

we learned in the jury room. No use was made of this testimony, because all who were implicated agreed to quit the State and never come back. I have this testimony and the attorney-general's letter.

The military governor appointed one T. L. Webber sheriff of the county. Without the knowledge of any one, he falsely reported thousands of acres of plantation lands, and other sections of land, sold for taxes. This he did for two years. Not a name of any delinquent taxpayer was ever published, and *no one* attended any sale. Planters continued paying their taxes regularly. At last it was discovered that the reported list of taxable lands did not embrace half the lands on which taxes were paid. A list was obtained for the grand jury. I found that six hundred and forty acres out of the heart of my plantation had been reported sold; Bourge's plantation of two thousand acres, all sold, and so on; yet we were paying taxes all the same.

Next year I know of but two planters who paid any taxes in the county. Had Gov. A— remained, there would not have been any taxes paid in the State. He wrote to Bolton to know how he was to get any salary, or any courts could be held, or Legislatures meet, etc., and was told that the services of all such were not required, etc.

The *auditor* had been receiving from the sheriff only the money received from lands *on the tax list*, while he (the sheriff) pocketed all money paid on lands that he pretended were sold and not taxable—by "sold" meaning forfeited to the government. To escape perjury, Webber's *reports* of taxable lands were not signed by him, but by his brother, a worthless fellow.

When the people elected a negro sheriff over Webber, he bought the office of sheriff from him for \$1,000 and the negro sheriff (O. Winslow) appointed him his deputy. Webber, when detected, turned into the bank \$40,000 out of perhaps \$150,000 stolen, and went to Florida. The ablest lawyers said he could not be convicted under the existing condition of affairs.

Those who would not pay taxes were permitted to redeem their lands by act of the Legislature, by paying back taxes, the title coming from the State. The \$40,000 was distributed among the owners of the forfeited lands, and used in part payment of the taxes. O reconstruction, what a curse thou wast!

Had Ames remained, there would have been presented a singular revolution—the people of the State peacefully pursuing their avocations without a government; every function of state government would have been suspended. When the governor applied to Grant for troops he was refused. Grant telegraphed that "the public was tired of the annual autumnal outbreaks in the South."

Another source of annoyance to the planters—nay, it was ruinous—was the want of reliable labor. Capital could not command labor in the rich Yazoo bottoms, and it had to be obtained from a distance.

I went to Wytheville, Franklin, and Danville, Va., for labor. In Danville I made a contract with a man named Wilson to bring me some thirty hands. About the middle of February he arrived with the negroes. I paid him \$1,040 for transportation and services. One pleasant noon in May a servant came in and told me a certain negro was leaving the place; he was the last of the men that Wilson brought, except a Spanish negro, who was painting my house.

My neighbor Jackson went to Richmond, Va., and obtained some forty hands; paid their way to Greenville. Their contract made was that they were to raise a crop of cotton and corn, and out of their share of the crop they were to repay expenses of transportation, provisions, etc. Gradually they began to leave him, and went into the employment of negroes who had rented land. They were hired for two bales of cotton. By this proceeding they escaped paying transportation.

One day in May the last of Jackson's hands (on Monday) went to the smokehouse and obtained their rations for the week, and then quit the plantation. They were arrested for breach of contract and obtaining supplies under false pretenses, and were tried before the notorious Judge Bolton. Whilst the trial was going on, Bolton asked my views of the matter. I told him if they were acquitted every contract recorded in court would be worthless, and it would damage the planting interest in the county perhaps two hundred thousand dollars. Nevertheless, he decided that there was no evidence to prove that the hands had any intention of leaving *when* they drew their rations, although they had a place engaged and left as soon as they got the provisions. For months I never retired to rest without apprehen-

sion that some of my hands would leave during the night, at the persuasions of visiting spies.

Another trouble was to check the thoughtless extravagance of the freedmen. If they were largely in debt, when fall came, they would not gather their cotton, believing it mortgaged to the merchants for all it would bring, but quit, and pick cotton on some other place, by the hundred, for cash. Of these things there was no end.

The counties of Bolivar, Washington, and Issaquena composed a levee district in Mississippi, and had for years protected the lands from overflow by constructing levees. Funds were obtained by tax on lands and by sales of bonds. When the war ended, I was elected president of the board. Gen. Alvan C. Gillem was military governor, and gave me all the aid he could to rebuild the levees. I negotiated the bonds in New York City at par, and repaired the levees and saved the plantations from overflow. When Ames* became military governor, he one day sent a man to Greenville with an order dismissing us, and required the office to be turned over to the bearer, etc.; and this, too, when the river was at its highest stage. I went to Jackson to see him. I demanded the grounds for his action in the matter, and was refused. At this time the river was out of its banks everywhere, except in our district. I wrote to President Grant, and he answered: "You should have telegraphed at once." Gen. Sherman wrote, "Yours is not a public office, and Ames is wrong, etc., meddling with private corporations," or words to that effect.

Whilst in Jackson, the capital of Mississippi, I was offered the opportunity of seeing the legislators who made our laws, composed mainly of carpetbaggers and negroes. For this purpose I obtained a seat by the sidewalk on the main street leading to the capitol.

As the hour to meet had arrived, down this street could be seen the members approaching. Generally they came two together, arm in arm, a carpetbagger and a negro in close confab. The whites were clothed in garments of various makes and colors; the negroes rejoiced in black clothing, with Prince Albert coats and silk hats and gold-headed canes. Down the ave-

* Appointed June 15, 1868.

nue and far away could be seen the white of their eyes, teeth, shirts, and enormous collars.

The carpetbagger was generally holding on to the arm of his colored brother, and engaged in conversation; and, judging from the gestures, they were advocating some benevolent measure for the benefit of the "wards of the nation," and their own prosperity. One other observation I made: there were no small feet, and not an arched instep; flap, flap, came down their flat feet. I had seen enough; I thought the negro had the more honest face.

Thence I went into the House. Ye gods, what a sight! The floor was dirty, the many spittoons were all filthy—filled with quids of tobacco, stumps of cigars, pieces of paper around them were cemented to the floor by dried tobacco juice; fumes of tobacco filled the house, so that the air was foul and unpleasant.

The members were seated, black and white side by side, all over the house, perhaps to guide them in voting; and they lolled on the desks and chairs. A negro would lay his head on the desk of his white neighbor, look him in the face, and laugh with great glee at what was told him; the conversation was so loud and the laughter so boisterous that the Speaker could not command silence: he pounded with the gavel, and shouted "Order! order!" till his voice was drowned by the cries of "Master Speakyar!" from the negroes, while the whites shouted and waved their arms frantically to catch the Speaker's eye for recognition. The whole scene was one of confusion not unlike the Gold Exchange, New York, in days of yore, or the Stock Exchange.

I then went to the Senate chamber. It was cleaner than the House, and better order was preserved; but what a travesty on intelligence and decorum, and shame on the government of the United States, North, that made this not only possible but common, and laughed at it with joyous hearts; and wherefore? It was an assembly of mostly dishonest white men influencing the uneducated negro members to enact laws whereby the State was, by bonded indebtedness, plundered of millions of dollars. Their reign is ended.

"I myself have seen the ungodly in great power and flourishing like a green bay tree: I went by again, and lo, he was gone." Adieu! The royal Bengal tiger, when he once tastes human

blood, will depopulate a village; so the loyal carpetbagger, having tasted Southern plunder, went home and devised a scheme of trust companies now in operation.

Then came taxation. On this matter I will merely remark that on realty it was about ten per cent. Government tax on cotton, in the aggregate, was sixty-seven million dollars. On cotton it was (all told), including charges by the government, about twenty dollars per bale. There should now be on file in the Department of Agriculture a letter written by me to Mr. Isaac Newton, commissioner, telling him that, were it practical, I would deed to the United States the land planted in cotton, if it were exempted from taxation one year, which meant—the market value of the land was twenty dollars per acre; and as one acre would produce a bale of cotton, and the tax on the bale was twenty dollars, the tax was equal to the value of the land—that was confiscation. An acre in cotton, if it produced a bale, was taxed, as I have related; but if planted in corn or sown in wheat, the produce was free. All these legal pilferings, vexations, insults, arrogance, and trials to our families were in silence and poverty submitted to, that our children might have food and clothing. Our patience in adversity, amidst trials and sufferings, gives greater evidence of elevation and dignity of character than did matchless achievements in arms. In the tented field we found redress for wrongs; in reconstruction years we lived in expectancy, as the Christians lived in the years of Nero, not knowing what would befall us next.

The negroes, when set free, became very pious, and gave more time to their devotions than to the crops. After the Freedmen's Bureau agents took their departure, nearly all of them "got religion" and wanted to preach. Their protracted ("distracted" they called them) meetings continued all night long, for five and six weeks continuously. Men and women would leave the church (I had one on the plantation) after sunrise, go to the field direct, and sleep leaning on their hoes. I found one sleeping on the creek bank, and on asking him what was the matter, he said: "O, I have got religion in me as big as a yearling calf." And thus piety impaired industry to an alarming extent, without improving morality.

Bishop Wilmer (Episcopal), during the war, had omitted the usual prayer "for the President of the United States and all

others in authority," and this continued after the surrender. For this offense Maj. Gen. George H. Thomas was so distressed that he, by orders, caused the bishop and the clergy in the diocese to cease from preaching; and this gave rise to a discussion, which was terminated by the President denouncing the silly order and revoking it. I have no doubt of Gen. Thomas's sincerity, for he was prudent and cautious, and *he* must have been really convinced that President Johnson, and all others in authority with him, needed the prayers of the Episcopal clergy to bless them and replenish their grace.

The Bishop was not as desirous of praying for the President of the United States as was a young priest after the surrender. He had omitted praying for President Davis since his capture, and had not decided what to do when the Sabbath came; but found relief, when asked by a United States army officer if he had any objection to using the old prayer for the President of the United States, by answering: "No, none whatever; for I know of no one who needs our prayers more than he."

The few incidents of my own experience that I have narrated are to illustrate the condition of the people of the South during the years of reconstruction (annexation), and for preservation for future ages; to show the ills, vexations, humiliations, and indignities so unjustly and designedly imposed upon them as a spiteful punishment for daring to assert their rights and defend their homes. The fifteenth amendment to the Constitution has brought forth bitter fruit to the progress of the freedmen and the peaceful progress of the whole country by offering the negro a dependent support on politics rather than labor. Their votes were generally in the market, and their sale at the presidential nominations for office in the Federal service in the South consolidated the white people against them when harmony would otherwise have existed.

The State of Mississippi was saved from utter ruin by what the North called "the shotgun policy." Seeing nothing but poverty and wretchedness before us, it was determined to rescue the State from the hands of the carpetbaggers and negroes by a compromise with the freedmen. In our county we offered them the offices of congressmen, the sheriff of the county, clerk of the chancery court, clerk of the circuit court, and justice of the peace, but not a member of the Legislature. The educated whites

were to redeem the State from perdition in the halls of legislation.

In the hustings absolute protection by arms was pledged to all freedmen who voted the Democratic ticket, and to those who voted the radical ticket, not a hair of their heads should be touched, if order was maintained by them; but under all circumstances *a free election should be held, and peace preserved*. Every one knew that a disturbance imperiled life. The consequence was that a more cheerful, peaceful election never was held. One party had yellow tickets and the other white, open in their hands, and the vote could be counted as well outside as inside at the polls; and furthermore the radical white carpetbaggers were in an unmistakable manner informed that they would be held responsible if peace at the polls was not maintained. Thus was the State redeemed from the hands of the corrupt carpetbaggers and corrupt *followers* of the United States army, and all cried: "Amen!" The joy that followed cannot be realized, and cheerful industry commenced. The suffering, vexations, and agony of mind of the people South during reconstruction years, unless written by those who endured them, will no more be known in history than are the cries for mercy uttered in the chambers of torture in the prisons and baronial castles of Europe during the Middle Ages. And now for all these malicious tortures, for the state debts, for the enfranchising of the negro, and the race problem the harshest condemnation I have known to be expressed by the party which imposed them on us is: "It was a blunder!"

In a statesman "*a blunder is a crime*," said Napoleon. So by parity of reasoning, you can discover in what class you have placed yourselves. This election is the hegira of misrule and vampirism.

It is difficult to subscribe to the dogma of "an indissoluble union of indestructible States." It is at variance with the foundation of all government; "for governments are founded on superior force that subjects everything to the will of the governor, or it is founded on a compact, express or tacit. . . . When founded on force, resistance is implied. . . . In a government founded on an express agreement, or compact, resistance is unlawful while the ruler maintains his part of the contract. When he violates those rules resistance is legal and justifiable.

Hence in all governments resistance is naturally inherent." (Lord Woodhouselee.)

In the twelfth century, for instance, there "was in Aragon the Justiza, an officer elected by the people, who was the supreme interpreter of the law and protector of the people. . . . This great officer had likewise the privilege of receiving in the *name of the people* the king's oath of coronation, and during the ceremony he held a naked sword pointed at the heart of the sovereign, whom he thus addressed: 'We, your equals, constitute you our sovereign, and we voluntarily engage to obey your mandates on condition that you protect us in the enjoyment of our rights; if otherwise, not.'" Here we find reserved rights of the people, as in our Constitution.

States appear to be destructible. From the Pillars of Hercules, all around the shores of the Mediterranean Sea—where dwelt the people to whom God gave laws amidst the thunders of Horeb and others, whence came language and most of our civilization and religion—are found the ashes of dead empires.

The Confederate States must have been out of the *Union*, unless we admit that the English language is not expressive enough to clearly describe events. To me the act of Congress passed February 17, 1870, to "admit the State of Mississippi," the proclamations to "come back,"* to "restore the State," etc., are but a few of the proofs that we were out of the Union; and the declaration of war, the blockade, belligerent rights show that the Confederate States were independent. We were "rebels" (so called) designedly to enable the United States to escape paying Confederate bonds held by foreign powers, and to settle other international questions with them. We were in the Union or out of the Union, as the exigency of the occasion required.

And this reminds me of an incident that occurred in the section room at the United States Military Academy in 1841. Capt. J. A. Thomas was assistant professor of ethics. The subject: "The Constitution of the United States." He there said: "Gentlemen, there are latent powers in this Constitution that will be found to meet every emergency that may arise." And now, behold, since then! "The higher law," "the *extra* constitu-

*Lincoln's December proclamation says: "Such States shall be received again into the Union."

tional measures," "the confiscation of property," "greenbacks a legal tender," etc., the wealth of the nation made exempt from taxation by the supreme court, and the trusts, etc. Truly we were a conquered nation, because the United States had to resort to all the constitutional requirements of foreign warfare.

In the platform accepted by Mr. Lincoln is this resolution: "*Resolved*, That we maintain inviolate the rights of the States, and especially the right of each State to order and control its own domestic institutions, according to its own judgment exclusively." And in his inaugural he said: "I have no purpose, directly or indirectly, to interfere with slavery in any of the slaveholding States of the Union."

Then Congress passed, February 11, 1861, the following: "*Resolved*, That neither Congress, nor the people, nor the government of the nonslaveholding States have the right to legislate upon or interfere with slavery in any of the slaveholding States of the Union."

These resolutions and promises were brushed aside like reeds in the path of conquest. Their armies marched on without any check by the act of *habeas corpus*, as it was suspended by article 2 in the President's proclamation of September 22, 1862, which reads: "That the writ of *habeas corpus* is suspended in regard to all persons arrested, or who are now or hereafter during the rebellion shall be imprisoned in any fort, camp, arsenal, military prison, or other place of confinement by any military authority or by sentence of any court-martial or military commission."

I remember a story on the Committee of the French Academy appointed to prepare the "Academy Dictionary." Their definition of a *crab* was "a small, red fish which walks backward." "Gentlemen," said Cuvier, "your definition would be perfect, only for three exceptions: The crab is not a fish, it is not red, and it does not walk backward."

So, if the *Union was indissoluble*, and the States were indestructible, how could they be *reconstructed* and readmitted? It is as erroneous as the definition of the crab.

It may be said, almost literally, that the administration for the expansion of war power deposited the Constitution in the State Department for the use of the supreme court after the war. They now ordained a despotic policy as being more expedient to run the government, because it could be changed, like

a vane on a house top, according to the breath of public opinion or the exigency of the times. To confine their troops to the duty of destroying the regular Confederate forces, according to the usages of civilized war, had been tried in vain; but once freed from the restraints of the Constitution and modern rules of war, the work of desolation commenced to the extent that a ruthless general reported that a crow would have to carry its provisions if it crossed the valley he had laid waste. His example was excelled by others. The truth is that if the North had not disregarded the Constitution, it would have ruined them. It was a government of opportunism.

As regards reconstruction (so called), I will only observe that a conquered people are obliged to accept such terms as the conqueror offers.

In our case the separate or sovereign States that withdrew from the Union were the parties conquered. The negotiators for peace on the one part were the Congressional Committee on Reconstruction, and on the other each one of the sovereign States for itself. The terms offered the States respectively were embodied in the last three amendments to the Constitution. As these were accepted they were admitted into the Union, each a sovereign State. So the thirteenth, fourteenth, and fifteenth articles of the Constitution, when accepted, became virtually a treaty of peace between the North and the South, made State by State. Virginia, Texas, and Mississippi were the last, and they did not accept the terms offered until 1870, when they were admitted into the Union.

As Minerva sprung from the brain of Jupiter, full grown, robed in the panoply of war, and took her seat among the gods, so the Confederate States—born in a day, clothed in all the attributes of government, complete in every department—took her station among the nations of the earth. She exacted from the United States the observance of international law on war and official intercourse. After four years of the most sanguinary war of modern times she fell, white and pure, before the mercenary hosts of the nations arrayed against her. She died for the priceless heritage wrung from tyrants "*that all just powers of government are derived from the consent of the governed.*"

For this inalienable right—a right that has been exercised by almost every nation on earth, and for which millions and

millions of lives have been sacrificed—the States seceded, and it will never die. It was implanted by Providence like religion in the hearts of mankind. It is an invisible power behind a veil that will break through as certainly as the soul at death lifts the dim veil that hides the life beyond the grave. It is an occult power pervading the air, and gentle until developed by oppression, whether by bad government or remorseless tyranny incident to aggregated wealth or other causes. It was not the victories of the Confederate armies; it was not because they gave the world a Lee, a Johnston, a Forrest, and a Stonewall Jackson that won the admiration of the nations; but because over all these the South was true to her convictions of right. Their achievements were great, but their cause was greater; their deeds are immortal, their cause eternal, and paid for in blood. It will exist till the leaves of the judgment book unfold.

I must now take my farewell of the good Confederate soldiers with whom I have had the honor to serve. I know their valor and their worth. Like the sibylline books, as they diminish in numbers they will increase in value, and with the last veteran the order will end—then silence! Their valor will be the common heritage of mankind. Their memory will be revered by their posterity, and linger in the mind as sweetly as the fragrance of flowers. Their cause let none gainsay; it is the birth-right of all the ages.

To you, my children, I have related some of my observations, and given a little of my experience in this wonderful nineteenth century.

In my youth dwellings were lit up with candles; then came gas and kerosene; now electricity illumines cities and streets, cars and ships. Steam power was known, but it had not been applied to railroads or steamships on the ocean, or to many mechanical purposes. How well do I remember the many journeys I made over the Alleghany Mountains by stage to Pittsburg, Brownsville, and Wheeling, and how steam power superseded horse power in ferryboats, treadmills, and sailing vessels on the ocean!

I have told you how I went with Prof. Morse to receive what may be deemed the first message of the telegraph; now we send messages around the world.

In 1862 I saw a telephone established from one house to an-

other, distant about fifty yards, by two young ladies in Wilmington, N. C., to communicate with each other. To-day we talk face to face a thousand miles.

The discovery of anæsthetics has alleviated the pain of the surgeon's knife, and with the X ray he looks through the human body, and makes visible the location and cause of pain, etc.

During this century the map of the world has had many changes by the Napoleonic wars, the upheaval of 1840 by Garibaldi, Bismarck, Germany, and France; and all Africa is subjugated. In the Orient—that empire of occult science and mystery, of magic, fakirs, castes, and barbaric wealth; six times invaded from the West through the gates of India by Alexander, Mahmoud, Genghis Khan, Tamerlane, Monguls, and Persians—at last, in this century, with a population of over 300,000,000, has passed into the possession of England, and Queen Victoria is Empress of India! What destiny awaits China, with her 400,000,000 people?

We have witnessed Spain lose possession of all her colonies in South America, Mexico, and her West Indies possessions and the Philippine Islands; the slave trade, conceded to New England, ended only in 1808; imprisonment for debt was in existence when I was young in some of the States—in short, such has been the progress of liberty during this closing century that it has turned the world upside down, and to all oppressors from any cause the spirit of liberty cries:

“By all ye will or whisper,
By all ye leave or do,
The silent sullen people
Shall weigh your God and you.”