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By J. A. SELBY.

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## THE COLUMBIA PHOENIX,

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### Letter from Henry S. Foote to President Johnson.

MONTREAL, May 15, 1865.

To His Excellency Andrew Johnson,  
President of the United States:

SIR: Circumstances of recent occurrence make it necessary that I should call your attention for a moment to a matter which, though in some of its aspects personal to myself, yet in others, involves considerations of momentous importance to the whole of that vast country whose chief executive magistrate you now are. I shall be as concise in this communication as possible, and shall endeavor to employ language which will be regarded both by yourself and by others as alike courteous and kind. I have no special favor to ask at your hands, and hope to be recognized as desiring nothing in the way of impunity for alleged political offences in connection with the deplorable civil contest which is now just terminating, such as the great mass of my Southern fellow countrymen shall be also allowed to enjoy. I left the South in January last, solely for the purpose of saving, if possible, those whom I left behind me, from the grievous calamities which have since come upon them, and which I then felt could only be averted by timely efforts to obtain an early and an honorable peace. My exertions for the attainment of this end have been most zealous and untiring, though thus far, I must confess, they have resulted only in bitter disappointment, and in bringing upon myself much both of obliquy and of hostility among extreme men alike in the North and in the South, and in exposing me, in addition to a large amount of physical discomfort and suffering.

Having thus premised, I proceed to say that on the day previous to my leaving the city of New York for this place, the following communication from Mr. Stanton was handed to me at the headquarters of Gen. Dix:

Major-General John A. Dix:

The President directs that you inform Mr. Foote that his letter asking leave of the President to go to California has been received and the application refused. The President further directs that you notify Mr. Foote that if he does not leave the United States within forty-eight hours, he will be arrested and dealt with for treason and rebellion against the Government of the United States. You will report whether he complies with the orders of the President.

EDWIN M. STANTON.

Not desiring to add in the least degree to the present disquietude of the country, and yet deeming it not altogether safe to surrender myself incontinently to the mercies of that extraordinary Star Chamber tribunal now holding its dark sessions in Washington City—(such a tribunal, I will add, as has not been known before in any country pretending to be free for two hundred years)—I resolved to come within the British dominions, where I now am, and where all subjected to political persecution in other lands are yet secured a safe asylum from oppression elsewhere, so long as they may conduct themselves with circumspection and propriety.

It is true, sir, that I did ask about ten days ago to be allowed to journey to the far-off Pacific coast, where, I made known to you, I had four children, eight grand children, an only

sister and numerous relatives and friends besides, all of whom are very dear to me, and in whose society I had hoped to be permitted to spend the remainder of a life, now somewhat protracted, in quiet and repose, after a public career which has been peculiarly marked, in all its stages, with turmoil, excitement and conflict. My just and reasonable application for this purpose has been most decidedly negatived, and in language, I must say, not altogether so complaisant as a Chesterfield or a Palmerston would be expected to employ on such an occasion, or as would seem in the least degree to comport with the elegant amenities supposed to prevail in high-bred and refined society. Of these things I do not feel inclined to complain. If you, sir, really consider me guilty of treason, I rather marvel that I should have been graciously allowed to escape present trial by going into exile, and I have no special right to criticize the abrupt and scornful language which your War Secretary has thought it consistent with his own official dignity to use, since he is responsible in this regard to yourself and to the country, whose manners he is understood to represent, and not at all to myself in particular. I could scarcely have reasonably expected to be very deferentially or kindly treated by a functionary who has not hesitated on a late memorable occasion to nominate Diogenistic and snubbing telegrams against a distinguished military officer (General Sherman) who had just filled the civilized world with his fame as a warrior, a statesman and philanthropist, and who had moreover secured claims to the universal admiration and esteem of enlightened and virtuous men everywhere, by evincing that, while more uniformly successful even than Alexander or Napoleon in the winning of splendid military victories upon great and perilous battle-fields, Caesar himself had never displayed in a grander and more imposing manner the high virtues of clemency and magnanimity towards a subdued and fallen foe. To be sure, General Sherman has one advantage over all ordinary men when made the subject of Mr. Stanton's hypercritical malevolence, for he can claim the consolation which springs from the knowledge of the truth that

He who surpasses or subdues mankind,  
Must look down on the hate of those below.

Having the fullest evidence of the general love and respect of his countrymen everywhere, he has no reason to fear that, in relation to himself, it will ever be truly said—

An eagle, towering in his pride of place,  
Was by a mousing owl hawked at and killed.

Our modern Diogenes, who would seem to have imagined that his own precious sunshine had been more or less obstructed by the intervening form of the hero of a hundred battles, is now sulkily sneaking back to his own tub, baffled and disconcerted, having been taught this salutary lesson, from which it is to be hoped he will more or less profit; that it is not always safe for upstart insolence to snarl at the heels of its superior.

I will here add, that it is, perhaps, upon the whole, not a little fortunate for me that I have not been received by the Washington authorities in my character of a voluntary and self-accredited minister of peace with more striking indications of respect and sympathy, since, had I been more graciously treated in that quarter, I should, in all probability, have been suspected by some of those whom I left behind me in the South last winter of having sought access to personages in power in Washington for purely selfish purposes, or, perchance, even for the attainment of ends yet more unworthy.

Let me now say to you, sir, in your high official character, that whenever I shall ascertain that I shall be permitted to return to the United States and undergo trial, before a jury of the country, upon any charges which it

may be deemed proper to prefer against me, I shall lose no time in once more crossing the Canadian border, and confronting my accusers before some one of our accustomed tribunals of criminal justice.

In former and happier days, Mr. President, I had the honor of serving with you in the National Congress, you being then a Representative and I a Senator. We were never upon intimate terms, nor indeed ever held familiar intercourse, either socially or politically, which I suppose I must now recognize as to some extent, on my part a circumstance of personal ill fortune. I am gratified to remember, though, that there was at the period referred to much similitude in our general political opinions, and in our votes upon the floor of Congress. We both supported President Polk's administration. We both sustained his Mexican war policy, the famous Monroe doctrine, as ably expounded in Mr. Polk's messages, and presented the sternest opposition to what was known as the Wilmot Proviso. We both warmly advocated Mr. Clay's celebrated compromise measures of 1850.

When, afterwards, the Kansas-Nebraska bill was brought forward, and then again the Reconstruction Constitution Bill, though not then in Congress, I opposed them both, on the ground that they were likely to lead to renewed sectional agitation. How you voted on these questions I am not precisely informed. When, in 1860, a sectional faction in the South, abetted and sustained by certain slippery and intriguing politicians of the North, succeeded in modifying the Democratic Presidential platform, giving thereby to that platform, for the first time in our history, an aggressive aspect in regard to slavery, I did not unite with them, believing and openly predicting that this movement would be fatal to the unity of the Democratic party—would separate the South most unpropitiously from her natural political allies, bring about the election of a sectional President from the North, and thus supply to the secession leaders of the South the opportunity, for which they had been so long sighing, of withdrawing the Slaveholding States from the Federal Union, at the hazard of one of the bloodiest wars which has ever occurred. I am pained to remember, Mr. President, that you advocated the modified Democratic platform, and both spoke and voted for Breckinridge and Lane, which I did not do for the reasons stated. I did not suspect you of doing these things with a view to disunion, and have never so charged. When Mr. Lincoln was ascertained to have been elected to the Presidency, you and I concurred again in asserting that, being elected according to the terms of the Constitution, that event could not justify the withdrawal of the Southern States from the Union. You did not, as a Southern Senator, withdraw from Congress, as others did; and I am sure you acted wisely in not doing so. When, afterwards, the State of South Carolina, as I thought most indiscreetly, adopted an ordinance of secession, openly condoned her conduct; you did likewise. When the people of Georgia called a convention for the purpose of deciding whether they would secede, in imitation of the example of South Carolina, I earnestly urged my fellow-citizens of Tennessee to send commissioners to the place where that convention was expected to assemble, for the purpose of solemnly protesting against such action of the Empire State of the South, as I foresaw and predicted, should it take place, would ultimately drag all the Southern States into the vortex of disunion.

Those to whom I appealed, saw the propriety in the movement which I proposed to them, and no such commissioners were, therefore, sent. No one, Mr. President, knows better than you

do that the cotton States of the South had all seceded; that Virginia, North Carolina and Arkansas, had followed their example; that the new Government had been formed in Montgomery and put in actual operation; that Fort Sumter had been attacked; that a bloody conflict of arms had occurred in the streets of St. Louis; and that President Lincoln's proclamation calling for 75,000 soldiers had been sent forth, before any considerable number of the Tennessee people were found willing to take up arms in defence of the South. To the last moment, we refused to secede; and, in point of fact, we never did formally adopt an ordinance of secession. It is true, that we agreed to go into the war, and did go into it zealously and valiantly. And here, sir, I will make a frank admission. Had I been able at that time to read the lamentable Lincoln's inaugural address by the light of subsequent events, I never should have consented to take up arms in opposition to the Federal Government. I will go farther, and say that, had I anticipated such astounding abuses of power as have been since perpetrated by the Confederate Government, I never should have consented to assume a position of hostility to the Government established by our fathers. And when I thus declare for myself, I am sure that I could make a similar declaration in behalf of nine-tenths of the people of Tennessee, and of the South generally. After Tennessee had concluded to assume a warlike attitude, under the painful conviction that this had become indispensable alike to her safety and her honor, I consented to occupy a seat in the Confederate Congress as one of her representatives. I am neither ashamed nor afraid to avow all that I did and said in Richmond during the doleful three years that I struggled there to prevent the establishment of a military despotism—to suppress corruption, to bring to punishment the atrocious abuses of entrusted power, and to bring about as early as possible an honorable peace. I did not vote for a single measure calculated unduly to prolong hostilities or to heighten in the least degree the asperities of the contest. I voted and spoke in opposition to conscription, confinement, forcible impressment, the suspension of the writ of habeas corpus, the subjection of men to punishment for the entertainment of Union sentiments, the impressment of citizens for what was popularly called *incivism*, and I interfered actively, and at much personal responsibility, to prevent the starvation and general ill-treatment of Union prisoners of war.

I was constantly insisting upon sending commissioners with peace propositions to Washington City; and when I found that the state of things was such that the two Governments would never be able to hold diplomatic intercourse with each other, for the purpose of agreeing upon the terms of pacification, and when I plainly saw in addition that before the month of May great military calamities would occur which would render it almost impossible to obtain for the South terms of settlement consistent with those principles of equality and right upon which the Federal Union itself had been established, I came forth from the Confederate States in open defiance of the Richmond authorities, to propose a plan of pacification to President Lincoln and his Cabinet, which, had it been acceded to by them, would have been almost unanimously ratified in the South, in accordance with which the States of the South would have come back at once within the fold of the Union; African slavery would have been given up on the principle of gradual emancipation; peace, order and brotherly feeling would long since have been restored; thousands of precious lives have been saved, and the troublous scenes through which we are now passing would have been effectually precluded.

Such is a frank and explicit statement of my public conduct for the last four years in connection with that deplorable struggle of arms which is now drawing to a close. It has been my fate to have been grossly misjudged and misrepresented by men of extreme views, both in the North and in the South. Mercenary and profligate editors have abused and ridiculed me without stint all over the land. I have been deprived of my personal liberty in the South, because I would not submit to a military tyranny there. I have been twice shut up in a common jail in the city of New York, by command of those in power in Washington, because, under circumstances, such as I have described, I united my Southern brethren in an effort to prevent that "intolerable oppression" with which we then honestly believed ourselves to be menaced.

No man has accused me anywhere of peculation, of fraud, of servility, of selfish ambition, of trickery and management, of insincerity, of profligacy, of intemperance, of attempted assassination, or of murder. My conscience, both in my private and public capacity, is "void of offence towards God and man," and though it should be my fate never again to be allowed to revisit my native country, yet I feel, in my heart of hearts, that no man loves that country and the whole country more truly and intensely than I do; that no man more earnestly desires than I do the prosperity and happiness of the great Republic which I have so long endeavored most faithfully to serve; and that no man is more solicitous than I am that liberty—constitutional liberty—liberty regulated by law, and consistent with order and peace, should be the precious and enduring heritage of my countrymen in all time to come.

Sincerely wishing, that with a sturdy and elevated patriotism, with an enlightened judgment, with a soul alike free from prejudice and from passion, you, Mr. President, may, with diligence, with a fervent and inspiring zeal, with a firm determination to do your duty to your country honestly, disinterestedly, and independently, succeed in restoring the blessings of peace and concord to a bleeding and distracted land, and that you may so act in all things, at all times, and under all circumstances, as to secure to yourself permanent and deserved honor, the lasting gratitude of your countrymen, and the respect and admiration of the whole world. I have the honor to be, your banished fellow-citizen,

H. S. FOOTE.

P. S. I feel bound to add that I do not believe that you ever saw the Stanton letter above referred to. I leave you to decide whether you are justified in keeping me in exile.

H. S. F.

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