

“Submitting Cheerfully to Every Sacrifice”: The South Carolina General Assembly,
1862-1863

Eric A. Lager

Addressing the South Carolina Senate on November 24, 1862, President William D. Porter explained the consequence if the Confederacy should fail in its bid for independence. Not only would towns and cities be destroyed, property confiscated, and fields ravaged, but “ourselves and our children reduced to a most hateful bondage.” The contest was not simply about independence, explained Porter, it was one “between freedom and slavery.”¹

Porter’s characterization of the war as one between freedom and slavery reveals the essence of legislative responsibility as perceived by members of the General Assembly. The South Carolina legislature faced the immense burden of providing for the safety and welfare of the state’s citizens. The exigencies of war made this a difficult task to accomplish. Few precedents existed for the legislature to follow. At the same time, South Carolina was in the midst of a bitter internal debate over constitutional procedure created by the actions of the Secession Convention in 1862. Thus, at the very time that unanimity was required among the state’s legislators to prosecute a war of unprecedented scale, South Carolina also had to reorganize the structure of its governing apparatus and stabilize the turbulent and volatile political atmosphere the state found itself in at the end of 1862. Porter pleaded for the members of the General Assembly to “discard all considerations of person and party” and to use every resource available for securing “the safety and welfare of the state.” It was the duty of the legislature “to marshal [these resources] and to direct them in the most efficient manner.” This essay calls attention to the duties of the legislature and examines the effectiveness of the General Assembly in marshaling and directing the resources necessary to carry out a protracted war.²

While battles raged in Virginia and elsewhere in the Confederate South throughout 1862 and 1863, the daily rhythms of life continued on the home front in South Carolina. The section of the Confederate Constitution that enumerated the powers of the Confederate Congress did not include the “general welfare” of the states. This implied that maintaining the general welfare of citizens was a responsibility of the constituent states, and the Confederate government gave those states a considerable measure of autonomy to direct a wide range of domestic activity. To a large degree, then, it was the state legislature that was responsible for maintaining the social, political, and economic stability of South Carolina. This observation has surprisingly important implications for the study of Confederate politics in general and for the Confederate home front in particular. An examination of the South Carolina General Assembly is useful for ascertaining the extent to which a state legislature could meet the needs of its citizens during a time of real or perceived crisis. This study seeks to identify the important issues that were singled out by Governors Francis W. Pickens and Milledge L. Bonham from the fall of 1862 to the fall of 1863. It asks how the legislature responded to those requests. How effective were the solutions? What comments did citizens and the South Carolina press offer? Proposing some answers to these questions will fill a gap in the historiography of South Carolina’s Civil War experience and illuminate an area of Confederate politics that has received scant attention in recent years. By examining the actions of the South Carolina legislature at a critical moment—the annual session of 1862 when the Secession Convention was to dissolve itself, and the subsequent called sessions of 1863 to amend glaring deficiencies in existing law—this essay highlights some of the difficulties assumed by the members of the South Carolina General Assembly.³

The debate over the transition in government from the executive council to the legislature was heated. One reason the legislature had to adjourn in December 1862 before it passed the

necessary legislation for the upcoming year was because much time was expended in dismantling the council. After this was accomplished the legislature then had to address the perplexing problem of obtaining slave labor for coastal defenses around Charleston. This proved to be the most difficult task faced by the legislature during this time. The law was amended repeatedly throughout 1863 and was a constant thorn in the side of Confederate authorities and the South Carolina governor. Other issues that may appear trivial at first glance, such as the closing of the South Carolina College, could in fact arouse considerable anger and resentment. At the same time, providing aid to suffering families was of the utmost importance to the members in the General Assembly. Several laws were passed providing relief to those families who had lost a member of their family while serving in the Confederate army. Great obstacles were encountered but the legislature did the best it could under the circumstances. More obscure is the benevolent legislation designed to ease the suffering of the insane who were housed in the lunatic asylum. Appropriating state funds for this type of institution was a new development and underscores the essential responsibility the state felt for providing assistance to the unfortunate. Finally, an important function of state legislatures was to suppress activities it deemed harmful to the war effort. This essay concludes with a short examination of the legislation designed to suppress the undue distillation of spirituous liquors from the cereal grains of the state. All of these issues reveal the important role of the state legislature in the prosecution of the war and suggest that the actions of the South Carolina General Assembly deserve closer scrutiny.

It is somewhat surprising that the role of southern state legislatures has been underemphasized by Civil War historians. Confederate politics has certainly not been neglected. Legislation emanating from the Confederate Congress and its relationship to the leadership of Jefferson Davis has been analyzed in detail by a number of prominent historians in recent years.

Emory Thomas has described how the challenges that beset the Confederacy at the beginning of 1863 “called for novel responses which transformed the Confederate South” from its antebellum origins. Paul D. Escott has observed that Jefferson Davis “failed to elicit the kind of support he needed” to build unity and determination among the southern people in order to counter the more powerful North in a protracted war. George C. Rable has argued that competing visions of the Confederacy were complicated by the emergence of a rival political culture, which “forced Confederates constantly to reconsider their most fundamental political assumptions even as they wrestled with more immediate economic and military crises.” For Rable, Confederate nationalism “meant primarily the struggle for Confederate independence” with an emphasis on national unity and expanded government power. He shows, however, that libertarian dissenters offered a much different perspective of the Confederate cause. More recently, Stephanie McCurry has added a new dimension to our understanding of Confederate politics. McCurry acknowledges that the Confederacy was transformed by war. But instead of conventional political tension and opposition to the Davis administration, McCurry posits the notion that “the Confederate political project was undone by those who had been taken for ciphers in it,” namely women and slaves.⁴

This is not to say that state politics has been completely neglected. Although not directly concerned with the legislative actions of the General Assembly, William Blair’s study of Virginia calls attention to the problems between Confederate and state authorities. Blair shows how the Virginia legislature “tried with little success” to curb the most glaring deficiencies inherent in the local application of Confederate impressment laws. He describes the efforts of the Virginia legislature to restrict the amount of tobacco that could be planted in order to prevent starvation and ease the suffering of the poor. There were many abuses and not a little animosity

on the part of civilians towards both state and Confederate officials. Yet “unhappiness with the government did not overlap into disenchantment with the cause.” As the war dragged on officials increasingly balanced punishment with benevolence and charity. State authorities adapted to the circumstances produced by the war and attempted to meet the unique emergencies facing Virginia’s civilians and soldiers. Blair has clearly made an important contribution to the way historians understand the relationship between state and Confederate authorities. In the end, however, Blair shows “that Virginians did not lose because of failed nationalism or internal conflicts.” In this regard Blair is concerned with the larger issues stemming from the Confederate Congress and therefore his study belongs to a broader historiographical field dealing with morale, nationalism, and willpower that ultimately attempts to answer the perplexing question of why the South lost the Civil War.⁵

William Blair’s treatment of the Confederate experience in Virginia is a far cry from Frank Owsley’s classic contention that the Confederacy “Died of State Rights.” Owsley argued that the “Confederacy was paralyzed” by their states’ rights philosophy and “the whole people were demoralized and embittered against each other and their governments by the controversies involved.” For Owsley, the problem was that the states did not pool their “resources of men and equipment in the hands of the Confederate government.” As a result there were “all sorts of impediments” preventing the successful prosecution of the war. W. Buck Years has pointed out that one of the “recurring problems of interpretation that have bedeviled historians of the American Civil War has been the evaluation of the Confederacy’s war effort.” While Owsley settled for a simple explanation of Confederate defeat, Years calls attention to the notion that the “extent of each states’ cooperation can to a large extent be measured by the actions of its governors.” Moreover, “insofar as a state’s cooperation can be measured by the actions of its

governors, this part of the Owsley thesis has little validity.” Part of the problem for Yearnis is that “the role of state governors under the Confederacy has been spotty.” This contention certainly holds true for South Carolina. While the legislature is the primary focus of this study, the role of the governor forms a large part of the story told below.⁶

The historians mentioned above are all concerned with Confederate politics and nationalism at some level. Yet the actual day-to-day activities of state legislatures are dealt with peripherally at best. To date the only book devoted solely to the role of southern legislatures in the Confederacy was written by May Spencer Ringold over forty years ago. Her short study is helpful but hardly comprehensive. Spencer’s decision to stitch together the activities of every southern legislature on nearly every issue in a mere one hundred pages results in an incoherent framework to understand the specific complexities involved in governing state affairs. Nevertheless, Ringold’s pioneering effort does point to the particular difficulties that were common to the states across the Confederacy and it provides a starting point for this essay.⁷

There is a surprising lack of scholarship pertaining specifically to Palmetto State politics and government during the Civil War. Given the central role of South Carolina in inaugurating the secession movement and forming the provisional Confederate government, historians have been content to analyze South Carolina’s political culture solely in terms of its antebellum origins to explain the secession movement. As a consequence, South Carolina’s experience during the Civil War has been neglected. By far the best political history of the Palmetto State was provided by Charles Cauthen some sixty years ago. In South Carolina Goes to War: 1860-1865, Cauthen traces the discourse of state politics from secession to surrender. Unfortunately the bulk of Cauthen’s analysis is limited to the secession movement and the executive council that controlled the operation of state government until the end of 1862. Cauthen asks few direct

questions relating to the legislature's actions. His general conclusions concern the relationship between South Carolina and the Confederate government. As for the legislature's task of reorganizing itself after the dissolution of the executive council, of providing relief to needy civilians, and of its internal debates over more obscure issues, little is said.⁸

More recently Walter Edgar devoted a chapter of his South Carolina: A History to the war years. Unfortunately, the role of the state legislature is almost entirely missing in this chapter. Edgar mentions that the General Assembly passed resolutions protesting the Confederate tax on agricultural produce, but this explains little. Like Cauthen, Edgar confines his discussion to the relationship between the state and Confederate government. Without citing any evidence, Edgar bluntly asserts that "most Carolinians realized that their cause was lost" after the Union victories at Gettysburg, Vicksburg, and Battery Wagner. Surely he is not thinking of the members in the General Assembly who were called into special session that September for the purpose of strengthening the state's ability to prosecute the war and to relieve civilians of the hardships caused by wartime shortages. Nor could he be thinking of William Henry Ravenel, a renowned scientist who followed public affairs closely. On the last day of September 1863 Ravenel wrote in his diary that South Carolinians were indeed passing through a "most critical and gloomy period." They had met serious reverses, "but the spirit of our people is not broken. They are rather nerved to greater exertions."⁹

The most recent work is that of W. Scott Poole. South Carolina's Civil War: A Narrative History also situates the Confederate experience in the context of Confederate legislation. Once again the role of the General Assembly is slighted. Indeed, the legislature is mentioned only in a passing reference to its hatred of the executive council. No attempt is made to analyze the actions of the legislature after the council's dissolution. Rather than make the effort to understand the

legislative attempts to reorganize the political structure of the state and provide a degree of stability, Poole chooses instead to focus on Robert Barnwell Rhett's unrelenting attacks on Jefferson Davis and the Confederate Congress. Poole does not stop with Rhett. His indictment of state officials across the political spectrum and through the prism of Confederate nationalism is overt. For Poole, "sustained criticism of the Confederate government underscores the essential provincialism of the state's ruling class once they became part of a national experiment." South Carolina politicians were "interested primarily in defending local autonomy," and "they showed no enthusiasm for the policies, or the sacrifices, necessary to make the modern nation-state."¹⁰

To some extent Poole is correct. Planters certainly did not seem willing to release their slaves to Confederate authorities. Yet one cannot help but wonder what William D. Porter meant when he told the South Carolina Senate near the end of 1862 that "there were more privations to be endured, more sacrifices to be made." Porter ultimately believed "our title to independence shall be made good and acknowledged before the world." As for Poole's assertion that the state's ruling class was too provincial to sustain Confederate authorities, Governor Francis W. Pickens must have received considerable political backlash when he addressed the General Assembly in November 1862 and asked the members "to make as few issues or complaints as possible against the action of the Confederate government." The duty of the members, Pickens said, was to give the Confederate government "a cordial and warm support" by making "no complaint calculated to weaken the hands of the Confederate authorities in any particular." Yet Pickens was not ostracized by South Carolina's ruling class. On the contrary, he emerged with a newfound popularity not enjoyed since the firing on Fort Sumter in April 1861. Poole's argument, in other words, obscures the complexity and diversity of issues that the legislature had to confront as the war became more demanding. Let us now turn to some of those complex and diverse issues.¹¹

As winter approached and the weather grew colder in late 1862, so too did the political climate in Columbia. Indeed, it is easy to underestimate just how turbulent the past year had been for many South Carolinians. Port Royal had fallen to the Union fleet, a development which created untold confusion and disillusionment among the planters in the low country. The fragility of the planters' social system had been exposed and then shattered as mass evacuations and panic became widespread. Roads became clogged with refugees as citizens scrambled to carry off their belongings to the interior. The efforts of the state government to move 30,000 slaves from the coast had proven to be a logistical nightmare that ended in utter failure. Less than a month later a great fire in Charleston destroyed some 540 acres and 575 private homes. Property losses were estimated at five to eight million dollars. The general fear of an imminent attack on Charleston was common throughout the state. Added to these problems were the rising prices of foodstuffs, a scarcity of goods, and the declining number of men enlisting for the duration of the war. These combined problems constituted an immediate emergency in the eyes of many South Carolina politicians. Unfortunately for Governor Pickens, the blame for the deteriorating state of affairs was laid on his shoulders. Accordingly, the convention took drastic action and proceeded to create an executive council that was designed in theory to strengthen the efficiency of the state in prosecuting the war. In reality it usurped the power of Governor Pickens and all but eliminated his role as commander-in-chief. Mary Chesnut, the famous South Carolina diarist and wife of James Chesnut Jr., described the council as "a bundle of sticks and crutches for old Pickens." The story of the council has been told elsewhere, but it suffices to say that the existence of an extralegal body charged with executing and legislating simultaneously was a dubious constitutional measure. Although the council ultimately achieved its objective to put South

Carolina on a more permanent war footing, it created a firestorm of political protest unparalleled in South Carolina's Civil War history.¹²

As the members of the legislature gathered in Columbia there were many new faces in the assembly. The existence of the executive council had been made the primary issue during the fall campaign to elect members to the General Assembly. An article in the Charleston Daily Courier asked South Carolinians "to choose such members for that body as would pledge to relieve them for the grievance of the Executive Council by the impeachment of that anomalous dictatorship at the next session of the legislature." The article went on to stress the importance of the election since the "imbecile and vacillating" council had caused a "civil revolution." Another citizen expressed his hope in the Charleston Mercury that the next legislature would "dethrone" the council. And former Governor John Richardson thought the council was placed "too high on the dizzy pinnacle of power." He doubted "if Robespierre, Danton, or even Napoleon, ever exercised more supreme power." William Gilmore Simms wrote to James Henry Hammond that there was some ninety-six new members in the General Assembly "each eager to fire his pop gun" at the convention and council.¹³

In his annual message to the General Assembly Governor Pickens chastised the convention for its "remarkable experiment in government." He lamented that "an arbitrary and illegal government" had "grossly and needlessly violated" the state constitution. Although he could appreciate the circumstances under which the convention acted after the excitement produced by the fall of Port Royal, he knew the time would come for the state to right the wrong. That time had arrived, declared Pickens, and he earnestly recommended to the legislature that "as guardians of the Constitution and Law, you do now restore to the State the regular and ordinary Government." The legislature wasted little time. The next day resolutions were introduced in the

House declaring an “unabated respect and affection for our State Constitution.” The separation of powers was still considered “fundamental and necessary” to the existence of the constitution. The legislature should regard any attempt to set aside this distinction as “mischievous,” and one which would “inevitably lead either to anarchy or despotism.” Finally, the resolution profoundly regretted “any measures which may have been adopted by the late Convention at variance with these principles.” It was incumbent on the legislature to remedy this mischief as quickly as possible. Unfortunately for the opponents of the council a considerable debate ensued and delayed the repeal of that body for several weeks. Eventually, however, an act was passed on December 17 which abolished the executive council. In January an act declaring the law in relation to the proceedings of the executive council was passed stating that all acts, proceedings, resolutions, and orders from the council “have not and shall not have the effect and force of law,” with the exception of contracts entered into by the council. With the passage of this act the tumultuous history of the executive council was over.¹⁴

Although the executive council would end, the business of the new legislature was just beginning. Expectations for legislature to perform its duties ran high that November. The Charleston Daily Courier thought it was a critical moment in the war and boldly proclaimed that the actions of the new legislature would be directly responsible for “the welfare of every family in the State.” Indeed, “seldom has a better opportunity offered when our legislators have had it in their power to gain the gratitude of the people, by prompt and energetic action in a matter so vitality important.”¹⁵

This sentiment was echoed by Governor Pickens in his annual message to the General Assembly. His message was unusually long that fall. Of the many problems facing South Carolina that winter, the acquisition of slave labor for the defensive works on the coast and

around Charleston in particular, seemed to be the most pressing and immediate issue. After the repulse of Union forces at Secessionville in the summer of 1862 the federal threat was resumed that fall for the purpose of cutting the railroad between Charleston and Savannah. There was general agreement that Charleston must be defended at all costs and Governor Pickens made it clear that the safety of all citizens was tied to the successful defense of that city. "Let no man, in a remote part of the State, imagine that the work done there is not necessary to the protection of his own home and fireside." The works around Charleston were "not to be viewed as temporary," but rather as a permanent defense that was necessary to the future of South Carolina "even after peace." Accordingly, Pickens recommended "that the Legislature should agree upon some permanent plan by which negro labor shall be furnished." He admitted that the previous efforts of the executive council to try and furnish the necessary slave labor "has produced an unpleasant state of feeling, and much complaint."¹⁶

One of the primary reasons that complaint was voiced by the planters throughout 1862 was the inconvenience of sporadic and arbitrary calls for labor during the planting season. In May 1862 Pickens had relinquished "full power and authority" to General Beauregard "to impress labor of all kinds for public works and defense, in a manner as full and unlimited as if martial law were therein established and proclaimed." This high-handed measure sparked a storm of protest from the planters and a steady stream of letters reached the executive council asking for exemption throughout the summer. Former governor James Henry Hammond, for example, protested that impressment of one-third of his labor force liable to road duty would cost him one-half of his crop. Another citizen asked for postponement since "the time of fodder-pulling is near at hand." Thus Pickens's recommendation that the legislature adopt a permanent plan and labor force was a wise one. He explained that a permanent arrangement "would relieve

all the agricultural negroes of the country from arbitrary and irregular calls at seasons not at all suitable.” The owners should be allowed to select whichever slaves they desired to be put regularly in the army, to draw rations, and for the owners to receive their pay. This method would also have the added effect of allowing owners to send off “all negro men who might be difficult to manage at home.” Since these supposedly unruly slaves would be under the command of Confederate authorities, it would identify the slave population with the army and would “produce a wholesome feeling of allegiance, and thus aid in the police government of that class.” The end result, Pickens thought, “is that it would be a good police arrangement that would strengthen the interior peace of the State.” The plan outlined above was endorsed by General Beauregard.¹⁷

The concerns expressed by Pickens exemplified the fragility of a slave society beginning to crack under the strain of war. As much as they would have liked to believe in the faithfulness of their human property, reality and the thirst for freedom exposed the folly of such beliefs. The war had produced a crisis of confidence in the slave society it was designed to preserve. By the end of 1862 more than 10,000 slaves in South Carolina had been lost to federal armies or were no longer in the possession of their owners. The combined value of slave property lost was seven times the value of all other property unaccounted for. It was the behavior of that human property which confounded all attempts to use slave labor for coastal fortifications in any large numbers. Before the beginning of 1863 many slaveholders were not asking whether their society could be preserved, but instead whether it could ever be rebuilt.¹⁸

Pickens, sensing delay, reminded the legislature on December 3 of the need to address this issue “as soon as possible” since the “demand is pressing.” On December 18, 1862, the legislature finally complied and passed a new law to organize slave labor for coastal defense.

The legislation divided the state into four territorial divisions and authorized the governor to make requisitions through a state agent appointed by the governor. However, the law stated that “each levy under the call shall serve for one month.” This was hardly the permanent plan envisioned by Pickens and approved by Beauregard. The effectiveness of the law was further diminished by a key provision mandating that the governor wait until the Confederate government gave “written assent and agreement to the terms and conditions” set forth in the law. The terms and conditions in section three of the law contained eight stipulations for the Confederate government to conform to before the governor could direct the state agent to begin the process. The most important stipulation was the demand that the Confederate government “be liable to the owner for any loss or damage” that might be incurred as a result of their service. This, of course, included compensation for any slaves that might escape to Union lines. To cap off the deficiency was a provision allowing owners to pay \$1 per day per slave in lieu of providing the state with the requested labor. Indeed, Thomas Moore, an upcountry planter stationed near Kinston North Carolina, wrote to his overseer in January 1863 directing him to either pay the fine or hire substitutes “even if you had to give twice the usual price, for they [the slaves] are more liable to disease in camp and moreover they would contract bad habits and perhaps run off to the Yankees or be captured.” In the end the legislation passed by the General Assembly that December was about as far away from the program Pickens had outlined in his annual message to the legislature. It was a testament to the difficulty of convincing the ruling elite to make the necessary sacrifices in slave property requested by Confederate and state authorities.¹⁹

On January 5, 1863, Governor Bonham wrote to the Confederate Secretary of War James A. Seddon “requesting an expression of assent or dissent to the provisions” of the act passed by

the South Carolina legislature in December 1862. A few days later Seddon responded and said that the war department “considers the proposed system for the employment of slaves well arranged and judicious, and approves highly of the action of the Legislature.” However, he added that “there is one provision of the law...to which the Department does not feel authorized to take any action.” This was the provision mandating reimbursement from the Confederate government for slaves who escape to or are captured by the enemy. Seddon claimed that only “Congress alone can provide for such payment.” Clearly the difficulty arising between Confederate and state authorities continued to plague the effort to obtain slaves for coastal defense.²⁰

This difficulty is underscored by the fact that the law was amended no fewer than four times in 1863. When the legislature reconvened in January 1863 after its winter recess it proceeded to shore up its previous shortcomings by waiving the requirement that the Confederate government must first give written consent to the provisions in the previous act. The legislature also hoped to discourage planters from paying the fine by raising the punishment to \$1.50 per day per slave. This change, however, proved ineffective. The Confederate government at this time had requested 3,000 slaves but only 750 were obtained by April. The failure of this policy was one of the primary justifications for calling the legislature into special session that April. Milledge L. Bonham, the new governor, bluntly stated that the current law was not “effectual for the accomplishment of its objectives.” He explained that the territorial divisions had furnished less than one-fifth of the number called for by General Beauregard. The problem, according to Bonham, was that “the fine is too light” to compel the planters to comply with the requisition. Even if the fine was adequate, explained Bonham, “the process of collection is too slow.” The law stipulated that each fine had to be sued for in the court of common pleas after being assessed and imposed by the commissioners. Bonham therefore recommended that “some more

expeditious mode for procuring the labor, and imposing and collecting the fine, will have to be adopted to secure the success of the scheme.”²¹

Once again the “scheme” did not conform to the original plan proposed by Governor Pickens back in November. Governor Bonham wrote to Beauregard in April and reassured him that he was “keenly alive to the importance of this labor.” But part of the problem was that spring planting was about to commence and “there is great unwillingness on the part of the planters to send their hands to the coast at this particular period.” Bonham tried to explain to Beauregard “that this unwillingness had been occasioned heretofore in no small degree by the detention of the negroes beyond their time.” Bonham enclosed a copy of the report submitted by William M. Shannon, the state agent in charge of procuring the labor. Shannon explained that the reason such a small number of slaves had been obtained was “the want of patriotism” and “the existence of a parsimonious and niggardly spirit.” Shannon added that many planters “would have cheerfully responded” to the call, but some thought they had been excluded from the requisition by the terms of the statute. Others “conceived mistakenly, though innocently, that they did their duty by paying the fines.” While it is easy to deduce there were many complications between South Carolina and Confederate authorities over this issue, some fault for the failure of the policy belongs to Bonham. Governor Bonham failed to ask for any fundamental changes to the existing law. The amended law adopted by the legislature during the called session in April merely made the collection process more effective. But the legislature did not raise the fine as Bonham requested.²²

Part of the problem was the policy of imposing fines in the first place. In June the Charleston Mercury printed a stern article lambasting the legislature and the planters of the interior for failing to do their patriotic duty. It began by reminding upcountry residents of the

consequence if Charleston and the Low Country were to fall into Union hands. “The whole Middle and Up-Country would then be exposed to the desolating march of the foe’s advancing columns, and to the ravages and terror of their vindictive raids.” If that was to occur “it will then be too late for the State authorities to furnish labor,” and “regrets will be useless, because the matter will be remediless.” The Mercury then proceeded to chastise the legislature for “wasting much time, and putting the State to the expense of three sessions in five months.” The “bungling provision” for supplying labor to Confederate authorities adopted by the legislature had left “much desirable work to be undone, and without present prospect of being done.” It was unfortunate, observed the Mercury, that “demagoguism in the Legislature has been followed by a want of public spirit among the people.” Instead of coming forward and supplying the requested labor, “many have availed themselves of the absurd and mischievous provision” of paying the fine. In fact, “whole neighborhoods, in concert, have paid the fines.” The Mercury stressed that it was “high time for this short-sighted and dangerous policy to cease.” It called upon the legislature “to move wisely, and at once, in this matter.” Several days later a citizen reminded the people that the loss of slave property was nothing compared to what surely awaited South Carolina if it should be conquered. “Our wives and our children [would be] subjected to a fate the very contemplation of which chills the blood in our veins.”²³

In September 1863 Governor Bonham called the legislature yet again into special session because there was “a pressing emergency, admitting of no delay.” He conceded that the system adopted for furnishing slave labor for coastal defenses “has failed to accomplish its purpose.” A large number of planters have chosen to pay the fine, he said, but many others “with the hope of impunity, have neither furnished the labor or paid the fine.” This time Bonham recommend abolishing the fine altogether and asked the legislature to give him authorization to impress the

slaves required by the Confederate authorities. He also added that the time of service be extended to two months instead of one, and that “free negroes should be included” in the amended act authorizing impressment. Despite the governor’s request, the actual legislation that resulted from this special session did not extend the terms of service for two months. Nor was authorization for impressment granted to the governor. Instead the legislature drastically raised the fine from \$1.50 to \$200. Free blacks were made liable, but even here the legislation declared that “the privilege of furnishing an able-bodied substitute shall be extended to all such free negroes.” This was hardly what Bonham had asked for and the problem continued to fester much to the dismay of Low Country residents and Confederate authorities. After the initial law was passed back in December 1862, it was amended the following February, April, and September. Each time the legislature failed to give the governor the necessary authority to make the system more effective. In November 1863 Governor Bonham reported that the issue of supplying slave labor for coastal defense “has proved perplexing.” The law would be amended yet again. But it was not until December 23, 1864, when Sherman was in Savannah and the Confederate cause was all but lost, that the General Assembly finally passed legislation giving the governor authority to impress slaves for coastal defense.²⁴

In his address to the called session of the legislature in April 1863 Governor Bonham had said it was the duty of state officials “to go on making every preparation, submitting cheerfully to every sacrifice, and putting forth vigorously every effort necessary to secure the great boon which their fathers bequeathed them—Independence.” Apparently a great many planters either disagreed or were unwilling to submit cheerfully to every sacrifice. Perhaps this is understandable given the great danger inherent in offering slaves to the Confederate authorities. By the end of 1864 the state auditor reported 261 separate claims totaling 267 slaves for a

combined value amounting to \$570,250. One might speculate that the arbitrary measures for impressing slave labor imposed by the executive council in 1862 was in some measure responsible for the reluctance of planters to hand over their slaves. Nevertheless, part of the failure clearly rests on the shoulders of the legislature, who, after four attempts, did not provide effective legislation. On the issue of supplying slave labor to Confederate authorities it can be said that the South Carolina legislature did not perform its duty as outlined in the messages of Governor Pickens and Bonham.²⁵

While members of the General Assembly were learning the hard lessons of nationalism, the state's youth was learning nothing at all as a result of the closure of the South Carolina College. May Spencer Ringold observed that the maintenance of civic institutions were an important concern of general assemblies. Education systems were particularly vulnerable and profoundly affected by the war. The closing of the South Carolina College occurred in March 1862 largely as a result of the executive council's resolution imposing a method of state conscription. At the time seventy students were enrolled in the college. When the executive council's resolution was published on the campus all but three students remained. The "abandonment of all study was universal," and the professors, finding themselves alone, discontinued their courses. The college buildings were left empty and the Confederate authorities found the buildings to be a suitable location for a military hospital. Although some had suggested that the Confederate authorities use the fairground buildings rather than the college campus, Confederate officials claimed that the fairground buildings "were neither spacious nor comfortable enough." They soon received the consent of the executive council to use the campus as a "temporary" location for the hospital. In September the college faculty addressed the governor and council in writing, reminded them of the temporary character of the lease and

stated that the time was near for resuming college exercises. The governor extended this request to the Confederate authorities, who, “without positively refusing to comply,” plead their inability to do so. It was stated that if Charleston was attacked the city hospitals would have to be emptied at once and their occupants moved to the interior. It was therefore inexpedient at the present time to revert the college buildings back to their intended use.²⁶

The decision of the executive council to close the college generated a considerable backlash from citizens across the state. The faculty protested the measure and saw “no reason why the College should not go on, even with its numbers diminished.” While it was necessary to repel the enemy, it was also “the duty of the patriot to uphold, as far as circumstances will allow, the educational interests of the country.” The Charleston Courier thought students under the age of twenty should have been exempted. The Courier reminded the council that “we will need educated young men and practical mechanics before and after this war has been concluded.” Governor Pickens addressed this issue in his annual message to the legislature in November. He told the members that it was “a source of deep regret” that the war had suspended college operations. Pickens declared that he had personally opposed the measure but “it was decided otherwise by those who had the authority,” thereby laying blame on the council for taking the decision out of his hands. The suspension of college activities created “injurious effects” on the state. Pickens hoped “that no consideration will ever induce the State to take any steps that may lead to a withdrawal of its patronage.” The South Carolina College was “too deeply consecrated in the hearts of our people, by the blessings it has shed over the State, ever to be abandoned.” Nevertheless, Pickens did admit that under the circumstances the legislature should reduce the usual appropriations for the college. He also recommended that the salaries of the professors be cut in half, although the librarian “should receive his usual salary, which is but small.”²⁷

The next day resolutions were introduced in the House by Richard Yeadon stating that it was “the imperative duty of an enlightened State, as well in time of war as in time of peace, to care for the education of the rising generation.” The closing of the college went against “the expressed will of the Legislature.” The resolution instructed the committee on education “to inquire by what authority and for what reasons” the college had been disorganized and disbanded. Finally Yeadon instructed the committee to “inquire into the expediency of forthwith reorganizing the College, and restoring to the youth of the State the inestimable blessings and advantages of collegiate education.” A correspondent of the Courier believed the Columbia fairgrounds to be “admirably adapted to hospital purposes” and regretted that academic halls were “unnecessarily made the headquarters of disease and perhaps of infection.” The misappropriation of the college building “was a wanton and capricious exertion of power, worthy only of the Quintumvirate, miscalled the Executive Council—a body that counseled the Governor by putting him in a straight-jacket, and reducing him to a cipher.” Inflammatory rhetoric of this kind serves as a reminder of how bitterly divided the people of South Carolina were at this time. It also demonstrates how a seemingly trivial issue such as the closing of the South Carolina College could be subverted and used as weapon against the executive council.²⁸

By the middle of December the debate over the South Carolina College reached a pitch. Yeadon again made an appeal in behalf of his alma mater and expressed his opinion that the education of South Carolina’s youth was one of the most important interests and highest duties of a free state. The correspondent for the Courier described the debate as “warm, animated, and able” on the part of the friends of education, but “lame and feeble” on the part of their opponents. A vote was taken in the House, but on the call of the yeas and nays, “an unwise and narrow economy triumphed.” The correspondent considered the failure of the measure to be a “shame

and disgrace to the State.” It was pointed out that the war might go on indefinitely. Yet if the college was to be suspended indefinitely the end result would be “an age of ignorance and darkness” on the return to peace. Eventually the Senate Committee on Education, “under a very mistaken and unhappy view of policy,” reported unanimously against reorganizing the college. Even worse was the committee’s recommendation that the professor’s salaries be reduced by half. This, the correspondent thought, was “a niggardly and cruel measure.” It was a time of high prices and there was a general scarcity of the necessaries of life. The professors were men of great ability who had devoted their lives to the education of the state’s youth. It was therefore a “signal and shameful injustice to curtail their already inadequate compensation.” The full salaries could have been retained by their by employment elsewhere. But instead the legislature contemplated salary cuts, “reducing them to the starving point.” It was hoped that when the legislature returned from its winter recess in January, “a better and wiser spirit will rule our legislative counsels and restore to the youth of the State the blessings of collegiate instruction.”²⁹

The opinion expressed by the correspondent for the Courier was in some ways unfair. The committee report had examined all “the leading facts in the history of this affair.” After careful consideration of the circumstances, the committee had found “no ground for casting blame on any one.” The surrender of the college buildings to the uses of the army was regarded by the committee “as neither untimely nor injudicious.” The committee then turned “to what may be called the College side of the question.” The committee focused on answering the question of whether it was expedient to resume college exercises. The report recalled the fact that all but three of the seventy students attending the college in 1862 had gone off to serve in the army. They did not know if any of those students were willing to return. The faculty speculated that not more than twenty-five students would apply for admission in the next year, “and this without

reference to the measure of their qualifications.” The number of applications would be “too small to justify the expenditure that would be necessary to keep the College machinery moving.” Apparently it was suggested by some that the college might continue to operate by “reducing not only the standard of admission, but the curriculum itself.” This would allow all the young men of the state to come into the college walls. The committee rejected this idea as a scheme to sink the college institution “to the level of Grammar School.” It would be better to suspend the college exercises altogether than to operate the college “in this degraded and modified form.” The committee therefore recommend to the legislature that the college continue to serve as a hospital for the army, although it passed a resolution stating that the Confederate authorities return the buildings “in as good condition as they received them.”³⁰

The issue of the college was finally settled in January. It was decided that the college would remain closed during the war but that the professors would retain their full salaries. This measure seemed to satisfy most of the interested parties and it serves as a nice example of compromise on an issue that threatened the internal harmony of the state.

A more immediate threat, however, existed among the families that had men serving in the Confederate army. This threat grew in urgency as the war progressed. Governor Pickens had made the relief of families a top priority in his address to the legislature in November 1862. He said it was the “solemn duty” of the legislature to attend to this issue as soon as possible. Although Pickens asked for a “more efficient system,” the plan outlined by Pickens was in fact a complex one which required a radical alteration of the existing tax system in the state. He explained that the tax should not be imposed on the district alone for the support of families. The problem was that districts in the upper portion of the state furnish the majority of the soldiers for the army, but “these are the very Districts that raise the least general taxes.” The result was a

system that did not adequately meet the needs of the families in the upstate who had sent their men off to war, “whereas the fund is more than ample in those Districts where the white population is sparse, and the slaves dense.” Accordingly, Pickens recommended that the system of property valuation in the state adopted in 1808 “be changed to a more equal and just system.” This required a law that would levy taxes at forty percent across the state and distributed through a common fund. It was “due to justness and fairness” that this be done immediately. “While our poor and patriotic men are exposed in defence of our homes, we owe it to justice and every generous and manly feeling to place their helpless families beyond any suffering.”³¹

The legislature responded to this call quickly, although the system of taxation that had been in place for over fifty years was not fundamentally altered. Nevertheless, the legislature passed a bill appropriating \$600,000 for the families of those who had a member killed or disabled in the service of the Confederate army. A Soldiers’ Board of Relief was appointed by the General Assembly in each of the election districts. They were instructed to distribute the funds “by pecuniary assistance, or by the purchase and distribution of food and clothing” to the families. This act repealed the law of 1861 and theoretically made the distribution process more effective. Unfortunately, problems arose less than a month after the bill passed the legislature. The report of the board for the relief of families of soldiers in St. Phillips and St. Michaels Parishes, for example, found that it was “impracticable, if not impossible, to establish with any degree of certainty the number who might require aid.” But the larger problem stemmed from the fact that the board had “no money, for the taxes were not receivable until the month of May.” The board proceeded to borrow funds from the Bank of South Carolina “sufficient to defray the amounts due the applicants.” This, of course, complicated the process because the legislature

would in turn have to refund the bank. Clearly more practical measures were needed to assist the families who were suffering.³²

In November 1863 Governor Bonham again raised the issue of affording aid to families. South Carolina, he said, “owes no higher obligation growing out of this war than to protect every soldier’s family against want.” It was therefore “the duty of the Legislature to increase the appropriation to be distributed by the Soldiers’ Board of Relief to any amount requisite.” Taxes should be increased if the legislature deemed it necessary, and these taxes should “be levied upon incomes.” Rather than simply amending the old law, the legislature passed an entirely new law designed to make provisions for the support of families. This new legislation mandated that “a tax in kind of two per cent shall be paid by the producer in any district or parish when required by the Board of Relief.” This was designed to distribute food rather than money to the families. The new law also levied a tax in kind of five per cent on “all manufactures within this State.” The taxes collected from this levy were to go directly to the Soldiers’ Board of Relief. The law also strengthened the punishment for failing to comply. In the event that any manufacturing company failed to make a return, the chairman of the board was given authorization to issue a warrant “for the arrest and detention” of any person in charge of such manufacturers. An additional \$500,000 was appropriated and ordered to be distributed in proportion to the number of persons to be relieved among the several boards in the state. Although the success of the legislation is unclear, it is fair to speculate that the members of the legislature took their responsibility seriously and made every attempt to relieve the suffering of families who had sacrificed so much for the war effort.³³

The legislature also took seriously its responsibility to provide legislation enabling the regents of the lunatic asylum to continue their work. In his annual message to the legislature in

November 1862 Governor Pickens earnestly recommend the “most chartable protection” of the asylum. Pickens believed that the “great increase of prices in breadstuffs will require some addition to the usual allowances for the support of the unfortunate who may be too poor to pay for their own support.” The report of the regents of the lunatic asylum showed “the necessity of prompt and early action of the part of the Legislature.” The institution was in dire need of relief “and cannot longer be sustained without it.” The institution had been a self-supporting one, “but experience has proved that the allowance granted for pauper patients is insufficient.” The primary means of support was being paid by the parents of the patients in the institution, but such a policy “ought not to continue.” At the time there were 188 patients in the asylum and the number was continually rising. The report outlined the financial difficulties. The local grocers had adopted the cash system which made it difficult for the asylum to purchase the necessities for the patients. But the “chief cause of our embarrassment,” was the obligation imposed by the legislature on the regents to support beneficiaries at a definite rate per capita, which was far below the actual cost of the asylum. Therefore “there now exists a necessity to change the law regulating the support of the indigent insane within its walls.” In view of the embarrassed condition of the asylum, “it has at last become necessary that we should have pecuniary aid from the State, in order to carry on the Institution.”³⁴

The report went on to explain the propriety of passing this legislation. The members understood that the present condition of the country and the wants of the treasury may be used as an argument against such a bill. In reply to this argument, the members urged “that economy demands the appropriation, and that it be speedily made—taking it for granted that the Legislature intends that we shall receive and support the insane poor.” Although the treasurer’s report showed the financial condition of the institution in a favorable light, it was “somewhat fictitious

in regard to the amount due us, as a large portion is charged six months in advance.” The report expressed hope in their ability to carry out this mission for supporting the insane. With appropriate legislation the institution would be able to “increase and diversify our means for the employment and amusement of our patients.” The legislature took up this subject and performed its duty as outlined by Governor Pickens. A bill was passed appropriating \$5,000 “for the support of paupers at the Lunatic Asylum.” Another appropriation of \$8,000 was granted to the institution at Cedar Spring for the education of the deaf, dumb, and blind. On the whole it can be concluded that the General Assembly, despite more pressing and urgent concerns relating to the conduct of the war, took the time to augment these benevolent institutions for the unfortunate. These actions indicate the obscure but nevertheless important responsibilities the legislature had to deal with in the midst of war. Because the Confederate government was not responsible for providing this kind of assistance, it was imperative that the state take on the burden. By all indications the members of the legislature did so to the best of their ability.³⁵

The members of the legislature also used their abilities to try and suppress the undue distillation of spirituous liquors from the cereal grains of the state. In her study of southern state legislatures May Spencer Ringold pointed out that increasing the supply of food by prohibiting the distillation of grain and other products into whiskey was an important concern. This concern was manifested in Governor Pickens’s message to the legislature in November 1862. Once again the actions of the executive council in 1862 complicated the problem. Pickens reminded the legislators that all the laws and resolutions of the council relating to the distillation of spirits were to be repealed at the close of the current legislative session. He called attention to this issue because he deemed it “of the highest importance to the welfare of the people, and particularly to our soldiers, and their families at home.” He therefore recommended that the legislature “pass

the most stringent laws against all distillations of spirits from grain, except for medical purposes alone.” Pickens concluded that “the reasons for this are so obvious that it is not necessary to urge them.”³⁶

The executive council in 1862 had passed a resolution stating that it was inexpedient “to grant any license to distill spirituous liquors from grain,” except to distill exclusively for the purpose of medicine, “a license for which may or may not be hereafter granted.” These measures were strictly enforced by Chief of Justice and Police Issac W. Hayne. Several citizens in the upstate were arrested and placed in jail. In three separate instances Hayne reported that “bar-rooms have been closed, and the key taken by the policeman.” Hayne also reported other “public bar-rooms at the termini of railroads and at railroad stations, have been effectually suppressed.” Near the end of 1862 when the legislature was approaching its annual session, the council passed a resolution stating that “the permits hitherto granted to distill grain under certain restrictions, should be and they are hereby revoked.” This meant that the legislature had to start anew with a fresh approach to the issue.³⁷

The legislation that passed in December 1862 made it illegal to distil “or be concerned” in the distillation of spirituous liquors from any cereal grains within the limits of the state. There were several provisions allowing the governor to enter into contracts with state agents “to manufacture a limited quantity of pure spirits, at a limited and reasonable price, strictly for medicinal purposes, taking care that such proper disposition of the product is made as to secure its application alone to the purposes intended.” The legislation also imposed harsh penalties for breaking the law. Anyone who did so would be deemed “guilty of a high misdemeanor.” If one was convicted in the Court of Sessions, they would not only have to forfeit their stills and other apparatuses used in the distillation, but would also “be imprisoned not less than six months nor

more than two years, and be fined in any sum, in the discretion of the Court, not less than one thousand nor more than five thousand dollars.” The bill also stipulated that two hundred and fifty dollars of the fine “shall go to the informer, who shall be a competent witness to prove the fact.”³⁸

At first glance this legislation appears to be reasonable. Yet an interesting letter to the editor appeared in the Charleston Daily Courier in March written by an anonymous citizen in Greenville. The letter was a lengthy condemnation of the recent bill passed by the legislature and of Governor Bonham’s proclamation enforcing the law. The citizen sarcastically used Bonham’s own words to make a point. The letter stated that the recent proclamation is “strangely out of place in a paper, which will cause more suffering ‘to the families of our brave soldiers in the field battling for our independence,’ than any measure since the beginning of the war.” The citizen claimed that “the immediate effect of it in this section has been to raise the price of corn by 50 per cent.” Nothing, he said, “but absolute necessity could justify or excuse this proceeding.” He asked “was there any such necessity? None earthly” he concluded. The rest of the letter summarized the potential problems arising from the specific sections in the statute which imposed restrictions on contract violations. The citizen wondered what would happen if the pledge to consume alcohol for medicinal purposes was violated. “Who will turn informer, and how is the evidence to be procured as to who drinks the whiskey, thus purchased? The same question may be asked as to the pledge not to send it out of State.” The citizen went on to point out “that hundreds of gallons have been sent to Augusta, from this region, and sold at \$17 per gallon. Where was it manufactured? By those men, no doubt licensed to distil a limited quantity.” Finally, the citizen asked “how can proof be obtained that these distillers have

exceeded the quantity contracted for? I wish I knew. Can the Governor, who is an old prosecuting officer, inform me?.”³⁹

If the governor responded to this citizen it does not appear in the records. But the concerns expressed by this citizen does point to the difficulty of enforcing the law and in prosecuting violators. It also demonstrates that many of the problems confronting South Carolina could not be simply fixed by legislative action. One wonders if there truly were any reasonable solutions to the problems outlined by the citizen. Nevertheless, these concerns did not seem to impede Governor Bonham from moving forward with more stringent legislation to curb the practice. Indeed, at the called session of the legislature in April 1863 Governor Bonham had said that the previous law passed in December to suppress of the undue distillation of spirits did not “accomplish its object.” In fact, Bonham claimed that the need to amend the law “constitutes one of the principal objects of your convocation.” Bonham told the legislature that he was informed “of numerous violations” of the bill’s provisions from “various portions of the State.” Unfortunately, he had not “yet heard of the first prosecution.” Bonham had learned “from some of the most respectable citizens that no one seems willing to become an informer.” Perhaps if the amended law would give the informer one-half of the fine, they would be more willing to come forward. But Bonham doubted “its success even then.” It was regrettable that he heard “rumors of under-lettings and violations of the contracts.” He was not sure if all distillation for medicinal purposes “should be limited to a single District” and perhaps “subject to the control of the Executive.” Either way, Bonham said that something must be done immediately because “the enormous profits on whiskey” and “the unwillingness of the citizens and officials to give information and prosecute is such that the consumption of grain by distillation, without any permit, is a great evil.”⁴⁰

Unfortunately, just like the bill to provide relief to suffering families, the effectiveness of legislation to suppress the undue distillation of spirituous liquors is difficult to assess. The new legislation passed at the called session in April did give the governor power to manufacture liquor for medicinal purposes “at some central and convenient location, by skilled and responsible agents.” But one does not detect any fundamental changes to the existing law. The penalties for violating the law remained the same, although they were extended to “apothecaries, physicians, or other persons who shall purchase or procure any portion of the alcohol” for medicinal purposes. In addition, “all licenses or permits heretofore granted by the Governor” were “revoked and declared void.” This issue was not brought up again by Governor Bonham at the called session in September 1863. Yet the legislature did pass another act in December 1863 to amend their act of April. This amended law gave the governor even more power and stipulated that pure spirits were “not to exceed three dollars per gallon, strictly for medical purposes.” In this new bill we see an attempt of the state to fix prices and exert considerable regulation over the lives of the states’ citizens. As Emory Thomas once pointed out, “the radical departure from state rights and individualism was not restricted to the general government; the drive toward centralization affected every strata of the Confederate polity.” In the case of the South Carolina legislature, Thomas’s point is well taken and entirely applicable to the Confederate experience in the Palmetto State.⁴¹

What should we make of the actions in the South Carolina General Assembly throughout 1862-1863? They certainly do not seem to conform to Frank Owsley’s thesis that the Confederacy collapsed because little cooperation existed between Confederate and state authorities. It is clear that the General Assembly faced many challenges from a host of different issues during this time. Yet the small sample of legislation presented above barely scratches the

surface of the numerous bills passed into law. Consequently it is prudent to suspend sweeping judgments based on such a sampling. Still, a few general patterns emerge. The transition of power from the executive council back to the legislature was a long and difficult process. It is critical to realize that the concern among assemblyman with proper constitutional procedure made the challenges of the legislature that year much greater. Yet the dismantling of the executive council was accomplished much to the satisfaction of the people. On the other hand, the difficulty arising from the demands of the Confederate government was not overcome easily. After successive efforts the General Assembly failed to provide the necessary legislation for obtaining slave labor to augment the defenses around Charleston. While this would seem to confirm W. Scott Poole's assertion that South Carolina's ruling class was not willing to make the necessary sacrifices to secure independence, we must remember that this legislation was amended repeatedly in the hope that it might become more effective. Although the legislation was imperfect, it cannot be said that genuine efforts were not made by the General Assembly to conform to the wishes of the Confederate government.

After the South Carolina College had closed in early 1862 an effort was made by some members of the General Assembly to resume college activities. Ultimately this did not happen but the legislature did vote to retain the full salaries of the college professors. In other words, a compromise was made that seemed to please most of the interested parties. The legislature's concern with the South Carolina College indicates that May Spencer Ringold was correct in her observation that maintaining the normative function of civic institutions in the midst of war was an important obligation of the state legislatures. At the same time, providing material support to families who had sent men off to war was a top priority of the legislature. By all indications the members of the General Assembly did their utmost to ease the suffering of those families. The

General Assembly also passed benevolent legislation designed to supplement the charitable institutions in the state. This occurred despite a lack of existing precedent. Finally, the members of the General Assembly did their utmost to curb practices that we deemed harmful to the war effort.

It can be concluded that the South Carolina General Assembly was generally successful and attentive to their duties. Clearly many mistakes were made and some of the legislative deficiencies are apparent. However, there were also many achievements that assemblymen could point to. If nothing else, this short examination of the South Carolina General Assembly should remind historians of the critical function southern state legislatures had in the prosecution of the war. The actions of state legislatures are a fundamental element of the Confederate home front. Unfortunately it is also a fundamental story that was been overlooked by Civil War historians who emphasize the importance of the Confederate home front. Hopefully this study has provided a corrective to this gap in our understanding of the Confederate experience.

Notes

¹ Journal of the Senate of South Carolina: Being the Session of 1862 (Columbia, 1862), 6, in Documenting the American South, <http://docsouth.unc.edu/ims/scsess62/scsess62.html> (accessed November 5, 2011).

² Ibid.

³ May Spencer Ringold, The Role of State Legislatures in the Confederacy (Athens, 1966), vi.

⁴ Emory M. Thomas, The Confederate Nation: 1861-1865 (New York, 1979), 191, 222; Paul D. Escott, After Secession: Jefferson Davis and the Failure of Confederate Nationalism (Baton Rouge, 1978), ix; George C. Rable, The Confederate Republic: A Revolution Against Politics (Chapel Hill, 1994), 1-2; Stephanie McCurry, Confederate Reckoning: Power and Politics in the Civil War South (Cambridge, 2010), 5.

⁵ William Blair, Virginia's Private War: Feeding Body and Soul in the Confederacy, 1861-1865 (New York, 1998), 71-73, 76, 4.

⁶ Frank Lawrence Owsley, State Rights in the Confederacy (Chicago, 1925), 1-4; W. Buck Years, ed., The Confederate Governors (Athens, 1985), 6, 9.

⁷ Ringold, Role of State Legislatures in the Confederacy, vi-vii.

⁸ On antebellum politics and secession in South Carolina, see Steven A. Channing, Crisis of Fear: Secession in South Carolina (New York, 1970); Lacy K. Ford, The Origins of Southern Radicalism: The South Carolina Upcountry 1800-1860 (New York, 1988); Manisha Sinha, The Counter-Revolution of Slavery: Politics and Ideology in Antebellum South Carolina (Chapel Hill, 2000); Charles Cauthen, South Carolina Goes to War: 1860-1865 (1950; repr., Columbia, 2005), 1-78, 139-63.

⁹ Walter Edgar, South Carolina: A History (Columbia, 1998), 370; Arney R. Childs, ed., The Private Journal of Henry William Ravenel 1859-1887 (Columbia, 1947), 180.

¹⁰ W. Scott Poole, South Carolina's Civil War: A Narrative History (Macon, 2005), 66-67.

¹¹ South Carolina Senate Journal of 1862, 5, <http://docsouth.unc.edu/imls/scsess62/scsess62.html> (accessed November 5, 2011); Message No.1 of His Excellency, F.W. Pickens, to the Legislature, at the Regular Session of November, 1862 (Columbia, 1862), 5; John B. Edmunds, Francis W. Pickens and the Politics of Destruction (Chapel Hill, 1986), 172.

¹² Robert N. Olsberg, "A Government of Class and Race: William Henry Trescot and the South Carolina Chivalry, 1860-1865" (Ph.D. diss., University of South Carolina, Columbia, 1972), 313-14, 319; Stephen V. Ash, When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865 (Chapel Hill, 1995), 18; Walter J. Fraser Jr., Charleston! Charleston!: The History of a Southern City (Columbia, 1989), 253-55; C. Vann Woodward, ed., Mary Chesnut's Civil War (New Haven, 1981), 275; Eric A. Lager, "Radical Politics in Revolutionary Times: The South Carolina Secession Convention and Executive Council of 1862" (M.A. thesis, Clemson University, 2008), 68-69; Cauthen, South Carolina Goes to War, 139-63; Laura A. White, "The Fate of Calhoun's Sovereign Convention in South Carolina," American Historical Review 34 (1929) : 761.

¹³ Charleston Daily Courier, 6 August 1862; Charleston Mercury, 14 October, 18 September 1862; Simms to Hammond, quoted in Cauthen, South Carolina Goes to War, 159.

¹⁴ Message No. 1 of F.W. Pickens to the Legislature, Regular Session of 1862, 22-25; Journal of the House of Representatives of the State of South Carolina: Being the Session of 1862 (Columbia, 1862), 39-40; Acts of the General Assembly of the State of South Carolina, Passed in December, 1862, and February and April, 1863 (Columbia, 1863), 147.

¹⁵ Charleston Daily Courier, 24 November 1862.

¹⁶ H. David Stone, Jr., Vital Rails: The Charleston and Savannah Railroad and the Civil War in Coastal South Carolina (Columbia, 2008), 99-119; Cauthen, South Carolina Goes to War, 178; Message No. 1 of F.W. Pickens to the Legislature, Regular Session of 1862, 20-22.

¹⁷ Charles E. Cauthen, ed., Journals of the South Carolina Executive Councils of 1861 and 1862 (Columbia, 1956), 200-209; Cauthen, South Carolina Goes to War, 148; Charleston Mercury, 22 August 1862; Message No.1 of F.W. Pickens to the Legislature, Regular Session of 1862, 20-21.

¹⁸ Olsberg, "A Government of Class and Race," 341, 335; McCurry, Confederate Reckoning, 278.

¹⁹ South Carolina Senate Journal of 1862, 72-73, <http://docsouth.unc.edu/imps/scsess62/scsess62.html> (accessed November 5, 2011) ; Acts of the General Assembly of the State of South Carolina, Passed in December, 1862, and February and April, 1863 (Columbia, 1863), 105-108; Cauthen, South Carolina Goes to War, 178; Tom Moore Craig, ed., Upcountry South Carolina Goes to War: Letters of the Anderson, Brockman, and Moore Families, 1853-1865 (Columbia, 2009), 113.

²⁰ War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 70 vols. in 128 (Washington, 1880-1901), SERIES FOUR, 2: 298, 306-307. (Hereinafter cited as OR).

²¹ Acts of the General Assembly of South Carolina, Passed in December 1862, and February and April, 1863, 109; South Carolina Senate Journal of 1862, 272, <http://docsouth.unc.edu/imps/scsess62/scsess62.html> (accessed November 5, 2011).

²² OR, SERIES ONE, 14: 911-14; Acts of the General Assembly of South Carolina, Passed in December 1862, and February and April, 1863, 110-11; Cauthen, South Carolina Goes to War, 180.

²³ Charleston Mercury 30 June, 8 July 1863.

²⁴ Journal of the Senate of South Carolina, Being the Sessions of 1863 (Columbia, 1863), 8, 10-11, in Documenting the American South, <http://docsouth.unc.edu/imls/scsess63/scsess63.html>, (accessed November 5, 2011); Acts of the General Assembly of the State of South Carolina, Passed in September and December, 1863, 175-76; Message No. 1 of His Excellency M.L. Bonham, to the Legislature at the Regular Session of November 1863 (Columbia, 1863), 4; Cauthen, South Carolina Goes to War, 182.

²⁵ South Carolina Senate Journal of 1863, 269, <http://docsouth.unc.edu/imls/scsess63/scsess63.html> (accessed November 5, 2011); Report of the Auditor of South Carolina on Claims Against the State for Slaves Lost in the Public Service (Columbia, 1864), 3-4.

²⁶ Ringold, Role of State Legislatures in the Confederacy, 65-66; Reports and Resolutions of the General Assembly of the State of South Carolina, Passed at the Annual Session of 1862: Committee on the College, Education, and Religion (Columbia, 1862), 213-14.

²⁷ Charleston Mercury, 23 May 1862; Charleston Daily Courier, 13 March 1862; Message No.1 of F.W. Pickens to the Legislature, Regular Session of 1862, 15-16.

²⁸ Charleston Daily Courier, 28 November 1862.

²⁹ Charleston Daily Courier, 19, 23 December 1862.

³⁰ Reports and Resolutions of the General Assembly, 1862, Committee on the College, Education, and Religion, 213-17.

³¹ Charleston Daily Courier, 3 February 1863; Message No.1 of F.W. Pickens to the Legislature, Regular Session of 1862, 3, 7.

³² Acts of the General Assembly of South Carolina, Passed in December 1862, and February, and April, 1863, 137-39; Charleston Daily Courier, 12 January 1863.

³³ Message No.1 of M.L. Bonham to the Legislature at the Regular Session of 1863, 7; Acts of the General Assembly of the State of South Carolina, Passed in September and December, 1863 (Columbia, 1863), 191-94.

³⁴ Message No.1 of F.W. Pickens to the Legislature, Regular Session of November, 1862, 16; Reports and Resolutions of the General Assembly, 1862: Report of the Regents of the Lunatic Asylum to the Legislature of South Carolina, November, 1862, 108-112.

³⁵ Reports and Resolutions of the General Assembly, 1862: Report of the Regents of the Lunatic Asylum to the Legislature of South Carolina, November, 1862, 113-14; Acts of the General Assembly of the State of South Carolina, Passed in December 1862, and February, and April, 1863, 95-96.

³⁶ Ringold, Role of State Legislatures in the Confederacy, 43; Message No.1 of F.W. Pickens to the Legislature, Regular Session of November, 1862, 18.

³⁷ Cauthen, ed., Journals of the South Carolina Executive Councils of 1861 and 1862, 104; Report of the Chief of the Department of Justice and Police to the Governor and Executive Council (Columbia, 1862), 4-5.

³⁸ Acts of the General Assembly of the State of South Carolina, Passed in December 1862, and February, and April, 1863, 111-12.

³⁹ Charleston Daily Courier, 26 March 1863.

⁴⁰ South Carolina Senate Journal of 1862, 271,

<http://docsouth.unc.edu/imls/scsess62/scsess62.html> (accessed December 1, 2011).

⁴¹ Acts of the General Assembly of the State of South Carolina, Passed in December 1862, and February, and April, 1863, 113-14; Acts of the General Assembly of the State of South Carolina, Passed in September and December, 1863, 198-99; Emory M. Thomas, The Confederacy as a Revolutionary Experience (Englewood Cliffs, 1971), 60.