

**THE WAR BETWEEN THE STATES:
OR WAS SECESSION A
CONSTITUTIONAL RIGHT
PREVIOUS TO THE WAR OF 1861-
65?**

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The war between the states: or was secession a constitutional right previous to the war of 1861-65? by Albert T. Bledsoe

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ALBERT T. BLEDSOE

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CONSTITUTIONAL RIGHT
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WAR OF 1861-65?**



JEFFERSON DAVIS

The War Between the States

or

Was Secession a Constitutional
Right Previous to the
War of 1861-65?

Arranged without verbal changes from
"IS DAVIS A TRAITOR"

BY

ALBERT T. BLEDSOE, A. M., LL. D.

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TO VIND
AMERICA

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PREFACE

It is not the design of this book to open the subject of secession. The subjugation of the Southern States, and their acceptance of the terms dictated by the North, may, if the reader please, be considered as having shifted the Federal Government from the basis of compact to that of conquest; and thereby extinguished every claim to the right of secession for the future. Not one word in the following pages will at least be found to clash with that supposition or opinion. The sole object of this work is to discuss the right of secession with reference to the past; in order to vindicate the character of the South for loyalty, and to wipe off the charges of treason and rebellion from the names and memories of Jefferson Davis, Stonewall Jackson, Albert Sidney Johnston, Robert E. Lee, and of all who have fought or suffered in the great war of coercion. Admitting, then, that the right of secession no longer exists: the present work aims to show, that, however those illustrious heroes may have been aspersed by the ignorance, the prejudices, and the passions of the hour, they were, nevertheless, perfectly loyal to truth, justice, and the Constitution of 1787 as it came from the hands of the fathers.

The calm and impartial reader will, it is believed, discover therein the grounds on which the South may be vindicated.

ALBERT TAYLOR BLEDSOE.

Baltimore, 1866.

EXPLANATORY PREFACE

Albert Taylor Bledsoe had been graduated at West Point in 1830. He was there with both Jefferson Davis and Robert E. Lee, though not a classmate of either. While professor of mathematics in the University of Mississippi his relations with Davis were maintained with great cordiality.

He was not in favor of secession, but with the call for her quota of 75,000 men from Virginia, to enter the Federal Army, like Lee and other Virginians he felt that he could not ally himself with the enemies of his State, so he entered the Confederate Army, receiving the title of Colonel; but he was preëminently a student and a scholar, not a soldier. Later President Davis gave him a position in the Confederate Cabinet; his title was Chief of the Bureau of War, his duties those of Assistant Secretary of War. Later on in a consultation between Davis and Lee it was decided that the greatest service he could render to the seceded States was to write a constitutional history which should, if the facts were made clear, justify the South in the right to secede.

In order to do this it was necessary for him to have access to the debates in the formation of the constitution, of the United States as well as of the individual States, then constituting the Union.

The necessary documents were not to be found south of Mason and Dixon's Line. He was therefore obliged to go to England to study there in the British Museum.

My mother, who was born in New Jersey, but for many years had lived in the South, was an ardent Southerner. She, out of a very limited inheritance, paid all of the expenses of the trip, of my father's stay of several years in England, and of the family while he was gone, as well as of the publication of the book after his return in 1866.

He had intended to give it the title almost exactly like the subtitle of the published volume; but on his return to America, Jefferson Davis was a prisoner in Fortress Monroe, and in peril of his life. He, therefore, gave the volume when it was issued the title, "IS DAVIS A TRAITOR?"

Charles O'Connor, Mr. Davis's advocate in the trial for treason, told my father that without the facts brought to light in his book, he could not have saved Mr. Davis's life.

My mother never received any compensation for what she had expended, and she always rejoiced that she had been able to aid in justifying her beloved South.

These few words of explanation seem necessary in issuing this volume again, as a book of reference for the schools of the South.

SOPHIA BLEDSOE HERRICK.