(In early December, 1860, Gov. A.B. Moore of Alabama appointed a number of "commissioners" to go to the other slave-holding states and advocate secession. Their activities are outlined in an article by Charles Dew in *North and South* magazine, or discussed in more detail in Mr. Dew's book, *Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War*. Stephen Hale was Alabama's commissioner to Kentucky. A native of the Bluegrass State, Hale had moved to Alabama in 1837 and set up a law practice. He also served intermittently in the state legislature. Since the Kentucky legislature was not in session when Hale visited the state on December 26th, 1860, he fulfilled his charge as a commissioner by writing the following letter to Gov. Magoffin. The picture of Hale is taken from the article in *North and South*. Hale served as the lieutenant colonel of the 11th Alabama and died leading a charge at the Battle of Gaines Mill.)

**To His Excellency B. McGoffin, Governor of the Commonwealth of Kentucky:**

I have the honor of placing in your hands herewith, a Commission from the Governor of the State of Alabama, accrediting me as a Commissioner from that State to the sovereign State of Kentucky, to consult in reference to the momentous issues now pending between the Northern and Southern States of this Confederacy. Although each State, as a sovereign political community, must finally determine these grave issues for itself, yet the identity of interest, sympathy, and institutions, prevailing alike in all the slaveholding States, in the opinion of Alabama, renders it proper that there should be a frank and friendly consultation, by each one, with her sister Southern States, touching their common grievances, and the measures necessary to be adopted to protect the interest, honor, and safety of their citizens.

I come, then, in a spirit of fraternity, as the Commissioner on the part of the State of Alabama, to confer with the authorities of this Commonwealth, in reference to the infraction of our Constitutional rights, wrongs done and threatened to be done, as well as the mode and measure of redress proper to be adopted by the sovereign States aggrieved, to preserve their sovereignty, vindicate their rights and protect their citizens. In
order to a clear understanding of the appropriate remedy, it may be proper to consider the rights and duties, both of the State and citizen, under the Federal Compact, as well as the wrongs done and threatened.

I therefore submit, for the consideration of your Excellency, the following propositions, which I hope will command your assent and approval:

1. The people are the source of all political power; and the primary object of all good Governments is to protect the citizen in the enjoyment of life, liberty and property; and whenever any form of Government becomes destructive of these ends, it is the inalienable right, and the duty of the people to alter or abolish it.

2. The equality of all the States of this Confederacy, as well as the equality of rights of all the citizens of the respective States under the Federal Constitution, is a fundamental principle in the scheme of the Federal Government. The Union of these States under the Constitution, was formed "to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to her citizens and their posterity;" and when it is perverted to the destruction of the equality of the States, or substantially fails to accomplish these ends, it fails to achieve the purposes of its creation, and ought to be dissolved.

3. The Federal Government results from a Compact entered into between separate sovereign and independent States, call the Constitution of the United States, and Amendments thereto, by which these sovereign States delegated certain specific powers to be used by that Government, for the common defense and general welfare of all the States and their citizens; and when these powers are abused, or used for the destruction of the rights of any State or its citizens, each State has an equal right to judge for itself, as well of the violations and infractions of that instrument, as of the mode and measure of redress; and if the interest or safety of her citizens demands it, may resume the powers she had delegated, without let or
hindrance from the Federal Government, or any other power on earth.

4. Each State is bound in good faith to observe and keep, on her part, all the stipulations and covenants inserted for the benefit of other States in the Constitutional Compact-- the only bond of Union by which the several States are bound together; and when persistently violated by one party to the prejudice of her sister States, ceases to be obligatory on the States so aggrieved, and they may rightfully declare the compact broken, the Union thereby formed dissolved, and stand upon their original rights, as sovereign and independent political communities; and further, that each citizen owes his primary allegiance to the State in which he resides, and hence it is the imperative duty of the State to protect him in the enjoyment of all his Constitutional rights, and see to it that they are not denied or withheld from him with impunity, by any other State or Government.

If the foregoing propositions correctly indicate the objects of this Government, the rights and duties of the citizen, as well as the rights, powers and duties of the State and Federal Government under the Constitution, the next inquiry is, what rights have been denied, what wrongs have been done, or threatened to be done, of which the Southern States, or the people of the Southern States, can complain?

At the time of the adoption of the Federal Constitution, African slavery existed in twelve of the thirteen States. Slaves are recognized as property, and as a basis of political power, by the Federal Compact, and special provisions are made by that instrument for their protection as property. Under the influences of climate, and other causes, slavery has been banished from the Northern States, the slaves themselves have been sent to the Southern States, and there sold, and their price gone into the pockets of their former owners at the North. And in the meantime, African Slavery has not only become one of the fixed domestic institutions of the Southern States, but forms an important element of their political power, and constitutes the most valuable species of their property--
worth, according to recent estimates, not less than four thousand millions of dollars; forming, in fact, the basis upon which rests the prosperity and wealth of most of these States, and supplying the commerce of the world with its richest freights, and furnishing the manufactories of two continents with the raw material, and their operatives with bread. It is upon this gigantic interest, this peculiar institution of the South, that the Northern States and their people have been waging an unrelenting and fanatical war for the last quarter of a century. An institution with which is bound up, not only the wealth and prosperity of the Southern people, but their very existence as a political community. This war has been waged in every way that human ingenuity, urged on by fanaticism, could suggest. They attack us through their literature, in their schools, from the hustings, in their legislative halls, through the public press, and even their courts of justice forget the purity of their judicial ermine, to strike down the rights of the Southern slave-holder, and over-ride every barrier which the Constitution has erected for his protection; and the sacred desk is desecrated to this unholy crusade against our lives, our property, and the Constitutional rights guaranteed to us by the Compact of our Fathers. During all this time the Southern States have freely conceded to the Northern States, and the people of those States, every right secured to them by the Constitution, and an equal interest in the common Territories of the Government; protected the lives and property of their citizens of every kind, when brought within Southern jurisdiction; enforced through their courts, when necessary, every law of Congress passed for the protection of Northern property, and submitted, ever since the foundation of the Government, with scarcely a murmur, to the protection of their shipping, manufacturing and commercial interest, by odious bounties, discriminating tariffs, and unjust navigation-laws, passed by the Federal Government to the prejudice and injury of their own citizens.

The law of Congress for the rendition of fugitive slaves, passed in pursuance of an express provision of the Constitution, remains almost a dead letter upon the Statute Book. A majority of the Northern States, through their legislative
enactments, have openly nullified it, and impose heavy fines and penalties upon all persons who aid in enforcing this law; and some of those States declare the Southern slave-holder, who goes within their jurisdiction to assert his legal rights under the Constitution, guilty of a high crime, and affix imprisonment in the penitentiary as the penalty. The Federal officers who attempt to discharge their duties under the law, as well as the owner of the slave, are set upon by mobs, and are fortunate if they escape without serious injury to life or limb; and the State authorities, instead of aiding in the enforcement of this law, refuse the use of their jails, and by every means which unprincipled fanaticism can devise, give countenance to the mob, and aid the fugitive to escape. Thus, there are annually large amounts of property actually stolen away from the Southern States, harbored and protected in Northern States, and by their citizens. And when a requisition is made for the thief by the Governor of a Southern State upon the Executive of a Northern State, in pursuance of the express conditions of the Federal Constitution, he is insultingly told that the felon has committed no crime-- and thus the criminal escapes, the property of the citizen is lost, the sovereignty of the State is insulted-- and there is no redress, for the Federal Courts have no jurisdiction to award a mandamus to the Governor of a sovereign State, to compel him to do an official Executive act, and Congress, if disposed, under the Constitution has no power to afford a remedy. These are wrongs under which the Southern people have long suffered, and to which they have patiently submitted, in the hope that a returning sense of justice would prompt the people of the Northern States to discharge their Constitutional obligations, and save our common country. Recent events, however, have not justified their hopes; the more daring and restless fanatics have banded themselves together, have put in practice the terrible lessons taught by the timid, by making an armed incursion upon the sovereign State of Virginia, slaughtering her citizens, for the purpose of exciting a servile insurrection among her slave population, and arming them for the destruction of their own masters. During the past summer, the Abolition incendiary has lit up the prairies of Texas, fired the dwellings of the inhabitants, burned down whole towns and
laid poison for her citizens-- thus literally executing the terrible
denunciations of fanaticism against the slave-holder-- "Alarm
to their sleep, fire to their dwellings, and poison to their food."

The same fell spirit, like an unchained demon, has for years
swept over the plains of Kansas, leaving death, desolation and
ruin in its track. Nor is this the mere ebulition of a few half-
crazy fanatics, as is abundantly apparent from the sympathy
manifested all over the North, where, in many places, the
tragic death of John Brown, the leader of the raid upon
Virginia, who died upon the gallows a condemned felon, is
celebrated with public honors, and his name canonized as a
martyr to liberty; and many, even of the more conservative
papers of the Black Republican school, were accustomed to
speak of his murderous attack upon the lives of the
unsuspecting citizens of Virginia, in a half-sneering and half-
apologetic tone. And what has the Federal Government done in
the meantime to protect slave property upon the common
Territories of the Union? Whilst a whole squadron of the
American Navy is maintained on the coast of Africa, at an
enormous expense, to enforce the execution of the laws against
the slave trade-- and properly, too-- and the whole navy is kept
afloat to protect the lives and property of American citizens
upon the high seas, not a law has been passed by Congress, or
an arm raised by the Federal Government, to protect the slave
property of citizens from the Southern States upon the soil of
Kansas-- the common Territory and common property of the
citizens of all the States-- purchased alike by their common
treasure, and held by the Federal Government, as declared by
the Supreme Court of the United States, as the trustee for all
their citizens; but, upon the contrary, a Territorial
Government, created by Congress, and supported out of the
common treasury, under the influence and control of Emigrant
Aid Societies and Abolition emissaries, is permitted to pass
laws excluding and destroying all that species of property
within her limits-- thus ignoring, on the part of the Federal
Government, one of the fundamental principles of all good
Governments, the duty to protect the property of the citizen,
and wholly refusing to maintain the equal rights of the States
and the citizens of the States upon their common Territories.
As the last and crowning act of insult and outrage upon the people of the South, the citizens of the Northern States, by overwhelming majorities, on the 6th day of November last, elected Abraham Lincoln and Hannibal Hamlin, President and Vice President of the United States. Whilst it may be admitted that the mere election of any man to the Presidency, is not, per se, a sufficient cause for a dissolution of the Union; yet, when the issues upon, and circumstances under which he was elected, are properly appreciated and understood, the question arises whether a due regard to the interest, honor, and safety of their citizens, in view of this and all the other antecedent wrongs and outrages, do not render it the imperative duty of the Southern States to resume the powers they have delegated to the Federal Government, and interpose their sovereignty for the protection of their citizens.

What, then are the circumstances under which, and the issues upon which he was elected? His own declarations, and the current history of the times, but too plainly indicate he was elected by a Northern sectional vote, against the most solemn warnings and protestations of the whole South. He stands forth as the representative of the fanaticism of the North, which, for the last quarter of a century, has been making war upon the South, her property, her civilization, her institutions, and her interests; as the representative of that party which overrides all Constitutional barriers, ignores the obligations of official oaths, and acknowledges allegiance to a higher law than the Constitution, striking down the sovereignty and equality of the States, and resting its claims to popular favor upon the one dogma, the Equality of the Races, white and black.

It was upon this acknowledgment of allegiance to a higher law, that Mr. Seward rested his claim to the Presidency, in a speech made by him in Boston, before the election. He is the exponent, if not the author, of the doctrine of the Irrepressible Conflict between freedom and slavery, and proposes that the opponents of slavery shall arrest its further expansion, and by Congressional Legislation exclude it from the common Territories of the Federal Government, and place it where the public mind shall rest in the belief that it is in the course of
He claims for free negroes the right of suffrage, and an equal voice in the Government-- in a word, all the rights of citizenship, although the Federal Constitution, as construed by the highest judicial tribunal in the world, does not recognize Africans imported into this country as slaves, or their descendants, whether free or slaves, as citizens.

These were the issues presented in the last Presidential canvass, and upon these the American people passed at the ballot-box.

Upon the principles then announced by Mr. Lincoln and his leading friends, we are bound to expect his administration to be conducted. Hence it is, that in high places, among the Republican party, the election of Mr. Lincoln is hailed, not simply as a change of Administration, but as the inauguration of new principles, and a new theory of Government, and even as the downfall of slavery. Therefore it is that the election of Mr. Lincoln cannot be regarded otherwise than a solemn declaration, on the part of a great majority of the Northern people, of hostility to the South, her property and her institutions-- nothing less than an open declaration of war-- for the triumph of this new theory of Government destroys the property of the South, lays waste her fields, and inaugurates all the horrors of a San Domingo servile insurrection, consigning her citizens to assassinations, and her wives and daughters to pollution and violation, to gratify the lust of half-civilized Africans. Especially is this true in the cotton-growing States, where, in many localities, the slave outnumbers the white population ten to one.

If the policy of the Republicans is carried out, according to the programme indicated by the leaders of the party, and the South submits, degradation and ruin must overwhelm alike all classes of citizens in the Southern States. The slave-holder and non-slave-holder must ultimately share the same fate-- all be degraded to a position of equality with free negroes, stand side by side with them at the polls, and fraternize in all the social
relations of life; or else there will be an eternal war of races, desolating the land with blood, and utterly wasting and destroying all the resources of the country.

Who can look upon such a picture without a shudder? What Southern man, be he slave-holder or non-slave-holder, can without indignation and horror contemplate the triumph of negro equality, and see his own sons and daughters, in the not distant future, associating with free negroes upon terms of political and social equality, and the white man stripped, by the Heaven-daring hand of fanaticism of that title to superiority over the black race which God himself has bestowed? In the Northern States, where free negroes are so few as to form no appreciable part of the community, in spite of all the legislation for their protection, they still remain a degraded caste, excluded by the ban of society from social association with all but the lowest and most degraded of the white race. But in the South, where in many places the African race largely predominates, and, as a consequence, the two races would be continually pressing together, amalgamation, or the extermination of the one or the other, would be inevitable. Can Southern men submit to such degradation and ruin? God forbid that they should.

But, it is said, there are many Constitutional, conservative men at the North, who sympathize with and battle for us. That is true; but they are utterly powerless, as the late Presidential election unequivocally shows, to breast the tide of fanaticism that threatens to roll over and crush us. With them it is a question of principle, and we award to them all honor for their loyalty to the Constitution of our Fathers. But their defeat is not their ruin. With us it is a question of self-preservation--our lives, our property, the safety of our homes and our hearthstones--all that men hold dear on earth, is involved in the issue. If we triumph, vindicate our rights and maintain our institutions, a bright and joyous future lies before us. We can clothe the world with our staple, give wings to her commerce, and supply with bread the starving operative in other lands, and at the same time preserve an institution that has done more to civilize and Christianize the heathen than all human
agencies beside-- an institution alike beneficial to both races, ameliorating the moral, physical and intellectual condition of the one, and giving wealth and happiness to the other. If we fail, the light of our civilization goes down in blood, our wives and our little ones will be driven from their homes by the light of our own dwellings. The dark pall of barbarism must soon gather over our sunny land, and the scenes of West India emancipation, with its attendant horrors and crimes (that monument of British fanaticism and folly), be re-enacted in our own land upon a more gigantic scale.

Then, is it not time we should be up and doing, like men who know their rights and dare maintain them? To whom shall the people of the Southern States look for the protection of their rights, interests and honor? We answer, to their own sons and their respective States. To the States, as we have seen, under our system of Government, is due the primary allegiance of the citizen; and the correlative obligation of protection devolves upon the respective States-- a duty from which they cannot escape, and which they dare not neglect without a violation of all the bonds of fealty that hold together the citizen and the sovereign.

The Northern States and their citizens have proved recreant to their obligations under the Federal Constitution; they have violated that Compact, and refused to perform their covenants in that behalf.

The Federal Government has failed to protect the rights and property of the citizens of the South, and is about to pass into the hands of a party pledged for the destruction, not only of their rights and property, but the equality of the States ordained by the Constitution, and the heaven-ordained superiority of the white over the black race. What remains, then, for the Southern States, and the people of these States, if they are loyal to the great principles of civil and religious liberty, sanctified by the sufferings of a seven-year's war, and baptized with the blood of the Revolution? Can they permit the rights of their citizens to be denied and spurned? their property spirited away, their own sovereignty violated, and
themselves degraded to the position of mere dependencies, instead of sovereign States? or shall each for itself, judging the infractions of the Constitutional Compact, as well as the mode and measure of redress, declare that the covenants of that sacred instrument, in their behalf, and for the benefit of their citizens, have been willfully, deliberately, continuously and persistently broken and violated by the other parties to the compact, and that they and their citizens are therefore absolved from all further obligations to keep and perform the covenants thereof, resume the powers delegated to the Federal Government, and, as sovereign States, form other relations for the protection of their citizens and the discharge of the great ends of Government? The Union of these States was one of fraternity as well as equality; but what fraternity now exists between the citizens of the two sections? Various religious associations, powerful in numbers and influence, have been broken asunder, and the sympathies that bound together the people of the several States, at the time of the formation of the Constitution, has ceased to exist, and feelings of bitterness, and even hostility, have sprung up in its place. How can this be reconciled, and a spirit of fraternity established? Will the people of the North cease to make war upon the institution of Slavery, and award to it the protection guaranteed by the Constitution? The accumulated wrongs of many years, the late action of the members in Congress in refusing every measure of justice to the South, as well as the experience of all the past, answers, No, never!

Will the South give up the institution of slavery, and consent that her citizens be stripped of their property, her civilization destroyed, the whole land laid waste by fire and sword? It is impossible; she can not, she will not. Then why attempt any longer to hold together hostile States under the stipulations of a violated Constitution? It is impossible; disunion is inevitable. Why then wait longer for the consummation of a result that must come? Why waste further time in expostulations and appeals to Northern States and their citizens, only to be met, as we have been for years past, by renewed insults and repeated injuries? Will the South be better prepared to meet the emergency when the North shall be strengthened by the
admission of the new territories of Kansas, Nebraska, Washington, Jefferson, Nevada, Idaho, Chippewa, and Arizona, as non-slaveholding States, as we are warned from high sources will be done within the next four years, under the administration of Mr. Lincoln? Can the true men at the North ever make a more powerful or successful rally for the preservation of our rights and the Constitution, than they did in the last Presidential contest? There is nothing to inspire a hope that they can.

Shall we wait until our enemies shall possess themselves of all the powers of the Government? until Abolition Judges are on the Supreme Court bench, Abolition Collectors at every port, and Abolition Postmasters in every town, secret mail agents traversing the whole land, and a subsidized Press established in our midst to demoralize the people? Will we be stronger then, or better prepared to meet the struggle, if a struggle must come? No, verily! When that time shall come, well may our adversaries laugh at our folly, and deride our impotence. The deliberate judgment of Alabama, as indicated by the Joint Resolutions of her General Assembly, approved February 24, 1860, is, that prudence, patriotism, and loyalty to all the great principles of civil liberty incorporated in our Constitution, and consecrated by the memories of the past, demand that the Southern States should now resume their delegated powers, maintain the rights, interests and honor of their citizens, and vindicate their own sovereignty. And she most earnestly, but respectfully, invites her sister sovereign State, Kentucky, who so gallantly vindicated the sovereignty of the States in 1798, to the consideration of these grave and vital questions, hoping she may concur with the State of Alabama in the conclusions to which she has been driven by the impending dangers that now surround the Southern States. But if, on mature deliberation, she dissents on any point from the conclusions to which the State of Alabama has arrived, on behalf of that State I most respectfully ask a declaration by this venerable Commonwealth of her conclusions and position on all the issues discussed in this communication; and Alabama most respectfully urges upon the people and authorities of Kentucky the startling truth that submission or acquiescence on the part
of the Southern States, at this perilous hour, will enable Black Republicanism to redeem all its nefarious pledges, and accomplish its flagitious ends; and that hesitation or delay in their action will be misconceived and misconstrued by their adversaries, and ascribed, not to that elevated patriotism that would sacrifice all but their honor to save the Union of their Fathers, but to division and dissension among themselves, and their consequent weakness; that prompt, bold and decided action is demanded alike by prudence, patriotism and the safety of their citizens.

Permit me, in conclusion, on behalf of the State of Alabama, to express my high gratification, at the cordial manner in which I have been received, as her Commissioner, by the authorities of the State of Kentucky, as well as the profound personal gratification which, as a son of Kentucky, born and reared within her borders, I feel, at the manner in which I, as the Commissioner from the State of my adoption, have been received and treated by the authorities of the State of my birth. Please accept assurances of the high consideration and esteem of

Your obedient servant, etc.,

S.F. HALE, _Commissioner from the State of Alabama. _Frankfurt, December 27, 1860.