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THE SECESSION CONVENTION OF ALABAMA

By

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TO  
MY FATHER AND MOTHER  
WHO IMPARTED TO ME A LOVE OF HISTORY AND  
WHOSE APPROVAL IS STILL THE RICHEST  
REWARD OF MY EFFORTS

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## The Secession Convention of Alabama

The tension in the discussion of the question of slavery extension reached its culmination with the election of the sixteenth president of the United States, Abraham Lincoln, upon a platform that distinctly declared against the further introduction of slavery into the territories in direct antagonism to the decision of the Supreme Court of the United States in the famous Dred Scott case. His election gave the signal for the secession movement in the Southern States.

The South was quick to give utterance to its disappointment and its purpose; and we find its feeling strangely expressed in contemporary journals, and in none more clearly than in the newspapers of Alabama, in which, however, some variety of opinion appears. For illustration, in the Greenville Independent, a paper of union sentiments, is found the following comments upon Lincoln's election: "We record the fact with sadness; but as constitutional union men we are disposed to abide the results, trust in God, and turn the Sectionalists out of power in a lawful way - as we think we can four years hence." <sup>1</sup> The Greenville Beacon, published in the same town and on the same date, exclaimed: "What can we now hope for with a black Republican President and Vice-President at the helm of Government?" <sup>2</sup> And in the same spirit the Grove Hill Democrat declared: "Mr. Lincoln's election breeds no good for the South. He has on various occasions given utterance to what we could expect in the event of his election." <sup>3</sup>

It was after Lincoln's election, in pursuance to a joint resolution of the Alabama Legislature, that Governor Andrew B. Moore called upon the people to elect the delegates to assemble in convention in the city of Montgomery on

1. Greenville, Alabama, Independent, Tuesday, November 7, 1860.

2. Greenville, Alabama, The Beacon, Tuesday, November 7, 1860.

3. Grove Hill, Alabama, The Democrat, Tuesday, November 14, 1860.

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January 7th, 1861. The resolution was as follows:

"Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened:

"First; In the event of a Republican President being elected the Governor is to issue a proclamation calling the qualified voters of this state to assemble on a Monday not more than forty days after said proclamation at the several places of voting in their respective counties to elect delegates to a convention of the State to consider, determine and do whatever in the opinion of said convention, the rights, interests and honor of the State of Alabama requires to be done for their protection.

"Second; Be it further resolved - That said convention shall assemble the second Monday following said election at the State Capitol."<sup>5</sup>

Thus the die was cast; Alabama was preparing to meet the issue of Lincoln's election. Grave questions faced the State's Chief Executive as even graver questions faced the Convention when it finally assembled.

All over the State from Huntsville in the North to Mobile in the South terrible misgivings and uneasiness gripped the people. The Alabama papers freely commented upon the impending crisis. The Montgomery Weekly Advertiser said: "The time has at length arrived in the history of the United States when the Free States have elected for President, an Abolitionist.

"The Union which has heretofore existed between the Free and Slave States has been broken, and a sectional, Free-Soil, Abolition Administration is soon to be inaugurated in the person of Abraham Lincoln.

"We respectfully enquire if any argument is necessary to prove to the Southern men, that a Union of the Free States is avowed, hostile opposition to the institution of slavery, should cause an immediate Union of the Slave States in its maintenance and support.

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4. Smith's Debates, Alabama Convention p. 17 & 18.

5. Acts of 1859-60 of the General Assembly of Alabama - p. 685.

"There should be conventions simultaneously held in every Southern State - the occasion and Southern Rights demand it.

"And the leading object of such a convention would be the formation of a Southern Constitution, which, when adopted by a certain number of the States should be the organic law and bond of union of those States, under a Southern Confederacy."<sup>6</sup>

A few days later the citizens of Montgomery held a meeting at which the following was advocated: "We do design to accept the sentiment enunciated by the large and respectable meeting of our citizens at Estelle Hall, on Saturday night last, and plant ourselves upon the position which harmonized all the elements of a heretofore divided sentiment, to wit: the position of concerted separate state action."<sup>7</sup>

The following appeared in the Montgomery Weekly Advertiser expressing general Southern sentiment: "It is manifest that there exists throughout the Southern country, an unswerving determination to resist any and every encroachment upon the rights, honor and institutions of the Slave States. Our rights say they, must and shall be maintained."<sup>8</sup>

The Montgomery Weekly Advertiser commenting in December says: "The Disunionists of the South may be divided into different heads: First, those who advocate secession first and cooperation afterwards, and secondly, those who wish consultation and cooperation with the other Slave States, as far as it can be had, first and then secession, after proper arrangements have been made for it. The first of the position we noticed briefly on a former occasion; the second, we find is being extensively adopted and recommended by the highest authorities throughout the Southern States."<sup>9</sup>

North and South Alabama presented two different fronts on the ques-

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6. Montgomery, Alabama, Weekly Advertiser, December 26, 1860.
  7. Montgomery, Alabama, Weekly Post, November 21, 1860.
  8. Montgomery, Alabama, Weekly Advertiser, November 28, 1860.
  9. Montgomery, Alabama, Weekly Advertiser, December 26, 1860.  
Montgomery, Alabama, Weekly Post, December 28, 1860.

tion of secession, which later found its way into the halls of the convention. From the Huntsville Southern Advocate came the following: "The depressed feelings of our country have been grievously shocked by a demonstration of joy in the contemplation of a severed Union - It seems most strange that the proposed destruction of this Government can afford pleasure."<sup>10</sup>

Governor Andrew B. Moore carrying out the instructions of the joint resolution of the Alabama Legislature, issued his proclamation calling for the election, December 24, 1860, of delegates to a convention of the State to consider, determine and do whatever in the opinion of said convention, the rights, interests and honor of the State of Alabama requires to be done for their protection.<sup>11</sup> When the votes were finally tabulated and counted, it was found that a majority in the convention were for secession.<sup>12</sup>

A few days prior to the assembling of the Convention Governor Moore seized Forts Morgans and Gaines<sup>13</sup> by State troops along with the arsenal at Mount Vernon.<sup>14</sup> In a letter to President Buchanan, Governor Moore stated his reasons for the seizure before Alabama seceded. From evidence that he had he knew Alabama would secede. He deemed it his duty to take steps that it should be peaceful. He also felt that the Government of the United States anticipating the secession of Alabama was preparing to maintain its authority within the State by force, even to the shedding of blood, and was about to place a guard over the arsenal and re-enforce the forts. Knowing this, as an act of self defense he seized them. His orders were given not to provoke hostilities between the State and Federal Government. There was no object other than to save the honor and independence of his State.<sup>15</sup>

At last January 7, 1861, dawned the day for the Convention to assemble. The question of the relation of Alabama to the Federal Government was to

10. Huntsville, Alabama, Southern Advocate, December 28, 1860.

11. Owen, War Annals, Chapter V, p. 703.

12. Montgomery, Alabama, Weekly Post, January 5, 1861.

13. Smith's Debates, Alabama Convention, p. 40-42.  
Owen, War Annals, Chapter V, p. 703.

14. Smith's Debates, Alabama Convention, p. 40-42 -- p. 703.

be settled.

In the now historic capitol at Montgomery the scenes were enacted that made Alabama a free and sovereign State. At times the meetings were sad, dignified, and solemn.<sup>16</sup> Bursts of passionate eloquence were heard in the now historic house chamber. Yancey, the silver tongued orator, arrayed his eloquence on the side of secession. Smith and Jamison representatives of Tuscaloosa, North Alabama, threw their weight in opposition for cooperation. Throughout the entire proceedings every inch of ground was contested by the opposing groups. Sincerity of purpose and frankness of opinion prevailed the entire proceedings. An honest seriousness seemed to permeate the very atmosphere. All seemed to realize the serious tasks they were called upon to perform.<sup>17</sup>

Dr. Basil Manly, once president of the University of Alabama, opened the Convention with prayer. Ever after it was always opened in this manner.<sup>18</sup>

The first test of strength came when the Convention proceeded to the election of a President. There were one hundred delegates present, the entire roll of the Convention.<sup>19</sup> The straight secession party headed by Yancey drew first blood in the election of Judge Brooks, of Perry, over Robert Jamison, Jr., of Tuscaloosa. The vote being fifty-three to forty-five.<sup>20</sup> Jamison the defeated candidate was labeled as favoring cooperation; but in reality like a great many North Alabamians was opposed to secession.<sup>21</sup> William S. Phillips, of Dallas, presided as temporary President prior to the election of Judge Brooks. Following the election of the President, W. H. Fowler,<sup>22</sup> of Tuscaloosa, was elected Secretary; Frank L. Smith, of Montgomery, as Assistant Secretary and Robert H. Wynn was elected door-keeper.<sup>23</sup>

15. Gainesville, Alabama, Independent, January 5, 1861.

16. Montgomery, Alabama, Weekly Post, January 12, 1861.

17. Montgomery, Alabama, Weekly Advertiser, March 22, 1861.

18. Alabama Convention, Smith's Debates, p. 20.

19. Montgomery, Alabama, Weekly Post, January 12, 1861.

20. Montgomery, Alabama, Weekly Post, January 12, 1861.

21. Jamison's Speeches, Smith's Debates.

22. Resigned - Smith's Debates, p. 128.

23. Alabama Convention, Smith's Debates, p. 21-24.

Montgomery, Alabama, Weekly Post, January 12, 1861.

With these officers to look after the Convention it launched out upon the work set before it. The first act of the Convention was to pass a resolution of resistance to the programme of the victorious Republican party by a unanimous vote: "Resolved, by the people of Alabama, in Convention assembled, that the State of Alabama cannot, and will not, submit to the administration of Lincoln and Hamlin as President and Vice-President of the United States, upon the principles referred to in the preamble."<sup>24</sup>

Great excitement prevailed in the Convention from the first day, and a deep interest was felt by every member in the passing events. Telegraphic dispatches were frequently received and read, and served the purpose of keeping up the animation.<sup>25</sup> Adding to the excitement were the addresses of Commissioners from other seceding States.<sup>26</sup>

A telegram from Washington carried the news that the Republicans refused to consider the border States compromise, and still another from Richmond that the Virginia Legislature by a vote of one hundred and twelve to five passed a measure to resist any attempt to coerce a seceding State.<sup>27</sup> From time to time Governor Moore communicated information to the Convention which he deemed proper for it to have.<sup>28</sup>

Very early in the proceedings the proposition of secret session was advanced and advocated. After arguments pro and con, although not heated, it was agreed upon resolution of Robert Jemison, Jr., that all deliberations of the Convention be held behind closed doors and in secret, unless otherwise ordered by the Convention. Mr. Jemison in offering the resolution explained his object in advocating secret sessions. He declared it was not to prevent the public from ascertaining what was transpiring, but to facilitate the business of the Convention.<sup>29</sup>

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24. Grove Hill, Alabama, The Democrat, January 17, 1861.  
 25. Smith's Debates, Alabama Convention, p. 33.  
 26. Montgomery, Alabama, Weekly Advertiser, January 12, 1861.  
 27. Smith's Debates, Alabama Convention, p. 34.  
 28. Montgomery, Alabama, Weekly Advertiser, January 19, 1861.  
 29. Montgomery, Alabama, Weekly Advertiser, January 12, 1861.

The Convention thereupon went into secret session and passed a resolution authorizing the Governor to send troops, at the request of the Governor to Florida, to aid in the defense of Pensacola which was indirectly a defense to Alabama.<sup>30</sup>

A resolution introduced by William L. Yancey was passed providing for the appointment by the President of a committee of thirteen to consider and report what is necessary to protect the rights of the State.<sup>31</sup>

It was from this committee that the Ordinance of Secession made its appearance upon the floor. The Ordinance of Secession really originated with Mr. Bulger, who introduced a preamble and resolutions, condemning the North and asking for action on the part of the South and especially of this Convention. His preamble and resolutions were referred to the Committee of thirteen.<sup>32</sup>

While Mr. Bulger's preamble and resolutions were in committee a bitter fight was being waged on the floor. It resulted from another resolution introduced by Mr. A. A. Coleman. The resolution called for aid to seceding States against coercion. Mr. Davis attempted to refer it to the committee of thirteen. The basis for the move to refer it to the committee was advanced in the argument of Robert Jemison, Jr., who said: "I see no necessity for immediate action upon the resolution. We have no reliable information on which to act. (Hon. Mr. Dowdell read a dispatch saying hostilities had commenced). Yes, we have various telegrams, the authenticity and reliability of which seem to be confided in, and are fully satisfactory to gentlemen of the majority. But as for myself, being no wire-worker, and having nothing to do with the working of wires, in these days of telegraphic information, I am disposed to question the authenticity of much of what we hear. The aims are made to tell whatever is most appropriate for effect. They keep the

30. Mobile, Alabama, Advertiser, January 19, 1861.

Smith's Debates, Alabama Convention, p. 50-55.

31. Montgomery, Alabama, Weekly Advertiser, January 19, 1861.

32. Smith's Debates, Alabama Convention, p. 56-57.

Ibid, p. 59.

public mind in a state of excitement; and, for whatever matter under consideration here, we have a telegram suited to the occasion. Whatever is wanting in argument is supplied by telegraph."<sup>33</sup>

Mr. Smith, of Tuscaloosa, rallied to the support of Mr. Jemison, addressing the President, he said: "Sir, what will be the inevitable result of your disposition to press the minority to immediate and final action upon such resolutions, without giving them the usual legislative delay for reflection? The attempt to force your measure upon us will result in this: that you will pass this resolution and others of no less importance, by a meagre majority of six or eight votes; (for that is the majority by which you were elected president). Do you wish to do this? Sir, we of the minority ask of the majority but the ordinary civilities of parliamentary decorum; time to deliberate and examine."<sup>34</sup>

For the first time the great Yancey was to take the floor and give notice that he was for action and not delay. He made reply to Jemison and Smith in particular and the minority in general: "The gentlemen from Tuscaloosa has sneeringly said, 'It will be but poor consolation to South Carolina, when we tender the promise to aid her against coercion by the Federal Government by a meagre majority of one.' I think, Sir, that I understand the illusion. It is useless to disguise the fact, that in some portions of the State there is disapprobation towards our action; and, I venture to tell the gentlemen from Tuscaloosa, that when the Ordinance shall be passed, it will represent the fullness, and the power, and the majesty of the sovereign power of Alabama. I tell them that it will not be for any portion of the people of Alabama, but for the enemies of the people of Alabama."<sup>35</sup>

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33. Greensboro, Alabama, The Beacon, January 12, 1861.  
Smith's Debates, Alabama Convention, p. 57-74.

34. Greensboro, Alabama, The Beacon, January 12, 1861.

35. Smith's Debates, Alabama Convention, p. 68-69.

Taken from the "Montgomery Mail".

Greensboro, Alabama, The Beacon, January 12, 1861.

Yancey's fiery tongue had thundered. He felt that immediate action was necessary because of the turn of events. War had really begun from the difficulties within Charleston Harbor. The Convention following his speech was in an uproar. Mr. Watts who followed Mr. Yancey held the floor in the hope of mollifying the feeling and quiet the excitement that prevailed. <sup>35°</sup> The resolution that caused this first outburst did not appear again until near the close of the session, when it was passed over without a vote. It tended to show that the Convention was due to engage in many bitter fights. That the minority did not propose to be driven into anything without first demanding their rights and in turn putting up a fight for them.

The Ordinance of Secession now came from the committee of thirteen to which it had been previously committed. It was presented by the chairman and read as follows: "Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the offices of President and Vice-President of the United States of America, by a Sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people of the Northern Section, is a political wrong of so insulting a menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security, therefore,

"Be it declared and ordained by the people of the State of Alabama, in convention assembled, that the State of Alabama now withdraws, and is hereby withdrawn, from the Union known as 'the United States of America', and henceforth ceases to be one of said United States, and is, and of right ought to be, a sovereign and independent State.

"Be it further declared and ordained by the people of the State of Alabama in convention assembled, that all the powers over the territory of said

State, and over the people thereof, heretofore delegated to the Government of the United States of America, be and they are hereby withdrawn from said Government, and are hereby resumed and vested in the people of the State of Alabama.

"Be it resolved by the people of Alabama in convention assembled, that the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri, be and are hereby invited to meet the people of the State of Alabama, A. D., 1861, at the City of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security.

"And be it further resolved, that the President of this Convention be, and is hereby instructed to transmit forthwith, a copy of the foregoing preamble, Ordinance, and resolutions to the Governors of the several States named in said resolutions.

"Done by the people of the State of Alabama, in convention assembled, at Montgomery, on this the eleventh day of January, A. D., 1861."<sup>36</sup>

The minority offered a series of resolutions to be taken up and substituted for the Ordinance. They were in the nature of a convention to be called to include all the Slave States and to present their grievances to the Federal Government. They were to cooperate and reached some agreement as to Southern grievances. The resolutions, however, were lost when they were put to a vote fifty-four to forty-five. The minority offered in addition to the above resolutions an amendment that stated: "In case the Ordinance of Secession did not go into effect until the fourth day of March, 1861, and not then unless the same shall have been ratified and confirmed by a direct vote of the people". This was also lost by the same vote as the series of resolu-

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36. Smith's Debates, Alabama Convention, p. 76-77.

tions.

However, it was not lost before the members opposed to secession had flung the gauntlet of representative government into the teeth of the majority. Speech after speech made by the minority hurled the "Rights of the people" broadside at their opponents. Especially worthy of note are the remarks of Mr. Edwards: "Again, I oppose its passage because in all cases where the fundamental principles of government are to be changed, such changes, should be submitted to the people for their approval or disapproval." <sup>38</sup> Mr. Yancey in his characteristic way answered the minority: "The Constitution of the United States was adopted by the several State conventions, and in no instance was it submitted to the people for ratification. Coming down to a later day, and coming home to the action of our State sires, we find another example against such submission. The Constitution of the State of Alabama was never submitted <sup>39</sup> for popular ratification."

Before the call for the vote various members took time to explain their vote. Robert Jemison, Jr. of Tuscaloosa, said: "He would vote against the Ordinance of Secession, but he had told his people before he came here that he would sustain the action of the majority of the Convention; and he would go back to them and ask them to ratify the solemn question decided by the Convention". Mr. Dargan, of Mobile, briefly advocated the adoption of the Ordinance of Secession and said; "He had long ago reflected that he must either join the Abolitionists in their unholy crusade against slavery or advocate the disunion of the Government of the United States. He preferred the latter course and would stand by the interests and honor of his state". Judge W. R. Smith, of Tuscaloosa, declared: "That in the canvass for the election of delegates in his county, he had taken the position that he would sustain the action of the Convention whatever it might be. Although opposed to secession, he would stand by

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38. Smith's Debates, Alabama Convention, p. 104-105.

39. Ibid, p. 115 (Copied from "Montgomery Mail").

Ibid, p. 119.

and sustain the action of Alabama for weal or woe. Her destiny was his destiny, and he would defend the honor and independence of Alabama". Dr. Watkins, of Franklin, asserted. "He would sustain the action of the Convention, and with all that he had, he would defend it. He would urge his people to sustain the action of the Convention. However, he would vote against the Ordinance of Secession."<sup>40</sup>

Many others explained their attitude but the quotations already given will sufficiently indicate the general tenor of their remarks. All were given the opportunity to take the floor before the final vote.

The Convention then proceeded to the Ordinance of Secession. The matter of separate state secession was challenged by Mr. Clark, of Lawrence, who declared that the Ordinance should be amended to include united action. Mr. Timberlake went a step further and proposed an amendment to that effect which was tabled upon the motion of Mr. Whatley. The vote was sixty-two to thirty-seven. Immediately after the vote on the motion Mr. Yancey offered an amendment to be inserted directly after the Ordinance, and before the resolutions: "And as it is the desire and purpose of the people of Alabama to meet the Slave States of the South, who may approve such purpose, in order to frame a provisional as well as a permanent government, upon the principles of the Constitution of the United States."<sup>41</sup> This amendment was adopted.

With the way cleared Mr. Yancey took the floor and spake as man never spake before. With all the fire and force of his eloquent voice he called upon his colleagues to support the measure. He attempted to show how the minority could support the measure by the conjunction of the Ordinance and Resolutions, as reported by the committee. The Ordinance declaring the Sovereignty of Alabama and the Resolutions calling for cooperate action with all the Southern States. He discussed at length what effect the failure to sign the Ordinance when passed would have upon their enemies. In a voice that

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40. Montgomery, Alabama, Weekly Advertiser, January 12, 1861.

41. Smith's Debates, Alabama Convention, p. 92.  
Montgomery, Alabama, Weekly Post, January 12, 1861.

penetrated the four corners of the chamber he asked that the vote be taken.<sup>42</sup>

It was taken and announced by President Brooks as sixty-one for as against thirty-nine in opposition. Alabama was now a free, sovereign, and independent State. It might be of interest to note that five cooperationists voted for secession.<sup>43</sup>

It would be difficult to describe with accuracy the scenes that presented themselves in and around the Capitol during this day. A vast crowd had assembled in the rotunda eager to hear the announcement of the passage of the Ordinance. In the senate chamber, within the hearing of the Convention, the citizens and visitors had called a meeting; and the company was there addressed by several distinguished orators, on the great topic which was then engrossing the attention of the Convention. The wild shouts and the rounds of rapturous applause that greeted the speakers in this impromptu assembly, often broke in upon the ear of the Convention, and startled the grave solemnity that presided over its deliberations.

Guns had been made ready to herald the news, and flags had been prepared, in various parts of the city, to be hoisted upon a given signal.

When the doors were thrown open the lobby and galleries were filled to suffocation in a moment. The ladies were there in crowds, with visible eagerness to participate in the exciting scenes. With them, the love songs of yesterday had swelled into the political hozannas of today.<sup>44</sup>

Not only did Montgomery hail the news, but it was received with wildest demonstrations elsewhere: "Yesterday was the wildest day of excitement

42. Smith's Debates, Alabama Convention, p. 110-116.

43. Ibid, p. 118.

Grove Hill, Alabama, The Democrat, January 17, 1861.

Montgomery, Alabama, Weekly Post, January 12, 1861.

Mobile, Alabama, Advertiser, January 12, 1861.

Gainesville, Alabama, Independent, January 19, 1861.

Montgomery, Alabama, Weekly Advertiser, January 12, 1861.

44. Smith's Debates, Alabama Convention, p. 119.

Montgomery, Alabama, Advertiser, January 12, 1861.

Montgomery, Alabama, Weekly Post, January 12, 1861.

Gainesville, Alabama, Independent, January 19, 1861.

in the annals of Mobile. The whole people seemed to be at the top point of enthusiasm from the time that the telegraphic announcement of the passage of the Secession Ordinance in the Convention was received until the hour when honest men should be abed.

"To add, if possible, to the excitement, the news of the secession of our sister State of Florida was received simultaneously with the withdrawal of Alabama."<sup>45</sup>

The Greensboro Beacon called the eleventh of January, 1861: "a memorable epoch in the history of Alabama for on that day our gallant little State resumed her sovereignty and became a free and independent State."<sup>46</sup>

Isaac Grant, Editor of the Grove Hill, Democrat noted: "Alabama has seceded from the Free-Soil Mulatto Government of Lincoln and Hamlin, and asserted her complete sovereignty. Alabama seceded Friday, Florida on Thursday, and Mississippi on Wednesday. Virginia, North Carolina, Georgia, Louisiana, and Texas will soon follow. All glory to these noble States."<sup>47</sup>

After the Ordinance has passed January 11, 1861, the women of Alabama presented the Convention with a flag to replace the Star Spangled Banner. It was accepted for the Convention in a patriotic and ringing speech by Mr. Yancey. It was decided that the flag should fly from the dome of the Capitol. Before "Old Glory" was hauled down Judge Smith, of Tuscaloosa, paid a noble tribute to the flag that for forty-two years flew over the State.

Amid the wild enthusiasm that had taken possession of the hall as well as of the streets and the city, the Convention adjourned.

The roar of cannon was heard at intervals during the remainder of the eventful day. The new flag of Alabama, bearing a single star,<sup>47°</sup> displayed

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45. Grove Hill, Alabama, The Democrat, January 17, 1861 - copied from Mobile Advertiser.

46. Greensboro, Alabama, The Beacon, January 18, 1861.

47. Grove Hill, Alabama, The Democrat, January 17, 1861, Isaac Grant, Editor.

47°. Montgomery, Alabama, Weekly Post, January 16, 1861.

Greensboro, Alabama, The Beacon, January 18, 1861.

its virgin features from the windows and towers of the surrounding houses; and the finest orators of the State, in harangues of congratulations, commanded until a late hour in the night the attention of shouting multitudes. Every species of enthusiasm prevailed. Political factions, which had so lately been standing in sullen antagonism, seemed for the time to have forgotten their differences of opinion; and one universal glow of fervent patriotism kindled the enraptured community.<sup>48</sup>

When the Convention assembled on the twelfth of January, Mr. Ketchum offered a resolution ordering the Ordinance of Secession to be engrossed on parchment - sealed with the great seal of the State - and at twelve M; on January 19, 1861, in the Hall of Representatives, publicly, and in the presence of all public authorities of Alabama, he signed by the members of the Convention, who may desire to do so at that time. It was amended to include the following words: "And that afterwards it lie on the table to be signed by such others as may choose to do so."<sup>49</sup>

The Ordinance was engrossed on parchment by Mr. Joseph B. Goode, of Montgomery, and it was adopted as the original. It was later filed in the office of the Secretary of State.<sup>50</sup>

The State being out of the Union it had to devise ways and means of sustaining itself.

One of the first acts was to authorize the Governor to raise one million of dollars for state purposes, by the issuance of state bonds, to run not less than five nor more than twenty years and the bonds not to be sold at a discount.<sup>51</sup>

Governor Moore at this time reported federal activities at Pensa-

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48. Smith's Debates, Alabama Convention, p. 119-122.

49. Ibid p. 135.

50. Ibid p. 173.

Montgomery, Alabama, Weekly Advertiser, January 26, 1861.

51. Smith's Debates, Alabama Convention, p. 123.

Ibid, p. 129.

Ibid, p. 131.

cola. It was only the shifting of federal soldiers from one fort to another. The fort to which they moved was Fort Pickens which commanded the other defenses. The situation was daily becoming more grave, each side suspecting every move of the other.<sup>52</sup>

The Convention then called upon the collector of the Port of Mobile to repair at once to Montgomery, to confer with the committees on Commerce and Finance, and Imports and Duties, in reference to matters appertaining to his office, and the interests of the State.<sup>53.</sup>

A resolution was passed authorizing the commissioners to the several Slave States to present to the Convention of the several States the action of Alabama in secession, and to request their consideration of, and concurrence in, the first resolution.<sup>54</sup>

The oath of office was changed from that of allegiance to the United States to that of the sovereign State of Alabama. They were absolved from their previous oath to the Federal Union.<sup>55</sup>

The Convention now turned its eyes toward a union of its sister States who were out of the Union or contemplated going out. From the committee of thirteen came a report and resolution upon the formation of a provisional and permanent government among the seceding States. They proposed that a convention of delegates duly elected by each State assemble at Montgomery, Alabama, February 4, 1861, to frame a provisional government, upon the principles of the Constitution of the United States. The number of delegates was to be as many as it now has or has lately had, senators and representatives in the Congress of the United States.

The Convention was to elect by ballot, one delegate from each con-

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52. Smith's Debates, Alabama Convention, p. 124.  
Ibid p. 135.

53. Mobile, Alabama, The Advertiser, January 26, 1861.

54. Smith's Debates, Alabama Convention, p. 127.

55. Ibid p. 127-128.  
Ibid p. 133.  
Ibid p. 135.

gressional district in this State and two delegates at large, at twelve o'clock meridian on Friday, January 18, 1861.<sup>56</sup>

This move brought forth bitter opposition on the part of Robert Jemison, Jr. He attempted to block it when and wherever possible.<sup>57</sup> Mr. Whatley, calling him by name, bitterly challenged him for his stand.<sup>58</sup> There was also a clash of words between William L. Yancey, who supported, and O. S. Jewett, who<sup>59</sup> opposed.

The real opposition lay in the election of delegates. A motion that the delegates to the convention be elected by the people was tabled. As a substitute they passed an amendment that the delegates shall be elected separately, and each delegate shall receive a majority of the members voting.

At twelve o'clock meridian January 18, 1861, the President announced that the hour to go into election of deputies to the convention of Seceding States to assemble at Montgomery, Alabama, on the fourth day of February 1861, had arrived. Robert Jemison, Jr. attempted a postponement but failed. A resolution offered by William S. Earnest threw the Convention into a lengthy argument. The resolution read that no member of this Convention be eligible for election. Robert Jemison, Jr. favored his resolution while Lewis M. Stone, and Jere Clemens, made speeches advocating their eligibility. After much discussion the Stone-Clemens advocates won. They claimed that good men would be lost to the service. Mr. Jemison asserted: "That a man in office should not again honor himself"<sup>60</sup> They then proceeded to vote, and elected the following deputies at large and deputies from the districts: At large, Richard W. Walker, of Lauderdale; and Robert H. Smith, of Mobile. From the districts, General Colin J. McRae, of Mobile; John Gill Shorrer, of Barbour; W. P. Chilton, of Montgomery; S. F. Hale, of Greene; Davis P. Lewis, of Laurance; Dr. Thomas Fearn, of Madison; J. L. M. Curry, of Talladega.<sup>61</sup>

56. Smith's Debates, Alabama Convention, p. 132, 136-148.

57. Ibid p. 133-135.

58. Ibid p. 137.

59. Ibid p. 138-146.

60. Smith's Debates, Alabama Convention, p. 149-160.

After the election of deputies had been decided a council of State was proposed by George D. Shortridge. The duties of the council would be, when required by the Governor to advise with him on all matters which may be submitted to their consideration; and that a record of such consultations shall be kept; provided, nevertheless, that the Governor shall, in all cases, decide upon his own action. The advocate of this measure failed to convince the Convention of its need and it was lost fifty-two to forty.<sup>62</sup>

The Convention then took steps to inform its two Senators and six representatives that the State of Alabama was not entitled to and ought not to be represented in the Congress of the United States.<sup>63</sup>

It was agreed to send a commissioner to Washington, although attention was called to the fact that South Carolina had sent a commissioner, whom President Buchanan refused to receive other than as a private citizen. The question was raised by Jere Clemens: "Does Alabama want to be likewise insulted?"<sup>64</sup>

When the question of confiscation of property was before the Convention one member in particular ably expressed the State's attitude toward their creditors. H. C. Jones, of Lauderdale, referring to the debts owed in the North said: "They have found our people honest, liberal, and punctual; they have trusted our merchants up to the hour of secession, relying on our spotless, uncorrupted integrity. Then, let our honor be sustained - let these debts be paid to the last farthing."<sup>65</sup>

The Convention put itself on record that the Mississippi River should be free to all, with no restrictions upon the privilege, further than the tonnage duties, to keep open and make safe the navigation of the mouth of the river, and for purposes of protection against a belligerent and unfriendly people.<sup>66</sup>

62. Montgomery, Alabama, Weekly Advertiser, January 26, 1861.

63. Gainesville, Alabama, The Independent, January 26, 1861.

Smith's Debates, Alabama Convention, p. 165.

64. Ibid, p. 166.

65. Smith's Debates, Alabama Convention, 174.  
Montgomery, Alabama, Weekly Advertiser, January 26, 1861.

66. Ibid p. 184-187.  
Montgomery, Alabama, Weekly Post, January 26, 1861.

When the Convention reached the question of the re-opening of the african slave trade they were engaged in long and heated discussion. It was declared that the slave trade ought to be prohibited, as the negro increases faster than the white man, and that there were enough negroes to supply all future demand. S. E. Posey declared: "That public sentiment was against the slave trade."<sup>67</sup> Others considered it a threat to the border States as, join us or loose the trade. The border States were supplying the lower South with slaves, especially Virginia. The opponents took two principal views. The one was to make no recommendation to the Convention of Southern States; let the convention decide after it meets. The other was for the direct re-opening of the "traffic" It ended in a recommendation to the Southern convention to prohibit the re-opening of the "traffic". Only three votes were in opposition.<sup>68</sup>

The troops who had been sent to Florida by Governor Moore were attempted to be withdrawn by members of the Convention. They declared that their time of enlistment was out and Florida now had sufficient forces to man her own defenses. However, the Convention refused to interfere. It was left to the Governor.<sup>69</sup>

A citizenship was declared by the Convention to include free whites only, except as were citizens of the United States before January 11, 1861. A person born in a Northern State or in a foreign country before January 11, 1861, must take an oath of allegiance to Alabama.<sup>70</sup>

The Convention now reached the end of its work. Looking back over the eighteen eventful days Alabama had passed from a State in the Federal Union to a free and sovereign Nation.

67. Smith's Debates, Alabama Convention, p. 208.

68. Mobile, Alabama, Advertiser, February 16, 1861.  
Ibid p. 94-211, p. 228-264.

69. Ibid p. 211-223.

Mobile, Alabama, Advertiser, February 16, 1861.

70. Smith's Debates, Alabama Convention, p. 223-228  
Montgomery, Alabama, Weekly Advertiser, February 23, 1861.