

**Extract of a Letter from a South Carolinian to his Friend.**

EDITOR OF THE PHOENIX: The enclosed extract from the letter of a distinguished gentleman of this State, is deemed worthy of publication. The writer has, during a long life, given his attention to the subject of this letter. He has watched and at many times advised. He is learned, calm and disinterested, and therefore an umpire of sufficient authority to be listened to. The terms he proposes will be favorable to the freedmen and not oppressive to the employer, and will keep the former in a relation the most desirable (for them) to their employers, and give them a chance successfully to accustom themselves to their new possession of personal liberty:

Time has always vindicated me. You know how earnestly I opposed the movement that I predicted would inevitably lead to civil war, so openly and so constantly, that had I been in the way of any small demagogue, the people would have been turned loose upon me. I believe you were present when I addressed the merchants of the village, in Jones' office, urging them to inaugurate non-intercourse—the policy that staved off, for several years, the war of the Revolution. I denied the sequence claimed from the doctrines of J. C. Calhoun, because, to my knowledge, he restrained from attempts at disunion, to which many of the younger politicians were inclined in '32-'33. He was not even a nullifier. I quote from my letter, written many years ago, to a Georgia editor:

"Nullification is not my word; I never use it—I always say State interposition. My purpose is a suspensive veto, to compel the installing the highest tribunal provided by the constitution, to decide on the point in dispute. I do not wish to destroy the Union—I only wish to make it honest. The Union is too strong to break—nothing can break it but the slavery question, if that can."

"If a convention of the States were called, and it should decide that the protective policy is constitutional, what then? Then give it up."

After the surrender of Lee and Johnston, as soon as it was seen that the Richmond Administration would do nothing, the governors of the States ought, in concert, to have notified the Government at Washington that all resistance had ceased. They having failed to do so, it would be well to give the intimation through meetings of the people, coupled with the request that the lieutenant-governor convene the Legislature as early as may be possible. This would relieve the United States Government from an abnormal position, involving complications and expense, and civil authority would be, *ipso facto*, reinstated. If it were well understood that the States would forthwith enact gradual emancipation, the constitutional question, the question of compensation, and all controversy in relation to the proclamation, would be gotten rid of. The General Government having satisfied any supposed obligation incurred, and perfectly aware that control given to officials inexperienced and without sympathy with the interests involved, must necessarily cause mischief, would gladly leave the whole matter with the States.

Obviously, from considerations of humanity, the slide into the transition state should be as gentle as possible; no harsh disruption of family ties, no violent change in the modes of occupation. Since wages have been proposed to our laboring class, let wages be conceded; and yet, however, so far as plantations are concerned, this should not be in monthly payments, but by a certain portion of the clear proceeds of the year's transactions, to be distributed at the Christmas holidays. The proprietors distribute organized estates, and, in many cases, have on hand the crops of several years. Let all be counted in at the start, and maintenance, medical attendance, payment of taxes, &c., be continued as heretofore. Let the labor, where its nature will admit, be task work, according to the established custom of the country; the head man each day reporting delinquents; they to be heard in their defence, and arbitration had, when claimed. A monthly abstract, showing the time lost by each idler, to be made out and read to the assembled workers. For the first five years, let the remuneration be one fifth of the nett income from sales, &c.; for the second, one-fourth; for the third series, one-third; and for the fourth semi-decade, one-half.

This would be a veritable apprenticeship, giving a progressive state to the present generation, and preparing the rising one for the eventual conflict of capital with labor. The system would be a new one—not the checking off by the proprietor, for his own benefit, the shortcoming of service, but a mutual surveillance over the whole operations by all of the parties. C.

**Farmer's and Exchange Bank of Charleston, S. C.**

A MEETING of the Directors of this Bank will be held at the office of the President, No. 34 Broad Street, (up stairs,) on THURSDAY, July 27, proximo.

A full meeting is earnestly requested, as business of much importance will be brought before them.

WILLIAM WHALEY,  
President Farmer's and Exchange Bank.  
Charleston, S. C., July 11, 1865.

**AMNESTY.  
THE TERMS OF PARDON**

**Proclamation by the President of the United States of America.**

Whereas the President of the United States, on the 8th day of December, A. D. 1863, and on the 26th day of March, A. D. 1864, with the object to suppress the existing rebellion, to induce all persons to return to their loyalty and to restore the authority of the United States, issue proclamations offering amnesty and pardon to certain persons who had, directly or by implication, participated in the said rebellion; and whereas many persons, who had so engaged in said rebellion, have, since the issuance of said proclamation, failed or neglected to take the benefits offered thereby; and whereas many persons, who have been justly deprived of all claim to amnesty and pardon thereunder by reason of their participation, directly or by implication, in said rebellion and continued hostility to the Government of the United States since the date of said proclamation, now desire to apply for and obtain amnesty and pardon:

To the end, therefore, that the authority of the Government of the United States may be restored, and that peace, order and freedom may be established, I, Andrew Johnson, President of the United States, do proclaim and declare that I hereby grant to all persons who have directly or indirectly participated in the existing rebellion, except as hereinafter excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, and except in cases where legal proceedings, under the laws of the United States providing for the confiscation of property of persons engaged in rebellion, have been instituted, but on the condition, nevertheless, that every such person shall take and subscribe the following oath or affirmation, and thereupon keep and maintain said oath inviolate, and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:

I, \_\_\_\_\_, do solemnly swear or affirm, in presence of Almighty God, that I will henceforth faithfully support and defend the Constitution of the United States and the Union of the States thereunder, and that I will in like manner abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves. So help me God.

The following class of persons are exempted from the benefits of this proclamation:

- 1st. All who are, or shall have been, pretended civil or diplomatic officers, or otherwise, domestic or foreign agents of the pretended Confederate Government.
- 2d. All who left judicial stations under the United States to aid in the rebellion.
- 3d. All who shall have been military or naval officers of said pretended Confederate Government above the rank of colonel in the army or lieutenant in the navy.
- 4th. All who left seats in the Congress of the United States to aid the rebellion.
- 5th. All who resigned or tendered resignations of their commissions in the army or navy of the United States to evade duty in resisting the rebellion.
- 6th. All who have engaged in any way in treating otherwise than lawfully as prisoners of war persons found in the United States service, as officers, soldiers, seamen or in other capacities.
- 7th. All persons who have been or are absentees from the United States for the purpose of aiding the rebellion.
- 8th. All military and naval officers in the rebel service who were educated by the Government in the Military Academy at West Point or the United States Naval Academy.
- 9th. All persons who held the pretended offices of Governor of States in insurrection against the United States.
- 10th. All persons who left their homes within the jurisdiction and protection of the United States, and passed beyond the Federal military lines into the so-called Confederate States for the purpose of aiding the rebellion.
- 11th. All persons who have been engaged in the destruction of the commerce of the United States upon the high seas, and who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British provinces from the United States.
- 12th. All persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval or civil confinement or custody, or under bonds of the civil, military or naval authorities of agents of the United States, as prisoners of war or persons detained for offences of any kind, either before or after conviction.
- 13th. All persons who have voluntarily participated in said rebellion, and the estimated value of whose taxable property is over twenty thousand dollars.
- 14th. All persons who have taken the

oath of amnesty as prescribed in the President's proclamation of December 8, A. D. 1865, or an oath of allegiance to the Government of the United States since the date of said proclamation, and who have not thenceforward kept and maintained the same inviolate.

Provided, that special application may be made to the President for pardon by any person belonging to the excepted classes, and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States.

The Secretary of State will establish rules and regulations for administering and recording the said amnesty oath, so as to insure its benefit to the people and guard the Government against fraud.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed. Done at the city of Washington, the 29th day of May, in the year of our Lord 1865, and of the independence of the United States the eighty-ninth.

ANDREW JOHNSON.  
By the President:  
WM. H. SEWARD, Secretary of State  
June 9.

**Headq's Department of the South,  
HILTON HEAD, S. C., JUNE 27, 1865.  
GENERAL ORDERS NO. 102.**

WITH a view to establish and preserve good order, settle disputes, encourage industry, compel obedience to laws and orders and educate the poor, the following rules and regulations are hereby established, and will be put in operation throughout this Department with as little delay as practicable:

- I. District Commanders will divide their commands into sub-districts of suitable size, each comprising one or more Counties, Parishes or Congressional Districts. To each sub-district they will assign a commanding officer, (with a suitable number of troops,) an Assistant Provost Marshal and an Assistant Provost Judge. A permanent Provost Guard will be placed under the immediate orders of the Assistant Provost Marshal.
- II. Within each sub-district Superior Provost Courts and Circuit Provost Courts, composed of not more than three members each—shall be held at stated times and places. The Superior and Circuit Provost Courts to have concurrent jurisdiction over all cases as hereinafter specified that can be properly tried before them.
- III. The Superior Provost Court will habitually hold its sessions at sub-district headquarters, and will be presided over by the Assistant Provost Judge, who may associate with him one or two respectable local magistrates, other things being equal.
- IV. Circuit Provost Courts shall be held at important points and at stated times within the sub-district, and shall be presided over by one of the members of the Superior Provost Court, designated by the sub-district commander for that purpose. The President of the Circuit Provost Court may associate with him one or two loyal citizens or magistrates.
- V. The courts above named shall have power to try all cases between citizens, and between citizens and soldiers, and all crimes and all violations of military orders and the laws of the United States which do not come within the jurisdiction of a court martial, and to issue the usual process for the attendance of witnesses, and decrees for the possession of property, and for the payment of debts, damages and costs. The decrees will go only to the right of possession and not of property. They may impose fines not exceeding one hundred dollars (\$100) and imprison not exceeding two months. Offences by citizens requiring a severer punishment, will be tried by a military commission. They will appoint their clerks and other officers, shall keep a record of their proceedings, subject to the revision of sub-district and higher commanders, and will adopt rules and forms of procedure, which shall be as simple as possible. Citizen members of courts may be allowed three dollars for each day's attendance. The fees charged will be merely sufficient to pay all expenses.
- VI. Appeals from the Provost Courts will be had to the sub-district and district commanders, under such rules and on such terms as the district commanders may provide.
- VII. All parties to suits before the Superior or Circuit Provost Courts may employ counsel. But all persons bringing suit or appearing as counsel before said courts, as well as the citizen members of said courts, will be required to give proof that they have taken the oath of allegiance.
- VIII. It is the duty of the military authorities throughout this Department, when called upon to do so, to aid the Assistant Commissioners and Agents of the "Bureau of Refugees, Freedmen and Abandoned Lands," in the execution of their duties under the laws of the United States and the orders of the Commissioner of said Bureau, issued in accordance therewith; and, when there is no such Assistant Commissioner or Agent upon the spot, to take cognizance themselves of all violations of such laws and orders. All cases of such violation may be tried before the courts hereinabove authorized.
- IX. All cases properly coming within the jurisdiction of these courts will be brought to trial promptly, and all unnecessary arrests of citizens will be avoided.
- X. The existence of the courts hereinabove authorized will cease whenever and wherever the functions of the officers of the civil laws are restored to operation by proper authority.

XI. District and sub-district commanders are directed to provide, whenever practicable, for the education of the children of the poor within their commands; and for that purpose they are authorized to detail regimental chaplains and non-commissioned officers and privates for teachers.

The education of the children of Refugees and Freedmen will be relinquished into the hands of the Assistant Commissioners and Agents of the Freedmen's Bureau, whenever they are in readiness to take charge of the same. By command of  
Maj. Gen. Q. A. GILMORE.

W. L. M. BURGER, Ass't Adj't Gen'l.  
July 18

**Headq's Department of the South,  
HILTON HEAD, S. C., JUNE 28, 1865.  
GENERAL ORDERS NO. 104.**

THE following regulations concerning Military Courts are republished from the General Orders of the War Department, with additions and modifications. All parts of Department Orders inconsistent herewith are revoked:

- I. "Where a post or district command is composed of mixed troops, equivalent to a brigade, the commanding officer of the department or army will designate it in orders as 'a separate brigade,' and a copy of such order will accompany the proceedings of any general court martial convened by such brigade commander. Without such authority, commanders of posts and districts having no brigade organization will not convene general courts martial." (General Orders No. 251, A. G. O., series 1864.)
- II. No one in the Department, save the commanding General, can appoint general courts martial or military commissions, except the commander of a division or a separate brigade, and the order appointing the court must be dated "Headquarters, Division," or "Headquarters, Separate Brigade," as the case may be.
- III. "All communications pertaining to questions of military justice, or the proceedings of military courts and commissions throughout the armies of the United States, must be addressed to the Judge Advocate General; and commanding officers are enjoined to forward promptly to the Bureau of Military Justice all proceedings of courts martial, military commissions and courts of inquiry, together with the orders promulgating decision thereon. Judge Advocates will be held responsible for the prompt execution of this paragraph, and they are required to forward to the Judge Advocate General, at the end of each month, a list of all cases tried and to be tried within their jurisdiction." (Gen. Orders No. 270, A. G. O., series 1864.)
- IV. To carry out the foregoing paragraph, all officers within the department authorized to appoint courts martial, military commissions or courts of inquiry, will, on the 27th of each month, send to the Judge Advocate of the Department two reports. In the first report, they will state the name and rank of all persons tried during the month before courts or commissions appointed by them, with the nature of the charges, and also whether the proceedings in each case have been (1) approved, (2) published and (3) forwarded by them; and if not, the reason why. In the second report, they will state the names and rank of all persons against whom charges have been preferred, but who remain untried at the date of the report, with the nature of the charges, and also whether each case has been sent to a court or commission for trial; and if not, the reason why. (Circular No. 14, D. S., series 1864.)
- V. "Whenever fines are imposed by sentence of general court martial or military commission upon officers or citizens, the Judge Advocate of the court or commission will make a special report of the fact to the Adjutant General, giving a copy of the sentence in the case. The officer who confirms a sentence imposing a fine will transmit to the Adjutant General a special report thereof, together with a copy of the order promulgating the proceedings." (General Orders No. 258, Par. I, A. G. O., series 1864.)
- VI. The fines will be paid to the chief officer of the Quartermaster's Department at the place where the prisoner may be, and no other person is authorized to receive them. Such fines must not be applied to any purpose, but the officer receiving them will forthwith remit the amounts to the Adjutant General of the army, with the names of prisoners who paid them, and the number of the order promulgating the proceedings. (General Orders No. 258, Par. II, A. G. O., series 1864.)
- VII. To avoid delay arising from the absence of Brig. Gen. L. Thomas, checks forwarded, on account of fines under the above paragraph, will be made payable to "the Adjutant General U. S. Army, or order," without inserting the name. (See Circular A. G. O., dated Nov. 19, 1864.)
- VIII. "In all cases where fines are imposed by sentence of general courts martial or military commissions, a provision should be added to the sentence that the prisoner shall be confined until the fine is paid. A limit may be fixed to the period of such confinement." (General Orders No. 61, A. G. O., Par. I, C. S.)
- IX. "In case the provision has been omitted from the sentence, that a prisoner shall be confined until the fine is paid, a special report will be made to the Adjutant General of his failure to make payment, and he will not be released without orders from the War Department, except on payment of the fine." (General Orders No. 61, A. G. O., Par. II, C. S.)
- X. "Stoppages of pay against officers or enlisted men are not 'fines' in the sense of

this Order." (General Orders No. 61, Par. III, A. G. O., C. S.)

XI. In a case requiring the confirmation of the General commanding the department, the officer ordering the court, or his successor, will not merely forward the record, but will formally act upon the case, and express his approval or disapproval upon the record. (See Digest of Opinion of Judge Advocate General, p. 8.)

XII. All records of military courts will be transmitted to the Judge Advocate General, through these Headquarters, and in no case will be sent to Washington direct.

XIII. When several cases are published in the same General Order, the record in each separate case will be accompanied by a copy of that order, or so much thereof as relates to the particular case, and when the court is ordered from the headquarters of a separate brigade, each case will be accompanied by an official copy of that paragraph of General Orders which organizes the separate brigade.

XIV. Officers empowered to appoint courts are earnestly enjoined to bring all accused persons to a speedy trial, and to publish and execute promptly the sentences of the courts. A delay of justice is often as detrimental to the public service as its total denial. By command of  
Maj. Gen. Q. A. GILMORE.

W. L. M. BURGER, Ass't Adj't Gen.  
July 19

**Headq's 4th Sub-District, Military  
District of Charleston, D. S.,  
CITY OF COLUMBIA, S. C.,  
JULY 17, 1865.**

GENERAL ORDERS NO. 11.

IN compliance with General Orders No. 102, Headquarters Department of the South, dated at Hilton Head, S. C., June 27, 1865, the following officers and citizens are announced as the Board constituting the Superior and Circuit Provost Courts of this Sub-District, and, for the present, will convene their sessions at Columbia, S. C.:

*Superior Court.*  
2d Lieut. GEORGE W. IDEN, 25th Reg't O. V. V. I., Provost Judge.  
DANIEL P. McDONALD, Esq., of Columbia, Associate Judge.  
ANDREW G. BASKIN, Esq., of Columbia, Associate Judge.

*Circuit Court.*  
Will be presided over by one of the Associate Judges, to be designated by the Sub-District Commander. By order of  
N. HAUGHTON.

Lt. Col. 25th Reg't O. V. V. I., Com'd'g.  
JOHN WALTON, Lt. 25th Reg't O. V. V. I., A. A. Adj't Gen., July 19 '65.

**Headquarters United States Forces,  
CITY OF COLUMBIA, S. C.,  
JULY 14, 1865.**

GENERAL ORDERS NO. 8.  
ALL permits issued from these Headquarters, in accordance with General Orders No. 4, to sell intoxicating liquors to citizens by the bottle or otherwise, are hereby revoked, and all sales of such liquors are strictly prohibited, except upon certificates of necessity from respectable surgeons or physicians and special permission from these Headquarters. This measure has been rendered necessary by the constant abuse of the privilege heretofore granted liquor sellers, many of them having repeatedly violated the order forbidding the sale of liquor to enlisted men of the United States army, as well as to negroes and citizens of a disreputable character. By order of  
Lieut. Col. N. HAUGHTON,  
25th O. V. V. I., Command'g Post,  
JOHN WALTON, Post Adjutant, July 15 '65.

**Headq's United States Forces,  
COLUMBIA, S. C., JULY 14, 1865.**

GENERAL ORDERS NO. 10.  
WHEREAS information has been received at these Headquarters that cattle and other stock have been turned into Sidney Park without authority from the Relief Committee of Columbia; also, that the hydrants about the city have been opened and left open by unauthorized persons, whereby large quantities of water have been wasted:

It is, therefore, ordered that hereafter no person shall be permitted to turn cattle, hogs, horses or stock of any sort into the pound of Sidney Park, nor to destroy, remove or pull down any part of the fencing or enclosure of said Park, without authority from the Relief Committee or from these Headquarters. Nor shall any person or persons, except the Fire Companies, or persons duly authorized by said Relief Committee or from these Headquarters, be permitted to open any hydrant within this city; and any person or persons offending herein, on being reported to these Headquarters, will be punished with the extreme rigors of the law. By order of  
Lieut. Col. N. HAUGHTON,  
Commanding,  
JOHN WALTON, Lieut. and Post Adj't.  
July 15

**Headquarters Military District of  
Charleston,  
CHARLESTON, S. C., JULY 6, 1865.**

GENERAL ORDERS NO. 69.  
ANY officer or soldier having in his possession captured or abandoned property of any description, will, on the demand of T. C. CALLICOTT, Esq., Sp'l Agent U. S. Treasury Department, deliver the same to him.  
Means of Transportation held by the Quartermaster's Department, the necessary Docks, Storehouses and Offices, with the Furniture pertaining to the same, will be retained by the Military Executive Departments. By command of  
Brevet Maj. Gen. JOHN P. HATCH,  
LEONARD B. PEARCE, Asst Adj't Gen.

**100 BALES COTTON WANTED.**

PARTIES desiring to sell will call upon me at the "Shiver House,"  
July 19 '65  
L. P. BRAUCH.