

# THE DAILY PHOENIX.



DAILY PAPER \$10 A YEAR.

"LET OUR JUST CENSURE ATTEND THE TRUE EVENT."

TRI-WEEKLY \$7 A YEAR.

BY J. A. SELBY.

COLUMBIA, S. C., FRIDAY MORNING, AUGUST 11, 1865

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**THE PHOENIX**  
IS PUBLISHED  
**DAILY AND TRI-WEEKLY**  
AND THE  
**WEEKLY CLEANER**  
EVERY WEDNESDAY.  
BY JULIAN A. SELBY.

**TERMS—IN ADVANCE.**  
SUBSCRIPTION.  
Daily Paper, six months, \$5 00  
Tri-Weekly, " " " 3 50  
Weekly, " " " 2 00  
Single copies of the Daily and Tri-Weekly, 10 cents; of the Weekly, 15 cents.

ADVERTISEMENTS  
Inserted in either the Daily or Tri-Weekly at \$1 per square for the first insertion, and 75 cents for each subsequent insertion. In the Weekly, \$1 a square.  
Special notices 15 cents a line.

**Indian Troubles.**  
Missourians little know the troubles to which their brethren are subjected from the Indians, while on their way to peaceful homes in the North-west Territories. Speaker Colfax saw some of the dangers on the road from Denver to Salt Lake, and telegraphed to Washington for five or six thousand troops, but they arrived too slowly to give efficient protection to the thousands of pilgrims now on the road. The friendly Arapahoes, of whom four or five hundred are camped near, and fed at Fort Halleck, seem to be the aggressive party at present. Feigning to desire to go South in quest of buffalo, seventy or more warriors drew six days' rations. Then commenced the depredations and massacres. In the very face of the fort, June 27, they drove off twenty-six head of stock from Elk Mountain station, and on the 3d ult., fifteen more. Passing down, they cleared off the stock at Medicine Dow station, and burned Foote's ranche, blacksmith shop, wagons, flour and provisions, and took one hundred and nine head of stock belonging to Foote and Ekler. There was a train of one hundred and fifty wagons "bunched up" near Foote's, and I saw one poor straggler's dead body brought in—split open like a log. The hills were black with hostile Indians. The consternation and crying of the women and children were heart-rending. At Rock Creek, twenty-five miles below Fort Halleck, they appeared three hundred strong. Having broken up all gold mining operations in that vicinity, they swept off eighty-five head of stock, horses, mules, oxen and cows, the thieves waving back their owners, unless they wanted to lose their scalps. Two soldiers of the 11th Ohio were killed on Rock Creek flats. The body of one of them was mutilated in the most shocking manner—feet cut off, eyes dug out, heart taken away and bowels hanging over the aperture, head scalped, but the remaining abuses must be undescribed! I saved an old white-bearded gentleman, by his last chance of escape from Rock Creek, in the stage.

**Zealy, Scott & Bruns,**  
**ASSEMBLY STREET.**  
Columbia Gas Light Stockholders' Assessment.

THE subscriber is now ready to receive the above at his office, corner of Plain and Assembly streets. Payment is required on or before MONDAY, the 14th inst.  
Aug 9 JACOB LEVIN.

**FENNER, BENNETT & BOWMAN,**  
(Successors to Hotchkiss, Fenner & Bennett),  
**COM. MERCHANTS,**  
40 VESSEY STREET, NEW YORK,  
AND  
MEMPHIS, TENNESSEE.

THOS. FENNER, H. BENNETT, D. W. BOWMAN.  
M. T. A. TOBIN, who was for a length of time connected with the old firm of Hotchkiss, Fenner & Bennett, has an interest in the present firm, and will devote his attention principally to the State of South Carolina. His address will be Clinton, Laurens District.  
Aug 4 1mo

**The New York News.**  
DAILY and WEEKLY. THE NEW YORK WEEKLY NEWS, a great family newspaper—BENJAMIN WOOD, Proprietor—the largest, best and cheapest paper published in New York. Single copies, cents; one copy one year, \$2; three copies one year, 5.50; five copies one year, 8.75; ten copies one year, 17; and an extra copy to any club of ten. Twenty copies one year 30; the Weekly News is sent to clergymen a 1.60.

NEW YORK DAILY NEWS.  
To mail subscribers, \$10 per annum; six months, 5; payments invariably in advance. Specimen copies of Daily and Weekly News sent free. Address BENJ. WOOD, Daily News Building, No. 19 City Hall Square, New York City.  
Aug 9

**THE CHRISTIAN INDEX.**  
BY the FIRST OF OCTOBER, or as soon as the mails are re-established, I will renew the publication of the "CHRISTIAN INDEX" and the "CHILD'S INDEX" I have been publishing.  
Price of "Index," per annum, \$3 00  
Price of "Child's Index," " " 50  
(A deduction made for Clubs.)  
Money may be remitted at once, as my determination is positive. My desire is to secure a large subscription list with which to begin, and I issue this prospectus that subscribers may have time to forward their remittances.  
It is my intention to issue first class papers, and no pains or expense will be spared to secure that end. The best writers and correspondents will be secured, and the highest religious and literary talent will be given to the papers. The CHILD'S PAPER will be profusely illustrated and will, in every sense, be made to conform to its new title.  
**THE CHILD'S DELIGHT!**  
Money may be sent by Express or otherwise—if by Express, at my risk, if the Express receipt is sent me, on the resumption of mail facilities.  
My connection with the firm of J. W. Burke & Co., is dissolved, but I will establish an office in Macon, Georgia, where communications may be addressed.  
Aug 5 1mo SAMUEL BOYKIN.

CALL AT  
**C. S. Jenkins'**  
**STORE,**  
Assembly Street,  
THIRD DOOR FROM PENDLETON.  
Aug 10

**W. B. JOHNSTON,**  
**Magistrate,**  
Office on Pickens street East end of Lady.  
WILL attend to all official business brought before him; will also attend to drawing up Deeds, Conveyances, Mortgages, Contracts, and other ordinary legal instruments of writing. Fair copies of any document executed with neatness and despatch.  
August 1

**ZEALY, SCOTT & BRUNS,**  
ASSEMBLY STREET.  
Headq'r's Department of the South,  
HILTON HEAD, S. C., JULY 29, 1865.  
GENERAL ORDERS No. 9.  
IT is announced, for the information and government of this command, that BENJAMIN F. PERRY, of South Carolina, has been appointed, by the President, Provisional Governor of the State of South Carolina, with authority and instructions, "at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a Convention, composed of delegates to be chosen by that portion of the people of said State who are loyal to the United States, and no others, for the purpose of altering or amending the Constitution thereof; and with authority to exercise, within the limits of said State, all the powers necessary and proper to enable such loyal people of the State of South Carolina to restore said State to its constitutional relations to the Federal Government, and to present such a Republican form of State Government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection and domestic violence: Provided, That in any election that may be held for choosing delegates to any State Convention as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such Convention, unless he shall have previously taken and subscribed the Oath of Amnesty, as set forth in the President's proclamation of May 29, A. D. 1865, and is a voter qualified as prescribed by the Constitution and laws of the State of South Carolina in force immediately before the seventeenth (17th) day of November, A. D. 1860, the date of the so-called Ordinance of Secession; and the said Convention, when convened, or the Legislature that may be thereafter assembled, will prescribe the qualification of electors, and the eligibility of persons to hold office under the Constitution and laws of the State, a power the people of the several States composing the Federal Union have rightfully exercised from the origin of the Government to the present time."  
It is, therefore, ordered, that all officers and other persons in the United States military service, within the State of South Carolina, aid and assist Governor Perry in carrying into effect the foregoing instructions, and they are enjoined to abstain from, in any way, hindering, impeding or discouraging the loyal people of the State from the organization of a State Government, as hereinabove authorized and directed.  
All orders and instructions now in operation throughout this Department, whether emanating from these Headquarters or from Headquarters Department of the South, that are not inconsistent with the foregoing distinctly specified provisions of this order, will continue in force as heretofore, throughout the State of South Carolina.  
Every needful facility for taking the Amnesty Oath will be afforded by the military authorities, on forms heretofore supplied for that purpose.  
Hereafter Provost Marshals and Assistant Provost Marshals will constitute the only military officers entitled to administer the Amnesty Oath, a certified copy of which will, in all cases, be furnished to the individual taking it. The original oaths will be transmitted, semi-monthly, by the officer administering the same, to the Provost Marshal-General at these Headquarters, by whom they will be recorded in a book kept for that purpose, and then forwarded to the Secretary of State.  
Persons applying for Executive clemency will send their petition (with a certified copy of the Amnesty Oath attached) to the President, through the Provisional Governor, at Greenville, South Carolina. By command of Maj. Gen. Q. A. GILLMORE.  
W. L. M. BURGER, Ass't Adj't Gen.  
Official: T. D. HODGES, Capt. 35th U. S. C. T., A. A. A. G. Aug 9 4

**Important Legal Decision.**  
A case of importance, as showing the holdings of the Federal Courts touching the responsibility of Confederate officers before the civil tribunals for military acts done in obedience to the orders of their superior officers, was recently decided in the First District Court of New Orleans:

In accordance with the writ of *habeas corpus* issued from this Court on Saturday, Mr. John Burke produced in Court the body of Robert Lynne, and showed cause why he had arrested him, namely: affidavits representing him as guilty of several high crimes. Two gentlemen testified that Mr. Lynne had been an officer under the Confederate Government, and that he had power to shoot summarily jayhawkers. It was contended that Roy, one of the persons shot, had not been a jayhawker. The oath of allegiance, and also the amnesty oath taken by Capt. Robert Lynne, were filed. The affidavit of Capt. Robert Lynne deposes that in the early part of the year 1863, being then in the Parish of Avoyelles, he received from General Richard Taylor, department commander, through his immediate military superior, orders to collect in camp all conscripts in said Parish; and that in case of armed resistance, that all men so found with arms in their hands should be executed summarily. These orders were captured with his baggage at Staunton, Va., and he himself was taken prisoner and kept in confinement, and it is impossible for him now to produce said orders from his superiors, in consequence of the capture of the records of the Confederate Government.

The Attorney-General, Mr. Lynch, made an able speech to show that Mr. Roy, who, it seems, was shot by order of Capt. Lynne, during the prevalence of Confederate rule in the Parish of Avoyelles, was not a jayhawker, therefore the case of Capt. Lynne does not come within the protection extended by the laws of war to recognized belligerents; that a Confederate grand jury had preferred charges against Capt. Lynne. On the conclusion of the Attorney-General's speech, the counsel for Capt. Lynne submitted the case to the Judge without further argument. The Judge thereupon proceeded to deliver his opinion. The Court stated, in substance, that it had been proved Capt. Lynne had acted under orders of his superior officers, and that the Confederate Government was a Government *de facto* at that time in that Parish; that to make persons amenable in the civil courts after the war was over for acts committed during a state of war, would open so wide an arena for endless strife that the consequences would be awful, and tend rather to create endless dissensions than that state of harmony that should now be cultivated; that acting under any other principles, all the soldiers of Gen. Lee's army might be indicted individually; that in the exchange of prisoners and other things, the United States had recognized the Confederates as entitled to the rights of belligerents. He, therefore, ordered the release of Capt. Lynne instanter from all the charges preferred against him, without, however, impeaching the motives of the Attorney-General, Mr. Lynch, or those of the Chief of Police, Mr. Burke, as he believed they acted from zeal in the discharge of their duty.

At Virginia Dale station, Jim Ennis, an old hunter, was met by an Indian professing to be a "friendly Rappahoc," and held in conversation till six other savages appeared and shot a poisoned arrow through his liver. I saw him die in four hours—frothing at the mouth—a most excruciating death. Now, there has been no known provocation for these atrocities. The Indians say, "If the white man would keep away the buffalo would come again." But the whites won't keep away. The pacification policy will not answer. The common rules of war will not answer. I would not go for extermination; but nothing short of a very severe punishment by an irresistible army of white troops will teach them to behave themselves. If squaws, abandoning their children in their wigwags, stand in the pits to fight us, the idea of discrimination is absurd. One hundred of Col. Chivington's troops had seen their own wives and children massacred and their ranches burnt. These make the soldiers to deal with the treacherous redskins.

**EMIGRATION TO THE UNITED STATES.**  
The Committee on Statistics of Emigration in Hamburg has published a report showing that from 1855 to 1864 there left from the port of Hamburg 214,889 emigrants, from that of Bremen 270,256, and from that of Liverpool 1,037,479. From this number arrived in New York 1,232,991, and in Quebec 187,903. The emigration of Bohemians to the United States was never so large as during the present season; and the number of emigrants during this year has so rapidly increased that weekly extra trains have to be run to bring them in proper time on board the sailing vessels and steamers on which they have engaged their passage.

The King of Greece has ordered a monument to be erected to Byron, at Missolonghi. It is to be inscribed with the date of his death, 19th April, 1824, and to be erected near the spot where he died.

**40, 40, 40.**  
PRIME FRESH BUTTER.  
LEAF LARD. For 40 cents per pound, at the  
**Cheap Store.**  
**ZEALY, SCOTT & BRUNS,**  
Assembly Street.  
**30.**  
PAMS, SHOULDERS AND BACON.  
1,000 LBS. BACON, at the above figure, at the  
Aug 9 3 CHEAT STORE.

**NEW GOODS,**  
OPENING AT  
**SHELTON, CALVO & WALSH'S,**  
BULL STREET.

JUST received from New York, Philadelphia and Baltimore, a large assortment of Gentlemen's, Ladies', Misses' and Children's SHOES, in great variety.  
In addition to former stock, we are opening a fine assortment of GOODS, consisting in part of:  
Ladies' HATS, the latest fashion.  
Hoop Skirts. Ladies' Hosiery.  
Men's Hose. Ladies' Waist Belts.  
Pins, Powder Puffs and Powder.  
Combs, Brushes. Toilet Soap.  
Lemons, Copperas, Water Buckets.  
Blacking. Bologna Sausages.  
Window Glass. Suspensers.  
Candles, Matches. Black Pepper, Soaps.  
Sweet Oil, Coffee. Sugars, Whisk Brooms.  
Green Tea, (fine.) \$1.75 per lb., HERRINGS.  
Starch, Mackerel. Sugars, White and brown Claret, Champagne, Bourbon Whiskey.  
Sugar of Lemon, for making Lemonade.  
Cheese, Brooms, Water and Fancy Crackers.  
Rim Knob Locks, Pad Locks, &c.

**Notice.—Charitable Appeal.**  
THE ladies of the URSULINE CONVENT and ACADEMY are anxious to rebuild, as speedily as possible, an edifice suitable for their Monastery and Institute, theirs having been burned in the general conflagration of Columbia by the United States Army, under Gen. Sherman, on the night of February 17th. And while they are far from pressing their necessities on their fellow-sufferers of the South, will gratefully receive any contributions which the friends of education and religion may donate them for this excellent work. Remittances may be made through the Express Company. Please address  
THE MOTHER SUPERIOR,  
Ursuline Convent and Academy,  
Care Dr. John Lynch, Columbia, S. C.  
Aug 2 1mo

**A. L. SOLOMON,**  
General Commission Merchant,  
Second Door from Shiner House, Plain street,  
COLUMBIA, S. C.,  
DEALER in foreign and domestic merchandise. The highest market price paid for COTTON and COUNTRY PRODUCE in gold or currency. Consignments solicited, which will receive my usual prompt attention. Refer to  
G. B. Crump & Co., Augusta, Ga.,  
LaRoche & Bell, Savannah, Ga.,  
Gibson & Co., Charleston, S. C.,  
Koopman & Phelps, Charlotte, N. C.,  
Fuller & Wilkerson, Leesburg, N. C.,  
R. P. Richardson, Readville, N. C.,  
James K. Lea, Yanceyville, N. C.,  
Chambers & Patrick, Danville, Va.,  
Brownly & Co., Petersburg, Va.,  
Kent, Paine & Co., Richmond, Va.  
Aug 4 fs27

**MUSIC.**  
A small assortment of CHOICE MUSIC, by the old masters—Beethoven and others—for sale at  
MCKENZIE'S,  
Aug 5 Corner Plain and Gates streets.

**A GREAT WANT SUPPLIED!**  
**NEWS FROM ALL QUARTERS!**  
**THE PHOENIX**  
PUBLISHED  
Daily, Tri-Weekly and Weekly,  
At the Capital of South Carolina,  
**COLUMBIA.**  
1865. 1865.

**THE DAILY PHOENIX.**  
ISSUED every morning except Sunday, is filled with the LATEST NEWS, (by telegraph, mails, etc.) EDITORIAL, CORRESPONDENCE, MISCELLANY, POETRY, STORES, etc. This is the only daily paper in the State outside of the city of Charleston.

**The Tri-Weekly Phoenix,**  
For country circulation, is published every Tuesday, Thursday and Saturday, and has all the reading matter of interest contained in the daily issues of the week.

**WEEKLY CLEANER,**  
A HOME COMPANION.  
As its name indicates, is intended as a FAMILY JOURNAL, and is published every Wednesday. It will contain Eight Pages, of Forty Columns. The cream of the News, Miscellany, Tales, etc., of the Daily and Tri-weekly will be found in its columns.  
**TERMS—INVARIABLY IN ADVANCE.**  
Daily, one year, \$10 00  
" three months, 3 00  
Tri-Weekly, one year, 7 00  
" three months, 2 00  
Weekly, one year, 4 00  
" three months, 1 25  
Advertisements inserted in the Daily or Tri-Weekly at \$1 a square for the first insertion, and 75 cents for each subsequent insertion. Weekly advertisements \$1 a square every insertion.

**JOB WORK,**  
Such as HAND-BILLS, CARDS, CIRCULARS, SHIN-PLASTERS, etc., executed promptly and at reasonable rates.  
JULIAN A. SELBY,  
Publisher and Proprietor.  
July 31

**Headquarters Military District of Charleston.**  
DEPARTMENT SOUTH CAROLINA.  
ASSISTANT ADJUTANT-GEN.'S OFFICE,  
CHARLESTON, S. C., July 27, 1865.  
**NOTICE.**  
PERSONS desiring to publish Newspapers within the limits of this District, are hereby informed that it will first be necessary to obtain the consent of the Major-General Commanding the Department.  
By command of  
Brevet Brig. Gen. JOHN P. HATCH.  
LEONARD B. PERRY, Ass't Adj. Gen.  
Official:  
E. HUNTS JEWETT, 1st Lieut. and A. A. A. Gen.  
Aug 7 15