

THE CAROLINA SPARTAN

WM. H. TRIMMIER. Devoted to Southern Rights, Politics, Agriculture, and Miscellany. \$2 PER ANNUM. NO. 9.

VOL. XVIII. SPARTANBURG, S. C., THURSDAY, MAY 9, 1861.

The Carolina Spartan.

Price, Two Dollars per annum, in advance, or \$2.50 at the end of the year. If not paid until after the year expires \$3.00.

MESSAGE

PRESIDENT JEFFERSON DAVIS.

Gentlemen of the Congress:

It is my pleasing duty to announce to you that the Constitution framed for the establishment of a permanent government for the Confederate States has been ratified by Conventions in each of those States to which it was referred.

There is every reason to believe that at no distant day other States identified in political principles and community of interests with those which you represent, will join this Confederacy; giving to its typical constellation increased splendor—to its government of free, equal and sovereign States a wider sphere of usefulness, and to the friends of its Constitutional liberty a greater security for its hereditary and perpetual existence.

The occasion is indeed an extraordinary one. It justifies me in a brief review of the relations heretofore existing between us and the States which now unite in warfare against us, and in a succinct statement of the events which have resulted in this warfare; to the end that mankind may pass intelligent and impartial judgment on its motives and objects.

During the war waged against Great Britain by her colonies on this continent, a common danger impelled them to a close alliance, and to the formation of a Confederation, by the terms of which the colonies, styling themselves States, entered "separately into a firm league of friendship with each other for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them or any of them, on account of religion, sovereignty, trade or any other pretence whatever."

In order to guard against any misconstruction of their compact, the several States made explicit declaration, in a distinct article, that "each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right which is not by this Confederation expressly delegated to the United States in Congress assembled."

Under this contract of alliance, the war of the Revolution was successfully waged and resulted in the treaty of peace with Great Britain 1783, by the terms of which the several States were, each by name, recognized to be independent.

The articles of confederation contained a clause whereby all alterations were prohibited, unless confirmed by the Legislature of every State, after being agreed to by Congress, and in obedience to this provision under the resolution of Congress of the 21st February, 1787 the several States appointed delegates who attended a Convention "for the sole and express purpose of revising the articles of confederation and reporting to Congress, and the several Legislatures such alterations and provisions therein as shall when agreed to in Congress, and confirmed by the States, rendered the Federal Constitution adequate to the exigencies of government and the preservation of the Union."

It was by the delegates chosen by the several States under the resolution just quoted, that the Constitution of the United States was framed in 1787, and submitted to the several States, for ratification, as shown by the 7th article, which is in these words:

"The ratification of the Convention of nine States, shall be sufficient for the establishment of this Constitution BETWEEN THE STATES, so ratifying the same."

I have italicized certain words in the quotations just made, for the purpose of attracting attention to singular and marked features with which the States endeavored, in every possible form, to exclude the idea that the separate and independent sovereignty of each State was merged into one common government and nation; and the earnest desire they evinced to impress on the Constitution its true character—that of a compact BETWEEN independent States.

The people of the Southern States, whose almost exclusive occupation was agriculture, early perceived a tendency in the Northern States to render the common Government subservient to their own purposes, by imposing burdens on commerce as a protection to their manufacturing and shipping interests. Long and angry controversies grew out of these attempts, often successful, to benefit one section of the country at the expense of the other. And the danger of disruption arising from this cause was enhanced by the fact that the Northern population was increased by immigration and other causes in a greater ratio than the population of the South. By degrees the Northern States gained preponderance in the National Congress, self interest taught their people to yield ready assent to any plausible advocacy of their right as a majority to govern the minority without control; they learn to listen with impatience to the suggestion of any constitutional impediment to the exercise of their will; and so utterly have the principles of the Constitution been corrupted in the Northern mind that in the inaugural address delivered by resident Lincoln in March last, he asserts as an axiom which he plainly deems to be undeniable, that the theory of the Constitution requires that in all cases the majority shall govern; and in another memorable instance, the same Chief Magistrate did not hesitate to liken the relations between a State and the United States to those which exist between a country and the State in which it is situated and by which it was created. This is the lamentable and fundamental error on which rests the policy that has culminated in his declaration of war against these Confederate States.

In addition to the long continued and deep seated resentment felt by the Southern States at the persistent abuse of the powers they had delegated to the Congress, for the purpose of enriching the manufacturing and shipping classes of the North at the expense of the South, there has existed for nearly half a century another subject of discord, involving interests of such transcendent magnitude, as at all times to create the apprehension in the minds of many devoted lovers of the Union, that its permanence was impossible.

When the several States delegated certain powers to the United States Congress, a large portion of the laboring population consisted of African slaves imported into the colonies by the mother country. In twelve out of the thirteen States, negro slavery existed, and the right of property in slaves was protected by law. This property was recognized in the Constitution, and provision was made against its loss by the escape of the slave. The increase in the number of slaves by further importation from Africa was also secured by a clause forbidding Congress to prohibit the slave trade anterior to a certain date; and in no clause can there be found any delegation of power to the Congress authorizing it in any manner to legislate to the prejudice, detriment or discouragement of the owners of that species of property, or excluding it from the protection of the government.

The climate and soil of the Northern States soon proved unpropitious to the continuance of slave labor, whilst the converse was the case at the South. Under the unrestricted free intercourse between the two sections, the Northern States consulted their own interest by selling their slaves to the South, and prohibiting slavery within their limits. The South were willing purchasers of a property suitable to their wants, and paid the price of the acquisition without harboring a suspicion that their quiet possession was to be disturbed by those who were inhibited, not only by want of constitutional authority, but by good faith as vendors, from disquieting a title emanating from themselves.

As soon, however, as the Northern States that prohibited African slavery within their limits had reached a number sufficient to give their representatives a controlling voice in the Congress, a persistent and organized system of hostile measures against the rights of the owners of slaves in the Southern States was inaugurated and gradually extended. A continuous series of measures was devised and prosecuted for the purpose of rendering insecure the tenure of property in slaves; fanatical organizations, supplied with money by voluntary subscriptions, were assembled, engaged in inciting among the slaves a spirit of discontent and revolt; means were furnished for their escape from their owners, and agents secretly employed to entice them to abscond; the constitutional provision for their extradition to their owners was first evaded, then openly denounced as a violation of conscientious obligation and religious duty; men were taught that it was a merit to elude, disobey and violently oppose the execution of the laws enacted to secure the performance of the promise contained in the constitutional compact; owners of slaves were mobbed, and even murdered in open day, solely for applying to a magistrate for the arrest of a fugitive slave; the dogmas of these voluntary organizations obtained control of the legislatures of many of the Northern States, and laws were passed providing for the punishment by ruinous fines and long continued imprisonment in jails and penitentiaries, of citizens of Southern States who should dare to ask aid of the officers of the law for the recovery of their property.

Emboldened by success, the theatre of agitation against the clearly expressed constitutional rights of the Southern States was transferred to the Congress; Senators and Representatives were sent to the common councils of the nation, whose chief title to this distinction consisted in the display of a spirit of ultra fanaticism, and whose business was, not to promote the general welfare or ensure domestic tranquillity, but to awaken the bitterest hatred against citizens of sister States by violent

denunciation of their institutions; the transaction of public affairs was impeded by repeated efforts to usurp powers not delegated by the Constitution, for the purpose of impairing the security of property in slaves, and reducing those States which held slaves to a condition of inferiority.

Finally a great party was organized for the purpose of obtaining the administration of the government for all parties, the object of using its power for the total exclusion of the slave States from all participation in the benefits of the public domain, acquired by the States in common, whether by conquest or purchase; of surrounding them entirely by States in which slavery should be prohibited; of thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating in effect property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last, in the election of its candidate for the Presidency of the United States.

In the meantime, under the mild and genial climate of the Southern States, and the increasing care and attention for the well being and comfort of the laboring class, dictated alike by interest and humanity, the African slaves had augmented in number from about 600,000, at the date of the adoption of the constitutional compact, to upwards of 4,000,000. In moral and social condition they had been elevated from brutal savages into docile, intelligent and civilized agricultural laborers and supplied not only with bodily comforts, but with careful religious instruction.

Under the supervision of a superior race, their labor had been so directed as not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands, covered with a prosperous people; towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South; the white population of the Southern slaveholding States had augmented from about 1,250,000 at the date of the Constitution, to more than 8,500,000 in 1860; and the productions of the South in Cotton, Rice, Sugar and Tobacco, for the full development and continuance of which the labor of African slaves was, and is, indispensable, had swollen to an amount which formed nearly three fourths of the exports of the whole United States, and had become absolutely necessary to the wants of civilized men.

With interests of such overwhelming magnitude imperilled, the people of the Southern States were driven, by the conduct of the North, to the adoption of a course of action to avert the danger with which they were openly menaced. With this view, the Legislatures of the several States invited the people to select Delegates to Conventions to be held for the purpose of determining for themselves what measures were best adapted to meet so alarming a crisis in their history.

Here it may be proper to observe that from a period as early as 1798 there had existed in all the States of the Union a party, almost uninterruptedly in the majority, based upon the creed that each State was, in the last resort, the sole judge as well of its wrongs, as of the mode and measure of redress. Indeed, it is obvious, that under the law of nations, this principle is and axiom as applied to the relations of independent sovereign States such as those which had united themselves under the constitutional compact. The Democratic party of the United States repeated in its successful canvass in 1856, the declaration made in numerous previous political contests, that it would "faithfully abide by and uphold the principles laid down in the Kentucky and Virginia Resolutions of 1798, and the report of Mr. Madison to the Virginia Legislature in 1799; and that it adopts those principles as constituting one of the main foundations of its political creed."

The principles thus emphatically announced, embrace that to which I have already adverted, the right of each State to judge of and redress the wrongs of which it complains. These principles were maintained by overwhelming majorities of the people of all the States of the Union at different elections of Mr. Jefferson in 1805, Mr. Madison in 1809, and Mr. Pierce in 1852.

In the exercise of a right so ancient so well established, and so necessary for self-preservation, the people of the Confederate States in their Conventions determined that the wrongs which they were menaced, required that they should revoke the delegation of powers to the Federal Government which they had ratified in their several Conventions. They consequently passed Ordinances, resuming all their rights as sovereign and independent States, and dissolved their connection with the other States of the Union.

Having done this, they proceeded to form a new compact amongst themselves, by new Articles of Confederation, of which an approach to unanimity far exceeding that of the convention which adopted the new government in all its departments; the functions of the Executive, Legislative, and Judicial Magistrates are performed in accordance with the will of the people as displayed, not merely in a cheerful acquiescence, but in the enthusiastic support of the government thus established by themselves; and but for the interference of the Government of the United States in this legitimate exercise of the right of a people to self-government, peace, happiness and prosperity would now smile on our land.

That peace is ardently desired by this Government and people, has been manifested in every possible form. Scarcely had you assembled in February last, when, prior even to the inauguration of the Chief Magistrate you had elected, you passed a resolution expressive of your desire for the appointment of commissioners to be sent to the Government of the United States for the

purpose of negotiating friendly relations between that Government and the Confederate States of America, and for the settlement of all questions of disagreement between the two Government upon principles of right, justice, equity and good faith."

It was my pleasure as well as my duty, to co-operate with you in this work of peace. Indeed, in my address to you on taking the oath of office, and before receiving from you the communication of this resolution, I had said, "as a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs and the perpetuity of the Confederacy which we have formed. If a just perception of mutual interest shall permit us peacefully to pursue our separate political career, my most earnest desire will have been filled."

It was in furtherance of this accordant views of the Congress and the Executive, that I made choice of three discreet, able and distinguished citizens, who repaired to Washington. Aided by their cordial cooperation, and that of the Secretary of State, every effort compatible with self respect and the dignity of the Confederacy was exhausted before I allowed myself to yield to the conviction that the government of the United States was determined to attempt the conquest of this people, and that our cherished hopes of peace were unattainable.

On the arrival of our Commissioners in Washington, on the 5th March, they proposed, at the instigation of a friendly intermediary, doing more than giving formal notice of their arrival. This was done with a view to afford time to the President, who had just been inaugurated, for the discharge of other pressing official duties in the organization of his Administration, before engaging his attention in the object of their mission. It was not until the 12th of the month that they officially addressed the Secretary of State, informing him of the purpose of their arrival, and stating in the language of their instructions their wish "to make to the government of the United States overtures for the opening of negotiations, assuring the government of the United States, that the President, Congress and people of the Confederate States earnestly desire a peaceful solution of these great questions; that it is neither their interest nor their wish to make any demand which is not founded on strict justice, nor do any act to injure their late confederates."

To this communication no formal reply was received until the 8th April. During the interval the Commissioners had consented to waive all questions of form. "With the firm resolve to avoid war if possible, they went so far, even as to hold, during that long period, unofficial intercourse, through an intermediary, whose high position and character inspired the hope of success, and through whom constant assurances were received from the Government of the United States of peaceful intentions; of the determination to evacuate Fort Sumter; and further, that no measure charging the existing status prejudicially to the Confederate States, especially at Fort Pickens, was in contemplation, but that in the event of any change of intention on the subject, notice would be given to the Commissioners. The crooked paths of diplomacy can scarcely furnish an example so wanting in courtesy, fairness in candor, and directness, as was the course of the United States Government towards our Commissioners at Washington. For proof of this I refer to the annexed documents, marked—, taken in connection, with further facts which I now proceed to relate:

Early in April the attention of the whole country, as well as that of our Commissioners, was attracted to extraordinary preparations for an extensive military and naval expedition in New York and Northern ports. These preparations commenced in secrecy, for an expedition whose destination was concealed, only became known when nearly completed, and on the 5th, 6th and 7th April, transports and vessels of war, with troops, munitions and military supplies, sailed from Northern ports bound Southwards. Alarmed by so extraordinary a demonstration, the Commissioners requested the delivery of an answer to their official communication of the 12th March, and thereupon received, on the 8th April, a reply dated on the 25th of the previous month, from which it appears that, during the whole interval, whilst the Commissioners were receiving assurances calculated to inspire hope of the success of their mission, the Secretary of State and the President of the United States had determined to hold no intercourse with them whatever: to refuse even to listen to any proposals they had to make, and had profited by the delay created by their own assurances, in order to prepare secretly the means for effective hostile operations.

That these assurances were given, has been virtually confessed by the Government of the United States by its sending a messenger to Charleston, to give notice of its purpose, to use force, if opposed in its intention of supplying Fort Sumter. No more striking proof of the absence of good faith in the conduct of the Government of the United States towards the Confederacy can be required than is contained in the circumstances which accompanied this notice. According to the usual course of navigation, the vessels composing the expedition design for the relief of Fort Sumter, might be expected to reach Charleston harbor on the 5th of April; yet with our Commissioners actually in Washington, detained under assurances that notice should be given of any military movement, the notice was not addressed to them, but a messenger was sent to Charleston to give the notice to the Governor of South Carolina, and the notice was so given at a late hour on the 8th April, the eve of the very day on which the fleet might be expected to arrive.

That the manoeuvre failed in its purpose was not the fault of those who contrived it, but of the Government of the United States. A heavy tempest delayed the arrival of the expedition, and gave time to the commander of our forces at Charleston to ask and receive the instructions of his government. Even then, under all the provocation incident to the contemptuous refusal to listen to our Commissioners, and the tortuous course of the Government of the United States, I was sincerely anxious to avoid the effusion of blood, and directed a proposal to be made to the commander of Fort Sumter, who had avowed himself to be nearly out of provisions, that we would abstain from directing our fire on Fort Sumter if he would promise not to open fire on our forces unless first attacked. This proposal was refused, and the conclusion was reached that the design of the United States was to place the besieging force at Charleston, between the simultaneous fire of the fleet and the fort. There remained, therefore, no alternative but to direct that the fort should at once be reduced.

This order was executed by Gen. Beauregard with the skill and success which were naturally to be expected from the character of that gallant officer; and, although the bombardment lasted but thirty-three hours, our flag did not waive over its battered walls until after the arrival of the hostile fleet at Fort Charleston. Fortunately not a life was lost on our side, and we were gratified in being spared the necessity of a needless effusion of blood by the prudent caution of the officers who commanded the fleet, in abstaining from the evidently futile effort to enter the harbor for the relief of Major Anderson. I refer to the report of the Secretary of War and the papers which accompany it for further details of this brilliant affair.

In this connection I cannot refrain from a well-deserved tribute to the noble States, the eminent soldierly qualities of whose people were so conspicuously displayed in the port of Charleston. For months they had been irritated by the spectacle of a fortress held within their principal harbor, as a standing menace against their peace and independence. Built in part with their own money, its custody confided with their own consent to an agent who held no power over them other than such as they had themselves delegated for their own benefit, intended to be used by that agent for their own protection against foreign attack, they saw it held with persistent tenacity as a means of offence against them by the very Government which they had established for their protection.

They had beleaguered it for months—felt entire confidence in their power to capture it—yet yielded to the requirements of discipline, curbed their impetuosity, submitted without complaint to the ungenerous hardships, labors and privations of a protracted siege; and when at length their patience was rewarded by the signal for attack, and success had crowned their steady and gallant conduct—even in the very moment of triumph—they evinced a chivalrous regard for the feelings of the brave but unfortunate officer who had been compelled to lower his flag. All manifestations of exultation were checked in his presence.

Deprived of the aid of Congress at the moment, I was under the necessity of confining my action to a call on the States for volunteers for the common defence, in accordance with the authority you had provided to me before your adjournment. I deemed it proper further to issue proclamation inviting application from persons disposed to aid our defence in private armed vessels on the seas to the end that preparations might be made for the immediate issue of letters of marque and reprisal, which you alone, under the Constitution, have power to grant. I entertain no doubt you will concur with me in the opinion that in the absence of a fleet of public vessels, it will be eminently expedient to supply their place by private armed vessels, so happily styled by the publicists of the United States "the militia of the sea," and so often and justly relied on by them as an efficient and admirable instrument of defensive warfare. I earnestly renewed the immediate passage of a law authorizing me to accept the numerous proposals already received.

I cannot close this review of the acts of the Government of the United States without referring to a proclamation issued by their President under date of the 19th instant, in which, after declaring that an insurrection has broken out in this Confederacy against the Government of the United States, he announces a blockade of all the ports of these States, and threatens to punish as pirates all persons who shall molest any vessel of the United States under letters of marque issued by this Government. Notwithstanding the authenticity of this proclamation, you will concur with me that it is hazardous to believe it emanated from the President of the United States. Its announcement of a mere paper blockade is so manifestly a violation of the law of nations, that it would seem incredible that it could have been issued by authority—but conceding this to be the case so far as the Executive is concerned, it will be difficult to satisfy the people of these States that their late confederates will sanction its declarations, will determine to ignore the usages of civilized nations, and will inaugurate a war of extermination on both sides, by treating as pirates, open enemies acting under the authority of commissions issued by an organized Government. If such proclamation is issued, it could only have been published under the sudden influence of passion, and we may rest assured mankind will be spared the horrors of the conflict it seems to invite.

For the detail of the administration of the departments, I refer to the reports of the Secretaries which accompany this Message.

The State Department has furnished the necessary instructions for three commissioners who have been sent to England, France, Russia and Belgium, since your adjournment, to ask our recognition as a member of the family of nations, and to make with each of those powers treaties of amity and commerce. Further steps will be taken to enter into like negotiations with the other European powers in pursuance of your resolutions passed at the last session. Sufficient time has not yet elapsed since the departure of these Commissioners for the receipt of intelligence from them. As I deem it desirable that commissioners or other diplomatic agents should also be sent at an early period to the independent American powers South of our Confederacy, with all of whom it is our interest and earnest wish to maintain the most cordial and friendly relations, I suggest the expediency of making the necessary appropriation for that purpose.

Having been officially notified by the public authorities of the State of Virginia that she had withdrawn from the Union, and desired to maintain the closest political relations with us which it was possible at this time to establish, I commissioned the Hon. Alexander H. Stephens, Vice-President of the Confederate States, to represent this Government at Richmond. I am happy to inform you that he has concluded a convention with the State of Virginia, by which they have severed commonwealth, so long and justly distinguished among her sister States, and so dear to the hearts of thousands of her children in the Confederate States, has united her power and her fortunes with ours, and becoming one of us. This Convention, together with the ordinance of Virginia, adopting the Provisional Constitution of the Confederacy, will be laid before you for your constitutional action. I have satisfactory assurances from other of our late confederates that they are on the point of adopting similar measures, and I cannot doubt that ere you shall have been many weeks in session, the whole of the slaveholding States of the late Union, will respond to the call of honor and affection, and by uniting their fortunes with ours, promote our common interests and secure our common safety.

In the Treasury Department regulations have been devised and put into execution for carrying out the policy indicated in your legislation on the subject of the navigation of the Mississippi river, as well as for the collection of revenue on the frontier. Free transit has been secured for vessels and merchandise passing through the Confederate States, and delay and inc-

caution between that country and ours, a power. The law of nations did not permit me to question the authority of the Executive of a foreign nation to declare war against this Confederacy. Although I might have refrained from taking retrospective measures for our defence, if the States of the Union had all initiated the action of Virginia, North Carolina, Arkansas, Kentucky, Tennessee, and Missouri, by denouncing the call for troops as an unconstitutional usurpation of power to which they refused to respond, I was not at liberty to disregard the fact that many of the States seemed quite content to submit to the exercise of the power assumed by the President of the United States, and were actively engaged in levying troops to be used for the purpose indicated in the proclamation.

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