



Daily Paper \$10 a Year.

"Let our Just Censure

Attend the True Event."

Tri-Weekly \$7 a Year

BY J. A. SELBY.

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## THE PHENIX,

PUBLISHED DAILY AND TRI-WEEKLY,  
BY JULIAN A. SELBY.

TERMS—IN ADVANCE.

ADVERTISEMENTS  
Inserted at \$1 per square for the first insertion, and 75 cents for each subsequent.

### For Sale,

A LOT OF SUPERFINE FLOUR,  
BY JAMES CATHCART,  
Cotton Town.  
Dec 7 3\*

### STOLEN,

FROM my stable, on Sunday evening, a horse MULE, SADDLE and BRIDLE. The Mule was a dark bay, the two fore legs bowed, or sprung at the knees, with several small spots about the neck. A suitable reward will be paid (together with expenses) for his return to me. PETER W. KRAFT,  
Dec 7 3 Crane Creek, near Columbia.

### 25 CENT CALICOES.

JUST opened, one case best ENGLISH and AMERICAN PRINTS, at 25 cents per yard. Call and examine.  
SHIVER & BECKHAM,  
Dec 7 3 Next door to Shiver House.

### 10-4 Sheeting.

ONE case of the above DESIRABLE GOODS, at reduced prices, at  
SHIVER & BECKHAM'S,  
Dec 7 3 Next door to Shiver House.

### BLEACHED

### LONG CLOTHS.

TWO cases, just opened, from 25c. to \$1 per yard, at  
SHIVER & BECKHAM'S,  
Dec 7 3 Next to Shiver House.

### SHOES, SHOES.

GENTS, LADIES and CHILDREN—at very much reduced rates.  
SHIVER & BECKHAM,  
Dec 7 3

### Boots, Shoes,

UMBRELLAS, LONGCLOTHS, BLANKETS, FLANNELS, BED TICKING and CASSIMERES. For sale LOW.  
E. & G. D. HOPE.

### New Crop

LAYER RAISINS, SMYRNA FIGS, CITRON, ZANTE CURRANTS, ALMONDS, WALNUTS, BRAZIL NUTS, FILBERTS, &c. For sale low.  
E. & G. D. HOPE.

### Cheese, &c.

ENGLISH DAIRY and GOSHEN CHEESE. GOSHEN BUTTER, IRISH POTATOES, ONIONS and NORTHERN APPLES. For sale by  
E. & G. D. HOPE.

### PIPES AND TOBACCO.

MEERSCHAUMPIPES, Briar-wood and Double-tube PIPES. Pure Turkish and Virginia SMOKING and CHEWING TOBACCO.  
Dec 8 3 E. & G. D. HOPE.

### Fresh Goods!

5 HHDS. good BROWN SUGAR, at a low price. 5 lbs. Sugar House SYRUP, low price. 15 bags choice RIO COFFEE. 100 sacks SALT—extra size. 40 boxes CANDLES. In store and for sale at fair prices by C. H. BALDWIN.

### HARDWARE!

200 LBS. best CAST STEEL, assorted sizes. HORSE SHOE NAILS. HOOKS and HINGES. 20 doz. genuine COLLINS' AXES. RIM and PAD-LOCKS, &c. Just received and for sale at fair prices by  
Dec 8 2 C. H. BALDWIN.

### GUNSMITHING.

PETER W. KRAFT would respectfully inform his old friends and customers that he has resumed his old business of a GUNSMITH, and will promptly attend to all orders.  
Dec 7 12

### HAULING! HAULING!

ORDERS for HAULING COTTON, LUMBER and GOODS to and from Columbia, will be attended to immediately, if left at  
LUMSDEN & MCGEE'S.

[By Special Express to the Phoenix.]

### PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate and House of Representatives:

To express gratitude to God, in the name of the people, for the preservation of the United States, is my first duty in addressing you. Our thoughts next revert to the death of the late President, by an act of parricidal treason. The grief of the nation is still fresh; it finds some solace in the consideration that he lived to enjoy the highest proof of its confidence by entering on the renewed term of the Chief Magistracy, to which he had been elected; that he brought the civil war substantially to a close; that his loss was deplored in all parts of the Union; and that foreign nations have rendered justice to his memory. His removal cast upon me a heavier weight of cares than ever devolved upon any one of his predecessors. To fulfil my trust I need the support and confidence of all who are associated with me in the various departments of Government, and the support and confidence of the people. There is but one way in which I can hope to gain their necessary aid; it is, to state with frankness the principles which guide my conduct, and their application to the present state of affairs, well aware that the efficiency of my labors will, in a great measure, depend on your and their undivided approbation.

The Union of the United States of America was intended by its authors to last as long as the States themselves shall last. "The Union shall be perpetual," are the words of the Confederation. "To form a more perfect Union," by an ordinance of the people of the United States, is the declared purpose of the Constitution. The hand of Divine Providence was never more plainly visible in the affairs of men than in the framing and the adopting of that instrument. It is, beyond comparison, the greatest event in American history; and, indeed, is it not, of all events in modern times, the most pregnant with consequences for every people of the earth? The members of the Convention which prepared it, brought to their work the experience of the Confederation, of their several States, and of other Republican Governments, old and new; but they needed and they obtained a wisdom superior to experience. And when, for its validity, it required the approval of a people that occupied a large part of a continent and acted separately in many distinct conventions, what is more wonderful than that, after earnest contention and long discussion, all feelings and all opinions were ultimately drawn in one way to its support?

The Constitution, to which life was thus imparted, contains within itself ample resources for its own preservation. It has power to enforce the laws, punish treason and insure domestic tranquility. In case of the usurpation of the Government of a State by one man, or an oligarchy, it becomes a duty of the United States to make good the guarantee to that State of a Republican form of government, and so to maintain the homogeneity of all. Does the lapse of time reveal defects? A simple mode of amendment is provided in the Constitution itself, so that its conditions can always be made to conform to the requirements of advancing civilization. No room is allowed even for the thought of a possibility of its coming to an end. And these powers of self-preservation have always been asserted in their complete integrity by every patriotic Chief Magistrate—by Jefferson and Jackson, not less than by Washington and Madison. The parting advice of the Father of his Country, while yet President, to the people of the United States, was, that "the free Constitution, which was the work of their hands, might be sacredly maintained;" and the inaugural words of President Jefferson held up "the

preservation of the General Government, in its Constitutional vigor, as the sheet anchor of our peace at home and safety abroad." The Constitution is the work of "the people of the United States," and it should be as indestructible as the people.

It is not strange that the framers of the Constitution, which had no model in the past, should not have fully comprehended the excellence of their own work. Fresh from a struggle against arbitrary power, many patriots suffered from harassing fears of an absorption of the State Governments by the General Government, and many from a dread that the States would break away from their orbits. But the very greatness of our country should allay apprehension of encroachments by the General Government. The subjects that come unquestionably within its jurisdiction are so numerous that it must ever naturally refuse to be embarrassed by questions that lie beyond it. Were it otherwise, the Executive would sink beneath the burden; legislation would be obstructed by excess; so that there is a greater temptation to exercise some of the functions of the General Government through the States than to trespass on their rightful sphere. "The absolute acquiescence in the decisions of the majority" was, at the beginning of the century, enforced by Jefferson "as the vital principle of republics," and the events of the last four years have established, we will hope forever, that there lies no appeal to force.

The maintenance of the Union brings with it "the support of the State Governments in all their rights;" but it is not one of the rights of any State Government to renounce its own place in the Union, or to nullify the laws of the Union. The largest liberty is to be maintained in the discussion of the acts of the Federal Government; but there is no appeal from its laws, except to the various branches of that Government itself, or to the people, who grant to the members of the legislative and of the executive departments no tenure but a limited one, and in that manner always retain the power of redress.

"The sovereignty of the States," is the language of the Confederacy, and not the language of the Constitution. The latter contains the emphatic words: "The Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Certainly the Government of the United States is a limited government; and so is every State government a limited government. With us, this idea of limitation spreads through every form of administration, general, State and municipal, and rests on the great distinguishing principle of the recognition of the rights of man. The ancient republics absorbed the individual in the State, prescribed his religion and controlled his activity. The American system rests on the assertion of the equal right of every man to life, liberty and the pursuit of happiness; to freedom of conscience, to the culture and exercise of all his faculties. As a consequence, the State government is limited, as to the General Government in the interest of Union, as to the individual citizen in the interest of freedom.

States, with proper limitations of power, are essential to the existence of the Constitution of the United States. At the very commencement, when we assumed a place among the powers of the earth, the Declaration of Independence was adopted by States; so also were the Articles of Confederation; and when "the people of the United States" ordained and established the Constitution, it was the assent of the States, one by one, which gave it vitality. In the event, too, of any amendment to the Constitution, the proposition of Congress needs the confirmation of States. Without States, one great branch of the Legislative Government would be wanting. And, if we look beyond the letter of the Constitu-

tion to the character of our country, its capacity for comprehending within its jurisdiction, a vast continental empire is due to the system of States. The best security for the perpetual existence of the States is the "supreme authority" of the Constitution of the United States. The perpetuity of the Constitution brings with it the perpetuity of the States; their mutual relation makes us what we are, and in our political system their connexion is indissoluble. The whole cannot exist without the parts, nor the parts without the whole. So long as the Constitution of the United States endures, the States will endure; the destruction of the one is the destruction of the other—the preservation of the one is the preservation of the other.

I have thus explained my views of the mutual relations of the Constitution and the States, because they unfold the principles on which I have sought to solve the momentous questions and overcome the appalling difficulties that met me at the very commencement of my administration. It has been my steadfast object to escape from the sway of momentary passions, and to derive a healing policy from the fundamental and unchanging principles of the Constitution.

I found the States suffering from the effects of a civil war. Resistance to the General Government appeared to have exhausted itself. The United States had recovered possession of their forts and arsenals; and their armies were in the occupation of every State which had attempted to secede. Whether the territory within the limits of those States should be held as conquered territory, under military authority, emanating from the President as the head of the army, was the first question that presented itself for decision. Now, military governments, established for an indefinite period, would have offered no security for the early suppression of discontent; would have divided the people into the vanquishers and the vanquished, and would have envenomed hatred rather than have restored affection. Once established, no precise limit to their continuance was conceivable. They would have occasioned an incalculable and exhausting expense. Peaceful emigration to and from that portion of the country is one of the best means that can be thought of for the restoration of harmony, and that emigration would have been prevented; for what emigrant from abroad, what industrious citizen at home, would place himself willingly under military rule? The chief persons who would have followed in the train of the army would have been dependent on the General Government, or men who expected profit from the miseries of their erring fellow-citizens. The powers of patronage and rule which would have been exercised, under the President, over a vast, and populous, and naturally wealthy region, are greater than, unless extreme necessity, I should be willing to entrust to any one man. They are such as, for myself, I could never, unless on occasions of great emergency, consent to exercise. The wilful use of such powers, if continued through a period of years, would have endangered the purity of the general administration and the liberties of the States which remained loyal.

Besides, the policy of military rule over conquered territory would have implied that the States whose inhabitants may have taken part in the rebellion had, by the act of those inhabitants, ceased to exist. But the true theory is, that all pretended acts of secession were, from the beginning, null and void. The States cannot commit treason, nor screen the individual citizens who may have committed treason, any more than they can make valid treaties or engage in lawful commerce with any foreign power. The States attempting to secede, placed themselves in a condition where their vitality was impaired, but not extinguished—their functions suspended, but not destroyed.

But if any State neglects or refuses to perform its offices, there is the more need that the General Government should maintain all its authority, and, as soon as practicable, resume the exercise of all its functions. On this principle I have acted, and have gradually and quietly, and by almost imperceptible steps, sought to restore the rightful energy of the General Government and of the States. To that end, Provisional Governors have been appointed for the States, Conventions called, Governors elected, Legislatures assembled, and Senators and Representatives chosen to the Congress of the United States. At the same time, the Courts of the United States, as far as could be done, have been re-opened, so that the laws of the United States may be enforced through their agency. The blockade has been removed, and the custom-houses re-established in ports of entry, so that the revenue of the United States may be collected. The Post Office Department renews its ceaseless activity, and the General Government is thereby enabled to communicate promptly with its officers and agents. The courts bring security to persons and property; the opening of the ports invites the restoration of industry and commerce; the post office renews the facilities of social intercourse and of business. And is it not happy for us all, that the restoration of each one of these functions of the General Government brings with it a blessing to the States over which they are extended? Is it not a sure promise of harmony and renewed attachment to the Union that, after all that has happened, the return of the General Government is known only as a beneficence?

I know very well that this policy is attended with some risk; that for its success it requires at least the acquiescence of the States which it concerns; that it implies an invitation to those States, by renewing their allegiance to the United States, to resume their functions as States of the Union. But it is a risk that must be taken; in the choice of difficulties, it is the smallest risk; and to diminish, and, if possible, to remove all danger, I have felt it incumbent on me to assert one other power of the General Government—the power of pardon. As no State can throw a defence over the crime of treason, the power of pardon is exclusively vested in the Executive Government of the United States. In exercising that power I have taken every precaution to connect it with the clearest recognition of the binding force of the laws of the United States, and an unqualified acknowledgment of the great social change of condition in regard to slavery which has grown out of the war.

The next step which I have taken to restore the constitutional relations of the States, has been an invitation to them to participate in the high office of amending the Constitution. Every patriot must wish for a general amnesty at the earliest epoch consistent with public safety. For this great end there is need of a concurrence of all opinions, and the spirit of mutual conciliation. All parties in the late terrible conflict must work together in harmony. It is not too much to ask, in the name of the whole people, that, on the one side, the plan of restoration shall proceed in conformity with a willingness to cast the disorders of the past into oblivion; and that, on the other, the evidence of sincerity in the future maintenance of the Union shall be put beyond any doubt by the ratification of the proposed amendment to the Constitution, which provides for the abolition of slavery forever within the limits of our country. So long as the adoption of this amendment is delayed, so long will doubt, and jealousy, and uncertainty prevail. This is the measure which will efface the sad memory of the past; this is the measure which will most certainly call population, and capital, and security to those parts of the Union that need them most. Indeed, it is not too much to ask of the States which are now resuming their places in the family of the Union to give this pledge of perpetual loyalty and peace. Until it is done, the past, however much we may desire it, will not be forgotten. The adoption of the amendment re-unites us beyond all power of disruption. It heals the wound that is still imperfectly closed; it removes slavery, the element which has so long perplexed and divided the country; it makes us once more a united people, renewed and strengthened, bound more than ever to mutual affection and support.

The amendment to the Constitution being adopted, it would remain for the States, whose powers have been so long in abeyance, to resume their places in the two branches of the National Legislature, and thereby complete the work of restoration. Here it is for you, fellow-citizens of the Senate, and for you, fellow-citizens of the House of Representatives, to judge, each of you for yourselves, of the elections, returns, and qualifications of your own members.

The full assertion of the powers of the General Government requires the holding of Circuit Courts of the United States within the districts where their authority has been interrupted. In the present posture of our public affairs, strong objections have been urged to holding those courts in any of the States where the rebellion has existed; and it was ascertained, by inquiry, that the Circuit Court of the United States would not be held in the District of Virginia during the autumn or early winter, nor until Congress should have "an opportunity to consider and act on the whole subject." To your deliberations the restoration of this branch of the civil authority of the United States is, therefore, necessarily referred, with the hope that early provision will be made for the resumption of all its functions. It is manifest that treason, most flagrant in character, has been committed. Persons who are charged with its commission should have fair and impartial trials in the highest civil tribunals of the country, in order that the Constitution and the laws may be fully vindicated; the truth clearly established and affirmed that treason is a crime, that traitors should be punished and the offence made infamous, and, at the same time, that the question may be judicially settled, finally and forever, that no State, of its own will, has the right to renounce its place in the Union.

The relations of the General Government towards the four millions of inhabitants whom the war has called into freedom, has engaged my most serious consideration. On the propriety of attempting to make the freedmen electors by the profranchise of the Executive, I took for my counsel the Constitution itself, the interpretations of that instrument by its authors and their contemporaries, and recent legislation by Congress. When, at the first movement towards independence, the Congress of the United States instructed the several States to institute Governments of their own, they left each State to decide for itself the conditions for the enjoyment of the elective franchise. During the period of the Confederation, there continued to exist a very great diversity in the qualifications of electors in the several States; and even within a State a distinction of qualifications prevailed with regard to the officers who were to be chosen. The Con-