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HOLDING THE ELECTION FOR GOV. ERNOR, &c.

The following ordinances regulate the time and manner in which officers and soldiers vote, and how returns are to be made:

An ordinance to secure to certain officers and soldiers the right to vote.

SECTION 1. Be it ordained by this Convention and it is hereby ordained by authority of the same, That all officers and soldiers in the service of the State, or of the Confederate States, who are of the age of twenty-one years, and who are citizens of this State; or who, if within the State, shall be absent from their respective counties at elections hereafter to be held, if the exigencies of the times shall permit, shall be entitled to vote for Sheriffs, Clerks of the County and Superior Courts and members of the General Assembly for their respective candidates; and shall also be entitled to vote for Governor, Electors for President and Vice President of the Confederate States, and for members of the Confederate Congress, for their respective districts.

SEC. 2. Be it further enacted, That three freeholders of the respective companies, under the direction of the commanding officers of the regiment to which they belong shall open polls on Thursday before the day appointed for holding elections in this State, and said elections shall be conducted in all respects according to the laws of this State. The three freeholders, aforesaid shall prepare a fair copy of the votes polled, and shall transmit the same with the list of voters to the Sheriffs of their respective counties; and where officers and soldiers in the same companies shall vote in different counties or different Congressional districts, and the said freeholders shall specify accordingly, and make returns to the Sheriffs of the different counties above referred to.

SEC. 3. Be it further enacted, That the Sheriffs of the respective counties of this State shall count the votes of the said officers and soldiers, if received within seven days after the elections; and they shall not declare the result of the said election until the seven days above mentioned shall have expired.

SEC. 4. Be it further enacted, That this ordinance shall be in force from and after the day of its ratification: Provided, This ordinance shall be in force during the existence of the present war with the United States and no longer.
Ratified the 25th day of June, 1861.

An ordinance to amend an ordinance entitled "An ordinance to secure to certain officers and soldiers the right to vote."

1. Be it ordained by the Delegates of the people of North Carolina, in Convention assembled, and it is hereby ordained by the authority of the same, That the proper returning officers of every county in this State shall include in their returns the votes of officers and soldiers given in any election in which they are entitled to vote by law, if received within twenty days after they are cast, and the said returning officers shall not make up their returns until the expiration of twenty days as aforesaid.

2. Be it further ordained, That the proper returning officer of every county, shall within eight days after the period fixed for comparing the returns, transmit to the seat of the government and deliver to the proper officer a statement of votes given in his county for Governor, which statement shall be made in the manner and form now required by law.

3. Be it ordained, That the Governor be directed to make known, by proclamation, the provisions of the ordinance securing to officers and soldiers the right to vote.

Ratified the 8th day of May, 1861.
The foregoing ordinances contain the law which regulates the time at which officers and soldiers are to vote, the manner of appointing inspectors and also when and to whom the copy of votes polled and the list of voters shall be transmitted.

1. The officers and soldiers of this State who by law are entitled to vote, if absent from their respective counties on the day of election, may vote on the Thursday before the day appointed for holding elections in the State, which this year occurs on the 4th day of August.

2. Three freeholders of each company, under the direction of the commanding officers of the regiments to which they belong, shall open polls and conduct the election in all respects according to the laws of the State.

3. The free-holders aforesaid shall prepare a fair copy of the votes polled and list of the voters and transmit the same to the Sheriffs of the respective counties in which the voters reside, within twenty days after the votes are cast, and the returning officers of the different counties shall not make up their returns and declare the result of elections, until the expiration of twenty days as aforesaid, which occurs this year on the 17th day of August.

4. In the Governor's election the returning officers of every county shall within eight days after the period fixed for comparing the returns, that is to say on or before the 25th day of August, transmit to the seat of government and deliver to the proper officer, namely the Secretary of State, the votes given in his county for Governor which statement shall be in manner and form now required by law.

An act to extend the time for comparing the polls for certain counties and for other purposes.

SECTION 1. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That it shall be lawful for the Sheriffs of the counties in this State in the possession of or under the control of the enemy, to compare the polls of their respective counties for Governor, Members of the Legislature and Clerks of the County and Superior Courts, at any place in the State they may think proper, and they shall include in their returns the votes of officers and soldiers if received within twenty days after they are cast, and all other votes if received within thirteen days after they are cast, and they shall not make up their returns and declare the result of the elections until the expiration of the time herein specified; and the Clerks of the County Courts of said counties may receive the returns of the election for Sheriffs and compare the same in like manner.

SEC. 2. Be it further enacted, That if at any time it shall happen that the Sheriff or Coroner of such county cannot hold the elections by reason of his being within the enemy's lines, the elections may be held by some respectable freeholder appointed by any three Justices of the Peace of the county, and such freeholders shall in like cases compare the polls in the manner prescribed in the preceding section and shall have like powers, be under the same directions and restrictions and subject to the same penalties as are conferred or imposed upon Sheriffs; and in default of such appointment the returns may be made to the Secretary of State, who shall compare the same and declare the result of the election.

SEC. 3. Be it further enacted, That if the County Courts or Sheriffs of the counties mentioned in the first section of this Act shall not have appointed inspectors according to the existing law, it shall be lawful for any Justice of the Peace to make such appointment on the day of the election.

SEC. 4. Be it further enacted, That when it shall be impracticable for the Sheriffs or Clerks elected for such counties to give bond and qualify in the manner now prescribed by law, it shall be lawful for them to give the usual bonds and to qualify at County Court of the county wherein Courts are held nearest to their respective counties.

SEC. 5. Be it further enacted, That this act shall be in force from its ratification. Read three times and ratified in General Assembly this the 25th day of May, A. D., 1864.

R. S. DONNEL, S. H. C. GILES MEBANE, S. S.

CORRESPONDENCE

BETWEEN GOV. VANCE AND THE AUTHORITIES AT RICHMOND.

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.

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, JAMES VANCE, Governor of North Carolina.
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 dissatisfaction 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 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 a man so purely local as this, we have a right to demand, should be bestowed upon our people.

I feel it my duty, in respect to my State and people, as well as to remove any cause, so far as possible, 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. J. A. SEDDON, Secretary of War:
SIR:—Col. P. Malett, 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 adherence to such instructions as those received by Colonel Malett. I am, sir,
Very respectfully,
Your obedient servant,
Z. B. VANCE.

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 deprivations 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,—but 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 sometimes atrocious 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 offences 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 you 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. JAR. 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 impressments. 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 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 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 the 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,
Z. B. VANCE.

Gov. Vance is determined to enforce the law by compelling compliance with the provisions of all laws and every court.

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
Raleigh, Feb. 20th 1864.

HON. JAR. A. SEDDON, Secretary of War:
DEAR SIR: I desire to call your attention most earnestly to the fact that the completion of the conscript law in this State. Chief Justice Pearson has decided recently that the law is unconstitutional, and further that the writ of Habeas Corpus does not lie against the conscript Bureau. The result will be a direct and unavoidable collision of State and Confederate authorities. I have taken the ground that the law is constitutional and that the conscript Bureau is the binding force and effect of a "validly enacted law." It only operates to charge the individual. It certainly does not touch the State, and until it is declared to be final and absolute, made so expressly by the States of this State. I cannot be overruled except by the Supreme Court which does not meet until at least next fall. 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. Vance as counsel for the government subject to the approval or disapproval of the Court by certiorari and to be over all others applying for writs to appeal, 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 recognize the arrangement, the excitement is becoming very great and I fear much trouble will ensue. 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 any official oath. I therefore earnestly request that you will order a suspension of enforcement of the conscript law in North Carolina at least until the Supreme Court is allowed to render its decision in an amicable arrangement. I do not know of a better one than made at Salisbury, and which, though it would deprive the government of the services of these men in June, would yet give still greater advantage 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 unfortunate it may be, the efficient and equal working of the government, and 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 conscript 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.

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 rebuffed 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,
Z. B. VANCE.