The Charleston Paily Rews.

VOLUME V.....NO. 069

TELEGRAPHIC

Our Cable Dispintches. s, September 5,....The Marquis Le Grange's Freedero, won the St. Leger stake at

Hingon. YIENNA, September 5.—It is reported that Baron on Boust will sell the Austrian Church property ud pay the accumulated National Debt. Mapino, September 5.—The Government has releved the return of the Spanish fleet from the beild.

September 5 .--- Noon. September 5 .-- 2 P. M .-- Consols

Curson. September 6 .- Noon. - Cotton steady, VERFOOL, September 5.-2 P. M. - Cotion stea-Pork 70s. Lard doctined 478 33.

Washington Nowa.

VASULNOTON, Replomber 5.—A gran1 encamp-nt of National Union Johnson men meet to-th. The call is by advertisement. Several minent men from abroad will be in attendance. I four column letter from General Sickles to neral Grant, will be published for-morrow. (The sublished in full in another part of c

ort that a sharp colloquy took place be President and General Grant, is ground

The United States Consulate, at Mossina estie spreading wider, but abating in fatal

164c; holders asking 4 bigher. Lard and Whiskoy unchanged. MONILS, Septembor 5.—The market continued full and nominal; sales 11 balos; Middlings nominal; wales 11 balos; Middlings 24a35c. New OnLEANS, Soptember 5.—Sales of Cotton 200 balos—dull and unsettled. Middlings 24a35c. Receipts 164 balos. Bugar and Molasses unchanged. Flour vory dull. Superfine 8c438 25. Corn dull. Mixed \$1 20; while and yellow \$1 25. Oard dull at 63rde. The Middlings 24a25c. Receipts 164 balos. Bugar and Molasses unchanged. Flour vory dull. Superfine 8c438 25. Corn dull. Mixed \$1 20; while and yellow \$1 25. Oard dull at 63rde. For Middlings 24a25c. Lard 144c. In tierces. Gold 414a41; Sterling 53a56; sight orchange on New York 20; premium. SAYNANAI, Septembor 5.—Cotton quict and closed dull, with a downward tendency; Middlings nominally 244. Inceepts 37; receipts of the week 482; oxports 261; utook 732. The worather hot and rainy. The steamor Ariel has put into this port with her machinery disabled. Arousers, Beptember 5.—Cotton flat; sales 23 balos: Middlines 30x234. Y. Major Kenney, of the Fort Phil. Kcarney masan-Major Kenney, of the Fort Phil. Kcarney masan-ro, arrived after a six mouths stay. His opinion s that the Indiana must be whipped before we can ave peace. They find war profitable. They have alled seven commissioned officers, and stolen property of great value in the vicinity of Fort Phil.

onue receipts to-day amount to \$640,000. authorized the publication of Sickles'

ter. A knowing goalloman made a bol to-day, that o California Democrats have elected the Gover-r, two Congressmen, and that the Logislature Democratic. Anthentic reports are awaited th goat analogy. Gon. Densler received a San ancisco dispatch to-day, dated yesterday, saying ll richt."

North Carolina Republican Convention

North Schröhnen Republican Convention, TALEIGN, September 5... The Convention reas-symbled to-day. A more therough and permanent rganization of the party throughout the State as been offeeted. There was a stormy morning ad evening session. Many speeches were made, hiefly of an indaminatory kind, favoring a pro-cription of robels and a configention of their reperty. Marchal Goodloo defended the Scath-ra whites manifully, deprecated confiscation, and araned the freedmen of the dangers surrounding hem.

latform as yet has been adopted, but reso referring conflacation and kindred actions gross for action were carried by a tremen sjority, which vooiferous cheering.

Jority, while vosificious cheering. meet again to-night. onvention adopted and endorsed the plat-the Convention of the 27th Marci; left yon to Congress. More speaking. Reso-vexto passed, requesting the District Con-to order a suspension of the collection of taxes due the State and County; asking, riv electson, and call for a Constitutional ion.

Convention will probably adjourn, and the ers go home to-night at a late hour.

A Waterspout in Delaware.

CASILE, DELAWARE, September 5. --A water-100 feet in diameter, crossed the river, and north of this town; tences and trees were toff.

Crops in Georgia.

Crops in Georgia. avanNAH, September 5.—Reports from the Sea and crop are discouraging. From the Nonth iolina coast reports say that the rain and worm re made great havee. The Georgia coast rets asy that, the worm has only appeared on two ands. Other Islands expect a fair erop. The imate of the Sea Island erop made last week to it at 35,000 bales; this week only 20,600. The ms coathing, but reports from the interior are corable or a good yield of Upland Cotton. The sality of the new eacton received so far is as good usual. No new Hea Juland receiver yot.

Alabama Conservative Convention. meny, September 5.- The Conservative an adjourned to-day, atter adopting -the

ervative mon of the State of Alabama ion assembled in the city of Montgom-ed as an expression of their views the resolutions of the State of Pennsylvania,

ention among the state of Pennagaran ng resolutions of the State of Pennagaran det a recome convention in that State. The Constitution of the United States heing the Constitution of the Constitution of the United States heing the Constitution of the Cons be offer, in the manue, riteoff, it is the only rightful povern-g upon every inhabitant, of all ranks, age and condition, and it is the duty very one, without exceptions or moti-very one, without exceptions or moti-

flict of powers under this instru-mo judiciary is the only arbitor adont of, and in its province supe-the otyers, and which they are

bey. Union of the Six tes is decided by the accepted by the Southern people to be and the authority of the Federal Gov-

Domestie Markets. prity, with intent to hinder, delay and prevent the creditor in the recovery of his debt or domand. And the proceedings now established in North and South Carolina, respectively, for the trial and determination of such questions, may be adopt-ed." Noos Disparcu, New York, Septomber 5.—Stocks stendy; except Eric, which are rait. Sterling, i 09a1 10. Gold, 424. 62 Coupons, 1141. Flour unsettled.—now 106 Iower, Wheat ashade firmer. Corn 4c better, Rye dull, Oats a shade firmer, Mess Pork \$23 60. Lard 4 lower. Cotton quiot and stoady at 27. Turpentino and Rosin quiot. NOON DISPATCH.

AUGUSTA. September 5.-Cotton flat; sales 23 pales; Middlings 23a234.

GENERAL SICILLES' DEFENCE.

EVENIIA) DISPATCH. Cotton easier, sales 200 bales at 27. Flour in regular. Whest active. Mixed corn \$1.163a1.18 Oats steady. Southern 60a67. Mess pork \$23 75 Coffee firm; other grocerles dull. Stocks strong money 4a5 per cent. Gold 1.421; '62 coupon

 and south Caronias, respectively, for the trial and determination of such questions, may be adopted."
 "V. All proceedings for the recovery of money under contracts, whother under seal or by paroly, the consideration for which was the purchase of the constant of the offer o monoy da5 per cent. Gold 1.421; '62 coupons L144. CINCINKATI, September 6.—Flour steady. Corn salos 1500 barrels of Mess Provisions firmer; salos 1500 barrels of Mess Pork and Stat-hold lighter. Bacon Shoulders 132; chear Sides 17a17; large demand from the Weat and South. Lard 124. Bat.Tatoner, September 6.—Cotton quiot and lower; no sales; Middlings hold at 250. Coffic year; quiet and firm. Flour unchanged. Wheat quiet at previous rates. Gorn very dull; sales ught; White 51-17, Yollow 51 20. Oats leas sative, but prices maintained at 65ac0. Ryo raiges from \$1 30a1 40. Provisions very firm, and advancing, Bacon closed baccant - Bhoulders 1 ic; Cloar Sides 16(c; holders asking 4 higher. Lard and Whiskoy Minnged. and firm for the satisfies and the satisfies.

ing, stocks, pillory, or other corporal pusitimust, are in force and will be obeyed by all persons." "XY. The Governors of North and South, Care-line shall have authority, within their Jurisdictions respectively, to reprive our pardon any person cos-victed and soutenced by a civil court, and to remit these and penalites." "YII. In all sales of property under oxecution or by order of any court, there shall be reserved out of the property of any defondant who has a family dependent upon his or her labor, a dwelling house and appurtenances and tweaty acres of laud for the use and coccustor of the dwelling house and appurtenances and tweaty acres of laud for the use and coccustor of the dwelling house and appurtenances and tweaty acres of laud for the use and coccustor of the value of five hum-fred dollars. The tomestead comption shall inuro only to the benefit of familizes—that is to say, to paront or parents and child or children. In other cases, the oxemption shall extend only to 'clothing, implements of trade or other omploy-ment usually followed by the defondant, of the value of one bundred dollars. The oxemption hereby made shall be ascertained by the shorid or other officer enforing the excention, who shall specifically describe the same and makes a report of the defendant. The oxemption hereby made one of the carliest issued by me shall specifically describe the same and makes a report of the odefendant. The oxemption hereby made one of the carliest issued by me shall specifically describe the same and makes a report thereof in each case to the court." It is proper to remark in passing that this order, which was one of the carliest issued by me atter assuming this command, was at the time of its promulgation duly forwarded to the Adjutant-tion order has been in force for nearly five months withour any official intimation that its provisions are disapproved. "The charge that I have mades an issue with the

The President and General Sickles.

HEADQUARTERS SECOND MILITARY DIST. (CHARLSTOR, S. C., August 30, 1867.) General :-- I have the Douor, in compliance with your instructions dated the 24th inst., to report the facts and considerations bearing upon the question which has arisen in North Carolies be-tween the civil and military authority; my report embraces, in accordance with your desire; the in-terprotation given by me to paragraph If of Gen-oral Orders No. 10; also, references to the Acts of Congress, from which is derived the authority ex-creised in the promulgation of the military orders in question; and a statement of some of the rea-sions justifying them. And if this communication ahall appear to be more voluminous and olaborato than the occasion scential to the most exact re-you might deom essential to the most exact rewithout any official intimation that its provisions are disapproved. The charge that I have made an issue with the hupreme Court and have set at defance its de-crees, is uterly unfounded. If a subordinate func-tionary of a court of the United States, whether for his own purposes or those of any othors, obserses to execute his functions that either he must be controlled, or clus the military authority ontablish-ed by Congress over these States is to be defield by tim, and thus crought into contempt, the issue is made up estensibly with a military commander, but in fact with the Congress of the United States. The military authority in these States is the crea-tion of Congress. The military force in these states is here to exceed the augencies now provid-ed and employed to exceed the purposes of Con-gress have been approved by Congress the su-therity from has been confirmed, and the discre-tion by which the authority was controlled has been unlarged by a Supplemental Act. hight deem essential to the most exact re of all that has been done. refusal of the Marshal for the District of Carolina to give any information about the

North Caronia, to process of the United States Courts in his hands, has provened in an action in the matter for the want of reliable official data. Although for the same reason this report has been delayed, no doubt is entertained as to the substantial accuracy of the information derived from other sources, and here-with communicated, in relation to the process the Marshal demands shall be excerted. "Early in the present month a communication tion by which that authority was controlled has been unlarged by a Supplemental Act. It would be in vain to charge me with a want of proper respect to the judicial dopartment of the government, when to the utmost possible limit to which I could go, I have exhibited that deference and respect to it, which I folt that it became all persons in authority to exhibit. I have responded lere, in my official capacity, to the summons of the court of the United States. I have, when re-nureal rementify the second states in the second states our and the second states of the second states of the second states of the court of the United States. and respect to it, which I folt that it before and persons in authority to exhibit. I have responded here, in my official capacity, to the summens of the court of the United States. I have, when re-quired, respectfully presented for its consideration two causes and the ground's of my official conduct. And when its order was made to attach my per-son and commit me to the jail. I was told, from the only source through which I could learn the wishes of the President, not to submit to the ar-rest no. And although the order of the court for disobedience, to which I was thus threatned, commanded me to deliver cortain prisoners who had been tried and condernied for the murder of Union soldiers moder circumstances of great ag-gravation and atrocity, the President himself, by a military order, subsequently directed the removal of the same princes iron the jurisdiction of the United States Court for South Carolina.

With communicated, in relation to the process the Marshail demands shall be oxecuted; Early in the present month a communication was received; from the Marshail for the District of North Carolinn, dated July 30, 1867, informing me that Colonol Frank, commanding the Millarry Post of Wilmington, had forbidden the enforcement of su execution issued at the June term of the United States Circuit Court. The communication, al-formed to the Post Commander for report. Colonel Frank himself, about the same time, reported that the had temporarily suspended the proceedings of the Doputy Marshal, assigning as the reason for, his action that the conforcement of the colonal Frank? was approved, and he was directed to re-port all the facts of the case, when further in-structions would be sont to him. On the 17th instant, Colonel Frank having re-ported that the Marshal was proceeding to enforce its process, the following communication on the Data the Arth Instant Coloner Frank having re-ported that the Marshal was proceeding to enforce his process, the following communication on the subject was, on the same day, addressed to the Weadquarters of the Army: HEADQ'INS SECOND MILLIANY DIFFRET, { CHARLESTON, S. C., AUGUST 17, 1807. } Adjutant-General U. S. Jurny, Washington, D. C.

of the same primoners from the jurisdiction of the United States Court for South Carolina." The complaint new made is, that I have for-bidden the execution of the process of the court of the United States in North Carolina; and have thus set myself above the law of the land. If it had been fairly said that Lonteriained the opinion that the same reasons of public policy which con-strained me to determine the time and manker in which collections of debts should be enforced in the State courts, should equally guids me in the accretize of a just and necessary, discretion in like position would have been truly stated. For I do irmly believe that Congress, intending to secure the restoration of these States to the Union, made all other considerations subsidiary to the accon-plishment of this end. I do not believe that the process of the curits of the United States should override and as aside the orders Cogress has empowered me to make for the secure of itruly, and should by justly said, that I had never received directly or indirectly any intimation that my superior in authority differed with me in this opinion; or desired the measures taken in further-nec of it modified. many existing appreciation and Admitani-Generate C. S. Avray, Washington, D. E. —The Conversion of the conversion of the second second second to me this morning fifter the Wilministon reports North Carolina is lustructed by Luo Attorney-Gen-eral to enforce immediately all executions of the United States Courts, and to report the names of persons officing obstructions, with a view to pro-ceed against them under the criminal laws of the United States, and anks for instructions. I caused the Commanding Officer to be informed that on the receipt of the report he has been ordered to make in relation to the pending cases, he will re-ceive further instructions, and that meanwhile he will not permit the order of decree of any court ib be conforced in riolation of existing military orders. Theos threat of the Attorney-General repeated by the Marshal, are foreshadowed in a fabre and second one article on this sublest, published, it superior in autority unsets that in furth join; or desired the unsamme taken in furth of it modified, many existing apprehensis o my conduct and motives would be correct I was disposed to narrow the ground of ilication, it would be casy for me to draw y mition to the fact that had the Marshal in No olina wished to secure harmonious action en the military and the civil department:

CHARLESTON, S. C., FRIDAY MORNING. SEPTEMBER 6, 1867

PRIDAY MORNING. SET
A FRIDAY MORNING. SET
A structure of the second structure of the

What other, what tees then was none, could have been dione? If these orders are questioned, because of ex-pediency, it is only necessary to refer, in addition to what has been said, to the testimony of the Legislatures of the two Carolinas; they's had ex-pressed as plainly as they could their conviction of the necessity for such regulations, and neo far as they could do it, had endeavored to provide them. If, however, these orders are questioned because of an abuse of power, or because of an usurpation of authority which I did not poacess, or because they are deemed unnecessary, there has been, as there is now, ample power to cause othem to be revoked. In regard to another class of cases to which these orders relate, I will not as more than to express my surprise that outside of these States, there should be found any objection to a stay of proceedings in cases of contracts made here dur-ing the rebellion; the consideration expressed in such contracts was in currency created is support the reboilion; the substance of the contracts was, therefore, in open violation of the laws of the papable fraud; and to regulate. When substants a papable fraud; and to regulate. When substants do no nilimately in such cases, I did not undertake done nilimately in such cases, I did not undertake to decide. What I did, was to recognize and edopt it as expressing a value, as money, in open disregard of the laws of the United States. What should be done nilimately in such costracts until the establish-ment of a legal civil government. Where both parties to these contracts until the establish-ment of a legal civil government. More both parties to these contracts until the out of a legal governiment, and such provision as it abould have

ful in his allegiance to the government of the United States, it would be difficult for him to show how he could consistently or lawfully have, been connected with such a contract. In connection will these measures to which T have referred, 1 will only add a passing word: last. As to the matter of hall, which had become converted into an engine of oppression; 2d. As to the process of attaching provided for the new condi-tion of. affairs, it became necessary that I should exactles the power I coasensed ou or the State laws, to adapt them to the requirements of the orecess-tribunals of the Biate and of the Onited States, should cease. If could not be pretended that, aportially charged to enforce obedience to the laws of the United States, I could adout so the laws of the United States, I could adout so the laws of the United States, I could adout adout and the laws which congress had passed for the negloyment of all citi and political priviloges, without repar-tio adopt these orders, lee me ask by which law or upon what authority would juries he offspan-ized in the courts of the United States? I believe that the laws of the United States provide that the qualifications of jurors, and the modes preactibed for dirawing juries in the courts of the United States that the laws of the United States provide that the United

authority and caprice of a subordinate civil functionary. 9. The true intent and meaning of the several Acts of Congress for the government of the rote ill legal civil gov-states is, that in the absence of all legal civil gov-ernment Horein, the parameter authority of Conauthority and caprice of a subordinate civil functionary. 9. The true intent and meaning of the several Acts of Congress for the government of the robel States is, that in the absence of all logal civil gov-ernment therein, the paramount authority of Con-gress over them shall be exercised by the General-in-Chief of the armies; and, subordinate to him, by the Generals commanding the several Military Districts, as they were constituted on the nime-teenth day of July, one thousand eight hundred and sity-seven, when the hast of the Supplemen-tary Acts became a law. 10. It was not contemplate, by Congress that any court whatever, held in the rebel States, and still less that any Marshal, Deputy Marshal, Shoriff or Constable, stowled do or be nutified to do any act in derogation of the orders of the General-in-Chief of the armies, or of the Generals commanding (ENDORSEMENTS CTON ENCLOSURE NO. 1.)

with less that any Marshal, Deputy Marshal, Shorill or Constable, stoudd do or be suffered to do any act in decogation of the orders of the Generals commanding Mithury Districts. The Ruprenic Court of the United States has recently, in a woll known case, so construct the science of the Act of Congress for the utilitary government of these States. - 11. In June, Bist, after the peace proclamation, the Science ary of War, your illustrions predecessor, approved of my relusal to obey the mandate of the United States Locar to rough the court or-dered my arrest, I was instructed to take into under a structure, the court or the construction, the Science and the court or South Carolina; and when in consequence of such refusal the court or-dered my arrest, I was instructed to take into united Bates Court for South Carolina; and when in consequence of such refusal the court or-dered my arrest, I was instructed to take into united Bates Court for South Carolina; and when in the constructions. The executive commu-nication now meritioned is the outly one over re-ceived by the undersigned on the subject of his official relation to the courts of the United States in this Military District. 12. The reported remark of the learned and dis-tinguished Chief Justice, that "the military au-thoryt does not extend in any respect to the Courts of the United States," was made before the passage of the Act of Congress of July 19, 187, Con-gress assembled and passed that declaratory Act in consequence of certain coninging of the Attorney

Courts of the United States," was much before the passage of the Act of Congress of July 19, 1857, Con-gress assembled and passed that declaratory Act in consequence of certain opinions of the Attornoy-General, the lighest law officer of the Government. And to prevent similar emberransmonts to the ex-evation of the Acts of Congress, it was among other things enacted: "That no Diafriet Comman-der or member of the Beards of Registration, or any of the officers or appointees acting under them, shall be bound in his action by any opinion of any civil officer of the United States." It would be diffi-cult by legislative provision to define within mar-ower limits the precognitives of civil authority in the Military Districts. 13, The modes of procedure of the Circuit and District Courts of the United States, and the action of their ministerial officers in the execution of pro-cess, have hitherto, by the laws of Congress and the rules of practice prescribed by the Supromo Court, conformed aubstantially with the practice and procedue of the Courts of the State or Terri-tory in which the Foderal Courts are respectively held. M. Congress having substituted military an-

and processing in the formation of the f

nufficient ground to move the court to conform t and regulations prescribed in that order, and there by preserve the harmony heretofore existing be ween the federal Judiciary, the local courts as he military authority in the robel States. 15. By the foregoing recapitulation, it will be pharent that no issue exists between the military ruthorities in this District and any of the court of the Vinited States therein; that no court in the Military District has refused to conform to the North Carolina, in so far as he claims exemption is a public officer, from military control, does no pipear to have the sanction of the judicial tribu al of which he is the servant; that the action o the lost commander at Wilmington has been con-fined to the temporary susponsion of an executior for the collection of a debt; that the District Com-manuler holds the case under consideration, on the appeal of the Marshal from the action of the Com-manding Officer of the Post; that the Marshal, having been requested to furnish the information ossential to further section, refused to give it, and has proceeded, is accordance with instructions re-ceived from the Attorney-Chencel of give United essential to further action, refused to give it, and has proceeded, in accordance with instructions re-ceived from the 'Attorney-fleneral of the United States, to enforce the execution of the process of the Court; that thereupon the District Commander, having repeated his order to the Commanding Offi-eer at Wimington to stay the Marshal's proceed-ings until turther orders, reported the occurrence to the General-in-Chief of the army, by Whom the District Commander has been directed to follow the course of action he had already indicated-and taken; and now, in obedience to the further order of the General-in-Chief of the army, all the pro-ceedings in the case, together with the papers re-taining theoreto, are transmitted, with the surges-tions of the Major-General Commanding the Dis-trict, for the review and final action of the Gene-ral-Chief. I thus been my desire and aim in the measures provided for the durice prescribet, for mo by Com-ding theoret, but the surgest in a much discharge of the durice prescribet, for mo by Com-gress. Now of the the ansures I have applied to are diversed to or the other the ansure of the Carolinas to discharge of the durice prescribet, for mo by Com-

Trepresentation of the duite preservice with as much discharge of the duite preservice. For mo by Con-press. Now of the measures I have adopted have over, so far as I know, been disarowed by the gov-ornment.² With the War Department, fiftall that has been done of this Military District the records of my office aboy the most perfect accord. Noth-ing has been done of which immediate and fall information has not been given to the prope-authority. Nothing has been done which has not uf my o Judgment therein Ju

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PRICE FIVE CENTS

he norders to intervene military orders declared to be operative before that tribunal. The note in the c The note in the reasonable of the second seco

OFFICIAL COPY : .J. W. C. ing documents : Respectfully retarred to Byt. Col E.W. DENNIS, Judg dvocate, 2d Military District.

an officiary instrict. mand 54 Major-General D. E. SICKLES. J. W. CLOUS, Capt. 38th Juft., A. A. A. Gen'

J. W. CLOUS, Capi, Jölh Inft., A. A. A. Gen'l, [ENCLOSING NO. 5,] HEAPQUARTIES, 20 MILTARY DISTRICT, JUDOE ADVOCATE'S OPPLOT, GRANLEYES, 20 MILTARY DISTRICT, (CAPAIN - The pipers relating to ination of the roles of the United States Marshall for North Carolina, to con-form to regulationa provided by the order of the Distri-Company, in the pipersing this District, referred to the other way and the last during the the order of the Distri-Commander, respecting final process in certain cases. It appears that at the last during thermost, and the United States Chemit Court for the North Carolina, bistrict, and continues that at the last during the order of the United subsection to court for the North Carolina District, and continues that at the last during the court of the United subsection to court for the North Carolina District, and continues that at the promission of the United subsection the Marshall haves. Execution having bec-sourch travoling the post could be for a court of the Carolina and biologies and the Bor, as copy of when also dealed in the dealed of the Marshall haves the form of the Bodynam res, dited April 11th, B67, as copy of when also food quark prosantble setting forth the grounds there are bound. The general dealting into the food of the a general desitition provaling among of this Military District cannot be rol-ling means for the development of the rves. The nature and extent of the rves. The nature and extent of the nut extraordinary measures. The pre-by a heavy burden of debt: the c

in of all claims, inder all dis to go on without restraint or rame writhce the general good. The rights of credit respected: but the appeal of want and suffer to herded. Moved by these considerations,

III. ADDORS, SECOND MILITARY DISTRICT,) CHARLESTON, N. C., ANGUST 12th, 1987. CHARLESTON, N. C., ANGUST 12th, 1987. Respectfully referred to Communicating Officer Post of illusington, N. C., with marrianted to report fully on is several cases pending in the United States Courts, in hich ho has supported execution and when the sever-lutormation is desired and to when the sever-reauses of action accernol...whether the actions were relation at the cause when the sever-

d. he Marshal will furalsh this inform:

Capt. asth U. S. Intt., A. A. A. Gen'l. BEADQUARTERS, POST OF WILMINGTON, t August 17th, 1837.) Respectfully referred to Mr. Daniel H. Goodlee, Units ates Marshal, with the required that he will furnish a the furnishin required. (Signed.)

quired. R. T. FRANK, Brt. Lieut, Col. and Capt. 8th fullty Com'd Post.

UNITED STATES MARSHAL'S OFFICE, 1 RALLION, April 20th, 1807

UNITED STATES MANAGEMENT, 6 RALLION, August 20th, 1867. 6 unot recomplize the right of the Milliary authori-farnet or inquire lato the nature of the process field Nate Courts put hato my hands, 1 must de-field Nate Courts put hato my hands, 1 must de-the Mate Courts put hato my hands, 1 must de-the Mate Courts put hato my hands, 1 must de-the information called tor, as to "where and the the information called tor, as to "where and

deminer was grown and the list, was pub-tor have a state of the list, was pub-newspapers of the Siste, should be left adoubtless be found at Witmington. DANIEL R. GOODLOU, U.S. Marebal, For District of North Catolina

ITSCLOUR NO. 2.] HDQ'RS, MILITARY POST OF WILMINGTON, J WILMINGTON, N. C., August 22d, 1967. -J. W. Chois, A. A. A. G. (Partician, N. C. a. - L have the house to enclose herewith the lette

The other case is ono in which A. S. Moore & Co., of oston, are plaiping, and Kahnweillee & Bros. of this

Bernson, are plaujatin, and kahnweilies & Bros. of this city, defendants, and Kahnweilies & Bros. of this city, defendants, find following information is gained from the defendant himself:
 The cause of action is a pointissory nois executed in the serity part of 1861, the exact date be cannot give. Amount of nois four hundred and these dollars eighty-chased so attain to be seried attained the series of action to series the series of th

 HPADQUATTERS, POST OF WILMINGTON, WITSHNROS, N. C., August 17th, 1867.
 J. H. Nef, Dynky B. S. Marshal, Wingbugton, N. G. m:-My setton in suspending, until further orders, execution in suspending, until to be enforced in billion of General Order No. Bog-current surface, from Headquartiers Second Milliory District, having been Readquartiers Second Milliory District, having been he Headquarters Second Milliary "District, having uses approved by the Major-Central Commanding, I shall not approved by the Major-Central condition, the judgment or decress of any Court, to be enforced to violation or exist-ions orders, and shall use the mechanism force to provent or orders, and shall use the mechanism force to

(by Court, to be onloreed to violation of tax, and shall use the necessary force to prove Vory respectfully, Your obudient servant,
 (a) B. T. FHANK,
 (b) M. CLOBA, Capital Court, Shall Court, Shall, Court, your the court of the servant,
 (c) W. CLOBA, Capital Court, Shall Court, Shall, Court, your the servation of the servation of the servation of the server of the servation of the servation of the servation of the server of the servation of the servation of the servation of the server of the server of the servation of the server of t

IFACTORIA CAPACITY AND A CONTRACT OF A CONTR

Very respectfully. Your obedient sarvant, [Sigued] R. T. FRANK vt. Liout.-Colonel and Captain 8th Infantry, 6

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| | Λ. · |
| 1** | TATEMENT."] |
| A. S. MOORE & Co., 12, JACOB KAUNWEILEE, DANIEL KAUNWEILEE, Judgment therein B, configure | Acceptance drawn—Lynn, Oct. 18th, 1860, six months after date. Amount, \$115 81. Sued to No- vember Term of U. S. Conrt, 1866. S. Court, 1867, and execution ne- |

Noto given New Orleans, La., April 5th, 1852; thirty days after data. Amount, Sioli 46. Sued to November Term U. s. Court, lat Raioigh, N. C. aue Term U. s. HALL & RODD, DANIEL KANNWEILEE. I I

erminant is suppend within its Construment, limits.
4th. Congress is not the Federal Goranment, nor is the President, nor the Supreme Court. The Federal Gevernment is that form of civil policy ca-tablished by the Constitution, consisting of all three, each supreme in its own limits, and each entitied, equally with the others, to the loyal obe-dience of every instabitant of all the States.
5th. By the Constitution and under the funda-mental law of the Federal Government which is supperior to Congress, and of which Congress is soft in the electoral college is a right fundamental and indestructable in its nature and abiding in every State, being a duty as well as a right, per-taining to the perjust of the Federal Government.

which is the destruction of the Federal Gov-erament. Oth. Each State, under the Constitution, has the right to prescribe the qualifications of its electors. "The Conservative mon of Alabama adopt, as a fur-ther expression of their opinions and purposes, the following: "Th. Resolved, That it is our carnest aim and purpose to cultivate relations of harmony, friend-ship and ponce, between the races; to deal justip with the blacks, and to aid and instruct them in a proper understanding of all their duities to them-ingender and heacurage antagonism between the races.

eigender and encourage antagonism between the races. 8th. That we are the inhabitants of a common country, sharrer and sufferers of a common des-tiny, and we will do all is our power to instruct and elevate the colored race in its moral, social and political responsibilities. 9th. That while we have much charity for the colored man, and feel inclined to look indulgenity and tolerantly on his prejudices of race, unculti-vated ayd encouraged as they have been by recent eronts and by insideous counsels of bad mon, we appeal to bim, by the common interests of a com-mon country, to place his trust in these whom he knows to be honorable, and to deal cautiously with strangers who bear no evidence that they were honored where they were better known.

-----From Mobile.

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From California.

From California. Gan Francisco, Sepiember 4.—The Democrata have olected the Mayor, and a majority of the Logislative licket in this city. itclurns from the interior show reduced Union majorities. May Francisco, Sepiember 4.—The election is progressing quietly. The Democratic voice will be iarger than for some years. At three o'clock Haight was shead in the city. Pholog. Ropubli-can, is probably beston in the First District. The Republicans consider the other Congressmen pafe.

Instructed me not to give up the prisoners, nor to onboil to arrest, but to take into cantody say and all persons attempting either. The President afterwards commuted its sontences of these men to imprisonment for life, when they were sont to Fort Delsware, and there discharged by a Judge of the United States Courts in the robel States be allowed to control the military anthorities, the execution of the Reconstruction Acta will, for on-vious reasons, soon become impiracticable. Some of Congress foil.
 (Bigned) D. E. SICIKLES, (Bigned) Msjor-General Coumanding. On the same day the following reply was received from the General-In-Chief: Washington, Construction, Follow the course of action indicated by you as right, and regard my dispatch of the 18th as entirely with every dispatch of the 18th as the received in the President on the subject, has been observed. No communications on this subject, has been received by me.
 Hors the 20th and communications on this subject, has been received by mo.
 Hiers the 20th also, a cony of the latting and the subject of the subject, has been received in the State of the Subject, has been received by mo.
 Hors the 20th also, a copy of the latting and the subject of the subject of the latting and the subject of the latti

the District, for his examination and rumarks, I respectively invite attention to his exretility consistents bearing on the case; and which is also accosed.
The operating on the case; and which is also proceeding bearing on the case; and which is also interested to the law and judicial proceeding bearing on the case; and which is also aspects of the subject will be found in the following the operations already forwarded, and in the following the operations already forwarded, and in the following the operations of the subject will be found in the operations already forwarded, and in the following the operations of the operations.
The occasion for the promylation of General order itself, as follows:
The operations:
The operations of the destitution operation of the people of a particle with a strain operation of the people to pay taxes further the operation of the people to pay taxes further of the operation of the strain operation of the people to pay taxes further of the operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the people to pay taxes further to operation of the operation of

Aviil not discuss the point how far the civil functionaries of the United States, in view of the people of these States, which it was the sole purpose of Gueral Orders No. 30 to proven I. figras in the state ourse, is it not consended to the second proceedings in the State ourse, is it not reasonable to suppose that the like proceedings in the state ourse, is it not reasonable to suppose that the like proceedings in the state ourse, is the new point of the United States would profine the same manent, would profine the same manent, would profine the united states would profine the the proceedings in the State ourse, is the the ourse of the United States would profine the united States should concress the United States should concress in the State ourse of the United States should concress in the state ourse of the United States are not responsible for the restoration of these States. To the United States are not responsible for the restoration of these States. To the United States are not responsible for the restoration of these States. To the United States are not responsible for the restoration of these States. To the United States are not responsible for the restoration of these States. To the Outer of the United States are not responsible for the restoration of these States. To the Outer of the United States are not responsible for the restoration of these States, and the outer of the United States are of the United

C.M. R. T. Frank: DEAR STR.:-Exclosed please find statement as called for la the Wilmington cases of execution, now in contro-versy. Mr. Biddle's absence prevents his inclosing this himself, out the tack as we as given. Hoping it may somer your request, I am, your obcdient severant, [Signed.] For N. J. BITNDICE, Clerk of U. S. Court. Headquarters 2d Military District.
Official copy. J. W. CLOUS, Captain 33th Infantry, A. A. A. G.

BALEIGH, NORTH CAROLINA, 1

C. (From the Raleigh Register.) CHIEF JUSTICE CHASE IN BALEIGH.

spublic.

(ENGLOSUBE No. 4.) ("BT TELEORAPE...) TEADQU'("BT TELEORAPE...) REGITED CHARLENFOR, B. O., AUGULTO, 1867. FROM WILMINGTON, NORTH CANDUNA. August 271b. 1867. Conneel for defondant informs me that, as Judge Obase tisted, millisry older did not sply to his Court-Or-der Number Ten (10) was not placed-be supporting it to

nstruction. hreshold of this discus

pice of hav, but wonth carry consequences unavoidably calculated to badle and parity consequences unavoidably in food fails, in the work of reconstruction. Solar what will naturally occur the mod of this discus-sion, what will naturally occur the mod of this discus-icy, respecting which communications have passed bu-tween the District Commander and his superior office-the General-in-Chief there is no 'case'' is this matter properly before any determining authority or in any jorum. If liability for Jisrapet to the function the endition of the superior of the models of the officer, or obstructing its process, is predicable of the Post Commander at Winnington, or any other party or parties, to the transactions that have taken place, the law provides a penal remody, and the practice of the Court preseribes the model of procedure according to which the deners in any permission of function to the inverse in a the practice of the Court preseribes the model of procedure according to which the Marelial, was not set up by the default interrupts the Marelial, was not set up by the default interrupts the Court and the military authorities ; and was contat that, if the matter were brought before the Court at the next form, there would be any difference of opiniou disclosed beleven the Judge and difference of opiniou disclosed beleven the Judge and difference of opiniou disclosed beleven the Judge and the Commanding General. For all that is known, neither the District Judge nor Chief Justice Linas is inclined to disput the validity and binding fore of the providens of the District Judge nor Chief Justice is reported to have semath-

Judge nor Chief Justice Unase is inclined to dispute the validity and binding force of the provisions of the order. It is true the Chief Justice is reported to have remark-ed, in his address to the bar at Haleigh, that "the mili-tary authority does not extend in any respect to the Courts of the United States." But this observation was made before the passage of the Act of July 10th, while defined with enlarged scope the powers of District Com-manders and, moreover, there is nothing in the remark that can be construed as desying the power of the Cour-manders and, moreover, there is nothing in the remark that can be construed as desying the power of the Cou-form thereto in the oxecution of the process of that Court. Had not the Marshal made such haste to pre-the issue, it would not be now before any depariment or offlier on the Other along the process of the Court, in the existemary nanuer, any information or represen-tate issue, it would not be now before any depariment or offlier on the Other along the process of the Standt is properly returnable, bring to the attention of the Court, in the existemary nanuer, any information or represe-tate is any state. It will mote that the Marshal should, at the next properly returnable, bring to the attention of the courty be further treated by the cirtl authorities. The subject to be further treated by the cirtl authorities to controvershy arbite, has been needlessly transferred to an improper arbite, shalt, be brought before the larmed and able Chief Justice, his emlightened judgment, instructed by ovent is which he has borne completure and illustr-ous part, will prompily see in the circumatances of the case empler reason to adopt the spirit; of the hangmage of Mr. Justice Story, in the familiar case of Beers or. Haughton, 9 Feters, 2, C. H., 329, where in the Suprase Court heid that the proceed to a privations or local isw. That accounts about be conformed to the provisions or local isw.