

# THE ANDERSON INTELLIGENCER.

An Independent Family Journal—Devoted to Politics, Literature, News, &c.

BY JAMES A. HOYT.

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## The Intelligencer

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### To the Citizens of South Carolina.

FELLOW-CITIZENS: As Vice-President of the National Union Club for the State of South Carolina, I earnestly invite your attention to the call for a National Convention, issued by the Executive Committee of that body, and recommended by many of the most eminent and patriotic members of both branches of the present Congress.

The importance of this meeting, and the beneficial consequences to result from it, can scarcely be exaggerated. Separated as we have been for the last five years from all communication with the people of the North and West; knowing but little of their opinions, except as expressed through the unjust and oppressive action of the bitter partisan majority which at present controls the National Legislature, this is the first opportunity which has been offered us, to take free and equal counsel with those who feel impelled, by a sense of high patriotism, to oppose the unjust schemes of the radicals in their systematic effort to oppress and humiliate the people of these States, and defeat, if possible, the reconstruction of the Union indefinitely. The address states clearly the principles upon which we are expected to act in common, and it seems to me there is not one to which this State cannot subscribe in honor and with sincerity. We simply recognize those results which the events of the late war have placed beyond the bounds of any future political discussion, results in which we have unanimously and sincerely acquiesced, and in conformity to which we have already modified our Constitution, our legislation and our political sentiments. We are invited to join in an acknowledgement of the wisdom of that policy by which Andrew Johnson, President of the United States, has, in the midst of difficulties unparalleled in the history of any Administration, maintained the integrity of the Constitution, identified the exercise of the Executive power with the rules of strict justice and the spirit of mercy, and proved his legitimate right to succeed the great founders of the republic as the Chief Magistrate of a common country, which can be made and preserved as one nation only by the equal administration of just and equal laws.

The purpose of the Convention will be to organize, upon the principles set forth in the committee's address, all conservative men of all sections, and of all former parties, and, if possible, drive from power that radical party who are daily trampling under foot the Constitution, and fast converting a Constitutional Republic into a consolidated despotism.

The great mass of the people, North and West, have no higher interest in party than through it to secure the wise, enlightened, just government of the country, and when organization is effected, and the President's enlightened policy of reconstruction is presented for their approval or condemnation, there can be little doubt that he will be triumphantly sustained, and our rights as equals in a restored Union fully conceded.

The compact organization of the conservative men is a necessity to meet successfully the well-organized bands of the radicals, and every man who disapproves of the tyrannical and unwise policy of the latter, should join in this national patriotic league to defeat them.

District, and the whole Convention select the four delegates at large to represent the State. The selection of the delegates for the State at large would seem to require a State Convention, and if it assembles, it would be desirable, as already indicated, that it should likewise select the District delegates.

These suggestions as to the mode of selecting a convention—the time, place of meeting, and the basis of its organization—are made in the hope of certainly securing action in every District, and there is not time otherwise to settle by discussion or consultation the details which I have ventured to make.

JAMES L. ORR,  
Vice-President of the Union Club  
For South Carolina.  
ANDERSON, S. C., July 4, 1866.

### Interesting Correspondence.

The following correspondence refers to the action of the authorities upon which is based the Governor's proclamation, published last week:  
HEADQUARTERS,  
DEPARTMENT OF THE CAROLINAS,  
Charleston, S. C., June 6, 1866.

His Excellency JAS. L. ORR,  
Governor of the State of S. Carolina.

SIR: Your communication, dated at Columbia, S. C., May 11, ult., received during my absence from the State, was placed in my hands on my return on Friday last, and I have given the earliest consideration to the important questions therein presented.

Feeling interested in whatever concerns the exercise, by the State, of those functions of domestic government that, conformably to our political system, ought to proceed from the constitutional authorities of the State, and desiring to promote the restoration of civil government in South Carolina, I avail myself of this opportunity to solicit an expression of the opinion of the Executive and the Judiciary of the State on certain legal questions, upon which my action in regard to the trial of persons in the custody of the Military authorities must depend.

I desire to know whether the Courts of South Carolina can entertain jurisdiction of the following cases, viz:  
1st. Criminal proceedings against persons for offenses affecting the persons, property, or other civil rights of persons of color, as such civil rights are defined and established by the recent Act of Congress known as the "Civil Rights Bill," and by the laws of the State not inconsistent therewith.

2d. Whether, in the administration of justice in South Carolina, the laws relating to the rights of persons and property and the remedies for injuries are the same, as regards the definition of offenses, the mode of arrest, indictment and trial, and as to the nature and character of the proofs admissible, without distinction or difference as to the color of the parties or their witnesses.

3d. Whether persons of color are competent to testify before Grand Jurors and Magistrates in the character of complainants in criminal cases, as well as witnesses therein.

4th. Whether the pains and penalties imposed by the laws of the State are identical for offenses committed by white persons and by persons of color.

I have also to request that your Excellency will designate the capital felonies on the trial of which, when committed by white persons against the rights and property of persons of color, the testimony of persons of color is entitled to be received under Section 29 and 30 of the Act to Establish District Courts.

The Court of Appeals having adjourned for the term, and preferring to avoid the delay of a more formal communication through your Excellency, I applied, through Lt. Col. Willard, to his Honor, the Chief Justice, in the hope of finding him already prepared to inform me of the views of the Court on the subject in general, but I learn from the Chief Justice that the Judges of the Court of Appeals have not been in consultation upon any question affecting the operation of the code, beyond the opinion communicated by your Excellency in relation to the competency of negro testimony in the trial of a person indicted for a capital felony.

The Chief Justice was kind enough to approve the course I have adopted of addressing the Court through your Excellency.

Very respectfully,  
D. E. SICKLES,  
Major General Commanding.

EXECUTIVE DEPARTMENT, So. Ca.,  
Charleston, 19th June, 1866.

GENERAL: I enclose you herewith a communication from Chief Justice Duncan, addressed to me in reply to interrogatories propounded to him by you through me. You will observe that he has not answered all your inquiries, because he did not desire to express an opinion without full argument and consideration upon some of the points raised.

nately settled, and ample security under State laws and civil tribunals existing, to secure the persons and property of colored persons, in these two classes of offenses, I earnestly hope that you will find no further obstacle in the way of turning over all prisoners in custody of the military authorities to the civil tribunals of the State for trial, charged with felony or an assault and battery upon the person of a freedman.

If you decide to transfer them to the Civil Courts, I request that you will transmit to me all the evidence implicating the parties charged, so that it may be placed in the hands of the State solicitors in their respective circuits, to be used on the trials.

I have the honor to be,  
Very respectfully,  
Your obedient servant,  
JAMES L. ORR,  
Governor of So. Ca.

CHARLESTON, 19th June, 1866.

SIR: My reply to the inquiries propounded by your Excellency is briefly thus:

The Court of General Sessions had always cognizance of offenses committed by white persons against the persons or property of persons of color. In the case of State vs. Hill, (2 Spur. 1850), which was an indictment against a white person for assault and battery on a free person of color, it was not only so ruled, but recognized as well settled law for more than half a century.

The District Court of December, 1865, not having been put in operation, I suppose the general jurisdiction of the Court of Sessions remains, and, I understand that such has been the ruling of the Circuit Judges in reference to cases of bastardy and of vagrancy which have come before them.

The 30th Sec. Act of 1865, provides that, in every case, civil and criminal, in which a person of color is a party, or which affects the person or property of a person of color, persons of color shall be competent witnesses. It is a remedial statute, and must be construed in reference to its object. My opinion is, that persons of color are competent to testify before grand juries and magistrates in criminal cases, touching the persons or property of persons of color.

With great respect,  
Your obedient servant,  
BENJ. F. DUNKIN,  
His Excellency JAMES L. ORR.

A trial of some importance, growing out of events connected with the late war, has just been terminated at Knoxville, Tennessee, by the acquittal of the prisoner. The parties tried were four in number, and were, during the war, officers in the Confederate army. They were charged with murder in having, whilst sitting upon a court-martial, caused certain citizens of a State to be hanged, toward the close of 1861. The charge against them was sought to be proved by bringing their connection with this court-martial in evidence before the Court. The verdict, after a long and careful trial, has been to acquit the prisoners, they all having been declared not guilty.

This case is interesting, says the New York News, as showing that officers and privates of the late Confederate army cannot be made amenable to the State Courts for acts committed whilst in that service which were in the ordinary course of military law. When these gentlemen were arrested a year ago, Gen. Grant recommended their release on those grounds. The State authorities, however, refused to comply with this recommendation, and since that time they have remained in jail. It is gratifying to record, as we do in this case, the evidences of a returning sense of justice on the part of judges and juries in cases wherein defenceless Confederates are concerned.

GIVE PRINTERS FAIR PLAY.—The following excellent advice appears in an exchange paper:

Do not forget that it costs something to puff as well as to advertise; and never sponge upon the printers in any manner whatever. It is printer's ink that makes nine tenths of your fortunes; it takes money to buy ink, type, paper, and yet, after all this, few are the thanks that the printers get. Give the printers fair play, and give up all expectation of gratuitous puffing, etc. The great American statesman, Daniel Webster, was "mighty near right" when he remarked of the press: "Small is the sum required to patronize a newspaper, amply rewarded is its patron, I care not how humble and unpretending the gazette which he takes. It is next to impossible to fill a sheet full of printed matter fifty-two times a year, without putting into it something that is worth reading."

TRUE CAUSE OF THE WAR.—The Eufaula (Ala.) News contains some observations on this point that are so just and forcibly expressed, that we think them worthy of reproduction. The editor says: "If we were asked to give the strongest argument in favor of the late rebellion we would point to the conduct of the dominant party towards the South since the close of the war. Such inveterate hate, and such blood-hound cruelty are not the result of the conflict of arms, or they would be the universal feeling of the North. The hatred existed long before the war—so long indeed, that it had become hereditary, traditional, educational and only wanted the opportunity to develop all the brutality which now characterizes every word and deed of that beastly faction which has so thoroughly degraded justice, humanity, christianity and the Government."

### From the Nashville Union and American.

#### THE COAT OF FADED GREY.

By GEO. W. HARRIS.

A low hut rests in Lookout's shade  
As rots its moss-grown roof away,  
While sun down's glories softly fade,  
Closing another weary day;  
The battle's din is heard no more—  
No more the hunted stand at bay—  
The breezes through the lowly door  
Swing mute a coat of faded grey,  
A tatter'd relic of the fray—  
A thread-bare coat of faded grey.

'Tis hanging on the rough log wall  
Near to the foot of a widow's bed,  
By a white plume and well-worn shawl—  
His gift—the happy morn they wed,  
By the wee slip their dead child wore—  
The one they gave the name of May,  
By her rag doll and pinafore—  
By right it's there, that coat of grey,  
A red fleek'd relic of the fray—  
An armless coat of faded grey.

### From Washington.

WASHINGTON, July 4.—The Democratic Senators and Congressmen have issued an address in favor of the Convention at Philadelphia. "National Union" they declare, should be the watch-word of every man, and they denounce the Radicals for persistently refusing to admit the Southern States, and say that laws have been passed effecting their interest in disregard of the fundamental principle of free Government. They urge free representation from all States and Territories at said Convention, to work in a spirit of harmony, for the purpose of restoring the constitutional Union, and for this purpose only.

The Committee on Post Offices and Post Roads have agreed to report to the House the Senate's bill authorizing any telegraph company to construct their line upon some mail route, whether railroad, bridge or common highway; also with power to take any cable upon our shores—any laws of the State to the contrary notwithstanding.

From expressions of members of the House, since the report of the Rosseau-Grinnell Committee, it seems hardly possible that a vote of two-thirds, which is necessary for expulsion, can be obtained. It is believed that Gen. Rosseau would prefer expulsion to a public reprimand before the bar of the House. His friends contend that if he is expelled, an effort will be made to return him as United States Senator from Kentucky this winter.

The report of the military board, who were recently in session for over two months, has not yet received the approval of the Secretary of War or General Grant. There are rumors of its being set aside as unsatisfactory, and a new board being convened. It is said that several members of the board refused to sign the report.

WASHINGTON, July 5.—The Committee of Conference on the tax bill recommended fixing the tax on cotton at three cents per pound, and giving to railroads and gas companies the right to add to their rates the tax until the 30th day of April, 1866. They agreed to leave the income tax unchanged, the exemption of \$600 being retained.

It is understood that the Southern Representatives will soon issue an address to the people of the South, recommending the selection of delegates to the Philadelphia Convention. They regard it as highly important that the South shall cooperate in that movement, especially as it is understood that the Convention is only for the restoration of the South to the Union, and not for any party purposes.

In the Senate, the bill to repeal the Act retroceding the county of Alexandria to Virginia was discussed and laid over, and the same disposition made of the bill to pay loyal people in the South for supplies furnished.

The Senate refused to transfer to the Secretary of War, supervisory and other powers over the acts of the Commissioner of Indian Affairs, now exercised by the Secretary of the Interior, by a vote of twenty-one to twelve.

Nothing of moment in the House, excepting the tariff bill. Spalding, of Ohio, gave notice that after the tariff bill shall be disposed of, he would move to call up the resolutions reported by the select committee in the Rosseau-Grinnell case.

WASHINGTON, July 6.—Mr. Fessenden, in the Senate to-day, reported the tax bill as agreed upon by the Conference Committee. The report gave rise to considerable debate, especially the item fixing the tax upon cotton at three cents per pound. The Conference Committee of both Houses agreed to the tax of three cents on cotton, and having agreed on the minor amendments, the bill now goes to the President.

Attorney-General Speed has directed the District Attorney to enter a *nolle prosequi* in the case against Isaac Fowler, the defaulting postmaster of this city. Under this, Fowler will be permitted to return to the United States from Mexico, where he has been during some years.

### From the Masonic Trowel.

#### An Incident of the War.

Cheraw is a considerable village, or perhaps, rather, a small country town, in the Northern part of South Carolina, but a few miles from the confines of the neighboring State of North Carolina.—Gen. Sherman's victorious army passed through it and remained there some days in the month of February, 1865. The inhabitants were, of course, subjected to all the losses and sufferings which in all ages and in all countries have been consequent upon the inroad of a triumphant army into the region of what it deems a peculiarly hostile foe. But even amid the excitement of angry and mercenary passions, which always prevail to too great an extent among the soldiers of an invading and conquering host, the still small voice of masonry will be heard and felt.

Dr. K—, an intelligent mason, and a most worthy citizen of Cheraw, has related to me the following anecdote, which I give almost in his own words:

"Some time previous to the appearance of Gen. Sherman's army," said the Doctor, "I transported from my plantation to my residence in Cheraw, a large amount of provisions, which I had caused to be stored, for safe keeping, in the attic rooms of my dwelling house. There were living with me at the time my wife, my children, and a lady who was a distant relative, all dependent on me for protection and support. On the day after the appearance of the army in the town, I was standing at the door of my mansion when an officer approached, accompanied by a guard and followed by a large baggage wagon. He introduced himself as Lieut. B—, of Wisconsin, when the following conversation took place:

"Have you any specie in your house?"

"I have not."

"Have you any gold or silver?"

"Yes, I have a gold watch, and my wife has another; and I have the usual plate of a respectable family—some silver forks and spoons, and things of that kind."

"Well, I will attend to those matters in time. What provisions have you in the house?"

"About enough to last my family a year."

"Show them to me."

"I conducted him to the attic room, followed by my wife, and he accompanied by his guard of soldiers. He looked at the goody display of wheat, and maize, and bacon, and corned beef, and then said:

"I have an order from Gen. Sherman to take all your provisions, except ten rations for ten days for your family—Men, set to work and fill the wagon."

"I looked on with consternation. The idea of being left with only ten days provisions, all means of transportation taken away, the railroad and bridges destroyed, and no possibility, therefore, of getting a fresh supply, was anything but a delectable prospect, as it afforded in the future a very closely approaching picture of actual starvation. But I thought that if he were a mason there was still some hope of saving myself and family from the threatened ruin; and for the first time in my life, long as I have been a member of the Order, I determined to have recourse to it for that aid which had promised to be in time of peril and danger.

"I commenced, therefore, in the most but expressive language of our institution to inquire if Lieut. B—, was a brother of the mystic tie. To my signals he promptly responded, and in a few minutes I was convinced that he was a master mason. I proceeded in the same mysterious manner with my investigations, and was satisfied that he was also a Royal Arch companion, and one bright too in the ritual. Having learned thus much, I resolved to try the *explicmichm crusis*, and to make that last appeal, to which I hoped he would not be inattentive, for upon it was founded my hope of food for my wife and children."

"The position of things at this time was thus: I was standing in the centre of the room where the provisions were stored; on my right hand was my wife; opposite to me was the Lieutenant; the soldiers had just left with the first load of provisions, which they were conveying to the wagon below. I availed myself of the opportunity afforded by their absence, and by the fact that my wife was intently looking on the floor in a pensive attitude, to move back a step and to make that signal to which no true mason can without perjury, refuse to respond.

"The lieutenant, as he recognized the hail, seemed for a moment surprised, and perhaps confused. He turned rapidly on his heel and retreated to a window, where he sat down and leaned his head upon his hand, apparently in deep thought. After a few minutes the soldiers, who had deposited their first load in the wagon, returned, and were preparing to throw another load upon their shoulders. At that moment the lieutenant rose from his seat, and in a gruff voice exclaimed:

"Men, put those things down. You can go." In response to their look of surprise, he continued: "I guess there isn't more here than is sufficient for the family."

"The soldiers departed empty handed, and with their commanding officer. As he passed out of the door he whispered to a sergeant, who had previously been placed there as a guard over the premises. What that whisper meant I soon learned. After the officer's departure, the sergeant approached me, and in a respectful manner asked if I could accommodate him with a place to sleep. I replied in the affirmative, when he said:

"Another man will soon be here to relieve me, but the lieutenant has given me orders to remain in the house and protect it from depredations by stragglers."

"The mystic sign had prevailed. I was

left, not with ten days, but with more than ten months provisions; my silver and gold were untouched; and my house, under the careful guardianship of the sergeant, was never molested during the remaining stay of the army.

"I never saw Lieutenant B— again," said Dr. K—, concluding his tale, "but this I know of him, that whoever he was he was a good and true mason."

No mason who reads this little story will, we imagine, refuse his assent to the proposition.

### The Battle Field in Europe.

The thunder cloud of war has by this time burst upon Germany and Europe. The attempt of diplomacy to avert the conflict and preserve peace by some patched-up compromise seems to have been fruitless, and war is, we presume, now raging in all its fury, desolating the beautiful plains and valleys of Central Germany. And, strange to say, it breaks out almost upon the same identical spot where, for centuries past, the destiny of nations has been decided by victory and defeat in battle. A German writer once said that Germany might be compared to the patient servant, across whose broad back the people are fighting out their quarrels. This much is true, there has been no war of any great continental importance, except the Crimean and Italian, of latter days, in which the heaviest blows were not struck in Germany and where the decisive battles were not fought in the valley of the Elbe. The great battle between Henry I of Germany and the Hungarians, which freed the Germans from ever after paying tribute to the then barbarous Hungarians, was fought here, near Merseburg. That was about a thousand years ago, and this region has retained to this day its distinction of being the natural fighting ground of European nations.

It was here in this valley that all the great battles of the thirty years' war were won and lost. Here Tilly gained his laurels, blasted his fame, and sacrificed his life. On the line of the Elbe Valley Wallenstein won his first great name and earned the dual crown; and here, at Luetzen, Gustav Adolph, the great Swede Protestant warrior, spilt his blood in victory. But why go back so far; the history of almost our own day gives proof of our assertion. The whole power of the Prussian kingdom gave way like a rotten staff before a single blow of Napoleon at Jena, and this giant himself was finally overcome at Leipzig.

And now it is this Valley of the Elbe again which is to be the theatre of battles and bloodshed; for the failure or success of the first campaign depends in a great measure upon which of the two contending powers succeeds in first taking an advantageous position in Saxony, with Dresden as the pivot or central point. If Austria, then the Prussians will have to retreat from the frontier and expose Berlin to capture; if Prussia, then the Austrians must offer battle with the advantage of position against them. But we did not intend to write upon the military situation of the armies, but only to remark upon the fact that history again unfolds itself upon the same spot it has so often before chosen.—N. Y. News.

### News in Brief.

—Greely is for universal amnesty and universal suffrage. The Louisville Democrat proposes to compromise with him on the first half of his proposition.

—The Chicago Journal hazards the extreme opinion that there are almost a dozen members of Congress who have not yet offered an amendment to the Constitution of the United States.

—Most of the Southern States are taking steps to establish orphan associations for the care and education of those made orphans by disasters of the late war. In Mississippi they are to have one in Lauderdale Springs; in Tennessee, at Clarksville.

—A man living in Hayne county, Mississippi, recently awoke from a comfortable nap of fifty-six hours precisely. He took his snooze in a barn loft, and was unaccountably missing to his friends during the period.

—Mr. J. R. Ivey, of Columbus, Georgia, has received from Count Roman, of Paris, an emerald medallion, encircled by diamonds, for protecting from Wilson's raid five hundred bales of cotton belonging to the Count.

—Recently, in the State of Pennsylvania, a widow with seven children, was married to a widow with five children, neither party knowing that the other was blessed with responsibilities until after the wedding. A more badly "sold" couple it would be hard to find.

—A half dozen mounted men recently rode up to the jail at Independence, Mo., during the night, and demanded the release of a prisoner. The jailor not complying, was shot dead, and his daughter wounded. The citizens pursued the gang and killed one. The others escaped.

—Richmond (Va.) papers contain the details of a college commencement, at which Gen. Fitzhugh Lee was present. He was received with great enthusiasm, and spoke as follows: "Ladies and gentlemen: There is a small village in this good old State known as Appomattox Court House. At this place I was most forcibly reminded, on the 9th day of April, 1865, that I had nothing further to say. I thank you most heartily for the honor you have so kindly conferred upon me."

—Gen. Banks has offered his indomitable sword, says an exchange, to drive out the invaders from Mexico. When that skillful soldier marches again, as in Louisiana, with his baggage train in the van, we shudder to think of the slaughter of French and Imperialists.