

Exhibit 119

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 representations of:

Hampton Roads Conference, from: John H. Reagan, LL.D., *Memoirs, with Special Reference to Secession and the Civil War*, The Neale Publishing Company, (New York and Washington, 1906).

This attestation is made on August 14, 1998.

Attest: Ed. Brannan

D. A. West

Witness to source and above signature

J. Helen Brannan

Witness to above signatures

MEMOIRS

WITH SPECIAL REFERENCE
TO SECESSION AND THE
CIVIL WAR

BY

JOHN H. REAGAN, LL. D.

*Postmaster-General of the Confederacy; Sometime United States Senator;
Chairman of the Railroad Commission of Texas; President
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NEW YORK AND WASHINGTON
THE NEALE PUBLISHING COMPANY

1906

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CHAPTER XIII

HAMPTON ROADS CONFERENCE

Vice-President Stephens, as shown in his *History of the War Between the States*, and in utterances after the fall of Vicksburg and the drawn battle at Gettysburg, and even before that, seemed to think something could be done to arrest the carnage of war by negotiations; and offered his service for that purpose in June, 1863. He evidently believed there was some possibility of favorable results from an effort at that time. After this matter had been discussed between them, the President gave him authority to go to Washington and see whether anything could be done. The authority he had from the President was to endeavor to secure a renewal of the cartel for the exchange of prisoners; but the discussion, as shown in Mr. Stephens's book, indicated that he hoped to offer suggestions looking to a cessation of hostilities. While it is not stated by him or by the President in their printed accounts about the matter, I understood at the time that the Vice-President hoped for some good effect on account of the fact that he and President Lincoln had been associated as Whig members of Congress, and as friends before the war, and that he might, because of that, be in a better position to invite the attention of Mr. Lincoln to pacific measures. He went to the Federal lines, but was refused permission to proceed to Washington.

In his history (Vol. II., p. 561) he uses this language, referring to what he hoped to accomplish:

But if Mr. Lincoln could be prevailed on to agree to such a conference, then the object proposed, besides effecting, if possible, the general amelioration of prisoners, and the mitigation

of the horrors of war as conducted by the Federals, was to use the occasion for effecting also, if possible, other material results which might open the way for future negotiations that might eventually lead on to an amicable adjustment. * * * In this view Mr. Davis did not concur. He did not believe that the road to peace lay in that way. He did not think that anything towards its ultimate obtainment could be effected on this line of external policy indicated by me.

But his book shows that after the siege of Vicksburg and the battle of Gettysburg, he himself had lost confidence in the scheme. However, it was finally agreed between them that he should undertake the trip to Washington; but this programme was superseded by the Hampton Roads Conference, growing out of the Hon. Francis P. Blair's intercession.

On the 12th of January, 1865, the venerable Francis P. Blair, by permission of the Federal and Confederate authorities, visited President Davis at Richmond, Virginia, in the interest of peace between the United States and the Confederate States. He disavowed any authority from the Government of the United States to act for it. His idea seems to have been to secure a conference between the military authorities of the two governments; and to arrange a plan, without any formal negotiations, by which the armies of the two countries could be united and sent to Mexico to enforce the Monroe Doctrine against the Government of the Emperor Maximilian. After this conference, Mr. Davis gave Mr. Blair a letter stating that he had no desire to throw obstacles in the way of negotiations for the restoration of peace between the two countries, and that he was ready to send commissioners for that purpose whenever he had reason to suppose they would be received. Mr. Blair having returned to Washington, on the 13th of January President Lincoln addressed a note to him in which he referred to the letter of President Davis, and expressed his willingness to receive any agent whom Mr. Davis might send him, with a view of securing peace to our common country.

Upon learning of this disposition, Mr. Davis determined to send as Commissioners, for an informal conference, Vice-President Stephens, the Hon. R. M. T. Hunter, president of the Confederate Senate and former United States Senator; and the Hon. John A. Campbell, formerly a justice of the Supreme Court of the United States. The following is the commission under which they were to act:

RICHMOND, January 23, 1865.

In conformity with the letter of Mr. Lincoln, you are requested to proceed to Washington City for an informal conference upon the issues involved in the existing war, and for the purpose of securing peace to the two countries.

Mr. Lincoln changed his purpose, and, instead of receiving them at Washington, met them at Hampton Roads. The Confederate Commissioners were met there also by Secretary of State W. H. Seward on the part of the United States.

During recent years there has been an extensive discussion through the public prints of the questions which rose at the Hampton Roads Conference. It has been asserted over and over that President Lincoln offered to pay \$400,000,000 for the slaves of the South to secure an end of the war; and that he held up a piece of paper to Mr. Stephens, saying: "Let me write the word Union on it, and you may add any other conditions you please, if it will give us peace." I am probably not using the exact words which were employed, but I am expressing the idea given to the public, in the discussion. It has frequently been alleged that Mr. Stephens said these offers were made. This has been repeated by citizens of acknowledged ability and high character, and it has been said that these offers could not be acceded to because the instructions given to the Commission by President Davis prevented it. The purpose of urging these untrue statements seems to have been to induce the public to believe that Mr. Davis could have obtained peace on almost any terms desired and \$400,000,000 for the Southern slaves if he would have consented

to a restoration of the Southern States to the Union; and that, because of this, he was responsible for the losses of life and property caused by the continuance of the war.

I shall submit evidence which will prove that no such propositions were ever made. This course is rendered necessary and just, both for the truth of history, and to vindicate the action of President Davis and his Cabinet. For, undoubtedly, one of the purposes of insisting that such offers were made is to mislead the public as to the truth.

The following is the report of the Confederate Commissioners to President Davis as to what occurred at the Conference held on the 5th of February:

TO THE PRESIDENT OF THE CONFEDERATE STATES:

Under your letter of appointment of the 28th ult., we proceeded to seek an "informal conference" with Abraham Lincoln, President of the United States, upon the subject mentioned in the letter. The conference was granted and took place on the 30th ult., on board a steamer anchored in Hampton Roads, where we met President Lincoln and the Honorable Mr. Seward, Secretary of State of the United States. It continued for several hours, and was both full and explicit. We learned from them that the message of President Lincoln to the Congress of the United States, in December last, explains clearly and distinctly his sentiments as to the terms, conditions, and methods of proceeding by which peace can be secured to the people, and we are not informed that they would be modified or altered to obtain that end. We understood from him that no terms or proposals of any treaty or agreement looking to an ultimate settlement would be entertained or made by him with the authorities of the Confederate States, because that would be a recognition of their existence as a separate power, which under no circumstances would be done; and for a like reason that no such terms would be entertained by him for the States separately; that no extended truce or armistice (as at present advised) would be granted or allowed without a satisfactory assurance in advance of the complete restoration of the authority of the Constitution and laws of the United States over all places within the States of the Confederacy; that whatever consequences may follow from the reestablishment of that

authority must be accepted; but that individuals subject to pains and penalties under the laws of the United States might rely upon a very liberal use of the power confided to him to remit those pains and penalties if peace be restored.

During the conference, the proposed amendment to the Constitution of the United States adopted by Congress on the 31st ultimo was brought to our notice.

This amendment provides that neither slavery nor involuntary servitude except for crime, should exist within the United States, or any place within her jurisdiction, and that Congress would have power to enforce this amendment by appropriate legislation.

Very respectfully, etc.,
 ALEXANDER H. STEPHENS,
 R. M. T. HUNTER,
 JOHN A. CAMPBELL.

Complaint has been made that Mr. Davis, by the wording of his instructions to the Commission, prevented them from making peace on any other terms than upon the condition of the independence of the Confederate Government; and that but for this condition, peace might have been secured at the Hampton Roads Conference. The official papers of that conference show that no terms could have been obtained or considered other than the unconditional surrender of the Confederate authorities. Mr. Davis knew the Vice-President's strong inclination to make peace on such terms as could be had. This is evidenced by Mr. Stephens's *History of the War Between the States*, and by his many statements to others; and it is fair to presume that the limitation put upon the power of these Commissioners was for the purpose of making it certain that they should agree to nothing less than either the recognition of the independence of the Confederacy, or at least the securing of protection against the unlawful domination of its enemies. There was a wide divergence of views between the President and Vice-President on this subject. Mr. Stephens never seemed to realize that there was no time, while we had fighting armies

in the field, that the people and the Army would have permitted an unconditional surrender if the President had been so inclined; nor would Mr. Davis at any time have consented to surrender while we had armies in the field able and willing to prolong the contest, rather than submit to Federal wrongs.

It is seen that the Confederate Commissioners say that no terms or proposals of any treaty or agreement would be entertained by President Lincoln with the authorities of the Confederate States, or with any of the States separately, and that no truce or armistice would be allowed without satisfactory evidence, in advance, of the complete restoration of the authority of the Constitution and laws of the United States over all places within the States of the Confederacy. This report was signed by Mr. Stephens, Mr. Hunter, and Judge Campbell. It shows conclusively that unconditional surrender, in advance of any negotiations, was the only condition whereby the war could be ended. And Judge Campbell, in his memoranda relating to this Conference, says that:

In conclusion, Mr. Hunter summed up what seemed to be the result of the interview: that there could be no arrangements by treaty between the Confederate States and the United States, or any agreement between them; there was nothing left for them but unconditional submission.

On the 6th of February, 1865, President Davis sent the report of the Commissioners to the Confederate Congress, with a message in which he used this language:

I herewith transmit for the information of Congress the report of the eminent citizens above named, showing that the enemy refused to enter into negotiations with the Confederate States, or any of them separately, or to give our people any other terms or guaranties than those which the conquerors may grant, or to permit us to have peace on any other basis than our unconditional submission to their rule, coupled with the acceptance of their recent legislation on the subject of the relations between the black and white population of each State.

In his *History of the War Between the States* (Vol. II., pp. 599-626) Vice-President Stephens gives a carefully compiled account of what was done at the conference; and in this he shows plainly and fully the distinct refusal of President Lincoln to recognize, or in any form to make or agree to any terms for peace with the Government of the Confederate States, or with any of the States separately, except upon the condition that they should, before any other measure should be considered, recognize and accept the Constitution and laws of the United States, and trust to Congress as to what disposition was to be made of the Confederacy, their people, and property. There is no word in his long account of any proposition as to the payment of \$400,000,000 for the slaves, or of President Lincoln's writing the word Union on a sheet of paper and allowing Mr. Stephens or any one else to determine the terms and conditions upon which the war should be ended.

The joint resolutions, expressing the sense of the Confederate Congress on the subject of the Peace Commission, are as follows:

Whereas, the Congress of the Confederate States have ever been desirous of an honorable and a permanent settlement, by negotiation, of all matters of difference between the people of the Confederate States of America and the Government of the United States; and to this end provided, immediately on its assembling at Montgomery in February, eighteen hundred and sixty-one, for the sending of three commissioners to Washington, to negotiate friendly relations on all questions of disagreement between the two Governments, on principles of right, justice, equity and good faith; and, whereas, these having been refused a reception, Congress again, on the fourteenth of June, eighteen hundred and sixty-four, adopted and published a Manifesto to the civilized world, declaring its continued desire to settle, without further shedding of blood, upon honorable terms, all questions at issue between the people of the Confederate States and those of the United States, to which the only response received from the Congress of the United States has been, the voting down, by large majorities, all reso-

lutions proposing an amicable settlement of existing difficulties; and, whereas, the President has communicated to this Congress that, in the same spirit of conciliation and peace, he recently sent Vice-President Stephens, Senator Hunter, and Judge Campbell to hold conference with such persons as the Government of the United States might designate to meet them; and, whereas, those eminent citizens, after a full conference with President Lincoln and Secretary Seward, have reported that they were informed explicitly that the authorities of the United States would hold no negotiations with the Confederate States, or any of them separately; that no terms, except such as the conqueror grants to the subjugated, would be extended to the people of these States; and that the subversion of our institutions, and a complete submission to their rule, was the only condition of peace: Therefore,

Section First. Resolved by the Congress of the Confederate States of America, that while Congress regrets that no alternative is left to the people of the Confederate States but a continuance of the war or submission to terms of peace alike ruinous and dishonorable, it accepts in their behalf the issue tendered them by the authorities of the United States Government, and solemnly declares that it is their unalterable determination to prosecute the war with the United States until that power shall desist from its efforts to subjugate them, and the independence of the Confederate States shall have been established.

Section Second. Resolved, that the Congress has received with pride the numerous noble and patriotic resolutions passed by the Army, and in the gallant and unconquered spirit which they breathe, coming from those who have for years endured dangers and privations, it sees unmistakable evidence that the enthusiasm with which they first dedicated their lives to the defense of their country is not yet extinct, but has been confirmed by hardships and suffering into a principle of resistance to Northern rule, that will hold in contempt all disgraceful terms of submission; and for these expressions in camp, as well as for their noble acts in the field, our soldiers deserve, and will receive the thanks of the Country.

Section Third. Resolved, that the Congress invite the people of these States to assemble in public meetings, and renew their vows of devotion to the cause of independence; to declare their determination to maintain their liberties; to pledge themselves to do all in their power to fill the ranks of the Army; and to provide for the support of the families of our soldiers, and

to cheer and comfort, by every means, the gallant men, who, for years, through trials and dangers, have vindicated our rights on the battlefield.

Section Fourth. Resolved, that, invoking the blessing of God, and confiding in the justice of our cause, in the valor and endurance of our soldiers, and in the deep and ardent devotion of our people to the great principles of civil and political liberty for which we are contending, Congress pledges itself to the passage of the most energetic measures to secure our ultimate success.

T. S. BOCK,

Speaker of the House of Representatives.

R. M. T. HUNTER,

President pro tempore of the Senate.

Approved 14th March, '65.

JEFFERSON DAVIS.

So it is seen that we have the report of the Confederate Commissioners to the President, the message of the President to Congress, the joint resolutions of the two Houses of the Confederate Congress, and the evidence of Mr. Stephens's history of what occurred at that Conference to prove that no such offers were made by Mr. Lincoln.

While it may seem unnecessary, I will go further and add to these testimonials those of President Lincoln and Secretary Seward.

Mr. Lincoln at first determined to send Secretary of State Seward to meet the Confederate Commissioners, and on the 31st of January, 1865, furnished him with instructions for his Government, which contained these provisions:

You will make known to them that three things are indispensable, to wit: 1, the restoration of the national authority throughout all the States; 2, no receding by the Executive of the United States, on the slavery question, from the position assumed thereon in the late message to Congress, and in preceding documents; 3, no cessation of hostilities short of an end of the war and the disbanding of all forces hostile to the Government.