Charleston Daily News.

VOL. I....NO. 72. CHARLESTON, S. C., SATURDAY, NOVEMBER 4, 1865. PRICE FIVE CENTS.

THE STATE LEGISLATURE.

[FROM OUR SPECIAL CORRESPONDENT.]

COLUMBIA, November 2.—The time of the Senate, to-day, was spent in a long debate on the report of the Committee with regard to the Governor's veto, in which most of the members took part, either yesterday or to-day. The subject, however, is now set at rest by a vote having been taken, sustaining the report. That respectable body of grave and reverend Seignors can now sit in quiet dignity and wait for work to be sent to them from the House. From present appearances, they will not enjoy their comfortable easevery long, for very soon work enough will be sent to them to satisfy the most industrious member of that body.

A motion was made to-day in the House to elect an Associate Justice of the Court of Appeals; but as Chancellor DUNKIN has not yet accepted the position to which he has been elected, no vacancy exists, and the motion was consequently lost.

The resolution with regard to the election of a Chancellor was laid on the table.

Mr. Campbell wished to know if any provision had been made for payment of Judges *in esse*, before considering the matter of Judges *in posse*.

A bill to amend the charter of the Elmore Insurance Company was sent by the Senate to the House, and read for the first time.

A message was received from the Senate, stating resolutions passed yesterday against adjournment.

An unusual petition in this State was presented to-day. A man by the name of Kruse, who Gen. McGowan says was his Secretary during the war, and who, the General says, is a kind, pure-hearted German, petitions the Legislature to grant him a divorce from his wife. If one-half of the statements made in the petition are true, the man is richly entitled to what he asks. The woman was not only unfaithful, but boasted openly of her infidelity, using language grosser even in thought than in words. The matter has been referred to a Committee.

A bill to perfect testimony with regard to lost records was read for the first time.

Mr. Keitt offered resolutions to refer to Military Committee on expediency of reorganizing militia and establishing a police in each District, subject to the District Judge.

Gov. Benham offered resolutions to inquire into expediency of covering the new State House with a roof and fixing the interior for a place of meeting of the two Houses of the Legislature.

Pursuant to notice, Mr. Coker introduced a bill to create the office of General Superintendent of Free Schools, to be elected by the Legislature.

A bill to amend the charter of the Calhoun Insurance Company was read for the first time.

Pursuant to notice, Mr. Moore introduced a bill to restrain confessions of judgments and assessments in favor of preferred creditors.

A resolution was offered by Mr. Mikell, of Charleston, in relation to pleadings, so as to expedite the business of the Circuit Courts, which was referred to the Judiciary Committee.

Mr. DePass offered a resolution that the Committee on Military Affairs report a bill for the immediate organization of the militia of this State.

It being evident that the motion offered by Mr. DePass had opened the eyes of the Legislature to the fact that it had pronounced a wrong judgment on a constitutional question in the matter of General Garlington, and it being also known that the matter having been referred back to the Committee on Privileges and Elections, they had taken the opinion of the law officers of the State, and would report that, though General Garlington was a salaried officer, still under the Constitution, as a militia officer, he was entitled to a seat in the House, Mr. Barker offered a resolution that it be referred to the Committee on the Military to make the salary of Adjutant and Inspector-General commensurate with the importance of the State as a military power.

The General Orders having been taken up, the resolution of the Committee on Federal Relations with regard to the removal of negro troops was agreed to.

The resolutions of Col. Wagener to adjourn were then taken up.

Col. Wagener said that the extra session had been called by the Convention for specific purposes. The members have come here not prepared to stay, some of them without changes of clothing.

Mr. Haskell said that the private wants of individuals was a matter which each man should decide for himself. There are many matters which should be considered. The Negro Code had been reported by an able commission, and is in the hands of the Judiciary Committee. When that code is reported, which will probably be in the early part of next week, the Legislature will have work for several weeks. The militia laws and other matters are of vital importance. Until the code is passed we cannot have a complete restoration of civil law. If the negro code and militia laws are not passed before Christmas, there will not only be no contracts, but there will be danger, not of war, but of bloodshed in every household.

Mr. Dawkins said that if he consulted his own convenience he would be in favor of the resolutions, but in the present condition of our affairs—the most important since the adoption of the Constitution of 1790—personal considerations should not be regarded. The adoption of these resolutions would be now disastrous. There is a feeling of deep antagonism between the negro and his former master. He will not make contracts. Many of them are looking forward to a division of the lands. That we should pass the laws under consideration is desirable for the negro and desirable for the white man. He was delighted at the message of the Senate, declaring that matters of great public concern required that the Legislature should continue in session. The Committee on the Judiciary were in session from 9 A. M. to 10 or 11 P. M. They have invited the Committee of the Senate to unite with them. The two Committees are proceeding most harmoniously, and are endeavoring to perfect a system. They hope to report two of three bills early next week. He asked if it would not be unjust to the country and unjust to ourselves to adjourn. It has been said by an eminent ancient writer that he who begins a work has more than half completed it.

Mr. Warley moved to amend the resolution by substituting, after the word resolved, "That it is the sense of this House, that the good of the State demands that the session of the Legislature should continue until the legislation so much needed is completed."

Mr. Read thought that the Committee on the Judiciary could be left here to perfect their work during the adjournment.

Mr. Warley thought that we were in danger of insurrection without the passage of those laws. There are widows and orphans now, but there will be many more, and the State, now in sable, will be in sackcloth.

Mr. Trescot suggested that Mr. Read proceeded on the supposition that there was nothing before the House except what was before the Judiciary Committee; while, on the contrary, there is enough work to keep the body together for three weeks, without touching that matter.

Mr. Simonton moved to amend the amendment, by substituting, that the Legislature take a recess from Saturday.

Mr. Campbell said we have not considered fully the question. He thought it a great mistake to consult private convenience against public interest. He did not agree with Mr. Warley. He thought there would be no danger of catastrophe; but if there were, the passage of these laws would not protect us against it. He confessed that he felt great obligation to the negro race for their conduct during the last four years. They knew well what would be their condition, in case of our success, still they clung to us faithfully. He repeated that he did not fear a catastrophe. But could the mere enactment of paper-laws protect us, or prevent it, except what we are permitted to enact by a conqueror, under whose iron heel we are. Have we any laws? Is it not better to do nothing, unless we are certain that our laws will be accepted? There is sometimes great strength in inactivity and in doing nothing; and a great British statesman has said that inactivity is a masterly power.

We talk of legislating, and we know that it is merely experimental. We are dependent on the kindness of a single man, who is sacrificing certain strength by standing as a breakwater between us and irreparable ruin. We are in a state of transition, and should we sacrifice what we already have, by hasty legislation? Up to the present time we have done nothing really objectionable, and we should do nothing to imperil the good hope that we have. Does not see how enactment of the Code will remedy the feared impending danger.

After some other debate, the whole matter was laid on the table.

TRADE ART.—In Birmingham a great deal of japanned ware is made for foreign markets, and it is a curious and interesting study to notice the various styles of art most popular. For Brazil the most saleable ornament is a shield surmounted by a crown and encircled with coffee berries. For South America bright gaudy colors are mostly in demand. In Spain the most favorite ornament is the representation of a bird. It would seem that the artists are not particular in following out the plumage of the birds they represent; the colors must be gaudy, and the Spaniards cannot but be impressed with the specimens of their ornithology. Do these specimens of their embellishment most indicate the taste of the place where they are prepared, or that of the market to which they are sent?

ABANDONED PROPERTY.

The following Message from Governor PERRY was sent into the Legislature, October 28, accompanying the subjoined report of the Hon. W. H. TRESCOT, agent of the State, at Washington:

GOV. PERRY'S MESSAGE.

EXECUTIVE DEPARTMENT, S. C., October 26, 1865.

To the Honorable the Senate and House of Representatives:

GENTLEMEN: I have the pleasure of communicating to you the very satisfactory report of the Hon. Wm. Henry Trescot, Agent of the State, at Washington, in reference to abandoned lands and pardons. His mission has been eminently successful. He found the President and Gen. Howard, the head of the Freedmen's Bureau, disposed to do justice to the proprietors of abandoned lands, as will be fully seen by his report herewith sent you. It is to be hoped that this unfortunate class of our fellow-citizens will soon be once more restored to their homes and possessions.

On the subject of pardons, Mr. Trescot found the President kind and accommodating. But great delay must necessarily attend the issuing of pardons, where there are so many thousands of applicants. It would be well for our citizens to be quiet and bide their time in relation to the moving and action on their applications. When there is any urgent necessity for the issuing of a pardon and it is brought to the view of the President, he will give such application precedence over others. And with reference to this matter and the interest of proprietors of abandoned lands, it would be well to continue the agency for the present. There are a great many questions arising where it would be a great convenience to the Provisional Governor, and the people generally, to have an agent at Washington, to present matters there to the President, head of Departments, and the officials of the different bureaus, and give the necessary information which may be desired.

I herewith send you the report of J. Ralph Smith, General Superintendent of the State Works at Greenville, showing the amount of public property in those works, and the estimated value of the same. It will be of great service to the Commissioners who may be appointed to sell or dispose of these works. The total cost and expenditure of the State on these works have been, in Confederate money, $507,866.29. The present estimated value, in Federal currency, is $72,000. And it is altogether probable that the property will not realize that amount.

B. F. PERRY.

REPORT OF MR. TRESCOT.

COLUMBIA, October 24, 1865.

To His Excellency B. F. Perry, &c., &c., &c.

SIR: The Convention of the State having passed, at its recent session, the following resolutions:

1. *Resolved*, That the Provisional Governor is hereby authorized and empowered to appoint a competent Agent to Washington, to ascertain from the President what is the condition of the lands called "abandoned lands" in this State, and how long it will be before owners of such lands will be restored to the possession of their property; and to act as the Agent of the citizens of this State, in their applications to the President of the United States for pardons, and for the restitution of their real and personal property; and also as Agent of the Provisional Governor of this State in all matters which he may desire to bring through such Agent before the President or other officers of the United States Government.

2. *Resolved*, That it shall be the duty of the aforesaid Agent to report fully all his proceedings, and all the information he may obtain in regard to matters entrusted to his charge, to the Provisional Governor of the State, in order that the same may be laid by him before the Legislature at its present session—

You were pleased, by your appointment, to call me to the discharge of these duties, and I have the honor to submit the following report of my proceedings in execution of your instructions:

Upon reaching Washington I found that some of the questions touching these important interests of the State had been brought to the attention of the Government in special cases. These cases had been urged upon the proper department with ability and activity, but the department had declined acting upon them until the Government had decided upon the general principles involved.

As far as the action of the Government of the United States, during the late civil disturbances, is concerned, the lands in this State may be divided into three classes.

1. The lands taken and sold under the provisions of the Tax Act of June 7th, 1862, with its amendment of February 6th, 1863.

2. The lands styled "abandoned lands" in the Act creating the Freedmen's Bureau.

3. The lands set apart for occupation by General Sherman's order.

As to the first class, I felt that the questions involved were of so grave and complicated a character, that immediate relief was scarcely to be expected; and, as the Attorney-General, the chief law officer of the Government, was absent from Washington, I deemed it best not to ask their consideration until the others had been disposed of. The only step with regard to these lands which I have taken, was to apply for a list of all property so sold, which I will publish as soon as received, for general information. Believing that the legislation under which this property has been sold cannot be sustained, and that at any rate relief can be afforded in these cases where the Government was the purchaser, I deem it proper at present merely to suggest to the parties interested, such consultation among themselves and conference with the Agent of the State as will enable him to take the necessary steps. This is the more promptly required, as the residue of such property remaining unsold has been advertised for sale on the 6th December next.

As to the other classes, you are aware that, by the Act creating the Freedmen's Bureau, and subsequent orders, all the lands in the Southern States embraced in the term "abandoned lands" used in that Act, were turned over to the officers of the Bureau for distribution among the loyal refugees and the freedmen of the "insurrectionary States." By Circular No. 15 the President, however, limited, to a very great extent, the disastrous consequences of this enactment. By that order, all persons who had received special pardons, and all who, under the provisions of the general amnesty, had taken the oath of allegiance, were allowed to recover the possession of their lands. But a doubt having arisen as to whether that portion of these lands embraced in General Sherman's order, and lying on the seacoast of Carolina, Georgia and Florida, was subject to this provision for restoration, the further order, No. 45, was issued, instructing General Howard to make the arrangements, and extend the orders necessary to their restoration. At present, therefore, all the lands in the State served by the United States Government, except lands taken and sold under the Tax Act, are to be restored. The "abandoned lands," not included in General Sherman's order, will be recovered upon application to the Commissioner of the Bureau in the State, upon proof of pardon, either special or general, under the amnesty proclamation; and the lands included in that order will be restored by application to the officer assigned to that special duty. The orders to carry this decision into effect will be forwarded to your Excellency as soon as I receive the official copies.

It is not necessary that I should report the various conversations which I had the honor to have with the President and General Howard. They were confined chiefly to the discussion of the mode in which the restoration could be effected, with reference both to the obligations which the Government had assumed towards the freedmen, and to the rights which the Government recognized in the original owners. It is proper for me to say, that I found General Howard most anxious to do justice to all the interests concerned; that, in the whole discussion, his object appeared to be to aid in the speedy organization of the new relations of labor, and that he was fair, considerate and kind in his recognition of the difficulties in the way of the planters of the State, and the spirit in which they were endeavoring to meet them. There were some impressions upon General Howard's mind, and some expectations as to the practical working of the new system, with which I did not agree. But as the experiment commenced with the restoration of the lands, and was evidently a sincere effort to adjust conflicting claims, I am satisfied that it is both the interest and duty of the State to co-operate cordially in the endeavor. The President having intimated that he thought it advisable that I should meet General Howard again, during his visit to the State, I returned to Columbia, and had the advantage of further consultation.

I hope to meet him again before he returns to Washington, when he has made a further examination of the actual condition of the freedmen, and the practical working of the system hitherto pursued. By that time I also hope that the Legislature of the State will, to some extent, indicate our own views of these new and difficult questions. All that I deem it necessary now to say is, that whatever may be our own opinions, we ought not to forget that the action of the administration is watched with jealous hostility, especially on all these subjects, by a large and powerful party in the United States; and that with our property restored and our rights recognized, it is only just that we should afford every assistance to the Government in reconciling this discharge of its duty to us with its obligations to the rest of the country. Although it is impossible to reconcile the existence of such an institution as the Freedmen's Bureau with the ordinary action of our political system—and although it is clearly an interference with subjects of purely domestic concern, yet I am sure it can not at present safely be dispensed with. Without some agency, which shall represent the Government, it would not at this moment be possible, in many sections of the State, either to re-establish the owners of land in their rights, or to make any arrangement for the renewal of labor—and while there have been great abuses in the administration of this Bureau in certain localities, I am warranted in assuring you that these abuses will be corrected, and the policy of the Government firmly enforced.

With regard to the subject of pardons, the action of the President is the literal fulfilment of his profession, "that he would rather pardon twenty than refuse one," and he expressed to me his readiness to give immediate consideration to any cases which the State deemed of special importance to her industrial interests. The restoration of the lands in the lower part of the State to those who have been pardoned renders the early issue of such pardons a matter of great importance to a large class of our citizens. But with every desire on the part of the President to extend the benefits of executive clemency, the growing and enormous accumulation of applications and the unavoidable delay in the passage of pardons from one department to another, in order to their formal execution, renders it almost impossible to impart the immediate attention which the interests of the State requires. If the State agent is expected to give especial attention to individual applications for pardon, he will need the services of an efficient clerk, and must establish an office in Washington.

As the appointment by your Excellency, under the authority of the Convention, was limited to such a period as would permit legislative action, it will be for the present Legislature to decide whether the agency shall be continued. Should the admission of Senators and Representatives from the Southern States be long delayed, I am satisfied, from my observation, that the interests of the State will require the presence of an authorized agent in Washington. Of the probability of this contingency the Legislature must judge.

I cannot conclude this report without expressing to your Excellency, and through you to the Legislature, my profound sense of what this State owes to the wisdom and courage of the President's policy. It has saved us from destruction that would have been as rapid as it was ruthless.

In the readiness with which I was permitted to lay before him your Excellency's suggestions—in the considerate attention given to the interests I was instructed to represent—in the just and kindly appreciation of the difficulties with which the State was surrounded—in the judicious policy which General Howard was authorized to pursue, I found still further evidence of that sincere desire to aid the State in her trying position, which I feel it my duty thus gratefully to acknowledge.

Respectfully, WM. HENRY TRESCOT, Executive Agent.

[FOR THE CHARLESTON DAILY NEWS.]

THE DISTRICT COURTS.

The Convention, in framing the new Constitution, provided, in Section 1, Article III, that "the General Assembly shall, as soon as possible, establish, for each District in the State, an Inferior Court or Courts, to be styled the District Court, the Judge whereof shall be resident in the District, &c.—which Court shall have jurisdiction of all civil cause *wherein one or both the parties are persons of color; and of all criminal cases wherein the accused is a person of color; and the General Assembly is empowered to extend the jurisdiction of the said Court to other subjects.*"

This is a new and novel Court to be established, and one of vast importance. Its organization and jurisdiction should be most thoroughly considered, in every aspect, before adoption of any rules. Shall the said Court have its jurisdiction, *at first*, extended to other subjects than those enumerated in the Constitution?

It would seem that to adjudicate matters wherein persons of color are concerned, would give full occupation to any Court, for a while at least, in their demoralized, and soon to be disorganized, condition. Colleton District has 19,000 blacks and but 9000 whites; Beaufort, 19,000 blacks and 7000 whites; Orangeburg, 10,000 blacks and 13,000 whites; Abbeville, 12,000 blacks and 11,000 whites; Richland, 6000 blacks and 7000 whites; Marlborough, 6000 blacks and 3000 whites, and Chester 6000 blacks and 7000 whites. This is about the proportion in the State, and any Court will have full employment to adjudicate all the cases wherein blacks are concerned, however continuous their sessions. But it is difficult to see how the jurisdiction of this Court can extend to other matters, if it is designed to have a less number of jurors than twelve. Section 7, Article IX, of the Constitution provides that "the *trial by jury, as heretofore used in this State, shall be forever inviolably preserved*" in all other cases, except in those of negroes and debts "small and mean"—every party have the right to have his case tried by a jury of twelve of his peers; and the clause just cited "inviolably preserves" that right to any party to a suit who may so demand. One party or the other to every suit will so demand. Better then make the jurisdiction of the District Courts extend only to the adjudication of all causes wherein blacks are concerned.

What part in the trial of a cause shall the Judge take? In the trial of negroes, heretofore, in this State, a magistrate and five freeholders constituted the Court, heard the cause in cases of crime, and the Court, acting as jurors, including the magistrate, decided the case. It was an anomalous proceeding. It would seem to be better for the Judge to decide points of law, admissibility of testimony, construe statutes, sum up before the jury the points and testimony made, then leave the jury to decide—in a word, take the same part as Judges of the Courts of Common Pleas and General Sessions do in cases tried before the Circuit Courts.

Should the Judges of said Courts be allowed to practice law in the Superior Courts of the States? If the jurisdiction extends only to persons of color, then surely there can be no good reason to prevent the Judges of this Court from practicing in the Superior Courts; besides, if prohibited, no lawyer of any considerable practice would accept the office of Judge of the District Court, unless the salary is to be higher than the State ought to pay at this time; and no man should be put in this position except he has made the law his study—the competency of testimony often troubles eminent Judges. What a farce to have a man not learned in the law to decide points of law and competency of testimony! Courts of Magistrates and Freeholders have long been a subject of ridicule with the bar. An eminent Judge of this State once said, after hearing an appeal from one of these Courts, on the grounds of admitting improper testimony, "Of course the appeal must be sustained, for a Magistrates' Court generally decides wrong on legality of testimony." Volumes have been written on the single subject of evidence; and only those who have made the subject their study can approximate doing justice as a Judge in deciding on its competency. A new Court is to be established, all its rules and regulations to be arranged and construed, and its proceedings systemized. Men educated in the law are indispensable for this work if done efficiently; if not well done, these Courts will be a nuisance to the country, and mere puppets in the hands of skilful lawyers.

To what tribunals shall appeals be taken from the District Courts?

The Judges of the Circuit Courts have more to do now than can be accomplished. The dockets in many districts have not been cleared for more than ten years. It is a notorious fact that in some districts persons sued for debt on plain notes or bonds, and who have no real defence, have appearances entered, and pleas put in, so that the case can get on the issue docket, where they are not reached for adjudication for years. This delay of justice prevents many creditors from trying to collect their debts by law. If appeals are to be taken to the Circuit Courts from this Court, the whole week allowed for a term would hardly suffice to hear the appeals in some districts, especially if others than lawyers are to be Judges—for no case of importance would stop short of the appellate jurisdiction, where the bar has a contempt for the legal knowledge of the presiding Judge; besides, the cases could find their way up to the Court of Appeals any way. It is deemed best, therefore, to make this last Court the appellate jurisdiction in the first instance. That Court certainly has more time to consider appeals than the Circuit Judges—and fewer appeals would be taken, owing to the distance and expense.

How should proceedings as to prosecutions and defences be arranged in said Court for crimes? and what should be the whole machinery of the Court?

The State will be compelled to have a prosecuting attorney, for crimes, in each of the District Courts; this is inevitable. Some form of indictment must be used, and the evidence drawn out by some one, or crime will go unpunished. The accused employs an attorney, who uses all his ingenuity in defending. Unless the State is similarly represented, she will stand but a poor chance to punish and prevent crimes. Then, again, what is to become of negroes, charged with crimes, who are too poor and worthless to employ counsel for their defence? To every individual of this class counsel cannot be assigned, as in the higher Courts, for it would in many districts keep employed all the bar. The State must provide counsel for these also, if they are to have a full hearing before the Courts. These Courts, too, must have Clerks—say the Clerks of the Superior Courts shall act as Clerks of the District Courts; it would suit well. They have offices amply large to preserve the proceedings and keep them properly arranged—are familiar with making up dockets and keeping minutes of the Court, drawing and arranging juries, &c. The Sheriff, too, should be the same who is Sheriff of the Circuit Court, and should keep similar books for cases of a similar nature as those kept for the higher Courts. They, too, have offices and plenty of time to do all the duties required, either themselves or by their deputies. These officers would have to have pay for their services provided for otherwise than by costs, fines and fees—for in most cases parties in this Court would never pay anything, being vagabonds. Then, what number of jurors should constitute a panel to try a cause?

In the Magistrates' Court for the trial of negroes, heretofore, five jurors and the Magistrate made up the Court: and in arranging the District Court, it is supposed that twenty-four jurors summoned for each Term—two juries impannelled, of six each, allow a limited challenge, and only signed by the foreman, as in the Circuit Courts. A larger number of jurors would make it very expensive to the State, and exceedingly onerous on the people who have to act on a Court which must sit so often.

All of these officers of the Court—Judges, Clerks, Sheriffs, Jurors, and Attorneys for prosecuting crimes and defending accused—must be paid by the State, and fines and forfeitures and costs paid into her treasury when collected. Negroes' interests in crops could be forfeited by the Court to pay fines and costs, and the Sheriff could attend to receiving from employers the same, and sell as under executions. This and what amount could be collected otherwise, would, to some extent, reimburse the State treasury.

How often, and at what times, should the District Court sit?

It would seem that four terms each year, quarterly, to sit at each term until the business prepared is completed, would be sufficient. Let the Judge in each district fix the times for the regular terms as he may think best, in order not to conflict with the Superior Courts, or embarrass the officers of both. The Judge could, also, call extra sessions, if, in his opinion, it became, at any time, necessary. In Civil Courts, writs to be sued out to one term and served ten days before, and the cause heard at the next, or continued, for good cause shown. Six of the twenty-four jurors summoned, and not impanneled, might act as General Jurors, at each term, clothed with the same duties as those for the Superior Courts. All applications for bail, in capital charges, against negroes, be heard by the Judges; in other cases, negroes, for the District Court, as they now do for the Circuit Courts. The Clerk should be *ex officio* Commissioner of Bail, in civil cases, for said Court, with similar powers as now for the Circuit Court. In a word, all the practice of said Court should conform, as nearly as possible, to that of the Court of Common Pleas—the officers of said Court having, as to negroes, similar jurisdiction and powers as the officers of the Court of Common Pleas and General Sessions have over citizens.

It is further suggested that the pay of the Judge and other officers of the District Court should not be uniform in every District in the State, but should be graduated according to the number of negroes in each District—according to the work likely to be required: for instance, Pickens has but 2500 negroes, while Colleton has 19,000—of course, the Judge for Pickens should not be paid as much as the one for Colleton; Lexington has 3700, while Marlborough has 6000—there could be no justice in paying the *local Judges* of said Districts equal sums, while the one has but little more than half the persons within his jurisdiction than the other. Say, pay Judges in Districts of over 10,000 negroes, twelve hundred dollars; of from 7 to 10,000, one thousand dollars; 4 to 7000, eight hundred dollars, and of under 4000, six hundred dollars—graduate other officers in same proportion.

Thus it will be perceived that the plan here sketched proposes to conform the proceedings of these Courts, as near as possible, to those of the Circuit Courts. If any thing like this should be adopted, it would be a source of considerable expense to the State. But where a Court, having exclusive original jurisdiction over nearly half of the inhabitants of the State, now turned loose in almost a state of barbarism, is to be organized, and their only restraint, expense must be incurred for the safety of our people. Let us not dwarf it to the level of a Magistrates' and Freeholders' Court, which in many Districts did not adjudicate a dozen cases in a year against slaves, their owners generally settling difficulties without the farce of such a Court. Besides, it must not be forgotten that this Court will also have jurisdiction over citizens in cases where negroes are parties, by the terms of the Constitution, and should have the right and privilege of being tried by Courts of character, and where they can obtain adjudication of their rights according to law, from the testimony brought out according to the law of evidence. Give us, then, Courts which will conduct business according to law; Courts which will command respect, and not such abortions as those Military Provost Courts which we have just had, where no laws or precedents were respected as to the admissibility of testimony, and cases involving thousands decided with swift haste.

JUSTICE.

Necessities of the Charleston People.

[*From a late Boston Paper.*]

A public meeting was held in the Bedford-street Church, last evening, under the auspices of the American Unitarian Association, for the purpose of awakening an interest in the present necessities of the people of Charleston, S. C. There was a good attendance of our leading citizens. Hon. J. G. PALFREY presided. After prayer by the Rev. Mr. FOOTE, of King's Chapel, the President introduced Rev. CALVIN STEBBINS, Missionary of the Association at Charleston, who made an address concerning the wants of the people. He stated that the sufferings of the citizens were intense. Many were in want of food, many of clothing, many of shelter. They should receive aid immediately. A large portion of the people, he remarked, were obliged to depend solely on the Government rations, which were absolutely unfit as nourishment for the young, the aged, or the sick. It was for us of Boston to aid them, and relieve their wants. Mr. STEBBINS eloquently urged the claims of this unhappy people upon our sympathies and our generosity, and recounted many scenes of suffering which, during his recent visit, he had witnessed. At the conclusion of Mr. STEBBINS' address the President read letters from several gentlemen who had been in Charleston concerning the state of affairs and the condition of the people of that section.

Rev. Mr. THAYER then made some few remarks in relation to a visit which he made to that Southern city some years before the war, and the impressions left upon his mind. He urged that we should aid these people, although they had injured us to such an extent, and had been so traitorous and proud-hearted.

Rev. Mr. RICE, Pastor of the Circular Church, Charleston, who had been in that city as a pastor for many years, and had been intimately acquainted with the people and their ideas, wished to ask a question. He wished to know if the old doctrine of JOHN C. CALHOUN was entirely knocked out of the heads of the Southern people; if the spirit of slavery was not still rife in the hearts of those old aristocratic bloods; if he could go back to that city and speak his sentiments? If he could know that they were indeed humbled—if they would give him free speech—then he would, to the extent of his means, gladly and quickly give them free bread. If they were not in that condition, then he would have them hunger a little while longer.

In reply, Mr. PALFREY made an eloquent, earnest and Christian address. He allowed that Charleston had been the centre of Southern opinion. There everything hateful, everything bad, everything ungenerous concerning us, was founded. The Southern people had been educated for two generations in two fanaticisms—hatred to the North and devotion to slavery. How much of this feeling had been whipped out of them, he knew not. The pride of Charleston may not have been brought low, but its power has been broken. After SHERMAN'S great march, famine, misery, want of shelter and of clothing followed. They appeal to us for aid. The speaker would make no argument on their repentance, only on human distress. There he would stand, and there he would remain immovable. We should act the part of the good Samaritan to our once proud, but now humbled, suffering brothers.

A contribution was next taken up for the benefit of these people, after which the congregation retired.

A Letter from Jefferson Davis.

We give below, says the Louisville *Democrat*, a private letter to a friend in this city, which was not for publication, and which, therefore, gives the sincerest views and feelings of the author at the time. It is plain that at that time Mr. DAVIS did not desire or expect disunion:

WASHINGTON, January 22, 1861.

DEAR SIR: I have the pleasure to acknowledge yours of the 27th ult. I am on the eve of a departure for Mississippi, in obedience to her command, and in accordance with my own views of the necessity of the South. To you I need not say that the event is to me a painful one; but there remains to me the consolation that I have failed in nothing that promised to preserve the Constitution, and thus perpetuate the Union as our fathers made it.

[After some remarks on private matters, he adds]

I hope Kentucky, the land of my nativity, will soon take her place in the Southern column. The union of the South can now alone preserve peace, and in the united strength of the South is the only hope for justice and a reconstruction of the Government upon a basis that will secure the ends for which it was originally established. [Subscribed.]

Your friend, JEFF DAVIS.

A Providence paper, referring to the outlandish and utterly abominable words constantly coined by telegraph operators, says: "The Associated Press pours a stream of cold poison into the English language every morning. We hear of buildings being 'burglarized' and 'incendiarized,' of steamers 'colididing' and oil wells conflagrating,' and the other day we were told that an actress had 'debuted' with success! There ought to be a law against such atrocities."

PROCEEDINGS OF THE CITY COUNCIL.

CITY HALL, November 4, 1865.

The Mayor and Aldermen elect were summoned for installation, at 1 o'clock, P. M., this day.

Present—Hon. P. C. Gaillard, and Aldermen Ravenel, Pringle, Brown, Earle, Small, Cameron, Trenholm, Honour, Oakes, Marshall, and Whilden—12 members.

The Clerk of Council read the returns of the Managers of City Elections, as follows:

For Mayor.

COL. P. C. GAILLARD.

For Aldermen.

WARD NO. I.
WILLIAM RAVENEL. | JOHN G. MILNOR.

WARD NO. II.
THOMAS RYAN. | JAMES R. PRINGLE,
JAMES W. BROWN. | JAMES P. EARLE.
R. M. BUTLER.

WARD NO. III.
JACOB SMALL. | JOHN H. STEINMEYER.
ARCHIBALD CAMERON. | W. L. TRENHOLM.
HENRY GERDTS.

WARD NO. V.
JOHN H. HONOUR. | Z. B. OAKES.

WARD NO. VI.
MAJOR EDWIN WILLIS. | E. W. MARSHALL.

WARD NO. VII.
E. D. ENSTON.

WARD NO. VIII.
W. G. WHILDEN.

Hon. Charles Macbeth, before administering the oath of office, addressed the Mayor elect as follows:

Col. Gaillard: It gives me pleasure to congratulate you on your elevation to the Chief Magistracy of the city. It is a marked compliment at all times to be chosen as Mayor, but now when our city affairs are complicated and embarrassing and its credit impaired by the disastrous war which has but lately ceased, it is doubly so. I sympathise with you for the arduous duties that are before you, but at the same time I feel a confidence that with the able and patriotic Aldermen which are associated with you, the ruggedness of your path of duty will be much relieved. My fellow-citizens may congratulate themselves on their selection of you. If there was ever a period when the Mayoralty of this city required a man of firmness, manliness and honesty of purpose, it is now, and with sincerity I assure you that I believe you to be that man.

Whereupon, Col. Gaillard in a very appropriate and feeling manner responded.

The oath of office was then administered to the Mayor elect.

The Aldermen elect were qualified by Hon. P. C. Gaillard, Mayor, and took their seats.

Alderman Ravenel offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed to report the unfinished business on Council journals at the next meeting of Council.

The Mayor appointed the following Committee: Aldermen Ravenel, Oakes and Marshall.

The following resolution was adopted:

Resolved, That a committee of three be appointed to report at the next meeting rules for the government of this Council.

The Mayor appointed the following Committee: Aldermen Trenholm, Honour and Brown.

On motion, Council adjourned.

W. H. SMITH, Clerk of Council.

Tribute of Respect.

At a meeting of the employees of the United States Quartermaster's Department, held at the Charleston Hotel last evening, Nov. 3d, 1865, the following Preamble and Resolutions, offered by Mr. FREDERICK W. MILLER, of the Department, were unanimously adopted:

The absence of one to-night who was wont to be amongst us in the sterner and lighter rounds of this checkered existence, tells the unwelcome tale that Death has been in our midst and borne away a choice member of our commercial and social circle—one who not only had our respect and confidence, but our warm and earnest affections—especially under the circumstance of his severance from those "near and dear" to his noble and generous nature. Can we be otherwise than touched? Can we be otherwise than moved by the sad event? No—unless we were dead to those susceptibilities that point to the heart as something more than a mere pulsating medium of vitality. Consequently, in the sudden and unexpected demise of BENJAMIN A. RADLEY, the late efficient and accomplished Chief Clerk in the U. S. Quartermaster's Department of this city, under the conduct of Lieut. HENRY HAGENS, a real and heartfelt sorrow has come upon us, that cannot be disguised. Nor would we attempt a retreat from those sentiments that follow the result. With us, truly may it be said, "there is a sigh in the heart," and it is all for him who has passed from hence, in the mid-day glory of his manhood, never to return and gladden us, as of yore, with his pleasantry and charming society.

As he lay still in death, it could but be exclaimed:

How lightly he sleepeth,
He cannot be dead;
And yet his kind accents
Forever are fled.
The truth is upon us,
We know him no more,
As when in his vigor
He walked us before.

But a few days ago
His spirit was free,
And silv'ry his laughter
As mortal's can be;
We dreamed not his Parent,
Above the soft skies,
So soon would reclaim him,
And close his blue eyes.

His nature was noble,
Bewitching his smile,
His voice full of kindness,
His heart void of guile;
And all tell the story,
He full was of worth
As any sojourner
That walks the broad earth.

Farewell to thee, comrade
Of sorrow and joy;
Thine now is a life
Pure, free of alloy;
Where nought can disturb thee,
Or break on thy ear,
That is not angelic,
And full of sweet cheer.

It is, therefore,

Resolved, That, in the death of BENJAMIN A. RADLEY, the United States Quartermaster's Department has sustained a severe loss in one who was always at his post, ever ready, ever efficient in the discharge of whatever fell to the grasp of his comprehensive mind.

Resolved, That his fellow clerks of the department will miss him at all times, and more especially when requirement would recourse to a gentle counsellor of the duties of the hour.

Resolved, That earnest and sincere sympathy is tendered the respected parent suddenly called to this city, and the offer of every assistance, calculated to alleviate his trials; and that a copy of the proceedings of this meeting be handed to him, with the request that he will lay them before the deceased's relatives and friends elsewhere.

Resolved, That the proceedings of this meeting be published in the Charleston papers and New York Sunday Mercury, and that we wear the usual badge of mourning for thirty days, and that a copy of the above be furnished the family of the deceased.

On motion, the meeting adjourned.

M. W. ST. AMAND, Chairman.

J. R. JOHNSTON, Secretary.

☞ BATCHELOR'S ORIGINAL HAIR DYE!—THE best in the world! The only true and perfect HAIR DYE. Harmless, Reliable and Instantaneous. Produces immediately a splendid Black or natural Brown, without injuring the hair or skin. Remedies the ill effects of bad dyes. Sold by all Druggists. The genuine is signed WILLIAM A. BATCHELOR. Also,

REGENERATING EXTRACT OF MILLEFLEURS,

For restoring and Beautifying the Hair.

CHARLES BATCHELOR, New York.

August 17 1yr