

The War Debts of the State.

There are rather conflicting reports concerning President Johnson's views in relation to the sincerity or loyalty of the people of a State, who admit as legal or binding the debts created by that State to aid in carrying on the war. We see by a paragraph in the *Charleston News*, that a letter received by a merchant of that city, from Mobile, dated October 23, says: "The State of Alabama repudiated the debt contracted during the war, under a misapprehension that the President would require the State debts, as well as her share of the Confederate debt, to be repudiated, before he would allow her to regain her position in the Union. President Johnson only required her to repudiate that portion of the Confederate debt which she had agreed to assume."

Again, we find the following telegram in our exchanges:

"WASHINGTON, October 27.—The Governor of Georgia has been officially notified by the Secretary of State that the President cannot recognize the people of any State as having resumed their relations of loyalty to the Union, who admit as legal any obligations, contracts or debts, created in their name, to promote the war of the rebellion."

The following extract from the message of Governor Johnson, to the Legislature of Georgia, defines his position on the subject, and is probably in accordance with his knowledge of President Johnson's views on the subject:

"The liabilities incurred before the war is in every sense a debt, and the State is bound, by every consideration of good faith and public morality, so to regard it, and to make provision for the prompt and faithful discharge of such liability. No reasonable doubt can be entertained that such will be her pleasure and her action. But the debt created during the war stands on a very different basis. It is of no legal or moral obligation, because it was created to aid in the prosecution of a war of rebellion against the United States. The purpose sought to be accomplished was unconstitutional, and all who participated in any wise in the effort to sever the country, were violators of law, and can, therefore, set up no claim, either legal or equitable, for money advanced or for services rendered. Furthermore, these contracts, from which a liability is said to result, were made with Georgia in revolt—with Georgia as a member of the Confederate States Government. The Government to which she then belonged has been overthrown, and with their overthrow all Confederate debts became extinct. Georgia, as a component part of it, no longer exists, and her debts then incurred have, in like manner, been extinguished. She is now no longer in revolt. She is one of the States of the Federal Union, and, in her reconciliation, her allegiance to the Government requires that the act of secession be cancelled, and all other acts done and performed in aid of the rebellion, be declared void and of none effect. The ultimate redemption of the currency, both State and Confederate, was made dependent—in fact and in terms—upon the result of the fatal struggle. No one expected payment if finally defeated in our efforts to secure independence, and, therefore, no pledged faith is violated by a refusal, on the part of Georgia, to assume to pay an indebtedness dependent on the issue. The currency and the cause flourished together while in life, and now that the cause has no being, the currency that sustained it may well be interred in the same grave."

"To call a refusal on the part of the State to acknowledge or pay these extinct demands repudiation, is but a perversion of the use of language, and presents an appearance of an attempt to sustain and uphold a desperate cause by a resort to odious words and opprobrious epithets. Our burdens are already great, and our strength greatly diminished. The assumption of such a debt will still add to our weakness, impair our credit, increase our taxes, deter immigration, prevent capital from seeking an investment among us, and will embarrass us in a variety of ways for years to come."

"To transfer this great question to the Legislature will be considered as a quasi endorsement of its justice. The Legislature will have its own peculiar burdens to bear, and will be pressed with business beyond that of any one that has assembled in our day. It will be charged with framing and passing tax laws, police laws, penal laws, laws relating to contracts, and to all the manifold relations of life. Such subjects will be sufficient to consume the time and the talents of the most able and industrious of men, and the public welfare will demand that to these subjects the members of the Legislature shall give their earnest, best and undivided efforts. Let not that body, when in session, be besieged from day to day by claimants and their agents and attorneys, urging the assumption, in whole or in part, of these unconstitutional demands. Let the hope of reward in such efforts be entirely cut off, let this overflowing fountain of corruption be now and forever dried up, and let the record of our action on this subject discourage, in the future, all premature efforts to overthrow a long and well-established Government. In a word, ordain solemnly and deliberately, that no Legislature, now or hereafter, shall, directly or indirectly, in whole or in part, assume to pay, in any manner, these demands, unconstitutional in their creation, and many of them without even the countenance of equity to support them."

We refer to an article from the *Charleston News*, on the same topic. It is probable that ere long the President's views on this subject will be clearly defined and distinctly understood.

ELECTION OF CHIEF JUSTICE.—Chancellor B. F. DuRoi was, on yesterday, elected Chief Justice by the Legislature.

Election of United States Senator.

The election of United States Senator, for the short term, took place yesterday, in the Legislature. Hon. J. L. Manning was elected by a large majority, and although we have the highest respect for every candidate or nominee in connection with the office, we must congratulate our people upon the selection of Ex-Governor Manning.

Having filled the office of Governor with the unqualified approbation of the people of the State—in all the political excitements which have agitated her people; clinging to the conservative principles which have ever guided her most prudent statesmen, Governor Manning deserves the compliment and confidence which were extended to him yesterday, in his election to the United States Senate. In the hands of such men as Governor Perry and Hon. J. L. Manning, the interests of the State are well confided, and will, we have no doubt, be productive of the happiest results.

Medical College of the State of South Carolina.

The winter session of 1865-'66 of this time-honored institution will begin on the first Monday of November next. We are gratified to learn, during a recent visit to Charleston, that every effort is being made, on the part of its professional corps, to secure the highest advantages for the instruction of students. The museum, which is one, we are told, of great value, has sustained but little damage or loss, and the trifling injury which the building sustained from the bombardment has been repaired. The dissecting room has been re-arranged, and the demonstration of anatomy can be conducted with peculiar advantages at this time.

The large number of poor thrown upon the community by the freeing of its slave population, has filled the hospitals with clinical material, and places this indispensable means of practical instruction on a level with the best which can be offered at the North. With the reputation secured by the older and the energy infused by the younger members of its professional corps, we predict for the college a large measure of success. We sincerely trust that all desiring a medical education will consider it their first duty to procure it, as far as possible, at home.

Trial of Mr. Davis.

The Washington correspondent of the *New York Herald* says: It is now positively known here that the trial of Jefferson Davis has been decided upon, and the arrangements have been nearly completed. The trial will be for the crime of treason, and will take place either in this city or Richmond, and before the United States Supreme Court. The counsel for the Government have been selected by the Attorney-General, and the friends of Mr. Davis have selected and retained counsel for him. Now that the *Wiz* trial is concluded, it is supposed that that of Davis will immediately follow.

THE NEW GOLD CERTIFICATES.—Considerable talk is heard about the *Herald's* statement, that the Treasury Department was about to issue gold certificates to be used as coin in the payment of duties. Many infatuated persons look upon it as a scheme to pay the interest on five-twenty and sixes of 1851, in paper. The "goldbacks" are simply certificates to be exchanged for gold, dollar for dollar, and are intended to relieve importers and others who have been required to handle hundreds of pounds of coin monthly, from a great portion of the risk and trouble. The larger denominations of notes will be made payable to the order of the gold depositor, and will be exquisitely engraved, after some of Darley's designs, thus defying alike the counterfeiter and the thief. They will receive the signature of the Treasurer and Register in Washington, and will be countersigned by Sub-Treasurer Van Dyck, at New York.

THE FENIAN CONGRESS.—The Fenian Congress continued in session in Philadelphia on Monday. A complete re-organization has been effected, modelled after our National Government, with a President, Cabinet, Senate and House of Representatives. Both Houses of the new-established Congress held sessions yesterday. Col. John C. Mahony was unanimously and amidst great cheering declared President; after which he took the oath of office and delivered an address. A committee was appointed to draft an address embodying a recognition of an Irish Republic, which is to have a building in New York for governmental purposes. There is said to be much rivalry for the possession of the bonds authorized by the Congress to be issued, which are now nearly, if not quite, ready for distribution. It is thought that all the business would be finished Tuesday.

We are informed that Miss Carrie C. Lester, of New York, an agent and correspondent of Hon. Ben. Wood's paper, the *Daily News*, will shortly visit our city, on business, and during her stay will afford our citizens an opportunity of judging of her abilities as a Shakspearian reader.

Legislature South Carolina.

Tuesday, October 31, 1865.

SENATE.

The Senate met at 12 m., and the Clerk read the journal of the proceedings of yesterday.

Hon. Edward W. Charles, Senator elect from Darlington, appeared at the Clerk's desk, presented his credentials, and took his seat.

The President laid before the Senate a communication from Col. Sloan, Clerk of the Convention, enclosing a copy of resolutions, adopted by the Convention, requesting the General Assembly to have the Constitution of the State, adopted by the Convention, together with the several ordinances and resolutions passed, published with the acts and resolutions of the General Assembly, at its next session; which was referred to the Committee on Accounts and Vacant Offices.

The Special Joint Committee, to which was referred the disagreement of the House of Representatives to the proposition of the Senate to change the place of meeting of the Senate to College Library, beg leave to report: That they have considered the matter, and recommend that the Senate hold its session in the College Library.

Mr. Arthur was appointed to the Committee on the Judiciary, and the Committee on College, Education and Legislative Library.

Mr. Reid to the Committee on Roads and Buildings, and the Committee on Accounts, Vacant Offices and Printing.

Mr. Charles to the Committee on Finance and Banks, and to the Committee on Commerce, Manufacture, and Mechanic Arts.

Mr. Arthur offered a resolution, which was agreed to, that it be referred to the Judiciary Committee to inquire and report whether the offices of Treasurer of the Upper and Lower Divisions have been abolished by the provisions of the new Constitution providing for a single Treasurer for the entire State.

The Senate joined the House in a ballot for United States Senator.

HOUSE OF REPRESENTATIVES.

The Clerk called the roll, the Speaker took the Chair, and the proceedings were opened with prayer by the Rev. Dr. Reynolds.

The Speaker laid before the House a communication from John T. Sloan, Clerk of the Convention, enclosing resolutions adopted by that body, requesting the publication of its proceedings with the acts and resolutions of the General Assembly; which was referred to the Committee on Public Printing.

Mr. R. S. Duryea, a member from Charleston, appeared, produced his credentials, was sworn, and took his seat.

Mr. Leitner presented the petition of the Camden Bridge Company, praying for time to rebuild their bridge over the Wateree River.

Mr. Todd presented the petition of John S. Puckett and John Cunningham, praying the renewal of charter for ferry across Saluda River.

Mr. Browning introduced a resolution, which was agreed to, that it be referred to the Committee on the Judiciary to inquire and report if some legislation is not necessary and expedient to prevent owners of plantations from allowing their former slaves and other free negroes from settling upon their premises and planting lands, paying only a nominal rent.

Mr. Wagener introduced a bill for the encouragement of European immigration, and for the appointment of a Commissioner, and for other purposes therein expressed; which was read the first time, and was referred to the Committee on Agriculture.

Mr. Seigling introduced a resolution, which was agreed to, that the Committee on Privileges and Elections be instructed to prepare and report a bill providing for the election of Electors of President and Vice-President of the United States in the State of South Carolina by the people.

Mr. Lord introduced a resolution, which was agreed to, that it be referred to the Committee on the Judiciary to inquire and report as to the expediency of so altering the law of evidence, in this State, as to make the parties to suits, either in the Courts of Equity or Law, competent witnesses; and in cases of misdemeanor, to enable the defendant to testify, when the prosecutor is produced as a witness on the part of the State.

Mr. Mulvaney introduced a resolution, which was agreed to, that it be referred to the Judiciary Committee to inquire and report whether any, and if so, what additional legislation is necessary for the purpose of more effectually carrying out the law, called the *hewers*, and with a view to an extension of its provisions.

Mr. Moore introduced a resolution, which was agreed to, that it be referred to the Judiciary Committee to inquire and report what changes, if any, in the law of evidence, is rendered necessary by the destruction of the public records by the enemy, in their passage through this State in the early part of the present year.

Mr. Presley introduced a resolution, which was agreed to, that it be referred to the Committee on Roads, Bridges and Ferries, to inquire into the expediency of changing the law, in this State, in regard to working the public roads, so as to have the work done by contract.

Mr. Talley introduced a bill to amend an Act, entitled "An Act to alter the law in relation to last wills and testaments, and for other purposes," ratified 21st December, A. D. 1858; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. Walsh introduced a resolution, which was agreed to, that it be referred to the Judiciary Committee to inquire and report whether or not any legislation is necessary in relation to the office of Tax Collector, in those Election Districts formerly consisting of separate Parishes, each having its Collector.

Mr. Keitt introduced a resolution, which was agreed to, that it be referred to the Judiciary Committee to inquire and report upon the expediency of inserting a clause in the Code to the following effect, viz: That no person shall hire a servant except said servant has a certificate of discharge from his former master, the Judge of the District Court or Magistrate, under a penalty of one hundred dollars fine and six months imprisonment.

Mr. Simonton introduced a resolution, which was agreed to, that the Committee

of Ways and Means be instructed to inquire and report if any means can be provided for the payment to public officers of some part of the salaries due them, at an early day.

The resolution in reference to adjournment to Charleston was ordered to be laid on the table.

Adjourned.

TRYING CONFEDERATES FOR TREASON.—The *Louisville Journal* says that, as to the trying of Lee and his confederates for treason, convicting and executing them, the case is very simple and very plain. The Government can't do it. It has been stopped from it by its own solemn acts. It pledged its honor, its faith, everything it has to pledge, that it would do nothing of this kind; that it would not "disturb" the surrendering parties so long as they should keep their paroles and observe the laws where they might reside. That was the bargain. It was clearly expressed, clearly understood. No cloud of words can clog it, no logical subtleties evade it, and no political legerdemain can ever deceive any honest mind as to the nature of the contract or the duties incumbent upon the contractors. Our Government, we feel sure, will religiously observe its faith, its loyalty, and preserve untarnished its honor, its good name and fair fame in the premises. All the rivers of earth could not wash out the stains it would befool itself with by a contrary course. How any decent sane man can wish the Government thus to make itself everlastingly execrable, voluntarily to place the brand of infamy upon its own forehead, is to us utterly incomprehensible. It is a moral or rather immoral phenomenon which we can explain only by referring it to the irrational.

FLORIDA.—It has been often said that this beautiful State is the only place in the Union where a poor man can live, and the following extract from a letter lately received by the *Savannah Republican* leads us to think there is truth in the remark. The letter is dated at Marion C. H., October 11, and the extract is as follows:

And now for the prices current in this section. Corn 40 to 50 cents per bushel; bacon 20@25c. per lb.; butter 20@25c.; eggs 10@12c. per dozen; sugar 15@20c.; grown fowls 25 cents each; half-grown 20 cents; sweet potatoes 37@50c. per bushel; fresh beef 4@6c. per lb. Dry goods are as cheap here as in Savannah, and many qualities much cheaper.

National Thanksgiving Day.

By the President of the United States of America:

A PROCLAMATION.

Whereas, it has pleased Almighty God, during the year which is now coming to an end, to relieve our beloved country from the fearful scourge of civil war, and to permit us to secure the blessings of peace, unity, and harmony with a great enlargement of civil liberty; and, whereas, our Heavenly Father has also during the year graciously averted from us the calamities of foreign war, pestilence and famine, while our granaries are full of the fruits of an abundant season; and, whereas, righteousness exalteth a nation, while sin is a reproach to any people:

Now, therefore, be it known, that I, Andrew Johnson, President of the United States, do hereby recommend to the people thereof, that they do set apart and observe the first Thursday of December next as a day of national thanks—given to the Creator of the Universe for these deliverances and blessings. And I do further recommend, that on that occasion the whole people make confession of our national sins against His infinite goodness, and with one heart and one mind implore the Divine guidance in the ways of national virtue and holiness.

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, this twenty-eighth day of October, in the year of our Lord one thousand [L. S.] eight hundred and sixty-five, and of the independence of the United States of America the ninetieth.

ANDREW JOHNSON.

By the President: WM. H. SEWARD, Sec'y of State.

COLORED MILITIA.—We perceive in a late number of the *Greenville Mountaineer*, a letter from Gen. Bennett, Commandant of the Military District of Charleston, answering a communication from His Excellency Governor Perry, in which he says:

Governor: I have the honor to acknowledge the receipt of your communication of September 26th. I entirely concur in your opinion that the organization of colored militia would be disastrous in the extreme, and would undoubtedly inaugurate a war of races. I have countermanded the order, and enclose you a copy of instructions to Col. Beecher.

This is followed by another, equally as important:

HEADQUARTERS MILITARY DIST. CHARLESTON, CHARLESTON, S. C., October 4, 1865. Col. James Beecher, Commanding Second Sub-District.

COLONEL: The Brevet Brigadier-General Commanding directs that you revoke the paragraph in your order, in which you authorize the organization of colored men as militia. Since the establishment of peace, Gen. Gillmore has discontinued the organization of a military force of colored men, and disapproved, last June, a requisition from General Hatch for arms for a company of colored men raised in this city. Very respectfully, your obedient servant, J. MILTON THOMPSON, Capt. 33d U. S. C. T., and A. D. C.

The medical department of the Freedmen's Bureau estimates that it has about 7,000 sick and helpless negroes under its care and treatment throughout the Southern States, the number of such dependents averaging about 600 to each State.

Local Items.

The sale advertised by Messrs. Durbee & Walter to take place this day, at the corner of Washington and Gates streets, is postponed until further notice.

JUST PUBLISHED.—The Sack and Destruction of the City of Columbia, originally published in the *Columbia Phoenix*. A pamphlet edition of the above has just been issued and is for sale at this office—price \$1 a copy.

"Cotton Blanks" and permits—indispensable to all persons purchasing or shipping cotton—can be obtained at this office.

CALNAN & KREUDER.—These gentlemen, at their store on Gervais street, have one of the largest and best assorted stocks of groceries, provisions, wines, ales, &c., that we have seen our market supplied with for some time. Indeed, it would do credit to the good old days of abundant railroad communication, and of prosperity in all the interests of the country. Housekeepers can supply themselves abundantly at their establishment, and we advise them to call and examine for themselves. It is an elegant stock and of large variety.

MESSRS. EDITORS: I have ever felt a deep interest in the once beautiful capital of our State, and though now in "sack-cloth and ashes," and myself scarcely a citizen of the place, I still feel an earnest desire for her welfare. I shall, therefore, take the liberty to suggest a great improvement—one that will cost nothing, and may save a few hundred dollars, as well as be a great convenience to all who traverse our streets. First, throw away all names of streets and adopt numbers. For the streets running North and South, commence next the river, in this way: 1st street, 2d street, 3d street, &c. &c., to the end of the chapter. Then turn the other way on the streets running East and West, commence at the South end of the city, 1st avenue, 2d avenue, 3d avenue, &c. &c. Avenue is very appropriate to those streets, as they mostly have three rows of beautiful trees running through them.

With this plan, no one, stranger or citizen, will ever be at a loss to know where he is, and that without inquiry, if the crossings are properly marked; and the marking can be done at one-tenth the expense of that now required, which would require at least two lettered boards at every crossing in the city. Now the numbers need no boards, nor, indeed, an artist, but only a man that knows his letters. Furnish any person of that kind with the ten figures and the two letters S and A, cut in sheet copper, and he is equipped for marking the whole city, and that in a very short time and very trifling expense. The figures and letters should be large and bold—at least eight inches long. A little black paint and brush does the work completely. The process is so cheap and simple that, in the absence of a building, a plank fence, brick wall, or even a paling, is all sufficient for the number required. Hoping our city fathers will approve and adopt instantly, I remain yours truly, W.

NEW ADVERTISEMENTS.—Attention is called to the following advertisements, which are published for the first time this morning:

- Nomination of Dr. Talley for Mayor.
- Joseph Bates—Mule Stolen.
- E. E. Jackson—Druggist and Apothecary.
- J. McKenzie—Confectionary, &c.
- Hanahan & Warley—Dry Goods.
- Fish.
- J. G. Gibbs—Groceries, &c.
- Miss S. G. Hunt—School Notice.
- G. T. Mason—Confederate Baptist.

THE HOUSE CLERK'S POSITION DEFINED.—By the law passed at the last session of Congress, the Clerk of the House, holding over from the last Congress, on reading the roll of members qualified to go into the election of a Speaker, is restricted to "those only who shall have been regularly elected under the laws of Congress or the several States." It is now said, upon radical republican authority, that Mr. McPherson, the Clerk of the last Congress, upon whom will devolve the initial authority, as its presiding officer, in the organization of the new House, has declared that he will not place upon the official list of members, any person claiming to be elected from a State that has been in rebellion against the Government, inasmuch as he regards any such person as not coming within the pale of the aforesaid law. If such is the decision of Mr. McPherson, we know where he belongs, and that he is the radical candidate for a reelection. [*New York Herald*]

FROM NEW ORLEANS.—Governor Wells is actively organizing the State militia. Most of the officers appointed were prominent in the Confederate army.

In reply to a communication from Governor Wells in regard to the threatened negro insurrection in North Louisiana, General Canby says he will order an additional white force to Shreveport, that arrangements have been made to disabuse the negroes of many wrong impressions imposed upon them.

General Fullerton has requested the police to arrest all vagrant negroes, and turn them over to the provost marshal.

Gov. Johnson, of Georgia, requests the President to retain the military in that State until the militia are organized.

The last rebel prisoner of war at Elmira, left on Tuesday, and the post is closed.