

PROCLAMATION.

By His Excellency JAMES L. ORR, Governor and Commander-in-Chief in and over the State of South Carolina.

WHEREAS, MAJ. GEN'L SICKLES, commanding Department of the Carolinas, on the 26th instant, by Special Order No. 19, has directed that white persons in Military custody, charged with felonies or misdemeanors on the persons and property of colored persons, should be turned over to the civil authorities for trial, and that like cases arising hereafter will be disposed of in the same manner:

And whereas, this Order—so gratifying to the feelings and sentiment of the people of this State—is based upon the legal opinion of Chief Justice Dunkin, given upon the urgent request of this Department, and communicated to Gen. Sickles: 1st. That persons of color under the 29th and 30th section of the "Act to organize District Courts," are competent witnesses in the Court of Sessions in all cases of felony committed by whites on the persons or property of a person of color. 2d. That they are competent to make affidavits and sue out warrants against whites in felonies and misdemeanors, and also to testify before Grand Juries in such cases, as well as on the trial before the Petit Jury. And 3d. That until the District Judges are commissioned, the Court of General Sessions retains jurisdiction of cases of misdemeanor committed by whites on the person or property of colored persons, Chief Justice Dunkin says, "The Court of General Sessions had always cognizance of offences committed by white persons against the person or property of a person of color." In the case of State vs Hill, 2d Spear, 150, 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 Courts of December, 1865, not having been put in operation, I suppose the general jurisdiction of the Court of Sessions remain; and I understand that such has been the ruling of the Circuit Judges in reference to cases of bastardy and vagrancy which have come before them.

The 30th section, Act 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 person or property of persons of color."

And whereas, the security of the liberty of the citizens arising from his right to be tried by a jury of his peers, can only be retained, in the present anomalous condition of the country, by the civil officers of the State executing the principles contained in the opinion of the justly distinguished Chief Justice, in good faith and with an earnest desire to give security and protection to the persons and property of the colored population.

And to the end that this high privilege may be retained by the good people of the State, I, JAMES L. ORR, Governor of the said State, do proclaim and declare, that it is the duty of every Civil Magistrate to give careful consideration to every complaint made to him by a person of color against a white man for any felony or misdemeanor alleged to have been committed against the person or property of a person of color; and if he, upon such consideration, concludes that there are reasonable grounds for such complaint, said Magistrate shall take the affidavit of such person of color, and issue his warrant against the offender, requiring his arrest and recognizance to appear at the next term of the Court of General Sessions, just as he would do if the party making the complaint were a white man; and he will also recognize all witnesses by whom the complainant may desire to prove the charge, as is now provided by law, for securing the attendance of State witnesses. All Sheriffs and Constables will promptly, faithfully and fearlessly execute all such warrants as may be placed in their hands.

And I call upon all good citizens to aid in the

fair and faithful execution of the laws of this State, as expounded by the Chief Justice; and very soon the earnest wish expressed by the commanding General in Orders No. 19, (published herewith for the information of the people) "that it will not be long before it may be truly said, that no offence against the peace, and no injury to the person or property, of even the humblest inhabitant, may be committed with impunity in the State of South Carolina," will be happily realized.

Given under my hand and the great seal of the State, at the City of Columbia, the 30th day of June, 1866, and in the ninetyeth year of [L. s.] the Independence of the United States of America.

JAMES L. ORR, Governor.
WM. R. HUNT, Secretary of State.

HEADQUARTERS,

DEPARTMENT OF THE CAROLINAS,
COLUMBIA, S. C., June 26, 1866.

[Special Orders No. 19.]

I. All white persons in Military custody in the State of South Carolina, charged with felonies or misdemeanors, will be turned over to the civil authorities of the United States, or of the State, for trial, according to the nature and character of the offence charged, and of the jurisdiction of the Court having legal cognizance of the offence.

II. Where white persons and persons of color are charged as principals, accessories or accomplices, in any offence, the accused will be retained in custody, and the case, with the evidence, reported to these Headquarters for instructions.

III. Post Commanders making arrests of civilians for offences other than those triable by Provost Courts, will examine the complainant and his witnesses under oath, together with any witnesses proffered by the accused; such testimony, with the statement of the accused, if he desires to be heard, shall be reduced to writing and forwarded to the Headquarters of the Military Commandant of the State, with a report of the action of the Post Commander and his remarks upon the case.

IV. The refusal or neglect of any civil officer to perform an official act, properly required of him by an aggrieved party seeking redress in the civil tribunals, whereby a failure of justice ensues in the prosecution of the class of offenders remitted to the civil jurisdiction by this order, will be promptly reported by an officer cognizant of the same.

V. In publishing the subjoined correspondence for the information and guidance of all concerned, the Major-General commanding desires to impress the troops with the sentiments of respect and deference for the civil authority that influence his own action in co-operation with the Executive of the State, so that tranquility may be secured by the means and agencies most congenial to the people. To this end, he solicits the aid of all good citizens in repressing conduct tending to disturb public order; and he trusts that it will not be long before it may be truly said that no offence against the peace, and no injury to the person or property of even the humblest inhabitant, may be committed with impunity in the State of South Carolina.

By command of
Maj. Gen. D. E. SICKLES.
O. H. HART, Brev't Brig. Gen. and A. A. G.
July 11 1

MESSRS EDITORS: You will please announce J. D. SMITH, as candidate for the office of Tax Collector, Newberry district and oblige
May 2, 1866. MANY FRIENDS.

MESSRS. EDITORS:—You will oblige the friends of Mr. W. J. LAKE, by nominating him as a candidate for Sheriff of Newberry District.
April 11, 14. NEWBERRY.

MESSRS. EDITORS:—You will please announce N. F. JOHNSON, as a candidate for Sheriff of Newberry District, and oblige
April 4, 14. MANY FRIENDS.

The friends of Capt THOS. M. PAYSINER respectfully nominate him as a suitable candidate for Sheriff of Newberry District. VOTERS.

The Re-establishment of Order.

The Charleston News says: "Our readers will be glad to learn that orders have been issued from the Headquarters of this Military District for the arrest of all vagrants, and to prevent the selling of liquor to freedmen. This is a step in the right direction, and shows that the military authorities appreciate the situation and are determined to do all in their power for the restoration of law and order. Below we give the Order in full:

HDQRS. STATE OF SOUTH CAROLINA,
Charleston, S. C., June 19, 1866.
General Orders No. 9.

I. The Brevet Major General Commanding has noticed, with deep regret, the disposition on the part of the freedmen in the vicinity of Charleston and along the coast to disregard their agreements on plantations, to the neglect of the crops, and to either lay idling about their houses, roam at large over the country, or congregate in Charleston and other towns. This total disregard of all obligations to keep their contracts in good faith will cause an entire failure of crops in the State, and the result must be destitution and starvation. The increasing amount of theft, drunkenness and vagrancy demands that the most prompt and severe measures be taken by all officers to check the evil.

II. It is ordered that all men or women who leave the plantation on which they are employed to labor, either by the month, for share of the crop or as renters, of land, and thereby neglect their growing crops be at once arrested as vagrants and put to work on the public roads, as provided for by Par. XII., G. O. No. 1., Headquarters Department of South Carolina.

All planters who have freedmen employed on their plantations who do not, at this important season of the year, give their entire time to the growing crops, are authorized, if after reading this order to them and they neglect or refuse to obey it, to report them at once to the officer in command of the district, who will cause them to be taken from the plantation as vagrants and put to work on the public roads. Their children, if any, will be bound to such persons as will take care of them and learn them habits of industry.

III. A prison will be established for all persons of color convicted of such crimes as are not punishable by death on one of the islands, where employment can be furnished, and all convicts will be compelled to labor from sunrise until sunset, under control of such guards as will insure their safety. Any person convicted of selling spirituous liquors to a freedman without a permit from some officer having control, will be fined in any sum not less than twenty-five dollars (25) nor more than one hundred dollars (\$100) for every offence of which he may be convicted.

IV. Commanding officers will have this order read in the several colored churches in their vicinity, in order that it may become generally understood.

By command of Brevet Major-General R. K. Scott.

H. W. SMITH,
Brevet Lieutenant-Colonel and A. A. General.

OFFICIAL: H. W. SMITH,
Assistant Adjutant-General.

WILLIAM R. SPEARMAN,
Attorney at Law—Law Range, Newberry.
Offers his services to the citizens of this and adjoining districts.
June 27

W. A. Elmore,
Manufacturer of Saddles, Bridles, Harness, &c., &c., Four miles South of Newberry C. H.
Repairing done with neatness and dispatch.
May 23. 3mo.