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**GOVERNOR'S COMMUNICATION**

TRANSMITTING

**DOCUMENTS FROM GEORGIA,**

**JANUARY 1862.**



EXECUTIVE DEPARTMENT,  
JANUARY 6, 1862.

*Gentlemen of the Senate and  
House of Delegates:*

I have received from his Excellency Joseph E. Brown, governor of the state of Georgia, a communication enclosing joint resolutions adopted by the legislature of that state, and approved December 11th, 1861. These resolutions relate to matters of the first importance, and they command my cordial approbation. They declare the sentiment of the Southern Confederacy, and will be enthusiastically responded to by the people of all classes.

In communicating these resolutions to the general assembly, I embrace the opportunity to fill up a hiatus in the history of our state, growing out of her changed relations. Virginia dissolved her connection with the government of the United States on the 17th day of April last—having watched closely the political conduct of President Lincoln and his cabinet, from the 4th day of March preceding. A large portion of our people believed, from the revelations of his inaugural message, that he designed to subjugate the south, and much of his policy, as developed in the first six weeks of his administration, tended to confirm and strengthen this belief. The appearance of his proclamation, however, calling upon Virginia and other states for volunteers, removed all doubts, and made it plain and palpable that subjugation was his object, and military power would be the means used to effect it. He had revealed his purpose, by the issue of this proclamation, to use Virginians, if possible, in coercing their southern slave-holding brethren into submission to his will and obedience to his governmental authority. Virginia, seeing that the only hope of preserving her rights and honor as a state, and the liberties of her people, consisted in dissolving her connection with the government of the United States, and resuming her sovereignty, adopted that course, and subsequently determined to unite her destiny with her southern sisters. She did so, and her convention, being at the time in session, adopted such ordinances and regulations as were necessary to protect her citizens against the machinations of enemies at home and the encroachments of enemies from abroad.

Events that have transpired since the 17th day of April last have more than confirmed the worst apprehensions of the people of Virginia, and have furnished an ample and complete justification for the secession of the state. All the wicked results, apprehended when she seceded, have been fearfully realized, and they now constitute an important chapter in the history of the stirring times in which we live.

Such were the considerations that influenced and determined the action of Virginia.

I now propose to show that while President Lincoln professes to have inaugurated this war for the preservation and perpetuation of the constitution of the United States, in its spirit and letter, he has violated, in the most direct manner, many of its most important provisions. I propose, in the next place, to compare his conduct with the conduct of George the Third, and prove, by reference to the declaration of independence, that most of his acts have been identical with those denounced by our forefathers as justifiable ground for our separation from the mother government.

The war which has been waged against us by President Lincoln is the most unnatural, and, at the same time, the most disgraceful that has ever occurred. We are struggling for

our rights and liberties, for the protection of persons and property, and for the preservation of the honor and institutions of the south. The ruthless assault that has been made upon us, and the unjustifiable attempt to reduce us to submission, presents a most extraordinary spectacle in the eyes of the civilized world.

When a secretary of war can quietly seat himself at his desk, and coolly, calmly and deliberately commit to paper a recommendation to arm the slaves of the southern states, place them in the field, and incite them to hostility against their masters and the destruction of their families, what extreme may we not reasonably anticipate from an administration that retains such an official in its service? When an administration can go to work to destroy ports in states over which they claim to have jurisdiction, by sinking obstructions in the channels of our rivers and harbors (a policy unheard of amongst civilized nations), what enormity may we not be prepared to expect?

President Lincoln and his cabinet have annulled the constitution; have suspended the writ of habeas corpus, and have declared martial law without constitutional warrant, but in defiance of it. Representative government has ceased to command their respect, and the direct tendency now, in what remains of the late United States government, is inevitably towards consolidation and despotism. Passion and prejudice, avarice and selfishness, malignity and meanness have controlled their action and directed their efforts against us.

Having presented these general views, I now present specifications, showing in what particulars the constitution has been violated. Some of these specifications show violations anterior to the secession of Virginia—others show violations equally palpable subsequent to her secession.

In the preamble to the constitution of the United States our forefathers declared the purposes and objects they had in view in the formation of the government, and those purposes and objects were, "to establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty" to themselves and their posterity. The government has been so administered and directed as to defeat all these purposes and objects. Justice has not been established, nor is it respected by President Lincoln and his cabinet. Domestic tranquillity has not been insured, but domestic disturbance has been inaugurated and encouraged. The common defence has not been provided for, but northern arms have been leveled at southern breasts, and the welfare of our people has been totally disregarded. The blessings of liberty have not been secured to us, but we have found the federal authorities exerting all their power and using all the means at their command to reduce the southern people to abject submission to northern numbers.

President Lincoln and his cabinet have willfully and deliberately proposed to violate every provision of the third section of the fourth article of the constitution, which each one of them solemnly swore or affirmed, in the presence of Almighty God, to "*preserve, protect and defend.*" That section is in these words:

"New states may be admitted by the congress into this Union: but no new state shall be formed or erected within the jurisdiction of any other state; nor any state formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the congress."

They have deliberately proposed to annex certain counties in Maryland to Virginia, and thus form the new state of Kanawha, within the jurisdiction of Virginia, without the consent of the legislatures of those states and of congress. They have proposed to take the four counties lying in the Pan Handle from Virginia, and attach them to Pennsylvania,

without the consent of the legislatures of the states interested and of congress. They have proposed to join the eastern counties of Virginia to Maryland, and thus make a new state by the junction of parts of two states, without the consent of the legislatures of those states and of congress. These propositions present a most plain and glaring violation of the constitution, and evidence an intensity of malignity towards Virginia and Virginians, without a parallel in the history of the United States.

The first amendment to the constitution declares, "that congress shall make no law abridging the freedom of speech or of the press." President Lincoln and his cabinet have willfully disregarded the spirit of this article. Numerous instances could be cited to prove that the solemnities of an oath have not restrained them in their efforts to abridge the freedom of speech, and to muzzle the press. The numberless arrests made by them in western and eastern Virginia, in Kentucky, in Missouri, in Maryland, in Washington city, and also in the free states, when nothing more was charged against the parties arrested than the declaration of their opinions in condemnation of the policy of President Lincoln and his cabinet, shows that freedom of speech is not tolerated by them. The notorious fact that papers have been suppressed in New York, Philadelphia and elsewhere, by the exercise of executive power, fully attests a scandalous usurpation for the destruction of the independence of the press.

President Lincoln and his cabinet, and the military officers under their direction and control, have violated the fourth article of the amendments to the constitution, which guarantees "the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures," and declares that it "shall not be violated." This article has been habitually disregarded, and every observant man will call to mind numerous instances of its violation, the results of suspicion merely.

He and his cabinet have violated, as deliberately and willfully, the fifth article of the amendments to the constitution, which is in these words:

"No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation."

Without a presentment or indictment of a grand jury, they have, on mere suspicion of crime, caused men and women to be arrested and confined under strong guards, and have detained them for weeks and months. They have prostituted the telegraph to their use, for the purpose of communicating orders for the arrest of suspected persons—repudiating all those safeguards which the law has wisely thrown around the citizen for his protection. Desolation has followed in the footsteps of the federal army. Neither life, liberty nor property has been respected by them. They have murdered many of the best citizens of the country—they have incarcerated others in jails and forts—and they have seized and appropriated private property to public use without due process of law, and without making just compensation to the owner.

He and his cabinet have disregarded the injunctions of the sixth article of the amendments to the constitution not less flagrantly than those to which I have referred. That article declares:

"In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been com-

mitted, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence."

He and his cabinet have seized large numbers of our citizens—withdrawn them from their homes, their families and their business—cast them into loathsome prisons—refused to inform them of the cause and nature of the accusation against them—denied to them the right and opportunity of consultation with friends or counsel—and have withheld from them a speedy and public trial by an impartial jury. They would neither confront them with the witnesses against them, nor would they allow them to have compulsory process for obtaining witnesses in their favor.

The conduct of President Lincoln has been as tyrannical and oppressive towards the Confederate States as the acts of the king of Great Britain, which caused our first revolution, were towards the colonies. The comparison cannot fail to make its impression upon the mind even of the casual observer.

President Lincoln has plundered the public treasury, and has delivered at least forty thousand dollars to Pierpont, to enable him and his traitorous associates in the commonwealth of Virginia to overthrow the state government, and to organize within the limits of this state a new government. He has thus been guilty of the unprincipled conduct of using the people's money to lavish upon traitors and encourage them to perseverance in their work of treason.

"The history" of Abraham Lincoln "is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these" Confederate "States." To this end, "he has affected to render the military independent of and superior to the civil power."

He has combined with Pierpont and other traitors in Virginia, "to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation."

He is endeavoring to quarter "large bodies of armed troops amongst us."

He is endeavoring to cut off "our trade with all parts of the world."

He is endeavoring to impose "taxes upon us without our consent."

He is endeavoring to deprive us "in many cases of the benefits of trial by jury."

"He has abdicated government here, by declaring us out of his protection, and waging war against us."

"He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people."

"He is at this time transporting large troops of mercenaries to complete the works of death, desolation and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation."

He has endeavored to excite domestic insurrections amongst us, by proposing to put arms in the hands of our slaves, and thereby encourage them to "an undistinguished destruction of all ages, sexes and conditions."

He has violated laws human and divine, to gratify his passions, to glut his prejudices, and to wreak his vengeance upon a people who ask only their rights, and who are struggling to preserve their liberties. Can a government conducted upon such principles endure?

In every stage of these oppressions, attempted or consummated, prior to the secession of the state, we warned President Lincoln and the northern people of the inevitable consequences of their course, and admonished them that if justice were not accorded to us, the Union must be dissolved. In every stage of these oppressions since the secession of the state, we have resisted them as became a free people asserting independence. Our admonitions and resistance have been answered by repeated injury and oppression, aggravated by war and bloodshed, and by the assumption and exercise of power which even an autocrat would hesitate to assume and exercise.

A president, "whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people."

I have thus presented—

*First.* The considerations that influenced and controlled the action of Virginia, in separating herself from the government of the United States, and resuming her sovereignty.

*Second.* The results which President Lincoln's policy gave us fearful reason to apprehend, and which are now matters of history, stamped indelibly upon its pages. In these I enumerate his repeated violations of a constitution which he had solemnly sworn to support.

*Third.* I have run a parallel between the conduct of President Lincoln and George the Third, and have demonstrated that the former has shown himself not less a tyrant and usurper than the latter.

The constitution of the United States has had no binding efficacy upon us since the 17th day of April last. On that day we repudiated it, and declared to the world that we would not be longer bound by its provisions. From that day Virginia dates a new era. Her own constitution, her laws and her ordinances constituted the rule for her guidance from that day forward, until her union with the Confederate States was consummated. While she occupied a position as an independent state, she departed herself with a grace and dignity that became "the mother of states;" and after her union with the confederate government, she fulfilled her obligations faithfully in her new relation.

The occurrences of the past nine months have demonstrated conclusively that we cannot live together as equals under the government of the United States; and the habitual violation of the provisions of the constitution, and the open disregard of the laws, by President Lincoln and his officials, render governmental association between us impossible. Mutual respect between the citizens of the Southern Confederacy and those of the north has ceased to exist. Mutual confidence has been succeeded by mutual distrust, and mutual good will by mutual aversion. No government can be enduring which does not possess the affection and respect of the governed. It cannot be that the people of the Confederate States can again entertain a feeling of affection and respect for the government of the United States. We have therefore separated from them; and now let it be understood that the separation "is and ought to be final and irrevocable"—that Virginia "will under no circumstances entertain any proposition from any quarter, which may have for its object a restoration or reconstruction of the late Union, on any terms and conditions whatever."

We must be content with nothing less than the unqualified recognition of the independence of the Southern Confederacy, and its nationality, by the government of the late United



States; and to this end we must meet the issue they have tendered to us, with spirit, energy and determination, and with a firm resolve on the part of each of the Confederate States, that every thing shall be done that may be necessary to insure the triumph of our arms, and thus secure liberty and independence for the south.

In conclusion, I recommend that before your adjournment this day, you reaffirm, by solemn vote in each house, the resolutions adopted by the general assembly of Georgia. The empire state of the south has spoken. Let not the mother of states remain silent on a subject of so much significance and importance to the Southern Confederacy.

Respectfully,

JOHN LETCHER.

EXECUTIVE DEPARTMENT, *Milledgeville, Ga.*,  
December 16, 1861.

SIR,

I have the honor to transmit herewith a copy of joint resolutions recently adopted by the general assembly of Georgia. The legislature has not directed me to forward them, but I do so under the conviction that you will be pleased to learn the action of Georgia on the important subject to which they relate.

Very respectfully,

JOSEPH E. BROWN.

*His Excellency* JOHN LETCHER,  
*Governor of Virginia.*



## JOINT RESOLUTIONS

*Of the general assembly of the state of Georgia, passed at its late session.*

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Resolved by the senate and house of representatives of the state of Georgia, in general assembly met, that it is the sense of this general assembly that the separation of those states now forming the Confederate States of America from the United States, is and ought to be final and irrevocable, and that Georgia will, under no circumstances, entertain any proposition from any quarter, which may have for its object a restoration or reconstruction of the late Union, on any terms or conditions whatever.

Resolved, that the war which the United States are waging upon the Confederate States, should be met on our part with the utmost vigor and energy, until our independence and nationality are unconditionally acknowledged by the United States.

Resolved, that Georgia pledges herself to her sister states of the Confederacy, that she will stand by them throughout the struggle—she will contribute all the means which her resources will supply, so far as the same may be necessary to the support of the common cause, and will not consent to lay down arms until peace is established on the basis of the foregoing resolutions.

WARREN AKIN,

*Speaker of the House of Representatives.*

L. CARRINGTON,

*Clerk of the House of Representatives.*

JOHN BILLUPS,

*President of the Senate.*

JAS. M. MOBLEY,

*Secretary of the Senate.*

Approved December 11th, 1861.

JOSEPH E. BROWN,

*Governor.*



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