

MINIÉ BALL GAZETTE

The Official Newsletter of the Lowcountry Civil War Round Table, Inc.

February 2009

ATTENTION

February
Lincoln's 200th Birthday

Next meeting:
February 11, 2009

Dinner: 5:30 PM
Menu & Form on Page 3
Dinner reservations due
February 9, 2009

Program: 6:45 PM
ALL AT
Bluffton High School
Off Buckwalter Rd
Bluffton, SC

Morning After:
10 am, Feb 12, 2009
at

Palmetto Electric
Hardeeville, SC

Annual Meeting – May 13,
2009

Half-Priced Membership
Drive Page 5

The Case Against Davis

The Union's case against [Jefferson Davis](#) is an extremely complex one replete with legal and political maneuvering that wound up lasting for four years and never going to trial. It pitted President Johnson against his Chief Justice, the Chief Justice against the circuit court judge, and required the 14th Amendment to bring about a resolution.

A month after Davis was captured in May, 1865 and held at Fort Monroe under martial law, the first indictment for treason was handed down in U.S. Circuit Court, District of Virginia. As with the terrorist's trials going on in Guantanamo today, Davis was in a state of legal limbo between military and civilian jurisdiction. The government soon decided that any trial for treason would have to be in a civil court, and in Virginia, the base of Davis' alleged treasonable activities. But, at that time, Virginia was under military rule. Chief Justice Salmon Chase felt he had no authority as long as Davis was held by the military and continued to find excuses to avoid either hearing the case or issuing a writ of habeas corpus.

In May, 1867, on an order to the military authorities from President Johnson, a writ of habeas corpus brought Davis to Richmond and before U.S. Circuit Court Judge Underwood; bail was set at \$100,000. Davis' bond was posted by, of all people, Horace Greeley, abolitionist Gerrit Smith, and Cornelius Vanderbilt who wanted the case settled so the country could get on with the healing process. Free after almost two years in confinement, Davis traveled to Canada where he was reunited with his wife and family.

He returned to Richmond in November 1867 for his trial, but when the court convened, Chase was not present, and the government asked for a postponement. Davis was released on his own recognizance. As it turned out, Davis would not have to appear in court again during any of the subsequent proceedings.

Continued on page 3

February's Program & Speaker

February's program is about *The Escape and Capture of Jefferson Davis*. It's April 2nd, 1865 and President Davis is seated alone at the 10:00am service in St. Paul's Episcopal Church, Richmond. His wife and children had already left the city for their safety. A church sexton approaches and hands him a message from General Robert E. Lee advising him to leave as quickly as possible. Davis hurries from the church and orders his government to be moved by train to Danville, Virginia, some 140 miles to the south. In this program, we will learn about his attempted escape and subsequent travels through North and South Carolina and finally on to Irwinville, Georgia where he was captured on May 10th in a pre-dawn surprise raid. Along the way Davis never seemed to give up on his idea of continuing the southern resistance to the southwest and even into Mexico.

We are pleased to welcome back [Dr. William Jack Davis](#). A native of Independence, Missouri, he was educated in northern California, and then spent twenty years in editorial management in the magazine and book publishing industry, before leaving in 1990 to spend the next ten years working as a writer and consultant. He is the author or editor of more than forty books in the fields of Civil War and Southern history, as well as numerous documentary screenplays. He was the on-camera senior consultant for 52 episodes of the Arts & Entertainment Network/History Channel series "Civil War Journal," as well as a number of other productions on commercial and Public Television and has acted as historical consultant for several television and film productions, including "The Blue and the Gray," "George Washington," and "The Perfect Tribute." He has twice been nominated for the Pulitzer Prize in History, and is the only three-time winner of the Jefferson Davis Award given for book-length works on Confederate History. His most recent book, *Look Away!*. The Free Press published a History of the Confederate States of America in May. Davis has come to Virginia Tech as Director of Programs for the Virginia Center for Civil War Studies, as well as serving as Professor of History. In coming to Virginia he is in a way returning to his roots; his Davis ancestors settled in nearby Carroll and Grayson Counties some 200 years ago, and virtually all of his ancestry goes back in the Old Dominion, some as far as 1610.



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We thank Palmetto Electric and Honey Horn Plantation for use of their facilities for our Morning After.

President's Message

We officially start the second half of our program year with the February newsletter. We are pleased to be welcoming William C. "Jack" Davis back for his fourth visit. We are lucky, indeed, to have him, a premier speaker, coming to our round table. It's this caliber of speaker that sets our round table apart from so many others.

There is no better time to start our half-year membership drive. As we have done in the past, we have cut the fee in half to reflect the four programs that will complete the year. At five dollars a program it's a bargain by any standards. You will find the necessary form in our newsletter. It is there for your convenience. Do make it available to your friends and neighbors. Of course, anyone joining for the first time must pay the one-time initiation fee.

Our Program Committee survey can be found on our website at www.lowcountrycwrt.com under the heading "Forms". If you and your partner have different points of view, you might appreciate a second copy. In addition, the dinner reservation and membership forms can also be accessed there.

If you are interested in participating in Bud Robertson's 31st Campaigning with Lee in Charleston this year and need more information, you can contact the registration office at Virginia Tech (540) 231-3306.

Because old habits die hard, I'll make one last reminder: The dinner checks for February will be collected and processed by Phyllis and Wendell Turner. Do not deliver them to the Gilliam's on Argent Way. Anne Gilliam will be back in March and she will be ready to resume her duties with the March dinner.

Johanna Verwer

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The Case Against Davis continued

As time passed, so did the players. U.S. attorneys general came and went, President Johnson was impeached and nearly convicted, and, most importantly for Davis, the 14th Amendment was ratified. Furthermore, Johnson feared that if Davis were tried and acquitted, a very real possibility with a Virginia jury, he himself would be impeached again and removed from office. As a result, no significant action was taken until after the 1868 election in which Union General U. S. Grant was elected president.

In an unusual twist, Chase made known to Davis' attorneys his opinion that the third section of the recently ratified 14th Amendment nullified the indictment against Davis since the amendment itself punished Davis and other high Confederate officials by taking away their right to vote. Davis, who was now traveling in Europe, wanted a trial because he saw it as an opportunity to vindicate both himself and the South's constitutional right to secede. Because Davis' life was at stake, his lawyers filed a motion requiring that the government show cause why the current indictment should not be dismissed. This motion was heard by Chase and Underwood on December 3-4, and resulted in a split-vote; Chase favored laying aside the indictment while Underwood, who had overseen the grand juries responsible for the indictment, wanted the case to be tried. The certificate of division between Chase and Underwood was forwarded to the Supreme Court, and the indictment technically remained pending. The Davis case remained on the circuit court docket for February 15, 1869, but the government would not prosecute. The indictment was, therefore, dismissed, as were indictments against thirty-seven other ex-Confederates, including Robert E. Lee.



Jefferson Davis

The Dinner Menu for WEDNESDAY, February 11, 2009

Rotisserie Chicken, Pot Roast, Catfish, Spinach, Cut Corn, Macaroni&Cheese
German Chocolate Bar, Lemon Bar, Blueberry Pie, Fruit
Garden Salad & Dressings, Sweet & Unsweetened Tea, Lemonade, Decaf Coffee
Served on Dinner Plates with Silverware and Glasses

Catered by Golden Corral, Bluffton, SC

**Reservations are required ONLY for Dinner
And MUST be Received BY
MONDAY February 9, 2009**

Clip & Submit with your check.

DINNER RESERVATIONS FOR WEDNESDAY, February 11, 2009

Total Number of Dinners Ordered: _____ @ \$14 each = _____ Member Phone #: _____

Member # 1 Name _____

Member # 2 Name _____

Guest: _____

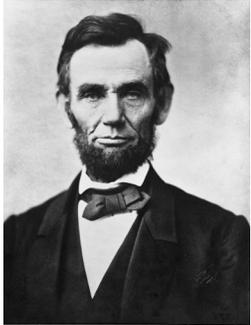
Guest: _____

List Guests on additional paper if necessary.
Make Check Payable to: **LCWRT Inc.** and deliver together with this form to:

**Wendell Turner
145 Robert E. Lee Lane
Bluffton, SC 29909**

President Lincoln Proclaims War!

February 12th is the 200th anniversary of President Lincoln's birthday. To commemorate it, we reprint an article from the April 17, 1861 issue of [Harper's Weekly](#). (Lincoln's picture from Wikipedia web site.)



Abraham Lincoln
February 12, 1809 – April 15, 1865

WAR is declared. President Lincoln's proclamation, which we publish above, is an absolute proclamation of war against the Gulf States. The die is now cast, and men must take their sides, and hold to them. No one who knows any thing of the Southern people supposes for a moment that, having gone so far as to bombard a United States fort and capture it, they will now succumb without a fight. No one who has seen the recent manifestations of popular sentiment in the North can doubt that the Northern blood is up, and that they will listen no more to talk of compromise, truce, or treaty, until they are fairly beaten.

Let us then forbear puling, and look the situation in the face. There are some among us still who whine about the evils of civil war. These are they who, with a burglar in their house, his hand on the throat of their wife or daughter, would quote texts on the loveliness of Christian forbearance and charity. Nobody —outside of lunatic asylums—doubts that civil war is an enormous calamity. On this point all are agreed. But as it has actually begun, and exists, what is the use of deprecating it? What should we think of a doctor who, summoned to visit a half dying patient, should wring his hands hopelessly and bewail the malignancy of disease?

The United States Government has called into the field 75,000 militiamen, who, added to the regular force, will swell the effective army to nearly 90,000 men. It is understood that further calls are to be made upon the States, to the extent of 200,000 more. The plan, as understood by military officers, is to form three camps: one at the Federal capital, consisting of 50,000 men, who will constitute an army of observation on the Border States, and will be commanded by Lieutenant-General Scott in person; another of 75,000 men, which will be located in the vicinity of Cincinnati, with a view to an ultimate movement down the Mississippi; and a third, of over 100,000 men, which will be situated in the suburbs of New York. Rumor asserts that General Wool will command the New York army, and General Sumner the army on the Mississippi; but of these matters of course nothing is known. In the mean time, the navy will be occupied in closing the ports of the seceded States. It seems to be expected that by August next there will not be a port in South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, which will not be hermetically sealed by United States ships of war.

This is the Government programme. On the other hand, the Seceders are gathering soldiers vigorously on their side. It is stated that at the siege of Sumter over 7000 men were engaged, and that, simultaneously, 5000 were on duty opposite Fort Pickens. Letters from Montgomery say that 32,000 additional men are being mustered for an attack on Washington. As the population of the eight seceded States, exclusive of negroes, is over 2,000,000, it should be possible for Mr. Davis to collect 100,000 able-bodied troops on one point. With such a force, secretly if not openly favored by the Border States, a very formidable movement might be made on Washington.

Almost all of the illustrations of the Southern Forts have been made from drawings by United States Officers; and the proprietors of Harper's Weekly take this opportunity of informing Officers in the Army and Navy serving in the South that they will be glad to receive sketches of Forts and Scenes of Interest at the present crisis, and to pay liberally for such as they may use. Any officer in either service can obtain the Weekly gratuitously for six months by sending his address to this office.

(Note how willing Harper's was to provide information to both sides!)

UPCOMING PROGRAMS

March 11, 2009

Surrender at Appomattox. We are again honored to have as our speaker **Ed Bears** who will describe for us in his unique style the concluding events of the Siege of Richmond and the surrender of the Army of Virginia to General Grant. Did Lee have any other options? How did Grant accomplish this end game?

April 8, 2009

Vital Rails – The Charleston and Savannah Railroad. **Dr. David Stone, Jr.** of Florence, SC will tell us about this vital link between the two Confederate port cities that unbelievably lasted for most of the war. Why could the Union not sever this vital link until the fall of Savannah?

May 13, 2009

Confederate Navel Hero, Raphael Semmes. Our concluding program for the 2008-2009 season will be a talk by **Dr. Jeffery Seymour** on the Confederate navel hero Raphael Semmes and his vital role in the war. We will learn about the epic voyage of the *CSS Alabama* and its battle with the *USS Kearsarge* off the coast of France in June 1864. See related note below on *CSS Alabama*.

This will also be the **Annual Meeting for LCWRT, Inc.** members at which time **elections** will be held for a new slate of officers for next year.

Member Bob Williams informs us that the Charleston "Post and Courier" recently had a front page article about two of the **CSS Alabama's cannon**. You may be interested in this since the May speaker's presentation will be about the Alabama's skipper. You can view the article at:

http://www.charleston.net/news/2009/jan/02/big_guns_back66966/

Feedback for the Program Committee

The Program Committee is desirous of any member comments, positive or negative, about the program presentations at the LCWRT monthly meetings and is soliciting feedback. Your anonymity will be assured. Please provide any comments to:

Mike Vezeau

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705-5847.

Lowcountry Civil War Round Table, Inc.

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**MEMBER NAME
& ADDRESS**