

# The News.

## TRI-WEEKLY.

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### ADVERTISING-RATE.

Ordinary advertisements, occupying more than ten lines, (one square), inserted in THE NEWS, at \$1.00 first insertion and 75 cents for each subsequent insertion.

Larger advertisements, when no contract is made, will be charged in exact proportion.

For announcing a candidate to any office of profit, honor or trust, \$10.00.

Marriage, Obituary Notices, &c., will be charged the same as advertisements, when over ten lines, and must be paid for when handed in, or they will not appear.

### POETRY.

#### Passage by the House of the Bill Postponing the Courts of Common Pleas Until Spring.

TUESDAY, September 18.

The agitation of measures for the relief of the people continued yesterday, but was accompanied with more practical results and less eloquent display than might have been expected. The Bill before the House was that reported by the Senate, to which Mr. Hagood offered the following substitute for all after the enacting clause:

A Bill to alter and fix the time of holding the Courts of Common Pleas in this State.

Sec. 1. Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same, That from and after the ratification of this Act, the Judges of the Superior Courts of Law in this State shall hold the Courts of Common Pleas in the several Circuits established by law in this State annually in the Spring of every year at the times and places in each District already affixed by law.

Sec. 2. That all writs and other process of the said Courts of Common Pleas, mesne and final, now made returnable to the Fall Term heretofore established, shall be returnable to the annual Spring Courts, the same as if already so directed; and that the same rules of imparlance, and the same order of proceedings now existing for the semi-annual Courts shall be extended to and apply to the Courts established by this Act.

Sec. 3. That all Acts and parts of Acts of the General Assembly of the State in conflict with provisions of this Act be, and the same are hereby repealed.

Mr. Hagood said: That he in common with many others upon the floor entertained insuperable objections to the constitutionality of the bill under consideration. The amendment proposed, in his judgment, obviated these objections. He was informed by those whose experience in the courts entitled their opinion to weight, that under the new legislation giving large jurisdiction and frequent sessions of the District Courts, annual sessions would in all probability be ample for the discharge of the business of the Courts of Common Pleas. The amendment proposed to shut no Courts. It left all the machinery of justice in full operation. It held out to the debtor no delusive hope of repudiation. Writs could be sued out at once; compromises of debt, when adjustment was possible, would take place; judgment and levy of execution were alone by the incidental operation of the proposed amendment postponed for a short period. This incidental operation of the amendment is the only objection which can be urged against it. And this said he, Mr. Speaker, I must frankly confess is one of its features which recommends it very strongly to me. It is known to every member on this floor that the majority of the planters of this State, the class which constitutes the bulk of its population, will be poorer on the first day of next January, than the last. It is equally well known that this fact is due to no want of industry or energy on their part. As a class, they have labored hopelessly and energetically with crippled resources to retrieve the great disaster that has befallen their fortunes. The failure is due to unfavorable seasons unprecedented in the memory of any man here. It is well known that with our favored soil and climate, seasons approximating the last do not recur once in twenty years. In all human probability the next season will be as prosperous as the last was unfavorable; and the action of the proposed amendment in the short delay of the levy of execution will enable the indebted planter to bring one more crop into market, wherewith to meet his obligations, to make one more appeal to the mercies of a beneficent Providence, and if after that the decree is reversed, why, he must meet his doom as he may.

Thus, Mr. Speaker, if as I think there is upon the face of this amendment no constitutional objection; if the probabilities are, that it will effect a desirable economic reform in the arrangement of our courts, and, if, from its incidental operation, relief however meagre, comes to our distressed and impoverished people, it commends itself very strongly to my approval, and upon these grounds I submit it to the consideration of the House.

Mr. Todd, of Laurens, moved that the amendment of Mr. Hagood be laid on the table, which was decided in the negative by a vote of yeas 45, nays 57.

The question now recurred on the adoption of the amendment, and the question being taken by yeas and nays it was decided in the affirmative by a vote of yeas 55 nays 46.

As a matter of record we publish the names of the members voting, that the public may know who are friends and opponents of the measure of relief proposed.

Yeas.—Aiken, J. R., Alston, Anderson, Ball, Black, Bonham, Bowen, Browning, Clyburn, Crayton, Culbreath, Easty, Elkin, Farmer, Flowers, Garlington, Gavin, Gayer, Goodwyn, Hagood, Hammett, Hay, Hayes, Herst, Howze, Jones, Keels, Keith, Keits, Landrum, Lipsy, Manigault, Melchers, McKewin, Milling, Mullins, Price, Rawlinson,

Richardson, J. S. Jr., Russell, Ryan, Salley, Sessions, Sheridan, Springs, Stokes, Suber, Talbot, Trescott, Wagoner, Walker, Wallace, Wm., Wannamaker, Warley, Wright—55.

NAYS.—D. Wyatt Aiken, Bachman, Barker, Cannon, Carlisle, Coker, Coogan, Covington, DePass, DuPre, Duncan, Elliott, Fair, Gaillard, Graham, Hancock, Haswell, Hunter, Hutson, Lee, Leitner, Lewis, Lord, Magrath, Martin, Mikell, T. P., Mikell, W. E., Milligan, Moore, J. W., Mulvaney, Perry, Petty, Pressly, Richardson, Shaw, Seigling, Sparkman, Stackhouse, Talley, Thomas, Thomson, Todd, Townsend, Wallace, A. S., Woodruff, Speaker—46.

A motion by Mr. Warley to postpone the further consideration of the subject indefinitely was agreed to by a vote of yeas 48, nays 55.

Mr. Townsend, of Marlboro, moved to continue the subject until the next session.

Mr. Talbot, of Abbeville, moved to lay that motion on the table. The yeas and nays being ordered, it was agreed to by a vote of yeas 70, nays 34.

Mr. Lord, of Charleston, moved to substitute as a title for the bill "A bill affording relief to debtors." Mr. Lord contended that the whole argument had been not as to the necessity of changing the terms of the Courts, but as to the necessity of them for the relief of debtors. If such was the fact there should be no reason in the minds of gentlemen, why it should not be expressed on the bill.

Mr. Garlington asked the speaker if he as a lawyer, announced that the bill, as it now stood before the House, was in his opinion unconstitutional.

Mr. Lord replied that he had no hesitation in saying that in any legislation which has for its object the relief of the debtor, whether it assumed the form of a change of remedy, or change in the time of holding courts was an unconstitutional evasion of the spirit if not a violation of the law.

Mr. Garlington said that the gentleman did not answer the question. He had discussed the objects of the bill and declared them to be unconstitutional and it was evident that his object was to put into the title of the bill something upon which the Court of Errors could seize for the purpose of making the act null and void.

Mr. Lord said he would ask if the gentleman from Newberry denied that this bill was designed to afford relief to debtors by changing the term of the Court of Common Pleas.

Mr. Garlington replied that he did not deny that his own private view was to afford relief to debtors, but no court in the world had a right to interfere with his motives, and doubly so when they did not appear in the bill under consideration.

Mr. Trescott observed that he supported this bill, not because it was for the relief of debtors, but because he believed the interest of the creditors of the State required that the court should not be opened at a time when it would occasion much distress. There were thousands of planters in the State, especially in the low country, who, under the pecuniary circumstances which exist between the State and Federal authorities whereby their estates are still in the hands of other than their rightful owners who would be ruined unless time is afforded to recover further losses. It was therefore a matter of public interest that he should support this bill but if he voted for changing the title in the manner suggested he would be untrue to the convictions entertained.

Mr. Mullins moved to lay it on the table. The yeas and nays were ordered, and the motion was sustained by a vote of yeas 58, nays 47.

Mr. Barker offered as a substitute the following title to the bill: A bill to suspend the administration of justice in South Carolina for the general welfare.

Mr. Trescott said that the intention of the gentleman from Charleston, had been subverted by firing off his epigram; he moved that it be laid on the table.

Mr. Barker replied that it was not his nature to deal with issues of serious importance affecting the dignity of South Carolina, in the spirit suggested by the gentleman from Anderson. He had but one desire, namely, to see truth told upon the record, and he proposed simply that the advocates of this measure, as a last resort, having justified the suspension of the administration of justice for general welfare, they should announce it.

Mr. Bonham suggested that it was usual for friends of a measure to perfect and give to it their own title. The assistance of the honorable member, who had suggested the amendment, was not required. We (said Mr. B.) took the responsibility of the bill as it stands, and no friend of the bill has proposed to alter the title; he moved therefore, to lay the motion to amend upon the table.

Mr. Lord defended the right of the opponents of the bill to amend the title, by citing the action of the United States Congress in 1830, when Mr. Calhoun saw fit, under similar circumstances, to change the title of an important bill then under consideration.

Mr. Trescott disclaimed any intention of misrepresenting his friend from Charleston, Mr. Barker. What he chiefly desired to impress upon the House was that the bill was calculated to subvert the ends of justice by suspending the courts, and not in

the language of the proposed title to suspend justice for the general welfare.

Mr. Bonham renewed his motion to lay the amendment on the table, which was agreed to, and the bill as amended, was ordered to be sent to the Senate.

The bill amending an act entitled an act to establish district courts was taken up, perfected, received its second reading and was sent to the Senate.

A bill amending the criminal law was likewise perfected after debate, and sent to the Senate for concurrence.

The bill to provide an expeditious mode of ejecting trespassers which Mr. Warley explained, would enable the planters at the end of the year to obtain possession of the negro quarters without giving three months notice was read a second time and sent to the Senate for concurrence. On motion of Gen. Butler the House then took a recess until half-past seven o'clock in the evening.

### Danger of Another Civil War.

The Petersburg Express forcibly observes that there is everything in the character and proceedings of the dominant party in Congress to justify the suspicion—yea, to inspire in every reflecting mind the belief—that they are not only disposed but determined to resort to the most extreme measures, if necessary, to accomplish their vile purposes. Cowards as the leaders are, they can yet, with their infamous harangues, influence the credulous and confiding multitudes of their followers to the most violent courses, even to the shedding of blood, whilst they (the leaders) will take good care to keep their own carcasses out of harm's reach. If they cannot draw the sword themselves, they can sound the trumpet at a safe distance, and so excite thousands of zealous, phrenzied fanatics and infuriated with hell-bate to deeds the contemplation of which makes humanity shudder. Men, or rather monsters in the shape of men, like Stevens, Sumner, Kelly, Chandler, Forney, Butler, and scores of other radical chiefs that might be named, talk of war as if they had the nerves of Achilles, and the spirit of Julius Caesar—as if they would be the first to snuff themselves and rush to the ensanguined field. But let war come and they will be found hiding themselves in the deepest caverns of earth to escape the perils of the conflict.

But these dastardly brutes, unfortunately, possess influence enough with their tongues and pens (the only weapons they know the use of) to plunge the land into the horrors of anarchy an intestine strife, and it is evident from recent and daily developments that they intend to exert this influence to the utmost. Who that thoughtfully considers the scenes which marked the late session of Congress—the enormous unscrupulous assumption of power by the ruling majority—their reckless violations of the constitution—their fierce and malignant assaults upon the President for an honest and patriotic discharge of his duties—their bold declarations of their reasonable purposes—their contemptuous disregard of all the pleadings and arguments for a peaceful re-admission of the Southern commonwealths to their places in the Union, after their military overthrow—who that thoughtfully considers these things, and in connection with them, the present still attitude of hostility, in which these conspirators against the republic stand towards its Executive head and his millions of supporters, can doubt for a moment that another struggle, more bitter and bloody than that which has just been closed, is impending? It is just as well—it is a great deal better—for the conservative press to speak out openly at once, and tell the people that a new war is imminent—a war, the guilt of which will be altogether upon the heads of the radical infuriates who have dared to take issue with the President upon his policy of restoring the national unity, dignity and prosperity. What is the use of mincing phrases in so portentous a crisis? Why cry "peace, peace, where there is no peace?" Look at what has been said and done in Philadelphia in the last few days, in that assembly of political vipers called the "Loyalists Convention"—look at what transpired at Cleveland when the President passed through that city on his way to Chicago—look at the spirit of devilish animosity against that brave and noble defender of the

Constitution, which is displayed by the usurping and revolutionary party who from their "ebon throne" in the national capitol, have as good as proclaimed themselves to be the supreme power of the land! Look at the appliances which are being constantly brought by them to bear upon the approaching elections. Look at the turbulent and fraudulent manner in which they are attempting to put down popular rights and crush out resistance to their execrable schemes for subverting our institutions and shackling a free people with chains more galling and degrading than were ever forged by oriental despot! Is it not time to awaken the whole country to a sense of the peril which hangs over it? We are no prophet, but we cannot read the "signs of the times," as they now stare us in the face in every direction, without taking the warning from them with which they are pregnant. They denote, to say the least, an alarmingly precarious state of public affairs; so much so, indeed, as to warrant the inference that we are on the verge of new troubles the end of which the eye of the Almighty can alone see. The elections soon to come off in the Northern States will subject this government of ours and the people living under it to an ordeal infinitely more trying than any they have yet had to pass through.

The last New York Express has the following paragraph on this subject, which in a few words fully sustains our views:

"Read the inflammatory and incendiary speeches made by certain Radical Congressmen and Governors, in Philadelphia last evening—and say if the point of them all is not the inevitability of another war. This war is to be begun by an attempt to remove the President by impeachment—an attempt that will assuredly be made, if the autumn elections indicate no abatement of radical strength in the North and West."

### General Grant.

The following is an extract from a powerful and eloquent speech by Gen. Hillyer, at a meeting of soldiers and sailors in New York, a few days since:

Thank God, the nation is safe so long as the army and navy stand by the President of the United States in his efforts to restore the Union, and hold themselves prepared to defend the rights of the States and the people against the usurpation of any Congress not organized in accordance with the policy of the Constitution of our fathers. [Cheers]

A voice—"What of Grant?" followed with cheers.

Gen. Hillyer—A gentleman asks me what of Grant? What feeble human voice would be heard in his praises amid the rattle of musketry and the roar of artillery with which his name has been thundered down by history from almost a hundred victorious battle-fields? [Enthusiastic cheers for Gen. Grant.] There is a daily beauty in his life, there is a grandeur of character, coupled with an honest and modest simplicity of manner, which has given him place in the nation's heart that no man ever held before—[Voices—"That's so," and applause]—until the partial eyes of his countrymen say: Around him hangs such a perpetual spell, What'er he does, none else did e'er so well.

What could such a soldier be other than the embodiment of magnanimity? How could such a man feel aught but Christian charity? How could such a citizen be loyal to less than the whole country? [Applause] I tell you, soldiers, that General Grant, your late Commander-in-Chief, stands by the President of the United States in his efforts to restore the Union. Renewed applause.] I speak from a record which all may see and read. The same spirit which Grant manifested at the surrender of Lee has characterized every act of Johnson in his treatment of the subjugated South. When General Grant, in his final report, expressed the wish that you might live in perpetual peace and harmony with that enemy whose manhood, however mistaken the cause, had drawn forth such heroic deeds of valor, he meant what he said. [A voice—"That's so."]

One of the first, if not the very first applications made by a prominent Southern man to the President of the United States, was made by General Robert E. Lee, late Commander-in-Chief of the Confederate forces, and on the back of that application is an endorsement—a warm, earnest, eloquent endorsement—asking that that pardon should be granted; and that endorsement is signed by "U. S. Grant, General Commanding the Armies of the United States." [Cheers.] When the President had prepared his first letter to the Provisional Governor of North Carolina, before he sent it or published it, he submitted it to

General Grant for his opinion and criticism, and General Grant endorsed every word and syllable of that letter. That letter was the key-note to the subsequent policy of the President.

In the difficulty between Congress and the President upon the veto of the Freedmen's Bureau Bill, Gen. Grant stood by the President. Congress adjourned, and the representatives of the people assembled at Philadelphia and sent a committee to congratulate the President on their endorsement of his policy, and while that committee were in the performance of their mission, Gen. Grant stood at the right hand of the President. Soldiers and sailors of New York survivors of the war, I submit to you to-night, Will you stand by the President of the United States? [Loud responses—"Yes, we will."] Will you stand by the Admiral of the Navy? [Vociferous cries of "we will."] Will you stand by the Constitution of your fathers? ["Yes, yes."] Will you stand by that Union which has passed through the rebaptism of blood only to come out regenerated and glorified? ["Yes."] Will you stand by the flag, with its thirty-six stars of equal magnitude and brilliancy, with plenty of room for more, but not a single star to spare? [Loud cheers.]

NAPOLEON'S LETTER TO KING VICTOR EMANUEL.—The *Moniteur* adds: The Emperor Napoleon has made known his intentions to his Majesty King Victor Emanuel, in the following letter:

MR BROTHER: I have learnt with pleasure that your Majesty has adhered to the armistice and preliminaries of peace signed by the King of Prussia and the Emperor of Austria. It is, therefore, probable that a new era of tranquility is about to open for Europe. Your Majesty knows that I have accepted the offer of Venetia in order to preserve her from any devastation, and to prevent useless bloodshed. My intention has always been to restore her to her self, in order that Italy always might be free from the Alps to the Adriatic; mistress of her destinies, Venetia will soon be able to express her wishes by universal suffrage.

Your Majesty will recognize that in this circumstance the action of France has again been exercised in favor of humanity and the independence of the people. I renew the assurance of the sentiments of high esteem and sincere friendship with which, I am your Majesty's good brother,

NAPOLEON.

St. Cloud, August 11, 1866.

BEN. WOOD IN TROUBLE.—A New York letter to the *Cincinnati Gazette* says:

Ben. Wood has at last come to grief: His say is about now out; like the sands of the famous retired physician; and he comes out bankrupt in purse and damaged in mind. Wood has lately lost all his money. His losses in the last six months will net two hundred thousand dollars. John Morrissey is in possession of the *News* office; and at present is engaged in transferring it to Whitney, of the *Sunday Mercury*. Wood meantime holds the office, and is evidently disturbed in mind.

The South Carolina Railroad Company has just imported a new engine, which works upon an entirely new and economical plan. It has no tender, and is arranged to carry its own wood and water; without materially increasing its size. These engines have been found very serviceable in shifting and moving trains.

Dr. Craven, author of the "Prison Life of Jefferson Davis," has already received from Carleton, of New York, the sum of \$12,000 as copyright on that volume, which still continues to sell just as rapidly as on the first day of its publication; Craven has also received £950 from the publisher of his book in England.

General Forrest and other Confederate officers in Memphis sent a friendly dispatch to the Convention of Federal Soldiers and Sailors in Cleveland, and a friendly answer was returned.

The Prussians lost in the war 2473 killed, 5341 severely wounded, 8865 slightly wounded, and 2559 missing, making a total of 10,259.