice." The assassin's bullet cut off Mr. Lincoln from replying to the monstrous suggestion coming from the Chief Justice, to rob the states of their constitutional right of fixing and controlling their electorates.

Chief Justice Chase evidently thought that the time had come for him to grasp party leadership, lay claim to the presidency, for which he had an insatiate yearning, on the platform of negro political equality in the South. The course he took was neither marked by sound judgment nor sense of judicial propriety. Before leaving for the South to preach the gospel of enfranchisement direct to the newly emancipated negroes, he wrote Gen. Schofield, who was commander of the Department of North Carolina, a letter which is quoted from as of importance in connection with a history of the formative period of reconstruction: "Gen. Sherman has shown me

your telegram to him on the subject of the reorganization of government of North Carolina and it has occurred to me that you might like to know the general views of those who think as I do. I cannot, perhaps, put them before you with so little trouble or more distinctly than by sending you copies of two letters written by me to President Lincoln just before he was so foully murdered. . . . I have since his accession had several conversations with President Johnson; and think myself authorized to say that he . . . thinks the reorganization should be the work of the people themselves acting in their original sovereign capacity . . . by the enrollment of all the loyal citizens preparatory to the election of delegates to a convention. In this enrollment he would prefer that the old constitutional rule in North Carolina which recognized all freeman as voters, should be followed, rather than the rule of the new constitution, which excludes all freemen of color. It may be that he has already issued an address or proclamation stating his views. He was considering the subject when I left Washington on the 1st inst."

This letter, dated May 7th, is in the War Record, page 427, Vol. 43, Part 111. It was written in Beaufort Harbor, on board the U. S. steamer which was bearing Judge Chase on his mission. The telegram from Gen. Schofield to Gen. Sherman referred to is quoted: "I hope the government will make known its policy as to organization of state governments without delay. Affairs must necessarily be in a very unsettled state until that is done. The people are now in a mood to accept almost anything which promises a definite settlement. What is to be done with the freedmen is the question of all, and it is the all important question. It requires prompt and wise action to prevent the negro from becoming a huge elephant on our hands." Schofield's message to Sherman is published in the same volume, page 405. The writer was greatly disturbed by the Chase letter. This is shown in a letter to General Grant, of May 10. Schofield saw "disastrous results," in the Radical policy. He urged that "the organization of the state governments be left to the people acting in their original sovereign capacity. \* \* \* First the constitution of the state as it existed immediately prior to the rebellion

is still the state constitution and there is no power on earth but the people of the state can alter it. The operations of the war have freed the slaves. But the United States cannot make a negro or even a white man, an elector in any state. That is a power expressly reserved by the constitution to the several states. \* \* \* My second reason for objecting to the (Chase) proposition is the absolute unfitness of the negroes, as a class, for any such responsibility. They can neither read nor write; they have no knowledge whatever of law or government; they do not even know the meaning of the freedom that has been given them, and are much astonished that it does not mean that they are to live in idleness and be fed by the government. \* \* \* I have yet to see a single one of the many Union men of North Carolina who would willingly submit to the immediate elevation of the negro to political equality. If they did not rebel against it it would be only because rebellion would be hopeless."

Gen. Schofield said in conclusion: "I am willing to discharge to the best of my ability, any duty which may properly devolve upon me. Yet if a policy so opposed to my views as that proposed by Mr. Chase is to be adopted I respectfully suggest I am not the proper person to carry it out." May 18th Gen. Grant acknowledged receipt of Gen. Schofield's letter, briefly as follows: "Until a uniform policy is adopted for re-establishing civil government in the rebellious states the military authorities can do nothing but keep the peace. I have but just received your letter of the 10th, and agree with your views."

In his letter to Gen. Schofield Chief Justice Chase stated he had "some fifty copies of his Lincoln letter printed for information of individuals—not for publication." A copy was received by Gen. W. T. Sherman. As ready with pen as sword, Gen. Sherman replied at length and with candor, to Chase's statement of "a way of reconstruction recommended by its simplicity, facility and above all justice." The following is from Sherman's letter, May 6th, 1865: "I say honestly that the assertion openly of your ideas as a fixed policy of our government, to be backed by physical force, will produce new war, more bloody and destructive

than the past. \* \* \* Our own armed soldiers have prejudices that, right or wrong, should be consulted. \* \* \* I who have felt the past war as bitterly and keenly as any man, confess myself 'afraid' of a new war, and a new war is bound to result from the action you suggest, of giving to the enfranchised negroes as large a share in the most delicate task of putting the Southern states in practical working relations with the general government." Of all the men prominent in national affairs at the period Gen. Sherman seems to have been the most keenly alive to the difficulties of reconstruction. In a letter a few days later to Gen. O. O. Howard, just appointed head of the freedman's bureau, he wrote: "I believe the negro is free constitutionally, and if the United States will simply guarantee that freedom, and the negro to hire his own labor, the transition will be apparently easy. But if we attempt to force the negro on the South as a voter "a loyal citizen," we begin a new revolution. \* \* \* I know the people of the South better than you do. I believe they realize the fact that their negroes are free, and if allowed reasonable time, and are not harrassed by 'confiscation,' and political complication, will very soon adapt their condition and interest to their new state of facts." To Gen. Schofield, who had just been appointed military governor of North Carolina, he wrote May 28th from Washington, "I cannot yet learn that the executive has already laid down any policy, but I have reason to believe Mr. Johnson is not going as far as Mr. Chase in imposing negro suffrage on the Southern states. I never heard a negro ask for that, and I think it would be his ruin. \* \* \* I laugh at fears of those who dread the rebels may regain some political power. I believe the whole idea of giving votes to negroes is to create just that many votes for political uses."

In a speech at Lexington, Kentucky, July 10th, "to the people among whom he was born and reared" Gen. Frank P. Blair gave warning of the radical intention of giving suffrage to the negroes—"a movement headed by Chief Justice Chase. He has stepped down from his high position on the supreme bench to traverse the Southern states in a government vessel to urge the

negroes in Vicksburg and elsewhere to protest against Governor Sharkey's appointment as governor." The Vicksburg Herald said "there was no doubt of the truth of the charge that the chief justice did travel on a government boat for the benefit as he hoped of his pet scheme of negro suffrage, dragging the judicial ermine in the filth of presidential scheming."

The N. Y. World published the following criticism:

#### THE CHIEF JUSTICE.

"It is with pleasure we announce that an act of Congress requires the presence of the Chief Justice of the Supreme Court in Washington on the first Monday of December, and that judicial duties will compel him to remain there for some months.—Since that high tribunal adjourned last spring the country has been constantly scandalized by the acts of the Chief Justice "on his travels." That eminent functionary seems to have managed, with perfect success, to do during the summer and autumn just the things which regard for the proprieties of his position demand that he should *not* do.—From making speeches on the street corners in the extreme South to squads of blacks, he has passed through audiences of applauding partizans, in the Southwest, and junketing expeditions on the Northwestern lakes, at the expense of the Treasury Department, to club suppers and Republican gatherings in New York city."

In 1865 there were only two states in which negro suffrage prevailed, in Massachusetts and New York. And in the latter state, only negroes who owned property could vote. As there were only a handful of negroes in those states then, their enfranchisement was of no practical concern or consequence. But the tide of fanaticism and sectional hate which was so soon destined to overwhelm the South with the polluted flood of negro political equality was fast rising. While there were leaders of political thought in the Northern states who held out against the fatuity and the brutality of forcing such a bitter cup of shame and ruin on the Southern whites, their protests were being drowned by the cry of *vae victis*. Replying to what he called

his "Oberlin inquisitors," Gen. Cox, a veteran of distinction and a candidate on the Republican ticket for Governor of Ohio, said of the demand for imposing negro suffrage upon the Southern states: "You answer that the extension of the right of suffrage to the blacks, leaving them intermixed with the whites, will cause all the trouble. I believe it would be rather like the dimness in that outer darkness of which Milton speaks, when—

"Chaos umpires its,  
And by decision more embroils the fray."

Being called on for "a solution of the problem," Gen. Cox replied in words of wisdom that time has fully and sadly verified that the only real solution was deportation of the negroes. But that as this was impracticable "the solution was narrowed down to one of peaceable separation of the races on the soil where they now are." As there could be no amalgamation, it could be decided that the salvation or destruction of the negro race will surely be worked out in its family isolation."

Closing his letter, which was published in the Vicksburg Herald of August 11th, 1865, Gen. Cox, who afterwards served in Grant's cabinet, thus gave his reasons for opposing negro suffrage in the South.

First, because there could be no real unity of people between the Southern whites and Southern blacks, it seems manifest that there could be no political unity but rather strife for the mastery in which one or the other would go to the wall.

Second. The struggle for the supremacy would be so direct and immediate that the weaker race would be reduced to hopeless subjection or utterly destroyed.

As early as May 8th, Lewis D. Campbell, a prominent and influential Ohio Republican, wrote President Johnson, who soon after made him minister to Mexico: "Among other questions this is one which is beginning to assume much significance—negro suffrage. This is being pressed everywhere by those who style themselves radicals. Of course you will be called on to take sides. I regard that question as one belonging exclusively to the state and not to the Federal government."



The evil genius of the country and President was Secretary Stanton. While so comporting himself as to give no cause for his dismissal from the cabinet, he was in the close confidence of the enemies of his chief, "We were all imposed upon," reads the Welles diary of May 20, "by Stanton, who had a purpose. He and the radicals were opposed to the mild policy of Lincoln." Stanton's "purpose" was to crush the South. How he was swayed by hate is recorded in his correspondence concerning the case of Gov. Brown, of Georgia. Destitution in the counties of that state devastated by Sherman the year before approached the famine point, and called for immediate relief. Many thousands were on the verge of perishing. In a tabulated report by counties Gen. Wilson stated that there were 60,000 people totally without supplies, or with only enough for ten days. As many more were in a precarious condition. May 6th, Gov. Brown wrote President Johnson: "The complete collapse of the currency and the great destitution of provisions among the poor makes it absolutely necessary that the legislature meet to supply this deficiency and with a view to the restoration of peace and order by accepting the price which the fortunes of war have imposed on us, I have called the legislature to meet the 22d inst. Gen. Wilson informs me that he cannot permit the assemblage without instructions from the government at Washington. Does the government at Washington, or will you order that no force be used to prevent the meeting of the legislature"?

To this communication Secretary Stanton replied "by direction of the President," and through Gen. J. H. Wilson, who commanded the department of Georgia. He was instructed to inform "Mr. Brown" that "the great destitution of provisions among the poor of the state of Georgia have been caused by the treason, insurrection and rebellion incited and carried on by Mr. Brown and his confederate rebels and traitors. What Mr. Brown calls the result which the fortunes of war have imposed on the people of Georgia, and all the misery, loss and woe they have suffered are chargeable upon Mr. Brown and his confederate rebels as the just penalty of the crimes of treason and rebellion.

\* \* \* Men whose crimes have spilled so much blood of their

fellow citizens will not be allowed to usurp legislative powers taht might be employed to set on foot fresh acts of treason and rebellion. In calling them together Mr. Brown perpetrated a fresh crime that will be dealt with accordingly."

On the same day, May 7th, Gen. Wilson was instructed to "immediately arrest Joseph E. Brown, who pretends to act as Governor of Georgia, and send him in close custody under sufficient guard to Major General Augur at Washington and allow him to hold no communication, verbal or written, with any person but the officer having him in charge." But Gov. Brown was not held. He had been shrewd or lucky enough to surrender as commander of the state troops, and obtain a parole. Gen. Grant cited the Secretary of War to this circumstance, and while other Governors went to prison, Governor Brown was soon on his way home from Washington. Others who plead their paroles were not so fortunate. It was published in the press dispatches that Gov. Brown was released to appear as a witness against President Davis, with whom he was at bitter feud.

May 29th President Johnson issued his "amnesty" proclamation. After declaring the grant of amnesty and pardon, and prescribing the oath of allegiance, the following exceptions were specified:

1. All who are or shall have been pretended civil or diplomatic officers, or otherwise domestic or foreign agents of the pretended Confederate government.
2. All who left judicial stations under the United States to aid the rebellion.
3. All who shall have been military or naval officers of said pretended Confederate government, above the grade of colonel in the army and lieutenant in the navy.
4. All who left seats in the congress of the United States to aid the rebellion.
5. All who resigned or tendered the resignation of their commissions in the army and navy of the United States to evade their duty in resisting the rebellion.
6. All who have engaged in any way in treating otherwise than lawfully as prisoners of war, persons forced into the United

States service, as officers, soldiers, seamen, or in other capacities.

7. All persons who have been or are absentees from the United States for the purpose of aiding the rebellion.

8. All military and naval officers in the rebel service, who were educated by the government in the military academy at West Point and at the United States naval academy.

9. All persons who held the pretended office of governor of states in insurrection against the United States.

10. All persons who left their homes within the jurisdiction and protection of the United States and passed beyond the federal military lines into the so-called Confederate States for the purpose of aiding the rebellion.

11. All persons who have engaged in the destruction of the commerce of the United States upon the high seas, and all persons who have made raids into the United States from Canada or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British provinces from the United States.

12. All persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval or civil confinement or custody, or under bond of military, naval or civil authorities or agents of the United States, as prisoners of war or persons detained for offenses of any kind, either before or after conviction.

13. All persons who have voluntarily participated in said rebellion and the estimated value of whose property is over \$20,000.

14. All persons who have taken the oath of amnesty prescribed in the President's proclamation of December 8th, 1863, or oath of allegiance to the United States since the date of said proclamation, and who have not thenceforward kept and maintained the same inviolate.

Provided, that special application may be made to the President for favor by any person belonging to the excepted classes, and such clemency will be liberally extended as may be consistent with the facts of the case and the peace of the dignity of the United States.

It will never be claimed that this was a dispensation of "the quality of mercy" not strained—which "droppeth as the gentle rain from heaven—blessing him that gives and him that takes." It largely increased the class of exempts as specified in Mr. Lincoln's amnesty proclamation of December, 1863. As the war was all over, the rebellion crushed and the rebels supplicant, a patriotic, and a wise policy would have reduced the amnesty exceptions instead of enlarging them. Though the whole amnesty doctrine was misconceived and irrational, "treason," and "rebellion" applied to Southern leaders was mere epithet. It was in conflict with the belligerent rights accorded the government and armies of the Confederate states throughout the war. From the foundation of the Union, secession had been recognized as a constitutional right by many of the most eminent statesmen of both sections. At this time, with the passing of the passions of war and in the sober light of reason, none dispute that it was at least a valid, or a permissible claim of the meaning of the Union of states. Singling out the leaders for amnesty exceptions was in the face of the notorious fact that secession was a popular upheaval—the masses precipitating the leaders into the gulf. No one knew of these contradictions to the premises of his amnesty proclamation better than President Johnson. He was, however, embarrassed by his violent and maledictory mouthings when first invested with the presidency, when he was hailed by the radicals as one of themselves. He was on record with the declaration that "the American people must be made to understand the nature of the crime, the length, the breadth, the depth of treason. For the thousands who were drawn into the infernal rebellion there should be amnesty, conciliation, clemency and mercy. For the leaders justice—the penalty and the forfeit should be paid. The people must understand that treason is the blackest of crime and should be punished." In his ensuing brave and patriotic struggle with radicalism these words handicapped and mocked him.

Exemptions under section 13, placing men of property under the ban was doubly perverted. It probably owed existence to the common, though utterly mistaken, Northern opinion that the rich brought on the war and should be made to suffer by it.

In Mississippi at least this was the reverse of the fact. Secession majorities had been rolled up in the white and poorer counties—the large slave owning constituencies voted against secession. Both self-interest and wider knowledge led to their rejection of the election of a Republican president, with majorities in both houses opposed to the slavery policies of that party, as a justification or a cause of disunion. But the \$20,000 limit possessed its own antidote; deducting values of slaves lost and debts remaining, insolvency was the rule with the wealthy of the old regime. The whole fulmination of amnesty exceptions, was, however, looked on as stage thunder. It was marveled at by James G. Blaine, in his "Twenty Years in Congress," that the persons excepted under the President's amnesty did not approach the mercy seat in an humble and a contrite spirit. "Many," he declared, "as it must be regretfully but truthfully recorded, appeared to have no proper appreciation of the leniency extended to them. They accepted every favor with an ill grace, and showed rancorous hatred to the national government even when they knew it only as a benefactor." The reverse of this is true. For acts of leniency and kindness by the Union authorities with whom they came in contact, and who held authority in their states, there was the fullest appreciation by all classes of Southern people. But as defeat had not changed the fixed and fundamental belief in the constitutional right of the South in seceding, and that the war waged upon her therefor was wicked and tyrannical, requirement of pardon for things that were not crimes was regarded as an added wrong. Pardons were only applied for as conveniences and were granted in the same spirit. The prescribed oath was administered and taken without solemnity, as a perfunctory act, a mere mechanical restoration to citizenship withheld in malice. Men of mark and influence conformed to the odious requirement in a spirit of self-sacrifice to duty; as an example of submission to the government. The case of Gen. Lee is cited. His application, dated June 13th, 1865, addressed to President Johnson, read as follows: "Sir, Being excluded from the provisions of amnesty and pardon contained in the proclamation of the 29th ult., I hereby apply for the benefits of the full

restoration of all rights and privileges extended to those included in its terms." In a letter his son, Gen. Custis Lee, subsequently wrote: "When Gen. Lee requested me to make a copy of this letter he remarked it was but right for him to set an example of making formal submission to the civil authorities, and that he thought by so doing he might possibly be in a better position to be of use to the Confederates who were not protected by military pardon, especially Mr. Davis." Only a few days later Gen. Lee realized that neither influence or his pre-eminent character nor his "military pardon," nor Gen. Grant's protest could protect him from an indictment dictated by radical mal-evolents. No more could the amnesty, which Mr. Blaine charges was shown "no proper appreciation" relieve the people from outrage and extortion. Enveloped as the state was in an atmosphere of doubt and distrust of the future policy of the government, harassed by compulsory exactions and restrictions on trade and planting, plagued by the humiliation and the menace of the negro garrisons, is it to be wondered that the amnesty proclamation caused mighty little comfort and touched no spring of gratitude? Non molestation in their daily bread winning pursuits was the burthen of the people's desire.

A fly was dropped in the amnesty ointment, by Secretary of War Stanton, who ordered the arrest of the Governor of the state, Gen. Chas. Clark, who had been paroled to remain at Macon to answer any charges that might be made against him. By order of Secretary of War Stanton, he was taken in custody June 3d, and sent to Fort Pulaski without charges. His offense was presumed to be that of attempting to exercise the functions of his office by calling the legislature in session. In submitting to arrest the Governor exclaimed bitterly against the outrage to which he only yielded because the power of resistance was lacking. As related by Gen. Richard Taylor, in "Destruction and Reconstruction," the course pursued toward Governor Clark was a brutal tyranny. "He was imprisoned," the book referred to reads, "for acting on my advice submitted to and approved by Gen. Canby." Other Southern Governors, Confederate cabinet members, and other persons of prominence, were taken into

custody and sent to various military prisons. No other motive for their arrest is to be inferred than that of bringing a certain number of the more distinguished "traitors" to trial. General Taylor was Confederate commander of the Departments of Mississippi, Alabama and Louisiana.

Though a Southern man and an ante-bellum Democrat, extreme vindictiveness toward the secession leaders had won for President Johnson the welcome of the radicals upon his accession to the Presidency. They were confident that he would prove the chief executive after their own heart that Lincoln was not. It was with bitter disappointment and resentment that they contemplated his departure from the policy, in the provisional government proclamation of making treason odious. Subsequently there has been no little speculation upon the cause, or causes, of the President's changed views of reconstruction. James G. Blaine, in "Twenty Years in Congress," in discussing the question, attributes the change to the influence of Secretary of State Seward. He says, page 62: "Mr. Seward believed that the legislation which should affect the South, now that peace had returned, should be shared by representatives of that section and that as such participation must at last come if we were to have a restored republic, the wisest policy was to concede it at once and not venture by delay a new form of discontent." \* \* \* He had undoubtedly a hard task with the President. \* \* \* He set before him the glory of an administration which should completely re-establish the Union of the states and reunite the hearts of the people. \* \* \* By his arguments and by eloquence Mr. Seward completely captivated the President. He effectually persuaded him that a policy of anger and hate and vengeance would lead only to evil results. \* \* \* The man who had in April arrayed himself in favor of the halter for intelligent, influential traitors \* \* \* was now about to proclaim a policy of reconstruction without attempting the indictment of even one traitor, or issuing the warrant for the arrest of a single participant in the rebellion aside from those suspected of personal crime in connection with the noted conspiracy of assassination."

While Mr. Blaine's book possesses decided literary merit, the

passage quoted is only one of many proofs of its unreliability as history. When the President formed and declared his policy of reconstruction, Mr. Seward was incapacitated by his wounds from attending his cabinet meetings, or advising with him. What is more convincing, Mr. Johnson's whole life record contradicts any story of his dependence upon any one, however captivating his "eloquence and arguments," in forming his convictions. Nor is the Blaine explanation sustained by the Welles diary, or any other contemporary evidence. Mr. Welles, who was the President's devoted supporter, represents Secretary Seward as occupying an ambiguous position toward the administration. In his diary of October 21st, he writes: "Secretary Seward has been holding forth at Auburn in a studied and comprehensive speech, intended for the special laudation and glory of himself and Stanton." December 6th the diary reads: "Seward apprehending a storm, wants a steamer to take him to Cuba. Wishes to be absent a fortnight or three weeks. Thinks he had better be away."

There is no inherent improbability in claiming honesty in the President's shift from ultra radicalism to extreme conservatism. He was a man of probity, who did not fail in comprehension of the weight of responsibilities of his high station. At the same time he labored under grave temperamental infirmities, which not unnaturally betrayed him into a false attitude in a time of utmost popular excitement and passion. The brutal tyranny of the radicals doubtless revolted President Johnson, and brought him more easily under reactionary influence.

As Lincoln is a name to conjure with, it is noted that after all the carping of the radicals against Johnson's plan of reconstruction, it was nearer to their idea and was more arbitrary than that of his predecessor.

May 29th, President Johnson took the first step for the restoration of civil authority in the South, in a proclamation appointing W. W. Holden provisional Governor of North Carolina. June 13th a similar proclamation was issued in which Wm. L. Sharkey was named as provisional Governor of Mississippi. It was declared to be his duty to convene a convention, to be "composed



of delegates, chosen by that portion of the people of the state loyal to the United States." Said convention was to alter or amend the constitution, and take steps to enable said "loyal people" to return Mississippi to its constitutional relations to the Federal government. It was provided that in any election hereafter held for choosing delegates to any state convention as aforesaid, "no person shall be qualified as an elector or shall be eligible as a member of said convention unless he shall have previously taken the oath of amnesty, and is a qualified voter as prescribed by the constitution and laws of the state of Mississippi in force immediately before the 9th day of January, 1861, the date of the so-called ordinance of secession; and the said convention, when convened, or the legislature that may be thereafter assembled will prescribe the qualifications of electors and the eligibility of persons to hold office under the constitution and laws of the—a power the people of the several states composing the Federal Union have rightfully exercised from the origin of the government to the present time." In these last lines the administration's theory as to the electorate was declared. The military commander of the department and persons in the military and naval service were directed to aid and assist the provisional Governor in carrying this proclamation into effect. The respective cabinet heads of departments were called on to appoint officials as provided for executing the Federal laws; such as postmasters and mail carriers, assessors and collectors of customs taxes. Federal courts were to be resumed and lastly: "The Attorney General will instruct the proper officers to libel and bring to judgment confiscation and sale, property subject to confiscation."

Without specific precedent or authority for his provisional government creations, the President claimed the warrant for his action in the fourth article of the constitution; which was thus incorporated in the proclamation:

"The fourth section of the fourth article of the constitution of the United States declares that the United States shall guarantee to every state in the Union a republican form of government, and shall protect each of them against invasion and domestic violence; and whereas, the President of the United States is by the constitu-

tion made commander in chief of the army and navy, as well as chief civil executive officer of the United States, and is bound by solemn oath to faithfully execute the office of President of the United States and to take care that the laws be faithfully executed; and whereas, the rebellion, which has been waged by a portion of the people of the United States against the properly constituted authorities of the government thereof in the most violent and revolting form, but whose organized and armed forces have now been almost entirely overcome, has in its revolutionary progress deprived the people of North Carolina of civil government; and whereas, it becomes necessary and proper to carry out and enforce the obligations of the United States to the people of North Carolina, in securing them in the enjoyment of a republican form of government; Now therefore \* \* \* I, Andrew Johnson," etc.

The time of appointment of the provisional governors and their election and convention proclamations were as follows:

North Carolina—W. W. Holden, May 29th, 1865.

Mississippi—Wm. L. Sharkey, June 15th, 1865. Election of delegates Aug. 7th, convention to meet Aug. 14th.

Georgia—James Johnson, June 17th, 1865. Election of delegates October 4th, convention to meet Oct. 25th.

Texas—A. J. Hamilton, June 17th, 1865.

Alabama—L. E. Parsons, June 21st, 1865. Election of delegates August 31st, convention to meet Sept. 10th.

South Carolina—B. F. Perry, June 30th, 1865. Election of delegates October 4th, convention to meet Nov. 20th.

Florida—Wm. Marvin, July 18th, 1865.

The President's appointee, Judge Sharkey, was more than acceptable to the people among whom he had risen to eminence, and in whose confidence and esteem he held exalted place. A native of East Tennessee, he had come to the state, in Warren county, when a child. A boy of 15, he enlisted in Jackson's army and was a participant in the battle of New Orleans. While prominent in the counsels of the Whig party, as an opponent of seces-

sion, he had won his distinction on the bench. His fame is thus sounded in "Thirty Years in Congress" by S. S. Cox:

"Judge Sharkey was a lawyer who had a thoroughly professional mind. He could drive a legal proposition through every impediment. It may not do to liken him to Chief Justice Marshall, who gave such logical decisions that they required no precedent to support them. For eighteen years he presided as chief justice of the high court of errors and appeals in Mississippi. In that domain he had no peer in his state. He read law with Dr. Hill, of Lebanon, Tenn. His genius for the law gave him a large practice. He was an eminent judge as early as 1832. No man who ever sat upon the bench in Mississippi ever settled more questions or made more authoritative decisions. He never failed on a legal principle. He never failed in minute detail. When he left the bench in 1850 it was to rescue his little fortune. President Fillmore tendered him the position of secretary of war, which he declined. Years after, when the dire work of civil war had ended, he became one of the heroes of reconstruction. President Johnson made him provisional governor of Mississippi. It was a difficult, delicate and most ungrateful office; yet all parties were satisfied with his administration. The writer remembers him well as a man of kind, polished manner, with a rare fund of conversation. His fame is written all over, and all through and all under the jurisprudence of his state." The appointment of such a man might reasonably have been supposed immune to attack. But the factional line had been drawn, and anything linked with the President's reconstruction work, everything pertaining to his provisional governments, was an offense with the radicals. As Governor Sharkey's past political record could not be assailed from the standpoint of Unionism, savage attacks that did not stop short of falsification, was directed at his judicial record.

In the Vicksburg Herald of June 27th the arrival of the state's commissioners, Judges W. L. Sharkey and Wm. Yerger, from Washington, was announced. With them was their secretary, Col. Jones S. Hamilton, whom the governor appointed his private secretary. "A salute," the paper stated, "was fired from Battery Grant in honor of the arrival of Hon. W. L. Sharkey,

provisional governor of Mississippi." The same paper published the appointment by the governor of Marmaduke Shannon sheriff of Warren county, and of Ira Batterton, the proprietor of The Herald and a Union officer, as state printer. Publication was made of the governor's direction to the sheriff to hold an election for a mayor and city council of Vicksburg, and the consequent notice of the election by Mr. Shannon. This was the first official action by the governor. Of the city election, the first held in the state, the Herald said: "The election for municipal officers took place in the city yesterday, according to the order of Gov. Sharkey. It passed off without a single incident to mar the occasion of a free people once more assembling under the protection of the glorious union, to exercise the elective franchise. All the candidates were among our oldest and most worthy citizens. Probate court opened a term and transacted business on Monday, July 3rd. On reaching Jackson certain other appointments were made, including James R. Yerger, secretary of state.

July 1st, 1865, Provisional Governor Sharkey issued his proclamation to the citizens of Mississippi from which the following is quoted:

"Fellow Citizens of Mississippi: The president of the United States, by virtue of the power vested in him has been pleased to appoint the undersigned provisional governor of the state of Mississippi "for the purpose of enabling the loyal people of the state to organize a state government, whereby justice may be established, domestic tranquility insured, and loyal citizens protected in all their rights of life, liberty and property." And to accomplish that purpose has directed me "at the earliest practicable moment to prescribe such rules and regulations as may be necessary and proper for convening a convention of delegates, to be chosen by that portion of the people of said state who are loyal to the United States, and no others, for the purpose of altering or amending the constitution thereof" so that the state may resume its place in the Union. And being anxious to carry out the wishes of the president and restore the dominion of civil government, as speedily as possible, I do hereby ordain and declare as follows:

To avoid the delay which would necessarily occur from the separate organization of each county by special appointments of the several county officers, the county officials incumbent on May 22nd, 1865, and those of municipalities regularly kept up, were appointed to fill the offices respectively they then held. Special appointments already made were excepted. All of such appointees were required to subscribe to the amnesty oath prescribed in the president's proclamation of amnesty. Nor could any one hold any of the offices in question who came under any of the clauses from which the benefits of the proclamation was withheld. Special appointments to be immediately made upon showing of the necessity, were assured to counties which had been disorganized, or where there were no persons available. The sheriffs were commanded in their counties respectively, to "hold an election August 7th, 1865, for delegates to the convention for the purposes mentioned in the president's proclamation." Voters were required to possess the qualifications prescribed by the constitution and the by laws as they existed prior to the 9th day of January, 1861, and must also produce a certificate of having taken the amnesty oath, and no one was eligible as a member of the convention unless he had taken it. Counties and towns were entitled to such representation, numerically, in the convention as they possessed in the lower legislative branch prior to secession. The delegates elected were to assemble in Jackson August 14th and organize the convention. The trustees of the State University were also enjoined to meet at Oxford July 31st and put that institution in operation.

In his proclamation Gov. Sharkey discussed the validity of the emancipation proclamation which there seemed to be some who looked on as unconstitutional. He announced that "it must," according to rule of law, "be regarded as valid until the supreme court shall decide otherwise." \* \* \* The people of the Southern states were in rebellion; the President had a right to prescribe terms of amnesty; he has done so and it is hoped the people will take his oath with the fixed purpose to observe it in good faith." \* \* \* The negroes are free—free by the proclamation—free by common consent, free practically as well as

theoretically. And it is too late to raise technical questions as to the means by which they became so. Besides it would be bad policy now to undertake to change their conditions if we could do so. It would be nothing less than an effort to establish slavery where it does not exist. Therefore let us cordially unite in our efforts to organize our state government, so that we may by wise legislation, prepare ourselves to live in prosperity and happiness in the changed condition of our domestic relations. Fellow-citizens, I accept the office of provisional governor in full view of the troubles and responsibilities incident to it. I was actuated by no other motive than a desire to aid the people in organizing a civil government preparatory to the restoration of the harmonious relations with the government of the United States. That I shall commit errors I know full well, but I know also that I shall very soon leave the office, and that I shall carry with me the consoling reflection that I endeavored to subserve the best interests of the people in this critical and trying conjunction of public affairs."

The practical freedom of the negro was so manifest that discussion of the question was viewed by the public as vain and idle. Only dreamers and Bourbons held otherwise. The conclusion of the message which is quoted, is to be read with the reminder that Gov. Sharkey had been an extreme Union man, and without sympathy in the war to establish disunion, further than that of loyalty to his state and fellowship with his fellow citizens:

"The people of the South have just passed through a most terrible and disastrous revolution, in which they have signally failed to accomplish their purpose. Perhaps their success would have proved to be the greatest calamity that could have befallen the country, and the greatest calamity to the cause of civil liberty throughout the world. \* \* \* The business of improving our government if it should be found to need it, and of promoting reconciliation between Northern and Southern people, are now prominent duties before us, so that we may hereafter live in the more secure and perfect enjoyment of the great patrimony left us by our fathers, and so that those who are to come after us may long enjoy in their fullest functions the inestimable blessings of

civil liberty, the best birthright and noblest inheritance of mankind."

Gov. Sharkey thus wrote without foreseeing that the clouds were already gathering to overwhelm civil liberty in the South. No dream or foresight of its overthrow by military force darkened his vision, no nightmare of reconstruction built up on negro political equality, which in his state meant negro dominion. When the blow fell he bared his breast to the fury of the storm, and led in resisting it. It is to be doubted if he then remained steadfast in the view, that Southern success would have been "the greatest calamity that could have befallen the country."

Gov. Sharkey did not include the higher judiciary in his general scheme of rehabilitation of civil government, of restoring officials who had been displaced by military order. Above probate judges he relegated court incumbents to the convention. He, however, gave recognition to the pressing needs of litigation in a proclamation, July 12, appointing "a special judge," with equity jurisdiction in all contracts for cotton or other personal property in the state, with power to proceed in a summary way on petition to enforce specific contracts on notice to parties, to issue summons, to punish for contempt, to appoint a clerk. Sheriffs of the counties were required to execute processes, to bring parties into court and enforce decrees. The appointment of other equity judges followed. Though the legality of these courts was questioned, they served the good end of relieving the military authorities of duties that were inconsistent and obnoxious. The validity of their authority was subsequently tested in the courts, which affirmed the creation of such tribunals as a legitimate exercise of the power conferred on the provisional governor by the President as commander in chief of the army.

July 17th Governor Sharkey issued a proclamation to raise revenues to defray the expenses of the provisional government. Taxes were levied on a number of privileges, and on cotton a dollar a bale. On all profits made during the war by buying and selling cotton, tobacco, salt, sugar, molasses and other articles of trade and products, 5 per cent tax was imposed. The same amount was levied on all property purchased during the war.

The authority for the exercise of power was thus stated: "Whereas it becomes necessary to raise revenue for the support of the provisional government of the state of Mississippi, and to meet the expenditures incident to the assembling of the convention which has been called in obedience to the proclamation of the President of the United States, which can only be done by taxation; and whereas there is no legislative body in existence which can impose taxes and consequently the execution of the power necessarily falls on the provisional governor. Therefore," etc. The county assessors were instructed to assess and the sheriff to collect the taxes imposed; the latter being instructed to make returns of all moneys collected on or before the meeting of the convention. "As cases of hardship may arise in the assessment and collection of the taxes hereby directed, I assume the power to give relief to parties on proper showing." Governor Sharkey, it will be seen, spared himself no labor in the discharge of the arduous and difficult duties of his station. As he appointed no state revenue officials, he acted as treasurer and auditor in receiving and disbursing the receipts of tax funds.

Discussing the suppression of crime and the punishment of the guilty, Governor Sharkey's proclamation read: "The commanding general at the post has kindly offered to me the force at his command for the protection of the people and for the apprehension of offenders against the law. . . \* \* \* I would advise the people where it may become necessary in consequence of their remoteness from a military post, to organize themselves into a county patrol for the apprehension of offenders."

Governor Sharkey was criticised for the installation of civil government prior to the state convention, and particularly for his re-appointment of the war-time county officials. The Governors of some Southern states, Georgia at least, went no further than to order the election for delegates to the convention—proclaiming that said election should be held by qualified voters to be designated by their fellow voters. But Governor Sharkey took his commission with all its implied investiture of executive dignity and powers, and problems of administration of questionable au-



thority confronted him on every side. With these he grappled vigorously, construing his jurisdiction liberally and practically.

Not only was the establishment of provisional government in Mississippi criticised by the radicals as premature and mistaken, criticism was sharpened by the uses made of the record of the President's appointee in decisions he rendered as judge, upon the institution of slavery. The Vicksburg Herald, edited and controlled by a Union soldier, sought to break the force of such censure in the issue of June 20th "Nearly every paper," it said, "which has reached us from the North, has an article on the recent proclamation of the President, appointing Judge Sharkey provisional governor of Mississippi. Some refer to his decisions while on the High Court of Errors and Appeals, and severely criticise his views on the subject of slavery. The injustice of such reflections are made apparent when it is remembered that Sharkey was a judge and not a lawmaker; that he had nothing to do with the laws except to expound them as a sworn officer of the highest judicial tribunal of the state, and it is not at all improbable that he believed slavery to be no curse and freedom no great blessing to the slaves, under the peculiar formation of our society at that time. But, however that may be, he was stern, devoted, unflinching, unwavering, proud of the union of the states, which we suppose constituted his chief merit at Washington." The New York Tribune compliments the sterling worth of Judge Sharkey but could not refrain from the following censorious criticism:

"Truth compels us to add that some of his pro-slavery decisions have seemed to us little better than infernal. Here is a sample of them: 'A Mississippi planter who had lived with one of his female slaves and had several children by her, died, leaving a will whereby he gave this woman and her children freedom, with a considerable slice of his property. His white relatives contested the will and the case went up to Sharkey for adjudication. He annulled the will and sent the testators, mother and children, to the auction block, alleging that relations which lead to such disposition of the estate was an immoral one and emancipation was contrary to the policy of Mississippi.' Replying that the Tribune

did not fairly state the case, The Herald said: "These negroes had been emancipated in violation of the laws of Mississippi and Ohio. Then the case was decided according to law and it matters little what are the views of the judge, legal points are decided according to law."

Quoting a comment upon the same decision from the Cincinnati Times, the Herald pronounced it "even more unfair and unscrupulous toward the Governor than the Tribune." Of course there was neither logic nor justice in raising his ante-bellum decisions construing state law and policy on the slavery issue, against Judge Sharkey; none at least that would not have condemned the whole body of the people as equally beyond the pale of trust and consideration. These criticisms are quoted as an illustration of the President's difficulties in carrying into effect his Southern policy—of its vulnerability to sectional and envenomed attacks.

Reflecting the views of the most rabid South haters the Chicago Republican, edited by C. A. Dana, Secretary of War Stanton's understudy and mouthpiece, claiming the necessity of continued rule of the South by military law, said: "We doubt very much if the conventions to be elected in the rebel states will do much that will be satisfactory in the way of organizing state governments. The consequence will be that those states will continue to be governed by military power." This display of the mailed hand was thus thereby shaded by the veil of hypocrisy: Much as the heart of every lover of his country will mourn over such a result, there seems to be no escape from it. \* \* \* So long as Gen. Lee remains in this country, and is allowed to be about without punishment, but to proclaim disloyal and obnoxious opinions such as he fought for against the United States, there will be a feeling of dissatisfaction among loyal citizens. There is something infinitely galling in the fact that the articles of convention between him and Grant were so loosely drawn as to afford a loophole of escape of such a traitor from the clutches of the law." A comment on this virulent article in the Cincinnati Commercial alludes to it as "a war office point of view."

The New York Times, a supporter of the Johnson policy of rehabilitation, said of the provisional governors, August 16th:

“Their action in the first step has in every case, been discreet, temperate and conservative. They have adopted the same policy of interfering as little as possible with those things which enter into the character, history and institutions of each state, which were established in other times and are adapted to existing conditions. In one direction they must build anew, and radically, but in others they find much valuable work which only requires to be let alone. While unequivocally loyal, they do not unnecessarily stir up popular prejudices. They all proclaim that slavery is abolished, totally and forever, and aid energetically in the reconstruction of the new social state upon the basis of universal freedom.” The plan of the Tribune, Greeley’s paper, and the most influential of all at this period, was thus briefly announced: “Universal amnesty and universal suffrage.”

Though looked upon at the time as of no significance, the subsequent course of events gives historic moment to the following, the first echo of negro political aspiration in the state:

#### MEETING OF DISFRANCHISED LOYAL CITIZENS.

A mass meeting of the loyal disfranchised citizens of Vicksburg, Miss., was held June 19th. Jacob Richardson of the 49th U. S. C. I., presided. M. H. Mason was appointed secretary.

#### PREAMBLE AND RESOLUTIONS.

Whereas, the President of the United States has by proclamation, dated Washington, June 13th, 1865, appointed a provisional governor for the state of Mississippi, Hon. W. L. Sharkey, and directs that a convention be called and an election held, allowing such only to vote under the constitution and laws of the state of Mississippi, as administered before the passage of the so-called Ordinance of Secession of January 9th, 1861, excluded the loyal colored citizens: therefore, resolved:

First. That we regard such a policy unjust to the colored citizens, paralyzing to the colored soldiers and most damaging to the peaceful and early establishment of the federal supremacy in rebellious territory.

Second. That in view of the facts we will appeal to the people of the North, and will earnestly appeal to congress that the state of Mississippi be not restored to federal relations unless by her constitution she shall enfranchise her loyal colored citizens.

June 23 the president of the railroad from New Orleans to Canton reported it in excellent condition north of Ponchatoula, "except that some bridges required repairing." From the following specified statement an idea may be gathered of what was called "excellent condition": The company is running one locomotive from Brookhaven to Jackson, and one from Jackson to Canton." The merchants of New Orleans were urged to advance \$50,000 necessary to repair the bridges on the road. This road, now a part of the I. C. main line, had for its then president, Judge C. C. Shackelford of Canton.

July 19th the following notice was published from headquarters of the northern district of Mississippi concerning the Southern railroad, by Col. Gordon Armstead, Adjutant General: "I can inform your numerous readers on good authority that the gap between Pearl river and Big Black will very soon be repaired. In fact the road would have been in running order ere this, but for the unexpected delay in procuring spikes and ties. The track to Clinton will be ready for the locomotive by August 5th, and to Big Black by the 20th or 24th at farthest." The road between Vicksburg and Big Black had been kept in running order by the military."

While rail traffic was slow of restoration, river trade was in full blast. A score or more of regular packets were advertised in the river columns of the Herald, running in all the ante bellum lines. But postal service was still lacking. July 8th the Herald was bemoaning the delay: "We ought to have mails," it said, "and yet we don't get them." Appointment of a postmaster was announced July 25th.

More emphatic and conclusive evidence that the war was over was to be read in an advertisement of a sale by order of the navy department of "gunboats and other vessels composing a portion of the Mississippi squadron." The notice carried the names, with description and offer of sale at Vicksburg and other ports, of a

multitude of all sorts of craft of a fleet which had for the last two or three years of the war dominated and terrorized the lower river country. After playing an indispensable part in breaking the backbone of the Confederacy, in sealing its downfall, they were put up and sold for whatever prices they would bring.

With July 1st there was terminated by a Treasury Department order "all restrictions upon commercial intercourse in and with states and parts of states, heretofore declared in insurrection, and on the purchase, sale and transportation of the products thereof. Nor will any fees or taxes be collected except those imposed by the customs or internal revenue laws. And the supervision necessary to prevent the shipment of the prohibited articles will be exercised only by the regular and ordinary officials under the revenue laws of the United States." Functions of subordinate officers under the old system were terminated. They were charged to turn over "abandoned or confiscated lands, houses or tenements in their possession to duly authorized officers of the Freedmen's Bureau, together with all moneys, books, papers and records relating thereto." This was a vast relief, in the cotton states especially.

Though the previous activities of the thieving treasury agents in "winding up their affairs" did not wholly cease until some months later.

Gen. G. K. Warren, who had been a corps commander in the Army of the Potomac, was in command of the Department of Mississippi at the time of the institution of provisional government. He was succeeded by Major General Osterhaus, a corps commander in the army in Mississippi, June 5th. In an order announcing his retirement Gen. Warren, who had popularized himself with the citizens by his sympathetic consideration of their distressed state, thus testified to their acceptance of the war's results and his appreciation of friendly ties formed in his brief stay in the state: "My best wishes in the future will be for them, and for the civilians of this state, who have shown by their good behavior, during a period when all civil authority was annulled and military authority but imperfectly substituted, a respect for order and right which does them honor."

On taking command General Osterhaus subdivided the state into five districts, with a Brigadier General in command of each. He chose old and trusted citizens for his civilian appointments, provost marshals and commanders of militia in their respective accounts. His general course was conciliatory and conservative, like his predecessor's. This was appreciated by the people, as shown in a publication in the Vicksburg Herald of a public meeting of the citizens of Issaquena, who adopted resolutions of thanks to the General for the appointment of Col. W. B. Barnard, an old and trusted citizen as "provost marshal," a sort of general supervisor over the peace and order of the country during the suspension of all civil official authority.

July 19th General H. W. Slocum was appointed to command the department, which he had also commanded a year before. General Osterhaus was continued in command of the Jackson division. In the published interpretation of his authority, General Slocum displayed patriotic and statesmanlike views of administration. He was a volunteer soldier, who had served with distinction in both the Eastern and Western armies as corps commander. His course was in marked contrast with that of another civilian soldier—Gen. Daniel E. Sickles, who, like General Slocum, was a New York Democrat. As commander of the Carolinas General Sickles, while robbing the civil authorities of such power as was granted them, anticipated the reconstruction laws by enforcing race equality of civil rights and jury service.

August 5th General Slocum issued orders defining the line of military, of state and of Freedmen's Bureau jurisdiction. Military officers were prohibited from interfering in cases in the special courts organized by Governor Sharkey, involving the title of cotton or any other property in dispute. District and post commanders were directed to prevent removal of property in dispute beyond the civil jurisdiction, and to hold it subject to the order of the court. No claim for restoration of abandoned property was subject of consideration except by the Freedmen's Bureau at Washington. District and post commanders were directed to inform themselves of the duties of the Freedmen's Bureau, and to aid its agents in the performance of their official duties. But in

no case were the military officials to aid in the exercise of any powers not authorized by law. Until the state laws were so amended as to secure the rights of the Freedmen, tribunals of the Bureau were to adjudicate contentions between white employers and negro employees. But it was particularly impressed upon the colored man that he was given no immunities not accorded to all; and that he was subject to all the penalties of the law for violation of the law.

The order concluded as follows: "The class of citizens who are so blinded as to think of still holding colored men as slaves are the worst enemies of the state. On the other hand, the professed friend of the negro, who is constantly dwelling on his wrongs by his former master, constantly repeating that the government has not yet granted to him all the privileges to which he is entitled, is the worst enemy of the colored race. The colored man can be improved and elevated not by making him the enemy of the dominant race among whom he must live; not by making him the tool of politicians, but by impressing upon him the value of education and of the habits of industry and thrift." Another order of this date, August 4th, announced that hereafter "the entire charge of the municipal offices would be left with the people. Hereafter no taxes of any kind on property and trade to meet the expenses of municipal administration will be imposed by military authority and no fines will be levied except pursuant to orders of a military commission.

Absorbed as the people were in bringing some degree of order out of the chaos of their industrial domestic affairs, and providing the basis of a livelihood of their dependents, there was little time to bestow upon political discussions or meetings. Fortunately there was little faction abroad in the land—this had been extinguished in the common calamity. The demagogue was conspicuous by his absence in the choice of delegates to the convention called by Governor Sharkey's proclamation. There was intuitive agreement that these should be men of sober thought, and for the sake of appearance and influence in the North, "original union men," opponents of secession. There was no contention on this point. Generally the people looked on the convention as limited

to the task and duty of giving in their formal acceptance of the results of the war; to reorganize the state's constitution and laws accordingly. True, there were a few voices crying in the wilderness, seeking to quibble, to split hairs with destiny, but they formed a negligible quantity. The South was whipped and the people knew it, and stood ready to pay the price as they then saw the price to be; the restitution of the union and the freedom of the slaves. With the ordinance of secession and all Confederate appurtenances thereof sponged off of the slate, there were few indeed who were not ready and willing to "settle up" on such a basis, and quickly, so that the work of rebuilding the waste places should be begun in earnest. The candidates for seats in the convention, or rather the citizens called on to become delegates, with few exceptions indulged no ideas beyond such limits.

The following from the Memphis Bulletin of July 19th reflects the general interest and action of the counties upon the proclamation of the provisional governor and in nomination of delegates to the convention. "There was a general attendance of the county officials of De Soto county at Hernando on Monday, and of the people from every district in the county. The county officials were all qualified under Governor Sharkey's proclamation. A convention was held, and Dr. Malone, T. S. Tate and R. T. Saunders were nominated for the state convention. Able and instructive speeches were made, in reference to the best means of reorganizing the state government, by Judges Morgan and Hancock, C. F. Labauve and Jno. S. James. Everyone present seemed to be well pleased at the action of the President in appointing Judge Sharkey to the governorship, and a spirit of cordial cooperation was evinced."

Thus environed, the election of delegates to the convention passed off uneventfully. The day, August 14th, having arrived for the convention to assemble, it was called to order by Governor Sharkey and the roll of counties called by the secretary of state, James R. Yerger. Many of the delegates had been soldiers, among them Major General W. T. Martin of Adams, and Brigadier General W. L. Brandon of Wilkinson counties.

Each delegate was required to present the original copy of the



amnesty oath he had subscribed, and such as failed to bring these asseverations of their loyalty with them were sworn over again. And on the next day a delegate raised the point of order, which was sustained, that it was incompetent for members to proceed with the convention business, unless they had qualified by taking the oath of allegiance to support the constitution of the United States. At this period oath taking was of the essence of loyalty and citizenship. It was not restricted to official or political administration. By an order of the Treasury Department the test oath was required as a condition precedent to the pursuit of usual vocation of a livelihood—"all persons engaged in business of every kind, whatever, clerks, mechanics, teachers, lawyers," etc.

The convention organized by electing its officials. Judge J. Shall Yerger, of Washington county, one of four brothers who all stood in the front rank of the profession of law at a period when the state bar was nationally famous, was chosen to preside over it. He had been a member of the secession convention, and had opposed its fateful policy to the last. But the die being cast he was faithful to his state and paid his share of war's tribute—one of his four sons who enlisted in the Confederate service was killed in battle, one died of camp exposure and sickness, and his plantation home was burned by a raiding party of Union soldiers. J. L. Power, a popular citizen and newspaper publisher, was chosen secretary, with the famous hotel keeper of his day, "General" T. C. McMacken, sergeant at arms. As the convention wrote a memorable chapter in state history, the names of the delegates are given:

- Adams County—W. T. Martin, S. N. Lampkin.
- Amite—David W. Hurst.
- Attala—Elijah Sanders, Jason Niles.
- Bolivar—L. Jones.
- Calhoun—Charles A. Lewis, Eli J. Byars.
- Carroll—William Hemingway, Jno. A. Binford.
- Chickasaw—James M. Wallace, Allen White.
- Choctaw—James H. Dorris, Robert C. Johnson, Robert B. Woolsey.

- Claiborne—James H. Maury.  
 Clarke—James A. Head.  
 Coahoma—W. L. Stricklin.  
 Copiah—Ephraim G. Peyton, William A. Stone.  
 Covington—Alex. H. Hall.  
 De Soto—Reuben T. Sanders, Thomas S. Tate, F. J. Malone.  
 Franklin—K. R. Webb.  
 Greene—Not represented.  
 Hancock—David C. Stanley.  
 Harrison—L. L. Davis.  
 Hinds—William Yerger, Amos R. Johnston, George L. Potter.  
 Holmes—Robert H. Montgomery, J. F. Sessions.  
 Issaquena—Lawrence T. Wade.  
 Itawamba—Jno. M. Simonton, Braxton Cason, Wiley W. Gaither, M. C. Cummings.  
 Jackson—William Griffin.  
 Jasper—Caleb Lindsay.  
 Jefferson—George P. Farley.  
 Jones—T. G. Crawford.  
 Kemper—James S. Horner, H. J. Gully.  
 Lafayette—Richard W. Phipps, H. A. Barr.  
 Lauderdale—Charles E. Rushing, Peyton King.  
 Lawrence—E. T. Goode.  
 Leake—Dempsey Sparkman.  
 Lowndes—James T. Harrison, T. C. Billups.  
 Madison—William McBride.  
 Marion—Hamilton Mayson.  
 Marshall—W. C. Compton, J. F. Trotter, William Wall, Lawrence Johnson, J. W. C. Watson.  
 Monroe—Lock E. Houston, C. Dowd.  
 Neshoba—Joseph M. Loper.  
 Noxubee—Hampton L. Jarnigan.  
 Oktibbeha—David Pressley.  
 Panola—Lemuel Matthews, Lunsford P. Cooper.  
 Perry—J. Prentiss Carter.  
 Pike—James B. Quin.

- Pontotoc—Charles T. Bond, Joseph L. Morphis, Nicholas Blackwell, J. M. Wylie.  
Rankin—Richard Cooper, Jno. B. Lewis.  
Scott—J. G. Owen.  
Simpson—T. R. Gowan.  
Smith—Harvey F. Johnson.  
Sunflower—William McD. Martin.  
Tallahatchie—James S. Bailey.  
Tippah—J. H. Kennedy, A. Slover, W. A. Crum.  
Tishomingo—William L. Duncan, R. A. Hill, B. C. Rives, A. E. Reynolds.  
Tunica—Francis A. Owens.  
Washington—J. Shall Yerger.  
Wayne—James A. Horne.  
Wilkinson—W. L. Brandon.  
Winston—A. Reid, S. W. Woodward.  
Warren—Charles Swett, T. A. Marshall.  
Yalobusha—James Weir, Robert M. Brown.  
Yazoo—J. H. Wilson, R. S. Hudson.

General Osterhaus thus expressed his appreciation of an invitation to a seat within the bar of the convention: "I feel the honor conferred on me deeply, and cannot suppress a feeling of justifiable pride and pleasure that my humble self was destined to be the first office of the national force to receive such a friendly invitation from our returned brethren. No man can more earnestly desire that all the states of the republic may again be encircled by one bond of harmony and confidence. This is a fair reflection of the spirit of amity and sympathy entertained by union soldiers for their late foes."

The important work of the convention was entrusted to two committees of fifteen each. One was "to inquire into and report such alterations and amendments of the constitution as may be proper and expedient to restore the state of Mississippi to its constitutional relations to the Federal government and entitle its citizens to protection by the United States against invasion and domestic violence." A second clause of the resolution, referred

to the other committee of fifteen, recited action necessary to be taken "relative to the ordinance of secession, and the ratification of such legislative, executive and judicial acts not in conflict with the constitution of the United States, as were passed . . . since the 9th day of January, 1861." Before entering upon the serious work of the convention it was resolved that the debates and discussion should be stenographically reported and published; for the reason as explained by Gen. William T. Martin, the delegate from Adams county, that it was "important for us not only to show that the constitution we shall adopt shall show the spirit of our people, but it is also important to show by the debates the spirit in which these propositions were discussed. . . . It is necessary and proper to show that in surrendering and as a people giving our paroles, it is a mistake to suppose we merely did it to gain time. . . . Whatever can should be done to assure the people of the North . . . that having first tried the logic of schools and having failed in that, and having then resorted to the stern logic of arms, and having failed in that also, we are now honestly disposed to return to our allegiance, and to make out of the disasters that have befallen us the best we can." There was manifest purpose behind this resolution of publicity which so truly stated the plight of the people of the state. Already, even as the war storm lulled, another up-loomng cloud was emitting lurid flashes, giving warning of the radical design of passing the South under the rod of the iron rule. This it was the aim of the convention to avert. The idea was patriotic but vain.

On the fourth day of the convention the committee upon alteration and amendments to the constitution reported through its chairman, delegate Harrison of Lowndes. The report simply provided for striking out sections of the constitution relative to slaves, and the insertion of a slavery inhibition provision as article 8 of the constitution. A second clause of the report was that the legislature should, at its next session, provide by law for "protection of the person and property of freedmen and guard them and the state from any ills that might arise from their sudden emancipation." The report specified certain aims of leg-

isolation under this proviso. (See page 30, convention journal, election ordinance.)

On the same day the committee on ordinance and laws reported through its chairman, delegate Johnston, of Hinds. First, the report declared the secession ordinance "null and void." This was followed by lengthy schedules of provisions of law enacted subsequent to secession, to be repealed or legalized according to their nature and class. The presentation of these reports opened up the field for debate under a motion for their consideration section by section. The first for consideration was the amendments striking out the slavery sections of the constitution. The convention had its due proportion of Bourbons and hair splitters—of men who out of conscientious and short sighted conviction strove against the fated wind and tide. They indulged vain imaginings of limitations and exceptions to emancipation—placed stress upon the husks of verbiage, the exact order and form of the record abolishing slavery. Discussion of the section lasted three days. A number of substitutes to the committee action were offered and voted down. The main contention was upon a proposed substitute to recognize the abolition of slavery only until the illegal emancipation should be annulled as unconstitutional. This was offered by a very able lawyer, though singularly unsophisticated in the trend of politics, Judge Potter, of Hinds county. Another delusion was proposed, by Delegate Judge Hudson of Yazoo, that "nothing herein contained shall be construed to prejudice any right to compensation from the United States for the loss of any slave." Very few delegates were caught by such supremely vain and absurd hope. Nor did the people waste their time with quibbling over the double sense. It sufficed with them that their slaves were freed in fact by the Appomattox cataclysm. They perceived that constitutional truisms and legal technicalities were outweighed by the sword of Brennus. Debate was closed by Delegate William Yerger, of Hinds, one of the state's greatest minds and lawyers. In the course of his remarks urging adoption of the committee report, he read a communication from the Judge Advocate General—approved by the Secretary of War, to the military commander in Mississippi, touching the jurisdic-

tion of military courts; using the same to illustrate how far the state was from being out of the woods. "That the President has accorded a provisional government to Mississippi," this communication announced, "is a fact which should not be allowed to abridge or injudiciously affect the jurisdiction heretofore properly assumed by the military courts. And especially is the continued exercise of that jurisdiction called for in cases—1st, of wrong or injury by citizens to soldiers; and 2d, of assault or abuse of colored citizens generally. . . . Moreover, the rebellion, though physically crushed, has not been officially announced or treated as a thing of the past. The suspension of the writ of habeas corpus has not been terminated nor has military law ceased to be enforced in proper cases." This edict of the war department was convincingly used by Judge Yerger as an admonition to the convention that it was acting under duress of military law—that "the condition of things is as certain to remain and continue, as we remain and continue determined to repress the proposition made by the President so to change and alter our organic law as to accord with existing facts." Yet while showing the impolicy and the absurdity of the substitute proviso, he indulged the illusion of "a class who probably in the near future may receive some compensation for loss of slaves. The orphan whose slave was taken from him without any hostile action on his part, the widow whose property was destroyed without any participation on her part in the war—there is a possibility that in the future some compensation may be made to them, but not until the asperities of war shall have been smoothed down." This excerpt from the most forceful speech of the convention will show how far even the wisest were from realization of what the future had in store for them; of the extreme swing of the pendulum of revolution.

Composed as a large majority of the convention was of men who had been avowed and active opponents of secession when the question was a vital one, it was but natural that delegates should stress the fact of this opposition. Yet there was a remarkable and a magnanimous freedom from reproach of the

leaders who four years before had embarked the state upon the ruinous and fatal course in search of "peaceable secession."

Although there was no disagreement upon the fact to be reaffirmed and recorded, so well tutored were the leaders in the niceties as well as the essentials of political law, and so observant were they of the precedents and institutions of government, that they debated on the formula of the destruction of slavery three days. Of the three hundred pages of the convention journal, over one hundred pages are covered by the debate on it. As finally decided the momentous fact of the emancipation of the slaves was adopted by a vote of 87 to 11, as follows: "The institution of slavery having been destroyed in the state of Mississippi, neither slavery nor involuntary servitude, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted, shall hereafter exist in this state; and the legislature, at its next meeting, and thereafter as the public welfare may require, shall provide by law for the protection and security of the person and property of the freedmen of the state and guard them, and the state against any evils that may arise from their sudden emancipation."

The report upon the ordinance of secession coming up for consideration, it too, was extensively debated, as to its phraseology. Substitutes and changes proposed were voted down, and the committee report simply recited that "an ordinance passed by a former convention of the state of Mississippi on the 9th day of January, 1861, entitled an ordinance to dissolve the union between the state of Mississippi and other states united with her under the compact entitled the 'constitution of the United States of America,' is hereby declared to be null and void."

As will be shown of the convention journal, fifty pages were taken up with the question of whether the secession ordinance should be declared "null and void," or "repealed and abrogated." The importance attached to this difference of verbiage may seem to the readers of the present day strained and exaggerated. But to judge with right discrimination, both the environments and the spirit of the times must be reckoned with. Though the stultification of history was of no material effect, the reason in throw-

ing the "null and void" tub to the whale seemed sound. In that view the state had never technically been out of the union and was therefore still in it by a strained construction.

Thus was the curtain formally rung down—the record closed of the ruinous plunge, the first act in a great drama, that had been placed on the stage of history with the ringing of bells, the thunder of cannon and the fervent outpouring of story and song. The secession ordinance being thus rescinded by a vote of 81 to 14, all of its subsidiaries in aid of the war were sponged off the slate.

The convention next set about saving from the wreckage such legislative acts in the war period as were necessary to patch up the provisional machinery.

It was provided in a section of an ordinance to legalize and support legislative enactments since January 9th, 1861, etc.: "Laws and parts of laws enacted since the 9th day of January, 1861, so far as the same are not in conflict with or repugnant to the constitution of the United States and the laws made in pursuance thereof, and of the constitution of the state as it existed January 1st, 1861, or in aid of the late rebellion, with the exception of laws in relation to crimes and misdemeanors, and except "an act to enable railroad companies of this state to pay the moneys borrowed by them," approved December 16, 1863, were ratified, confirmed and declared to be valid and binding. It was ordered that "all acts authorizing the payment of dues to the state in Confederate money or notes, and all laws authorizing the distillation of spirits on state account should no longer be enforced." The same action was taken upon "the official acts of all acting public officers of the state since the 9th day of January, 1861." A difficult and perplexing situation was provided for in the third section of the ordinance, covering "all official acts, proceedings, judgments, decrees and orders of the several courts of the state." This called for a number of provisos, all being devised and drawn with the utmost circumspection by the best and most conscientious legal talent in the convention, for meeting the exigencies of an unprecedented situation. All such "official acts, judgments, decrees and orders, regular on their face," etc., with



"all sales made by judicial officers, executed," etc., and "when the same have been executed by payment of purchase money, were legalized, ratified and confirmed, subject, nevertheless, to the right of appeal, writ of error, supersedeas, etc."

"The special courts of equity heretofore or that may be hereafter established by the provisional governor thereof" were recognized by the convention to be in existence. But rights of exception, writs of error, appeal to the high court of errors and appeals were secured to litigants. It was further provided that such special courts should not be recognized after the courts known to the constitution and laws of the state be established, beyond their established business. An ordinance was adopted providing that a general election for representatives in congress, the districts being as fixed already, all state officers and members of the legislature, should be held October 1st, 1865. At the same time there was ordered a special election for all county, district, judicial and municipal officers. It was provided that no one should be qualified as an elector, or eligible to any office at said election unless in addition to the qualifications by the constitution and laws he shall have taken the amnesty oath prescribed by the President May 29th, 1865. Terms of office of the officials to be elected were to commence the third Monday of October, when the legislature, it was provided, was to convene and organize.

Other things of importance disposed of by the convention were a decision that "it was not practical or expedient to submit said several amendments and ordinances to the 'people'; the selection of a committee to prepare and report to the next legislature for its consideration and action such laws and changes in existing laws of the state as to said committee may seem expedient"; the appointment of commissioners to confer with the authorities at Washington relative to rebuilding the Mississippi river levees; the transmission to President Johnson of a memorial signed by 4,633 ladies of the state in behalf of President Davis and Governor Clark, who were in imprisonment; memorializing the President for removal of negro troops from the state. There was earnest debate upon a resolution for punishing the crimes of grand larceny, robbery, rape, arson and burglary, with the pen-

alty of death. It was rejected, though strong reasons for its adoption were urged. The lawlessness of bands of robbers carried over from the war had not yet run its course, and called urgently for extraordinary measures of suppression. Disorders were greatest and more prolonged in the western counties, in the river section.

In pronouncing the convention adjourned, its president, Judge J. S. Yerger, the delegate from Washington county—who was in the same category of lawyers and statesmen as his brother, the delegate from Hinds—delivered an impressive address. He congratulated the convention upon the absence of partisan heat; the freedom from unbecoming recurrences of past difference of opinion. "We have all met together," he said, "in a spirit of forbearance and harmony—as I believe and trust in God this great people will come together again as brothers of a common land and children of our common inheritance." He alluded with deep feeling to his "fortune to occupy a seat on the floor in strange times and during startling history. I was here when Mississippi was covered with the desolatory consequence of commercial disaster and ruin. . . . I was here to witness the state of Mississippi in the hour of delusion of her people lay hand to the destruction of the fabric of the constitution and the union of their states. I was a delegate to that convention. I raised my voice against what I believed to be sacreligious wrong. It was in vain. I bowed my head in sorrow. . . . I have again met the representatives of the sovereignty of the people of Mississippi in this convention; come together that they may, if possible, restore Mississippi to her proper and constitutional relations with the United States. God grant, gentlemen, that your deliberations and example may aid in the commemoration of this result." With thoughts thus touched by saddest of reminiscences and tinged by the faintest glow of hope, the convention adjourned and the delegates departed for their desolated homes and impoverished constituents.

At the close of the convention journal is the usual classification, or descriptive recapitulation, of the membership. And appended to this is a comparative statement of political affiliations

of the two conventions of 1861 and 1865. It reflects the story of the vast change that swept over the spirits of the people—their readiness to break away from the bonds of a dead and blood stained past, and bow to the visitations of the darkly overcast present. Both bodies were alike composed of able and patriotic men. The change is recited in the following from the foot note referred to: "Of the 97 members of the convention of 1865, total Whigs 70. Democrats 18. Conservatives, et cet., 9. The convention of 1861 consisted of Democrats 84, Whigs 25. Of the seven members of the convention of 1861 who served in that of 1865, six had voted against secession." This change had not been the result of a struggle at the polls. As a rule there was a tacit agreement in the counties, the good policy of which was palpable, of retirement of the leaders of the party identified, if not chargeable, with the awful plunge of the state into secession. There was no protest against this policy. It was indeed anticipated in large measure, by the voluntary self-effacement of the men who had controlled state affairs prior and leading up to the outbreak of war.

The work of the convention did not escape criticism. The first to assemble and institute provisional government of all, its proceedings had been regarded with national interest. Radical organs assailed the convention for ignoring consideration of the political rights of the negroes. Even Northern Democrats were disappointed that those of education and superior intelligence were not granted the ballot. What was desired was indicated in the following letter from President Johnson to Governor Sharkey, and submitted by him to the convention without remark:

"I am gratified to see that you have organized your convention without difficulty. I hope that without delay your convention will amend your state constitution abolishing slavery, and denying to all future legislatures the power to legislate that there is property in men; also that they will adopt the amendment to the constitution of the United States abolishing slavery."

The delegates to the convention had been elected as conservatives and reactionaries. They were profoundly sensitive to impressions of Northern radicals of their action. They understood

they were being watched—that every move and word would be taken down in a critical or hostile spirit. There was every desire to give assurance of the acceptance by the state of the decrees and results of the war, and to effect a restoration of civil government. All felt gratified to the President, and wanted to support his administration. But there was not one voice raised in the convention favorable to his expressed wish for even a restricted negro suffrage. Not even the war's bitter experience, or fear of the dire hate of the radicals, could move the deep seated resolution for a pure and undefiled white governed state. While the people, and first the leaders, were subsequently coerced into surrendering this citadel, the ripened fruit of the evil tree has proved that the 1865 instinct against negro suffrage was right; and the struggle and sacrifice in rejecting it until physically coerced was due their race, their state and themselves.

The tenacity of the opposition to extending this privilege to the negroes only deserves notice as a mark of how little men's feelings on the race question had been changed by the emancipation proclamation and the conquest of the slave states.

While the convention's act of omission was held to be its chief offense, there were other subjects of criticism. One was an amendment to the bill of rights, authorizing the legislature to dispense with indictments for certain misdemeanors and for proceedings in information, for prosecution before justices of the peace. This was construed as of evil design toward the negro, and was held up in the North as foreshadowing design of re-enslavement. It in fact was in imperative conformity to the new social condition.

The following correspondence passed between Governor Sharkey and President Johnson, while the convention was in session:

Washington, D. C., August 24, 1865.

Governor W. L. Sharkey, Jackson, Miss.:

Your dispatch received. I am much gratified to hear of your proceedings being so favorable. If you need military force to preserve order and enforce the law, you will call upon the commandant of the department, General Slocum, who will furnish it to you. I would not organize the militia until further advances

are made in the restoration of State authority. The military authority and the suspension of the writ of habeas corpus will be withdrawn at the earliest moment it is deemed safe to do so. Your convention can adopt the amendment to the Constitution of the United States, or recommend its adoption by the legislature. You no doubt see the turn that is being given to the attempts in the south to restore State governments by the extreme men in the north; hence the importance of being prompt and circumspect in all that is being done.

The proceedings in Mississippi will exert a powerful influence on the other States which are to act afterwards.

God grant you a complete success, and that your doings will set an example that will be followed by all the other States.

ANDREW JOHNSON,  
President United States.

Executive Mansion,  
Washington, D. C., August 22, 1865.

Governor Wm. L. Sharkey, Jackson, Miss.:

Information comes to me that reports are freely circulating in influential quarters, and where, without contradiction, they are calculated to do harm, to the effect that, in appointments to office and in the recommendations for appointments, the true Union men are totally ignored and the provisional governors are giving a decided preference to those who have participated in the rebellion. The object of such representations is to embarrass the government in its reconstruction policy, and while I place no reliance in such statements, I feel it due to you to advise you of the extended circulation they have gained, and to impress upon you the importance of encouraging and strengthening, to the fullest extent, the men of your State who have never faltered in their allegiance to the government. Every opportunity should be made available to have this known and understood as your policy and determination. Acknowledge the receipt of this telegram.

ANDREW JOHNSON,  
President United States.

Jackson, Miss., August 25, 1865.

A. Johnson, President:

Your two despatches are received. I have endeavored to avoid the appointment or recommendation of secessionists, both from inclination and duty. It has been an indispensable requisite that parties applying should be free from this objection. Perhaps in a few unimportant instances parties objectionable in this respect

may have been accidentally appointed, but never from design. I was desired in one instance by recommendation, good, as I thought, after having charged the parties that appointees must be unobjectionable in this particular, but it was for a temporary office. I am sure the Union men are satisfied.

I notice what you say about the militia. They will leave us in a helpless condition. General Slocum has no cavalry, and has not force enough to protect us. His negro troops do more harm than good when scattered through the country.

W. L. SHARKEY.

While there is no official record of this singular correspondence, there is no reason to doubt its authenticity. It was widely published and without challenge. It is a faithful reflection of the political temper of the times—of a North swept away from the constitutional moorings by the tempests of war and the low state to which ill fate had brought a Southern state. It tells of the timidity of the President in running counter to the tide of persecution that was rising high in the North. That prime minister of hate, Thaddeus Stevens, was already “riding the whirlwind and directing the storm.” A speech he delivered at his home, Lancaster, Pennsylvania, sounded the key note—a veritable tocsin of relentless wrath—of the Radical reconstruction policy. Confiscation, desolation and degradation of the whole South was his theme. In a comment upon this speech, made early in September, 1865, the *New York Tribune*, edited by the famous abolitionist, Horace Greeley, said:

“The Hon. Thaddeus Stevens is one of the ablest living statesmen of this or any country, and his opinions bear the weight which is commanded by unquestioned honesty and ripe experience. Mr. Stevens is one of the few intrinsically great men now left in public life.”

Having paid out this compliment, the *Tribune* proceeded to answer the speech demanding confiscation, by logical demonstration when its atrocity called for denunciation of the speaker. “Unless all history is a fable,” wrote Mr. Greeley, “the government would realize next to nothing from this wholesale confiscation. Marshals, judges, informers, denouncers, speculators, and

the whole vulture tribe whom the scent of a fat carcass calls together, would become suddenly and fabulously rich; but precious little net proceeds would ever reach the treasury. Worse than all, the Southern people would starve to death while the transformation was in progress. No one would sow in doubt as to who should reap; no one would build or repair, or make any considerable improvement on land sequestered and about to be sold to the highest bidder; all would be stagnation, disgust, hesitancy. In our deliberate judgment, Mr. Stevens' project, if executed, would kill more of the blacks than the war has sent to their graves, and not many fewer of the whites."

This was no answer at all to Thad Stevens. If confiscation involved destruction of the South the punishment was not judged excessive in his hate gorged heart for the sin of secession and war. Criticising the same speech, the *New York Times* said: "We do not believe that the people have fought this war for the purpose of establishing at Washington the most relentless despotism the civilized world has ever seen. Nor are they at all likely to regard the extermination of the Southern people as the most likely means of restoring tranquility, promoting order and forming a 'more perfect Union.'"

But the apostle of confiscation and extermination as a means of perfecting the Union found disciples. In a letter read to a large meeting of the Union League at Washington, Gen. B. F. Butler—as reported in the *New York Herald*—echoed the Stevens policy. He asked for "confiscation of Southern lands and their colonization by discharged soldiers and loyal negroes. He anticipated that the first call for help would come from the slaveholders, and that Massachusetts would not be among the first to respond to the appeal." In plain English, General Butler anticipated a race war, and that his section would not stir while the Southern white people were being butchered by their late slaves.

The confiscation feature of the radical scheme of reconstruction was not popular. In New York its Stevens-Butler leadership, which was destined to sway the Republican party and the nation, was so repellant that the state Republican convention, September 20th, adopted a resolution assuring President Johnson

of their "cordial support and full endorsement of his reconstruction policy."

The work of the convention was thus referred to in the *New York Post*: "It needs but the most trifling change to make the Mississippi constitution a model instrument in any free state. The black stain of slavery is not woven into its texture, it is seen only in a bit of rag stitched on at the end. And even in this patch the object appears to have been more to guard the comfort of the slave, and to facilitate his emancipation, than to care for the privilege of the slave owner."

The rival view of the Mississippi convention's work is to be had in the following from the *Worcester Spy*, one of the most influential papers of the times, in Massachusetts. It was edited by Jno. D. Baldwin, a member of congress:

"There is a question of greater importance in which the country has some interest, but which does not appear to have occurred to this convention. The population of Mississippi is not far from six hundred thousand, of whom more than one-half were formerly slaves, but under the new constitution will be a part of the free, representative population of the state. Before the war the proportion of the white male population to the black, throughout the state, was very nearly equal. Yet the former, with all the executive and legislative power restored to them, recognize the existence of the latter only in a proposition to provide for them a kind of substitute for slavery as an offset to the 'evils of emancipation.'

"Three hundred and twenty thousand blacks, under the constitution now offered for our acceptance, have no place in the courts of that state, have no public provisions made for their education, have no influence present or prospective upon the character of the laws by which they are, and are to be, governed. While they are counted for all the other purposes of representation, they are forbidden to say what that representation shall be, and are treated in every respect as a degraded and subject race. If there were no questions of policy involved, no considerations of public safety to be thought of, a decent regard for justice would require us to say to such an application:



“The United States can be no party to oppression; your constitution neither represents the people of Mississippi nor promises to provide for their representation hereafter; one-half the people of your state cannot bear testimony in your courts, nor exercise those rights which in a republic are the pride and the safety of a freeman; you have simply reorganized a government of privilege—the rule of a class, and with that the Federal government can have no sympathy.’”

To this harsh and bitter indictment of the convention, reason supplied the answer that the omissions charged against it had been relegated, and rightly, to the legislature. The convention was summoned to so amend and shape the organic law that the legislature which it called could authoritatively provide for the radical and far reaching changes known as results of the war. The convention could, consistently with the President's proclamation, and its character as an organic body, do no more than prepare the ground. But radicalism was athirst and not to be denied. The abolitionists and South haters, who were fast swelling into the majority, saw nothing in the arbitrament of arms but negro equality as an instrument of vengeance. What they aimed at and finally achieved, was the placing of “black heels on white necks.” This was clearly divined by the far-seeing. It was revealed to the convention by Judge William Yerger, whose remarks are quoted below. He had gone with Judge Sharkey, as already related, to consult the President upon the duty and policy of the state in June, 1865. He said in his speech that he had made it his business to ascertain public sentiment as far as he could, during his journey from Cairo to the capital, on the Southern question. He found all were agreed that “slavery had been rubbed out by the friction of war.” On this point there was no two opinions. “But,” said Judge Yerger, “I did find, Mr. President, that there were two parties at the North upon the position that the Southern states should have under the government of the United States, and in reference to the place which the negro should hold under the constitution and the laws. Upon this question two parties were arrayed, and were preparing for the struggle which is now imminent. Upon one side . . . the ultra radicals, . . .

strong in numbers, powerful in intellect and vigorous in prosecuting every plan which their fanaticisms, or their opinions of right and constitutional law suggested to their fertile and scheming brains. That party insists that the Southern people having withdrawn from the government of the United States, by an act of secession—which although void and unconstitutional as to the government—have estopped themselves from insisting upon a return to the government of states, except on such terms as may be accorded by the parties who have triumphed in the contest. They insist that for a period of time indefinite in its length, the Southern states shall be kept in territorial organization—that they shall remain under martial law—that they shall remain under the control of the Federal government and Federal bayonets, until the scheme of universal suffrage, which these gentlemen have sprung upon the country shall have ripened into perfection. Then, having thus carried into effect this scheme, they will present a convention of the states to be assembled—an organization of state authority take place, and a return as states into the Union; but not as President Johnson proposes we shall now return, but with members of congress composed of white and black, with equal suffrage, with equal civil rights, with equal political rights, with equal social standing on the part of the negro. That is their platform and their fixed determination is—if they have the power—to carry it into effect.” This singularly clear exposition of Northern political sentiment, and prophetic prefiguration of the radical policy and programme, is published in the Journal of the convention of August, 1865.

The difficulties of at once harmonizing the provisional and the military state governments, weighed upon as the situation was by the new dual race relationship, soon cropped out. Under the theory that the administration of justice was biased in favor of the whites the following order was issued, August 13th, by Secretary of War Stanton; in the case of a white man who had been wrested from the civil authorities while undergoing trial for shooting a negro:

“Major General Slocum: Colonel Samuel Thomas, assistant commissioner of the Freedman’s Bureau, has been directed to turn

over to you a man who had been arrested by his order for shooting a negro. You will receive the man in your custody, cause him to be tried before a commission and carry its sentence into effect. If any effort be made to release him by habeas corpus you are directed to disobey the writ and arrest the person issuing it or attempting to execute it and report for further orders."

Under this direction the civil judge issuing such writ was arrested. Thereupon Governor Sharkey carried his "appeal to Caesar." He cited the President's proclamation showing that General Slocum had transcended the limitations it defined; that while the military was only directed to aid the civil authorities in the administration of government, the general had usurped a controlling power. General Slocum made the point in reply that his action was justified by the state's practice under which the negro was not a qualified legal witness. Until this rule was changed by the legislature, he contended that in such cases the military tribunal was the proper one. The President sustained the military commander—the Governor being admonished that it was "inexpedient to rescind the suspension of the writ of habeas corpus"—that "anarchy must in any case be prevented as the process of reorganization though seemingly begun very well, was only begun." General Slocum took occasion at this time, August 15th, to publish an order from the war department, embracing a ruling by the Judge Advocate General upon the jurisdiction of the military courts, and the status and authority of the provisional government. The order is quoted in full:

War Department,  
Bureau of Military Justice,

July 25, 1865.

The trials by military commission of the within named citizens of Mississippi, (Cooper, Downing, and Saunders,) charged with capital, and other gross assaults upon colored soldiers of our army, (and in one instance of similar treatment of a colored female) should be at once proceeded with; and all like cases of crime in that locality should be promptly and vigorously prosecuted. That the president has accorded a provisional government to the state of Mississippi is a fact which should not be allowed to abridge or injuriously affect the jurisdiction heretofore properly

assumed by military courts in that region during the war. And especially is the continued exercise of that jurisdiction called for in cases—1st, of wrong or injury done by citizens to soldiers, (whether white or black;)—and 2d, of assault or abuse of colored citizens generally; where, indeed, the local tribunals are either unwilling (by reason of inherent prejudice;) or incapable (by reason of the defective machinery, or because of some state law declaring colored persons incompetent as witnesses), to do full justice, or properly punish offenders.

The state of Mississippi, in common with other insurgent states, is still in the occupation of our forces, and—embraced as it is in a military department—is still to a very considerable extent under the military authorities. Moreover, the rebellion, though physically crushed, has not been officially announced or treated either directly or indirectly, as a thing of the past; the suspension of the writ of habeas corpus has not been terminated, nor has military law ceased to be enforced, in proper cases, through the agency of military courts and military commanders, in all parts of the country.

August 30 another case of disputed jurisdiction was appealed to the Provisional Governor by the mayor of Jackson. A negro was shot and killed while in the act of stealing chickens. Avowing the act, the man who fired the fatal shot, submitted his person to the mayor, D. N. Barrows. While the case was being tried by him, General Osterhaus sent a guard of soldiers, which took the prisoner out of the custody and jurisdiction of the city authority. The mayor, D. N. Barrows, reported the facts of the case to Governor Sharkey, saying "I was about to commence the trial, when Major Hissing, provost marshal general, came to my office and stated that he was directed by Major General Osterhaus to demand the prisoner. I stated to him that I had the right, and it was made my duty as an officer of the law, to hold him in custody until he was thence discharged by due course of law, and I could not give him up. Whereupon Major Hissing called a guard of armed men, marched into my office and took the prisoner from my custody by force. Having been appointed by yourself to the office of mayor, and being desirous in all cases, so far as in my power, to perform my duty, I submit this statement of facts and ask your protection and advice."

There was no recourse to the complainant save submission. But republication was made in the Vicksburg Herald a few days after of paragraph 7, circular No. 5, Freedmen's Bureau, with General Order No. 10, holding out to the civil authorities the offer of sole jurisdiction, if negro testimony were accepted in

cases where persons of that race were on trial. The republication closed as follows:

"In cities or counties where mayors, judicial officers and magistrates will assume the duties of the administration of justice to the freedmen, in accordance with paragraph 1, Circular No. 5, issued from the Bureau of Refuge, Freedmen and Abandoned Lands, and approved by the president, and will signify their willingness to comply with this request by a written acceptance addressed to the assistant commissioner for the state, no freedmen's courts will be established, and those that may now be in existence in such localities will be closed.

It is expected that the officers of this bureau will heartily cooperate with the state officials in establishing law and order, and that all conflict of authority and jurisdiction will be avoided.

By order of

COL. SAMUEL THOMAS,  
Assistant Commissioner Freedmen's Bureau for State of Mississippi."

The following consequential order was published:

Office Ass't Commissioner,

For State of Mississippi.

Vicksburg, Miss., Sept. 22, 1865.

The mayor of this city having signified his willingness to allow negroes the right to testify before his court and to impose the same penalties upon negroes violating state laws or city ordinances, as would be imposed upon white persons committing the same crime, it is hereby ordered that the officers of this bureau shall in no case interfere with the city authorities in the discharge of their duties, and shall take cognizance of no case coming within the jurisdiction of the mayor of the city, but turn over all such to the mayor for trial.

September 29th Gov. Sharkey formally accepted, in a proclamation, the proposition of Col. Thomas, assistant commissioner Freedman's Bureau for Mississippi, transferring to the civil authorities the right to try all cases in which the rights of freedmen are involved, whether for injuries done to their person or property. The governor expressed the opinion that the late constitutional amendment abolishing slavery, abolished all laws which constituted a part of the system of slavery. Declaring that the negro should be protected in his person and property was recognition of principles which, of themselves, entitled the negro to sue and be sued, and as a necessary incident to such right, he was

made competent as a witness according to the laws of evidence of the state. The Governor's view was not generally accepted as logical or tenable in law. The question he passed upon was an issue in the election of the legislature. It was fully recognized and accepted by the assistant commissioner of the Freedmen's Bureau, and made the basis of the very important General Order No. 13, of the Bureau, dated October 31st, the first section reading as follows:

"The conditions of General Order No. 8, from this office, and of the Proclamation of his Excellency, Wm. L. Sharkey, Provisional Governor, providing for the admission of the testimony of Freedmen in the courts of the state, have been so generally accepted by the judicial officers, and carried out in such good faith, that the officers of this Bureau have discontinued Freedmen Courts in nearly every locality."

The hope was expressed in the order that "the same honorable determination, to grant the Freedmen of the state impartial justice, which induced the officers of the civil government to admit them to the witness stand and protect them in their rights before the courts, will continue now that the interests of these people are more fully committed to their care; and that new laws may be placed upon the statute books of the state regulating the subjects spoken of in this order, in accordance with the new condition of affairs."

The order prescribed, "however, that it was of the highest consequence that on account of the ignorance and poverty of the freed people, they be assisted in presenting their causes in the courts, advised as to their rights and the proper modes of maintaining them before the tribunals, and even aided with professional counsel when justice can in no other way be secured."

Gen. Slocum, published the following, which states the authority and the rule under which he was acting:

Bureau Refugees, Freedmen and Abandoned Lands.

Washington, May 31, 1865.

Circular No. 5.

Rules and Regulations for Assistant Commissioners.

VII. In all places where there is an interruption of civil law, or in which local courts, by reason of old codes, in violation of the freedom guaranteed by the proclamation of the President and laws of congress, disregard the negroes' right to justice before

the laws, in not allowing him to give testimony, the control of all subjects relating to Refugees and Freedmen being committed to this Bureau, the assistant commissioners will adjudicate, either themselves or through officers of their appointment, all difficulties arising between negroes and whites or Indians, except those in military service, so far as recognizable by military authority, and not taken cognizance of by the other tribunals, civil or military, of the United States.

O. O. HOWARD, Major General,  
Commissioner Bureau of Refugees Freedmen, etc.  
Approved, June 2, 1865.

ANDREW JOHNSON,  
President of the United States.

General Orders No. 10.

Headquarters Department of Mississippi, Vicksburg, Miss., Aug. 4, 1865.

This order, (Circular No. 5, Paragraph VII., Bureau Refugees, Freedmen and Abandoned Lands,) however, must not be so construed as to give the colored man immunities not accorded to other persons. If he is charged with the violation of any law of the state, or an ordinance of any city, for which offense the same penalty is imposed upon white persons, as upon black, and if courts grant to him the same privileges as are accorded to white men, no interference on the part of the military authorities will be permitted. Several instances have recently been reported in which military officers, claiming to act under the authority of the order above mentioned have taken from the custody of the civil authorities negroes arrested for theft and other misdemeanors, even in cases where the courts were willing to concede to them the same privileges as are accorded to white persons. These officers have not been governed by the spirit of the order. The object of the government is not to screen this class from just punishment; not to encourage in them the idea that they can be guilty of crime and escape its penalties; but simply to secure to them the rights of freemen, holding them, at the same time, subject to the same laws by which other classes are governed.

By order of Maj. Gen. Slocum.

These orders, while in accordance with the policy dictated by the overthrow of the Confederacy and the ensuing Southern condition, materially trenched upon the express authority, the scope of administration, of the provisional government. But it did

no more than place in due form what was a self evident fact. Nor in dispassioned thought upon the temper of the times, the then social condition, environed by industrial and social revolution, can the part claimed for the military be condemned as tyrannical. Other clashes of authority over disputes and frays between white citizens and negro soldiers or civilians followed.

Other matters and measures were carried in General Order No. 13. Vagrants, orphans and indigents, the marrying of negroes, were remitted by Commissioner Thomas to the state and local authorities under the laws of the state. The following as to freedmen's contracts and wages comprised by far the more important part of the order:

X. Freedmen may contract to labor for the year 1866; but no contracts will be made to extend beyond December 31st, 1866. No rules or regulations will be issued from this office regulating the price to be paid for labor, or the amount of food or clothing to be furnished. The demand in different localities will be allowed to regulate the price. Contracts will be filed with sub-commissioners of this bureau, who will carefully examine each contract, and protect the ignorant freedmen from imposition. Subcommissioners will be governed in their estimates of the worth of freedmen's labor by the amount received by former owners for the hire of slaves in that locality. Of course the complete change in circumstances must be considered. In localities where no freedmen bureau officers are stationed, magistrates are hereby authorized to act as agents of this bureau and file contracts made with freedmen. Freedmen should be urged to contract for the coming year, secure good homes, and avoid the risk of being thrown out of employment.

XI. It has been reported to this office that many of the more ignorant freedmen are expecting that something will happen about the holidays that will be greatly to their interest, and for that reason are not willing to contract for work next year till after that time. Nothing of the kind will happen. What they gain in property or advancement of any kind will come after patient labor, by which they may merit such reward.

XII. All acts of lawlessness or violence by any body of freed-



men will be suppressed by force. Officers of the bureau will, upon the discovery of any organization among the freedmen for resistance to law, or destruction of life or property, disarm all such dangerous persons, and use every possible measure to prevent any action on their part, that would bring them nothing but misery and death.

XIII. Idleness and vagrancy will not be allowed among the freedmen. They must not expect peculiar immunities. No lands or property of any kind will be divided among them. The government will feed none but those who are utterly unable to care for themselves. All ideas of "a good time coming," when there will be no work to do, and the freedmen will be supported by the government, or by the division of the property of the citizens of this state, are foolish and wrong; calculated to injure the interests of freedmen, deprive them of good homes, make them unhappy and disappointed, and arouse prejudice against them as freedmen among the people who should be their friends, who will employ and pay them for their labor when it is honestly performed.

A few days after the issuance of the above order Gen. O. O. Howard, chief commissioner of the bureau, addressed the negroes, in Vicksburg. His speech was thus referred to in the *Herald*: "His remarks were very appropriate and well timed. He gave them good advice and if they follow it out, there will be no cause of hostility between the two races."

There was nothing in the declaration of either General Howard, or Col. Thomas, to cross the presumption of honest and patriotic motives, and that their feelings and intentions toward the white people were kindly and hopeful. But for net good effects, their task was as impossible as to grow figs from thistles. Results depended upon the patriotism, the understanding and the temperament of fifty odd sub-commissioners of districts and county posts. These officials, entire strangers to the country and the people, were detailed from the volunteer force, mainly the negro regiments. Chiefly mercenary and prejudiced adventurers they were given absolute jurisdiction over transactions and relations between white employers and black employees. They

were made arbiters of labor contracts and agreements and of disputes and differences growing out of them. The bureau extended aid in the way of supplies to the indigent, medical attention to the sick, education to the aspiring. The sub-commissioners were especially enjoined to call on the negroes to come to them for instruction in their rights, ask redress of complaints and charges of being wronged. The negroes were taught that as their protectors, the bureau agent was above the courts, the state law and officials. What mattered it if they were told, at the same time, to be industrious and well behaved toward their former masters? The mere advent of a sub-commissioner—clothed with power over the class they had for generations looked upon as supreme—a stranger to the people and a presumptive hostile, was the certain cause and signal of discontent and discord upon the plantation; the radiator of unrest and insubordination. The forerunner of the carpet bagger to come, the bureau naturally incited the negro to revolt against any form or degree of the direction or dictation of the land owner. Under grievances, sometimes real and often imaginary or frivolous, the ignorant, simple minded, suspicious negroes swarmed around the posts of the bureau. Planters were invited or summoned to answer or explain complaints which entertained, even if decided against the complainants, as they commonly were, were destructive of the system of discipline that his success depended on. Requiring contracts to be written and filed helped matters little, when they were, in fact, only binding on the planter. In some counties there were openly inimical relations engendered between the planter and the bureau officials. Publication was made in a local paper of the meeting of citizens of Zion Hill, in Amite county, to investigate an official report by Captain Mathews of the bureau, that Jno. H. McGehee of that neighborhood, "had murdered a negro and nailed his skin to his barn door." Publications were issued denying the report as malignantly false, without foundation and courting official enquiry. "It is thus," commented the paper, the *Wilkinson Journal*, "that the Southern people are defamed by the very men sent among us for restoration of order and peace. And such reports are readily believed by people with ears open

for anything to advance their political schemes." Fortunately many if not the majority of the subcommissioners had the itching palm. For dismissing charges or compelling the return of absconding freedmen, the fee ranged from ten to a hundred dollars. Some of the bureau sub-commissioners were men of integrity. But to such the position soon became as distasteful as it was difficult. Under such circumstances some went in for an easy time. Parties involved were left to settle their own differences and this general plan yielded the best ends and the least wrong. As a rule the longer a sub-commissioner remained in a post, the less he exercised his powers. That is if these Union soldiers studied the situation and the people they had to deal with, they unlearned much that prejudice or the previous point of view had taught.

From the viewpoint of the emancipationists, the freedmen's bureau was a right and necessary institution. The slave holders were regarded as tyrannical taskmasters, resentful and rebellious against the fact of emancipation and not to be trusted for humane and fair treatment of the freedmen. It was asserted by the Radical leaders that unless restrained by force they were determined to establish a condition tantamount to slavery. Under such theory it was thought to be the duty of the government after setting the negro free, to provide for the security of their freedom and protection against oppression from the holders of the land, their former owners. Such was the reasoning out of which grew the freedmen's bureau. It is not to be denied a degree of apparent logic. And while the creative power was streaked with prejudice and sectional antipathy, it may be conceded there was mitigation of culpability for a policy which proved evil, in the temper of the times which clouded wisdom. Though such admissions do not shake the inflexible and soon demonstrated truth of the matter; that adjustment, despite whatever of wrong doing and oppression was sure to follow, had infinitely better have been left to work itself out without outside direction or restraint. True, hardship and wrong were certain. But, left alone, in time justice and fairness would have prevailed. The wisdom of self interest and the public welfare, the dictates

of conscience, would have ruled, as they could not through the coercive force applied to the whites. Or if the co-operating government felt called upon to exercise protective jurisdiction, the army and military law was sufficient. Better to have doubled the garrisons and prolonged the occupation, than the setting up of the bureau machinery in the South. Nothing could ever offset or undo the evil of the intrusion of the bureau officials, and their demoralizing effect upon the negro. To avoid the one and correct the other, those who directed the policy and the system of the bureau were powerless, however constant in striving against the bad fruit of the tree. A few days after the circular of instructions above quoted on November 11th, Major General and Commissioner Howard published the following:

"It is constantly reported to the commissioner and his agents that the freedmen have been deceived as to the intention of the government.

It is said that lands will be taken from the present holders and be divided among them on next Christmas or New Year. This impression, wherever it exists, is wrong.

All officers and agents of this bureau are hereby directed to take every possible means to remove so erroneous and injurious an impression. They will further endeavor to overcome other false reports that have been industriously circulated abroad with a purpose to unsettle labor and give rise to disorder and suffering. Every proper means will be taken to secure fair written agreements or contracts for the coming year, and the freedmen instructed that it is for their best interest to look to the property holders for employment.

The commissioner deprecates hostile action and wishes every possible exertion made to produce kind feeling and mutual confidence between the blacks and the whites."

In the meanwhile a grave dispute arose between the military and the civil authorities.

August 19th Governor Sharkey issued a proclamation upon information that "bad men have banded in different parts of the state for the purpose of robbing and plundering; and the military authorities of the United States being insufficient to protect the

people throughout the entire state, I do therefore call upon the people, and especially such as are liable to perform military duty, and are familiar with military discipline, to organize volunteer companies in each county in the state, if practicable at least one company of cavalry and one of infantry as speedily as possible, for the detection of criminals, the prevention of crime and the preservation of good order. These companies will be organized under the law in relation to volunteer companies in the revised code. I most urgently call upon the young men of the state who have so distinguished themselves for gallantry to respond promptly to this call in behalf of a suffering people."

Governor Sharkey only took this step after it had been proved to be necessary—that with the military in the state composed as it was mostly of negroes, other machinery was needed in certain sections. Nevertheless, the summons of the militia was promptly challenged by General Osterhaus, who held that it was his duty to prohibit military organizations unless specially authorized by the war secretary or the department commander, Gen. Slocum. He declared that the number of troops was ample, if they could have the earnest co-operation of the civil authorities. Governor Sharkey did not yield—he cited to the complaints of robberies which showed the need of the agency of correction he had summoned. In addition to the nightly hold up of the stages between Vicksburg and Jackson he referred to information from various portions of the state, remote from military posts, where robberies and outrages upon persons and property were committed. The following from the *Memphis Bulletin* describes the general nature of the lawlessness prevailing: "We are informed by reliable parties that horse thieving and other depredations are carried on to a considerable extent in the vicinity of Olive Branch, DeSoto county, Mississippi, about eighteen miles from Memphis. Last night two weeks ago, six horses and mules were carried off, and since then ten more were spirited away in like manner, and brought in the direction of this city. They were tracked to the picket lines. The thieves are said to be negroes who operate in connection with white men in this city. The citizens of DeSoto county are peaceful, law-abiding people and feel

that they have some claims upon the authorities for protection, and it is hoped it will be extended to them or at least such measures adopted as will enable them to protect themselves." It is manifest that posts of infantry could do little to check these nests of thieving, located in practically all of the western counties. Besides, any use of the negro troops which carried them into the interior was more than liable to bring on collision.

As late as July 29 the Yazoo steamer *Dove* was captured and robbed by guerrillas while at the Tchula landing. The *Herald* of August 2d reported the incident as "one of the most daring acts of villainy which has disgraced these troublous times." The mate was killed while resisting the armed desperadoes who boarded the boat, and Capt. Butler seriously and Clerk Basket slightly wounded, and \$60,000 in cash and goods taken. August 13th The *Herald* reported the capture and robbery by the same parties of the steamer *Kcoto*, in the Sunflower river.

The Memphis paper is quoted again, as follows: "The negroes in the northwestern part of Tippah county have been growing more and more troublesome and disorderly for several months past. This state of things is directly traceable to the fact, that they have nearly all been permitted to arm themselves. Last week these troubles culminated in a difficulty between the negroes and whites, in which Maj. Harvey Maxwell who resides about twelve miles south of LaGrange on the Meridian road, and his son, were shot and severely wounded by the rampant and reckless freedmen in that part of the county. This occurrence, and the general state of affairs, coming to the ears of the military authorities here, Capt. Clay Fields, of Tippah county, we learn, was authorized by Gen. Smith to raise a company for the purpose of putting down lawlessness and violence, and disarming the negroes. In performing this duty, we understand that Capt. Fields has been constantly resisted by the negroes, with arms in their hands, and the consequence has been that more than a dozen have lost their lives. A large quantity of all kinds of small arms—amounting, according to our informant, to "a perfect arsenal"—has been captured and turned over to the authorities."

Gov. Sharkey persistently claimed that he had the authority

of the president, saying in his letter replying to General Osterhaus: "If further justification were needed I may say that in the last interview I had with the President, in speaking of anticipated troubles, he stated distinctly to me that I could organize the militia if it should become necessary." With this Governor Sharkey stated that he should feel it his duty to carry out his militia policy. This was met by a peremptory order from Gen. Slocum, contesting the Governor's action. He claimed that the duty of preserving order and executing the laws and orders of the war department devolved upon the military authorities. He asserted that the proposed organization of the young men would be certain to increase the difficulties that beset the people. It was therefore ordered that district commanders give notice at once that no military organization except those under control of the United States would be permitted within their respective commands and all attempts to organize the militia would be arrested. The order declared that "most of the crimes had been committed against Northern men, government couriers and negroes, and that henceforth when an outrage of this kind was reported, a military force would be sent to the locality, and every citizen within ten miles of the place where the crime was committed would be disarmed by the officer in command. If any citizen possessing information which would lead to the capture of the outlaws refuses to impart the same, he will be arrested and held for trial. The troops will be quartered on his premises, and he will be compelled to provide for the support of men and animals."

Neither the situation nor the spirit of the people called for such an imperious and prejudicial assertion of military supremacy. It was inexplicably inconsistent with Gen. Slocum's general attitude towards the people of his command, and the cordial relations he held with many. He was applauded to the echo, however, by the radical press. The Chicago Tribune, extreme radical, said "his overriding of Governor Sharkey would make him a strong candidate. General Order No. 22 entitles him to membership in full standing in the Union party simply on the score of its eminent fitness and unquestionable propriety." The subject of

this flattering endorsement indulged no such expectations of General Order No. 22.

President Johnson was loath to meet this issue which was being held up by his political enemies as a test of his provisional government plan. To avoid a contest he sought to have Governor Sharkey forego his militia organizations. But after Gen. Slocum's arbitrary order the Governor insisted upon a decision as follows:

Jackson, Miss., August 30, 1865.

ANDREW JOHNSON, *President*:

In our last interview you distinctly stated to me that I could organize the militia to suppress crime if necessary. Deeming it necessary, I issued a proclamation on the 19th instant, calling on two companies, one of cavalry, to organize in each county for the detection of criminals, the prevention of crime, and the preservation of order. Not called into actual service.

General Slocum has thought proper to issue an order to prevent any such organization, and to arrest those who attempt it. His chief reasons seem to be because I did not consult him. Here is a collision that must be settled, and it rests with you to do it. I wish to be able to vindicate myself when trouble comes, as we apprehend it will. Copies will be forwarded.

W. L. SHARKEY.

The sequel is to be read in the following:

War Department, Washington, Sept. 2d.

Major General Slocum:

Upon the 19th of August Governor Sharkey issued a proclamation for the formation of militia companies in each county, to detect criminals, prevent crime, and preserve good order in places where the military forces of the United States were insufficient to do so. If you have issued any order countermanding his proclamation or interfering with its execution, you will at once revoke it.

"Acknowledge receipt of this action.

"By order of the President of the United States.

T. T. ECKERT,

"Acting Asst. Secretary of War."

With the best possible grace Gen. Slocum accepted the President's decision against him, and issued the following:



Headquarters Department of Mississippi, Vicksburg, Miss., Sept. 4, 1865.

General Orders, No. 23.

By direction of the President of the United States, General Orders No. 22, current series, from these headquarters, is hereby revoked.

No officer will, in any manner, interfere with the organization of troops pursuant to the proclamation of the provisional governor.

The order which is hereby revoked was issued, as stated therein, from apprehension of danger of conflict between the state troops and the colored troops serving the United States and in the firm belief that it was in accordance with the policy of the government.

It is the imperative duty of all United States officers serving in this department to be guarded in the execution of all orders; to avoid giving offense; and in case of conflict with either officers or soldiers serving under the state authorities, to postpone action in the matter, if possible, until it has been referred to the district or department commander for decision.

There entered into this controversy a person who was destined to exercise a baleful influence upon the reconstruction tragedy. The new figure on the scene was Major General Carl Schurz, who had left Washington early in July, commissioned by President Johnson to travel through the South and report upon the prevailing conditions.

Gen. Schurz was thus brought by his mission to Vicksburg in time to take part in the contention over Gov. Sharkey's militia call. As the General states he "found Gen. Slocum, the commander of the Mississippi department, in a puzzled state of mind," over the Governor's proclamation; which had no other contemplation than the repression of crime and the punishment of robbers and marauders. He reported to Mr. Johnson "the organization of a large armed military force consisting of men who had but recently surrendered their arms as Confederate soldiers \* \* \* a force independent of the military authority now present and superior in strength to the United States powers on duty in the state. The execution of the scheme would bring on collision at once, especially when the United States forces consisted of colored troops. The crimes and disorders which the provisional Governor advanced as his reason for organizing his state volunteers had been committed or connived at by people of the same class the volunteers belonged to." Carried away by such perverted reasoning, General Schurz telegraphed the President that "Gen. Slocum

had issued an order prohibiting organization of the militia. The organization of the militia would have been a false step." The Schurz reminiscences are quoted upon what ensued :

"It is hard to imagine my amazement when, at two o'clock on the morning of September 1, I was called up from my berth on a Mississippi steamboat carrying me from Vicksburg to New Orleans, off Baton Rouge, to receive a telegraphic dispatch from President Johnson, to which I cannot do justice without quoting it in full:

"Washington, D. C., Aug 30, 1865.

"To Major General Carl Schurz, Vicksburg, Mississippi.

"I presume General Slocum will issue no order interfering with Governor Sharkey in restoring functions of the state government without first consulting the government, giving the reasons for such proposed interference. It is believed there can be organized in each county a force of citizens or militia to suppress crime, preserve order, and enforce the civil authority of the state and of the United States which would enable the federal government to reduce the army and withdraw to a great extent the forces from the state, thereby reducing the enormous expense of the government. If there was any danger from an organization of the citizens for the purpose indicated, the military are there to detect and suppress on the first appearance any move insurrectionary in its character. One great object is to induce the people to come forward in the defense of the state and federal government. General Washington declared that the people or the militia was the army of the constitution or the army of the United States, and as soon as it is practicable the original design of the government must be resumed and the government administered upon the principles of the great chart of freedom handed down to the people by the founders of the republic. The people must be trusted with their government, and, if trusted, my opinion is they will act in good faith and restore their former constitutional relations with all the states composing the Union. The main object of Major General Carl Schurz's mission to the South was to aid as far as practicable in carrying out the policy adopted by the government in restoring the states to their former relations with the Federal government. It is hoped such aid has been given. The proclamation authorizing restoration of state governments requires the military to aid the provisional governor in the performance of his duties as prescribed in the proclamation, and in no manner to interfere or throw impediments in the way of

consummating the object of his appointment, at least without advising the government of the intended interference.

“ANDREW JOHNSON,  
President United States.”

“My first impulse,” writes General Schurz, “was to resign my mission at once.” But he did not as will be shown in a subsequent chapter. The President having enclosed Governor Sharkey a copy of the above to his commissioner, with a permission to publish it, the gratifying close of the military strain upon the situation was thus communicated to the people by Governor Sharkey:

“In these times of gloom and apprehension, it is due to the President of the United States—it is due to the people—that I should publish a dispatch received on the 30th ult., omitting only two lines of a private character. The people will see that they may implicitly confide in the President, and that he confides in them for the protection of their own government. They may confidently hope that, under his wise and just policy, the day is not distant when all the functions of civil government will be entirely restored under the constitution of the United States.”

The people needed all the cheer that could be had from the president's policy. The despondency and destruction consequent on the adverse end of the war, with the industrial confusion incident to emancipation, was added to by a disastrous crop season. A New Orleans price current of August 17th is quoted: “The crop is so small it will all be in market at a very early date.” The cotton caterpillar which had appeared the previous year again came and cut down the yield of the short crop.

None of the predicted evil came out of the militia organizations. Only a few companies were formed, as the trouble and turbulence remaining after the war soon yielded to civil authorities, and local “vigilance” committees. There were no “collisions” between the militia and the negro troops such as Gen. Schurz so confidently predicted. In fact there is no public record of militia operations, though some of the few companies did good work, or their presence had the desired tranquilizing influence. Nevertheless, the affair was made the subject of no little prejudiced com-

ment by the radical press. The Philadelphia *Enquirer* of August 20th said: "It is known that Governor Sharkey, of Mississippi has failed to keep his promise made to President Johnson, either in letter or spirit, and it is not improbable that his concern may come to a summary close before long."

The Chicago *Tribune* denounced "Sharkey's plan," as virtually proposing to reorganize the rebellion army after the loyal army had been disarmed and disbanded and would enable them to drive every Northern man out of the state, make the condition of the freedmen intolerable and revive a "reign of terror." This was lunatic raving—misjudgment that was as stupid as it was cruel. There was no more design or chance of such a reversal to a state of chaos and war in Mississippi than there was in Illinois. The whole thought and purpose of Governor Sharkey and the people of the state, was to bind up the wounds of war—suppress violations of the law, effect elimination of robber bands, and thus induce the inflow of Northern men and capital, to make the new race relationship tolerable and acceptable for the freedmen, on whose labor all expectation and hope of industrial prosperity and success depended. But their dependence and necessities could not bring their hearts or minds to accept the negro garrisons as conservators of the peace, nor did they lack sympathizers under the infliction, in the North. The New York *Herald*, in the following ironic rebuke, replied to the critics of the President, in the Mississippi case: "We comprehended the case of the nigger soldiers thoroughly. Let the first batch of them be sent to New York and we can dispose of them among the different islands in the harbor and rivers. The Loyal League will no doubt be anxious to present the gallant fellows with another flag, and most probably the ladies of the Loyal League will present each of the fragrant heroes with a bouquet. The rest of the nigger soldiers should be sent North and scattered all over the towns and cities of New England, where they will be worshipped like gods, and the scheme of the regeneration of the race can be carried out by their marrying into the families of Phillips, Garrison and Sumner, and the Boston traders who signed the lecture to President John-

son. This is the way to solve the difficulty of the nigger soldier question."

September 4th, in accordance with a previous executive order, an important change in the rules and regulations of the bureau of refugees, freedmen and abandoned lands was promulgated. Under the law of 1864 abandoned property was thus defined: "All property, real or personal, shall be regarded as abandoned when the lawful owner thereof shall be voluntarily absent therefrom, and engaged, either in arms or otherwise, in aiding or encouraging the rebellion." From the bureau circular here referred to the following is quoted: "Assistant commissioners will, as rapidly as possible, cause accurate descriptions of all confiscated and abandoned lands, or other confiscated or abandoned real property, that is now, or may hereafter, come under their control, to be made; and besides keeping a record of such themselves, will forward monthly, to the commissioner of the bureau, copies of such descriptions, in the manner prescribed by circular No. 10, of July 11, 1865, from the bureau. They will, with as little delay as possible, select and set apart such confiscated and abandoned lands and property as may be necessary for the immediate use of refugees and freedmen—the specific division of which into lots, and the rental or sale thereof, according to the law establishing the bureau, will be completed as soon as practicable, and reported to the commissioner. In the selection and setting apart of such lands and property, care will be used to take that about which there is the least doubt that this bureau should have custody and control of. Whenever any land, or other real property, that shall come into the possession of this bureau as abandoned, does not fall under the definition of abandoned as set forth in section 2 of the act of congress approved July 2, 1864, hereinbefore mentioned, it will be formally surrendered by the assistant commissioner of the bureau of the state within which such real estate is situated, upon its appearing that the claimant did not abandon the property in the sense defined in the second section of said act."

The next and last section, which practically closed out the abandoned lands provision, is quoted:

Former owners of property held by the bureau as abandoned, who claim its restoration on the ground of having received the pardon of the President, will, as far as practicable, forward their applications to the commissioner of the bureau through the superintendents and assistant commissioners of the districts and states in which the property is situated. Each application must be accompanied by, first, a copy of the special pardon of the President of the United States, or of the oath under his amnesty proclamation, where they are not embraced in any of the expectations therein enumerated; second, proof of title; third, evidence that the property has not been confiscated or libeled in any United States court, and, if libeled, that the proceedings against it have been discontinued. Officers of the bureau through whose hands such applications may pass, will endorse thereon such facts as may assist the commissioner in his decision, stating especially the use to which the property is put by the bureau.

(Signed) O. O. HOWARD,  
Major General, Commissioner of Refugees, Freedmen and Abandoned Lands.

Approved: September 4, 1865.

ANDREW JOHNSON,  
President of the United States.

Under the last clause of the foregoing all of the "abandoned lands" were restored to the legal owners, within the next year, and including that declared confiscated.

Gen. Slocum turned over the command September 16th to Gen. Osterhaus and left the state on leave of absence. He soon afterwards resigned and did not return. Whatever ill feeling had been engendered by his harsh orders of a month before had subsided. In their hard surroundings the people could not afford, nor were they in any spirit, for indulgence of harbored resentment. The citizens of Vicksburg gave Gen. Slocum a banquet on the eve of his departure. The chief feature of the function was the General's toast: "To W. L. Sharkey, the Provisional Governor of Mississippi—a sound statesman and true patriot. May he long be spared to the state he has served so well."

As candidate on the Democratic ticket for Secretary of State, Gen. Slocum entered actively into the New York campaign. The following from a speech he made at Syracuse on the 22d of Sep-

tember is well worth incorporating into state history of the period; especially what he said of the Freedman's Bureau:

"Each state is placed in charge of an assistant commissioner. It is made the duty of the department commander to detail such officers and soldiers as these assistant commissioners may require in the discharge of their duties. All questions between whites and blacks are to be adjudicated by an officer or agent of the bureau. This of course requires that one officer or agent shall be stationed in each county, or at least that they shall be so distributed as to be accessible to all the inhabitants.

"These gentlemen, who are to act as judges in matters of difference between the races, are usually lieutenants selected from the regiments on duty in the state. Each judge, lieutenant or agent, as you may please to call him, has his guard, and each guard its customary establishment. The news of his arrival in any section of the country spreads with wonderful rapidity. A negro has a grievance against his employer or some other white person—he enters his complaint and the judge or lieutenant orders the white man or white lady to appear before him and confront his or her accuser. The usual forms adopted in our courts of justice, to ascertain the facts in the case, are discarded. In some cases the accused is at once released; in others he is fined twenty, fifty or a hundred dollars. The judge collects the fine, and usually forwards it to his superior, to be used in defraying the expenses of the institution. The negro goes home, stopping at each plantation and detailing the particulars of the case to other freedmen.

*"Half the negroes in that section are at once seized with a desire to see the Yankee military judge, and to see how their old masters or mistresses would act on being brought before him.* Complaints are made against the kindest and best people in the country. The immediate result is despondency and anger on the part of the whites—discontent and indolence on the part of the blacks. Here is a young man from a Northern state, not educated as a judicial officer, and often not possessing a single qualification for the discharge of such duties—upon whom devolve greater responsibilities than devolve upon the justices of the Supreme

Court—for he not only acts as judge, but also as sheriff and clerk; and from his decision it is seldom an appeal can be made.

“You often read accounts in the newspapers as to the condition of affairs in certain localities. You are informed about the prosperous condition of a few schools established for the benefit of negro children; of the readiness with which they learn their letters, and of the ardor with which they sing patriotic airs. According to some of these accounts the negro children are far superior to your own; they mutter the alphabet in their sleep and spend most of their waking hours in invoking blessings on the head of General Sexton and other distinguished public men. To many I presume this is pleasant reading matter, and it may serve to convince some people that the great problem is already solved; that through the efforts of Sexton and his co-laborers four millions of ignorant and degraded beings are to be suddenly elevated, and to become educated, refined and patriotic members of society.

“You seldom hear of the numerous cases where the freedmen have laid claim to the lands of their former masters, and have quietly informed them that they held title under the United States government, and have persistently refused to do anything but eat, loiter and sleep. They fail to tell you of the cases where, just as the harvest was to commence, every hand has suddenly disappeared from the place, leaving the labors of a year to decay in the field. They fail to tell you of great bands of colored people who leave their former homes and congregate in the cities and villages or settle on a plantation, without permission from the owner, seeking only food and utterly careless of the future. On the very day that I left Vicksburg a poor woman came to me with a complaint that at least fifty negroes, not one of whom she had ever before seen, had settled on her farm and were eating the few stores she had laid aside for winter use.

“Our sympathies are due to the white as well as to the black race, though we have no constitutional right to control either. The difficulties surrounding this question can only be met and overcome by practical men. It is an easy matter to theorize on the subject: to point out the evils likely to result from the policy



of the president, but it will be found far more difficult to suggest any other method not likely to result in still greater evils.

"General Howard, who stands at the head of the Freedmen's Bureau, is a man of great purity of character, and will never sustain a system which he does not think productive of good, and yet, after carefully observing the operations of that Bureau, I am unconvinced that more good than evil will result from perpetuating it after the states have adopted constitutions prohibiting slavery. . . .

"In my remarks upon the Bureau, I do not wish to reflect upon any one of the officers connected with it. Generally they are earnest and sincere men, and are doing all in their power to make it successful. It is of the system I speak—I contend that it is so utterly foreign to the principles by which our people have been governed that it cannot continue. I have become fully convinced that the policy adopted by the President of leaving to the respective states the entire control of their local affairs is the only safe policy that can be adopted."

Of the controversy between himself and Governor Sharkey, over the organization of state militia companies, General Slocum said: "In response to an application for instructions as to the jurisdiction of military tribunals, I received from the War Department a communication informing me that the government regarded the state of Mississippi as still in a state of rebellion. Immediately after the receipt of these instructions the provisional governor proposed to organize and arm the militia of the state. Acting under my orders I would not permit it. Subsequently, the President taking a view of the condition of the state, differing somewhat from that taken by the War Department, resolved to withdraw the United States troops from the state, which, of course, removed all objection to the organization of the militia.

"So far from feeling annoyed at the result of this matter, I most heartily approved the removal of the troops from that state, and I most earnestly hope that within thirty days every soldier now on duty there will be mustered out of the service, and that all attempts to interfere in her local affairs will cease. Now that the state has adopted a constitution which does not recognize

slavery, I would confide to her the settlement of all questions likely to arise as to the means of supporting and controlling the freedmen. I believe that the people will regard the interest of the state as closely identified with that of the freedmen, and that such laws will be passed as will be best calculated to promote the interest of all."

Operations of the Freedman's Bureau fully proved the truth of General Slocum's condemnation of the institution. But there was much to justify his disclaimer of reflection upon General Howard, and the higher officers, at least, in charge. The following contemporary publication in the Vicksburg Herald proves the honest intent of their administration, and sheds light also upon the abuses of the "system so foreign to the principles by which our people have been governed:"

"On the 25th of August last, Mr. C. W. Wood, through Hon. T. C. Tupper, applied to General Howard, commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands, for relief upon this state of case: An agent of the bureau claimed that the property of Mr. Wood was liable to confiscation upon the ground that he was worth over \$20,000, and that it was his duty to seize and take possession of the same, and thereupon said agent took possession of a horse and buggy and a lot of cotton; and stated that he would take possession of Mr. Wood's residence, unless he would pay rent for the same, monthly in advance; which he, Wood, agreed to do. Thereupon Mr. Wood applied to Commissioner Howard, claiming that these proceedings were "unauthorized and illegal," asked for the restoration of his property. Whereupon the following order was made in the case:

War Department,  
Bureau R. F. and A. L.

Washington, August 25, 1865.

"Respectfully referred to Col. Samuel Thomas, assistant commissioner, state of Mississippi.

"There is no authority for such a proceeding as is herein reported. You cannot take personal property of any description for the use of the Bureau, and only such real estate as is abandoned or duly confiscated and turned over to you by the United

States district court. Several complaints of such seizures in Mississippi have been reported. They are illegal and unauthorized. Circular No. 14, from this bureau, does not contemplate such proceedings. You will therefore cause the real and personal property of Mr. Wood, as herein indicated, to be restored to him and take similar action in like cases without delay.

“By order of,

“MAJ. GEN. HOWARD.”

Upon the adjournment of the convention the campaign for the election of officers it provided for had opened. There was active competition for the various state and county offices. In a card responding to a call from many fellow citizens Gen. B. G. Humphreys, one of the most popular and trusted of all the commanders of Mississippians in the field, stated: I am yet an unpardoned rebel. I have taken the amnesty oath and forwarded an application to the President for a special pardon and am desirous of returning to my allegiance to the United States government. The President may not be equally desirous of receiving me back and restoring me to the rights of citizenship; and until he makes known his pleasure on the subject it may be a source of embarrassment to my friends to use my name as a candidate for Governor. . . . If my friends think otherwise and elect me I can only pledge my honest efforts to do my duty.” The friends of the old war chief “thought otherwise” and upheld him as their choice for Governor, willing to take chances on the pardon which there was no good reason for withholding. In an editorial the *Vicksburg Herald* urged an immediate pardon for General Humphreys—that “his influence with the young men lately in the Confederate army is powerful, and no man will exert a happier influence in rallying them to the support of the Union.” It was commonly understood, however, that the President did not think favorably of the election of a Confederate General to the office, and this caused many to doubt its expediency.

The especial issue, or feature, of the campaign preceding the election of officers ordered by the convention, was an effort to enlist opposition to the election of Gen. B. G. Humphreys as an

unpardoned rebel general. There was some discussion, and division of sentiment, upon the admissibility of negro testimony in the courts. But the people gave little thought to anything except the dominant question of state rehabilitation; to the restoration of civil authority and constitutional government in lieu of military government, which was made utterly repugnant by negro garrisons.

The attempt to array prejudice against General Humphreys did not prove popular. Designed for defeating a former whig, an opponent of secession, this was looked upon as carrying conservatism too far, causing resentment and reaction. The support of his opponent, Judge Fisher, on a no war record issue, went far toward effacing the line that had, in the election of convention delegates, been drawn against Democrats and secessionists. He had been a judge of the state high court, and had been brought forward for the office of Governor by the August convention, informally. It was generally understood that he was favored by the President, to avoid the further ground of attack upon his Southern policy that the radicals would have in the election of a soldier candidate.

The election, held October 2d, passed off without exciting incident. The only disorder reported occurred at Holly Springs. It was thus stated in the *Memphis Bulletin*:

"During the election at Holly Springs on the 2d, quite a scene was occasioned on the streets by the captain in charge of the Freedmen's Bureau, in a temporary state of aberration occasioned by whiskey, drawing a pistol and threatening to shoot several citizens. He also threatened to bring his guard into town and kill twenty-three of the people before 3 o'clock. He also denounced the citizens generally as 'd——d rebels,' and declared he was not afraid of them. He also abused Governor Sharkey in terms not very elegant. Mayor Falconer had the belligerent gentleman arrested, but he was released on giving his lieutenant as bail."

This narrative is now brought to the beginning of the provisional government of the state. The events of that period having been covered in the contribution entitled "Organization and

Overthrow of the Provisional Government," the history of the return to military rule in July, 1868, under which reconstruction in accordance with the act of congress, and the ensuing years of carpet bag and negro government, follows:

The Democratic national convention met in New York City July 4th, 1868. After a score of ballots in which the vote was much split up there was a concentration upon ex-Governor Seymour of New York, the chairman of the convention; who in spite of his protests, was unanimously chosen as the party's candidate for President. He was probably the best man to put up, against Grant, as the leader of a forlorn hope. The platform led off with a recognition of the "settlement for all time to come of the questions of slavery and secession by the war, with the voluntary action of the Southern states." Wherefore the "immediate restoration of all these states to their rights in the Union and under the constitution, and of civil governments to the American people, with amnesty for all past political offenses and of the recognition of the elective franchises in the states by their citizens," was demanded. The reconstruction acts were declared "unpatriotic, unconstitutional, revolutionary and void"—the radical party arraigned for violation of "the solemn and unanimous pledge of both houses of congress to prosecute the war exclusively for the maintenance of the Union."

The convention declared that President Johnson "in resisting the aggressions of congress is entitled to the gratitude of the whole American people and in behalf of the Democratic party he was thanked for his patriotic efforts." Logically, the convention should have nominated President Johnson for re-election. But there was no thought of this among the delegates. After polling 65 votes on the first ballot, his support dwindled to 5. Mr. Johnson was literally a President without a party—hated by Republicans and shunned by Democrats. While the South appreciated his brave efforts, his record of implacable hate of secession and secessionists was an impassable chasm between the two.

The adjourned meeting of Congress failed for lack of a quorum, which was the result of calculation, and precaution. The

presidential election was drawing near, and to secure the vote of the conservative Republicans the managers of General Grant's canvass were averse to further Southern agitation at this time. The Mississippi Democratic Central Committee, through its chairman, addressed a communication to General Gillem, asking him to make an order by which the state would be enabled to participate in the election for president. This General Gillem did not consider himself authorized to do. Whatever of the wrong there was in the deprivation had much compensation. Prohibition from taking part in the campaign gave the state a rest from political turmoil that was a great boon. Perpetuation of military government under General Gillem was well worth the labor of defeating the black and tan constitution. In the vacation of political tutelage by the Northern adventurers, the negro population easily and completely fell under the old influences and returned to plantation labors. The readiness with which they accepted the defeat of the constitution which bestowed on them political equality was significant and instructive. The reversion was thus referred to in the *Woodville Republican* of November 7: "It is edifying and gratifying to notice the complete friendliness and good will again existing between white and colored people throughout the state. There is no disorder, no disturbance, or contention. Mississippi is enjoying freedom from scenes of violence which marked the progress of the late political contest in the other Southern states. The freedmen are industriously and cheerfully at work, at least those engaged on the plantations."

The necessities from the crop failures of the two preceding years was a compelling force for the negroes to fall into the old-time habits of labor. The 1868 season proved propitious, the crop was cheaply grown, and with the high price of cotton much of the load of debt was lifted. Hope and encouragement for the future returned under the promise of more prosperous conditions and the respite from the excitement and turbulence which had so lately prevailed. The peace and quiet in Mississippi was in strong contrast with the condition of the other Southern states. In Arkansas, Tennessee and the Carolinas, the most revolting atrocities were perpetrated by the negro militia, and in all of the

reconstructed states there was demoralization incident to the presidential election, which interfered seriously with all industrial pursuits. Even the census testifies to the blessings Mississippi enjoyed through the deprivation of her people from their right of citizenship. In a cotton crop total of 2,380,000 bales the state produced 400,000, which was far in excess of any other state.

The success of the national Republican ticket was followed by a jubilant gathering of the carpet bag clans at Jackson to memorialize congress on the lines of the Gibbs proclamation. Carried away by the utter Democratic rout, its tone was more insolent and virulent. The people of the state were assailed as being "defiant of the authority, and regardless of the wishes of congress. They had rejected with contempt all terms of restoration, and had assumed the right to dictate the terms on which they would condescend to be readmitted to the Union." The address closed with an urgent appeal to congress, and the committee was appointed to go to Washington and lay the memorial before the reconstruction committee. On the first day of the session of congress, that committee was instructed to inquire into the conditions of Virginia, Mississippi and Texas, and report the necessary legislation. In Virginia and Texas elections for ratification of new constitutions had not been held, as it was feared they could not be carried. Like Mississippi, they were still under military rule. Boutwell of Massachusetts succeeded to the chairmanship of the reconstruction committee, made vacant by the death of Stevens. In his message, President Johnson assailed the reconstruction acts with unabated vigor. He declared that the conditions created in the South through the reconstruction policy was worse than that left by the war. While this strong and truthful arraignment had no effect on congress, it was essential to the President's sense of duty and record.

The election of General Grant, it is true, extinguished all hope of any conversion of Mississippi's respite into a rescue from the ultimate complete sway of carpet bag and negro rule. While the president-elect was not a malignant, and would have administered upon the Southern question without flagrant injustice had he been free to follow his inclination untrammelled, such as administra-

tion was not to be hoped for. He had accepted the presidency under a bond of circumstances and conditions, if not express pledges, which assured his adherence to the policy of Southern oppression. This fact was fully appreciated by the carpet bag contingent. Many of them were left in sore straits by the defeat of the constitution. Some left the state, never to return, others were provided with civil offices as vacancies occurred in the state. General Gillem's request for a suspension of the iron-clad oath so that he might appoint residents of the state having been refused, nothing was left him but appointment of carpetbaggers.

After a vain effort to have the election investigated by General Gillem, the committee of five had reported to the reconstruction committee that it had been carried by threats and intimidation. The committee had then set about the purpose of having the result changed by congress. Inferentially this action was taken at the direction of the congressional leaders. A report founded on a mass of ex parte and unsubstantiated statements and depositions from all over the state was gotten up. On such a process W. H. Gibbs, the committee chairman, impudently proclaimed the ratification of the constitution. The perjured and high-handed document on which the seizure of the state government was intended closed as follows: "Now, Therefore, by virtue of the authority in the said committee of five, I, as chairman, after a careful examination of the reports made by the commissioners to hold such elections, and after a patient and diligent investigation of the affidavits and statements of many of the citizens, do proclaim the constitution thus submitted to have been duly ratified and adopted by a majority of the legal voters and the Republican state ticket duly elected," etc. This audacious proclamation caused intense indignation and General Gillem was urged to arrest the author and bring him to punishment. But it was well understood that behind him were the reconstruction leaders at Washington. Their instrument, the chairman of the committee of five, was a typical product of the reconstruction era. He was an Illinois carpetbagger who had been a delegate in the convention from Wilkinson county. He was afterwards state auditor,



served a term subsequently as postmaster at Jackson and wound up his public career by a term in the United States penitentiary.

The reconstruction committee at once opened its door for witnesses and reports from the unreconstructed states. There were two Republican delegations from Mississippi, the radical and the conservative. General Gillem was summoned to Washington and gave evidence in support of his report and contradictory of the proclamation of the committee of five. The radical delegation wanted congress to authorize the convention to reassemble with governmental powers. This was according to the committee of five proclamation, and the bill which had failed in the senate after passing the house the preceding August. A measure known as the Bingham bill was framed accordingly, but it was rejected by the committee, which, while intent as ever on extreme measures, was grown some more particular in methods of procedure. General Gillem's testimony was a fatal obstacle to the adoption of the defeated constitution, without some modification. Only the extremists dared go so far as to attempt to override the officer created by the reconstruction act to execute it. Nor were they sure of the President, who indeed indicated a marked aversion to the Gibbs committee. This led to hopes destined to bear dead sea fruit. The committee reported a bill February 15th, which provided for reassembling the Eggleston convention with power to authorize a provisional government. It proposed the adoption by congress of the defeated constitution shorn of its proscriptive clauses. This was a concession to meet the testimony of General Gillem to the effect that had the constitution not contained disqualifications beyond the 14th amendment it would have been ratified at the polls.

A liberal Republican plan, which was brought forth and carried to Washington, asked for the appointment of a provisional Governor with power to remove all of the civil officers in the state, and fill the vacancies with the "truly loyal." The constitution was then to be resubmitted, shorn of its excessive proscriptive-ness. This was only preferable to the committee of five scheme, because anything was better than the enthronement of the black and tan convention. In addition to the two Republican delega-

tions, statements had been made before the reconstruction committee by certain prominent conservative citizens of the state. They had substantiated General Gillem's statement, that the constitution would have been ratified but for the proscriptive clauses. To support the conservative view of state policy, a conference of citizens early in February secured the attendance in Washington of ex-Senator Brown and Judge H. F. Simrall. They were representatives of the elements that had favored reconstruction in 1867, a policy which persisted in by a small minority, after it had been condemned by the overwhelming sentiment of the white people, had caused defeat at the polls. Under the stress of tempestuous times, they were headed for any port out of the storm. This feeling increased, and secured many new followers under the gloom and uncertainty following the continuance of military rule, and the discouragement in the overthrow of the Democratic national ticket. It was under such circumstances that the submissionists now came to the front again. Their position was set out in a statement to the reconstruction committee by Judge Simrall, which read in part as follows:

"At the time of the passage of the reconstruction laws they were distasteful to a large majority of the whites. There was, however, a minority (of which I was one) that advised their acceptance and the organization of the state under them. The fact to which I have alluded, and others which I will not pause to enumerate, interfered with a calm and dispassionate consideration of the subject, and a majority of the white electors did not participate in the election of delegates to the convention. It is now pretty generally conceded that this was a mistake.

"The late Presidential election is a popular endorsement of the reconstruction policy, concluding the subject finally. It is not considered open to further debate. The fourteenth constitutional amendment, coupled with these laws, also finally settles the question of impartial or uniform suffrage in Mississippi. It is believed that a large majority of the whites would prefer impartial suffrage, with full representation in the House of Representatives, to limited suffrage, with reduced representation.

"Aside from the amendment and this legislation, it would be a

problem demanding the exercise of the wisest statesmanship to deal with this question of suffrage. In the Southern States, where the colored race is so large an element of the population, the time would have come when the large portion, if not all, would have had the ballot conferred on them. It is confidently believed that a majority of the whites are now prepared and ready to adopt a constitution, and elect officers under it, framed in accordance with laws of congress. The constitution of the late convention having been voted down, the majority of our people are ready to adopt the same constitution, if shorn by congress of all unjust and irritating discriminations, especially its disabilities, as contained in the franchise article, conforming it to the reconstruction acts, and resubmitted to a vote of the people, and at the same time elect officers, therein provided for, and members of the lower house of congress; or they will conform to any other mode which congress may adopt, which commits the whole subject afresh to the people."

Judge Simrall thus reflected one view point. On the other hand: while the resolute spirit and the organized concert of resistance to reconstruction, which sustained the 1868 campaign, had waned and weakened, the proposition of surrender to the doom of "impartial uniform suffrage" did not pass without opposition. The proposition was opposed as helping the Radicals out of a dilemma. It was held that a persistence in passive resistance would gain time from which much might be hoped. There was a growing and manifest aversion, even in the reconstruction committee, to further extreme action. At worst continued resistance to congressional reconstruction could only perpetuate military government, which had been proved by comparison of Mississippi's condition with that of the reconstructed states to be infinitely better than acceptance of carpet bag and negro government. Admitting that reconstruction was inevitable, it was believed by a great many to be best to have it forced on the State by Congress than aided and invited by the people. This view was thus expressed in the *Woodville Republican* of February 13th, opposing the mission of conservative citizens to Washington. "If we will only remain true to ourselves in this crisis all

will yet be well, and we will not have suffered in vain. While a way may be contrived for consummating Mississippi's reconstruction, nothing is to be gained by sacrificial offerings to it. This, Virginia now knows to her sorrow. It is well Mississippi sent on no "committee of nine." It is true certain gentlemen of the State have gone to the Washington mercy seat volunteering their services. They can accomplish nothing. We will score a point by forcing Congress to fix negro suffrage on us without our help and contrivance. We should strenuously object to giving assistance to unraveling the "Gordian knot." On this account we disapprove this mission, and do not believe a majority of the white people of Mississippi favor it. It will be sad for the State after weathering the storm so far—after steering clear of the Scylla of radicalism—to be lured on its Charybdes by this siren vagary." With the delusion of roseate but vague assurances from persons high in authority a delegation or committee of Virginians had gone to Washington with high hopes of accomplishing definite good for their State. The circumstances of their visit and return was thus stated by the Richmond *Examiner and Enquirer*:

"The most radical Congressman will agree in conversation with any moderately conservative Southern man and ten minutes after will vote to have his ears cut off."

While Congress was adjourned for the holidays, as a Christmas gift to the South, the President, on December 25th, issued a general amnesty proclamation. It bestowed a full and unconditional pardon on all persons who had directly or indirectly participated in the rebellion for the crime of treason. There were no exception of persons to this full restoration of all the rights, privileges and immunities under the constitution. Forthwith the attorney general ordered a nolle pros to be entered against the indictments of Jefferson Davis, John C. Breckenridge, R. E. Lee and other leading Confederates. When Congress reassembled the resolution was assailed in the Senate and declared by resolution to be invalid. This was the last of the many collisions between Congress and President Johnson. Reconstruction in Mississippi, which was the remaining bone of contention, was laid aside for the few remaining days of his administration. February 19th, an

explanatory statement of the postponement was made by Chairman Boutwell, in which he said: "It was my purpose until very recently to report from the reconstruction committee a bill for establishing provisional government in Mississippi. After full and free conference with gentlemen on the other side, and having been by them assured very frankly that it was their purpose to resist the passage of the bill by such parliamentary measures as they can command, I feel obliged to abandon the preparation of it. As I have reason to expect the bill will be vetoed, it would be useless to pass it unless by both Houses between this and next Saturday. I feel constrained to abandon the measure for a time with the assurance to our friends on the other side that immediately after March 4th we will test the capacity of this side to pass this, or a similar measure."

To make places for the carpet bag adventurers pending reconstruction in Mississippi, a bill was passed in the last days of the session for vacating all civil offices and providing that they should be filled through appointments of the military governor, by persons who could take the iron-clad oath, or whose disabilities had been removed by Congress. As both Generals Ord and Gillem had confined their discretionary power of removals to filling vacancies as they occurred, or were created for cause, the local offices were still held chiefly by those elected in 1865. The act of removal which was passed February 17th became a law without the President's signature. It was provided not to go into effect for thirty days, in which time there would be a change of Presidents. On the last day of his term President Johnson issued an address to the people in vindication of his position on the reconstruction policy, which time and the calamities and crimes it bore has fully affirmed. While he could not avert reconstruction and its baneful fruits, he was an insurmountable obstruction to the more extreme measures sought by the Radical leaders. The defeat of his impeachment alone saved the South from the complete Africanization sought by Stevens and Butler, Sumner and Wade.

In the early days of his administration President Grant was at times, and in some of his acts, an enigma and a disappointment

to both radicals and liberals. Three days after his inauguration a reassignment of Major Generals acting as Southern military governors was ordered. All who held under Johnson were transferred, General Gillem being ordered to join his regiment in Texas. While the change was looked upon as ominous, it was not unexpected. For a brief while it was hoped that there was no significance in the change for Mississippi, as the command passed to General Pennypacker, the next in command, who was well known in the state and respected as a fair and a just man. On March 16th his succession was formally effected by an order from General Gillem. But the satisfaction and relief that this afforded was short lived, as on the next day he was ordered to his regiment in North Dakota, and by an order from headquarters General Ames assumed command. Thus in two days the state had three different military commanders. The new ruler was soon known for what the other two were not, a prejudiced partisan of Radicalism, and a political self-seeker. By his appointment he became both provisional and military Governor. At the time of his removal General Gillem was engaged in making the appointments of county officials of the most acceptable citizens, who could qualify under the removal act, a policy immediately reversed by Ames. Before General Gillem's departure from the state a public meeting was held in Vicksburg, presided over by a Confederate General, Wirt Adams, to express the common approval and grateful appreciation of his Governorship. The meeting adopted a resolution of tribute for "an administration under circumstances of peculiar difficulties, and embarrassment calling for an exercise of rare capacity, which had been so conducted as to entitle him to the thanks of every lover of his country."

At the time he was made military Governor, General Ames was not affiliated with the radicals. He had indeed so conducted and restrained himself as to be looked on as one in sentiment with themselves by the liberal Republicans, and they had favored his appointment as General Gillem's successor. Certain prominent but over sanguine Democrats had taken the same measure of the new ruler, and commended him as acceptable. By his subsequent conduct he appears to have either worn a mask, or he

underwent a startling change of heart. From the soldier with no other idea than to carry out orders, he became the zealous leader of Mississippi Radicalism—all his official power and patronage were devoted to the success of that faction in the pending election. But, while sudden, the transformation of Ames was explained by the ensuing events. Promotion to control the destinies of a state dawned upon him, or was instilled in him, as an opportunity for self advancement. A seat in the United States Senate arose before him as a prize for the taking. And the proof soon appeared of a plain case of bargain and sale between him and the carpet bag-scalawag crew which controlled the negro vote. It is, furthermore, to be remembered in judging Ames' course at this juncture that he had passed under the tutelage of Ben Butler—whose daughter he had married—one of the most astute and unscrupulous politicians of his day. The son-in-lawship and the awakening of political ambition give the clues to the conversion of General Ames to radicalism.

President Grant further aroused Southern apprehension by an attempt to revoke the *nolle pros* orders taken under the amnesty proclamation of his predecessor. His order for their annulment failed, as Attorney General Hoar ruled that when pardons had been placed in the United States Marshal's hands the proclamation was completed. This prevented the revival of the indictments of Jefferson Davis, R. E. Lee and others. The contact between this order of President Grant, and the letter of General Grant when prosecution of General Lee was proposed to him in 1865, does not shed luster on his fame. Upon the assemblage of Congress, the reconstruction committee resumed consideration of the case of Mississippi. Having been made Secretary of the Treasury, Mr. Boutwell was succeeded in the chairmanship by the violent and odious Benjamin F. Butler. He reported a bill to Congress March 19th, which was a recast of the Boutwell measure, providing for the reassemblage of the convention, with the authority to remove and appoint all officials and exercise the powers of government, legislative and executive, until a constitution should be prepared and submitted. But the Republicans of the committee were not solid, and the bill barely secured a recom-

mentation. It was in the air that the President was opposed to it, and when the convention delegation called to ask his support of the Butler bill, he plainly avowed disfavor of it. He opposed reassembling the Convention and suggested instead that the Military Governor should be given time to remove and appoint officials under the recent law of Congress. He would then resubmit the constitution after selecting certain amendments that "perhaps ought to be rejected," he said, "for separate submission would be a severe blow to the delegation, and they left the White House, as published in the *New York Herald*, "expressing themselves in strong language against the President, and wished he was in a warmer climate than Washington."

While the bill was being debated, March 26, the President was called on by the visiting Democrats and Liberal Republicans, to whom he reiterated his idea of the proper procedure, and they expressed their approval of it. The Butler committee bill came to a vote March 31st and was displaced for a substitute embracing the President's plan, but suspending all further reconstruction action until the next session of Congress. Such postponement had been urged by the Mississippi Liberals, who had called on the President so that the labor and industries of the State might not be interrupted during a crop season by a canvass and election. But a few days later, on April 7th, to meet the wishes of the Virginia committee, the President sent in a special message to Congress recommending an election in that State at an early day. And in the concluding paragraph of his message, he recommended the resubmission of the Mississippi constitution. On the next day the reconstruction committee reported a bill accordingly. It provided "that the President may submit the constitution of Mississippi at such time and in such manner as he may direct, either the entire constitution or separate provisions of the same." The bill was amended in the Senate by requiring the ratification of the 15th amendment by the Legislatures before either of the States of Virginia, Mississippi or Texas should be readmitted. This was strongly opposed as a violation of faith which had been pledged to those States on terms already fixed. But the bill passed both Houses as amended, and Congress ad-



journed, leaving its operation in the hands of the Executive. As by the reconstruction acts Congress had already inflicted upon the Southern States, that which the amendment proposed for all—negro suffrage—the fresh breach of faith made little immediate impression.

By proclamation of the President, the Virginia election was fixed for July 5th. He informed a Texas delegation that no date would be set for that state or Mississippi until Virginia had voted. Immediately upon his appointment as military Governor Gen. Ames gave a partisan character to his administration. It was soon known that he had come to agreement with the radicals on the basis of his election to the United States senate. In consummation of the bargain he gave harshest and most unscrupulous application to the removal act. March 23d, all of the civil officers throughout the state who came under its disqualification were removed by order. No provision was made for the confusion that was created by the arbitrary suspension of all the agents and agencies of government. There was no thought or attempt to have appointments fit in with removals. Some counties were left in this chaotic condition for weeks. At the same time the removed officials were required to retain custody of books, papers and other property until their successors were qualified. The needless and heedless tyranny here displayed revealed the utter indifference of Ames, to the wellbeing and the rights of the people. He left them without courts or court officials, without provision for care or custody of criminals or paupers. None had authority to make arrests for crimes. Parties desiring to enter into marriage contracts had to go beyond the state. It was to the credit of the people that in such an interregnum, there was general observance of the laws and freedom from disorder. In some counties Gen. Gillem had made appointments of persons qualified under the removal act. They, too, were removed, regardless of loyalty or past services in the Union army, to make way for partisans of radicalism. This was the sole requisite. The responsible offices were bestowed upon men who had never been in the countries to which they were assigned. No care whatever was exer-

cised in securing persons of capacity and integrity. Only the form of bonds for honest performance of duty was required.

Gen. Ames' administration as military governor was generally consistent with his despotic execution of the act of removal. Laws were annulled wherever annulment served the faction he had allied himself with. He especially sought to arouse the political zeal of the negroes by acts that pointed to race equality, and that expressed his animosity towards the whites. On April 14th he issued an order annulling a state law which provided for artificial limbs for maimed Confederate soldiers, and that exempted them from poll tax. Brutal and odious as this order was it was but an echo of the sectional spirit dominating the North. It had a parallel equally revolting in sight of the national capitol, a few days later, when the yearly decoration of the Confederate graves at Arlington was forbidden, and a cordon of marines was drawn around the spot to prevent women from strewing flowers over those for whom they mourned. The New York Herald and other Northern journals deplored and censured such insensate persecution. But it drew forth no disapproval from those in authority. And Gen. John A. Logan, a commander of the G. A. R., issued an order of indorsement and approval of the action of the guard of marines. These incidents tell of the bitter hostility in which the South was held by the government and the majority of Northern people at this dark and trying period. Even before he had fully provided the state with courts, on April 27th, Gen. Ames issued another order, intensifying the resentment and straining the endurance of the white people of the state. Going far beyond authority, or the contemplation of the reconstruction acts, he directed that negroes should be held competent for jury service and so listed. Provisions of law were wantonly abrogated, courts were deprived of jurisdiction, decisions and processes were nullified, according to the whim of the military ruler. Two of his Rankin county appointees being convicted of embezzlement, they were forcibly taken from the custody of the sheriff and given their liberty. That there might be no judicial review of his acts the Military Governor ordered post commanders to disregard writs of habeas corpus from either Federal or state court.

One of the arbitrary acts under the Ames administration resulted in a tragedy of far-reaching and calamitous effect. To satisfy a tax assessment against the residence property of E. M. Yerger, who claimed a valid offset, the military mayor of Jackson, Col. Joseph G. Crane, ordered the sale of a piano that was in the house. It was proved to the military marshal, who went to serve the writ, that the piano had belonged to Mrs. Yerger since before her marriage. Repeating the fact to Col. Crane, he was ordered to execute the service and sale, regardless. Mr. Yerger, who was absent from the state, was informed of the proceeding by telegraph. He wired Crane asking him to suspend the execution until his return; to which request no attention was paid. On his return Yerger, who was subject to fits of maniacal temper, met Col. Crane on the streets and in the encounter that ensued stabbed him to death. The affair caused extreme excitement, and in the North where it was held up as proof of Southern intractability, bitter resentment. The time for such a fire brand could not have been more fatefully chosen. The President was then balancing between the liberal and the radical Republicans of the state. The all-potency of his influence in the pending election was believed to be veering towards the former, or that he would hold it out of the scale, which was all that was asked by the white people of the state. Yerger was quickly brought before military court for trial. His leading counsel, Judge William Yerger, hurried to Washington with an application for a writ of habeas corpus before Chief Justice Chase. This again brought up the greater question of the constitutionality of the reconstruction acts, which involved a test of the jurisdiction of the court martial. The result was another pollution of the stream of law, as in the *McCardle* case. To avoid a decision an agreement was concluded between the Attorney General and Judge Yerger, which was thus stated in the *Associated Press* dispatches of July 13th, 1869; "Argument in the Yerger case for procuring its removal from the military commission, and bringing it before the supreme court, was concluded yesterday. Attorney General Hoar strenuously combatted the jurisdiction of the court. Important questions in the petition for a writ of habeas corpus

have induced the Attorney General to enter into written stipulation with petitioner's counsel to put the question in such form as may be considered and determined before the supreme court next October. The present application to the chief justice to remove was suspended. The President authorized the Attorney General to say that no sentence of a military court will be executed until the final determination of the court. This meets the approval of Chief Justice Chase." Such agreement denotes that the court held that it had jurisdiction over the case and had a decision been rendered the "important questions" would have been so adjudged, that the whole reconstruction fabric would have been annulled as unconstitutional. The trial in the military court was brought to a conclusion and no sentence was pronounced though it was known that the death sentence had been agreed on. The accused was held in confinement until civil government took the place of the military and was finally released as having been once in jeopardy of his life.

The course of President Grant toward Mississippi reconstruction at this juncture cannot be looked upon with pride, from the viewpoint of justice and principle. From the day of his inauguration and even before he had been paid court to by all parties as the arbiter of events. As the time came on for him to decide his action, reserve and reticence gave place to tergiversation and double-dealing. The fact that he had ruled against the Radicals in March had been construed hopefully. Hope, however, was "sicklied o'er with the pale cast of thought" by his tacit approval of the subsequent open and unscrupulous partisanship of General Ames. This could not be made to consist with the assurances and claims of the Liberal Republicans, that the President was their friend. Under a perplexing situation doubt and distrust completed the political disorganization of the white people of the State. The carpet-bag adventurers were correspondingly elated, for they felt that the situation of the year before, when the President and the Military Governor were hostile to them, was reversed. Despairing and apprehensive, the spirit of resistance to Radicalism was wasted away in delusions of compromise and bowing to the storm. Taking council of their fears, the Demo-

cratic leaders were lured into the toils of fusion, of propitiating Northern animosity, of dividing the negro vote, by supporting a ticket of Liberal Republicans. The illusory idea had been fastened upon by the example of Virginia, where the election held July 6th resulted in the success of such a ticket. The scheme was shaped up in Mississippi by a convention in Jackson June 23d, to which the Liberal Republicans invited all citizens. The proceedings made a brave show of claiming the executive backing, but the attendance was ominously scant. Resolutions were adopted favoring an early restoration of Mississippi to her place in the Union, "in strict accordance with the reconstruction acts." The President and Congress were thanked "for rejecting the claim to impose the rejected constitution upon the people of the State." The unwavering support of the administration of President Grant was affirmed. The State Republican organization was denounced as "false and unworthy of the confidence and respect of the voters of the State." The effect of this passage upon the white voters would have been stronger but for the constraint of declarations designed to propitiate Northern sentiment and win the negro vote. The nomination of a State ticket was deferred, as the election proclamation had not been issued. This convention was presided over by Maj. J. L. Wofford, an ex-Confederate soldier, and a reputable citizen of Tishomingo County.

The regular Republicans met in convention July 1. The resolutions adopted, like those of the Liberals, favored rejection of the proscriptive clauses of the constitution, which the President had signified for a separate vote. They declared for universal amnesty with universal suffrage, for "the removal of disqualifications and restriction imposed on late Rebels in the same measure as the spirit of disloyalty shall die out." Confidence was expressed and support was pledged for "Maj. Gen. Adelbert Ames, military commander and Governor of Mississippi, whom we look to as the representative of the President and Congress." This sentiment was reciprocated by the Major General and Governor. According to the associated press report of the proceedings, "General Ames, commanding the Fourth District, was on the floor and assured the Convention of his hearty approval and un-

conditional support." This was construed as sealing a bargain for a seat in the United States Senate. The Convention was quite a large one, and thoroughly representative of the elements and ends of Radicalism. The spreading demoralization among the white people was exhibited in the presence of a number of them in the Convention. Their leader was General James L. Alcorn, a prominent and influential citizen of Cahomo County.

July 9th, the Associated Press published that Messrs. Jeffords, a judge of the high court of appeals, and Wofford had called on the President in behalf of the conservative Republicans. They received "his assurances that there should be utter impartiality in the approaching campaign by the administration, and the military commander would be restrained from any show whatever of partiality. The President said that a fair contest is all that the administration requires provided violence be avoided. It would only interfere in behalf of peace and against violence." On the next day the Associated Press announced that "Gen. Ames, military Governor of Mississippi and Gen. Reynolds, military Governor of Texas, had been instructed against showing partiality in the preliminaries to the election." It is more than probable that this call upon the President and his pledge was the result of the open espousal of the Radical side by Gen. Ames in the July 1st convention. July 9th, the same day that Messrs. Wofford and Jeffords had received the President's promise of impartiality between the factions in Mississippi, a letter was written them by Judge Lewis Dent, responding affirmatively to a request that his "name might be placed before the national Union Republican convention." This letter in connection with what the President said to Messrs. Jeffords and Wofford was quite a stimulus of hope. Judge Dent was the President's brother-in-law, as well as his confidential Secretary, residing at the White House. He had been active in bringing the President in touch with the Mississippi opponents of Radicalism, who had visited Washington the preceding winter. That connection had given birth to the thought of nominating him for Governor. As lessee of a plantation in Coahoma county, he was able to claim a sort of residence of the state. His wife besides was a native Mississippian. On all of

these accounts, and under the prevailing circumstances, being a man of good character and fair ability, and previous record as a Democrat, the Dent idea grew in favor.

At a cabinet meeting July 9th, the question of a proclamation for the Mississippi and Texas elections was discussed. The Virginia election having been held, these two states alone remained to be dealt with. The case was considered in the light of the Virginia election, which having gone against them caused extreme disappointment and irritation among the Radicals. In some of the papers of that party it was insisted that Virginia reconstruction should be held in suspense until Congress could meet and deal with the conservative victory. An order aiming to subvert the returns of the election was issued by the military commander, who announced that the officials elected would be required to qualify under the iron-clad oath. While this proposed violation of law and faith failed of consummation, the admission of Virginia was deferred until action could be taken by Congress. To gain time for the moral influences of the Virginia victory to subside, and for thorough preparations for its avoidance in Mississippi and Texas, the day for them to vote was put off until November 30th. The President issued his election proclamation on the next day accordingly. On July 23rd Gen. Ames was summoned to Long Branch to see the President. It was reported that he would be relieved, and a few days later the Associated Press said that "it was intimated that Gen. Canby would be sent to Mississippi." On July 29th, President Grant returned to Washington. The next day the Associated Press said "the pressure on Grant to throw his administration influence in favor of the Mississippi Radicals is heavy. The extremists are in good spirits. Boutwell urges the President that Dent's Democratic support meant the redivivus of secession."

To dispel a report that owing to the President's having espoused the radical side of the Mississippi contest Judge Dent would decline to make the race as the liberal candidate for Governor, a letter was written him by Judge E. Jeffords and Col. George Moorman, conservative Republicans of prominence to this effect. "Having seen in certain dispatches of the New York press

that you would decline the candidacy for Governor of Mississippi, on the national Republican ticket, we desire to know whether you adhere to your previously expressed determination for the purpose of putting this matter fully at rest." July 30th, Judge Dent replied as follows: "Gentlemen: In reply to your communication, I beg to say that while I can not decline what has not been formally offered me, you are at liberty to say to the national Republican party of Mississippi that in the event of my nomination as Governor, I shall certainly accept it." This letter was considered significant from the fact that when it was written the President was occupying rooms at Judge Dent's residence in Washington, as the White House was undergoing repairs. And on the next day the Associated Press published an interview with President Grant by Col. George Moorman, a liberal Republican, and a resident of the state. By the report he said to the President that "the only desire of the conservatives was neutrality on the part of the administration. The President replied that he wanted to know whether the former enemies of the government were acting in good faith in their present professions of loyalty. And that this would soon be ascertained in part by their actions in Virginia. If they were acting in good faith he would like to have the influence of that state and the South generally in support of his administration. He asked when the conservative Republicans would meet in convention to nominate their candidates. Being told about Sept. 1st, he said he "would see what kind of ticket they would put in the field and that action would be influenced more or less by subsequent events." While this was not reassuring in tone, it was still thought the President would stick to his promise of neutrality unless "subsequent events" were resolved into violence. On the next day he left for Long Branch and Ames returned to Mississippi the Associated Press saying he would not be relieved.

Events now moved rapidly toward a head. On August 5th an address was published urging the people of the state to support the conservative Republican ticket. The address quite authoritatively declared that it was "well understood that the real citizens of the state—the old inhabitants and owners of the soil—will



not place any ticket before the people at the coming election. The policy we recommend was pursued by our wise and intelligent friends in Virginia in the recent election, and they obtained a great victory over the radical Republicans. Let us follow the lead of the Mother of States." It was argued that by adopting this policy Mississippi could certainly secure a fair election, be re-admitted into the Union and have her interests represented in congress." Unprophetic words. The address was signed by 136 citizens comprising residents of a majority of the counties. There was a good deal of discontent with this action, and an abortive agitation for a Democratic convention. But the address settled the policy of the "real citizens." On August 6th Tennessee held an election, and by a large majority overthrew radicalism. In further incensing the reconstruction leaders this boded no good for Mississippi. It was looked upon with especial disfavor by the President, as it was claimed as a vindication of Andrew Johnson, whom he hated, and who had taken a leading part in the canvass as a candidate for the United States senate. On August 11th, the Sphinx broke silence, and, besides, the faith of his previous assurances of neutrality. Without "waiting to see what kind of a ticket the Mississippi conservative Republicans would put up," he authorized the publication, through the Associated Press, of an interview had with Judge Tarbell, secretary of the Mississippi Republican executive committee, as follows: "The President remarked upon the small number of Republicans in the national Republican party in Mississippi, using the name of Judge Dent. He said that in his judgment this fact in itself was evidence that they could not be otherwise than used by the opposition. These people cast suspicion upon their own motives by the fact that all their efforts seemed to be aimed at dividing the Republican party in Mississippi. To sincere men it could not be difficult to see who in the South were and had been friends of the administration. The President stated that in conversation with gentlemen representing the new Republican party in Mississippi he had expressed himself much more emphatically. He said that he fully indorsed the administration of Gen. Ames, and that that officer would have to do much more serious things than

what had been published before he would subject himself to a removal."

The effect of these words was consternating. Had the situation been contrived, a more effective trap could not have been sprung upon Mississippi Democrats. The fusion entered into with the "so-called Conservative Republicans" was wholly a matter of convenience and necessity. Odious to sentiment, it had been taken up solely because of the hope of success with the President's brother-in-law for its leader. It was calculated that this would at least insure the promised impartiality by the Federal power, which was felt to be the equivalent of success. There was nothing else attractive in the scheme, and when this expectation was shown to be delusive the hopes it raised failed. There was nothing to do, however, but stand to the rack. The dupes were too far in the trap when it was sprung to draw back. Judge Dent was snared as effectually as his Democratic supporters. He was undeceived in the following belated warning, dated August 1st:

Long Branch, Aug. 1, 1869.

Dear Judge—I am so thoroughly satisfied in my own mind that the success of the so-called Conservative Republican party in Mississippi would result in the defeat of what I believe to be the best interests of the state and country that I have determined to say so to you (in writing of course). I know or believe that your intentions are good in accepting the nomination of the conservative party. I would regret to see you run for office and be defeated by my act; but as matters look now, I must throw the weight of my influence in favor of the party opposed to you. I earnestly hope that before the election there will be such concessions on either side in Mississippi as to unite all true supporters of the administration in the support of one ticket. I write this solely that you may not be under any wrong impression as to what I regard, or may hereafter regard, as my public duty.

Personally, I wish you well, and would do all in my power proper to be done to secure your success, but in public matters personal feelings will not influence me.

With kindest regards, yours truly,

U. S. GRANT.

Had a mere hint to this effect been given Judge Dent previous to his letter of July 30th, he would have abandoned, or been abandoned by, the campaign against Radicalism. But the blow was timed so as to bind and not to loose him from it. He protested in a spirited but vain reply, exposing the President's change of mind. He reminded him that he had by his decision "given the hand of fellowship to the class he had foiled in their attempt to force an odious and rejected constitution on the people of Mississippi, and had spurned the other class who had accepted the Republican invitation to stand on its platform and advocate its principles in good faith." The protest availed nothing, the President's surrender was as complete as it was inexplicable in its inconsistency. To those who seek explanations of President Grant's tortuous course at this period, it may be a help to bear in mind that he was a man habitually dependent on, and subject to, personal influences, good or bad; and that at this time he was losing the council and prop of his "guardian angel," General John A. Rawlins. His constant friend and war time chief of staff was a man of strong individuality and inflexible resolution. While Grant was weak in convictions of political and moral principles, Rawlins was rock-built. He was the victim of a fatal malady and had been fast failing since soon after his appointment as Secretary of War. As his physical condition weakened, Radicalism, to which he was in opposition, gained sway over the President. This may have been merely coincidence, but the theory is not improbable that had not Gen. Rawlins sunk under disease, Secretary Boutwell would not have dominated the Cabinet, or prevailed upon President Grant to abandon the position he took in the first month of his administration. The lingering illness of Gen. Rawlins terminated in death September 8th.

President Grant's Tarbell interview appeared in sinister conjunction with the meeting in Philadelphia on the same day of the Union League committee—the Republican Jacobin Club—"to make provisions for the Mississippi and Texas elections." The resolutions of the meeting were not published, but the echoes followed the next day, August 12th, in the removals of E. Jeffords of the state high court; A. Warner, secretary of state; Fred-

eric Speed, judge of the Warren criminal court, and a large number of minor officials, supporters of the Democratic ticket; by Adelbert Ames, military Governor. The ax of the President was busy with the same timber, the resignation of Maj. Jeff Wofford, postmaster at Corinth, and G. Gordon Adams, United States district attorney, being called for. The letter of the latter, an ex-Union soldier and a man of established reputation for integrity and courage, to the President, read as follows:

Washington, August 10, 1869.

To His Excellency, U. S. Grant, President of the United States:

Sir—I respectfully tender my resignation of the office of attorney of the United States for the Southern District of Mississippi.

Though the office is not of much importance, I cannot retain it without being identified to some extent with an administration whose acts, so far as they relate to my own State, I cannot approve.

Major Wofford, an officer of the late Rebel Army, who, in defiance of the contumely and reproach heaped upon him by the Southern people, supported bravely and almost alone in his district the reconstruction policy of Congress, has been removed from office.

From the late approved published statement of your views, I am justified in the belief that this is done in accordance with the established policy of your administration. From the same sources I learn of your confidence and support of General Ames, an officer who has degraded his position as Military Commander of the Fourth Military District by exercising its functions solely in furtherance of his own personal and partisan ends unhesitatingly avowing that he desired to use the high office of Senator from my State as a stepping stone to the appointment of Brigadier General in the regular army and whose whole course in that State has been marked by a tyrannical exercise of power utterly antagonistic to the spirit of the reconstruction laws. As a resident of Mississippi, and one of the founders of the Republican party in that State, though never a political aspirant, I would be false to my State and to Republican principles which I have always maintained, if I retained the office to which your kind preference has assigned me.

I am very respectfully your obedient servant,

G. GORDON ADAMS.

September 8th the national Republican convention met in Jackson, and nominated Judge Dent for Governor. The other places on the ticket were divided among the three elements composing the Dent following—the white and black Republicans and the Democrats. The latter were given the offices of attorney general and superintendent of public education. Gen. Robert Lowry, a heroic Confederate soldier and one of the most popular men in the state, was nominated for attorney general. A negro, Thomas Sinclair, was placed on the ticket for secretary of state. This nomination, which told of the humiliation and demoralization that had spread over the state, was a double blunder. The negro vote it was designed to attract was all solidified, through the loyal leagues, and bitterly hostile to any member of the race who stood with the whites. On the other hand the negro on the ticket was felt by the whites to be the bitter water of the desert of their wanderings. It made them refuse to see any difference in the two Republican parties, and the stay at home vote loomed up a great obstacle and supreme discouragement to the Dent ticket. The next day, September 9th, the Democratic executive committee met and formally announced that the party would place no state ticket in the field. Local organization was urged in support of the Dent ticket, and to make nominations for legislature and local offices and candidates for the various congressional districts. Speaking announcements were made for Judge Dent, Gen. Lowry and other nominees on the state ticket. Joint debates were challenged and a fair division of time offered speakers of the opposing party. But in the rank and file there was apathy and discontent. This feeling took shape in the Canton convention, or conference, which protested against running the Democratic organization for establishing a state Republican party.

The radical Republican convention met September 29th. It was largely attended. The delegates were inspired by the confidence of victory, which had grown up with the knowledge that the administration support had been so openly declared on their side. Gen. Jas. L. Alcorn was nominated for Governor by acclamation. The ticket was, like the other, made representative of its various constituents; the northern new comers, the home

whites and the negroes—the latter being given the same place, secretary of state, accorded by the Dent party. The platform declared for ratification of the constitution as exercised by the President. Gen. Ames was quoted as declaring that “it was his intention to carry the election against the Dent ticket if he had to march his troops from precinct to precinct to effect it.” This declaration was formally called to the notice of the President by the chairman of the Dent executive committee. Ames entered an evasive and general denial. Thereupon the charge was laid before the President, with specifications and affidavit of those before whom the statement was made. An investigation was asked, but the President took no account of the request and the incident was closed.

The spectacle presented by the two tickets was a peculiar one. In a supreme struggle against a party composed of negro voters and led by Northern adventurers, the white people had for the head of their ticket, a Northerner who was not even a bona fide resident of the state. With an undying repugnance to recognition of the negro as a voter they were pledged to vote a negro into a high state office. The inconsistency of such a ticket was matched, by having at the head of the one which had for its cardinal principle negro political equality, a large and a typical slave holder—one of the haughtiest of the class. As a prominent and popular leader of the old Whig party, Gen. Alcorn had figured conspicuously in ante-bellum politics. He was a ready and able debater and possessed many strong qualities of leadership. Dominated by ambition and egotism above any fixed political principles, he was just the man for the hour—to throw off the thralldoms of traditions and castes, to subjugate pride of race, and take up with the new order which promised him position higher than he had won under the old. He had been a member of the memorable convention which carried the state out of the Union. Though an opponent of secession, when the ordinance was presented he had given in his adhesion in a dramatic speech announcing that “He had crossed the Rubicon and joined the legions in the march on Rome.” The heroic phrase proved only figurative, as while possessed of high courage and eager for mil-

itary glory, opportunity, or want of talent, failed to place him in the van of any marching column. His war services were comprised in a short and rather inglorious campaign, the first year of the war, at the head of a brigade of state troops. He failed in seeking a commission in the regular Confederate service, and was embittered by the denial, which he attributed to political hostility and envy. The advent of reconstruction found him a victim of disappointment and resentment toward the broken leaders of the Confederate cause. In the 1865 policy of propitiation of the North, by selecting for leaders men who had stood aloof during the strife of war, he was chosen as one of the state's United States senators. From the first he favored compliance with the congressional terms of reconstruction. And now that the defeat of the Democratic Presidential ticket had swept away all opposition, his opportunity was come. It was a different "Rubicon" into which he now plunged. The "legions" he led upon "Rome" were like the dissolute and servile bands of Catiline rather than the true and tried soldiers who followed the fortunes of Caesar.

The selection of the slaveholder as leader of the negroid party was a shrewd play against the white liners led by a Northern Republican. It was trick against trick, and as usual when honest men are matched against tricksters, they are easy prey. The policy of both parties fixed the contest in the white counties. Organization and discipline through the oath bound loyal leagues had fixed and solidified the big negro majorities in the black belt. Hence the only hope of success for the Dent ticket lay in a full white vote, and the persuasion of the negroes to stay away from the polls in the white districts as in 1868. The prospect of achievements on that line were not encouraging. Gen. Alcorn's appeal to the whites was consummately artful and insidious. On the stump he was at his best, as he had few equals in appealing to passion and prejudice—in diverting attention from real to false issues. His aim in this canvass was to turn thought away from the odious and repugnant things with which he had identified himself, by exciting and vitalizing hostility toward the Democratic leaders, for secession, war and ruin. While assailing the con-

duct of the war he incidentally aired his personal grievances, and posed as a victim of Jeff Davis' animosity toward the Whigs. He was replied to with utmost severity. His chief antagonist on the stump was the Democratic nominee for attorney general, General Robert Lowry. He did not mince words in arraigning Gen. Alcorn for turning against his race and state. The press of the state was sweeping and bitter in its denunciations. All the charges that scorn and spite could suggest were rung on his paltry military career. But the leader of the "legions who were marching on Rome" was not to be diverted from his line of campaign. He had bargained high, and counted not the cost. The public opprobrium his speeches aroused was such that few men would have dared. But they served the end designed. While winning the confidence of radicalism, they were equally effective in promoting dissension among the white voters on the old party lines. Blinded to the shackles of shame and spoliation behind Alcorn's election, rein was given among the white voters to division and dissension on the old lines of party division, which he drew with consummate cunning.

Judge Dent won the favor of his supporters by a canvass that was marked by dignity and a right appreciation of his anomalous position. His speeches did not lack force or manliness. Yet while he won the good opinion of the thoughtful, it was impossible to inspire hope or enthusiasm for his cause. His candidacy never emerged from the cloud of discouragement by which the President had overcast it. To further take the heart out of his canvass the radical organ, the *Pilot*, announced that he was ineligible, and the certificate would be issued his opponent accordingly, even if Dent received a majority at the polls. As military governor Ames had this power, and his own chances for the senate supplied the incentive. As he was restricted by no scruples, the effect of such a scheme sprung upon an already distracted party may well be imagined. Under the circumstances the military despot and partisan could easily afford to promulgate a fair election order—promising to both parties a show of representation in polling and counting the vote. But the registration books, polling lists, ballots and returns were all to be sent up to head-



quarters for tabulation and promulgation of the result. It was perfectly apparent that it was designated to give the certificates to the radical candidates. The unprincipled partisanship of the military commander and the national administration left no hope of defeating the radical ticket. The situation was reflected in the insolence of the negro population. Race collisions, which no efforts were made to prevent, grew to serious and dangerous extent in a number of places. Dry Grove, in Hinds county, was terrorized for days by a negro mob which robbed and insulted the whites and murdered several. In east Mississippi, near Meridian, a negro militia company held possession and exercised surveillance over the little town of Newton for a week. Appeals to Ames for relief were practically disregarded.

In Sunflower county the infamous rule of Ames caused a tragedy which caused extreme resentment. A negro agitator named Combash, who had figured as a delegate in the black and tan convention, surrounded himself with a marauding band of vagabonds. Thus attended he campaigned in and demoralized the plantations of Sunflower and adjacent counties. He thus became an actual nuisance and menace. As in the Dry Grove instance Ames pretended to interpose to suppress Combash. But when the troops he sent to Sunflower returned without making arrests the disorders were aggravated. When the situation became unendurable a few of the leading citizens gathered to take action for relief from it. A notice to Combash to disband his gang being met with defiance, a race conflict ensued. A dozen or so resolute men led by Dr. Tully Gibson attacked and routed them and in the fray several negroes were killed. Combash fled the country and the disturbance ceased. The white leader at once reported to Gen. Ames in person, offering himself for trial. He was told to go back home and he would be notified if further steps were to be taken in the matter. After some time had elapsed Dr. Gibson had occasion to go from his plantation to the nearby landing on the Yazoo river. When near there he met a squad of soldiers. Quickly divining that they represented the "notice" Ames had promised to send him, he turned his horse across the road and challenged their purpose. He was told by the deputy U. S. marshal in charge that he had a warrant for his arrest. Dr.

Gibson was a man of high spirit and resolute courage. His valor had been proved on many battle fields. Outraged by the resort to force when he had engaged to appear for trial whenever summoned, apprehensive of personal indignities which he feared more than death, he called to the officer that "he did not have men enough to take him forcibly—to go back and get a regiment." Perceiving that their man who was armed with a Winchester rifle, meant resistance to the death, the squad was turned about and marched back to the landing, with him following. Having transacted his business Dr. Gibson rode home unmolested. The next morning while sitting at breakfast with his wife, mother and sister he saw the party of soldiers entering his gate. Taking up a pistol he stepped out on the gallery and opened fire. Led by the deputy marshal, a notorious bully named Gainey, all ran, leaving two on the ground wounded. One instead of following his leader and the rest out of the gate sought shelter behind the house. This was not perceived by Dr. Gibson, who stepping in the house to get his rifle, was fired on through an open window and killed.

The election was held as ordered in the president's proclamation, November 30th, and resulted as pre-arranged. There was a total vote cast of 114,283—the head of the radical ticket polling 76,186, and of the conservative Republican 38,097. The total vote was six thousand less than that of the year before, when Gov. Humphreys beat the carpet bag candidate for governor 8,000 votes. All of the radical congressional nominees were elected, and a large majority of the legislature. As S. S. Cox says in *Three Decades of Federal Legislation*, "the result of the election showed that President Grant's letter to Judge Dent had the desired effect." With the adoption of the constitution the crime of reconstruction was completed. Only the finishing touches of congressional acceptance and radicalism remained to be done.

A great change came over the spirit of the whites. With that quick recognition of the fact accomplished, and adaptation to their terms and conditions, which marks the political genius of the Anglo-Saxon race, the white people of the South accepted the situation, with earnest and honest intent to make the best of it. The task to which they set themselves was a hard one. It in

fact called for the performance of such impossible things as making bricks without straw; hardest of all, the duties of citizenship called upon them to handle pitch and avoid defilement. Whatever may be written to the contrary, it is the testimony of this writing that the white people of Mississippi fairly and faithfully strove to find and develop political faculty in the negro, and integrity in the carpet bagger. They tried to believe and to prove that such elements could yield good government. There being no turn in the lane visible, hoping against hope was the alternative of despair. The fate that compelled these delusions to be hugged was harder than war and its ruin. The spectacle of a people in such toils of social debasement and soul torment excited no compunction or compassion in the Northern people, controlled as they were by leaders possessed of the twin devils of partisan lust and sectional hate.

The "Loyal League" device of reconstruction malignancy and ingenuity is thus described in a paper on "reconstruction in East Mississippi," by W. H. Hardy—a prominent and patriotic white line leader of that period:

The Loyal League was a secret, oath-bound organization, and lodges were organized all over the country and every male negro from eighteen to seventy years old, and every white man who would take the oath, was eligible to membership. Only a few white men became members, but nearly all the male negroes within the ages stated, were initiated into its mysteries.

The initiation was, to the negro, very solemn and impressive. They usually met on Saturday night at the cabin of some prominent negro, or in some vacant outhouse. Armed sentinels were posted on all the approaches to the house. In the center of the room, which was rarely capable of holding one-fourth of the number assembled, was placed a table, or old goods box, on the center of which rested an open Bible, and a deep dish or saucer filled with alcohol and myrrh, which was lighted; above this altar, so-called, was suspended a United States flag, and also a sword. The candidate was blindfolded outside and was led in by the arm and required to kneel at this "altar" and place his hands upon the open Bible. The president of the League called upon the chap-

lain to pray. He invoked the divine blessing upon the "poor benighted brother who was about to pass from the night of bondage in slavery into the marvelous life and light of freedom. Short passages from the account of Moses leading the children of Israel from Egyptian bondage were then read, when the candidate was catechised, something after this fashion—(a prompter answered the questions, and the candidate was required to repeat the answers) :

"What is your name?"

"Jim Cruise."

"Are you a white or colored man?"

"A colored man."

"Were you born free, or a slave?"

"A slave."

"Are you now a slave or a freedman?"

"A freedman, thank God."

"Who freed you?"

"Abraham Linkum, bless God!"

"Who helped him to free you?"

"The army and the Publican party."

"Who fought to keep you in slavery?"

"The white people of the South, and the Democratic party."

"Who then are your best friends?"

"The Publican party and Northern soldiers."

"Whom do you want to hold all the offices in this state and govern it, make and execute its laws?"

"The Publicans, the friends of the poor colored man."

"Suppose the Democrats carry the elections and get back into power, what would become of you and all the colored people in the state?"

"We would be put back into slavery. God forbid!"

All—Amen! and amen!!

An oath was then administered to the candidate which he was required to repeat after the prompter :

"I, Jim Cruise, do solemnly swear on the holy Bible, in the presence of God and these witnesses, that I will ever remain true and loyal to the Republican party; that I will always vote

the Republican ticket; that I will keep secret all the signs, pass words, and grip of the Loyal League; that I will obey all the laws, rules, resolutions, and commands of the League of which I am a member; that I will forever reverence the name and memory of Abraham Lincoln, the author and father of my freedom, and that I will observe and keep in holy remembrance each anniversary of the Emancipation Proclamation, and that I will teach my children to do so. That I will never knowingly vote for any Democrat for any office lest I be put back into bondage and slavery. That I will never disclose the name of any member of this League, or of any League of which I may become a member, nor tell the place of meeting of the same; that I will not testify against any member of this, or any Loyal League, concerning anything done by the League or its order, or the order of any of its officers.

"For a violation of this oath, or any part of it, for the first offense, I agree to receive fifty lashes on my bare back; and one hundred lashes for the second offense; and for the third, to be secretly shot to death by any member of the League appointed for that purpose, so help me God!"

The blindfold is then removed and the candidate receives the following lecture:

"My Brother: You have just been brought from the darkness of bondage and slavery to the glorious light of freedom. You behold above you the flag of freedom, beneath whose folds the soldiers of the Union marched and fought; and the sword, the implement with which they struck from your hands the chains of slavery, and made you a free man. You behold on your left, a pot of sweet incense which constantly rises toward heaven. So let your gratitude, sweetened with humanity, and strengthened with courage, ever ascend to God in acknowledgment of the blessings of freedom."

"He was then invested with the grip, sign of recognition, pass word, and sign and cry of distress."

The boundless influence of such a ritual over the negro will readily be seen. Even fools who have railed out on the Southern men of the period for "standing aloof," and not taking the freed-

men from the control of the carpet bagger will read the answer to their folly in it. Backed up by the President and the army, the "Loyal League" leaders were secure against all peaceable resistance.

The idea of postponing the election that it might not interfere with the cotton crop had worked ill. The excitement and disturbance of the "Loyal League" organization and installations of members produced universal industrial demoralization throughout the summer and fall months. The condition led to agitation and consideration of the proposition to introduce Chinese on the plantations to take the place of the negroes. A convention was held in Memphis, in June, which adopted resolutions favorable to the change. Meetings were held throughout the cotton and sugar belts. The movement was arrested, however, by government action. Secretary Boutwell, of the treasury, instructed Collector Casey of the port of New Orleans to "use all vigilance to prevent this new modification of the slave trade." Ministers and consuls were directed to use their influence against the coolie trade. In a speech in Vicksburg, August 27, 1869, Gen. W. R. Miles described the Chinese laborer as he had seen them on a mission to California of investigation. He said: "I made arrangements to send to China and to contract with as many as transportation could be furnished for. Some eight or ten thousand might have been obtained for the next crop. But just as this arrangement had been completed Mr. Secretary Boutwell's letter to the collector at New Orleans was published. This letter seemingly forbids the coming to this country of any number of Asiatics under contract for a term of years, and in consequence the party who was to go out to China suggested that he could not encounter the risk of the great outlay for chartering and provisioning ships for these laborers so long as it was probable or even possible the government would interfere with his delivering them in fulfillment of the foreign contract." It was fortunate, perhaps, that this intended swap of the black devil for the yellow witch was thwarted.

By proclamation December 20th the military governor called the legislature to meet January 11th, 1870. The interim was en-

livened by a whimsical disagreement between General Ames and Governor-Elect Alcorn, over "special order No. 277," as follows:

"Headquarters 4th Military Division.

"Jackson, Miss., Dec. 23, 1869.

"The following named persons are hereby appointed to office in the state of Mississippi:

"Jas. L. Alcorn, governor; Jas. Lynch, secretary of state, vice Henry Musgrove, whose resignation is hereby accepted; Henry Musgrove, auditor of public accounts, vice Thos. T. Swan, whose resignation is here accepted; Joshua S. Morris, attorney general.

"By command of

"BREVET MAJ. GEN. AMES."

"WM. ATWOOD, Aide de Camp."

This incident was enlivened by Governor Alcorn, who declined the appointment in a letter of gallery play phrases. "The fitness of things forbade his acceptance, coming as the appointment did from the military authorities and subject for its support to the military powers, while he held in immediate prospect the position of civil governor by that sanction most acceptable to his instincts as an American citizen, that of popular choice. I may perhaps be indulged in the frank confession that under the fellowship of error and chastisement by which I am bound to the Southern people, I am constrained by an irresistible force of my heart to draw back from lot or part in their government by any other right than their own consent." This patriotic pose was worse than sham—every line was a mock upon the verities. The "popular choice" boast was but a stalking horse for the reprobated "military support," as the two governors and the public knew. While the virtue assumed was too thin to impose on any, it appealed to Alcorn's love for theatrical effects. The pretentious professions of devotion to the Southern people aroused radical apprehensions and Democratic hopes, which both proved illusive. The effect was not lost upon the governor's party leaders, who found a strong motive to elect him to the senate as a riddance from the governorship.

The legislature was convened January 11th, 1870, as called by

the military governor. Its proceedings were restricted to the preliminaries prescribed, of ratifying the 14th and 15th amendments and electing United States senators. In character and composition the body reflected the triumph of reconstruction, and the debasement of the state. Of thirty-three senators, seven were Democrats. Five were negroes, and the remainder carpet baggers and native radicals. Of one hundred and seven representatives, twenty-five were Democrats and eighty-two Republicans. The black counties were represented chiefly by negroes. Warren, Adams, Washington and other river counties were solidly black. As a rule this was by agreement—the carpet baggers taking for their share the places of profit and pelf. After organization, a message was received from the military governor calling for the ratification of the amendments, as prescribed. This was effected January 15th. There were eight votes against the 14th amendment and only one in opposition to the 15th. On its face the fact of only one vote against the instrument of negro suffrage, which the state had resisted so long and stubbornly, seems curious. Trifling as the circumstance is, it was sufficiently consequential as a reflection of opinion to call for explanation, which is simple.

In the South the struggle against radicalism had been fought to a finish—resistance was not only subdued, there was an earnest and widespread design to make the best of the negro citizenship as prescribed by the reconstruction leaders. This feeling was testified in the solid vote for the 15th amendment. At the same time the Northern states were intensely worked up over the ratification which would force the repugnant medicine on them which the reconstruction laws had already forced down the Southern throat. In effect the amendment only applied in the North, the Southern states constitutions having incorporated what it prescribed. For various reasons this was not regarded with positive aversion in the South. In the first place it effected uniformity—what was law for the South was made law for the North. When it proved evil there would thus be the larger chance for repeal. But mainly there was the motive of resentment for the pitiless and malevolent policy of burying a war devastated land under a load of outrage, wrong and humiliation from which there could



be no lawful extrication. That feeling generated a good deal of satisfaction in seeing the poisoned chalice carried to the lips of those who forced it on the South. By overwhelming majorities the Northern states had rejected negro suffrage amendments to their own state constitutions, while fixing the same on the South by the bayonet. They had not calculated that while usurping power over the South, the Republican party would coerce the North. But so it resulted, for the Northern radical legislatures felt compelled to ratify the amendment which congress demanded, although the negro suffrage it imposed had been rejected by their constituents at the polls. Thus it was that the Democratic minority of the Mississippi legislature of 1870 did not feel called on to express disapproval of the amendment.

The election of United States senators resulted according to the stipulations. Ames was rewarded with one of the seats for the unscrupulous use of his authority and power as military governor, and the other fell to Alcorn in consideration of his political value as a Southern Republican. There was factious opposition to Ames, and the Democratic minority voted for General Lowry. The vote for Alcorn was practically unanimous. As his term did not begin until March, 1871, there was a short term of a year to fill. After a heated contest it went to a Kansas mulatto preacher, the Rev. H. R. Revels. The carpet baggers did not concede the place willingly, but there were enough negroes to make the refusal of the least of the three places troublesome. There was thought to be policy in giving a senatorship to the slave race. And thus it was settled that each of the three constituent elements of the Radical party were recognized in the distribution of the Mississippi senatorships—the Southern renegade, the Northern adventurer, and the negro. Having concluded the labors allotted as preliminary to the state's readmission, the legislature adjourned pending action by congress.

A bill for readmitting Mississippi to the Union was reported to congress by Chairman B. F. Butler of the reconstruction committee February 3d. It was modeled after the act which the President had approved a week before, restoring Virginia to representation in congress. That act imposed other conditions than

those prescribed under the 14th amendment, which had sufficed for the states already readmitted. The members of the legislature were required to take the iron clad oath, provisions adopted to make the negro's right of voting more secure and irrevocable—to inhibit the state in future from changing its constitution in this respect. On page 531 of "Three Decades of Federal Legislation," by S. S. Cox, is to be read that "there was a proposition to impose other and harder conditions, but it is probable that the presence of a man of African descent with a certificate of election as United States senator turned the scale in favor of the bill"; without the "harder conditions." In brief, the effort was to take the state in on probation. As illustrated by Butler, reconstruction was to be operated as a game of set-back euchre—to set back the state to military rule if she misbehaved. The policy was thus stated by Senator Morton, in the debate which raged fiercely for two weeks: "I think that the experience of the last eighteen months has brought congress to the point that we should declare that we accept of the legal consequences of the doctrine of reconstruction. I know the common idea was, without consideration, that when these states were once restored to representation they passed entirely from under the jurisdiction of congress and we were done with them. That was illogical as experience has now shown. We must follow the doctrine of reconstruction to its consequences, and if necessary we must deal with these states after they have been readmitted."

Three measures of readmitting Mississippi were proposed and debated. The Democrats urged restoration without other conditions than those required of the states already reconstructed. The Republicans were divided between the Virginia act, and the Morton-Butler "harder conditions." From the latter the more cautious, feeling that the limit of popular approval had been reached, shrank, fearing a further strain upon the constitutional institution of a union of coequal states. Thus the state was admitted under the Virginia conditions. They were illogical and illusory, as the future proved. The extremists detected the fatal weakness of the reconstruction fabric, and that the prop provided in the Virginia law was a delusion and a snare. It took but a few years

to verify their foresight. The easy overthrow of the negro carpet bag governments as soon as the military support was withdrawn, they would have guarded against, by reserving the power, in the case of Mississippi, of "dealing with the states after they were readmitted."

Discussion of the bill to readmit Mississippi elicited a significant and interesting statement from Senator Trumbull, the chairman of the Senate judiciary committee, upon a motion to remit the "harder conditions" that had not been exacted from the other states. He said "the committee believed congress had no power to impose such conditions; that they have no binding force; that their effect is evil and evil only; that it is keeping up a distinction in regard to the states which could do no good and may do much harm. I believe that when a state is entitled to representation in this Union it becomes one of the states of the Union, and is a full and complete state with all in all respects."

The act restoring Mississippi to representation was passed February 17th. Upon the request of her congressional delegation President Grant delayed signing the act until February 23d. It was provided that the legislature should meet the second Tuesday after the bill should be adopted. By a war department order the fourth military district ceased to exist February 28th. Thus the second state to secede, Mississippi was the last, save Texas, to be taken back in the Union. The circumstances and the manner of her restoration left little disposition for rejoicing. While the Morton-Butler plan failed, the relentless spirit displayed in the debate, and through the radical press deepened the discouragement and unrest of the Southern people over the future. The war was five years in the past, but distrust and apprehension of the test of the readjustments of peace hung like a pall over the country. The last act of the military government was to remand the famous and fateful case of E. M. Yerger, for killing Colonel Crane, the military mayor of Jackson, to the state authorities.

The act restoring the state to representation being passed, the representatives were sworn in. In the senate objections were raised. It was contended that the certificate of the military governor did not fulfill the legal requirements. In the case of the

negro, Revels, the motion to refer to the judiciary committee signally failed. The circumstance of a negro in the seat of Jefferson Davis appealed powerfully to the imagination. It was greeted in the North as the fulfillment of historic revenge, an event of retributive justice, and as driving the iron in the very soul of the old South. Senator Revels was in reality less a subject of humiliation and loathing than the election of the military despot who had consummated the degradation. True, there were unsavory publications concerning the Kansas mulatto, which had the effect of making the knife of historic revenge cut both ways. To defeat his admission the light was turned on his previous life. It was published in the papers of the times that as preacher in charge of a St. Louis church he had led a scandalous life. During a riot in the church which he provoked his head was broken with a beer bottle. He transferred his ministerial activities to Leavenworth, Kansas, where he became involved with the church funds. Being accused of appropriating \$1,160, Revels sued one of his congregation leaders for libel. The verdict went against him, and he again changed his location. The New York *Herald* Washington correspondent published that if Revels were a white man his chances for admission to the senate would have been destroyed. But a negro in the Jeff Davis seat was an appeal that rose above everything. A celebrated correspondent of the time—replying to those who spoke of Revels as a mere “thousand dollar Darky”—said “I see in him a three thousand million darky. I hear in his voice the thunders of Donelson, and Shiloh, and Vicksburg, and Gettysburg, and in his footsteps the tread of mightier armies than Napoleon marshaled for the conquest of Europe. The election of Revels is the net proceeds of war and bloodshed. He represents the assets and liabilities of the four years’ struggle. He is the Union’s fruits of union and victory, whereof we have heard so much.” There was truth in this rhapsody. But it was a truth that mocked the sentiment to which it appealed. The “assets” were worthless, while the liabilities linger a heavy incumbrance and an insoluble problem. “The fruits of union and victory” proved “dead sea apples.”

A touch of bathos was given the incident by Senator Simon

Cameron, of Pennsylvania. It recalled to his memory, or imagination, a conversation with Jefferson Davis, when the Southern senators withdrew from the senate, in 1861. He said that he told the Mississippi senator that "when his seat was filled again it would be by a negro." And then the Pennsylvania Simon repeated the "nunc dimittis" of that "just and devout" Simeon, who exclaimed upon the coming of the Savior. "Now, Lord, lettest thou thy servant depart in peace, for mine eyes have seen salvation." Being written to concerning this revelation, a letter from Mr. Davis was published denying that any such conversation had been had with him. He wrote that "Senator Cameron made no remarks to me at the time, of my withdrawal, other than the expression of good wishes." To this the explanation was made for Mr. Cameron that he made the remark at a breakfast to which he had been invited by Mr. Davis. Mr. Davis, in his letter, dated March 23d, 1870, said: "Men had not then reached the degree of stultification which caused the withdrawal of the states to be called rebellion. And the only remark, so far as I know, made by any senator which had the least partial bearing was the expression of Senator Hale, of New Hampshire, that "he expected us all soon to come back." It is due Senator Revels, the soon forgotten cause of so much sentimental glow, that his brief senatorial career was unmarked by offensiveness or show of bitterness toward the people of Mississippi. He was subsequently appointed president of the state negro college by a Democratic governor, and acquitted himself creditably in that position.

The case of Ames hung fire. As great as was the disease and the disorder of the times, his title to the senatorship was repugnant to all sane and decent sense of right and propriety. Every senator felt that he was making a record of violation and stultification of sense of duty and senatorial dignity in voting to admit the holders of the following certificate:

"I, Adelbert Ames, Brevt. Major General U. S. A., provisional governor of Mississippi, do hereby certify that Adelbert Ames was elected United States senator by the legislature of this state for the unexpired term which commenced on the 4th day of March, 1869, and which will end on the 4th day of March, 1875.

In testimony whereof, I have hereunto set my hand and caused the great seal of the state of Mississippi to be affixed this 25th day of January, 1870.

A. AMES,  
Brevt. Major General U. S. A.,  
Provisional Governor of Mississippi."

Under the pretext of his non-citizenship of the state, the judiciary committee reported adversely to the right of General Ames to a seat in the senate. This was hailed with great gratification to the people of Mississippi. But the rejoicing was premature and probably injudicious. It doubtless won votes for the object of their detestation. While his case hung fire for quite a while, he was finally admitted to his seat in the senate. The party lash, and the desire to get rid of a nauseous dose by swallowing it, outweighed the committee report. The dishonor of voting in the holder of such a certificate was emphasized by the publication of the following letter from the military governor of Texas:

"To the *Texas Journal*: As a response to unanimous applications to permit the use of my name as a candidate for the United States senate I have the honor to request the publication of this note: I am not a candidate for any civil position whatever, and have never authorized the use of my name in such connection. The proper discharge of my duties has required of me the performance of many acts of a political character, but my conviction of right and sense of propriety would preclude the acceptance on my part of any political office at the present time, under existing circumstances, at the hands of the legislature of Texas. I have, to be sure, resided in the state with trifling exceptions for more than three years, but this residence has been as an officer of the army, charged in addition to ordinary duties of my profession, with the reconstruction laws of congress. Nothing but the existence of an unprecedented emergency could warrant the government in placing in the hands of a single individual the vast power entrusted by these laws to district commanders. I doubt whether a residence under such circumstances constitutes an inhabitant of the state in the sense in which the phrase is used in the constitution of the United States. There are other matters pertaining to the question, but I forbear to lengthen this note. I fully appreciate the kindness of friends who would confer upon me this distinguished honor, but decline to permit the use of my name in connection with any civil position.

"Very respectfully,

"J. S. REYNOLDS."

Gov. Alcorn's position was anomalous and somewhat ambiguous. His relations with the white people of Mississippi were peculiar and uncertain at this time. He was no mere renegade. In accepting the lead of the piratical spoilers he had held himself at a high valuation. A dignity that was inborn set off by an imperious nature kept them at a distance in public. While there had been bitter passages with the Democratic campaigners, he had been extended a certain tolerance by his old Whig comrades. Against judgment and evidence they had trusted his motives. And now had the time of the test of their trust come on. The result of the election had not been defeat simply, it was destruction of the Democratic organization. The situation left Governor Alcorn a free hand, save for the constraints of his own views of what was policy. He was to be governor for two years with the patronage of every country office to dispose of. His full term thereafter in the United States senate was fixed. Not unnaturally there arose dreams, and expectations that his power would be interpreted as an opportunity for recrossing the Rubicon—of serving the semblance of reconstruction as a cloak for the reality of white rule. The thought took the shape of a scheme for raising the dead—of restoring the ante-bellum Whig-Democratic party lines. A letter setting out the plan was written the governor by one of his old Whig friends. His reply, which was published, showed that the appeal touched his vanity, which was large. But it destroyed all hopes of a rehearsal of a Coriolanus role. He said "if the Whigs came over to him they will do so in good faith as members of the great Republican party of the state and nation. . . . I certainly have no enemies to punish. I wish it distinctly understood, however, that I have on the other hand a large number of friends to reward. . . . I intend never to abandon the man who stood by me in the day of trial. . . . If any further information on the points you and your friends raise be necessary, for their guidance and yours I shall be happy to give it without reserve." This was looked upon by the public generally as a distinct, and a not unmerited, snub.

The legislature met Tuesday, March 8th, and Governor Alcorn was inaugurated on the 10th. In his address he announced that

"the muse of history closes today a chapter of passion, bloodshed, and social revolution, and proceeds to write down the facts of this inauguration as the first event of a new chapter—a chapter which with her pen of light she heads by halcyon words of peace and hope." The message fairly bristled with pretentious phrases and the personal pronoun "I." He lured himself with a glittering array of economic generalities whose burthen was the exchange of political abstractions to which the Southern statesmen of the past were devoted, for the "Northern school of statesmanship, the fosterage of material interests, presented to us on an occasion of profound humiliation under the apple tree of Appomattox." "The old constitutional parties of the country being dead, . . . the propriety of this occasion does not, therefore forbid my dealing with the two old parties of the South as freely as I might with Egyptian mummies. The Democracy of the South is seen to stand drawn up across the road of Southern progress." He pronounced the dissolution of the dying Democracy as "a consummation devoutly to be wished by all those independent thinkers who, though acting with it, fall not behind that capacity for instruction which has raised the people of Austria from the depths of crushing defeat. Who are the natural successors in this state of the men whose statesmanship has been stamped by the condemnation of war? What class of thinkers of the South represent that of the North? Is it not the class which battled against Southern theories?"

Environed as the state was by gloom and menace, kicking the dead lion of Democracy was as besotted as it was ignoble. There were few of the old Whigs so blind to the darkening realities, or so gangrened by a dead partisanship, as to enjoy the statement that the dissolution of the organization which alone fed the hope of raising the state from a base rule, was a consummation devoutly to be wished. For the dissension it sought to spread among the whites, the Governor's tirade against Democracy was agreeable to the vultures he had led to the sack and spoil of Mississippi. The claim of the succession for the old Whigs excited their derision. They had slain the heir and intended to own the inheritance. In the exuberance of his fancy for mock heroics,



the Governor paid the following high flown tribute to the hour and the man of destiny: "A son of American liberty, whose heart is glowing with the blood of 1776, I may, therefore, be pardoned for feeling struggling the first utterance on this occasion the profound emotion with which I received from the hand of a conqueror the crown of civil law that I bind, this blessed hour, upon the queenly brow of Mississippi." The people of Mississippi had small share in this "profound emotion." They felt that they were simply swapping the devil for the witch. And as for the carpet bag crew, it was fitting that the pearl cast before them should be paste. At the very time of this boasted crowning of the queenly brow of Mississippi, congress was debating and the President was favoring a bill for the relegation of Tennessee, Georgia and North Carolina to military rule; for suppression of resistance of the whites of certain counties to outrage done under such a "crown of civil law," as had been bound upon the "queenly brow of Mississippi." In connection with the bill before congress the passage in the Governor's inaugural recommending and urging provision for "a militia in the interest of a strong government," aroused decided forebodings among the white citizens. They knew by the deeds of violence and rapine perpetrated in Arkansas, Tennessee and Carolina, what such a militia organization pointed to. They also knew, now, that Grant stood ready to back up with Federal power any extent of rapine and outrage by the Southern reconstruction Governors. He seemed embittered by conscience stings, for his apostacy from conservatism. A certain incident in connection with the death of Gen. George A. Thomas reflected the extreme partisan rancor to which the President had surrendered. Being next in order of succession, when another officer was appointed to succeed General Thomas, General Hancock, who had rejected radicalism with aversion, asked an explanation. He had been Grant's most distinguished and trusted corps commander in his 1864 campaign against Lee. But it did not save him from the following offensive reply, through General Sherman: "I am requested by the President to state that there is nothing in your personal relations with General

Grant or in your official relations to his administration, that could justify your promotion now, or lead you to expect it hereafter."

The new constitution provided that the terms of office of all county, township and precinct officers expired on the day of the signing of the act restoring the state to the Union, and the vacancies were to be filled on that day, or as soon thereafter as possible, by the Governor. Here lay a great leverage of power and influence, and the seeds of factional strife as well. In the dispensation of patronage that followed, no higher motive was looked for, or perceived, than to reward partisans and build up an Alcorn party. The first commission issued was the mayoralty of Vicksburg. As the constitution did not specify municipal appointments, and as the appointee was a carpet bagger and a stranger, it caused bitter criticism. A factional line between Governor Alcorn and the Ames, or carpet bag, element cropped out in the election of a state printer. In the contest the Governor's candidate was beaten. But the resolution declaring the result failed to receive the executive approval and another election was required. The issue threatened a party split. A levee of the negro members was held at the executive mansion, and addressed by the Governor. He appealed to them to stand by him and he would stand by them. There was a compromise, however. The state printing job was one of the most sought for prizes in the reconstruction states. Its possibilities of pelf were too great to risk in a party contest, so there was a compromise. The carpet bag investors in the printing plant contented themselves with the business end of the venture and the Governor was given the editor. Under this arrangement there was smooth sailing, and the state footed the bills.

An exciting incident of the period was the escape of E. M. Yerger, who had killed the military mayor, Colonel Crane, the year before. His execution under the sentence of a military court having been averted by the U. S. supreme court, the case had been made a pawn on the political chess board. At the time of his escape he was waiting upon a long deferred application for release under a habeas corpus application. The court officials, in their transitory state, were afraid to try, or to release,

him. When the information of his escape reached the legislature, a resolution was introduced in the senate by the carpet bag senator from Yazoo, A. T. Morgan, requiring the governor to offer a reward of \$25,000 for his capture. One for \$1,000 was published and soldiers scoured the country for the fugitive. At the end of a week he presented himself at the jail voluntarily, and in a letter to the governor said he had no intention of evading trial. The application for release on bail was soon after granted by Chief Justice Shackelford. A resolution calling on the governor to remove him was introduced by the same Senator Morgan. It was referred to the judiciary committee, which reported adversely on it, for technical reasons. Judge Shackelford passed out of office in the meanwhile. His friends claimed he was not included in the court of new judges because he released Yerger, while his enemies said he released him because he had learned he would not be reappointed. The excitement over a fatefully famous case was intensified about this time by a like tragedy. In executing an arbitrary arrest the military marshal of the city, Sergeant Tuck of the 16th infantry, who had been selected and detailed for the position on a reputation for exceptional daring, was shot and killed by an old and highly respected citizen of Jackson.

The governor's judicial appointments formed the question of chief interest in the beginning of his administration. It was not one which he could dispose of with a free hand, altogether. The senate, with its majority of aliens and negroes, had to be reckoned with in the selection of "men whom society could not afford to ignore." With this fact in mind it is to be recorded as truth that the judges and chancellors, as a whole, came up to the measure of expectation. With few exceptions they were old residents of the state. Of the three supreme court judges, two were home men of high standing, and one, Judge H. F. Simrall, was recognized as among the leading lawyers of his day. One of the three was an ex-Union soldier. While his rating in the profession was not high, he was a man of integrity and reputable character. In the drawing of terms, the long one, for nine years, fortunately fell to Judge Simrall. Certain of the appointments of district

judges and chancellors were unfit. The river district above Vicksburg was especially afflicted, though this was the result of compelling circumstances and not the executive choice. He appointed the holding judge, B. F. Trimble, who was a lawyer of superior ability. But his confirmation was defeated. C. C. Shackelford, an old citizen of the state, but a non-resident of the district, was then appointed. He at once passed under the influence of corrupt and partisan officials. Becoming estranged from and despised by the bar and the citizens, he became an embittered despot. The district was almost as unfortunate in its chancellor. The governor appointed his brother-in-law, Chancellor Harmon, a lawyer of ability and a graduate of the state university. But he soon resigned and left the state. He was succeeded by E. Stafford, the editor of the state organ. He was without professional standing or capacity, and his appointment burlesqued the governor's announcement that he would give the state a judiciary of men "learned in the law above his fellows, and whom society could not afford to ignore." No other district was so afflicted in its judges, though the Natchez district circuit judge, A. Alderson, was in the Shackelford-Stafford class.

As to Governor Alcorn's selections for the county officers, they beggar description. It is not enough to say that not the slightest regard was bestowed on the popular wish, or the qualification of his appointees. All of the pride in choosing capable men, or care of appearances, was exhausted in the judiciary. In the rest there was no other thought than to reward or create personal followers. Not even residence was considered. Bonds of straw were the rule. Men were appointed to important offices in counties where they were utter strangers, just as Ames had done. Raymond, of Hinds, was made sheriff of Warren, and Lake, of Warren, was appointed sheriff of Hinds. Negro justices of the peace and supervisors were common in the black counties. Quite a number were made sheriffs, clerks of the courts, treasurers and assessors. The sheriff's offices of Bolivar and Washington counties were disposed of under circumstances that index the motive of selections. Governor Alcorn appointed a personal friend, General P. B. Starke, to the former county. But the carpet bag

incumbent and applicant, one of the shrewdest and most resourceful of his class, secured an adverse vote in the senate on his confirmation. He subsequently stipulated with the Governor for the better paying county of Washington. He was informed that this had been promised to Doctor Stites, a negro member of the house, who had "stood by the Governor." Webber thought he could fix that. He was told by the Governor that if he could do this satisfactorily to Stites he could have Washington county. The two called at the executive office together and informed the Governor it was all fixed satisfactorily, and Webber's commission was issued accordingly as sheriff of a county where he was a total stranger. He afterwards boasted that he had procured an office worth \$20,000 a year by a cash outlay of \$200. In the six years that he was sheriff, and deputy of a negro, he robbed Washington county of not less than \$200,000—probably leading all the rest in the amount of his gains. The people of Greenville, the capital of Washington county, were made to drink of the cup of shame and humiliation. To head off the complete Africanization of their government, the white men joined with the moderate and inoffensive radicals, black and white, in petitioning for a ticket made up of that element. It did not contain the name of a single Democrat. The mayor asked was a supporter of the Governor. The white signers of the petition included some of his oldest and most devoted friends. He gave the town a governing board with a majority of negroes, and a negro marshal. The consequence was several years of misrule, of disorders and robbery.

Extreme dissatisfaction and distrust prevailed among the taxpayers of the levee district comprising the three counties of Bolivar, Washington and Issaquena. Before the war the entire Mississippi Delta had been incorporated for overflow protection. But the district formed was dissolved in war's ruin. The task of rebuilding the broken and wasted levees with slaves emancipated, plantations overburdened with debt, and a shifting, demoralized labor system, seemed so hopeless that all of the counties save those named shrank from it. They were incorporated with power to issue a million dollars of bonds for levee building, in 1865.

Under a board composed of the most responsible planters, with Gen. S. G. French, of Washington county, for president, there had been issued half a million of the bonds authorized, and the proceeds expended in levees, up to May, 1869. The revenues of the district had been judiciously and economically applied. There was no popular complaint or dissatisfaction, and the board's administration had been warmly approved by General Gillem. In a purely partisan spirit the commissioners and other board officials were removed by Gen. Ames, the district placed under a board with a majority of unworthy and dishonest members.

Then ensued an administration of waste and corruption which became so scandalous that the Washington county commissioners resigned. Governor Alcorn's attention was called to the situation. It was shown that the Ames board had in a little over a year sold bonds in excess of the legal limit by over \$200,000. In four years of the French board there had been paid out a total for salaries and commissions of \$47,861. In one year and four months their successors had expended on the same account \$52,825. The governor promptly and properly removed the commissioners and appointed a board with half its members representative planters.

A bill legalizing the excessive bond issuance was vetoed in a message which severely arraigned the Ames board. So far the governor's action was heartily approved by the taxpayers. He went further, however, and attacked the law of 1865 and the system of overflow protection it devised. The cotton tax was not only pronounced to be in conflict with the governor's views of sound policy, but, usurping the provision of the courts, he declared it unconstitutional. This went far to do away with the popular approval of the arraignment of the board's record. While the validity of the cotton tax, which alone could be depended on for a levee fund, was not affected, the attack upon it impaired the district credit and depreciated the bonds.

Governor Alcorn saved the taxpayers of the state, and especially the black districts, from a deep laid scheme of robbery, under cover of a bill "to provide for a general system of railroad incorporation," which he vetoed June 20th. It provided for voting and issuing bonds by municipalities and counties, to select

groups of irresponsible paper promoters of wild cat roads. "You give in trust," reads the message, "for two years absolutely and for ten years provisionally, all the hopes of railroad development in strips of twenty miles wide through the state, to men you hold subject to no duty, to no test of financial responsibility. Under the bill before me any party of five may sketch out a railway system for a large area of the state." Upon commencement of any five mile line, within two years from the incorporation of any such party of five, and any sort of completion of the line in ten years, "the company will have acquired without any condition whatever of construction, or otherwise, an absolute right to preclude the construction of any road within the scope of its network of branches for the whole term of its corporate existence—ninety-nine years." Only by the aid of the solid Democratic minority, and the force of the appointing prerogative, was this iniquitous measure beaten.

Another equally praiseworthy veto, of a printing bill, was credited to the Governor July 1st. The bill was twofold of design. One object was to starve out the Democrat local press by requiring all official publications to be made in certain named "loyal" papers—one in each circuit court district. In anticipation of such a bill, which was authorized under the constitution, papers with no other chance or expectation of life, than forced patronage, had been established all over the state. In the most of these mushrooms some member of the legislature was interested. The howl that was raised when the bill was disapproved by the Governor may be imagined. A strong but vain effort was made to build up a vote to carry it over the veto. The incident contributed largely toward estranging from the Governor the leaders of his party, with whom he had never been in complete unison.

On the 21st of July the legislature adjourned, having bestowed on the state a system of governmental extravagance beyond comparison with all before it. The highest cost of the legislative department in any session before 1870 was that of 1855-60, which was \$77,567. That of 1870 was \$258,400. The executive department cost from May, 1867, to May, 1868, was \$20,571; for 1870, including \$50,000 secret service fund, \$74,200. Public printing

from May, 1865, to May, 1868, was \$18,675; for 1870, \$52,876. The cost of property assessment from May, 1867, to May, 1868, was \$28,066; for 1870 \$175,000. These figures illustrate the increase in all the departments and offices, state, county and municipal. They are taken from page 371, report of the joint select committee to inquire into the condition of the late insurrectionary states, made to congress February, 19, 1872. After adjournment the Democratic legislative majority issued an address to the people of the state. In this it was said, "our efforts were necessarily confined to preventing unjust legislation. Although we have no brilliant triumphs to record, we yet feel warranted in claiming that our influence for good has not been entirely unfelt. . . . By firmness and unanimity of action, and at the same time by conciliation, we have to some extent checked the mad career of the majority. Many harsh measures have been enacted. Many grievous burdens have been placed on the people. Many iniquitous schemes have been consummated. Taxation is vastly increased. A costly school system has been legislated into existence, looking mainly to the white property owners for support, while the whites are virtually excluded from participation in its benefits. In this and other measures of the radical party its leaders have aimed to compel social equality between the races regardless of natural distinctions and the time honored uses of society based upon them. . . . Claiming to be representative of the people, a radical legislature has postponed an election of county officers . . . to retain their terms of office for their retainers and partisans." This address closed with an appeal for recognition of the great responsibility resting upon their constituents and fellow citizens "to shield the state from the fate marked out for her in the examples of our sister Southern states. No middle course is left between decided action on the one hand and prolonged degradation on the other." The closing passage quoted was meant to close up the divisions among the whites which had been caused by attraction to Alcorn, the home radical candidate, and repugnance to Dent, the non-resident conservative.

The most evil act, in principle, of the session of this legislature, was the one to organize the militia of the state. Recog-



nizing the weakness of the government resting upon negro suffrage, and created under protection of Federal bayonets, it was designed to supply the place of that prop by a state military organization. This had been resorted to in other Southern states and with atrocious results in Arkansas, the Carolinas and Tennessee. Under Governors Clayton, Holden and Brownlow certain counties had been harried into serious revolt. They had been invaded by militia and the people subjected to brutal outrage. Many had been driven into exile or murdered. In South Carolina, Governor Scott had organized a negro militia force which had threatened race war. In spite of these examples Governor Alcorn had, in his inaugural, urged "the establishment of a militia in the interests of a strong government." The power conferred on the commander-in-chief, the Governor, by the measure enacted, was a menace to all government of law. All persons within military age were required to be listed by the county assessors and organized into companies, regiments, brigades and divisions. Within and independent of this general provision, it was enacted that companies might be formed by "voluntary enlistment." But such organizations might be disbanded by the Governor, or abolished by the legislature, and were subject to the orders of the regular militia brigade commanders. The cloven foot of the law was in section 35, authorizing "the commander in charge to organize and equip not to exceed one regiment of cavalry, to be composed of not more than twelve companies, and one battery of artillery, of not more than six pieces for each division." Coupled with an executive contingent fund of \$50,000, the menace to the liberties and lives of the citizens in such a provision is apparent. It was a device of absolute despotism. There was no condition, no disorder or violence to furnish excuse for a law so repugnant to the principles and institutions of a republic.

This law, so pregnant with evils, was urged by Governor Alcorn in the knowledge that he would in a year turn it over to a carpet-bag successor. While the abhorrent uses provided were not fulfilled, the following from an article in the administration organ—when personal hostility to the Governor by members of his party

threatened defeat of the militia bill—exposes the partisan calculation in it: “The militia bill cannot be placed in abeyance, for the carrying of one state in the West by the opposition is all that is necessary to influence the passions of Democrats to a point at which it might become wise to back the power of the government by preparation for physical force.” In this will be perceived an insidious appeal to a government of predatory aliens to make hay while the sun shone—to prepare for holding their ill-gotten power by force. The militia law was coupled with another quite as vicious in principle. While the state had not been wholly free from violence theretofore, up to the time the legislature adjourned the secret order known as Ku-Klux was a myth within the state. But the fame of its deeds in other states against radical oppression had spread abroad. And taking time by the forelock the legislature passed an act providing severe punishment for any one convicted of appearing in public, or prowling or traveling in any mask or disguise. The Ku-Klux had first appeared in middle Tennessee, as a protection from the outrages of Brownlow’s militia. He had issued a proclamation that his troops would not be punished for what they should do to rebels. And taking advantage of this license all manner of crimes were perpetrated by the militia and the negroes, who were thus incited to robbery, murder and rape. While the order spread to the eastward—in the Carolinas, Alabama and Georgia—it did not organize in Mississippi, where there was no such provocation for it, until the latter part of 1870.

The white men of the state were greatly discouraged and depressed by their environments, and prepared to submit to a great deal of humiliation and wrong from their government. But there was a resolute spirit under the submissions. It was determined for one thing that there should be no repetition in Mississippi of such militia outrages as had been inflicted on other states, without resistance to the last degree. To meet lawfully the evil intended under the militia law, white companies, constituted of ex-Confederate soldiers chiefly, were promptly formed, throughout the state, under the provision for “voluntary enlistments.” They chose company officers and tendered their services

to the Governor. The move was one that was not counted on, and notice was served on such organizations by the adjutant general, who was also Governor Alcorn's private secretary, that "while a partisan spirit will not be permitted in the militia, the force must be true to the cause of law and order. The primary conditions of the organization impresses the Governor with the conviction that he must see to it that officers shall not be men so blinded by political passions as to render a faltering obedience to that subject of the reverence of all good citizens—the lawful authority of 'the powers that be.'" The circular containing this hint was followed up by a statement published that the Governor would not recognize the white volunteer organizations, which were obviously designed as protection against the force contemplated in the law. But their prompt formation carried a lesson that was not lost on the state's alien rulers. Alcorn appointed officers of a character that would not "falter in obedience and reverence to the powers that be." They were thus sketched in a state newspaper (*Vicksburg Herald*) account:

"Divers eminent rogues are nominated as major generals. Others less eminent, though not less roguish, as brigadiers. Still less widely known patriots as majors and colonels. And on the heads of the riff raff generally descends a bounteous share of captains, commissaries and corporal's warrants. All this hierarchy and the scum forming the rank and file are to be clad in United States uniforms and made to resemble as closely as possible the United States artillery sent into North Carolina by President Grant. . . . Fruitful as war is in diabolical inventions, the great strife between France and Prussia has developed no such scurvy novelty as Alcorn's 'sedentary militia.'"

Education of the negro children was a cardinal tenet of Radical politicians. Their professed theory was that book learning alone was needed to qualify and capacitate the enfranchised race for all the duties and responsibilities of equality in citizenship. In fact, with the carpet bag legislator, a lavish scheme of common schools was the strongest card for winning the negro vote—of building an impassable wall between that vote and the old white citizens. Thus the law passed by the legislature of 1870 provided extrava-

gantly for the common schools. Building school houses was one of the main "pulls" for plundering the taxpayers. There was, of course, no requirement for separate race schools. Many, probably most, of the county superintendents in the black counties were negroes from the North. Still there were no mixed schools. This was recognized by carpet baggers and negroes as impossible. Out of this recognition on the one hand, and the contradiction that would lie in writing the words "white" and "black" in the law, a *modus vivendi* was agreed upon and provided. It was made the duty of the county school directors of any district "to establish an additional school in any sub-district thereof, whenever the parents or guardians of twenty-five children of legal school age residing therein made written application for establishment of the same." This device worked satisfactorily until the time came for the situation and all of its accessories to change. In the meantime there was no effort to force mixed attendance—the negroes had the regular schools and the whites the "additional." There was a disquieting report that the new board of university trustees would direct the admission of negro students. In consequence of the report a letter was addressed to the chancellor of the university asking what action would be taken, if application for such admissions were made. A reply signed by the whole body of professors was published, in which it was announced that no negro students would be entered in the university, and if the board of trustees made an issue of the matter they would resign rather than yield upon it. A copy of the correspondence being sent to the Governor, he gave out a long and curiously involved reply, concluding as follows:

"University education for the colored people is, you are aware, held by one political party in the state, a question simply of time. On the other hand, you must know also that another political party in the state scouts university education for the colored people as an absurdity; the appearance of feeling which the inquiry of Judge Hudson has brought out unnecessarily in the answer of the faculty, leads me to doubt for the first time, the present accomplishment of my profound wish to raise our university education out of the injurious influences of party politics. While

I stand firm in my anxiety to maintain the university of Oxford, a subject of honorable tradition of my own race, my conscience would forbid, even though my ability could compass, its maintenance as such, if its administrators should be found from time to time, outside the sphere of their high and honorable duties, holding language inspired by the passions of race or party. The affections of many of the brightest intellects that adorn Mississippi cluster around your institution; but I must caution you those affections will be stung with grief as surely as tomorrow's sun will rise, if the trustees and faculty fail in the duty of purging its halls of the old vice that has haunted them so long—political faction.

I have the honor to be, with assurances of the highest regard,  
Your very obedient servant,

J. L. ALCORN.

P. S.—The governing party of this state is committed directly and by inference to the maintenance of the university of Oxford; it is so committed in its acceptance of my messages; it is so committed in its policy on public education; it is so committed in the men by its own act and concurrence to administer the affairs of the university as trustees. If any doubt can remain after all of this as to the intention of retaining the university for the whites, then tell the doubters to await legislative action in the matter of establishing a similar school for the use of the people of color.

Dr. J. N. Waddell, Chancellor Oxford University.

The courage to practice what they preached was not wholly wanting from the carpet bag law makers of the state. It was displayed signally by one of the leaders. Senator A. T. Morgan, of Yazoo, who at the close of his legislative labors caused a signal sensation by marrying a colored woman. The ceremony was performed by one of the numerous negro preachers of the legislature. In a notice of the affair, published in a Jackson paper, it was stated that after visiting his parents, Senator Morgan and bride would join his friend, Senator Ames, and bride, in a Northern tour. The incident was a subject of national note. There was a song much in vogue at the time, which was known as "Shoo Fly." A paper published in the home of Morgan's parents closed

an abusive and derisive notice of his wedding by the following improvisation of a famous ditty:

There's nigger in the air,  
I see him on the wing,  
There's nigger everywhere  
I hear the angels sing.

O sober nig and tight,  
O nigger high and low,  
O nig, nig left, and nig, nig right  
And nig wherever we go.  
Shoo Fly!

Another ripple was caused on the surface of events in the first session of the Hinds circuit court. The grand jury having before it the appearance bonds of E. M. Yerger, the slayer of military mayor, Colonel Crane, and of George E. Sizer, who had killed military marshal, Sergeant Tuck, was in doubt about indicting the former, as he had already been tried by the military court. Under a preemptory order from Circuit Judge Brown an indictment was found for manslaughter. While an order to a grand jury was a shock to all who preserved respect for the institutions of law, it was consistent with a deeply diseased period.

In his melodramatic and bombastic inaugural address Governor Alcorn had said: "From me individually the colored people of Mississippi have every reason to look with a profound anxiety for the realization of their new rights. In the face of memories that might have separated them from me as the wronged from the wronger, they offered me the guardianship of their new and precious hopes, in a trustfulness whose very mention stirs my nerves with emotion. In response to that touching reliance, the most profound anxiety with which I enter my office as Governor of the state, is that of making the colored man the equal before the law of any other man—the equal not in dead letter, but in living fact." In the redemption of this pledge to make negro equality a "living fact," and to build himself a leadership upon the shifting sands of a negro following, Governor Alcorn had outraged the rights as well as the sentiments of his own people,

in the appointment of a horde of venal and ignorant negroes to office.

While less avaricious than their carpet bag allies, the negroes were more shameless and offensive. It was not long before the Governor was confronted by the evil fruits of a wretched policy, in reports of their abuses of authority and peculations. Lawless acts and offensive displays of authority by negro police officers, were only prevented from spreading to race conflict by the mingled forbearance and resolute temper of the severely tried white people. Two of his "living facts" gave a particularly satirical color to the Governor's emotional rhetoric. These were Jno. D. Werles, state librarian, and W. H. Furniss, circuit clerk of Warren county, negroes. Shortly after the legislature adjourned they were detected in carrying on a thriving trade in library books. In their generosity one set of Mississippi reports was presented to Professor Langston of the Howard negro college at Washington, the alma mater of the firm. A lot of books were recovered from the trunk of Senator Morgan, the miscegenationist. As librarian, Werles was ex-officio custodian of the capitol, and sold off the metal fixtures about the building, including the two bronze eagles on the entrance gates. The pair of rascals were removed from office, but there was no further punishment, as at this time official stealing was rife all over the state. Werles simply transferred the scene of his activities to the Washington county court house. He was a most gifted court clerk, and thief, and in the ensuing years proved himself invaluable to the carpet baggers in their plunder of the county. Another sensation was caused by the exposure, by the attorney general, of an attempt on the part of the state superintendent of education to engineer a gigantic school book robbery. But the scheme was simply changed from a wholesale to a retail swindle, through the county superintendents.

The congressional elections of 1870 were looked to with more of hope than expectation of relief. The disappointments attending the results in 1866 and 1868 had taught the South that the Northern majorities were thoroughly committed to the radical policy of humiliation and punishment. While there was no doubt

that when made aware of the base workings of that policy there would be a revolt at the polls, the lesson had not yet been learned. There was no sign of reaction in the proceedings of the congressional session, which had been expressed in virtually compulsory adoption of the 15th amendment, and the extremely harsh and proscriptive act for its enforcement. This was shaped and finished after extensive debate and approved May 31st. The law made it a misdemeanor and punishable by excessive fine and imprisonment to "prevent, hinder, control or intimidate or to attempt to hinder, etc., by means of bribery, threats, or threats of depriving of employment, occupation or ejection from houses, lands, or other property, or threats in renewing labor contracts or leases; any one from exercising or in exercising the right of suffrage, to whom the right was secured or guaranteed by the 15th amendment. The intent of this act, as declared by historian Jas. G. Blaine, was "to protect the right of every man to vote, and was enacted with especial care to avert the dangers already developing against free suffrage; to prevent the dangers more ominously though more remotely menacing it." The endeavor to build a citizenship of popular government upon such despotic contrivances for keeping the white race in order, could only have been conceived in the madness and the blindness of sectional partisanship and spite. The very assumption of the necessity for such safeguards of the right of suffrage was a confession of impotency. It was as void of wisdom and foresight as damming the stream without provision for the flood and its fury which the obstruction but intensified. But it none the less proclaimed the continued ascendancy of the passions of war, which five years had not seemed to abate. During this whole congress other measures for disciplining and dragooning the Southern states were debated—measures which President Grant's readiness to furnish troops to their governors rendered unnecessary. The Georgia case was an especial provocation of sectional wrath. The action of the legislature of that state, in the expulsion of the negro members and the rejection of the 15th amendment by the white majority, had exposed the rottenness of the reconstruction fabric. An act had been promptly passed prohibiting the exclu-



sion of members of the legislature on account of color. Georgia was thrust back into the outer darkness until the legislature had been re-assembled and revoked the expulsion of the negroes and the rejection of the amendment.

In the election of 1870 Mississippi had no part. As the legislature had refused to provide for selections of local officials by popular choice, the voters had no opportunity of "turning the (appointee) rascals out." By a convenience of construction, and a mere certificate from Gen. Ames, it was held that congressmen elected the year previous had been chosen for the ensuing full term as well as the piece of one. Partisanship was at fever heat in the North in the election. President Grant showed an alarming readiness to use troops about the polls. In New York advantage was taken of certain signs of turbulence, and five thousand troops were ordered to the city. This menace was met by an order of the Democratic Governor for ten thousand state troops to concentrate there. The President also ordered troops to Philadelphia and Wilmington, Delaware. As far as their numbers would permit, the Southern garrisons were distributed at the larger negro voting precincts. The President's action was severely assailed in the ensuing messages of the Governors of both New York and Pennsylvania. In Louisiana there were a number of riots, and some bloodshed. Two signal results of the election was the complete redemption of Alabama from radicalism, and the failure of the Republicans for the first time since 1861 to secure a two-thirds house majority. But this failure which would have changed the whole course of legislation in the previous administration was of no consequence under one in full sympathy with the radical majority. This proved as implacable as ever when congress assembled. An ill-timed resolution in the senate for restoration of Arlington to Mrs. R. E. Lee caused the leaders to vie with each other in firing the Northern heart by denunciations of Southern traitors. Senator Sumner said he was present when Secretary of War Stanton issued the order for a soldiers' cemetery at Arlington; "for the purpose, as Stanton said, of forever prohibiting its restoration to the Lee family." There was no recommendation of a general amnesty in the President's message, which had been

revoked when proclaimed by Andrew Johnson two years before. It was published that the President had intended including such a measure in the message, but had forgotten to do so while writing it. He remembered, however, to assail "the states lately in rebellion" for denying "in exceptional cases," a free exercise of the elective franchise, and "thereby reversing the verdict of the people." In the first half of the session a number of proclamations were issued denouncing lawlessness in the South—disorders produced by corrupt and tyrannical rule. The President exhibited his hostility toward the South by a message of exceeding injustice to her people. This was a list of "outrages" committed, made up from reports on file in the war department. While covering the whole period from the close of the war, omission of dates left an impression of recent occurrence and Southern savagery extremely prejudicial to a sorely beset section. The purpose of such a message was revealed in another enforcement act, creating Federal, and partisan, election control through supervision of the polls. This was aimed as much at Northern Democratic cities, as at the Southern states.

The state legislature met on the first Tuesday of January, 1871. There was quite an addition to the Democratic minority, as there had been an election, December 20th, to fill near twenty vacancies caused by appointments of members to judgeships, etc. All white counties and districts returned Democrats, Lowndes, a black county, also elected a Democratic representative. The legislature and the public were treated to a characteristic message from Gov. Alcorn. He welcomed the law makers "to do what remains to be done of the work of reconstruction. \* \* \* Evil auguries had anticipated your last assemblage. They are hushed now into a silence more ready to do you justice. And the humbling of past injustice is but due to our fair deserts. Many of your enactments did not, it is true, meet my own convictions of policy and right, where I felt my deference for the opinion of your honorable bodies confronted by my allegiance to a vital principle. I owe you the tribute of the confession that you were ever ready to pay gracious courtesy to my conscientious dissent. But taking as a whole the product of our official concurrences as embodied in the

laws of 1870, I owe you the duty of declaring that, when it is remembered that you came together at the bidding of a revolution; that several had but just been inducted into freedom when you were called on to legislate; that very many of you, though free from birth had had no experience in the affairs of government; and that but comparatively few of you had ever sat in a deliberative assembly, you showed in the work of last session a moderation and wisdom highly creditable." \* \* \* Precedent would teach me to devote myself here to discussion of principles of government. The speculative statesmanship of the South having had its day and result, I feel it my duty to direct your consideration to, solely, the urgent questions our own direct interests \* \* \* of gathering up and rebuilding whatever those obstacles may have left us." To illustrate what was left to build upon, the governor had prepared at very great labor and incorporated in his message a mass of statistics showing the decline in values from 1860 to 1870—taking a group of counties for his theme. "The picture," he said, "is one that no man of right feeling could contemplate without a sense of the melancholy." But the material decay was more than offset, the message argued by "encouragement to men who doubted the practicability of educating the great body of our labor to the moral level of freedom." To sustain this view the issuance of marriage licenses to negroes was cited; the number of negro churches; of negro preachers and of teachers of schools; of shops and stores kept by negroes. Here was found "a direct rebuke to the despondent." Industrial statistics occasioned in the governor "a pleasure hardly less than surprise." He found "the most surprising evidence of negro thrift. \* \* \* The industry and thrift of the negro is developing with extraordinary rapidity the production of a mass of property owners who constitute an unimpeachable guarantee that reconstruction goes forward to the consolidation of a society in which the reward of labor goes hand in hand with the safety of property."

The "speculative statesmanship" which Gov. Alcorn derided in 1870 has been finely avenged upon the architects and forecasters of reconstruction. A withered fruitage confounds the coloring of

hope and cheer he so fatuously indulged. Viewed in the larger historic perspective, in the measurement of the eternal verities, war's ravages, the wreck and ruin involved in the destruction of the old order, made a less "melancholy picture" than that which destiny wreaked upon the new. This very remarkable message ran into a treatise upon the beauties of economics of government which the administration was achieving. The Governor unctuously, though flimsily, figured out a comparison between expenditures of 1861 and 1870. Some hundreds of thousands of excess in the latter year was set down to "the necessities of the time and the result of the political facts." He complacently remarked that it was cheaper to tear down a government than to build up one. In spite of his partisan zeal and cunning, there was difficulty in explaining the increase in the cost of public printing from \$8,000 in 1861, to \$52,000 in 1870. The legislative clerical force which cost \$5,861 in 1865 ran up to \$28,201 in 1870. In the conclusion of his labored and lengthy argument, the governor said he was "happy to report that the providence of the administration of 1870 compares, as a whole, to some advantage with that of 1861. The governor's "speculative" figuring could not disguise from the taxpayers the fact that they were being ruthlessly robbed—all over the state, in every county, city and town, Alcorn's appointees were feathering their nests. The laudatory claims of the message were contradicted by the fruits of the first year of test of reconstruction completed. During military rule, until the wholesale removals and appointments under Ames, in 1869, local taxation and expenditures were administered honestly. Robbery was in full blast, in 1870. The Natchez Democrat stated that Adams county taxes had been increased to \$28.75 per thousand, and in Natchez joined to the city tax the rate was \$41.25. Warren county affairs were administered at a cost of \$34,043 in 1867; in 1870 it was \$136,000. The Holmes county tax collection which was \$26,000 in 1860, was \$88,000 in 1870. In Issaquena county the tax rate, exclusive of that for levees, was \$45 on the thousand. Among the items of allowance by the board of supervisors was the sheriff's monthly wash bill. Local administration generally is reflected in the current accounts of Vickburg's "im-

provement" expenditures. The published proceedings tell of a meeting in the board of mayor and aldermen for "consideration of the bids of Martin Keary and P. L. Meath, in the contract to improve the wharf landing. The bid of Meath was shut out upon the point that his proposal was tendered after the prescribed hour and that "a competent engineer had estimated that it would cost the amount of his bid, \$87,500, to do the work." A minority of the aldermen insisted on acceptance of Meath's bid because it was \$29,000 less than Keary's and his bond was better. Meath's attorney was refused his request to speak in defense of his client's bond and the contract was let to Martin Keary, one of the most noted corruptionists and public works extortioners of the time. The mayor of Vicksburg, a carpet bagger named Webber, was appointed, as stated in a preceding chapter. He was a stranger to the people when appointed and coming among them with an unsavory reputation which he lived up to and verified. During the administration of Mayor Webber Vicksburg was loaded with near half a million of debt for Keary's contracts for "improving" the streets, landing, and sewerage.

While Gov. Alcorn had in retaining them in the offices faithfully carried out his compact with the reconstruction mercenaries, he had not won their trust or favor. Ambition, and hatred of the old Democratic leaders of the state, had prepared him for "the covenant with hell." But he could not divest himself of a certain scorn for HIS tools, which was repaid by the carpet baggers in ill-disguised hate for THEIRS. Having given him his consideration, a seat in the senate, his appointments being all given out, they were desirous to have the governor vacate the executive chair. Upon a report that he would not resign immediately upon the beginning of his term in the senate there was a move to force him to do so. To have him show his hand, he was formally notified of his election, in the first days of the legislature session. He responded effusively but failed to disclose his intentions. March 4th having passed and the governor showing no intention of resigning to take his seat in the senate it was treated as vacant by a resolution, which passed both houses, to hold an election for senator. One ballot was held in the house, after which the fight

was called off on a pledge of the governor to resign in December, to which date congress had adjourned. Neither party cared to push hostilities to extremities. The governor's position had just been greatly strengthened by a supreme court decision, affirming his right to removals from office. There was in the decision a power of reward and punishment that greatly toned down opposition to the governor. The white people of the state viewed the matter of his continuing in the governorship with much indifference. There had been complete disillusion of expectations that he would lift his administration above its source—disillusion fully shared in by Gov. Alcorn's friends and intimates of the old Whig party. Acts he had favored, especially the militia and the public schools bill, and his scandalous appointees, had caused deep resentment and aversion towards one whom all had hoped to regard with gratitude and trust.

Nor had Gov. Alcorn preserved himself from suspicion that he was defiled by the pitch he handled. The legislature of 1870 had voted him a special contingent fund, of \$50,000, "to be accounted for to the legislature at its next regular session or at any time the legislature may require." That act was approved April 6th. On June 14th he approved an amendment to it—authorizing its use "in the secret service of the state; and such part as used by him he shall not be required to account for when in his opinion the disclosure of the appropriation should be withheld." It never was accounted for, and no knowledge ever leaked out of how more than a fifth of it was ever expended. There was the scandal of a sum of \$30,000 borrowed from McComb, the president of the New Orleans, Jackson & Great Northern railroad. Of this repayment was claimed in a reply of the state official organ to published criticism of the transaction. But this did not remove the common belief that the loan was connected with the approval of an act empowering the governor to transfer the stock of the state in that road, and all other roads in the state, to the New Orleans, Jackson & Great Northern. Vide acts of 1871, section 13, page 179. There were severe charges against the Richardson convict lease, which the governor was urged by the state press to veto, and which he permitted to become a law. The following is

quoted from the testimony in the Ku Klux investigation, of the Hon. J. F. Sessions, a member of the legislature of 1870 and 1871, and a man of irreproachable character. "It was commonly supposed and generally believed that the passage of the bill was secured by bribery. The substance of it was that the penitentiary should be leased for a period of fifteen years. Richardson to be paid \$18,000 per annum. \* \* \* There was great competition for the contract. \* \* \*

Other parties proposed to pay the state for the labor of the convicts." For the notorious Jones pardon the governor was severely censured. According to the story as published a Coahoma planter named John Jones had killed a man named Allen; some years before his pardon. For this he was indicted and employed Alcorn to defend him. The result of his trial was a hung jury—it standing eleven for conviction. The case came up at the Coahoma court, in 1870, held by Judge C. C. Shackelford. Gov. Alcorn attended the trial and agreed with the judge upon a plea of guilty. Jones was immediately granted a pardon. Gov. Alcorn was called upon in the press to deny or admit the facts as stated, and if he did not receive, for getting Jones out of the trouble, a contingent fee of a plantation valued at \$75,000. There was no reply published from the governor.

One of the chief duties of this legislature was the consideration and adoption of the new code, prepared and submitted by three commissioners appointed by the Governor. His selections had been beyond criticism. Two of the commissioners, Judges Johnston and Campbell, were among the ablest and most respected members of their profession, while the other, Judge Lovering, was a lawyer of more than ordinary ability. The product of their labors, the code of 1871, was, under the code commission law, subjected to revision of the supreme judges. In his message, passing it up to the legislature Governor Alcorn dwelt upon the new system of society, which "should be made to impress itself upon the code." Naturally the instrument was fully expressive of this idea. The court system was wholly remodeled. While there were many changes for the mere sake of innovation, the material modifications were to formulate the new status of the

negro population—to abolish all statutory provisions and phrases in conflict with emancipation, enfranchisement and civil equality. At this early day the question of race mingling in places of public assemblage, on cars, boats, theatres, was a matter of consideration and contention. And a law had been passed at the previous session providing a heavy penalty against any official of a railroad or steamboat who compelled passengers to occupy any particular car or part of car, stage coach, or steamboat, on account of race or color. In an effort to secure some working plan or modification of this law at the 1871 session, Gov. Alcorn brought about a meeting of high railroad officials and the negro members, at the executive mansion. There was an offer of separate cars of like quality, which was scornfully rejected by the negro legislators who were mostly Northern adventurers. A Vicksburg Herald account of the conference said “the blacks were very insolent in their demands, claiming the right to go into the ladies’ cars.” But there was less friction than was supposed. At this period any disposition among the negro masses toward social equality was dormant. Besides there were few railroads, and the negro travel was small. The river boats, which were the chief means of travel in the black belt disregarded the law, and practically without question. This was because the old race relations, of deference and obedience by the negroes and kindly feeling and consideration by the whites survived, and governed personal intercourse. The few attempts of negro leaders to exercise their rights under the law were summarily suppressed.

In the session of 1870 Gov. Alcorn had addressed the legislature a message urging an amendment to an act of 1867, providing for payment of the ante bellum levee debts. Under that law all claims were required to be presented to a board of which Gov. Alcorn was president, as he had been of the ante bellum board. It was called the liquidating levee board. The claims were required to be presented within a prescribed time and exchanged, upon approval, for bonds of the liquidating board. An acreage tax of 5 cents per acre on the front, and 3 cents on the back, county lands was provided for their payment. Under the operations of this law claims to the amount of near a million dollars had been ap-



proved and bonds issued for them. Of the total near half had been liquidated and returned when Gov. Alcorn's message appeared. It alleged failure of a number of the military sheriffs to collect the tax, and legislative provision was asked to enforce collections and correct the inequality of some counties paying and some defaulting. This was well, but it was a Grecian horse. Enveloped within it was a pressing call that the books be reopened for presentation of claims which had been disallowed and barred. "In opening the books," the message said, "care should be taken that we do not open the door to fraud." The message was ignored by the legislature to which it was addressed. But in the session of 1871 an act was passed in accordance with the terms it presented. It provided for an audit commissioner who should have his office at Jackson, remote from the district and the people in interest. A non-resident of the district was appointed—one wholly unacquainted with the levee affairs, or the horde of claimants that descended upon him. While seemingly rigid requirements of proof was prescribed, the commissioner validated and registered claims to the amount of nearly half a million dollars that ought to have been tested in the courts which the claimants had kept out of. A large proportion of the increase was believed to be fraudulent and all were outlawed by non-compliance with the law of 1867, or rejection by the home board of which Gov. Alcorn was president. It was all looked upon as a great wrong and one that suggested corrupt influence. But there was no recourse—for the time public sentiment was paralyzed and perverted. Under the operations of the Alcorn law speculators bought up the liquidating bonds at as low as 10 cents on the dollar, which was the ruling price until the restoration of representative government. By the use of extraordinary activity and effort a bill which contemplated vast robbery in the Greenville levee district was defeated at this session of the legislature. But one incorporating the upper Delta counties, called district No. 1, was passed. It authorized the issuance of a million dollars of bonds, which part of the law was complied with. But the proceeds of the bond sales were stolen almost totally and openly. So flagrant was the steal, and such a mere pittance was expended in

levee building that payment of the taxes to meet the terms of the bonds was resisted, and is in liquidation to this day.

The reconstruction legislature finally adjourned May 13th, 1870. Having provided for the election of a new legislature in the closing days of the session a legislative apportionment bill was passed which went to the limits of partisanship, and caused extreme resentment toward Governor Alcorn, for approving it. Under the apportionment embraced in the constitution the decided majority of both house and senate was vested in the black constituencies. This was increased in the legislative apportionment, and in the most obnoxious manner. The then sparsely settled white counties of southeast Mississippi were formed into legislative districts, the principle of county representation being overthrown. Out of eight of these counties four legislative districts were formed, with one member each. The four memberships taken from them were placed to increase the representation of the black counties. White counties were linked with black, so as to defeat their candidates for the senate. In fact the legislative membership was so apportioned that nothing short of a revolution could divest the radicals of a majority. Having thus fittingly terminated a career, a riotous adjournment followed. But before returning to their constituencies the majority were treated to a "blow out" at the Governor's mansion, which was thus referred to by the Jackson Clarion: "In this disorder the mongrels adjourned to the executive mansion where a social equality orgy was celebrated and the quarrels which had disturbed the 'eminent man' (Alcorn) and his carpet bag and African allies, were drowned in the flowing bowl. And thus this libel upon representative government wound up its career."

While the state found relief in the adjournment of the legislature, every county court house sheltered a robbers' den. So rank had become the official corruption in Washington county that in July the demand upon Gov. Alcorn for investigation and removals resulted in a show of action. To probe charges made plainly and with circumstance, by the county paper, the Greenville Times, ex-Judge Grafton Baker, an old and respected citizen, was commissioned by the governor to take testimony and make a report.

He opened court and called for the production of proof. The matter was taken seriously, all of the leading members of the bar volunteering for the prosecution. The trial lasted a week, establishing by the records the truth of everything charged. Robbery and corrupt appropriation of the public funds was shown to pervade the whole conduct of affairs. Nearly every county and town official was convicted of embezzlement or some form of thieving from the taxpayers. This involved the sheriff, the treasurer, assessor, district attorney, clerks, board of county and city administrators—all officials, in fact, were implicated. Judge Baker discharged his commission honestly and faithfully. He carried with him to Jackson sufficient proof of malfeasance in office to call for the removal of all the incumbents, provided the commission of investigation was honestly issued. His report was submitted to the governor and there it rested. The only action had under it was the removal of Sheriff Webber, who had secured his appointment by bargain as related in a preceding chapter. He was neither more nor less guilty than the rest. This fact was so significant that it came to be believed that the investigation was covertly designed to secure a pretext for the removal of Webber who was one of the proprietors of the organ of the Ames faction, then engaged in assailing Gov. Alcorn. But worst of all, giving the Washington county complainants a stone instead of the bread for which they asked, the negro Stites, from whom he had, with the governor's knowledge and approval, bought the office the year before, was appointed to the office. The appointment was regarded with aversion and dread. For it was a part of the creed of a desperate condition, one easily understood, that any white man, however odious, was preferable as sheriff to any negro however unobjectionable individually. The result was that the white citizens joined Webber in defeating the efforts of the negro appointee in making his bond. This had to be approved by the county board of supervisors, all negroes except one. But they were easily reached by Webber, who continued to hold the office.

When this legislature met official abuses and corrupt practices was bearing the fruit of disorders, in spots. And in a message

February 14th, Governor Alcorn informed the legislature that "in apprehension of organized resistance of the law in eastern counties of the state I took steps for the organization of a militia in these counties." What he had done was to send Major General E. Stafford, a "pot valiant" carpet bagger and editor of the official journal, and "Colonel" Ireland, commonly styled "big yaller," to organize companies of whites and blacks respectively. After performing that duty the doughty pair had rendered an expense account. This, as related in the message, "the auditor of public accounts labors under some difficulty as to the obligation resting on him under my certificate of account presented by the paymaster. He appears to think that while I am authorized by law to call out the militia, I can do so but by his consent to pay the bills." It was upon this issue that the legislature was invoked. The response was an appropriation of \$3,000. There was no contemplation of "organized resistance of the law," but on March 6th there was a serious clash at Meridian between the white citizens and certain notoriously lawless negroes. The story of this murderous riot, which was investigated by a committee of congress, as well as Governor Alcorn, is carried in the author's previous contribution—"The Enfranchisement Act of 1871 and the Ku Klux Klan in Mississippi"—in Vol. IX of the Historical Society Series.

The first work of the 1871 campaign by the radicals was a settlement of the war within their camp—a test of strength between Alcorn and Ames. Pleading for endorsement of the Governor, his organ urged the convention "not to forget that he is essential to our success;" and that "by unity alone could the party have strength for permanence." Perhaps the most convincing argument used was that "the result of the election may render it absolutely necessary for Governor Alcorn to forego his senatorial honors and to continue the vigorous and masterly Governor of Mississippi." The Radical convention met August 30th, with Alcorn and Ames both in attendance. There were no officers to nominate—the convention being called for adoption of resolutions and the selection of an executive committee for the campaign for election of a new legislature. The negro was more in evidence

in this vulture's swarm than in any previous one, and they were very turbulent. But the troubled waters were quieted under the recognition that unity was necessary to success. Alcorn and Ames both addressed the convention. The keynote of the convention was harmony. But when Alcorn was consulted about a resolution endorsing Ames with him, he refused—saying if he endorsed Ames must not be, and if the convention gave its endorsement to Ames he would not have it. His command of patronage and position, the fear of his threat to give up the senatorship and continue Governor was resistless. So Ames and his following pocketed their chagrin and bided their time. The *Clarion* published a tabulated statement the day the convention met exhibiting that for the year preceding the *Pilot*, the official journal, had drawn out of the treasury \$160,500. This was perhaps the material issue between the paper and the governor. On the same day it threw a brick in the Alcorn camp by challenging the editor of the Alcorn organ to deny that he had been a member and a high officer in the Ku Klux Klan. The *Pilot* retorted by saying that "as the figures of the public printing had been furnished by the Governor to the columns of a Democratic paper, will he not favor that paper with a list of the expenditures of the secret service fund? There has been about \$55,000 drawn from the treasury on account of that fund, which the public would like to see the vouchers for." The public wish for a sight at these vouchers remained ungratified.

His administration having been endorsed by the Radical convention, a letter was addressed Gov. Alcorn by a number of prominent Democrats asking that he agree to a joint canvass of the state with Gen. Robert Lowry; that the voters might have the opportunity of passing on it. After some dodging and sparring an agreement for such joint debate at five places in the state was published September 20th. The following statement of the issues to be discussed was tendered by the governor: "First, that the maintenance of the Republican party is essential to the peace, prosperity and order of the state. Second, that the restoration of the Democratic party would by placing the state in discord with the national government endanger all the progress we have made

in return to our old place in the Union. Third, that the Republican party has been a faithful administrator of the affairs of the state, and has administered those affairs with integrity and economy unequalled by any other administration of the affairs of the state for the last forty years." Contradicted as it was by every feature and fact of public affairs, this insolent claim occasioned the deepest resentment. Sorely oppressed and plundered by the basest tools of reconstruction, holding rule over them by Alcorn's commissions, it was regarded as a mockery of their distresses. His speeches during the campaign were marked by the same offensive and unfeeling contempt for the wrongs suffered at the hands of his following.

In spite of an earnest and patriotic struggle the election went against the Democrats. The radicals secured a majority in both branches of the Legislature, but in the representatives it was by one so narrow that only the grossly unfair apportionment saved it. In nearly all of the white counties local government was rescued from the aliens. Federal troops were freely used and contributed largely to the result by keeping up the intimidations of the Ku Klux campaign. Raids and arrests were made on the most trifling cases and complaints. On receipt of news of an assassination in Leflore County, a company of infantry was hurried there from Jackson. At Winona it was learned that the victim was a white man and a Democrat and his assassins negroes, whereupon the soldiers were sent back. The negroes were voted solidly as organized in their Loyal Leagues. Disorder and demoralization prevailed to a greater extent than ever before. Excited and inflamed by the speeches of Governor Alcorn and others, to look upon Democratic success as tantamount to their reduction to a condition approaching slavery, they were greatly wrought up. Rioting and violence were narrowly averted in a number of places. The Governor, who led the radical campaign, was met at various places by General Lowry, Colonel Lamar, Judge H. Chalmers and Hon. E. Barksdale, who exposed the falsity of his assertions, his sham and shady record. A dramatic incident occurred at Meridian, in the joint debate between the Governor and Editor Barksdale of the *Clarion*. From his seat the Governor de-

nied a charge that the editor of his official journal, the man he had appointed Superintendent of the State lunatic asylum, had been an active member and a high official of the Ku Klux. Barksdale thus met his denial:

“Sir, for two months past I have made this charge and Dr. Compton himself has not denied it. Now you have undertaken to do for him what he has not done for himself. To settle this question I will make this proposition. I will again make the charge and if Dr. Compton does not deny it, or if he does deny it and I will prove it, will you pledge yourself to dismiss him from office and the organship of your party?”

The offer was received in silence and confusion, to which the attention of the audience was directed with telling effect. It constituted a peculiar aggravation of Governor Alcorn's part in the outrageous Ku Klux prosecutions, that Dr. Compton, his most trusted friend and counsellor, had been the organizer of the order in his section, in 1867, and active in inducing men not only in his own but adjoining counties to join it. The fact had been charged and substantiated, in Alcorn's presence, through witnesses by Colonel Lamar, at Holly Springs, where Mr. Compton lived.

While a great strain upon the patience of the white people of Mississippi, the 1871 election passed, as above stated, without riot. To this statement there is just one sinister exception. A few days before the election, October 21st, a white man named Lee was brutally murdered by a negro mob of nearly a thousand, which was being addressed by the carpetbag county leaders and candidates at Artesia, in Lowndes County. The affray so faithfully reflects the prevailing political condition of the South that the testimony of two eye-witnesses before the congressional committee is quoted. Sheriff-elect Hiram W. Lewis testified:

“Mr. Bliss, candidate for the Legislature, had just got up; had not spoken more than a sentence, when a voice was heard directly on the left hand of my buggy, saying: ‘Are you a white man?’ I looked and saw it was a white man in the midst of the crowd, the only white man in several rods of the buggy. I hunched Mr. Bliss and told him to pay no attention and he kept right on. In a minute or two I heard the report of a pistol in

that direction. I looked and saw this man running. I called as loud as I could to let him go. But the colored men took after him. One colored man standing in the buggy called as loud as he could, three or four times 'to catch him.' All at once there were five or six shots fired in rapid succession. He dropped instantly and was dead. A number of colored men came to me that night and told me they saw him when he pulled his pistol and fired quickly at Mr. Bliss or myself in the buggy. They told me he began to fire at them when he found out he could not escape."

Dr. Oscar C. Brothers of Artesia testified as follows:

"In the afternoon my attention was called by the sound of a drum and fife and yelling coming up the railroad. It was a party, numbering I suppose six or eight hundred. A freedman, Levi Jones, was mounted at the head of the column. It was divided off in companies, each having its commander riding with a sword. One company seemed to be armed with guns. Lewis was about the center in a buggy, Bliss in a carriage. The speaking began in front of the station. A friend suggested we get on our horses and ride up and hear what they had to say. We rode in among the mounted men with guns. We were about twenty paces from the speakers. After about three minutes I saw smoke from a gun, heard the sound and am satisfied it was a gun. Then I heard the yell: 'White man, kill him, kill him.' The crowd from the buggy west seemed to shove in that direction with one accord, accompanied with a firing of six or seven guns or pistols. As soon as that was over some one hollered: 'Boys, to your wagons and get your guns.' I saw parties take three or four guns from a wagon. A negro took out a carpet sack of what I supposed to be pistols. I said: 'For God's sake don't take those pistols out.' His reply was: 'I'll be damned if I am not going to take those pistols out.' I dismounted and went to the dead man. I found there Mr. Lewis and Mr. Bliss. I said to Mr. Lewis: 'Can't you disperse this crowd? Already one innocent man has been killed. If you don't I will telegraph to Columbus and West Point and get men to disperse them.' He said: 'Yes, I can disperse them.' He said or did something and the crowd dispersed like magic. He had the most complete control over the negroes. I am no more afraid of the negroes than I am of you gentlemen. I have been raised with them. But if Lewis had said: 'Kill Dr. Brothers,' I would have been killed in a twinkling. Senator, if he had said kill Senator Pratt, it would have been enough. But if they wanted to borrow a horse or a piece of tobacco they would not go to Lewis. They would come to me."



The testimony of Lewis and Bliss conflicted with that of Dr. Brothers as to whether Lee was armed. Dr. Brothers referred the committee to the testimony on the inquest and asked to have the magistrate and the other witnesses summoned. He said its record would show that "one freedman only testified that Lee had a pistol, and other freedmen and white men testified he did not. And that the magistrate threw the one man's testimony out."

Circuit Judge Orr, whose court was in session and investigating the Artesia riot, testified that he "did not think Lee had fired a pistol or was armed. He instructed the sheriff to proceed to the scene and make arrests of those guilty of the murder, of whom the coroner's jury had returned a verdict against six, named, and others unknown. The sheriff arrested and jailed sixty-four, including Lewis and Bliss. This included witnesses as well as those charged with the crime. "The sheriff informed me of what he had done," testified Judge Orr, "and I informed him he had misconstrued my instructions. At once all but eleven were discharged." But this did not save the luckless sheriff. Under the partisan cry raised he was summarily removed by Governor Alcorn and hauled off to Oxford under one of G. Wiley Wells' charges of "violating the Enforcement Act." The affair created no little excitement in Lowndes and adjoining counties—white men banded and moved toward Artesia, under the reports of danger of massacre of whites. But United States troops were hurried to the scene and they returned home. The *Columbus Index* said:

"All is quiet along the Potomac to-day, though last night we were excited by a report that 500 negroes were marching from Aberdeen to burn the city and release the prisoners charged with the Artesia murder. The negroes are angry and excited while the whites are calm and ready for anything that may transpire."

The excitement did not subside with the conclusion of the election. The habit of parading under arms, with beat of drum and flying banners, the negroes were loath to lay aside. It was doubly dangerous in its tantalizing offensiveness to the whites.

In Oktibbeha the nuisance became so incessant and intolerable that warrants of arrest were issued by a United States commissioner for the League leaders, and placed in the hands of a deputy United States marshal to serve. This caused a great uproar. All the Leaguers of the county were gathered to resist the arrest. They entered the little town of Starkville in military array. In an attempt to disperse them the carpetbag sheriff, a brother of Governor Powers, was badly wounded and several negroes were shot. The whites being totally unprepared for strife the town was menaced with outrage and sack. During the night armed squads rode in from every direction and afforded safety.

Out Heroding the radical Herods in an effort to justify his embracery of negro equality of citizenship, Alcorn arrogantly and offensively declared in his campaign address that "Southern people surrendered all rights of citizenship, all rights of property, when they laid down their arms. If the government had put to the sword every white man, if the guillotine had been moved by steam, no voice in all the world would have been raised in your behalf. Look at the treatment of the commune by the French government. The world endorses that, and would have endorsed similar treatment of ourselves. What right have we to talk of the constitutions." There was no lack of hot rejoinder to such offensive and inflammatory reviling. The following resolution adopted in what was described as the largest meeting of white men in Vicksburg expressed the common sentiment the Governor aroused against him, for his Ku Klux proclamation and his campaign speeches seeking to place the white men of the South beneath the negroes in the scale of American citizenship: "Resolved, that we regard Jas. L. Alcorn as an open and avowed enemy of his race; that we denounce him as a corrupt tool of a vindictive and relentless policy; as the friend and abettor of the vilest set of villains that ever preyed upon a peaceful people; that we utterly repudiate and condemn the doctrine as enunciated by him that nothing short of the gallows is a fit punishment to a free and high spirited people; and that we hereby deny that he is in any way, a representative or an exponent of the feeling and

sentiments of the upright and honorable people of Mississippi.”

This is a bitter and a sweeping arraignment. But it cannot be said to go beyond the justification of facts as recorded.

In spite of an earnest and patriotic struggle the election went against the Democrats. The radicals secured a majority in both branches of the legislature, but in the representatives it was by one so narrow that only the grossly unfair apportionment saved it. In nearly all of the white counties local government was rescued from the aliens. Federal troops were freely used and contributed largely to the result by keeping up the intimidations of the Ku Klux campaign. Raids and arrests were made on the most trifling cases and complaints. On receipt of news of an assassination in Leflore county, a company of infantry were hurried there from Jackson. At Winona it was learned that the victim was a white man and a Democrat, whereupon the soldiers were sent back. The negroes were voted solidly as organized in their Loyal Leagues. Disorder and demoralization prevailed to a greater extent than ever before. Excited and inflamed by the speeches of Gov. Alcorn and others, to look upon Democratic success as tantamount to their reduction to a condition approaching slavery, they were greatly wrought up. Rioting and violence was narrowly averted in a number of places.

Alcorn's retirement as Governor was viewed without regret from any class or quarter. Odious and oppressive as his administration had been, the cup ran over in the campaign in which he exerted himself in vindication of his record, and to perpetuate radicalism in the state. How the white people of the state looked upon the change from him to Governor Powers is to be read in the press comments of the time, of which the following from the West Point Citizen is a true reflection: "We know Governor Powers, and although a carpet bagger we really believe he will make us an infinitely better Governor than Alcorn. He has no chronic hates to avenge, no old political enemies to punish nor ambitious projects to carry out as did Alcorn. In short, if our rulers must be carpet baggers or scalawags, let us have the least of the two evils—the carpet bagger. May the good Lord deliver us from being ruled by such a miserable political Esau

as the scalawag." Had all the carpet baggers been of the class of Governor Powers, the rule would have held good. But with negro equality bigots and South haters such as Ames, it failed. He never ceased to regard the white people of Mississippi as conquered rebels. Holding them as outside the pale of American citizenship and entitled to no sympathy in their distress, and being without color prejudice, he divided the population into two classes—the loyal blacks, and the disloyal whites. Alcorn, who divided the honors of reconstruction in Mississippi with Ames, was wholly different. He had race pride and strong sectional proclivities. But with him all was secondary and subject to boundless egotism, selfish ambition and bitter resentment. After having gratified and satiated all of these unworthy and sordid motives through persecutions of his own people as relentless as Saul of Tarsus, he entered upon his reward and seat in the United States senate. Finding Ames, whom he despised, and who held him in utter distrust and detestation, in high favor with the administration, he took his place with the "liberals." They displayed their feeling toward each other in speeches of extreme crimination and recrimination, for which their detestable records afforded fine themes.

The clash between Alcorn and Ames came over the bill to extend the suspension of the right of habeas corpus. The suspension was a provision of the Ku Klux act of the year before, which was by its terms limited to the life of the session of congress then sitting. In the course of his speech, repelling the charge of party treachery, Alcorn drew this picture of the fruits of his administration, which while showing there was no call for such a law, justifies the comment that "his glory was his shame."

"In all those Mississippi river counties, for three hundred miles, not a man holds an office unless he holds it at the will of the colored people, and a majority of the offices, I will say two-thirds of the offices, are in truth and in fact held by the colored people. Is it possible that the courts cannot administer justice in a society like this? Is it possible that the county in which I live, where the colored population is seventy-six per cent of the whole; in the county below me, where it is eighty per cent; in

the county below that, where it is eighty-three per cent; and in the county below that, where it is ninety per cent of the whole? Colored men sit upon juries, and it is frequently the case that the jury is entirely composed of colored men. Colored men are overseers of the roads. A colored man is the sheriff of Attala county, appointed by myself. A colored man is elected sheriff of Issaquena county; a colored man is elected sheriff of Adams county; a colored man is elected sheriff of Jefferson county, and colored men are nominated sheriffs in several other counties in the state of Mississippi; and yet it is said justice cannot be administered there, when every judge who sits upon the bench is a Republican, appointed by a Republican Governor and confirmed by a Republican senate."

In his boastful claim of having Africanized government in the river counties, Governor Alcorn did not exaggerate. In Washington county in the 1871 election the negroes had so developed under radical tutelage that they almost crowded their carpet bag tutors away from the pie counter. They elected a colored sheriff, both court clerks, the assessor, the coroner, four out of five supervisors and nine out of ten justices and constables. The white radicals had not willingly accepted such a distribution of the offices. A hostility was engendered out of which the resident whites had sought to profit. But the black leaders felt too secure in their strength at the polls to listen to appeals of moderation—while disposed to throw off the carpet bag yoke they had not outgrown any of their distrust of the ex-slave owners. The election over, however, they were confronted with the obstacle of bond making. The situation and the proposition is revealed in the following from the *Greenville Times*: "Let our colored friends observe that their white candidates have made their bonds. Now while soliciting native white property owners to make your bonds just remember that we asked you to allow us two members of the board of supervisors that our property rights might be represented. In the face of this request you have elected a board from no one of whose members could damages for wrongful or unlawful acts be recovered. And now you turn to us, in your straits. We make you this proposition, be-

fore the cost of another election is incurred. Make two of your supervisors resign and let us nominate their successors. Then satisfy us as to your deputies and we will make your bonds."

This proposition meeting with no favor, to defeat the installation in the office of sheriff and tax collector of a turbulent and dissolute mulatto, a semi-alliance was effected between the white citizens and the carpet baggers. The immediate effects of this arrangement was to continue the carpet bag control of the levee board, which the negro leaders had planned to possess, and to secure for the white citizens representative city government for Greenville.

In a special election to fill the Washington county vacancies occasioned by the failure of negroes to make official bonds, the issue of especial interest was over the sheriff's office. The candidates were the negro elected at the regular election, who had failed to make his bond, and the hold-over carpet bag incumbent. The whites supported the latter. Under their newly modified relations with his class they dominated the situation to an extent, through the matter of making bonds. This was an advantage that was fully appreciated, as the following from the Greenville Times shows: "We have no candidate. The Republicans control the matter and all we ask is an honest man and a good bond, and we are determined to have the latter. If necessary we will bring every bond that may be accepted by the board of supervisors, before the chancellor for his decision upon its solvency." The election was duly held, and controlling the election officials the carpet bag candidate was given the certificate; one half the precinct boxes being thrown out over quibbles and technicalities. Regarding the case as one where the ends justified the means, the whites looked on complacently. There were threats of resorting to violence—runners were sent out summoning the negro men to come to Greenville armed. But lacking white leadership the movement fell through. In a way that was non-political the negro leaders had their revenge. At this time many counties in the state, especially in the river section were worked up over elections for subscriptions to various speculative railroad lines. To secure the needed votes

called for much paying of court to those who claimed influence over the negro vote. The necessities of a policy that was held as vital to material progress and prosperity involved certain exceedingly distasteful concessions and concessions towards as rascally and insolent a gang of negro upstarts as ever reconstruction aggregated in a county. And after all, the sacrifice of self-respect and race pride was "love's labor lost." Posterity will never measure all the trials and humiliations to which the white men of the reconstruction days were subjected and patriotically endured.

Possession of the board of supervisors, the clerks' offices and the public administration afforded opportunities of warrant issuance that were taken advantage of by the negro officials to an extent that threatened to wreck the county finances. The Washington county board of supervisors raised the 1872 tax rate of \$8.10 per thousand of values to \$14.75 for 1873. The total state and county tax levy was \$23.25 per thousand, compared with a total the year before of \$14.10. Warrants for many thousands of dollars were wasted on mere pretenses of roads, bridges, school houses, a jail building and official stationery. Under color of a law for copying out worn record books half a dozen negro scribes were set to work indiscriminately transcribing books and documents at a dollar a page. Learning of a warrant issuance on this account of several thousand dollars, tax payers secured an injunction which forced the culprits to disgorge their pelf, and a practice of limitless robbery was annulled.

The auditor's report was not refreshing to the tax payers of the state. It exhibited an excess in the costs of administering the state government over revenue receipts of \$400,000. Such a showing in the face of a tax rate far beyond all precedent told its own story of waste and corruption. To provide for a deficit an increase of taxation was asked and enacted. The rate for this state taxation was raised from 30 to 70 cents per \$100 ad valorem—an increase of more than 100 per cent. An additional and special tax was levied of 50 cents on the \$100 to pay interest on bonds issued in lieu of a floating debt. The auditor's report was further illuminated by a statement of \$75,000 of known de-

faults of tax collectors and an unknown larger amount. In a contemporary speech in the United States Senate, Senator Alcorn had stated that of the United States internal revenue collections in Mississippi, not one-tenth had been paid into the treasury. At the same time his appointees in every county were stealing all they could lay their hands on. Such was reconstruction in Mississippi in 1872. Having had a taste, the negro officials were, if possible, more unblushing and shameless in preying on the public than their carpet-bag teachers. The thievings of a negro member of the Warran County Board of Supervisors were so irregular and flagrant that the radical organ joined in denouncing his rascalities. For this the editor was severely cowhided by his brother in black. The paper denounced the flagellation as "an unprovoked assault and a source of mortification to the editor to come in contact with so disreputable a fellow."

The legislature met with both the senatorial rivals, Alcorn and Ames, present, striving for points of leadership. In the senate a follower of the former was elected president. In the house factional lines quite disappeared in the effort and success of the negro members, numbering forty-five, in securing the caucus nomination for one of their race. This almost led to the election of a Democrat, as the carpet baggers were at heart averse to such distinction for a negro. It was looked on as a bitter pill that had to be swallowed. So narrow was the Republican majority that it was increased by contests, unseating the Democrats from the counties of Marshall, Lauderdale, Copiah and Chickasaw. The message of Governor Powers confirmed the good impressions and hopes of his administration. It was practical, patriotic and wholly void of partisanship. He particularly urged legislation breaking up the issuance of warrants upon state and county treasurers when there was no funds on hand with which to pay them. Warrant issuances at discretion was the common method of financing public affairs, and robbing the people. It was piling up debts that threatened total extinction of state and county credits, and virtual bankruptcy. The message recommended that members of county boards of supervisors, which boards possessed practically unlimited powers of contracting debts and is-



suing warrants, be required to give bonds. Other reforms in the line of economy and honest administration were suggested. He vetoed the scandalous and corrupt penitentiary bill of the previous session which his predecessor failed to veto and dared not approve. He, a carpet bagger, placed the seal of condemnation on the despotic and atrocious Alcorn "picked cavalry" bill policy, and the tyrannical Ku Klux houndings, by the declaration that "there had been no riots or disturbances which the civil authorities have not been able to suppress, since the adjournment of the legislature;" and that "the state of the government was peace."

The legislature adopted a congressional apportionment bill which was as partisan as it could be made. The districts were so constructed as to give decisive black majorities in all save one, in which the white counties of the northeastern portion of the state were bunched. The most exciting incident of the session was the passage by both houses of a civil rights bill so extreme that its enforcement would have been certainly attended by riots. But after final passage and enrollment the bill disappeared so mysteriously that no tracing of it was left behind. While they voted for the bill the white Radicals were so notoriously opposed to it that they were openly and abusively charged with its theft. A copy was prepared and certified by the clerk of the house, but the senate secretary refused to sign it. Placed on passage again, the measure went through the house, but enough carpet-bag senators dodged as to beat it by a majority of one.

Among the matters that commanded particular interest in the legislature of 1872 was the award of the public printing, and the disposal of the state penitentiary. Throughout the reconstruction period the former had held a chief place in the scandals of the times. A year before Gov. Alcorn had removed the public printers, and appointed men on whose devotion to his political fortunes he could rely. When the legislature met and held an election for the office his appointee was defeated by a combination of Democratic members with the Ames radicals, and the old printing company restored under an agreement of division of the profits with the state Democratic organ. As this action bore no

appearance of public advantage Democratic participation in it caused much adverse criticism. March 25th Governor Powers addressed the legislature on the subject in a message in which he said: "For the third time during the present session I call your attention to the necessity of materially reducing the rates on public printing. The enormous outlay under existing laws amounts to squandering the public revenues. \* \* \* Having thus briefly pointed out some of the gross outrages that is practiced under the provisions of the law regarding the rates of public printing I await the result of your further deliberations."

Upon adjournment of the legislature an address was issued by the Democratic members, urging county organizations "with a view of securing an active and successful campaign in the approaching Presidential and congressional election." An executive committee was appointed as follows: Robert Lowry, chairman; J. M. Stone, J. F. Sessions, A. T. Roane, A. L. Gaines, S. A. D. Steele, J. R. McIntosh, John Calhoun, R. M. Leavell, T. S. Ford, and H. M. Street, secretary. At a subsequent meeting of the committee a state Democratic convention was called for June 26th. At this time the liberal Republican opposition to Grant's re-election was being urged. At a meeting of certain leaders of the movement in Cincinnati, May 2d, Horace Greeley of New York, and B. Gratz Brown of Missouri, had been proposed for the nomination of President and Vice President. The platform was designed to enlist all who opposed the reconstruction policy of the Republican party, and the rebuke of the manifold scandals and abuses which marked Grant's administration. All citizens, regardless of previous party affiliations, were urged to join in the movement, which was quite imposing in appearance, from the number of prominent Republicans at the head of it. Hopeless of the election of a Democratic candidate, the movement appealed very strongly to the South; in spite of the inconsistency of voting for a ticket headed by one who had achieved national reputation and prominence as editor of the most inveterate and influential abolition paper in the North. But he had been among the first and boldest of his class to call for a halt in the proscriptive reconstruction policy. His courage and magnanimity in

signing Jefferson Davis' bond had moved Southern people profoundly. Of the honesty and patriotism of his leadership of the Liberal cause there could be no question.

There were nevertheless many leading Democrats to whom the Greeley departure was repugnant. They were, as a rule, old men upon whom the force of sentiment and association of former days bore most heavily. The state Democratic convention assembled as called, June 20th, and selected delegates to the national convention at Baltimore—instructing them to vote for the nomination of Greeley and Brown. Hopeless of carrying the state, there was an absence of popular enthusiasm and aggressiveness. Nor was there much food for hope in the general result. The visible tokens of strength and force were too apparent in the South, and the North was not yet ripe for revolt. The determination to win by any means was proclaimed. The Chicago Tribune, the leading Republican paper of the West, said, "If a majority is cast for Grant well and good. But if not, the vote of the recalcitrant states can be thrown out in the electoral college." There was nothing in the history of the party or the candidate to repel belief in their capability to carry out such a menace. The nomination at Baltimore, July 9th, was harmonious and unanimous in the nomination of Greeley and Brown. The chairman of the Mississippi delegation, Judge H. H. Chalmers, in casting the vote of the state, said: "Mr. Chairman—It is inscribed above your head, 'Peace and good will.' Mississippi accents the inscription as the watchword of the campaign and casts her vote for the illustrious apostle of peace, Horace Greeley." The platform promulgated by the Liberal Republicans gathering at Cincinnati, was adopted. Greeley's letter of acceptance was pitched solely against the reconstruction policy of his party.

Thus was launched the campaign of the opposition, with its prematurely born slogan of peace and good will—destined to be withered under the fierce glare of Ku Klux discolorations. "Since the close of the rebellion," screamed the Washington Chronicle, the administration organ, "not less than 23,000 persons black and white have been scourged, banished and murdered by the Ku Klux Klans of the South. The victims of the horrible barbarity

have been Republicans—not a single Democrat has suffered.” Secretary Boutwell made a speech in North Carolina which, as reported by the New York Herald opposed “the clasp of hands across the bloody chasm of war, and the burial of the bitter animosities of the past. No; rather let the North keep alive the animosities and hatreds that led to rebellion until the chasm shall be filled, it may be, with the mangled victims of a more cruel war, a war of races.” As North Carolina had been worse scourged under the Ku Klux law than any other state the August election there was looked after by the administration with especial concern. The state was deluged with special deputy U. S. marshals. In a letter from the state at the close of the campaign, H. V. Redfield, a famous correspondent of the times wrote his paper, the Cincinnati Commercial: “With pardon and the Radical party on the one hand and the Albany penitentiary on the other, the Ku Klux is not long in making up his mind how he will vote.” Nevertheless, in spite of the full exercise of such influences, Radicalism sustained a complete and final defeat in North Carolina. The result was counted as a reflection of national sentiment, and that it would have decided effect upon Northern opinion.

In a speech, Senator Morton of Indiana, proposed the following sentiment: “That the rebel soldiers shall never occupy the same proud position before the law and before the country as that which is occupied by the loyal soldiers.” “Go and cast your vote for a violator of women, a burner of school houses, a desolator of churches,” says Ben Butler in a speech, “or for Horace Greeley. It means all the same.” So-called Rebel archives were purchased from a so-called Confederate official. In the hands of a congressional committee with the venomous Zack Chandler chairman, spurious revelations of atrocious plots during the war against Northern cities and citizens were published. The following is an extract of the inflammable stuff to keep alive the passions to which Boutwell and Butler appealed: “A secret session of the Confederate Congress was held for the purpose of considering claims of a noted chemist now, it is said, editing a rampant Greeley paper, who had invented the most remarkable life

destroying agency ever known. He exhibited a phial containing a colorless liquid, which he claimed he could cast into the center of the hall and kill every man on the floor in two minutes. A number of cats were placed in an apartment and the phial upset. All the cats were instantly killed. The committee to which the test was referred reported on it satisfactorily, a bureau was formed and the chemist made brigadier general, and placed at its head. But the collapse of the war prevented the use of the engine of destruction upon the Northern cities." Tracts of such false stuff were issued for stirring sectional passions. The whole fever of the campaign was directed on that evil line, and with telling effect. The defeat of Greeley and Brown was overwhelming. Again the Radicals were given the power of two thirds majority in both houses of Congress. To all appearances the reelection of Grant had left the black states of the South more hopelessly prostrate before their radical rulers than ever.

It is probable that no other nomination would have prevailed against Grant and the Radicals in 1872. But no other looked so weak and vulnerable in the after glow. In that light such a selection is a marvel only to be understood through the utter depression and despondence of the Democratic party, though the explanation does not justify it to reason. Greeley was simply sprung upon the country by a grouping of patriotic but badly balanced egotists. He was presented in a chorus of eloquent and fervid editorials by Samuel Bowles of the Springfield Republican, C. A. Dana of the New York Sun, Henry Watterson of the Courier-Journal and Murat Halstead of the Cincinnati Commercial—all famous and trained journalists of their day. Their resounding periods and catchy phrases summoned the opposition to concentrate on the man who most appealed to Republican tradition and Southern gratitude; and the opposition leaders and organizations responded to the cry of "Anybody to beat Grant." There was a show of enthusiasm at first that seemed to afford basis of hope—hope that proved wholly delusive and barren.

Every element counted on to give Greeley's candidacy strength was turned against him. An original abolitionist, one who had

spent his life in urging the liberation of the blacks, the vote of the race was massed against him. He was anathematized by Garrett Smith and Wendell Phillips as an apostate—an enemy of the negroes the latter told them, “whose election they should make a cause for a race war.” A power during the war on whom Lincoln and Stanton leaned, he was denounced as a traitor in soldiers conventions. The prohibitionists whose cause his powerful paper had upheld, held conventions to solidify the temperance vote for his opponent whose inebriety was notorious. A father of protection, the manufacturers of Pennsylvania and New England declared against him en masse. A champion of the national credit against those who proposed to settle the war debt in fiat paper, Wall street furnished the money for his defeat. All of the various classes and interests he had labored for turned against him, and the fiercest of all was the harpies of sectional hate he had nurtured and cultured. Like Acteon’s dogs they hunted him to the death, for changing from malignancy to mercy for the South. Greeley’s death in less than a month after the election was unspeakably sad and shocking. “Amid treacheries and desertions,” wrote the Albany Argus, “his ambition frustrated, his honest heart insulted, his hopes of his country turned to despair, a life of labor with a pen that had lost its place and command, his household desolated by death, he bowed down, his heart broken and his brain crazed, and sunk in death.”

Nothing but a sectional rancor that the future generations of Americans will find difficulty in comprehending, can explain the utter failure of effect of the appeal to the North for liberation of the South from the abhorrent thralldom to reconstruction misrule. In its after election comment Horace Greeley’s paper, the Tribune, said “the great mass of our people feel no sympathy for those they still regard as rebels. On the contrary they hold that these have been treated more leniently than they deserve.” This was unquestionably true. And until “lack of sympathy for rebels” was worked to cloak outrages and scandals so flagrant that it touched the pride and outward show of self righteousness to the quick,” the great mass of Northern people” was deaf to all appeals. But joined with this fact there was another that can-

not fail of recognition in locating the cause of Greeley's overwhelming defeat. His strength of intellect, honesty and patriotism were conceded by all fair critics. But he was most widely known by eccentricities and fads, for extremes of radicalism, that were held to so unfit him for the presidency that his candidacy was as repugnant to the business interests, as his past politics were to Democratic principles. The business view was thus stated by the *New York Herald*: "The alleged abounding corruption and despotic acts of the administration, are as feathers in the balance against the weighty financial interests of the country and the public services of General Grant; and against the prevailing conviction that while there is no danger of any violent convulsion or shock in his re-election, our whole monetary and business system from the banks of Wall street to the vineyards of California can be thrown into chaos by a too hasty change of the head of the national government."

Calculations that the Alcorn-Ames feud would influence the 1872 election in Mississippi failed. While siding with the Liberals in the Senate, Alcorn declared for Grant, though he took no part in the canvass. There were bitter contests in the district conventions over nominations for Congress—the holding members being opposed by negro aspirants. Only one, John R. Lynch, the speaker of the representative house, won over carpet-bag shrewdness and bribes. The most popular and eloquent of his race, Secretary of State James Lynch, was beaten after a stirring canvass in the Vicksburg district by George C. McKee. A negro paper thus commented upon his defeat and death, which were close together in time: "As with a magic wand he swayed and moved the masses whilst a candidate for the nomination. But it was snatched from him by the demon of corruption. He never recovered from the blow and when he fell, he fell a victim to the ingratitude of his own race. The arrow hurled against his manly breast and deep into his heart lost nothing of its sting because it was gilded with gold. Shame, shame upon the colored people that they permitted the most gifted orator of his race to be thus stricken down. James Lynch was killed by the carpet-baggers, and the whole race, as a political power, will soon be

destroyed by the same instrumentality, and will deserve it, if they continue to follow the evil advice of the scoundrels who are now filling their pockets; preparing to run off from Mississippi and follow the Landons, the Perces, Packards, and Hallidays and a host of other carpet-baggers and rascals who have already run away." Prophetic words.

While the enforcement act of 1871 had served its purpose and expired by limitation, the south was plainly shown that Grant's second administration would be modelled on his first, deaf to appeals for justice against wrongs and crimes of corrupt and offensive alien rule. Secretary of War Belknap, in his 1872 report, deplored that a sixth of the army was held in the South, when all was needed on the western frontier. In his message to congress, President Grant gave his indorsement anew to the law and the policy which held such a body of troops in the South. He said he "could not question the necessity and salutary effect of recent enactments to enforce the rights of citizens to vote in the Southern states, and to enforce the provisions of the 14th amendment to the constitution." "There would," he said, "be no change in his determination to enforce with vigor such acts as long as conspiracies and combinations therein named disturbed the peace of the country." The election being over and radicalism triumphant, no more was said or heard of these "conspiracies and combinations," transparent pretexts for using force in establishing radicalism for four years more. Prospects for regaining representative government in the black states were black indeed, at the beginning of 1873. Though Mississippi was blessed by comparison with South Carolina, Alabama, Louisiana and Arkansas, where strife and disorder, as well as corruption, prevailed. Writing up the South Carolina condition at this period, H. V. Redfield, a famous correspondent of the Cincinnati Commercial said: "I asked General Wallace of Union county if he saw any light ahead. 'None whatever,' he replied. 'It is all dark.' General Wallace is one of the few Democrats of the legislature, and his fine head and honest face looks out of place among the riff-raff of carpet-baggers, ignorant negroes and gen-



eral slush and scum that make up so large a part of the South Carolina legislature. Wallace was a Confederate general.”

In Louisiana, Arkansas and Alabama state governments, beaten at the polls, were pinned to power by Federal bayonets. North Carolina escaped by the skin of her teeth. Alabama's lot was peculiarly hard, as she had been released from carpet-bag rule by the election of a Democratic governor and legislature in 1870. Under the influence and the potential pressure of the United States troops in the state capital she was remanded to radicalism. In Louisiana a Democratic governor and legislature were elected through a war to the knife struggle between Warmoth and Kellogg, leaders of the rival factions of their party. In Arkansas a liberal Republican, Brooks, had been elected governor through the same influence—radical dissensions. In both states the result was annulled by Federal troops—with blind and brutal despotism President Grant ordered the military commanders to uphold the defeated candidates. The event in Louisiana was signaled by the most despotic and infamous abuse of authority of which a Federal court was ever guilty—the famous “midnight order” of the drunken and disreputable Judge Durell. This directed the United States marshal, Packard, to take possession of the state house, or in fact the state government. With a battalion of United States troops, the order was executed between midnight and dawn—the building being so held for two months. To plead for justice and peace a delegation of 100 leading and non-partisan citizens of the state, headed by ex-Justice Campbell of the United States supreme court, was sent to Washington. Advised of their coming, Grant's brutal and south-hating Attorney General, George H. Williams, wired the chairman as follows: “Your visit with 100 citizens will be unavailing so far as the president is concerned. His decision is made and will not be changed. The sooner it is acquiesced in, the sooner good order and peace is restored.”

Not willing to take such a decision as final from any other mouth than the President's, the committee proceeded to Washington and had its audience, which was chilling and without

show of courtesy. The following account of the incident was published at the time.

“By special favor they were admitted into the President’s room. As they entered they were received by the Attorney General with slack courtesy and ominous scowl. They were obstructed in their advance to the President by this churlish official, who stopped to chat and exchange some jocular remarks with certain Bohemians of the radical press who were skirmishing around. Finally, however, the committee was introduced to his excellency, who made a very scant bow, and coldly shook hands with the members. Then Judge Campbell, with impressive solemnity and great clearness, stated the objects of their mission, with characteristic force and distinctness presented the case of our people and state. The President listened in a cold and indifferent style and when Judge Campbell ceased he proceeded to give the answers which are already known to the world. They were given in the style of a boy reciting a speech committed to memory, and which sounded very much as if read from manuscript. Judge Campbell replied in his solemn and impressive manner. As he warmed up with the recital of the wrongs of our people and the great dangers threatening them, tears rose in the eyes of the venerable jurist and patriot. During his eloquent remonstrance the President never raised his eyes from the floor nor looked in the faces of the speaker and committee. It was all in vain. The impassive high official was unmoved by the piteous narrative—and all the while the Attorney General scowled on the body of citizens as if they were so many intruders and felons, who, not being politicians and office-seekers, jobbers and contractors, had no business in that place and presence. And thus, never were citizens repelled from the presidential mansion with more discourtesy, or ever departed therefrom with deeper humiliation, than the committee of our best citizens, after presenting to the chief magistrate the humble prayer, that he should use his great power to protect them in their sacred rights of American citizens.”

Seeking to avert utter despair the committee thus toned down the result of their mission in a report to the people of Louisiana:

"We have the assurance of both the President and his Attorney General that an investigation by Congress will meet with no opposition from the administration. The President, while maintaining the propriety of the course he has pursued, has not professed to consider this action as finally decisive of the vital questions at issue in the politics of the state." Small crumb of comfort as this was, it was instantly snapped up by the Attorney General, who gave the Associated Press the following rude and uncalled for denial: "The report of the committee that the President regards his recognition of the existing government as provisional and temporary, is not true. The recognition is final and will be adhered to unless Congress otherwise provides." It so was—the decision was adhered to even after a senate committee with a majority of radicals on it had denounced the government the President had been so prompt to recognize and instal. This was done in the report on the contest for a seat in the senate between the persons chosen by the rival governments, which report is here quoted from: "In this connection it is the committee's painful duty to express their opinion of the action of Judge Durell. A proceeding so manifestly illegal has never come before Congress for its consideration, in connection with a court of the United States, and the committee fails to find words with which to express their abhorrence of the action of Durell." Reviewing the situation as presented to Congress the report said: "It now becomes necessary for Congress to decide which of two courses to pursue—first to declare the election result as returned by the Lynch board illegal; second, that no Republican government exists in Louisiana." It was argued that the result of the first course would be to overthrow the Kellogg government, for it is demonstrated that if the Federal interference were withdrawn it could not exist ten days. Upon argument supporting the view submitted the report declared it "the duty of Congress to act in the premises," and the following resolution was recommended for adoption: "Resolved, That there is no state government existing in Louisiana."

Before Congress had time to take action on this report which pointed to an act setting aside both governments of Louisiana,

and ordering an election under Federal direction and authority, President Grant addressed a message to Congress in which while professing to favor action he said if no legislation was adopted the power of the government would be used in sustaining the Kellogg government; which the committee had decided had no legal standing or existence. This was notice to the radical leaders that no legislation was needed—that the President could be relied on to save the party policy and ends. The message was accepted as such notice—when the report of the committee on privileges and elections came up it was defeated and the Kellogg government virtually sustained. But the people of Louisiana refused to acquiesce in the outrage upon them—the McEnery government continued to insist upon recognition of its title. They refused to pay taxes to authority that had no other hold upon power than that given by Federal bayonets. Violence and disorder were frequent throughout the state—in one riot, in Grant parish, nearly a hundred negroes were slain. But there was good out of the evil. More than from all other causes, Northern conscience was aroused and turned against the abominations of reconstruction by the fruit of bloodshed and strife that flowed from Durell's infamous midnight order, and the recognition of the government it created by President Grant.

While the events of a neighboring state do not directly pertain to Mississippi reconstruction history, the digression is justified for the light it sheds over the Southern policy of Grant's administration. As developed in the installation of the Kellogg usurpation it was the paramount topic of Southern thought. And when the deed was done and clinched, the depths of despondency was cast over the South. The feeling that prevailed is reflected in the following from a comment in the Greenville Times, upon the President's action, and the decision of the United States Supreme Court that it had no justification to annul the Durell order by a writ of prohibition. "This is only another of the many defeats the Southern states have met with, in their endeavors to avert the consequences of military conquest. The question again comes up, 'What is to be done about it?' Appeal to the ancient landmarks, the constitution and laws will not serve—their safe an-

chorges have been swept away. \* \* \* In a time of dire peril the French nation was nerved to great deeds, by Danton's impassioned call 'To Dare! To Dare! And again to Dare!' But with the South it is a question of endurance—to endure, to endure and continue to endure. This is the answer, and God strengthen us the only answer, to the question. With a foreboding of the evil days in store for his people, Gen. Lee at the close of the war, enjoined that "it must not be doubted that human capacity was equal to human calamity."

A faithful portrayal and damning indictment of reconstruction is quoted from a speech at this period in congress by Representative Daniel W. Voorhees, of Indiana:

Sir, the absolute destruction of free institutions from the Potomac to the Rio Grande commenced with the earliest dawn of peace." Sherman received Johnston's surrender upon the precise basis on which the war had been prosecuted at every stage. He stipulated that the soldiers of the south should lay down the arms of their unequal warfare, return to their states, whose existence had not then been denied, and resume the pursuits of industry where they had left off, subject only to the destruction of slavery, which was wrought by the movements of armies and not by proclamations. He had more than a thousand precedents in the deliberate and recorded actions of this government for his conduct. He was sustained by both branches of congress in innumerable ways; by four years of incessant and voluminous legislation, by the enactment of apportionment laws throughout the states whose people were in rebellion, by districting them for judicial purposes, by levying upon them direct taxes as members of the union under the constitution, by the constant reception of their representatives on this floor and in the senate, by the most solemn and binding joint resolutions, and by every other mode in which this department of the government can commit, was upheld by every document also to which the name of the executive was attached during the war; by every message inaugural, proclamation and order of that prolific period. The courts added their weighty sanction, from those of the lowest and feeblest jurisdiction to those of the loftiest pretensions and powers. No government in

the widespread history of the nations of the earth was ever under voluntary and self-imposed obligations of greater force and magnitude. The word and the honor of the republic had been plighted over and over again to its own citizens and in the sight and hearing of the civilized world. The moment, however, that resistance ceased and the way was open for the pent-up purposes of revolution, centralization and rapine, the party in power broke with shameless haste its most sacred faith, flung aside the mask it had worn for years, admitted that its previous pretensions and promises were fraudulent, and clamored with ferocity against the hero of the march to the sea, who to be true and sincere had acted on them. The terms which Sherman gave to a fallen foe had often been tendered to that foe before he fell; but they were now madly thrust aside in the hour of victory, and the general himself denounced far and wide as a traitor to his country. The hue and cry was raised against him as if he was a fleeing fugitive from justice. That memorable and disgraceful outburst cannot be covered with oblivion. It more resembles the enraged scream of a beast of prey about to be baffled out of its victim than the reasonable expression of human beings. The victim, however, was surrendered to the clutches of an inflamed and victorious party, and the work of demolition and ruin was at once commenced. From turret to foundation you tore down the government of eleven states. You left not one stone upon another; you rent all their local laws and machinery into fragments and trampled upon their ruins. Not a vestige of their pillars, their rafters, their beams and their deep-laid corners—the work of a wise and devoted generation of the past, were all dragged away, and sites where they once stood left naked for the erection of new and different structures. You removed the rubbish, pushed the army into the vacant ground, established provisional governments as you would over territory just acquired by conquest from a foreign power, and clothed brigadier and major generals with extraordinary functions as governors.

This was the beginning of the present organizations; the odious and unsightly fabrics which now cumber the earth, and which stand as the open, reeking and confessed shambles of corruption,

pollution and revolting misrule. They embraced not one single element of popular consent. They are the hideous offspring of your own unnatural and unlawful force and violence. The great body of the people of that unfortunate section had no more share in the rebuilding of the local governments than the sepoy of East Indies have in the affairs of the British Empire. They were excluded from all participation in the most elaborate and iniquitous scheme of legislation of which history makes record.

The first duty of the provisional governments which you established was to call conventions to frame new constitutions for these old states, and to prepare them for readmission into that union from which you had sworn so often and so solemnly that no state could ever withdraw. These conventions were provided with the laws enacted here. The number and the quality of the delegates to them were here specified. Who should be eligible and who ineligible was your work and not the work of the people who were to be governed. You not only said who should be elected, but you likewise determined who should elect them, you fixed the qualifications and the color of the voters. You purged the ballot box of the intelligence and the virtue on which alone popular liberty can be safely founded, and you admitted in their stead the suffrage of the most ignorant and unqualified race now inhabiting the globe. In the reorganization of all the states whose present condition is matter of such sore complaint and such bitter accusations, the dominant party here and in those states excluded from office and deprived the people of the services of every man who by his talents, industry, and integrity had sufficiently acquired the confidence of his fellow citizens before the war to be made governor, secretary, auditor or treasurer of state, attorney general, judge, clerk or reporter of supreme court; superintendent of public instructions, member of either branch of congress or of the legislature of his state; clerk, sheriff, treasurer, auditor or recorder of his county; judge of probate court whose jurisdiction follows the inevitable footsteps of death, and whose functions are those of benevolence toward the orphans and the widows of the human race; justice of peace, or constable of his township, or notary public. Every man who had been called in former

days to fill any of these stations, and many more that might be enumerated, and, who during the conflict between the sections, was clothed with the slightest responsibility or charged with the smallest official duty by those with whom his destiny and his home had fallen, had marked by a blight of ineligibility, and like the leper of old it was made a crime for the people to again reach forth to him the hand of friendship, confidence and support. Even the sacred instincts of human nature became disqualifications for office, the ties of kindred criminal under this new and revolting system. He who gave a cup of cold water and a crust of bread to his thirsty and famished son, under arms for a cause which he believed to be right, and for which he was willing to die, was branded with dishonor and driven out from the councils of his countrymen. The loving mother who sheltered her weary and wounded boy, laid him in his own familiar bed at home once more, kissed his feverish lips, wiped away the gathering dews of death, and with a broken heart closed his dear eyes forever, was condemned for these acts of angelic ministry, and incurred the penalties of confiscation. He who dismounted and gave his horse to a brother in a moment of danger in close pursuit, the sister who wrought and sent clothing to him on the toilsome march; the maiden who prayed for her lover as he lay dying in the Wilderness, or at Stone river, all fell under a common curse. Even the white-haired grandmother of four score years, whose youthful husband was at the Cowpens, Eutaw Springs and Yorktown, or maybe fought under Jackson at New Orleans in the war of 1812, was deprived of her pension that small morsel of bounty from an ungenerous government, if her heart was extended in sympathy to her children on the plains of the South. A more sweeping and universal exclusion from all the benefits, rights, trusts, honors, enjoyments, liberties, and control of a government was never enacted against a whole people without respect to age or sex in the annals of the human race. The disgraceful disabilities imposed on the Jews for nearly 1800 years by the conquering monarchs were never more complete or appalling. Who denies a single statement I make? I challenge and defy contradiction. Every fact that I here proclaim is contained in the laws and in the re-



corded transactions of this government, and will constitute, "after some time be passed" and the passions of the present have subsided, the most frightful and crushing arraignment which history ever summed up against a ruling political party.

I call upon the Republican party to assume its just responsibility and not to shrink back now from the bad eminence it has attained in the conduct of Southern affairs. To it much has been given, and from it much is demanded. More than the ten talents have been entrusted to its care, and the present and future generations will exact a rigid account at its hands. But now as the ghastly and hideous results of its control in the South appear on every square mile of that oppressed and plundered sections, it starts back with horror and disclaims its own offspring, the fruits of its own unholy rapine and lust. With pale lips and affrighted mien it ejaculates: "Thou canst not say I did it." But the deeds which it has committed are of imperishable infamy, and they will not down at its bidding, nor can all the waters of the ocean wash away their guilty stains.

Having, however, now shown where the absolute, thorough and minute management of every interest, right and privilege of the Southern states and their people have been lodged during the whole process of pulling down and rebuilding their local governments, I shall proceed next to call upon the results which have followed:

(Here follows a fervid recital in detail of the plunder of each separate state of the eleven, with the quoted table):

Alabama—Debts and liabilities at the close of the war, \$5,939,654.87; debts and liabilities January 1, 1872, \$38,381,967.37.

Arkansas—Debts and liabilities at the close of the war, \$4,036,952.87; debts and liabilities January 1, 1872, \$19,761,265.62.

Florida—Debts and liabilities at the close of the war, \$221,000; debts and liabilities January 1, 1872, \$15,763,447.54.

Georgia—Debts and liabilities at the close of the war, nominal; debts and liabilities June, 1871, \$50,137,500. (See statement of Mr. Angler, treasurer of Georgia.)

Louisiana—Debts and liabilities at the close of the war, \$10,-

099,074.34; debts and liabilities June 1, 1871, including the excess of expenditures over the receipts \$50,540,206.91.

North Carolina—Debts and liabilities at the close of the war, \$9,699,500; debts and liabilities January 1, 1872, \$34,887,467.85.

South Carolina—Debts and liabilities at the close of the war, \$5,000,000; debts and liabilities January 1, 1872, \$39,158,914.47.

Mississippi—Debts and liabilities at the close of the war nominal; debts and liabilities January 1, 1872, about \$2,000,000.

Tennessee—Debts and liabilities at the close of the war, \$20,105,606.66; debts and liabilities January 1, 1872, \$45,688,263.46.

Texas—Debts and liabilities at the close of the war, nominal; debts and liabilities January 1, 1872, \$20,361,000.

Virginia—Debts and liabilities at the close of the war, \$31,938,144.59; debts and liabilities January 1, 1872, \$45,480,542.21.

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If we turn from the far off regions of antiquity to the immediate present, still we find no parallel to the evil administrations of the South.

With what a clamor the corrupt practices of four or five men in the city of New York have been hailed for many months past. The air has been vocal, the press has resounded; the telegraph has been made weary of its daily burden and the accusing voice of self-righteous indignation has been universal and unceasing. The Democratic party, it is true, crushed these men in an instant, but still the story of their offenses salutes us everywhere. And yet their work of extortion, compared to that in the South, is the mote to the beam, and the mole hill to the mountain, the speck in the sky to the cloud that overspreads and darkens the whole heavens. Their crimes, too, have a still further mitigation in the comparison. If they enriched themselves, they at least did not take all. They made New York the wonder and the glory of modern civilization, they bestowed upon them in return a city more magnificently adorned with public works than Rome or Paris in their days of pride, of pomp and of power. Her glorious parks, her vast avenues, her newly-opened, solid and far-reaching streets, will testify to after ages that her officials bequeathed to her some

compensation for the wrongs inflicted upon her good name. No such conduct illuminates a single page of the present epoch in the South. You look in vain from Hampton Roads to the Bay of Galveston for a single monument erected to the public good by that party which has so sternly and so corruptly governed in all that widespread region.

No colleges, seminaries or schools founded and endowed with the treasures that have been stolen; no lofty edifices or durable roads constructed; no massive bridges thrown across wide rivers; no parched plains irrigated and made productive; no rice swamp ditched and redeemed for cultivation; no canals cut in order to connect the natural channels of trade and commerce; no rivers improved or harbors made more spacious and secure; none of these works of utility and patriotism relieve the monotonous desolation which unholy avarice and unrestrained oppression has stamped upon the South. She has nothing to mitigate her degradation. She has been stripped and robbed and left by the wayside; her effects, moneys and credits have been transported to other states and climes, to return to her no more forever. Her well-flavored and fat-fleshed kine, feeding in her meadows, have been devoured. The fogs, the darkness, the lict and locusts left more blessings behind them in Egypt than this portion of the republic has received from its modern rulers.

Sir. I challenge the darkest annals of the human race for like outrages to them which have been perpetrated on eleven American states. Ireland has been made to enrich many a lawless lord lieutenant sent over by England to govern that beautiful but unhappy island. The stories of her wrongs have been said and sung in every hamlet in the civilized world, yet her contributions to the cause of a wicked government have been mere pittances compared to what the South has been compelled to make. Seventy years before the birth of Christ, Sicily was ravaged and despoiled by a consul of Rome. Though more than nineteen centuries have come and gone since, yet the name of Verres retains all its freshness of immortal infamy. He was prosecuted by the authority of the Roman senate, and fled for an asylum to strange and foreign lands. He died miserably in exile and his dishonored dust was

not permitted to mingle with the soil of the Roman republic. We find, however, in Middleton's Life of Cicero that all the peculations, extortions, bribes and larcenies charged upon Verres during his entire administration of Sicily did not exceed \$2,000,000; equal to only one third of the amount for which the Tribune of New York says Governor Scott fraudulently issued the bonds of South Carolina in a single transaction.

The basest Roman consul whose name is preserved on the pages of the historian becomes respectable by the side of Southern governors under the present policy of this government. The crimes of Warren Hastings, as the ruler of distant and conquered colonies, have long been the theme of swelling themes and lofty declamation. There has been much in his situation to extenuate his offenses.

He was charged by his government to hold its valuable possessions on the opposite side of the globe. He was in the midst of fierce, revengeful and undying hostilities. He was surrounded by a race with which he had no bond or tie of blood or language. It was perfidious and cruel, and mocked at the faith of treaties. But even admitting that his guilt was as great as it was painted by the flaming imagination of Burke or the impassioned rhetoric of Sheridan, yet all the burdens he imposed upon all the East Indies do not equal those which have been fastened upon the two states of Georgia and Louisiana alone since the disastrous dawn of reconstruction.

Sir, on the facts which I have stated I invoke the judgment of the country."

Mississippi's escape, as shown in the Voorhees table of state debts, from the enormous bond issues which bore so heavily on the other Southern states, was due to a "repudiation" blacklist, handed down from long before the war. In all of the money markets the name of the state was taboo. This prevented the reconstruction officials from selling state securities abroad. Apparently this furnishes one instance when good fruit came from a bad tree. Though estoppel in one way, was a stimulus to devising many other schemes of robbery by the carpet bag plunderbund. An interesting story of the repudiation handicap is fur-

nished in a letter, dated December 1877, from Senator Lamar to Senator Gordon—which is quoted—explaining the inexpediency of sending him to the Paris exposition on a special commission for urging Southern investments:

“A very intelligent traveler, one who has held very conspicuous positions abroad, has urged that I go in the capacity of special commissioner. But I happen to know that I am not the man. While in Europe for the Confederacy I was consulted every day by Messrs. Mason, Slidell and our financial agents in London and Paris. The greatest obstacle in the way of the financial recognition of our Confederacy was that our president was from Mississippi, to which the odium of repudiation was attached. I remember the chief man in charge told Mr. Mason: “Sir, you cannot float your loan unless your Confederacy disavows the repudiation of Mississippi.” Now if I were to go there my time would be more occupied in explaining this matter of repudiation than in pushing the enterprise.”

The Mississippi legislature met Jan. 21st, 1873. Gov. Powers' message was devoted to the routine of affairs, and recommendations looking to their improvement. Among these were amendments to the constitution providing for biennial legislative sessions, and restrictions upon the debt contracting powers of cities. A reduction of over \$100,000 in the items of public printing and legislative costs was claimed. The opening of the message was as follows: “Mississippi stands among her sister states as an example of reconstruction based on reconciliation, by a full and just recognition of the rights of all her citizens.” This observation was doubtless prompted by the entire absence in Mississippi of the political strife prevailing in the then adjoining states of Alabama, Louisiana and Arkansas. The session of the legislature was not marked by any scandals of magnitude. A civil rights bill which had failed in the preceding legislature, was enacted to the exceeding great joy of the carpet bag mulattoes. They raised a few disturbances and lawsuits in testing the rights it conferred. But receiving no encouragement or countenance from the negroes generally, such activities soon died out and the law became a dead letter. Among the petty peccadilloes of the

legislature was the creation of a commissioner of investigation in the person of a cornfield hand who represented Issaquena county in the legislature. His salary was \$2,000 a year, and the fund at his disposal was \$10,000. It was expended in office expenses and clerk hire. The legislature adjourned at the close of a three months session. An incident of note at the close of the session was the presentation to the colored speaker of the house, Jno. R. Lynch, of a gold watch, by members irrespective of party. A resolution by a Democratic member testified to the speaker's "ability, courtesy and impartiality." Under the prevailing circumstances this interchange was as creditable to the white Democrats as to the negro speaker whom they praised.

The tranquillity prevailing spoke well for the administration of Gov. Powers. But in the counties the extortionate and corrupt practices were unchecked.

In his message the Governor had repeated his recommendation of the previous session for placing members of the Board of Supervisors under bonds; as a check upon loose and dishonest administration of county finances. Local administration by irresponsible non-taxpayers had depreciated county scrip all over the state to fifty per cent or less of its face value. County debts had been created, and a tax rate levied that was burthensome beyond endurance. The bad situation was, of course more aggravated in the negro counties. The following from the Greenville Times of April 12, 1873, reflects black county administration generally: "When attention is called to the meeting of the Board of Supervisors, the county will be prepared for what follows. Accounts amounting to over \$10,000 were allowed, at least four-fifths of which are wholly unwarranted by law and should have been enjoined. One account is worthy of the attention of all as it beats the precedents. This is a bill of stationery for the circuit clerk's office amounting to \$4,477.08. The chancery clerk was much more moderate, as his stationery bill footed up only \$1,080. A bill for "incidentals" to the circuit clerk's office of \$700 was allowed. These are sample items, deemed sufficient to put the tax payers in a thoughtful mood." These allowances were cited as a text, and tax payers were strongly urged to effect a permanent

organization to defeat such raids by legal means which were ample and available. The negroes were called on to note that "the present administration of county affairs had cured the white citizens of the fallacy, that under negro rule the county was better off than when carpet baggers directed their government."

Under the inspiration of these exposures a Washington county tax payers league was organized April 22d, 1873—the first of a number that sprang up all over the state—to check such robberies as are here enumerated; a movement which culminated two years later in the complete and final overthrow of alien robber rule. The platform of League purposes, published in the *Greenville Times* of September 26th, declared for equal and moderate taxation; economical and lawful expenditures of the public funds of the county. An executive committee of ten members was created, and all taxpayers of the county were urged to join the league, measures being at once instituted to effect the purposes declared. Two years before like steps had been initiated against the carpet bag officials of the county. In both instances the local bar generally, and its leaders especially, volunteered and patriotically rendered their services. On the former occasions the radicals having a friend in the court, escaped scathless. It was now different—court and carpet baggers wanted their black rivals in rapacity taught a lesson. Court convened with a grand jury in sympathy with enforcement of law. Indictments were found promptly. The chief rascal, J. P. Ball, president of the Board of Supervisors, etc., was convicted of embezzlement and sent to the penitentiary. The junior Ball was indicted. When his case was called for trial, L. B. Valliant, one of the counsel for the League, arose and said to the court: "Owing to your honor's adverse ruling on Ball senior's application for change of venue, Ball, junior, applied to the ferryman for a change to Arkansas; which application, I am informed, was granted." The white citizens were greatly encouraged, and under attachment proceedings of the Tax Payers' League many thousands of dollars of county scrip illegally issued was recovered. A lengthy summary of the results achieved in the *Greenville Times* of May 17th is condensed as follows: "It devolves

upon the Tax Payers League to continue to supply the means of carrying on the war, so successfully instituted, on corrupt officials. Members must not delude themselves with the idea that their work is as yet accomplished. It is only begun. Eternal vigilance is the tax payer's only guarantee in these times." Especial praise was bestowed on the negro jurors and grand jurors of the court term.

The organization of the Tax Payers League and the proofs of earnest work brought the county scrip steals to an end; though it was a case of locking the stable door too late to restrain a flood of unknown but ruinous volume of obligations. At the next meeting of the Board of Supervisors W. G. Yerger, representing the Tax Payers' League, presented himself in that capacity. His authority was recognized and no allowances issued until he had passed on them as legal. Consequently, as noted in the county paper, of \$2,500 claims presented, \$45 were allowed. The Times said: "Nothing is hazarded in stating that but for the presence of our attorney and the conviction of Ball, every dollar claimed would have been allowed, and no one knows how much more besides."

In the 1873 state campaign Democratic despair was confronted by radical assurance and arrogance. The whites were driven to the ignoble policy of dependence upon such gain and betterment as might be secured through the feuds and struggles of the adversary. Of these there was no end. The mutual antipathies of the two senators made both candidates for Governor, as a test of claims of leadership of their party. Alcorn was not an avowed candidate, until his party convention, he backed Governor Powers for re-election. This would have been far more acceptable to the white people than the administration of either Alcorn or Ames. But under no circumstances could he have won a nomination to be awarded by the negroes. They had grown suspicious of their white emancipators, and with cause. In their hearts there were few of the Northern instruments of reconstruction who did not despise and deride their own professions of race equality. The negro was quick to detect the sham. In Ames, however, they discerned a genuine lack of all sentiment of race



prejudice. His devotion to the establishment of negro political dominance in Mississippi went hand in hand with his distrust and fixed aversion of the South. Carpet bag rule was ameliorated to a degree by the desire of social intercourse with the native whites. This was almost invariable, but Ames was an exception—he sought no favor and made no friends of them. Such a man was invincible before a negro electorate, and the negro was distinctly in the radical saddle in making up the incoming state administration. They had been put off four years before with a single representative on the ticket. They now realized their power and demanded its full recognition. Among the first counties to hold a convention was Warren. With Ames for Governor, negroes were endorsed for Treasurer, Lieutenant Governor and Secretary of State. A negro was nominated for sheriff, negroes for both county clerkships, and treasurer. Under the pressure of pleas “to give the Anglo-Saxon a fair deal,” white men were nominated for county assessor, and one of the four representatives in the legislature.

The state convention assembled August 27th and nominated Ames by an overwhelming majority—the count being Ames 187 and Powers 40. Three negroes were given places on the ticket. On the day the nomination of Ames was made, the capitol was placarded with announcements of a speech by Alcorn. He had shrewdly avoided a direct test of his leadership in the convention. Now that Powers had been defeated, made desperate by resentment and pique, Alcorn took up the combat. He decided to lead a battle against the convention nominee. His position, the arguments of his speech, were so grotesquely contradictory that they would have overwhelmed a man of less arrogance and conceit, in ridicule and derision. An appeal for the support of a people whom he had so outraged, would seem to be impossible of favor. But those who indulge this view have but to remember that the alternative was Ames and the negro. Nevertheless, it was among the most ill-flavored of all hard trials and tests of a period of evil environments that white men of Mississippi were constrained to elect to support Alcorn. His speech abounded in shallowest sophistry and inconsequent pleadings. He affirmed the “sincerity of

his allegiance to the Confederacy." When the war had ceased he had "protested against making Lewis Dent, a non-resident, the standard-bearer of the returning heroes to the Union—holding it more manly that one of our citizens should bear back to the nation the allegiance of a conquered people. The whites refusing to follow him he appealed to the negroes. The colored people had followed him with a devotion he had never seen surpassed." Gov. Alcorn's policy of propitiating the whites and at the same time holding the support of the negroes was sublime in egotism and audacity. For the light it sheds upon the man and the times, his speech, attempting to convert poison into antidote, is quoted copiously:

"In Ames' capacity as military governor he was, in the minor details of the government, a law unto himself. He manifested a hatred to the whites of the state; but his love for the colored people had not caused him to enforce his civil rights. When I became governor the colored man was not allowed to ride in the first-class railroad cars. Why did he not enforce your civil rights? He had power to do so, and yet he did not. Soon after I became governor you were riding in the cars like other people, and this, too, without the aid of either legislation or the bayonet. (Applause.) We entered on this privilege with the consent and approbation of the white people of the state. I had appealed to them in your behalf. I had appealed to the presidents of the different railroads. The justice and good sense of the appeal was recognized, and from that day to this, this branch of your civil rights has been respected. Again, colored men, you are told that I am seeking to break up the Republican party, and to turn you over to the Democrats. This is false. I seek to maintain it in the control of the government for the good of the people. I see the effort to create a distrust in your minds against me.

When I entered on my duty as governor the white people of the state were estranged from me. I was compelled to put my government in motion and had, necessarily to appoint many men to office who I felt were unfit. I appointed many good men and many bad ones, but before appointing to office, I made the legislature vote me a secret service fund of \$50,000 and at the same

time give me power to remove incumbents from office. I kept spies on their tracks and with the power to remove I saved the state from plunder. The question is asked why I oppose Ames, it being known that he could not have been elected to the senate but for me. I shall give you the answer. Ames had denied that he desired to go to the senate—pledged himself that he would not be a candidate for office. But when I came to Jackson he stated to me the fact that my legislature was infected with thieves. He gave me the names of many that he held to be of that class. I will give you the name of one whom he designated as a consummate rogue, who was then a member of the Mississippi senate; to-day he is your nominee for auditor of public accounts—this is no other than W. H. Gibbs.

Musgrove, who is an honest and competent officer, was overriden by the convention and this man Gibbs nominated in his stead. Gibbs had made the attempt to rob the state, by approving a fraudulent account of \$20,000. Ames gave me the names of many others who he said were no better. He said to me that these men intended to plunder the state, and when they should find me in the way they would make war on me by misrepresentations at Washington. He stated that I would need a friend at Washington who knew these men and who could save my government from the consequences of their misrepresentations. I was alarmed at the picture; I soon agreed to support Ames for senate.

He said he had no taste for political life; that he desired the indorsement that he might be appointed a brigadier general in the regular army. I agreed to do what I could to advance him. Ames knew very well that his hope of continuance in the senate, living as he did out of the state, could not be realized should the two races become, as they should be, friends. When the state should once find repose with a peaceable and contented people they would deserve to be represented in congress by men of their own state. Ames was not nor did he intend to be of this class. Mississippi as a place of residence had no attractions for him. A quasi state of war must be kept up or Ames could not hope to be continued in place. He said that my purpose was—to make peace between the races, to bring into the Republican party

the white people, the young white men of Mississippi, that the government might be controlled by the colored people and white people, by all the people of Mississippi." (Prolonged applause.) "I repeat that Ames saw that if I should succeed, his hope was lost. Citizen Ames paid a visit in 1870 to the state, and soon after he came a distinguished colored man of Mississippi—one that you all know, and one whose word you will all take should what I state be denied—I shall at a future time give his name—came to me with the intelligence that Ames had sought an interview with him; that Ames had proposed to make war on Governor Alcorn. Governor Alcorn was seeking to enlarge the area of the Republican party; that he was endeavoring to induce the whites of Mississippi, the young men of the state, to join that party. "Should be succeed in doing this," Ames said to the colored gentleman, "you and I will be driven from the state. We are both carpetbaggers, and an accession to the Republican party is fatal to you and myself." I do not pretend to quote the precise words, but I do not misrepresent the ideas Ames proposed to this colored man that he (Ames) should represent the Northern element, and the colored man the colored element, by this they could control the offices and ostracise the natives, the native white Republicans. His proposition went further. It was that the next legislature should, as far as it could, be made up of Ames' friends, and at the first opportunity a resolution should be passed by the legislature indorsing him and censuring me. This, he said, would break me down in Washington, destroy my influence there, and enable him to control the Federal patronage. This being done, continued Ames, I can come to Mississippi in 1873 and be nominated and elected governor of the state. I can then fix the state permanently in the hands of the Northern men and the colored men, to the exclusion of the natives, for all time to come.

All southern thinking men would thus be crushed. The person to whom this disclosure was made came to me with the report. He wrote out a reply, which I read: he reproduced in that reply Ames' propositions. His reply was to the effect that he wished to have peace established between the races in Mississippi; that

Ames' proposition would continue the feuds and internal commotions of the state; that he was opposed to this; that he believed I was a friend to his race, and that he should continue to support me in my effort to consummate a lasting brotherhood between the races in this state. (Cheers.) The evidence which I have of the truth of this disclosure rests on the confidence I have in the truth of my friend, supplemented by the fact that the reply to General Ames was given into my hands for the mail. I handed it to my secretary and directed him to mail it to General Ames' address.

And now today, my countrymen, Ames is here as a candidate for Governor in following out his purpose, and should he be chosen the war of races begins in this state. This means the destruction of all our hopes.

Colored men, what has Ames done for you? When here as provisional governor, he was under the direction of the Secretary of War, and received daily instructions as to his duty. Did you ever see him incur a danger for your sake? He tells you he fought for you. Ah, the little man! Had there not been a larger one than he you would have been yet in your manacles. Did he, when here, ever risk himself beyond the reach of government bayonets? Is he capable of rendering you service in the forum? Colored men, did I not bear your banner in 1869? Did you see me in the fierce conflict? Did I assume danger for your sake? You followed me then, stand by me now, and then you will stand for your country's good. My countrymen, understand me when I speak of the Northern men. Honest men are here in our midst who are from the North. Some were civilians and some were soldiers in the Federal army when the war went on. Now they are here, honest and honored citizens; they have cast their fortunes with us. They have not come here to rob, but to enrich the state; to better their fortunes. We honor these men, while we denounce the adventurer and the thief, be they black or white, from the North or from the South, and, God helping us, we will drive them from all places of public trust. (Prolonged cheering.)

To the white people of Mississippi we will appeal for support. Come with us, you Democrats of the past. Why hesitate now? Come, join with these Northern Republicans, who are with us, and with the colored people who are for their country! Come, young men of Mississippi, strike one blow for the peace and safety of your state. Ames is the enemy of your state. In congress he has traduced and slandered you. He said, when writing to the colored man, Norris, that I was protecting the Democrats in the murder of the colored people of the state by hundreds. To stir the colored man's blood to hatred against the white race. He knew the charge was false, that his letter was a lie, but his purpose he was following up.

Elect him, my countrymen. Let him remodel your courts; let J. Wiley Wells and this poor creature, Hill, have his commission for your robbery; the legislature will pass the law, the corrupt court will expound it, Ames' bayonets will enforce it. Our property will be confiscated; our liberties, though guaranteed by the constitution, will be usurped by the sword. The calamity will come upon colored men and white men alike; all are enslaved, all impoverished and ruined.

Why, colored men, will you support Ames for Governor of your state? What has he done for you in Congress? Go and find one measure in Congress looking to the relief of the South which had the support of Ames. I declare him to be, in my judgment, the most vindictive man in Congress against the Southern whites.

God grant that we may be delivered from his grasp, from the ruin which he has in store for us all! To avert this, I have announced myself as a candidate for Governor of your state. I am a Republican of the true faith. I have not lost my faith. I have only turned on plunderers and thieves. Come with me, men of Mississippi; you who love your state; who would save her from the bondholders; who would save her from Ames! Come and help me save our wives and little ones from the "body of this death." Come and let us execute a lasting bond of friendship between the white people and the black people, and let us drive from the state the political incendiary who comes to make war

between our people; who comes to rob us then spit upon us and leave us.

God grant our deliverance!

The Democratic executive committee met in Jackson August 14, 1873, and issued a call for a convention at Meridian, September 17th. A resolution was proposed by a member of the committee, recommending county instructions "to disband the party and release its members from any further fealty to the Democratic party." While rejected by the committee, the resolution was published and furnished the basis of discussion through the state press of the policy to be pursued—whether to nominate a ticket, or disband and leave each individual to vote as he pleased. Warren county was among the first to hold a Democratic mass meeting September 3d, urging a straight ticket and an active campaign. Other counties were soon heard from, taking the opposite position. The Hinds county convention, September 8th, attended by the prominent Democrats of the capital city, sounded the keynote of despair and lethargy, which had overcome the party leadership especially. The following is quoted from the proceedings: "The following resolutions, offered by Col. Jones S. Hamilton, were adopted with great unanimity: 'Whereas it is the sense of this convention that the majority of those who have heretofore acted with the Democratic party in this county is in accord with the resolutions offered in the state executive committee by the Hon. S. S. Calhoun of Madison county, and whereas it is the solemn conviction that any action of this convention looking to placing a ticket in the field will be adverse to the best interests of the state; therefore be it resolved, that the delegates appointed to the state convention be and are hereby instructed to vote against any and all resolutions looking to the nomination of a state ticket.'" In the state press there was voiced a very strong opposition to the course proposed in the resolution. A decided majority of the state papers called for a ticket to be placed in the field. For the sake of the record, and to avert the repugnance of voting for distasteful candidates, this would have been best. But there can be no severe condemnation of leaders who recommended party

non-action. The truer, manlier course was overshadowed by the hopelessness of the contest. Like the Damoclean sword, the heavy hand of Grant, which had fallen with such crushing effect on Louisiana, Arkansas and Alabama, the year before, overhung the situation and forbade a struggle such as they had then vainly made.

The convention met in Meridian and was called to order by Chairman Rob't Lowry of the state committee. It was presided over by Col. R. O. Reynolds of Monroe county. Less than two-thirds of the counties were represented. A resolution by Hon. H. M. Street, pledging all the delegates to abide by the action of the convention, and to discourage a nomination by a part of the party, was adopted by a vote of 118 to 29. The resolution announcing the decision of the convention, introduced by the Hon. Jeff Wilson of Pontotoc county, was as follows: "Resolved, that it is the sense of the conservative Democratic party in convention assembled, that it is inexpedient to nominate a state ticket at this time. Resolved that this convention do now adjourn sine die." This resolution, so significant of the low state of the fortunes and the spirit of the white people of Mississippi, was earnestly opposed in a debate that lasted until after nightfall. It was then voted upon and adopted by a vote of 99 to 45. The day following the withdrawal of the Democratic organization from the field, the Alcorn nominating convention was held in Jackson—the later event being probably the sequel to the former. It was so accused by the Republican state organ, which placed the stigma upon the revolt, of the "Democratic Alcorn mass meeting." The attendance was neither impressive nor inspiring. It was presided over by Judge C. C. Shackleford, the most odious of all Alcorn's judicial appointments. A full list of candidates was named for the state offices, headed by J. S. Alcorn for Governor. As a whole the bolter's ticket was far preferable to the other. For one thing it had two negroes on it, while the Ames ticket had three. But these, with Alcorn, were sufficient to avert whatever vigor and heartiness of Democratic support may have been counted on.

The policy of the Alcorn canvass was the same that had flashed out fitfully in his administration—to draw a line between the



home and the alien Republicans. This meant the negro and the scalawag against the carpet-bagger, or Alcorn against Ames. The platform sought to justify the bolt of the Alcorns, by denouncing the regulars as "a class of irresponsible non-residents," who had "so prostituted and debauched the convention by open bribery and unquestioned corruption as to make it the duty of all honorable men to dissolve all connection with the corrupt individuals whose object is the plunder of the state." Adjournment of the Alcorn convention was closely followed by a Powers diversion. The governor addressed a note to the attorney general, who like himself had been left off of both tickets, questioning the warrant for an election in 1873; and asking "an official opinion as to when the next general election should be held." In compliance with this request Attorney General Morris gave an opinion to the effect that under the code and the constitution, when rightly construed, there could be no general election in 1873. On September 30th, Gov. Powers adopted this opinion, to the extent of issuing a proclamation declaring there could be no election until November, 1874. The radical state organ, the *Jackson Pilot*, promptly characterized the governor's action as "incendiary and revolutionary," and called on the county registrars to go ahead and hold the election. Had the governor been made of revolutionary stuff his advantage of position and power would have tempted him to boldly play up to his lead. But he was a conservative. Made timid by the knowledge that Ames would have President Grant's backing in a conflict, he virtually gave up his case by calling the legislature in session to decide the question of law, which the attorney general had already officially passed on. This step—which was a confession of weakness—was distinctly disastrous to the liberal, or Alcorn, ticket.

Joint debates between Ames and Alcorn were arranged at half a dozen places in the state, beginning at Vicksburg, October 13th. Their speeches consisted in self-laudation, and self-vindication from the charges each brought against the other. In the war of crimination and recrimination neither gained in reputation, and least of the two Alcorn. His record was more vulnerable because there was more of it. Little concern was paid to the white

vote. Alcorn was a rough rider in these encounters, and a feature of the Ames management was to dodge them, or create confusion as to the hour, place and time of the speaking. After Ames spoke the negroes were drilled to leave Alcorn to speak to empty benches. At Greenville when Alcorn came to the town hall, he learned his opponent was speaking at the court house. He went there to meet him, but after exhausting the time Ames left without waiting for Alcorn's reply, which was severe but wasted. As election drew near it became evident that Ames would win on the negro vote. He bid for it at a rate that no person seeking the white support could compete with. At the same time Alcorn sufficiently courted the blacks to repel thousands of white voters from the polls, and who, alternatively, wished him elected. The Greenville Times thus closed a comment on the speeches of the two: "We again remark that, but for the issues involved, it is in the matter of a choice of candidates, 'heads I lose and tails you win.'" Under this view which was the common one, it required a keener discrimination than the average voter exercised to enlist any generally active support of the Alcorn ticket.

The canvass was described by H. V. R., one of the most noted newspaper men of the day. Writing to his paper, the Cincinnati Commercial, from Meridian on September 26th, he gave a graphic sketch of the gloomy and perplexing political condition in the state. Foretelling the success of the Ames ticket he wrote: "The radicals have favored them for the legislature by putting out negroes for that office in three out of four counties. The rage of the negroes for office exceeds anything ever before experienced in the history of Mississippi. They have taken the reins in their own hands, and bid defiance to carpet bagger and scalawag alike. As it is very likely the Ames ticket will prevail. I confess the future of Mississippi looks rather dark. Negroes are not fit to make laws. \* \* \* Attorney General Morris wants the Governor to take such action as shall be "decisive and effective," to stop the election. If the Governor should strike a bold stroke and block the election, you will hear a howl from the radicals that will reach to the lakes. They will cry rebel! rebel! and several other cries, but that in particular. That one is always

foremost. A Southern rebel who can't cry "rebel" is not worthy of belonging to the party. Powers is a weak man or he would act at once. Every prompting of his heart favors a suspension of the election, but he hardly dare take the step in the first place, and does not know exactly how to do it in the second." It was commonly believed that after vindicating his leadership by being elected Governor and serving a year, Ames would be returned to the senate in 1875, leaving Mississippi under Davis—who was his running mate as Lieutenant Governor—the remainder of the term. Referring to this the quoted letter says: "While Ames is providing for himself (in the senate), he can remain Governor and senator at once, and the consequence is that the negro barber Davis will be the real Governor of Mississippi. Beautiful prospect! Happy state."

The legislature met in special session pursuant to the Governor's call. His message comprised a lengthy argument against the legality of the pending election. The representative house surprised itself and the public by electing H. M. Street, a leading Democrat, speaker. An election bill was introduced and promptly passed by a decisive majority. It adopted the Governor's contention, postponing the election a year. But it was in the senate that the test was to be had. Here the efforts and influences of the rival factions was exerted. Striving on one side was the Alcorn following and the officials of the state government. On the other was Ames and the regulars, backed up by the federal officials of the state, and Grant's moral support from Washington. Alcorn and Ames were on the ground directing the movements of their forces from their respective headquarters. The poll of the senate promised a close vote. The policy of the regulars was to kill the bill by delay until election day; which was close at hand. The plan was made successful, through the threat of sterner measures. To the weak and wavering there was applied menace and intimidation. The United States district attorney was published as saying that he held the authority of that unscrupulous partisan, Attorney General Williams, to invoke the enforcement act, "to arrest senators and others who opposed the election." A detail of federal soldiers was made and held in readiness

to enter the legislature when called for by the United States officials. Such intimidation recalled the scenes in New Orleans under which the Kellogg-Pinchback regime was installed. There was no federal judge at Ames beck, as United States Judge Hill emphatically and openly expressed his condemnation of the tactics which the other federal officials threatened. But there is no room or reason to doubt that had not the vote been staved off, if the movement to annul the election had not failed, the result would have been consummated under the shadow of the bayonets of the United States army. This caused many of the white people to look with no regret upon the defeat of the Powers-Alcorn plan; Senator J. M. Stone and one or two other Democrats, so voted, in the interest of peace and quiet for the state.

In the election Alcorn was badly beaten. The total vote was, Ames 69,653, Alcorn, 50,490. This was about the same majority that Grant had over Greeley the year before. Whatever negro vote Alcorn got was offset by white absentees from the polls. This was the especially unfortunate incident of the party disbandment and demoralization as it caused the loss of a number of Democratic legislative members. In the black counties the negroes voted practically solid for Ames, so little lasting impression had been made by Alcorn as their Moses. His own county, and plantation went against him. As the negro candidates ran considerably behind the head of the ticket a good many whites must have voted for Ames. There was a good deal of reproach and recrimination after the election, over the policy adopted in the Meridian convention. Condemnation was accentuated by elections in the north, which disclosed the first symptoms of popular wrath against radicalism, and the corruption at Washington with which it went hand in hand during the Grant administration. But just judgment of the Mississippi Democratic policy of 1873 will weigh the temper of the times, the hard conditions surrounding the whites. They entered the campaign with the practical certainty of suppression by force of arms, if such a campaign as 1868 was repeated. It is easy to criticise and censure, after failure has ensued—to forget that men summoned

to contend against an adverse fate may not choose their course, or compel circumstances. "He must needs go that the devil drives."

Governor Powers repudiated the election as illegal, and declared he would hold the office against Ames. In the meanwhile a test case had been raised before Judge Fisher of the 12th judicial district. He promptly decided the election was legal. An appeal was taken to the supreme court, and in an interview with the attorney general-elect on the Ames ticket, the governor proposed an agreement by which both sides were to abide by its decision. The proposition was declined. It was given out through the radical organ that Ames would take the office, however the court decided the issue. It was reported and commonly believed that the president's pledge of troops was back of the threat. There was some excitement, and bold talk, of a collision should the supreme court hold the election void, and Ames attempt to seize the government. But the court settled the question by affirming the legality of the election. It was subsequently published that two of the supreme judges had assured Gov. Powers that their decision would be the other way. This was believed to be the plan, but that it could not stand against the menace of federal troops. The Jackson Democratic paper, the *Clarion*, said: "Gen. Ames has said without reservation since the supreme court decision was pronounced that he came from Washington under a pledge from Gen. Grant to put him into office no matter how the court decided." This was not inconsistent with the attitude of the president in the contemporary Texas case, wherein a Democrat had been elected governor. The carpet bag incumbent declared the election invalid and appealed to the supreme court of the state, which sustained him. But his application to the president for support in holding the office was refused, and the court decision fell to the ground.

There was confusion and strife in a number of counties, over the result of the election. In Yazoo there was a bloody fray. A. T. Morgan, an Ames adherent, was denied the sheriff's office to which he had been elected. He took possession lawlessly and violently with a band of myrmidons and brutally murdered

the incumbent, who was unarmed and a peaceful protestant against the use of force in his dispossession of an office in which was a large sum of money for which he had no receipt or security. Morgan was arrested and sent to jail under a denial of bail. Subsequently, because he would not yield to a threat and give bail, Chancellor Drennan was removed. Or to be explicit, as his nomination had not been confirmed, it was withdrawn by Ames and a man named for the place who released Morgan. He then was installed as sheriff. Before two years had passed he, too, was made to yield it up to force with bloodshed of his supporters.

There was scarcely a black county in the state that was not the scene of local contention among the radicals on the color line. There was a general tendency of the negro leaders to wrest the offices from the carpet-baggers. By this election Warren was added to the counties with negro sheriffs. In Washington a peculiar state of confusion and contention ensued. On the pretext that the party nominees, all negroes, were tainted with liberalism, the carpet-bag ring, which had been beaten in the convention by the color line, put out a rival ticket headed by the county boss, W. H. Bolton. His opponent, a mulatto named Winslow, carried the county by a small majority. This result was due to a combination with the white planters, by which they secured three out of the five members of the board of supervisors. This was an achievement of signal importance and value, as it marked the end of corrupt county government. The defeated carpet bag candidate for sheriff instituted a contest of the election and the colored brother would have fared badly, had not another carpet-bagger, the alert and resourceful incumbent, L. T. Webber, taken advantage of the situation to back him. This resulted in giving Webber another term of the office, which he had already held for four years in spite of the appointment of one negro and the election of another, as deputy.

The chancery clerk's office was also contested, and the negro elected finally tricked out of it. On trivial ground he was adjudged ineligible and the certificate given his opponent by Judge Shackelford. Then the chancellor, Stafford, decreed that the

office was vacant and appointed his son to it. A bill was passed hurriedly, ordering an election, which the board of supervisors refused to provide for on the alleged ground of the invalidity of the law. A mandamus was obtained against the white members which not being obeyed, they were committed to jail for contempt of court. They were ordered released on a habeas corpus writ by the chancellor, which the sheriff declined to recognize. The sheriff's arrest was ordered. One of the three arrested supervisors, who was president, agreeing to re-submit the election order, they were released and the election ordered. In the final settlement the negro lost, and the carpet-bagger, W. H. Bolton, was elected. Other violations of law were specified for information of the grand jury; including the "loss" of treasurer's reports with thousands of uncanceled warrants.

In his outgoing message January, 1874, Gov. Powers reviewed the record of his administration with a satisfaction that was by no means unmerited. Taken as a whole he had given the state as good government as could have been expected, in view of the quality of his party and the political environments that beset him. The state enjoyed freedom from the abuses and disorders that marked the preceding and succeeding administrations. But there was only partial basis for the claim of Gov. Powers that "decided advancement had been made in all the departments of government." While the financial statement showed a decreased expenditure, it was not sufficient to stop the steady increase of the deficit. He again urged discontinuance of the warrant system, the equalization of assessments, but he was unable to point out how taxes could be reduced. It is simple justice to say that Gov. Powers was a well-meaning, but a weak executive.

Having perfected the plan of reconstruction by the full conference and operation of negro political equality, the next step in the abasement of the South was sought by Congress through legislation for securing race civil equality. The policy was declared in the close of the President's message as follows: "I suggest for your consideration the enactment of a law to better secure the civil rights which freedom should secure, but has not effectually secured to the enfranchised slave." Thus was notice

served upon the white people that in paying the penalties of war, the pound of flesh was to be exacted to the last ounce. In the beginning of the session there was a temporary but a decided diversion from Southern affairs, through the appointment by the President of his South-hating Attorney-General Williams to succeed to the vacant Chief Justiceship of the Supreme Court, occasioned by the death of Judge S. P. Chase. There had been no greater shock to the public sense of fitness and decency than this appointment, since Caligula made his horse a Roman consul. The man's reputation was steeped in notorious corruption. When these were published the Senate revolted, and the appointment was revoked. The Cincinnati Commercial, a leading radical paper, pronounced Williams' appointment "disgraceful and stupid." There was a ludicrous, as well as a shameful, incident in the filling of this high office. Williams being rejected, the President sent in the name of Caleb Cushing, of Massachusetts, and there was no little opposition to the nominee, who had been a prominent Democrat before the war and had presided over the famous Baltimore convention of 1860. While the nomination was hanging in the balance a letter was discovered in some "rebel archives" that had been bought from a thrifty ex-official of the Confederate service. It was from Judge Cushing to President Davis, introducing a young chemist as a suitable person for employment in the ordnance department. It is needless to say that this manifestation of a willingness to assist in the killing of Union soldiers "cooked Cushing's goose." Admonished by his experiences, President Grant then sent in a comparatively obscure, but able, Ohio lawyer and jurist—Morrison Waite—who was confirmed, Williams, unfortunately, remained attorney general.

The preceding pages of state reconstruction history connect with the author's contribution to the Historical Society's work, "Climax and Collapse of Reconstruction in Mississippi," published in Vol. XII, covering the portentous years 1874-76. That contribution closed with the legislature's adoption of impeachment articles, followed by the resignation of Governor Ames; and other acts and events, marking the end of carpet bag negro



rule. The succeeding pages of this contribution proceed from the end of that narration to the final emergence from the reconstruction toils through the constitutional convention of 1890.

The Republican state convention to choose delegates to the national convention met early—on March 31, 1876, and while the legislature was still in session. It was the last occasion on which the band of beaten leaders ever foregathered in Mississippi. With few exceptions all of the white contingent of the party had their carpet bags packed for a *hegira* northwards. Departure was only delayed on the campaign, which it was hoped would result in the election of a radical President and house majority, when plunder and pelf would again be sheltered in the South by Federal bayonets. The 1875 "revolution" formed the chief theme of the discussion. Abusive accusations and sanguinary denunciations were interchanged between the factions, each accusing the other of responsibility for the ruin that engulfed all. Bitter recriminations, too, were bandied on the color line, the negroes resenting the policy that prevailed of relegating them to a back seat in the choice of a presiding officer, and convention delegates. An amendment for including Cardoza in the resolution declaring that "the impeachment of Governor Ames was for political and partisan purposes," was voted down. The vicissitudes and shadows of political doom that overhung them all brought the convention to a semblance of harmony in choosing delegates. Ames and Alcorn, both absent, were chosen delegates at large, with R. C. Powers and B. K. Bruce; Bruce being the only negro of the list. A speech from the notorious Pinchbeck, whose claim to a seat in the U. S. senate, from Louisiana, had just been voted down, was the chief sensation. He thus revealed the expectation on which the Republicans of the South based their hopes: "The senate would soon send a committee to investigate the election in this state and overturn the same, and perhaps reconstruct the South. He was confident of final victory and would say now: The whole North is alarmed about the Southern situation. But all could rest assured, a Confederate Democracy will never rule America."

The Democratic state convention met in Jackson June 14, 1876.

For the first time in years, all the counties had delegates in attendance. Different indeed was the situation and the environments from those which the gathering of the year before were called upon to deal with. The Vicksburg Herald of June 15th thus spoke of the convention:

"The Democratic state convention was very large, enthusiastic, intelligent, Gen. J. Z. George called the convention to order, and was chosen temporary chairman. W. A. Percy of Washington county, was elected permanent president, amidst the firing of cannon." The resolutions committee, Hon. E. Barksdale, chairman, reported the following, which the convention adopted as the state Democratic platform: "Resolved, That the Democrats and conservatives, in convention assembled, proclaim their heartfelt gratitude for the complete victory won for reform in the election of 1875 over the incompetent, corrupt and proscriptive political organization which had held unlimited control of the state government for six years, and that they emphatically repel the imputation that their triumph was won by any other than the legal, honest and sincere efforts which the justice of their cause and duty as freemen to maintain unimpaired their inviolable rights, demanded them to make.

"Resolved, That in proof of the sincerity of the pledge of the victorious party in that election to reduce expenditures to an honest and economical standard, and elevate the scale of official qualification, we point with pride to the acts of the legislature at its late session, to which body the thanks of the whole people are due for its faithful discharge of duty in correcting the abuses of the public service; in diminishing the burdens of taxation; in dismissing supernumerary officials from the various branches of the public service, who consumed the earnings of labor without rendering an equivalent; in dispensing the blessings of just laws without distinction of race, color or class; in holding faithless public officials to strict accountability for their misconduct; and especially does the popular branch of the legislature, which standing as the grand inquest of the commonwealth, deserve thanks for investigating the acts of the guilty officials whom they arraigned for malfeasance, corruption and usurpation of uncon-

stitutional powers and for driving them by the terrors of offended law, into obscurity from the public trust they had violated."

The convention declared, further, its fidelity to the constitution of the United States and all the obligations it imposed, for the doctrine of local self government, for free schools, free suffrage, and equal rights, for equal and exact justice to all; against discriminating legislation, proscription, sectionalism and vindictive policies; for sacred maintenance of public faith, and all state and national obligations, retrenchment and economy in all the departments of the public service and for the Jeffersonian standard of qualification for office—"is he honest, is he capable, is he faithful to the constitution." Delegates to the national convention and state electors were appointed, and a state committee, composed in the main of that which officiated in the campaign of 1875, with Gen. George for chairman, was appointed.

The election of 1876 was looked upon as a crisis in Southern affairs. In portentous consequences it was regarded as in the class of that of 1860; which precipitated secession and war, and of that of 1866, when the Northern people declared in favor of the reconstruction policy of congress. While great hope was inspired by the election of a Democratic congress in 1874, the virulent spirit toward the South that the reaction provoked in the session of congress then sitting, caused the gravest fears of what would follow the election of a radical President and house majority. As the 1875 revolution in Mississippi was the chief theme of radical denunciation in congress, and as the senate investigating committee reached Jackson the day the state convention met, apprehension and anxiety in the pending election was especially acute in this state.

The paramount election issue as they bore upon Mississippi was thus stated by Congressman Lamar, in an interview in the *New York Herald*:

"Great as is the interest in the South in the Democratic convention, she feels fully as deep an anxiety about the action of the Republican, and for this reason: Whoever may be the nominee at St. Louis the South feels sure that he will be a national

man and do justice to all sections. But if a narrow, sectional man be nominated at Cincinnati his election, which is a possible event, as all must admit, would be calamitous to the Southern people of both races. It would prolong the rule of proscription and alienation, and greatly delay the restoration of fraternal feeling and national prosperity, to say nothing of constitutional government. There are Republicans in the North of broad and generous views whose nomination and election would be much less disastrous to the South, and who might therefore more nearly divide the vote of those states. It is a matter of regret that the policy of that party has up to this time forced the white people of the South, who have the intelligence and wealth, and moral culture, into an alliance with one of the great national parties exclusively. It is an evil to any country, and especially to the South; but it is forced upon her by the inexorable law of self preservation. We would rejoice should the Republican party adopt a broad and just national policy, even if by so doing it should carry a portion of the Southern states. The South cherishes no schemes of sectional ascendancy in the approaching Presidential contest. The issues and conflicts about the area of slavery, the struggles for the balance of power to protect slavery in the Union and the tendencies to secession to maintain it out of the Union, have all disappeared from American politics, and with them the aspirations which they gave birth to."

The Republican national convention met in committee, June 14th. In the first section of the platform the Republican party was "sacredly pledged to the permanent pacification of the Southern section of the United States, the complete protection of all its citizens in the free enjoyment of all their rights. The power to provide for the enforcement of the principles embodied in the constitutional amendments is vested in the congress of the United States, and we declare it to be the solemn obligation of the legislative and executive departments, to thereto put in immediate and vigorous exercise all their constitutional power for removing any just causes of discontent on the part of any class, and securing every American citizen complete liberty and exact equality in the exercise of all their civil, political and public rights. To

this end we imperatively demand a congress and chief executive whose courage and fidelity to these doctrines shall not falter until these results are placed beyond dispute or recall."

There was no chance for any mistaken interpretation of the meaning of this declaration. It pointed unmistakably to legislation for the relegation of Mississippi and other Southern states that had passed from under the yoke, to the conditions from which they had emancipated themselves—to another period of carpet bag and negro rule, sustained by Federal bayonets. Such was the issue of the election. It was somewhat ameliorated by the nomination of Governor Hayes, a conservative Republican, which was the outcome of a combination for the defeat of Mr. Blaine; the leading candidate in the Cincinnati convention. But this result was attended by the bitterest strife and resentment. Blaine, who had become the idol of his party, took his reverse, which he charged up to the revenge of the Grant 3rd termers, whose game he had blocked through the defeat of the force bill the previous year, hard. He did not try to repress his feelings. The following passage from a letter—replying to a request that he use his influence in securing a certain appointment—was published at this time: "I have no influence with the administration. No man has who is not a thief by instinct." The insult was treasured up by Blaine's rival, the chief "influence" in the closing year of Grant's administration, Senator Conkling. Subsequently, after the Mulligan letters exposure of Blaine's corruption, Conkling declined to support him for the Presidency, as "he had long ceased to take criminal cases."

The Democratic national convention, while severely arraiging the party in power for the misrule and abuses of reconstruction, pledged its acceptance of the constitutional amendments, "as a final settlement of the controversy that engendered civil war." The platform was exceedingly logical and virile, in its exposures of the Republican record. S. J. Tilden, of New York, and T. A. Hendricks, of Indiana, both men of high character, invulnerable records and large experience in public affairs, were nominated for president and vice president. Both were exceedingly popular in their respective states. United themselves Dem-

ocrats calculated strongly on Republican division and defection, for success. All of the Southern states were counted on, though South Carolina, Florida and Louisiana were still under carpet bag government. But Southern calculations that a campaign would follow the nomination of so moderate a Republican as Gen. Rutherford B. Hayes without the bayonet in the scale were dispelled.

Through an order to the commander of the army, Gen. W. T. Sherman, dated August 3d, the country was warned that the administration was resolved to elect one more President by the army. Mr. Pierrepont who had counselled the President the year before to a strict observance of the constitution, was no longer Attorney General—he having been succeeded by Judge Alonso Taft. The order in question, communicated through Secretary of War Cameron to Gen. Sherman, read: "The President directs that you are to hold all the available force under your command not engaged in subduing the savages on the frontier, in readiness to be used upon the call or requisition of the proper legal authorities for protecting all citizens, without distinction of race, color or political condition, in the exercise of the right to vote as guaranteed by the 15th amendment, and to assist in the enforcement of certain condign and effectual punishment upon all persons who shall attempt, by force, fraud, treason, intimidation or otherwise, to prevent the free exercise of the right of suffrage as provided by the laws of the United States, and stationed so as to be able to render prompt assistance in the enforcement of law. Such additional orders as may be necessary to carry out the purposes of these instructions will be given from time to time after consultation with the government law officers."

This order evoked an outburst of severest criticism from the Northern independent and Democratic press. Many, if not most, of the Republican leaders condemned it as sure to lose more votes in the North than it could gain in the South. It was in plain disregard of the supreme court decision in the Grant parish cases. An especial cause of popular hostility to the order was that there was need for all the troops in the prosecution of

the war against the Sioux Indians, about which the public was anxious and aroused by the Custer massacre. In a comment the *New York Herald* said: "The order from Secretary Cameron to Gen. Sherman shows that the administration has had a very definite use to make of these troops all the time, and we at once see why Crook may have been deliberately left without adequate support. It is expected that the five regiments will carry four Southern states by whipping the negroes into line and by terrifying the "fiendish" whites into subjection. By keeping the outrage mill grinding and sending cavalry platoons hither and thither it is evidently hoped to revive race bitterness. This turning the army of the United States into drummers for the negro vote would be grotesque if it were not infamous. This is doubtless the work to which Gen. Sherman referred when he said the "highest authority" must answer why the troops could not be spared to fight the Sioux."

The order formed the text for one of the letters of H. V. Redfield, who was again writing up the South politically for his paper, the *Cincinnati Commercial*. His letter was dated September 5th: "A regiment could have held Mississippi for the Republicans at the last election, but all aid was resolutely withheld and of course the state went Democratic. Now it will go Democratic troops or no troops. . . . In South Carolina, today, if the general government would refuse to intervene one hundred men could march from Augusta, move on Columbia without an hour's detention from all the force that could be brought against them, overturn the carpet bag-negro government, run off the officials and inaugurate Wade Hampton. You remember how the Kellogg government in Louisiana fell over one morning when a few armed men leaned up against it. The general government set it up again and today it is like a doll baby leaning on props. Withdraw the props, or merely say 'Hands off. Look out for yourselves down there!' And it would fall like a block of cards."

Odious and repugnant as the President's order was, worse was to follow. This came in a circular of instructions, from Attorney General Taft, Sept. 3rd, to United States marshals, which is quoted as follows: "In the present condition of legislation

the United States occupies a position toward voters and voting which varies according as the election is for state and local officers only, or for member of congress and Presidential electors. In the election at which members of the House of Representatives are chosen, which by law also includes electors for President and Vice President, the United States secures voters against whatever hinders or prevents them from a free exercise of the elective franchise, extending that care alike to the registration lists; the act of voting and the personal freedom and security of the voters at all times, as well against violence on account of any vote he may intend to give as against conspiracy, because of any he may already have given. \* \* \* and any person who by force violates those rights breaks the peace and it is your duty to arrest him and to suppress any riots, incident to or threatening the integrity of the election or the registration, to the end that the will of the people in such election may be ascertained and take effect, and that offenders may be brought before the courts for punishment. Notorious events in several states which have been in an unusual manner publicly reprobated, render it a grave duty of all marshals, who have cause to apprehend a violation of the laws of the United States, committed as above with the pending election, to be prepared to preserve and restore such peace. \* \* \* Diligence requires that you be and continue present in person or by deputy at all places of election or registration which you have reason to suspect that the peace is threatened. \* \* \* You will doubtless receive the countenance and support of all the good citizens of the United States in your respective districts. It is not necessary that it is upon such countenance and support that the United States mainly rely in their endeavor to enforce the right to vote, which they have given or have secured. The present instructions are intended only to counteract that partial malice, wrongheadedness or misconstruction which sometimes triumphs at critical moments over the conservative and, in general, prevailing forces of society and to which the present and passing condition of the country gives more than ordinary strength, and therefore requires the government to particularly observe and provide against. You and each



of your deputies have a right to summon to your assistance in preventing and quelling disorder every person in the district above fifteen years, including the military, and of all denominations, militia, soldiers, marines, all of whom alike are bound to obey you. The fact that they are organized as military bodies, whether of the state or of the United States, under the immediate command of their own officers, does not in anywise affect their legal character. They are still the posse comitatus. I need hardly add that there can be no state law, or state official in this country who has jurisdiction to oppose you in discharging your official duties under the laws of the United States. If such interference take place, a thing not to be anticipated, you are to disregard it entirely. The laws of the United States are supreme, so, consequently is the action of the officials in enforcing them. There is, virtually, no officer of a state whom you may not, by summons, embody into your own posse, and any state posse already embodied by a sheriff will, with such sheriff, be obliged to, upon your summons, become a part of a United States posse, and obey you or your deputies. \* \* \* It is proper to advise you that on preparing this circular I have considered recent important judgments given by the U. S. supreme courts upon the acts of congress which regulate this general topic."

Familiarized as the American people had become with tyranny under perverted construction or open subversion of law, the Taft circular was conceded to have gone beyond all the rest. Under his rendition of their authority, United States marshals, and their meanest deputies, were raised above state and national officials and laws. In a published interview Senator Bayard said: "No document so partisan in character, so reckless of all constitutional limitations upon power, so regardless of historical truth, so utterly insubordinate to the decisions of the supreme court, has in the history of our country issued from a department, not only acting as all departments should act, under sanction of law, but looked to by all other departments of the executive as itself the fountain of law for them. My condemnation of Judge Taft's order is completely justified by the opinion of Judge Evarts (given on the same question in 1868, when he was attorney gen-

eral). Judge Taft's long, confused, order, opinion or whatever you may call it, directly reverses American theory and seeks by quibble, evasion and downright usurpation to place law under the foot of the military, and if carried into effect would absolutely annihilate every police power for the maintenance of state governments. . . . He sees fit in clutching at power to serve the ends of party, to omit the well recognized and essential fact that neither the state nor the United States can either directly or indirectly interfere with each other in the exercise of their respective jurisdictions." The Taft "order, opinion or whatever you may call it," Gen. Sherman scotched with an order that "any officers commanding troops summoned to aid marshals or sheriffs must judge for themselves, whether the service is lawful or necessary and compatible with the ordinary military duties. They must limit their action absolutely to proper aid in the execution of the lawful precept exhibited by the marshals or sheriff. If time permits, every demand should be forwarded to the president for his orders. And in all cases the highest officer whose order can be given in time to meet the emergency will alone assume the responsibility of action." Such was the show of popular approval of Gen. Sherman's order, that it incurred no rebuke from a superior authority which it squarely antagonized and checked.

However heavily judgment of his course toward Southern people during the war may rest upon Gen. W. T. Sherman, there can be no over estimate of his service to them in the quoted order. Most certainly the inhibition he imposed against the Taft circular of instructions, his order forbidding the use of troops according to its despotic and unlawful terms, saved Mississippi from riot and bloodshed. Democratic determination to carry the election was absolute and unquailing. To this spirit the presence and the legal direction of troops was no barrier. But troops at the beck and call of partisan and unprincipled marshals and deputies would have been a different matter. Nor is it amiss to remark that from the day of the surrender of the Confederate armies, General Sherman's words and acts were consistent with his 1876 order. He had no part in or sympathy with the South-

ern reconstruction policy that congress and his former military chief had wickedly imposed upon the conquered states.

A few days subsequently the following order was issued from the War Department:

General W. T. Sherman, Commanding U. S. Army.

Sir: In view of the existing condition it is a possibility that the proclamation of the President of this date may be disregarded. To provide against such a contingency you will immediately order all the available force in the military division of the Atlantic to report to General Ruger, commanding at Columbia, South Carolina, and instruct that officer to situate his troops in such localities that they may be most speedily and effectually used in case of resistance to the authority of the United States. It is hoped that a collision may be avoided; but you will instruct Gen. Ruger to let it be known that it is the fixed purpose of the government to carry out fully the spirit of the proclamation, and to sustain it by the military force of the general government, supplemented, if necessary, by the militia of various states.

Very respectfully, your obedient servant,

J. D. CAMERON,  
Secretary of War.

After issuing his instructions to Southern United States marshals, Attorney General Taft entered the canvass for the Republican ticket. His speech at Cincinnati contained accusations that drew forth a formal protest from Gov. Stone. Addressing Mr. Taft he said: "I am more than willing, and have been able to execute the laws of Mississippi and conserve the public peace. There is neither intimidation nor threat of intimidation. Both parties assemble in public meetings without let or hindrance, and both parties canvass without interruption in every county. The reports to the department of justice in regard to this state oftentimes allege wrong in communities which receive their first intimations of them in dispatches from the national capital. I am aware evil minded persons misrepresent, but I think it unfair that the state should be condemned by wholesale without a hear-

ing. I ask then as a matter of justice to Mississippi that you give me names, dates and places of wrongs alleged to have occurred in this state reported to your department. The perpetrators are responsible to state authorities and I am able to bring all such to justice and am determined to do so. I have done so thus far, vague reports to your department notwithstanding. Mississippi is quiet and orderly, affording ample protection for all, and she should not be prejudiced in the eyes of the nation on charges evidently made for political effect."

Gov. Stone's dignified and patriotic remonstrance did not elicit the information asked for. But it was not lost on Northern sentiment. It contributed to the exposure of the partisan motive of efforts for prejudicing the South in the eyes of the nation. The fact of a state government both able and willing to preserve the peace and punish its disturbers removed Mississippi from the bayonet list of states.

After the national convention had placed its ticket in the field, and proclaimed the party platform, the state Democratic committee met to organize for the campaign. By a chance coincidence its address to the people was dated on the same day with the President's ill-omened order; August 3rd. The following passages are given from the address: "The success of the Democratic conservative party in 1875 marks the beginning of a new era in Mississippi. The power thus won has been used with moderation and wisdom. Every pledge which the party made to the people has been fully redeemed. The judiciary has been reformed. Judges and chancellors are men of learning, character and ability. Justice is administered speedily. Crime is punished and lawlessness suppressed. No citizen of any race or class can justly say that he has been injured or offended, in any way by the government; and there is none who does not feel more secure in person and property than under radical rule. Taxation, notwithstanding provision has been made for the payment of the large debt created by the Republicans has been reduced nearly one-half. Salaries and fees have been reduced, while the service of officials has been greatly improved. The common school system has been extended and cheapened. In short, in-

stead of a corrupt and incompetent government at a cost entailing taxation amounting to confiscation, we have now as the result of our success in 1875, a peaceable and efficient administration, at a rate of taxation greatly reduced and still capable of further reduction when we shall have paid off the debt created by the Republican party. \* \* \* The issue is now presented to the people of the state whether they will surrender the great fruits of the victory of last year, will allow the state to again fall into the terrible condition from which it has been reared, or by a manly and vigorous effort place their fortunes and destinies forever beyond the control of the men who caused so much ruin. \* \* \* If after having got possession of the government and used our power wisely and for the public weal we cannot or do not hold it, what prospect will there ever be again for fair and honest government in Mississippi? The radical leaders are determined to leave no stone unturned, to spare no effort to wrest the government from the honest and capable hands in which it now is. Shall we be less energetic and earnest for good than they for evil? The answer we seek to the question is the complete and thorough organization of all good citizens for the approaching election."

The campaign was quite tame by comparison with that in the other black states, and that Mississippi had gone through the year before. Except in the river district there was no Republican hope of electing a congressman from the state. And in that one, where the Democrats had nominated Gen. J. R. Chalmers, in spite of an overwhelming negro majority, all of the aggressiveness of the canvass was on the Democratic side. Troops were stationed at a number of points in the state. In a few instances deputy marshals sought to provoke the people as they were directed to under the Taft circular. One of them, Deputy W. D. Sprott, commanded the negroes of Claiborne county to attend the speaking of the Republican candidate, Jno. R. Lynch, armed. He was obeyed by them and a bloody collision was only averted by the heart failure of his dupes, who left their arms behind them before reaching town. Sprott rode away from them when his scheme, which was proven to be a deep laid plot for

provoking a clash for political uses, failed. But it answered for him to manufacture out of it a story of intimidation to be punished in Northern papers, and perchance to serve in a contest procedure. Though as the troops at Port Gibson did not move to rescue Sprott, who was arrested and bound over to appear before the grand jury, Attorney General Taft's theory of the supremacy of United States marshals and their deputies failed in Mississippi. Several negroes were arrested and jailed also, and out of Sprott's deviltry, there was subsequently a bloody sequence, in which two valuable citizens and officials were slain.

There was a show of rioting at Artesia in Lowndes county, where, too, there was the appearance of the same conspiracy to get up a race disturbance out of which a case could be made against the election in Mississippi. The occasion was a joint discussion. The following account is taken, from the Columbus Independent: Lee (radical) was to speak there and Capt. Humphreys was to meet him. A few minutes after the Columbus crowd, about forty arrived, and while Gen. Sharpe and one or two others were arranging with the radical leaders for the meeting, a club of blacks came marching through town all armed with guns. Their leader was heard to cry out several times 'shoot the first d—d white man that crosses our line.' Close behind this band came a wagon covered with straw followed by another band. One or two white men advanced to the wagon to see what was in it. As they did so a negro guard rose up and presented his gun, and then the fight commenced. Several rounds were fired, from three to five negroes were wounded, the whites charged with pistols and the poor dupes scattered like sheep—with their white leaders, Lee, Frazee and H. R. Whitfield. Some forty stand of arms were captured." The account says further that on receipt of the news at Columbus, a few miles distant, the Columbus rifle company and twenty United States regulars, under Lieuts. Bishop and Fletcher, and some volunteers under Capt. Belcher, all went to Columbus under Marshal W. T. Gibbs and the Federal commandant of the garrison. No other instances of armed demonstrations, or collisions were reported anywhere in the state. Though in the Holly Springs district there was great forbearance

shown under the provocation of the inflammatory and incendiary speeches of United States District Attorney Walton, who was the Republican candidate for congress. In all six congressional districts Democrats were elected, and the state gave the Democratic electoral ticket a majority of near 60,000.

Returns showing Democratic majorities in the Northern states of New York, Indiana, Connecticut, New Jersey and Delaware, signified Republican defeat. It was so accepted by the country on election night, and was virtually conceded in a statement of the Republican chairman of the national committee, Senator Zachariah Chandler, of Michigan. But on the morning after he saw differently. The situation in the three Southern states that were still under carpet bag government presented a loop hole of escape from overthrow by manipulating the returns. On the face of the returns all had, in spite of the use of troops, gone Democratic. The plot was to go behind the returns, to revise them. Excluding those states, the Democrats had 184 electoral votes, or only one short of a majority. The Republicans, without them, had 166, or 19 short of a majority. That number the three states exactly supplied. Thus situated, Chairman Chandler formally announced through the press that, "contrary to the general belief," Hayes and not Tilden was elected; that the electoral vote was 185 Republican to 184 Democrat. Coincident with this announcement telegrams were sent to the capitals of the three states explaining the situation and indicating the action expected of their returning boards. To brace and back them up for the work of fabricating Republican majorities, President Grant issued an order, November 10th, to Gen. W. T. Sherman, to "instruct Gen. Augur in Louisiana, and Gen. Ruger in South Carolina, to be vigilant with the force at their command to preserve peace and good order and to see that the proper and legal boards of canvassers are unmolested in the performance of their duties." Again: "Send all troops to Gen. Augur he may deem necessary to ensure a quiet and peaceable count of the ballots actually cast. They may be taken from South Carolina unless there is reason to apprehend an outbreak there." These orders expressed disfavor of "fraudulent counting," and the patriotic words that "no man worthy of

the office of President should be willing to hold it if 'counted in' or placed there by fraud." But this deceived no one as to the true intent of the marshaling of troops around the partisan and rascally "legal boards." All perceived that a crisis of ominous and far reaching national import was at hand. The action of the President and the situation were thus sketched in the Greenville Times: "President Grant has never signalized his reputation more for bold initiative than in this order. Had any man less prompt been in the executive seat Tilden would now be the universally declared next President. Had this order been deferred **twenty-four hours** the admissions of Senator Conover, the leading Republican of Florida, and the weakening courage of the Louisiana returning board, confronted by decided and unquestioned Democratic majorities, would have placed those states beyond their control. But the chance was seen, and by the daring order for concentration of the army at New Orleans, and Tallahassee and Columbia, it was seized. In an interview the night of the election Mr. Hayes said: "I think we are defeated. I am of the opinion the Democrats have carried the country and elected Tilden. I don't care for myself, and the party, yes and the country, too, can stand it. I grieve for the colored men of the South. That is the only reason I regret that the news is as it is." It is not surprising that he now says he "regards his election as safe." All the troops in Mississippi have been ordered to New Orleans. Fourteen companies are spared for Florida, to "secure a peaceable and quiet count of the votes actually cast."

The dispatch of troops to the Southern storm centers was contemporary with a descent of a score or more of "visiting statesmen" from each of the two parties, composed in the main of congressmen. In an invitation of the Democratic to the Republican visitors the purpose of their attendance was stated to be "to exert such influence as we possess in behalf of fairness and impartiality in canvassing the votes actually cast." The terms of the rejection of the invitation but thinly veiled the partisanship which aimed at a verdict regardless of fairness. The pretense was kept up by the Louisiana returning board, in an invitation of a committee of five from each delegation to witness the fairness



of the vote. The record of this body, especially its president, J. Madison Wells, belied the pretense. It was a creation of law to which court decisions had given unlimited succession, and absolute power in passing upon election returns. The impending tragedy, and its villainous dramatic personae were thus stated in a letter from Mr. Lamar, who was one of the Democratic on-lookers, to Gen. E. C. Walthall. "The proposition to place the counting of the vote under a supervision of honorable men of both parties from a distance, meets the cordial concurrence of the entire community. The sending of troops here is regarded as a guarantee of support and immunity to the returning board in the action it is expected to take. Wells and Anderson are the principals of the returning board—two colored persons being with them. They are the same whose fraudulent returns in 1874 occasioned the invasion of the legislature in 1874 by Gen. Sheridan. Wells was rewarded by being made surveyer of the port. Kellogg, Packard, Wells and Anderson stand condemned as infamous, and nothing but mistrust and discredit is attached to what they say or do, and what they touch they contaminate. The order to the army to concentrate in New Orleans is a step toward the overturn of constitutional liberty and the establishment of military despotism." In due time the Wells returning board proved their reputation for infamy—the returns were so fabricated as to change a Democratic majority on their face into a Republican; and the Republican candidates were certified as elected. In Florida, where there had been no thought of a contest until one was ordered by the Republican national committee chairman a like scheme was effected.

In South Carolina there was no dispute of the election of the Republican presidential electors. But the contest on the state ticket and the legislature grew very acute. On the face of the returns the Democrats elected Governor Hampton by a majority of only 1,323, and the legislature by a majority of only one on joint ballot. Upon application of the Democrats the supreme court of the state ordered the board of canvassers to show cause why they should not be confined to a declaration of the results on the face of the returns; and to forthwith issue certificates accord-

ingly to senators and representatives. This order was disregarded and certificates issued instead to the Republican contestants. For this the canvassers were taken into custody, fined and sentenced to imprisonment for contempt. In delivering the court's judgment, Judge Willard thus fervently addressed himself to the situation: "As this case now stands an incident has occurred, rare in the history of civilized society. Men clothed with civil authority of limited character, subject to the courts of the land, have placed themselves in defiance of the highest court in the state of South Carolina, and are now jeopardizing the security of justice and the security of peace. They are in an attitude of defiance, not only against abstract law, but against its embodiment in this court. They have brought political death, for a moment, upon the state and upon the nation. They hold in their hands a fire brand and they have applied it to the whole structure that covers us. I cannot believe that when these gentlemen come to consider, when they come tonight to ask the favor and protection of their God, when they recall the sanctity of their oath of office, I do not believe they will longer resist the power of this court. This court is clothed with majesty. We do not speak the voice of men; we speak in judgment the voice of God. Every legal power will be exhausted by the court to force from them what their conscience does not yield, and whatever loyalty, fealty, and justice there is in the community will be exerted to compel by force, what conscience does not yield." Vain words—the men who had brought "political death upon the state and upon the nation," were forthwith discharged by United States Judge Bond under a habeas corpus proceeding.

This action was taken November 27th, and the legislature was to meet the next day and declare who was elected governor. On that night, under orders from the secretary of war and upon application of Gov. Chamberlain, troops occupied the state house at Columbia. This was grossly usurpatory, as no condition, such as the constitution prescribed, for the intervention of national power and troops, existed. To an enquiry from a committee of the Democratic members of the legislature of the purpose of his movement Gen. Ruger replied that "troops are in the state house for the pur-

pose of executing such orders as might be given. And \* \* \* if your body should appear for the purpose of entering the hall of representatives and should be refused admission by those having charge of the doors and such persons should apply to the officer in command of the troops for assistance to prevent your entering, the orders to the officer would require such assistance to be rendered." The resulting popular indignation and excitement from the action of the government and troops of the United States to continue a detested state administration after its defeat at the polls, was only kept in check by the earnest appeals of the Democratic leaders; especially Gen. Wade Hampton, the governor-elect. In a stirring address on the occasion related, urging a great audience to repress their wrath and preserve the peace, he assured them that their victory was assured—that "two months ago I said I would submit my claims to the people of South Carolina, and that if elected by the eternal God I would have my place. Since then in spite of fraud and falsehood, all the power of the state government and the bayonets of President Grant I have been chosen to be governor of South Carolina and governor I will be. The ballot box has announced the people's verdict and I will be their governor or they shall have a military governor." Like a trumpet call these brave words rang through the nation, and has passed into the classics of American heroics. The two rival legislative bodies assembled, organized, the Democrats with a constitutional quorum of representatives. Members of the Republican body were allowed by the U. S. guards to occupy the legislative halls, to which the Democrats were denied admission. But November 30th the Democratic members entered and opened legislative proceedings in the state house. When the Republicans arrived there was a controversy for possession of the speaker's chair, but no collision. This condition continued several days, and then the sword was cast into the scales against the Democrats, and they were again driven to hold their sessions outside of the state house. December 6th the state supreme court decided that the Democratic body was the lawful one. But under orders from President Grant, who was published as having said "d--n the

supreme court of South Carolina"—Gen. Ruger disregarded the decision.

In a speech in the senate at a subsequent date Senator Randolph of New Jersey, said that he had borne a request from Gov. Hampton to President Grant that he would, in deference to a decision of the South Carolina supreme court, withdraw the troops from the state house. "Imagine my astonishment and indignation," said the senator, "when in an angry and uncivil manner the President replied, 'I won't withdraw the troops. I don't regard the decision of that court. If I had any message to send Gov. Hampton, it would be that his message to me is an impertinence.'"

In the presence of an immense crowd from all portions of the state Gen. Hampton was inaugurated governor, December 14th. The Republican members of the legislature had installed Chamberlain some days previously. But under recognition of the courts and the support of the taxpayers, the tangible forms and attributes of government attached themselves to Hampton—nothing but a vain show of government, under a guard of U. S. troops remained of the opposition.

The events enacted at the three Southern state capitals were noted with intense interest throughout the country. It was only too apparent that a crime was being perpetrated, whose final consummation might throw the nation into civil war and eventuate in the rule of militarism. Many meetings were held and resolutions of deprecation or denunciation voicing the public alarm adopted. In his regular message to congress the anomalous and threatening situation received no recommendation from President Grant. But orders for increasing the troops stationed at the national capital and for certain repairs on the old war time fortifications guarding the approaches betrayed the trend of the mind of the chief executive. The first action of importance of the house of representatives was the appointment of three committees for investigating the elections of South Carolina, Louisiana and Florida. In Louisiana the committee found a complicated and threatening state of affairs. Two governors, Francis T. Nichols, Democrat, and Stephen B. Packard, had been inaugurated. The president at first adopted a neutral attitude between the two. But the

Republican government being about to fall to pieces of its own feebleness, neutrality was abandoned. And January 14th the president wired an order to Gen. Auger as follows: "It has been the policy of the administration to take no part in the settlement of the question of the rightful government of Louisiana, at least, not until the investigating committee now there has made their report. But it is not proper to sit quietly by and see the state government gradually taken possession of by one of the claimants by illegal means. \* \* \* Should there be a necessity for a recognition of either, it must be Mr. Packard." This was succeeded by a proclamation from Packard for the opposition "to desist and disperse." An application to Gen. Auger to enforce the Packard proclamation followed, but it was refused and the refusal was sustained by the president. The time for the revolution had not yet arrived, nor was the state government the stake on which to hinge it.

In South Carolina the political status quo has been given. The committee sent to Florida found comparative quiet. Under an order of the supreme court of the state the board of commissioners was reconvened, December 28th, for a recanvass of the votes on their face. The former count was so changed as to elect the Democratic candidate for governor, but enough votes were again rejected to give the majority to the Republican presidential electors. The supreme court made another and a peremptory order, for a count by the actual returns, but it was not complied with. The Democratic governor was, however, inaugurated without opposition.

From the issuance of the military orders by the President, November 10th, the country felt that a very grave crisis was impending. On the face of the returns Tilden and Hendricks were elected. This was so after South Carolina's electoral majority was conceded to the Republicans. Counting Louisiana, where there were charges of intimidation and fraud by and against both parties, for the Republicans, the Democrats were still entitled to the Presidency. For in the case of Florida, the contest was purely despotic. Could partisanship have been banished there would have been no obstacle in the way of a just and fair settlement of

the issue. Senator Lamar gave out an interview, December 10th, which stated the simple and direct right manner of disposing of the question. Asserting that the provisions of the constitution were adequate for a safe settlement of all political questions, he said:

“The houses will be bound under the constitution to meet in the same chamber and perform the duties, and to exercise the powers which the constitution devolves upon them, to examine and ascertain the result of the election of President and Vice President. Neither house can refuse to perform these duties without abrogating its constitutional power and violating its constitutional duty. In this august assemblage it is the condition of our national life that the duties imposed shall be discharged in a spirit of truth and patriotism, regardless of consequences to party, but profoundly anxious for those that concern the whole country. If, however, as the constitution contemplates in this as well as in other cases requiring the cooperative action of the two houses, they are unable to agree upon a decision whether either candidate has been elected, it must follow that there can be no constitutional ascertainment or judgment put upon record, that anyone has received a majority of the electors appointed. It is in effect a failure to elect. In such a case the constitution is clear. It devolves upon each house to immediately proceed in their respective duties—one to elect the President and other the Vice President. Let the constitution be maintained inviolate, and there need be no disorganizing collisions and no necessity for resorting to force.”

The action of the President and the expression of the Republican leaders disproved any expectation of such a disposal of the dispute. The plot was first disclosed in a statement published from Murat Halstead, the bitterly intolerant editor of the Cincinnati Commercial, shortly after the election: “If Tilden is elected,” he said, “there would be a desperate dispute between the two houses of congress. The way is thus prepared for the acting Vice President to assume the entire responsibility of counting the electoral vote. The Democratic House will not consent to that. At the critical moment President Grant is to appear in the

scene as commander in chief of the army and navy, with a proclamation." It soon became apparent that this usurpatory programme had President Grant's approval. He was quoted in the press dispatches to the effect that "he regarded the presiding officer of the senate as required to count the electoral vote and announce the result, and that he should, if necessary, use the armed forces of the United States to inaugurate and install the President the presiding officer of the senate should declare elected. He would not recognize any action the House might attempt under the rule with regard to counting the electoral vote." Contemporary with this outgiving, troops were moved to strengthen the garrisons at Washington.

In responding to the call of Ames for troops the year before, President Grant planted himself squarely on the constitution. At this crisis, which menaced the Republican ticket with defeat, he displayed a readiness to use the army without regard to the constitution; to go as far as partisan leaders demanded. Wholly without warrant, upon the request of a candidate for congress, he had ordered a company of soldiers to be sent to Petersburg, on election day. For this the senate called for explanation, in a resolution severely characterizing the usurpation of authority in the order. The President's reply doubtless expressed his real views of such use of the military. Ignoring the principle involved, the constitution's directions in such a case, he said: "It is well understood that the presence of the United States troops at polling places never prevented the free exercise of the franchise of any citizen, of whatever political faith." In an interview with Congressman Hewitt of New York and Senator Randolph of New Jersey, Democrats of prominence, he charged that North Carolina, Arkansas and Mississippi had been carried for the Democrats by fraud and violence. And defended his order for sending troops to South Carolina, as "otherwise Chamberlain would be a fugitive as Ames was. Troops were necessary for protection against political murders. He had ordered 800 troops to Washington and would increase the number if he deemed it necessary."

The situation appealed to Grant's military training and instincts. Like Job's war horse, he scented the battle from afar. "The

presence of troops at the polls" which was a traditional apparition of the subversion of the laws and liberties of the land, had no terror for him. He displayed a readiness to play the man on horseback that had a sobering effect on the waves of passion that were running so high. The contrast between President Grant's adverse response to the call of Gov. Ames for troops in 1875, and his 1876 action was the theme of much comment. By Mississippians his 1875 policy which made the Mississippi carpet bag governor and his myriad of satellites "fugitives" was hailed with approval, as it deserved. It was thought Grant had at last realized the woeful failure of the reconstruction policy and repented of his share in its abominations. But the closely ensuing reversion to the old rule proved that the good deed was due to no change of heart. The motive has been revealed in the following from "Facts of Reconstruction," by John R. Lynch, the able negro representative from the Natchez district, who stood high in Republican counsels. In a call on the President soon after the overthrow of the carpet bag regime in 1875, he asked Grant why he refused the Ames' requisition for troops, which "seriously surprised and sadly disappointed us." The President's reply as stated on page 151 of said book, which corroborated as it was by his 1876 action, bears all the color of authenticity, is quoted:

"The President said that he was glad I had asked him the question, and that he would take pleasure in giving me a frank reply. He said he had sent Governor Ames' requisition to the War Department with his approval and with instructions to have the necessary assistance furnished without delay. He had also given instructions to the Attorney-General to use the marshals and the machinery of the Federal judiciary as far as possible in cooperation with the War Department in an effort to maintain order and to bring about a condition which would insure a peaceable and fair election. But before the orders were put into execution a committee of prominent Republicans from Ohio had called on him. An important election was then pending in that State. This committee, the President stated, protested against having the requisition of Governor Ames honored. The committee, the President said, informed him in a most emphatic way that if the



requisition of Governor Ames were honored, the Democrats would not only carry Mississippi,—a State which would be lost to the Republicans in any event,—but that Democratic success in Ohio would be an assured fact. If the requisition were not honored it would make no change in the result in Mississippi, but that Ohio would be saved to the Republicans. The President assured me that it was with great reluctance that he yielded,—against his own judgment and sense of official duty,—to the arguments of this committee, and directed the withdrawal of the orders which had been given the Secretary of War and the Attorney-General in that matter. \* \* \* What you have just passed through in the State of Mississippi is only the beginning of what is sure to follow. I do not wish to create unnecessary alarm, nor to be looked upon as a prophet of evil, but it is impossible for me to close my eyes in the face of things that are as plain to me as the noonday sun.”

“It is needless to say that I was deeply interested in the President’s eloquent and prophetic talk which subsequent events have more than fully verified.”

- There was only too much proof that Republican leaders intended going to the last extremes. Ben Butler declared that if the House threw out Louisiana, South Carolina and Florida the senate would object to Mississippi and Alabama. On the same day Senator Edmunds offered a resolution instructing the committee on privileges and elections to inquire whether the rights of many persons entitled to vote in the states of Alabama, Georgia, Louisiana, Mississippi and South Carolina were denied or abridged in the late elections. Upon false and irresponsible statements and urgent requests of defeated Mississippi Republican leaders, witnesses were summoned and testimony taken in Washington with a view to throwing out the vote of the state. That this plan was prepared for before the election there was abundant proof. November 1st, Attorney General Taft told the Chicago Times correspondent that “outrage reports were coming in from the South.” And that “just now Mississippi sends in the most numerous outrage reports.” The correspondent complacently remarked that “this was in harmony with the new plan of the administration, to

have the vote of Mississippi thrown out." To supply the pretext the United States marshal for the northern district, Pierce, wrote the partisan and unscrupulous *Globe-Democrat*, November 5th, asking that all "the prominent dailies be informed by telegraph that Republicans are not going to be permitted to vote in Mississippi. I have information from all points which leaves no doubt that Democrats are going to carry the state with guns and pistols, and shoot down colored men if they attempt to vote." The election returns and the record of the campaign proved that this statement and that of the Attorney General were malicious fabrications for partisan ends.

Democrats did not tamely accept this despotic and partisan plan for depriving them of the fruits of the victory they believed had been fairly won. On December 13th, in a formal address, their national committee announced the election of Tilden and Hendricks; claiming that it "only remained for the two houses, on the second Wednesday of February, to give effect to the wish of the people thus expressed in the constitutional mode." Public meetings deprecating, or denouncing, movements and preparations that smacked of violence were adopted. One that attracted a great deal of comment was held at Columbus, Ohio, a state that had been saved to the Republicans at the election by a bare majority. It was "Resolved, that we regard the concentration of the regular troops at Washington by the President on the eve of the assembling of congress, as an act calculated to throw discredit upon the disposition of the people to obey the law and to submit to the results of the Presidential election as legally ascertained, and to excite unnecessary alarm as to the stability of the republic, thereby imperiling peace at home and public credit abroad."

When congress met it was confronted by a crisis thus described in the opening sentence of chapter XXXVI of *Union, Disunion, and Reunion—Three Decades of Federal Legislation*," by S. S. Cox: "In the history of elective governments," it reads, "no such strain was ever put upon human nature as that which tried the patience, forbearance, and patriotism of the people of this country during the proceedings for the counting of the presidential vote in 1876-1877. A case like that could never occur again without

sanguinary results." The chapter referred to and the succeeding one presents a graphic history of the passage of congress and the country through this crisis—a period which is briefly sketched in this work, marking as it does the close of reconstruction. The House, which was again Democratic, organized by electing Samuel J. Randall, of Pennsylvania, one of the strongest characters and most commanding figures of the times, as speaker. The first action of that body, of importance, was the appointment of committees to proceed to the three states of South Carolina, Louisiana and Florida,—each of which had sent in double sets of returns of the election for Presidential electors,—to investigate and report. The senate took like action. It is enough to say of these committees that each took a vast amount of testimony, in the disputed states. Testimony was also taken by the committee on privileges and election at Washington. The most sensational disclosure was that of the Tallahassee telegraph operators who testified to receipt of the following:

"Washington, Oct. 8th.

To Governor Stevens, Tallahassee, Fla.

"Hold Florida for Hayes and Wheeler. Money and troops will be sent.

"Z. CHANDLER."

On the same day the following from the same was sent: "We are sure of so many votes and must have Florida, South Carolina and Louisiana by fair means or otherwise. Send canvassers to each county. Have seen the President and Secretary of War. Money and troops will be sent."

"Tallahassee, Fla., Nov. 8th.

"To Z. Chandler: We cannot carry Florida for Hayes unless we have troops and money immediately."

Required to answer if he had sent the message, Z. Chandler put up a brazen front. Being pressed he said, "perhaps he had," but asked for more time to answer, which was granted. On a subsequent day he plead his privilege as a cabinet minister. To the

question if he sent the messages quoted as a cabinet minister, he being also chairman of the national committee, objection was made and the incident was closed. But no further proof was wanted that troops, and money, were "immediately sent," upon consultation and with the approval of President Grant, to have the state fraudulently counted for Hayes.

With apprehensions aroused by the alarming nature of the situation, and under the weighty pressure of petitions from all of the Northern states and cities for a fair and peaceful settlement of the controversies over the election, the Republican plan of an arbitrary and unauthorized decision by the vice president lost favor. Even if the Democrats should be coerced into yielding to this claim of authority, no one who had patriotic reverence for the constitution, who was more devoted to the welfare of the country than the interests of his party, could contemplate a settlement of the presidential succession deriving title through the menace of the army, without shrinking and repugnance. This feeling found expression December 14th in the appointment of a house committee to consider the situation, and recommend a plan of settlement that would be acceptable to congress. A few days later the senate took like action, and the two committees, each, took up the question. The committees would deliberate and frame a plan, and then meet to submit it to a joint conference. Both fenced for position—to secure whatever advantages they might over the other. Not until January 17th was the subject thoroughly threshed out. Then an agreement as nearly equitable as possible was reached in a bill providing a method of counting the electoral returns, with due provisions for deciding those that were in dispute. The bill, signed by all the committee save Senator Morton, provided that "no electoral vote from any state from which but one return has been received shall be rejected." The vote of states with two returns were to be referred to an electoral commission whose decision might only be annulled by the concurrent vote of both houses. The crux of the question was the commission tribunal—its constituted membership. On this hinged the fortunes of the parties if not the fate of the country. To obtain a commission that was absolutely equally balanced between

the two parties was not easy. A mixed commission of supreme court judges, senators and representatives, five of each, was acceptable to all as a basis. Of course the senate would select three Republicans and two Democrats, and the house three Democrats and two Republicans. So far so good, but the rub was to divide five judges equally between the two. On that problem several sessions were wasted. At last four were decided upon—two of whom were charged up to each party—and the four were to select a fifth. It was commonly understood that Justice Davis, a political neuter would be chosen as the fifth man. But just as this agreement had been reached, he was elected senator by a combination of the Democratic members of the Illinois legislature with a handful of Republican independents. Thus Judge Davis was eliminated and the choice of the four justices fell upon Justice Bradley, a "moderate Republican." This balance wheel was accepted by the Democrats per force, and with many misgivings.

While partisans assailed the bill, the country breathed freely after it was enacted. So far removed had its members been from partisan politics, and so impartial had been the decisions of the supreme court, that the plan for a balance of power composed of associate justices inspired reliance. As high and as furiously as the waves of passion were rolling, it was thought that here was a rock of safety on which they would vainly beat. No tainted decision was feared—whichever way it went it would carry a show of right and justice that would command the respect and acquiescence of all. The bill was at once taken up in the senate. It was opposed with sectional bitterness by a number of Republican senators, led by Morton, Sherman, Blaine and Cameron. Senator Morton denounced the commission plan as "yielding to Democrats, a product of the Mississippi plan." He insisted on adhering to the right of the vice president to count the vote as certified by the state returning officers. Vigorous reply was made by Edmunds and Conkling, Republicans, and a number of Democratic leaders. Senator Conkling mercilessly ridiculed the theory of the vice president's right to count the vote. The bill passed the senate by a vote of 47 to 17, January 25. All the nays save one were Republicans. In the house there was more Democratic

opposition. But the bill passed the next day by a vote of 191 to 86; 18 of the latter being Democrats. It was promptly approved by the President.

The popular doubt and distrust which naturally attended the commission departure from the custom of counting the electoral vote was quite submerged by the sense of relief in the extrication of the country from a plainly perilous environment. The plan adopted dispelled all apprehension of violence, or the settlement of the Presidential succession by the army. The alternative merits of the bill were most forcibly stated in a speech by Lamar. The following is quoted from it:

"As I understand the measure it rests on three propositions: First, that the President of the senate has not the right to decide what votes to count and reject. Second that both the senate and the house have the right to decide and direct what is the honest count of legal votes; that is, neither can surrender the right to the other, and that there are differences of opinion as to the extent of this power, whether it is limited to the ascertainment of the authenticity of the certified returns or extends to the right of going behind them, it provides for a tribunal to decide those questions in cases of conflicting returns and to determine which is the true, and which of the controverted votes are the proper ones to be counted. \* \* \* Now, Sir, if I had doubts of the plan which I have not, I would accept it in preference to the alternative which is now before us. If no mode of adjusting the present difference can be found, what is the result? Why, that the next President will have to be inaugurated by a method and through processes and agencies advocated and pressed by one party alone with the view to a single object, and that is the consummation of its own triumph, to which it believes itself entitled. However this Presidential contested election may be ended, unless this bill passes, one or the other party must determine and submit to what it believes to be a fraudulent perversion of the law, constitution and right, or resist by force. Either of these results would be an incalculable calamity. \* \* \* This bill avoids the necessity of any submission of the defeated party by what it may consider either fraud or force. The result whatever it may be, will have

been reached by the patriotic consent of both parties. \* \* \* It leaves the framework of the constitution unshaken, the sanctity of law inviolate."

On the day fixed by law the two houses met to count the electoral vote. On no other like occasion was public expectancy and excitement so wrought up. For never before nor since has congress been called upon to pass upon disputed returns. The president of the senate, Senator Ferry of Michigan, with the speaker of the house, Representative Randall, of Pennsylvania, by his side, occupied the chair and opened the envelopes containing the certificates of the states. After opening he handed them to the appointed tellers, members of congress, who recorded the votes of the states in alphabetical order. The proceedings were uninterrupted until Florida was called. Here two sets of returns were announced, which under the law were referred to the electoral commission and the joint conferees took a recess pending decision of the case. The commission took it up at once, and the curtain raised on the first act of the tragedy. Each party was represented by an array of the best legal talent of the land, who battled over the case of Florida for a week when it went to the commission. Each of fourteen members gave his opinion and voted on party lines—seven Democrats sworn to render true and impartial judgment declaring for Tilden and Hendricks electors, and seven Republicans for Hayes and Wheeler. The vote of the fifteenth member is thus described by S. S. Cox: "Justice Bradley alone remains to be heard from. All eyes are turned on the jurymen. Chosen as he has been to enact the role of the non-partisan, is he not still a judge? The Democrats of the commission look with some confidence, to Judge Bradley. Would he decide on merely partisan lines. Would his party bias bend his judgment on a question involving the most stupendous consequences ever within the jurisdiction of a court? Pale and trembling Judge Bradley unfolds his manuscript. He begins to read. He is impressed, apparently, with a sense of the overwhelming responsibility resting upon his conscience and conduct. As he reads Democratic hopes grow brighter and brighter. Justice will dawn at last with Auroral splendor. Alas! The drift of his argument

leads to but one conclusion. The end is not the fruit of the promised exordium. Florida's vote we all know belongs to Tilden. Change! The wind suddenly veers and Mr. Justice Bradley accomplishes a dexterous non sequitur. He closes with the announcement that his vote must be given to counting Florida for Hayes."

The decision of the majority was based on the contention that the commission had no authority "to hear evidence aliunde, or in other words to hear evidence outside the certificate of the governor of the state of Florida based on the determination of the canvassing board as to the vote of the state." When it was announced that the merits of the case were not to be considered, that the evidence taken by the congressional committee, was waste paper, a storm of wrath and execration burst forth. Democrats asserted that the very terms of the law creating the commission provided for decision upon the merits as disclosed behind the face of the returns—the cry of trick and fraud was sounded through the land. Justice Bradley, who haggled and paltered before joining in the decision was the especial object of denunciation, and to the day of his death he was stigmatized as "aliunde Joe." The Florida decision, in its gross disregard of the facts, proved the depth of the Republican plot for the Presidency. The decision of the commission was referred to each branch of congress. It was sustained in the senate by the solid vote of the Republican majority. The solid vote of the Democratic house majority rejected it. As it could only be overruled by the concurrent vote of the two, it stood.

It may seem strange that after Florida, Democratic hope could survive. But, after the commission had again convened to determine the Louisiana disputed returns, the Wells returning board frauds were so palpable and extensive that it was doubted by many that the state could be counted for Hayes and Wheeler. The chief feature of the session was the appearance of ex-Senator Carpenter, one of the foremost reconstruction leaders, in the list of Democratic counsel. In his prefatory remarks he said: "I believe that the accession of the Democratic party to power would be the greatest calamity that could befall the people, ex-



cept one; and that one greater calamity would be to keep it out by fraud and falsehood. I appear here for ten thousand legal voters of Louisiana who, without accusation or proof, indictment or trial, notice or hearing, have been disfranchised by four villains, incorporated with perpetual succession, whose official title is the returning board of Louisiana." But the dice were loaded—on Feb. 16 the blow fell. On the same *aliunde* pretext, by the same 8 to 7 vote, Louisiana went the way of Florida. Again the two houses voted, the senate for and the house against, concurrence in the commission's decision. In rage and desperation at the toils in which they had been snared Democrats talked of delaying the completion of the count until beyond the 4th of March, which would have thrown the election in the house, or the country into revolution. But temperate counsels prevailed. In caucus the Democrats adopted a resolution deprecating "dilatatory opposition to the orderly execution of the law creating the commission, whose decision in accordance with the provisions of said law shall be received and acted on. But this resolution is accompanied with the solemn and earnest protest of the Democratic party against the gross and shameless violation of law, truth, and justice, contained in the decision of the majority who signed the same in the case of Florida and Louisiana."

The next case on which the two houses divided was that of one of the Oregon electors. The Democratic governor of the state having refused a certificate to one of the Republicans, who had received a majority at the polls, on the allegation of his ineligibility, issued it to the Democratic candidate with the highest vote. On this one vote the Presidency depended. If the eight of the commission adhered to its "*aliunde*" rule Tilden would be elected. But they made a lightning change of tactics and gave Oregon's four votes to Hayes. The Democratic seven, consistently with their record in the Florida and Louisiana disputes, also voted to reject a claim that, while valid on its face, was contradicted by the count. But the feeling of being wronged ran all the higher among Democrats, from the partisan shift of the majority position in the Oregon case to meet the ends of party. And when the commission by the usual 8 to 7 vote, veered back to its "*al-*

iunde" moorings in the case of South Carolina, the revival of the plan to resort to filibustering to defeat the count was almost resistless. The South Carolina case being closed March 1st, only two days intervened, after which, unless settled, the law provided that the house should elect the President. The temptation was great and the excitement intense. But only a minority of the Democrats yielded to passion, and obstructed the count, by dilatory objections to the last. In the case of one of the Wisconsin electors, who was clearly ineligible, the house voted to reject. But the senate refusing to concur, it did not go to the commission. And after an all night sitting, President Ferry of the senate announced the conclusion of the count, and called on the tellers "to ascertain and deliver the result." Whereupon Senator Allison declared that Hayes and Wheeler had received 185 electoral votes, and Tilden and Hendricks 184.

The electoral commission having served its design passed out of office and into history. Perhaps no other creation of law of such high station, so loaded with responsibility and so trusted to do justice, ever aroused such a storm of obloquy. And yet detestable as was the record of the majority eight, the act creating such a tribunal was one of signal wisdom and patriotism. Nothing can be more certain than that without the construction of such a bridge across the 1876 crisis, the result it attained conformable to law would have been reached by methods flagrantly usurpatory and through the use or the menace of the army. Nor was the evil tree barren of other good fruit. Out of their intense anxiety to consummate their plot, and without incurring further odium, a change of Southern policy was forced, which went far toward reconciling the Southern people to the crime of a fraudulent President. It was freely alleged and believed, that the opposition of Southern leaders to the inauguration of Hayes was toned down, because of an agreement, or assurance, of such change, toward the South. In the closing speech of the South Carolina contest, the last of the three, that eminent lawyer and eloquent debater Judge Jeremiah S. Black said: "We are promised, and I hope the promise will be kept, that we will have a good government, fraudulent though it be; that the rights of the

states shall be respected and individual liberty be protected. They offer us everything now. They denounce negro supremacy and carpet-bag thieves. Their pet policy for the South is to be abandoned."

This alleged "promise," and the considerations on which it was made, became a source of much bickering and bitterness within each of the two parties. And when the commission had shown the cloven foot of partisanship by counting in the Republican ticket, there was an outbreak of crimination and recrimination among certain Democratic leaders that was as unjust as it was unbecoming. The ignoble controversy raged long after the settlement of the issue. The most unjust and unreasoning reproaches were cast upon those who had favored the commission plan. Henry Watterson, then a member of congress, a man of brilliant but erratic intellect and loose principles, went so far as to charge that Mr. Tilden had been betrayed—that his recognized representative at Washington, Congressman Hewitt of New York, had suppressed a telegram from the Democratic candidate directing him to oppose the commission plan. His attack was so vituperative that Mr. Hewitt, a man of irreproachable character and exalted standing in his party counsels, set the story at rest as follows: "Ever since I refused to listen to his insane and ridiculous proposition to call out 100,000 men in order to put Tilden into the White House, Watterson never ceased to misrepresent my purposes, declarations and actions. With a malignity he scarcely seeks to disguise, he has persistently accused me of suppressing a telegram from Mr. Tilden in regard to the electoral commission, whereas the fact is I never received from Mr. Tilden a telegram on that or any other subject after the meeting of congress in 1876, and Mr. Tilden assured me he never sent any telegram to me. The facts presented plainly show that Watterson relies more upon his imagination than his memory, in his attacks on me."

Mr. Lamar came in for a large, if not a chief, share in the reproaches, both for adoption of the commission plan, and for opposing a revolt against its decisions. While the clamor rose high at the time, there could be no doubt that the sober judgment of

patriotic men would sustain him. His idea of the Southern attitude and policy in the emergency is to be read in the following letter of counsel he wrote to a Louisiana colleague, E. John Ellis: Washington, D. C., Feb. 20, 1877.

My Dear Ellis—I have just learned from unquestionable authority that Foster said to a gentleman, my informant, that the speech he made today, which so significantly hints at Hayes' Southern policy, was after consultation with Mr. Stanley Matthews, who is Hayes' brother-in-law, and Mr. Matthews told him and urged him to say squarely that Hayes would have nothing to do with or say to Packard. Foster said he would, but was afraid to take too much on himself. Mr. Matthews reiterated his desire. Foster further said he did not see the mode by which Hayes could accomplish the practical recognition of Nicholls as Governor, to which my informant replied, "Let him ask Nicholls if I withdraw the army and gunboats, will you assure me you will not establish your government by bloodshed and bloody retaliation. If Nicholls makes the pledge, let him withdraw them." Now, Ellis, this is the first thing I have ever heard as coming from Hayes worth acting upon by any Southern man. We do not want the offices, but we do want to get our states and our people free from carpet bag government. Ought you not, if an available opportunity offers, to spring forward at once and see if you can't free your state? I think you should at once see Mr. Stanley Matthews and ask him if Hayes will give you some assurance that he will not maintain Packard in his domination of our people." Such conference was held, according to the subsequent testimony before the Potter committee, of E. A. Burke of the Times-Democrat, between Mr. Ellis and himself on the part of Louisiana, and Messrs. Matthews, Sherman and Foster; and the required assurance and agreements made.

President Grant had already shown his recognition of the change toward the South. February 19th in an interview in the New York Tribune he virtually signed the political death warrant of Gov. Chamberlain, of South Carolina. "In South Carolina," he said, "the contest had now assumed such a phase that the

whole army of the United States would not be adequate to enforce the authority of Gov. Chamberlain. The people of the state had resolved not to resort to violence, but had adopted a much more formidable and effectual mode of resistance than armed demonstration. They have refused to pay their taxes and it would be useless to sell their property for nobody would buy it. This state of affairs must inevitably result in the abandonment of all efforts by Gov. Chamberlain himself in the exercise of gubernatorial function." This was followed March 1st by the following, in reply to a request from the Republican claimant of the office of governor of Louisiana, for "recognition of the state Government.

Washington, D. C., March 2, 1877.

To Gen. C. C. Ruger, Commanding Department at New Orleans:

The following duplicate has gone to Gov. Packard and is hereby sent you for your information and government.

W. T. SHERMAN, General.

Washington, D. C., Executive Mansion, March 1.

Gov. S. B. Packard, New Orleans, La.:

"In answer to your dispatch of this date the President directs me to say that he feels it his duty to state frankly that he does not believe public opinion will longer support the maintenance of a state government in Louisiana by the use of the military, and that he must concur in that feeling. The troops will hereafter, as in the past, protect life and property from mob violence when the state authorities fail, but under the remaining days of his official life they will not be used to establish or to pull down either claimant for control of the state. It is not his purpose to recognize either claimant.

Acceptance of the abandonment of policy that was signified in President Grant's communications with the carpet bag claimants of South Carolina and Louisiana was extremely repugnant to extremists of his party. They bitterly resented a bill consistent with the new order, expressly forbidding the use of the army in the Southern states that, while it had grown into custom under

President Grant's administration, grossly violated the spirit of republican government as well as the constitution. The bill was rejected in the senate, whereupon the house took the position that there would be no appropriations for the army unless the South was secured from the military tyrannies of the past. And the session adjourned without the passage of the army appropriation bill. It was this action of the Democratic house that forced the President to call the extra session of 1877. In that, after a prolonged contest, an army bill was passed prohibiting the use of troops as a "posse comitatus." This was looked upon as a substantial advance toward a return to constitutional government in the South. There were other valuable provisions for curing gross abuses in the army administration. But, led by Senator Blaine, the Republican senate majority defeated the one which prohibited the use of troops at the polls. That much of the reconstruction policy was saved, until the special session of the 46th congress, in March, 1879. The Democrats then having a majority in each house, the abuse was corrected in a bill which provided that "no money appropriated in this act shall be apportioned for the transportation, equipment, subsistence or compensation of any portion of the army of the United States to be used as a police force to keep the peace at the polls at any election held within any state."

The inaugural address of President Hayes was looked for with eager expectancy, for the light it would shed upon his Southern policy. While it contained no express pledges, the general tone was most encouraging. As described by Mr. Blaine, in his twenty years in congress, "it was made evident that he would adopt a new policy in the South." The address confirmed belief that this "new policy" would be ushered in and proclaimed in the withdrawal of troops from South Carolina and Louisiana. That act and the policy it would declare was all that was asked. With the order for troops to be withdrawn from guarding the rotten shells of carpet bag government at New Orleans and Columbia, the South would at last feel restored to constitutional government and equality in the Union. The prospect, however, did not please the Republican leaders of the class of Blaine, Morton, Butler and Ben Wade. Three days after inauguration, in one of his characteristic

speeches for exciting sectional passion, Senator Blaine expressing sympathy for "the heroic struggle of Packard and Chamberlain for civil liberty and constitutional government," sought to scare the President back to the old radical line. The following passage is quoted: "I stand here if I stand alone, to declare that a vote not to recognize Packard is a vote that Hayes has no title to the Presidency. And that you, Mr. Vice President, have no right to sit there." He said he had "heard it repeated about the corridors of the capitol, that it had been decided that the Nicholls government would be recognized by the new administration. Who had authority to say that? I deny it, not that I have authority to deny it, but I deny it on the character, the self respect and the common sense of President Hayes. There is no power high enough to compromise the Republican party in this respect." The bluff was as cunning as it was insolent. Hayes was most awkwardly placed, a fact of which Blaine took advantage. Only as a measure of expediency, and at the sacrifice of the Republican creed, was it possible to reconcile abandonment of Packard with the acceptance of the Presidency from a returning board that gave him a larger majority than that of the Republican Presidential electors. But the taunt, while it stung, and may have caused delay and hesitancy in carrying out the programme determined upon in Louisiana, was vain.

It was the manifest desire and contemplation of the new administration to be relieved of the incubus of a Southern question—to end the era of state governments depending upon the national military for existence. At the same time it was most devoutly wished that Packard and Chamberlain would clear out, end this state of affairs, and relieve the President of the embarrassment of throwing them over. Proving obdurate against persuasion, on April 3rd the South Carolina cloud was lifted by an order for the withdrawal of the troops from Columbia. After a few days of protesting, the end came peacefully, in the surrender and vacation of the capitol by Gov. Chamberlain, and the no longer questioned possession of the state government by Gov. Hampton. In Louisiana the situation was more complex, and on the same day that the troops were ordered away from the

South Carolina capitol a commission was sent to New Orleans to negotiate an end of the anomalous condition there. They found Governor Packard and his following disposed to make all the use possible of their position. After several days of investigation the commission reported that "the Packard government had the *de jure* title, but that Gov. Nicholls was in complete *de facto* sway over the whole state except the old hotel converted by Packard into a state house." And that "it would not only require the President's recognition to establish Packard in the state but only by the use of a large force of troops to crush out the acting government and the maintenance of garrisons in the state during the whole of Packard's term. Furthermore that if this were practicable it would involve a continuance of race conflicts, social and industrial disturbance and business depression which characterized the Kellogg administration."

This report of the Louisiana situation was made by a commission with a Republican majority, including men of such prominence as Gens. J. M. Hawley and Jno. M. Harlan. It was none the less denounced by Republican extremists, Blaine, Morton, Cameron, Boutwell and others. Under their counsel the Packard and Kellogg gang continued to stand out against all persuasions. "Packard is not going to be bluffed out like Chamberlain," Kellogg said in a published statement. "When the time for action comes the White League will have a demon in the rear to look after. Fifteen thousand negroes would respond to his call. Every wench has her little bottle of coal oil and match ready to set it ablaze as soon as the order is given that the time is come to make the music lively." It was not the fault of the Republican radicals that their scheme of Southern reconstruction was not carried to the extent of race war, with the atrocities Kellogg threatened, of arson and murder of women and children.

Patience growing strained, April 20th the President directed the secretary of war to order the withdrawal of the troops from the state house of Louisiana. It needed nothing more to effect the final and complete dissolution of the last of the carpet bag governments, which under the fostering care of the Republican party



and the protection of bayonets had been ruling over the South, outraging her people, devouring their substance, prostituting statehood, shaming the nation and scandalizing civilization, for half a score of years.

Mr. Blaine never became reconciled to the withdrawal of troops from the two states—to the abandonment in Louisiana and South Carolina, of the reconstruction policy. In his twenty years in congress, written many years afterwards, he thus recorded his condemnation of the action in Louisiana, which had for its justification, as stated in the Hawley-Harlan commission, the “discontinuance of race conflicts, social and industrial disturbances and business depression.”

“The one special source of Republican dissatisfaction was the intention of the President to disregard the state election in the three states upon whose votes his own title depended. The concentration of interest was upon the state of Louisiana, where Governor Packard was officially declared to have received a larger popular majority than President Hayes. By negotiation of certain commissioners who went to Louisiana under appointment of the President, the Democratic Governor Francis T. Nichols, was installed in office and Gov. Packard was left helpless. No act of President Hayes did so much to create dissatisfaction within the ranks of the Republican party. No act of his did so much to give color to the thousand versions that filled the political atmosphere, touching a bargain between the President’s friends and some Southern leaders, pending the decision of the electoral commission. The election of the President and the electors of Mr. Packard rested substantially upon the same foundation, and many Republicans felt that the President’s refusal to recognize Mr. Packard as Governor of Louisiana furnished ground to his enemies for disputing his own election. Having been placed in the Presidency by a title as strong as could be conferred under the constitution and laws of the country, it was in the judgment of the majority of the Republican party an unwise and unwarranted act on the part of the President to purchase peace in the South by surrendering Louisiana to the Democratic party.”

There was much to sustain Mr. Blaine's assertion, that "no act of President Hayes did so much to create dissatisfaction within the Republican ranks", as that in regard to Louisiana. All was done that he, Chandler, and their class could do, to increase the dissatisfaction. In the ensuing Maine Republican convention, which Blaine dominated, the new shape of the Southern issue was thus censured in a resolution adopted; "The Republicans of Maine view with alarm the complete consolidation of all political power in the Southern states in the hands of those who precipitated the rebellion, while Union men are persecuted into silence or banishment, the entire colored race practically disfranchised by force and fear. Thirty-five representatives in congress and thirty-electoral votes apportioned to the South by reason of this colored population are thus invested with the sole aggrandizement of Confederate power in the national government, and late rebel soldiers are thus enabled to exert more than double the political power of the Union soldiers." In his own state President Hayes' policy was endorsed by the Republican convention. But this endorsement was succeeded by a convention of the anti-Hayes Republicans, denouncing the administration's Southern policy and the state convention for endorsing it. And in the ensuing election Ohio was carried by the Democrats. The Iowa convention was addressed by Governor Packard, and by a vote of three to one resolutions endorsing the administration's Southern policy were rejected. Wisconsin Republicans in convention recorded their distrust of the President's Southern policy. A resolution in the special session of congress, offered by Representative Goode, a Virginia member, endorsing the President's withdrawal of troops from the South as "wise, just and constitutional" was opposed by Ben Butler and other Republican members.

Conceding its honesty, nothing could have been of more evil effect upon the Southern states, and especially the negro, than the repudiation of the policy of the administration by Blaine, Butler and other Republican leaders. But for their misguided agitation the negroes would have accepted the logic of the overthrow of the hybrid governments. They were ready to let poli-

tics slide, as they were brought to do some years later, until drawn back into the maelstrom by such evil counsellors. In speaking of the new Southern condition James Redpath, an ante bellum abolitionist, said with exact truth: "It is wickedness to try to keep up a Republican party in the South except on the basis of a large native white vote. It will end only in still further troubles to the poor misled and too grateful blacks. I am not alone among the friends of freedom in believing they now owe no allegiance to the Republican party. I asked Wendell Phillips if he would blame them for refusing to remain in the Republican party and joining the Democratic party. Certainly not; was his prompt reply. I asked Senator Bruce and he said he could not as a Republican senator publicly advocate this policy, but had advised the colored politicians to make the best terms with the Democrats they could." The wisdom of this view was written too plain in the records of the past for any honest mind to repel. Self-seeking Republicans, indifferent to the consequences upon the "poor misled and too grateful negroes," only, rejected it. To promote their own selfish ends they fed the fire of sectional passion in the North, and kept the negroes in a stew in every Federal election, thus still further widening the gulf of race estrangement. It was the part played by the negro dupes in this period, that determined and unified the white men upon the policy of their complete elimination from politics.

Factionous opposition did not swerve Mr. Hayes from adherence to his policy of Southern placation. Having once set his course away from the evil reconstruction policy he did not turn back to it. In his first message to congress he said in discussion of the Southern question: "The measures adopted by the administration have been subjected to severe and varied criticism. . . . These measures are in my judgment, such as were most in harmony with the constitution and with the genius of our people and best adapted under all the circumstances to attain the end in view. . . . The discontinuance of the use of the army for the purpose of upholding local governments in two states of the Union was no less a constitutional duty and requirement than it was a much needed measure for the restoration of local self-gov-

ernment and the preservation of national harmony. The withdrawal of the troops from such employment was effected deliberately, and with solicitous care for the peace and good order of society and the protection of the property and persons and every right of all classes of citizens." His defense of his action was sustained by citing to the salutary changes that had followed—"the general re-establishment of order and the orderly administration of justice; rare occurrence of instances of remaining lawlessness; the disappearance of political turbulence and turmoil; resumption of useful industry; strengthening of public credit in the Southern states." Such utterances from the President of the United States were strange to the Southern people, and aroused their gratitude in proportion to their rarity.

The declaration upon the Southern policy in the message was the signal for more censure from his party antagonists on that issue. So incensed was W. E. Chandler, the chief instrument of the Florida steal, at the course of events, that he published an address to the Republicans of New Hampshire, peaching on the plot for a President. He said the main issue of the campaign "was the dangers of rebel rule and a solid South." He quoted from Hayes' letter, written while under the impression that Tilden was elected; where he said 'I do not care for myself but I do care for the poor colored men of the South. Northern men cannot live there. The Southern people will treat the constitutional amendments as nullities and then the colored man's fate will be worse than it was in slavery.' "Gov. Hayes not only pledged himself to protect to the full extent of Federal power, life, suffrage and political rights in the South, but was counted in as President only by reason of such pledges given by Senator Sherman and other Ohio emissaries who particularly and emphatically promised that he would recognize and maintain the lawful government of South Carolina and Louisiana, and stand by the governments of Packard and Chamberlain. Certain Democrats in the House seeing by decisions of the electoral commission, which they had warmly supported under the electoral bill, that Hayes would surely become President, conceived the idea of saving something out of the wreck. They therefore threatened

by dilatory motions and riotous proceedings, to break up the concert, and then opened up negotiations with timid and expectant Republicans that Hayes should be declared and inaugurated President and then withdraw the troops from the support of Chamberlain and Packard. After the inauguration the bargain was carried out."

In an interview in the *Globe-Democrat* of December 21st, Mr. Blaine, laying pipe for his 1880 campaign, said: "Mr. Hayes has undoubtedly placed himself in a position where he cannot receive the cordial support of the Republican party. It is absurd to suppose that there can be any harmony between him and it so long as he pursues his present course. Many honest Republicans believe the Southern people are loyal, but of this there is serious doubt. It is true they are, according to all appearances peacefully inclined and show a disposition to maintain the supremacy of the national government. But men who were in the rebel army cannot so readily give up their faith. Their professions, in my opinion, are only skin deep. The Southerners are lying low until they get on top. And should their party, the Democracy, get into power in 1880, they will show a hand that will surprise that class of Republicans who believe reconciliation has been complete. The Southern people are not reconciled. They are playing policy, and their purpose is to get possession of the government and rule it as they did before the war, and then all the established results of the war and reconstruction would be set aside."

General Ben Butler said to the *Boston Herald* correspondent at Washington: "I was in company with ninety-six representatives recently. All but one condemned the President's Southern policy. It has been a death blow to the party in that section. The mischief he has done cannot be undone." In a six column interview in the *New York World* Senator Conkling berated President Hayes and the South most venomously. "No reasonable man," he declared, "can doubt that there was some kind of a bargain between the friends of Nicholls and that man Hayes, and that Stanley Matthews and John Sherman were privy to it. When the whole truth of the Louisiana business is known it will

sink this administration to the lowest depths of ignominy. The President is a great friend to the South and has completely surrendered to it." He spoke most rancorously of "the familiarity of Gordon, Hill, Lamar and other Southern men at the White House." Speaking of the imminence of a resort to violence pending the electoral commission settlement, he made this interesting revelation: "President Grant was at his wits end. He confessed to me that he did not know what to do. He was gathering troops at Washington, but did not know how far he could depend on them. Gen. Sherman had told him the sympathies of a large majority of the officers and men were with Tilden, and that the army must not be depended on in such a crisis."

"I tell you, sir, that never in the history of this nation has there been in the entire four years of an administration so much corruption, bartering of offices, rewarding of political favorites, traffic with political leaders and bargain and sale of the electoral franchise. People say that Hayes is a good man and means well, but they do not know what they are talking about. When all the facts are known about this administration no one will try to excuse the man on account of his supposed goodness."

These attacks on the administration show that the Republican leaders in congress were far from acceptance of the South's overthrow of reconstruction. Such bitter enemies as Blaine and Conkling, the undisputed rivals for leadership in the senate, were as one upon undoing the President's work in South Carolina and Louisiana, and using the army to reinstate the deposed governors at any cost.

The aftermath of scandals and discord of the election of 1876, and the extraordinary electoral commission settlement of its disputed returns echoed and outcropped throughout the Hayes administration. Arrested for trial for their crimes the members of Louisiana returning board forfeited their bonds and sought sanctuary in the custom house in New Orleans. Attempting to execute a writ upon them, the sheriff of the parish was himself taken into custody by the United States marshal, who was supported by a squad from a revenue cutter, and acted under advice of the United States district attorney. The attorney general

of Louisiana, H. N. Ogden, addressed the United States Attorney General, Jan. 26, 1878, as follows: "Four persons, J. Madison Wells, Thos. C. Anderson, C. Cassenave and L. M. Kenner, who are under an information for felony under the laws of the state, forfeited their recognizance and have, I am informed, taken shelter in the custom house of this city. Writs for their arrest are in the hands of the sheriff and he went to arrest them, understanding they were shut up in a room of that building. He was about to force an entrance for the purpose of arresting them when he was himself arrested, as I am informed, upon an affidavit that he threatened to open the door by force. I am not aware of any cession of exclusive jurisdiction of this building, nor of any law that would give immunity to offenders against state law, within its walls. Please inform me whether the Federal government has authorized or will sanction this conduct." The reply came promptly—the United States Marshal, Col. Jack Wharton, was instructed "not to interfere with the execution of writs of the state courts." Thereupon the accused parties were taken into custody.

While the administration would not resort to reconstruction methods and interpose for protection of the Louisiana returning board, a letter of condolence was dispatched to Thos. C. Anderson, who had been placed on trial as follows: "The undersigned feel it due to you under the circumstances, to assure you of our unhesitating belief that you are altogether guiltless of any offense against law; that you are falsely accused and maliciously persecuted; that we hereby tender our earnest sympathies and express the hope that the sense of justice and love of peace of the people of Louisiana will protect you and not permit the best interests of the whole country to be disturbed by a revival of sectional animosities. In any event we are confident the American people will redress any injustice of which you may be the victim." Signed John Sherman, Stanley Matthews, J. A. Garfield, Eugene Hale, Henry White.

Nevertheless, the jury brought in a verdict of guilty of forging election returns against Anderson. This drew out a violent denunciation from Secretary of State John Sherman, which closed

by styling the conviction of one of his fellow conspirators and tools in the theft of the Louisiana electoral vote, as "an unlooked for and terrible commentary on the efforts of the President to quell the turbulence and violence of Louisiana politics. It seems to me an act of folly and madness." In a letter on the line of that to Anderson, from Mr. Sherman and others, the President submitted the case to the attorney general, asking his consideration of the question of interference by the government in behalf of the convict. Discussion of this question in the cabinet developed an acrimonious difference of views. Anderson was sentenced to two years at hard labor in the penitentiary, a suspensive appeal being granted. The state supreme court decided that the paper changed was not a public document, and therefore could not be forged, reversed the conviction and ordered the discharge of the prisoners. At a cabinet meeting this termination of the incident elicited expressions of relief and satisfaction; the President speaking of it as "an indication of a proper state of feeling in the South."

But relief from the haunting spirit of an evil event was of short duration. The ghost next walked in Florida. There, too, indictments were brought forth against officials who had fraudulently changed the returns of certain counties so as to create the Republican majority. To this aggravation there was added disappointment in the bestowal of rewards. McLin, the secretary of state who had certified the returns, was rewarded by the President's nomination to be associate justice of the territory of New Mexico, but his confirmation was beaten in the senate. He and S. G. Dennis, who had been chiefly instrumental in the fraud of adding enough votes to those the Republican electors got to elect Hayes and Wheeler, made written and sworn confession to the steal of the state in April, 1878. This caused a great sensation. They told the story in all of its details and particulars.

The Florida confessions brought to a head the talk of a congressional investigation, which had grown out of the Louisiana trials, and the statements in congressional debates over the 1878 elections in the two states. The resolution to investigate was introduced by Representative Clarkson N. Potter, of New York,



who declared in offering it that the Democrats did not contemplate any attempt to unseat the President. A similar disavowal was recorded in the shape of a resolution the house adopted almost unanimously. The investigation was ordered May 17, 1878, by the house, upon a strict party vote. Yet while Republicans voted in the negative, it was notorious that it was eagerly favored by the anti-administration senators and congressmen of that party—Blaine, Butler, Conkling and others who hoped that the probing would bring discredit on Hayes and his Southern policy. Southern congressmen largely voted for it under silent protest, knowing that for the political stir and unrest that would result there would be, for their section, no compensation. The opposition to the investigation was pronounced through many Southern papers, that contended it was not fair to President Hayes, who should be upheld regardless of his tainted title, for his friendliness to the South.

Moreover, the corroboration of circumstances, and documents, convinced the public that the accusations were substantially true. This belief was strengthened by the refusal of Senator Matthews to obey a summons before the committee, which was placed in the worst possible light by Gen. Butler, who was a member of the committee. He took the lead in bringing out evidence that was most damaging to the administration. He extorted from Gen. H. V. Boynton, correspondent of the Cincinnati Gazette, and an intimate friend of the President, that he had protested against the appointment of Anderson, whose protest as election supervisor of East Feliciana, had added several hundred Republican votes to the returns. And that the President had replied that Anderson "had performed good and honest service for the Republican party, but he did not expect he would enter upon his office. The President did not deny or affirm that Anderson had been appointed for manipulating Democratic votes." Butler's cross examination so angered the witness that he said "the other members of the committee were gentlemen, and Butler was a rowdy." On the following day Gen. Boynton was again questioned by Butler touching a conversation with Gen. Harlan, concerning the visit of the commission of which Harlan was a mem-

ber, to New Orleans, to effect a settlement between Packard and Nicholls, the contestants for the Governor's office. The witness stated that Gen. Harlan had told him that "if the Louisiana question was settled satisfactorily by the commission it might promote his, Harlan's chances for a place on the U. S. Supreme bench."

Of the Louisiana election the irrefutable proof was made that for two days after the polls closed all of the Republican leaders of the state admitted the success of the Democratic ticket, national and state, by a decided majority. That after it became apparent that the election of a Republican President depended on the state, deliberate preparations were made to remodel the returns. To that end the parishes of East and West Feliciana were singled out, and under distinct promises of reward their supervisors "protested" the returns; changing a Democratic majority of 2,800 to one for the Republicans of 500. That even with this change forged, it was discovered upon tabulation that, while Packard and a Republican legislature was chosen, the Republican election for President fell short of a majority. Then, to supply the needed addition, "protests" were resorted to by which the votes of Richland, Lafayette and others were so doctored as to yield a Republican majority. Or as Representative Morey, carpet bagger, testified under examination by Gen. Butler: "In the management of the case before the board we took Packard's vote as the basis; and the board threw out enough votes to elect Packard; and after this they threw out 1,512 votes to elect the Hayes electors." That all of these acts of perjury and forgery were known to John Sherman and others of the visiting statesmen—John Sherman acting as the representative of Mr. Hayes, and in that capacity pledging to the guilty agents of the plot protection and rewards; and that the promise was fulfilled in the appointment of every election supervisor and participant to Federal office; all but two out of a hundred so slated actually entered upon the offices to which they were so appointed. Goaded by the cross questioning to which he was subjected Weber, a Felician supervisor, said "if there was villainy it was on the part of Jno. Sherman and the visiting statesmen. If I am a rascal they were all rascals—all of them." In a comment upon a summary of the tes-

timony and the secrets it unearthed, the Cincinnati Enquirer, a Republican paper said: "When we listen to these shameless confessions of the sort of rascality constantly pursued for 'the good of the party,' we are suddenly and emphatically called upon to admire the heroic endurance and matchless calmness of the people of Louisiana, under the most cruel persecutions which were carried on for years without legislation or redress and with the sanction and under the protection and power of the national government."

The sub-committee in Florida took the testimony of Secretary of State McLin, whose published confession had precipitated the investigation. He furnished the committee a long list of appointments that had been given persons who manipulated the returns of various counties. These included Gov. Stearns. McLin himself had been appointed associate justice of the supreme court of New Mexico, but his confirmation was beaten in the senate. It was after this that his conscience moved him to confess. His confession confrere, L. G. Dennis, testified that he "had refused, during the contest, to testify as desired by Governor Noyes, of Ohio, because he was aware that 219 fraudulent votes had been added in Alachua county." Both witnesses testified that Governor Noyes had represented Mr. Hayes in Florida, and that he certified the services performed in each case. McLin testified that Gov. Noyes told him he was in Florida at the special request of Mr. Hayes, and authorized to assure the election officials that they would be provided for according to their deserts. The Governor, who crossed the ocean to testify that he did not go to Florida at the request or knowledge of Mr. Hayes, averred that his only business there was "to see that there was a fair vote and an honest decision." Such disinterested patriotism had been appropriately rewarded with the appointment of minister to France. W. E. Chandler took the stand to swear that there "had never been a fairer result obtained by fairer means, than in the Florida election." In his view the only sinner was the President, for not perpetuating the carpet bag governments in South Carolina and Louisiana.

Naturally resentful of the exposures of the Potter committee

investigation, which had but added to the taint of his title, the tone of the President's message when congress met, in December, 1878, showed less tolerance than had marked his previous expressions. He "urged upon congress to supply any defects in legislation for compelling obedience to laws aimed at the protection of the right of suffrage." In quick response Senator James G. Blaine opened the senate proceedings the following day with a resolution for "enquiry and report whether at the recent election the constitutional rights of American citizens were violated in any state in the Union," etc. The usual sectional debate, designed to rekindle passion and prejudice toward the South, ensued. In the stir of the evil embers, Senator Thurman thus impressively referred to Republican accusations against the "solid South": "Let me tell you, Sir, that millions of the money of the people of the United States were expended by the freedmen's bureau agents in getting every colored man in the South in the Loyal Leagues, and swearing him never to vote for a Democrat. That is where the color line started. That institution took charge of the negro at the ballot box; took charge of him in the cotton field; took charge of him in his cabin, his churches, everywhere. It superintended his labor contracts, spent money, and property that was called captured and abandoned, property that was surrendered to it, and millions of money directly appropriated out of the treasury of the United States. It was that bureau and its agents that first drew the color line. And yet when the whites of the South, when the men owning the property, and having the intelligence, saw their very social system menaced with destruction, saw their very households threatened with ruin under an inundation of barbarism directed by the most unscrupulous of men, and when they naturally came together, when they naturally united as people menaced with danger ever will unite, then a cry is raised against the solid South. This system of legislation that begun ten years ago is bearing its fruit, and it is not by any additional penal laws that you can better the condition of the country."

The Democrats protested against, but did not oppose the Blaine resolution. Nor did the Republican, while adopting it, show any great relish for the investigation which all saw was meant espe-

cially to promote the Presidential aspirations of the author of the proposition. Senator Teller was made chairman of the committee, which decided to take testimony in New Orleans, Charleston and such other points as the committee should choose. Being called on for a list of witnesses, Senator Blaine furnished them from Louisiana, South Carolina, Mississippi and Arkansas. Testimony was chiefly taken in Louisiana, where the election of congressmen had been vigorously contested and where there had been no little violence and bloodshed. In Mississippi, where the Democratic candidates had been elected without serious opposition, there was no grounds of contest and no testimony of consequence was taken. January 20th, 1879, a resolution was introduced by Chairman Potter of the investigating committee, reciting that "attempts were made after the election in 1876, to influence by money or other fraudulent methods the vote of electors or the actual canvassing officers in Florida, South Carolina, Louisiana and Oregon. Therefore the committee on election frauds be requested to enquire into the same. \* \* \* and to appropriate the sum of \$10,000 for the purpose of defraying the expenses of such investigation." Certain of these cipher dispatches had been published in the New York Tribune so as to reflect upon the head of the Democratic ticket. This led to the publication in the New Orleans Times Washington correspondence of a story to the effect that these dispatches had been excluded from consideration in the investigation preceding the electoral commission compromise. They had been called for from the Western Union by the senate committee. But before delivery to the committee they were given to the chairman, Senator Morton. Selecting those which implicated the Democrats, the senator designed a sensational exposure. But he was informed by Zach Chandler, Grant's secretary of the interior, that it had come to him that David Dudley Field, of the Democratic house committee, had obtained possession of documents that were infinitely more damaging to the Republicans; and that an attack on that line must be dropped. At the same time Mr. Field had revealed his scheme to his colleagues. While they were felicitating themselves on exploding a

veritable mine under the enemy, they were astounded by being called off the hunt; as Mr. Field revealed to him, "through orders he had received from a very high personage in New York"; and that it was a point where "both sides would let up."

Under this agreement the cipher dispatch scandals had lain dormant for two years. In the debate the adoption of the resolution to investigate was urged by Mr. Hewitt as an act of justice to Mr. Tilden. "Let him," said the champion of the Democratic leader, "have an opportunity to confront his accusers, his traducers, before a competent tribunal. Let the man who of right should occupy today the executive chair go on the witness stand and satisfy the people that at least one of the candidates of two great parties is not a miserable trickster, willing to make bargains for the highest office in the gift of the people." While the Republican floor leader, Gen. Ben Butler, made a show of opposing the adoption of the resolution, it was not resisted with any vigor by the Republicans. They probably saw better than Mr. Hewitt the way the chips would fly. The country already knew of the Republican frauds in carrying the three disputed states. That knowledge had been thoroughly disseminated, and digested. But the disclosure that Democrats who possessed Mr. Tilden's confidence had sought to change the fraudulent findings by bribery, came in the nature of a revelation. In the prolonged inquiry that followed, in spite of all efforts to explain it away, the cipher telegrams proved this to have been attempted in all three of the disputed Southern states, and in Oregon as well. One of the parties engaged in trying to right one wrong by another, was a nephew of the Democratic leader named Pelton. Testifying he stated that "Mr. Tilden had not the least idea of what was going on," and when he learned of it "he was exceedingly annoyed and denounced my action in the matter severely." Mr. Tilden appeared before the committee with a denial of any knowledge of the transmission of the cipher dispatches—that there "never was an hour or a minute when he entertained a thought of seeking certificates by venal inducements." But under the cross examination of Thos. B. Reed, his denial of all knowledge of the bribery scheme did not dispel prejudicial impressions.

For its effect on the Democratic party fortunes, the Potter committee probing was a doubtful move at best. Its policy had been questioned by the wisest of the Southern leaders in the beginning. They held that, having won back local government, their states most needed a surcease of the long running sore of sectional agitation—that no possible result of the investigation could be compensation for keeping alive the passions and prejudices through which politicians of the Blaine type kept alive Northern animosities toward the South. The certain interruption of friendly relations with the President alone was no light consideration. And when the investigation wound up in the cipher dispatch conclusion, there were few who failed to see that a blunder had been committed—one which went far to offset in public sentiment the odium under which the Republicans labored, for a stolen Presidency.

Other causes conspired to prolong the disturbed state of Southern affairs. When congress met, December, 1878, the negroes of the river section of Mississippi, Louisiana and Arkansas were greatly exercised by a migratory movement to Kansas. They passed up the river by hundreds to St. Louis, where they took rail for Kansas and the adjacent states. For a while there was the gravest concern felt by the planters. Under the fever of the impulse it looked like the negroes would all leave. The motive of the exodus was much discussed, and variously accounted for. Three main causes were given for it; political discontent, low prices of cotton and the land offerings of certain railroads. These all operating on the negro love for change and novelty led them to leave the plantations at ruinous sacrifice of property and without thought or care of the conditions awaiting them. Knowing that the negro laborers were going to certain disappointment and disaster, and feeling keenly the loss and ruin which menaced themselves, the planters resorted to rigid measures for repression of the exodus. After thousands had left the boats refused to take any more. Camps on the river bank were then broken up by officers of the law, and the campers dispersed and were compelled to return to the plantations.

Such repressions of the negro emigration raised a great out-

cry, in the North. The halls of congress rang with stories of the "cruelties, the oppression," from which the "wards of the nation" sought to flee. Republicans grew eloquent in ringing the changes on the hardened hearts of the Egyptians of the South, who would not let the freedmen pass out of the land of bondage, and across the Red Sea to the Promised Land of Freedom. A Minnesota senator, Windom, championed the cause of the negroes in a resolution, which read as follows:

"That with a view of a peaceful adjustment of all questions relating to suffrage, effectual enforcement of constitutional and national rights, promotion of the best interests of the whole country and the elimination of sectionalism from politics, a committee of seven senators charged with the duty of inquiring as to the expediency and practicability of encouraging and promoting by all just and proper methods partial migration of colored persons from those states where they are not now allowed to freely and peacefully exercise and enjoy their constitutional rights as American citizens, to such states as may desire to receive them and will protect them in said rights."

There were not wanting those who recklessly overlooked the disastrous consequences, the great suffering that was certain to attend this ill-conducted and aimless drift by the negroes of the lower South into the cold climate of the upper Missouri states. Circulars both inflammatory and seductive, were distributed among the negroes to urge them to leave the South. Public meetings were held and subscriptions raised, to promote the migration. Bob Ingersoll, the eloquent orator and famous atheist, contributed \$1,000 and pledged half his income for five years, to the emigration fund. Politicians urged it as a means of reducing the next Southern census, and the representation of the negro states of the South. Approving the wisdom of the resolution the Chicago Tribune said: "The removal of the discontented blacks, despised, outraged, oppressed and deprived of their political rights, would quickly induce the tyrannical whites to treat the negroes remaining among them with more consideration." The New York Tribune unctuously quoted Senator B. K. Bruce of Mississippi, as assuring Senator Windom of the migration of 100,000



able-bodied negroes under the encouragement and aid his resolution offered. "Such men," said the Tribune, "are the sinews of the South, and their withdrawal from that section would be a serious matter for it." It so appeared to the river planters themselves, as well as to those who gloated over their misfortune and calamity. As much constancy and fortitude as they had displayed throughout the most trying dozen years of their history, this departure of the negroes cast a deeper gloom than any of the many previous hard blows of fate. But nature came to their rescue. Before the exodus had run its course it was checked by the most pitiful letters from the Kansas emigrants, telling of the rigors of a climate but little colder than the welcome of the people among whom they were stranded. The most of the victims of their own delusion and the Windom resolution, returned to the plantations, money for transportation being furnished by the planters through St. Louis merchants. The stories they told had its effect in restoring contentment among the whole population.

The Democrats' renewed effort in this session to prevent the use of troops at the polls, by a clause in the army appropriation bill repealing section 2002 of the revised statutes; which gave such authority. In this shape the bill passed the house. The senate striking it out, and no agreement being had on the bill, congress again adjourned without making provision for maintenance of the army. The legislative executive and judiciary appropriations had also failed in the same way; the house having attached clauses repealing the iron clad and the jury test oaths, and the right of attendance of deputy United States marshals and supervisors at the polls. This failure necessitated another special session in the Hayes administration. Hence the 46th congress, memorable for having a Democratic majority in both houses, was called for March 18th. The bills that had failed in the preceding session, with the provisions that had caused their veto were introduced. Proceedings in the senate began in a resolution by Senator Hoar, declaring the procedure proposed to be "unconstitutional and revolutionary." This pretentious phrase had the effect of initiating the usual partisan and inflammatory debate.

Having run its course the bills, as adopted in Democratic caucus, passed the two houses by a strict party vote. April 29 the President submitted his veto of the army bill in quite a lengthy message. He cited especially to the act as it was passed in the previous congress, declaring the military posse comitatus to be unlawful; and quoting from the arguments of Democrats to sustain his claim, that nothing more was needed to allay apprehension of military interference at elections.

The bill being passed again, so drawn as to meet the objections specified in the message, it was again vetoed, May 12th, by the President. He was careful in his vetoes to pay due tribute to the intense hostility of the American people to the mere suggestion of military interference in elections. "No soldiers," he said, "should be present at the polls to take the place of the ordinary civil police." But he would not consent to the annulment of the "ancient and fundamental law," authorizing the employment of troops, as prescribed in section 5298; which is now "proposed to abrogate at certain places and on certain days." For the third time the bill was passed, with the restriction whittled down to conform to the words of the message; that "no portion of the appropriation carried should be used for pay of transportation, equipment, or subsistence of any troops used as a police force to keep peace at the polls." In this shape it was approved by the President, though passed on a strict party vote. It was in the closing days of the debate on the army bill that the celebrated clash arose between Senators Lamar and Conkling, the story of which is yet a familiar one in Mississippi. The scene, however, was only incidental to the pending bill, in the long debate on which Mr. Lamar took no part.

The legislative, executive and judicial appropriation bill, with the disputed provisions relating to the jury test oath and deputy United States marshals and supervisors of election at the polls, was passed, by a party vote. It was vetoed May 29th in a lengthy message. Being passed again, in another shape, there was another veto June 23d. Passed again, there was a final veto, June 30th. The bill was then passed, omitting the vetoed clauses, without further contention over the issue. The result was the

continuance of the practice of appointing United States deputy marshals and supervisors at the polls, when Federal officials were elected. The policy of the Democrats in forcing this special session was gravely questioned, especially as it proved practically fruitless. The Republican leaders, Blaine, Hoar, Garfield, Conkling and the rest, made full use of the occasion to place the South in the worst light possible—to impress the Northern people with the belief that the inspiration of the measure sought was hostility to the Federal government and the oppression of the negro. In the next session of congress the Democrats renewed the contest for repealing all vestiges of the reconstruction machinery; for prohibiting the attendance of deputy United States marshals and supervisors at elections. This drew from the President a veto May 4, 1880, of an appropriation bill which contained such provision. This was followed by another veto, June 15th, of a bill which sought to make such election deputies appointive by the Federal circuit courts, instead of the marshals. Thus the law was maintained unchanged for years longer.

Democratic persistence in the policy of complete exclusion of Federal officials from the election machinery was, in the prevailing state of national politics, easy of prejudicial perversion. It, in fact, furnished to Republican leaders their chief store of argument before Northern voters. It may have been inexpedient for Democratic congressmen to have given them such advantage. Nevertheless, efforts to repeal the statutory provisions that had been essential to, though insufficient for perpetuating, the reconstruction scheme, were right in principle and purpose. The law as it stood continued to be the cause of constant irritation and sometimes collision. It kept up race friction—under the tutelage of Blaine, and his class of agitators, the negro was encouraged to hug the delusive hope of a restoration of Republican sway in the South. That end was kept constantly before the country by resolutions, "force bills" and platform pledges. Fortunately, for the years of this transitory period, while the Southern states were undergoing recuperation from misgovernment, there was always a Democratic majority in one or both branches of congress, to

defeat reactionary legislation. But the agitation and the menace gave enduring potency to the poison of negro suffrage.

Nearing the conclusion of this chapter of our history, a brief retrospection is deemed appropriate. Appomattox, the overthrow of the Confederate forces in the field of war, gave full effect to the proclamation of freedom for the slave. The conclusion of the war made him a freedman in fact; broke the chains of his servitude and so left him with his status as a citizen to be defined by the state in which he dwelt. Under the ensuing provisional government as proclaimed and authorized by the President, negro freedom was ratified. Due legislation was enacted for protection of his rights of life and property. His inferiority was both recognized and guarded against oppression, in the statutes of the Southern states, and under the guardianship and tutelage of the national bureau. That disposal of the problem was brief. It was not permitted to pass through the experimental stage. While harmonious and acceptable as an expedient within, it was vexed and warred against from without until it was overthrown and swept away, to make room for the partisan device that was to follow.

The second change in the negro's status came with enfranchisement through act of congress; fixed in Southern states' constitutions constructed and held under military order and bayonet protection. It was made general and clinched in the adoption of the 15th amendment to the Federal constitution. Thereunder the negro learned his lessons of citizenship in text books of the most rancorous sectionalism and South hate. His whole nature was changed by witnessing the use of the resistless national, civil and military power, for founding government in the Southern states upon the array of the solid, "loyal," black voters against the white "disloyal." After some years of corruption and crime, of an abomination of misrule that is an eternal stain on the men and the party that operated it, that scheme broke down of the sheer impossibility of negro political equality. Then the law of gravity asserted itself and the pyramid of society again rested on base instead of apex. In the homely phrase that was current, the bottom rail was no longer on top.

The third change in the negro as a political force was wrought through campaigns that were called revolutionary. In law his voting privilege was not touched. In fact, no longer operated under the shadow of Federal bayonets, it was throttled. But while Southern governments based on negro suffrage had passed, the baleful influence of that suffrage survived. The body politic proved unequal to elimination or assimilation of the unholy African leaven. Surviving the destruction of the reconstruction scheme, the negro voter remained a convenient quantity for unscrupulous and unworthy Southern white office seekers to strive for. Against appeals from that class worthy leadership was shown to be as powerless over the negro masses as in the days when contending with the carpet baggers. The experiences of this period proved that, such was the force of inherent vices and ineradicable weakness, the incorporation of the negro as a wholesome factor in the American political system was as impossible as to mix oil and water. Through the force of public sentiment and the white nomination methods, evil uses of the negro vote were kept in suppression, as far as possible. But this was only effected in certain counties at the cost of strife which planted bitterness and estrangement among the whole white population. With each succeeding election after 1875, restiveness and revolt against the party bonds became more menacing. That white solidarity which was the sole guarantee of security against relapse, was shaken. Counting out or suppressing the lawful negro vote when cast for a white bolter with a personal white following, always threatened and sometimes involved riot and bloodshed.

Under such pressure of campaign turmoil and violence, with the incident of serious industrial disturbance, it seemed that the state, particularly the black counties, were tending to a worse condition than that from which they had just emerged. It was plain that something had to be done, some form of change to a lawful riddance of the negro vote in lieu of the unlawful methods which had grown to be so alarming. Thus it was that agitation for a constitutional convention with the view of nullifying, as far as lay in the power of the state, the 15th amendment to the Federal constitution. The question came up, indeed, in the first legisla-

ture after 1876. December 1st, 1877, the Vicksburg Herald said: "The state papers are very generally discussing the necessity of a state constitutional convention for Mississippi. Some think there is very urgent need for it, while others oppose the proposition." The Herald, and the Jackson Clarion, the two most widely circulated and influential papers in the state, opposed it. So did the Democratic leaders generally. Col. W. A. Percy, representative from Washington county, then leader of the Delta section in the 1875 revolution, was an exception to the rule and returning home from the legislative adjournment he said: "The failure to provide for a convention to reform the constitution was a mistake. Now, while our people are united, is the time to put our house in order." Bills introduced in the legislature January, 1878, in the senate by Gen. A. M. West of Holly Springs and in the house by Hon. H. M. Street of Meridian, failed to pass. The iron was not yet hot—the time to take advantage of the supreme court declaration that there was "nothing in the Federal constitution or its amendments to guarantee the negro political suffrage" was in the future.

As time passed and the ease of holding what had been won was experienced, apprehensions were lulled and the warning voice of the thoughtful passed unheeded. But the delusive sense of security was fleeting—relegated to "the silence of the covered furrow," the South's problem germinated a brood of secondary ills quite as deadly to the Commonwealth as the monstrosity of an unrestricted negro suffrage. In the decade of 1880 to 1890 it became apparent that the "Mississippi plan" of dealing with black majorities would, unless checked, pollute the very sources of representative government. Symptoms of the diseased political condition grew so acute that the demand for suffrage restriction to effect an electorate under which there could be white supremacy through honest elections became quite imperative. The agitation for a Constitutional Convention was revived and grew very urgent. Responding to this sentiment the Legislature, in 1886, adopted a resolution calling such a Convention, which was vetoed by Governor Lowry. In 1888 another resolution was adopted, one inviting discussion of the question in the ensuing

campaign for the election of a Legislature and State officers. A Constitutional Convention was therefore made a direct issue in the canvass of 1889. Ex-Governor Stone, a candidate for Governor, declared he would approve a bill for a Convention if passed. In September Senator George, in a speech at Greenville, declared himself in favor of a Constitutional Convention, and this was followed by a counter declaration at Macon by his colleague, Senator Walthall. The question thus became a pronounced one in our State politics.

Just at this time the demand for relief from the intolerable Reconstruction status was intensified from another source. The election of Mr. Cleveland in 1884 by the Solid South and a small group of Northern States had been bitterly resented in the North, almost to the point of a repetition of the Tilden count-out. After the election Mr. Blaine delivered a speech at Augusta, Me., that literally electrified his party. Realizing that the fabric woven out of negro suffrage was crumbling away, the defeated candidate sounded the keynote of a further interposition of the Federal power into Southern political affairs. The popular response to his impassioned and powerful appeal to sectionalism was exceedingly ominous to those who looked beyond the exultations of the Democratic victory. They felt that had the Augusta speech opened and shaped the campaign of 1884 instead of closed and echoed it, the result might have been different. And that the wind then sowed would be the whirlwind of 1888. It was not permitted to lull in the interim, and the agitation on sectional lines became acute in that year. On the issue of suppression of the negro vote "a free ballot and a fair count," the national campaign was pitched and won—the Republicans declaring for more stringent laws of Federal election contest.

In January, 1889, Mr. Harrison having been elected President, this policy found expression in the Lodge force bill. Its introduction was accompanied by appearances of party favor which indicated its passage upon the assembling of the new Congress. Such an outlook gave rise to the gravest fears and most depressing forebodings of another revival of Reconstruction ills and disorders. The files of current newspaper publications will disclose

the wide prevalence of such a belief. Frank Carpenter, a Washington press correspondent of national reputation, thus related a meeting with Justice Lamar while the force bill was up for debate in the Senate:

"His bad health was not bettered by the gloomy view he takes of the South and its future. He told me he thought Mississippi would eventually be a negro State and the whites forced to emigrate; the influence of the present administration is in favor of the blacks at the expense of the whites, and the whites will not permit black rule. The outlook of the South seems as dark as can be, and what will be the future God only knows."

While this reads in the light of the present like an over-darkened reflection, it did not much exaggerate the then burthens of thought. In a published letter from a citizen of the State to one of its Congressmen, this passage, suggested by the Lodge bill, occurs:

"It is as though the hand of time were set back twenty years. If there is less of heat of passion, there is deeper and more malign intent. Sectional pacification seems drifting away."

Such apprehensions formed a potential influence for State suffrage restrictions. It was urged in Mississippi as the part of wisdom to imbed such restrictions in her organic law before the passage of a "force bill" could be effected, and the State political power again be subverted through act of Congress and military despotism.

Such were the antecedent influences that produced the 1890 Constitutional Convention and dictated its action. Succeeding the call of the Legislature, the Democratic State committee ordered a Convention to nominate the fourteen delegates at large to be elected under the law. Like action was taken by the county committees. Nominations were effected harmoniously in the main, especially by the State Convention. In the meantime, between the passage of the act and the meeting of the Convention, there was general discussion by the State press of plans and lines of action. Divergencies of views were various and



quite radical, so much so as to give rise to no little discouragement among promoters of the Convention and predictions from pessimists that it would dissolve in discord and failure. The gravest obstacles were due the acute differences in the social conditions and political elements of the white and black counties. In the former there was not only no correlative urgency for suffrage restrictions, but actual repugnance to any interference with the political equalities in which the white people and their fathers had been reared. Though in their environments the white people of the black belt had the acute sympathies of their white county brethren. There was, moreover, a profound general appreciation of the contaminating evils of the black county political disorders upon the whole State. These influences won the assent of the white counties for a Constitutional convention that would as far as possible annul voting privileges created by the war amendments and the re-construction acts. By various devices that purpose was effected, care being exercised by the convention to restrict such disfranchising articles to those who had been enfranchised under the revolutionary enactment of a bitterly sectional Congress. It was feared that the action of the convention, which was violently assailed in Congress and by a partisan press, would be annulled by Federal interference. Passing undisturbed, however, other southern states in the ensuing years followed in the pathway Mississippi had blazed.

In a previous contribution to the State Historical Society by this author, the work of the constitutional convention, which was assembled August 11th, 1890, and adjourned after a three months session, has been written. With its adjournment the state entered upon a new political era. In a way the convention marked the passing of the old south—giving place in state government to the men of the post-bellum generation. The convention indeed was the state's last deliberative body, with a majority of Confederate soldiers. The consummation was a fitting termination of a sketch of the quarter of a century of history, which they directed and dominated.

AN INCIDENT OF THE BATTLE OF MUNFORDVILLE,  
KY., SEPTEMBER 14TH, 1862

Prepared by E. T. SYKES, then Capt. of Co. "K", 10th Miss.  
Infantry, Chalmers' Brigade, Polk's Corps,  
Army of Tennessee.

The particulars and origin of the battle of Munfordville, Ky., Sept. 14th, 1862, as known to me, a participant therein, and in what is styled "Bragg's Kentucky Campaign," were as follows: Gen. Bragg beginning said campaign by crossing the Tennessee river, Polk's corps at "Harrison's Landing" about nine miles north of Chattanooga, and Hardee's Corps crossing lower down, where, at each place of crossing the troops of the respective corps rested several days for bathing, et cet., preparatory to their long march ahead,—moved from thence up the well watered Sequatchie valley to the village from whence the road leading across Walden Ridge to the vicinity of Sparta, Tenn., nestled. Resting at the said village for the night, and complying with orders to fill canteens and husband the water in the passage, next day, of the mountain some twenty miles across, the troops descended the ridge during the following night at a sparkling little stream near Sparta, where tents were erected and camps maintained for a day and night. Then resuming the line of march, and after crossing the State line between Tennessee and Kentucky, designated by a large, embellished signboard, the troops finally reached Glasgow, Kentucky.

Approaching the latter place via a long, straight, and broad lane, in extension of its principal street in front of, and directly faced by the courthouse, the Confederate column led by the 10th Miss. Regmt., in column of fours with extended intervals, and

“Arms at Ease,” and its band playing “Dixie,” was greeted by an outpour of sympathizing citizenry, waving Confederate flags and shouting greetings to the marching column of “Gray.”

Resting at Glasgow with his main forces, Gen. Bragg ordered Chalmers’ Brigade of Mississippians forward to the railroad at Cave City, and Duncan’s Brigade of Louisianians to Glasgow Junction next south, with orders to intercept and cut off Buell’s communications northward by rail, to Louisville—the latter column being then en route from Nashville.

Gen. Chalmers surprised and captured the telegraph operator at Cave City, as well as the depot supplies at that place; but owing to information furnished the enemy by Union sympathizers residing in the neighborhood, he did not succeed in capturing any train of cars.

While at Cave City Gen. Chalmers was informed by Col. Scott, commanding a regiment of cavalry operating in the vicinity of Munfordville, that the enemy—about 1800 strong and represented to consist of new, or raw recruits,—was near that place, to-wit, at the railroad crossing on Green river, fortified and protecting the iron bridge spanning the river; and Scott offering to cooperate, if he (Chalmers) would move to that place prepared for action, induced the latter to move forward on the night of the 13th—and this without orders from, or information first furnished his commanding officer—presumably, and as believed by all concerned, in the hope and expectancy, by *coup de main* of winning promotion, cost what it may in the loss of men.

Marching rapidly during the night of the 13th, he reached the vicinity of the fortified position of the enemy about sunrise on the morning of the 14th. The enemy’s pickets were rapidly driven in; and forming line of battle, with Walthall’s regiment (29th Miss.) on his right, and Smith’s (10th Miss.) on his left—the 7th, 9th, and 44th Miss. Regiments covering the interval between the two, and supported by Ketchum’s Alabama Battery in rear of the center—the 10th Miss. was ordered by Gen. Chalmers to attack, unsupported, the fortified position on the enemy’s right. The advance of the 10th Miss. was through

an opening about half a mile in width, and under fire of the enemy's artillery and small arms from behind, what proved formidable intrenchments and earthworks.

Before the advance was ordered, Col. Smith called his captains to the center and front, and after pointing through the haze of the early morning to the enemy's fortifications, on the top of which bayonets bristled in the rays of the morning sun, as also pointing to a fence skirting an abattis of fallen timber, he said that the order to advance would be "By the right of companies to the front, quick time." Continuing, he enjoined upon the captains the necessity of preserving the intervals between the several formations, so that on reaching the fence which the heads of companies should throw down, and passing through the order would be given, "Companies into line," thus forming the regimental front. Then giving the command, "Captains to your posts," next came the command, "By the right of companies to the front, forward, quick time, march!" For a while, the advance and attack gave promise of success.

Soon Walthall's 29th Miss., which was the only other regiment that was at said time ordered to advance, reached the wide and deep ditch around Fort Craig—a strong fortification on the enemy's extreme left—and was preparing to cross it, when Col. Scott, who had agreed with Chalmers to cooperate in the attack, took position and imprudently opened fire from an eminence several hundred yards distant, throwing shell among Walthall's men, and causing them to retire. The 10th Miss. had in the meantime reached the ravine where was an abattis of beech trees that had been felled about 75 yards in front of the enemy's fortified right, covering the railroad bridge, and prevented the further advance of the Confederates. Protecting themselves as best they could, the Confederates were soon able to silence the enemy's fire from their fortifications. In this position both sides remained nearly two hours doing virtually nothing, save only an occasional shot—the men of the 10th Miss., not being able, on account of the timber to their right, and the conformation of the ground, to see or hear from their center regiments which, with the battery had in the meantime moved for-

ward and taken position in prolongation of their right, or even from the extreme right regiment.

About that time the enemy exhibited from an embrasure of his fortifications in my immediate front, a flag of truce, when it was—due to ignorance of its sacredness—wilfully fired on by one Jim Franks, a private in the company on my left. Taking in the situation, and first placing the defiant Franks in charge of two men with orders to shoot him if he again attempted to fire on the “flag,” I assured the bearer of the flag that it would be respected, at which the officer bearing it,—a young First Lieutenant, and Adjutant, of the Third Kentucky Cavalry, advanced and as the Colonel (Smith) was lying helpless with a mortal wound, the Lieut.-Colonel (Bullard) lying lifeless near by, and the Major (Barr) was temporarily acting on Gen. Chalmer’s Staff, it devolved upon me as senior officer present in its immediate front to meet the flag—which I did about midway between the opposing lines. The officer, a well dressed, handsome and intelligent gentleman, apparently about my own age (I had not changed clothes since crossing the Tennessee river, and necessarily, in appearance presented quite an unfavorable contrast), informed me that Gen. Chalmers had sent a flag in on our right demanding an unconditional surrender of the Federal forces; that compliance with the demand had been refused, but that an armistice for the purpose of removing the dead and wounded from the field indefinite as to length of pendency, had been agreed on; but that ten minutes’ notice would be given before the withdrawal of the flag. I thereupon returned to my regiment and communicating these facts to the officers and men, returned to the place of the pending flag. The men of the 10th Miss. promptly began the removal of its dead and wounded, carrying them to the crest of the ridge from whence we had that morning begun the advance—the relief party continuing its work until our dead and wounded, as also everything of value, had been removed.

During the pendency of the “Flag of Truce,” the young officer who accompanied it—then my new-found friend—being supplied with a canteen of the “liquid fluid that cheers and some-

times inebriates," but in this instance only mellowed the soul and sublimated the lips with words of "social commune"—we proceeded to partake of its stimulating contents. During said time, the young officer presented me with his engraved card, which I have ever since regretted losing, and as I was unprepared to return the courtesy in kind, I did the next best thing, by merely writing my name on a card of his handed me for that purpose; at the same time mutually exchanging deep felt and sincere expressions and regards, and promising needed protection, should the fortune of war make either a captive of the other's army.

After more than an hour's interval, notice was brought to us that, within ten minutes time the flag would be withdrawn. Thereupon, with genuine courtesy and thoughtful consideration for his necessitous and new made Confederate friend, he asked me which I preferred, "whiskey or brandy?" As laconically, yet as graciously as possible, I replied in the language of the Irishman, "either is good enough for me." Thereupon, he wrote a note and sent it by one of his guard to his Commissary, or surgeon it may have been addressed, in the fortifications, and soon a flask of brandy was presented to me, with the jocular, but considerate remark, indicative of the courtly gentleman that he was, "That you may know it is all right, I take a bumper of it to your health;" after which we separated with mutual best wishes each for the other.

I will explain in this connection that, on rejoining my command I found that the dead of the regiment were being hastily buried, and that orders were given for the command to return to Cave City. Observing my Colonel (R. A. Smith) lying near by and suffering excruciating pain produced by the wound that morning received in front of the enemy's fortifications, and though I knew him to be absolutely temperate, I insisted on his taking a drink of the brandy. At first refusing the proffered brandy, but finally consenting to my request, when observing that it was of such benefit to him, I left the canteen with its contents with those who were to remain with the chivalric Colonel, who I never saw again. On our return to the place with Bragg's army two days (16th) after, the Colonel was a corpse.

As to the above related incident with the young officer who bore the flag of truce, and whose card I inadvertently lost, I have since made inquiry to learn his name and residence, but without success until during the last U. C. V. Reunion held at Chattanooga in May 1913, when it occurred to me to inquire of my post bellum friend in the person of Gen. John T. Wilder, who commanded the Federal forces at Munfordville at the time stated. Soon after the war Gen. Wilder moved to and engaged in manufacturing in the city of Chattanooga, and has continuously since resided there. He is now, and for years past has been one of the three Commissioners of the Chickamauga National Military Park.

I no sooner asked Gen. Wilder if he recalled the name of the officer who bore the flag of truce on the occasion named, than he replied: "Why yes, it was W. A. Bullitt, then First Lieutenant and Adjutant of the 3rd Ky. Cavalry, who since the war became the acknowledged leader of the legal profession in the city of Louisville. That he was of the distinguished family whose name a county of Kentucky bears, and one of three brothers, two of whom served in the Confederate Army." I wished the information that we might correspond and recall memories of the incident, and I imagine, it would serve as a reminder to both of the coming resurrection day.

Thus it was, that on my return home from Chattanooga, I wrote and addressed to Mr. Bullitt a letter covering the circumstances of our meeting under the flag of truce, to which I received no reply, the reason being as I soon thereafter learned, the addressee had died. No pleasure could have been greater to me than that of calling upon Mr. Bullitt and renewing our acquaintance formed under the circumstances mentioned, during one or more of my post-bellum visits to Louisville, had I known of his living there.

In the above mentioned conversation with Gen. Wilder, he further informed me that Gen. Buckner accompanied the "Flag of Truce" on the night of Sept. 16th, bearing Gen. Bragg's demand of him for an unconditional surrender of his forces, to which demand he declined to accede. He stated his reply to

Buckner's reasons why he should comply with the demand, to have been, that the only terms to which he would agree were, that he "should be permitted to carry his men to the Ohio River and there disband them!" After some parleying between them, Buckner said if Wilder would consent to be blindfolded he would escort him to Gen. Bragg's headquarters, where Buckner felt assured Wilder would be convinced of the utter futility of not surrendering as demanded. Making no objection to being blindfolded he was accordingly escorted to Gen. Bragg's headquarters. The latter on being informed of Wilder's presence and reason therefor, brusquely said to Buckner, "No modification of the proposed terms will be made, and, if they are not accepted, I will kill every one of them when I open with my guns in the morning." Still, Wilder could not be induced to accept the proffered terms, whereupon, he and Buckner returned to the point of meeting, but before finally separating, Buckner—evidently solicitous for a modification of the proposed terms, requested Wilder to remain there until he could return to Bragg's quarters and try again for some modification. Doing so, and again interviewing Bragg, he secured the terms finally agreed on, and returning to the flag, so informed Wilder.

The modified terms were substantially, or in effect equivalent to those first suggested by Wilder, as the only terms upon which he would surrender without a fight. However, it appears from the communications of Wilder of Sept. 16th and 17th, appearing on page 971, Serial No. 22, War of the Rebellion, that he in effect, made an "unconditional surrender." But I assume from what Gen. Wilder told me, and from what I witnessed on the morning of the 18th, he must have been given assurances that the courtesies of war would be extended him. For early that morning, Wilder marched his command by Fort Craig where my Company was stationed, with all the honors of war—drums beating and colors flying, with side-arms and private property. *Wilder's Report, Serial No. 22, p. 962, Army of the Rebellion.*

I deem it not out of place to state, and to use a common expression, my being "taken aback" when reaching my regiment after retiring from the flag of truce to learn of Gen. Chalmers'



preparation for a hasty retreat; for, pending the flag of truce, Lieut. Watt L. Strickland, aid-de-camp on the Staff of Gen. Chalmers came up and calling me to one side, confided the information that Gen. J. K. Jackson was advancing and was then near by with his division of infantry, and that on his arrival, the attack would be renewed and pressed to a successful end. It appears that this, as it proved—misinformation—had been indirectly communicated to Col. Wilder at the time of the demand made for his surrender, and if true, it was an unpardonable military ruse on the part of Chalmers to extricate his brigade from the perilous situation in which he had unnecessarily placed it.

The fact is, the truth had dawned upon Gen. Chalmers that he had been misinformed by Col. Scott as to the number and character of the troops he had so unadvisedly, and without orders from his superiors, attacked with the delusive hope of capturing. Instead of fresh, raw recruits, those defending the Munfordville fortifications, etc., were seasoned troops of the veteran type. They were composed of the 17th, 60th, 67th, 68th, and 69th Indiana Infantry, a Company of Louisville Cavalry, and a part of the 4th Ohio, and a section of the 13th Indiana Battery, numbering in all something more than 1800 men at the beginning of the attack, but reinforced during its progress by 6 companies of the 50th Indiana under Col. C. L. Dunham, thus making their aggregate force 2,122, as reported—also 10 guns—the whole commanded by John T. Wilder, Colonel, Seventeenth Indiana Volunteers.

Under the foregoing state of facts, Wilder felt justified in refusing to accede to Chalmers' demand to surrender, and the latter, taking advantage of the situation, resorted to the unjustifiable ruse aforesaid.

In Gen. Chalmers' report of the foregoing engagement, made two days (Sept. 16) thereafter, and to be found on pp. 971-973 of Serial No. 22, "War of the Rebellion," the following appears as a part of the third paragraph on page 972, in an attempt to palliate his action. He wrote:

"I fear that I may have incurred censure at headquarters by my action in this matter, but with the information in my posses-

sion I felt that it was my duty to make the attempt and I could only believe that the result would be successful. \* \* \* In addition to this, their artillery refused to reply to ours except by an occasional shot until ours had been moved up within a few hundred yards of them. These facts, connected with the information which I had previously received, forced me to the belief that the enemy were preparing to retreat, or that they would be easily forced to surrender."

Upon said report, Gen. Bragg on reaching Knoxville, Tenn., under date of November 3rd (p. 980 of said Serial No.) made the following indorsement:

"This attack was unauthorized and injudicious; but the conduct of the troops and Commander in action reflects credit on both, and adds but another proof to the many of their distinguished gallantry. The loss of the gallant and admired Colonel Smith, with the other valuable officers and men of this distinguished brigade, will be mourned by their comrades and the country.

BRAXTON BRAGG,  
General Commanding."

Gen. Bragg's estimate of Colonel Smith may be seen from the following letter:

SUPERINTENDENT'S OFFICE,  
WATER WORKS DEP'T COMMERC'L BANK,

New Orleans, Jan'y 22, 1868.

*Dear Sir:* It affords me great pleasure to receive your note of the 4th inst., enclosing the *carte de visite* of my late friend and fellow-soldier, Colonel Robert A. Smith, Tenth Mississippi volunteers. Entering the service at an early age, without military experience or education, the Colonel fell in the gallant discharge of an almost desperate assault, in less than eighteen months, esteemed and honored for his acquirements and heroic deportment. To me his loss was severe, for I had looked to him for support, in a much higher and extended command.

Please convey my thanks to the Colonel's brother for this mark of kind remembrance, and believe me, truly,

BRAXTON BRAGG.

To Chas. L. Gaston, Esq'r, Jackson, Miss.

After the withdrawal of Chalmers, Col. Dunham, being the senior officer present, assumed command of the Federal forces defending the place, and was in command when two days later (the 16th) Gen. Bragg moved with his army and surrounding the Federals then further reenforced and numbering over 4,000, late the same evening demanding their unconditional surrender. The demand being declined by Dunham then in command, was on its renewal that night, to-wit, at 2 A. M. of the 17th, after some parleying as to terms, accepted by Col. Wilder, who following a council of their officers, held soon after Dunham's declination, had, by orders of Maj.-Gen. Gilbert commanding at Louisville, superseded Dunham in the command. Then it was that in return for and in recognition of the gallant fight made by the Tenth Miss. Regmt. on the 14th previous, it was sent in to receive the surrender—my company (K) being stationed at and in command of Fort Craig, where was stored commissary supplies in great and acceptable abundance.

As the Federal forces were being marched at 6 A. M. out to the road where they laid down their guns, and in doing so passed near by Fort Craig, I recognized the officer who had treated me so courteously and generously on the 14th, when under the flag of truce. Approaching and addressing him, it was soon mutually recognized that my intercession in his behalf was rendered unnecessary by the terms of the surrender. For, after being paroled under the directions of Maj.-Gen. Buckner, just released by exchange from his imprisonment as a Fort Donalson captive, the Federals were marched back under escort to Gen. Buel about 15 miles on our left flank, and turned over to him.

It will interest many Confederates—particularly those who were prisoners at Camp Morton Prison, Ind., in 1862, whilst commanded by Col. Richard Owen, to be reminded, if they ever knew the considerate fact, that, among the prisoners surrendering under Gen. Wilder, was this dearly beloved Colonel, and his two sons, who, because of his humane and benevolent guardianship of the Confederate prisoners under his charge at Fort Morton, in striking contrast to the cruel and inhuman treatment of other commanders of Northern prisons, Gen. Bragg, as soon as he was

apprised of the facts, gave the Colonel and his sons their liberty, without any qualifying conditions.

Before the war Colonel Owen was a professor in the faculty of the Western Military Institute in Nashville, and it is said that, the cadets there "recognized in him the same qualities of kindness and firmness that later came into play in his treatment of Confederate prisoners under his charge," and which called forth from his Southern admirers after more than fifty years, the tribute of an unprecedented memorial, in the form of a heroic bust, which by permission of the authorities of Indiana, now occupies a niche in its state-house, with the following inscription:

"COL. RICHARD OWEN

Commandant Camp Morton Prison, 1862

Tribute by Confederate Prisoners and Their Friends for  
His Courtesy and Kindness."

In the engagement on the 14th, the Tenth Mississippi lost more than did any other Regiment of the brigade. My company (K), had 6 killed, and 25 wounded—a half dozen of the latter dying soon after from their wounds. The killed of Company K were Ira Cole, A. T. Johnson, P. L. Kelly, W. R. Turner, Wm. M. Drury and J. J. Keith, all from Tippah County, Mississippi.

And in this connection I think it appropriate to record the conscientious candor and freedom from disguise that characterized my First Lieutenant, W. P. Stewart, to do his duty in every time of need. Lieutenant, later Captain, Stewart, was noted for his piety and good works among the soldiers of his regiment, and a leader in all religious gatherings of the boys, but he confided to me that he distrusted his own courage, and feared he would prove unable to face danger when the time came for a display of it on the battlefield. Thus he quietly suffered until after his first test on the battlefield of Munfordville, Ky., when with elation he told me, that having been tested and proven worthy, he was then satisfied; for he then realized that with the help of God, he could face with composure the ordeal

of battle. He added that, "When the regiment (10th Miss.) began the advance on the enemy's works, and he observed the enemy awaiting our approach with their bayonets glistening in the sun of the early morn, he thought his trembling limbs would fail him, "but he began and continued to pray to the Lord to give him courage to do his duty, and for every step forward to the close of the advance, he felt that the good Lord was hearing and answering his prayer."

I never saw my faithful Lieutenant after my resignation of the Captaincy of Company K, to accept position as Adjutant-General on the Staff of Brig.-Gen. E. C. Walthall, and I was succeeded in command of said company by my worthy First Lieutenant. However, I would occasionally hear of him through others, and from them learned that after the war he practiced the profession of medicine in Tippah County, up to the time of his failing physical and mental health.

Of my quondam friend and faithful First Lieutenant I entertained the tenderest regards, and since his death, have felt that his soul has been in the keeping of his God, whom, through life on earth, he so faithfully served.

And here let me add, that the account given of the battle of the 14th of September, in the American Cyclopaedia, Vol. 16, p. 797; and p. 146 of the American Annual Cyclopaedia of 1862, is but a meager and misleading version. In verification of this, one has only to read the two citations made, to see that Brig.-Gen. James R. Chalmers commanding his brigade of Mississippians was the sole attacking force. At said time, Gen. Duncan with his brigade was at Glasgow Junction, more than 20 miles South; and that General was for the first time near Munfordville, when on the morning of the 16th he joined the main advancing column of Confederates, and as the senior of Chalmers took command of the leading brigades composed of his own and Chalmers'.

I have been credibly informed that Col. Dunham was more of a politician than a military man, and like some others of both armies, was much addicted to the excessive use of stimulants, and for that reason was required to turn over the command to

Col. Wilder on the evening of the 16th. Had he been otherwise, and had the proper foresight been exercised, there is no sufficient reason for the final capture by Bragg of the Federal forces at Green River on the morning of the 17th of September, 1862. Had Col. Wilder remained in continuous command of the Federals from the evening of the 14th, to the evening of the 16th, I do not believe such a result would have followed. From Wilder's known and well earned military reputation throughout the remainder of the war it is believed he would have anticipated results and withdrawn his troops on the approach of Bragg's army—at least, have done so before his position was hopelessly surrounded, and a surrender inevitable.

For a more accurate and detailed account of this engagement I refer the inquiring ones to an address delivered by the writer September 14, 1884, on the unveiling of the monument erected on that battlefield by the late Mr. James Smith of Glasgow, Scotland, in honor of the memory of his gallant young brother, Col. Robert A. Smith, of the Tenth Miss. Infantry, who fell on that field 23 years before. The address is to be found in Vol. XII of "Southern Historical Papers," pp. 471-483, published by Rev. J. William Jones, D. D., Secretary, Southern Historical Society, Richmond, Va., December, 1884. Also see Serial No. 22, "War of the Rebellion."

## THE ELEVENTH MISSISSIPPI REGIMENT AT GETTYSBURG.

By BAXTER MCFARLAND, Aberdeen, Mississippi.

Soldiers of the 11th Mississippi Regiment have known for over fifty years that the official reports (contained only in Medical Returns) of its losses in the battle of Gettysburg on July 3, 1863, are inaccurate and incomplete. As there given, the casualties were 32 killed and 170 wounded.

The purpose of this article is to record more fully and in detail the losses sustained by each company of the regiment in that world famous battle, and to give more general publicity to facts shown by the official reports of commanding officers in the battle, published in the War Rebellion Records, principally in Serial Nos. 43 and 44, which are of much importance to the truth of history relating to the Eleventh and other commands that day on the "left".

When it left home in April, 1861, I was a member of Company H of the regiment, and was with it as First Sergeant, and Lieutenant until about the first of June, 1863, when I was promoted and transferred to the Army of Tennessee, and was therefore not with the 11th regiment at Gettysburg, but I knew its members—many were college mates—and have kept more or less in touch with most of the survivors since the war closed. Company losses have often been talked over with survivors of the companies, the fate of individuals discussed—in many cases repeatedly, not only with survivors but with members of their families. Survivors of each company, except A and B, have carefully and fully gone over their company losses, man by man; have exhaustively examined every source of information and secured every scrap of evidence bearing upon its losses in that battle, the results of which have been available to me. I have corresponded with many survivors of the companies; have had access to company rolls, lists, histories, memorials and much data; have thoroughly searched every source of information, carefully weighing

it all, and am quite sure that the casualties herein given are practically correct—if anything are under, rather than over the real losses.

The Eleventh Mississippi Regiment was in Davis' brigade, Heth's division, A. P. Hill's corps, but was left at Cashtown, Penn., to guard the division wagon trains and did not rejoin the brigade until the night of the 2nd of July. The losses here given were therefore all sustained in the battle of July 3rd.

The charge on Cemetery Ridge was made by Pickett's and Heth's divisions, aligned in front with supports. Pickett's division of three brigades was formed with Kemper's on the right, Garnett's on the left, in front, and Armistead's in support; Wilcox's and Perry's brigades being ordered to move on his right rear. Heth's division, Brig. Gen. Pettigrew commanding, on Pickett's left, was formed in the following order: Archer's brigade, Col. B. D. Fry commanding, on the right, and Brockenbrough's brigade on the left of the division; Pettigrew's brigade, Col. Marshall commanding, in the right center, and Davis' brigade in the left center. Heth's division was supported by Scales' and Lane's brigades, Maj. Gen. Isaac R. Trimble commanding, on its right rear.

Davis' brigade was formed in the following order; the 55th North Carolina on the right, and the 11th Mississippi on the left, with the 2nd and 42nd Mississippi regiments in the center.

The line of advance was not parallel with the enemy's line, which receded toward its rear, forming an angle; furthermore, there was a bend to the west in Seminary Ridge behind which the troops were placed for protection before the advance, and when the column moved up to the crest of the Ridge and began the assault, Pettigrew's division, especially its left, and its supports, had much further to march under fire to reach the enemy's works in its front than did the division upon the right and its support, but in compliance with orders they "spread their steps", (as Gen. Longstreet states in "From Manassas to Appomattox", pages 389 and 393) moving rapidly, and soon gained correct alignment with Pickett's division, but still having further to go than had that division on account of the angle in the enemy's



line. The bend to the left in the line first above mentioned gave rise, doubtless, to the error that Pettigrew's division, or part of it, "supported" Pickett's division in the charge, the left of Pettigrew's division bending back as if in echelon, in conforming to the lines of the Ridge.

Pettigrew's division when ordered forward ascended to the wooded crest of Seminary Ridge and began the advance over the open plain, its supports following upon its right rear. Gen. Davis states, *Rebellion War Records*, Serial No. 44, pages 650 and 651, that when about three-quarters of a mile from the enemy it came upon a post and rail fence, its left then being "perpendicular to the (left) front" of Howard's 11th (Federal) corps,—Maj. T. W. Osborn commanding batteries of Howard's Corps, Serial No. 43, p. 745,—when the left of the division received a diagonal fire from at least 32 guns of these batteries massed upon Cemetery Hill, but clambering rapidly over the fence, quickly restoring the somewhat disordered alignment, it had advanced but a short distance further when all the batteries of the enemy upon the front and right opened upon the assaulting column with 75 or 80 more guns, and after this converging artillery fire from front and both flanks, the division moved steadily on, passing over several other post and plank fences, past the Emmettsburg road, at or near which the left brigade of Pettigrew's division was broken and driven back, leaving Davis' brigade, especially the 11th Mississippi regiment on its left, to bear alone the storm of death dealing missiles from Osborne's 32 or more guns, and a deadly flanking musketry fire from the left, besides that from the front and right of all arms, until it reached the wall.

In advancing, the assaulting column, as its ranks rapidly thinned, steadily closed, Pettigrew to the right upon Pickett, the division of direction, the latter to the left, as the line constantly shortened, to preserve the relative alignment as to the indicated point of attack—the "copse of wood" near the salient.

The retiring of the left brigade of the division and the rapid contraction of the lines enabled the enemy to concentrate the whole of his fire, front and flanks, in ever increasing volume upon the oncoming Confederate column as it boldly advanced

until it became appallingly destructive, and only a few of the heroes in gray passed through it unscathed to the stone wall. To fill out the line when Brockenbrough was driven back, Lane's and Lowrance's brigades, under orders from Gen. Longstreet to Gen. Trimble, moved obliquely from the rear to the left front until the right of Lowrance's brigade "touched the wall", but because of the diagonal direction followed its left and Lane's brigade did not reach the wall. But Gen. Lane states that his brigade was within a few yards of it when they fell back. Lowrance's report, Serial No. 44, pp. 656 and 657; Gen. Lane's report *Ib.*, pp. 671 and 672.

Gen. Lane states that "Lowrance's brigade and my own took position on the left of the troops still contesting the ground"; and that, suffering from a heavy artillery fire from his right and an enfilading infantry fire on his left, he withdrew his brigade, "the troops on my right having already done so". Maj. Engelhard states, page 659, that the division (Trimble's) moved rapidly up, connecting with troops on the right still fighting, and that the division moved in an oblique direction, as does Lowrance, pp. 671, 672.

When within musket range of the wall, Gen. Hayes commanding Federal division, states, Serial No. 43, p. 453, that his men "in four lines rose up behind our wall" and poured terrible volleys into the thinned ranks, which was returned by Davis' brigade as it steadily pressed on, firing as it went, then charging with a yell the few undaunted survivors impetuously rushed through the "hell of fire" of all arms to and near the wall, continuing the battle there at close quarters for a short time in front of Smyth's, Bull's and part of Carroll's brigades.

Col. F. M. Green and Maj. R. O. Reynolds, the only field officers present, were wounded. All the captains, save one, who is said to have been wounded, and nearly all the lieutenants and non-commissioned officers present were killed, wounded or captured; the brave colorbearer, Billy O'Brien, was killed near the wall, and the colors were planted upon it by private Joseph G. Marable, later Lieutenant in Co. H, and both were captured. Capt. W. T. Magruder (brother of Maj. Gen. Magruder), A.

A. G. of the brigade, was killed on the wall; Capt. Thomas C. Holliday (who succeeded Capt. Magruder as A. A. Gen. of the brigade and was killed May 6th, 1864, at the Wilderness) of the brigade staff was wounded, and it has been stated that another member of the staff was wounded. Capt. Magruder was killed upon the wall near the Bryan barn whilst cheering the men over the wall. After a short and bloody struggle to carry the works, the few gallant survivors, realizing the utter hopelessness of the unequal conflict, were ordered to retreat, and made their way back under a deadly fire to the position from which the charge began, where the very few officers were busily engaged in restoring order and the surgeons in sending to hospitals the wounded (many of whom escaped to the rear) in anticipation of an attack by the enemy, until the night of the 4th, when the army began a retrograde movement and for many weary days there was no time or opportunity to ascertain the losses. The hasty company lists forwarded to become the basis of the routine casualty returns of the Medical Department were, under the circumstances and conditions surrounding the regiments of the brigades, admittedly inaccurate and incomplete, but were allowed to stand, imperfect as they were, and were soon lost sight of in the pressure of other great events.

Some of the other commands, however, rectified this in official brigade or regimental reports of the campaign, in which the losses shown were invariably much greater than those found in the Medical returns, and of course are accepted as the real casualties of those commands instead of the Medical returns, the inaccuracy of which they conclusively prove. The unfortunate absence of the usual official statements of casualties and the overwhelming evidence of the inaccuracy of the Medical returns, has impelled a resort in part to other evidence, that of participants, verbal and written, which is original testimony of the highest nature, to give the Eleventh Mississippi regiment what it is justly entitled to and richly deserves, a correct statement of its losses in one of the great battles of the world to hand down to posterity along with those passed down by other gallant participants, albeit in a different form.

The Medical returns show the killed and wounded of each command in the battles, July 1-3, consolidated, and not each days casualties separately. When comparing casualties it must be borne in mind that the losses there given of the Eleventh are those suffered July 3rd., only one day, as it was not in the battles of July 1st and 2nd, having joined the brigade July 2nd, as previously stated. Gen. Davis did not give the losses of his brigade in his report, nor are there any official reports containing them known to the writer, except the Medical returns.

The fire, within easy range, of Maj. Osborne's 32 or more guns, was an exceedingly trying as well as a terribly destructive ordeal to which comparatively little consideration has been given in the many things said and numerous articles written concerning that immortal charge. In the controversies growing out of the battle all the difficulties and dangers encountered and the losses sustained in the charge by the gallant right division often and eloquently have been recounted, but the left division, much of it, has not been so fortunate; neither its heroic conduct nor its appalling losses have received the public recognition which long ago should have been accorded and willingly would have been extended, had full and truthful information been given, which unfortunately has not been done. This is especially true of the three Mississippi regiments in Davis' brigade, but the terrible losses of the Eleventh afford irrefutable proof of valor and heroism at least equal to that of any of the gallant commands in the famous charge. The unflinching courage and noble conduct displayed by that fine old regiment in the long advance that hot day under devastating fire converging from front and both flanks, over an open plain for more than a mile, could not have been surpassed by any troops in the world under like desperate conditions.

Osborne's guns appear to have been directed almost exclusively upon the two left brigades of Pettigrew until Brockenbrough was broken and driven back, thereafter upon Davis' brigade until it had almost reached the wall. He had at least 26 splendid guns of his own, besides the First New Hampshire artillery, 6 guns, Capt. Frederick M. Edgell, Serial No. 43, pp. 892 and 893,

who fired diagonally upon Pettigrew's left from Cemetery Hill. Osborne states, Serial No. 43, p. 746 on page 750, that all the force of his artillery was used upon Pettigrew's division, wholly regardless of the firing Confederate guns.

In his report, on page 666, Gen. Lane says: "As soon as Pettigrew's command gave back, Lowrance's brigade and my own", etc., which includes Pettigrew's entire division. In this that gallant General was mistaken,—only Brockenbrough's brigade had then given back, the others moved on.

As stated, Lane and Lowrance, under Gen. Trimble, were supporting Pettigrew's division, directed to march upon its right rear and presumably did so, preserving proper distance, and if any part of the leading division in their immediate front had given back it was the duty of the support to have gone at once to its assistance. These three front brigades, as shown by the reports of their respective commanders, advanced rapidly and steadily to the works of the enemy, but were so reduced and weakened by the concentrated, converging fire of all arms that they were wholly unable to take the strong well manned works, and the few survivors retired to avoid destruction or capture. The only brigade that "gave back" before reaching the wall was Brockenbrough's on the extreme left, because of which Trimble's division passed diagonally to the left front to take its place.

The two supporting brigades were some distance behind Pettigrew's division—Gen. Trimble has stated 150 yards—when their movement to the front to take the place of the broken left brigade began, and the distance was still greater because of the oblique or diagonal course they had to pursue.

Meantime, the division in their front was quickly advancing and soon rushed to the wall, where it remained fighting a short time before retiring, and by the time Trimble's division had obliqued past the left of Pettigrew's three brigades in its front and Lane had fired upon the enemy in his immediate front, "repeatedly driving the cannoneers from their guns, breaking the lines of infantry formed upon the crest and had advanced to within a few yards of the stone wall", doubtless there were no Confederate troops on his right, as stated by him on page 666; Col. Low-

rance, on Lane's right, states that when his right had "touched" the wall, his line then in oblique direction, there were no other Confederate forces anywhere to be seen; pp. 671, 672. Lane did not reach the wall, but was within a few yards of it, he states, when he "fell back," and only Lowrance's right "touched" it before he retired. The flag of the 34th North Carolina, Lowrance's brigade, was captured by the 8th Ohio on the extreme left.

Gen. Hancock states, Serial No. 43, p. 366, that he "had to break the (his) line to attack the enemy in flank on my right, where the enemy was most persistent after the front attack was repelled", and Maj. Engelhard, a staff officer, who wrote the report of Gen. Pender's—later Trimble's—division, states, Serial No. 44, p. 659, on p. 660, that the two left regiments of Lane's brigade "advanced some minutes after the whole line had given way", which two statements appear to sustain and explain the opinions of Gen. Lane, Col. Lowrance, Serial No. 44, p. 671, 672, and Maj. Engelhard, p. 660, that the Confederate troops upon their right had then withdrawn.

Under the anguish of the awful destruction inflicted upon the Eleventh by the almost unparalleled combined fire as it came within musket range of the wall, it hastened forward and perhaps came to and near the wall in advance of its comrades upon the right. It is probably now impossible to ascertain precisely when and how many movements took place, or whether they were synchronous, or successive.

The reports of Maj. Jones, commanding Pettigrew's brigade, Serial No. 44, p. 642, Lt. Col. Shepard, Archer's brigade *Ib.*, p. 646, and Gen. Joseph R. Davis, *Ib.*, p. 650, show conclusively that these three brigades of Pettigrew's division advanced to the wall, a fact well known to the survivors who almost miraculously did so. This fact is as well attested as any event of the war, but the evidence, so far as the Eleventh is concerned, is not all set forth in official reports.

But Gen. Davis positively states in his report that his command advanced steadily, the alignment unbroken, except temporarily when passing over the fences, then quickly restored, otherwise

unchecked until it closed with the enemy, and that it rushed to the wall. This of course does not apply to Brockenbrough. Gen. Davis was in command of his own brigade from beginning to end of the battle, better knew its movements than did officers of other commands, and his statements, as between them are conclusive. He wrote the report for the division because Gen. Pettigrew, after being in command of it until the close of the battle, was killed a few days later at Falling Waters, and it fell upon Gen. Davis to prepare it. Gen. Pettigrew was one of the ablest and bravest of the brigadiers of the Confederate army, and led his division on the 3rd up to the wall, where he was painfully wounded in the left hand by a piece of shell, but refused to retire until the bloody conflict was over. His death at Falling Waters was greatly deplored. Both he and Gen. Trimble accompanied their divisions upon the field and directed their movements, the latter also being badly wounded near the wall, suffering amputation of a leg, and the staff of each were greatly exposed, some being killed or wounded.

It is true that the left, all of it, including the supporting brigades, were repulsed and "gave back", but Pettigrew's extreme left brigade was the only part of the left, as an organization, that was repulsed and "gave back" before the works of the enemy were reached, statements or implications from any quarter whatsoever to the contrary notwithstanding—statements and implications that as surely include Lane's and Lowrance's brigades, under command of Maj. Gen. Isaac R. Trimble, as they do all of Pettigrew's division. The report of Maj. Gen. Howard commanding the 11th Federal Corps shows that when repulsed, Brockenbrough's brigade scattered out to their left in his front, and in every direction; in the smoke they doubtless thus had the appearance of a much larger body than a brigade, especially from a distance, Serial No. 43, on page 374. It had only 25 killed in the battles of the 1st and 3rd of July.

Garnett's brigade, to the right of Pettigrew's division, when about 75 paces from the wall was 50 or 60 yards in advance of Kemper on its right, the left of the latter overlapping the former, and when about 20 paces from the wall Garnett's brigade

“recoiled”. At that moment Kemper came up on the right, Armistead in rear, and all three brigades rushed to the wall. Report of Maj. Chas. S. Peyton, commanding Garnett’s brigade, War Records, Serial No. 44, p. 385, on p. 386.

It seems, therefore, that at the instant of impact Pickett’s division was in at least two lines throughout and to the extent that Kemper overlapped Garnett it had three successive lines, whilst Pettigrew’s, because of the movement of its support to the left front line previously mentioned, at the critical moment of contact had no support whatever. In this formation Pickett’s division was a formidable body, in striking contrast with the single line on his left, and strong enough for a small part of it to pass over the works, through an interval in the enemy’s line abandoned at the approach of the charging column (Hancock’s report, Serial No. 43, p. 367, on p. 374) and fight for a few minutes, but the speedy arrival of reinforcements quickly drove it back and off the field despite its gallantry, leaving the heroic Armistead dead beyond the works, near Cushing’s guns.

Webb’s brigade on its front had only three regiments, the 106th Pennsylvania having been sent to General Howard. Of these three the 69th and 71st Pennsylvania, the latter perhaps on the right, were behind the works, the 72nd Pennsylvania in reserve behind or near the crest. When Pickett neared the wall the 71st Pennsylvania and perhaps others of the front line fled up the crest, causing much confusion in Webb’s command, in the midst of which Pickett’s division struck the works, some of it crossing through the vacated space. It thus appears that the enemy force behind the works in Pickett’s front as he approached was in single line, was weaker than the force confronting Pettigrew’s division at the point of its attack, and that most of this force was retreating in disorder, creating confusion in Webb’s brigade at the moment Pickett’s division reached the works, where it halted and fought the enemy, excepting those who passed through the interval, until broken and driven from the field under a destructive fire.

Had Pickett’s division been strung out in single regimental line as was the left, it is questionable whether it would have driven the line in its front from the works—even whether it



would have reached the wall. Maj. Chas S. Peyton, commanding Garnett's brigade, states, Serial No. 44, p. 386, that when within 20 paces of the works, then being well in advance, Garnett's brigade "recoiled"—this was about the time Gen. Garnett fell—, but just in time to arrest its rearward movement and probably avert disaster, Kemper, his left overlapping the right of the "recoiling" brigade, rushed up on its right and Armistead in its rear, sweeping on, enfolding Garnett in their forward movement with courage regained, and the gallant body in that formation pressed towards the breastworks, so impressing the defenders behind it with its heroic bearing and combined strength that when it had dashed on to within a short distance of the works most of the enemy abandoned the line and fled up the crest, (Gen. Hancock's report, Serial No. 43, p. 374) and when the three brigades reached the works, some of them—Gen. Webb says, Serial No. 43, p. 428, over 100—passed over the vacated rail breastworks and fought inside, the others fighting outside, but unable to withstand the overwhelming reinforcements they were quickly driven out and from the works, not, however, until 42 of their number lay dead and many wounded and captured inside the works. The survivors retired under a destructive fire of all arms, just as did the left when it was repulsed at the stone wall and fell back.

The writer has been unable to find any report of Kemper's brigade, but the reports of Federal officers in the brigades to Webb's left, and Gen. Hancock, Serial No. 43, p. 367 on page 374, state that the right of Pickett's division, presumably Kemper's brigade, attacked and was driven from their fronts, flanking to its left until finally it closed with the enemy as previously stated, which was on Webb's front. Hall's report, Serial No. 43, p. 435, on page 439; Harrow's report, *Ib.*, p. 419; and reports of commanding officers of their regiments in the same volume. Hall, to the left of Webb, had the 7th Michigan, 59th New York Battalion (four companies) and the 20th Mass. on his front line, and the 19th Mass. and the 42nd N. Y., the latter on the right, in reserve some distance in rear up the crest, the 20th Mass. perhaps on the right of the front line next to

Webb's left, and when Pickett's division struck the works in Webb's front the 20th Mass., 42nd N. Y., the 19th Mass. and part of the 7th Mich. left their lines in Hall's position and moved rapidly to Webb's relief, as did Harrow's regiments, showing that all of Pickett's division finally closed with the enemy upon Webb's front.

Gen. Harrow, in his report states that the front of Webb and Hall was 500 yards long, Serial No. 43, p. 419, and if Webb's front was half, it was, say, 250 yards long—barely sufficient for Pickett's division, in three brigade lines. Fry's (Archer's) brigade, of Pettigrew's division, in front of Smyth's brigade, Hay's division, was next to Pickett on his left. This seems to make it certain, as previously indicated, that Pickett was at least partly in three lines close together, when he struck the works. If true, as stated by the officers of those commands, that Kemper was driven from their fronts, both Garnett and Kemper, as Gen. Longstreet said of the left, also "staggered" and "wavered", and but for the massed formation at the critical moment, might not have reached the works, and had the three brigades been in single line in front all might have met the same fate, judging by what happened, according to accounts, to two of them.

From the reports it is evident that it was Kemper's purpose to close with the enemy on Webb's left, but he was driven away by the troops in his front, although they were not so strong as those in front of Pettigrew, as has been shown, and none of whom abandoned their positions, leaving a vacant interval for an easy passage into their lines, the confusion attending which would have greatly contributed to a momentary success also by the left.

Hon. James M. Griffin of Co. H, when nearing the wall, firing as he advanced with his company, had just fired and rammed home a cartridge when the gallant colorbearer of the regiment, Billy O'Brien, fell dead at his feet, and Griffin stooped to pick up the flag, but Jo. Smith of the same company seized it first and raised it; Griffin made a few steps forward and while in the act of capping his gun was severely wounded in the foot by a fragment of shell from a gun on Cemetery Hill, and Jo. Smith fell

wounded about the same time, when William P. Marion of the same company picked up the flag and had gone on a step or two, when he was killed, then Joseph G. Marable of the same company raised the colors and planted them on the wall, falling against it as he did so, stunned, but not much injured, and presently he and the flag were captured; he afterwards escaped from prison with W. D. Reid, 1st Sergt. of Co. H, wounded within ten feet of the wall and captured, they having many adventures and "hair breadth 'scapes" before getting back to the regiment. Griffin whilst lying wounded on the field saw through the smoke Pickett's division on his right as it charged, just as he fell, the ground where he fell being the highest. He was taken with two others of Co. H in an enemy ambulance to a hospital of Gen. Hayes (Federal) division, where they found Col. Hugh R. Miller commanding the 42nd Mississippi regiment mortally wounded, and his son; Col. Miller died a few days later. Griffin's foot was amputated, and the arm of one of his companions, Robt. B. Marion, wounded near the wall, was amputated. He states that many of the regiment were killed and wounded near the place where he fell, and that along there and to the wall perhaps was the most fatal part of the line of advance, as do many others.

A comparison of the killed and wounded of the Eleventh Mississippi with those of the regiments in Pickett's division, as given in the Medical returns previously mentioned, Serial No. 44, pp. 329, 330, 333, shows that the killed and wounded of the Eleventh exceeded in numbers the killed and wounded of any one of the 15 regiments in Pickett's division. The 11th Miss. lost, killed, 32; wounded, 170. The 38th Va. lost, killed, 26; wounded, 147; and the 57th Va. lost, killed, 26; wounded, 95, the two last in Armistead's brigade; the 24th Va., in Kemper's brigade, lost, killed, 17; wounded, 111; these were by far the greatest losses in killed and wounded in any of Pickett's regiments, those in the remaining 12 regiments are much less. The aggregate killed and wounded in Garnett's 5 regiments, omitting staff, etc., is 324; the aggregate 11th Miss. is 202; aggregate Kemper's 5 regiments, staff omitted, 462; aggregate Armistead's

5 regiments, staff omitted, 574; aggregate Pickett's 15 regiments, staff omitted, 1360; average to regiment, 90 $\frac{2}{3}$ .

Placing Pickett's force at 4900, the percentage of casualties was 27 $\frac{2}{3}$ , exclusive of field and staff, and the average casualties of the 15 regiments was slightly less than 91 to the regiment; while the casualties of the 11th Miss. (202), was 58 per cent. The casualties of the 11th Miss. (202), were nearly  $\frac{2}{3}$  as many as the entire 5 regiments of Garnett, (324); were over half as many as the 5th regiment of Kemper, (462); were over  $\frac{1}{3}$  as many as the 5 regiments of Armistead, (574); and were over  $\frac{1}{7}$  as many as the casualties in Pickett's entire division, (1360). The losses of the 11th Miss. and Pickett were all sustained on July 3rd.

Lane's brigade, 5 regiments, on the 1st and 3rd, two days, same returns, lost, killed, 41; wounded, 348; total, 389; Lowrance's brigade, 5 regiments, on the 1st and 3rd, two days, lost, killed, 102; wounded, 322; total, 424. Davis' brigade lost, 2nd Miss., killed, 49; wounded, 183; 42nd Miss., killed, 60; wounded, 205; and 55th N. C., killed, 39; wounded, 159; on the 1st and 3rd, two days, including the 11th, killed, 32, wounded, 170, total, 202, in 1 day; aggregate, 2310.

The 2nd and 42nd Miss. and the 55th N. C., of Davis' brigade, had been in the battle of July 1st and had suffered heavily in killed and wounded, and the 2nd Miss. lost its left wing, under the gallant Major (later Lt. Col.) John A. Blair, in a railroad cut, where they were surrounded and compelled to surrender seven officers and 225 men, according to the report of Col. Dawes, of the 6th Wisconsin, in command of the enemy troops; Serial No. 43, p. 275, on page 276. It has been stated that the 2nd Miss., because of that and other heavy losses in the battle of the 1st, had only 60 men in the battle of the 3rd; Archer's brigade, on the 1st, lost Gen. Archer and many men captured, besides many killed and wounded, and was very much reduced when it went into battle on the 3rd. This is true of Pettigrew's brigade, under Marshall, the 26th N. C. having lost over half on the 1st, Lane's and Scales' brigades also suffered heavily on the 1st; Pickett and the 11th Miss. alone were fresh.

The Medical returns are used for the foregoing comparisons of casualties upon the supposition that it is about equally defective as to each regiment, in the absence of general correct reports of the regimental casualties.

As will be perceived, the corrected returns herein given of the losses of the Eleventh Mississippi regiment greatly exceed those stated in the Medical returns, and presumably corrected losses in other regiments would show relatively the same ratio,—those of the 11th Miss. and Pickett's 15 regiments having been sustained on July 3rd, one day, besides which Pickett lost 1500 captured unwounded.

This comparison, or aught here written, is not intended to disparage in the least degree any command in the charge, but to give the truth as the writer sees it, that justice may be done the Eleventh and others engaged in the battle on the left. The Eleventh was made up in large measure from the choicest spirits in the State,—intelligent, honorable and brave, and was a tried and trained body that had won fame upon many bloody fields before Gettysburg. It was the equal in intelligence and soldierly qualities of any regiment in the charge, come from where it might. In the last moments of that desperate battle, when being shot to pieces as few regiments have ever been desolated by enemy fire, the gallant fellows had the fine courage to risk escaping rather than surrender, when to escape meant subjection for a mile to a deadly fire from a triumphant enemy and looked like almost certain death, only 41 being captured unwounded, and 40 escaping unhurt out of 350 entering the battle.

Gen. Longstreet states in his report, Serial No. 44, page 357, on page 360, that "about the same moment" (that Pickett reached the enemy's lines and a few passed through an abandoned interval) "the troops that had before hesitated, broke their ranks and fell back in great disorder, many more falling under the enemy's fire in retiring than while they were attacking".

As Pickett's brigades were about the same time driven in disorder from the enemy's lines and retired under fire perhaps as destructive as that to which the left was exposed when retiring, the statement that many more fell in retiring than while attacking

was as applicable to Pickett's retreating troops as to those upon the left, but the stricture was expressly limited to the latter.

In his report Gen. Longstreet comments upon the "hesitating," "wavering" columns of Gen. Pettigrew and Gen. Trimble, but makes no reference whatever to the "recoil" of Garnett, or the "repulse" of Kemper from the front of Hall's brigade upon Webb's left. The language "the troops that had before hesitated, broke their ranks and fell back in great disorder, many more falling under the enemy's fire retiring than while they were advancing", giving "the enemy time to throw his entire force upon Pickett" etc., seems to suggest that the retreat of all Pettigrew's and Trimble's troops was inexcusable, an unsoldierly desertion of comrades in the charge, unnecessarily leaving them to the mercy of the foe, which, as time passes, is shown to be more and more harsh and unjust as it appears that when the wall was reached these troops were practically exterminated whilst heroically struggling to accomplish a most desperate undertaking, and that despite their great fortitude and courage and without fault on their part the thin single line then remaining was utterly unable to carry the works held by a gallant enemy in superior numbers, and that, therefore, the only alternatives were to fight uselessly until annihilated, to surrender, or to try to escape, the few survivors bravely choosing the latter as the noblest and most soldierly course, but they had too much sense to sacrifice their only chance by a Quixotic affectation of withdrawing slowly and in perfect order under the tempest of deadly shot and shell poured into them as they left the field, but rallied calmly on the line in rear where the charge began.

Gen. Longstreet was an educated, trained and experienced soldier, a very able commander, whose distinguished services to the "Lost Cause" are and always will be cherished by all who were attached to that cause. But Gen. Longstreet was only a man, and as such was fallible. He was much disturbed by Gen. Lee's rejection of his cherished plan to attack on the enemy's right, and was manifestly distrustful of the attack as made. It is plain that his sympathies and concern in that battle were centered about his own troops, and he was entirely capable of taking

care of himself and his own. The left belonged to another corps.

Had Gen. Longstreet been present at the wall when the gallant troops on the left closed with the enemy he doubtless would have ordered a retreat, as their utter destruction in front of the wall could have been of no advantage to the country, but a great and irremedial loss to the army then greatly in need of tried soldiers, the supply of which was rapidly becoming exhausted, and the cause then seemed far from being won or lost.

These troops were no more supporting Pickett's division than the latter was supporting them, and nothing in their relations upon that bloody field warranted implications of subordination in any respect of one to the other. The "left", except one brigade, retired from the field only when all, and much more, had been suffered and done that could have been expected of the bravest and best soldiers in the world and when to remain longer was to court instant destruction or capture, neither of which would have been the part of patriotic citizens, or trained soldiers. They had the courage to take the chance of falling under fire in retreat to fight again for the cause they loved, and some passed through and fought on many a field afterwards. The 11th, and all of Davis' brigade who survived continued to the end.

It appears from official reports and from statements of survivors that the smoke from gun fire enveloped the field, obscuring the movements of troops, which doubtless caused much misapprehension otherwise inexplicable, and led to many mistakes as to movements and identities of different commands. Lines became so shortened and thin as they neared the wall as to be nearly or wholly undiscernible and indistinguishable in the smoke, even near by, and much more so at a distance.

Company casualties were as follows:—Company C went into the battle with an aggregate of 29; killed, 9; wounded, 12—including Capt. Geo. W. Shannon, 1st Lieut. Wm. Peel (captured and died in prison), 2nd Lieut. Geo. M. Lusher (captured) and 3rd Lieut. Geo. F. Cole; captured unwounded, 4; total 25; escaped unwounded, 4.

Company D—aggregate in battle, 55; killed, 15; wounded, 26; captured unwounded, 5; total, 46; escaped unwounded, 9.

Company E—aggregate in battle, 37; killed 15; wounded, 20; captured unwounded, 1; total, 36; escaped unwounded, 1. Capt. Halbert and Lieuts. Mimms and Goolsby were killed, and Lieut. W. H. Belton was severely wounded and discharged.

Company F—aggregate in battle, 34; killed, 9; wounded, 17; captured unwounded, 4; total, 30; escaped unwounded, 4; Capt. Thos. J. Stokes was wounded close to the wall and captured, Lieut. Featherston was killed, and Lieuts. Chas. Brooks and Woods were captured.

Company G, Skirmishers—aggregate in battle, 24; killed, 4; wounded, 8; captured unwounded, 10; total, 22; escaped unwounded, 2. Capt. Nelms was wounded, and Lieut. Osborne killed, the only officers present.

Company H—aggregate in battle, 37; killed, 12; wounded, 16; captured unwounded, 5; total, 33; escaped unwounded, 4. Capt. J. H. Moore and Lieut. T. W. Hill were killed, and Lieut. R. A. McDowell was captured inside the works,—all the company officers present. Private Joseph G. Marable, after planting the regimental flag upon the wall, was captured.

Company I—aggregate in battle, 45; killed, 14; wounded, 25; captured unwounded, 3; total, 42; escaped unwounded, 3. Capt. Baker Word was wounded, Lieut. W. P. Snowden was wounded near the wall and captured, and Lieut. Wm. H. Clopton was wounded and captured.

Company K—aggregate in battle, 39; killed, 9; wounded, 20; captured unwounded, 3; total, 32; escaped unwounded, 7; Capt. Geo. W. Bird was killed while cheering his men over the wall, and Lieuts. John T. Stanford and A. G. Drake were wounded,—all the officers present.

Company A (University Greys) and Company B (Coahoma Invincibles) the former the right, the latter the left company of the regiment, have furnished least data; but it appears from information obtained that the two had an aggregate in battle of 50; that of these there were killed, 16; wounded, 22; captured unwounded, 6; total, 44; escaped unwounded, 6. Lieut. Wm. A. Raines, Company A, was killed; Lieut. A. J. Baker, same Com-



pany, was wounded 20 feet to the left of the "Bryan barn", within 10 feet of the wall, and was captured; Lieut. John V. Moore, the only other commissioned officer of the company present, escaped. This company was composed of students at the University who came from all parts of the State, a few from other States. Lieut. David Nunn of Company B was killed, and it is believed Capt. Geo. K. Morton, same company, was badly wounded, and that both are included in the casualties of that company.

The ten companies had in battle an aggregate of 350; killed, 103; wounded, 166; captured unwounded, 41; total company casualties, 310; escaped unwounded, 40; besides field officers. The mortally wounded are included with the killed. Some supposed at the time to be missing and since ascertained to have been killed or mortally wounded, are likewise included with the killed; others supposed to be missing and since ascertained to have been wounded and captured, are included with the wounded. Commissioned officers, whether named or not, are included in the casualties under the proper head.

All these casualties, except two killed and perhaps a few wounded during the cannonading that preceded the charge, were sustained in less than two hours—amounting to about 89 per cent. of the company aggregate present upon the battle field.

The author wishes to express his appreciation of the kindly assistance rendered in furnishing data for the preparation of this article by the survivors of the Eleventh, and to acknowledge the valuable aid derived from the admirable contribution by Hon. William A. Love, "Mississippi at Gettysburg", to the Publications of the Mississippi Historical Society, Vol. IX, page 25.

The official reports, Confederate and Federal, of commanding officers in the battle of July 3rd, and others, have been thoroughly examined and carefully considered, and this article, except as it relates to Company losses and personal incidents, is based upon them. Much else that has been spoken and written concerning the charge at Gettysburg also has been critically studied; but many speakers and writers have gone far afield and a very large part of their contributions, whilst characterized by excellence of

literary form, have little or no basis of historical truth,—no small part of it being fiction, pure and simple.

Discrepancies and conflicts in the reports, where they exist, have been dealt with as ever they are when found,—by balancing relative weight and probability, which the writer has faithfully endeavored to do, aided perhaps by long judicial experience in dealing with and disposing of such testimony.

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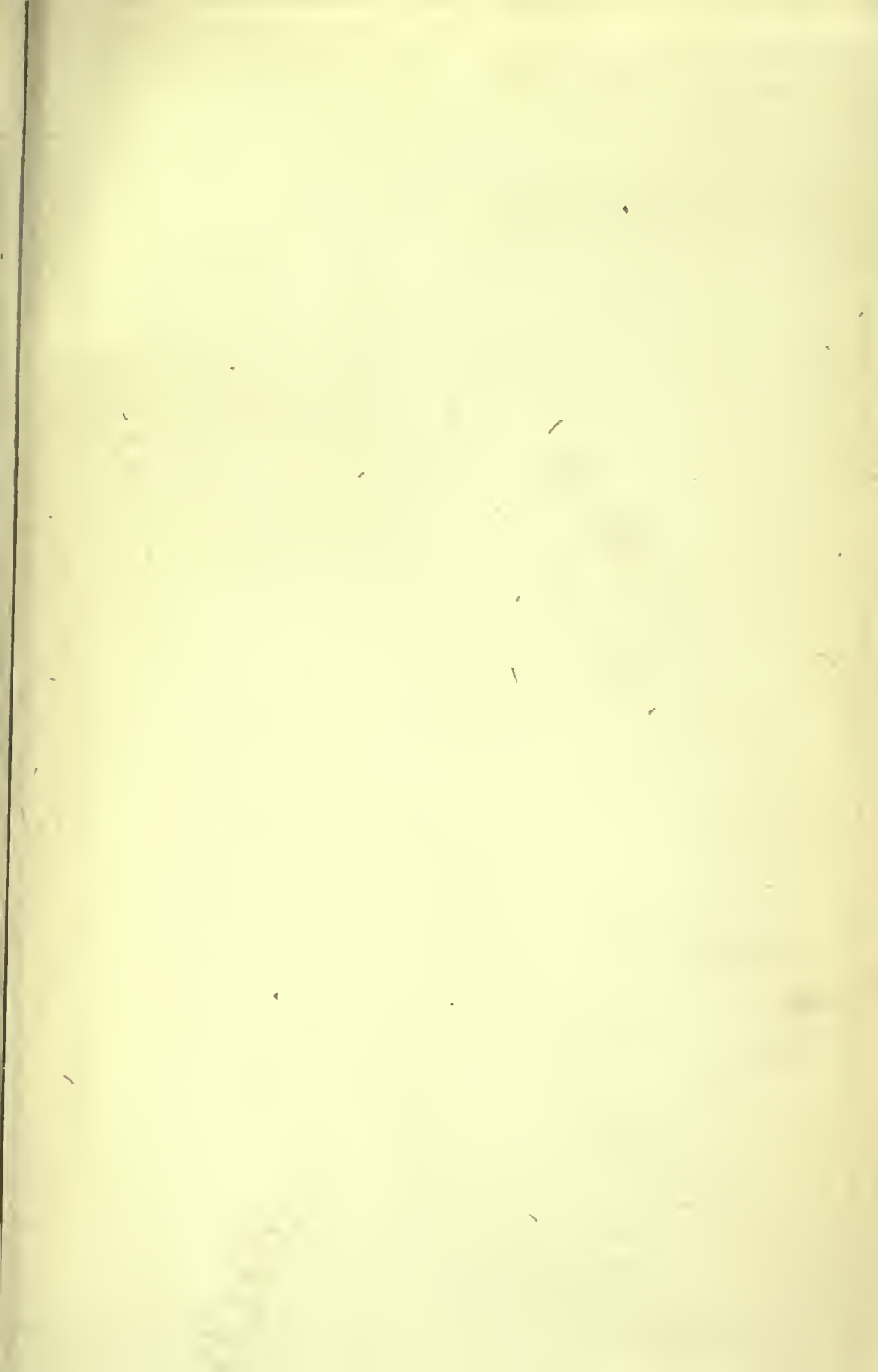
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