THE DAILY CONSERVATIVE.

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THE DAILY CONSERVATIVE.

Vol. 1.] RALEIGH, N. C., SATURDAY, JULY 2, 1864. [No. 61.

Correspondence Between Gov. Vance and the Authorities at Richmond.

The public printer, W. W. Holden, although ordered by the late General Assembly to publish certain correspondence between Gov. Vance and the Confederate authorities, has refused to do so, for the reason, it is believed, he is fearful its publication would redound to the benefit of Gov. Vance; because those letters furnish a complete answer to and refutation of the many false charges, slanders and calumnies, that have appeared in the columns of the *Standard* and *Progress* for the last six weeks. This correspondence is in the hands of Mr. Holden, and has been for upwards of a month, and although he publishes the *Standard* twice a week, reeking with the vilest slanders against Gov. Vance, he persists in refusing to discharge his duties as a public officer.

This most remarkable conduct, on the part of the public printer, has necessitated the course we now adopt, of obtaining copies of Gov. Vance's letters from his letter-book in the Executive office. We publish the first instalment of these letters to-day, and will give the remainder on Monday and Tuesday next.

We invite the attention of the people of North Carolina to this correspondence on the part of Gov. Vance. It will be seen that he has guarded well the honor and interests of his State and the people. No man, considering the trying circumstances that have surrounded him, could have done better.

GOV. VANCE PROTESTS AGAINST ILLEGAL IMPRESSMENTS.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Dec. 21st, 1863.

HON. JAMES A. SEDDON, *Secretary of War*—

DEAR SIR: I desire to call your attention to an evil which is inflicting great distress upon the people of this State and contributing largely to the public discontent. I allude to illegal seizures of property and other depredations of an outrageous character by detached bands of Troops chiefly Cavalry. The Department, I am sure can have no idea of the extent and character of this evil. It is enough, in many cases, to breed a rebellion in a loyal county against the Confederacy, and has actually been the cause of much alienation of feeling in many parts of North Carolina. It is not my purpose now to give instances and call for punishment of the offenders,—that I do to their commanding officers,—but to ask if some order or regulation cannot be made for the government of Troops on detached service, the severe and unflinching execution of which might not check this stealing, pilfering, burning, and sometime murderous conduct. I give you my word, that in North Carolina it has become a grievance, intolerable and damnable. If God Almighty had yet in store a plague worse than all others, which he intended to have let loose on the Egyptians in case Pharaoh still hardened his heart, I am sure it must have been a regiment or so of half-armed, half-disciplined Confederate Cavalry. Had they been turned loose among Pharaoh's subjects, with or without an impressment law, he would have become so sensible of the anger of God, that he never would have followed the children of Israel to the Red Sea! No sir, not an inch! Cannot officers be reduced to the ranks for permitting this? Cannot a few men be shot for perpetrating these outrages, as an example? Unless something can be done, I shall be compelled in some sections to call out my militia and levy actual war against them. I beg your early and earnest attention to this matter.

Very respectfully yours,
Z. B. VANCE.

GOV. VANCE TRANSMITS THE RESOLUTIONS OF THE GENERAL ASSEMBLY AGAINST ILLEGAL IMPRESSMENTS.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Dec. 29th 1863.

HON. JAS. A. SEDDON, *Secretary of War*—

DEAR SIR: I have the honor herewith to transmit to you, certain Resolutions of the General Assembly of this State, passed at the recent extra session, upon the subject of illegal impressments and the scarcity of provisions, to which I invite your early attention.

There is great reason to believe that the supply of provisions is very limited, and I earnestly request that the government will impress as small quantities as possible within our borders. Impressing Agents, in many instances, act in such manner as to create dissatisfaction among our people, and I sincerely hope that you will look at their conduct and issue such instructions as will protect citizens from illegal and unjust annoyance. These agents sometimes assume the right to judge of the quantity which the citizen needs for the use of his family and impress what they regard as surplus, thus leaving him without an adequate supply. This crying evil and injustice should be corrected without delay. Many military officers, also in violation of the law of Congress, assume the right of impressment. This evil cannot longer be tolerated, and I invite your aid in its suppression.

With sentiments of great respect,
Your obedient servant,
Z. B. VANCE.

ANOTHER PROTEST AGAINST IMPRESSMENTS.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, March 21st, 1864.

HON. J. A. SEDDON, *Secretary of War*—

DEAR SIR: A large lot of artillery horses from Longstreet's army, under the command of Lt. J. W. Born, are now in Burke county, N. C., impressing corn and eating out the country. Large sums of money have been appropriated by that county, and agents sent to South Carolina to buy corn to keep the poor from starvation. If these men and horses remain there, actual starvation to many of the women and children must ensue. Please remove them South or where corn is more abundant.

Yours most respectfully,
Z. B. VANCE.

GOV. VANCE THREATENS TO PUT DOWN ILLEGAL IMPRESSMENTS BY THE EXERTION OF FORCE.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, April 16th, 1864.

His Excellency, JEFFERSON DAVIS—

SIR: I enclose you a copy of a letter from an entirely reliable source in Wilkes county, N. C. It is a sample of many I am daily receiving, and about which I have lately complained to the Secretary of War, without effect. Is it strange that disaffection to the government should be engendered by such conduct?

I can only say, sir, that if no steps on the part of the Confederate authorities are taken to protect our citizens from illegal impressments of this kind, I shall be compelled to take such measures myself, as may be in my power for that purpose.

Very respectfully,
Your obedient servant,
Z. B. VANCE.

GOV. VANCE PROTESTS AGAINST THE APPOINTMENT OF A VIRGINIAN AS THE CHIEF COLLECTOR OF TITHES IN NORTH CAROLINA.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, July 6th, 1863.

His Excellency, PRESIDENT DAVIS:

DEAR SIR:—A great deal of harm has been done and much dissatisfaction excited by the appointment of citizens of other States to offices and positions here, that should of right be filled by our own people.

The late appointment, by the Quartermaster General, of a Col. Bradford of Norfolk, Va., to the Chief Collectorship of the tax in kind for this State, has given almost universal offence, and I may be excused for saying, very justly. No objection, that I am aware of, is made to him, except that he is a citizen of another State, but all feel that offices, so purely local as this, we have a right to demand, should be bestowed upon our people.

I feel it my duty, out of respect to my State and people, as well as to remove any cause, so far as may be, for dissatisfaction, to bring this matter to your attention, and ask that you make a different appointment.

Very respectfully,
Your obedient servant,
Z. B. VANCE.

It may be proper to add here that the President returned a very respectful answer to the Governor, and appointed a North Carolinian in the place of Bradford.

GOV. VANCE SUSTAINS THE JUDICIARY OF THE STATE.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT.
Raleigh, May 22d, 1863.

HON. JAMES A. SEDDON, *Sec'y. of War:*

SIR:—Col. P. Mallett, Commanding Conscripts for this State, has sent me a copy of a letter from your office in reference to a late decision of Chief Justice Pearson in the case of Irwin on Habeas Corpus, concluding as follows: "The opinion of Mr. Chief Justice Pearson is not regarded, by the Department, as a sound exposition of the act of Congress, and you will not regard it in your official action as such." I do not propose to review the argument by which this conclusion was arrived at. A mere statement of the case would seem sufficient reply. But I wish to inform you or rather to remind you, that although the War Department may not be bound by the decisions of the State Courts, yet the Executive of that State is. Being sworn to execute the laws, and the laws being expounded by the Courts, an attempt on the part of Confederate officers to seize citizens in defiance of their decisions, in the absence of a Supreme Court, to decide between the parties, might lead to unpleasant and unprofitable consequences. It is certainly no fault of this government that there exists no competent tribunal to decide these issues, and it is certainly not unreasonable for the State of North Carolina to object when a decision of its Chief Justice is ordered to be disregarded, by a Department of the Confederate Government invested with no judicial powers whatever.—Hoping and believing that you will not compel any resort to such unpleasant steps as might result from an adherance to such instructions as those received by Col. Mallett,

I am, sir,
Very respectfully,
Your obedient servant,
Z. B. VANCE.

ANOTHER LETTER SUSTAINING THE COURTS.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, June 8th, 1863.

HON. J. A. SEDDON.
Secretary of War, Richmond Virginia—

SIR: Your several communications in regard to recent decisions of Chief Justice Pearson in the cases of Irwin and Nickelson, under the operation of the act of conscription have been received and duly considered.

I do most sincerely regret that such a state of things should exist as a serious and important difference between the authorities of this State and those of the Confederacy on a matter touching so vitally the efficiency of the army and the public defence. I feel, however, that I have no option left me as to the course I must pursue. Without pretending to counteract the arguments which you furnished me, and with my high respect for the eminent source from which it is derived, I beg leave to say that according to my conception of duty, my powers as an Executive officer are absolutely bound by the judicial decisions of the State Courts, that it is not competent for me to review them, and in the absence of a Court having a Superior and appellate jurisdiction deciding to the contrary, that they are and must of necessity be, to me the supreme law of the land. There can be no doubt of this it seems to me let the argument go as it may.

Having thus stated the plain path of duty which I am bound to pursue, I desire nevertheless to assure you of the great concern, which I feel in the issue, and of my earnest wish to assist the War Department in maintaining the efficiency of our armies and of avoiding conflict with the local authorities. To this end, I shall endeavor to get an authoritative decision of the Supreme Court of this State, now in session in this city, in regard to the question of jurisdiction involved; and whilst declining to admit that the construction of an Executive bureau must take precedence of the decisions of the Supreme Judicial tribunal of a State, in a matter touching the liberty of a citizen, I yet would gladly receive any suggestions as to the means of avoiding such an alternative and of settling the difficulty temporarily or permanently.

I shall take an early opportunity of communicating with you again on this subject.

Very respectfully,
Your obedient servant,
Z. B. VANCE.

GOV. VANCE IS DETERMINED TO SUSTAIN THE JUDICIARY. BY REQUIRING OBEDIENCE TO OUR JUDGES, AT ALL HAZARD AND EVERY COST.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Feb. 29th, 1864.

HON. JAS. A. SEDDON, *Sec'y. of War:*

DEAR SIR:—I desire to call your attention most earnestly to the difficulties and complications arising from the conscription of principals of substitutes in this State. Chief Justice Pearson has decided recently that the law is unconstitutional, and further that the act of Congress suspending the privilege of the writ of Habeas Corpus does not apply to these men. He therefore continues to grant the writ, and the execution being resisted by the enrolling officers by orders from the conscript Bureau, the result will be a direct and unavoidable collision of State and Confederate authorities. I have taken the ground that the decision of a single Judge at Chambers does not possess the binding force and effect of an "adjudicated case," but it only operates to discharge the individual. It certainly does this much, and until it is overruled it is final and absolute, made so expressly by the Statutes of this State. It cannot be overruled except by the Supreme Court which does not meet until June next. In the meantime if a man is discharged, I am bound to protect him, and if the process of the Court is resisted, I am forced by my oath of office to summon the military power of the State to enforce it. There is no escape from this conclusion.—An agreement was proposed by Chief Justice Pearson at Salisbury and accepted by Gov. Bragg as counsel for the government subject to the approval or disapproval of the same, to remove one case to the Supreme Court by *certiorari* and to bind over all others applying for writs to appear and abide the decision there to be rendered.—This gave general satisfaction and had a quieting effect upon the whole State. Since it has been understood, however, that the Confederacy would not recognize the arrangement, the excitement is becoming very great and I fear much trouble will result. Knowing, as I trust you do, my great anxiety to avoid collision with the Confederate authorities and everything else that might tend to hinder its efficiency, yet it cannot be supposed that I am to omit a plain and obvious duty, prescribed by my official oath. I therefore earnestly request that you will order a suspension of the enrollment of the principals of substitutes in North Carolina, at least until time sufficient be allowed to exhaust all efforts at an amicable arrangement. I do not know a better one than that made at Salisbury, and which, though it would deprive the government of the services of these men until June, would yet give still greater advantages by preserving the peace and harmony between the respective governments, without which all our labors will be in vain. You will observe that I make no comment whatever upon the correctness of the chief Justice's opinion. As an Executive officer I consider I have no right to do so, neither with all respect, do I consider you to have any such discretion. And however unfortunote it may be to the efficient and equal working of the government, that the laws of Congress are at the mercy, so to speak, of the various judges of the various States, I submit that it is not possible to avoid it in the absence of a Supreme Court of the Confederacy to give harmony and uniformity of construction. We can only obey the judges we now have, and even this is infinitely preferable to the assumption of judicial powers by Executive officers, and making their will the law. Hoping an early response, I am, sir,

Very respectfully yours,
Z. B. VANCE.

GOV. VANCE THREATENS RESISTANCE.

The Governor having received no reply to the foregoing letter sent the following telegram to the Secretary of War:

RALEIGH, 7th March, 1864.

HON. J. A. SEDDON,
Richmond,

No reply to my letter of the 29th. The enrolling officers are arresting men who have been discharged by competent Judicial Authority. Will you for the sake of about eighty (80) men force me to resist? I warn you of the consequences. Please answer immediately.

Z. B. VANCE.

GOV. VANCE ASKS FOR A SUSPENSION OF THE CONSCRIPT LAW IN THE MOUNTAIN COUNTIES.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, April 11, 1864.

HON. J. A. SEDDON, *Secretary of War*—

SIR: I beg leave again to call your attention to the importance of suspending the execution of the conscript law in the Mountain counties of Western North Carolina. Those counties are filled with tories and deserters, burning, robbing, and murdering; they have been robbed and eaten out by Longstreet's command, and have lost their crops by being in the field, nearly all the time, trying to drive back the enemy. Now, that Longstreet's command is removed, their condition will be wretched, and hundreds will go to the enemy for protection and bread. Please consider their condition, and relieve them, if possible Yours, &c.,

Z. B. VANCE.

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May 7, 1864. 14—6m.

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do George Little, Wake. do
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The 5th, 12th, 20th and 23d are in Johnston's Brigade, Rodes' Division, Ewell's Corps.

The 6th, 21st, 54th and 57th and 1st Battalion Sharp Shooters are in Lewis' Brigade, Hoke's Division, Beauregard's Corps. The 43d Regiment is temporarily with this Brigade.

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The 8th, 31st, 51st and 61st are in Clingman's Brigade, Beauregard's Corps.

The 9th, 19th, 41st, 59th and 63d are in Barringer's Brigade, Hampton's Division, —— Corps.

The 11th, 26th, 44th, 47th and 52d are in Kirkland's Brigade, Heth's Division, Hill's Corps.

The 13th, 16th, 22d, 34th and 38th are in Scale's Brigade, Wilcox's Division, Hill's Corps.

The 15th, 27th, 46th and 48th are in Cooke's Brigade, Heth's Division, Hill's Corps.

The 17th, 42d, 50th and 66th are in Martin's Brigade, Hoke's Division, Beauregard's Corps.

The 24th, 25th, 35th, 49th and 56th are in Ransom's Brigade, —— Division, Beauregard's Corps.

The 29th is in Ecton's Brigade, French's Division.

The 3d, 43d, 45th, 53d and 2d Battalion are in Grimes' Brigade, Rodes' Division, Ewell's Corps.

The 36th and 40th are in Herbert's Brigade, Whiting's Division, Beauregard's Corps.

The 39th is in McNair's Brigade, French's Division.

The 55th is in Davis' Brigade, Heth's Division, Hill's Corps.

The 58th and 60th are in Reynold's Brigade, Stevenson's Division.

The 10th, 32d, 64th, 65th, 67th and 68th are not brigaded.

JUNIOR RESERVES:

1st Battalion Reserve Forces, Maj. C. W. Broadfoot.
2d " " " " J. H. Anderson.
3d " " " " — Hooks.
4th " " " " J. M. Reece.
5th " " " " W. F. Beasley.
6th " " " " W. McK. Clark.
7th " " " " W. Foster French.

GOVERNMENT OF THE CONFEDERATE STATES.

Jefferson Davis, of Mississippi, President, salary $25,000.

Alexander H Stephens, of Georgia, Vice President, salary $8,000.

Aids to the President—Col Wm Brown, of Ga., Col James Chesnut, of S. C., Col Wm P Johnston, of Ky., Col Joseph C Ives, of Miss., Col G W C Lee, of Va., Col John T Wood.

Private Secretary to President—Burton N Harrison, of Miss.

Department of State—John P Benjamin, of La., Secretary of State. L Q Washington, Chief Clerk. The office of Assistant Secretary is vacant.

Department of Justice—Attorney General, Geo Davis of North Carolina. Wade Keyes, of Ala., Assistant Attorney General. Rufus H Rhodes, of Miss., Commissioner of Patents. G E W Nelson, of Ga., Superintendent of Public Printing. R M Smith, of Virginia Public Printer.

Treasury Department—C G Memminger, of S C., Secretary of the Treasury. Robert Tyler, Register. E Elmore, Treasurer. J M Strother, of Va., Chief Clerk. Lewis Cruger, of S. C., Comptroller. B Baker, of Florida, 1st Auditor. W H S Taylor, of La., 2d Auditor.

War Department—James A Seddon, of Va., Secretary of War. Judge John A Campbell, of Ala., Assistant Secretary of War. R G H Kean, Chief Bureau of War. Gen S Cooper, Adjutant and Inspector General. Lieut Col John Withers, Lieut Col H I Clay, Major Ed A Palfrey, Major S Melton, and Captain Reilly, Assistant Adjutants and Inspectors Generals. Brig Gen A R Lawton, of Ga., Quartermaster General. Col L B Northop, of S. C., Commissary General C H Smith, M D, Assistant Surgeon.

Navy Department—S R Mallory, of Florida, Secretary of the Navy. E M Timball, Chief Clerk. Com John M Brooke, Chief of Ordnance. Com A B Fairfax, Inspector of Ordnance. Com J K Mitchell, in charge of Orders and Detail. Surgeon W A W Spottswood, Chief of Medicine and Surgery. Paymaster J DeBrice, Chief of Clothing and Provisions.

Postoffice Department—John H Reagan, of Texas, Post master General. Hon George Chu of Va., Chief of Contract Bureau. B N Clements, of Tenn., Chief of Appointment of Bureau. John L. Harrell, of Ala., Chief of Finance Bureau. B Fuller, of N. C., Clerk.