

State of South Carolina,

EXECUTIVE OFFICE, STATE DEPARTMENT,

Charleston, 12 January 1861.

Sir.

The Governor has considered it proper in view of the grave questions which now affect the State of South Carolina and the United States, to make a demand upon the President of the United States for the delivery to the State of South Carolina, of Fort Sumter, now within the territorial limits of this State, occupied by troops of the United States.

The Convention of the People of South Carolina authorized & empowered its Commissioners to enter into negotiations with the Government of the United States for the delivery of forts, magazines, light house, and other real estate within the limits of South Carolina.

The circumstances which caused the interruption of that negotiation are known to you, with the formal notification of its cessation, was the urgent expression of the necessity for the withdrawal of the troops of the United States from the harbor of Charleston.

The interruption of these negotiations left all matters connected with Fort Sumter and the troops of the United States, within the limits of this State, affected by the fact that the continued possession of the Fort was not consistent with the dignity or safety of the State, and that an attempt to reinforce the troops at that fort would not be allowed. This therefore became a state of hostility, in consequence of which the State of South Carolina was placed in a condition of defence. During the preparation for this purpose, an attempt was made to reinforce Fort Sumter and repelled.

You are now instructed to proceed to Washington, and there in the name of the Government of the State of South Carolina inquire of the President of the United States, whether it was by his Order that troops of the United States, were sent into the harbor of Charleston to reinforce Fort Sumter; and if he avows that Order, you will then inquire whether he asserts a right to introduce troops of the United States, within the limits of this State to occupy Fort Sumter; and you will in case of his avowal inform (him that

him that neither will be permitted; & that either will be regarded as his declaration of War against the State of South Carolina.

The Governor, to save life, and determined to omit no course of proceeding usual among civilized nations, previous to that condition of general hostilities, which belongs to War, and not knowing by what order, or by what authority Fort Sumter is now held, demanded from Major Robert Anderson, now in command of that fort, its delivery to the State. That Officer in his reply has referred the Governor to the Government of the United States at Washington. You will therefore demand from the President of the United States, the withdrawal of the troops of the United States from that fort, & its delivery to the State of South Carolina.

You are instructed not to allow any question of property claimed by the United States, to embarrass the assertion of the political right of the State of South Carolina to the possession of Fort Sumter. The possession of that Fort by the State is alone consistent with the dignity and safety of the State of South Carolina: but  
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such possession is not inconsistent with a right to compensation in money in another Government, if it has against the State of South Carolina any just claim connected with that Port; But the possession of the Port cannot in regard to the State of South Carolina, be compensated by any consideration of any kind from the Government of the United States when the possession of it by that Government is invasive of the dignity, and affects the safety of the State; that possession cannot become now a matter of discussion or negotiation. You will therefore require from the President of the United States, a positive and distinct answer to your demand for the delivery of the Port. And you are further authorized to give the pledge of the State to adjust all matters which may be, and are in their nature susceptible of valuation in money, in the manner most usual and upon the principles of Justice and Equity, always recognized by Independent Nations, for the ascertainment of their relative rights & obligations in such matters.

You are further instructed to say to the President of the United States that the Governor regards the attempt of the President of the United States, if avowed, to continue  
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the possession of Fort Sumter, as inevitably leading to a bloody issue; a question which in the judgement of the Governor can have but one conclusion, reconcilable with a due regard to the State of South Carolina, the welfare of the other States, which now constitute the United States, and that humanity, which teaches, all men, but particularly those who, in authority control the lives of others, to regard a resort to arms as the last which should be considered. To shed their blood in defence of their rights, is a duty which the citizens of the State of South Carolina fully recognize. And in such a cause, the Governor, while deploring the stern necessity which may compel him to call for the sacrifice, will feel that his obligation to preserve inviolate the sacred rights of the State of South Carolina, will justify the sacrifice necessary to secure that end. The Governor does not desire to remind the President of the responsibilities, which are upon him.

Respectfully  
Your Obedt. Servt.  
A.G. Magrath.

To the Hon. J.W. Hayne.

Special Envoy from the State of South Carolina to the President of the United States.