

ACTS OF WAR: THE SOUTHERN SEIZURE  
OF FEDERAL PROPERTY,  
1860 - 1861

by

RACHEL K. DEALE

GEORGE C. RABLE, COMMITTEE CHAIR

LAWRENCE F. KOHL  
LESLEY J. GORDON  
KARI FREDERICKSON  
RICH MEGRAW

A DISSERTATION

Submitted in partial fulfillment of the requirements  
For the degree of Doctor of Philosophy  
in the Department of History  
in the Graduate School of  
The University of Alabama

TUSCALOOSA, ALABAMA

2017



## ABSTRACT

The Civil War began before shots were fired on Fort Sumter. During the four months between Lincoln's election on November 7, 1860, and his inauguration on March 4, 1861, the Deep South seceded from the Union, seized all the federal forts, arsenals, navy yards, custom houses, revenue cutters, mints, courts and post offices within their borders except Fort Sumter in South Carolina, and Forts Pickens, Taylor, and Jefferson in Florida. This dissertation investigates the rationale, methods, and consequences of these dramatic captures. Northern and southern reaction to these aggressive measures demonstrate that the seizures were acts of war and show that the Civil War actually began long before Edmund Ruffin fired that famous first shot at Fort Sumter.

## DEDICATION

This dissertation is dedicated to my parents Ronnie and Melanie Deale, sister Anna Grace Deale, grandmothers, Mable Deale and Bennie Heyman, and the loving memory of my grandfathers T.C. Deale and Hubert Heyman.

## ACKNOWLEDGEMENTS

This dissertation would have been impossible without the help, support, and encouragement of Dr. George Rable and Dr. Lawrence Kohl. Their criticisms, suggestions, and guidance helped make this project a reality. Dr. Rable was always extraordinarily patient and understanding with me as I struggled with research and organizational problems. Dr. Kohl was always willing to talk with me about my dissertation, teaching, and life. Without his patience, advice, and wisdom I would never have been able to complete this dissertation. I must also thank Dr. Kari Frederickson for her constant support and advice. Dr. Lesley Gordon and Dr. Rich Megraw also provided me with wonderful suggestions. If any mistakes remain in this work they are my fault.

The Department of History at the University of Alabama provided me with much needed financial support while I worked on this dissertation. Christiana Kircharr, Ellen Pledger, and Morta Riggs offered me support, encouragement, and candy as I agonized over the dissertation. The Virginia Historical Society also provided me with support that allowed me to examine their collections. The wonderful archivists at the Library of Congress and the National Archives helped me find many wonderful sources.

Special thanks to Molly Buffington for helping me format the dissertation and our Tea Town Thursdays. Adam Petty always offered encouragement and sound advice to help keep me on track. Thank you to Kari Boyd for taking care of my cat, Miss Elaine Burnside, while I was away on long research trips and for the wonderful apple pies. Abby Connally was kind enough to let me stay with her in Austin, Texas for multiple weeks as I researched. Alisha Linam's constant

encouragement and friendship helped me through many tough times. Kevin Hughes, Marcus M. Witcher, and Chris Gasque were always willing to listen to me talk through ideas and helped me pick up my work pace. When I began graduate school, Joseph Pearson always took the time to help me improve my writing and thinking. Many other graduate students also gave me great encouragement as I moved forward: Daniel Burge, Louann Sabatini, Michael Woods, Dan Holtsberry, Kevin McPartland, Sarah Craddock, John Young, John Minney, Spencer York, Ashley Tickle, Joel Sturgeon, Libby Taylor, Evan Ward, Ryan Tullock, Mark Folse, Patrick Cecil, and Jonathan Merritt.

Most importantly, I must think my family for their unwavering support, patience, encouragement, and love. Without my parents, Ronnie and Melanie, I would not have been able to complete this dissertation. My grandmother, Bennie Heyman, served as a wonderful research assistant and companion in Washington, D.C., Richmond, Virginia, and Montgomery, Alabama. I will always treasure the memories of our wonderful research trips. My grandmother Mable Deale also provided me with support when I needed it most.

## CONTENTS

ABSTRACT .....	ii
DEDICATION .....	iii
ACKNOWLEDGEMENTS .....	iv
INTRODUCTION .....	1
CHAPTER 1: FORTS, ARSENALS, AND NAVY YARDS .....	8
CHAPTER 2: THE CHARLESTON FORTS AND THE <i>STAR OF THE WEST</i> .....	51
CHAPTER 3: CUSTOM HOUSES, MINTS, AND REVENUE CUTTERS .....	86
CHAPTER 4: TEXAS .....	119
CHAPTER 5: COURTS AND POST OFFICES .....	153
CONCLUSION .....	187
REFERENCES .....	191

## LIST OF ILLUSTRATIONS

Illustration I.1 Southern Seizure of Federal Property, December 1860 – April 1861 .....	7
Illustration 1.1 Fort Pulaski, Savannah River, Georgia, Sketch by an officer of the Navy, <i>Harper's Weekly</i> , December 28, 1861.....	28
Illustration 1.2 The Harbor of Pensacola, Florida, Showing the Forts, Navy Yard Etc., <i>Harper's Weekly</i> , February 8, 1861.....	41
Illustration 2.1 Firing on the <i>Star of the West</i> , <i>Harper's Weekly</i> , January 26, 1861.....	76
Illustration 2.2 Main Battery at Fort Sumter, Bearing on Fort Moultrie and the Channel, <i>Harper's Weekly</i> , January 26, 1861.....	77
Illustration 3.1 The New Orleans Mint, <i>Harper's Weekly</i> , February 16, 1861. ....	106
Illustration 3.2 The New Orleans Custom House, <i>Harper's Weekly</i> , February 16, 1861. ....	107
Illustration 3.3 Civil War envelope 1861, Roosevelt Civil War Envelope Collection, Georgetown University Library.....	116
Illustration 4.1 Surrender of Ex-Gen. Twiggs, February 16, 1861, in <i>Harper's Weekly</i> , March 23, 1861.....	136



## INTRODUCTION

The Civil War began before shots were fired on Fort Sumter. During the four months between Abraham Lincoln's election on November 7, 1860, and his inauguration on March 4, 1861, the Deep South seceded from the Union, seized all the federal forts, arsenals, navy yards, custom houses, revenue cutters, mints, courts and post offices within their borders except Fort Sumter in South Carolina, and Forts Pickens, Taylor, and Jefferson in Florida. This dissertation investigates the rationale, methods, and consequences of these dramatic captures. Northern and southern reaction to these aggressive measures demonstrate that the seizures were acts of war and show that the Civil War actually began long before Edmund Ruffin fired that famous first shot at Fort Sumter.

At the time, many northerners interpreted the takeover of federal property as acts of war and treason. United States Circuit Court Judge Smalley thought that the southern states' seizure of "custom houses and post-offices, forts, arsenals, vessels and other property belonging to the United States" was "a usurpation of the authority of the Federal Government; it is high treason by levying war." As he saw it, "either one of those acts [constituted] high treason" and "there can be no doubt about it."<sup>1</sup> On January 11, 1861, the New Haven *Daily Palladium* agreed that "the cotton states have drawn the sword against the Union, the Constitution, and the Law." The secessionists had "cut short all consultation; they [struck] the first blow; they seiz[ed] the property of the Union, garrison[ed] its forts against the officers of law, [took] possession of its

---

<sup>1</sup> *New York Times*, January 15, 1861.

revenue-cutters, rifl[ed] its arsenals to arm their forces against its authority, gather[ed] armies to seize the Federal capital, its public buildings and its archives, and fir[ed] upon the national troops while peacefully obeying orders.” “This is not secession; it is not dissolution,” the *Daily Palladium* thundered, “it is rebellion and aggressive war.”<sup>1</sup>

Years after southerners aggressively took control of federal property, northerners still acknowledged the significance of these early acts of aggression. In 1863, William Tecumseh Sherman emphatically asserted that “war existed before Sumter was fired on.” He specifically referred to Louisiana Governor Thomas Overton Moore’s ordering state militia to capture the military installations in the state.<sup>2</sup> Even after the war, former Postmaster General Horatio King maintained that:

in recurring to the horrors of the war and of the few months preceding it, as experienced by us here at the capital, it has often occurred to me that, if possible, I suffered more from the dread apprehension of the impending conflict, and the shock upon shock at the seizure of the forts, arsenals, custom-houses, post offices, and other government property by the rebels in the last months of President Buchanan’s administration, than at any subsequent period during the war.<sup>3</sup>

But despite this, previous scholarship has given these acts of war, some of which even occurred before southern states seceded, scant attention. Almost every book on the coming of the Civil War mentions the seizure of property, but no full-length study exists on the topic. Kenneth Stamp’s *And the War Came* spends little time examining the northern reaction to the south’s aggressive actions outside of Charleston, South Carolina.<sup>4</sup> Edwin Bearss looks at the takeover of

---

<sup>1</sup> *Daily Palladium*, January 11, 1861 in Howard Cecil Perkins ed., *Northern Editorials on Secession*, vol. 1 (New York: D. Appleton-Century Company, 1942), 210.

<sup>2</sup> William T. Sherman to Charles Anderson, ca. August 1863, Brooks D. Simpson and Jean V. Berlin eds. *Sherman’s Civil War: Selected Correspondence of William T. Sherman, 1860-1865* (Chapel Hill: University of North Carolina Press, 1999), 510.

<sup>3</sup> Horatio King, *Turning on the Light: A Dispassionate Survey of President Buchanan’s Administration, From 1860 to Its Close. Including a Biographical Sketch of the Author, Eight Letters from Mr. Buchanan Never Before Published, and Numerous Miscellaneous Articles* (Philadelphia: J.B. Lippincott Co., 1895), 85.

<sup>4</sup> Kenneth Stamp, *And the War Came: The North and the Secession Crisis, 1860 – 1861* (Baton Rouge: Louisiana State University Press, 1950).

federal forts, arsenals, and barracks in Louisiana, but his work provides no explanation of why Louisiana Governor Thomas Overton Moore ordered the state militia to seize the property or what the seizure meant for the coming of the Civil War.<sup>5</sup> James McPherson's *Battle Cry of Freedom* briefly discusses the capture of federal forts, but he does not explain who was responsible, how the seizures were carried out, and why secessionists decided to take the property. He also does not examine the North's response to the seizures.<sup>6</sup> More recent works on the secession crisis, such as Russel McClintock's *Lincoln and the Decision for War* and William J. Cooper's *We Have the War Upon Us* focus primarily on efforts for political compromise.<sup>7</sup>

Throughout January 1861, states across the Deep South forcibly took control of United States' property on an almost daily basis. Since southern states took control of various kinds of federal property at the same time and because the seizure of forts was obviously quite different than taking control of custom houses or the postal system, this study is organized by the type of property seized. For example, forts were often captured by state militias, while custom houses and post offices were simply taken over by workers who resigned their positions with the federal government and pledged loyalty to their state.

Even before Georgia, Alabama, Louisiana, and Florida seceded from the Union, state militias seized all the federal forts, arsenals, military barracks, and navy yards within their borders. Ardent secessionists encouraged state militias to take over federal military installations by drastically exaggerating how a Republican administration planned to use these facilities to harm southern interests. The seizure of federal property was hardly peaceful. Heavily armed

---

<sup>5</sup> Edwin C. Bearss, "The Seizure of the Forts and Public Property in Louisiana" *Louisiana History*, vol. 2 (Autumn 1961), 401- 409.

<sup>6</sup> James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988).

<sup>7</sup> Russell McClintock, *Lincoln and the Decision for War: The Northern Response to Secession* (Chapel Hill: The University of North Carolina Press, 2008); William J. Cooper, *We Have the War Upon Us: The Onset of the Civil War, November 1860-April 1861* (New York: Knopf, 2012).

militias with well over one hundred men would often approach a lightly manned fort. Wanting to avoid a clash of arms, federal officers surrendered without resisting. Even though President James Buchanan maintained that he did not have the authority to protect or reclaim the property, the northern public and press interpreted the seizures as acts of war. When Lincoln took office on March 4, 1861, however, he intended to use all his authority to preserve, protect, and defend the United States' laws and property. Once southern forces attacked Fort Sumter on April 12, 1861, Lincoln's call for 75,000 militia "to repossess the forts, places, and property which have been seized from the Union" illustrates how he interpreted secessionists' acts of war.<sup>8</sup>

Although most states took control of federal forts before seceding or even holding secession conventions, South Carolina did not seize Fort Moultrie and Castle Pinckney until December 26, 1860, when Major Robert Anderson moved his garrison to Fort Sumter. President James Buchanan struggled with how to handle the state's actions because he thought that only Congress had the authority to reclaim the forts. At the same time, however, Buchanan recognized that he needed to support Anderson and his men at Fort Sumter. As a result, he reluctantly sent Anderson reinforcements on the merchant steamship *Star of the West* to help protect the fort from future attack. When the radical secessionists learned that the reinforcements were on the way they planned to attack the ship. On January 9, 1861, South Carolinians fired the first shots of the Civil War as the *Star of the West* entered Charleston Harbor. Southern and northern newspapers alike deemed it an act of war. Yet, fearful that a harsh response would create an even greater crisis Buchanan remained silent. By February, northerners realized that Buchanan had no intention of acting and decided to wait for the incoming Lincoln administration to handle the crisis.

---

<sup>8</sup> Roy P. Bassler, ed. *The Collected Works of Abraham Lincoln*, vol. 4 (New Brunswick: Rutgers University Press, 1953), 159.

Shortly after seceding, South Carolina, Alabama, Louisiana, and Georgia captured federal revenue cutters, mints, and custom houses. While state militia seized the federal military installations, the employees (who were federal appointees) took control of revenue cutters, mints, and custom houses by resigning their positions and pledging loyalty to their state. Although southerners claimed that the seizures meant that the United States could no longer collect duties, the Buchanan Administration maintained otherwise. President Buchanan promised that the federal government would continue to collect duties at southern ports, but both northerners and southerners criticized Buchanan's handling of the situation. Southerners claimed that the president's promise to collect duties was an act of coercion. On the other hand, many northerners argued that southerners had committed acts of war by claiming the custom houses as their own and suggesting that Buchanan should institute a blockade or close all southern ports to trade. As southern revenue-marine officers surrendered the revenue cutters under their command to southern states, newly appointed Secretary of the Treasury John A. Dix took a strong stance against the secessionists' treasonous actions by ordering federal troops to shoot anyone attempting to lower the American flag.<sup>9</sup>

Unlike the other Gulf States governors, Texas Governor Sam Houston adamantly opposed taking aggressive action against the United States. As a result, he never ordered the state militia to capture the federal forts. Nevertheless, many Texans disagreed with Houston and believed that the incoming Lincoln Administration planned to destroy slavery, reduce southern political power, and undermine state sovereignty. Many Texans thought that secession alone was not enough to protect their homes, families, slaves, and sovereignty from potential abolitionist violence. To alleviate these fears, the state secession convention formed a Committee of Public Safety to capture all federal property. Within a mere seventy-eight days, the Committee of Public

---

<sup>9</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 440.

Safety successfully captured all federal installations in the state without bloodshed. But despite the committee's claim that the seizure of property was peaceful, northerners interpreted the state's aggressive action as acts of war and suggested that the United States officers who surrendered their posts to the committee had committed treason.

Nineteenth century Americans had very little interaction with federal forts and custom houses. In fact, most Americans' only interaction with the federal government came through the post office. Far fewer Americans dealt with federal courts. Because the federal court system was so small, southerners were able to immediately gain control of the courts once judges and court employees resigned their positions. But the federal postal system was far too large and complex for a quick takeover. Secessionists followed no consistent policy when taking control of the court and postal systems and struggled to handle both the anticipated and unexpected consequences of disunion. Unfortunately, the northern press had relatively little to say about the creation of the Confederate Post Office and the takeover of southern courts.

The Civil War began with the southern seizure of federal property. As secessionists coerced Union officers to surrender the forts, arsenals, navy yards, revenue cutters, mints, custom houses, courts, and post offices, northerners asserted that the southerners' aggressive actions were acts of war. President James Buchanan, however, failed to protect or reclaim the stolen property. When Abraham Lincoln took office on March 4, 1861, he would make a concerted effort to protect and defend the remaining property under Union control.

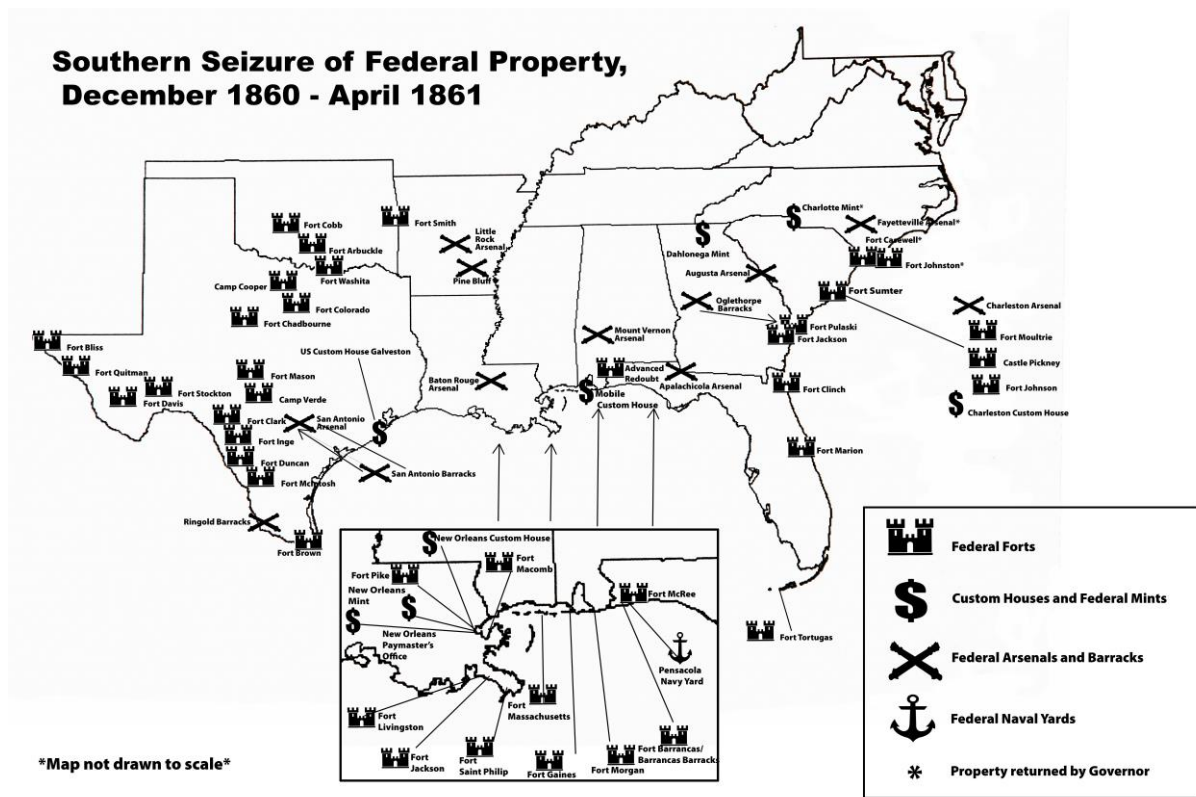


Illustration I.1 Southern Seizure of Federal Property, December 1860 – April 1861<sup>10</sup>

<sup>10</sup> Rachel K. Deale, *Southern Seizure of Federal Property*, 2016.

## CHAPTER 1: FORTS, ARSENALS, AND NAVY YARDS

A little over a month after John Brown's execution on December 2, 1859, the House of Representatives engaged in a fierce debate over potential emancipation and jurisdiction over federal property throughout the country. Radical Republican Thaddeus Stevens defended "what [he] considered the principles of the Republican Party." Although the Constitution did not give the federal government the "power to interfere with any institution in the States," it did grant Congress "the power to regulate and the right to abolish slavery" in "the Territories, the District of Columbia, the navy-yards, and the arsenals [that] have no legislative bodies but Congress, or those granted by Congress."<sup>1</sup>

Furious over Stevens' bold assertions that Congress had the power to eliminate slavery on public property located in slave states, Virginia Congressman Sherrard Clemens asked if the Republican Party's policy "was to encircle the slave States of this Union with free States as a cordon of fire, and that slavery, like a scorpion, would sting itself to death." Without hesitation Stevens retorted, "if I did, it is in the books." Frustrated with the taunts coming from the Republicans in the chamber, Clemens continued to press Stevens on his proposed desire to abolish slavery at federal forts, arsenals, and dockyards. "If his [Stevens'] policy is carried out, whether today, tomorrow, or fifty years hence; if not a single new slave State is admitted into the Union; if slavery is abolished in the District of Columbia, in the Territories, in the arsenals, dockyards, and forts; if, in addition to that, his party grasps the power of the Presidency, with the patronage attached to it, and with the prestige of the Army and Navy calling upon the people of

---

<sup>1</sup> *Congressional Globe*, 36<sup>th</sup> Cong., 1<sup>st</sup> sess., 586.



the South to be tried under the laws of the United States for treason,” Clemons asked if Stevens sought to destroy slavery from within. With laughter Stevens’ simply replied, “I do not know, not being a prophet.”<sup>2</sup>

Some historians have argued that this debate revealed that the Republican Party’s goal was to ensure that slavery was put on the course of ultimate extinction, but this discussion also shows that the South feared that the Republican Party planned to use control of public property to undermine slavery.<sup>3</sup> Even before Stevens suggested that Congress had the authority to abolish slavery on public property, Mississippi Representative Otho Singleton argued that the South was “fully awake” and “preparing to meet” the North’s desire to abolish “slavery in the District of Columbia; in the dockyards, the arsenals, and all public places.”<sup>4</sup> North Carolina Senator Thomas Clingman agreed that the Republican Party threatened the South by supporting repeal of the Fugitive Slave law, and the abolition of slavery in “the District of Columbia, the forts and arsenals, and wherever the United States has exclusive jurisdiction.”<sup>5</sup> As a result, William Gwin, a Democratic Senator from California, argued that the southern states should “take possession of all the public property within their limits, and prepare against any aggression from the non-slaveholding States, or any other power that may choose to infringe upon what they conceive to be their rights.” As he saw it, the installations along the southern “harbors [were] so fortified, that if they [took] possession of them in advance, they [could] defend themselves against any enemy who may attack them.”<sup>6</sup> Secessionists obviously agreed with Gwin because three months

---

<sup>2</sup> *Congressional Globe*, 36<sup>th</sup> Cong., 1<sup>st</sup> sess., 586.

<sup>3</sup> James Oakes uses this same passage to argue that the Republican Party intended to abolish slavery before the Civil War began. James Oakes, *The Scorpion’s Sting: Antislavery and the Coming of the Civil War* (New York: W.W. Norton & Company, 2014).

<sup>4</sup> *Daily Mississippian* (Jackson, MS), January 18, 1860.

<sup>5</sup> *Daily Globe*, January 17, 1860 quoted in *New York Herald*, January 28, 1860.

<sup>6</sup> Speech delivered on December 12, 1859 published in *Sacramento Daily Union*, January 12, 1860.

before Abraham Lincoln's inauguration, Deep South officials seized virtually all the federal property in their states.<sup>7</sup>

An examination of the capture of the federal forts, arsenals, and navy yards shows that the Civil War actually began before any shots were fired at Fort Sumter. While scholars have argued that the Confederacy engaged in a "pre-emptive counterrevolution," they have primarily focused on secession, the creation of the Confederacy, and the failure of political compromise.<sup>8</sup> The South's most dramatic and threatening actions during the secession crisis have received scant attention. As a result, historians have not fully explained how the Confederacy launched their pre-emptive strike. Investigating the capture of federal forts, arsenals, navy yards, and military barracks offers a deeper understanding of how President James Buchanan's refusal to prevent the seizures shaped Lincoln's handling of the secession crisis and the Union's early war policy. Understanding how and why Fort Sumter became one of the last southern forts remaining in federal hands helps explain Lincoln's determination to resupply and hold onto Fort Sumter. Probing the northern public's reaction to the capture of federal property in the months before the Sumter crisis also helps explain the North's dramatic response to the firing on Fort Sumter and Lincoln's call for volunteers.<sup>9</sup>

---

<sup>7</sup> This challenges William Freehling's assertion that the seizure of federal property had nothing to do with slavery. William Freehling, *The Road to Disunion: Volume II: Secessionist Triumphant, 1854-1861* (New York: Oxford University Press, 2008).

<sup>8</sup> This argument supports James McPherson's *Battle Cry of Freedom* and Arno Mayer's *The Dynamics of Counterrevolution in Europe*. According to Mayer, a "pre-emptive counterrevolution" occurs when a group is so fearful of a revolutionary movement that they "intentionally exaggerate the magnitude and imminence of the revolutionary threat" and rather than waiting for the revolutionary force to take power they attack before the revolutionaries have time to defend themselves. James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 245; Arno Mayer, *The Dynamics of Counterrevolution in Europe, 1870-1956: An Analytic Framework* (New York: Harper & Row, 1971), 86.

<sup>9</sup> Silvana Siddali persuasively argues that many Northerners focused their discussions on the seizure of property rather than political rhetoric and the Confederate capture of federal property brought "unexpectedly painful questions before the Northern public." This suggests that Northerners had more concrete reasons to fight than James McPherson suggests. Silvana R. Siddali, *From Property to Person: Slavery and the Confiscation Acts, 1861-1862* (Baton Rouge: Louisiana State University Press, 2005); James McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York: Oxford University Press, 1998).

One way secessionist firebrands gained the necessary momentum to stage their counter-revolution was by describing in vivid and often overblown language how a Republican administration would harm southern interests. North Carolinian Weldon Edwards argued that if an “‘irrepressible conflict’ man like Mr. Lincoln reach[ed] the Presidency, would not a Black Republican Congress pass a Bill extirpating slavery everywhere – in States, Territories, and the District of Columbia.”<sup>10</sup> On March 26, 1860, freshman Republican Congressman Harrison Gray Otis Blake of Ohio helped confirm southern fears by introducing a resolution to abolish slavery “wherever Congress has the Constitutional power to legislate on the subject.”<sup>11</sup> Just two months after Thaddeus Stevens suggested that Congress had the authority to eliminate slavery in federal forts, dockyards, and arsenals, this proposal threatened to put Stevens’ ideas into practice. Before the clerk even finished reading Blake’s proposal, southern Democrats firmly voiced their objections. Many fire-eaters such as Laurence Keitt of South Carolina, Otho Singleton of Mississippi, and James Pugh of Alabama, however, urged their fellow southerners not to object to the proposal so that the House would have to record a vote. As the Speaker began to call roll, Republicans, including Blake, proposed tabling the measure so that the Republicans would not have to vote against the party’s promise to not touch slavery in states where it already existed. Unfortunately under Rule 42, once a roll call commenced, voting could not be stopped. When the Republicans failed to stop the vote, many chose to abstain. As the Democrats expected, the resolution went down to defeat.<sup>12</sup>

The press immediately recognized that the resolution would weaken moderate and conservative Republicans, because southerners could use it to demonstrate that the Republican

---

<sup>10</sup> *Weekly Raleigh (N.C.) Register*, October 10, 1860.

<sup>11</sup> *Congressional Globe*, 36<sup>th</sup> Cong., 1<sup>st</sup> sess., 1359; For more information about Blake’s resolution see Mark J. Stegmaier, “An Ohio Republican Stirs Up the House: the Blake Resolution of 1860 and the Politics of the Sectional Crisis in Congress,” *Ohio History*, 116 (2009), 62-87.

<sup>12</sup> *Congressional Globe*, 36<sup>th</sup> Cong., 1<sup>st</sup> sess., 1360.

Party planned to abolish slavery. The *Philadelphia Evening Bulletin* referred to the event as “Blake’s Blunder” because he had not consulted with Republican leaders beforehand and had not clarified whether or not it applied to the slave states. According to the editor, southerners viewed the resolution as evidence that the Republican Party had “a deliberate plan for the sudden and forcible abolition of slavery.”<sup>13</sup> The *Baltimore Sun* agreed that Blake’s resolution proved that the Republican Party intended to subjugate the South by abolishing slavery.<sup>14</sup> Similarly, the *Richmond Enquirer* maintained that Blake’s actions showed that if the Republican Party controlled the federal government they would ignore the Constitution to press their abolition agenda.<sup>15</sup>

As southern fears escalated, General in Chief of the United States Army, Winfield Scott predicted war. In late October 1860, he concluded that how the federal government chose to handle federal forts in the South would play a central role in the growing crisis.<sup>16</sup> Although Scott was a Virginian by birth he held no sympathy for disunion. A week before Lincoln’s election Scott warned Secretary of War John B. Floyd that secessionists might try to take preemptive military action. Scott encouraged the Buchanan Administration to take several precautionary measures to avert the “imminent danger” threatening the Union.<sup>17</sup> He feared the South would resort to “an early act of rashness preliminary to secession” by seizing Fort Jackson and St.

Philip in Mississippi, Fort Morgan in Alabama, Fort Pickens, Fort McRea, and Pensacola harbor

---

<sup>13</sup> *Philadelphia Evening Bulletin*, March 27, 1860.

<sup>14</sup> *Baltimore Sun*, March 29, 1860.

<sup>15</sup> *Richmond Enquirer*, March 30, 1860.

<sup>16</sup> On this point, see Roy Franklin Nichols’s *The Disruption of American Democracy*. Roy Franklin Nichols, *The Disruption of American Democracy* (New York: The Macmillan Company, 1948), 380-391.

<sup>17</sup> The first part of Scott’s “Views” dealt with his opinion on how the Buchanan Administration should handle potential secession. Scott believed that the federal government should “save time” and allow the southern states to leave the Union. He also maintained that there would be four different Confederacies. For more information concerning Scott’s “Views” see Kenneth Stampp, *And the War Came: The North and the Secession Crisis, 1860-1861* (Baton Rouge: Louisiana State University Press, 1950), 50-53; Roy F. Nichols, *The Disruption of American Democracy*, 380-381; Russell McClintock, *Lincoln and the Decision for War: The Northern Response to Secession* (Chapel Hill: The University of North Carolina Press, 2008), 60, 61; Philip Shriver Klein, *President James Buchanan: A Biography* (University Park: The Pennsylvania State University Press, 1962), 354-356.

in Florida, Fort Pulaski in Georgia, Fort Moultrie and Fort Sumter in South Carolina, and Fort Monroe and Hampton Roads in Virginia.

Scott feared that the southern states could easily seize the federal forts along the Atlantic and Gulf coasts because they were not garrisoned at the recommended strength. Before the secessionists made “any attempt to take any one of them by surprise,” Scott advised the War Department to reinforce all military installations immediately.<sup>18</sup> But Scott did not have a plan to reinforce the forts. The next day, he suggested that Floyd instruct post commanders to “be on alert against surprises and sudden assault.” The General also acknowledged that there were only five companies, consisting of a total of only four hundred men “within reach” of the nine fortifications he believed to be in the greatest danger.<sup>19</sup> At the time the entire United States Army consisted of merely 16,000 men, most of whom were stationed along the western frontier.

The southerners in Buchanan’s cabinet asserted that adopting General Scott’s plan would create more problems for the Administration. Secretary of War John Floyd expressed deep concerns about reinforcing the forts, and added that he could not consent to sending “a military power that would choke [the South] to the ground.” Floyd told Buchanan that he could strengthen the forts, but warned that “it [would] lead to the effusion of blood.”<sup>20</sup> It was clear that Scott intended his “Views” to be public, as he sent a copy not only to the President, but also his political friends and newspaper editors.<sup>21</sup> The *Charleston Courier* reported that the publication of General Scott’s call for reinforcements “created the most intense excitement” throughout the

---

<sup>18</sup> Winfield Scott, “Views,” October 29, 1860, John J. Crittenden Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>19</sup> James Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion* (New York: D. Appleton and Company, 1866), 103; *National Intelligencer*, October 21, 1862; Benson John Lossing, *Pictorial History of the Civil War in the United States of America*, vol. 1 (Mansfield: Estill & Co., Publishers, 1866), 125, 126.

<sup>20</sup> *Southern Recorder* (Milledgeville, GA), January 22, 1861.

<sup>21</sup> Scott’s letter was published in full in the *National Intelligencer*, January 18, 1861 after much of the federal property in the South had already been seized.

city.”<sup>22</sup> The Charleston *Mercury* warned that the forts would “be filled with enemies to enforce the authority of a Government as unscrupulous as it is tyrannical.”<sup>23</sup> Eventually, Buchanan sided with the southern cabinet members because he worried that reinforcing the forts would lend credence to southern fears. But, he later argued that Scott’s plan “excited much indignation throughout the South, caused the violent and unsparing abuse of its author throughout the Southern States and afforded the pretext, if not the reason, for their rash and unjustifiable conduct in seizing the forts.”<sup>24</sup>

Although northerners initially criticized Scott’s plan, once secessionists began seizing the federal forts in December and early January 1860-1861, they complained that Buchanan failed to follow the general’s recommendations. Buchanan later explained that he decided against reinforcing the southern forts because “there were no available troops within reach” to man the fortifications. It would have been impossible to garrison the nine installations included in General Scott’s “Views” with only four hundred men. Moreover, when Scott composed his document the presidential election had yet to occur, no state had seceded from the Union, and no action had been taken against the federal government. Even though Buchanan’s decision may look unwise in hindsight, he believed that “to have attempted such a military operation with so feeble a force and the Presidential election impending, would have been an invitation to collision and secession.”<sup>25</sup> If just mentioning the potential of reinforcing the forts created hysteria in the South, actually reinforcing them would have made the United States look like the aggressor. Furthermore, at the time Buchanan had no way of knowing that the forts were actually going to

---

<sup>22</sup> Charleston *Courier*, January 10, 1861.

<sup>23</sup> Charleston *Mercury*, January 1, 1861.

<sup>24</sup> James Buchanan to Edwin Stanton, April 8, 1861, in Philip Gerald Auchampaugh, *James Buchanan and His Cabinet On the Eve of Secession* (Duluth: Privately Printed, 1926), 63-64.

<sup>25</sup> John Bassett Moore ed., *The Works of James Buchanan: Comprising his Speeches, State Papers, and Private Correspondence*, Vol. XI (New York: Antiquarian Press LTD, 1960), 279-282.

be seized. Past threats of disunion had always come to naught.<sup>26</sup> Former Postmaster General and Secretary of War, Joseph Holt added that Congress would not have agreed to spend money or send reinforcements to the southern forts even if war began.<sup>27</sup> Holt had a point. Even when Buchanan asked Congress to establish a better retirement system for disabled officers, an increase in the regular army, and harsher penalties for those assisting deserters, these measures went nowhere. As Buchanan considered Scott's suggestion to reinforce the forts, he also had to consider the unlikelihood of congressional action.<sup>28</sup>

A mere seven days after Scott recommended that Buchanan reinforce the forts, Abraham Lincoln was elected President of the United States and the Republicans became the majority party in the House of Representatives. Attorney General Jeremiah Black suggested that "every discerning citizen must have foreseen that serious danger to the Union would result from this election."<sup>29</sup> Southern newspapers and political leaders warned southerners of potential threats and called for action. The *New Orleans Delta* lamented that "a party founded on the single sentiment... of hatred of African slavery, is now the controlling power."<sup>30</sup> The *Charleston Courier* complained that the "South is to be compelled into submission to a Black Republican President and Black Republican Congress."<sup>31</sup> In a letter to the people of Georgia, Secretary of State Howell Cobb argued that Lincoln's election threatened the "peace and safety" of the

---

<sup>26</sup> This argument supports David Potter's warning of "the fallacy of reading history backward." Additionally, Elizabeth Varon argues that since the birth of the republic southerners had frequently threatened disunion. David M. Potter, *Lincoln and His Party in the Secession Crisis* (Baton Rouge: Louisiana State University Press, 1942), 13; Elizabeth Varon, *Disunion!: The Coming of the American Civil War, 1789-1859* (Chapel Hill: The University of North Carolina Press, 2008), 7-9.

<sup>27</sup> Horatio King, *Turning on the Light: A Dispassionate Survey of President Buchanan's Administration From 1860 to its Close* (Philadelphia: J.B. Lippincott Company, 1895), 121.

<sup>28</sup> *Congressional Globe*, 35<sup>th</sup> Congress, 2<sup>nd</sup> Session, 1032-1038; *Congressional Globe*, 36<sup>th</sup> Congress, 1<sup>st</sup> Session, 1351 and 3137; *Congressional Globe*, 35<sup>th</sup> Congress, 1<sup>st</sup> Session, 1425-1427; Philip Shriver Klein, *President James Buchanan: A Biography* (University Park: The Pennsylvania State University Press, 1962), 356.

<sup>29</sup> Jeremiah Black Historical Notes No.1, Jeremiah Black Papers, Manuscript Division, Library of Congress Washington, D.C.

<sup>30</sup> *New Orleans Daily Delta*, November 3, 1860, quoted in James McPherson, *Battle Cry of Freedom: The Civil War Era* (New York: Oxford University Press, 1988), 232-233.

<sup>31</sup> Charleston, *Charleston Courier*, November 8, 1860.

South.<sup>32</sup> The Charleston *Mercury* suggested that “that the tea had been thrown overboard – the revolution of 1860 had been initiated” and reported that government officials had resigned throughout the city.<sup>33</sup> Mississippi Governor John Pettus issued a proclamation claiming that the Republican Party intended to “use the powers of the Federal Government to defeat all the purposes for which it was formed.”<sup>34</sup> Georgia Governor Joseph Brown requested that the legislature arm the officers of the various state volunteer companies to defend the state against any federal assault.<sup>35</sup>

Lincoln’s election also forced Buchanan to consider seriously the possibility of southern secession. On November 6, 1860, the President warned Secretary of War John Floyd that if South Carolina forces captured the forts in Charleston Harbor because “of our neglect to put them in a defensible condition, it [would] be better for you and me both to be thrown into the Potomac with millstones tied about our necks.”<sup>36</sup> Two days later he held the most important cabinet meeting since taking office, as his Administration worked to establish a policy dealing with southern secession.<sup>37</sup> When the meeting adjourned, Assistant Secretary of State William Henry Trescot informed Floyd, Secretary of the Treasury Howell Cobb, and Secretary of the Navy Isaac Toucey of a problem in South Carolina that needed immediate attention.<sup>38</sup> On November 7, the commander at Fort Moultrie Colonel John Gardner ordered the arsenal in Charleston to issue all of the “fixed ammunition for small-arms (percussion caps, primers, &c.)”

---

<sup>32</sup> *Daily Federal Union* (Milledgeville, GA), December 16, 1860.

<sup>33</sup> *Mercury* (Charleston, SC), November 8, 1860,

<sup>34</sup> *The Daily Mississippian* (Jackson, MS), November 27, 1860.

<sup>35</sup> *Acts of the General Assembly of the State of Georgia, Passed in Milledgeville at an Annual Session in November and December 1860* (Milledgeville: Boughton, Nisbet & Barnes, State Printers, 1861), 237.

<sup>36</sup> King, *Turning on the Light*, 120; Interview with Judge Jeremiah Black published in *Chicago Daily Tribune*, August 7, 1881; Also quoted in Klein, *President James Buchanan*, 359; Nichols, *Disruption of Democracy*, 381.

<sup>37</sup> Klein, *President James Buchanan*, 357.

<sup>38</sup> It is important to note that W.H. Trescot was a South Carolinian who maintained close contact with Governor William Henry Gist. Gaillard Hunt, “Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860,” *The American Historical Review*, 13 (April 1908), 528 -556.



to his forces.<sup>39</sup> Wary of Gardner's request, South Carolina Governor William Gist warned Trescot that if the War Department did not rescind Gardner's order a "collision was inevitable." Floyd immediately told Trescot to notify Gist that no such order had been given by the War Department "and none such will be issued under any circumstances." Unsettled by Gardner's actions, the Secretary of War decided to remove Gardner from command and replaced him with Major Robert Anderson. Additionally, Floyd assigned South Carolinian Colonel Benjamin Huger to the Charleston Arsenal to help calm southern fears.<sup>40</sup>

This handling of the Charleston arsenal crisis showed that Floyd would not support reinforcing the southern forts to protect them from the radical secessionists. President Buchanan, on the other hand, responded in a more defensive manner. He told the cabinet that his upcoming Annual Message would inform the American people of his intention to protect federal property. But the cabinet was divided. Unsure of what authority he had to prevent secession and the seizure of public property, Buchanan asked Attorney General Jeremiah Black five questions concerning the legal authority of the executive office. Two of these dealt directly with the issue of the forts, arsenals, and navy yards. First he inquired, "what right have I to defend the public property (for instance, a fort, arsenal, and navy yard), in case it should be assaulted?" Secondly he asked, "can a military force be used for any purpose whatever under the Acts of 1795 and 1807, within the limits of a State where there are no judges, marshal, or other civil officers?"<sup>41</sup>

A few days after receiving the President's questions, Black presented an opinion that helped Buchanan define a policy on secession. Unfortunately, Black's answer left a lot to be

---

<sup>39</sup> *OR.* ser. 1, vol. 1: 69.

<sup>40</sup> Gaillard Hunt, "Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860," 533; Samuel Wylie Crawford, *The Genesis of the Civil War: The Story of Fort Sumter, 1860-1861* (New York: New York, C.L. Webster & Company, 1887), 58; *OR.*, ser. 1, vol. 1: 72.

<sup>41</sup> James Buchanan to Jeremiah Black, November 17, 1860, James Buchanan Papers, Historical Society of Pennsylvania, Philadelphia, Pennsylvania.

desired because he encouraged the President not to adopt any precautionary defensive measures and showed little desire to preserve the Union. Rather than explicitly defining the legal parameters of presidential power, Black left a lot of room for Buchanan to interpret the law himself.<sup>42</sup> For example, he advised that the Militia Act of 1795 “imposes upon the President the sole responsibility of deciding whether the exigency has arisen, which requires the use of military force.” Similarly, the Insurrection Act of 1807 had given the president the authority to use land and naval forces “as [he] may judge necessary” to enforce the law in the face of insurrection and rebellion. This meant that the the president had the authority to call on the militia as a defensive measure “to repel an assault on the public property.” Yet, despite asserting that the President had the authority to protect federal property, Black recommended that Buchanan continue to “execute the laws to the extent of the defensive means placed in [his] hands.” Black encouraged Buchanan to act as if southern states still belonged to the Union “until a new order” was “established by either law or force.” Additionally, Black maintained that although Congress had the power to declare war against a foreign power, the founding fathers did not grant Congress the authority to declare war against one or more states. As he saw it, “the Union must utterly perish at the moment when Congress shall arm one part of the people against another for any purpose beyond that of merely protecting the General Government in the exercise of its proper constitutional functions.”<sup>43</sup>

Despite advising Buchanan not to take action, Black unequivocally argued that the President had the right to protect government property because the Government “bought, built,

---

<sup>42</sup> Jean Baker argues that Black’s answers, “were tautological and unhelpful.” It is unfair to describe Black’s answers as “unhelpful” because they did form the basis for Buchanan’s Fourth Annual Message. Jean Baker’s “The South Has Been Wronged: James Buchanan and the Secession Crisis” in John W. Quist and Michael J. Birkner eds, *James Buchanan and the Coming of the Civil War* (Gainesville: University Press of Florida, 2013), 167.

<sup>43</sup> Attorney General Jeremiah Black, “Power of the President in Executing the Laws,” November 20, 1860 in Thomas C. Mackey ed. *A Documentary History of the American Civil War Era*, vol. 2 (Knoxville: The University of Tennessee Press, 2013), 204 - 206.

and paid for” the forts, arsenals, and navy yards. Moreover, according to Article 1, Section 8 of the Constitution, the federal government had the authority to regulate and control the property. “If any one of an owner’s rights is plainer than another,” Black argued, “it is that of keeping exclusive possession and repelling intrusion.” As Black saw it, “the right of defending the public property includes also the right of recapture after it has been unlawfully taken by another” as seen by the fact that “every one acknowledged the legal justice” of the government’s response to John Brown’s raid at Harpers Ferry.<sup>44</sup> But suggesting that John Brown’s raid set a precedent for executive power protecting public property is problematic. Although Brown could have been prosecuted by the federal government, the Buchanan Administration placated southern fears by allowing Virginia to try Brown. As a result, even though Brown seized a federal arsenal, he was found guilty of treason against the Commonwealth of Virginia, not the United States.<sup>45</sup> If anything, Buchanan’s handling of the Harpers Ferry fiasco established the precedent of placating the South to prevent potential violence, and not using federal power to protect public property.

Armed with Black’s legal guidance, Buchanan began writing his fourth Annual Message, while saying very little to his friends or the public about the present crisis. In his December 3 message Buchanan interpreted the entire situation as a northern problem rather than a national or southern problem. The President observed that the Union was not “a mere voluntary association of States” that could be dissolved at any instant. In his view, the founders “never intended to implant in its bosoms the seeds of its own destruction” through dissolution. The President pleaded for the South to “wait for the overt act,” by maintaining that Lincoln’s election in itself did not justify radical action. Yet, after firmly denying a constitutional right to secede, Buchanan

---

<sup>44</sup> Attorney General Jeremiah Black, “Power of the President in Executing the Laws,” November 20, 1860 in Thomas C. Mackey ed. *A Documentary History of the American Civil War Era*, 204.

<sup>45</sup> William A. Blair, *With Malice Toward Some: Treason and Loyalty in the Civil War Era* (Chapel Hill: The University of North Carolina Press, 2014), 13.

tempered his statement by announcing that he had no power to prevent a state from leaving the Union. Nor did he believe that Congress possessed the power to “coerce a State into submission.” Buchanan believed that Congress could only preserve the Union through conciliation because the Constitution did not grant them the power “to preserve it by force.” Just minutes after declaring that he stood for the Union and the Constitution, the President conceded that the Union “must one day perish.”<sup>46</sup>

President Buchanan clearly interpreted the crisis through a partisan lens. If war occurred, it would be a Republican war, not a Democratic war. Consequently, navigating the crisis would be the Republican Party’s responsibility. It was merely his job to hand over the Union intact to the incoming Lincoln Administration.<sup>47</sup> Those closest to Buchanan thought that no matter what course of action he pursued, the administration would face “bitter hostility.”<sup>48</sup> Americans, especially in the North, were losing confidence in the administration. On December 12, Secretary of State Lewis Cass resigned because the President refused to reinforce the southern forts.<sup>49</sup> Ohio Governor William Dennison maintained that “the sacredness of private and public property is the life of republican forms of government, and one of the very highest duties of the legislator, is to surround it with all the necessary safe-guards of law.”<sup>50</sup> The New York *Tribune* complained that “the President’s Message insults reason, outrages humanity, falsifies history, and defies common

---

<sup>46</sup> Fourth Annual Message, December 3, 1860, John Bassett Moore ed., *The Works of James Buchanan: Comprising his Speeches, State Papers, and Private Correspondence*, vol. XI (New York: Antiquarian Press LTD, 1960), 7- 40.

<sup>47</sup> This argument supports Roy F. Nichol’s assertion that the Civil War was the Republican Party’s responsibility and Russell McClintock’s argument that Northerners saw the secession crisis as a partisan conflict. Roy Nichols, *Disruption of American Democracy*, 39; Russell McClintock, *Lincoln and the Decision for War: The Northern Response to Secession* (Chapel Hill: The University of North Carolina Press, 2008), 60-61.

<sup>48</sup> Jeremiah Black’s Historic Notes No. 1, Jeremiah Black Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>49</sup> Edward McPherson, *Political History of the United States of America, during the Great Rebellion* (Washington D.C.: Philip & Solomons, 1865), 28.

<sup>50</sup> *Daily Cleveland Herald*, January 9, 1860.

sense.”<sup>51</sup> A Connecticut editor proclaimed that “Mr. Buchanan [showed] weakness, imbecility and inconsistency which proves him utterly unfit for the emergencies of the times, and that he has no better remedy for preventing a dissolution of the Union, than a concession of all and everything asked by the disunionists.” The paper ridiculed Buchanan’s claim that the federal government had no power to enforce laws in the states.<sup>52</sup> A friend of Illinois Congressman John A. Logan suggested that if the federal government had “no power to coerce a rebellious state to obedience to the law,” then the founding fathers “must have been fools.”<sup>53</sup> Others simply questioned the federal government’s purpose “if it had no resources in an emergency?”<sup>54</sup>

Buchanan’s message failed to allay southern apprehensions. While the Milledgeville, Georgia *Federal Union* referred to Buchanan as “pure heart and wise head,” most southerners lost all respect for the President and did not approve of his message.<sup>55</sup> The Charleston *Mercury* was sympathetic, saying that “we cannot forbear the expression of our sympathy with him in the difficulties which have environed him.” According to the *Mercury*, “all he can do now... is to make the dissolution of the Union peaceable.”<sup>56</sup> On December 8, Secretary of the Treasury Howell Cobb resigned his position. Believing that Lincoln’s election was the last straw, Cobb warned Buchanan that “the evil has now passed beyond control, and must be met by each and all of us, under our responsibility to God and our country.”<sup>57</sup>

---

<sup>51</sup> *New York Tribune*, December 5, 1860.

<sup>52</sup> *Morning Journal and Courier* (New Haven, Connecticut), December 6, 1860 in Howard Cecil Perkins, *Northern Editorials on Secession*, vol. 1 (New York: D. Appleton-Century Company Incorporated, 1942), 136.

<sup>53</sup> J.H. Wilson to John Logan, January 9, 1861, Logan Family Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>54</sup> *Buffalo Daily Courier*, December 6, 1860, in Perkins, *Northern Editorials on Secession*, volume? 139.

<sup>55</sup> *Federal Union*, December 18, 1860; *Memphis (TN) Daily Avalanche*, December 12, 1860.

<sup>56</sup> *Charleston Mercury*, December 6, 1860.

<sup>57</sup> Howell Cobb to James Buchanan, December 8, 1860 in Ulrich Bonnell Philips ed., *Annual Report of the American Historical Association for the Year 1911*, vol. II The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb (Washington, D.C.: U.S. Government Printing Office), 517

Meanwhile President-elect Lincoln chose not to address southern concerns publicly, though he did write several private letters expressing his views on the current crisis. North Carolina Congressman John Gilmer, for example, asked Lincoln to address six concerns that he and his constituents had following the recent election. The first two addressed congressional measures to eliminate slavery in the District of Columbia and on federal property in the slave states.<sup>58</sup> Prior to receiving Gilmer's letter Lincoln had kept with tradition and remained silent throughout the campaign. In fact, with the exception of a few minor remarks in Illinois, the last time he publicly addressed the issue of slavery was on February 27, 1860 when he delivered his famous Cooper Union Address.<sup>59</sup> Although Lincoln was "greatly disinclined" to "even privately" respond to Gilmer's questions, he thought it necessary because he feared Gilmer would misinterpret his silence. He promised Gilmer that he had "no thought of recommending the abolition of slavery in the District of Columbia, nor the slave trade among the slave states... and if I were to make such recommendation, it is quite clear Congress would not follow it." Furthermore, he claimed that "employing slaves in Arsenals and Dockyards" was "a thing I never thought of in my life."<sup>60</sup> Several days later, Lincoln wrote a similar letter to Alexander

---

<sup>58</sup> John A Gilmer to Abraham Lincoln, December 10, 1860, Abraham Lincoln Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>59</sup> For an in-depth explanation of Lincoln's interregnum see Harold Holzer, *President-Elect Lincoln* (New York: Simon & Schuster, 2008); William E. Baringer, *A House Dividing: Lincoln as President Elect* (Springfield: Abraham Lincoln Association, 1945).

<sup>60</sup> Abraham Lincoln to John Gilmer, December 15, 1860, Roy P. Bassler, *The Collected Works of Abraham Lincoln*, vol. IV (New Brunswick: Rutgers University Press, 1953), 151 – 153; Gary Gallagher persuasively asserts that Lincoln's primary objective was to preserve the Union, and that Lincoln only turned to emancipation as a means to save the Union. Scholars such as James Oakes, however, unconvincingly maintain that Lincoln and the Republican Party always interpreted the Civil War as a war to end slavery. It is also important to note, as Eric Foner argues, that Republicans were not unified in their opinions concerning slavery. Although radicals wanted to end slavery everywhere, there were also conservatives whose primary objective was to preserve the Union while also preventing slavery from expanding in the United States. Lincoln was a moderate who wanted to preserve the Union by any means possible. Gary Gallagher persuasively asserts Lincoln's primary objective was to preserve the Union, and Lincoln only turned to emancipation as a means to save the Union. Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970); Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York: W.W. Norton & Company, 2010); Gary Gallagher, *The Union War* (Cambridge: Harvard University Press, 2011); James Oakes, *Freedom National: The Destruction of Slavery in the United States, 1861-1865* (New York: W.W. Norton & Company, 2013).

Stephens asking if “the people of the South really entertain fears that a Republican administration would, *directly*, or *indirectly*, interfere with their slaves, or with them, about their slaves?” Lincoln assured the Georgian that “there is no cause for such fears.”<sup>61</sup>

Unlike Buchanan, Lincoln made it clear to those closest to him that he believed the President had the authority to maintain order in the states. Though he remained silent publicly, he confidently asserted that no state had the right to secede from the Union and that “it is the duty of the President, and other government functionaries to run the machine as it is.”<sup>62</sup> As a result, Lincoln requested his friend Elihu Washburne to instruct General Winfield Scott “to be as prepared as he can to either *hold*, or *retake*, the forts, as the case may require, at, and after the inauguration.”<sup>63</sup> When Lincoln heard rumors in late December that Buchanan had ordered Anderson to surrender Fort Moultrie if it was attacked, he angrily snapped “if that is true they ought to hang him!”<sup>64</sup>

But during the interregnum the government’s authority still rested in the weak hands of James Buchanan. Unfortunately, the events of late December and early January came too fast for the timid and indecisive Buchanan administration. On December 20, South Carolina became the first state to secede from the Union. Excitement and celebration filled the streets of Charleston. Shortly after seceding, the South Carolina secession convention appointed three commissioners to discuss with President Buchanan the “delivery” of the forts, arsenals, magazines, and other federal installations within the state’s borders.<sup>65</sup> Negotiations were cut short, however, because

---

<sup>61</sup> Abraham Lincoln to Alexander Stephens, December 22, 1860 in Roy Basler ed., *The Collected Works of Abraham Lincoln*, vol. IV, 160.

<sup>62</sup> Abraham Lincoln to Thurlow Weed, December 17, 1860 in Roy Basler ed., *The Collected Works of Abraham Lincoln*, vol. IV, 154.

<sup>63</sup> Abraham Lincoln to Elihu B. Washburne, December 21, 1860, in Roy Basler ed., *The Collected Works of Abraham Lincoln*, vol. IV, 159.

<sup>64</sup> Memorandum, Springfield, Illinois, December 22, 1860, John G. Nicolay Papers, Library of Congress Manuscript Division, Washington D.C.

<sup>65</sup> Edward McPherson, *Political History of the United States of America, during the Great Rebellion*, 29.

on December 26, Major Robert Anderson felt that his position at Fort Moultrie on Sullivan's Island was vulnerable. As a result, Anderson decided to spike his guns and move to Fort Sumter, an unfinished Fort Sumter in the middle of the Charleston Harbor. In retaliation, Governor Francis Pickens ordered the state militia to seize Fort Moultrie, Fort Johnson, Castle Pickney, the U.S. arsenal, and the U.S. Custom House under the "authority of the sovereign state of South Carolina."<sup>66</sup> In a letter to the President of the secession convention David Flavel Jamison, Governor Pickens declared that Major Anderson's move to Fort Sumter "brought on a state of war." As a result, he believed it was in the state's best interest and safety to occupy, hold, and maintain all remaining federal property.<sup>67</sup>

To an extent Pickens was right. The seizure of federal property was clearly an act of war, but Anderson and the United States were not the guilty party. As Jeremiah Black had told Buchanan in late November, according to the Constitution the property scattered throughout the South belonged to the federal government, not the states. Nevertheless, Buchanan continued to stand by his claim that even though South Carolina did not have the right to secede, neither he nor Congress had the power to stop them. While Washington stalled, by January 2, 1861, South Carolina forces facing no federal opposition successfully captured all the federal installations within its borders except Fort Sumter.

Although South Carolina only seized federal property after formally seceding, most Deep South states took action government before their secession conventions even met. Throughout January 1861 government facilities in Alabama, Louisiana, Georgia, and Florida fell into the hands of state militias on an almost daily basis. After hearing a rumor that Buchanan intended to appoint Joseph Holt, a "bitter foe" of the South, as the next Secretary of War, state political and

---

<sup>66</sup> *OR*, ser.1, vol. 1: 112; For more information about the seizure of federal property in South Carolina see chapter 2, *Star of the West*.

<sup>67</sup> *OR*, ser. 1, vol. 1: 252.



military leaders feared that the President intended to reinforce the southern forts. On January 1, 1861, Georgia Governor Joseph E. Brown met in Savannah with Colonel William J. Hardee and Colonel Alexander Lawton “to discuss the seizure of Fort Pulaski.”<sup>68</sup>

Fort Pulaski was originally built as a part of a coastal defensive system to protect the country from potential naval invasion after the War of 1812. In the hope of preventing future attacks, the Army’s Board of Engineers developed the Third System of coastal fortifications, commonly referred to as the Totten coastal defense system. While over two hundred locations were recommended, only thirty-four forts were actually constructed.<sup>69</sup> Fort Pulaski was Georgia’s only Third System Fort. Located on Cockspur Island near the mouth of the Savannah River, the fort guarded Savannah, the state’s most important commercial city. Although the fort was designed to protect the city from foreign attack, in January 1861, Secretary of War John Floyd had “scattered army so that much of it could be capture when hostilities” commenced.<sup>70</sup> As a result, there were only two federal soldiers stationed at Fort Pulaski. Confident that Georgia would secede, Brown wanted to take the fort before the federal government had time to send reinforcements that might prevent the state from holding a secession convention. But Colonel Hardee and Colonel Lawton disagreed. They warned the Governor that “if you take possession of the Fort, and there is one spark of vitality left in the Federal Government, it will shell you out in ten days.”<sup>71</sup>

After much reflection, on January 2, 1861, more than two weeks before the state seceded from the Union, Governor Brown ordered Colonel Alexander Lawton to seize Fort Pulaski.

---

<sup>68</sup> *Savannah Republican*, December 31, 1860; *OR*, ser. 1, vol. 53: 112-113; *Albany Patriot* (Albany, GA), January 3, 1861.

<sup>69</sup> Named after General Joseph Totten, the defense system was also called the Third System because it was the “federal government’s third attempt to guard the nation’s coast.” Mark A. Smith, *Engineering Security: The Corps of Engineers and Third System of Defense Policy, 1815-1861* (Tuscaloosa: University of Alabama Press, 2009).

<sup>70</sup> Ulysses Simpson Grant, *Personal Memoirs of U.S. Grant*, vol. 1 (New York: The Century Co., 1903), 181.

<sup>71</sup> For more information concerning Fort Pulaski see John Walker Guss, *Fort Pulaski* (Mount Pleasant: Arcadia Publishing, 2015).

Brown justified his decision by arguing that the federal government has “decided on the policy of coercing a seceded state back into the Union, and it is believed now has a movement on foot to occupy with Federal Troops, the Southern Forts, including Fort Pulaski.” The next morning over one hundred armed Georgians demanded the fort’s surrender.<sup>72</sup> Neither United States soldier stationed there had received orders on how to respond but, seeing that they were vastly outnumbered, the two men agreed to surrender the fort.<sup>73</sup> Georgia troops immediately went to work strengthening the fort’s defenses.<sup>74</sup> As one Georgia soldier told the *Savannah Republican*, “there is the best feeling imaginable between all the corps here, and a brotherly sympathy which is gratifying.”<sup>75</sup>

In Georgia support for Brown’s decision was overwhelming. The *Federal Union* proclaimed that Brown acted out “of peace and a desire to save bloodshed in case hostilities actually begin.” As the paper saw it, “for his promptness and energy in this crisis, Gov. Brown deserved the gratitude of every citizen of Georgia.”<sup>76</sup> When Brown returned to Milledgeville he was greeted and serenaded by “a large number of citizens with music and torches. The Alabama *Spirit of the South* lauded Brown who “executes his plans with the nerve of a soldier and the skill of a statesman. He defies the threats of Federal power, and laughs his enemies to scorn. He is full of Jacksonian will and courage; possessing wisdom to devise and boldness and sagacity to execute.” The *Augusta Democrat* maintained that Brown “exhibited an intelligence, firmness and

---

<sup>72</sup> At the time, Governor Brown believed that Buchanan had issued an order to reinforce all southern forts. This order was issued the last week of November, but was almost immediately rescinded. For more information concerning this order and the subsequent rumors see Chapter 2. *New York Times*, January 18, 1861; Auchampaugh, *James Buchanan and His Cabinet on the Eve of Secession*, 150; Joseph Brown, Executive Minutebook, January 2, 1861, Georgia Archives, Morrow, Georgia; *OR*, ser. 1, vol. 1: 318 and 319; Allen D. Candler, *The Confederate Records of the State of Georgia: Compiles and Published Under Authority of the Legislature*, vol. II (Atlanta: Chas P. Byrd, State Printer, 1910), 9- 19. See also William W. Freehling, *The Road to Disunion: Secessionists Triumphant, 1854-1861*, vol. II (New York: Oxford University Press, 2007), 482 – 483; Joseph Howard Parks, *Joseph E. Brown of Georgia* (Baton Rouge: Louisiana State University Press, 1999), 124 – 126.

<sup>73</sup> *OR*, ser. 1, vol. 1: 319.

<sup>74</sup> *Southern Watchman* (Athens, Ga), January 9, 1861.

<sup>75</sup> *Savannah Republican*, January 5, 1861 quoted in the *New York Herald*, January 12, 1861.

<sup>76</sup> *Federal Union* (Milledgeville, GA), January 8, 1861.

comprehensive statesmanship, equaled by few and surpassed by none in the annals of the state.”<sup>77</sup> When the state’s secession convention met two weeks later, they celebrated the governor’s “energetic and patriotic conduct” and promised to hold onto “Fort Pulaski, and all other Federal property within her borders .”<sup>78</sup>

Most southern papers interpreted Anderson’s defensive and peaceful move to Fort Sumter in South Carolina as an act of aggression, because they thought it showed the federal government’s willingness to use the “force of arms” to keep the South from leaving the Union. On the other hand, the reaction to Georgia’s takeover indicates that secessionists (and perhaps others) did not believe that the federal government actually owned the federal installations. Many thought the, southern states had ceded the fortifications built on southern soil to the federal government for protection from foreign enemies, but now they believed that the government planned to use the fortifications “against her own people in an effort to subjugate them.” As a result, they thought it was necessary to reclaim what they considered their property.<sup>79</sup> The *Albany Patriot* claimed that “there [was] no division of opinion in our community as to the wisdom of his policy.” “Nothing [could] be more abhorrent to the hearts of our people, nothing more shocking to their sense of justice,” the paper proclaimed, than for the federal government to turn fortifications built on Georgia soil “into instruments of police coercion.”<sup>80</sup> The *Fayetteville Observer* suggested that Governor Brown had to order the seizure of the fort, or a mob would have taken matters into their own hands.<sup>81</sup>

---

<sup>77</sup> Papers quoted from I.W. Avery, *The History of the State of Georgia from 1850 to 18881, Embarrassing the Three Important Epochs: The Decade before the War of 1861-5; The War; The Period of Reconstruction, With Portraits of the Leading Public Men of This Era* (New York: Brown and Derby Publishers, 1881), 148

<sup>78</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia Held in Milledgeville and Savannah in 1861* (Milledgeville: Boughton Nisbet & Barnes, State Printers, 1861), 19, 26.

<sup>79</sup> *Daily Morning News* (Savannah, Georgia), January 3, 1861.

<sup>80</sup> *Albany Patriot* (Albany, Georgia), January 10, 1861.

<sup>81</sup> *Fayetteville Observer* (Fayetteville, North Carolina), January 7, 1861.

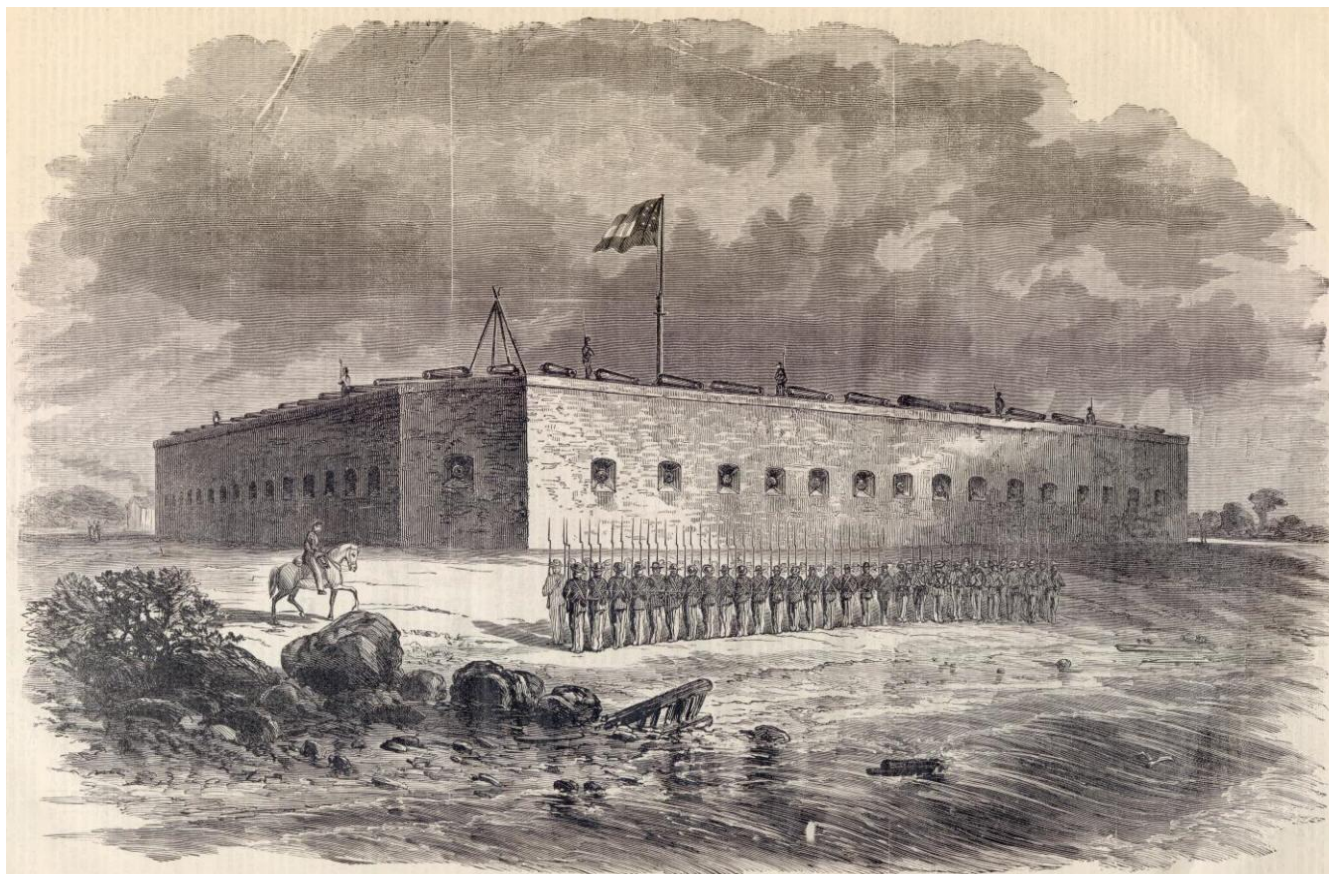


Illustration 1.1 Fort Pulaski, Savannah River, Georgia, Sketch by an officer of the Navy, *Harper's Weekly*, December 28, 1861.<sup>82</sup>

Once South Carolina and Georgia seized the forts and arsenals in their states they justified their actions by claiming the property belonged to the state and not the federal government. The Milledgeville *Federal Union* believed that handling federal property within the seceded states was “the most dangerous problem” of secession.<sup>83</sup> Following the capture of Fort Pulaski, one Georgia soldier proclaimed that “there [were] many opinions amongst the privates as to the propriety of the step we have taken in obtaining this fort.”<sup>84</sup> The Georgia secession convention, however, made clear its belief that the state was the true owner of the public property. Before signing an ordinance of secession, the delegates declared that “the buildings,

<sup>82</sup> This illustration shows the state troop’s defenses after seizing the fort. *Harper's Weekly*, December 28, 1861.

<sup>83</sup> *Federal Union* (Milledgeville, Ga.), January 15, 1861.

<sup>84</sup> *New York Herald*, January 12, 1861.

machinery, fortifications, or other improvements, erected on the land so heretofore ceded to the said United States, or other property found therein, shall be held by this State.”<sup>85</sup> Jefferson Davis even later argued that even though southern states ceded land to the Federal Government for military installations, “the ultimate ownership of the soil... remains with the people of the State in which it lies, by virtue of their sovereignty.” According to Davis, the forts “should be used solely and exclusively for the purposes for which they were granted” or the state could reclaim the property.<sup>86</sup>

Believing that the federal military installations really belonged to the state, Governor Brown also advised the governors of Alabama, Louisiana, and Florida to take preemptive action. Citing rumors of potential federal occupation, on January 5, Brown encouraged the Deep South governors to “cooperate and occupy the Forts.” According to Brown, capturing the federal installations was the only way the states could ensure the federal government would not interfere with their secession conventions.<sup>87</sup> The governors readily agreed with Brown and almost immediately ordered the capture of the federal installations in their states.

On January 3, the same day that Georgia seized Fort Pulaski and eight days before Alabama seceded, Alabama Governor Andrew B. Moore ordered Colonel John Todd of the First Volunteer Regiment to occupy Forts Morgan and Gaines to take possession of the U.S. arsenal immediately and to hold them for the State of Alabama” until the state convention dictated otherwise. Moore repeatedly maintained that this was not an act of hostility towards the federal

---

<sup>85</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia Held in Milledgeville and Savannah in 1861*, 61.

<sup>86</sup> Jefferson Davis, *The Rise and Fall of the Confederate Government*, vol. I (New York: Sagamore Press, Inc., 1953), 209.

<sup>87</sup> Joseph E. Brown to Governor Moore, January 5, 1861, Samuel Crawford Papers, Library of Congress Manuscript Division, Washington, D.C.

government and that “both the forts and the arsenal” should be taken “without bloodshed.”<sup>88</sup> The next day four companies of Alabama volunteers took over the Mount Vernon arsenal in Mobile. As in South Carolina and Georgia, the federal troops did not resist the demand for surrender. Jesse L. Reno, commander of the federal troops stationed at Mount Vernon reported the affair as an “unexpected catastrophe,” because the Alabama volunteers caught him and his seventeen men completely off guard. Reno decided that there was no way eighteen men could have prevented the hundred plus Alabamians from seizing the arsenal.<sup>89</sup> The *New York Herald* reported that the arsenal was “probably the strongest and best built arsenal” in the United States as it sat almost 500 feet “above the rest of the country.” Additionally, the paper warned that the Mount Vernon Arsenal housed enough arms and ammunition to equip Alabama, Mississippi, Louisiana, and Florida troops.<sup>90</sup> But that might have been an exaggeration, as the arsenal contained only 150,000 pounds of gunpowder and enough weapons to arm roughly 20,000 men.<sup>91</sup>

On January 5, Todd’s forces of roughly five hundred men seized Fort Morgan and the unfinished Fort Gaines located at the mouth of Mobile Bay. The *Mobile Tribune* referred to the event as an “exciting little dash at Dauphin Island.”<sup>92</sup> Together the two forts housed roughly 220 guns.<sup>93</sup> As with the previous takeovers, instead of resisting, United States Lieutenant Chauncey Barnes Reese complied with the secessionists’ demands. Upon learning of the capture of the two forts, the city of Montgomery celebrated with a one hundred-gun salute. State troops paraded

---

<sup>88</sup> Andrew B. Moore to John Todd, January 3, 1861, John B. Todd Correspondence, Alabama Department of Archives and History, Montgomery, Alabama.

<sup>89</sup> *OR*, ser. 1, vol. 1: 327.

<sup>90</sup> *New York Herald*, January 12, 1861.

<sup>91</sup> *Confederate War Journal*, vol. 1, No. 1 (New York: War Journal Publishing Company, 1893,) 48.

<sup>92</sup> *Mobile Tribune*, quoted in the *New York Herald*, January 14, 1861.

<sup>93</sup> There were 132 guns at Fort Morgan and 89 guns stored at Fort Gaines. *New York Herald*, January 14, 1861; *Daily National Intelligencer*, February 5, 1861.

throughout the city with drum and fife.<sup>94</sup> Abraham Lincoln's private secretary John Nicolay later described the process well: "the ordinary process [of seizing property] was, the sudden appearance of a superior armed force, a demand for surrender in the name of the State, and the compliance under protest by the officer in charge – salutes to the flag, peaceable evacuation, and unmolested transit home being graciously permitted as a military courtesy."<sup>95</sup>

But on January 18, the Alabama militia tried to prevent Lieutenant Reese from leaving Mobile. After hearing rumors that Reese intended to take the United States' property stored at Fort Gaines and Fort Morgan, Captain Todd instructed Alabama troops to capture the ship transporting the federal troops.<sup>96</sup> Four or five Alabama militia officers boarded the steamer carrying the federal troops and demanded that Reese surrender all property, keys, and provisions stored on the ship. Reese once again reluctantly complied. The New Orleans' *Daily True Delta* praised the state troops for preventing Reese "from defrauding Alabama of several thousand dollars worth of property."<sup>97</sup>

As Alabama troops seized federal property, on January 4 Governor Moore informed President Buchanan why he ordered the state militia to capture the forts and arsenals. So "my part may not be misunderstood by the Government of the United States," Moore assured the President that, "the purpose with which my order was given and had been executed was to avoid and not to provoke hostilities between the State and Federal government." Believing that Alabama was about to secede, Moore contended that seizing federal military installations was a "precautionary step to make the secession of the State peaceful, and prevent detriment to her people." Because Moore feared the Federal government would attempt to reinforce southern

---

<sup>94</sup> Thomas J. McClellan to wife (Martha Fleming Beatie), Thomas J. McClellan Letters, 1861, Alabama Department of Archives and History.

<sup>95</sup> John G. Nicolay, *The Outbreak of Rebellion* (New York: Charles Scribner's Sons, 1881), 16.

<sup>96</sup> *OR*, vol. 1; ser. 1: 329-330; *New York Herald*, January 31, 1861; *Daily True Delta*, January 27, 1861.

<sup>97</sup> *Daily True Delta* (LA), January 27, 1861.

forts and arsenals, he argued that it would have been an “unwise policy” not to act. He therefore had acted in “self-defense.” He assured Buchanan that if Alabama voted not to secede he would peacefully return all forts, arsenals, and ammunition.<sup>98</sup>

Even though southern newspapers touted the capture of property as a great success, not all celebrated the state’s actions. Some Alabamians disagreed with Moore’s actions. One member of the Alabama secession convention, Thomas J. McClellan complained that the governor had “exceed[ed] in usurpation of power anything that has yet been done even in South Carolina.” McClellan thought it “still doubtful” whether a majority of delegates thought that the state should secede and saw no justification for aggressive action. He worried that the fire-eaters “intend[ed] to carry every thing their own way if they have the power, without giving the people a voice in the matter.”<sup>99</sup> Robert Jemison, a cooperationist from Tuscaloosa, saw “no necessity for immediate action,” fearing that rumors circulating across the South would simply generate “excitement and alarm.”<sup>100</sup> Henry Cox Jones of Lauderdale County agreed with Jemison. Fearing that taking even non-violent action against the federal government constituted treason, Jones did not understand why some men refused to wait until after the state decided to secede. Jones reminded the convention that “there [was] no hostile army battering at the gates of Charleston.”<sup>101</sup> Yet, despite their objections, they did nothing to slow down or halt the seizure of property.

On January 5, Governor Moore explained his actions to the state’s secession convention. Rather than asserting that he ordered the seizures to ensure peaceful secession, he now

---

<sup>98</sup> OR, ser. 1, vol.1: 327 and 328; William Russell Smith, *The History and Debates of the Convention of the People of Alabama, Begun and Held in the City of Montgomery, on the Seventh Day of January, 1861; in Which is Preserved the Speeches of the Secret Sessions, and Many valuable State Papers* (Montgomery: White Pfister & Co., 1861), 40-41.

<sup>99</sup> Thomas J. McClellan to wife (Martha Fleming Beatie), Thomas J. McClellan Letters, Alabama Department of Archives and History.

<sup>100</sup> William Russell Smith, *History and Debates of the Convention of the People of Alabama*, 63- 64.

<sup>101</sup> Ibid., 65.



maintained that he did all that he “could do to prepare the State for any emergencies that might occur.”<sup>102</sup> Although Moore did not specify what he meant by “emergencies that might occur,” it is evident that he was preparing for war. Delegate George C. Whatley asserted that the militia “seized the guns lest they should be turned against us, and become the instruments of our own destruction.”<sup>103</sup> John Tyler Morgan worried that if southerners abandoned the forts, batteries, and arsenals they seized they “might never expect to regain possession” of them again.<sup>104</sup> As Morgan saw it, Alabamians captured federal property because they “considered the conduct of Major Anderson at Fort Sumter... as a threat of war.”<sup>105</sup>

While Alabama delegates argued that the state seized federal property to prepare for war, not ensure peaceful secession, some delegates at Georgia’s secession convention also questioned Governor Brown’s motives for preemptive action. By seizing federal property before the secession conventions met, southern political leaders changed the context of the debates. Cooperationist Hershel Johnson claimed that Brown’s orders to capture Georgia’s forts “designed” and “shap[ed] matters” in order “to render secession a necessity.”<sup>106</sup>

But that did not stop other Deep South states from following Georgia’s example. On January 5, eighteen days before Louisiana’s secession convention even assembled, General Elisha L. Tracy met with militia captains to discuss the seizure of the five federal forts and an arsenal located in the state.<sup>107</sup> Governor Thomas Moore maintained that “the safety of the state of Louisiana demands that I take possession of all Government property within her limits.”<sup>108</sup>

---

<sup>102</sup> Ibid., 42.

<sup>103</sup> Ibid., 170.

<sup>104</sup> Ibid., 217.

<sup>105</sup> Ibid., 218.

<sup>106</sup> Hershel Johnson to Alexander Stephens, January 9, 1861, Hershel V. Johnson Papers, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

<sup>107</sup> Edwin C. Bearss, “The Seizure of the Forts and Public Property in Louisiana” *Louisiana History* (Autumn 1961) 2, 401.

<sup>108</sup> *OR*, ser. 1, vol. 1: 490.

Although the Buchanan Administration had yet to take any action to stop the seizures or recapture federal property, Moore believed that Congress' "hostile language" and the "tyrannical purposes" of the incoming administration was enough to merit preemptive action.<sup>109</sup> But Moore had been planning military action for well over a month. On December 12, 1860, the Governor had established a Military Board designed to protect the state from federal coercion by raising a 5,000 man army. One of the first people appointed to the board was Colonel Braxton Bragg, who still held a commission with the United States Army. Despite being opposed to secession, Bragg agreed to serve his state, though before Bragg could raise any forces or resign his commission with the U.S. Army, Governor Moore decided that the state needed to act.<sup>110</sup>

After receiving his orders to take the federal arsenal in Baton Rouge, Bragg told his wife Elise that he had reservations about Moore's decision to seize the property, but admitted that he thought it was the "only course [Moore] could adopt to avoid bloodshed."<sup>111</sup> Despite his fears, on January 7, Bragg led 600 men to take control the arsenal and barracks at Baton Rouge. Under a flag of truce, Moore's aides-de-camp Richard Taylor and Braxton Bragg warned the federal Captain Joseph A. Haskin that "any attempt at defense on your part will be a rash sacrifice of life." Vastly outnumbered and not expecting reinforcements or additional support, Haskin surrendered.<sup>112</sup> Following this success, Bragg boasted that he had handled the negotiations with "prudence and conciliation" and exulted that the federal "officers left perfectly satisfied."<sup>113</sup>

---

<sup>109</sup> *OR*, ser. 1, vol. 1: 495.

<sup>110</sup> For more information about Braxton Bragg during the secession crisis see Grady McWhiney, *Braxton Bragg and Confederate Defeat*, Vol. I (New York: Columbia University Press, 1969); Also see Earl J. Hess, *Braxton Bragg: The Most Hated Man of the Confederacy* (Chapel Hill: The University of North Carolina Press, 2016).

<sup>111</sup> Braxton Bragg to Elise Bragg, January 11, 1861, William K. Bixby Collection of Braxton Bragg Papers, Missouri Historical Society, St. Louis, Missouri; Grady McWhiney, *Braxton Bragg and Confederate Defeat*, 150-151.

<sup>112</sup> *OR*, ser. 1, vol. 1, p. 490.

<sup>113</sup> Braxton Bragg to Elise Bragg, January 11, 1861, William K. Bixby Collection of Braxton Bragg Papers, Missouri Historical Society, St. Louis, Missouri.

The seizure of the Baton Rouge arsenal greatly strengthened the nascent Confederacy's military capability at the beginning of the Civil War. Before the capture, Louisiana had experienced a shortage in arms and ammunition. Seizing the arsenal provided the state over 4,000 rifles, almost 30,000 percussion muskets, and over 8,000 flintlock muskets. Governor Moore gave Mississippi enough weapons to arm their newly formed volunteer army. Yet capturing the Baton Rouge arsenal was only a temporary solution to the weapons shortage because the arsenal did not contain the machinery needed to produce more arms and ordnance.<sup>114</sup> Well-armed and with superior numbers, the Louisiana militia proceeded to seize Forts Jackson, St. Philip, Livingston, Pike, and Macomb without bloodshed.

Not everyone, however, celebrated Moore's decision. General William Tecumseh Sherman, who had recently retired from the military and taught at the Louisiana Seminary of Learning and Military Academy, later pointed out that "long before the North, or the Federal Government, dreamed of war the South seized the U.S. arsenals, forts, mints, and custom-houses."<sup>115</sup> He concluded that "war existed against the General Govt. from the date of the first seizure of property – I did resent it as an act of hostility and Treason." After watching what he thought to be acts of war, Sherman headed to Washington to help suppress the South's treasonous actions, but Buchanan told him that "military men were not needed."<sup>116</sup> In a letter to Robert Anderson's brother in 1863, Sherman recalled the circumstances in more detail:

War existed before Sumter was fired on. The seizure of our Forts and arsenals by armed bodies led by Governors and Commissioned officers preceded the attack on Sumter. It was

---

<sup>114</sup> *OR*, ser. 1, vol. 1: 495. For more information about the problems of southern arms shortages and Major Josiah Gorgas, Chief of Confederate Ordnance see Frank E. Vandiver, *Ploughshares Into Swords: Josiah Gorgas and Confederate Ordnance* (Austin: University of Texas Press, 1952); Edwin C. Bearss, "The Seizure of the Forts and Public Property in Louisiana" *Louisiana History*, 404.

<sup>115</sup> William T. Sherman to James Guthrie, August 14, 1864, in Brooks D. Simpson and Jean V. Berlin eds. *Sherman's Civil War: Selected Correspondence of William T. Sherman, 1860-1865* (Chapel Hill: University of North Carolina Press, 1999), 693;

<sup>116</sup> William T. Sherman to Thomas Ewing Jr., April 26, 1861, in Brooks D. Simpson and Jean V. Berlin eds. *Sherman's Civil War*, 75.

the seizure of the Forts and mails of Louisiana, more especially the arsenal at Baton Rouge with its small Garrison by a force of vols. led by Governor Moore and Col. (now Genl.) Bragg, then my most intimate friends, that made me declare it “*high Treason*,” and I quit the state, before as in your case malignant men had wrought up public feeling to a madden State.<sup>117</sup>

Unionists and northerners were appalled by the South’s capture of federal military installations. The pro-Lincoln *Daily Palladium* argued that the South struck the first blow by “seizing the property of the Union, garrison[ing] its forts against the officers of law, take[ing] possession of its revenue-cutters, rifl[ing] its arsenals to arm their forces against its authority.” “This is not secession; it is not dissolution; *it is rebellion and aggressive war!*” the paper boldly argued. According to the editors, the Gulf states’ “deliberate purpose to seize the Government by force is at last unmasked, and they have swept the cotton states into open, armed, aggressive rebellion.”<sup>118</sup> On January 12, a concerned Ohio citizen asked Congressman John Sherman, “is it not the duty, and the true policy of its government to arm and keep all the forts, arsenals, and government property? Possess it and then wait arm and defend it until wiser council shall give forth the opinion of the South and cooler councilors shall be heard.”<sup>119</sup> Another Ohioan believed that the “insecurity of government property at Washington... is a serious affair and should be forthwith guarded against... any possible degree of danger.” He warned Congressman John Sherman that “if the federal property [fell] into the Rebel’s hands it will double their numbers in 24 hours.”<sup>120</sup>

Northerners also argued that the South had committed acts of war and treason by capturing federal military installations. Douglas Democrat and Illinois Senator, John A. Logan

---

<sup>117</sup> William T. Sherman to Charles Anderson, ca. August 1863, Brooks D. Simpson and Jean V. Berlin eds. *Sherman’s Civil War*, 510.

<sup>118</sup> *Daily Palladium* (CT), January 11, 1861 in Perkins Perkins, *Northern Editorials on Secession*, vol. 1, 210.

<sup>119</sup> Peleg Bunker to John Sherman January 12, 1861, John Sherman Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>120</sup> Jake L. Smith to John Sherman, January 15, 1861, John Sherman Papers, Library of Congress Manuscript Division, Washington, D.C.

argued that “the recognition of the South as an independent sovereignty, the forts, the arsenals, all government property” will “embroil the sections in a war.”<sup>121</sup> The Fifth Ward Republican Association argued that “the inhabitants of Louisiana are now in a state of insurrection” and have committed “treason to their country.”<sup>122</sup> On January 14, United States Circuit Court Judge Smalley termed the secessionists’ aggressive seizure of forts, arsenals, and barracks “high treason by levying war.... There can be no doubt about it.”<sup>123</sup> According to Smalley, “it is well known that war – civil war- exists in person of the Union.” Judge Smalley repeatedly maintained that “the actual seizing of the Forts in Carolina, and in other States, is a levying of war against the United States.”<sup>124</sup> Abraham Lincoln’s private secretary John Nicolay also agreed that the South’s actions were “nothing less than levying actual war against the United States, though as yet attended by no violence or bloodshed.”<sup>125</sup>

Yet President Buchanan still refused to act, believing that the federal government had no authority to retake the stolen property. Instead, Buchanan declared January 4, 1861 a “Day of National Humiliation, Fasting, and Prayer” to calm northern anxieties.<sup>126</sup> Yet the national day of fasting and prayer also led people to criticize the Buchanan Administration more than ever before. Indiana banker, Calvin Fletcher argued that “very few people” had respect for the President.<sup>127</sup> An Ohioan referred to Buchanan as “a villain, consummate coward, knave,

---

<sup>121</sup> John A. Logan to I. N. Haynie, January 1, 1861, John A. Logan Correspondence, Library of Congress Manuscript Division, Washington, D.C.

<sup>122</sup> Copy of the Resolutions Adopted by the Fifth Ward Republican Association, January 14, 1861 in John Sherman Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>123</sup> *New York Times*, January 15, 1861.

<sup>124</sup> *New York Times*, January 15, 1861; *The Daily-Picayune*, January 24, 1861.

<sup>125</sup> John G. Nicolay, *The Outbreak of Rebellion*, 16.

<sup>126</sup> He announced January 4, 1861 as a “Day of National Humiliation, Fasting, and Prayer” on December 11, 1861, before the South took preemptive action.

<sup>127</sup> Gayle Thornbrought ed. *Diary of Calvin Fletcher 1861-1862*, vol. 7 (Indianapolis: Indiana Historical Society, 1980), 8.

traitor.”<sup>128</sup> One northern preacher described the federal government as “incompetent, unreliable, and immoral men in office.” Another northern minister asserted that “the union must be preserved. If the President is himself a traitor, *let him be impeached* and another man put in his place.”<sup>129</sup>

On January 8, four days after the day of fasting and prayer, Buchanan requested that the House of Representatives form a five-man select committee to investigate “where the ships of the United States are now stationed, in what command, and under what orders?”<sup>130</sup> Two days later, the Speaker of the House appointed Michigan Republican William Alanson Howard, Massachusetts Republican Henry L. Dawes, Union Democrat John Cochrane, New York Democrat John R. Reynolds, and North Carolina Democrat Laurence O’ Bryan Branch.<sup>131</sup> The select committee, however, decided to include an examination of the seizure of the Pensacola Navy Yard. They reported that the entire Gulf coast and Atlantic seaboard had been “without defense during all the period of civil commotion and lawlessness” as southern states “plundered” and “robbed” the federal government.<sup>132</sup> The Pensacola Navy Yard had been seized by “lawless mobs... in open rebellion.” Nor was this “a sudden outburst of passion or discontent,” but rather a “fulfillment of schemes long entertained and frequently threatened.”<sup>133</sup> When the Deep South went into open rebellion, the naval ships were too far away to offer any assistance. The committee complained that Secretary of the Navy Isaac Toucey did not properly use his power

---

<sup>128</sup> James K. Smith to John Sherman, January 1, 1861, John Sherman Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>129</sup> Silvana R. Siddali, “The Sport of Folly and the Prize of Treason’: Confederate Property Seizures and the Northern Home Front in the Secession Crisis, *Civil War History*, 47 (December 2001), 316-317.

<sup>130</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 1. Also see Fred Nicklason, “The Secession Winter and the Committee of Five,”

<sup>131</sup> *Congressional Globe*, 36 Cong. 2<sup>nd</sup> Session, 316.

<sup>132</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 2 and 5.

<sup>133</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 5.

during the crisis. The most troubling aspect of Toucey's handling of the Navy was the fact that he readily accepted the resignations of officers after they had committed treason by demanding the seizure of the Pensacola Navy Yard.<sup>134</sup>

Before Florida seceded on January 10, Governor Madison Perry called for the capture of federal installations. Georgia Governor Joseph Brown offered to provide Georgia troops to assist the Florida militia. Ardent Florida Secessionist Senator David Yulee informed the military commanders that “the naval station and forts at Pensacola are first in consequence” because “the occupation of the navy-yard will give us a good supply of ordnance and make the capture of the forts easier.” Believing the rumors that Buchanan intended to reinforce all southern forts, Yulee encouraged the militia to act quickly.<sup>135</sup> On January 12, Captain Victor M. Randolph, and Colonel Campbell with 350 men demanded that Commodore James Armstrong and seventy federal soldiers surrender the Navy Yard.<sup>136</sup> Well aware that Florida troops were on the way and had already captured the arsenal at Apalachicola, Fort Marian, and Fort Saint Augustine, Armstrong destroyed the naval signal books before Randolph and Campbell arrived.<sup>137</sup> At the time, Armstrong was ordered to “be vigilant in the protection of the public property under his charge.” But following a twenty-minute conversation, Lieutenant Renshaw ordered Chief William Conway to “haul the flag down.” His fellow sailors chastised Conway for even considering this.<sup>138</sup> When Conway refused to lower the flag, Renshaw hauled it down himself.

---

<sup>134</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 2 -5.

<sup>135</sup> *OR*, ser. 1, vol. 1: 442-443.

<sup>136</sup> Victor M. Randolph was from Alabama. *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 27-32; George F. Pearce, *Pensacola During the Civil War: A Thorn in the Side of the Confederacy* (Gainesville: University Press of Florida, 2000), 22.

<sup>137</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 57.

<sup>138</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 28.

Despite having just surrendered the Navy Yard, Armstrong labeled Renshaw “a traitor to his country.”<sup>139</sup>

Interviews with people present during the seizures demonstrated that the federal commanders were well aware that Florida troops planned on capturing the Naval Yard. Right after Alabama troops took control of Fort Morgan, an assistant surgeon had heard that Florida planned to seize the Naval Yard.<sup>140</sup> Nevertheless, he argued that “it was impossible to make preparations to defend the yard” because not a single gun was mounted and they had “no means of mounting any at that time.”<sup>141</sup> A chief engineer also asserted that federal officers failed to adequately protect the Navy Yard from the Florida and Alabama troops.<sup>142</sup> Armstrong defended his decision to surrender without a fight by pointing out that his entire “force consisted of a couple dozen marines.”<sup>143</sup>

---

<sup>139</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 60.

<sup>140</sup> Others complained that the naval storekeeper was a known secessionist who frequently warned that state troops intended to seize the Navy Yard. *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 63.

<sup>141</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 49-52.

<sup>142</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861),

<sup>143</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 58.



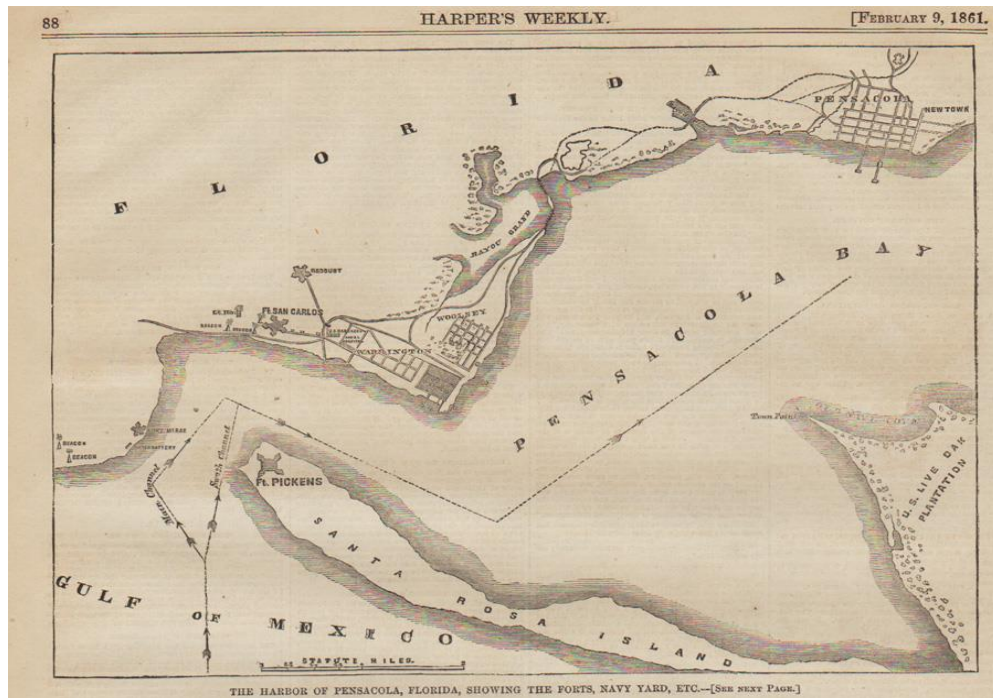


Illustration 1.2 The Harbor of Pensacola, Florida, Showing the Forts, Navy Yard Etc., *Harper's Weekly*, February 8, 1861.<sup>144</sup>

Immediately following the surrender, roughly twenty United States Marines joined the ranks of the state militia and workers and continued “as though nothing had transpired.”<sup>145</sup> The second in command at the Navy Yard, Ebenezer Farrand, resigned his commission and joined the Florida troops. Armstrong later said that he considered his subordinate guilty of “high treason” for joining the enemy before the Navy Department accepted his resignation.<sup>146</sup> Those who did not join the Florida forces were held as “prisoner[s] of war.” They eventually received a parole of honor, which required them to agree to not take up arms against the Florida troops.<sup>147</sup> The

<sup>144</sup> *Harper's Weekly*, February 9, 1861.

<sup>145</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 61.

<sup>146</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 68.

<sup>147</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 69- 72.

treatment of the loyal United States sailors and military personal further demonstrate that the state's actions were in fact an act of war.<sup>148</sup>

According to the Select Committee of Five, “the conduct of these officers plainly comes within the constitutional definition of treason against the United States, viz: ‘levying war against them or, in adhering to their enemies, giving them aid and comfort.’” When the state militia demanded the surrender of the Navy Yard, the commanders were still commissioned officers in the United States Navy. So long as Toucey did not accept the officer's resignations they could have been court-martialed and punished as traitors.<sup>149</sup> When the committee released their report Toucey quickly issued a statement arguing that he was “not aware” that United States Naval officers were involved in demanding the surrender of any forts or public property.<sup>150</sup>

As state officials continued to capture federal installations throughout the month of January, one question still remained: who owned the nation's federal fortifications? One Union religious tract asserted that “we were never partners. All Federal property always has been and will be exclusive. There can be no shares.”<sup>151</sup> American author John Lothrop Motely argued that southern states seizing “forts arsenals, custom-houses, post-offices, mints, and other valuable property of the Union, paid for by the treasure of the Union” was “rebellion, treason, and plunder.”<sup>152</sup> The *New York Herald* pointed out that southerners' understanding of federal property was deeply flawed. The fortifications were not established to protect a certain point. Instead they were built to “prevent the possibility of invasion” for the entire country. This meant

---

<sup>148</sup>

<sup>149</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 8.

<sup>150</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 87 (Washington: Government Printing Office, 1861), 17.

<sup>151</sup> Robert Dodge, *A Book for Every Soldier's Knapsack. Tracts for the War, Secession: The Remedy and the Result* (New York: J. Miller, 1861), 31.

<sup>152</sup> John Lothrop Motley, *The Causes of the American Civil War: A Paper Contributed to the London Times* (New York: James G. Gregory, 1861), 19.

that “an attack upon any one point of our coast is an invasion of the whole United States,” not just the South.<sup>153</sup>

Yet not all slave states decided that capturing federal property was necessary. In mid-January, the Virginia legislature passed a resolution requesting “the President and each Southern State to unite in assurances of preparations for peace – a restoration of the original status of the forts and arsenals, which shall be maintained only to repel actual aggressions.”<sup>154</sup> A few days later Virginia Senator Robert Hunter questioned the federal government’s promise to reinforce federal forts in the South. Hunter proposed a resolution calling on President Buchanan to return all the federal property located throughout the South so long as the states promised “the safekeeping and return of all the property of the United States” and pay for any damages incurred while holding the property. Immediately after Hunter’s resolution was read aloud, Senator Lyman Trumbull recommended that the resolution should also include a statement that proclaimed that the Senate “fully approve of the bold and patriotic act of Major Anderson” and intended to “support the President in all constitutional measures to enforce the laws and preserve the Union.”<sup>155</sup> Without acknowledging Trumbull’s statement, Hunter replied that ideological differences created a state of “warfare” between the North and South.<sup>156</sup> Weak verbal promises not to interfere with slavery were not enough to calm southern anxieties. Hunter maintained that the federal government needed to pass a constitutional amendment that prevented Congress from abolishing slavery “in the States, the District of Columbia, in the dockyards, forts, and arsenals

---

<sup>153</sup> *New York Herald*, January 17, 1861.

<sup>154</sup> Milledgeville (Ga.) *Southern Recorder*, January 15, 1861.

<sup>155</sup> *Congressional Globe*, 36<sup>th</sup> Cong, 2<sup>nd</sup> sess., 328; *Speech of Hon. R.M.T. Hunter, of Virginia on the Resolution Proposing to Retrocede the Forts, Dock-Yards, &c., to the States Applying for the Same, Delivered in the Senate of the United States, January 11, 1861* (Washington: Lemeul Towers, 1861), 4.

<sup>156</sup> *Speech of Hon. R.M.T. Hunter, of Virginia on the Resolution Proposing to Retrocede the Forts, Dock-Yards, &c.*, 5.

of the United States.”<sup>157</sup> Ignoring the real reason the southern forts were constructed, Hunter then asked “except on the supposition that the seceding States are to be invaded by Federal forces, subjugated, and reunited to the Confederacy against their will what use will the General Government have for forts and arsenals?”<sup>158</sup>

Furious over Hunter’s recommendations, the two Senators from Iowa asked the Virginian why the federal government should allow the minority to govern the majority.<sup>159</sup> For the next two and a half hours Republican Senator James Harlan argued that the federal government had done nothing to merit the South’s aggressive action. Focusing largely on denouncing the Fugitive Slave Act, Harlan’s response demonstrated that much like the Nullification Crisis of 1828, southern concerns about federal property in their states stemmed from fear that the federal government might use its authority to abolish slavery on federal property.<sup>160</sup> As Harlan saw it, Hunter’s proposal to return all the federal installations to the South after six states aggressively demanded the surrender of federal forts, arsenals, navy yards, and barracks meant acceptance of disunion. “What do we want with the forts located in the slave states,” Harlan argued, that “the nine million people who reside in the Northwest can make their defense against foreign invasion with less loss of life and property at Charleston, New York, and New Orleans.” In other words, the federal government cared about federal forts in the South because they were a means of protecting the United States from a foreign enemy.<sup>161</sup> When Harlan sat down, the debate closed and Hunter’s resolution did not pass.

---

<sup>157</sup> *Speech of Hon. R.M.T. Hunter, of Virginia on the Resolution Proposing to Retrocede the Forts, Dock-Yards, &c.,*

<sup>158</sup> *Federal Union* (Milledgeville, GA) January 15, 1861.

<sup>159</sup> *Congressional Globe*, 36<sup>th</sup> Cong, 2<sup>nd</sup> sess., 328

<sup>160</sup> This supports William Freehling’s argument that the Nullification crisis was really an “expression of South Carolina’s morbid sensitivity to the beginnings of the antislavery campaign.” William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York: Harper & Row, 1965), xii.

<sup>161</sup> *State of the Union, Speech of Hon. Jas. Harlan of Iowa; In the Senate, January 11, 1861* (Washington, D.C.: H. Polkinhorn’s Steam Job Press, 1861), 13.

North Carolina Governor John Willis Ellis also thought that the federal government had not done anything to justify seizing public property. Some North Carolinians, however, disagreed and took matters into their own hands. On January 9, a group of seventeen men from Smithville, seized Fort Johnston near Southport.<sup>162</sup> The following day the men also took control of Fort Caswell on Oak Island.<sup>163</sup> Ellis informed President Buchanan that he had ordered the “forts be restored to the authorities of the United States.” Ellis reported that the citizens had seized the forts, because they believed that “it was the purpose of the administration to coerce the Southern States, and that troops were on their way to garrison the Southern forts and to begin the work of our subjugation.” According to Ellis, the forts have been unoccupied for a long time and any attempt to reinforce them “at this time will unquestionably be looked upon as a hostile demonstration” and “will certainly be resisted.”<sup>164</sup> Secretary of War Joseph Holt, however, insisted that Buchanan did not intend to “garrison the forts” unless North Carolina troops were ordered to attack or seize them.<sup>165</sup>

Because the federal government did nothing to stop the southern militias, by February 1, South Carolina, Georgia, Alabama, Louisiana, and Florida had seized all of the federal installations within their borders except Fort Sumter, in Charleston, and Forts Pickens, Jefferson, and Taylor in Florida. As Lincoln travelled to Washington, in February 1861, he stopped to speak from the balcony of Bates House in Indianapolis, Indiana. In exploring the meaning of “coercion” and “invasion,” Lincoln argued that “the marching of an army into South Carolina...without the consent of her people, and in hostility against them” would constitute both coercion and invasion if federal forces forced South Carolinians to submit to federal authority.

---

<sup>162</sup> *OR*, ser. 1, vol. 1: 474, 475.

<sup>163</sup> *OR*, ser. 1, vol. 1: 476.

<sup>164</sup> *OR*, ser. 1, vol. 1, p. 484.

<sup>165</sup> *OR*, ser. 1, vol. 1, p. 485.

He then asked the audience what if the government “simply insists upon holding its own forts, or retaking those forts which belong to it, or the enforcement of the laws of the United States in the collection of duties upon foreign importations, or even the withdrawal of the mails from those portions of the country where the mails themselves are habitually violated; would any or all of these things be coercion?” According to Lincoln, anyone who believed that reclaiming federal property to preserve the Union was coercion, must be “of a thin and airy character.” Comparing the Union to a family, Lincoln suggested that Americans who did not wish to maintain a federal presence in the seceded states was similar to preferring a “free-love arrangement” to marriage.<sup>166</sup>

The *New York Tribune*, however, cited Lincoln’s Indianapolis speech as evidence of his intention to embrace coercion. The *New York Herald* warned that Lincoln’s speech “was the signal for massacre and bloodshed by the incoming administration.”<sup>167</sup> Similarly, a Washington correspondent for the *Tribune* reported that Lincoln was claiming “the right to use force against the seceding States to the extent of recovering United States property, collecting the revenues, and enforcing the laws generally.”<sup>168</sup> These responses to Lincoln’s Indianapolis address probably encouraged him to tone down his language as he made his way to Washington. Speaking to the New Jersey General Assembly in Trenton, Lincoln sounded more cautious, claiming to harbor “no malice toward any section.” He would do all within his power to “promote a peaceful settlement of all our difficulties” but nevertheless thought “it may be necessary to put the foot down firmly... and if I do my duty, and do right, you will sustain me will you not?”<sup>169</sup>

---

<sup>166</sup> Roy P. Basler, ed. *The Collected Works of Abraham Lincoln*, vol. IV (New Brunswick, Rutgers University Press, 1953), 194 – 196.

<sup>167</sup> *New York Herald*, February 13, 1861.

<sup>168</sup> *New York Tribune*, February 18, 1861.

<sup>169</sup> Address to the New Jersey General Assembly at Trenton, New Jersey; Roy P. Basler, ed. *The Collected Works of Abraham Lincoln*, vol. IV, 236 – 237.

As Lincoln prepared to take office, General Winfield Scott gave him a copy of the suggestions he had sent to President Buchanan in October. Scott desperately sought “to show the new Administration that it was from no neglect of [his] that several of our Southern forts had fallen into the hands of the rebels.” The General stressed that his recommendations fell on deaf ears because Buchanan refused to meet with him. In fact, just days before South Carolina seceded, Buchanan adamantly asserted that “the time had not arrived for” reinforcing any southern fort.<sup>170</sup> But even southerners acknowledged General Scott’s determination to maintain a military presence throughout the seceding states. The *Richmond Examiner* admitted that “had Scott been able to have got these forts in the condition he desired them to be, the Southern Confederacy would not now exist.”<sup>171</sup>

Some historians, however, have argued that Buchanan’s handling of the secession crisis showed that he had a better understanding of southern attitudes than Abraham Lincoln.<sup>172</sup> But that is not true. Lincoln fully understood what the seizure of federal property meant for the Union, that is why he was so adamant about maintaining possession of the property. He recognized that surrendering the property meant accepting disunion and possibly war. In the initial draft of his first Inaugural Address Lincoln directly discussed the seizure of property. He wanted to assure people that “there will be no invasion of any State” but promised to use his presidential authority to “reclaim the public property and places which have fallen” that belong

---

<sup>170</sup> Winfield Scott, *Memoirs of Lieut. – General Scott, LL.D.* (New York: Sheldon & Company, 1864), 612 -614.

<sup>171</sup> Quoted in Winfield Scott, *Memoirs of Lieut. – General Scott, LL.D.* (New York: Sheldon & Company, 1864), 616.

<sup>172</sup> Philip Shriver Klein’s asserts that Buchanan understood the secession crisis better than Lincoln and agrees with Douglas Wilson’s assertion that even though Buchanan “was an experienced politician and diplomat, Buchanan seemed completely at a loss to know what to do about the secession of the Southern states.” Klein, *President James Buchanan: A Biography*, 366; Douglas L. Wilson, *Lincoln’s Sword: The Presidency and the Power of Words* (New York: Alfred A. Knopf, 2006), 51.

to the federal government.<sup>173</sup> Unlike Buchanan, Lincoln believed the president had the power to maintain the Union and wanted to make his policy on secession clear.<sup>174</sup>

Nevertheless, those closest to Lincoln did have to encourage him to temper his strong stance against southern secession.<sup>175</sup> This is not to suggest that Lincoln did not understand southern attitudes toward federal authority, but that Lincoln was not afraid to stand firm against southern aggression. After reading a draft of Lincoln's address, Orville Browning told him that "the declaration of the purpose of reclamation [of federal properties], [would] be construed into a threat, or menace, and [would] irritate even... the border states." While Browning agreed that the property must be reclaimed, he asked "cannot that be accomplished as well, or even better without announcing the purpose in your inaugural?"<sup>176</sup> William Seward agreed, and suggested some changes to "soothe the public mind." Most notably, Seward wanted Lincoln to replace the word "treasonable" with "revolutionary."<sup>177</sup>

Some of Seward's suggested edits, however, changed the meaning behind what Lincoln wanted to say. Originally Lincoln wrote, "a disruption of the Federal Union is menaced, and, so far as can be on paper, is already effected." Seward, however, encouraged Lincoln to say, "a disruption of the Federal Union heretofore only menaced is now formidably attempted."<sup>178</sup>

Lincoln was trying to make the argument that the South was already in open rebellion. In other words, Lincoln was arguing that the war had already started. Seward's phrasing, on the other

---

<sup>173</sup> Roy P. Bassler, ed. *The Collected Works of Abraham Lincoln*, vol. 4 (New Brunswick: Rutgers University Press, 1953), 254.

<sup>174</sup> David Donald refers to Lincoln's first draft as a "no-nonsense document." David Herbert Donald, *Lincoln* (New York: Simon & Schuster, 1996), 283.

<sup>175</sup> For more analysis of Lincoln's First Inaugural Address see Douglas L. Wilson, *Lincoln's Sword: The Presidency and the Power of Words* (New York: Alfred A. Knopf, 2006).

<sup>176</sup> Orville Browning to Abraham Lincoln, February 17, 1861, Abraham Lincoln Papers, Springfield, Illinois.

<sup>177</sup> Douglas Wilson also argues that most of Seward's changes were designed to "placate the South and play down the seriousness of the crisis." William H. Seward to Abraham Lincoln, February 24, 1861, in John G. Nicolay and John Hay, *Abraham Lincoln: A History*, 10 vols. (New York: Century Co., 1890), 3:319; Douglas L. Wilson, *Lincoln's Sword*, 61.

<sup>178</sup> For the first edition and revisions to Lincoln's First Inaugural Address see Bassler, *The Collected Works of Abraham Lincoln*, vol. 4, 249-262.



hand, sought to soften this point. In the end, Lincoln decided it was best to placate the South, but he did say that he intended to “hold, occupy, and possess the property, and places belonging to the government.”<sup>179</sup>

Once Lincoln assumed office, northerners continued to comment on southern acts of war. Northern Democratic papers such as the *Pittsburg Post* argued that the “forts were built to protect the States where located against foreign aggression, not to be used against the people of the States themselves.... There is no humiliation in the abandonment. The reason of it will be fully appreciated by the nation and by the world. It will be regarded as a willingly offered, a voluntary peace measure, magnanimously adopted to save the Union.”<sup>180</sup> But other northerners had had their fill of secessionist aggression. On March 28, President Lincoln received a letter that begged “in the name of reason and consistency don’t subject our country to another burning disgrace and shame in the shape of evacuating any of the Forts and defenses without an effort to save them from that lawless rattlesnake crew that are not only wrenching State after State from our Union but are cutting up States and establishing Capitals to suit their own purposes and designs.”<sup>181</sup>

If southerners really thought that seizing public property would prevent potential conflict they were sorely mistaken. As state and local authorities seized federal installations, Northerners concluded that the South had committed acts of war. In Lincoln’s call for 75,000 militia volunteers after the Confederate firing on Fort Sumter he asserted that their first assignment would “be to repossess the forts, places, and property which have been seized from the

---

<sup>179</sup> Roy P. Bassler, ed. *The Collected Works of Abraham Lincoln*, vol.4, 266.

<sup>180</sup> *Pittsburg Post*, March 18, 1861, quoted in Perkins, *Northern Editorials on Secession*, 649.

<sup>181</sup> Joseph Blanchard to Abraham Lincoln, March 28, 1861, Abraham Lincoln Papers, Library of Congress Manuscript Division, Washington, D.C.

Union.”<sup>182</sup> The *New York Herald* insisted that an “appeal to arms” was necessary to regain control of federal “customs houses, forts, arsenals, navy yards, mints, marine hospitals, courts of justice, post offices and post roads.” As the *Herald* saw it, all public property needed to be returned and “the utmost penalties due to treason” imposed upon the seceding states.<sup>183</sup>

---

<sup>182</sup> Roy P. Bassler, ed. *The Collected Works of Abraham Lincoln*, vol. 4 (New Brunswick: Rutgers University Press, 1953), 159.

<sup>183</sup> *New York Herald*, April 24, 1861.

## CHAPTER 2: THE CHARLESTON FORTS AND THE *STAR OF THE WEST*

Unlike the Deep South's relatively peaceful capture of federal military installations, South Carolina's attempt to seize property involved an armed attack. After becoming the first state to secede from the Union, South Carolina became a test case for how the South would acquire federal property following secession. Although historians have focused most of their attention on Fort Sumter, an examination of the southern capture of federal property would be incomplete without considering President James Buchanan's handling of the Charleston crisis. Analyzing Buchanan's agonizing decision to send reinforcements to Charleston illustrates how war began long before Abraham Lincoln took office. Understanding the northern reaction to Buchanan's refusal to strike back after South Carolina fired on the *Star of the West* helps explain why the American people supported Lincoln's determination to resupply and hold onto Fort Sumter.

Trouble over the forts in Charleston Harbor began in the summer of 1860 when the United States government worked to complete Fort Sumter. Charlestonians viewed this as a sign that the government intended to use the southern forts to prevent South Carolina from seceding.<sup>1</sup> Throughout July fire-eaters such as Robert Barnwell Rhett encouraged southerners "to drive every United States official out of the state."<sup>2</sup> As the election of 1860 neared, public disaffection grew. In October, an "excited mob" prevented U.S. soldiers from picking up much needed

---

<sup>1</sup> Samuel Wylie Crawford, *The Genesis of the Civil War: The Story of Fort Sumter, 1860-1861* (New York: New York, C.L. Webster & Company, 1887), 56 -66; Charles Edward Cauthen, *South Carolina Goes to War 1860-1865*, (Columbia: University of South Carolina Press, 1950), 92.

<sup>2</sup> Abner Doubleday, *Reminiscences of Forts Sumter and Moultrie, 1860 and 1861* (New York: Harper & Brothers, 1875), 16.

supplies from the Charleston arsenal.<sup>3</sup> In October associations called Minute Men wore “secession cockades” and frequently led public demonstrations at Fort Sumter.<sup>4</sup>

Tensions escalated in October and November 1860 when Colonel H. K. Craig, Chief Ordnance Officer, requested forty muskets for the workmen at Fort Sumter to protect themselves from disgruntled secessionists. Surprisingly Secretary of War John Floyd approved Craig’s precautionary request. But Colonel John Gardner, the U.S. commander at Fort Moultrie, questioned the worker’s loyalty to the Union and took matters into his own hands by ordering F.C. Humphreys, the storekeeper at the Charleston Arsenal, “to issue him all of the fixed ammunition for small-arms (percussion caps, primers, &c.) at the arsenal ... for the better protection of the property in view of the excitement now existing” in Charleston.<sup>5</sup> When Humphreys received Gardener’s orders he questioned whether he should follow them and asked Colonel Craig for guidance.<sup>6</sup>

But the harm was already done, as news of Gardner’s order spread had like wildfire. In Columbia, South Carolina, reports circulated of an unsuccessful attempt by the United States government to “remove the arms from the arsenal to Fort Moultrie.”<sup>7</sup> Fearful of Gardner’s request for ammunition, South Carolina Governor William Gist warned Assistant Secretary of State William Henry Trescot that if the War Department did not rescind Gardner’s order a “collision was inevitable.”<sup>8</sup> The *Charleston Courier*, however, suggested that it was already too late, and it was now “time for action, not words.”<sup>9</sup>

---

<sup>3</sup> Abner Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 30.

<sup>4</sup> *Charleston Courier*, October 16, 1860; Abner Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 31 and 32.

<sup>5</sup> *OR*, ser. 1, vol. 1: 67 - 69; Samuel Wylie Crawford, *The Genesis of the Civil War*, 56.

<sup>6</sup> *OR*, ser. 1, vol. 1: 67 - 69; Samuel Wylie Crawford, *The Genesis of the Civil War*, 56.

<sup>7</sup> Dispatch from Columbia, South Carolina, *Boston Daily Advertiser*, November 12, 1860.

<sup>8</sup> Gaillard Hunt, “Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860,” 533; Crawford, *The Genesis of the Civil War*, 58; *OR*, ser. 1, vol. 1: 72.

<sup>9</sup> *Charleston, Courier*, November 8, 1860.

To make matters worse for the Buchanan Administration, the arsenal contretemps occurred almost simultaneously with the announcement of Abraham Lincoln's election.<sup>10</sup> On November 7, President Buchanan warned Secretary of War Floyd that if South Carolina forces succeeded in capturing the forts in Charleston Harbor because "of our neglect to put them in a defensible condition, it [would] be better for you and me both to be thrown into the Potomac with millstones tied about our necks."<sup>11</sup> After an important cabinet meeting two days later, Trescot told Buchanan and Floyd about Gardner's orders.<sup>12</sup> Floyd immediately ordered Major Fitz John Porter to inspect all fortifications and troops in Charleston Harbor. On November 11, Porter suggested that the unguarded state of Fort Moultrie "invite[d] attack" from outside forces and recommended that the fort be reinforced "with the best-drilled recruits available."<sup>13</sup> After reading Porter's report, Floyd decided that Gardner had overstepped his authority and replaced him with Major Robert Anderson, from Kentucky. To further calm southern fears, Floyd appointed South Carolinian Colonel Benjamin Huger to the Charleston Arsenal.<sup>14</sup>

Governor Gist, however, did not wait for the War Department to act, and on November 11 ordered the Washington Light Infantry to guard the arsenal. Unfounded rumors soon spread through the North that South Carolina militia had seized the arsenal. Even though the state

---

<sup>10</sup> Private Diary of Secretary Floyd, November 7, 1860 in Edward Alfred Pollard, *Robert E. Lee and His Lieutenants; Comprising the Early Life, Public Services, and Campaigns of General Robert E. Lee and His Companions in Arms, With a Record of their Campaigns and Heroic Deeds* (New York: E.B. Treat & Co., 1867), 790.

<sup>11</sup> King, *Turning on the Light*, 120; Interview with Judge Jeremiah Black published in *Chicago Daily Tribune*, August 7, 1881; Also quoted in Klein, *President James Buchanan*, 359; Nichols, *Disruption of Democracy*, 381.

<sup>12</sup> It is important to note that W.H. Trescot was a South Carolinian whom Governor William Henry Gist kept in close contact since June. Gaillard Hunt, "Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860," *The American Historical Review*, 13 (April 1908), 528 -556.

<sup>13</sup> *OR*, ser. 1, vol. 1: 70 -72; Crawford, *Genesis of Civil War*, 59-61.

<sup>14</sup> Gaillard Hunt, "Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860," 533; Samuel Wylie Crawford, *The Genesis of the Civil War*, 58; *OR*, ser. 1, vol. 1: 72.

militia surrounded the arsenal, Huger retained control.<sup>15</sup> But this situation only further aroused Buchanan's critics. "There is a good deal of circumstantial evidence to warrant the presumption that Mr. Buchanan is an accomplice in the desperate plot to dissolve the Union and cast the country into civil war," the *Missouri Democrat* thundered. Even though Buchanan had not ordered Gardner to return the weapons to the arsenal, the paper ridiculed the President's "complicity in the treasonable schemes of the Disunionists."<sup>16</sup> Additional criticism came from the *New York Herald* which claimed that the arsenal contained seventy-three thousand arms (it held just over twelve thousand arms).<sup>17</sup> The *Bangor Daily Whig & Courier* declared Buchanan "a traitor" who not only failed to provide troops to protect the Charleston Arsenal, but also gave the city's mayor the authority to decide when to remove the weapons.<sup>18</sup> The *Boston Daily Press* dismissed Buchanan's decision to allow South Carolina troops to guard the arsenal as a "dereliction of official duty."<sup>19</sup> The *New York Daily Post* questioned why "none of the United States' ammunition in the Charleston Arsenal" could be removed "without an order from the Mayor."<sup>20</sup>

But the Charleston arsenal crisis did not end the discussion of the federal presence in South Carolina. Even though Major Robert Anderson was selected to command Fort Moultrie because of his supposedly southern sympathies, his actions upon arriving in Charleston further enflamed the situation. When Anderson reported to Fort Moultrie in late November, he inspected the Charleston Harbor fortifications and concluded that Castle Pinckney and Fort Sumter "must be garrisoned immediately if the Government determines to keep command of [Charleston]"

---

<sup>15</sup> Samuel Wylie Crawford, *The Genesis of the Civil War: The Story of Sumter 1860-1861* (New York: Charles L. Webster & Company, 1887), 19; *Frank Leslie's Weekly*, December 1, 1860.

<sup>16</sup> *Missouri Democrat*, (Saint Louis), November 1860; Boston, Massachusetts, *The Liberator*, November 30, 1860.

<sup>17</sup> New York, *New York Herald*, December 16, 1860.

<sup>18</sup> *Bangor (Maine) Daily Whig & Courier*, December 25, 1860.

<sup>19</sup> *Boston Daily Advertiser*, December 15, 1860.

<sup>20</sup> *New York Herald*, December 20, 1860.

harbor.” As he saw it, this would help prevent bloodshed because it would discourage the state from attacking the harbor. Assuring the War Department that he wanted “to avoid collision with the citizens of South Carolina,” Anderson warned, “that there is a settled determination to leave the Union, and to obtain possession of this work.” As a result, the Major requested that Floyd immediately send two companies each to Castle Pinckney and Fort Sumter because “the storm may break upon us at any moment.” Moreover, Anderson urged quick action believing that “as soon as the people of South Carolina learn that he demanded re-enforcements, and that they have been ordered, they will occupy Castle Pinckney and attack this fort.”<sup>21</sup>

Anderson’s request for reinforcements marked a significant turning point in the discussion of federal property in the South. Following Abraham Lincoln’s election and Gardner’s suggestion that the federal government needed to actively protect the fortifications in Charleston Harbor, Charlestonians feared that the United States planned to attack the state. Floyd had selected Anderson to take command because he had great confidence in his “discretion, coolness, and judgment.” Anderson was more than qualified for the position. He was a graduate of the class of 1825 from the United States Military Academy, worked as an Artillery instructor at West Point, and had served on General Scott’s staff during the Mexican American War. But Anderson’s most attractive quality in Floyd’s eyes was that he was born in Louisville, Kentucky to a slaveholding family. Both Charlestonians and Floyd expected Anderson to be a southern sympathizer who would not take or encourage aggressive action. Yet Anderson proved to be unswervingly loyal to the Union.<sup>22</sup>

---

<sup>21</sup> *OR*, ser. 1, vol. 1: 74-76; Crawford, *Genesis of Civil War*, 60-64; Eba Anderson Lawton, *Major Anderson and Fort Sumter 1861* (New York: The Knickerbocker Press, 1911), 3; Kenneth Stampp, *And the War Came: The North and the Secession Crisis 1860-1861* (Baton Rouge: Louisiana State University Press, 1950), 58; William J. Cooper, *We Have the War Upon Us: The Onset of the Civil War, November 1860 – April 1861* (New York: Alfred A. Knopf, 2012), 113.

<sup>22</sup> Gaillard Hunt, “Narrative and Letter of William Henry Trescot,” 533; Crawford, *The Genesis of Civil War*, 59-62.

Just as Anderson predicted, rumors of reinforcements caused outrage in South Carolina. On November 24, 1860, ardent secessionist Robert Barnwell Rhett sent President Buchanan a letter warning if he “sen[t] any more troops into Charleston Bay, it will be bloody.”<sup>23</sup> The *Mercury* encouraged South Carolinians, in the United States military to spurn “the vulgar oppressor” and pledge to protect the state.<sup>24</sup> The *Courier* warned that Anderson’s request for additional troops “bears within it the germs of civil war.” “When more troops are sent to the Forts in Charleston,” the paper predicted that “soon the sword would be drawn” to prevent the arrival of any reinforcements.<sup>25</sup>

Amidst the excitement and calls for preemptive action in Charleston, Buchanan’s administration was sharply divided over sending Anderson reinforcements. By late 1860, Buchanan’s cabinet consisted of four southerners - Secretary of the Treasury Howell Cobb of Georgia, Post Master General Joseph Holt of Kentucky, Secretary of War John Floyd of Virginia, and Secretary of the Interior Jacob Thompson of Mississippi - and three northerners Attorney General Jeremiah Black of Pennsylvania, Secretary of the Navy Isaac Toucey of Connecticut, and Secretary of State Lewis Cass of Michigan.<sup>26</sup> Black, Cass, and Holt grew anxious over calls for action in South Carolina, and adamantly supported sending Anderson more men. On the other hand, Cobb and Thompson agreed with Floyd by arguing that to reinforce the forts was an attempt to ‘coerce’ South Carolina.<sup>27</sup>

---

<sup>23</sup> John Bassett Moore ed, *The Works of James Buchanan: Comprising his Speeches, State Papers, and Private Correspondence*, vol. XI (New York: Antiquarian Press LTD., 1960), 5.

<sup>24</sup> *Charleston Mercury*, November 30, 1860.

<sup>25</sup> *Charleston Courier*, December 11, 1860.

<sup>26</sup> Jean H. Baker, “The South Has Been Wronged: James Buchanan and the Secession Crisis,” in John W. Quist and Michael J. Birkner eds. *James Buchanan and the Coming of the Civil War* (Gainesville: University Press of Florida, 2013), 167-168; Crawford, *Genesis of Civil War*, 21-22.

<sup>27</sup> Hunt, “Narrative and Letter of William Henry Trescot,” 534; Crawford, *Genesis of Civil War*, 26 – 29; Klein, *President James Buchanan*, 368 -369.



As the cabinet continued to debate the issue in late November, Buchanan asked Floyd if he was “going to send recruits to Charleston to strengthen the forts?” Shocked that the President thought that he might have changed his position in a few short weeks, Floyd responded that he had no intention of doing so. Dismayed, Buchanan reminded Floyd that losing the Charleston forts would destroy him and added that he “would rather have [his] throat cut than have Fort Moultrie seized by South Carolina.” Buchanan then informed Floyd that he had decided to send Anderson reinforcements.<sup>28</sup> With equal vehemence, Floyd replied that “he would cut off his right hand before he would sign an order to send reinforcements to the Carolina forts and insisted that he would resign.”<sup>29</sup>

On November 26, Trescot warned Governor Gist that President Buchanan planned to take the forts in Charleston Harbor before South Carolina’s secession convention met. Trescot assured the governor that any order to seize the fortifications would be “resisted to the very last, and at all cost, by the Southern members of the Cabinet,” but made it clear that they needed help. Trescot suggested that Gist strike a deal with Buchanan that promised if no reinforcements were sent to Charleston then South Carolina would not make any attempt to seize federal property.<sup>30</sup> Gist responded three days later that the state would not “do anything that [would] bring on a collision” before officially seceding from the Union. Nevertheless, if the United States decided to interfere with the state’s trade or refused to surrender the forts and arsenals, then the state would take aggressive action. As Gist saw it, he had taken “a pledge to sanction resistance and to use all the military power of the State to prevent any increase of troops in these garrisons.”<sup>31</sup> Despite his claim that the state had no plans to capture the forts without being provoked, in a

---

<sup>28</sup> New York, *New York Herald*, January 17, 1861; Auchampaugh, *Mr. Buchanan’s Cabinet*, 150; Klien, *President James Buchanan*, 368.

<sup>29</sup> Hunt, “Narrative and Letter of William Henry Trescot,” 535.

<sup>30</sup> William Henry Trescot to Governor Gist, November 26, 1860 in Crawford, *Genesis of War*, 30-31.

<sup>31</sup> William H. Gist to William Henry Trescot, November 29, 1860 in Crawford, *Genesis of War*, 31-32.

separate letter Gist informed Trescot that he “had great trouble” preventing Charlestonians from attacking the forts and would be unable “to prevent an attack upon them if another soldier is sent there.”<sup>32</sup>

But instead of sending reinforcements to Charleston, Buchanan sent Trescot to Columbia with an advance copy of his annual message hoping that the South Carolinian could explain any misunderstandings concerning the message.<sup>33</sup> The President thought that his message might encourage South Carolina to delay holding a secession convention until Lincoln took office. Trescot, however, insisted that the state would not wait until March 4, but assured Buchanan that “there would be no violence used towards the Forts by any unlawful assemblage or mob.” Instead, the state would send commissioners to discuss the transfer of federal property.<sup>34</sup> Although Trescot agreed to take the message to Columbia, he chose not to read it. After learning of Cobb’s and Thompson’s opinions of the message, however, Trescot realized that the message would “not be acceptable North or South.”<sup>35</sup> Just as Trescot predicted, Gist maintained that the state had already decided on immediate secession and nothing could change its present course.<sup>36</sup>

---

<sup>32</sup> William H. Gist to William H. Trescot, November 29, 1860 in Crawford, *Genesis of War*, 32-33.

<sup>33</sup> It is important to note that Trescot originally wrote to Edward McCarty that President Buchanan sent him to Columbia on November 30. In his memoirs, however, he writes that Buchanan asked him to take the message to the Governor on December 2. Hunt, “Narrative and Letter of William Henry Trescot,” 535-538; Crawford, *Genesis of War*, 28 -34; Maury Klein, *Days of Defiance: Sumter, Secession, and the Coming of the Civil War* (New York: Alfred A. Knopf, 1997), 114; Charles Edward Cauthen, *South Carolina goes to War, 1860-1865*, 93 and 94; William Henry Trescot to Edward McCarty, November 30, 1860, Edward McCrady Papers, South Carolina Historical Society Archives, Addlestone Library at the College of Charleston, Charleston, South Carolina.

<sup>34</sup> Hunt, “Narrative and Letter of William Henry Trescot,” 538; Crawford, *Genesis of Civil War*, 34-35; Charles Edward Cauthen, *South Carolina goes to War, 1860-1865*, 93 and 94.

<sup>35</sup> William Henry Trescot to Edward McCarty, November 30, 1860, Edward McCrady Papers, South Carolina Historical Society Archives, Addlestone Library at the College of Charleston, Charleston, South Carolina; Klein, *Days of Defiance*, 116.

<sup>36</sup> Hunt, “Narrative and Letter of William Henry Trescot,” 538; Crawford, *Genesis of Civil War*, 34-35; Charles Edward Cauthen, *South Carolina goes to War, 1860-1865*, 93 and 94.

But more than anything else, Cobb's dissatisfaction with Buchanan's annual message helped persuade the President to change his mind.<sup>37</sup> In a cabinet meeting on December 3, Jeremiah Black and Lewis Cass continued to encourage Buchanan to send reinforcements. Floyd and other southern cabinet members then threatened to resign if additional troops were sent.<sup>38</sup> Floyd chose to take matters into his own hands by sending Major Don Carlos Buell with verbal instructions for Major Anderson to hold his position but avoid any collision.<sup>39</sup> On December 6, Howell Cobb wrote a provocative letter to the people of Georgia encouraging them to secede. Two days later Cobb submitted his resignation.<sup>40</sup> Cobb's resignation had a great effect on Buchanan's thinking, because he believed that the secession movement would fail without Georgia's cooperation. In fact, Cobb had been selected to serve in Buchanan's cabinet because he had adamantly opposed secession.<sup>41</sup>

By the time Trescot returned to Washington on December 9, South Carolina representatives William Porcher Miles, Laurence M. Keitt, John McQueen, Milledge Luke Bonham, and William Boyce had already arrived to meet with Buchanan about the Charleston fortifications.<sup>42</sup> Unaware that the President had recently decided not to send reinforcements to Fort Moultrie, the South Carolinians awkwardly explained that they wished to negotiate an agreement to insure that no additional United States troops would be sent to Charleston. According to the representatives, the President "seemed much disturbed and moved" when

---

<sup>37</sup> This supports Phillip Shriver Klein's argument that Howell Cobb's resignation forced Buchanan to change his policy towards South Carolina. Phillip Shriver Klein, *President James Buchanan*, 370.

<sup>38</sup> Crawford, *Genesis of Civil War*, 25 -35; William N. Brigance, *Jeremiah Sullivan Black: A Defender of the Constitution and the Ten Commandments* (Philadelphia: University of Pennsylvania Press, 1934), 82-83; Kenneth Stampp, *And the War Came*, 53.

<sup>39</sup> Crawford, *Genesis of Civil War*, 72.

<sup>40</sup> Howell Cobb to James Buchanan, December 8, 1860 in Ulrich B. Phillips ed., *The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb* (Washington: American Historical Association 1913), 517-518.

<sup>41</sup> James Buchanan, *Mr. Buchanan's Administration on the Eve of the Rebellion* (New York: D. Appleton and Company, 1866), 95.

<sup>42</sup> "Historical Notes, No. 5," Jeremiah Black Papers, Manuscript Division Library of Congress, Washington, D.C.

discussing the federal property. Buchanan told them that Major Anderson's wife Eliza, who was gravely concerned for her husband's safety, had recently visited him. Eliza thought that Fort Moultrie was in "danger of an attack from an excited and lawless mob." President Buchanan acknowledged that her visit made him keenly aware of the "deep responsibility resting upon him to protect the lives of Major Anderson and his command." The South Carolinians promised that sending reinforcements "would be the surest means of provoking" a bloody conflict.<sup>43</sup> This conference showed that the Buchanan administration had not yet settled on a firm policy. Before leaving, the South Carolinians promised that "there would be no attempt to molest the forts in any way" and that once the state seceded "duly accredited commissioners" would be sent to Washington to negotiate "the delivery of the forts between South Carolina and the Federal Government."<sup>44</sup>

Following the meeting Buchanan requested that the representatives put their demands in writing to avoid potential misunderstanding. On December 10, the South Carolinians sent a memorandum that promised not to "attack or molest the United States Forts" until arrangements were made between "the State and Federal Government, provided that no reinforcements shall be sent into those forts, and their relative military status shall remain as at present."<sup>45</sup> Thinking that he did not have the authority to make an agreement with South Carolina, Buchanan immediately rejected the memorandum. As he saw it, the word "provided" made it look like he was making a

---

<sup>43</sup> *OR*, ser. 1, vol. 1: 125-126; "Historical Notes, No. 5," Jeremiah Black Papers, Library of Congress Manuscript Division, Washington, D.C; *Journal of the Convention of the People of South Carolina, held in 1860, 1861, and 1862 together with the Ordinances, Reports, Resolutions, etc.* (Columbia: R. W. Gibbes, 1862), 498 – 502; Klein, *President James Buchanan*, 370-71.

<sup>44</sup> *The Correspondence Between the Commissioners of the State of South Carolina to the Government at Washington and the President of the United States, Together with the Statement of Messrs. Miles and Keitt* (Charleston: Evans and Cogswell, 1861), 22; Crawford, *Genesis of the Civil War*, 38; *New York Times*, January 15, 1861.

<sup>45</sup> After the representatives left Buchanan wrote his recollections of the meeting on the back of the memorandum. *OR*, ser. 1, vol. 1: 126; John McQueen et. al to James Buchanan, December 9, 1860 in John Basset Moore ed., *The Works of James Buchanan* vol. XI, 56, 81.

binding agreement “which he would never make.” Nevertheless, the President “freely expressed” his determination “not to reinforce the forts in the harbor and thus produce a collision, until they had been actually attacked.”<sup>46</sup>

The South Carolinians could not understand why the President refused to agree to their written memorandum. As they saw it, the document adequately expressed the administration’s policy.<sup>47</sup> To a degree, the representatives were right. At the time, Buchanan’s policy was to prevent conflict by maintaining the status quo in Charleston Harbor. Yet, Buchanan also did not want to foreclose the possibility of sending reinforcements in the future. The South Carolinians failed to understand that the President did not want to accept responsibility for deciding if the federal government should protect or give up the federal property. Since only Congress possessed the power to declare war, Buchanan believed that only Congress could make an agreement with South Carolina.<sup>48</sup> Wanting more than a verbal confirmation, the representatives left Washington concerned that the United States planned to send additional troops to Charleston.

Buchanan later met with Trescot about his recent visit to South Carolina. Trescot pointedly told Buchanan, “the State will take the Forts – what else can she do if she is in earnest? But I hope the negotiation will not fail.” A puzzled Trescot then asked, “why keep troops in the Forts at all?” According to Trescot’s understanding of Buchanan’s Annual Message, the President considered the federal forts to be no different than other federal installations such as the Post Office and Treasury buildings. Trescot then asked Buchanan if he proposed to guard the Post Office and Treasury buildings. When Buchanan responded with a harsh “no,” Trescot again

---

<sup>46</sup> James Buchanan to South Carolina Commissioners, December 31, 1860 in John Basset Moore ed., *The Works of James Buchanan* vol. XI, 81; James Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion* (New York: D. Appleton and Company, 1866), 167-168; Auchampaugh, *James Buchanan and His Cabinet*, 152 -153.

<sup>47</sup> Crawford, *Genesis of Civil War*, 39; Cuathen, *South Carolina Goes to War*, 95.

<sup>48</sup> James Buchanan to South Carolina Commissioners, December 31, 1860 in John Basset Moore ed., *The Works of James Buchanan* vol. XI, 79-81.

inquired “why not treat the Forts precisely in the same manner – keep an orderly sergeant and one or two men there only.” Buchanan responded that “he had great faith in the honor of the State and that the Governor’s letter and the Memorandum... was a guarantee he believed that nothing violent would be done.” Before Trescot left, Buchanan assured him that he would “receive the Commissioners kindly and refer the whole matter to Congress.”<sup>49</sup>

From Buchanan’s point of view there was no policy that he could adopt that would please both Northerners and Southerners. If he chose to reinforce Anderson, southerners argued that Buchanan was too pro-northern. On the other hand, if the President decided not to send Anderson reinforcements, northerners labeled him as a Southern sympathizer and traitor. But northern opinion of Buchanan’s Administration was sharply divided. Charles Levi Woodbury, a Boston lawyer, agreed with Buchanan, and pointed out that “the first reinforcement sent there would be the signal of War and you would be put in the position of initiating it.” Woodbury thought that “all sensible men” agreed with Buchanan’s position.<sup>50</sup> Others, however, openly mocked Buchanan’s timid leadership. George Templeton Strong asserted that “our disgraceful executive has been and is playing into the hands of traitors.” Moreover, Strong wrote, “that Buchanan might be hanged under lynch law almost reconciles me to that code.”<sup>51</sup> In the Senate, John P. Hale of New Hampshire feared that “instead of sending an army to South Carolina, [Buchanan] would get on his knees before the people of that State and beg them for God’s sake not to force him to do so before the 4<sup>th</sup> of March.”<sup>52</sup> James Watson Webb, the editor of the *Morning Courier and New York Enquirer*, “denounce[d] Mr. Buchanan as a traitor.”<sup>53</sup> The famed

---

<sup>49</sup> Hunt, “Narrative and Letter of William Henry Trescot,” 539.

<sup>50</sup> Charles Levi Woodbury to James Buchanan, December 17, 1860 in Moore, *The Works of James Buchanan*, 67.

<sup>51</sup> Allan Nevins and Milton Halsey Thomas eds., *The Diary of George Templeton Strong*, vol. III, 74.

<sup>52</sup> *Milwaukee Daily Sentinel*, December 17, 1860.

<sup>53</sup> Editor of the *New York Herald* James Gordon Bennett referred to James Watson Webb as “Chevalier Webb” because he supported taking aggressive action against secessionists; New York, *New York Herald*, December 18,

*New York Tribune* editor Horace Greeley called Buchanan “a lunatic.”<sup>54</sup> Former Postmaster General Horatio King also noted that many people believed that Buchanan’s “inexcusable weakness and timidity” led many to consider the President “a traitor.”<sup>55</sup>

Yet Buchanan still strove for peace. When Governor Gist’s term expired in mid-December, the South Carolina legislature elected a new governor, Francis W. Pickens.<sup>56</sup> Unlike Gist, Pickens set his sights on taking Fort Sumter as soon as possible. On December 17, just one day after his inauguration, Pickens ordered Colonel D.H. Hamilton to deliver a “strictly confidential” letter to President Buchanan demanding the surrender of the Charleston forts. According to Pickens, South Carolina only ceded jurisdiction of the forts to the federal government “for the purpose of external defense from foreign invasion, and not with any view that they should be turned upon the State.”<sup>57</sup> Pickens thought that Buchanan might follow through with his request because the President did not object to the South Carolina troops who had been guarding the Charleston Arsenal since late November.<sup>58</sup> After hearing rumors that federal troops planned to remove weapons from the Charleston arsenal, Pickens ordered Captain Charles H. Simonton of the Washington Light Infantry to prevent federal troops from moving between Fort Moultrie and Fort Sumter. Pickens expected Simonton to stop all boats passing between the forts and make sure no United States troops were on board. If federal troops were present, Simonton was charged with preventing the boats from passing through Charleston

---

1860; Robert J. Cook et. al., *Secession Winter: When the Union Fell Apart* (Baltimore: Johns Hopkins University Press, 2013), 68 - 69.

<sup>54</sup> *New York Herald*, December 18, 1860.

<sup>55</sup> King, however, argued that Buchanan always remained loyal to the Union. Horatio King, *Turning on the Light: A Dispassionate Survey of President Buchanan’s Administration, From 1860 to its Close* (Philadelphia: J.B. Lippincott Company, 1895), 105.

<sup>56</sup> Pickens had previously served as a delegate to the Nashville Convention and had served in the United States House of Representatives. He was a known disciple of John C. Calhoun. For more on Francis Pickens see John B. Edmunds Jr., *Francis W. Pickens and the Politics of Destruction* (Chapel Hill: The University of North Carolina Press, 1986). New York, *New York Herald*, December 16, 18, 1860; Crawford, *Genesis of Civil War*, 79-80.

<sup>57</sup> W.A. Harris ed., *The Record of Fort Sumter*, 7.

<sup>58</sup> W.A. Harris ed., *The Record of Fort Sumter*, 8.

Harbor “at all hazards.” If officers resisted, Pickens ordered Simonton “to sink [the] boats and then immediately take Fort Sumter.”<sup>59</sup>

On December 20, the day South Carolina seceded from the Union, Buchanan received Pickens’ demand for the surrender of the Charleston forts. Buchanan once again asserted that “the Executive has no authority to decide... the relations between the Federal Government and South Carolina.” Moreover, he maintained that he had “no power to surrender to any human authority Fort Sumter or any of the other forts or public property in South Carolina.” The President maintained that Pickens’ misunderstood previous events because “no authority was given... from myself, or from the War Department, to Governor Gist, to guard the United States arsenal in Charleston by a company of South Carolina volunteers.”<sup>60</sup> When Trescot learned of Pickens’ demands, he asked the Governor to rescind it.<sup>61</sup> According to Trescot, Buchanan interpreted Pickens’ letter as a sign that he was incapable of “restraining the spirit of our people.”<sup>62</sup> Although Pickens agreed and withdrew his letter, as promised the secession convention elected three commissioners, Robert W. Barnwell Rhett, James L. Orr, and James H. Adams, to discuss the “delivery of the forts, magazines, light-houses, and other real estate, with their appurtenances, within the limits of South Carolina.”<sup>63</sup>

South Carolina’s decision to secede seemed to have little effect on Buchanan, but it did generate more harsh Northern attacks on the President’s refusal to reinforce Anderson. George Templeton Strong wrote, “O, for an hour of Andrew Jackson, whom I held (when I was a boy and he was ‘taking responsibility’) to be the embodiment of everything bad, arrogant, and low.”

---

<sup>59</sup> Crawford, *Genesis of Civil War*, 88.

<sup>60</sup> “Draft of an Answer to Governor Pickens’ demand for the surrender of Fort Sumter, December 20, 1860, in Moore, *The Works of James Buchanan*, vol. XI, 70 and 71; Curtis, *Life of James Buchanan*, vol. II, 384 and 385.

<sup>61</sup> Hunt, *Narrative of William Henry Trescot*, 541 and 542.

<sup>62</sup> Memorandum, December 21, 1860 in Moore, *The Works of James Buchanan*, vol. XI, 73.

<sup>63</sup> *Journal of the Convention of the People of South Carolina*, 53-54.



When referring to Buchanan, Strong acknowledged that he “omit[ted] the adjectives that *should* precede his dirty name, for decency’s sake.”<sup>64</sup> The *Evening Post* and *World* argued that Buchanan did not have the authority to meet with the South Carolina commissioners. Instead, the President should focus on preventing South Carolina from seizing federal property.<sup>65</sup> Even conservative Bell papers such as the *Boston Courier* began encouraging Buchanan to send reinforcements to protect the federal property in Charleston.<sup>66</sup> Well aware of these press attacks, Buchanan complained that “the public mind throughout the interior is kept in a constant state of excitement by what are called ‘telegrams.’” “They are short and spicy, and can easily be inserted in the country newspapers,” Buchanan asserted, “many of them are sheer falsehoods, and especially those concerning myself.”<sup>67</sup>

As the South Carolina commissioners travelled to Washington, however, Buchanan’s leadership and cabinet continued to unravel. Secretary of War, John B. Floyd’s loyalty was called into question when he was accused of stealing \$870,000 in state bonds from the Interior Department. As news of the scandal became public and people pressed for his resignation, Floyd ordered the transfer of guns from northern arsenals to southern forts. The largest shipment was from the Allegheny Arsenal in Pittsburg to supply forts in Mississippi and Texas.<sup>68</sup> Worried citizens, believing the transfer was treasonous, contacted Jeremiah Black to see if the orders were lawful. Upon learning of Floyd’s actions Buchanan immediately canceled the shipment.<sup>69</sup>

While the nation was preoccupied with news of Floyd’s scandal, Major Anderson increasingly feared that South Carolina planned to attack Fort Moultrie. Although his men had

---

<sup>64</sup> Allan Nevins and Milton Halsey Thomas eds., *The Diary of George Templeton Strong*, vol. III, 79.

<sup>65</sup> *New York Evening Post*, December 26, 1860; *New York World*, December 24, 1860.

<sup>66</sup> Kenneth Stampp, *And the War Came*, 70.

<sup>67</sup> James Buchanan to James Gordon Bennett, December 20, 1860 in Moore, *The Works of James Buchanan*, vol. XI, 69.

<sup>68</sup> *OR*, ser. III, vol. 21; *OR*, ser. 1., vol. 53: 505.

<sup>69</sup> Klein, *President Buchanan*, 377 – 378.

successfully repaired the fort, he could hardly resist an assault. The large numbers of sightseers, newspaper reporters, and militia who frequently visited the fort required Anderson to keep guards positioned at the gates and parapets at all times. Captain Abner Doubleday, second in command at Fort Moultrie, suggested that the only reason South Carolinians had not already seized Fort Sumter was because “the engineers were putting Fort Sumter in good condition at the expense of the United States.”<sup>70</sup> Anderson was left in the dark. He knew that the South Carolina commissioners were on their way to Washington, but did not know what Buchanan planned to do. Nevertheless, he recognized that someone needed to make a difficult decision. On Christmas Day, Anderson hinted to his wife that he had decided to relocate to Fort Sumter when he wrote that “the day may *very* soon come when I shall do something which will gratify you enough to make amends for all the anxiety you now feel on my account.”<sup>71</sup> Anderson had decided that he had “tangible evidence” that South Carolina intended to attack.<sup>72</sup> After sunset on December 26, the soldiers loaded the engineers’ rowboats and quietly made their way to Fort Sumter.

Anderson’s movement marked a pivotal point because it destroyed any hope of negotiation. Charlestonians interpreted Anderson’s movement as a sign that the federal government had no intention to compromise. Crowds filled the streets protesting Anderson’s actions. Militia paraded, shouting that “bloodshed was now unavoidable.”<sup>73</sup> The Charleston *Courier* maintained that “Maj. Robert Anderson, U.S.A, had achieved the unenviable distinction of opening civil war between American citizens by an act of gross breach of faith.”<sup>74</sup> The

---

<sup>70</sup> Abner Doubleday, *Reminiscences of Forts Sumter and Moultrie, 1860 and 1861*, 49.

<sup>71</sup> John G. Nicolay and John M. Hay, *Abraham Lincoln: A History*, vol. III (New York: The Century Co., 1890), 46.

<sup>72</sup> *OR*, ser. 1, vol. 1: 90.

<sup>73</sup> Crawford, *The Genesis of Civil War*, 108, 109.

<sup>74</sup> *Courier* (SC), December 28, 1860.

Charleston *Mercury* condemned Anderson and called for his troops to be immediately removed from Fort Sumter.<sup>75</sup>

Furious that Anderson had violated the “gentlemen’s agreement,” Governor Pickens sent Colonel Johnson Pettigrew to demand that Anderson return to Fort Moultrie. When Pettigrew arrived, Anderson told him that he was unaware that President Buchanan had made such an agreement. Consequently, Pickens ordered the seizure of Castle Pinckney, Fort Moultrie, the Charleston Arsenal, custom house, and the post office. The order upset Doubleday who claimed that the “South Carolina Legislature had not authorized this outrageous proceeding.” As he saw it, “even if we assume that the State had the right to secede, it does not follow that the public property within her limits properly belong to her . . . to seize it at once, without a declaration of war, and while the subject was still pending, was a violation of all right and precedent.”<sup>76</sup> According to Doubleday, “the seizure of Castle Pinckney, on the afternoon of the 27<sup>th</sup>, was the first overt act of the Secessionists against the sovereignty of the United States.”<sup>77</sup>

In the North, Anderson’s action received much praise. The New York *World* wrote that “it was unauthorized, it is true, but it is indispensable.”<sup>78</sup> The *Herald* commended him as “the highest order of military genius.”<sup>79</sup> James Russell Lowell declared that the nation needed “an hour of Old Hickory, or Old Rough and Ready – some man who would take command and crystalize this chaos into order, as it is all ready to do round the slenderest thread of honest purpose and unselfish courage in any man who is in the right place.” “God bless Major Anderson,” Lowell thought, “for setting us a good example!”<sup>80</sup> An Ohio paper praised Anderson

---

<sup>75</sup> *Charleston Mercury*, December 28, 1860.

<sup>76</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie in 1860-1861*, 70, 71.

<sup>77</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie in 1860-1861*, 72.

<sup>78</sup> New York, *World*, January 4, 1861.

<sup>79</sup> *New York Tribune*, January 10, 1861.

<sup>80</sup> James Russell Lowell to Charles Nordhoff, December 31, 1860 in Charles Eliot Norton ed., *Letters of James Russell Lowell*, vol. II (New York: Harper & Brothers, 1894), 308 - 309.

for avoiding an immediate collision.<sup>81</sup> The Boston *Courier* rejoiced that “we could not but feel once more that we had a country.”<sup>82</sup> Another Bostonian told Anderson that “it is indeed refreshing in these sad days of demagogues, traitors, fanatics, idiots and rascals in high places to see one true man, who, occupying a most important and serious position, knows his duty and most determinately fills it.”<sup>83</sup>

Northern papers also recognized South Carolina’s seizure of Fort Moultrie and Castle Pinckney as an act of war. The *Herald* maintained that “South Carolina has taken the first step in a war which every prudent man strove to avert, and which every patriot must regret to see thus precipitated.”<sup>84</sup> The Ohio *Holmes County Republican* simply declared that the “civil war [has] begun.”<sup>85</sup> Likewise the *Vermont Phoenix* agreed that South Carolina’s seizure of Fort Moultrie meant that “rebellion and treason [were] rampant.”<sup>86</sup> The *National Republican* claimed that “the overt act [had been] committed” when state troops raised the Palmetto flag over Castle Pinckney.<sup>87</sup>

Meanwhile, the Buchanan Administration tried to make sense of Anderson’s movement. Anderson notified the War Department that he had refused Governor Pickens’ request to return to Fort Moultrie. “I had merely transferred my garrison from one fort to another,” Anderson argued, and as “the commander of this harbor, I had a right to move my men into any fort I deemed proper.”<sup>88</sup> That afternoon Southern Senators Jefferson Davis and R.M.T. Hunter, who had never been associated with radical secessionist sentiment, immediately confronted

---

<sup>81</sup> *Holmes County Republican* (Millersburg, Ohio), January 3, 1861.

<sup>82</sup> *Courier* (Boston, Ma.), December 28, 1860.

<sup>83</sup> Leverett Saltonstall to Robert Anderson, January 3, 1861, Robert Anderson Papers, Manuscript Division Library of Congress, Washington, D.C..

<sup>84</sup> *New York Herald*, December 29, 1860.

<sup>85</sup> *Holmes County Republican* (Millersburg, Oh.), January 3, 1861.

<sup>86</sup> *Vermont Phoenix* (Brattleboro, Vt.), January 3, 1861.

<sup>87</sup> *National Republican* (D.C.), December 29, 1860.

<sup>88</sup> *OR*, ser. 1, vol. 1: 3.

Buchanan. Davis told the President that he was “surrounded with blood and dishonor on all sides.” Crushing a cigar in his hand Buchanan exclaimed, “My God are calamities never to come singly. I call God to witness – you gentlemen better than anybody know – that this is not only without but against my orders, it is against my policy.”<sup>89</sup>

When the men left, Buchanan once again turned to his cabinet for advice. It is important to note however, that this body had drastically changed since November. Following Aaron Brown’s death and the resignations of Cass and Cobb, the cabinet became more strongly Unionist than ever before. As expected, Floyd adamantly opposed Anderson’s actions, arguing that “it has made war inevitable.”<sup>90</sup> Black, Holt, and Stanton, on the other hand, supported and defended Anderson’s actions. “On entering the chamber,” Stanton maintained, “I found treason with bold and brazen front demanding the surrender of Fort Sumter.” Stanton asserted that if Buchanan decided to give up Fort Sumter he would be a worse traitor than Benedict Arnold and deserved to hang. Buchanan protested, “Oh no! Not so bad as that friend – not so bad as that!”<sup>91</sup> Infuriated at Floyd’s suggestion, Black argued against surrendering Fort Sumter, noting that “there was never a moment in the history of England when a minister of the Crown could have proposed to surrender a military post which might be defended, without bringing his head to the block!”<sup>92</sup>

On December 28, Buchanan had a two-hour meeting with the South Carolina commissioners who were “authorized and empowered” to discuss the transfer of federal forts, magazines, lighthouses, and other United States’ property in South Carolina. As they saw it, the

---

<sup>89</sup> Hunt, *Narrative of William Henry Trescott*, 544; Klein, *President Buchanan*, 378 379; Bruce Catton, *The Coming Fury*, 158.

<sup>90</sup> Crawford, *Genesis of Civil War*, 146.

<sup>91</sup> George C. Gorham, *Life and Public Services of Edwin M. Stanton*, vol. I (Boston: Houghton, Mifflin and Company, 1899), 158 - 159; Alan Nevins, *The Emergence of Lincoln: Prologue to Civil War 1859-1861*, vol. II (New York: Charles Scribner’s Sons, 1950), 370; Bruce Catton, *The Coming Fury*, 164.

<sup>92</sup> Memorandum Jeremiah Black 1861, Jeremiah Black Papers, Manuscript Division Library of Congress, Washington, D.C.

state could have seized the federal forts in Charleston “at any time within the past sixty days,” but they decided to “trust [Buchanan’s] honor.” The South Carolinians believed that Anderson’s forces were “a standing menace,” and until Buchanan explained Anderson’s actions, the South Carolinians would not discuss the status of federal property in the state.<sup>93</sup> Before the President wrote a response, he once again turned to his cabinet for advice. When Secretary of War John Floyd realized that Buchanan was not going to comply with South Carolina’s demands by withdrawing all federal troops from Charleston Harbor, he finally submitted his resignation. Buchanan immediately accepted Floyd’s resignation and appointed staunch Republican Joseph Holt to take his place. When Louis Wigfall learned that Buchanan had appointed Holt as Secretary of War, he warned South Carolina that “it means war” and suggested cutting “off supplies from Anderson and tak[ing] Sumter soon as possible.”<sup>94</sup>

Attorney General Jeremiah Black threatened to resign unless Buchanan made it clear that South Carolina did not have the right to secede, Fort Sumter belonged to the United States, and that Anderson had committed no wrong by moving to Fort Sumter. Worried that Black’s resignation would lead to Holt and Stanton leaving as well, Buchanan readily agreed with Black’s recommendations and rewrote his response. Additionally, Black encouraged Buchanan to send “the *Brooklyn* and the *Macedonian* to Charleston” with reinforcements.<sup>95</sup>

On December 31, Buchanan sent his revised response to the commissioners. Once again, he maintained that only Congress had the authority to discuss the status of federal property, but still agreed to discuss the matter as “private gentlemen.” The President maintained that his “first

---

<sup>93</sup> *The Correspondence Between the Commissioners of the States of So. Ca. to the Government at Washington and the President of the United States; Together with the Statement of Messrs. Miles and Keitt* (Charleston: Evans & Cogswell, Printers to the Convention, 1861), 3; *OR*, vol. 1, ser. 1: 109 and 110; Moore, *The Works of James Buchanan*, vol. XI, 76 and 77; Crawford, *Genesis of Civil War*, 146-161.

<sup>94</sup> *OR*, ser. 1, vol. 1: 252.

<sup>95</sup> Chauncey F. Black, *Essays and Speeches of Jeremiah S. Black* (New York: D. Appleton and company, 1886), 11–17; Crawford, *Genesis of Civil War*, 153 – 156; Cauthen, *South Carolina Goes to War*, 100; Swanberg, *First Blood*, 115-119.

promptings were to command [Anderson] to return to his former position,” but the state’s seizure of the surrounding forts, custom house, post office, and arsenal made that impossible.<sup>96</sup> The South Carolinians submitted a scathing reply, arguing that civil war had already begun. As they saw it, “Major Anderson waged war. No other words will describe his action. It was not a peaceful change from one fort to another; it was a hostile act in the highest sense...this was war.” Anderson’s movement into Fort Sumter “was as much war as firing a volley” and South Carolina only acted in “simple self-defense.” According to the commissioners, Buchanan’s refusal to withdraw federal troops and to disavow Anderson’s actions meant that the United States had decided “to hold [Fort Sumter] by force.”<sup>97</sup> When the Cabinet read the commissioners response they argued that it “was so violent, unfounded, and disrespectful” that President Buchanan “decline[d] to receive it.”<sup>98</sup>

General Winfield Scott agreed with Black’s suggestion and asked for permission to send the sloop of war *Brooklyn* with two hundred and fifty recruits from New York Harbor to reinforce Fort Sumter, together with some extra muskets or rifles, ammunition, and subsistence stores.”<sup>99</sup> Buchanan consented, but wanted to act “gentlemanly and proper” by giving the South Carolinians time to consider his response before sending Anderson more troops.<sup>100</sup> When the commissioners replied on January 2 Buchanan realized that “it is now all over and

---

<sup>96</sup> *The Correspondence Between the Commissioners of the States of So. Ca. to the Government at Washington and the President of the United States*, 5 - 12; Klein, *President James Buchanan*, 386 – 387.

<sup>97</sup> *The Correspondence Between the Commissioners of the States of So. Ca. to the Government at Washington and the President of the United States*, 18.

<sup>98</sup> Moore, *The Works of James Buchanan*, vol. XII, 162; *The Correspondence Between the Commissioners of the States of So. Ca. to the Government at Washington and the President of the United States*, 20.

<sup>99</sup> *OR*, vol. 1, ser. 1: 114; Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion*, 188.

<sup>100</sup> Black, *Essays and Speeches of Jeremiah S. Black*, 19; Crawford, *Genesis of Civil War*, 171; Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 92; Swanberg, *First Blood*, 122-127.

reinforcements must be sent.” With the exception of Secretary of the Interior Jacob Thompson, the Cabinet agreed and began making preparations to send reinforcements to Charleston.<sup>101</sup>

Although General Scott originally recommended sending the *Brooklyn*, he questioned if it was a good idea to send the deep draft vessel into the shallow waters of Charleston Harbor. After speaking with Toucey and Floyd, he also thought that it would be easier to ensure “secrecy and success” if they sent a mercantile steamer instead of a war ship.<sup>102</sup> With “great reluctance” Buchanan approved of using a side-wheel merchant ship, the *Star of the West*.<sup>103</sup> On January 4, Lieutenant-Colonel Lorenzo Thomas contacted New York merchant A.C. Schultz to make arrangements for contracting the *Star of the West*.<sup>104</sup> To maintain secrecy no changes were made to the *Star of the West*’s upcoming schedule in the newspapers. Thomas promised that “persons seeing the ship moving from the dock will suppose she is on her regular trip” to New Orleans.<sup>105</sup>

At five o’clock in the afternoon on January 5, the *Star of the West* left New York Harbor for Charleston carrying three months of supplies and two hundred recruits. Once aboard, Captain John McGowan instructed his men to hide below deck upon reaching the Charleston bar to maintain secrecy. Thomas stressed that “every precaution must be resorted to to prevent being fired upon” once reaching Charleston.<sup>106</sup> Shortly after the *Star of the West* departed, a telegram arrived from Major Anderson reporting that “we are safe” and “now where the Government may

---

<sup>101</sup> James Buchanan to Jacob Thompson, January 9, 1861 in Curtis, *Life of James Buchanan*, 402; Black, *Essays and Speeches of Jeremiah S. Black*, 20; Crawford, *Genesis of Civil War*, 174; Nicolay and Hay, *Abraham Lincoln: A History*, vol. III, 93; Swanberg, *First Blood*, 126.

<sup>102</sup> W.A. Swanberg argues that the decision to send a merchant ship rather than a war ship shows that the United States “did not have the courage to do its duty honestly and openly.” This argument fails to understand Buchanan’s desire to prevent conflict and look like the federal government intended to coerce South Carolina. The Administration made the difficult decision to resupply Anderson, but did not want South Carolina to interpret it as an act of war. Swanberg, *First Blood*, 128; Crawford, *Genesis of Civil War*, 174; Stamp, *And the War Came*, 80.

<sup>103</sup> Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion*, 189; Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 93.

<sup>104</sup> *OR*, ser. I, vol. I: 128, 129; Crawford, *Genesis of Civil War*, 175.

<sup>105</sup> *OR*, ser. I, vol. I: 130, 131.

<sup>106</sup> *OR*, ser. I, vol. I: 132, 133; Crawford, *Genesis of Civil War*, 176.



send us additional troops at its leisure.”<sup>107</sup> But a few days later he warned that it “would be dangerous and difficult for a vessel from without to enter the harbor” because South Carolina had constructed batteries along the harbor’s entrance. In closing Anderson said that he did not need reinforcements.<sup>108</sup>

Despite the attempts to keep the resupply mission secret, newspaper printed stories of plans to reinforce Fort Sumter. The *Tribune* reported that although “rumors were rife that [the *Star of the West*] was to convey troops to Charleston” the ship’s owners “ridiculed” the idea.<sup>109</sup> The *New York Times* rejoiced that “we have a Government at last.”<sup>110</sup> One Buchanan critic conceded that “at the last gasp of his official life he has in some measure repented and is stiffening himself up to the performance of his duty.”<sup>111</sup> Southerners were also aware of the rumors. On January 8, the New Orleans *Daily Crescent* reported that General Winfield Scott had chartered the *Star of the West* to carry “a large quantity of provisions and 250 men for Major Anderson, under Lieut. Barlett.”<sup>112</sup>

On January 8, Buchanan delivered a special message to Congress about his contacts with the South Carolina commissioners. Buchanan asserted that “matters are still worse at present than they” were when Congress last met because “the prospect of a bloodless settlement fades away.” Again, the President rejected the right of secession, but denied that he had authority to prevent a state from leaving. This time, however, Buchanan argued that “the right and the duty to use military force defensively against those who resist the federal officers in the execution of their legal functions, and against those who assail the property of the federal government, is clear

---

<sup>107</sup> *OR*, ser. I, vol. I: 120.

<sup>108</sup> *OR*, ser. I, vol. I: 133.

<sup>109</sup> *New York Tribune*, January 7, 1861.

<sup>110</sup> *New York Times*, January 3, 1861.

<sup>111</sup> *Morning Courier and New York Enquirer*, January 7, 1861.

<sup>112</sup> *Daily Crescent* (LA), January 8, 1861.

and undeniable.” The President admitted “that the fact cannot be disguised that we are in the midst of a great revolution” and only Congress holds the “power to remove grievances which might lead to war, and to secure peace and union to this distracted country.” He pleaded for Congress to preserve the Union. “The danger is upon us,” he warned, “in several of the States which have not yet seceded the forts, arsenals, and magazines of the United States have been seized.” As he saw it, the seizure of federal property “is by far the most serious step which had been taken since the commencement of the troubles.” From the beginning, he pointed out that the South’s actions have been “purely aggressive.” But once again he discussed his desire to avoid conflict, but maintained that he had no choice other than to reinforce Major Anderson, and he provided Congress with his copies of his correspondence with the South Carolina commissioners.<sup>113</sup> After learning that Buchanan was sending reinforcements to Charleston, Secretary of the Interior Jacob Thompson, the last southern sympathizer in the cabinet resigned.<sup>114</sup>

As the *Star of the West* continued towards Charleston, Jacob Thompson and Senator Louis Wigfall alerted Governor Pickens.<sup>115</sup> The Charleston *Mercury* reported that “the *Star of the West* would make her appearance in our waters.”<sup>116</sup> At the time no one officially told Anderson that reinforcements were on their way. Surgeon Samuel Wylie Crawford stationed at Fort Sumter wrote that “we do not credit” newspaper reports because “Major A. thinks Genl. Scott would not send troops except by a War vessel.”<sup>117</sup> Doubleday complained that “we saw nothing but uncouth State flags, representing palmettos, pelicans, and other strange devices. No echo seemed

---

<sup>113</sup> Moore, *The Works of James Buchanan*, vol. XI, 94 -99.

<sup>114</sup> Moore, *The Works of James Buchanan*, vol. XI, 100 -101.

<sup>115</sup> *OR*, ser. I, vol. I: 253; Crawford, *Genesis of War*, 181 182.

<sup>116</sup> *Charleston Mercury*, January 9, 1861.

<sup>117</sup> Samuel Wylie Crawford Diary, January 8, 1861, Samuel Wylie Crawford Papers, Manuscript Division, Library of Congress Washington D.C; Swanberg, *First Blood*, 144 145.

to come back from the loyal North to encourage us.”<sup>118</sup> “We had seen a statement in a Northern paper that a steamer named the *Star of the West* ... was to be sent to us,” Doubleday lamented, “but we could not credit the rumor.”<sup>119</sup> But at one-thirty in the morning on January 9, the *Star of the West* arrived just off the Charleston bar. At daybreak Captain McGowan ordered the United States flag raised, and the ship entered Charleston Harbor.<sup>120</sup>

Captain McGowan noticed a red Palmetto flag flying along the Morris Island shoreline. After learning of Buchanan’s plan to reinforce Fort Sumter, 225 riflemen and 40 Citadel cadets prepared to prevent this. When the *Star of the West* was about two miles from Fort Sumter, the battery fired a warning shot across the ship’s bow. When the ship did not slow down after three or four minutes more shots rang out.<sup>121</sup> One of the commanders aboard the *Star of the West* reported that “we kept on, still under fire of the battery, most of the balls passing over us, one just missing the machinery, another striking but a few feet from the rudder, while a ricochet shot struck us in the fore-chains, about two feet above the water line, and just below where the man was throwing the lead.”<sup>122</sup> “Our position now became rather critical, as we had to approach Fort Moultrie,” Captain McGowan later reported. He noticed that two armed South Carolina ships had entered the Harbor and decided that because they did not have “cannon to defend ourselves from the attack” it was best to “avoid certain capture, or destruction, we would endeavor to get to sea.” When the *Brooklyn* learned that the *Star of the West* had abandoned the mission it too turned around.<sup>123</sup>

---

<sup>118</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 100.

<sup>119</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 101.

<sup>120</sup> *New York Times*, January 14, 1861; Crawford, *Genesis of Civil War*, 182 -186; Swanberg, *First Blood*, 144 -159.

<sup>121</sup> Charleston, South Carolina, *Mercury*, January 10, 1861; *OR*, ser. I, vol. I: 10; *New York Times*, January 14, 1861; Crawford, *Genesis of Civil War*, 182 -186; Swanberg, *First Blood*, 144 -159.

<sup>122</sup> *OR*, ser. I, vol. I: 10.

<sup>123</sup> *New York Times*, January 14, 1861; Caithen, *South Carolina Goes to War*, 102.

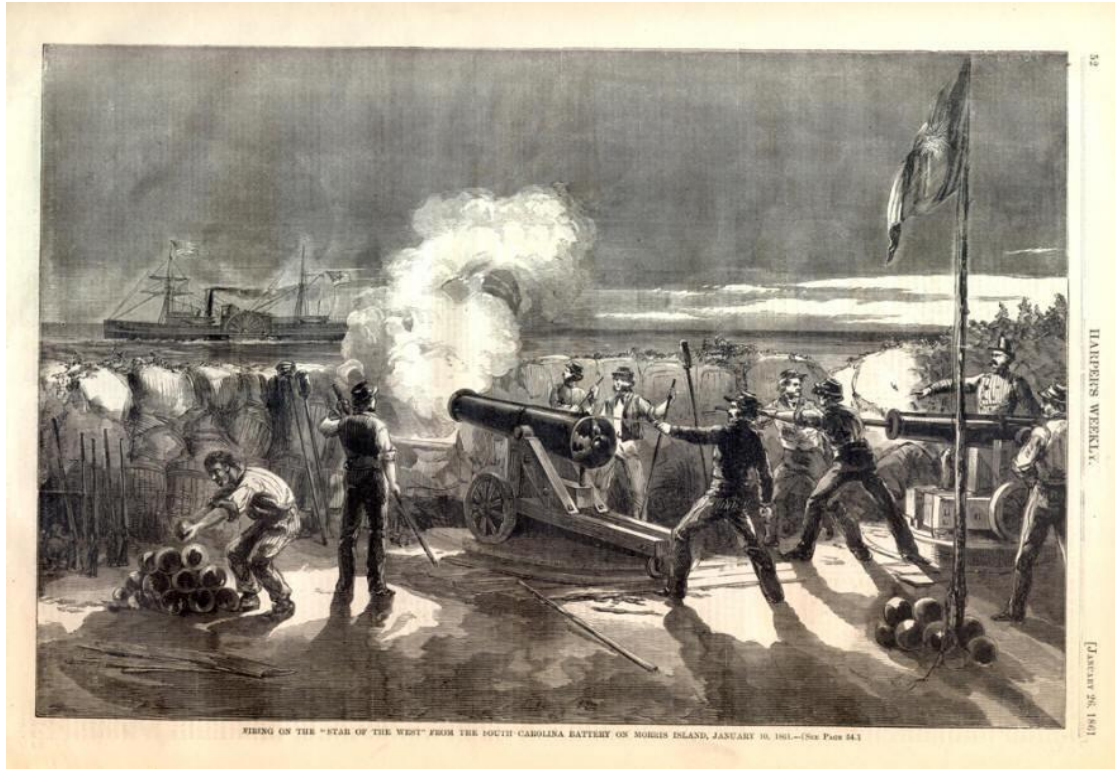


Illustration 2.1 Firing on the *Star of the West*, *Harper's Weekly*, January 26, 1861<sup>124</sup>

Captain Abner Doubleday watched the attack from the Fort Sumter parapet. When he saw a large steamer enter the Morris Island channel flying the United States' flag he concluded that the rumors must be true, the *Star of the West* was bringing reinforcements. Once the Morris Island battery opened fire on the ship, Doubleday ran to tell Major Anderson who was still asleep. Anderson ordered all the soldiers to man the batteries but not fire.<sup>125</sup> Crawford argued that Anderson appeared "excited and uncertain what to do."<sup>126</sup> Sergeant James Chester thought that "there seemed to be much perplexity among our officers."<sup>127</sup> The arrival of the *Star of the West* caught everyone at Fort Sumter off guard. Lieutenant Meade advised against returning fire

<sup>124</sup> *Harper's Weekly*, January 26, 1861.

<sup>125</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie*, 102 – 103.

<sup>126</sup> Crawford, *Genesis of Civil War*, 186.

<sup>127</sup> James Chester, "Inside Sumter in '61" in *Battles and Leaders of the Civil War*, vol. I, 61; Crawford, *Genesis of Civil War*, 185 - 186; Swanberg, *First Blood*, 146 -155.

believing that “it would at once initiate civil war, and that the Governor would probably repudiate the act.” After discussing the matter with the other officers present, Anderson admitted that firing back would be useless because his guns could not reach the Morris Island battery. As the *Star of the West* turned around Anderson ordered the men to go back to their quarters, but instructed two soldiers to remain at each gun and asked for all officers to meet with him in his quarters.<sup>128</sup>

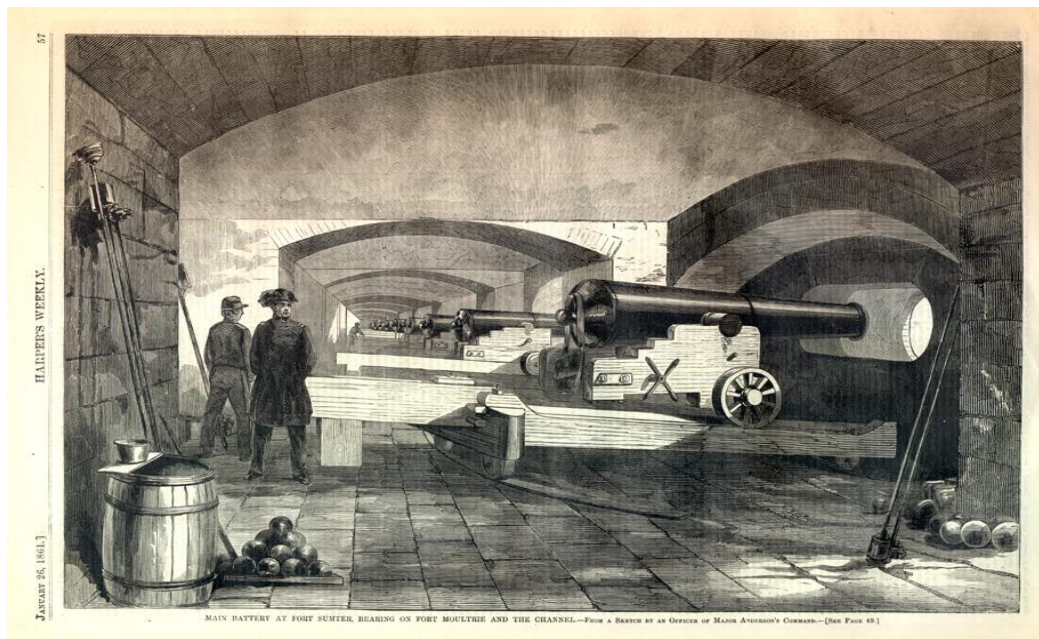


Illustration 2.2 Main Battery at Fort Sumter, Bearing on Fort Moultrie and the Channel, *Harper's Weekly*, January 26, 1861.

They discussed how to respond to the fact that South Carolina had just fired on the United States' flag. Doubleday wanted to take immediate action against the traitors, arguing that “every day's delay would add to the strength of their position and that they would finally shell the fort.” But Crawford disagreed, saying that opportunity had already passed when they chose

---

<sup>128</sup> Crawford, *Genesis of Civil War*, 186; Swanberg, *First Blood*, 147 – 149.

not to fire back at the battery. After listening to the officers' suggestions, Anderson decided to write to Governor Pickens to learn more details.<sup>129</sup>

"As I have not been notified that war has been declared by South Carolina against the Government of the United States," Anderson wrote that he "cannot but think that this hostile act was committed without [Pickens'] sanction or authority." He then respectfully asked the governor for more information about the attack. In closing, Anderson asserted that he "must regard it as an act of war."<sup>130</sup> But rather than disavowing the attack, Pickens' replied that "the act [was] perfectly justified." He maintained that South Carolina and President Buchanan had agreed to keep peace as long as no additional United States troops were sent to Charleston and no change made in the occupation of the forts along the harbor. As a result, South Carolina regarded Anderson's movement to Fort Sumter "as the first act of positive hostility." Pickens interpreted the attempt to resupply Anderson as "coercion." According to Pickens, the South Carolina troops had followed orders by sending a warning shot across the *Star of the West*'s bow before firing on the ship.<sup>131</sup> Upon receiving Pickens' reply, Anderson responded that he had turned the entire matter over to the United States Government.<sup>132</sup>

Southern papers surprisingly agreed that the firing on *Star of the West* was an act of war. On January 10, the Charleston *Mercury* proudly proclaimed that the "WAR [has] BEGUN." "The expulsion of the steamer *Star of the West* from the Charleston harbor yesterday morning was the opening of the ball of the Revolution," the paper thundered. According to the *Mercury*, "the first gun of the new struggle for independence (if struggle there is to be) has been fired, and

---

<sup>129</sup> Crawford, *Genesis of Civil War*, 187 and 188; Swanberg, *First Blood*, 149 – 152.

<sup>130</sup> *OR*, ser. I, vol. I: 134; Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter. Including Correspondence of Hon. Isaac W. Hayne with the President* (Charleston: Steam-Power Press of Evans & Cogswell, 1861), 3.

<sup>131</sup> *OR*, ser. I, vol. I: 135 and 136; Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 4 -6.

<sup>132</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 6.

Federal power has received its first repulse.”<sup>133</sup> On January 13, Mississippian Jefferson Davis told Governor Pickens that “we are probably soon to be involved in the fiercest of human strife, a civil war.”<sup>134</sup> The *Augusta Chronicle* agreed that the attack marked “the first gun” of the war.<sup>135</sup> The *Richmond Whig* reported that “people are intensely excited” by the attack.<sup>136</sup>

But despite secessionists’ celebrations, trade in Charleston Harbor suffered. After the attack, some northern merchants feared entering the harbor flying the United States flag. As a result, they began landing their goods in Savannah, Georgia. Concerned over the lack of trade, Governor Pickens reached out to the southern born president of the Bank of the Republic in New York, Gazaway Bugg Lamar. Pickens promised Lamar that “no flag and no vessel [would] be disturbed or prevented from entering our harbor unless bearing hostile troops or munitions of war for Fort Sumter.” “All trade is desired,” Pickens assured, “and all vessels in commerce only will be gladly received.”<sup>137</sup>

Northerners also believed that the shots fired at the *Star of the West* marked the beginning of a war. An engineer at Fort Sumter John G. Foster reported that “the firing upon the *Star of the West* this morning by the batteries on Morris Island opened the war.”<sup>138</sup> George Templeton Strong predicted that the firing on the *Star of the West* “will produce great excitement and strengthen the Union feeling all through the North.”<sup>139</sup> But when the ship returned to New York, Strong wrote that the “nation pockets this insult to the national flag; a calm dishonorable, vile submission.”<sup>140</sup> The Stroudsburg, Pennsylvania *Jeffersonian* claimed that “the rebels have fired the first gun and can facilitate themselves on the fact that they have commenced the war in

---

<sup>133</sup> *Mercury* (Charleston, SC), January 10, 1861.

<sup>134</sup> Crawford, *Genesis of Civil War*, 263 -265.

<sup>135</sup> *Augusta Chronicle*, January 11, 1861.

<sup>136</sup> *Richmond Whig*, January 11, 1861.

<sup>137</sup> *Harper’s Weekly*, January 26, 1861; Swanberg, *First Blood*, 175.

<sup>138</sup> *OR*, ser. I, vol. I: 136.

<sup>139</sup> Allan Nevins and Milton Halsey Thomas eds., *The Diary of George Templeton Strong*, vol. III, 88.

<sup>140</sup> Allan Nevins and Milton Halsey Thomas eds., *The Diary of George Templeton Strong*, vol. III, 89.

earnest.”<sup>141</sup> *Harper’s Weekly* asserted that “the time is at hand when all who love the glorious Union... shall show themselves good and true men. Our fellow countrymen in this region have decided to raise another flag. I trust in God that wisdom and forbearance may be given by Him to our rulers, and that this severance may not be ‘cemented in blood’.”<sup>142</sup> James Watson Webb told President-elect Lincoln that that the attack “has left [the South] without a sympathizer, even in the Democratic ranks; and the north as a unit, demands the enforcement of the Laws, the vindication of the Constitution and the punishment of the Traitors.”<sup>143</sup>

While some people praised Anderson’s actions, others were frustrated by his refusal to fire back. Captain Doubleday maintained that “Anderson showed a good deal of proper spirit.”<sup>144</sup> On the other hand, angry that Anderson did not return fire, the Stroudsburg, Pennsylvania *Jeffersonian* suggested that “if another occurrence like the firing on the *Star of the West* takes place” Major Anderson should “open batteries at once upon the rebel posts.”<sup>145</sup> The Charleston *Courier* even claimed that Anderson “will be found on the side of the South when this Government is dismembered” by not returning fire.<sup>146</sup>

On January 10, the day after the attack, the United States War Department contacted Major Anderson for the first time since December. Secretary of War Joseph Holt explained that the *Star of the West* had attempted to resupply Anderson’s forces with two hundred and fifty more men, but the ship failed to reach Fort Sumter. Holt praised Anderson’s “forbearance, discretion, and firmness” during the “perplexing and difficult circumstances.” Once again

---

<sup>141</sup> *The Jeffersonian* (Stroudsburg, PA), January 17, 1861.

<sup>142</sup> *Harper’s Weekly*, February 2, 1861.

<sup>143</sup> James Watson Webb to Abraham Lincoln, January 12, 1861, Abraham Lincoln Papers, Manuscript Division Library of Congress, Washington, D.C.

<sup>144</sup> Doubleday, *Reminiscences of Forts Sumter and Moultrie in 1860-1861*, 113.

<sup>145</sup> *The Jeffersonian* (Stroudsburg, PA), January 17, 1861.

<sup>146</sup> *Charleston Courier* (SC), January 17, 1861.



Anderson was instructed to “act strictly on the defensive; to avoid, by all means compatible with the safety of your command, a collision with the hostile forces by which you are surrounded.”<sup>147</sup>

The next day on January 11, Governor Pickens insisted that Anderson surrender Fort Sumter. Major Anderson quickly responded that this “demand is one with which [he] cannot comply.”<sup>148</sup> Despite Pickens’ threat that 20,000 men were prepared to take Fort Sumter, Anderson still refused to surrender.<sup>149</sup> Frustrated with Anderson’s defiance, Pickens decided to send Attorney General Isaac W. Hayne to ask President Buchanan to surrender the Fort. Pickens expressed an “earnest desire “to “avoid bloodshed” and added that Hayne “is authorized to give [Buchanan] the pledge of the State that the valuation of such property will be accounted for... upon the adjustment of its relations with the United States.”<sup>150</sup> Anderson’s refusal to surrender failed to set a precedent for other federal commanders because by this time state militia had already seized federal property in Alabama, Georgia, Florida, Mississippi, Louisiana, and North Carolina.<sup>151</sup>

In the meantime, however, ten southern senators advised South Carolina to seek a compromise that allowed Anderson and his men to receive water, food, fuel, and communication with Washington so long as the United States did not make another attempt to send additional reinforcements. The southerners asserted that this might delay hostilities so that the soon to be Confederate States of America would be able to find a “peaceable solution” for the “existing difficulties.”<sup>152</sup> Hayne and Pickens readily agreed to work on this with the other southern states.

---

<sup>147</sup> *OR*, ser. I, vol. I: 136 - 137.

<sup>148</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter* (Charleston: Evans & Cogswell, 1861), 7.

<sup>149</sup> Crawford, *Genesis of Civil War*, 191 – 194; Cauthen, *South Carolina Goes to War*, 103.

<sup>150</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 8 - 9.

<sup>151</sup> For more information on the seizure of federal forts, arsenals, and navy yards in the Deep South see Chapter 1.

<sup>152</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 12-20; Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion*, 197; Crawford, *Genesis of Civil War*, 218-220; Cauthen, *South Carolina Goes to War*, 104.

On January 19, Hayne submitted his proposal to the President, but three days later Buchanan refused to agree. Speaking on behalf of the President, Holt maintained that the United States had adopted a defensive policy and that the government refused to promise that no reinforcements would be sent to Fort Sumter.<sup>153</sup>

But Hayne refused to quit and once again asked for the United States to surrender the fort. This time, however, Hayne offered to buy Fort Sumter. On February 6, Holt replied that “the title of the United States to Fort Sumter is complete and incontestable” and the country’s interests in Sumter were not just proprietary. The United States “has absolute jurisdiction over the fort and the soil on which it stands.... South Carolina can no more assert the right of eminent domain over Fort Sumter than Maryland can assert it over the District of Columbia.” Holt maintained that “whatever may be the claim of South Carolina to this fort, [Buchanan] has no constitutional power to cede or surrender it.”<sup>154</sup> Furious over Holt’s reply, Hayne complained that the federal government refused to take South Carolina seriously.<sup>155</sup> Two days later Buchanan wrote that “the character of this letter is such that it cannot be received.”<sup>156</sup>

In the North people began preparing for war. Even before South Carolina fired upon the *Star of the West*, F.B. Spinola, a delegate of the New York legislature, had proposed that the New York Governor Edwin D. Morgan offer the state militia “to preserve the Union and enforce the constitution and laws of the country.”<sup>157</sup> Once South Carolina fired on the United States’ flag, Spinola volunteered to serve. On January 11, the New York legislature declared that South Carolina had “virtually declared war” and offered President Buchanan the state militia to assist in

---

<sup>153</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 15 – 20.

<sup>154</sup> *OR*, ser. I, vol. I: 166 -168.

<sup>155</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 41 – 43.

<sup>156</sup> Executive Document No. 2, *Correspondence and Other Papers Relating to Fort Sumter*, 43.

<sup>157</sup> *Herald* (New York, NY), January 3, 1861; *Albany Correspondence* in *New York Evening Post*, January 7, 1861; Stamp, *And the War Came*, 92.

crushing the rebellion.<sup>158</sup> Sending their resolutions to Michigan, Wisconsin, Massachusetts, and Pennsylvania, the New York legislature encouraged other Northern states to follow suit. In early February, the Massachusetts legislature passed a law that allowed the governor to expand the state militia. Vermont Governor Erastus Fairbanks called the state militia to be ready to serve. Indiana Governor Oliver P. Morton ordered federal weapons to be distributed to the state militia.<sup>159</sup> Connecticut Governor William A. Buckingham called for militia officers to drill for war.<sup>160</sup>

Nevertheless, President Buchanan chose not to respond to the attack and in doing so, he kept war from officially being declared. While northerners had celebrated Buchanan as a hero for finally deciding to reinforce Fort Sumter, they now once again criticized his unwillingness to stand up to the southern traitors. Lieutenant Talbot said that “the President seemed like an old man in his dotage.”<sup>161</sup> George Templeton Strong argued that James Buchanan “stands lowest... in the dirty catalog of reasonable mischief-makers.” “For without the excuse of bad Southern blood, without passion, without local prejudices, and in a great degree by mere want of moral force to resist his confessedly treasonable advisers,” Strong maintained that “he somehow slid into the position of boss-traitor and master devil of the game. He seems to me the basest specimen of the human race ever raised on this continent.”<sup>162</sup> One newspaper called Buchanan a “coward and villain.” Another criticized “the silence and utter inactivity of the Government.”

---

<sup>158</sup> *Evening Post* (New York, NY), January 11, 1861; *Herald* (New York, NY), January 11, 12, 13, 1861; Stamp, *And the War Came*, 92, 93.

<sup>159</sup> New York Legislature, *Concurrent Resolutions Tendering Aid to the President of the United States in Support of the Constitution and Union*, January 11, 1861; *Daily Advertiser* (Boston, MA), February 8, 1861; Stamp, *And the War Came*, 93.

<sup>160</sup> *Herald* (New York, NY), January 26, 1861.

<sup>161</sup> Benson J. Lossing, *Pictorial History of the Civil War*, vol. I (Philadelphia: George W. Childs, Publisher, 1866), 313.

<sup>162</sup> Allan Nevins and Milton Halsey Thomas eds., *The Diary of George Templeton Strong*, vol. III, 103.

The Stroudsburg *Jeffersonian* complained that the whole crisis “was brought about the traitor Floyd with the erroneous approval of Mr. Buchanan.”<sup>163</sup>

Throughout January and February, a Select Committee from the United States House of Representatives investigated Buchanan’s correspondence with the South Carolina secession commissioners.<sup>164</sup> On February 27, a majority of this Committee of Five condemned “in the most emphatic terms, the course pursued by the President in recognizing or substantially holding diplomatic communication with the rebellious authorities of the State of South Carolina.” They asserted that “while the President has avowed his determination to execute the laws, he does not seem to have regarded treason to the Constitution of the United States, contemplated and existing, as among the crimes condemned by the laws of the land and deserving punishment.” Even though Buchanan had known that South Carolina intended to seize federal property, the committee complained, he had initially refused to send reinforcements. While negotiating with the South Carolina commissioners, the state “had seized by force Castle Pinckney, Fort Moultrie, the United States arsenal, and the custom-house, and post office in the city of Charleston,” but Buchanan made no effort “to defend or recover it.”<sup>165</sup>

One member of the Committee of Five, however, disagreed. John Cochrane, a Democrat from New York, maintained that the committee did not treat Buchanan fairly. As Cochrane saw it, throughout the communication to the South Carolina commissioners Buchanan had not deviated from the position outlined in his Annual Message. The President had consistently

---

<sup>163</sup> *Jeffersonian* (Stroudsburg, PA), January 17, 1861.

<sup>164</sup> *New York Times*, January 16, 1861; *Morning Courier and New York Enquirer*, January 19, 1861; *New York World*, January 15, 1861; *Daily Tribune* (Chicago, IL), January 17, 1861; For more see Stamp’s *And the War Came*, 95.

<sup>165</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 88 (Washington: Government Printing Office, 1861), 6.

maintained his “intention to defend with the whole power of the government its property, and to conserve its rights with all his constitutional vigor.”<sup>166</sup>

By late February, however most northerners seemed to have lost interest in the firing on the *Star of the West*. When northerners and southerners realized that President Buchanan had no intention of recapturing any property seized in the southern states, they started looking forward to Lincoln’s inauguration. Although some doubted Buchanan’s loyalty because he refused to act, Holt reminded people that “it was his policy to preserve the peace if possible and hand over the Government intact to his successor.”<sup>167</sup> In his memoirs, Buchanan still failed to take responsibility and blamed Congress for “deliberately refus[ing], throughout the entire session, to pass any act or resolution either to preserve the Union by peaceful measures, or to furnish the President or his successor with military force to repel any attack which might be made by the cotton States.”<sup>168</sup> Nevertheless, it was clear to most contemporaries that the firing on the *Star of the West* was an act of war that could well lead to a much larger conflict.

---

<sup>166</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 88, 11.

<sup>167</sup> Auchampaugh, *James Buchanan and His Cabinet*, 81.

<sup>168</sup> Buchanan, *Mr. Buchanan’s Administration on the Eve of the Rebellion*, 134.

### CHAPTER 3: CUSTOM HOUSES, MINTS, AND REVENUE CUTTERS

The southern seizure of federal revenue cutters, mints, and custom houses occurred quietly with no physical opposition. While state militias captured federal military installations across the south, the officials appointed by the federal government seized southern custom houses by resigning their positions and pledging their loyalty to their state. As South Carolina, Alabama, Louisiana, and Georgia claimed ownership of the revenue cutters, mints, and custom houses within their borders the Buchanan Administration worried little about the physical seizure of the custom house buildings. Instead, President Buchanan focused all his attention on how to continue collecting duties and enforcing revenue laws in the seceded states.

Article I of the United States Constitution gave Congress extensive fiscal powers. Congress established custom houses in major port cities to enforce trade regulations, inspect goods, and collect revenue on imported goods. The term “custom” refers to the custom of recognizing the boundaries, laws, traditions, and sovereignty of nations while engaged in commercial activity.<sup>1</sup> Like other federal employees, American custom officers, such as the collector, surveyor, naval officer, and inspectors, held commissions from the federal government and were often appointed through political patronage.<sup>2</sup> To help enforce trade laws and prevent smuggling Congress also established an armed customs enforcement service later called the Revenue-Marine. Initially, the Revenue-Marine consisted of ten small schooners or “revenue

---

<sup>1</sup> For an in-depth examination of the importance of Custom Houses and the development of the American State see Gautham Rao, *National Duties: Custom Houses and the Making of the American State* (Chicago: The University of Chicago Press, 2016).

<sup>2</sup> John Frayler, “Pickled Fish and Salted Provisions: Historical Musings from Salem Maritime NHS,” *Officers of the Revenue*, vol. II, No. 2 (Salem: National Park Service, U.S. Department of the Interior, 2000), 2-9.

cutters” each manned by four officers.<sup>3</sup> By 1860 the Revenue-Marine still had only twenty-four ships to guard the Atlantic Coastline, Gulf of Mexico, and the Pacific Coastline.<sup>4</sup>

The day after Lincoln was elected the federal government began losing control of southern custom houses. On November 7, 1860, Custom Collectors resigned their positions in South Carolina, Virginia, and Georgia.<sup>5</sup> The *New York Herald* expressed great concern when Columbus, Georgia celebrated the resignation of the Collector at the Port of Charleston William F. Colock with a hundred-gun salute.<sup>6</sup> But southern papers such as the *Charleston Courier* praised these actions as “noble examples of interest yielding to patriotism.”<sup>7</sup> The reports of Colock’s resignation, however, were not completely accurate. Colock recognized that if his resignation took effect immediately, the President would have the opportunity to appoint another Collector at Charleston. Fearing that no southerner would accept the position following Lincoln’s election, Colock only announced his intention to resign and pledged his loyalty to South Carolina.<sup>8</sup>

When President Buchanan first considered the possibility that secessionists would seize federal property, he turned to Attorney General Jeremiah Black for legal advice. While Buchanan first sought to understand what power he had to protect federal forts, arsenals, and navy yards from assault, his next question concerned “the extent of [his] official power to collect

---

<sup>3</sup> While the service was established in 1790 it was not officially called the Revenue-Cutter Service until 1863. For more on the history of the U.S. Revenue Cutter Service see Irving H. King, *George Washington’s Coast Guard: Origins of the U.S. Revenue Cutter Service, 1789-1801* (Annapolis: Naval Institute Press, 1978); Irving H. King, *The Coast Guard Under Sail: The U.S. Revenue Cutter Service, 1789-1865* (Annapolis: Naval Institute Press, 1989); Florence Kern, *The United States Revenue Cutters in the Civil War*, U.S. Coast Guard Bicentennial Publication (Bethesda: Alised Enterprises, 1988).

<sup>4</sup> The *Harriet Lane* was the only modern steam vessel of the 24 revenue cutters. The other cutters were wooden sailing vessels. *Records of the Revenue Cutter Service and Its Predecessors*, Record Group 26.3.1 and 26.3.2, National Archives and Record Administration, Washington, D.C.; Florence Kern, *The United States Revenue Cutters in the Civil War* (Bethesda: Alised Press, 1988).

<sup>5</sup> *Charleston Courier*, November 8, 1860.

<sup>6</sup> *New York Herald*, November 9, 1860.

<sup>7</sup> *Charleston Courier*, November 13, 1860.

<sup>8</sup> *Charleston Courier*, December 22, 1860.

duties on imports at a port where the revenue laws [were] resisted by a force which drives the collector from the custom house.”<sup>9</sup> Black began by arguing that state governments could not supersede the federal government. Although he believed that the President had the authority to protect government property, Black illogically thought that Buchanan did not possess the authority to protect custom houses from aggressive attacks.<sup>10</sup>

According to Black, even though the President is responsible for insuring that “the laws [are] faithfully executed,” Congress determined the specific provisions of any law. This meant that “if Congress declares that a certain thing shall be done by a particular officer, it cannot be done by a different officer” without congressional approval. Since the Constitution specifies that United States revenue is “to be collected in a certain way, at certain established ports, and by a certain class of officers; the President has no authority, under any circumstances, to collect the same revenues at other places, by a different sort of officer, or in ways not provided for.” Black also referred back to earlier examples of past presidents using their authority to collect revenue. As he saw it, measures such as the Force Bill gave President Andrew Jackson the power to send military forces to South Carolina to enforce the federal tariff, but this power “was temporary” and had expired at the end of the congressional session.<sup>11</sup> Black believed that Congress now faced a similar situation and needed to decide if it was necessary to pass a similar bill.<sup>12</sup>

Yet, Black explained that while federal law required that all goods imported in the United States must enter through a proper port and duties should be received by the appointed Collector,

---

<sup>9</sup> For more on Buchanan’s questions concerning the status of federal property see Chapter 1.

<sup>10</sup> Attorney General Jeremiah Black, “Power of the President in Executing the Laws,” November 20, 1860 in Thomas C. Mackey ed. *A Documentary History of the American Civil War Era*, vol. 2 (Knoxville: The University of Tennessee Press, 2013), 204 - 206.

<sup>11</sup> For more on the President Andrew Jackson’s and the 22<sup>nd</sup> U.S. Congress’s handling of the Nullification Crisis see William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina 1816-1836* (New York: Harper and Row, 1965).

<sup>12</sup> Attorney General Jeremiah Black, “Power of the President in Executing the Laws,” November 20, 1860 in Thomas C. Mackey ed. *A Documentary History of the American Civil War Era*, vol. 2, 204 - 206.



the law did not require duties to be collected at the custom house. Under the law Collectors had the authority to collect duties “anywhere at or within the port.” So for example, the Attorney General noted “if the custom house were burnt down, he [the Collector] might remove to another building; if he were driven from the shore, he might go on board a vessel in the harbor. If he keeps within the port he is within the law.” The status of the custom house building should not stop the collection of duties.<sup>13</sup>

Armed with Black’s advice, Buchanan made it clear that he intended to continue collecting revenue throughout the South. Despite believing that he lacked the authority to call out the militia or use the regular army and navy to protect federal property, the President nonsensically argued that “the same insuperable obstacles do not lie in the way of executing the laws for the collection of customs.” Buchanan promised that revenue would be collected and that he would appoint a new Collector if any federal officials resigned their position. But once again the President maintained that “the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina.” That power, he argued belonged to Congress.<sup>14</sup>

Secessionists strongly criticized Buchanan’s promise to collect revenue. One southerner asserted that “the President of the United States has thrown down the gauntlet.... in his Message he has said it is his duty to collect the Revenue, and that he will do it.” “I desire no compromise,” William Gregg argued, “from the time of my boyhood I have seen nothing in politics but compromise after compromise, and I have hoped now we have got to an end, and I hope there will be no more compromises.”<sup>15</sup>

---

<sup>13</sup> Attorney General Jeremiah Black, “Power of the President in Executing the Laws,” November 20, 1860 in Thomas C. Mackey ed. *A Documentary History of the American Civil War Era*, vol. 2, 204 - 206.

<sup>14</sup> Moore, *The Works of James Buchanan* vol. XI, 14- 26.

<sup>15</sup> *Charleston Courier*, December 22, 1860.

Northern papers expressed disappointment with President Buchanan's promise to continue collecting revenue in the South and had clearly lost faith in his leadership. The Philadelphia *North American and United States Gazette* complained that Buchanan's message said little about the country's current financial troubles. "It is of little consequence with what words this Administration goes out," the paper asserted, because Buchanan's Presidency left "the Treasury in utter confusion, as well as bankruptcy."<sup>16</sup>

Other northerners thought that there were better ways of handling the problem. Former acting Secretary of State, James Alexander Hamilton suggested that Buchanan could release himself "from the duty of enforcing the laws" by simply "suspend[ing] or repeal[ing] the laws" in Charleston. Hamilton thought that closing the port would harm South Carolina's economy which would "induce them to pause and weigh well the consequences of the unwise course they have entered upon."<sup>17</sup> Hamilton encouraged the President to close the southern ports because this "would avoid the evils of treating the rebellious States... as public enemies."<sup>18</sup> The *New York Herald* warned that continuing to collect duties in southern ports "might prove to be a dangerous experiment" because "an attempt to enforce the tariff laws could not fail to provoke tragic results." A more effective way to handle the potential crisis would be for the President or Congress to declare that "the revenues cannot be peacefully collected" and to temporarily close southern ports.<sup>19</sup> Ohio artist Henry W. Elliot thought that nothing the federal government said or did would satisfy the South and agreed with the *Herald* that Buchanan should encourage Congress to "repeal all laws making any of [South Carolina's] ports, Ports of Entry." In other

---

<sup>16</sup> *North American and United States Gazette* (Philadelphia, PN), December 5, 1860 in Howard Cecil Perkins ed. *Northern Editorials on Secession*, vol. 1 (New York: D. Appleton-Century Company, 1942), 133.

<sup>17</sup> James A. Hamilton to James Buchanan, December 24, 1860 in *Reminiscences of James A. Hamilton; or, Men and Events, At Home and Abroad, During Three Quarters of A Century* (New York: Charles Scribner & Co., 1869), 458.

<sup>18</sup> James A. Hamilton, *Reminiscences of James A. Hamilton*, 467.

<sup>19</sup> *New York Herald*, December 11, 1860.

words, Elliot supported closing southern ports to all trade.<sup>20</sup> But at a Union meeting in Cincinnati, Ohio lawyer Henry Stanbery simply recommended that the United States Navy blockade South Carolina's ports.<sup>21</sup> On December 12, Secretary of State Lewis Cass tendered his resignation because of Buchanan's weak promise to continue collecting duties in Charleston. Cass had previously encouraged the President to begin collecting duties in Charleston at one of the forts in the port. Cass thought that this would put the collector and other federal officials in a better position "to act when necessary" and would ensure that the "proper authority" could still collect duties for the United States.<sup>22</sup>

Perhaps Cass and others were worrying about a problem that did not exist if the federal government could continue to collect revenue. The *Fayetteville Observer*, reported that President Buchanan had negotiated a deal with South Carolina that allowed "the General Government, without molestation, to collect the revenue at the Charleston Custom House."<sup>23</sup> With exquisitely bad timing, the pro-Buchanan *Vermont Chronicle* predicted "there will not be any immediate secession of any Southern State," because South Carolina has agreed "to appoint Commissioners to negotiate for an amicable severance, and in the meanwhile they will continue to pay custom-house and post office dues."<sup>24</sup>

While the northern press generally criticized Buchanan's approach to the crisis, the President maintained that secession would have little effect on the American economy. On December 20, Buchanan told *New York Herald* editor James Gordon Bennett that if the merchants of New York would sit down calmly and ask themselves "how southern secession

---

<sup>20</sup> Henry W. Elliot to John Sherman, December 7, 1860, John Sherman Papers, Library of Congress Manuscript Division, Washington, D.C.

<sup>21</sup> *Indianapolis (IN.) Daily Journal*, December 22, 1860 in Perkins ed. *Northern Editorials on Secession*, vol. 1, 333.

<sup>22</sup> George Curtis Tincor, *Life of James Buchanan, fifteenth President of the United States*, vol. 2 (New York: Harper & Brothers, 1883), 397.

<sup>23</sup> *Fayetteville (NC.) Observer*, December 13, 1860.

<sup>24</sup> *Vermont Chronicle*, December 18, 1860.

would affect their business they would realize that it “would not destroy the commercial prosperity of our great Western Emporium.”<sup>25</sup> Buchanan tried to calm New York businessman Royal Phelps’ worries two days later. Phelps feared potential violence and panic if the United States make a firm effort to enforce the tariff. Buchanan assured Phelps that if “the great merchants of New York examine the subject closely and ascertain what will be the extent of their injuries... they will probably discover they are more frightened than hurt” by secession.<sup>26</sup>

As Buchanan tried to alleviate northern fears of potential conflict, delegates at the South Carolina Secession Convention debated how to take control of the custom houses, ports, and revenue cutters and created a Committee on Commercial Relations and Postal Arrangements.<sup>27</sup> On December 19, delegate Perry E. Dunkin of Greenville acknowledged that the federal custom houses have been “convenient and advantageous.” He warned that the state would suffer if they suddenly stopped functioning. The best way to prevent closing the Charleston port was for the convention to appoint Colock as collector for the state. Dunkin suggested that the convention “make temporary arrangements” to appoint officers to collect duties at the port for South Carolina. He cautioned that to “shut for a day the port of Charleston, and the ships now loaded with the products of our country, would rot before they go to sea.”<sup>28</sup> Dunkin proposed that the Governor should appoint the current federal collectors and officers to collect duties for South Carolina.<sup>29</sup>

---

<sup>25</sup> James Buchanan to James Gordon Bennett, December 20, 1860 in Moore, *The Works of James Buchanan* vol. XI, 70.

<sup>26</sup> James Buchanan to Royal Phelps, December 22, 1860 in Moore, *The Works of James Buchanan* vol. XI, 74.

<sup>27</sup> Committee on Commercial Relations and Postal Arrangements consisted of thirteen members: B.F. Dunkin, E. McCrady, H.W. Conner, R.N. Courdin, J.L. Nowell, T.D. Wagner, Wm. Gregg, J.J.P. Smith, J.Jenkins, W. Middleton, A.H. Brown, E.M. Seabrook, R.F. Simpson.; *Journal of South Carolina, Held in 1860- '61. Together with the Reports, Resolutions, Ordinances, &c. Also, the Constitution of South Carolina, of the Provisional Government and of the Confederate States of America* (Charleston: Evans & Cogswell, 1861), 32, 45.

<sup>28</sup> *Charleston Courier*, December 22, 1860; W.J. Tenney, *The Military and Naval History of the Rebellion in the United States* (New York: D. Appleton & Company, 1867), 4.

<sup>29</sup> *Journal of the People of South Carolina*, 50, 58.

Others, such as South Carolinian William Gregg, opposed continuing to collect revenue. Gregg thought that the State should not collect duties until the legislature or the convention passed proper legislation that gave South Carolina the power to do so. Convention President David Jamison quickly rejected Gregg's suggestions, but Langden Cheves agreed with Gregg. Cheves feared that once South Carolina seceded there would be a "chasm in the law" that would stop all trade at the state's ports. But Senator Robert Hayne admitted that the laws passed by Congress while South Carolina was still in the Union would still be in effect despite secession. Not satisfied, Gregg complained that "tak[ing] the United States officers and mak[ing] them State officers" would not work because the laws were created "for the collection of revenues for the support of the Federal Government at Washington," not South Carolina. William Porcher Miles encouraged Gregg to think again. "Things must remain in *status quo*," Miles argued, "or everything will be confusion." As he saw it, the transition would occur more smoothly if the state appointed the previous federal custom officers to be state collectors. Dunkin added that his proposal to appoint custom officials was designed to ensure that duties were collected without interruption. Despite some objections, the convention eventually agreed to appoint the former federal custom officials.<sup>30</sup> Miles and Dunkin's belief that South Carolina should work to maintain the *status quo* shows how secessionists denied establishing a new system of government. From their point of view they were the true inheritors of the American Revolution. This meant that any United States' law passed prior to secession should still apply to the state.<sup>31</sup>

---

<sup>30</sup> *Daily National Intelligencer* (Washington, D.C.), December 22, 1860.

<sup>31</sup> Many historians have argued that the Southerners believed they were the true inheritors of the American Revolution. See Emory M. Thomas, *The Confederacy as a Revolutionary Experience* (Columbia: The University of South Carolina Press, 1971); Drew Gilpin Faust, *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South* (Baton Rouge: Louisiana State University Press, 1988); James McPherson, *Abraham Lincoln and the Second American Revolution* (New York: Oxford University Press, 1992); James McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York: Oxford University Press, 1998).

Before the South Carolina convention decided how to handle collecting revenue, Captain Napoleon Coste made plans to surrender the revenue cutter under his command to South Carolina. Captain Coste told First Lieutenant John Underwood and Second Lieutenant Henry Porter, that he intended to resign his commission and place Underwood in command of the revenue cutter *William Aiken* if South Carolina decided to secede.<sup>32</sup> Fearing that Coste might seize the *Aiken* for the state when he resigned, Underwood and Porter asked Major Robert Anderson if he would help guard the cutter until they received instructions from the Treasury Department.<sup>33</sup> Anderson readily agreed to help, but before the vessel could be placed under his protection it needed to be cleaned. Unfortunately, the *Aiken* left the wharf on the same day Anderson moved his forces from Fort Moultrie to Fort Sumter.<sup>34</sup> The next day Coste officially resigned his commission, but claimed that the *Aiken* now belonged to South Carolina and ordered Porter to “haul down the United States colors” and “raised the Palmetto flag.”<sup>35</sup> Although Porter obeyed Coste’s orders, he wanted to remain loyal to the Union. “Unwilling to leave any property of the government without an officer,” Porter ordered Third Lieutenant Horace Gambrill to keep an eye on the *Aiken* so that he could go ashore to ask Secretary of the Treasury Philip Thomas for orders. But it was too late. After not receiving a reply, Underwood,

---

<sup>32</sup> *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 91 (Washington: Government Printing Office, 1861), 79 and 80; *New York Times*, January 9, 1861; *Milwaukee (Wisc.) Daily Sentinel*, January 14, 1861.

<sup>33</sup> Henry O. Porter to Philip F. Thomas, January 3, 1861 in *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 91 (Washington: Government Printing Office, 1861), 79; *New York Times*, January 9, 1861; *Milwaukee (Wisc.) Daily Sentinel*, January 14, 1861.

<sup>34</sup> *New York Times*, January 9, 1861.

<sup>35</sup> Henry O. Porter to Philip F. Thomas, January 3, 1861, in *Reports of the Select Committee of Five*, 36<sup>th</sup> Congress 2<sup>nd</sup> Session, Report No. 91 (Washington: Government Printing Office, 1861), 78 and 79.

Porter, and Gambrill realized that it would be impossible for them to reclaim the *Aiken* from Coste so the men left their post and headed for Washington.<sup>36</sup>

The Northern press expressed outrage over Coste's actions. The *Herald* referred to the event as "the most savage Charlestonian revenue seizures."<sup>37</sup> The *Daily National Intelligencer* claimed that "the civil machinery of the Federal Government [had] fallen into total wreck in South Carolina." As the paper saw it, "it would doubtless be futile to clothe the President with additional *executive* authority, since, in the absence of all *civil* organization, any such authority would lack the political basis upon which it should proceed according to the genius of our institutions."<sup>38</sup> William Lloyd Garrison's *Liberator* simply called the revenue cutter's seizure an act of "treason."<sup>39</sup> The *Herald* suggested the event could have been avoided if the Buchanan administration had followed Andrew Jackson's example and sent a fleet of revenue cutters to Charleston. According to the *Herald*, "if the cutter *William Aiken*, at Charleston, had been armed and manned, as she should have been, the lieutenants could have resisted her traitorous captain, and those who assisted him, placed the vessel under Major Anderson's guns at Fort Sumter, and saved the United States the disgrace of having had its public armed cruisers captured by the revolutionists."<sup>40</sup> The recent events made the San Francisco *Daily Evening Bulletin* look forward to the "effectual measure that Lincoln will take" to insure the federal government still collected revenue.<sup>41</sup>

On December 27, South Carolina declared that the Charleston custom house belonged to the state. Collector Colock rejoiced that "all the officers attached to this Custom House entered

---

<sup>36</sup> *Harper's Weekly*, January 12, 1861; *New York Times*, January 9, 1861; Henry O. Porter to Philip F. Thomas, January 3, 1861, in *Reports of the Select Committee of Five*, 36<sup>th</sup>, Congress 2<sup>nd</sup> Session, Report No. 91 (Washington: Government Printing Office, 1861), 79.

<sup>37</sup> *The New York Herald*, January 3, 1861.

<sup>38</sup> *Washington Daily National Intelligencer*, January 2, 1861.

<sup>39</sup> *Liberator (Boston)*, December 31, 1860.

<sup>40</sup> *New York Herald*, January 14, 1861.

<sup>41</sup> *Daily Evening Bulletin* (San Francisco, CA), January 4, 1861.

yesterday into the service of the State.” According to the disunionists, all duties collected at the port belonged to the state not the federal government.<sup>42</sup> Fearful that the federal government would blockade the port of Charleston, R.N. Gourdin thought that the Convention needed to take preemptive action by giving the Governor the power “to issue letters of marque and reprisal.”<sup>43</sup> Issued during war, these letters would empower private citizens to attack any United States ship that tried to stop Colock from collecting revenue. Gourdin’s proposal was sent to the Committee on Foreign Relations which ultimately decided that it was not practical to issue letters of marque.<sup>44</sup> Nevertheless, when delegates from South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana met in early February to establish the Confederate States of America the issue resurfaced.<sup>45</sup> In the section six of the Provisional Constitution adopted on February 8, 1861, the delegates gave Congress the power “to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.”<sup>46</sup> This marked a significant turn from previous discussions and signaled that the newly formed Confederacy would use force to continue collecting duties.

Once Colock began collecting duties for South Carolina, some Northern Congressmen put forward their own version of a force bill. On January 3, Republican John Bingham, of Ohio, introduced legislation that would allow President Buchanan to re-establish any custom-house and secure any port that has been unlawfully obstructed. It also gave the collector authority to “detain all vessels and cargoes arriving within the district till the duties are paid.” Most importantly, the bill made it illegal to “take any vessel from the custom-house officer” and allowed the President

---

<sup>42</sup> William Colock to D. H. Jemison, December 28, 1860 in *Journal of the People of South Carolina*, 128.

<sup>43</sup> *Ibid.*, 150.

<sup>44</sup> *Ibid.*, 183.

<sup>45</sup> For more information on the Provisional Constitution of the Confederate States of America see E. Merton Coulter, *The Confederate States of America 1861-1865* (Baton Rouge: Louisiana State University Press, 1950); William C. Davis, *A Government of Our Own: The Making of the Confederacy* (New York: The Free Press, 1994); William C. Davis, *Look Away: A History of the Confederate States of America* (New York: The Free Press, 2002).

<sup>46</sup> Constitution for the *Provisional Government of the Confederate States of America*, Section VI, 11.



to “employ the land and naval forces or militia” to protect custom officials and seized vessels. George Houston of Alabama and Thomas Bocock of Virginia immediately objected. The Southern congressmen argued that Bingham was out of order and the bill was tabled. When Bingham brought the bill up for discussion again in July, it failed to pass because President Lincoln had already declared a blockade of the southern coastline.<sup>47</sup>

On the same day that the House of Representatives debated expanding President Buchanan’s power to protect federal ports a mob of roughly sixty people in Savannah, Georgia captured the revenue cutter *James C. Dobbin* and imprisoned the crew. When Savannah Collector John Boston learned about the capture he immediately informed Governor Joseph E. Brown.<sup>48</sup> Brown did not support the mob’s actions. Although he ordered the capture of Fort Pulaski, the governor did not authorize the seizure of the revenue cutter. Brown directed Colonel Lawton at Fort Pulaski to protect the *James C. Dobbin* until Collector Boston sent men to reclaim the cutter for the federal government.<sup>49</sup> At the time Brown “regret[ed] the lawless seizure of the vessel” and promised to “protect the Custom House and other property belonging to the Federal Government till the action of this State is determined by the Convention of her people.” Collector Boston complied with Governor Brown’s request and thanked him “in the name of the federal government.”<sup>50</sup> For the time being it appeared that Collector Boston would remain faithful to the Union.

By the second week of January Buchanan’s cabinet was once again in flux. When Buchanan decided to send Major Anderson reinforcements, Secretary of the Treasury Philip F.

---

<sup>47</sup> *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> Session, 247 -48; *Daily National Intelligencer*, January 4, 1861; *New York Times*, July 9, 1861.

<sup>48</sup> *OR*, ser. 1, vol. 5: 112-113; 116-117; Robert Underwood Johnson and Clarence Clough Buel ed., *Battles and Leaders of the Civil War* vol. 1 (New York: The Century Co., 1887), 624; *Savannah (Ga.) Republican*, January 4, 1861; *Daily Morning News* (Savannah, Georgia), January 4, 1861; *Daily Cleveland Herald*, January 5, 1861.

<sup>49</sup> For more on the seizure of Fort Pulaski see Chapter 1.

<sup>50</sup> *OR*, ser. 1, vol. 5: 112-113; *The Savannah (Ga.) Republican*, January 5, 1861.

Thomas resigned in protest. Buchanan immediately accepted his resignation and offered the position to General John A. Dix of New York. On January 11, the Senate confirmed him.<sup>51</sup> The *New York Journal of Commerce* claimed that Dix's appointment was "the best that could be made."<sup>52</sup> When Dix arrived in Washington he made it clear that he would protect revenue-cutters and custom houses from seizure. Unlike Cobb and Thomas, Dix believed that "any attempt to gain possession of [revenue cutters] by military coercion could not be regarded in any other light than as an act of war, proper to be resisted by force of arms."<sup>53</sup> Now for the first time the President's cabinet seemed eager to preserve the Union and in this case a cabinet member even used the provocative phrase "act of war."

Before Dix arrived in Washington, the Alabama state legislature began to consider taking over federal custom houses. Although the state militia had already captured the forts and arsenals throughout Alabama, Governor Andrew Moore waited until after the state seceded to seize the custom houses. On January 14, the legislature adopted an ordinance that reappointed the previous federal Collector of the Port of Mobile, Thaddeus Sanford and his subordinates to collect duties for Alabama.<sup>54</sup> Like the South Carolina Convention, the Alabama legislature decided the best way to take control of the custom house was to change as little as possible. This meant that the Board of Steamboat Inspectors, standard weights and measurements, and officer's pay remained the same.<sup>55</sup> Sanford was "authorized and empowered, in the name of the State of

---

<sup>51</sup> Thomas submitted his resignation on January 12, 1861. Philip Gerald Auchampaugh, *James Buchanan and His Cabinet On the Eve of Secession* (Lancaster: Lancaster Press, Inc., 1926), 173; Washington, D.C., *Daily National Intelligencer*, January 15, 1861; Morgan Dix ed., *Memoirs of John A. Dix*, vol.1 (New York: Harper & Brothers, 1883), 362, 363; Horatio King, *Turning on the Light: A Dispassionate Survey of President Buchanan's Administration, from 1860 to Its Close* (Philadelphia: J.B. Lippincott Company, 1895), 189.

<sup>52</sup> *New York Journal of Commerce*, January 12, 1861.

<sup>53</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 442.

<sup>54</sup> *Ordinances and Constitution of the State of Alabama, with the Constitution of the Provisional Government and of the Confederate States of America* (Montgomery: Barrett, Wimbish & Co., Steam Printers and Binders, 1861), 17, 18.

<sup>55</sup> *Ibid.*, 18-20.

Alabama” to seize the United States Marine Hospital at Mobile, the lights and buoys in Mobile Bay, and the Lighthouses at Choctaw Point, Mobile Pointe, and Sand Island. State officials would also reclaim all ships constructed in or by citizens of Alabama or any other slaveholding state.<sup>56</sup> Later the Alabama legislature appointed former federal collector Jonathan Haralson as Collector of Customs at the inland Port of Selma.<sup>57</sup>

Yet shortly after claiming the Ports of Mobile and Selma, some Alabamians worried that other ports and merchants would question whether Alabama had the authority to still collect revenue. In an effort to make their take over official, Governor Moore appointed Thomas J. Judge to negotiate the transfer of the forts, arsenals, custom houses, and the public debt and the “future relations of the State of Alabama, now a sovereign, independent State, with the Government of the United States.”<sup>58</sup> When Judge arrived in Washington, Buchanan refused to meet with him. Judge maintained that Buchanan’s refusal to discuss Alabama’s public debt or the federal property now under Alabama control meant that the President had “abandoned all claim... to that property in behalf of his Government; or that by repelling any offer of amicable adjustment, he desires that it should be retaken by the sword.”<sup>59</sup>

Northern reaction to South Carolina’s and Alabama’s decision to take control of the federal custom houses was swift and strong. In New York, George Templeton Strong lamented that even if trade from southern ports is transferred to northern ports “money cannot pay for our national disgrace.” Strong argued that “every citizen of the United States is humiliated and lowered in his own estimation...by the part his national government has played in this great

---

<sup>56</sup> Ibid., 19.

<sup>57</sup> Ibid., 17, 18.

<sup>58</sup> Thomas J. Judge to Governor A.B. Moore, February 18, 1861 in William Garrett, *Reminiscences of Public Men in Alabama, for Thirty Years. With an Appendix.* (Atlanta: Plantation Publishing Company’s Press, 1872), 491.

<sup>59</sup> Thomas J. Judge to C.C. Clay, Jr., February 4, 1861 in Garrett, *Reminiscences of Public Men in Alabama, for Thirty Years*, 492.

crisis.”<sup>60</sup> The New Haven *Daily Palladium* bluntly declared that “the cotton States have drawn the sword against the Union, the Constitution, and the Law.” “They cut short all consultation; they strike the first blow,” the paper thundered, “they seize the property of the Union, garrison its forts against the officers of law, take possession of its revenue-cutters, rifle its arsenals to arm their forces against its authority.... this is not secession; it is not dissolution; *it is rebellion and aggressive war!* The men who have long threatened to secede have now “swept the cotton states into open, armed, aggressive rebellion” to “seize the Government by force.”<sup>61</sup> The *Philadelphia Press* adopted a more temperate stance on the seizure of the Charleston custom house and revenue-cutter. As the *Press* saw it, “it may be questionable whether the best plan is to send a new collector or to repeal the acts creating the several ports of entry on the coast of South Carolina.” The paper stressed that “it is not a question of *coercing* South Carolina, but of *enforcing* the revenue laws.”<sup>62</sup> The *Indianapolis Daily Journal* cautioned against calls for closing South Carolina ports by pointing out that “by blockading their ports...we only resort to a trick to bring the first attack from South Carolina, instead of making it ourselves.” From their perspective, the United States should “either compel [South Carolina’s] obedience, or let her pass away.”<sup>63</sup> And northerners were not even united on the legal questions involved. A Wisconsin Democratic paper argued that “the United States cannot enforce the collection of customs [in South Carolina], nor inflict a penalty on those who resist it.”<sup>64</sup>

New Secretary of the Treasury John Dix immediately sought to show southern states that the federal government had not abandoned its property. On January 18, Dix kept his promise to

---

<sup>60</sup> Alan Nevins and Milton Halsey Thomas eds., *The Dairy of George Templeton Strong*, vol. III (New York: The Macmillan Company, 1952), 93.

<sup>61</sup> *Daily Palladium (CT)*, January 11, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. 1, 210 and 211.

<sup>62</sup> *Philadelphia Press*, January 15, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. 1, 218 and 219.

<sup>63</sup> *Indianapolis (IN) Daily Journal*, December 22, 1860 in *Northern Editorials on Secession*, vol. 1, 334.

<sup>64</sup> *Democrat*, (Kenosha, Wisconsin) January 11, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. 1, 356.

protect the revenue cutters and customs houses by sending William Hemphill Jones as a special agent to New Orleans and Mobile where he was to order the revenue cutters *Lewis Cass* and *Robert McClelland* to New York.<sup>65</sup> The Treasury Department was especially interested in keeping the *Robert McClelland* in Union hands because it was “one of the largest and finest in the service.”<sup>66</sup>

Jones arrived in New Orleans on January 26, the same day Louisiana voted to secede from the Union. By that time, state forces had already seized the forts and military installations, but they had yet to capture the custom house or mint facilities. Jones expected to find the cutter located a safe distance from the guns of Forts Philip and Jackson, outside of the mouth of the Mississippi River, but it was nowhere to be found. Eleven days before Louisiana seceded, New Orleans Collector Francis Hanson Hatch had ordered the *McClelland* commander Captain John G. Breshwood to surrender the cutter to Louisiana.<sup>67</sup> Jones eventually found the *McClelland* anchored seventy-two miles inside the mouth of the Mississippi River near New Orleans and gave Captain Breshwood Secretary Dix’s orders to relocate to New York. When Breshwood refused.<sup>68</sup> Jones informed Dix that Breshwood and Collector Hatch refused to follow orders. Unsure of how to handle the situation Jones asked “what must I do?”<sup>69</sup>

Dix received Jones’ telegram in the early evening of January 29 and his answer marked an important change from previous federal orders. To this point, every federal political or military leader had avoided any order that might lead to a clash between Federal forces and state officials. Dix, on the other hand, believed that it was time for the federal government to act.

---

<sup>65</sup> John A. Dix, *Speeches and Occasional Addresses*, vol. II (New York: D. Appleton and Company, 1864), 437-438.

<sup>66</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 439.

<sup>67</sup> Ibid., 437-440.

<sup>68</sup> Captain John G. Breshwood to William Hemphill Jones, January 29, 1861 in Dix, *Speeches and Occasional Addresses*, vol. II, 447.

<sup>69</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 440.

Furious at Captain Breshwood's treasonous actions, Secretary Dix ordered Jones to arrest Breshwood and assume command of the *McClelland*. If Breshwood attempted to prevent federal forces from regaining control of the cutter, Dix instructed Jones "to consider him as a mutineer and treat him accordingly." Compared to Buchanan's previous response to the southern seizure of federal property, Dix's order to arrest Breshwood seemed radical. But Dix did not stop there. In the last line of the telegram Dix boldly asserted that "if any one attempts to haul down the American flag, shoot him on the spot."<sup>70</sup> Yet after writing the message Dix feared that having Breshwood arrested would violate military etiquette, so he turned to General Winfield Scott for advice. Scott "approved of it, and made some remark expressing his gratification at the tone of the order" and also "expressed his gratification that [Dix] had taken a decided stand against Southern invasions of the authority of the government." Knowing that President Buchanan "would not permit it to be sent," Dix decided to send the message without consulting him.<sup>71</sup>

At a cabinet meeting three days later, Dix warned the President about the telegram. Before the meeting began, Dix told Buchanan that he "fear[ed] we have lost some more of our revenue-cutters." Buchanan asked how that happened. Dix then informed the President of Captain Breshwood's refusal to take the *Robert McClelland* to New York. "Well," Buchanan said, "what did you do?" Nervously Dix read the telegram he sent to Jones. When he read the words "shoot him on the spot," Buchanan furiously asked "did you write that?" Calmly, Dix replied "No sir... I did not write it, but I telegraphed it." Everyone in the room instantly realized that had Buchanan known about the telegram he never would have approved of its content.<sup>72</sup>

The order, however, never reached Jones. Instead an Alabama telegraph operator intercepted it. Rather than sending the message to Jones, the operator sent the message directly to

---

<sup>70</sup> Ibid., 440.

<sup>71</sup> John A. Dix to Mrs. Blodgett, March 31, 1865 in Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 372.

<sup>72</sup> Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 372 and 373.

Louisiana and Alabama authorities. Louisiana Governor Thomas Moore ensured that Breshwood escaped arrest and that the *McClelland* remained under Louisiana control. Shortly after Dix's telegram was published in southern newspapers, the revenue officers in Louisiana took an oath of allegiance and accepted commissions from the state.<sup>73</sup>

By February northern newspapers caught wind of the affair, and editors praised the "spirited and decisive character" of Dix's order.<sup>74</sup> The *Boston Daily Advertiser* celebrated Dix's patriotism, arguing that "if Mr. Buchanan had called such men about him at the beginning of his administration... it is safe to say that we should have escaped the crisis which is now threatening the country."<sup>75</sup> But northern papers such as the *New York Herald* that supported compromise efforts acknowledged that "it is the first command to shed blood that has been issued in the present crisis" and cautioned against any thoughts of rash action.<sup>76</sup> But despite the excitement Dix's telegram created, Captain Breshwood was not arrested and the *McClelland* remained in Louisiana hands.<sup>77</sup>

After failing to protect the *McClelland* from southern forces, Jones proceeded to Mobile. There he found the *Lewis Cass* near the harbor. Jones went to the Mobile Custom House in search of more information. He found three lieutenants assigned to the *Lewis Cass* near the custom house and asked them about the cutter's status. Jones learned that while he was on his way to New Orleans, Dix ordered the captain of the *Lewis Cass*, James J. Morrison, to go to Galveston, Texas to take command of the dilapidated *Henry Dodge*. Once aboard the *Dodge* Morrison was under orders to sail for New York exercising "the utmost vigilance in guarding

---

<sup>73</sup> *New Orleans Daily Crescent*, January 30, 1861; *Delta* (New Orleans, LA), January 30, 1861; *The Daily Exchange* (Baltimore, MD), February 4, 1861; *Nashville Union and American* (TN), February 5, 1861; Dix, *Speeches and Occasional Addresses*, vol. II, 449.

<sup>74</sup> *New York Herald*, February 4, 1861.

<sup>75</sup> *Boston Daily Advertiser*, February 5, 1861.

<sup>76</sup> *New York Herald*, February 7, 1861.

<sup>77</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 442.

your vessel against attack from any quarter.” If at any time Morrison felt the cutter was in danger, Dix instructed him to “run her ashore and if possible blow her up, so that she may not be used against the United States.” Like Captain Breshwood, Morrison chose to side with his state and refused to obey Dix’s orders.<sup>78</sup>

Furious, Jones went aboard the *Lewis Cass* in the hope of speaking with Captain Morrison. Once aboard, Jones noticed that the cutter was in terrible condition and the small crew lacked order and discipline. Jones was unable to meet with Captain Morrison but did find a letter from Mobile Collector Sanford ordering Morrison to surrender the *Lewis Cass* along with her armaments, properties, and provisions to Alabama. Without hesitation, Morrison had complied and the *Lewis Cass* fell under Alabama control. The three lieutenants who spoke with Jones, however, pledged their loyalty to the United States. They offered to help recapture the *McClelland*, because the *Lewis Cass* was deemed “entirely unseaworthy.”<sup>79</sup>

Since Morrison refused to go to Galveston, Lieutenant William F. Rogers assumed command of the *Henry Dodge*. Despite the ship’s dilapidated state Dix ordered Rogers to prevent the *Dodge* from being handed over to the Texas forces. But on March 2, Rogers turned over the cutter to Texas.<sup>80</sup> When Jones informed Dix that the *Lewis Cass* and the *Henry Dodge* were also in southern hands, an outraged Dix reported that J. J. Morrison “in violation of his official oath, and of his duty to the government, surrendered his vessel to the State of Alabama, it is hereby directed that his name be stricken from the rolls of said service.”<sup>81</sup>

---

<sup>78</sup> John A. Dix to James J. Morrison, January 22, 1861 in Dix, *Speeches and Occasional Addresses*, vol. II, 441 and 442; “Collection of Duties in the Seceding States, &c.,” United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), Dix, *Speeches and Occasional Addresses*, vol. II, 449.

<sup>79</sup> T. Sanford to Captain J. J. Morrison, January 30, 1861 in Dix, *Speeches and Occasional Addresses*, vol. II, 450.

<sup>80</sup> *ORN*, ser. 1, vol. 1: 847; ser. I, vol. 16: 867-868; and ser. 1, vol. 18: 85.

<sup>81</sup> Dix, *Speeches and Occasional Addresses*, vol. II, 439.



While Dix and Jones were preoccupied with protecting the revenue cutters, back in Georgia the Surveyor at the port of Augusta resigned his position but agreed to continue performing his duties until Lincoln took office. Dix accepted the resignation and allowed him to continue working. But when Secretary Dix received the monthly statement from the port of Augusta, Georgia, he was shocked to find that Governor Brown had ordered all payments made to Georgia rather than the United States Treasury Department. Dix held the Surveyor personally responsible for “the payments of the amount to the United States.” On January 30, Brown ordered Collector John Boston not to make any payments to the United States Government and take control of the Savannah Custom House in the name of Georgia. Upon learning of Brown’s order, Dix hoped that Collector Boston would remain loyal to the federal government like he had earlier. But this time Boston told Dix that he would “obey the authority of [his] State” as a “good and loyal citizen.”<sup>82</sup>

The next day the state of Louisiana “quietly [took] possession of the New Orleans Mint and Custom House.”<sup>83</sup> Superintendent of the New Orleans Mint William A. Elmore notified the Director of the United States Mint James Ross Snowden about the takeover.<sup>84</sup> Disgusted by Louisiana’s actions, Snowden complained that the right to coin money is “one of the highest acts of sovereignty – being expressly granted to the United States, and withheld from the States.” Nevertheless, Snowden did not know how to handle the New Orleans branch. While he believed that the New Orleans Mint still belonged to the United States because Louisiana had no right to secede, he also recognized that “it had practically ceased to be a branch of the mint.” Knowing that it would be impossible to distinguish the coins produced by the New Orleans branch,

---

<sup>82</sup> “Collection of Duties in the Seceding States, &c.,” United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, House Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), 2, 3.

<sup>83</sup> *Daily Dispatch* (Richmond, VA), February 2, 1861.

<sup>84</sup> William Elmore to James Ross Snowden, January 31, 1861 in Dix, *Speeches and Occasional Addresses*, vol. II, 445.

Snowden encouraged Dix to “discredit” all coins struck in 1861. Snowden also wanted Dix to send an agent to collect the federal dies now claimed by the Louisiana government.<sup>85</sup>

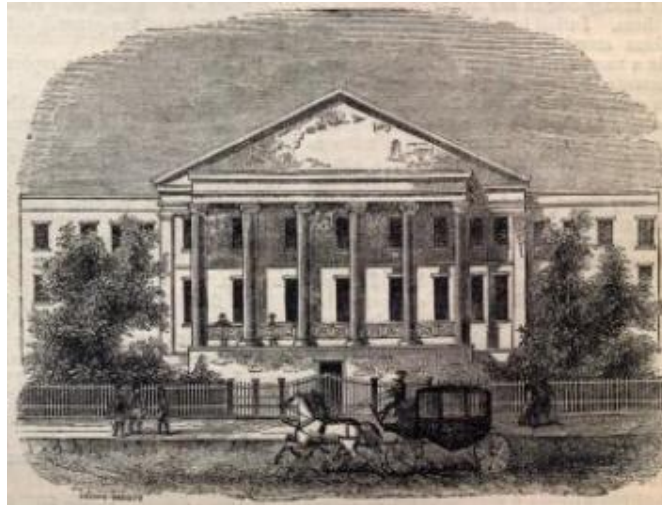


Illustration 3.1 The New Orleans Mint, *Harper's Weekly*, February 16, 1861.<sup>86</sup>

Besides seizing the New Orleans Mint, Louisiana captured the New Orleans Custom House. To ensure a smooth transition, officials resigned their positions with the federal government and began working the same jobs for the state. Although Louisiana faced no opposition in taking the federal installations, other custom collectors refused to acknowledge Louisiana's control of the New Orleans custom house. Disputes between the state and the federal government began immediately. Collector Francis Hanson Hatch notified Clarke, Mosby & Co., a firm in Louisville, Kentucky, that “their goods would not be allowed to pass the New-Orleans Custom House unless the duties on them were paid there.” Troubled by Collector Hatch's demand, Louisville Surveyor W. N. Haldeman sought help from Secretary Dix. Haldeman feared that because of the takeover of the New Orleans custom house, the company would be held responsible for paying duties twice for the same goods, once to Louisiana and again to the

---

<sup>85</sup> According to the United States Constitution, Article 1, section 8 and section 10 states did not have the authority to coin money. Branches of the United States Mint were not allowed until March 3, 1835. James Ross Snowden to John A. Dix, February 18, 1861 in Dix, *Speeches and Occasional Addresses*, vol. II, 443-445.

<sup>86</sup> *Harper's Weekly*, February 16, 1861.

federal government. Two days later T. Jefferson Sherlock, Surveyor for Cincinnati, Ohio also informed Dix that the New Orleans Custom House had charged Voorhees, Griggs & Co. for duties to the state of Louisiana. Dix responded to both men that even if the merchants had paid the New Orleans Custom House, they were still responsible for paying the necessary duties to the United States.<sup>87</sup>



Illustration 3.2 The New Orleans Custom House, *Harper's Weekly*, February 16, 1861.

Secretary Dix maintained that Hatch's actions were "oppressive and illegal." According to federal law, merchants delivering goods to interior ports such as Louisville and Cincinnati were allowed to pass through New Orleans free of charge as long as they had the proper bond which listed an interior port as their final destination.<sup>88</sup> This meant that all duties on goods

---

<sup>87</sup> "Collection of Duties in the Seceding States, &c.," United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, House Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), 4-6; *Daily National Intelligencer*, February 6, 1861; *New York Times*, February 15, 1861.

<sup>88</sup> In 1861, there were twenty interior port that were reached by entering though New Orleans: Nashville and Memphis, Tennessee; Louisville, Kentucky; Cincinnati, Ohio; Evansville, Indiana; St. Louis, Missouri; Wheeling,

arriving at an interior port were paid upon arrival. Dix recognized that by refusing to allow goods to pass through the port without payment, Hatch was demanding that loyal states “acknowledge the authority of the State of Louisiana.” This put Surveyors from loyal interior ports in a terrible position. Not only did it require loyal states to recognize Louisiana’s treasonous actions, it also forced merchants to “resort to other channels of communication or pay double duties.” Most importantly, however, Collector Hatch “struck a fatal blow at the navigation of the Mississippi, by marking the inward commerce of the west by sea subject to her authority and tributary to her treasury.”<sup>89</sup>

Even before Louisiana assumed control of the New Orleans Custom House, northern papers had predicted that Louisiana would limit northern access to the Mississippi River and doing so would mean war. In December, the *New York Daily News* suggested that “if Louisiana goes out of the Union with other Southern States, she will probably make the ‘Father of the Waters’ as exclusively advantageous to herself as possible.”<sup>90</sup> When state troops captured the federal forts along the Mississippi River on January 31, the *Cincinnati Daily Gazette* complained that a mob now controlled access to the mouth of the Mississippi River and that “palpable treason against the Federal Government and requires prompt attention from the Administration.” Shortly after Louisiana seized the forts, the *Milwaukee Daily Wisconsin* claimed that this made “the peaceable navigation” of the Mississippi “almost impossible” and advised secessionists to “pause before they provoke[d] the power of the Great West.”<sup>91</sup> Once Louisiana and Mississippi

---

Virginia; Pittsburg, Pennsylvania; and Cairo and Alton, Illinois. “Collection of Duties in the Seceding States, &c.,” United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, House Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), 7 – 8.

<sup>89</sup> “Collection of Duties in the Seceding States, &c.,” United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), 7 – 8.

<sup>90</sup> *New York Daily*, December 25, 1860 in Howard Cecil Perkins ed., *Northern Editorials on Secession*, vol. II (New York: D. Appleton-Century Company Incorporated, 1942), 541.

<sup>91</sup> *Milwaukee Daily* (Wisconsin), quoted in *Cincinnati Daily Commercial*, January 25, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 548.

forces installed batteries on the bluffs along the river the *Evening Post* argued that “the war is therefore opened and the trouble may be expected to reach a crisis in a few days.”<sup>92</sup> According to the *Cincinnati Daily Commercial*, “the Seceders will strangulate themselves if they meddle with the mouth of the river.”<sup>93</sup>

When Louisiana began threatening northern trade along the Mississippi in late January and early February, the northern press took even greater notice. “You may pass as many secession ordinances on paper as you please,” the Evansville *Daily Journal* warned, “but when you commence taxing the people of the North-west to support your governments, you will be likely to hear a rumbling that will be prophetic of a coming avalanche.”<sup>94</sup> Northerners would not surrender free access to the Mississippi River “without a desperate struggle” the *Cleveland Morning Leader* agreed.<sup>95</sup> The *Troy Daily Arena* thundered “this is more than an act of war against the government of the United States.” Louisiana’s policy was “a blow struck at every State and every Territory bordering on that river and its tributaries” that “would bring down upon the usurping State an avalanche of armed men, who would promptly compel, at no matter what cost, the reopening of this great national highway.”<sup>96</sup>

Following the capture of custom houses throughout the Deep South, Congress debated how to respond. On February 11, Senator Jacob Collamer from Vermont introduced a bill to allow the President “to discontinue the ports of entry” in states that claimed ownership of United States Custom Houses.<sup>97</sup> When Virginia Senator James Mason labeled Collamer’s bill an act of war, the Vermonter assured Mason that “that the bill has no warlike purpose whatever. It is to

---

<sup>92</sup> New York *Evening Post*, January 23, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 545.

<sup>93</sup> *Cincinnati Daily Commercial*, January 25, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 548.

<sup>94</sup> *Daily Journal* (Evansville, IN), February 12, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 556.

<sup>95</sup> *Cleveland Morning Leader* (OH), February 21, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 556.

<sup>96</sup> *Troy (N.Y.) Daily Arena*, February 28, 1861 in Perkins ed., *Northern Editorials on Secession*, vol. II, 559.

<sup>97</sup> *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> Session, 850.

avoid [war]. It is to declare them no longer ports of entry, so that ships will not make clearances to them. It will prevent the necessity of any military force.” Mason retorted that closing southern ports would require an increase in naval forces and armaments. Collamer responded that the bill said nothing about increasing naval power. Instead, its object was to avoid potential bloodshed by declaring southern ports “no longer ports of entry,” which meant that foreign ships would not be granted clearance. But Mason argued that the southern ports such as Charleston or Savannah would grant clearance to any foreign ship willing to pay the proper duties. As a result, the United States Treasury Department would need to have ships stationed at the entrances to southern ports. Frustrated, Mason argued that the government could no longer “cover up,” “evade,” or “disguise,” the crisis at hand.<sup>98</sup>

Mason’s objection to Collamer’s proposed legislation confused Republican Senator William Pitt Fessenden who could not understand why the Virginian objected to an increase in naval power, when the Democratic Party had long favored protecting American commerce. “Why is it less necessary” now he asked. Is it because the Deep South has seceded and virtually “declare[d] war against the United States” by seizing federal forts, arsenals, custom houses, and mints?” Fessenden questioned whether the country was in a better defensive position than last year when Mason supported increasing naval forces. If southern ports were collecting revenue in the name of their states rather than the federal government, Fessenden argued, then the President should have the authority to close the port. He believed that the southern states had committed treasonous actions against the federal government but were still enjoying “all the advantages of being a port of the United States, collecting revenue, and putting it in their own pockets, which they are in fact, nobody, either in the eyes of the United States or the world.”<sup>99</sup> Fessenden then

---

<sup>98</sup> Ibid., 851.

<sup>99</sup> Ibid., 852.

directly asked if Mason was loyal to the United States or the Southern Confederacy.<sup>100</sup> Mason responded that he “represents the sovereign State of Virginia” and would “never vote a dollar to increase the military arm of this Government.”<sup>101</sup>

With that Preston King from New York had heard enough. I have uniformly voted against the proposition to increase the Navy, because I have not believed there was any necessity for it,” King maintained, “but treason is abroad in this land, and I believe there is an occasion and a necessity for the increase of armament and power of the country.” He complained that cabinet members and Senators helped southerners commit treason by illegally stealing arms from federal arsenals. As King saw it, if a person betrays his country “he should take the fate of a traitor; and he should not seek to escape it by contending that he can do it peacefully against his country.... This treason must come to an end.”<sup>102</sup> The following day James S. Green from Missouri questioned whether the federal government had authority over public property located throughout the South. According to Green, “if the right to secede is admitted, whatever forts, magazines, arsenals, or other public property had been purchased, made, constructed, or improved by the Federal Government, cease to be public property of the Union.” By this logic he considered Fort Sumter to be “wrongfully held” by the federal government.<sup>103</sup> Following Green’s long speech, Collamer’s bill was sent to the Committee of the Whole and was not debated again.<sup>104</sup>

The House of Representatives soon took up these questions. On February 11, the House adopted a resolution that requested Secretary of the Treasury John A. Dix to inform the House if South Carolina, Georgia, Alabama, and Louisiana ports were still considered ports of entry and

---

<sup>100</sup> Ibid., 851.

<sup>101</sup> Ibid., 852.

<sup>102</sup> Ibid., 853.

<sup>103</sup> Ibid., 866.

<sup>104</sup> Ibid., 869.

collecting duties in the usual manner.<sup>105</sup> In response, Dix provided the House with all the correspondence between the Treasury Department and state government that dealt with the southern seizure of revenue cutters, mints, and custom houses. The Secretary admitted that all revenue cutters located near southern ports had fallen into secessionist hands, state governments had assumed control of the mints, and that the state governments were collecting revenue for the Confederacy, not the federal government. Dix emphasized that Louisiana's actions "practically abolishe[d] the twenty ports of delivery above New Orleans."<sup>106</sup> He maintained that "throughout this whole course of encroachment and aggression the federal government has borne itself with a spirit of paternal forbearance... waiting in patient hope that the empire of reason would resume its sway over those whom the excitement of passion had thus blinded, and trusting that the friends of good order, wearied with submission to proceedings which they disapproved, would at no distant day rally under the banner of the Union."<sup>107</sup>

To many northerners it seemed that the secessionists had robbed, plundered, and stolen from the federal government.<sup>108</sup> New Hampshire politician and Commissioner of Public Buildings Benjamin Brown French complained that "Six states gone out of the Union! Immense amounts of property stolen by the Secessionists! They denominate it 'seized' – yes it has been *seized* just as I might thrust my hand into my neighbor's pocket and *seize* his money."<sup>109</sup>

Historian and diplomat John Lothrop Motley argued that seizing "valuable property of the

---

<sup>105</sup> "Collection of Duties in the Seceding States, &c.," United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, Ex. Doc. NO. 72 (Washington, D.C.: U.S. Government Printing Office, 1861), 1 and 2.

<sup>106</sup> *Ibid.*, 10.

<sup>107</sup> *Ibid.*, 11, 12.

<sup>108</sup> This supports Silvana R. Siddali's argument in *From Property to Person*. Silvana R. Siddali, *From Property to Person: Slavery and the Confiscation Acts, 1861-1862* (Baton Rouge: Louisiana State University Press, 2005), 17-36.

<sup>109</sup> Benjamin Brown French, February 10, 1861, B.B. French Diary, Library of Congress Manuscript Division, Washington, D.C.



Union, paid by the treasure of Union” was “rebellion, treason, and plunder.”<sup>110</sup> Even the Democratic *Cincinnati Daily Press* maintained that the government should “not permit itself to be robbed of its property, driven out of its forts by force, and bullied and disgraced by rebels. It has received insult and injury enough at Charleston alone to justify it in laying that town level with the ground.”<sup>111</sup>

The capture of federal revenue cutters, mints, and custom houses united northerners as many believed it was a direct threat to their financial security and wellbeing. In fact, some northerners thought that the southern seizure of custom houses posed a greater threat than the capture of federal military installations.<sup>112</sup> The *Philadelphia Press* suggested that “maintaining or retaking [federal] forts” was “a convenient means of enforcing the revenue laws of the United States.”<sup>113</sup> Before Major Anderson moved his garrison to Fort Sumter, New York lawyer James A. Hamilton recommended the President employ a warship and officers at Fort Moultrie to help continue collecting duties in Charleston.<sup>114</sup>

While considering potential compromise efforts, Judge Caleb Burbank of California argued that the South had committed treason in capturing federal property. Burbank concluded that “disloyal men are this day in defiance of our General Government, seizing and holding forts on the Mississippi, and aiming the guns of these forts at the merchant vessels as they are moving in peace on the highway of commerce.” Yet too many senators did not object to the treasonous actions. Instead, they commend, negotiate, and conciliate the traitors.<sup>115</sup> “Oh what delusion,”

---

<sup>110</sup> Frank Friedel ed., *Union Pamphlets of the Civil War*, vol. 1 (Cambridge: Harvard University Press, 1967), 41.

<sup>111</sup> *Cincinnati Daily Press*, January 21, 1861.

<sup>112</sup> This supports Silvana R. Siddali’s argument in *From Property to Person*, 17-36.

<sup>113</sup> *Philadelphia Press*, January 15, 1861 in ed. *Northern Editorials on Secession*, vol. 1, 219.

<sup>114</sup> James A. Hamilton to James Buchanan, December 24, 1860 in *Reminiscences of James A. Hamilton*, 459.

<sup>115</sup> Caleb Burbank, *Speech of Judge Burbank in the State of California, February 27, 1861, on the Crittenden Compromise Resolutions* (Sacramento: J. Anthony & Co., Printers, 1861), 7.

Burbank asserted, “to suppose that the American freemen are willing to compromise with treason.”<sup>116</sup>

As President-elect Abraham Lincoln made his way to Washington, D.C. in February, he briefly spoke to a crowd about the importance of tariffs in Pittsburgh, Pennsylvania. Although the speech primarily concerned current congressional debates over a proposed tariff increase, Lincoln explained why tariffs were necessary. As he saw it, “so long as direct taxation for the support of government is not resorted to, a tariff is necessary. The tariff is to the government what a meal is to the family.” Moreover, Lincoln stressed that the current depleted status of the Treasury Department increased the tariff’s significance.<sup>117</sup> The first draft of Lincoln’s Inaugural Address kept with this idea by promising to use “all the power at [his] disposal” to “collect the duties on imports.”<sup>118</sup> After consulting with Orville Browning, William Seward, and Stephen Trigg Logan, Lincoln decided that the original phrase “all the power at my disposal” sounded too harsh. In the final draft President Lincoln swore to use “the power confided to [him]” to collect duties on imports.<sup>119</sup>

Following Lincoln’s inauguration on March 4, John Dix was praised for his short term of service. Before the former Secretary of the Treasury prepared to return to New York, First Comptroller of the Treasury William Medill expressed his great appreciation for Dix’s service. Medill maintained that Dix had been called “to a most difficult position at a time of unprecedented embarrassment, and when the credit and the Treasury of the country were almost equally low, it was not long until your energy and high character restored both.”<sup>120</sup> Once in New

---

<sup>116</sup> Caleb Burbank, *Speech of Judge Burbank in the State of California, February 27, 1861*, 9.

<sup>117</sup> “Speech at Pittsburgh, Pennsylvania, February 15, 1861 in Roy P. Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4 (New Brunswick: Rutgers University Press, 1953), 211, 212.

<sup>118</sup> Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 254.

<sup>119</sup> *Ibid.*, 266.

<sup>120</sup> Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 380, 381.

York, Dix was greeted with an invitation to a public dinner celebrating his “prompt and sagacious action” while serving as Secretary of the Treasury.<sup>121</sup> New York Governor Edwin D. Morgan graciously thanked Dix for his patriotic service during the “trying emergency.” In the short few weeks that Dix led the Treasury Department he “happily brought order out of chaos and gave to capitalists and to others confidence and assurances that treason and traitors had done their worst, and that henceforth law and order were to bear sway in the councils of the Federal Government.”<sup>122</sup> Likewise, Maryland senator Reverdy Johnson praised Dix for “such firmness and ability at the commencement of our troubles would have no doubt preserved the Union.”<sup>123</sup>

Although Dix had joined Buchanan’s cabinet too late to prevent the seizure of the mints, revenue cutters, and custom houses, throughout the war Dix’s telegram became a symbol of American patriotism, courage and decisive action. After capturing New Orleans in 1862, General Benjamin Butler asserted that “when [he] read [Dix’s] decisive and patriotic order, as Secretary of Treasury, ‘to shoot on the spot’ whomsoever should attempt to haul down the American flag, my heart bounded with joy. It was the first bold stroke in favor of the Union under the past administration.”<sup>124</sup> In April 1862, William Ross Wallace wrote a song in Dix’s honor called “Shoot Him on the Spot: A National Song.” The first verse read:

“When Rebellion’s impious hand  
Darkened o’er the loyal land,  
Threatening its old flag unfurled,  
Like a star-burst for the world –  
Well Our DIX, the firm-souled, cried,  
From the mountain to the tide,  
*‘He who first that flag would lower,*

---

<sup>121</sup> Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 383.

<sup>122</sup> E.D. Morgan to John A. Dix, March 9, 1861, in Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 387.

<sup>123</sup> Reverdy Johnson to John A. Dix, March 9, 1861, in Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 387, 388.

<sup>124</sup> Benjamin F. Butler to Major-General John A. Dix, June 26, 1862 in Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 374.

*SHOOT HIM ON THE SPOT!*”<sup>125</sup>

Throughout the war patriotic envelopes included the phrase “If anyone attempts to haul down the American Flag, shoot him on the spot.”<sup>126</sup>



Illustration 3.3 Civil War envelope 1861, Roosevelt Civil War Envelope Collection, Georgetown University Library.

Dix later admitted that at the time he did not think that he had written “anything especially worthy of remembrance.” But he noted that it touched the public mind and heart strongly, no doubt, because the blood of all patriotic men was boiling with indignation at the humiliation which we were enduring; and I claim no other merit than that of having thought rightly, and having expressed strongly what I felt in common with the great body of my countrymen.”<sup>127</sup> When Dix ran for Governor of New York in 1872, newspapers reported that

---

<sup>125</sup> *New York Ledger*, April 5, 1862; Frank Moore ed., *Songs of the Soldiers* (New York: George P. Putnam, 1864), 4-5.

<sup>126</sup> Roosevelt Civil War Envelope Collection, Manuscript Collections, Georgetown University, Washington, D.C.

<sup>127</sup> Morgan Dix ed., *Memoirs of John A. Dix*, vol.1, 373.

“Old ‘Shot Him on the Spot’” had been nominated for governor. Overwhelmingly popular, Dix won the election.<sup>128</sup>

But Dix’s patriotic telegram did little to help the country during the secession crisis. By the time Lincoln took the oath of office on March 4, 1861, the United States only controlled four southern forts and Major Robert Anderson’s forces would soon be out of provisions. As President Lincoln considered how to collect duties in the South he turned to his cabinet for advice. On March 18, Lincoln asked Secretary of the Treasury Salmon P. Chase if the government was collecting all duties on goods entering the country. Chase responded that “there were no custom offices south of North Carolina, Tennessee, and Arkansas.” He also believed that “offshore vessels could execute the revenue laws, but that all of the eleven vessels in service would have to be rearmed, and since only one was a steamer, at least three of the other should be replaced by steam vessels.”<sup>129</sup> After receiving Chase’s reply Lincoln asked Secretary of the Navy Gideon Welles how many ships could be used to assist the revenue service. Welles replied that only twelve ships were readily available.<sup>130</sup> When Lincoln considered the importance of Fort Sumter he noted that the fort was of “inconsiderable military value” because “it was not necessary for the Federal Government to hold it in order to protect the City of Charleston from foreign invasion, nor [was] it available under existing circumstance for the purpose of collecting the revenue.”<sup>131</sup> Nevertheless, Lincoln recognized the symbolic importance of maintaining a federal presence in Fort Sumter and sent Anderson the necessary provisions.

---

<sup>128</sup> *Daily Gazette* (Cincinnati, OH), August 22, 1872.

<sup>129</sup> Abraham Lincoln to Salmon P. Chase, March 18, 1861 in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 292.

<sup>130</sup> Abraham Lincoln to Gideon Welles, March 18, 1861 in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 293.

<sup>131</sup> “Memorandum on Fort Sumter,” March 18, 1861 in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 289.

Following the South's decision to fire on Fort Sumter, on April 19 Lincoln issued a proclamation establishing a preliminary blockade on the entire southern coastline. He chose this course because the states of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas had prevented the collection of revenue. Lincoln thought the blockade was a way to protect the "public peace, and the lives and property of quiet and orderly citizens pursuing their lawful occupation" until Congress was back in session.<sup>132</sup> On April 27, Lincoln declared an official blockade on the entire southern coast in large part because Confederate states had obstructed the collection of duties.<sup>133</sup> In his First Message to Congress on July 4, 1861, President Lincoln reminded everyone that he "sought only to hold the public places and property not already wrested from the government and to collect the revenue." But when southerners seized "public revenue" to fight "against the government," peace was no longer an option for the Lincoln Administration.<sup>134</sup>

---

<sup>132</sup> "Proclamation of a Blockade, April 19, 1861 in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 338 – 339.

<sup>133</sup> "Proclamation of Blockade," April 27, 1861 in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 346.

<sup>134</sup> Message to Congress in Special Session, July 4, 1861, in Bassler ed., *The Collected Works of Abraham Lincoln*, vol. 4, 422, 423.

## CHAPTER 4: TEXAS

An examination of the seizure of federal property in Texas provides a deeper understanding of how Buchanan's refusal to stop the seizure of property shaped Lincoln's handling of the secession crisis and the coming of war.<sup>1</sup> Although the governors of the Deep South states ordered their state militias to seize all federal property within their states, Texas Governor Sam Houston adamantly opposed any preemptive military action. Nevertheless, many Texans believed that the "Black Republicans" had launched a deliberate plan to destroy slavery, reduce southern political power, and undermine state sovereignty. Therefore, secession alone could not safeguard homes, family, slaves, and sovereignty from potential abolitionist violence. In hopes of insuring peaceful secession, preventing coercion, and possible slave insurrections,

---

<sup>1</sup> Very few works examine the seizure of federal property. James McPherson's *Battle Cry of Freedom* briefly mentions the capture of property but does not examine who, how, and why the South captured the property, and also does not examine the Northern response. Edwin Bearss' article on the seizure of property does not explain why Louisiana Governor Andrew B. Moore ordered the property to be seized or what the seizure of property meant in regards to the coming of the Civil War. Silvana Siddali's "The Sport of Folly and the Prize of Treason" examines the Northern reaction to the seizure of federal property, but does not examine the southern perspective or how the property was actually seized. William Freehling and Kenneth Stampp also only briefly discuss the seizure of federal property. Other works such as Roy Nichols' *The Disruption of American Democracy*, David Potter's *Lincoln and His Party During the Secession Crisis* and *The Impending Crisis* focus primarily on the period's political events. More recent works on the secession crisis such as Russell McClintock's *Lincoln and the Decision for War* and William J. Cooper's *We Have the War Upon Us* focus on the efforts of political compromise. Silvana R. Siddali, "The Sport of Folly and the Prize of Treason": Confederate Property Seizures and the Northern Home Front in the Secession Crisis, *Civil War History*, 47 (December 2001), 310 -333; Edwin C. Bearss, "The Seizure of the Forts and Public Property in Louisiana" *Louisiana History: The Journal of the Louisiana Historical Association*, (Autumn 1961), 401-409; Roy Franklin Nichols, *The Disruption of American Democracy*, (New York: The Macmillan Company, 1948); James McPherson, *Battle Cry of Freedom: The Civil War Era*, (New York: Oxford University Press, 1988); David M. Potter, *The Impending Crisis, 1848-1861* (New York: Harper Perennial, 1976); Russell McClintock, *Lincoln and the Decision for War: The Northern Response to Secession*, (Chapel Hill: The University of North Carolina Press, 2008); William J. Cooper, *We Have the War Upon Us: The Onset of the Civil War, November 1860-April 1861* (New York: Knoff, 2012).

Texans seized federal property. Although political and military leaders insisted that their actions carried a peaceful intent, this capture of federal property was clearly an act of war.<sup>2</sup>

Despite staunch Unionists' pleas that northern abolitionists had not hatched an elaborate conspiracy against the South, a series of events from the 1820s to the 1860s, fostered political paranoia. Although every slave state experienced some panic over incipient abolitionist aggression, Texas' proximity to Mexico, a country which had already abolished slavery, made the situation especially dicey. Following annexation in 1845, Anglo Texans became increasingly hostile towards Mexican immigrants, *Tejanos*, and began to equate all Mexican citizens with abolitionists. Despite efforts to prevent social intermingling between Texans and *Tejanos*, the fear of slave violence continued to grow. Anxieties peaked in July 1859, when Mexican paramilitary leader Juan Cortina captured Brownsville, Texas, a small town along the Rio Grande River, in protest against the harsh treatment of *Tejanos* in southern Texas. Some Texans argued that abolitionists had encouraged and had even plotted Cortina's invasion.<sup>3</sup> More

---

<sup>2</sup> This argument supports Steven Channing's *Crisis of Fear*, which maintains that South Carolinians turned to secession because they perceived northern abolitionists as a great threat to their everyday lives. Billy Ledbetter's dissertation supports Channing's argument by showing that Texans voted to secede because they feared that Northern Republicans would incite slave insurrections throughout the state. Walter Buenger argues that although there was a strong Unionist sentiment throughout Texas in 1859, by Lincoln's election most pro-Union Democrats supported secession. Donald E. Reynolds asserts that the press encouraged secession and radical action by creating fear of slave rebellions and northern invasion. Dale Baum's quantitative analysis of Texas elections from 1859 to 1869 shows that most Texas voters did not support Unionist efforts. According to Baum, Sam Houston won the gubernatorial election because of low voter turnout, not because Texans opposed radical secessionist sentiments. Clayton Jewett argues that while Texans supported secession they were not unified on joining the Confederacy. Steven A. Channing, *Crisis of Fear: Secession in South Carolina* (New York: Simon and Schuster, 1970); Billy D. Ledbetter, "Slavery, Fear, and Disunion in the Lone States State: Texans' Attitudes toward Secession and the Union, 1846-1861" (Ph.D. diss, North Texas State University, 1972); Walter L. Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 1984); Donald E. Reynolds, *Editors Make War: Southern Newspapers in the Secession Crisis* (Nashville: Vanderbilt University Press, 1970); Donald E. Reynolds, *Texas Terror: The Slave Insurrection Panic of 1860 and the Secession of the Lower South* (Baton Rouge: Louisiana State University Press, 2007); Dale Baum, *Shattering of Texas Unionism: Politics in the Lone Star State During the Civil War Era* (Baton Rouge: Louisiana State University Press, 1999); Clayton E. Jewett, *Texas in the Confederacy: An Experiment in Nation Building* (Columbia: University of Missouri Press, 2002.)

<sup>3</sup> For more information concerning Juan Cortina see: Jerry Thompson, *Defending the Mexican Name in Texas* (College Station: Texas A&M University Press, 2007), 38-64; Stephen B. Oates ed. *Rip Ford's Texas* (Austin: University of Texas Press, 1963), 270 – 309, 318; Buenger, *Secession and the Union in Texas*, 46; Donald E. Reynolds, *Texas Terror*, 10; For more detailed study of Texas Ranger John S. "Rip" Ford who worked to put down



importantly, however, many Texans complained about the federal government's unwillingness to send troops as Cortina and his band of insurgents terrorized southern Texas.<sup>4</sup>

With Cortina's invasion, Texas' troubles had just begun. Just months after the capture of Brownsville, on October 16, 1859, John Brown's raid on Harpers Ferry sent a psychological shockwave across the South. Brown's attempt to seize the federal arsenal and to arm slaves gave previous general fears a much more tangible basis. Brown's raid had seemingly proven that abolitionists were willing to seize public property to help incite slave rebellions, and many Texans now believed in the existence of a widespread abolitionist conspiracy to invade the southern states. Following Brown's execution southerners worried about northerners celebrating him as an abolitionist martyr. Ralph Waldo Emerson went as far to compare Brown to Jesus Christ.<sup>5</sup> In his memoirs, Confederate Postmaster General John H. Reagan, recalled the North's "approval of [the] treasonable and revolutionary invasion of the South."<sup>6</sup>

But despite the initial panic, throughout the early months of 1860 Unionist sentiment remained strong. Even the editor of the Democratic *Texas State Gazette*, John Marshall, maintained that John Brown's isolated actions some 1,500 miles away hardly warranted secession.<sup>7</sup> In other words, before disunionists could really marshal support, Texans needed to believe that the abolitionist conspiracy was taking place a little closer to home.

Texas' vulnerable position along the southwestern frontier had always acted as a strong incentive for being connected to a wealthy and powerful nation. Immediately following Texas

---

Cortina's raid see Richard B. McCaslin, *Fighting Stock: "Rip" Ford of Texas* (Fort Worth: Texas Christian University Press, 2012).

<sup>4</sup> J.M. W. Hall to Sam Houston, October 25, 1860, Records of Governor Sam Houston, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>5</sup> For the most detailed study of John Brown see Stephen B. Oates, *To Purge This Land with Blood: A Biography of John Brown* (Amherst: University of Massachusetts Press, 1984); David M. Potter, *The Impending Crisis*, 356-384.

<sup>6</sup> John Henninger Reagan, Walter Flavius McCaleb, ed. *Memoirs, with Special Reference to Secession and the Civil War* (New York: The Neal Publishing Company, 1906), 90.

<sup>7</sup> *Texas State Gazette* (Austin), November 12, 1859 and December 12, 1859; Buenger, *Secession and the Union in Texas*, 18-19, 72-73.

independence in 1836, many Texans had realized that their fledgling republic did not possess the financial resources and the population to provide adequate protection along the frontier. Shortly after Texas' annexation the federal government established two chains of forts along the state's border with Mexico and the northwestern frontier.<sup>8</sup>

Yet because the population kept expanding beyond these military posts, throughout 1859 and 1860 Indian attacks increased along the frontier.<sup>9</sup> Texans repeatedly asked the federal government for more men and arms but received neither. The *State Gazette* warned that if the government did not suppress the Indians along the western frontier settlers would soon have to abandon their homes.<sup>10</sup> Even staunch Unionists such as James Webb Throckmorton complained that the federal troops did not provide enough protection.<sup>11</sup> Other Texans pointed out to Governor Sam Houston that the soldiers' equipment was "worthless."<sup>12</sup> Houston on several occasions wrote to Captain Lawrence Sullivan Ross, who was safeguarding settlements along the

---

<sup>8</sup> J.J. Bowden, *The Exodus of Federal Forces From Texas 1861* (Austin: Eakin Press, 1986), 1.

<sup>9</sup> Some scholars such as Charles William Ramsdell have argued that the federal government's inability to provide adequate protection for Texans living along the frontier was enough to encourage Texas to secede from the Union, but it is important to note that some of the most ardent Unionist supporters lived along the frontier. Walter Buenger argues that "large portions of the eastern half of the state had a mature agrarian economy based upon slavery and cotton." It is also important to note that the crisis along the frontier helped lead to pro-Union candidate Sam Houston's victory in the gubernatorial election of 1859. Kenneth Wayne Howell's biography of James Webb Throckmorton analyzes the race relations along the Texas frontier and Throckmorton's obsession of protecting the frontier from frequent Indian attacks. Howell examination of the North Texas frontier shows that the frontier served as a safe haven for small farmers who suffered from the encroachment of wealthy planters. For more information concerning the competing national identities along the Texas frontier see Andrés Reséndez's *Changing National Identities at the Frontier*. Walter L. Buenger, "Texas and the Riddle of Secession," 154; Charles William Ramsdell "The Frontier and Secession," 63-79; Kenneth Wayne Howell, "When the Rabble Hiss, Well My Patriots Tremble": James Webb Throckmorton and the Secession Movement in Texas, 1854-1861" *The Southwestern Historical Quarterly*, vol. 109, No. 4 April 2006, 464-493; Kenneth Wayne Howell, *Texas Confederate, Reconstruction Governor: James Webb Throckmorton* (College Station: Texas A&M University Press, 2008); Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2004).

<sup>10</sup> *Texas State Gazette* (Austin), May 28, 1859.

<sup>11</sup> A devout Whig before the passage of the Kansas-Nebraska, Throckmorton was elected to the Texas legislature in 1857 as a Democrat. But as Kenneth Howell demonstrates, his loyalty to the Democratic Party was challenged in the 1857 gubernatorial election when he supported Unionist Sam Houston. As Howell sees it, even though Throckmorton's changed political parties, he always maintained the principles of white supremacy, a desire to protect the North Texas frontier, and conservative Whig ideology. Kenneth Wayne Howell, "When the Rabble Hiss, Well My Patriots Tremble," 469; Kenneth Wayne Howell, *Texas Confederate, Reconstruction Governor*.

<sup>12</sup> J.M.W Hall to Sam Houston, October 25, 1860, Records of Governor Sam Houston, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

Pease River from Comanche raids, to be frugal because the state did not have the means to resupply his forces.<sup>13</sup> Some Texans pointed to Congress' refusal to pay state troops, provide adequate supplies, or send reinforcements against Mexican and Indian incursions as further proof that the federal government had no interest in protecting the South.<sup>14</sup>

But what became known as the "Texas Troubles" caused far more alarm and panic. As the political climate came to a boil in early July 1860, a series of fires erupted throughout several North Texas counties: Dallas, Denton, Waxahachie, Cass, and Pilot Point. Although initially believed to be the result of spontaneous combustion caused by a severe drought and record-breaking temperatures, the pro-Breckinridge press saw the fires as part of an abolitionist conspiracy to incite slave rebellions across the state.<sup>15</sup> Dallas farmer Cyrill Miller became the first person to suggest that arsonists were responsible when his barn burned just days after the initial fires. Believing that his slaves were responsible, Miller threatened to murder the slaves unless they confessed.<sup>16</sup> Fearing for their lives, Miller's slaves confessed to a crime they did not commit.

Four days later, Charles R. Pryor, editor of the *Dallas Herald*, generated mass hysteria when he wrote a series of letters to other pro-Democratic newspaper editors. Pryor warned that the fires were part of an elaborate plot involving Indians and abolitionists to leave Texas helpless

---

<sup>13</sup> Sam Houston to Lawrence Sullivan Ross, November 2, 1860 in Amelia W. Williams and Eugene C. Barker eds. *The Writings of Sam Houston 1813-1863* vol. III (Austin and New York: Pemberton Press Jenkins Publishing Company, 1970), 175; Pekka Hamalainen, *The Comanche Empire* (New Haven: Yale University Press, 2009).

<sup>14</sup> J. M. W. Hall to Sam Houston, October 25, 1860, Governor Samuel Houston Records, Archives and Information Services Division, Texas State Library and Archives Commission; Austin, *Texas State Gazette*, October 6, 1860; Buenger, *Secession and the Union in Texas*, 46 and 47; Charles William Ramsdell "The Frontier and Secession," in William Archibald Dunning ed, *Studies in Southern History and Politics* (New York: Columbia University Press, 1914), 63-79.

<sup>15</sup> *Texas State Gazette* (Austin), July 14, 1860; *Houston Telegraph*, July 21, 1860; *Texas State Gazette*, September 22, 1860.

<sup>16</sup> For a more comprehensive examination of the "Texas Troubles" see Donald Reynolds, *Texas Terror: The Slave Insurrection Panic of 1860 and the Secession of the Lower South* (Baton Rouge: Louisiana State University Press, 2007; Donald Reynolds, *Editors Make War: Southern Newspapers in the Secession Crisis* (Nashville: Vanderbilt University Press, 1966), 98.

during a massive slave insurrection. “Many of our most prominent citizens are to be assassinated,” Pryor declared, “arms have been discovered in the possession of [slaves], and the whole plot of insurrection revealed for a general civil war....”<sup>17</sup> Pryor claimed that conspirators planned to “devastate with fire and assassination, the whole of North Texas.”<sup>18</sup> Throughout July 1860, Pryor advised Texans to “be on your guard” because “a regular invasion and a real war” loomed.<sup>19</sup>

The hysteria soon spread. W.L. Mann from Tyler County complained that six white abolitionists had made multiple attempts to poison his family’s water. Mann accused Abraham Lincoln of encouraging the attack by putting “all the devil in them he could.”<sup>20</sup> As late as October, the *Texas State Gazette* was still sounding the alarm: “We had hoped to find that these things were exaggerated for the sake of our country, for the honor of human nature, and for the reputation of our Northern brethren, political and religious, whose abolition doctrines have been the direct cause of both the John Brown and the Texas conspiracies, together with all similar disturbances. But we are compelled to confess that our hopes have turned out to be entirely groundless.”<sup>21</sup> The *Houston Times* referred to the fires as “the most diabolical plot ever attempted to be perpetrated by man...the mad scheme of John Brown pales in comparison.”<sup>22</sup>

To combat the growing fears, Texans resorted to a longstanding tradition of vigilance committees.<sup>23</sup> First utilized in 1767 by South Carolina Regulators, vigilance committees

---

<sup>17</sup> *Texas State Gazette*, July 14, 1860.

<sup>18</sup> Pryor to Marshall, July 9, 1860, *Texas State Gazette*, July 14, 1860.

<sup>19</sup> Pryor to L.C. DeLisle, July 15, 1860, *Bonham Era*, July 17, 1860; Donald E. Reynolds, *Texas Terror*, 36.

<sup>20</sup> W.L. Mann to Thomas Byers Huling, August 24, 1860, Thomas Byers Huling Papers, Dolph Briscoe Center for American History, The University of Texas at Austin.

<sup>21</sup> *Texas State Gazette*, October 6, 1860.

<sup>22</sup> *The Times* (Houston, Texas), quoted in *Texas State Gazette*, October 6, 1860.

<sup>23</sup> According to one scholar, throughout the nineteenth century Texas had almost fifty-two separate vigilante movements. Richard M. Brown, “The American Vigilante Tradition,” in Hugh D. Graham and Ted R. Gurr eds. *The History of Violence in America: Historical and Comparative Perspectives* (New York: Frederick A. Praeger, 1969), 144-147; Donald E. Reynolds, *Texas Terror*, 54.

consisted of private citizens who often showed little regard for legal niceties.<sup>24</sup> To many Texans, vigilance committees seemed ideal because they bypassed due process to convict accused persons quickly based on flimsy evidence. These committees usually operated in secret and consisted of fifty to one hundred men. In Denton County, the citizens elected a “Central Committee of Safety” to “guard against future danger” from “a regular organized band of abolitionists and scoundrels, who are not only committing outrages and depredations themselves, but are inciting our slave population to the most barbarous acts of murder, arson, and robbery.” Members of the vigilance committees were “fully authorized and required to arrest, or cause to be arrested, any and all suspicious persons.”<sup>25</sup>

Whether or not the fires had stemmed from an abolition conspiracy mattered little, because at least for a time many Texans believed and acted as if there was a real conspiracy. One Northwest Texas citizen wrote years after these events, “so hot was politics that it was generally agreed that the burning was the work of incendiaries sent from the North to burn us out so that we could not resist invasion in the expected war. Such were the conclusions of a mad people.”<sup>26</sup> Others argued that “it is better for us to hand ninety-nine innocent (suspicious) men than to let one guilty one pass, for the guilty one endangers the peace of society, and every man coming from a northern State should live above suspicion.”<sup>27</sup> Newspapers and first-hand accounts differ on the number of those executed by the vigilance committees. Some sources reported at as many as fifty people executed between July and October. Many others were simply evicted from the state.<sup>28</sup>

---

<sup>24</sup> Reynolds, *Texas Terror*, 54.

<sup>25</sup> *Texas State Gazette*, August 11, 1860.

<sup>26</sup> A.W. Sparks, *The War Between the States, As I Saw It: Reminiscent, Historical and Personal* (Tyler: Lee & Burnett Printers, 1901), 10.

<sup>27</sup> Anonymous letter, August 7, 1860, *Southern Intelligencer* (Austin, TX), October 10, 1860.

<sup>28</sup> Donald Reynolds, *Editors Make War*, 107.

The “Texas Troubles” further established a deep emotional fear that set the stage for a strong reaction against the Republican Party, encouraged secession, and even militant action against federal troops stationed in Texas. The *State Gazette* reasoned that before John Brown’s plot they could “understand that a man may have been a Black Republican or an abolitionist simply because he was a dupe; but now, how a man can teach abolition doctrines, or support the Black Republican Party, and not be a villain.” As the *State Gazette* saw it, Republicans were nothing more than arsonists and murders.<sup>29</sup>

As the election of 1860 neared, fears of an abolitionist conspiracy led by Abraham Lincoln and the Republican Party continued to grow.<sup>30</sup> The pro-Breckinridge *Texas State Gazette* warned that “one hundred thousand men have been organized at the North; that they are under military discipline we know; that they have their parades; that their shoulders glisten with bayonets; that they are attended by the beating drums, and the sounds of martial music; that they join in all the Black Republican mass meetings.” Reports circulated of Federal troops being used “to coerce the state.” Claiming to be the “true conservators of the Constitution,” the *Gazette* argued, “we can see through [the Republican’s] flimsy veil and discover the mercenary motives

---

<sup>29</sup> *Texas State Gazette*, October 6, 1860.

<sup>30</sup> Kenneth Stampp’s *And the War* asserts that the South seceded following Lincoln’s election because the political, economic, and social differences created distrust between the North and South. David Potter’s *Lincoln and His Party in the Secession Crisis* demonstrates that Republicans at the time understood secession as nothing more than the South’s rhetorical weapon. Furthermore, Potter shows the Republican Party was not as unified throughout the secession crisis as previously thought. *The Impending Crisis* argues that the election of 1860 was “nothing less than a revolution” as Lincoln’s election meant the triumph of the anti-slavery thought. Russell McClintock demonstrates that the importance of Abraham Lincoln’s election by showing that ultimately the final decisions for how to handle the crisis rested in the president’s hands. Eric Foner convincingly challenges the revisionist argument that the Civil War was the result of an artificial political crisis. As Foner sees it, the South’s reaction to Lincoln’s election was the product of conflicting ideological perspectives between the North and the South. More recently, William Cooper argues that compromise failed because Lincoln failed to understand the South’s fears of the Republican Party. David M. Potter, *Lincoln and His Party in the Secession Crisis* (New Haven: Yale University Press, 1945); Kenneth M. Stampp, *And the War Came: The North and the Secession Crisis, 1860-1861* (Baton Rouge: Louisiana State University Press, 1950); David Potter, *The Impending Crisis 1848-1861* (New York: Harper Perennial, 1976), 445; Russell McClintock, *Lincoln and the Decision for War: The Northern Response to Secession* (Chapel Hill: University of North Carolina Press, 2008); Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York: W. W Norton & Company, 2010); William J. Cooper, *We Have the War Upon Us: The Outset of the Civil War, November 1860* (New York: Alfred A. Knopf, 2012).

which alone actuate it and lead it to make this war of aggression upon us.”<sup>31</sup> John H. Reagan warned that Texans faced the “unconditional submission to Black Republican principles,” racial equality, a “government of mongrels,” or secession.<sup>32</sup> In late November, the city of Waco celebrated as 126 men joined military companies and raised \$1,125 for rifles, swords, and bayonets.<sup>33</sup> In response to Lincoln’s election the *Galveston News* recommended “military organization in our city...to be prepared to some extent for the crisis that seems to be threatening our country.”<sup>34</sup>

The governors of Mississippi, Florida, Alabama, Georgia, and Louisiana immediately called special legislative sessions, but Governor Houston refused to follow their lead. In a letter to his son, Houston maintained “how the state will go, I can’t say, but ‘The Union must be preserved.’” “The price of liberty is blood,” Houston warned, “and if an attempt is made to destroy our Union, or violate our Constitution, there will be blood shed to maintain them. The Demons of anarchy must be put down and destroyed. The miserable Demagogues and Traitors of the land, must be silenced, and set at naught.”<sup>35</sup> According to Houston, the true threat to Texas was not abolitionists, federal troops, or Abraham Lincoln. Rather, the people calling for rash actions against the federal government posed the greatest danger to the state’s safety, well being, and sovereignty. Much like his response during the “Texas Troubles,” Houston encouraged reasonableness and patience. When West Point cadet Thomas L. Rosser notified Houston that he would resign if Texas chose to secede, the Governor replied that he did not think that “any cause for secession or disunion exists, or that the masses of people would be willing to precipitate the

---

<sup>31</sup> *Texas State Gazette*, October 6, 1860.

<sup>32</sup> For more information about John H. Reagan see Ben H. Procter’s *Not Without Honor. Countryman* (Bellville, TX) December 12, 1860; Ben H. Procter, *Not Without Honor: The Life of John H. Reagan* (Austin: University of Texas Press, 1962).

<sup>33</sup> *Texas State Gazette*, November 24, 1860.

<sup>34</sup> *Galveston News*, November 17, 1860.

<sup>35</sup> Sam Houston to Sam Houston Jr., November 7, 1860, Sam Houston Correspondence, Archives and Information Services Division, Texas State Library and Archives Commission.

country into all the horrors of revolution and civil war.<sup>36</sup> Throughout the crisis Houston pleaded for Texas politicians to consider the benefits from the federal government before taking “radical political and military action.” He claimed that the state wants “sober thought and calm reason, not furious harangues or the argument of bayonets.”<sup>37</sup>

More importantly, however, Houston argued that secession was “not a question for politicians to tamper with.” As he saw it, the people of Texas were responsible for deciding whether or not the state seceded.<sup>38</sup> When Alabama secession commissioner J.M. Calhoun requested that Houston take preemptive action against the federal government, the governor replied that nothing could be done until “Texans were given the opportunity to vote.” As Houston saw it, until the people had their say, “nothing but individual opinions can be expressed.”<sup>39</sup> But he added that “if I believe that it is the general desire of the people of the State, *I will not stand in the way of a call of the Legislature.*”<sup>40</sup> He clung to a belief, however, that “few citizens of Texas desire[d] to take any action at this time.”<sup>41</sup>

Unlike the other Deep South governors, Houston was a cooperationist who thought that the South should give Lincoln a chance before taking rash action.<sup>42</sup> Houston asked, “Have we enemies at home or is an enemy marching upon us?” Only if Lincoln should “falter or fail” by ignoring the Constitution to oppress the people of the South should he “be hurled from power.”

As he saw it, Lincoln had been legitimately elected and the South must “yield to the

---

<sup>36</sup> Sam Houston to Thomas L. Rosser, November 17, 1860, Executive Records, 1859-1861, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>37</sup> Williams and Barker eds, *The Writings of Sam Houston* vol. VIII (Austin: Pemberton Press, 1970), 193 -7.

<sup>38</sup> Williams and Barker eds, *The Writings of Sam Houston* vol. VIII (Austin: Pemberton Press, 1970), 193 -7.

<sup>39</sup> Sam Houston to J.M. Calhoun, January 7, 1861, *Journal of the Senate, State of Texas, Eighth Legislature* (Austin: John Marshall, State Printer, 1861) 32-34; J.M. Calhoun to Sam Houston, January 5, 1861, *Journal of the Senate, State of Texas, Eighth Legislature*, 31-32.

<sup>40</sup> Sam Houston to D.M. Whaley, November 26, 1860, Executive Records, 1859-1861, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>41</sup> Williams and Barker eds, *The Writings of Sam Houston* vol. VIII (Austin: Pemberton Press, 1970), 206-209.

<sup>42</sup> For more information about the divisions of the secession movement see Dwight L. Dumond's *The Secession Movement, 1860-1861*; William Freehling's *The South vs. The South*; Michael Perman's *Pursuit of Unity: A Political History of the American South*; and Daniel W. Croft's *Reluctant Confederates*.



Constitution.” Should Lincoln choose to violate the Constitution, however, Houston pledged to join the opposition.<sup>43</sup> Currently stationed in Texas, Robert E. Lee agreed with Houston.<sup>44</sup> The Virginian warned that the country was on the brink of civil war and anarchy. Disgusted with the political climate, he wrote that he “must try and be patient and await the end, for [he] can do nothing to hasten or retard it.”<sup>45</sup> Five days later, Lee feared that “the action of the Southern States in seizing public property and capturing United States forts will not calm the angry feelings of the country.”<sup>46</sup>

But despite pleas for caution, Texans increasingly sounded calls for disunion. Reagan worried that Houston might somehow prevent the state from seceding.<sup>47</sup> Believing that the federal government had failed to provide adequate protection along the frontier, assistance in returning runaway slaves, and maintaining that the incoming administration had launched an elaborate plan to destroy liberty, sovereignty, and personal safety, hundreds petitioned Houston to call for a secession convention. From numerous counties came demands that Lincoln’s election required the governor to convene the state legislature “at an early day as possible to consult and act upon the duty, rights, and best interests of our State in the present emergency.”<sup>48</sup>

---

<sup>43</sup> Williams and Barker eds, *The Writings of Sam Houston* vol. VIII (Austin: Pemberton Press, 1970), 193.

<sup>44</sup> For more on Robert E. Lee’s time in Texas see Carl Coke Rister, *Robert E. Lee in Texas* (Norman: University of Oklahoma Press, 1956).

<sup>45</sup> Robert E. Lee to George Washington Custis Lee, January 23, 1861, Robert E. Lee Papers, Virginia Historical Society, Richmond, Virginia.

<sup>46</sup> For more information about Robert E. Lee’s feelings about secession and the Crittenden Compromise see Michael Fellman, *The Making of Robert E. Lee* (Baltimore: Johns Hopkins University Press, 2003), 84; Carl Coke Rister, *Robert E. Lee in Texas*, 155.

<sup>47</sup> John H. Reagan to Oran M. Roberts, November 1, 1860, Oran Milo Roberts Papers, Dolph Briscoe Center for American History, The University of Texas at Austin.

<sup>48</sup> Citizens of Houston County to Sam Houston, November 24, 1860, Sam Houston Records, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission; R.W. Ford to Sam Houston, December 4, 1860, Sam Houston Records, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission; Citizens of Jack County to Sam Houston, Sam Houston Records, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission; Citizens of Austin to Sam Houston, December 8, 1860, Sam Houston Records, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission; Citizens of Augustine County to Sam Houston, undated, Sam Houston Records, Texas

When Houston still refused to take preemptive action, some Texans politicians, newspaper editors, and other leading citizens took matters into their own hands. Discussing secession was not enough because as the *Texas State Gazette* put it, the Black Republican party [sought] the utter destruction of the federal Constitution.”<sup>49</sup> “To Arms! Forewarned Forearmed!” cried editorials that encouraged “every good citizen of Texas” to “join a military company” because “everyone should learn a soldier’s duty.”<sup>50</sup> Reports quickly spread that the “Southern States are generally arming to protect the State sovereignties from coercion...the Wide-Awakes will not find the South asleep.”<sup>51</sup> The *Tyler Reporter* encouraged citizens to “take up arms against the sea of troubles,” in this case a Republican conspiracy against southern liberties.<sup>52</sup> After one local secession meeting in early December 1860, Franklin B. Sexton informed Oran Roberts that “the sober, reflecting, sterling men of the country were present and no division of feeling existed” over the fact that the “Black Republicans” planned to subjugate the South and abolish slavery.<sup>53</sup> On December 17, 1860, Houston called a special session of the Legislature, but still argued that the people and not politicians would best handle the situation.<sup>54</sup> When the state convention met in January, the delegates declared secession necessary for “securing [their] essential and inalienable rights.”<sup>55</sup>

The secession convention proposed creating a Committee of Public Safety to select military commissioners, officers, or other persons to take possession of all federal property in

---

Officer of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>49</sup> *Texas State Gazette*, October 13, 1860.

<sup>50</sup> *Texas State Gazette*, December 1, 1860.

<sup>51</sup> *Texas State Gazette*, November 10, 1860.

<sup>52</sup> *Tyler Reporter*, November 17, 1860.

<sup>53</sup> Franklin B. Sexton to Oran M. Roberts, December 2, 1860, Oran Milo Roberts Papers, Dolph Briscoe Center for American History, The University of Texas at Austin.

<sup>54</sup> Proclamation Calling an Extra Session of the Legislature, December 17, 1860, Executive Records, 1859-1861, Texas Officer of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>55</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 252.

Texas.<sup>56</sup> When this proposition was put to a vote only five delegates voted in the negative.<sup>57</sup> On January 30, 1861, fifteen men, most with legal and military experience were appointed to serve.<sup>58</sup> The committee chaired by John C. Robertson, went to work immediately, convinced that the incoming Lincoln administration would use the 2,800 U.S. regular troops stationed in Texas to force the state to remain in the Union and abolish slavery.<sup>59</sup> As the committee saw it, “the presence of federal forces endangered the welfare and safety of the State, especially if they remained without change until secession... became a finality.”<sup>60</sup>

Because General David E. Twiggs, commander of the Department of Texas headquartered in San Antonio, was a southerner, the committee assumed that he might well surrender the public property under his command.<sup>61</sup> San Antonio Unionist Caroline Baldwin Darrow noted how many locals “questioned Twiggs’ loyalty to the Union because he was known

---

<sup>56</sup> *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C.: Government Printing Office, 1894-1927), ser. II, vol. I: 25; Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 54 and 60; Oran M. Roberts, *Confederate Military History* vol. 11 (Atlanta: Confederate Publishing Company, 1899), 16-19.

<sup>57</sup> The Convention voted 159-5 in favor of establishing the Committee of Public Safety. The same delegates who voted against the Committee’s creation also voted secession. Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 60, 61.

<sup>58</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 404.

<sup>59</sup> Prior to the twentieth century the American military relied primarily on the militia and volunteer forces rather than the regular army. After the American Revolution Americans feared large standing armies because they thought it was incompatible with democracy. In January 1861, the Regular Army only consisted of 16,000 men. Despite the fact that the majority of Americans lived in the East, most of the Regular Army was stationed west of the Mississippi River. This, however, left the Regular Army undermanned and unprepared to suppress the southern rebellion. For more information concerning the Regular Army see Clayton Newell and Charles Shrader’s *Of Duty Well and Faithfully Done*, Russell Weigly’s *History of the U.S. Army, A Great Civil War*, and *The American Way of War*. Clayton R. Newell and Charles R. Shrader, *Of Duty Well and Faithfully Done: A History of the Regular Army in the Civil War* (Lincoln: University of Nebraska Press, 2011), 1-13; Russell F. Weigly, *The American Way of War: A History of United States Military Strategy and Policy* (New York: Macmillan Press, 1973); Russell F. Weigly, *History of the United States Army*, Enlarged edition (Bloomington: Indiana University Press, 1984); Maurice Matloff ed., *American Military History* (Washington, D.C: Office of the Chief Military History, 1969); Maurice Matloff ed., *The Civil War: A Concise Military History of the War Between the States, 1861-1865* (New York: David McKay Company, 1978).

<sup>60</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 263.

<sup>61</sup> In January 1861 the Regular Army was divided into six geographical departments – Department of the East, Department of Texas, Department of New Mexico, Department of Utah, and Department of the Pacific. The Department of Texas consisted of twenty-one military posts, thirty-six companies (ten cavalry companies, twenty-one infantry companies, and five artillery companies). Newell and Shrader, *Of Duty Well and Faithfully Done*, 6-13; Oran Roberts, *Confederate Military History* vol. 11, 20.

to be often in consultation with prominent secessionists.”<sup>62</sup> The Unionist *Alamo Express* spread rumors that Twiggs intended to resign his commission to lead the disunionist fraternal order, the Knights of the Golden Circle.<sup>63</sup> Considering Twiggs a friend of the South, the Committee appointed three commissioners: Samuel A. Maverick, Thomas J. Devine, and Philip N. Lockett to request the general hand over all the arms, military stores, public monies, and everything else that belonged to the Federal Government “in the name and by the authority of the sovereign People of the State of Texas.”<sup>64</sup> Nothing was to be “wasted or destroyed” as all seized property was to be protected and held for the state’s use.<sup>65</sup>

Before demanding surrender, however, the commissioners sought to discover Twiggs’ intentions. If he stood by the Union and intended to “execute its orders against Texas, no further friendly conference with him” was desired.<sup>66</sup> In any case, Robertson’s secret instructions advised the commissioners to remind Twiggs that he was “stationed in Texas for the protection and not the subjugation of her people, and that patriotism is incompatible with warring against the liberties of their fellow citizens.”<sup>67</sup>

Despite the fact that these actions might precipitate war, the Committee did not inform the governor of its plans. But when Houston caught wind of their strategy, he appointed “confidential agent” John M Smith to visit General Twiggs. While other Deep South governors ordered the seizure of federal forts, arsenals, barracks, and other public property before calling for secession conventions, Houston worked to prevent any premature action. He too sought to learn how Twiggs intended to handle the crisis or if he had received orders on how to deal with

---

<sup>62</sup> Caroline Baldwin Darrow, “Recollections of the Twiggs Surrender,” in *Battles and Leaders of the Civil War* vol. 1 (New York: Castle, 1990), 33; For more information concerning the United States military presence in Texas see J.J. Bowden, *The Exodus of Federal Forces from Texas* (Austin, Texas: Eakin Press, 1986).

<sup>63</sup> *Alamo Express* (San Antonio, TX), February 6, 1861.

<sup>64</sup> *OR.* ser. 1, vol. 1:506, 512.

<sup>65</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 267.

<sup>66</sup> *Ibid.*, 266.

<sup>67</sup> *Ibid.*, 266, 268.

the potential seizure of public property. Houston reminded Twiggs that the current situation required “prompt action on the part of the public functionaries.” Additionally, Houston warned that an “unauthorized mob” which claimed to “act on behalf of the state” planned to forcibly seize all public stores and property under general’s command. As Houston saw it, the Committee of Public Safety lacked the authority to demand the surrender of federal property. Any arrangements made between Twiggs and Smith, however, would be “sanctioned and approved” by the state with the governor to assist Twiggs “in resisting the contemplated unauthorized attack on the public property.”<sup>68</sup>

Recently recalled to service at the age of seventy and in poor health, Twiggs repeatedly pled for guidance from his superiors but received no instructions. Although the general considered himself a southern sympathizer he did not want to “be instrumental in bringing on civil war.” He chose to cooperate with the Committee of Public Safety by verbally pledging to maintain the status quo until Texas officially seceded but refused to sign any written agreement. This response worried the commissioners because Twiggs added the caveat that he would move his garrison if he received orders to do so.<sup>69</sup> The commissioners feared that Twiggs was buying time to allow federal reinforcements to arrive in San Antonio.<sup>70</sup> Afraid that “delay might prove fatal to the enterprise,” the Committee authorized Colonel Benjamin McCulloch to raise troops and arms.<sup>71</sup> Dissatisfied with Twiggs’ actions and doubtful about his loyalty, the United States

---

<sup>68</sup> Sam Houston to David E. Twiggs, January 20, 1861, Williams and Barker eds, *The Writings of Sam Houston* vol. VIII, 234; also cited in *The Southern Intelligencer* (Austin, Texas), March 27, 1861; Oran M. Roberts, *Confederate Military History* vol. 11, 20, 21.

<sup>69</sup> *OR*, ser. I, vol. I: 507 and 508; Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 268, 269, and 290.

<sup>70</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 272, 280-281.

<sup>71</sup> Thomas Cutrer argues that by the beginning of 1861, Ben McCulloch’s reputation as an Indian fighter and scout in the Mexican American War made him one of the most “celebrated Texans” and many considered him Davy Crockett’s and Sam Houston’s protégé. *OR*, ser. I, vol. I: 508; Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 265; For more information concerning Benjamin McCulloch see Jack W. Gunn, “Ben McCulloch: A Big Captain” *Southwestern Historical Quarterly* vol. 58 (July 1954); and Thomas Cutrer, *Ben*

War Department decided to replace him with a strong pro-Union supporter, Colonel Carlos A. Waite. The Committee interpreted Twiggs' removal and Waite's appointment as a sign of Union aggressiveness.<sup>72</sup> Thinking "that a conflict was inevitable," the Committee ordered McCulloch into the field and instructed him that in all movements "celerity, secrecy, and strength should be our motto."<sup>73</sup>

The Texas troops, however, lacked essential arms and munitions. When fire-eaters began raising companies, some wrote to Governor Houston asking the state to provide rifles.<sup>74</sup> To ensure that McCulloch's men had enough munitions, the Committee of Public Safety asked for assistance from neighboring states. Knowing that Alabama Governor Andrew Moore and Louisiana Governor Thomas Moore had already ordered their state militias to seize forts and arsenals, the Committee thought that those states would have arms to spare for McCulloch's troops.<sup>75</sup> The Committee explained that the United States' "coercive policy" had instilled a "warm feeling of friendship" among the Deep South states. While Alabama could not afford to help because they were already assisting Florida's seizure of federal property, Louisiana offered to provide over 1,000 muskets to suppress the "hostile federal troops."<sup>76</sup> As a show of thanks, the Committee promised that Texas would help protect her southern sisters in any future fight against the incoming Republican administration.<sup>77</sup>

---

*McCulloch and the Frontier Military Tradition* (Chapel Hill: The University of North Carolina Press, 1993), 176; Oran M. Roberts, *Confederate Military History*, vol. 11, 21.

<sup>72</sup> *OR*, ser. I, vol. I: 509 – 510; *San Antonio Herald*, February 16, 1861; *The Colorado Citizen* (Columbus, TX), February 23, 1861.

<sup>73</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 274, 270.

<sup>74</sup> P.J. Simons to Sam Houston, October 18, 1860, Records of Governor Sam Houston, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>75</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 309.

<sup>76</sup> *OR*, ser. I, vol. I: 444; *Ibid.*, 312 and 314. Alabama could not provide any arms or munitions to Texas because the Alabama militia was assisting the Florida militia in securing the public property in that state.

<sup>77</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 314.

For his part, McCulloch had little difficulty securing volunteers, because for Texans “a moment’s notice is sufficient when their State demands their service.”<sup>78</sup> San Antonio resident Caroline Baldwin Darrow reported that secession supporters began raising troops in early December to “surprise and seize” before federal forces were reinforced.<sup>79</sup> Under the darkness of night on February 16, McCulloch’s forces entered the city. When the San Antonio volunteers joined them in the early morning, McCulloch had roughly 1,500 men under his command to challenge Twiggs’ 160 men.<sup>80</sup> As the excitement grew, even women and children armed themselves because “a conflict seemed inevitable.”<sup>81</sup>

Yet despite mounting tensions, one of McCulloch’s men, Robert H. Williams, was shocked by the lack of resistance from the federal troops. “We of the rank and file fully expected a sharp tussle,” Williams reported, but “we went right into town without encountering even a picket-guard.”<sup>82</sup> Under orders to hold back unless fired upon, the Texas volunteers waited for Union troops to make the first move.<sup>83</sup> The Texas commissioners then came forward once again to request Twiggs’ surrender. Twiggs maintained that he “would not be the first to shed blood” and agreed to “give up everything.”<sup>84</sup> James Blackburn, a primary school teacher from

---

<sup>78</sup> Ibid., 277.

<sup>79</sup> According to Caroline Baldwin Darrow, Captain John R. Baylor organized one thousand men for a “buffalo hunt” to put down potential Union resistance. This however is incorrect as Baylor did not raise troops for a to capture the New Mexico Territory until May 1861. Nevertheless, other troops were raised to seize federal property in Texas. For more information on Baylor’s experiences in New Mexico see Martin Hardwick Hall’s “The Formation of Sibley’s Brigade and the March to New Mexico” in *The Southwestern Historical Quarterly*. Caroline Baldwin Darrow, “Recollections of the Twiggs Surrender,” in *Battles and Leaders of the Civil War* vol. 1 (New York: Castle, 1990), 33; February 6, 1861, *Alamo Express*; March 9, 1861, *Texas State Gazette*; Terry L. Jones, *Historical Dictionary of the Civil War*, vol. I (Lanham: Scarecrow Press, 2002), 163; Martin Hardwick Hall, “The Formation of Sibley’s Brigade and the March to New Mexico,” *The Southwestern Historical Quarterly* vol. 61, No. 3 (January 1958), 383 – 405.

<sup>80</sup> *OR*, ser. I, vol. I: 504 and 517.

<sup>81</sup> “Recollections of the Twiggs Surrender,” in *Battles and Leaders of the Civil War* vol. 1 (New York: Castle, 1990), 35.

<sup>82</sup> J.J. Bowden, *The Exodus of Federal Forces from Texas* (Austin: Eakin Press, 1986), 51-52.

<sup>83</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 277.

<sup>84</sup> *OR*, ser. I, vol. I: 517 and 513 -14.

Tennessee claimed that Twiggs thought that he had been treated shamefully because complying with the Committee's request would "ruin [his] reputation as a military man."<sup>85</sup>



Illustration 4.1 Surrender of Ex-Gen. Twiggs, February 16, 1861, in *Harper's Weekly*, March 23, 1861.<sup>86</sup>

The terms of the surrender, however, were rather generous. The commissioners demanded that the federal troops not be allowed to enter the New Mexico Territory for fear that they might join forces with the U.S. troops there in an attempt to reclaim the seized property.<sup>87</sup> Throughout the negotiations Twiggs repeatedly asserted that "he would die before he would permit his men to be disgraced by a surrender of their arms." As a result, the Committee of Public Safety decided that avoiding conflict with the federal troops was more important than

---

<sup>85</sup> J.K.P. Blackburn, "Reminiscences of the Terry Ranges, I" *The Southwestern Historical Quarterly* vol. 22, No. 1 July 1918, 39.

<sup>86</sup> *Harper's Weekly*, March 23, 1861.

<sup>87</sup> *OR*, ser. I, vol. I: 515 – 516.



seizing all arms and ammunition. Therefore, the commissioners agreed to allow cavalry and infantrymen retain their arms and also permitted light artillery companies to keep two batteries of four guns each.<sup>88</sup> Even though the Committee peacefully seized the federal property, some Texans complained about the terms of surrender. Captain A.B. Burleson of the Texas Rangers denounced the Texas commissioners as “a set of jackasses” for allowing the regular troops to leave with their arms.<sup>89</sup> The commissioners also offered the Union troops an opportunity to desert the army and join the Texas troops. On February 18, Twiggs ordered all federal troops stationed in San Antonio to evacuate “Texas by way of the coast.”<sup>90</sup> When the negotiations were over Twiggs “wept like a child.”<sup>91</sup>

Twiggs’ surrender marked a pivotal point in the southern capture of federal property. The *Daily National Intelligencer* declared that “no event connected with the secession movement has excited more surprise and indignation than the reported surrender of Major General David E. Twiggs, in Texas.”<sup>92</sup> *The Daily Cleveland Herald* claimed that people expected southern politicians such as Secretary of the Treasury Howell Cobb, Secretary of War John Floyd, and Senator Judah Benjamin to betray the Union, but were shocked that someone who had faithfully served in the United States army for nearly fifty years would be so disloyal. Labeling Twiggs a “second Benedict Arnold” the paper rejoiced that “the name of Gen. Twiggs has been struck from the army roll as a coward and a traitor.”<sup>93</sup> The New York *Tribune* agreed, suggesting that “the most fortunate thing that ever happened to Benedict Arnold, was the birth of David E.

---

<sup>88</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 275.; *OR*, ser. I, vol. 53: 632.

<sup>89</sup> Despite being allowed to keep their weapons *The Standard* reported that Twiggs was greatly embarrassed. *OR*, ser. I, vol. I: 595; *The Standard* (Clarksville, Texas), March 9, 1861.

<sup>90</sup> *OR*, ser. I, vol. I: 515-516.

<sup>91</sup> J.K.P Blackburn, “Reminiscences of the Terry Rangers, 1” *The Southwestern Historical Quarterly*, 39.

<sup>92</sup> *Daily National Intelligencer* (Washington, D.C), February 28, 1861.

<sup>93</sup> *The Daily Cleveland Herald* (Cleveland, OH), March 1, 1861.

Twiggs.”<sup>94</sup> Colonel Albert Gallatin Brackett maintained that Twiggs “who had once been lauded as one of the leaders of American soldiery was guilty of a treason blacker than that which shrouds the name of Benedict Arnold...he betrayed his master for gold and his name has gone down to posterity loathed by all good and honest men. He is well styled ‘Twiggs the Traitor’”<sup>95</sup> One Texas paper even reported that Twiggs’ had been removed the army roll “as a coward and a traitor.”<sup>96</sup>

More important, however, Twiggs’ surrender established a pattern. When Colonel Waite arrived in San Antonio he was furious that Twiggs had so meekly given in to the treasonous Texans. But Waite could not undo what had already been done. The Unionist *Alamo Express* referred to the seizure as a sham and farce. “Strong men wept and hung their heads in shame,” the paper lamented, “our citizens feel humiliated and sorrowful.”<sup>97</sup> Twiggs’ surrender included all nineteen federal posts in the Department of Texas: the US Arsenal and Barracks in San Antonio, Camp Cooper, Camp Colorado, Ringgold Barracks, Camp Verde, Fort McIntosh, Camp Wood, Camp Hudson, Fort Clark, Fort Inge, Fort Lancaster, Fort Brown, Fort Duncan, Fort Chadbourne, Fort Mason, Fort Bliss, Fort Quitman, Fort Davis, and Fort Stockton.<sup>98</sup> Commissioners Devine, Luckett and Maverick estimated that the property secured by Twiggs’ surrender was worth at least \$1.6 million.<sup>99</sup> The captured property included: 80 pieces of

---

<sup>94</sup> New York *Tribune* cited in *Janesville Rock Country Republican* (Janesville, WI), March 12, 1861.

<sup>95</sup> Albert G. Brackett, *History of the United States Cavalry: From the Formation of the Federal Government to the 1<sup>st</sup> of June, 1863* (New York: Harper & Brothers, Publishers, 1865), 207.

<sup>96</sup> *The Belton Democrat* (Belton, TX), March 8, 1861.

<sup>97</sup> *Alamo Express*, February 19, 1861.

<sup>98</sup> For more information on the forts in Texas, see B.W. Aston and Ira Donathan Taylor, *Along the Texas Forts Trail*, (Denton: University of North Texas Press, 1997). *OR*, ser. 1, vol. 1: 502; *Dallas Herald*, February 27, 1861.

<sup>99</sup> *OR*, ser. I, vol..53: 632.

ordinance, 15,000 stands of arms, \$55,000 in specie, and 1,200 horses. In total, the surrender led roughly 2,600 men (fifteen percent of the entire United States army) to abandon their posts.<sup>100</sup>

Despite the Committee of Public Safety's promise of an orderly evacuation, problems arose almost immediately. On February 27, Captain Johnson, the federal commander at Fort Mason, reported that Texas troops were arresting the U.S. troops while they were trying to leave the state with their weapons and horses.<sup>101</sup> Henry McCulloch, Benjamin McCulloch's younger brother, who had been elected the military commander of the Northwestern District by the Committee of Public Safety, immediately informed Captain Johnson that he had not given any orders to arrest the departing troops.<sup>102</sup> Johnson responded that he had hoped the people of Texas would allow a peaceful evacuation, but warned that acts like this would "sooner or later bring on a determined resistance."<sup>103</sup> After several days the Texas troops released the detained Union troops with their arms in the hope of maintaining peace.

At Camp Verde in early March, Colonel Waite informed the Committee that a group of intoxicated federal soldiers from Company A, First Infantry had destroyed equipment in the quartermaster's store.<sup>104</sup> Because the Committee of Public Safety considered this a violation of Twiggs' surrender, they demanded that Colonel Waite immediately remove the soldiers. The Committee then sent twenty-five men to protect the remaining property. By mid March the

---

<sup>100</sup> Prior to the Civil War the United States Army consisted of roughly 16,000 men. *OR*, ser. I, vol. 53: 630-633; Russell K. Brown, "An Old Woman with a Broomstick: General David E. Twiggs and the U.S. Surrender in Texas, 1861" *Military Affairs* 48 (April 1984), 59.

<sup>101</sup> RD. W. Johnson to Maj. W. A. Nichols, *OR*, ser. I, vol. I: 594.

<sup>102</sup> H.E. McCulloch to Captain Johnson, *OR*, ser. I, vol. I: 595.

<sup>103</sup> RD W. Johnson to Maj. W.A. Nichols, *OR*, ser. I, vol. I: 596.

<sup>104</sup> For an in-depth examination of Camp Verde see Joseph Luther, *Camp Verde: Texas Frontier Defense* (Charleston: The History Press, 2012) and Steve Ayers, *Camp Verde*, (Charleston: Arcadia Publishing, 2010). *The Galveston News*, March 19, 1861.

steamer *Coatzacoalcas* arrived in Indianola and finally began transporting the federal troops and their supplies to New York.<sup>105</sup>

These problems led some Texans to worry that some federal commanders might refuse to abandon their posts. As a result, Robert H. Ward, a delegate to the Texas Secession Convention, chose to take matters into his own hands. Without authorization, Ward raised a force of ninety-five men to seize the forts in northwest Texas. Upon reaching the headquarters of the old Comanche Agency just outside of Camp Cooper, Ward requested Colonel William Dalrymple, commander of the state militia and aide to Governor Houston, to join his men. Although Dalrymple initially refused, he eventually helped safeguard any property Ward's men might capture from being destroyed by the federal soldiers.<sup>106</sup>

Realizing that he was surrounded by hostile troops, Captain S.D. Carpenter, federal commander at Camp Cooper, acknowledged that the federal property under his command was likely to be "pillaged and plundered" by the Texans he was there to defend. Carpenter promised to fight the treasonous forces "a thousand to one" because "their cause, when compared to ours, will be more than that odds against them." According to Carpenter, "the spirit that would commit this outrage is not engendered by any love of State or country, but springs from the despicable promptings of individual ambition of distinction in what they hope soon to be a dismembered limb of our glorious country." Carpenter informed Assistant Adjunct General, W.A. Nichols that the federal forces at Camp Cooper would rather lose their lives defending their country than give in to traitors.<sup>107</sup>

Because Texas had "virtually renounced her allegiance" to the United States by calling a secession convention, Dalrymple demanded that Carpenter surrender his garrison, arms, and

---

<sup>105</sup> J.J. Bowden, *The Exodus of Federal Forces From Texas 1861*, 68.

<sup>106</sup> *Dallas Herald*, March 6, 1861.

<sup>107</sup> *OR*, ser. 1, vol. 1: 541-542.

property within forty-eight hours.<sup>108</sup> Carpenter at first refused but on February 25, 1861, acceded to these demands because he did not feel that he had the authority to do anything else. Carpenter argued that “the policy of the administration and the wisest statesman of the land is to avert, if possible, the shedding of blood.” Like Twiggs, Carpenter did not want to be responsible for an armed clash with hostile Texas forces. He maintained that the federal government’s peaceful, do nothing policy was the only reason he did not resist Dalrymple’s demands. Although the Buchanan Administration had not officially announced a policy, Carpenter decided that the government’s lack of response after the firing on the *Star of the West* and the seizure of federal property throughout the South meant that he should give way.<sup>109</sup> When all was said and done, Dalrymple’s men raised the Lone Star flag above Camp Cooper, acquired almost \$150,000 worth of arms and munitions, and departed to capture Fort Chadbourne.<sup>110</sup>

Following the success in San Antonio and Camp Cooper, the Committee turned their attention to the remaining federal forts, arsenals, customs houses, and post offices ostensibly in the hope of “preserving peace.” Fearing that other officers would not surrender as readily as Twiggs, the Committee continued to stress the necessity of avoiding armed conflict. When they appointed Colonel John Ford to capture all property along the Rio Grande, he promised that “all will go well and without bloodshed.”<sup>111</sup> According to Ford, the state’s “peaceful and unaggressive policy” to “secure prosperity, happiness, and blessings of peace to her citizens...is determined to give ample protection to all her citizens.”<sup>112</sup> But if a hostile collision occurred, Ford promised that federal officers would be responsible for firing first.<sup>113</sup> In early March, Ford

---

<sup>108</sup> W.C. Dalrymple to S.D. Carpenter, February 18, 1861, *OR*, ser. I, vol. I: 542.

<sup>109</sup> S.D. Carpenter to W.C. Dalrymple, February 18, 1861, *OR*, ser. I, vol. I: 543.

<sup>110</sup> *Dallas Herald*, March 6, 1861.

<sup>111</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 330.

<sup>112</sup> *Ibid.*, 330.

<sup>113</sup> *Ibid.*, 326.

warned that the volunteers were growing restless and that the “danger of collision” grows each day as the U.S. troops were still evacuating the state.<sup>114</sup> Nevertheless, by holding his forces under strict military discipline, Ford prevented his men from attacking federal troops without orders.<sup>115</sup>

On February 5, 1861, the Committee authorized Ford to raise 600 men and capture “all arms and munitions of war, together with all property of every kind now retained by and in the possession of the U.S. of America, at Point Isabel and at all points along the line of the Rio Grande.”<sup>116</sup> When the Texas troops approached Brazos Santiago, federal commander Lieutenant Thompson warned that his force of fifteen men were prepared to fire upon Ford’s forces if they attempted to enter the harbor.<sup>117</sup> As a precaution Ford ordered his men to prepare to attack in case the federal forces chose to resist. Ford considered the federal troops at Brazos hostile and reported that “everything was verging towards the initiation of war.”<sup>118</sup> Despite these initial fears, no attack was made, and Ford’s men successfully seized the federal posts along the Rio Grande. After the surrender, a young Texas ensign came ashore and “planted the Lone Star flag on the soil of Brazos Santiago” before the removal of the United States flag.<sup>119</sup> Ford in fact rejoiced that many of the federal officers “have joined me most cordially in the effort to avert civil war” and that at least three resigned to join the Confederacy.<sup>120</sup>

The *Texas State Gazette* praised Colonel Ford and his men for the bloodless capture of Fort Brown, acknowledging that “a single shot fired on either side would have been the signal for a collision.” Ford was hailed as a hero for keeping his volunteers under control in a situation that could have resulted in “nothing less than civil war.” The Texas volunteers received praise

---

<sup>114</sup> Ibid., 328.

<sup>115</sup> Ibid., 322.

<sup>116</sup> Ibid., 331.

<sup>117</sup> *Galveston News*, February 28, 1861.

<sup>118</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 331.

<sup>119</sup> *New York Herald*, March 13, 1861.

<sup>120</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 332.

for leaving “their homes and occupations to serve their country abroad, cheerfully.”<sup>121</sup> The northern press, on the other hand, paid little attention to the seizure at Brazos Santiago, in part because of the belief that commanders at the neighboring fortifications were capable and planning to retake the post. The *Daily National Intelligencer* reported that the three hundred Union soldiers at Fort Brown intended to attack Brazos Santiago.<sup>122</sup>

Immediately after their success at Brazos Santiago, Colonel Ford headed toward Fort Brown. To help preserve peace the Committee of Public Safety appointed General Ebenezar B. Nichols, a merchant originally from New York, to assist Colonel Ford in Brownsville. When Ford and Nichols arrived on February 22 they had a force of four hundred and fifty volunteers to oppose Captain Bennett Hill’s three hundred men. Initially, Ford thought that they would “have no great trouble” capturing the fort, but the federal commanders resisted surrender. Lieutenant Thompson informed Ford and Nichols that he was stationed at Fort Brown “to guard and protect the government property against any unlawful expedition” and that refused to surrender the property because they “were not properly authorized to receive it.”<sup>123</sup> Captain Hill too refused to recognize the state commissioners “in an official capacity” because they are not “sanctioned by Governor Houston.”<sup>124</sup>

The next day Nichols informed Hill that they knew he planned to attack the state troops at Brazos Santiago and warn that such an attack meant that “civil war with all its horrors...would inevitably ensue.” Therefore Nichols’ “own immediate course of action depended on the tenor of Captain Hill’s response.”<sup>125</sup> The state commissioners ordered two men to watch Hill’s every

---

<sup>121</sup> *Texas State Gazette*, April 6, 1861.

<sup>122</sup> *Daily National Intelligencer*, March 12, 1861.

<sup>123</sup> *New York Herald*, March 13, 1861; Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 324, 339.

<sup>124</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 339-340.

<sup>125</sup> E.B. Nichols to B.H. Hill, *OR*, ser. I, vol. I: 588.

movement and to report the instant any federal troops prepared to attack. Although no movement took place, the commissioners sent reinforcements to Brazos Santiago to repel “any attack Captain Hill might make.”<sup>126</sup> Meanwhile Ford visited his friend from the Cortina Troubles, Captain George Stoneman, of the 2<sup>nd</sup> U.S. Cavalry stationed at Fort Brown in the hope of encouraging Hill to peaceably surrender.<sup>127</sup>

Hill responded that he did not have the authority to settle “matters of business between the federal government and Texas.”<sup>128</sup> Nevertheless, he finally agreed to meet with the commissioners despite believing that the Texans were “guilty of [making] war against the United States in taking Brazos Santiago.” Hill admitted having written an order for the Commissioners’ and commanding officers’ arrest but decided not to submit it because he no longer believed that his men could hold Fort Brown and recapture the lost property. Hill lost hope because the day before the state seizure of Brazos Santiago, he had sent fifty men to “destroy all the property there.” But the federal troops were too late, and came across state troops. Rather than risking confrontation the state forces decided it best to return and avoid any potential conflict.<sup>129</sup> Eventually Hill and Stoneman chose to evacuate Fort Brown. Ford believed “that the prudence and the influence of Capt. Stoneman and a few other army officers prevented collision.”<sup>130</sup> Nichols later argued that Hill’s orders to destroy the property at Brazos Santiago was further proof of a Northern conspiracy against the South. He also thought it demonstrated the Committee’s success in protecting, securing, and acquiring federal property.<sup>131</sup>

---

<sup>126</sup> *The New York Herald*, March 13, 1861.

<sup>127</sup> J.J. Bowden, *The Exodus of Federal Forces From Texas 1861*, 86.

<sup>128</sup> B.H. Hill to E.B. Nichols, *OR*, ser. I, vol. I: 589.

<sup>129</sup> *New York Herald*, March 13, 1861.

<sup>130</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 331.

<sup>131</sup> *Ibid.*, 340.



Prior to the evacuation of Fort Brown, the northern press had touted Captain Hill as a hero. *The Boston Daily Advertiser* praised him for “patriotically refus[ing] to obey General Twiggs’ orders” by promising to “defend Fort Brown to the last.”<sup>132</sup> A few days later the paper hinted that war had already begun by referring to the treasonous Texans as the “country’s enemies.”<sup>133</sup> The *New York Herald* reported that “Hill’s determination to defend Fort Brown created great excitement.”<sup>134</sup> Other northern papers such as the *Milwaukee Daily Sentinel* published a sensational rumor that “the attack on Fort Brown was one of the most bloody and desperate ever fought in Texas.”<sup>135</sup> Later the press reported that a collision between Texas forces and the United States did not occur because Hill “had been restrained from making an attack by the interposition of friends.” More important, however, was the acknowledgment that for the first time nearly every Texas post was “in possession of the State authorities.”<sup>136</sup>

After the evacuation of Fort Brown, Texans began to realize the consequences of the state’s preemptive action. Even though the state had still not formally seceded, delegates were sent to help establish the Confederate States of America in early February. By early March, all the federal property within the state’s borders had fallen under state control. As Buchanan prepared to leave office, he ordered Secretary of War Joseph Holt to dishonorably dismiss General Twiggs from the United States Army for “treachery to the flag of his country.”<sup>137</sup> Governor Houston raged that for the “first time in the annals of our country, a General of the United States Army [had] conspired with a revolutionary committee to overthrow and supplant

---

<sup>132</sup> *Boston Daily Advertiser*, March 8, 1861.

<sup>133</sup> *Boston Daily Advertiser*, March 12, 1861.

<sup>134</sup> *New York Herald*, March 13, 1861.

<sup>135</sup> *Milwaukee Daily Sentinel*, March 11, 1861.

<sup>136</sup> *Boston Daily Advertiser*, March 12, 1861.

<sup>137</sup> *OR*, ser. II, vol. I: 9.

executive authority, which it was his duty to sustain and defend.”<sup>138</sup> Houston complained to Confederate Secretary of War, LeRoy Pope Walker, that he had not been informed of the Committee of Public Safety’s plans to seize the federal forts and arsenals until after the fact.<sup>139</sup> While he still “desired peace, not civil war,” the Committee had brought “devastation and ruin.” Rather than ensuring safety, the Committee had created a spirit of war.<sup>140</sup>

In the midst of a sagging economy, the Committee had “involved the State in an enormous expense for an army where no army was needed, and [have] left unprotected those who needed protection.”<sup>141</sup> Despite the Committee’s seizure of public property the state received “but little benefit” as the Confederacy had “assumed control of all Military Operations in the State.”<sup>142</sup> Upon officially joining the Confederacy on March 2, 1861, all the property seized by the state was handed over to the new government.<sup>143</sup> Furthermore, the Committee’s militant actions cost Texans at least half a million dollars to help pay for the federal troops’ evacuation.

But many Texans rejoiced over the state’s decision to secede and the Committee’s success.<sup>144</sup> In early March the *Texas State Gazette* praised the voters for ratifying the secession ordinance with an “overwhelming majority.” Texans should no longer “fear that the mercenary

---

<sup>138</sup> Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII (Austin: Pemberton Press, 1970), 286.

<sup>139</sup> This of course is not true because Houston warned Twiggs of the potential seizures in early January. Nevertheless, it is unclear how Houston found out about the Committee of Public Safety’s plan because they did not inform him directly. Sam Houston to LeRoy Pope Walker, March 13, 1861, Executive Records, 1859-1861, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission.

<sup>140</sup> Sam Houston to the People, March 16, 1861, Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 273-274; *The Southern Intelligencer*, March 20, 1861.

<sup>141</sup> Sam Houston to the People, March 16, 1861, Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 273-274; *The Southern Intelligencer*, March 20, 1861.

<sup>142</sup> Sam Houston to LeRoy Pope Walker, March 13, 1861, Executive Records, 1859-1861, Texas Office of the Governor, Archives and Information Services Division, Texas State Library and Archives Commission; Sam Houston Message to the Texas Legislature, March 18, 1861, *Southern Intelligencer*, March 27, 1861; Also cited in Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 278 – 292.

<sup>143</sup> Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 278 – 292.

<sup>144</sup> For a more detailed explanation of Texans’ opinions concerning secession see Walter L. Buenger, *Secession and the Union in Texas* (Austin: University of Texas Press, 1984).

cohorts of Abraham Lincoln can overcome and subdue our country.”<sup>145</sup> While the state secession convention had voted 166 to 8 in favor of secession, voters cast their ballots 46,153 to 14,747 for disunion. Of the state’s one hundred and thirty counties, only eighteen counties opposed secession, the majority of which were located along the western frontier and remembered the state’s difficulty in providing protection from Native Americans.<sup>146</sup>

Following the referendum, Unionists claimed that their voices had been silenced by voter fraud, but they lacked evidence to support their case.<sup>147</sup> Houston, for example, still maintained that “a large majority of our Southern people are opposed to secession, and if secession leaders would permit our people to take ample time to consider secession and then hold fair elections the secession movement would be defeated by an overwhelming majority.” But even he admitted that “the die has been cast by your secession leaders, whom you have permitted to sow and broadcast the seeds of secession, and you must ere long reap the fearful harvest of conspiracy and revolution.”<sup>148</sup> Others, such as future Confederate general and noted Unionist James W. Throckmorton, agreed that “a majority of Texans have declared in favor of secession; the die is cast; the step has been taken.”<sup>149</sup>

But steps were still being taken. Shortly after the referendum, the secession convention made arrangements for Texas to join the Confederate States of America without the voters’ approval. On March 16, 1861, the Convention required all public officials to take a loyalty oath to the Confederacy. When Sam Houston refused, the convention deposed him in favor of

---

<sup>145</sup> *Texas State Gazette* (Austin), March 9, 1861.

<sup>146</sup> Joe T. Timmons, “The Referendum in Texas on the Ordinance of Secession, February 23, 1861: The Vote,” *East Texas Historical Journal* vol. 11 (Fall 1973) 15-16; Walter L. Buenger, *Secession and the Union in Texas*, 174 -175.

<sup>147</sup> For a detailed explanation of voter fraud during the Texas secession referendum see Dale Baum, “Pinpointing Apparent Fraud in the 1861 Texas Secession Referendum,” *Journal of Interdisciplinary History*, vol. 22, No. 2 (Autumn 1991), 201-221.

<sup>148</sup> Sam Houston Speech at Brenham, March 31, 1861, Amelia W. Williams and Eugene C. Barker eds. *The Writings of Sam Houston, 1813-1863* vol. VIII, 297-299.

<sup>149</sup> Walter L. Buenger, “Texas and the Riddle of Secession,” *Southwestern Historical Quarterly*, Vol. 87, No. 2 (October, 1983), 178.

Lieutenant Governor Edward Clark. Despite believing that he was still the state's legitimate governor, Houston refused to use the militia to maintain his authority.<sup>150</sup>

Two days after refusing to take the oath of allegiance several armed supporters visited Houston's home in hopes of reinstating him in office. "My God, is it possible that all the people [have] gone mad?" he asked, "It is possible that my friends would be willing to inaugurate a war that would be infinitely more horrible than the one inaugurated by the secessionists?"<sup>151</sup> Fearing that resistance to the secessionists would make matters worse, Houston refused to accept any federal assistance. Moreover, he requested Colonel Waite to move his troops out of the State at the very earliest day practicable" and to not take action against hostile Texas forces.<sup>152</sup> Shortly after his inauguration President Lincoln offered to send federal troops to help maintain order, but again Houston refused.<sup>153</sup> Although Houston, rather like President Buchanan, thought that the secession convention lacked the authority to remove him from office, capture federal property, and join the Confederacy he did not want to make things worse by taking military action.

At a speech in Brenham, Houston proclaimed that the "Vox Populi is not always the voice of God, for when the demagogues and selfish political leaders succeed in arousing public prejudice and stilling the voice of reason, then on every hand can be heard the popular cry of 'Crucify him, crucify him.'" As he saw it, the people fell prey to the radical politicians and newspaper editors' "Black Republican" conspiracy propaganda. As more and more Texans decided that the incoming Lincoln Administration planned to coerce the state with military force, they had ceased to be reasonable citizens and had turned into an anarchistic mob. By Houston's

---

<sup>150</sup> Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 278 – 292.

<sup>151</sup> Houston's Attitude Concerning His Removal From the Governor's Office, March 19, 1861, Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 293.

<sup>152</sup> Sam Houston to Charles A. Waite, March 29, 1861, Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 294.

<sup>153</sup> Michael Burlingame, *Abraham Lincoln: A Life* vol. II (Baltimore: The Johns Hopkins University Press, 2008), 111.

lights, the voice of the people had become “the voice of the devil, and the hiss of mobs warns all patriots that peace and good government are in peril.” He took pride in the fact that he did not allow “popular clamor, passion, prejudice nor selfish ambition” to override right and duty.<sup>154</sup>

By the end of March the Committee of Public Safety, which typically worked in secret, went public with their final address. They asserted that through the state’s seizure of public property, expulsion of the United States troops, and the removal of Governor Houston, “the people of Texas [had] asserted their sovereignty.”<sup>155</sup> Within a mere seventy-eight days, the state had removed the U.S. regular army and Unionist leaders without bloodshed. “Every citizen” thundered the Committee, “may look with patriotic pride on the consummated reformation whose progress caused no vital interruption in public or private business and whose result is an assurance of the best security and enjoyment which human government can afford.”<sup>156</sup> John Ford rejoiced, “I think the people of Texas can congratulate themselves upon the flattering prospect that their separation from the government of the former United States will be made final without war. If it is a revolution, it is thus far a bloodless one and challenges the world for a parallel.”<sup>157</sup>

Although some scholars claim that Twiggs’ surrender represented the beginning of the Civil War, it is important to note that his surrender was not the secessionists’ first instance of aggressive action toward the United States.<sup>158</sup> Texas was actually the last Deep South state to seize federal property within its borders. Even so events in Texas carried considerable

---

<sup>154</sup> Sam Houston Speech at Brenham, March 31, 1861, Amelia W. Williams and Eugene C. Barker eds., *The Writings of Sam Houston, 1813-1863* vol. VIII, 295-299.

<sup>155</sup> Earnest William Winkler ed. *Journal of the Secession Convention of Texas, 1861*, 259.

<sup>156</sup> *Ibid.*, 259.

<sup>157</sup> *Ibid.*, 327. It is still yet to be seen whether a majority of Texans celebrated the state’s actions as the Committee and secessionist newspapers reported. But it is important to note that Unionists did not rally to Houston’s support and demand his reinstatement. Instead, many Unionists moved north or remained quiet.

<sup>158</sup> J.J. Bowen argues that “the first military engagement of the Civil War ended in a splendid little victory for the South.” Russell K. Brown, and Thomas Cutrer both contend that had Robert E. Lee still been stationed in Texas the property would have not been surrendered. *The Exodus of Federal Forces from Texas* (Austin, Texas: Eakin Press, 1986); Russell K. Brown, “An Old Woman with a Broomstick: General David E. Twiggs and the U.S. Surrender in Texas, 1861” *Military Affairs*, vol. 48; Thomas W. Cutrer, *Ben McCulloch and the Frontier Military Tradition* (Chapel Hill: The University of North Carolina Press, 1993).

significance. When the Committee of Public Safety was created President Buchanan had no desire to implement a tougher policy against the southern seizure of property. In fact he was just counting down the days until Abraham Lincoln's inauguration. By the time the Committee had completed its task, however, Abraham Lincoln had taken office and had begun creating a clear federal policy. In order to understand Lincoln's developing early war strategy one needs to consider Lincoln's position on the seizure of property in Texas. While Buchanan never offered Houston support, without hesitation Lincoln volunteered to send federal troops to help maintain order. In other words, the capture of federal property in Texas marks the last time that federal commanders were unsure how to respond to aggressive southern actions. From this point forward people knew that Lincoln's intended to "preserve, protect, and defend."

If Texans really thought that seizing public property would prevent potential conflict they were sorely mistaken. As state and local authorities continued to seize federal installations throughout the Upper South, Northerners increasingly concluded that these were acts of war. In Lincoln's call for 75,000 militia volunteers after the Confederate firing on Fort Sumter he asserted that the troops' first assignment would "be to repossess the forts, places, and property which have been seized from the Union."<sup>159</sup> The generally conservative *New York Herald* insisted that the conflict marked an "appeal to arms" to regain control of federal "customs houses, forts, arsenals, navy yards, mints, marine hospitals, courts of justice, post offices and post roads." As the *Herald* saw it, all public property needed to be returned and "the utmost penalties due to treason" imposed.<sup>160</sup>

Although no Texan was tried for treason at the end of the Civil War, justice was still sought. After fleeing to Mexico to avoid taking the oath of allegiance, former Committee of

---

<sup>159</sup> Roy P. Bassler, ed. *The Collected Works of Abraham Lincoln*, vol. 4 (New Brunswick: Rutgers University Press, 1953), 159.

<sup>160</sup> *New York Herald*, April 24, 1861.

Public Safety commissioner Thomas Devine was arrested and imprisoned at Fort Jackson Barracks, in New Orleans. Devine was twice indicted for high treason, but was ultimately pardoned.<sup>161</sup> In 1867, U.S. District Attorney for the Western District of Texas, E.B. Turner instituted two important lawsuits against John C. Robertson, Thomas J. Devine, Samuel Maverick, and E.B. Nichols, members of the Committee of Public Safety for trespass and damages. According to the *Galveston Flakes Semi Weekly Bulletin*, the two cases sought to recoup 2.5 million dollars.<sup>162</sup> Regrettably, it is unknown if the men were actually required to pay for damages.

To this day, some Texans still remember and even celebrate Twiggs' surrender. For many years the Alamo Camp of Sons of Confederate Veterans (SCV) and the Alamo rifles Company K, 6<sup>th</sup> Texas Infantry have sponsored a reenactment of Twiggs' decision to "give up everything." Generally more than one hundred and fifty re-enactors have gathered for two performances complete with pro-South narration.<sup>163</sup> While none of the re-enactors wear Confederate uniforms and insignia or carry Confederate flags, the Confederacy's presence is unmistakable. One of the event organizers for the sesquicentennial re-enactment told a reporter for the *Texas Observer* that he supports the re-enactment to teach the "truth of the Civil War." As he saw it, "The Civil War was not fought to free the slaves. The South was fighting for states' rights."<sup>164</sup> In fact, Texans formed the Committee of Public Safety because they thought that the "Black Republicans" had launched a deliberate plan to destroy slavery, reduce southern political power, and undermine state sovereignty. They believed that secession alone could not safeguard their homes, family, slaves, and sovereignty from potential abolitionist violence.

---

<sup>161</sup> Sidney Smith Johnson, *Texans Who Wore the Gray*, (Tyler, Texas, 1907), 105.

<sup>162</sup> *Galveston Flakes Semi Weekly Bulletin*, June 22, 1867.

<sup>163</sup> KENS 5, San Antonio, November 2, 2013.

<sup>164</sup> David Marin Davies, "Seceding from History," *Texas Observer*, February 15, 2011.

Although the most recent reenactment took place on February 13, 2013, in late January 2015, John MacCormack of the *San Antonio Express-News* published a straightforward article explaining the momentous occasion when “without a shot being fired – the Union lost the first military engagement of what soon became the Civil War.”<sup>165</sup> A lone anonymous comment on the article reads, “It has been several years now since this was last reenacted. Sad to have lost annual reminders of the secessionists’ rush to violence. A madness of crowds event.”<sup>166</sup>

---

<sup>165</sup> John MacCormack, “Union Surrender in S.A. Came without a Shot,” *San Antonio Express News*, January 23, 2015, updated February 19, 2015.

<sup>166</sup> John MacCormack, “Union Surrender in S.A. Came without a Shot,” *San Antonio Express News*, January 23, 2015, updated February 19, 2015.



## CHAPTER 5: COURTS AND POST OFFICES

In the nineteenth century, most Americans had little interaction with federal forts and custom houses. In fact, because many people's only connection with Washington came through collecting or delivering mail at their local post office, they thought that the postal service was the federal government. Many fewer Americans had any business with the federal courts. As states seceded, southerners quickly gained control of the federal courts when judges and court employees resigned and were immediately reappointed to the same positions by their states. The federal postal system, however, was simply too large and complex for such a simple transition. Southerners recognized that taking control of the Post Office required patience, time, and a lot of tedious organization. In dealing with both the courts and the postal system, secessionists followed no consistent ideology and instead struggled to deal with both the anticipated and unexpected consequences of disunion.

Because there were so few federal courts in the South secessionists had little difficulty taking control of them. In 1860, the federal judicial system was responsible for hearing both local and national cases. District courts, or the lowest federal trial courts, served individual states and depended on state resources while in session. The intermediate courts, or circuit courts, were travelling courts that consisted of one Supreme Court justice, the district judge from that district, and other lawyers who rode the circuit. All federal justices and judges were expected to "ride the circuit" or hear cases across different judicial districts throughout the country. Although this system allowed justices to interact with communities, justices frequently complained that the

constant travelling took too much of their time. By 1855, the United States court system included forty-eight district courts, ten circuit courts, and one Supreme Court.<sup>1</sup>

Trouble with the federal court system began in Charleston, South Carolina immediately after Lincoln's election. On November 7, 1860, Judge Andrew Gordon Magrath asked the Grand Jury of the District Court if there were any cases to be presented to the court. Foreman Robert N. Gourdin argued that because the federal court system depended "upon the stability of the government," the recent presidential election "renders [the jury] unnecessary now." Gourdin simply added that "the Grand Jury respectfully decline[s] to proceed."<sup>2</sup>

Silence filled the room. Judge Magrath slowly rose from his chair and removed his robes. "The business of the term has been disposed of, and under ordinary circumstances it would be my duty to dismiss you to your several avocations," Magrath asserted, "but now I have something more to do." Citing Lincoln's election as an attack on the fifteen slaveholding states, Magrath resigned his position. "For the last time I have, as a Judge of the United States, administered the laws of the United States within in the limits of the State of South Carolina," he commented. So far as he was "concerned the Temple of Justice, raised under the Constitution the United States is now closed."<sup>3</sup> Later that day James Conner, the United States District Attorney also resigned his position.

Although Magrath's resignation was initially met with tears and silence by members of the Grand Jury, throughout the South people celebrated the news. The night Magrath resigned his position a large gathering and band serenaded him. Briefly addressing the crowd, Magrath

---

<sup>1</sup> Russell R. Wheeler and Cynthia Harrison, *Creating the Federal Judicial System*, second edition (Washington, D.C.: Federal Judicial Center, 1994); 2-15; Kermit L. Hall, "The Civil War Era as a Crucible for Nationalizing the Lower Federal Courts," *Prologue* (Fall 1975), 177-186.

<sup>2</sup> Samuel Wylie Crawford, *The Genesis of the Civil War: The Story of Fort Sumter 1860-1861* (New York: New York, C.L. Webster & Company, 1887), 12; *Richmond (VA) Daily Dispatch*, November 12, 1860; *New York Times*, November 12, 1860.

<sup>3</sup> *Richmond (VA) Daily Dispatch*, November 12, 1860; *New York Times*, November 12, 1860; Crawford, *The Genesis of the Civil War*, 13.

considered his resignation “the first gun of the revolution, the sound of which will be vibrated back from the fifteen Southern States.”<sup>4</sup> Later two thousand members of the Minute Men, a secessionist organization, marched down Main Street in celebration.<sup>5</sup> Upon learning that Judge Magrath had pledged his loyalty to South Carolina, a large crowd gathered in front of a Savannah, Georgia, news office to cheer Magrath’s decision.<sup>6</sup> Due to his overwhelming popularity following his resignation, South Carolinians selected Judge Magrath to serve as a delegate at the state secession convention and later elected him governor.

Northerners responded to Magrath’s resignation with disgust. The *Kenosha Democrat*, a pro-Douglas paper in Wisconsin, complained that “in all human probability James Buchanan will be the last President of the United States.” Judge Magrath’s resignation meant that no federal laws could be “practically enforced in South Carolina.” The paper asked, “how can any prosecution be sustained against a citizen of South Carolina?”<sup>7</sup> The Democratic Philadelphia *Press*, on the other hand, tried to calm the situation. The *Press* argued that the federal government could not require South Carolinians to serve as federal judges, marshals, or jurors. But this did not mean that the people of South Carolina could “legally resist the execution of United States laws, or seize United States property within her limits.” As the *Press* saw it, “we would not enforce the administration of justice just now in the United States Courts in South Carolina.” As a result, there was no rush to fill Magrath’s position because “there [was] no use of seeking collisions” with South Carolina.<sup>8</sup>

---

<sup>4</sup> *Baltimore Sun*, November 12, 1860.

<sup>5</sup> *Daily Courier* (KY), November 12, 1860.

<sup>6</sup> *Republican Banner* (Nashville, TN), November 11, 1860.

<sup>7</sup> *Kenosha (WI) Democrat*, January 11, 1861 in in Howard Cecil Perkins ed., *Northern Editorials on Secession*, vol. 1 (New York: D. Appleton-Century Company, 1942), 335 and 336.

<sup>8</sup> *Press* (PN), January 15, 1861 in Howard Cecil Perkins ed., *Northern Editorials on Secession*, vol. 1, 216 -218.

Nevertheless, other federal judges in the southern states waited to resign their positions until their state seceded. At the time, three of the nine Supreme Court justices were southerners: Chief Justice Roger B. Taney of Maryland, John Catton of Tennessee, and John Archibald Campbell of Alabama. Yet, after Lincoln's election all three justices continued to perform their duties. Despite his opposition to the secession movement, once Lincoln was installed in office John Archibald Campbell resigned and moved back to Mobile.<sup>9</sup> Mary Chesnut described running into the Campbell family: "There they wander disconsolate, just outside the gates of their paradise," Chesnut wrote, "a resigned judge of the Supreme Court of the United States!! Resigned – and for a cause that he is hardly more than half in sympathy with."<sup>10</sup> Although other federal judges "expressed their determination to resign" following Lincoln's election, they continued to work until South Carolina seceded.<sup>11</sup> Similarly, in Florida, Federal Judge McQueen McIntosh did not tender his resignation (January 3, 1861) until he was sure that the state would secede.<sup>12</sup> United States courts in North Carolina continued to convene throughout November and December. But the *Weekly Raleigh Register* maintained that "this will be the last time that Judge Biggs will hold this Court, as Senator [Thomas] Clingman thinks that any Southern man holding office under Lincoln would degrade himself."<sup>13</sup>

After South Carolina seceded on December 20, Judge Magrath recommended that the state legislature officially announce that all federal courts in the state had now become state courts. As a result, he thought that the state should officially declare that South Carolina courts and judges now had legal jurisdiction over admiralty and maritime cases, public customs, and the

---

<sup>9</sup> For more on John Archibald Campbell see Robert Saunders Jr., *John Archibald Campbell: Southern Moderate, 1811-1889* (Tuscaloosa: The University of Alabama Press, 1997), 152.

<sup>10</sup> Mary Boykin Chesnut, *Mary Chesnut's Civil War* (New Haven: Yale University Press, 1981), 92.

<sup>11</sup> *New York Herald*, November 18, 1860.

<sup>12</sup> *New York Herald*, January 10, 1861.

<sup>13</sup> *Weekly Raleigh Register* (NC), November 28, 1860.

Post Office Department. At the same time, however, Magrath asserted that all federal laws in effect at the time of secession should “be retained” as state law. The South Carolina legislature agreed and declared on December 31 that all judicial power of the United States had “reverted to the State.”<sup>14</sup>

Other southern states soon followed suit. On January 21, three days after Georgia seceded, the state legislature announced that all records, office books, and judicial proceedings that belonged to United States before secession now belonged to the state.<sup>15</sup> At the same time, however, the legislature recognized that it would be foolish to abandon all United States laws and rulings.<sup>16</sup> This meant that secession did not free any convicted felon. Moreover, all “judgments, sentences, and decrees” issued by United States courts within the state of Georgia would “remain operative, and in full force” so long as they are “beneficial and applicable to the wants, interests, and present condition of the people of Georgia.”<sup>17</sup> Nevertheless, on January 25, Georgia “abolished the Circuit and District courts of the United States for the District of Georgia” and replaced them with state courts. Governor Joseph E. Brown received authority to appoint new judges and officers for the courts.<sup>18</sup>

As Georgia worked to establish a new legal system, the state also redefined treason in more specific terms. The United States Constitution defined treason in Article III, section 3, as levying war against the United States or assisting enemies by providing aid and comfort. This definition, however, failed to include efforts to overthrow the government. In the hope of

---

<sup>14</sup> *Journal of South Carolina, Held in 1860-'61. Together with the Reports, Resolutions, Ordinances, &c. Also, the Constitution of South Carolina, of the Provisional Government and of the Confederate States of America* (Charleston: Evans & Cogswell, 1861), 81.

<sup>15</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia, Held in Milledgeville and Savannah in 1861, Together with the Ordinances Adopted* (Milledgeville: Boughton, Nisbet & Barnes, 1861), 41, 42.

<sup>16</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 58.

<sup>17</sup> *Ibid.*, 52, 53, 57.

<sup>18</sup> *Ibid.*, 69, 70, 84, 90, 114; *New York Herald*, February 1, 1861.

avoiding arbitrary prosecution, the federal government required two witnesses before a person could be convicted of treason.<sup>19</sup> Georgia largely followed the United States' precedent, but also decided to specify that any "attempt to seize and hold possession" of "any fort, arsenal, mint, or other building within the [state's] territorial limits" shall be convicted of treason.<sup>20</sup> Ironically this seemed to suggest that the very acts Georgians had proudly committed, namely seizing forts, arsenals, mints, and other government buildings, would constitute "treason" against the state government.

At the same time, the Alabama legislature considered how to do away with the federal courts. On January 23, 1861, twelve days after the state seceded, Judge Henry Jones of Lauderdale county asserted that "by the Ordinance of Secession, you have destroyed the Federal Courts." According to his understanding, all legal matters would now be decided in the state court.<sup>21</sup> Nevertheless, some Alabamians worried that abolishing federal courts would put too much of a burden on the state courts. As a result, some northeastern Alabamians saw the seizure of federal courts as an opportunity to discuss breaking large counties into smaller ones to help reduce the judicial workload. Joseph Henry Johnson of Talladega worried that counties were too large for the state courts to handle. Johnson complained that some Alabamians had to travel over thirty or forty miles to a courthouse. He thought that this put some citizens who lived in more rural locations at a great disadvantage.<sup>22</sup> Some argued against Johnson's suggestion because they thought creating new counties would be too expensive for the state. But John Perkins Ralls of

---

<sup>19</sup> William A. Blair, *With Malice Towards Some: Treason and Loyalty in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2014), 3, 15; Catherine M. Tarrant, "To 'insure domestic Tranquility:' Congress and the Law of Seditious Conspiracy, 1859-1861," *American Journal of Legal History*, vol. 15, (April 1971), 107-23; *New York Times*, January 25, 1861.

<sup>20</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 70-71.

<sup>21</sup> *Ordinances and Constitution of the State of Alabama, with the Constitution of the Provisional Government and of the Confederate States of America* (Montgomery: Barrett, Wimbish & Co., Steam Printers and Binders, 1861), 178.

<sup>22</sup> William Russell Smith, *The History and Debates of the Convention of the People of Alabama, Begun and Held in the City of Montgomery, On the Seventh Day of January 1861; In Which is Preserved the Speeches of the Secrete Sessions and Many Valuable State Papers* (Montgomery: White, Pfister & CO., 1861), 270.

northeast Alabama, claimed that the creation of new counties would not lead to increased costs. He argued that the state would not have to appoint additional judges because the judicial circuit could simply spend less time in each county.<sup>23</sup> Another delegate from northeast Alabama, John Potter, agreed that the new counties would not change the court's business.<sup>24</sup> The rest of the legislature found the discussion off topic and the matter was closed.<sup>25</sup> This debate, however, illustrated how secession raised unanticipated questions for the existing court systems.

Alabamians were not the only southerners considering changing the judicial circuits. In the Florida legislature, S.B. Stephens argued that the state should establish two additional courts to make up for breaking away from the federal judicial system.<sup>26</sup> With virtually no debate the legislature expanded the court system by creating a new court in both the southern and northern portions of the state.<sup>27</sup> When former federal judge McQueen McIntosh suggested that the state should create a provisional "Court of Admiralty and Foreign Jurisdiction" in Key West until the Confederate States of America established a permanent one, however, the legislature refused.<sup>28</sup>

As southern states claimed the federal courts as their own, in Washington the House of Representatives also took up the question of federal courts in the seceding states. While the House considered Republican John Bingham's bill to ensure that duties were still collected in Charleston, South Carolina, Democrat George H. Pendleton of Ohio complained that Bingham's solution would not work because it required cooperation from the Deep South federal courts. Pendleton asserted that everyone knows that there are not "any federal courts in existence" there

---

<sup>23</sup> William Russell Smith, *The History and Debates of the Convention of the People of Alabama*, 274, 275.

<sup>24</sup> *Ibid.*, 276 - 277.

<sup>25</sup> *Ibid.*, 281.

<sup>26</sup> *Journal of the Proceedings of the Convention of the People of Florida, Began and Held at the Capital in the City of Tallahassee, on Thursday, January 3<sup>rd</sup>, A.D. 1861* (Tallahassee: Dyke & Carlisle, 1861), 7, 82.

<sup>27</sup> *Ibid.*, 82.

<sup>28</sup> *Ibid.*, 83 - 85.

because of secession. He also argued that President Buchanan or Congress had “no intention” to reestablish the court system throughout the South.<sup>29</sup>

Compared to the federal courts, secessionists found taking over postal operations much more problematic. The post office was the last type of federal property southerners seized. Originally established to deliver correspondence between the Continental Army and Congress during the American Revolution, by the Jacksonian era the postal service became the federal government’s largest agency. In fact, by 1831, there were more postmasters than soldiers in the United States Army.<sup>30</sup> A mere ten years later postmasters accounted for seventy-nine percent of the entire federal civilian work force.<sup>31</sup> One reason the postal service became so large was that, unlike its European counterparts, the United States Post Office extended to the country’s rural and frontier regions. As a sign of modern progress, communities wasted no time setting up local post offices. Because mail was delivered and picked up at the local post office rather than people’s homes, it was important for post offices to be close to rural communities. Between 1815 and 1830 roughly five thousand new post offices were established to serve remote areas.<sup>32</sup>

Alexis de Tocqueville wrote that “there is an astonishing circulation of letters and newspapers among these savage woods...I do not think that in the most enlightened rural districts of France there is intellectual movement either so rapid or on such a scale as in this

---

<sup>29</sup> *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> Session, 450; *Daily National Intelligencer*, January 19, 1861; *Newark (OH) Advocate*, February 15, 1861.

<sup>30</sup> In 1831, there were more than 8,700 postmasters working for the United States Post Office and 6,332 soldiers in the United States Army. Richard R. John, *Spreading the News: The American Postal System from Franklin to Morse* (Cambridge: Harvard University Press, 1995), 3, 5.

<sup>31</sup> In 1841, there were 14,290 postal officers of 18,038 federal officers in the United States. It is important to note that federal officers include civilian employees of the army and navy, but excludes military personnel. By 1828 America had 74 post offices for every 100,000 people, while Great Britain only had 17 post offices for every 100,000 people and France only had 4 post offices for every 100,000 people. This meant that America had almost twice as many post offices as Great Britain and over five times as many as France. *Historical Statistics of the United States: Colonial Times to 1970* (Washington, D.C.: Government Printing Office, 1975), pt. 2, p. 1103; Richard R. John, *Spreading the News: The American Postal System from Franklin to Morse*, 5.

<sup>32</sup> Daniel Walker Howe, *What Hath God Wrought*, 225; Harry Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Oxford University Press, 1990), 26; Richard R. John, *Spreading the News*, 3-5, 50-52.



wilderness.”<sup>33</sup> In his short time in America, Tocqueville recognized that the post office played an important role in furthering democracy.”<sup>34</sup> When he returned to France, Tocqueville concluded that people living in the sparsely populated Michigan territory received more information from distant communities than people living in the most heavily populated regions of France. Tocqueville observed that “there is no French province in which the inhabitants knew each other as well as did the thirteen million men spread over the extent of the United States.”<sup>35</sup> According to Tocqueville, the American post office achieved its goal of unifying the vast nation by regularly delivering magazines, newspapers, and information from the federal government. The post office supplied people with news from other states, regions, and nations.<sup>36</sup> Tocqueville praised the United States’ Post Office for establishing “communication between the different parts of the country.”<sup>37</sup>

But the local post office was more than just a place to pick up mail. The post office served as a local meeting place for merchants, tradesmen, and government officials.<sup>38</sup> Henry David Thoreau described the local post office as the “vitals of the village.”<sup>39</sup> It was the best place to see politics in action, as it became a modern version of the colonial tavern and a place of white male solidarity.<sup>40</sup> Americans could not imagine living in a community without a reliable post

---

<sup>33</sup> Alexis de Tocqueville, *Journey to America*, translated by George Lawrence (New York: Doubleday & Co, 1971), 283.

<sup>34</sup> Alexis de Tocqueville, *Democracy in America* (New York: Everyman’s Library, 1994), 404 - 405.

<sup>35</sup> J.P. Mayer ed., Alexis de Tocqueville, *Democracy in America* (New York: Doubleday & Co., 1969), 385.

<sup>36</sup> This supports Benedict Anderson’s *argument* that nations are “imagined communities” because “the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear from them, yet in the minds of each lives the image of their communion.” As Anderson saw it, nations were united through the spread of print culture and shared interests. Richard R. John has also demonstrated that the following the Post Office Act of 1792 unified America by connecting the country through the mail service. Richard R. John, *Spreading the News*, 7; Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism, Revised Edition* (New York: Verso Books, 1991.), 6 - 7.

<sup>37</sup> Alexis de Tocqueville, *Democracy in America*, translated by Henry Reeve (New York: Scatcherd and Adams, 1839), 106.

<sup>38</sup> Richard R. John, *Spreading the News*, 161 - 162.

<sup>39</sup> Henry David Thoreau, *Walden* (Princeton: Princeton University Press, 1971), 168.

<sup>40</sup> Richard R. John, *Spreading the News*, 162.

office. Political theorist Francis Lieber maintained that the post office should be considered “one of the most effective elements of civilization” and played an equally important role to Gutenberg’s printing press.<sup>41</sup> In 1855, New York postal agent James Holbrook asked “how society in the nineteenth century could exist without mail routes and the regular delivery of letters, it is impossible to conceive. Imagine a town without a post office! A community without letters! ‘friends, Romans, countrymen, and lovers,’ particularly lovers, cut off from correspondence, bereft of newspapers, buried alive from the light of intelligence, and the busy stir of the great world! What an appalling picture.”<sup>42</sup> A person attending a Minnesota public meeting in 1859 asserted that “the American citizen is not willing to live beyond the reach of a post office” because they have too much “interest in the world’s progress to be content with anything less than a semi-weekly mail.”<sup>43</sup>

Southerners, however, had more ambivalent attitudes toward the postal service after the abolitionist mail campaign helped reignite the slavery question in the 1830s. In the spring and summer 1835, the American Anti-Slavery Society sent roughly 175,000 abolitionist pamphlets across the country. The campaign created a wave of violence in the South and warning of a northern conspiracy to foment slave insurrections.<sup>44</sup> Southern leaders sought to suppress the abolitionist literature, and anti-abolitionist committees instructed postmasters to destroy all

---

<sup>41</sup> Francis Lieber, *Encyclopedia Americana*, vol. 10 (Philadelphia: Carey and Lea, 1832) 289; Richard R. John, *Spreading the News*, 7-8.

<sup>42</sup> James Holbrook, *Ten Years among the Mail Bags; Or Notes from the Diary of a Special Agent of the Post-Office Department* (Philadelphia: Cowperthwait & Co., 1874), 5, 302; Richard R. John, *Spreading the News*, 11; David M. Henkin, *The Postal Age*, 3.

<sup>43</sup> David M. Henkin, *The Postal 3; Proceedings of a Public Meeting of Citizens of Minnesota, in Favor of a Semi-Weekly Overland Mail from Saint Paul to Puget Sound*. Held January 3, 1859 (St. Paul, MN: Pioneer Printing, 1859), 10.

<sup>44</sup> Many scholars have argued that the abolitionist mail campaign signaled an important turning point in how southerners discussed slavery. From this point on, rather than referring to slavery as a “necessary evil,” the South proudly proclaimed slavery as a “positive good.” Lacy Ford, *Deliver Us From Evil* (New York: Oxford University Press, 2009); Mitchell Snay, *Gospel of Disunion: Religion and Separatism in the Antebellum South* (Chapel Hill: The University of North Carolina Press, 1993); William Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816-1836* (New York: Oxford University Press, 1992); Richard R. John, *Spreading the News*, 261.

abolitionist pamphlets. The Charleston *Mercury* even asserted that the American Anti-Slavery Society's use of the federal Post Office was unconstitutional because the pamphlets included "seditious" material that posed a threat to public safety.<sup>45</sup> The abolitionist mail campaign made the South think about how federal institutions such as the Post Office could be used to attack slavery. As many white southerners saw it, the Constitution not only allowed slavery, it also protected slavery through the Fugitive Slave Clause. This interpretation of the Constitution, however, created a problem for some southern postmasters because it forced them to uphold state law over federal postal regulations that prohibited tampering with the delivery of mail. The handling of the abolitionist mail campaign demonstrates the power the slaveholding South exerted over federal institutions.<sup>46</sup>

Throughout the 1850s, the South's dissatisfaction with postal operations continued, as the federal post office experienced financial trouble. Upon taking office in 1853, Postmaster General James Campbell reduced some unprofitable postal routes along the Mississippi River to help balance his department's budget. Despite southern objections, the routes were discontinued.<sup>47</sup> In 1857, however, President James Buchanan took note of southern dissatisfaction and appointed former Tennessee Governor, Aaron Brown as Postmaster General. Without worrying about the Post Office's growing debt, Brown established over one thousand new post offices and over ten thousand mail routes throughout the South.<sup>48</sup> The *New York Times* ridiculed Brown's policies because the Southern states cost the post office over four million dollars and only brought in a

---

<sup>45</sup> *Charleston Mercury*, August 11, 1835; Richard R. John, *Spreading the News*, 269.

<sup>46</sup> This supports Richard R. John's argument that the abolitionist mail campaign represents the "slave power's" hold on the federal government prior to Abraham Lincoln's election. Richard R. John, *Spreading the News*, 263 – 269, 279 – 282.

<sup>47</sup> *Congressional Globe*, 33<sup>rd</sup> Congress, 1<sup>st</sup> Session, 951-952.

<sup>48</sup> Aaron V. Brown, *Report of the Postmaster General*, December 4, 1858, Senate Executive Doc., No. 1, 35<sup>th</sup> Congress, 2 Session, 727-728.

little over one and half million dollars in revenue.<sup>49</sup> Following Brown's death in 1859, Buchanan appointed Kentuckian Joseph Holt as Postmaster General. When Holt arrived in Washington he found that the Post Office Department was operating under a seven-million-dollar deficit.<sup>50</sup> Holt established a retrenchment policy that aimed at reducing the department's spending and services.<sup>51</sup>

Although Holt's plan reduced service throughout the entire country, in June 1860 two southern Senators claimed that the retrenchment policy especially hurt the southern states. Not fully understanding Holt's plan, Albert G. Brown of Mississippi argued "if the postal service is to be cut down in my State, then let it be cut down everywhere else." Brown could not fathom why the Postmaster General agreed to pay millions of dollars to maintain some postal routes, but was unwilling to provide regular and reliable service for the people in Mississippi. The senator called for Congress to order Holt to restore the mail service. "I know that a large portion of [money] comes from the pockets of my constituents," thundered Brown, and they deserve to enjoy the benefits of the postal service.<sup>52</sup> Henry Rice from Minnesota had heard enough. He asked why southerners were so outraged when "the southern States [controlled] nearly every department of this Government." Rice also complained that the postal service increased spending in South Carolina by over \$2,000, while the service cut spending by roughly \$70,000 in Minnesota.<sup>53</sup>

Angered by Rice's claims, Senator James Henry Hammond of South Carolina argued that the new routes had done very little to help his state. As he saw it, the reduced routes proved to be

---

<sup>49</sup> The cost of delivering mail in the South was \$4,092,939, while the Southern states only brought in \$1,647,471. *New York Times*, January 28, 1859.

<sup>50</sup> The total debt of the U.S. Post Office was \$6,996,990.26. Joseph Holt, *Annual Report of the Postmaster General*, December 3, 1859, *Senate Executive Doc.*, No. 2, 36<sup>th</sup> Congress, 1<sup>st</sup> session, 1390.

<sup>51</sup> James D. Bennett, "Joseph Holt: Retrenchment and Reform in the Post Office Department, 1859-1860," *Filson Club Historical Quarterly*, vol. 49 (Oct. 1975), 309-322.

<sup>52</sup> *Congressional Globe*, 36<sup>th</sup> Congress, 1<sup>st</sup> Secession, 3249.

<sup>53</sup> *Ibid.*, 3250.

“a serious disadvantage to [him]” and to everyone else. While Brown merely suggested that Congress should order the post office to restore the mail routes, Hammond went much farther by claiming that the southern states did not need the federal post office: “I would rather – and I think that is the general opinion in my particular section of the country – that they would just abandon it at once, and let us put up a postal route of our own.”<sup>54</sup>

Following the election of 1860, tensions between southern states and the southern-born Postmaster General continued to escalate. Just days after Lincoln’s election, Alfred Huger, the Charleston postmaster, informed Holt that South Carolina planned to secede.<sup>55</sup> Once the state did so and seized the Charleston arsenal and nearby forts, Holt encouraged President Buchanan to take a strong stance against the state’s aggressive actions. As the President struggled with how to handle Major Robert Anderson’s move to Fort Sumter, Holt repeatedly suggested that Buchanan send reinforcements.<sup>56</sup> After Buchanan accepted Secretary of War John B. Floyd’s resignation in late December, the President decided to take a firmer stance against the disunionists by appointing Joseph Holt as Secretary of War. When the state commissioners who were sent to negotiate the status of federal property in South Carolina learned of Holt’s new appointment they warned that it “means war.”<sup>57</sup>

As Deep South states began to seriously consider seceding, Alabama appointed Stephen F. Hale to encourage Kentucky to also leave the Union.<sup>58</sup> In a letter to the pro-secession Kentucky Governor Beria Magoffin, Hale argued that the state should secede to maintain control of the post office and court system. Hale asked, “Shall we wait until our enemies shall possess

---

<sup>54</sup> Ibid., 3250.

<sup>55</sup> Alfred Huger to Joseph Holt, November 12, 1860, Joseph Holt Papers, Manuscript Division, Library of Congress, Washington, D.C.

<sup>56</sup> See chapter 2 *Star of the West*.

<sup>57</sup> *OR*, ser. 1, vol. 1: 252.

<sup>58</sup> For an in-depth examination of the secession commissioners see Charles B. Dew, *Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War* (Charlottesville: University of Virginia Press, 2002).

themselves of all the powers of Government? until Abolition Judges are on the Supreme Court bench, Abolition Collectors at every port, and Abolition Postmasters in every town, secret mail agents traversing the whole land, and a subsidized Press established in our midst to demoralizer our people?” According to Hale, the only way to prevent abolitionists from seizing control of the postal service was for “all the Southern States [to] now resume their delegated powers, maintain the rights, interest and honor of their citizens, and vindicate their own sovereignty.”<sup>59</sup>

As South Carolina prepared for war, the General Assembly worked to make provisional postal arrangements. The state promised that secession would not “prevent or interrupt” the mail service. To ensure a smooth transition, the General Assembly decided to continue all “existing postal contracts and arrangements.” Additionally, until the United States and South Carolina agreed on a postal treaty, the legislature instructed all current postal employees at the time of secession to continue their duties.<sup>60</sup> Although South Carolina took immediate action when capturing federal military installations and the court system, the state took its time, waiting until December 31, before assuming the responsibility for establishing postal laws, regulations, and arrangements.<sup>61</sup>

In early January, South Carolina prohibited Major Anderson or any other federal soldiers from using the Charleston post office. As a result, Anderson and his men only received mail if Governor Pickens authorized it or the mail was collected by a friend. Northerners viewed South Carolina’s actions as aggressive and treasonous. Anderson complained that “the mail [was] entirely under the control of the governor of [South Carolina], who may, whenever he deems fit, entirely prohibit my forwarding any letters, or prevent my sending any messenger, to my

---

<sup>59</sup> *OR*, ser. IV, vol. I: 4 -15.

<sup>60</sup> *Ordinances and Constitution of the State of South Carolina, with the Constitution of the Provisional Government and the Confederate States of America* (Charleston: Evans & Cogswell, 1861), 8.

<sup>61</sup> *Ordinances and Constitution of the State of South Carolina*, 22.

Government.” The Major promised to send Holt a letter a day, arguing that the failure to receive a letter was an indication “that his communication [had] been cut off.”<sup>62</sup> Fearful that the secessionists might spy on his communications with the United States War Department, Anderson sealed all of his letters to Secretary of War Holt with wax.<sup>63</sup>

On January 11, the New York legislature charged that South Carolina’s seizure of the post office meant that they had “virtually declared war.”<sup>64</sup> Three days later, former Postmaster General Holt questioned South Carolina Governor Francis Pickens about the state’s actions against the post office. He maintained that South Carolina’s new postal restrictions violated the rights of American citizens, because receiving mail was not a “special favor,” but “a right.”<sup>65</sup>

Holt requested that Pickens reconsider the restrictions, as the federal postal service had always provided South Carolinians with mail despite the “vast expense” of such services. The former Postmaster General also informed the South Carolina governor that the President hoped that the state would agree to a “peaceful solution.” But should Pickens not rescind the new laws, the federal post office would suspend postal services throughout the state. President Buchanan believed that it was his duty and responsibility to ensure “a free interchange of communication” with Major Anderson and was willing to take a stand against the disruption of the mails.<sup>66</sup>

On January 16, former federal judge Andrew Magrath responded to Holt’s request on behalf of Governor Pickens. Magrath asserted that the “reliable information” Holt received regarding the state’s provisional postal arrangements was “somewhat inaccurate.” As South

---

<sup>62</sup> *OR*, ser. I, vol. I: 123-124.

<sup>63</sup> W.A. Swanberg, *First Blood: The Story of Fort Sumter* (New York: Charles Scribner’s Sons, 1957), 182.

<sup>64</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 25.

<sup>65</sup> *New York Times*, February 7, 1861; *Journal of the Convention of the People of South Carolina, Held in 1860-’61, Together with the Reports, Resolutions, Ordinances &c, Also, the Constitution of South Carolina of the Provisional Government and of the Confederate States of America* (Charleston: Evans & Cogswell, 1861), 403, 404; Charles Edward Cauthen, *South Carolina Goes to War, 1860-1865* (Columbia: University of South Carolina Press, 2005), 83.

<sup>66</sup> *New York Times*, February 7, 1861.

Carolina saw it, federal laws no longer applied to the state. Magrath assured Holt that while the provisional postal system does not include United States citizens, the state's future postal service would accommodate Americans so long as it did not cause the state harm. The South Carolinian blamed the United States government. As Magrath saw it, the state only prevented Anderson from receiving mail when South Carolina believed that the United States intended to coerce the state. "It has been plainly and distinctly communicated to the President," Magrath complained, "that the continued occupation of Fort Sumter by the troops of the United States, could not be regarded as consistent with the dignity or safety of the State of South Carolina."<sup>67</sup>

Meanwhile the secession of Deep South states proceeded apace. But while Mississippi, Florida, Alabama, Georgia, and Louisiana seized federal forts, arsenals, custom houses, and mints before they seceded, they did not immediately capture the post offices. On January 8, Mississippi created a seven-member committee to examine postal, financial, and commercial affairs.<sup>68</sup> Two days later the Mississippi convention decided that all postmasters and other federal workers "connected with the mail service" should continue to perform their duties until told otherwise.<sup>69</sup> Rather than rapidly supplant the federal postal service, Mississippi continued to rely on the United States Post Office. In fact, on January 16, the Mississippi legislature declared that all laws, contracts, and regulations made by the United States for "conveying, delivering, and distributing the mails" remained in effect despite secession.<sup>70</sup> The legislature also waited until January 25, before they even considered appointing a Postmaster General for the state.

Moreover, as the legislature discussed the Postmaster General's responsibilities, they stressed

---

<sup>67</sup> Ibid.

<sup>68</sup> Also see Timothy B. Smith, *The Mississippi Secession Convention: Delegates and Deliberations in Politics and War, 1861 – 1865* (Jackson: University Press of Mississippi, 2014); J.L. Power, *Proceeding of the Mississippi State Convention, Held January 7<sup>th</sup> to 26<sup>th</sup>, A.D. 1861. Including the Ordinances, as Finally Adopted, Important Speeches, and a List of Members, Showing the Post office, Profession, Nativity, Politics, Age, Religious Preference, and Social Relation of Each* (Jackson: Power and Cadwallader, Book and Job Printers, 1861), 7, 16.

<sup>69</sup> J.L. Power, *Proceeding of the Mississippi State Convention*, 18.

<sup>70</sup> Ibid., 59 - 60.



that the appointee would not begin until the “present postal system [was] abolished.” Likewise, the Committee on Postal Affairs reported that despite their discussions of postage rates, stamps, and mail delivery, no state postal ordinances would “go into effect or be in force unless the present postal system of this State be suspended or superseded by Congress.”<sup>71</sup>

When Chairman J.W. Clapp of the Mississippi Committee on Postal Affairs submitted the ordinances to provide for postal arrangements throughout the state he explained that the committee had operated with “great caution and deliberation.” Clapp described establishing an effective postal system as a “complicated and comprehensive process” that required necessary legislation and time to perfect. As Clapp saw it, since Mississippi planned on joining the other southern states it made no sense to amend the state constitution to establish a state post office. The chairman thought postal matters were best handled by a federal government, and so Mississippi should wait for the new Confederacy to establish a postal system. “At present the Federal Government ignores the independence of Mississippi,” Clapp argued, “and as long as the two governments occupy towards each other the present anomalous position, the presumption is that existing postal arrangements will be continued unless obstructed by the action of Mississippi, which it is not her interest to do.”<sup>72</sup> The very awkwardness of the language perhaps reflected the practical difficulties that had arisen.

Clapp’s position on the takeover of the federal post office, however, greatly differed from his state’s position when capturing forts, arsenals, mints, revenue cutters, and custom houses. Clapp understood the complexities involved in taking control of the postal service. While forts, arsenals, mints, revenue cutters, and custom houses could be operated by a single person, post offices required thousands of skilled workers to be successful. An effective postal system

---

<sup>71</sup> Ibid., 37, 38, 60, 61.

<sup>72</sup> Ibid., 69 - 70.

depended not only on postmasters, but also mail carriers, railroad and steamboat contractors, and stamp engravers. And creating a new mail delivery system would be too expensive for a single state.

The Georgia and Texas legislatures also took their time on postal matters. On January 11, the Georgia legislature created a thirteen-member Committee on Commercial Relations, and Postal Arrangements to figure out how to handle taking over the federal postal system.<sup>73</sup> To help ease the transition, the Georgia secession convention decided that all United States' postal officers, mail carriers, contractors, and mail agents in the state should continue to work as if the state had not seceded. This meant that although the legislature required all federal custom house officials, federal judges, and other government workers to resign their commission with the United States, the state ordered postal workers to continue working as employees of the United States. In fact, on March 8, when the legislature discussed an ordinance that stripped federal workers of their state citizenship if they did not resign, the measure explicitly exempted any person working for the postal service.<sup>74</sup> A measure by the Texas secession convention also required all federal officers to resign, but did not include postmasters.<sup>75</sup> Realizing that some federal employees might refuse to work for the state after secession, the Committee on Commercial Relations and Postal Arrangements recommended that if federal postal officers or agents "fail or refuse to execute" their contracts or continue to perform their duties, the governor was responsible for making new contracts and appointing new officers.<sup>76</sup>

---

<sup>73</sup> The committee consisted of Anderson, Harris of Glynn, Bell of Forsyth, Bailey, Hudson of Harris, Alexander of Fulton, French, Hood, Calhoun, Shropshire of Floyd, Dabney, Sims, Casey. *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 26, 48.

<sup>74</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 137 - 138.

<sup>75</sup> Earnest William Winkler ed., *Journal of the Texas Secession Convention 1861* (Austin: Texas Library and Historical Commission, 1912), 53.

<sup>76</sup> *Journal of the Public and Secret Proceedings of the Convention of the People of Georgia*, 62.

Alabama adopted similar measures, recognizing that any disruption in the delivery of mail would create widespread dissatisfaction. On January 15, the state legislature instructed postal workers and contractors employed by the federal government before the state seceded to continue working. All contracts, arrangements, and regulations established prior to secession would remain in force. But unlike ordinances dealing with the seizure of custom houses and courts, the legislature did not require the federal employees to immediately resign their positions so they could be reappointed by the state. Instead, Alabama still wanted the federal post offices to deliver the mail. On January 26, the Alabama secession convention accepted “full power and authority to make provisional postal arrangements” for the state until a permanent government was established, but still declined to take full responsibility for delivering mail.<sup>77</sup>

On February 4, delegates from South Carolina, Florida, Alabama, Georgia, Louisiana, Mississippi, and Texas met in Montgomery, Alabama as the Provisional Confederate State Congress. While their primary goal was to establish a new government, elect a provisional president, and draft a constitution, they also considered how the new confederacy should assume full responsibility for the postal service. Provisional President Jefferson Davis’ inaugural address on February 18, called “for the speedy and efficient organization of... the postal service.”<sup>78</sup> To assist with this formidable undertaking, the Provisional Congress established a five-member Committee on Postal Affairs.<sup>79</sup> The committee’s first task was to determine whether they thought the Confederate Post Office could be self-sustaining. The committee decided that for southerners to continue to receive adequate postal service, the Confederate Post Office would have to raise

---

<sup>77</sup> *Ordinances and Constitution of the State of Alabama*, 23, 31.

<sup>78</sup> *Journal of the Congress of the Confederate States of America, 1861-1865*, vol. 1, United States Senate, 58<sup>th</sup> Congress, 2<sup>nd</sup> Session, Executive Doc. No. 234, 65.

<sup>79</sup> The Postal Affairs Committee consisted of Chairman W.P. Chilton, Boyce, Hill, Harrison, and Curry. *Journal of the Congress of the Confederate States of America, 1861-1865*, vol. 1, United States Senate, 58<sup>th</sup> Congress, 2<sup>nd</sup> Session, Executive Doc. No. 234 (Washington, D.C.: U.S. Government Printing Office, 1904), 40, 44.

postage rates, change daily routes to tri-weekly ones, discontinue numerous costly routes, and close several small post offices. Moreover, the committee thought that the Confederacy should procure stamps and establish cheaper mail delivery contracts as soon as possible.<sup>80</sup>

On February 21, the Provisional Confederate Congress officially established the Confederate Post Office Department under Article 1, Section 8 of the Provisional Constitution. On the advice of the Committee on Postal Affairs, the Provisional Constitution required that by March 1, 1863, all postal expenses would be paid out of the Post Office Department's revenues.<sup>81</sup> This meant that the Confederate Post Office had only two years during which to move from having no postal materials, infrastructure, or organization to be not only operational but also self-sustaining. Since the establishment of the United States' Post Office in 1789, the federal postal system had never broken even. In fact, as late as June 1860 the federal postal deficit was almost two million dollars.<sup>82</sup> This made the selection of the first Confederate Postmaster General extremely important.

When Provisional President Jefferson Davis went to work assembling his cabinet in February and March, he quickly found that appointing the new Postmaster General was no easy task, as many people considered taking the job political suicide. Davis's first choice for the position was Henry T. Ellet. Before Ellet even had time to respond to Davis's request, the Confederate Congress unanimously approved him as the first Postmaster General of the Confederacy.<sup>83</sup> Ellet, however, declined the appointment. Davis then offered the position to Colonel William Wirt Adams, who also refused to serve. After being rejected twice, Davis asked

---

<sup>80</sup> *Journal of the Congress of the Confederate States of America, 1861-1865*, vol. 1, United States Senate, 58<sup>th</sup> Congress, 2<sup>nd</sup> Session, Executive Doc. No. 234, 61- 62.

<sup>81</sup> Constitution of the Confederate States, Article 1, Section 8:7.

<sup>82</sup> John H. Reagan, *Report of the Postmaster General Confederate States of America Post Office* (Richmond, 1861), 9; John H. Reagan, *Memoirs With Special Reference to Secession and the Civil War* (New York: The Neale Publishing Company, 1906), 133; Ben Proctor, *Not Without Honor: The Life of John H. Reagan* (Austin: University of Texas Press, 1962), 132, 133.

<sup>83</sup> *Journal of the Congress of the Confederate States of America 1861-1865*, vol.1, 85.

Texan John Henninger Reagan, but like the others he too declined the position. Reagan feared that “our people under the Government of the United States had been accustomed to regular postal facilities; that when the service under the Government came to an end, it would require considerable time to reestablish such a service, and that in the meantime dissatisfaction would arise on account of the want and necessity of mail facilities... from the incapacity of the head of that department.’ Reagan assured Davis that he wanted to serve the Confederacy, but made it clear that he “did not desire to become a martyr.”<sup>84</sup>

But Davis persisted. Rather than asking another person, Davis kept pressing Reagan to change his mind. The President sent a delegation of prominent members of Congress and his newly formed cabinet to persuade Reagan to accept the appointment. During the meeting, Davis told Reagan that “we must not concede that there was a department of government which we could not organize.” The cabinet members and congressmen promised that they “would do all they could to aid and sustain [Reagan] against any unjust criticism.” On March 6, Reagan “reluctantly” accepted the position, still believing that the department was destined for failure. He later lamented that “instead of feeling proud of the honor conferred upon me, I felt that I was to be condemned by the public for incapacity.”<sup>85</sup>

Northerners considered how they should respond to the South’s actions. In January, the Democratic Philadelphia *Press* asserted that “it is not necessary to quarrel with [South Carolina]” about the postal service. The paper asserted that the federal government could not force South Carolinians to serve federal postmasters, but also maintained that southerners “must not resist the passage of the United States mail on post roads.” “If there are obstructions and difficulties placed by [South Carolina] in the way,” the paper argued, “we can withdraw the United States post-

---

<sup>84</sup> John H. Reagan, *Memoirs*, 109-10; Ben Proctor, *Not Without Honor*, 122-130; *Edgefield (SC) Advertiser*, March 13, 1861; *The Daily Exchange (MD)*, March 13, 1861.

<sup>85</sup> John H. Reagan, *Memoirs*, 110.

contracts and mail service, so far as they are within her limits, and let her try, in her sovereign capacity, to furnish postal facilities to her citizens as best she may, while we refuse to recognize her arrangements, or to allow any connection of them with the United States mail-service.”

According to the *Press*, “the pressure *upon* her own people, and *of* her own people, as well as that from neighboring States, would soon settle that difficulty.”<sup>86</sup> But on February 28, Congress took action by passing a bill that authorized the Postmaster General to “discontinue the postal service” until it can be safely restored, whenever he thought that “the postal service cannot be safely continued, or the postal laws maintained, on any post route.”<sup>87</sup> In his first inaugural address, President Abraham Lincoln promised that “the mails unless repelled, will continue to be furnished in all parts of the Union.”

Reagan’s demanding position forced him to hit the ground running. His intellect, diligence, and popularity made him an excellent choice to supervise the Confederate Post Office Department. The *Daily Southern Carolinian*, hoped that he would ‘go to work vigorously and put the Southern mails in good condition.’<sup>88</sup> Yet Reagan himself harbored doubts about providing southerners with mail service comparable to what they were used to. As he saw it, even though southerners were familiar with delays, damaged or lost letters, and mail route closings, he knew that they would soon be complaining about faulty service as his department struggled to manage such a vast undertaking. For Reagan, the department’s top priorities were to “insure the continuance of our postal facilities in such a manner as to meet the public necessities; to avoid the suspension of the postal service until a new system could be adopted and put into operation, and to prevent a serious shock to the public interests by a temporary suspension of

---

<sup>86</sup> *Press* (PA), January 15, 1861 in Howard Cecil Perkins ed., *Northern Editorials on Secession*, vol. 1, 217 - 218.

<sup>87</sup> Postmaster General Montgomery Blair to Speaker of the House Galusha A. Grow, July 12, 1861, House Ex. Doc. No. 4, 37<sup>th</sup> Congress, First session cited in *Annual Report of the Postmaster General* (Washington, D.C: U.S. Government Printing Office, 1898), 221 and 222.

<sup>88</sup> *Daily Southern Carolinian* (Columbia), March 16, 1861.

mail service.”<sup>89</sup> Such considerations flooded Reagan’s mind as he walked back to his hotel after accepting the position. Despite being unsure about where to begin, Reagan asked his friend H.P. Brewster, the brother-in-law of South Carolina Senator James Chesnut, to “perform an important service, and one not free from danger.”<sup>90</sup>

Reagan planned to contact every southern sympathizer who held an important position in the federal postal department. Reagan asked Brewster to go to Washington to acquire materials and vital information on current post office operations.<sup>91</sup> Brewster left with letters addressed to “the most experienced men of Southern birth,” including Senators John Hemphill and Louis Wigfall of Texas, Saint George Offit (chief clerk to the Postmaster General Benjamin Clements) Joseph Lewis (head of the bond division in the Post Office Department), Captain Gustavus A. Schwartzman (head of the Dead Letter Office), a Mr. Hobby (the Third Assistant to the Postmaster General), and a Mr. McNair in the finance bureau. Each letter offered the men a position within the Confederate post office and requested them to bring “copies of the last annual report of the Postmaster General and every form in the department together with the postal maps of the southern states.”<sup>92</sup>

Reagan’s plan to recruit southerners and acquire necessary documents from the federal postal department worked well. He rejoiced as “all the men in the Department in Washington to whom [he] wrote, came...except Third Assistant Postmaster General Hobby, and a clerk from Florida whose name [he did] not recall.” The men brought “all the information necessary” for Reagan to organize a postal service “including large books with important financial, postage, and clerical forms. Reagan had a book binding company in New Orleans make several copies of the

---

<sup>89</sup> John H. Reagan, “Report of the Postmaster-General to the President, April 29, 1861,” (Richmond, 1865); John H. Reagan *Memoirs*, 126.

<sup>90</sup> John H. Reagan *Memoirs*, 124.

<sup>91</sup> *Ibid.*, 124-125.

<sup>92</sup> *Richmond Enquirer*, December 24, 1861; John H. Reagan *Memoirs*, 125.

stolen information for easier use. Once the copies were made, Reagan again relied on the federal post office by asking the company to ship the books to Montgomery through the federal mail. Unfortunately, however, they were unable to secure maps and charts except for a postal map of Texas.<sup>93</sup> This meant that Reagan would have to spend a lot of time designing postal routes.<sup>94</sup>

After Brewster left for Washington, Reagan worked on establishing the Department's headquarters, began appointing his staff, and organizing the new Post Office. At first the Confederate post office operated out of a small room in the Exchange Hotel in Montgomery. Reagan was soon joined by two much needed assistants, Texan W.D. Miller and the well-known financier J.L. Harrell of Alabama.<sup>95</sup> Once the men arrived from Washington they received their new positions as the head of the contract bureau, appointment bureau, inspection bureau, finance bureau, and the auditor's office.<sup>96</sup> To ensure that the new clerks and officers were qualified, Reagan organized mandatory classes from eight to ten o'clock each night that focused on the procedures needed to create a successful postal department. As the department continued to expand with the creation of the new bureaus, the Confederate government rented a three-story building on Bibb Street to accommodate the growing department.<sup>97</sup>

With most of his staff appointed and the bureaus organized, Reagan turned his attention to the finances, contractors, and current postmasters. He began by compiling all the information provided by the former federal postal workers to create the appointment books that listed "all the

---

<sup>93</sup> John H. Reagan, *Memoirs*, 125.

<sup>94</sup> Walter Flavius McCaleb, "The Organization of the Post-Office-Department of the Confederacy," *American Historical Review*, vol. 12, No. 1 (October 1906), 69.

<sup>95</sup> *Richmond Enquirer*, December 24, 1861; Walter Flavius McCaleb, "The Organization of the Post-Office-Department of the Confederacy," *American Historical Review*, vol. 12, No. 1 (October 1906), 69.

<sup>96</sup> Walter Flavius McCaleb, "The Organization of the Post-Office-Department of the Confederacy," *The American Historical Review*, vol. 12, No. 1 (October 1906), 69.

<sup>97</sup> Montgomery, Alabama, *Weekly Post*, March 26, 1861; *Richmond Daily Examiner*, May 3, 1861; Proctor, *Not Without Honor*, 131; John H. Reagan, *Memoirs*, 125 and 126; L.R. Garrison, "Administrative Problems of the Confederate Post Office Department, I," *Southwestern Historical Quarterly*, vol. 19, No. 2 (October 1915), 112; Walter Flavius McCaleb, "The Organization of the Post-Office-Department of the Confederacy," *American Historical Review*, vol. 12, No. 1 (October 1906), 69.



postmasters under [Confederate] jurisdiction,” documented their receipts, specified whether their officers were draft or collection offices, and included the names, addresses, and salary of the Department’s route and special agents.<sup>98</sup> Reagan ordered the creation of contract books that showed “all the mail routes under [Confederate] control” and identified contractors who carried mail for each route, their fees, the offices they delivered to, and the names of all the railroad and steamboat companies the United States Post Office had previously used to deliver the mail. When it came time to organize the finance bureau, the Confederate Congress questioned whether the post office accounts should be audited by the treasury department or by the post office itself. Reagan was pleased when Congress decided that was a responsibility best left for the treasury department.<sup>99</sup>

Yet, even after Reagan organized the new bureaus, drafted new postal maps for the eleven Confederate states, completed the appointment books, and worked out agreements with contractors, the Confederacy was not yet ready to break away from the United States postal system. For the first three months of the war, the federal post office still delivered all mail throughout the South. Shortly after taking office, Reagan received numerous letters from postmasters, mail contractors, and other postal employees asking if they should “continue to act under their appointments and contracts as the officers and contractors of the Government of the United States; or were they to hold themselves responsible to the Government of the Confederate States.” Reagan instructed all postal workers to keep doing their jobs because the Confederacy “would not interfere with existing contracts between the contractors and the Government of the

---

<sup>98</sup> John H. Reagan, *Memoirs*, 125-26; L.R. Garrison, “Administrative Problems of the Confederate Post Office Department, I,” *Southwestern Historical Quarterly*, vol. 19, No. 2 (October 1915), 112; Walter Flavius McCaleb, “The Organization of the Post-Office-Department of the Confederacy,” vol. 12, No. 1 (October 1906) 69.

<sup>99</sup> John H. Reagan, *Memoirs*, 126.

United States, until it should assume the entire control of its postal affairs.”<sup>100</sup> Reagan believed postal workers needed to understand the delivery of mails by the United States Government “as a great public necessity to the people of both governments, resulting from their past intimate political, commercial and social relations, and alike important to the preservation of the present interests of the people of both countries.”<sup>101</sup> Although the Confederate postal department had stolen information and material from the federal government, the Confederate government made no effort to prevent mail delivery. As a result, the Confederacy continued to benefit from the United States postal system.

In April 1861, however, Reagan announced that the Confederate Post Office would begin taking on more responsibilities. In a report to Jefferson Davis, the Postmaster General proudly asserted that “the Post Office Department was as completely organized as that at Washington” and was ready to begin postal service in the Confederacy. But before Reagan could do this, he needed Congress to extend his power as Postmaster General. At the time the Postmaster General did not have the power to take full control of the mail service until the United States suspended all postal service throughout the Confederacy.<sup>102</sup> Once war was officially declared on April 15, Reagan worried that the United States postal department would refuse to suspend the mail service throughout the Confederacy. Reagan feared that the U.S. Post Office planned to disrupt the Confederate army’s mail delivery. As a result, Reagan asked Congress to grant him the authority to take charge of all mail delivery before the United States suspended service. On May 9, the Confederate Congress agreed and allowed Reagan to “take the entire charge and direction of postal service in the Confederate States.” Four days later, Reagan

---

<sup>100</sup> John H. Reagan, “*Report of the Postmaster-General, April 29, 1861*,” (Richmond, 1865), 4.

<sup>101</sup> John H. Reagan, “Circular Letter, No. 3,” *Report of the Postmaster General, April 29, 1861* (Richmond, 1865), 40.

<sup>102</sup> John H. Reagan, *Report of the Postmaster General, April 29, 1861* (Richmond, 1865), 5.

announced that on June 1, the Confederate post Office would assume complete control of the postal service. Moreover, he decided that mail would not be delivered between the United States and the Confederacy “until a postal treaty” was agreed upon by the two nations.<sup>103</sup>

Southern newspapers quickly reported that the Confederate Post Office was about to be operational and explained the new postal laws. The South Carolina *Keowee Courier* assured southerners that “postmasters and others will act promptly in this matter, which will prevent confusion.” The biggest change was that “no mail matter [was] to be sent to any of the non-seceded States, except Kentucky, Maryland, and Missouri.”<sup>104</sup> The *Yorkville (S.C.) Enquirer* promised that “no detentions to the mails need to be feared in consequence of any policy of the Lincoln Government.”<sup>105</sup>

Some northern papers complained about the South’s new postal laws. The *National Republican* maintained that there were “traitors in every Department at Washington, in the post offices.”<sup>106</sup> The *New York Herald* criticized Reagan’s decision not to deliver mail outside of the Confederacy. “The direct mail route to Washington is now closed,” and the paper maintained that “the postmasters of New York and Philadelphia have a right to call upon their fellow-citizens, with arms in their hands, to open and keep open the communication between the post offices and those cities and the General Post Office at the capital.” As the *Herald* saw it, Maryland’s cooperation with the Confederacy was a direct violation of the federal government’s “legal and constitutional” obligation “to establish post roads.” The paper asserted that “the

---

<sup>103</sup> *Daily National Intelligencer*, May 20, 1861; *New York Times*, May 24, 1861.

<sup>104</sup> *Keowee (SC) Courier*, May 25, 1861.

<sup>105</sup> *Yorkville Enquirer* (Columbia, South Carolina), May 10, 1861.

<sup>106</sup> *The National Republican* (Washington, D.C.), May 10, 1861.

postmasters have a right to summon all good citizens to assist in the execution of the Post Office laws.<sup>107</sup>

Upon learning of Reagan's proclamation, United States Postmaster General Montgomery Blair, issued a proclamation that suspended "all postal service in the states of North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas." Additionally, on July 10, the Postmaster General stopped service to Tennessee. But, Blair also halted all mail delivery in Kentucky on August 29, because it had become too dangerous to deliver mail there safely. The *Daily Louisville Democrat* reported that "in the counties along the Kentucky and Virginia line, several mail [carriers] have been robbed."<sup>108</sup> Blair ordered all letters mailed to post offices in rebellious states sent to the dead letter office. Letters addressed to people in loyal western Virginia, however, were to be sent to Wheeling.<sup>109</sup>

As planned, on June 1 the Confederate Post Office assumed responsibility for delivering mail throughout the Confederacy. Reagan ordered all postmasters, route agents, and special agents to continue fulfill their duties. When the Confederacy took charge of the Post Office, postmasters, agents, and other postal officers were expected to resign their positions with the federal government and swear allegiance to the Confederacy. Postal workers would then carry out their duties as if nothing had changed. Confederate postal workers were also expected to "return all postage stamps, stamped envelopes, and other property pertaining to the postal service, except mail bags and locks and keys" to the federal government.<sup>110</sup>

---

<sup>107</sup> *New York Herald*, April 26, 1861.

<sup>108</sup> *Daily Louisville Democrat*, September 5, 1861.

<sup>109</sup> *Annual Report of the Postmaster General* (Washington, D.C: U.S. Government Printing Office, 1898), 221; Walter Flavius McCaleb, "The Organization of the Post-Office-Department of the Confederacy," *American Historical Review*, vol. 12, No. 1 (October 1906),

<sup>110</sup> John H. Reagan, *Memoirs*, 132.

For Reagan, the easy part was over. Now the newly organized department would be put to the test of providing reliable mail service. The requirement that the Confederate post office had to be self-sufficient by March 1, 1863, was a key reason why it took so long for the young Confederacy to assume full control from the federal post office. Reagan did his best to control the department's spending as much as possible. This meant that the Confederate postal system was designed as a cost-effective business, rather than a unifying social institution. The federal post office had long delivered newspapers, magazines, and periodicals free of charge, but the first Confederate postal law adopted in May 1861 required charging postage for the delivery of newspapers, magazines, and periodicals.<sup>111</sup> At first publishers tolerated the change, but when this measure did not bring in enough money, Reagan asked Congress to double the postage rate. The *Atlanta Southern Confederacy* referred to the new postal law as "an outrage on a free people."<sup>112</sup> The *Richmond Daily Examiner* asserted that the Confederate Post Office was "an engine for the suppression of intelligence."<sup>113</sup>

But the unexpected costs of secession did not end there. To make ends meet the Confederate post office also required people to pay postage to bring newspapers on trains. The *Daily Picayune*, complained that "newspapers cannot be carried by mail carriers or expressmen without the payment of the regular rates of postage."<sup>114</sup> The *Richmond Enquirer* added that "the public [was] aware that in all countries in the civilized world, except the Confederate States, newspapers in the mass, intended for general sale, are transmitted as freight on the railroads, without any postage tax." While having to pay to transport newspapers on trains proved to be a

---

<sup>111</sup> Confederate States of America, *Post-Office Department Instructions* to Postmasters (Richmond: Ritchie & Dunnavant, 1861), 17.

<sup>112</sup> *Southern Confederacy* (Atlanta, GA), July 30, 1862; Coulter, *The Confederate States of America 1861-1865*, 130-131; Proctor, *Not Without Honor*, 137.

<sup>113</sup> *Daily Examiner* (Richmond, VA), September 16, 1861.

<sup>114</sup> *The Daily Picayune* (New Orleans, LA), July 27, 1861.

hardship for civilians, the law proved yet more burdensome for soldiers in the field. The *Enquirer* complained that before a newspaper could be sent to the soldiers the newspaper agent “must first pay two hundred dollars for them at the printing office, and then pay two hundred dollars to the Post Office.” As a result, where the carrier could have originally charged soldiers five cents, they now have to charge ten cents to cover the exorbitant postage fees.<sup>115</sup>

Reagan’s desire to establish a frugal postal department meant that the size of the Confederate post office was more comparable to European post offices. When Reagan was first appointed Postmaster General newspapers hoped that he would “organize his Department so as to give the Southern States – that which they never had from the United States – regular and reliable mail facilities.”<sup>116</sup> But in many ways Reagan merely continued Holt’s unpopular retrenchment policies by eliminating or reducing mail service along unprofitable mail routes. In his first few months in office, Reagan discontinued sixty-eight routes “as unnecessary” and ended eleven steamship routes because of the blockade.<sup>117</sup> The day the Confederate post office assumed full responsibility for the delivery of mail there were a total of 8,411 post offices in the Confederacy. By the end of the year Reagan had discontinued 183 offices and established 72 new offices.<sup>118</sup>

Reagan successfully negotiated cheaper rates with railroad contractors. Before any state seceded, the federal post office estimated that it would cost almost \$940,000 to deliver mail throughout the South. After examining the current contracts, Reagan realized that railroad charges for carrying mail amounted to almost two-thirds of the department’s entire budget. He feared that the southern postal system could no longer afford to keep the railroad contracts if the

---

<sup>115</sup> *Enquirer* (Richmond, VA) quoted in Portage, Wisconsin, *Wisconsin State Register*, October 26, 1861.

<sup>116</sup> *Daily Southern Carolinian* (Columbia, SC), March 16, 1861.

<sup>117</sup> John H. Reagan, *Report of the Postmaster-General*, November 27, 1861, Confederate States of America, 10.

<sup>118</sup> Reagan left 8,228 post offices in operation throughout the Confederacy. John H. Reagan, *Report of the Postmaster-General*, November 27, 1861, Confederate States of America, 18.

companies did not agree to lower their rates. In mid-April, Reagan contacted all the railroad executives in the Confederacy and adjacent states asking them to meet in Montgomery to discuss the problem.<sup>119</sup> Thirty-five executives journeyed to Montgomery and only two refused to discuss their fees. After some deliberation, the railroad executives agreed to reduce their transportation costs by half and also agreed to accept Confederate bonds as payment.<sup>120</sup>

Simply producing stamps proved to be one of the most difficult problems Reagan faced, since there were no engraving offices in the southern states.<sup>121</sup> Originally, Reagan planned to negotiate contracts for stamp plates in the North. When fighting began, however, he realized that the Confederacy was going to have to find a way to produce their own stamps or obtain help from abroad. This caused considerable delay. While the Confederate post office waited on stamps, Reagan decided that letters could be mailed without stamps as long as the sender paid the postage in full.<sup>122</sup> While most postmasters simply accepted money, some created homemade stamps.<sup>123</sup> Meanwhile, citizens grew impatient. The *Savannah Republican* asked, “what is the reason that the Post Office Department does not furnish the public with postage stamps?”<sup>124</sup> Eventually Reagan found that Hoyer & Ludwig, a lithography firm in Richmond, could produce stamps, but the company could not deliver the stamps until mid-October.<sup>125</sup>

Public reaction to the Confederate postal service was mixed, but several papers complained of inadequate, unreliable service, and demanded Reagan’s removal from office. The

---

<sup>119</sup> John H. Reagan, *Report of the Postmaster General*, April 29, 1861 (Richmond, 1865), 12; John H. Reagan, *Memoirs*, 133; Ben Proctor, *Not Without Honor*, 133.

<sup>120</sup> John H. Reagan, *Report of the Postmaster General*, April 29, 1861 (Richmond, 1865), 12; John H. Reagan, *Memoirs*, 133; Ben Proctor, *Not Without Honor*, 133. Robert C. Black III, *The Railroads of the Confederacy* (Chapel Hill: University of North Carolina Press, 1998), 52-56.

<sup>121</sup> For more information on Confederate stamps see August Dietz’s *The Postal Service of the Confederate States of America*. August Dietz, *The Postal Service of the Confederate States of America* (Richmond, 1929).

<sup>122</sup> John H. Reagan, *Report of the Postmaster-General*, November 27, 1861, Confederate States of America (Richmond, 1861), 39.

<sup>123</sup> Coulter, *Confederate States of America 1861-1865*, 126-127.

<sup>124</sup> *Savannah Republican*, November 18, 1861.

<sup>125</sup> Coulter, *Confederate States of America 1861-1865*, 126-127.

*Savannah Republican* charged that “in no department of the public service – not even in the Quartermaster and Commissary – have there been such gross inefficiency and neglect as in the Post Office.”<sup>126</sup> The *Charleston Courier* asked, “will Mr. Postmaster General Reagan be so obliging as to pay some attention to the mails.... the Postmaster General should endeavor to do something, or give place to one who could and would.” Similarly, the *Fayetteville Observer* suggested that Reagan was “not the man for the state he is attempting to fill. He has been in office for months, but has done nothing known to the public.”<sup>127</sup> The *Richmond Examiner* grouched that “the administration of the postal affairs by the Postmaster General Reagan, does not give satisfaction.”<sup>128</sup> While many complained of faulty service, others recognized the difficulty in creating a new post office. The *Houston Tri-Weekly Telegraph* reminded readers that “when Mr. Reagan took the office of Postmaster-General, he had to make it up out of nothing.” People should realized that “the Post Office Department is very justly said to be an institution that no one feels but in its failures.... has he not in fact accomplished wonders in bringing as much order as he has out of chaos.”<sup>129</sup>

The northern press noted with some satisfaction the South’s unhappiness with the Confederate postal system. The *New York Herald* eagerly reported that “the newspapers in secessiondom [were] complaining of the irregularity of their mails under the Jeff Davis government, and [were] clamorous for the removal of their Postmaster General.” As the *Herald* saw it, the Confederate postal problem reflected “the poverty of the rebel government,” not Reagan’s inefficiency.<sup>130</sup> The *Wisconsin State Register* was unsurprised by the South’s trouble paying for the postal service, arguing that “the South never paid more than half its postage

---

<sup>126</sup> *Savannah Republican*, November 18, 1861; Ben Proctor, *Not Without Honor*, 133.

<sup>127</sup> *Charleston Courier*, Fayetteville (Tenn.) *Observer* quoted in *The New York Herald*, October 7, 1861.

<sup>128</sup> *Richmond Examiner*, October 3, 1861.

<sup>129</sup> *Tri-Weekly Telegraph* (Houston, TX), January 6, 1862.

<sup>130</sup> *New York Herald*, October 9, 1861.



expenses.”<sup>131</sup> The *Herald* boasted “what can the people of the rebel States expect from the spurious and beggarly government of Jeff. Davis, which is seizing everything within its reach for the purposes of this suicidal rebellion.”<sup>132</sup>

In December, United States Postmaster General Montgomery Blair’s annual report explained how his department had handled the southern seizure of post offices. Blair maintained that he “could not permit this branch of government to contribute to its own overthrow.” Blair explained that federal law required all postmasters, mail-carriers, and other persons who handle mail to take an oath of allegiance. He had ordered the removal of all postal workers who refused to fulfill their duties. In Blair’s view, continuing to pay secessionists for delivering the mail “was to give direct aid and comfort to treason in arms.” Yet Blair admitted that most changes to the postal staff occurred throughout the upper south in Virginia, Maryland, Kentucky and Missouri. In addition, Blair had excluded twelve “treasonable publications” from the mail service.<sup>133</sup> But despite Blair’s insistence that he had removed any disloyal postal workers from office, the United States still delivered mail to the disloyal states once war had officially been declared.

While southerners were able to quickly assume control of the federal court system, they took their time before taking charge of the complex operations of the postal service. And despite Reagan’s methodical organization, southerners still experienced unexpected consequences of disunion. Even though Postmaster Blair thought that the creation of a Confederate Post Office was treasonous, the United States Post Office continued to deliver mail throughout the seceded states once the war was officially declared because the Lincoln Administration refused to

---

<sup>131</sup> *Wisconsin States Register* (Portage, WI), October 26, 1861.

<sup>132</sup> *New York Herald*, October 9, 1861.

<sup>133</sup> Report of the Postmaster General, December 2, 1861 in *Message of the President of the United States and Reports Proper of the heads of Departments, Made at the Second Session of the Thirty-Seventh Congress* (Washington: Government Printing Office, 1861), 106 -108.

recognize the legitimacy of secession. As a result, northerners interpreted the southern takeover of the judicial and postal systems as acts of war.

## CONCLUSION

The Civil War began with the southern seizure of federal property. Although northerners recognized that secessionists had committed acts of war, President Buchanan's failure to understand his authority as President of the United States and his great desire to leave office having preserved the peace, ultimately prevented him from acknowledging that the country was at war. On the other hand, Abraham Lincoln's strong commitment to "preserve, protect, and defend" the Constitution and the Union led him to use all power at his disposal to protect the remaining federal property from further aggression.

The United States' postwar treatment of the men responsible for capturing federal property in December 1860 and January 1861, illustrates how in fact a state of war existed before any shots were fired at Fort Sumter. When the war ended, President Andrew Johnson ordered the arrest of Florida Senators Stephen Mallory and David Yulee for their involvement in the seizure of federal property in Florida. On May 20, 1865, federal troops arrested former Confederate Secretary of the Navy Mallory and sent him to Fort Lafayette in New York as a political prisoner for "organizing and setting on foot piratical expeditions against the United States commerce and marine on the high seas."<sup>1</sup> Seven days later Yulee was arrested and sent to Fort Pulaski in Georgia after being "charged with treason while holding a seat in the U.S. Senate, and with

---

<sup>1</sup> *OR*, ser. 2, vol. 8: 843-844; Rodman L. Underwood, *Stephen Russell Mallory: A Biography of the Confederate Navy Secretary and United States Senator*, (New York: McFarland & Company, 2005), 178 -179; E. Merton Coulter, *The South During Reconstruction, 1865-1877: A History of the South*, (Baton Rouge: Louisiana State University Press, 1947), 15.

plotting to capture the forts and arsenals of the United States, and with inciting war and rebellion against the Government.”<sup>2</sup>

Shortly after Yulee and Mallory were imprisoned for their involvement in igniting the Civil War, southerners petitioned President Johnson to offer the men pardons for their crimes. But the requests ended up in the hands of former Secretary of War Joseph Holt, who served as the head of the Bureau of Military Justice at the end of the war. Holt refused even to consider pardoning the two Floridians, because when federal troops captured Fernandina in northeast Florida they discovered letters relating to Yulee’s involvement in the seizure of federal forts and arsenals throughout the state. One letter written in Yulee’s hand boldly asserted that “I [Yulee] shall give the enemy a shot next week before retiring. I say enemy! Yes, I am theirs, and they are mine.” Holt argued that the letters proved that the Senator “not only conspired against the Government while occupying his seat in the Capitol” but also “upon the action and prompting of these men and their confederates, forthwith, declared itself in open revolt and aggressive war.” Holt maintained that the capture of the Florida forts, arsenals, and the Pensacola Navy Yard “were overt acts of treason, and the letters... leave no doubt but that they were committed under the direct instigation of Yulee and Mallory.” Instead of recommending Yulee and Mallory’s pardon, Holt asserted that “the original conspirators who incited and organized the movement should be first arraigned and tried.”<sup>3</sup>

Yet, despite Holt’s case against them, Yulee and Mallory were never brought to trial. On March 10, 1866, the former Confederate Secretary of the Navy Stephen Mallory was granted partial parole and was required to live with his daughter in Bridgeport, Connecticut, until taking

---

<sup>2</sup> *OR*, ser. 2, vol. 8: 843-844.

<sup>3</sup> *OR*, ser. 2, vol. 8: 862-867.

an oath of allegiance.<sup>4</sup> By June 1866, however, President Johnson and Secretary of War Edwin Stanton allowed Mallory to return to Florida. Once home, Mallory was forbidden to hold public office.<sup>5</sup> On March 25, 1866, Stanton released Yulee from Fort Pulaski on parole, but he was still required to remain in Florida while providing the Adjunct-General of the Army his address each month.<sup>6</sup>

Southern governors who had ordered state militias to seize the federal military installations in their state fared no better after the war. When Union forces reclaimed Louisiana's capital city of Baton Rouge, Governor Thomas O. Moore relocated the state government to Opelousas and later Shreveport. In January 1864, Moore returned to his plantation after his term as governor came to an end. But during the Red River Campaign of May 1864, Union troops burned Moore's plantation to the ground. As the war came to an end in 1865, Moore feared for his life after President Johnson ordered his arrest and so fled to Mexico.<sup>7</sup> Eventually Moore arrived in Havana, Cuba, where he pledged his loyalty to the United States. In August 1865, eleven petitioners requested President Johnson to grant Moore full pardon for helping instigate the war by ordering the seizure of federal property. The Louisianans claimed that even though Moore was one of the "most conspicuous" "authors of the war," he had already suffered enough.<sup>8</sup> On January 15, 1867, Johnson officially pardoned the former Louisiana Governor.<sup>9</sup>

Alabama Governor Andrew B. Moore suffered a similar fate. Once federal troops occupied Alabama in April 1865, Stanton called for his arrest and imprisonment. On May 27,

---

<sup>4</sup> Underwood, *Stephen Russell Mallory*, 179-184.

<sup>5</sup> Underwood, *Stephen Russell Mallory*, 203-208.

<sup>6</sup> *OR*, ser. 2, vol. 8: 893.

<sup>7</sup> *OR*, ser. 1, vol. 48: 1149; Edward S. Cooper, *Traitors: The Secession Period November 1860 – July 1861* (Madison: Rosemont Publishing & Printing Corp., 2008), 59.

<sup>8</sup> Paul H. Bergeron ed., *The Papers of Andrew Johnson: May – August 1865*, vol. VIII (Knoxville: University of Tennessee Press, 1967), 538-539.

<sup>9</sup> Pardon of Thomas O. Moore from President Andrew Johnson, January 15, 1867, Kuntz Louisiana Civil War Collection, Woodson Research Center, Fondren Library, Rice University, Houston Texas.

Moore was arrested and sent to Fort Pulaski in Savannah, Georgia.<sup>10</sup> In August, Moore received an “indefinite parole” and returned to his home in north Alabama where he continued to practice law. A month later, Joseph C. Bradley, a close friend, requested that President Andrew Johnson pardon Moore for his crimes. Bradley admitted that “Moore committed a high offense against the Government by ordering the taking [of] Fort Morgan and Mount Vernon Arsenal” while serving as Governor, but thought that Johnson should offer executive clemency to “restore loyalty” in Alabama. After some deliberation, on March 13, 1866, Johnson officially pardoned Moore for his role in instigating the war.<sup>11</sup>

---

<sup>10</sup> Glenn M. Linden, *Disunion, War, Defeat, and Recovery in Alabama: The Journal of Augustus Benners, 1850-1885* (Macon: Mercer University Press, 2007), 139; *OR*, ser. 1, vol. 49: 306, 810, 991.

<sup>11</sup> Paul H. Bergeron ed., *The Papers of Andrew Johnson: September 1865-January 1866*, vol. IX (Knoxville: University of Tennessee Press, 1967), 144-145.

## REFERENCES

### **Archives and Manuscripts**

Alabama Department of Archives and History, Montgomery, Alabama

Alabama Governor, Administrative Files, 1819-1866

Alabama Governor, Military correspondence, 1857-1861

Alabama Quartermaster General, Administrative files

Army of Alabama Administrative Files, 1861

Daniel Crawford Papers

E. Lewis Letter

Jeremiah Clemens Letters

John B. Todd Correspondence

John Gill Shorter Letters

Peter A. Brandon Papers

William Lowndes Yancey Papers

David M. Rubenstein Book & Manuscript Library at Duke University, Durham, North Carolina

Alexander Hamilton Stephens Papers

Alfred Huger Letterpress Books

Armistead Burt Papers

Benjamin Hedrick Papers

Campbell Family Papers

C.C. Clay Papers

James D.B. Be Bow Papers

John Fox Papers

Joseph E. Brown Papers

Joseph Belknap Smith Papers

Henry Watson Papers

Hershel V. Johnson Papers

Munford-Ellis Family Papers

Tillinghast Family Papers

William Patterson Smith Papers

Washington M. Smith Papers

Dolph Briscoe Center for American History, University of Texas at Austin, Austin, Texas

Edward Clark Papers, 1842-1910

Francis Richard Lubbock Papers, 1857-1884

Frontier Protection Records, 1857-1865

John Henry Brown Family Papers, 1691-1951

Judah Philip Benjamin Correspondence, 1850-1866

Joseph E. Brown Papers

Maury Maverick Papers

Sam Houston Paper  
 Zenas Randall Bliss Papers, 1854-1898  
 Georgia Archives, Marrow, Georgia  
     Governors' Correspondence (Joseph E. Brown)  
 Georgetown University, Manuscript Division, Washington, D.C.  
     Roosevelt Civil War Envelope Collection  
 Historical Society of Pennsylvania, Philadelphia, Pennsylvania  
     James Buchanan Papers  
     John B. Floyd Diary  
 Library of Congress, Washington, D.C.  
     B.B. French Diary  
     Clement Claiborne Correspondence  
     Edwin C. Fowler Correspondence  
     Instructions to Post Masters  
     James T. Pickett Papers  
     Jefferson Davis Correspondence  
     Jeremiah Black Papers  
     John G. Nicolay Papers  
     John Sherman Papers  
     Journal of the Congress of the Confederate States of America  
     Judah Philip Benjamin Correspondence  
     Logan Family Papers  
     Report of the Post Master General, Post Office Department, Richmond, VA, Nov. 27<sup>th</sup>, 1861  
 Library of Virginia, Richmond, Virginia  
     Correspondence Relating to the Armory (John Letcher)  
     Executive Papers of Governor John Letcher  
     Governor's communication enclosing letters from the governor of Maryland and from the President of the Georgia convention, January 28, 1861  
     Letters of John Letcher  
     Records of the Navy Department  
     Records of the Virginia Forces  
 Louisiana and Lower Mississippi Valley Collections, Hill Memorial Library, Louisiana State University, Baton Rouge, LA  
     Thomas Overton Moore Papers  
 Mississippi Department of Archives and History, Jackson, Mississippi  
     Advice and Consent Files, 1860  
     Communication from Hon. Peter B. Starke to J.J. Pettus  
     Correspondence and Papers, 1859-1863  
     Executive Journals, 1852-1874  
     John J. Pettus, Governor's Message  
 Missouri Historical Society, St. Louis Missouri  
     William K. Bixby Collection of Braxton Bragg Papers  
 National Archives at Washington, D.C., Washington, D.C.  
     Custom House Records, 1789-1955  
     Printed Confederate Records Relating to Florida, 1860-1865



Printed Confederate Records Relating to South Carolina, 1825-1863  
 Papers Relating to Various States of the Confederacy, 1860-1865)  
 South Carolina Department of Archives and History, Columbia, South Carolina  
 Francis W. Pickens Papers  
 State Archives of Florida, Tallahassee, FL  
 Florida Convention of the People Ordinances and Resolutions  
 Florida Governor Correspondence (Madison Perry)  
 State Governor's Incoming Correspondence (Madison Perry)  
 Tennessee State Library and Archives, Nashville, TN  
 Governor Isham G. Harris Papers  
 Texas State Archives, Austin, TX  
 Andrew Jackson Houston Collection, 1812-1941  
 Edward Clark Papers  
 Governor Samuel Houston Records, 1824-1862  
 Governor Edward Clark Records, 1861  
 Governor Francis Richard Lubbock Records, 1861-1904  
 John H. Reagan Collection 1835-1892  
 Texas Adjutant General's Department, Civil War records, 1855, 1860-1866 (mf)  
 Texas Secretary of State, Executive Record Book 1861 (microfilm)  
 Virginia Historical Society, Richmond, VA  
 Ashby Family Papers  
 Byrd Family Papers  
 Charles Edward Bates Papers  
 Claiborne Family Papers  
 Cocke Family Papers  
 Cook Family Papers  
 Holmes Conrad Papers  
 Flowerree Family Papers  
 Fulton Anderson Address  
 Georgia Commissioner to Virginia  
 Georgia Convention of the People  
 George William Bagby Letter  
 George W. Richardson Speech  
 James Ewell Brown Stuart Papers, 1852-1864  
 John Letcher, 1813-1884  
 Mary Lee Custis Papers  
 Mildred Gibson Lynch Diary  
 Robert Young Conrad Papers  
 Richard Eppes Diary  
 Woodson Research Center, Fondren Library, Rice University, Houston, TX  
 Kuntz Louisiana Civil War Collection  
 Pardon of Thomas O. Moore from President Andrew Johnson, January 15, 1867

## **Newspapers**

*Alabama Review*, Mobile, AL  
*Alabama State Sentinel*, Montgomery, AL

*Alamo Express*, San Antonio, TX  
*Albany Patriot*, Albany, GA  
*Arkansas True Democrat*, Little Rock, AK  
*Baltimore Sun*, Baltimore, MD  
*Boston Courier*, Boston, MA  
*Boston Daily Advertiser*, Boston, MA  
*Buffalo Daily Courier*, Buffalo, NY  
*Charleston Mercury*, Charleston, SC  
*Charleston Courier*, Charleston, SC  
*Cincinnati Daily Commercial*, Cincinnati, OH  
*Cincinnati Daily Press*, Cincinnati, OH  
*Countryman*, Bellville, TX  
*Daily Advocate*, Baton Rouge, LA  
*Daily Cleveland Herald*, Cleveland, OH  
*Daily Confederation*, Montgomery, AL  
*Daily Constitutionalist*, Augusta, GA  
*Daily Courier*, Louisville, KY  
*Daily Evening Bulletin*, San Francisco, CA  
*Daily Federal Union*, Milledgeville, GA  
*Daily Gazette*, Cincinnati, OH  
*Daily Globe*, Rutland, VT  
*Daily Journal*, Evansville, IN  
*Daily Mississippian*, Jackson, MS  
*Daily Morning News*, Savannah, GA  
*Daily Palladium*, New Haven, CT  
*Dallas Herald*, Dallas, TX  
*Delta*, New Orleans, LA  
*Democrat*, Kenosha, WI  
*Fayetteville Observer*, Fayetteville, NC  
*Federal Union*, Milledgeville, GA  
*Frank Leslie's Illustrated Newspaper*, New York, NY  
*Galveston Flakes Semi Weekly Bulletin*, Galveston, TX  
*Galveston Weekly News*, Galveston, TX  
*Harper's Weekly*, New York, NY  
*Indianapolis Daily Journal*, Indianapolis, IN  
*Janesville Rock Country Republican*, Janesville, WI  
*Journal of Commerce*, New York, NY  
*Kenosha Democrat*, Kenosha, WI  
*Memphis Appeal*, Memphis, TN  
*Memphis Daily Avalanche*, Memphis, TN  
*Milwaukee Daily Sentinel*, Milwaukee, WI  
*Mississippian*, Jackson, MS  
*Mobile Weekly Register and Advertiser*, Mobile AL  
*Montgomery Daily Advertiser*, Montgomery, AL  
*Montgomery Daily Mail*, Montgomery, AL  
*Morning Journal and Courier*, New Haven, CT

*Nashville Union and American*, Nashville, TN  
*National Intelligencer*, Washington, D.C.  
*New Orleans Daily Crescent*, New Orleans, LA  
*New Orleans Daily Delta*, New Orleans, LA  
*New York Evening Post*, New York, NY  
*New York Herald*, New York, NY  
*New York Ledger*, New York, NY  
*New York Times*, New York, NY  
*New York Tribune*, New York, NY  
*Philadelphia Evening Bulletin*, Philadelphia, PN  
*Philadelphia Inquirer*, Philadelphia, PN  
*Philadelphia Press*, Philadelphia, PN  
*Raleigh Register*, NC  
*Republican Banner*, Nashville, TN  
*Richmond Dispatch*, Richmond, VA  
*Richmond Daily Dispatch*, Richmond, VA  
*Richmond Enquirer*, Richmond, VA  
*Richmond Sentinel*, Richmond, VA  
*Sacramento Daily Union*, Sacramento, CA  
*San Antonio Express News*, San Antonio, TX  
*Savannah Republican*, Savannah, GA  
*Semi-Weekly Mississippian*, Jackson, MS  
*Southern Confederacy*, Richmond, VA  
*Southern Recorder*, Milledgeville, GA  
*Texas Observer*, San Antonio, TX  
*The Belton Democrat*, Belton, TX  
*The Colorado Citizen*, Columbus, TX  
*The Daily Cleveland Herald*, Cleveland, OH  
*The Daily Mississippian*, Jackson, MS  
*The Liberator*, Boston, MA  
*The Southern Intelligencer*, Austin, TX  
*The Standard*, Clarksville, TX  
*The Weekly Raleigh Register*, Raleigh, NC

### **Printed Primary Source**

*A Journal of the Proceedings of the House of Representatives of the General Assembly of the State of Florida, at its Tenth Session, Begun and Held at the Capitol in the City of Tallahassee, on Monday, November 26, 1860.* Tallahassee: Dyke and Carlisle, 1860.

*Acts of the General Assembly of the State of Georgia, Passed in Milledgeville at an Annual Session in November and December 1860.* Milledgeville: Boughton, Bisbet & Barnes, State Printers, 1861.

Avery, I. W., *The History of the State of Georgia from 1850 to 1881, Embracing the Three Important Epochs: The Decade before the War of 1861 -5; The War; The Period of*

- Reconstruction, With Portraits of the Leading Public Men of This Era.* New York: Brown and Derby Publishers, 1881.
- Basler, Roy P. ed. *The Collected Works of Abraham Lincoln* vol. IV. New Brunswick: Rutgers University Press, 1953.
- Bergeron, Paul H. ed. *The Papers of Andrew Johnson.* 16 vols. Knoxville: University of Tennessee Press, 1967.
- Brackett, Albert G. *History of the United States Cavalry: From the Formation of the Federal Government to the 1<sup>st</sup> of June 1863.* New York: Harper & Brothers, Publishers, 1865.
- Brown, Aaron V. *Speeches, Congressional and Political, and Other Writings of Ex-Governor Aaron V. Brown.* Nashville: John L. Marling and Company, 1854.
- Candler, Allen D. ed, *The Confederate Records of the State of Georgia: Compiled and Published Under Authority of the Legislature,* vol. III. Atlanta: Chas P. Byrd, State Printer, 1910.
- Cike, Donald B. and McDonough, John J. eds. *Benjamin Brown French: Witness to the Young Republic, A Yankee's Journal, 1828-1879.* Hanover: University Press of New England, 1989.
- "Collection of Duties in the Seceding States &c.," United States House of Representatives, 36<sup>th</sup> Congress, 2d. Session, Ex. Doc. NO. 72. Washington, D.C.: U.S. Government Printing Office, 1861.
- Congressional Globe*, 35<sup>th</sup> Cong. 2<sup>nd</sup> sess. Washington, D.C.: U.S. Government Printing Office.
- Congressional Globe*, 36<sup>th</sup> Cong., 1<sup>st</sup> sess. Washington, D.C.: U.S. Government Printing Office.
- Cox, Samuel S. *Union-Disunion-Reunion. Three Decades of Federal Legislation 1855 to 1885. Personal and Historical Memories of Events Preceding, During, and Since the American Civil War, Involving Slavery and Secession, Emancipation and Reconstruction, with Sketches of Prominent Actors During these Periods.* Providence: J.A. & R.A. Reid Publishers, 1885.
- Crawford, Samuel Wylie. *The Genesis of the Civil War: The Story of Fort Sumer, 1860-1861.* New York: New York, C.L. Webster & Company, 1887.
- Crist, Lynda Lasswell and Dix, Mary Seaton eds. *The Papers of Jefferson Davis* vol. VII. Baton Rouge: Louisiana State University Press, 1992.
- Davis, Jefferson. *The Rise and Fall of the Confederate Government.* 2 vols. New York: D.Appleton & Co., 1881.

- Derby, John Barton. *Political Reminiscences, Including a Sketch of the Origin and History of the Statesman Party of Boston*. Boston: Homer and Palmer, 1835.
- Dix, John A. *Speeches and Occasional Addresses*. 2 vols. New York: D. Appleton and Company, 1864.
- Dix, Morgan, ed. *Memoirs of John Adams Dix*, vol. I. New York: Harper & Brothers, 1883.
- Doubleday, Abner, *Reminiscences of Fort Sumter and Fort Moultrie in 1860 and 1861*. New York: Harper & Brothers, Publishers, 1875.
- Dumond, Dwight Lowell. *Southern Editorials on Secession*. New York: The Century Company, 1931.
- Freidel, Frank ed. *Union Pamphlets of the Civil War 1861-1865*. Vol. I. Cambridge: Harvard University Press, 1967.
- Garrett, William. *Reminiscences of Public Men in Alabama, for Thirty Years. With an Appendix*. Atlanta: Plantation Publishing Company's Press, 1872.
- Graf, Leroy P. and Haskins, Ralph W. eds., *The Papers of Andrew Johnson* vol. IV, 1860-1861. Knoxville: The University of Tennessee Press, 1976.
- Grant, Ulysses Simpson. *Personal Memoirs of U.S. Grant*. 2 vols. New York: The Century Co., 1903.
- Hamilton, James A. *Reminiscences of James A. Hamilton of Men and Events, at Home and Abroad, During Three Quarters of a Century*. New York: Charles Scribner & Co., 1869.
- Hammond, Harold Earl, ed., *Maria Lydig Daly: Diary of a Union Lady 1861-1865*. Lincoln: University of Nebraska Press, 2000.
- Harris, W. A., *The Record of Fort Sumter, From Its Occupation by Major Anderson, to Its Reduction by South Carolina Troops During the Administration of Governor Pickens*. Columbia: South Carolina Steam Printing Job Printing Office, 1862.
- Johannsen, Robert W. ed., *The Letters of Stephen A. Douglas*. Urbana: University of Illinois Press, 1961.
- Johnson, Sidney Smith. *Texans Who Wore the Gray*. Tyler, Texas, 1907.
- Journal of the Convention of the People of South Carolina, held in 1860, 1861, and 1862 Together with the Ordinances, Reports, Resolutions, etc.* Columbia: R.W. Gibbes, 1862.

*Journal of the Public and Secrete Proceedings of the Convention of the People of Georgia: Held in Milledgeville and Savannah In 1861, Together with the Ordinances Adopted.* Milledgeville: Boughton Nisbet & Barnes, 1861.

*Journal of the Proceedings of the Senate of the General Assembly, of the State of Florida, at the Tenth Session, Begun and Held at the Capitol, in the City of Tallahassee, on Monday, November 26, 1860.* Tallahassee: Hart & Barefoot, 1860.

*Journal of the Secession Convention of Texas, 1861*, Edited from the original in the department of state by Ernest William Winkler, State Librarian. Texas Library and Historical Commission the State Library. Austin. Austin Print. Co., 1912.

*Journal of South Carolina, Held in 1860- '61. Together with the Reports, Resolutions, Ordinances, &c. Also, the Constitution of South Carolina, of the Provisional Government and of the Confederate States of America.* Charleston: Evans & Cogswell, 1861.

King, Horatio. *Turning on the Light: A Dispassionate Survey of President Buchanan's Administration, From 1860 to Its Close.* Philadelphia: J.B. Lippincott Co., 1895.

Lawrence, George ed. *Journey to America.* New York: Doubleday & Co., 1971.

*Life and Reminiscences of Jefferson Davis, by Distinguished Men of His Time.* Baltimore: R. H. Woodward & Company, 1890.

Mackey, Thomas C. *A Documentary History of the American Civil War Era*, vol. 2. Knoxville: University of Tennessee Press, 2013.

Mayer, J.P. ed. *Democracy in America.* New York: Doubleday & Co., 1971.

McPherson, Edward. *The Political History of the United States of America during the Great Rebellion: Including a Classified Summary of the Legislation of the Second Secession of the Thirty-Sixth Congress, the three Sessions of the Thirty-Seventh Congress, the First Session of the Thirty-eight Congress, with the Votes Thereon, and the Important Executive, Judicial, and Politico-Military Facts of that Eventful Period; Together with the Organization, Legislation, and General Proceedings of the Rebel Administration; and an Appendix Containing the Principal Political Facts of the Campaign of 1864, a Chapter on the Church and the Rebellion, and the Proceedings of the Second Session of the Thirty-Eighth Congress.* Washington, D.C.: Philip & Solomons, 1865.

Moore, Frank ed. *Songs of the Soldiers.* New York: George P. Putnam, 1864.

Moore, John Bassett ed. *The Works of James Buchanan: Comprising his Speeches, State Papers, and Private Correspondence.* 12 vols. New York: Antiquarian Press LTD, 1960.

McPherson, Edward. *Political History of the United States of America, during the Great Rebellion.* Washington, D.C.: Philip & Solomons, 1865.

Nicolay, John G. and hay, John. *Abraham Lincoln A History*, vol. II. New York: The Century Co., 1909.

*Official Records of the Union and Confederate Navies in the War of the Rebellion*. 31 vols. Washington, D.C.: Government Printing Office, 1894-1922.

*Ordinances and Constitution of the State of Alabama, with the Constitution of the Provisional Government and of the Confederate States of American*. Montgomery: Barrett, Wimbish & Co., Steam Printers and Binders, 1861.

Pollard, Edward Alfred. *The Southern Spy. Letters on the Policy and Inauguration of the Lincoln War. Written Anonymously in Washington and Elsewhere*. Richmond: West & Johnston, 1861.

*Proceedings of the Mississippi State Convention, Held January 7<sup>th</sup> to 26<sup>th</sup>, A.D. 1861. Including the Ordinances, as Finally Adopted, Important Speeches, and a List of Members, Showing the Postoffice, Profession, Nativity, Politics, Age, Religious Pre*. Jackson: Power & Cadwallader, Book and Job Printers, 1861.

*Report of the Postmaster General*. Post Office Department. Richmond: Confederate States of America, 1861.

*Reports of the Select Committee of Five*, 36<sup>th</sup> Congress, 2<sup>nd</sup> Session, Report No. 91. Washington, D.C.: Government Printing Office, 1861.

Reeve, Henry. *Democracy in America*. New York: Scatchered and Adams, 1839.

Roberts, Madge Thornall ed., *The Personal Correspondence of Sam Houston*, vol. IV. Denton: University of North Texas Press, 2001.

Roberts, Oran M. *Confederate Military History*, vol. 11. Atlanta: Confederate Publishing Company, 1899.

Scott, Winfield. *Memoirs of Lieut. –General Scott, LL.D.* New York: Sheldon & Company, 1864.

*Senate Journal of the Second Extra Session of the Thirty-Third General Assembly of the State of Tennessee, which Convened at Nashville on Thursday, the 25<sup>th</sup> Day of April, A.D. 1861*. Nashville: J.O. Griffith and Co., 1861.

Simpson, Brooks D. and Berlin, Jean V. eds. *Sherman's Civil War: Selected Correspondence of William T. Sherman, 1860-1865*. Chapel Hill: The University of North Carolina Press, 1999.

Smith, William Russell. *The History and Debates of the Convention of the People of Alabama. Begun and Held in the City of Montgomery, on the Seventh Day of January, 1861; in Which is Preserved the Speeches of the Secret Sessions, and Many Valuable State Papers.* Montgomery: White, Pflster & Co., 1861.

*Speech of Judge Burbank in the State of California, February 27, 1861, on the Crittenden Compromise Resolutions.* Sacramento: J. Anthony & Co., Printers, 1861.

Tincor, George Curtis. *Life of James Buchanan, fifteenth President of the United States*, 2 vols. New York: Harper & Brothers, 1883.

*The Correspondence Between the Commissioners of the State of So. Ca. to the Government at Washington and the President of the United States: Together with the Statement of Messrs. Miles and Keitt.* Charleston: Evans & Cogswell, 1861.

Thoreau, Henry David. *Walden.* Princeton: Princeton University Press, 1971.

Thornbrough, Gayle et al. eds., *The Diary of Calvin Fletcher*, vol. VI 1857-1860. Indianapolis: Indiana Historical Society, 1978.

\_\_\_\_\_. *The Diary of Calvin Fletcher*, vol. VII, 1861-1862. Indianapolis: Indiana Historical Society, 1980.

Tenney, W.J. *The Military and Naval History of the Rebellion in the United States.* New York: D. Appleton & Company, 1867.

Tocqueville, Alexis de. *Democracy in America.* vol 1. New York: Everyman's Library, 1994.

*War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies.* 128 vols. Washington, D.C.: Government Printing Office, 1880-1901.

Williams, Amelia W. and Barker, Eugene C. eds., *The Writings of Sam Houston 1813-1863*, v vols. VII and VIII. Austin: Pemberton Press, 1970.

## **Secondary Sources**

### **Books**

Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism, Revised Edition.* New York: Verso, 2006.

Aston, B. W. and Taylor, Ira Donathan. *Along the Texas Forts Trail.* Denton: University of North Texas Press, 1997.

Ayers, Steve. *Camp Verde.* Charleston: Arcadia Publishing, 2010.

Baker, Jean H. *James Buchanan.* New York: Times Books, 2004.



- Baringer, William E. *A House Dividing: Lincoln as President Elect*. Springfield: Abraham Lincoln Association, 1945.
- Baum, Dale. *Shattering of Texas Unionism: Politics in the Lone Star State During the Civil War Era*. Baton Rouge: Louisiana State University Press, 1999.
- Beringer, Richard E. et. al, *Why the South Lost the Civil War*. Athens: University of Georgia Press, 1986.
- Blair, William A. *With Malice Toward Some: Treason and Loyalty in the Civil War Era*. Chapel Hill: The University of North Carolina Press, 2014.
- Bonner, Robert E. *Mastering America: Southern Slaveholders and the Crisis of American Nationhood*. Cambridge: Cambridge University Press, 2009.
- Bowden, J.J., *The Exodus of Federal Forces from Texas, 1861*. Austin: Eakin Press, 1986.
- Brigance, William N. *Jeremiah Sullivan Black: A Defender of the Constitution and the Ten Commandments*. Philadelphia: University of Pennsylvania Press, 1934.
- Buenger, Walter L. *Secession and the Union in Texas*. Austin: University of Texas Press, 1984.
- Burlingame, Michael. *Abraham Lincoln: A Life* vol. II. Baltimore: The Johns Hopkins University Press, 2008.
- Cauthen, Charles E. *South Carolina Goes to War 1860 – 1865*. Columbia: University of South Carolina Press, 1950.
- Channing, Steven A. *Crisis of Fear: Secession in South Carolina*. New York: Simon and Schuster, 1970.
- Cooper, William J. *The South and the Politics of Slavery, 1828 -1856*. Baton Rouge: Louisiana State University Press, 1980.
- \_\_\_\_\_. *We Have the War Upon Us: The Onset of the Civil War, November 1860 - April 1861*. New York: Alfred A. Knof, 2012.
- Coulter, E. Merton. *The South During Reconstruction, 1865-1877: A History of the South*. Baton Rouge: Louisiana State University Press, 1947.
- \_\_\_\_\_. *The Confederate States of America 1861- 1865*. Baton Rouge: Louisiana State University Press, 1950.
- Crofts, Daniel W. *Reluctant Confederates: Upper South Unionists and the Secession Crisis*. Chapel Hill: The University of North Carolina Press, 1993.

\_\_\_\_\_. *A Secession Crisis Enigma: William Henry Hurlbert and "The Diary of a Public Man."* Baton Rouge: Louisiana State University Press, 2010.

Crown, Francis J. Jr., *Confederate Postal History: An Anthology From the Stamp Specialist*. Lawrence: Quarterman Publications, 1976.

Currie, David P. *The Constitution in Congress: Descent into the Maelstrom, 1829-1861*. Chicago: The University of Chicago Press, 2005.

Curtis, George T. *Life of James Buchanan Fifteenth President of the United States*, vol. II. New York: Harper & Brothers, 1883.

Davis, David Brion. *The Slave Power Conspiracy and the Paranoid Style*. Baton Rouge: Louisiana State University Press, 1969.

Davis, William C. *A Government of Our Own: The Making of the Confederacy*. New York: The Free Press, 1994.

\_\_\_\_\_. *Look Away: A History of the Confederate States of America*. New York: The Free Press, 2002.

Dougan, Michael B. *Confederate Arkansas: The People and Policies of a Frontier State in Wartime*. Tuscaloosa: University of Alabama Press, 1995.

Dumond, Dwight. *The Secession Movement 1860-1861*. New York: The Macmillan Company, 1931.

Diezt, August. *The Postal Service of the Confederate States of America*. Richmond: Diezt Press, 1929.

Escott, Paul D. *After Secession: Jefferson Davis and the Failure of Confederate Nationalism*. Baton Rouge: Louisiana State University Press, 1978.

Faust, Drew Gilpin. *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South*. Baton Rouge: Louisiana State University Press, 1988.

Fellman, Michael. *The Making of Robert E. Lee*. Baltimore: Johns Hopkins University Press, 2003.

Freehling, William W. *The Road to Disunion: Volume II Secessionists Triumphant 1854 - 1861*. New York: Oxford University Press, 2007.

\_\_\_\_\_. *The South vs. The South: How Anti-Confederate Southerners Shaped the Course of the War*. New York: Oxford University Press, 2002.

- Ford, Lacy K. *Origins of Southern Radicalism: The South Carolina Upcountry, 1800-1860*. New York: Oxford University Press, 1991.
- Foner, Eric. *The Fiery Trail: Abraham Lincoln and American Slavery*. New York: W.W. Norton & Company, 2010.
- \_\_\_\_\_. *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War*. New York: Oxford University Press, 1970.
- Fowler, Dorthy Ganfield. *The Cabinet Politician: The Postmasters General, 1829-1909*. New York: Columbia University Press, 1943.
- Gallagher, Gary W. *The Confederate War: How Popular Will, Nationalism, and Military Strategy Could Not Stave Off Defeat*. Cambridge: Harvard University Press, 1997.
- \_\_\_\_\_. *Becoming Confederates: Paths to a New National Loyalty*. Athens: The University of Georgia Press, 2013.
- Gallagher, Gary W. and Sheldon, Rachel A. eds. *A Political Nation: New Direction in Mid-Nineteenth-Century American Political History*. Charlottesville: University of Virginia Press, 2012.
- Graham, Hugh D. and Gurr, Ted R. *The History of Violence in America: Historical and Comparative Perspectives*. New York: Frederick A. Praeger, 1969.
- Guss, John Walker. *Fort Pulaski*. Mount Pleasant: Arcadia Publishing, 2015.
- Hamlinen, Pekka. *The Comanche Empire*. New Haven: Yale University Press, 2009.
- Hewitt, Elizabeth. *Correspondence and American Literature, 1770-1865*. Cambridge: Cambridge University Press, 2005.
- Hobsbawm, E.J. *Nations and Nationalism Since 1780: Programme, Myth, Reality*. Cambridge: Cambridge University Press, 1990.
- Holzer, Harold. *Lincoln President-Elect: Abraham Lincoln and the Great Secession Winter 1860-1861*. New York: Simon & Schuster Paperbacks, 2008.
- Howell, Kenneth Wayne. *Texas Confederate, Reconstruction Governor: James Webb Throckmorton*. College Station: Texas A&M University Press, 2008.
- Huber, Leonard Victor and Wagner, Clarence August. *The Great Mail: A Postal History of New Orleans*. State College, Pa: The American Philatelic Society, Inc., 1949.
- Kern, Florence. *The United States Revenue Cutters in the Civil War*. Washington, D.C.: A U.S. Coast Guard Bicentennial Publication, 1976.

King, Irving H. *George Washington's Coast Guard: Origins of the U.S. Revenue Cutter Service, 1789-1801*. Annapolis: Naval Institute Press, 1978.

\_\_\_\_\_. *The Coast Guard Under Sail: The U.S. Revenue Cutter Service, 1789-1865*. Annapolis: Naval Institute Press, 1989.

Klein, Maury. *Days of Defiance: Sumter, Secession, and the Coming of the Civil War*. New York: Alfred A Knopf, 1997.

Klein, Philip Shriver. *President James Buchanan: A Biography*. University Park: The Pennsylvania State University Press, 1962.

Klunder, William Carl. *Lewis Cass and the Politics of Moderation*. Kent: Kent State University Press, 1996.

Johnson, Robert Underwood and Buel, Clarence Clough. *Battles and Leaders of the Civil War*, vol. 1. New York: The Century Co., 1887.

Linden, Glenn M. *Disunion, War, Defeat, and Recovery in Alabama: The Journal of Augustus Benners, 1850-1855*. Macon: Mercer University Press, 2007.

Link, William A. *Roots of Secession: Slavery and Politics in Antebellum Virginia*. Chapel Hill: University of North Carolina Press, 2003.

Lossing, Benson John. *Pictorial History of the Civil War in the United States of America*, vol. 1. Mansfield: Estill & Co., Publishers, 1866.

Luther, Joseph. *Camp Verde: Texas Frontier Defense*. Charleston: The History Press, 2012.

Matloff, Maurice ed., *American Military History*. Washington, D.C.: Office of the Chief Military History, 1969.

\_\_\_\_\_. *The Civil War: A Concise Military History of the War Between the States, 1861-1865*. New York: David McKay Company, 1978.

Mayer, Arno J. *Dynamics of Counterrevolution in Europe, 1870-1956: An Analytic Framework*. New York: Harper & Row, 1971.

McCardell, John. *The Idea of a Southern Nation: Southern Nationalists and Southern Nationalism, 1830-1860*. New York: W. W. Norton & Company, 1981.

McCaslin, Richard B. *Fighting Stock: "Rip" Ford of Texas*. Fort Worth: Texas Christian University Press, 2012.

- McClintock, Russell. *Lincoln and the Decision for War: The Northern Response to Secession*. Chapel Hill: The University of North Carolina Press, 2008.
- McCurry, Stephanie. *Masters of Small World: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country*. New York: Oxford University Press, 1997.
- McPherson, James M. *Battle Cry of Freedom: The Civil War Era*. New York: Oxford University Press, 1988.
- \_\_\_\_\_. *Abraham Lincoln and the Second American Revolution*. New York: Oxford University Press, 1992.
- \_\_\_\_\_. *For Cause and Comrades: Why Men Fought in the Civil War*. New York: Oxford University Press, 1998.
- Miller, William Lee. *President Lincoln: The Duty of a Statesman*. New York: Vintage Books, 2008.
- Morrison, Michael A. *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War*. Chapel Hill: The University of North Carolina Press, 1997.
- Nevins, Allan. *The Emergence of Lincoln: Prologue to Civil War 1859-1861*. New York: Charles Scribner's Sons, 1950.
- Newell, Clayton and Shrader. *Of Duty Well and Faithfully Done: A History of the Regular Army in the Civil War*. Lincoln: University of Nebraska Press, 2011.
- Nichols, Roy Franklin. *The Disruption of American Democracy*. New York: The Macmillan Company, 1948.
- Oakes, James. *Freedom National: The Destruction of Slavery in the United States, 1861-1865*. New York: W.W. Norton & Company, 2010.
- Oates, Stephen B. *To Purge This Land with Blood: A Biography of John Brown*. Amherst: University of Massachusetts Press, 1984.
- \_\_\_\_\_. *The Scorpion's Sting: Antislavery and the Coming of the Civil War*. New York: W.W. Norton & Company, 2014.
- Parks, William S. *Civil War Postal History of Natchez, Mississippi*. Gloucester: Confederate Stamp Alliance, 2002.
- \_\_\_\_\_. *Pursuit of Unity: A Political History of the American South*. Chapel Hill: The University of North Carolina Press, 2012.

- Parks, Joseph Howard. *Joseph E. Brown*. Baton Rouge: Louisiana State University Press, 1999.
- Perman, Michael ed. *The Coming of the American Civil War, 3<sup>rd</sup> edition*. Lexington: D.C. Heath and Company, 1993.
- Perman, Michael. *Pursuit of Unity: A Political History of the American South*. Chapel Hill: The University of North Carolina Press, 2009.
- Potter, David, M. *Lincoln and His Party During the Secession Crisis*. New Haven: Yale University Press, 1942.
- \_\_\_\_\_. *The Impending Crisis 1848-1861*. New York: Harper and Row, 1976.
- \_\_\_\_\_. *The South and the Sectional Conflict*. Baton Rouge: Louisiana State University Press, 1968.
- Procter, Ben H. *Not Without Honor: The Life of John H. Reagan*. Austin: University of Texas Press, 1962.
- Quigley, Paul. *Shifting Grounds: Nationalism and the American South, 1848-1865*. New York: Oxford University Press, 2011.
- Rable, George C. *The Confederate Republic: A Revolution Against Politics*. Chapel Hill: The University of North Carolina Press, 1994.
- Reséndez, Andrés. *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850*. Cambridge: Cambridge University Press, 2004.
- Reynolds, Donald E. *Editors Make War: Southern Newspapers in the Secession Crisis*. Nashville: Vanderbilt University Press, 1970.
- Richards, Leonard L. *The Slave Power: The Free North and Southern Domination 1789-1860*. Baton Rouge: Louisiana State University Press, 2000.
- Rister, Carl Coke. *Robert E. Lee in Texas*. Norman: University of Oklahoma Press, 1956.
- Saunders, Robert Jr. *John Archibald Campbell: Southern Moderate, 1811-1889*. Tuscaloosa: The University of Alabama, 1997.
- Sesser, David. *The Little Rock Arsenal Crisis: On the Precipice of the American Civil War*. Charleston: The History Press, 2013.
- Siddali, Silvana R. *From Property to Person: Slavery and the Confiscation Acts, 1861-1862*, Baton Rouge: Louisiana State University Press, 2005.

- Sitterson, Joseph Carlyle. *The Secession Movement in North Carolina*. Chapel Hill: The University of North Carolina Press, 1939.
- Smith, Elbert B. *The Presidency of James Buchanan*. Lawrence: University of Kansas Press, 1975.
- Smith, Mark A. *Engineering Security: The Corps of Engineers and Third System of Defense Policy, 1815-1861*. Tuscaloosa: The University of Alabama Press, 2009.
- Stamp, Kenneth M. *The Imperiled Union: Essays on the Background of the Civil War*. New York: Oxford University Press, 1980.
- \_\_\_\_\_. *And Then the War Came: The North and the Secession Crisis, 1860-1861*. Baton Rouge: Louisiana State University Press, 1950.
- Thomas, Emory M. *The Confederate Nation 1861-1865*. New York: Harper Perennial, 1979.
- \_\_\_\_\_. *The Confederacy as a Revolutionary Experience*. Columbia: The University of South Carolina Press, 1971.
- Thompson, Jerry. *Cortina: Defending the Mexican Name in Texas*. College Station: Texas A&M University Press, 2013.
- Thornton, J. Mills. *Politics and Power in a Slave Society: Alabama, 1800-1860*. Baton Rouge: Louisiana State University Press, 1978.
- Tilley, John Shipley. *Lincoln Takes Command*. Nashville: Bill Coats, Ltd., 1991.
- Underwood, Rodman L. *Stephen Russell Mallory: A Biography of the Confederate Navy Secretary and United States Senator*. New York: McFarland & Company, 2005.
- Weigly, Russell F. *The American Way of War: A History of the United States Military Strategy and Policy*. New York: Macmillan Press, 1973.
- \_\_\_\_\_. *History of the United States Army*, Enlarged edition. Bloomington: Indiana University Press, 1984.
- \_\_\_\_\_. *A Great Civil War: A Military and Political History, 1861 -1865*. Bloomington: Indiana University Press, 2000.
- Wilson, Walter E. and McKay, Gary L. *James D. Bulloch: Secret Agent and Mastermind of the Confederate Navy*. Jefferson: McFarland & Company, Inc., 2012.
- Wheeler, Russell R. and Harrison, Cynthia. *Creating the Federal Judicial System*, 2<sup>nd</sup> ed. Washington, D.C.: Federal Judicial Center, 1994.

White, Leonard D. *The Jacksonians: A Study in Administrative History 1829-1861*. New York: The Macmillan Company, 1954.

Wooster, Ralph. *The Secession Conventions of the South*. Princeton: Princeton University Press, 1962.

Yearns, Buck W. ed. *The Confederate Governors*. Athens: University of Georgia Press, 1985.

### Articles

Baum, Dale. "Pinpointing Apparent Fraud in the 1861 Texas Secession Referendum." *Journal of Interdisciplinary History* 22 (Autumn 1991), 201 – 221.

Bearss, Edwin C. "The Seizure of the Forts and Public Property in Louisiana." *The Journal of Louisiana Historical Association* 2 (Autumn 1961), 401-409.

\_\_\_\_\_. "Civil War Operations in and Around Pensacola." *The Florida Historical Quarterly* 36 (October 1957), 125-165.

Belz, Herman. "Lincoln's Construction of the Executive Power in the Secession Crisis." *Journal of the Abraham Lincoln Association* 27 (Winter 2006), 13 – 38.

Bennett, James D. "Joseph Holt: Retrenchment and Reform in the Post Office Department, 1859-1860." *Filson Club History Quarterly* 49 (October 1975), 309-322.

Bonner, Robert E. "Proslavery Extremism Goes to War: The Counterrevolutionary Confederacy and Reactionary Militarism." *Modern Intellectual History* 6 (August 2009), 261-285.

Brown, Russell K. "An Old Woman with a Broomstick: General David E. Twiggs and the U.S. Surrender in Texas, 1861." *Military Affairs* 48 (April 1984), 57 - 61.

Buenger, Walter L. "Texas and the Riddle of Secession." *The Southwestern Historical Quarterly* 18 (October 1983), 151-182.

Crofts, Daniel W. "Secession Winter: William Henry Seward and the Decision for War." *New York History* 65 (July 1984), 229-256.

Garrison, L.R. "Administrative Problems of the Confederate Post Office Department." *The Southwestern Historical Quarterly* 19 (October 1915), 111 -141.

Gourdin, Robert Newman. "1860 Association." *The Georgia Historical Quarterly*, 55 (Winter 1971), 501 – 509.

Gunn, Jack W. "Ben McCulloch: A Big Captain." *Southwestern Historical Quarterly* 58 (July 1954), 1 – 21.



- Hall, Kermit L. "The Civil War Era as a Crucible for Nationalizing the Lower Federal Courts." *Prologue* (Fall 1976), 177- 186.
- Hall, Marin Hardwick. "The Formation of Sibley's Brigade and the March to New Mexico." *The Southwestern Historical Quarterly* 61 (January 1958), 383 – 405.
- Howell, Kenneth Wayne. "When the Rabble Hiss, Well May Patriots Tremble": James Webb Throckmorton and the Secession Movement in Texas, 1854-1861." *The Southwestern Historical Quarterly* 109 (April 2006), 464-493.
- Hunt, Gaillard. "Narrative and Letter of William Henry Trescot, Concerning the Negotiations between South Carolina and President Buchanan in December, 1860." *The American Historical Review* 13 (April 1908), 528-556.
- McCaleb, Walter Flavius. "The Organization of the Post-Office Department of the Confederacy." *The American Historical Review* 12 (October 1906), 66-74.
- Nicklason, Fred. "The Secession Winter and the Committee of Five." *Pennsylvania History* 38 (October 1971), 372-388.
- Procter, Ben H. "John H. Reagan and the Confederate Post Office Department." *The Georgia Review* 11 (Winter 1957), 387-399.
- Randall, James G. "Captured and Abandoned Property During the Civil War." *The American Historical Review* 19 (October 1913), 65-79.
- Reid, Brain Holden. "The Crisis at Fort Sumter in 1861 Reconsidered." *History* 77 (February 1992), 3-32.
- Riggs, David F. "Robert Young Conrad and the Ordeal of Secession." *The Virginia Magazine of History and Biography* 86 (July 1978), 259-274.
- Rogers, W. McDowell. "Seizure of United States' Lands By Seceding Sates." *The Georgia Historical Quarterly* 18 (September 1934), 264-269.
- Scroggins, Mark. "Georgia, New York, and Muskets on the Eve of the Civil War." *The Georgia Historical Quarterly* 89 (Fall 2005), 318-333.
- Siddali, Silvana R. "The Sport of Folly and the Prize of Treason: Confederate Property Seizures and the Northern Home Front in the Secession Crisis." *Civil War History* 47 (December 2001), 310-333.
- Stampf Kenneth M. "Lincoln and the Strategy of Defense in the Crisis of 1861." *The Journal of Southern History*, 11 (August 1945), 297-323.

- Stegmaire, Mark J. "An Ohio Republican Stirs Up the House: The Blake Resolution of 1860 and the Politics of the Sectional Crisis in Congress." *Ohio History*, 116, (2009), 62 -87.
- Timmons, Joe T. "The Referendum in Texas on the Ordinance of Secession, February 23, 1861: The Vote." *East Texas Historical Journal*, 11 (Fall 1971), 12 – 28.
- Wyatt-Brown, Bertram. "The Abolitionists' Postal Campaign of 1835." *The Journal of Negro History*, 50 (October 1965), 227-238.
- Wyly-Jones, Susan. "The 1835 Anti-Abolition Meetings in the South: A New Look at the Controversy over the Abolition Postal Campaign." *Civil War History*, 47 (December 2001), 289-309.