

The Newberry Herald.

THREE DOLLARS A YEAR.]

FOR THE DISSEMINATION OF USEFUL INTELLIGENCE.

[INVARIABLY IN ADVANCE.]

VOL. IV.

WEDNESDAY MORNING, MARCH 18, 1868.

NO 12.

THE HERALD

WEDNESDAY MORNING,
By THOS. P. & R. H. GREENE,
PRINTERS, IN CURRENCY
OR PROVISIONS.
Published weekly in advance.
Advertisements, General Invitations, Obi-
tuary and Communications, unless private
business, are charged as advertisements.

The New Constitution.

THE BILL OF RIGHTS.

We, the People of the State of South Carolina, in Convention assembled, Grateful to Almighty God, for this opportunity, deliberately and peaceably entering into an explicit and solemn compact with each other, and forming a new Constitution and Civil Government for ourselves and posterity, recognizing the necessity of protection of the people in all that pertains to their freedom, safety and tranquility, and imploring the direction of the Great Legislator of the universe, do agree upon, ordain and establish the following: Declaration of Rights and Form of Government as the Constitution of the Commonwealth of South Carolina.

ARTICLE I.

DECLARATIONS OF RIGHTS.

Sec. 1. All men are born free and equal—endowed by their Creator with certain inalienable rights among which are the rights of enjoying and defending their lives and liberties; of acquiring, possessing and protecting property, and of seeking and obtaining their safety and happiness.

Sec. 2. Slavery shall never exist in this State; neither shall involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

Sec. 3. All political power is vested in and derived from the people only; therefore, they have the right, at all times, to modify their form of Government in such manner as they may deem expedient when the public good demands.

Sec. 4. Every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and no law or ordinance of this State in contravention or subversion thereof can have any binding force.

Sec. 5. This State shall ever remain a member of the American Union, and all attempts, from whatever source, or upon whatever pretext, to dissolve the said Union, shall be resisted by the whole power of the State.

Sec. 6. The right of the people, peaceably to assemble to consult for the common good, and to petition the Government, or any department thereof, shall never be abridged.

Sec. 7. All persons may freely speak, write and publish their sentiments on any subject, being responsible for the abuse of that right; and no laws shall be enacted to restrain or abridge the liberty of speech or of the press.

Sec. 8. In prosecution for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libel the jury shall be the judges of the law and the facts.

Sec. 9. No person shall be deprived of the right to worship God according to the dictates of his own conscience; Provided, That the liberty of conscience hereby declared shall not justify practices inconsistent with the peace and moral safety of society.

Sec. 10. No form of religion shall be established by law; but it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable employment of its own mode of worship.

Sec. 11. The right of trial by jury shall remain inviolate.

Sec. 12. No person shall be disqualified as a witness, or be prevented from acquiring, holding and transmitting property, or be hindered in acquiring education, or be liable to any other punishment for any offence, or be subjected in law to any other restraints or disqualifications in regard to any personal rights than such as are laid upon others under like circumstances.

Sec. 13. No person shall be held to answer for any crime or offence until the same is fully, fairly, plainly, substantially and formally described to him; or be compelled to accuse or furnish evidence against himself; and every person shall have a right to produce all proofs that may be favorable to him, to meet the witnesses against him face to face, to have a speedy and public trial by an impartial jury, and to be fully heard in his defence by himself or by his counsel, or by both, as he may elect.

Sec. 14. No person shall be arrested, imprisoned, despoiled or dispossessed of his property, immunities or privileges, put out of the protection of the law, exiled or deprived of his life liberty, or estate, but by the judgment of his peers or the law of the land. And the General Assembly shall not enact any law that shall subject any person to punishment without trial by jury; nor shall he be punished but by virtue of a law already established, or promulgated prior to the offence, and legally applied.

Sec. 15. All courts shall be public, and every person, for any injury that he may receive in his land, goods, person, or reputation, shall have remedy by due course of law and justice administered without unnecessary delay.

Sec. 16. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offences, when the proof is evident or the presumption great; and excessive bail shall not, in any case, be required, nor corporal punishment inflicted.

Sec. 17. The privilege of the writ of *habeas corpus* shall not be suspended, except when in case of insurrection, rebellion or invasion, the public safety may require it.

Sec. 18. No person, after having been once acquitted by a jury, shall again, for the same offence, be put in jeopardy of his life or liberty.

Sec. 19. All offences less than felony, and in which the punishment does not exceed a fine of \$100, or imprisonment for thirty days, shall be tried summarily before a justice of the peace, or other officer authorized by law, or information under oath, without indictment or intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher crime or offence unless on presentment of a grand jury, except in cases arising in the land and naval service, or in the militia when in actual service in time of war or public danger.

Sec. 20. No person shall be imprisoned for debt except in cases of fraud; and a reasonable amount of property as a homestead, shall be exempt from seizure or sale for the payment of any debts or liabilities, except for the payment of such obligations as are provided for in this Constitution.

Sec. 21. No bill of attainder, or *post facto* law, nor any law impairing the obligation of contracts, shall ever be enacted; and no conviction shall work corruption of blood or forfeiture of estate.

Sec. 22. All persons have a right to be secure from unreasonable searches or seizures of their persons, houses, papers or possessions. All warrants shall be supported by oath or affirmation, and the order of the warrant to a civil officer to make search or seizure

in suspected places, or to arrest one or more suspected persons, or to seize their property, shall be accompanied with a special designation of the persons or objects of search, arrest or seizure; and no warrant shall be issued but in cases and with the formalities prescribed by the laws.

Sec. 23. Private property shall not be taken or applied for public use, or for the use of corporations, or for private use, without the consent of the owner or a just compensation being made therefor; Provided, however, that laws may be made securing to persons or corporations the right of way over the lands of either persons or corporations, and for works of internal improvement, the right to establish depots, stations, turn-outs, etc.; but a just compensation shall, in all cases, be first made to the owner.

Sec. 24. The power of suspending the laws, or the execution of the laws, shall never be exercised but by the legislature, or by authority derived therefrom; to be exercised in such particular cases only as the General Assembly shall expressly provide for.

Sec. 25. No person shall, in any case, be subject to martial law, or to any pains or penalties by virtue of that law, except those employed in the army or navy of the United States, and except the militia in actual service, but by authority of the General Assembly.

Sec. 26. In the government of this Commonwealth, the legislature, executive and judicial powers of the Government, shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other.

Sec. 27. The General Assembly ought frequently to assemble, for the redress of grievances and for making new laws as the common good may require.

Sec. 28. The people have a right to keep and bear arms for the common defence. As in times of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the General Assembly. The military power ought always to be held in an exact subordination to the civil authority and be governed by it.

Sec. 29. In time of peace no soldier shall be quartered in any house without the consent of the owner; and, in time of war, such quarters shall not be made but in a manner prescribed by law.

Sec. 30. No person who conscientiously scruples to bear arms, shall be compelled to do so, but he shall pay an equivalent for personal service.

Sec. 31. All elections shall be free and open, and every inhabitant of this Commonwealth possessing the qualifications provided for in this Constitution, shall have an equal right to elect officers, and be elected to fill public office.

Sec. 32. No property qualification shall be necessary for an election, to or the holding of any office, and no office shall be created, the for the appointment to which shall be for a longer time than good behavior. After the adoption of the Constitution, any person who shall fight a duel, or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of holding any office of honor or trust in this State, and shall be otherwise punished as the law shall prescribe.

Sec. 33. The right of suffrage shall be protected by laws regulating elections, and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult or improper conduct.

Sec. 34. Representation shall be apportioned according to population, and no person in this State shall be disfranchised or deprived of any of the rights or privileges

now enjoyed, except by the law of the land or the judgment of his peers.

Sec. 35. Temporary absence from the State shall not forfeit a residence once obtained.

Sec. 36. All property subject to taxation shall be taxed in proportion to its value. Each individual of society has a right to be protected in the enjoyment of life, liberty and property, according to standing laws. He should, therefore, contribute his charge to the expense of his protection, and give his personal service when necessary.

Sec. 37. No subsidy, charge, impost tax or duties shall be established, fixed, laid or levied, under any pretext whatsoever, without the consent of the people of their representatives lawfully assembled.

Sec. 38. Excessive fines shall not be imposed, nor cruel and unusual punishment inflicted, nor shall witnesses be unreasonably detained.

Sec. 39. No title of nobility or hereditary emolument shall ever be granted in this State. Distinction on account of race or color, in any case whatever, shall be prohibited, and all classes of citizens shall enjoy equally all common, public, legal and political privileges.

Sec. 40. All navigable waters shall remain forever public highways, free to the citizens of the State and the United States, without tax, impost or toll imposed; and no tax, toll, impost or wharfage shall be imposed, demanded or received from the owners of any merchandise or commodity, for the use of the shores or any wharf erected on the shores, or in or over the waters of any navigable stream, unless the same be authorized by the General Assembly.

Sec. 41. The enumeration of rights in this Constitution shall not be construed to impair or deny others retained by the people, and all powers not herein delegated remain with the people.

A BIG GUN FROM CALIFORNIA.

—The following are the resolutions adopted last week by the California Legislature, and telegraphed to the President by their direction:

Resolved, that the people of this State will now, as they have in the past, bear true faith and fealty to the Government of our fathers; that by all legal and just means they will sustain the President of the United States in the complete discharge of his duties.

Resolved, That we urge the President of the United States, in the name of our people, the freemen of the State of California, in the name and in behalf of the cause of constitutional liberty, to be firm and unbending in the maintenance of the Executive Department of the Government, and to that end we pledge him our undivided support.

Resolved, That the radical majority in the Congress of the United States have trampled upon and disregarded the great interests of the people, and instead of legislating to relieve the people from the burden of taxation under which the entire industry of the country is suffering, are bending their united efforts to involve the country in the vortex of civil war, and in the opinion of the Assembly of California, have proved themselves unworthy alike of the high positions they now occupy, and of the confidence of the people.

TO CLEAN TIN.—Rub it well with pulverized charcoal, then wash off. Pulverized brick-dust and soft soap cleans brass very well. Iron and irons, made black and sleek as Topsy's well polished brow, in the good old days when salamander fingers applied the meat skin, by taking a gill or more of common molasses, in which an egg is broken, add a little water and apply a mop weekly or semi-weekly only.

Congressional Reconstruction.

For more than two years the Southern States have desired to renew their old relations to the government.

Congress has constantly prevented that resumption.

They are entitled to be restored upon the basis of the Federal Constitution.

Congress has confessedly thrown aside that instrument, and obstructed restoration with terms and conditions of its own prescribing.

Affecting to desire the perpetuity of the Republic, it has made a deadly assault upon republican institutions.

Professing to aim at the salvation of the Union, it has wrought the destruction of ten of the States.

The right of each State to regulate its own internal affairs, enfranchise its own voters, and choose its own rulers and law-makers, is as sacred as our constitution, and as indestructible as our government.

Without it republican liberty is worthless, for when the people cease to be free citizens of the States, they become the subjects of unlimited and irresponsible Federal power.

When Congress abolished the local governments of the South, it violated a vital principal in our system.

When it erected military establishments in their stead, it introduced the most abominable feature of despotism.

In further pursuance of its purposes, Congress has thrown the political power of the South into negro hands.

To assure this result, it has disfranchised the white population by hundreds of thousands.

Enfranchising the blacks, it has made voters of the ignorant, the vicious, and the brutal; legislators of those who regard liberty as license, and law as the instrument of revenge; and rulers of a class whose ideas of government, like their notions of religion, tend directly and inevitably to barbarism.

MILITARY GOVERNMENT AND ITS RESULTS.

Having given the negro the right to vote and the power to rule, Congress confesses his incompetency for either by insisting that the bayonet of the soldier, the disfranchisement of the citizen, and the supervision of the Freedman's Bureau are necessary to sustain him in his new relations.

By such declarations the dominant party would justify the continuance of military despotism erected within the Southern States.

Before we sanction this iniquity, let us examine its results.

It found civil governments in successful operation; it abolished those governments, and made the will of brigadier-generals supreme for all purposes.

Southern elections are ordered, supervised and approved or set aside, by district commanders. Southern justice is what the bayonet may provide. Southern law is what the sword may decree. Southern peace is the patient submission of a conquered people, a peace threatened by impending negro insurrections, while white secessionists are inciting, and liable at any moment to disappear before the terrible tumult of social anarchy.

Capital left a land which promised soon to be given over to confiscation.

General poverty followed the encouraged indolence of the laboring classes.

Actual and almost universal destitution exists among the people; the unhappy victims of Congressional cruelty, must become pensioners upon national charity, or perish from starvation.

Hordes of thriftless and discontented negroes, passionate almost to brutality, induced to vice by idleness, incited to violence by evil counsellors, fed and pampered at the public cost, with a great army for their protection, roam at will throughout the land, upon a mission of evil, carrying dismay to the hearts of helplessness and innocence, and shocking civilization with the worst of nameless crimes.

Such is the condition of the South.

A military despotism is over her people.

The hand of lawless violence threatens them.

Desolations reign on every hand.

About them are the graves of their countless dead.

Present sufferings surround them.

Their future is thick with peril and dark with gathering misfortune.

The foes of the nation are at her feet.

Broken in spirit, stripped in fortune, wasted, ragged, wretched and ruined, their situation invoked the magnanimity of kindred manhood and appeals to the generous mercy of a noble enemy.

DISTRESS AT THE SOUTH PRODUCES PROSTRATION AT THE NORTH.

The evil influence of bayonet reconstruction is not confined to the South.

The entire country feels it.

Northern business languishes for want of Southern trade.

Northern factories are silent because Southern pockets are empty.

Western granaries and store-houses are full, but poverty possesses their ancient market, and their former buyers are now begging bread.

A commercial crash is imminent, and business stands still and trembles at the prospect.

The manufacturing interests of the nation are crippled and almost crushed.

The spindle is motionless; the shuttle is silent, the forge and the furnace are deserted; the workshop is vacant; the mill is closed.

The hands of the artisan are unemployed and empty; his children are starving, homeless and in rags.

The impoverishment of the South throws the entire burden of taxation upon the North and West.

The Southern States can render no assistance while the government grinds them with an iron heel. If their people shared its benefits they would be impelled to productive ability. As they partake only of its severities, they could not support it if they would, and so long as it oppresses them, if they are fit to be freemen, they would not support it if they could.

A valuable adjunct in the work is the exclusion of white intelligence and experience from participation in the government.

The guarantee of success is the red right hand of the War Department.

A system which is based upon negro stupidity, supported by bayonets, and designed to secure partisan triumphs through the enslavement of men of our own race, may be instituted here through force and fraud, but, if it can endure in this land, the American people have learned liberty to no purpose, and well deserves to be taught its value under the stern tutelage of tyranny, which awaits them in the future of Radical supremacy.

The Peanut Crop.

The *Wilmington (N. C.) Journal*, in alluding to this subject, remarks:

From the statistics compiled and published in the *Journal*, we find that the crop of last year, including shipments as well as sales, amounting to 62,450 bushels. This year the crop is variously estimated at from 75,000 to 100,000 bushels—many think the latter figures are nearer the mark. It is estimated by the merchants that about 30,000 bushels of this year's crop have already been shipped.

The *Norfolk Journal* of a late date says:

A very large portion of the peanuts used in the Union pass through the hands of our merchants. They are raised in the lowlands of Virginia and North Carolina, and hardly anywhere else. Those from Virginia are used principally for eating purposes, and those from North Carolina for oil. Our farmers have turned their attention to the culture of the peanut much more of late years than formerly, the cause of which is that they bring a much larger price than in years gone by, being quoted from one dollar and forty cents to two dollars and sixty cents a bushel, according to quality. An acre will produce more in this pea than in anything else, and by the application of guano to our quick lands an abundant crop is obtained and a very certain one. We hope that our farmers will grow peanuts more extensively than they have yet done; for our system of cultivation must change from large farms to small, and we must try to make every acre bring its utmost.

CO-OPERATION.—New York has just now a minor sensation in the shape of a plan of supplying flour to the multitude at wholesale prices.

An enterprising young business man has undertaken to bring himself into relations with the producers and consumers of flour, and by cutting off an army of middle men he is to furnish the flour direct to the consumer at a very small profit per barrel, but at the same time makes a good thing of it himself from the annual sale of 100,000 barrels. He organized a company for the purpose of grinding wheat in the west; placing the flour at the door of the consumer at a small profit, saving thereby to the purchaser all the profits of the middle men. This business has so extended that he has been obliged to take two new stores in addition to the one which he started, and the undertaking seem to be fully established. The *New York papers* seem to look upon the success of this enterprise as laying the foundation for a general reconstruction of the mode of food supply, by which all articles of food can be supplied without risk to the consumer, and at much lower rates than now.

At a dance in honor of a newly married pair at Norwich, Connecticut, last Sunday evening, the party got drunk, the bridegroom was whipped, and the bride received a black eye.