

Exhibit 111

in the case of:

**People of the Republic of Texas
and the
Sovereign Nation of the Republic of Texas**

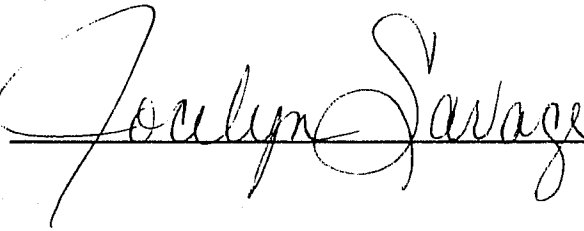
v.

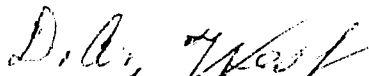
**UNITED NATIONS
(and all it's Political Subdivisions)
and
UNITED STATES
(and all it's Political Subdivisions)**

Under Pains and Penalties of perjury and the laws of the Almighty, and being sworn under a vow and oath, I attest that the attached pages are true and correct reprints of the

**Message to Congress - April 29, 1861
(Ratification of the Constitution); from The Avalon Project at the Yale Law School.**

This attestation is made on August 9, 1998.

Attest: 


Witness to scan and above signature


Witness to above signatures

Message to Congress April 29, 1861 (Ratification of the Constitution)

MONTGOMERY, April 29, 1861.

Toolbar

Gentlemen of the Congress: It is my pleasing duty to announce to you that the Constitution framed for the establishment of a permanent Government for the Confederate States has been ratified by conventions in each of those States to which it was referred. To inaugurate the Government in its full proportions and upon its own substantial basis of the popular will, it only remains that elections should be held for the designation of the officers to administer it. There is every reason to believe that at no distant day other States, identified in political principles and community of interests with those which you represent, will join this Confederacy, giving to its typical constellation increased splendor, to its Government of free, equal, and sovereign States a wider sphere of usefulness, and to the friends of constitutional liberty a greater security for its harmonious and perpetual existence. It was not, however, for the purpose of making this announcement that I have deemed it my duty to convoke you at an earlier day than that fixed by yourselves for your meeting. The declaration of war made against this Confederacy by Abraham Lincoln, the President of the United States, in his proclamation issued on the 15th day of the present month, rendered it necessary, in my judgment, that you should convene at the earliest practicable moment to devise the measures necessary for the defense of the country. The occasion is indeed an extraordinary one. It justifies me in a brief review of the relations heretofore existing between us and the States which now unite in warfare against us and in a succinct statement of the events which have resulted in this warfare, to the end that mankind may pass intelligent and impartial judgment on its motives and objects. During the war waged against Great Britain by her colonies on this continent a common danger impelled them to a close alliance and to the formation of a Confederation, by the terms of which the colonies, styling themselves States, entered "severally into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever." In order to guard against any misconstruction of their compact, the several States made explicit declaration in a distinct article - that "each State retains its Sovereignty, freedom, and - independence, and every power, jurisdiction and right which is not by this Confederation expressly delegated to the United States in Congress assembled."

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

contained a clause whereby all alterations were prohibited unless confirmed by the Legislatures of every State after being agreed to by the Congress; and in obedience to this provision, under the resolution of Congress of the 21st of February, 1787, the several States appointed delegates who attended a convention "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several Legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the States, render the Federal Constitution adequate to the exigencies of Government and the preservation of the Union." It was by the delegates chosen by the several States under the resolution just quoted that - the Constitution of the United States was framed in 1787 and submitted to the several States for ratification, as shown by the seventh article, which is in these words: "The ratification of the conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same." I have italicized certain words in the quotations just made for the purpose of attracting attention to the singular and marked caution with which the States endeavored in every possible form to exclude the idea that the separate and independent sovereignty of each State was merged into one common government and nation, and the earnest desire they evinced to impress in the Constitution its true character - that of a compact between independent States. The Constitution of 1787, having, however, omitted the clause already recited from the Articles of Confederation, which provided in explicit terms that each State retained its sovereignty and independence, some alarm was felt in the States, when invited to ratify the Constitution, lest this omission should be construed into an abandonment of their cherished principle, and they refused to be satisfied until amendments were added to the Constitution placing beyond any pretense of doubt the reservation by the States of all their sovereign rights and powers not expressly delegated to the United States by the Constitution. Strange, indeed, must it appear to the impartial observer, but it is none the less true that all these carefully worded clauses proved unavailing to prevent the rise and growth in the Northern States of a political school which has persistently claimed that the government thus formed was not a compact between States, but was in effect a national government, set up above and over the States. An organization created by the States to secure the blessings of liberty and independence against foreign aggression, has been gradually perverted into a machine for their control in their domestic affairs. The creature has been exalted above its creators; the principals have been made subordinate to the agent appointed by themselves. The people of the Southern States, whose almost exclusive occupation was agriculture, early perceived a tendency in the Northern States to render the common government subservient to their own purposes by imposing burdens on commerce as a protection to their manufacturing and shipping interests. Long and angry controversies grew out of these attempts, often successful, to benefit one section of the country at the expense of the other. And the danger of disruption arising from this cause was enhanced by the fact that the Northern population was increasing, by immigration and other causes, in a greater ratio than the population of the South. By degrees, as the Northern States gained preponderance in the National Congress, self-interest taught their people to yield ready assent to any plausible advocacy of their right as a majority to govern the minority without control. They learned to listen with impatience to the suggestion of any constitutional impediment to the exercise of their will, and so utterly have the principles of the Constitution been corrupted in the Northern mind that, in the inaugural address delivered

by President Lincoln in March last, he asserts as an axiom, which he plainly deems to be undeniable, of constitutional authority, that the theory of the Constitution requires that in all cases the majority shall govern; and in another memorable instance the same Chief Magistrate did not hesitate to liken the relations between a State and the United States to those which exist between a county and the State in which it is situated and by which it was created. This is the lamentable and fundamental error on which rests the policy that has culminated in his declaration of war against these Confederate States. In addition to the long-continued and deep-seated resentment felt by the Southern States at the persistent abuse of the powers they had delegated to the Congress, for the purpose of enriching the manufacturing and shipping classes of the North at the expense of the South, there has existed for nearly half a century another subject of discord, involving interests of such transcendent magnitude as at all times to create the apprehension in the minds of many devoted lovers of the Union that its permanence was impossible. When the several States delegated certain powers to the United States Congress, a large portion of the laboring population consisted of African slaves imported into the colonies by the mother country. In twelve out of the thirteen States negro slavery existed, and the right of property in slaves was protected by law. This property was recognized in the Constitution, and provision was made against its loss by the escape of the slave. The increase in the number of slaves by further importation from Africa was also secured by a clause forbidding Congress to prohibit the slave trade anterior to a certain date, and in no clause can there be found any delegation of power to the Congress authorizing it in any manner to legislate to the prejudice, detriment, or discouragement owners of that species of property, or excluding it from the protection of the Government.

The climate and soil of the Northern States soon proved unpropitious to the continuance of slave labor, whilst the converse was the case at the South. Under the unrestricted free intercourse between the two sections, the Northern States consulted their own interests by selling their slaves to the South and prohibiting slavery within their limits. The South were willing purchasers of a property suitable to their wants, and paid the price of the acquisition without harboring a suspicion that their quiet possession was to be disturbed by those who were inhibited not only by want of constitutional authority, but by good faith as vendors, from disquieting a title emanating from themselves. As soon, however, as the Northern States that prohibited African slavery within their limits had reached a number sufficient to give their representation a controlling voice in the Congress, a persistent and organized system of hostile measures against the rights of the owners of slaves in the Southern States was inaugurated and gradually extended. A continuous series of measures was devised and prosecuted for the purpose of rendering insecure the tenure of property in slaves. Fanatical organizations, supplied with money by voluntary subscriptions, were assiduously engaged in exciting amongst the slaves a spirit of discontent and revolt; means were furnished for their escape from their owners, and agents secretly employed to entice them to abscond; the constitutional provision for their rendition to their owners was first evaded, then openly denounced as a violation of conscientious obligation and religious duty; men were taught that it was a merit to elude, disobey, and violently oppose the execution of the laws enacted to secure the performance of the promise contained in the constitutional compact; owners of slaves were mobbed and even

murdered in open day solely for applying to a magistrate for the arrest of a fugitive slave; the dogmas of these voluntary organizations soon obtained control of the Legislatures of many of the Northern States, and laws were passed providing for the punishment, by ruinous fines and long-continued imprisonment in jails and penitentiaries, of citizens of the Southern States who should dare to ask aid of the officers of the law for the recovery of their property. Emboldened by success, the theater of agitation and aggression against the clearly expressed constitutional rights of the Southern States was transferred to the Congress; Senators and Representatives were sent to the common councils of the nation, whose chief title to this distinction consisted in the display of a spirit of ultra fanaticism, and whose business was not "to promote the general welfare or insure domestic tranquillity," but to awaken the bitterest hatred against the citizens of sister States by violent denunciation of their institutions; the transaction of public affairs was impeded by repeated efforts to usurp powers not delegated by the Constitution, for the purpose of impairing the security of property in slaves, and reducing those States which held slaves to a condition of inferiority. Finally a great party was organized for the purpose of obtaining the administration of the Government, with the avowed object of using its power for the total exclusion of the slave States from all participation in the benefits of the public domain acquired by all the States in common, whether by conquest or purchase; of surrounding them entirely by States in which slavery should be prohibited; of thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating in effect property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last in the election of its candidate for the Presidency of the United States.

In the meantime, under the mild and genial climate of the Southern States and the increasing care and attention for the wellbeing and comfort of the laboring class, dictated alike by interest and humanity, the African slaves had augmented in number from about 600,000, at the date of the adoption of the constitutional compact, to upward of 4,000,000. In moral and social condition they had been elevated from brutal savages into docile, intelligent, and civilized agricultural laborers, and supplied not only with bodily comforts but with careful religious instruction. Under the supervision of a superior race their labor had been so directed as not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands covered with a prosperous people; towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South; the white population of the Southern slaveholding States had augmented from about 1,250,000 at the date of the adoption of the Constitution to more than 8,500,000 in 1860; and the productions of the South in cotton, rice, sugar, and tobacco, for the full development and continuance of which the labor of African slaves was and is indispensable, had swollen to an amount which formed nearly three-fourths of the exports of the whole United States and had become absolutely necessary to the wants of civilized man. With interests of such overwhelming magnitude imperiled, the people of the Southern States were driven by the conduct of the North to the adoption of some course of action to avert the danger with which they were openly menaced. With this view the legislatures of the several States invited the people to select delegates to conventions to be held for the

purpose of determining for themselves what measures were best adapted to meet so alarming a crisis in their history. Here it may be proper to observe that from a period as early as 1798 there had existed in all of the States of the Union a party almost uninterruptedly in the majority based upon the creed that each State was, in the last resort, the sole judge as well of its wrongs as of the mode and measure of redress. Indeed, it is obvious that under the law of nations this principle is an axiom as applied to the relations of independent sovereign States, such as those which had united themselves under the constitutional compact. The Democratic party of the United States repeated, in its successful canvass in 1856, the declaration made in numerous previous political contests, that it would "faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; and that it adopts those principles as constituting one of the main foundations of its political creed." The principles thus emphatically announced embrace that to which I have already adverted - the right of each State to judge of and redress the wrongs of which it complains. These principles were maintained by overwhelming majorities of the people of all the States of the Union at different elections, especially in the elections of Mr. Jefferson in 1805, Mr. Madison in 1809, and Mr. Pierce in 1852. In the exercise of a right so ancient, so well established, and so necessary for self-preservation, the people of the Confederate States, in their conventions, determined that the wrongs which they had suffered and the evils with which they were menaced required that they should revoke the delegation of powers to the Federal Government which they had ratified in their several conventions. They consequently passed ordinances resuming all their rights as sovereign and Independent States and dissolved their connection with the other States of the Union.

Having done this, they proceeded to form a new compact amongst themselves by new articles of confederation, which have been also ratified by the conventions of the several States with an approach to unanimity far exceeding that of the conventions which adopted the Constitution of 1787. They have organized their new Government in all its departments; the functions of the executive legislative, and judicial magistrates are performed in accordance with the will of the people, as displayed not merely in a cheerful acquiescence, but in the enthusiastic support of the Government thus established by themselves; and but for the interference of the Government of the United States in this legitimate exercise of the right of a people to self-government, peace, happiness, and prosperity would now smile on our land. That peace is ardently desired by this Government and people has been manifested in every possible form. Scarce had you assembled in February last when, prior even to the inauguration of the Chief Magistrate you had elected, you passed a resolution expressive of your desire for the appointment of commissioners to be sent to the Government of the United States "for the purpose of negotiating friendly relations between that Government and the Confederate States of America, and for the settlement of all questions of disagreement between the two Governments upon principles of right, justice, equity, and good faith." It was my pleasure as well as my duty to cooperate with you in this work of peace. Indeed, in my address to you on taking the oath of office, and before receiving from you the communication of this resolution, I had said "as a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs

and the perpetuity of the Confederacy which we have formed. If a just perception of mutual interests shall permit us peaceably to pursue our separate political career, my most earnest desire will have been fulfilled." It was in furtherance of these accordant views of the Congress and the Executive that I made choice of three discreet, able, and distinguished citizens, who repaired to Washington. Aided by their cordial cooperation and that of the Secretary of State, every effort compatible with self-respect and the dignity of the Confederacy was exhausted before I allowed myself to yield to the conviction that the Government of the United States was determined to attempt the conquest of this people and that our cherished hopes of peace were unattainable.

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

To this communication no formal reply was received until the 8th of April. During the interval the commissioners had consented to waive all questions of form. With the firm resolve to avoid war if possible, they went so far even as to hold during that long period unofficial intercourse through an intermediary, whose high position and character inspired the hope of success, and through whom constant assurances were received from the Government of the United States of peaceful intentions; of the determination to evacuate Fort Sumter; and further, that no measure changing the existing status prejudicially to the Confederate States, especially at Fort Pickens, was in contemplation, but that in the event of any change of intention on the subject, notice would be given to the commissioners. The crooked paths of diplomacy can scarcely furnish an example so wanting in courtesy, in candor, and directness as was the course of the United States Government toward our commissioners in Washington. For proof of this I refer to the annexed documents marked ,(1) taken in connection with further facts, which I now proceed to relate.

Early in April the attention of the whole country, as well as that of our commissioners, was attracted to extraordinary preparations for an extensive military and naval expedition in New York and other Northern ports. These preparations commenced in secrecy, for an expedition whose destination was concealed, only became known when nearly completed, and on the 5th, 6th, and 7th of April transports and vessels of war with troops, munitions, and military supplies sailed from Northern ports bound southward. Alarmed by so extraordinary a demonstration, the commissioners requested the delivery of an answer to their official communication of the 12th of March; and thereupon received on the 8th of

April a reply, dated on the 15th of the previous month, from which it appears that during the whole interval, whilst the commissioners were receiving assurances calculated to inspire hope of the success of their mission, the Secretary of State and the President of the United States had already determined to hold no intercourse with them whatever; to refuse even to listen to any proposals they had to make, and had profited by the delay created by their own assurances in order to prepare secretly the means for effective hostile operations. That these assurances were given has been virtually confessed by the Government of the United States by its sending a messenger to Charleston to give notice of its purpose to use force if opposed in its intention of supplying Fort Sumter. No more striking proof of the absence of good faith in the conduct of the Government of the United States toward this Confederacy can be required than is contained in the circumstances which accompanied this notice. According to the usual course of navigation the vessels composing the expedition designed for the relief of Fort Sumter might be expected to reach Charleston Harbor on the 8th of April. Yet, with our commissioners actually in Washington, detained under assurances that notice should be given of any military movement, the notice was not addressed to them, but a messenger was sent to Charleston to give the notice to the Governor of South Carolina, and the notice was so given at a late hour on the 8th of April, the eve of the very day on which the fleet might be expected to arrive.

That this maneuver failed in its purpose was not the fault of those who contrived it. A heavy tempest delayed the arrival of the expedition and gave time to the commander of our forces at Charleston to ask and receive the instructions of this Government. Even then, under all the provocation incident to the contemptuous refusal to listen to our commissioners, and the tortuous course of the Government of the United States, I was sincerely anxious to avoid the effusion of blood, and directed a proposal to be made to the commander of Fort Sumter, who had avowed himself to be nearly out of provisions, that we would abstain from directing our fire on Fort Sumter if he would promise not to open fire on our forces unless first attacked. This proposal was refused and the conclusion was reached that the design of the United States was to place the besieging force at Charleston between the simultaneous fire of the fleet and the fort. There remained, therefore, no alternative but to direct that the fort should at once be reduced. This order was executed by General Beauregard with the skill and success which were naturally to be expected from the well-known character of that gallant officer; and, although the bombardment lasted but thirty-three hours our flag did not wave over its battered walls until after the appearance of the hostile fleet off Charleston. Fortunately, not a life was lost on our side, and we were gratified in being spared the necessity of a useless effusion of blood, by the prudent caution of the officers who commanded the fleet in abstaining from the evidently futile effort to enter the harbor for the relief of Major Anderson. I refer to the report of the Secretary of War, and the papers which accompany it, for further details of this brilliant affair. In this connection I cannot refrain from a well-deserved tribute to the noble State, the eminent soldierly qualities of whose people were so conspicuously displayed in the port of Charleston. For months they had been irritated by the spectacle of a fortress held within their principal harbor as a standing menace against their peace and independence. Built in part with their own money, its custody confided with their own consent to an agent who held no power over them other than such as they had themselves delegated for their

own benefit, intended to be used by that agent for their own protection against foreign attack, they saw it held with persistent tenacity as a means of offense against them by the very Government which they had established for their protection. They had beleaguered it for months, felt entire confidence in their power to capture it, yet yielded to the requirements of discipline, curbed their impatience, submitted without complaint to the unaccustomed hardships, labors, and privations of a protracted siege; and when at length their patience was rewarded by the signal for attack, and success had crowned their steady and gallant conduct, even in the very moment of triumph they evinced a chivalrous regard for the feelings of the brave but unfortunate officer who had been compelled to lower his flag. All manifestations of exultation were checked in his presence. Their commanding general, with their cordial approval and the consent of his Government, refrained from imposing any terms that could wound the sensibilities of the commander of the fort. He was permitted to retire with the honors of war, to salute his flag, to depart freely with all his command, and was escorted to the vessel in which he embarked with the highest marks of respect from those against whom his guns had been so recently directed.

Not only does every event connected with the siege reflect the highest honor on South Carolina, but the forbearance of her people and of this Government from making any harsh use of a victory obtained under circumstances of such peculiar provocation attest to the fullest extent the absence of any purpose beyond securing their own tranquillity and the sincere desire to avoid the calamities of war. Scarcely had the President of the United States received intelligence of the failure of the scheme which he had devised for the reinforcement of Fort Sumter, when he issued the declaration of war against this Confederacy which has prompted me to convoke you. In this extraordinary production that high functionary affects total ignorance of the existence of an independent Government, which, possessing the entire and enthusiastic devotion of its people, is exercising its functions without question over seven sovereign States, over more than 5,000,000 of people, and over a territory whose area exceeds half a million of square miles. He terms sovereign States "combinations too powerful to be suppressed by the ordinary course of judicial proceedings or by the powers vested in the marshals by law." He calls for an army of 75,000 men to act as a *posse comitatus* in aid of the process of the courts of justice in States where no courts exist whose mandates and decrees are not cheerfully obeyed and respected by a willing people. He avows that "the first service to be assigned to the forces called out" will be not to execute the process of courts, but to capture forts and strongholds situated within the admitted limits of this Confederacy and garrisoned by its troops; and declares that "this effort" is intended to maintain the perpetuity of popular government." He concludes by commanding "the persons composing the combinations aforesaid"-to wit, the 5,000,000 of inhabitants of these States- "to retire peaceably to their respective abodes within twenty days." Apparently contradictory as are the terms of this singular document, one point is unmistakably evident. The President of the United States called for an army of 75,000 men, whose first service was to be to capture our forts. It was a plain declaration of war which I was not at liberty to disregard because of my knowledge that under the Constitution of the United States the President was usurping a power granted exclusively to the Congress. He is the sole organ of communication between that country and foreign powers. The law of nations did not permit me to question the authority of the Executive of

a foreign nation to declare war against this Confederacy. Although I might have refrained from taking active measures for our defense, if the States of the Union had all imitated the action of Virginia, North Carolina, Arkansas, Kentucky, Tennessee, and Missouri, by denouncing the call for troops as an unconstitutional usurpation of power to which they refused to respond, I was not at liberty to disregard the fact that many of the States seemed quite content to submit to the exercise of the power assumed by the President of the United States, and were actively engaged in levying troops to be used for the purpose indicated in the proclamation. Deprived of the aid of Congress at the moment, I was under the necessity of confining my action to a call on the States for volunteers for the common defense, in accordance with the authority you had confided to me before your adjournment. I deemed it proper, further, to issue proclamation inviting application from persons disposed to aid our defense in private armed vessels on the high seas, to the end that preparations might be made for the immediate issue of letters of marque and reprisal which you alone, under the Constitution, have power to grant. I entertain no doubt you will concur with me in the opinion that in the absence of a fleet of public vessels it will be eminently expedient to supply their place by private armed vessels, so happily styled by the publicists of the United States "the militia of the sea," and so often and justly relied on by them as an efficient and admirable instrument of defensive warfare. I earnestly recommend the immediate passage of a law authorizing me to accept the numerous proposals already received.

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

For the details of the administration of the different Departments I refer to the reports of the Secretaries, which accompany this message.

The State Department has furnished the necessary instructions for three commissioners who have been sent to England, France, Russia, and Belgium since your adjournment to ask our recognition as a member of the family of nations, and to make with each of those

powers treaties of amity and commerce. Further steps will be taken to enter into like negotiations with the other European powers, in pursuance of your resolutions passed at the last session. Sufficient time has not yet elapsed since the departure of these commissioners for the receipt of any intelligence from them. As I deem it desirable that commissioners or other diplomatic agents should also be sent at an early period to the independent American powers south of our Confederacy, with all of whom it is our interest and earnest wish to maintain the most cordial and friendly relations, I suggest the expediency of making the necessary appropriations for that purpose. Having been officially notified by the public authorities of the State of Virginia that she had withdrawn from the Union and desired to maintain the closest political relations with us which it was possible at this time to establish, I commissioned the Hon. Alexander H. Stephens, Vice President of the Confederate States, to represent this Government at Richmond. I am happy to inform you that he has concluded a convention with the State of Virginia by which that honored Commonwealth, so long and justly distinguished among her sister States, and so dear to the hearts of thousands of her children in the Confederate States, has united her power and her fortunes with ours and become one of us. This convention, together with the ordinance of Virginia adopting the Provisional Constitution of the Confederacy, will be laid before you for your constitutional action. I have satisfactory assurances from other of our late confederates that they are on the point of adopting similar measures, and I cannot doubt that ere you shall have been many weeks in session the whole of the slaveholding States of the late Union will respond to the call of honor and affection, and by uniting their fortunes with ours promote our common interests and secure our common safety.

In the Treasury Department regulations have been devised and put into execution for carrying out the policy indicated in your legislation on the subject of the navigation of the Mississippi River, as well as for the collection of revenue on the frontier Free transit has been secured for vessels and merchandise passing through the Confederate States; and delay and inconvenience have been avoided as far as possible, in organizing the revenue service for the various railways entering our territory. As fast as experience shall indicate the possibility of improvement in these regulations no effort will be spared to free commerce from all unnecessary embarrassments and obstructions. Under your act authorizing a loan, proposals were issued inviting subscriptions for \$5,000,000, and the call was answered by the prompt subscription of more than \$8,000,000 by our own citizens, and not a single bid was made under par. The rapid development of the purpose of the President of the United States to invade our soil, capture our forts, blockade our ports, and wage war against us induced me to direct that the entire subscription should be accepted. It will now become necessary to raise means to a much larger amount to defray the expenses of maintaining our independence and repelling invasion. I invite your special attention to this subject, and the financial condition of the Government, with the suggestion of ways and means for the supply of the Treasury, will be presented to you in a separate communication.

To the Department of Justice you have confided not only the organization and supervision of all matters connected with the courts of justice, but also those connected with patents and with the bureau of public printing. Since your adjournment all the courts,

with the exception of those of Mississippi and Texas, have been organized by the appointment of marshals and district at-torneys and are now prepared for the exercise of their functions. In the two States just named the gentlemen confirmed as judges declined to accept the appointment, and no nominations have yet been made to fill the vacancies. I refer you to the report of the Attorney-General and concur in his recommendation for immediate legislation, especially on the subject of patent rights. Early provision should be made to secure to the subjects of foreign nations the full enjoyment of their property in valuable inventions and to extend to our own citizens protection, not only for their own inventions, but for such as may have been assigned to them or may hereafter be assigned by persons not alien enemies. The Patent Office business is much more extensive and important than had been anticipated. The applications for patents, although confined under the law exclusively to citizens of our Confederacy, already average seventy per month, showing the necessity for the prompt organization of a bureau of patents.

The Secretary of War in his report and accompanying documents conveys full information concerning the forces - regular volunteer, and provisional - raised and called for under the several acts of Congress - their organization and distribution; also an account of the expenditures already made, and the further estimates for the fiscal year ending the 18th of February, 1862, rendered necessary by recent events. I refer to his report also for a full history of the occurrences in Charleston Harbor prior to and including the bombardment and reduction of Fort Sumter, and of the measures subsequently taken for the common defense on receiving the intelligence of the declaration of war against us made by the President of the United States. There are now in the field at Charleston, Pensacola, Forts Morgan, Jackson, Saint Philip, and Pulaski 19,000 men, and 16,000 are now en route for Virginia. It is proposed to organize and hold in readiness for instant action, in view of the present exigencies of the country, an army of 100,000 men. If further force should be needed, the wisdom and patriotism of Congress will be confidently appealed to for authority to call into the field additional numbers of our noble spirited volunteers who are constantly tendering service far in excess of our wants.

The operations of the Navy Department have been necessarily restricted by the fact that sufficient time has not yet elapsed for the purchase or construction of more than a limited number of vessels adapted to the public service. Two vessels purchased have been named the Sumter and McRae, and are now being prepared for sea at New Orleans with all possible dispatch. Contracts have also been made at that city with two different establishments for the casting of ordnance - cannon shot and shell - with the view to encourage the manufacture of these articles, so indispensable for our defense, at as many points within our territory as possible. I call your attention to the recommendation of the Secretary for the establishment of a magazine and laboratory for preparation of ordnance stores and the necessary appropriation for that purpose. Hitherto such stores have usually been prepared at the navy arcs, and no appropriation was made at your last session for this object. The Secretary also calls attention to the fact that no provision has been made for the payment of invalid pensions to our own citizens. Many of these persons are advanced in life; they have no means of support, and by the secession of these States have been deprived of their claim against the Government of the United States. I recommend the

appropriation of the sum necessary to pay these pensioners, as well as those of the Army, whose claims can scarcely exceed \$70,000 per annum.

The Postmaster General has already succeeded in organizing his Department to such an extent as to be in readiness to assume the; direction of our postal affairs on the occurrence of the contingency contemplated by the act of March 15, 1861, or even sooner if desired by Congress. The various books and circulars have been prepared and measures taken to secure supplies of blanks, postage stamps, stamped envelopes, mail bags, locks, keys, etc. He presents a detailed classification and arrangement of his clerical force, and asks for its increase. An auditor of the Treasury for this Department is necessary, and a plan is submitted for the organization of his bureau. The great number and magnitude of the accounts of this Department require an increase of the clerical force in the accounting branch in the Treasury. The revenues of this Department are collected and disbursed in modes peculiar to itself, and require a special bureau to secure a proper accountability in the administration of its finances. I call your attention to the additional legislation required for this Department; to the recommendation for changes in the law fixing the rates of postage on newspapers, periodicals, and sealed packages of certain kinds, and specially to the recommendation of the Secretary, in which I concur, that you provide at once for the assumption by him of the control of our entire postal service.

In the military organization of the States provision is made for brigadier and major generals, but in the Army of the Confederate States the highest grade is that of brigadier general. Hence it will no doubt sometimes occur that where troops of the Confederacy do duty with the militia, the general selected for the command and possessed of the views and purposes of this Government will be superseded by an officer of the militia not having the same advantages. To avoid this contingency in the least objectionable manner I recommend that additional rank be given to the general of the Confederate Army, and concurring in the policy of having but one grade of generals in the Army of the Confederacy, I recommend that the law of its organization be amended so that the grade be that of general. To secure a thorough military education it is deemed essential that officers should enter upon the study of their profession at an early period of life and have elementary instruction in a military school. Until such school shall be established it is recommended that cadets be appointed and attached to companies until they shall have attained the age and have acquired the knowledge to fit them for the duties of lieutenants. I also call your attention to an omission in the law organizing the Army, in relation to military chaplains, and recommend that provision be made for their appointment.

In conclusion, I congratulate you on the fact that in every portion of our country there has been exhibited the most patriotic devotion to our common cause. Transportation companies have freely tendered the use of their lines for troops and supplies. The presidents of the railroads of the Confederacy, in company with others who control lines of communication with States that we hope soon to greet as sisters, assembled in convention in this city, and not only reduced largely the rates heretofore demanded for mail service and conveyance of troops and munitions, but voluntarily proffered to receive their compensation, at these reduced rates, in the bonds of the Confederacy, for the purpose of

leaving all the resources of the Government at its disposal for the common defense. Requisitions for troops have been met with such alacrity that the numbers tendering their services have in every instance greatly exceeded the demand. Men of the highest official and social position are serving as volunteers in the ranks. The gravity of age and the zeal of youth rival each other in the desire to be foremost for the public defense; and though at no other point than the one heretofore noticed have they been stimulated by the excitement incident to actual engagement and the hope of distinction for individual achievement, they have borne what for new troops is the most severe ordeal - patient toil and constant vigil, and all the exposure and discomfort of active service, with a resolution and fortitude such as to command approbation and justify the highest expectation of their conduct when active valor shall be required in place of steady endurance. A people thus united and resolved cannot shrink from any sacrifice which they may be called on to make, nor can there be a reasonable doubt of their final success, however long and severe may be the test of their determination to maintain their birthright of freedom and equality as a trust which it is their first duty to transmit undiminished to their posterity. A bounteous Providence cheers us with the promise of abundant crops. The fields of grain which will within a few weeks be ready for the sickle give assurance of the amplest supply of food for man; whilst the corn, cotton, and other staple productions of our soil afford abundant proof that up to this period the season has been propitious. We feel that our cause is just and holy; we protest solemnly in the face of mankind that we desire peace at any sacrifice save that of honor and independence; we seek no conquest, no aggrandizement, no concession of any kind from the States with which we were lately confederated; all we ask is to be let alone; that those who never held power over us shall not now attempt our subjugation by arms. This we will, this we must, resist to the direst extremity. The moment that this pretension is abandoned the sword will drop from our grasp, and we shall be ready to enter into treaties of amity and commerce that cannot but be mutually beneficial. So long as this pretension is maintained, with a firm reliance on that Divine Power which covers with its protection the just cause, we will continue to struggle for our inherent right to freedom, independence, and self-government.

JEFFERSON DAVIS.

(1) Not found herewith, but see message of President Davis, May 8, 1861, page 82.

Source:
Richardson, James D.
A Compilation of the Messages and Papers of the Confederacy
Including the Diplomatic Correspondence 1861-1865
Nashville : United States Publishing Company, 1905

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