

JOURNAL

OF THE

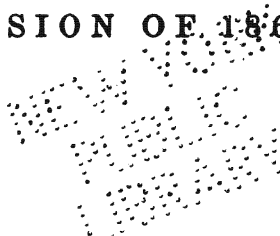
HOUSE OF REPRESENTATIVES

OF THE

STATE OF SOUTH CAROLINA,

BEING THE

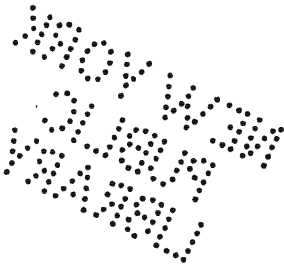
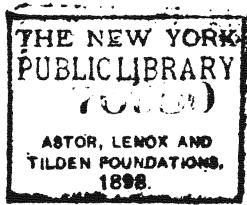
SPECIAL SESSION OF 1868.



COLUMBIA, S. C.:

JOHN W. DENNY, PRINTER TO THE STATE.

1868.



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF SOUTH CAROLINA.

SPECIAL SESSION, COMMENCING JULY 6, 1868.

MONDAY, JULY 6, 1868.

In pursuance of the following proclamation of His Excellency the Governor elect, and the provisions of the Act of Congress of the United States, of June 25, 1868, the House of Representatives of the State of South Carolina was convened in Janney's Hall, in the city of Columbia, this day at 12 M.:

By virtue of authority vested in me by an Act of the Congress of the United States, passed June 25, 1868, entitled "An Act to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress," the members elected to the Legislature of South Carolina, in pursuance of the provisions of an Act entitled "An Act for the more efficient government of the rebel States," passed March 2, 1867, and the Acts supplementary thereto, are hereby notified to convene in General Assembly, at the City of Columbia, at twelve (12) o'clock noon, on Monday, the sixth (6th) day of July, A. D. 1868.

Done at the City of Charleston, South Carolina, this the twenty-sixth day of June, A. D. 1868.

(Signed)

R. K. SCOTT,
Governor elect of South Carolina.

Mr. Jenks, member elect from Charleston, was, on motion of Mr. SMALLS, of Beaufort, called to the chair.

Mr. JENKS, on assuming the chair, spoke as follows :

Gentlemen of the House of Representatives :

You have conferred upon me an unexpected honor. You have elected me to preside temporarily over your deliberations—a position both honorable and conspicuous, but attended with so much of responsibility, that one of more mature years and greater experience might shrink from it from far higher considerations than mere modesty. Under the peculiar excitement attending the organization and progressive steps of any legislative body, there is always sufficient to attract and rivet public attention. But we have assembled under circumstances more than peculiar. The old legislation of the State is to be, in a great measure, supplanted by the new. Old and experienced legislators have also given place to new and untried men. Therefore we must expect that our bearing and acts will be viewed and criticised with more than the usual severity. Especially will this be the case with those who regard the authority by which this General Assembly is now convened as of doubtful constitutionality. How we are to be able to stand this trying ordeal is yet an experiment. It is a problem, the solving of which is to decide, in a great measure, the weal or woe of a large proportion of the citizens of our State. Let us endeavor, then, each one of us, to discharge our duties, not with an eye directed to the critic, whether moderate or austere, but directly to the public welfare of the Commonwealth.

The interests of the State are as vital as ever to every inhabitant, but the channels through which these interests must be conducted have become essentially changed. Some of the old and most available ones have become completely obstructed; others need widening and deepening in order to meet the vast exigencies of the new state of things.

A great and important responsibility has been committed to our trust. Our action may not meet the views of even a large and intelligent minority of our State. But if we shall succeed in meeting the wants of the people, these views will, by degrees, become modified. A degree of harmony will at length be introduced that will gratify, more than it will astonish, those who seem determined to entertain no hope and to cherish no lively aspirations for the future.

Let me counsel you to be wise, thoughtful and generous in your legislation; but let not your action be modified by fear, favor or affection. Let impartial justice be the *courtesy* which you shall extend to each other in this body, and let it also be the law which you shall enact for the government of the entire people. Craving your charity and kind indulgence for any errors that may occur in the discharge of this, to me, new duty, I accept with pride the position you have assigned me.

On motion of Mr. DELARGE, Messrs. T. K. Saspertas and C. J. Stolbrand were appointed Secretaries *pro tem*.

The House was called to order, and, on motion of Mr. MOSES, the proceedings of the House were opened with prayer by Rev. E. J. Adams.

On motion of Mr. MOSES, it was

Resolved, That the President of the Constitutional Convention be requested to administer the oath of office to the temporary Chairman.

On motion of Mr. DELARGE, a Committee of three, consisting of Messrs. DeLarge, Whipper and Neagle, was appointed to inform that officer of the resolution.

Mr. WM. MCKINLAY moved that a Committee of five be appointed on credentials.

Mr. MOSES moved, as an amendment, that the General Orders No. 79 and 124, of Brevet Major General E. R. S. Canby, Commanding Second Military District, be taken as a guide of membership

The amendment was accepted, and the motion, as amended, agreed to.

Hon. A. G. Mackey, President of the late Constitutional Convention, was introduced by the Chairman, and announced that in accordance with the provisions of the 30th Section of Article II of the Constitution of South Carolina, authorizing him to fill the blank in the oaths to be administered to all officers of the General Assembly, said blank would be filled with the dates of the ratification of said Constitution, namely: the 14th, 15th and 16th days of April, 1868.

The oath of office was then administered to the temporary Chairman, who, in accordance with Section 2 of an ordinance to provide for the organization of the General Assembly at its first session, was declared duly authorized to proceed to administer the oath to the other members elect.

On motion of Mr. MOSES, it was

Resolved, That the oath be administered to the members elect in the order of their counties.

On motion of Mr. WM. MCKINLAY, it was

Resolved, That the members be interrogated as to whether they are disqualified by the third Section of the proposed amendment to the Constitution of the United States, known as Article XIV.

The Secretary then proceeded to call the roll of members elect, as mentioned in General Orders No. 79 and 124, whereupon the following members appeared, were duly sworn, and took their seats :

Abbeville County—Hutson J. Lomax, George Dusenberry, T. B. Milford and James Martin.

Barnwell County—R. B. Elliott, Charles D. Hayne, Benjamin F. Berry, James N. Hayne and Julius Mayer.

Beaufort County—William J. Whipper, Carlos J. Stolbrand, Philip E. Ezekiel, Robert Smalls, George A. Bennett, Charles S. Kuh, William C. Morrison.

Charleston County—Robert C. DeLarge, Alonzo J. Ransier, Reuben Tomlinson, William H. W. Gray, Benjamin A. Rosemon, George Lee, Benjamin F. Jackson, Joseph H. Jenks, William McKinlay, F. J. Moses, Jr., William J. Brodie, John B. Dennis, John B. Wright, William Jervey, Abraham Smith, Samuel Johnson, Stephen Brown and Edward Mickey.

Chester County—Barney Humphries, Sancho Saunders and Barney Burton.

Chesterfield County—H. L. Shrewsbury and D. J. J. Johnson.

Clarendon County—Powell Smythe and William Nelson.

Colleton County—W. M. Thomas, Henry James, Thomas Richardson, George F. McIntyre and William Driffler.

Darlington County—John Boston, Alfred Rush, G. Holliman and Jordan Lang.

Edgefield County—T. Root, David Harris, Samuel J. Lee, John Wooley, Prince R. Rivers, John Gardner and Lawrence Cain.

Fairfield County—Lewis W. Duvall, Henry Johnson and Henry Jacobs.

Georgetown County—Henry W. Webb, Franklin F. Miller and William H. Jones.

Greenville County—John B. Hyde.

Horry County—Zadec Bullock.

Kershaw County—Jonas W. Nash and John A. Chestnut.

Laurens County—Griffin Johnson, Wade Perrin, Joseph Crews and Harry McDaniels.

Lexington County—G. A. Lewie and H. W. Purvis.

Marlboro County—T. P. Stubbs and John G. Grant.

Newberry County—Joseph Boston, James Henderson and James Hutson.

Oconee County—O. M. Doyle and W. C. Keith.

Orangeburg County—W. J. McKinlay, Thaddeus K. Sasportas, Francis DeMars, James P. Mays and E. J. Cain.

Pickens County—William T. Field.

Richland County—C. M. Wilder, Samuel B. Thompson, William Simons and Aesop Goodson.

Sumter County—John H. Feriter, William E. Johnston, James Smiley and Burrell S. James.

Union County—Samuel Nuckles, Junius S. Mobley and Simon Farr.

Williamsburg County—Charles H. Pettengill, Robert F. Scott and Jeffrey Prendegrass.

York County—J. L. Neagle, P. J. O'Connell and J. H. White.

Lancaster County—W. G. Stewart.

Marion County—Evans Hayes, B. A. Thompson and W. S. Collins.

Mr. W. J. MIXSON, member elect from Barnwell County, in answer to the interrogation, stated that he would be disqualified.

On motion of Mr. DELARGE, those who were unable to qualify were directed to await the further organization of the House.

Upon the presentation of Messrs. John B. Moore and John Wilson, of Anderson County, Mr. MOSES entered a protest against the legality of their election, and they were directed to wait until the further organization of the House.

On motion of Mr. WM. MCKINLAY, the House then proceeded to the election of Speaker.

Mr. WM. MCKINLAY, nominated Mr. F. J. Moses, Jr.

Mr. KUH nominated Mr. Joseph H. Jenks.

Mr. WHIPPER nominated Mr. R. B. Elliott.

Pending these nominations, the House, on motion, took a recess until 5 o'clock P. M.

RECESS.

The House re-assembled at 5 P. M., Mr. JENKS in the chair.

The roll was called, and a quorum announced.

Proceedings were opened with prayer by Rev. J. M. Brown.

The motion for the election of a Speaker was renewed.

Mr. WILDER nominated Mr. A. J. Ransier.

A Committee from the Senate was announced, and informed the House that that body was organized and ready to proceed to business.

The motion to elect a Speaker was again renewed by Mr. DELARGE, with an amendment that the candidate receiving a majority of the votes cast be declared elected.

The motion, as amended, was agreed to.

On motion, the Rules of the House were suspended in order to allow the Chair to appoint a temporary Sergeant-at-Arms and Doorkeeper to preserve order.

The House then proceeded to the election of Speaker, with the following result :

Mr. F. J. Moses, Jr., received.....	63
Mr. R. B. Elliott.....	32
Mr. J. H. Jenks.....	3
Mr. A. J. Ransier.....	2

Whole number of votes cast	100
Necessary to a choice.	51

Mr. F. J. Moses, Jr., was, therefore, declared elected.

On motion of Mr. DELARGE, the Chair appointed a Committee of three to conduct the Speaker to the chair.

Messrs. DeLarge, Elliott and Ransier were appointed as the Committee.

The SPEAKER, on assuming the chair, spoke as follows :

Gentlemen of the House of Representatives :

I am not unmindful of the confidence you have exhibited in conferring upon me this unmerited compliment. Your choice is no doubt attributable to that kindness and friendship which you have always so generously bestowed upon me, rather than to any peculiar fitness on my part for the discharge of the delicate and responsible duties of the chair. Whatever may have been the motives inducing your selection, I cannot fail to appreciate the distinguished honor you have done me, or to exert my most strenuous and earnest endeavors to aid you in providing for the welfare and prosperity of the State. To my youth in years and inexperience in parliamentary proceedings, I will endeavor to add an honest intention to subserve and promote the interests of the whole people, and to create, in the stead of that aristocratic, landed oligarchy which formerly controlled the destinies of South Carolina, a Government which will provide for, respect and maintain the rights of all men before the law, and which will inspire for itself affection and veneration in the hearts of all who live under and are protected by its ægis.

In that spirit of candor which should always mark the conduct of those who occupy public stations, and who are held responsible for a faithful performance of the various duties incumbent upon them, not the least among which may be estimated frankness and sincerity, both in speech and action, I hesitate not to express my deep regret that under the extraordinary circumstances which at present surround us, when the most sagacious wisdom and the ripest learning are so urgently needed to insure such legislation as will stand the test of time and scrutiny, there is in this body so little legislative experience

The changes which have been wrought by the war in the organization of our body politic, have found us, in many respects, unprepared and unprovided therefor. The minds and temper of our people had not been edu-

cated up to such a point in the progressive spirit of the age as to accept, willingly, a condition of affairs which corresponded neither with their tastes or opinions. Therefore it is that with the majority of those who, like myself, were identified, either in spirit or action, with the Southern Confederacy, a decent and manly submission to that which no efforts of our own could possibly avert, has been looked upon as equivalent to a sacrifice of principle, and has deterred from taking part with us in the restoration of civil government many whose natural powers of comprehension, if uninfluenced by passion, should have been adequate to teach them the real perils involved in our condition, and the measures which were needed for escape therefrom. Since those whose especial duty it was to resurrect from her recumbent posture our fallen and unfortunate State have failed in the performance of as honorable a task as that involved in the act of secession; and since to us has been assigned the execution of that delicate trust, let us lose no time in useless repinings, or in childish lamentations over the changed fortunes of the Commonwealth; but let us address ourselves to the work before us as men who are alive to the necessities of the hour, and are determined, in our abandonment of all considerations, save those which concern the safety of the State, "to pluck the flower, safety, from the nettle, danger."

However numerous and startling may have been the practical errors into which our State has been hurried in the past, induced, as they were, in great part, by the false representation, of pretended political friends at the North, on the one hand, and on the other by an honest and earnest, though confessedly mistaken sense of devotion to the rights of our own section, by our public men and statesmen at the South, nevertheless there were enlisted in that disastrous conflict, which was the result of these errors, the greatest minds and purest characters of South Carolina, who taught the people the political doctrines in which they believed, and in accordance with which they acted. The result of that conflict has impoverished our State in the early and untimely loss of many of her bravest, her wisest, and her best, whose talents and intellects might have served in the future to have redeemed and freed us from the ruin and destitution with which we are imperiled. The seats to which we have been elevated by the judgment and voice of the people have been filled in the past by men of great minds and of vast experience in all those matters which appertain to government and legislation. Pure and spotless in their private character, and guided in public policy, I believe, by motives which knew no guile, they illustrated and adorned, in years which are past, the history and record of South Carolina. While we, as citizens who love our State, must deplore that condition of public affairs which renders it necessary to deprive us for the present of the invaluable services of such experienced men, and while, in order to avoid

the perpetuation of those dangerous dogmas of political faith, which have stranded us upon the shoals and quicksands of disaster and defeat, we must strive to fill our hearts and minds with devotion to and love for the Union; we must ever remember to imitate, in all that pertains to personal worth and dignity, and integrity of character, the bright and shining example of those who have preceded us in the business of legislation.

The circumstances under which this body has been convened are fraught with serious and solemn import. We meet to "form a civil government," in accordance with the provisions of the Constitution adopted by the late Convention, and ratified by the people of the State—a Constitution that by its conservatism, its beneficence and its consistency, has even extorted an unwilling approval and commendation from many who opposed its ratification as the organic law. Laying aside the prejudices, naturally engendered in some cases by our former system of government and the result of the war, what fault can, in reason and common sense, be found with this Constitution? In the present advanced stage of civilization, it embodies the true elements by which the body politic can be reorganized and sustained. It is formed with a due and proper regard as well to the rights of the few as of the many. It protects every man in the lawful "enjoyment of life, liberty and the pursuit of happiness." It destroys all distinctions between persons as to legal and political rights. It recognizes the State as a fundamental part of the American Union, from which it can never separate itself, save by revolution, and it is founded on those everlasting and immutable principles of truth and justice whose seat is in the bosom of our God.

I trust that all of us recognize and appreciate the solemnity and importance of the work before us. When the tide of political affairs had run so smoothly that not a ripple could be found upon the surface of the quiet waters—when the Legislature met annually merely to respond to the known wants and necessities of the State, and to provide remedies for what had been found to require amendment and reform—and when the routine of work found precedent in what had gone before, the task of legislation was an easy one. Such is not the case with us, however. We meet under a new dispensation. We have no lights to guide us—no charts to sail by. Our Ship of State has been launched upon a sea with whose soundings we are not familiar, and caution, care and discretion must, of necessity, be employed, in order to avoid the hidden dangers which may lie in our course. Cool minds and steady hands must take the helm and manage the vessel.

The fundamental principles embodied in the Constitution are to be enforced by proper and appropriate acts. There is not a department of the Government for which that instrument does not provide reforms, and it will require study and application so to frame our laws as to meet its requisitions.

MONDAY, JULY 6, 1868.

While endeavoring, as we should be, to do our duty to the utmost extent of our ability, let us bury all past political enmities, and with an eye single to the welfare and security of the State, and its due and proper relations to the General Government, let us be animated with the necessary zeal and diligence in the performance of the duties which lie before us.

While we adhere to those political principles under the guidance of which only, in our belief, the Union can be re-established and preserved, as a beacon light for all other nations, let us treat with respect the opinions of those who differ with us, and never allow passion or prejudice to usurp the place of reason and judgment. Here we must recognize no distinction of party. In this hall all considerations should be made secondary to our appreciation of those duties which we owe to the people who have sent us here as their agents and representatives.

Invoking upon our deliberations the watchful care and oversight of a kind and beneficent Providence, and relying upon our honesty and sincerity of purpose to carry us safely through the labors before us, I assume, with a deep sense of my own inexperience, the duties of the chair.

On motion of Mr. DENNIS, a Committee of three was appointed to inform the Senate that the House was organized and ready to proceed to business.

Messrs. Dennis, Lomax and Simons were appointed as the Committee.

On motion of Mr. NEAGLE, a Committee of one from each county was appointed to report what subordinate officers are necessary for the business of the House, and to recommend suitable persons for the same.

Messrs. Neagle, Bullock, Cooke, Collins, Chestnut, Crews, Dusenberry, Duvall, Elliott, Henderson, Harris, Johnston, Kuh, Lomax, S. J. Lee, Lan Wm. McKinlay, W. J. McKinlay, McIntyre, Nelson, Nuckles, Purvis, Pentecost, Stewart, Stubbs, Shrewsbury, S. B. Thompson and Webb were appointed said Committee.

On motion of Mr. DELARGE, it was

Resolved, That the Rules governing the House of Representatives of Congress be adopted for the government of this House.

Mr. TOMLINSON introduced the following resolution :

Resolved, That His Excellency Provisional Governor J. L. Orr be requested to forward to this House any information he may possess relative to the condition of the State.

Mr. DELARGE moved as an amendment that the word "late," be inserted before "Provisional," and that he be invited to a seat on the floor of this House.

TUESDAY, JULY 7, 1868.

The amendment was accepted, and the resolution agreed to.

The CHAIR appointed Messrs. Ransier, Tomlinson and Jackson as a Committee to wait on the late Provisional Governor, and inform him of the resolution.

On motion of Mr. KUII, a vote of thanks was tendered to Mr. Jenks for the able, faithful and impartial manner in which he presided as temporary Chairman.

On motion of Mr. DELARGE, the House adjourned until 10 A. M. tomorrow.

TUESDAY, JULY 7, 1868.

Pursuant to adjournment, the House met at 10 o'clock A. M.

The SPEAKER took the chair.

Prayer by Rev. B. F. JACKSON.

The roll was called, and a quorum announced.

On motion, the reading of the Journal of the previous day was dispensed with.

Mr. NEAGLE presented the petition of Messrs. Enoch Cannon, Elithias Rampley, Coy Wingo and E. M. Mulligan, protesting against the admission of R. M. Smith, Javan Bryant, C. C. Turner and Samuel Littlejohn, members from Spartanburg, the consideration of which was postponed.

Mr. TOMLINSON offered the following resolution, which was adopted :

Resolved, That a Committee of three be appointed to wait upon His Excellency (Governor elect) R. K. Scott, and inform him that the House is ready to receive any communication that he may desire to make.

Messrs. Tomlinson, Thomas and D. J. J. Johnson were appointed as the Committee.

The Chairman of the Committee (Mr. Neagle) appointed to nominate subordinate officers for the House reported progress, and requested that they be allowed to sit during the session of the House, and until they had completed their work.

The request was granted.

The following Committee was appointed on Privileges and Elections :

Messrs. Ransier, Jones, Martin, Cooke, Elliott, Bullock and Chestnut.

On motion of Mr. DELARGE, it was

Resolved, That State officers, members of Congress elect, and other distinguished personages, be invited to seats on the floor of the House.

The Committee appointed to wait upon the late Governor, James L. Orr, reported that he had prepared and would furnish information touching the condition of the State whenever the House was ready to receive it.

The report was, on motion, received as information, and the Committee discharged.

The SPEAKER laid before the House a communication from Mr. Julian A. Selby, proposing to do the public printing until a permanent printer should be chosen.

On motion, the consideration of the communication was indefinitely postponed.

On motion, the House then took a recess until 1 o'clock P. M.

RECESS.

The SPEAKER resumed the chair.

The following Message of the late Provisional Governor, James L. Orr, was received and read to the House by his Private Secretary, Mr. F. G. DeFontaine :

Gentlemen of the Senate and House of Representatives:

While no legal official relation exists between the present Executive and the General Assembly, I avail myself of the opportunity to communicate to your respective bodies the information and statistics which have come to my knowledge during my administration, pertaining to the material and educational interests of South Carolina. The reports herewith transmitted to you from the various executive officers, and others connected with the public institutions, embrace a period between the adjournment of the last session of the General Assembly, in 1866, and the present time. They constitute a part of the archives of the country, and without them there would be a void in the history of the various departments to which they refer, during the time indicated.

The reports of most of the officers of the State, and of those connected with public institutions, have been brought up to the 1st day of May, under the impression that my administration would cease about the middle of that month.

Without further preliminary observations, I proceed to call your attention to the several subjects matter of public interest, and to such other facts as may facilitate the discharge of your duties as Legislators.

THE PUBLIC DEBT.

By reference to the report of the Comptroller-General, addressed to this Department on the 25th of November, 1867, a copy of which is herewith transmitted, it will be seen that the entire public debt of the State, on the

1st day of October last, together with the interest which had accrued up to the same date, amounted to \$8,378,255.64. Deducting from this sum all the bonds and stocks issued between 1860 and 1865 for military purposes, and the interest on the same, amounting to \$2,854,679.08, the debt due by the State on the 1st of October last was \$5,523,576.56. Of this sum \$5,407,215.23 is the principal, and \$116,361.33 is interest. While this debt is small, as compared with that of many other States, yet, in the present impoverished condition of the people of South Carolina, the annual payment of \$231,414.59, which is the interest upon the debt at 6 per cent., in addition to the maintenance of the State Government, would be excessively oppressive. (*Vide Report.*)

The contingent liability of the State from endorsements of railroad bonds is as follows:

South Carolina Railroad bonds, payable in 1888, secured by first mortgage.....	\$2,093,812 40
Charleston and Savannah Railroad bonds, payable in March, 1877, secured by first mortgage.....	505,000 00
Northeastern Railroad bonds, payable March 1, 1869, secured by first mortgage.....	92,000 00
Laurens Railroad bonds, payable in 1879, secured by first mortgage.....	75,000 00
Spartanburg and Union Railroad bonds, payable in 1878 and 1879, secured by first mortgage.....	850,000 00
Greenville and Columbia Railroad bonds, payable in 1881, 1882, 1883 and 1886.....	945,471 21

Of the endorsements upon the Greenville and Columbia Railroad bonds, \$700,000 is under authority of the Act of 1861; and \$203,848.89 is under the authority of the Act of 1866, passed for the purpose of enabling the company to pay the interest past due and to fall due prior to the 1st of January, 1868, upon coupons and upon the mortgage and guaranteed bonds. This guarantee is upon certificates of indebtedness. The sum of \$41,622.38 is upon the outstanding debt of the company, upon which there is no lien, the guarantee having been made where the holders of demands upon the company surrendered three dollars of demand for one dollar of bonds.

The ordinance of the Convention, adopted on the 15th of March, 1868, declares "That all acts or pretended acts of legislation, purporting to have been passed by the General Assembly of the State, since the 20th day of December, A. D. 1860, pledging the faith and credit of the State for the benefit of any corporate body or private individual, are hereby suspended and declared inoperative until the General Assembly shall assemble and ratify the same."

It is unnecessary to enter into any discussion at the present time concern-

ing the legal force and effect of the ordinances passed by the Convention, various opinions being entertained as to the question of their legal validity. But, in any point of view, to remove all apprehension upon the subject of the bonds of the Greenville and Columbia Railroad Company, now held by citizens of the State, and guaranteed by the State, I recommend that the Act of 1861, authorizing the issue of \$900,000 of bonds, and the Act of 1866, providing for the guarantee of certificates of indebtedness, and also of bonds one for three to satisfy other indebtedness of the company upon which no lien existed, be validated by the action of your body. Persons holding bonds under the Act of 1861 hold them in lieu of the original mortgage bonds due them by the company, which mortgage bonds were surrendered to the company—the guarantee bonds of the State being taken in payment of the same, upon the faith of the Act of 1861. It would operate as a gross fraud upon these bondholders now to declare their bonds void. Common honesty would require, if the Act is not validated, that all persons holding guaranteed bonds should be allowed the privilege of surrendering the same, and of receiving in lieu thereof the original mortgage bonds or their duplicates. These remarks apply with equal force to the bonds of the Columbia and Augusta Railroad Company, and bonds of the South Carolina Railroad Company, and are entitled to your early consideration.

It is believed that bonds thus endorsed to the amount of nearly \$3,000,000 will be promptly liquidated by the companies as they fall due, and that the guarantee of the State will be discharged to that extent. As to the remainder, there is more doubt; but in no contingency is it probable that in consequence of the failure of the companies to meet their bonds, the State will have to provide for more than \$700,000.

The report of the Comptroller-General further shows that the cash balance on hand, on the 1st day of October, 1866, amounted to..... \$211,190 83
That the receipts from all sources from the 1st day of October, 1866, to the 1st of October, 1867, was..... 454,802 23

Making a total of.....\$665,993 06
This includes of Bills Receivable \$222,000, which had been signed, clipped, and carried to cash, pursuant to the provisions of the Act of 1865, authorizing their issue. The expenditures during the same period were..... 474,453 37

Leaving on the 1st of October, 1867, a cash balance in the Treasury of\$191,039 69
The report of the Treasurer, made to this department and herewith trans

mitted, shows the operations of the Treasury from the 1st day of October, 1867, to the 1st day of May, 1868. (*Vide* Report)

From this statement it will be perceived that on the 1st of October, the balance of cash on hand was.....\$191,039 69
 The total receipts of the Treasury from all sources since that time has been..... 303,387 73

Which, added to the cash on hand, made the available means of the Treasury.....\$494,427 42
 The total expenditure during the same period has been..... 398,881 16

Leaving, on the 1st day of May, a cash balance in the Treasury of.....\$95,546 26

This amount will be very materially reduced during the month of May by the presentation of claims against the Treasury for payment before the expiration of the term of the present administration.

It will be observed, from the report of the Treasurer, that the Convention levied a tax which it was supposed would realize the sum of \$75,000. Sufficient returns have not been received from the various Tax Collectors of the State to enable him to say whether the calculation will prove correct. The actual sums drawn from the Treasury, by order of Major-General Canby, to defray the expenses of the Convention, amount to \$110,000, which is an expenditure of \$35,000 more than was provided for by the tax bill of the Convention, assuming that said bill raised the estimated amount.

By the Act of December, 1865, authority was given to the Treasurer and Comptroller General to issue \$500,000 of Bills Receivable. These officers found that it was not necessary to print more than were embraced in the first contract with the engravers, to-wit: \$300,000. Of this sum only \$222,000 have been signed and carried to cash in the Treasury. On the 1st day of May, 1868, there was outstanding and in circulation of these Bills Receivable only \$135,687.

TAXES AND TAXATION.

No duty is ever devolved upon the legislator involving such delicate and ramified interests as that which looks to the creation of a just and equitable system of taxation. It is an accepted truth in political economy, that in levying taxes upon the people, it should be done in a manner which will enable them to pay the same with the greatest facility, and without unnecessary oppression. The sudden change in the system of labor which has prevailed in South Carolina for so many years; the destruction of more than one-half of the estimated wealth of the State by the abolition of slavery; the devastation of cities, towns, villages, farms and homesteads, by the

ravages of war, and by invading and retreating armies; the disastrous drought which existed throughout the State in 1866, cutting off almost entirely the cotton, and greatly reducing the provision crop, thereby rendering it necessary to purchase large supplies from abroad for the subsistence of the population; the great reduction, in many sections of the State, of the cotton crop of 1867, by the spoliation of the caterpillar and boll worm; and the pressure of debts contracted anterior to the war, when the basis of wealth and credit was so essentially different from that which exists at the present time, admonish us that the people of South Carolina are unable to bear a burden of taxation which, prior to the accumulation of these misfortunes, would have been deemed moderate and inconsiderable. Whether, therefore, you look to the contentment of the population, or the material prosperity of the State, it is the dictate of wisdom that you should exercise the most rigid economy and reduce expenses by curtailing salaries and dispensing with all appropriations not absolutely necessary to the administration of the State Government.

The taxation of the present and preceding year has been a subject matter of great complaint. The large number of tracts of land, as well as other property, levied upon by Sheriffs in the various Districts, for the non-payment of taxes, unmistakably evinces the extreme difficulty encountered by citizens in raising money to meet this demand of the State. Whenever taxation becomes thus oppressive upon a population, its influence cannot but prove disastrous, because it tends first to demoralization, to dishonesty, to the making of false returns; and secondly, it is calculated to drive from the State a valuable portion of the community, to seek other localities where the remuneration of labor and capital is not paralyzed by such heavy burdens.

The expenses of the Convention, and of the present session of your Legislature—whose labors cannot, in justice to the various changes proposed in the new Constitution, be terminated short of four months—will, of themselves, add to the expenses of the State not less than \$250,000. The judiciary system, which you are required, under the Constitution, to put into operation, will prove much more expensive than that which now exists, and add to these burdens.

To illustrate: the expenses of grand jurors for the city of Charleston, and for the country, assuming that they are occupied but three days at each term, will be \$13,824; for petit jurors for the Court of Sessions, three terms for city and country, assuming an average of five days per term, \$51,840; for petit jurors for Courts of Common Pleas, city and country, two terms, five days per term, \$34,560; making a total expenditure for jurors alone, under the new Constitution, of \$99,224.

The whole expense for jurors and constables for the year ending 1st Oc-

tober, 1867, (and this includes them for the District Courts,) amounted to only \$42,292.88; showing a necessary increase of expense for this service alone of \$56,931.12.

This evil may be obviated to some extent by modifying the law so as to provide for panels not exceeding eighteen in number for grand jurors, and twenty-four petit jurors, with authority to supply the deficiency at the term of the Court, should there be any, by drawing *tales* jurors.

The expense of dieting prisoners will not be less than \$50,000; for continuing the construction of the Penitentiary, and for guarding and subsisting convicts, not less than \$75,000; for salaries, according to estimates, \$80,000; for contingent accounts, \$60,000; for public printing, \$10,000; for contingent fund of the Executive Department, \$20,000; for the Lunatic Asylum, \$20,000; for the University, \$12,000; for claims against the State, \$10,000; for other expenses, ordinary and extraordinary, \$40,000; making a sum total of \$476,224; to which add for expenses of the Legislature, \$150,000; for deficit the present year under General Canby's tax order, ending October 1, 1868, \$100,000; and \$331,414.59—being the interest on the State debt due 1st October, 1868—and the amount to be raised by taxation will reach the enormous sum of \$1,057,638.59, without one dollar being appropriated for free schools.

To redeem the Bills Receivable, which may be outstanding on the 1st day of October next, to pay the interest upon the State debt which may be due at that time, and to furnish sufficient funds to carry on the operations of the State Government until the taxes may be collected in the spring of 1869, I recommend that \$1,000,000 be borrowed by the State upon bonds, provided the bonds can be disposed of at no greater discount than twenty per cent.

It is now believed by the the financial officers of the State, in which opinion I concur, that the tax order of General Canby, together with the tax levied by the Convention, will not realize to the Treasury more than \$375,000. There is one striking and even alarming fact with reference to the pecuniary and financial condition of the State, to which it is here proper to advert. Notwithstanding the order of General Canby provided for a more particular and accurate assessment of real estate the present year, than has been made heretofore, a revision of the assessments shows a very considerable decline in the value of all real estate and town property. Lands in the country are worth from fifty to one hundred per cent. less than they were on the 1st of September, 1865. Nearly as great a depreciation exists in the villages, towns and cities of the State, especially where the lots are not yielding rents. The above estimate, which it will be necessary for you to provide for, embraces only the ordinary expenses of the State Government, and does not include the amount necessary for free or public schools. If the taxes of the present year proved oppressive to all branches of industry in the State, and

yielded but \$375,000, the expenditures of the next year should, if possible, be curtailed by the reduction of salaries and otherwise, so as not to exceed that sum, exclusive of the interest on the public debt.

By the new Constitution, the poll tax is required to be appropriated exclusively to educational purposes; and, under the circumstances, it would be unwise, in my judgment, to appropriate any other sum.

The taxing power is always a delicate one to manage, and is invariably regarded by the tax payer with jealousy. In the recent political changes that have occurred, the fact cannot be denied that the General Assembly are the representatives of a very inconsiderable proportion of the property holders and tax payers of the State. The colored population, who constitute the large majority of voters, have little property; and yet, all the expensive machinery of courts, juries, jails and the Penitentiary, is as much to give protection to their persons and property as to the tax payer himself; and it would seem to be only right and proper that some portion of this burden of taxation should be borne by this most numerous class of society. If the General Assembly, regardless of these views, should levy the entire tax of the State upon property, it would necessarily lead to much dissatisfaction and discontent among the class thus taxed—very many of whom are not only prohibited from filling any official position in the State, but are actually excluded from the privilege of the elective franchise.

THE BANK OF THE STATE OF SOUTH CAROLINA.

In estimating the contingent liabilities of the State, the notes issued by the Bank of the State of South Carolina, amounting, according to the report of the President to the Legislature, dated 1st of October, 1866, to \$3,867,549.61, were not embraced, for the reason that, in my judgment, there is no legal liability devolved upon the State to make good any portion of this issue. This report shows that the issues of the Bank of notes under one dollar, up to and since 1861, amounts alone to the enormous sum of \$790,000. It is not stated what sum in bills above the denomination of one dollar were issued after December, 1860; but it is believed that a very large amount was advanced to the Confederate Government. (*Vide Report.*)

The new Constitution, in one of its clauses, expressly prohibits the payment of any debt "contracted in behalf of the late rebellion." In the present instance, it is impossible to distinguish what bills were issued prior to and since the beginning of the war. If, however, no objection of this sort existed, there would be, in my opinion, no liability on the part of the State to redeem any portion of these bills. It is true, that the capital was originally furnished by the State, but the Bank was an incorporated institution, liable to sue and be sued, and the bill-holders can enforce the same remedies against it and make its assets liable as against any other bank.

The obligation of the State to receive bank bills in the payment of taxes, is qualified by the provision that the banks must be specie-paying institutions, and no such obligation exists unless the notes are redeemed in specie.

✓ A bill has already been filed in the Court of Chancery for Charleston District, by Dabney, Morgan & Co., bill-holders, against the President and Directors of the Bank of the State of South Carolina. The Attorney-General called my attention to the fact, and desired to know whether it was my purpose to have an answer filed in behalf of the State. Entertaining the opinions already expressed, that there is no liability on the part of the State, I instructed the Attorney-General that it was my determination to take no notice whatever of the proceedings. If the General Assembly should arrive at a different conclusion, they can adopt such a course as will insure the representation of the State by counsel upon the trial of the cause.

THE GREENVILLE AND COLUMBIA RAILROAD COMPANY.

✓ This company issued its bonds in 1852, 1853 and 1854, to the amount of \$800,000, and secured payment of the same by first mortgage upon the road. In 1861, when the debt was about falling due, the General Assembly authorized the Comptroller-General to endorse the guaranty of the State upon the bonds of the Company to the amount of \$900,000, thereby pledging the faith and funds of the State for the payment of the principal and interest of said bonds (\$800,000) to redeem and cancel the mortgage bonds, and the remaining \$100,000 to liquidate the then floating debt of the company. In conformity to this Act the first mortgage bonds were all redeemed except \$326,000.

The Act provided that these original mortgage bonds, when taken up and deposited with the President of the Bank of the State, should stand as security to the State, and give the State a lien under the first mortgage until all the bonds now secured by mortgage should be retired. These mortgage bonds were deposited from time to time, as they were exchanged, with the Bank of the State of South Carolina. The Act further provides, that when the whole of the mortgage bonds shall have been redeemed by the guaranteed bonds, the whole estate, property and funds of the company within the State, which they shall then have, or afterwards acquire, shall stand pledged and mortgaged to the State, without any further act or deed on the part of the company, for the faithful and punctual payment of these guaranteed bonds, in preference to any other debt which the company may owe.

The parties holding the outstanding \$326,000 of original mortgage bonds have neglected or refused to surrender them and take in their stead the guaranteed bonds aforesaid. Some of these bondholders, representing about \$80,000, a year ago filed a bill in the Courts to foreclose the mortgage

and force the road to a sale. This was resisted by the company, and by counsel representing the State. Subsequently a bill was filed by those holding the guaranteed bonds, very properly maintaining that when surrendered by them the bonds were simply retired, and not redeemed or paid until the conditions of the Act were fulfilled; and claiming that they should be permitted to come in and share equally with the original bondholders in the proceeds of the sale; and, farther, that the reservation by the State of the original lien, for the benefit of the State, should be declared to inure to the benefit, which would seem to be honest and proper.

Subsequently another bill was filed by a class of creditors who represented the second guaranty upon the road. With the view of having all parties in interest properly before the Court, the Attorney-General was instructed to file an information in the nature of "a cross bill and bill for injunction and relief," in which bill all suits and creditors were enjoined from proceeding further against the company, and required to come in as parties defendant to the bill filed by the Attorney-General. It is insisted in this bill that the State, or the parties holding the guaranteed bonds of the State, shall be permitted to share equally in the proceeds resulting from the sale of the road and its entire estate, if it should be sold; and there is little reason to doubt that such will be the decision, since it is so manifestly just. Another decision would operate as a fraud upon the State and the guaranteed bondholders.

These cases have not been brought to a final hearing, and it is not known whether the Court, at the instance of a very small portion of the bondholders, representing less than one-tenth of the general interest of that class will permit them summarily to foreclose the mortgage and bring the road to sale; but I have felt it to be my duty to lay the subject before you, and invite to it your special attention, in consequence of the large interest which the State owns in this corporation.

Its interest as a stockholder.....	\$483,960 00
Under the Act of 1861, in guaranteed bonds, (only \$709,000 of the \$900,000 authorized have been actually endorsed,).....	700,000 00
Under the Act of 1866, endorsing certificates of indebtedness to pay interest and coupons.....	203,848 80
Under the fourth Section of the Act of 1867, where demands have been surrendered three for one.....	41,622 30

Which makes an aggregate of.....\$1,379,481 20

If an arrangement could be made by which the remaining \$326,000 of original mortgage bonds could be redeemed and cancelled, there would be no pressure of creditors which would interfere with the operations of the road.

for years to come. There could be no greater misfortune to the public, or ~~no proceeding more ruinous to the State~~, than that the road should be brought to sale at a time when the financial embarrassments surrounding individuals and corporations are so wide-spread. If a decree should be made for its sale, it is not improbable that this large interest of the State would be entirely lost, and that the people, by future taxation, will have to make good the whole amount of the guarantees upon the bonded debt, to-wit: \$945,029.87.

I therefore recommend that provision be made for the satisfaction of the original mortgage bonds upon some basis fair and just alike to the State, the company and the creditors; or, if that cannot be done, that such action may be taken as will to some extent, at least, secure the large interest of the State in this corporation, in the event of its being ordered to be sold. I have felt it to be my especial duty to postpone and defeat the foreclosure of the mortgage, at least until the subject could be brought to the attention of the General Assembly, and ample time be given your body to make such provision to guard the State against ruinous loss, as in your discretion may be judicious.

THE BLUE RIDGE RAILROAD.

I commend, with great earnestness, to your favorable consideration the ~~completion~~ of the Blue Ridge Railroad. This national highway, intended to connect the great West with the sea, was commenced in South Carolina long before the inception of any of the enterprises in the North and East looking to the same end, and more than thirty years ago enlisted the active energies of the brightest intellects of the State. The financial crash of 1837, however, suspended this great work after it had reached the city of Columbia; but, in 1852 or 1853, it was again revived, a new line of survey was adopted, and the work was carried on with redoubled activity. The war alone prevented its completion.

The interest of the State, financially and commercially, in this undertaking cannot be over-estimated. The stock which it now owns in the company amounts to \$1,310,000, and unless the work shall be accomplished, this large sum of money will necessarily become a total loss to the State, in addition to losses which will result from the depreciation of stock in other roads whose prosperity is absolutely dependent upon the success of this undertaking. In round numbers, the whole amount heretofore expended upon the road is \$3,250,000. The road has been completed, and is in running order, from Anderson to Walhalla, a distance of thirty-four miles. Near the latter place it penetrates a spur of the Blue Ridge Mountains by a tunnel a little more than one mile in length, and upon this tunnel two-thirds of the work has already been completed. Much of the grading and masonry in the re-

maining territory of South Carolina, Georgia and North Carolina, has also been finished. It is estimated by skillful and competent engineers, that the entire sum requisite to complete the road, put it in running order to Knoxville, and stock it with motive and car power, will not exceed \$3,500,000. From Knoxville to Marysville, there is already nearly completed a section of twenty miles of the road, and it is understood that the Legislature of Tennessee has appropriated a sufficient sum per mile to purchase the iron and erect the bridges necessary to complete its construction to the North Carolina line.

The advantages of this route over the Virginia, Maryland, Pennsylvania, New York and Eastern roads, are most manifest. The trains will not be interfered with to the same extent during the winter season by the heavy freezes which prevail at the North, and this road may therefore be worked more regularly and economically throughout the year. In addition to these advantages, a very material saving will be effected in the transportation of all supplies seeking a market upon the seaboard from the West, and upon all goods, passengers and emigrants going from the seaboard to the West. Cincinnati and Louisville are brought one hundred miles nearer the coast by this route than by any other now in operation or which has been projected.

The advantage which this road will possess over every other terminating upon the Gulf of Mexico is manifest. All the supplies carried by these roads to the Gulf ports for foreign markets must necessarily round the capes of Florida, where the navigation is difficult and dangerous, to say nothing of the larger consumption of time in reaching the markets of the world, and the increased cost of transportation upon steam and sailing vessels, by the increased rates of insurance required.

Every consideration, therefore, which can move a people in the promotion of a great enterprise, should operate upon the citizens of South Carolina and induce the speedy completion of the Blue Ridge Railroad. When finished, it becomes the great feeder of every other railroad in the State. It will not only furnish freights for transportation, but in a great degree add to the trade and prosperity of every village, town and city in the Commonwealth.

The present bonded debt of the company, for which a mortgage has been executed, amounts to about \$230,000. But as the road terminates upon the edge of the mountains, stops short of any connecting lines, and is dependent alone upon the production of a small tract of country between Anderson and Walhalla, it has not yielded a sufficient revenue to pay even the interest upon the first mortgage bonds. The bondholders have not yet instituted any proceedings to foreclose the mortgage, and it will be a most unwise financial policy for the State to allow it to be done and the road to be sold out for so paltry a sum, when its sale would transfer all that has been

done, together with the estate and franchises of the company, to strangers, and thereby lose to the State and her citizens—to the individual stockholders and to the city of Charleston—the enormous sum of \$3,225,000. It is, therefore, indispensably necessary that some steps should be taken to redeem this outstanding debt of \$230,000—the first mortgage bonds—which constitute the only existing lien upon the company. The Legislature authorized the company to issue bonds under their first mortgage to the amount of one million of dollars; but the company, exercising a prudent precaution, suspended the work about the commencement of the war, when they had issued, as already stated, only \$230,000. It is highly important that these bonds should be promptly renewed, by substituting bonds guaranteed by the State for the principal and interest, and that steps be taken to resume the work at the earliest practicable day, looking to its completion.

THE SOUTH CAROLINA PENITENTIARY.

I transmit you herewith the report of Major T. B. Lee, Engineer, Architect and Superintendent of the Penitentiary, covering the operations and progress of the work up to the first of January, 1868. Also, a supplemental report of the operations of the Penitentiary from the 1st of January to the 1st of May, 1868. Also, the report of the Commission appointed by Major-General Canby to investigate certain charges of harshness and cruelty towards convicts made against the Superintendent, embracing the minutes of the Commission, the evidence taken, the opinion of the Board, and accompanying documents. (*Vide Reports.*)

From the report of Major Lee, it will be observed that although, by the Act of September, 1866, authority was given the Governor to appoint three Commissioners, to select a site for the Penitentiary, and an appropriation of \$20,000 was made for the erection of temporary cells, there was little or no progress made with the work until January, 1867. Since that time, the work has been pushed forward with remarkable energy and economy, and the construction, as far as it has been extended, will show a larger amount of labor performed than was ever before done in South Carolina for the same amount of public money.

Upon examining the original report, it will be seen that the value of the work and material on hand up to the 1st of January, 1868, was \$72,171.79, the cost of which to the State, including the expense of subsisting and clothing the convicts, paying officers and guards, and subsisting the guards, was only \$72,139.87. The supplemental report shows that the value of work done and material on hand from the 1st of January to the 30th of April, 1868, was \$26,219.47, from which amount is to be deducted the sum of \$4,450, being the worth of material on hand on the 1st of January; and the aggregate of expenditure for the same time was \$23,004.76, showing a balance of expenditure in excess of receipts of only \$1,285.20.

This result shows that the convict has not only sustained himself by his labor, but has placed the State in possession of a building and material nearly equal in value to the entire expenditure required both for the construction of the Penitentiary and the maintenance of the convicts.

The Superintendent's report also exhibits the gratifying fact that the cost of supporting a convict, including clothing, diet, guard and medical attention, since the 1st day of January last, has been only thirty-four cents each per day; and that the average cost, including the above items, from the date the first convict was received, is but forty-one cents per day.

The rapid progress which has been made in teaching various mechanical employments necessary to the construction of the building, in all of its parts, as well as for the shoeing and clothing of the convicts, has enabled the Superintendent to dispense with all hired labor, with the exception of foremen of some two or three of the most important departments, such as quarrying and laying stone in the wall.

The entire report will show that this most important State institution has been satisfactorily administered in all of its affairs, and promises, if the same good management is continued, to yield from the labor of convicts, when completed, a handsome annual revenue to the Treasury of the State. The ability and fidelity of the officer in charge of the work furnish every guaranty that it will be energetically pressed and speedily completed, and with an economy to which the people of South Carolina have heretofore been strangers in the erection of public works. The great advantage of establishing a Penitentiary is illustrated by the fact that the 280 convicts sent there, thus far, have not only earned their subsistence, but by their labor have also materially contributed to the erection of the prison. These prisoners, but for the Penitentiary, would have been lodged in jail, at an expense of at least forty cents per day cash, with no return whatever to the State for this heavy expenditure.

The accompanying paper, marked "E," shows that the convicts in prison on the first day of January, 1868, were: Whites, 29; colored, 168; total, 187. Received between that date and the 30th of April: Whites, 10; colored, 82; escaped prisoner recaptured, 1; total, 93. Making a grand total of 280. Of this number, 19 have been discharged by the expiration of their sentences; 21 have been pardoned by the Governor; 4 have died, and 4 escaped. Remaining in prison on the 30th of April, 1868, 232.

By order of General Canby, the sum of \$6,500, monthly, was appropriated, subject to the draft of the Governor, for the support of the Penitentiary and for carrying on the work.

This sum has been regularly drawn, and would have been entirely sufficient for all purposes, but for the fact that the drafts were paid in Bills Receivable, and the discount at which they have been sold has not only entailed a

considerable loss, but has embarrassed the operations of the institution, in materially reducing the monthly allowance much below \$6,500. The appropriation hereafter should at least cover \$1,000 per month in currency; and if the number of convicts is much increased, it may be necessary to enlarge the appropriation to \$7,500 per month.

Full plans and specifications of the building have been submitted by the Engineer and Architect, and are on file in the office of this department. When completed, the institution will accommodate, with one person in each cell, 530 convicts; with two in a cell, 1,060 convicts; which would not be an inconvenient number, as the cells are larger than those in most of the Penitentiaries of the North and West.

The water power furnished by the canal has already proved valuable in transporting granite from the quarry, one mile and a quarter distant, to the foot of Penitentiary Hill; and also in supplying motive power for driving cars up the inclined plane, whereby stone, sand, and other building material, are delivered in the yard at the spot at which it is required. A machine shop has just been completed on the bank of the canal, the machinery of which will be driven by water power. When the outer walls are completed, this building may be indefinitely extended, and every species of mechanical and manufacturing industry operated therein, at little or no expense to the State.

The Act of the Legislature authorizing the establishment of the Penitentiary has invested the Executive with almost unlimited discretionary powers, with reference to the general management of the institution. He is authorized to appoint such officers and guards as in his judgment the service may require, to allow them such compensation, and to make such rules and regulations for the government of the prison as may be necessary. You will find among the papers transmitted the rules and regulations which I have adopted. These rules look to the kind treatment of the convict, but at the same time exact from him hard labor. If he has been obedient, faithful, and has deserved the commendation of the Superintendent, one-twelfth of his term of imprisonment is deducted, and he is set free. In other words, a convict sentenced to twelve months' imprisonment, is discharged at the end of eleven months, provided his conduct during that period has not been a subject of complaint.

This large discretionary power with which the Governor is invested I recommend should be continued. If, with the little experience which the people of this State have had with reference to institutions of this sort, it is attempted by legislation to provide for the management, government and discipline of the Penitentiary in all of its details, the statutes passed for such a purpose will be found to be incomplete, insufficient, and requiring constant amendment. On the other hand, the discretion confided to the

Governor will attach to him a greater personal and official responsibility, in the general supervision of the institution, than would be the case if the Legislative Department itself assumed entire control.

To secure efficient and reliable guards for the Penitentiary, however, it is desirable that a law should be passed authorizing their enlistment for not less than one year, on such conditions as the Legislature may prescribe. It will give the officers of the institution a more efficient control over them than is now practicable, and avoid the frequent changes occurring under the present system. Proper penalties should be affixed for neglect of duty, desertion, and for all escapes of prisoners, "voluntary or negligent"

Some law should likewise be enacted affixing a rigorous penalty upon all convicts who escape from the Penitentiary or from the guards. The rule prescribed upon the subject by me provides that, upon the recapture of an escaped convict, he shall be required to remain in custody, at hard labor, for an additional time equal to the original sentence. That or some less penalty may very wisely be incorporated in the law. There may exist some doubt how far this rule established alone by the Executive may be enforced by the Courts. All doubt, however, will be removed by the legislation herein suggested. Whatever penalty is imposed should be prescribed by the law, and the Superintendent, with the approval of the Governor, authorized to enforce it, without requiring the convict to be tried and convicted before a criminal Court.

I have felt it to be due to the character and reputation of Major Lee, Engineer, Architect and Superintendent, to transmit to you the record of the Commission appointed by General Canby to investigate his official conduct. The investigation was open to the public and was searching. The report of the Commission is a most satisfactory and conclusive vindication of the course pursued by Major Lee, and exhibits him before the State as an officer eminently qualified for the discharge of the varied and responsible duties devolved upon him in his three-fold position.

The large number of convicts in the Penitentiary, and still greater number of prisoners in the jails, show the amount of crime existing in the State to be much greater than formerly. The majority of cases are for larceny, upon every species of property, and a rigid enforcement of the criminal law of the land, and the administration of speedy and exemplary punishment upon offenders, are the only means by which this growing evil can be arrested.

THE LUNATIC ASYLUM.

The report of the Regents of the Lunatic Asylum, covering the reports of Dr. J. W. Parker, the Superintendent and Physician, and of John Waties, Esq., the Treasurer, is herewith communicated for your information. (*Vide Report.*)

The report of Dr. Parker shows that at the commencement of the year the number of patients was 142; 85 were received during the year; making a total of 227. Of this number, 41 have died, or have been discharged, leaving now in the institution 187 patients—126 of these are paupers, and 61 are paying their own expenses. Of males, there are 88; of females, 99.

The affairs of the institution have been administered with great ability, medically, financially and industrially. The long experience of the Superintendent in treating diseases of the mind, qualifies him pre-eminently for the discharge of the important and delicate duties of that position; and his success in all the departments of the institution will compare favorably with that which has characterized the management of any similar institution in the United States. I invoke for it your favorable consideration, and recommend the usual appropriations for its maintenance.

It will be observed that Dr. Parker suggests that hereafter convicts in the Penitentiary and prisoners in jail who may manifest symptoms of insanity shall not be transferred from those places to the Asylum, as is now provided by law, urging as a reason that the patients in the Asylum object to the practice, and that it introduces a bad class of men, who frequently succeed by imposture in deceiving the authorities appointed by law to determine the question of their insanity. One prisoner, under sentence of death, was sent to the Asylum, after a careful and minute investigation of his case by a board, consisting of two eminent surgeons of the city of Charleston and a magistrate. These gentlemen reported that he was unquestionably insane; had been so for a considerable time, and that it would be unsafe to allow him to go at large. He was, therefore, ordered to the Asylum. Subsequently, he effected his escape, and the Superintendent is impressed with the conviction that his insanity was feigned. A convict in the Penitentiary was also examined by a similar board, and for the same reason sent to the Asylum. In a few weeks he, too, made his escape. It is possible that the cunning of these parties enabled them to deceive the legal examiners appointed to decide upon the mental condition of those who are alleged to be *non compos mentis*; but in both cases every precaution was taken to guard against imposition. Whether, therefore, persons feign insanity or not for the purpose of escaping from the hands of justice, it does not affect the suggestion made by the Superintendent, that criminal lunatics should not be sent to the Asylum, and I cannot concur in the views presented by that officer.

The insane hospitals of the country have been provided by the public to insure proper treatment and attention for every person in the community who may be afflicted with that most deplorable of maladies—insanity. Superintendents, physicians, nurses and attendants, the regimen, exercise and employments of the patients, are all intended to contribute to the relief of

the sufferer. It is a matter of little consequence whether the patient be of high or low degree; whether he comes from an exalted, humble, or even disgraced circle; the same general treatment and experience is necessary for all. In the Penitentiary no facilities exist, nor can they exist, within that institution, and much less in the jails, for the proper treatment of prisoners bereft of reason. It is true, that in each there are cells of sufficient strength and means to prevent the lunatic from doing violence to himself or to others; but when subjected to such harsh treatment, without the attendant influences to be found in a well regulated asylum, looking to the benefit of the patient, the malady is rather increased than diminished. Humanity, therefore, dictates, in a voice which cannot be disregarded, that these persons, however degraded they may be, should be transferred to the insane hospital, for proper treatment, even though it may be at the hazard of imposition, or of making their escape. It is better that one feigning insanity should escape the punishment he deserves, than that those who are really insane should be kept within the walls of a prison until all hope is lost of ever restoring a ray of reason, and for no other motive than that other lunatics may object to their presence under the same roof with themselves.

THE UNIVERSITY OF SOUTH CAROLINA.

By Act of December, 1865, the South Carolina College was converted into a University, and schools established for teaching physical and moral science. In 1866, the law and medical schools were created, and the institution, since October, 1867, has been in complete and successful operation. (*Vide Report.*)

The report of the Chairman of the Faculty, herewith transmitted, shows that the whole number of matriculates in the University, since October, is 115. The extended course of study which has been introduced as a part of the university system, and the incorporation of the medical and law schools therewith promise to largely increase the number of students and the benefits of the institution. The annual expenses under the university plan have been greatly reduced, the appropriation for professors now being but \$10,000, while under the college system the appropriations yearly amounted to more than \$20,000. The partial self-supporting character of the University subserves the double purpose of reducing the expenditure, and of stimulating more activity and energy among the professors in the performance of their duties, each one being interested in increasing the numbers in his respective classes. Another feature which commends the present over the former system is, that one student from each county of the State, to be designated by the delegation therefrom, is entitled to attend the lectures free of charge for tuition, use of library and room rent. This, to a great extent, is compensation to the State for the appropriation made from the Treasury for the support of the institution.

I commend the University to your patronage, under the firm belief that it may be built up as a high seat of learning for South Carolina, and continue to diffuse knowledge and education among her young men.

Entertaining the conviction that the mingling of the races at the lectures of the University will defeat both in their efforts to secure an education, and impair the usefulness of the institution, I suggest the propriety and wisdom of appropriating the present University to the white race, and of establishing another college or university for the colored race. By this means all disagreeable collisions and tumult, resulting from association, will be avoided. The Citadel, in Charleston, is admirably adapted for the purpose last named, and can be readily transformed into an educational institution. It cannot be doubted that white as well as colored youth will prosecute their studies with much more profit, separate from each other, than in an institution where antagonism will surely prevail.

THE ASYLUM FOR THE EDUCATION OF THE DEAF AND DUMB AND THE BLIND.

This institution was re-organized in November, 1866, and the Commissioners—whose report is herewith transmitted—recommended the Legislature to make an appropriation of \$8,000, if so much might be necessary, for the education and maintenance of the deaf and dumb and the blind, at the Cedar Springs Asylum, in Spartanburg District. For some reason, the Legislature appropriated but \$1,000 for this purpose. At the first meeting of the Commissioners thereafter, it was determined to restrict the number of students, so that the appropriation would support the institution until the close of the fiscal year, on the 1st October, 1867. The school was operated very successfully, and to the entire satisfaction of the Commissioners; but on the date referred to, the appropriation was exhausted. Two of the three Commissioners thereupon held a meeting, and determined to suspend its further exercises, not knowing when the Legislature would meet, or whether in case of its meeting, appropriations would be made to pay expenses that might be contracted over and above the sum named. On the 1st of October, therefore, the exercises of the institution ceased, the pupils were sent to their respective homes, and the corps of teachers disbanded. (*Vide Report.*)

The location is an admirable one. The buildings are large and commodious, and have been erected at so much cost to the State, that it would be unwise to allow them to go to decay. I am not prepared to recommend an appropriation for re-opening the institution during the present or succeeding year, in view of the great embarrassment surrounding the people of the State; but authority should be granted by the Legislature to the Governor to rent or lease the buildings for two years or more, so that he may avail himself of any opportunity that may present itself of securing a tenant who

will protect the premises, and keep them in necessary repair, until the finances of the State shall justify the re-organization of the institution.

EMIGRATION.

The General Assembly, by Act approved 20th of December, 1866, created a Bureau of Emigration, and appropriated the sum of \$10,000, from the Contingent Fund of the Executive Department, to be expended under the direction of the Governor. John A. Wagener, Esq., was appointed Commissioner on the 18th of February, 1867, at a salary of \$1,500, to organize a Bureau at the earliest practicable date, which he promptly proceeded to do. On the 5th of April, Mr. W. J. Ferlov was appointed the agent for Denmark, Sweden, Norway, Schleswig and Holstein; and Mr. F. Melchers was appointed the agent for Germany. Both soon after sailed and entered upon the performance of their duties. The salary of each was \$1,500 per annum. (*Vide Report.*)

A publication containing much valuable information as to the resources and prospects of South Carolina, was prepared by Mr. Wagener, and has been translated into several European languages. Some emigrants have been sent forward by these agents already, and others are expected to arrive during the course of the present summer. Every citizen of the State, having lands for sale, has been invited to furnish the location and description of the same to Mr. Wagener, who enters it in a book. He has already collected quite an amount of information upon this subject, and is prepared to indicate to emigrants coming here and desiring to settle permanently, the location and qualities of land most likely to suit their tastes and inclinations.

The great difficulty which is encountered in securing emigrants directly to our own coast, arises from the fact that very few vessels are trading directly between the ports of Europe and Charleston. When the financial condition of the State shall have materially improved, it may be found wise to establish a line of steamers to ply between Charleston and the ports of Germany, Ireland and Northern Europe, and thereby facilitate the transportation of the emigrants directly to our own ports. When landed in Northern ports, great exertions are made to retain them in the Northern States, or to carry them to the West.

The greatest want of South Carolina, at present, is population. Our territory contains more square miles than the entire New England States combined, (excepting the State of Maine,) and one or more of our Districts is larger than the State of Rhode Island. The soil is abundantly capable of subsisting five times the present population; and with the numbers thus increased, all of the resources of the State—agricultural, mechanical and manufacturing—would be rapidly developed. Many of the citizens of the Northern and Eastern States are already turning their attention to the

South as a home; and a cordial invitation and hearty welcome should be extended to those who desire to make actual settlements upon our soil. European and Northern emigration ought to be encouraged by all available means within the command of the General Assembly and of the people at large.

ARTIFICIAL LEGS FOR CITIZENS OF THE STATE.

By Act of December, 1866, the General Assembly directed that the Governor should furnish all citizens of the State who lost their legs during the war in the service of the country with artificial legs, and appropriated the sum of \$20,000 to pay for the same, and to carry out the provisions of the Act.

Proposals were invited, by public advertisements, from patentees who were engaged in the manufacture of artificial legs, and a number presented themselves, with their specimens, in March, 1867. I appointed a Board of Surgeons, consisting of Drs. Talley, Gibbes and Taylor, to whom all specimens were referred at that time, and they reported in favor of the limb invented and manufactured by Dr. Douglass Bly, of New York. The contract was closed with him to supply the army and navy pattern, pursuant to the provisions of the above Act, at \$74.65 each; parties who desired the ball-and-socket limb—which was superior—being allowed the privilege of the same at \$150, by paying the difference between that sum and the contract price, to wit: \$75.35.

The contract stipulated that Dr. Bly should be paid in United States currency; but his accounts, thus far, have been paid in Bills Receivable, the several drafts drawn from the Treasurer showing an outlay of \$15,007.75 in these funds. This amount has enabled him to realize only the contract price in United States currency.

With the view of having the work faithfully executed, I appointed Dr. George E. Trescott an inspecting surgeon of the limbs when completed, and required his certificate that each leg was furnished in a workmanlike manner, and properly and satisfactorily fitted to the stump of the patient. For this service he received \$2 for each leg inspected. Under the contract, thus far, there have been furnished by Dr. Bly 176 legs, (and one extra leg and arm, at a cost of \$200, authorized by a joint resolution of the General Assembly, to be presented to July Holliday, a colored man of Sumter District, who lost an arm and leg in Fort Sumter during the siege.) There remains only twenty or thirty limbs to be supplied under this appropriation. It is proper to add that Dr. Bly has faithfully complied with his contract, and that the legs furnished by him have been substantial and given very general satisfaction.

THE NEW STATE HOUSE.

The General Assembly, at the December session, 1866, made an appropriation of ~~\$12,000~~ to place a temporary tin roof over the new State House building, having become satisfied that the unprotected walls and arches of the structure were being materially injured by exposure to the weather. Proposals were invited for plans and specifications, and although various designs were presented looking to the construction of a roof imposing in appearance, the limited appropriation made compelled me to adopt the plan submitted by Messrs. Kay & Hewetson, Architects, of Columbia. The contract was then given to the lowest bidder, who stipulated to do the work for \$12,581. The commissions paid to the Architects, who were required by the Legislature to superintend the undertaking, amounted to \$629.05—so that the entire cost of the roof was \$13,210.05. The deficiency in the appropriation was made up by an order from General Canby, authorizing an additional sum to be drawn from the Treasury. By the terms of the contract, the builder was to be paid in United States currency, and the payment in Bills Receivable will explain the excess of drafts over and above the contract price. The Architect certified that the work had been done according to the plans and specifications. On the 29th of May, a destructive tornado passed over part of the city, and carried away a portion of the roof. It will require some \$3,000 to repair the damages.

It is recommended that an appropriation be made to fit up a sufficient portion of the building to accommodate the Legislature, its officers, committees, the Court of Appeals, and officers of the Executive Department. The edifice is very nearly fire-proof, and it is of the greatest importance that the archives and records of the State which were not destroyed by the fire of February, 1865, and by the ravages generally of the war, should be preserved. The rents that will be annually required to pay for the use of buildings, to accommodate the several departments of the State Government, will soon exceed the amount necessary to put the State House in sufficient repair for the same purpose.

There is no probability that the completion of the building, according to the original designs, will take place for years. Very much of the elegant marble and granite work which had been finished, and was lying under the sheds waiting to be lifted to its place, was destroyed by fire or wantonly broken into fragments during the occupation of Columbia by the army of General Sherman. It is estimated by the former architect that not less than \$800,000 worth of finished work was thus ruthlessly ruined. To complete the structure in the manner originally designed, will cost about \$2,000,000, and the impoverished condition of the State should certainly admonish those who have authority to levy taxes of the impolicy

of taking any steps whatever towards a resumption of the permanent work upon the building. The arrangement suggested is temporary, but it will for many years subserve all the purposes for which it may be needed.

RESIDENCE OF THE GOVERNOR.

The new Constitution fixes Columbia as the Capital of the State, and requires the Governor to reside here. Under the former Constitution an appropriation of \$300 was annually made, doubtless, to pay the house rent of the Executive during the session of the Legislature—it being the custom of the Governors of the State to reside at their respective homes, except on this occasion.

In most of the States, Executive mansions have been erected and furnished for the use of Governors; and the clause referred to in the new Constitution renders it necessary that some provision of the kind should be made in this State. Either the salary or the appropriation for house rent should be materially increased, or a residence should be provided and furnished for the Governor. The latter course may be adopted at a comparatively small cost. The State owns a large, commodious and handsomely finished building, situated upon Arsenal Hill—a location which commands a picturesque view of the city and the valleys of the Congaree, Broad and Saluda Rivers for many miles; a beautiful grove is in front of the house; the out-buildings are convenient and ample, and the adjacent grounds, embracing some eight acres, will furnish a sufficient space for gardens, &c.

I recommend that this edifice be set apart as the Executive mansion of South Carolina, and that an appropriation be made to enclose the premises, to furnish the house, and to make such changes as may be necessary to adapt it to the use of the Governor.

THE SURVEYOR-GENERAL.

The public lands owned by the State have all long since been granted to individuals, and the practice now prevailing of regranteeing the same lands over and over again can only have the effect of increasing litigation among the citizens.

I therefore recommend that all laws authorizing the grant of lands in this State be repealed. All the proper functions of the Surveyor-General in this State have ceased, except the issuing of commissions to Deputy Surveyors in the different Districts, and the making out and certifying copies of grants and plats recorded in his office. These duties may very well be performed by the Secretary of State, and the office abolished. All of the records and papers on file should be transferred to the office of the Secretary of State, and the latter officer be authorized by law to discharge the duties incident thereto, and charge the fees authorized by law for his services.

In this connection, I call the attention of the General Assembly to the fact that the present fee bill was adopted many years ago, and that all the fees require revision, and some of them material reduction.

THE CRIMINAL LAW.

The codification of the criminal law of the State is very necessary, not so much for the purpose of declaring additional or defining existing offences, as for the purpose of prescribing some uniform scheme of punishment adopted to the various crimes and misdemeanors. Quite a number of offences are punishable by death, which, since the establishment of the Penitentiary, might be punished by imprisonment, at hard labor, in that institution. Murder, arson, and one or two other crimes of the greatest gravity, are exceptions; but there is no doubt that the incarceration within the walls of a State Prison will be an adequate punishment for crimes of lesser magnitude. A general codification of all of the laws of the State, civil and criminal, supervised by lawyers of ability, would prove a great blessing to the people, and at least place the statutory law within reach of every intelligent man in the State. This will be a work of time, but it cannot be proceeded with at too early a day.

SHERIFFS.

There is an evil which has grown to such magnitude within the last two years that some remedy is absolutely necessary. The number of escapes of prisoners from the various jails of the State, during this period, has been nearly 400. The result is due partly to the insecurity of the buildings and partly to the neglect of the Sheriffs and Jailers having them in charge. The Commissioners of Public Buildings should be required, by more stringent laws than now exist, to keep these prisons in a secure condition; and as to the liability of Sheriffs, the experience of the past demonstrates that all the legislation heretofore adopted to enforce the performance of their duty has been without avail. No Sheriff has been convicted, to my knowledge, of official misconduct in South Carolina for thirty years; and very many who have held the position have certainly been guilty of misfeasance and malfeasance in office. If it is desired to secure from these officials an efficient performance of duty, authority should be conferred upon the Governor, when complaint is made to him, and he is satisfied of its justice, to remove such defaulting officer by proclamation, and order a new election to supply the vacancy. If action is postponed until Courts present and juries convict, the evil never will be corrected.

LANDS SOLD FOR TAXES.

The failure of parties to pay the taxes levied upon them by the Acts of

1865 and 1866 has caused quite a large number of executions to be placed in the hands of the Sheriffs of the respective Districts. In some localities combinations were formed, so that when land was offered for sale by the Sheriff no bid was made, and the State was thereby defeated—although these parties had sufficient property to satisfy the executions—in realizing the amount of taxes due. To obviate this difficulty, General Canby issued General Orders No. 63, (April 8, 1868,) directing that the land should be sold by the Sheriff for the term of seven years; that he should bid for it himself the amount of taxes and costs, including costs of executing, stamping and recording the deed, for the use of the State; that if no higher bid was offered, the property should be knocked down to the Sheriff, and conveyed by the Sheriff to the State for the term of seven years aforesaid. The Sheriff was required to have the deed recorded in the office of the Clerk of the Court of the District in which the land was situated, forthwith, and within two weeks thereafter transmit the original deed to the Treasurer, who was required to enter an abstract of the deed and the amount of the consideration. Whereupon the deed was to be filed and recorded in the office of the Secretary of State. The Governor was authorized, after the expiration of thirty days from the receipt of the deed by the Treasurer, and, until otherwise provided by law, to rent the land for the period of one year; provided that if the tax payer should, within thirty days, pay to the Treasurer the whole amount of taxes and costs, including recording and twenty-five per cent. upon such full amount, then the deed should be cancelled, with a further proviso, that if the same should not be paid within thirty days, then the owner of the property should be allowed to redeem the same within one year after the date of its sale, by paying the whole of the tax and costs, together with fifty per cent. of the amount additional; and if not redeemed within one year from the day of sale, then the Legislature was authorized to “determine, by law, the conditions upon which the same may be redeemed by the former owner during the remaining term of the seven years for which it was sold.”

Under this order of General Canby, sales have been reported and deeds filed with the Treasurer of four tracts of land in Greenville District, and fifteen tracts in Colleton District. Others will, perhaps, be filed during the present and succeeding month. Your attention is, therefore, called to the order and to the action which has already taken place, and which may hereafter take place under it, to the end that the necessary legislation contemplated by the order may be enacted.

JURIES.

The duty will be devolved upon you of providing by statute for the selection of suitable persons to act as grand and petit jurors in the various Courts

of this State. For more than fifty years in South Carolina the requisite for placing the name of a citizen upon the jury list from which jurors were to be drawn was the payment, the preceding year, of a tax of, or above, one dollar. In 1859, the jury law was amended, so that every person who was entitled by the Constitution of the State to vote for members of the Legislature, "and who shall have paid the year preceding the sitting of a Court, at which a new jury list shall be made, a tax of any amount whatever for property held in his own right," was liable to serve as a grand and petit juror. The military orders which have been issued in this District require every tax payer's name to be placed in the jury box, from which the jurors are to be drawn, and when drawn, the Judge is invested with the power of setting aside any number of the panel, for want of mental or moral fitness to perform the duties.

When the importance of composing these bodies of persons of intelligence is remembered, too much care cannot be taken in guarding ingress into the jury box by such standards of qualification and character as will protect it from all suspicion of incompetency or corruption. The dearest right of a citizen is oftentimes decided by the jury. Life, liberty and property is in the keeping of these persons, and if there be a lack of understanding, a natural inability to comprehend and weigh evidence, to unravel the perjuries and misconceptions of witnesses, and a want of education sufficient to comprehend the law of the case as expounded by the Judge, the most fearful consequences may result to the citizen. The standard should be two-fold—predicated upon intelligence and integrity. At all times, a sufficient number of persons may be found in every district of the State who will correspond with the high standard that may be adopted by you; and the confidence which intelligence in the jury box will inspire among the population, in the administration of public justice and the settlement of controversies between private citizens, will go a great ways towards implanting respect and reverence for the judicature of the country.

Heretofore it was not deemed necessary to provide by law for purging the jury, either through the jury list or by the Judge upon the Bench; but it is a system which has been practiced for many years in the adjoining States. There, a man too ignorant to comprehend the causes likely to come before a jury, or too corrupt, depraved or dishonest to render a just verdict, is set aside by the Judge under this general authority, which allows no one to be empaneled who does not fulfill the requirements of integrity and intelligence. In some of the States the tax lists are revised by the County Courts, and the most worthy and intelligent citizens are selected, and their names are placed in the jury box, from which the panels are drawn. In other of the States a Jury Board has been created, and consists of the District officers, to-wit: the Clerk, Sheriff, Judge of Probate and Tax Col-

lector. These officers being elected by the people are presumed to have such general knowledge of every tax payer as will enable them to select from the list proper persons, whose names are to be placed in the jury box.

I, therefore, recommend that a similar Jury Board be organized in this State from the District officers, who, from the list of tax-payers, may proceed to select persons whose mental qualifications and moral character fit them for this delicate and responsible duty; and that only the names of such persons be placed in the jury box, with further authority to the Judge, that if by accident or otherwise, persons are drawn who do not meet these requirements, to strike their names from the panel, and not allow them to be sworn.

PARDONS.

I communicate to you herewith a statement of the pardons granted by me, and of the reasons therefor, in conformity to the Constitution of 1865. This report embraces pardons and commutations granted since the 1st of December, 1866. The list is a long one, but in every case where the Executive clemency has been interposed, it has been upon the conviction that there was merit in the application. In executing the criminal law, I have tried to temper justice with mercy. (*Vide Report.*)

AN AGRICULTURAL AND MECHANICAL COLLEGE.

The Congress of the United States, by Act of July 2, 1862, donated public lands to the several States and Territories which may provide "Colleges for the benefit of Agriculture and the Mechanic Arts." This Act donated 30,000 acres for each Senator and Representative in Congress, and its benefits could be claimed by the States, respectively, at any time within two years from the date of its approval. On the 23d of July, 1866, Congress passed a second Act to amend the fifth Section of the first Act, so as to extend the time within which application could be made three years longer. Hence, unless further extended, the benefits under these two Acts will be barred in July, 1869.

The General Assembly of South Carolina passed an Act, which was approved December 14, 1866, accepting the donation under the said Act of Congress, and assenting to the provisions and conditions on which the said grant of land was made, binding herself likewise to the faithful performance of all the stipulations therein contained.

The General Assembly, at the same session, by an Act approved 19th December, 1866, provided that the fund arising from the sale of the land scrip—180,000 acres, assuming that the State was entitled to four Representatives and two Senators—should be invested in the name of the Trustees of the University of South Carolina, and be devoted to the "endowment,

support and maintenance of a college or school, in the University of South Carolina, where the leading objects shall be, without excluding other scientific and classical studies, and including military tactics, (this is the language also of the Act of Congress,) to teach such branches of learning as are related to agricultural and mechanic arts, in the manner most approved by modern science and experience."

By the second Section of the Act, the Trustees of the University were directed, as soon as practicable, to organize the said agricultural and mechanical school in the University, and to make by-laws for its government. They were also empowered "to make such alterations in the buildings of the University as may be requisite, and as soon as the funds shall be transferred to them, they shall appoint such additional professors as the income of the fund will permit."

By virtue of authority conferred upon me by the resolution passed at the extra session in September, 1866, I appointed an agent to go to Washington, who carried a certified copy of the Act with him, and filed the same with the Secretary of the Interior. His additional duty, while in Washington, was to procure the issue of the scrip to which the State was entitled, at the earliest practical day. He proceeded thither, and was engaged in his labor, when the Congress of the United States, by a joint resolution, approved March 29, 1867, declared that "the further issue or delivery of such scrip to any of the States lately in rebellion against the United States, except the State of Tennessee, or the acceptance of such scrip, or of any heretofore issued by the Registers or Receivers, or any of the land officers of the said States, are hereby prohibited, until the same are fully restored to their rights as States by Congress."

The acceptance of the Constitution of South Carolina and the authorization by Congress of representation, it is presumed, operates as a repeal of this joint resolution; and the State will, therefore, be entitled to 180,000 acres of land for the purpose aforesaid, if only four Representatives are admitted. If, however, six are admitted, then the amount will be 240,000 acres. It is important that immediate steps shall be taken to secure the benefit of this munificent donation.

In my annual Message to the Legislature, in December, 1866, I stated that: "In some of the Northern States, the fund thus raised has been used in establishing schools for teaching the branches required by the Act of Congress in existing colleges and universities; and if this policy should commend itself to your approval, the agricultural and mechanical features of the college may be engrafted on the University of South Carolina, and save the State all expense for lands and buildings required to be furnished by it. The buildings of the University are commodious enough to accommodate all students who may desire to matriculate, and the lands adjacent

to and owned by the College will furnish sufficient land for an experimental farm."

By the original Act of Congress, making the donation, all the expenses incurred in the management and disbursement of moneys which may be received from the sale of the lands shall be paid by the States to which they may belong, so that the entire proceeds of the sale shall be applied, without any diminution whatever, to the purposes named.

It is further provided, by Section 4, that the proceeds of the sale of the scrip shall be invested in stocks of the United States, or of the State, or some other safe stock, yielding not less than five per cent. upon the par value of said stocks; and the money so invested shall constitute a perpetual fund, the interest of which shall be inviolably appropriated by each State to the endowment, support and maintenance of the college or school for the purpose aforesaid.

Section 5, in enumerating the conditions upon which the grant is made, provides that ten per cent. of the amount received may be expended for the purchase of land for sites or experimental farms, when authorized by the Legislature; but that "no portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, for the purchase, erection, preservation or repair of any building or buildings." The College is to be erected within two years.

The University buildings, under the control of the State, would furnish ample accommodations for new schools, which may be introduced by virtue of the provisions of this Act of Congress; and it is very important that the "Agricultural College" should be connected with that institution, or established in some other building now owned by the State, whereby the expense of erecting a structure for the purpose aforesaid may be saved to the State in its present embarrassed condition.

HOMESTEAD RELIEF.

The provision of the new Constitution which secures a homestead to each head of a family not exceeding in value \$1,000, together with the products thereof, and also \$500 worth of other personal property, is a wise and humane measure, and should induce your early attention in the passage of an Act directing the manner in which the details may be carried out. The great advantage of this measure is, that while it identifies every citizen with the soil and nourishes his love of State and country, it is likewise an inducement to the laborer to save his earnings and invest them in a permanent residence, where his wife and children may have shelter and protection. Equally sagacious is the provision which secures to the married woman her property held at the time of marriage, "or which she may afterwards acquire by gift, grant, inheritance, devise, or otherwise." In most of the States of

the Union this law has long prevailed, and doubtless it would have been incorporated among the statutes of South Carolina, had not its necessity been obviated by the more inconvenient and cumbrous method of conveying such property for the benefit of married women in trust, whereby they were secured in their property free from the debts and control of the husband.

This feature of the new Constitution, however, is more simple and comprehensive, and while it may be objected that both it and the homestead exemption will have the tendency to affect credit, there can be no question that if such be the result, it will operate beneficially upon society. Nothing, perhaps, has so much clogged the prosperity of persons engaged in agricultural pursuits in the South, for many years past, as the unlimited credit resorted to by those who always anticipate the products of their farms and plantations a year in advance. If this evil be checked, it will redound greatly to the benefit of all classes.

Some doubts have been expressed as to the constitutionality of the provisions of the homestead law, when applied to debts already existing; but a careful examination of the decisions which have been made in other States settles the question beyond peradventure, that the General Assembly has the authority to apply the exemption to existing debts, even such as may now be in judgment and execution, as well as to future debts.

In case of *Morse vs. Gould*, 1 Kernan New York Reports, page 281, September, 1854, Judge Denio, of the Appeal Court, said: "I regard the Act of 1842 (extending the existing exemption laws to a team and to certain household effects) as a provision clearly within the competency of the Legislature, and one which they might lawfully apply to all future proceedings in Courts, whether such proceedings should relate to existing or future causes of action."

In this case there was an execution against the defendant when the exemption law was passed, and it was held that the law was constitutional even as against the executions which had been issued previous to that time in one of the Courts of the State of New York.

In the abstract made by the reporter of Judge Denio's opinion, it is held: First. The Act exempting certain property from levy and sale on execution, (Statutes 1842, page 193,) applies to judgments and executions on debts contracted before as well as after its passage. Second. This Act merely modifies the remedy for enforcing contracts, and neither destroys it nor substantially impairs its efficiency. Therefore, it does not conflict with the provision of the Constitution of the United States forbidding any State to pass a law "impairing the obligation of contracts," and is valid.

In the case of *Bigelow vs. Pritchard*, Judge Putnam, delivering the opinion of the Supreme Court of Massachusetts, said that the Legislature might lawfully diminish the creditor's remedy to enforce payment by ex-

empting a part of the property of the debtor from attachment, or *mesne* process, or levy, or execution.

Judge Woodbury, in the case of the Planters' Bank *vs.* Sharp, 6 Howard, page 301-330, in delivering the opinion of the Supreme Court of the United States, enumerated laws exempting tools or household goods from seizure, among the examples of legislation respecting the remedy which might be constitutionally applied to *existing* contracts.

In the case of Rockwell *vs.* Hubbell, 2 Douglass, 197, Supreme Court of Michigan, it is held "that property may be exempted from execution for debts contracted before the law of exemption was enacted." Similar decisions will be found in the Supreme Courts of other States of the Union.

In 3 Parsons on Contracts, p. 552, after a review of many of the cases decided in different States, he says: "At the same time, however, it is admitted that a State may make partial exemptions of property, as of furniture, food, apparel, or *even a homestead.*" Again, on the same page, he says: "It is to be observed that as to the remedy, there can be no difference between a debt existing before, and one contracted after the law is made," &c.

The provision, therefore, of the new Constitution, securing a homestead and certain articles of property for the benefit of each family, is sanctioned by the highest judicial authority in New York, Michigan, Massachusetts and other States, as well as by legal writers of eminent ability; and there is no reasonable doubt that any law which may be passed by you to carry into effect the humane intentions of the homestead exemption will be sanctioned by the Courts of this State and of the United States.

But even were the question doubtful, under the theory of the Reconstruction Acts, that the late Confederate States are out of the Union, and beyond the operation of the Constitution of the United States, the adoption of this provision prior to the admission of South Carolina would still be strictly valid, on the ground taken by the Supreme Court of the United States—namely, that State laws passed prior to 1789, impairing the obligation of contracts, were valid, inasmuch as the Constitution had not, previous to that time, exercised any restraining influence upon the States.

The indebtedness of very many of the best citizens of the State, the destruction of property, and the general disasters that have ensued, render this homestead Act, and its accompanying exemption, indispensable to the peace and happiness of thousands of families within the limits of South Carolina; and no more generous or acceptable statute can be passed by the General Assembly than that which will at once apply the benefits of this law to all *existing*, as well as future liabilities, whether they be in the nature of judgments, executions, or otherwise.

Further measures of relief from the pressure of indebtedness will be re-

quired; and inasmuch as the Courts are to be reorganized, and new duties to be assigned to the Sheriffs, it would be wise to allow the present crop to be gathered and marketed before claims are permitted to be enforced.

I, therefore, recommend that all Sheriffs be prohibited from enforcing executions in their offices upon debts contracted prior to the first day of May, 1865; and that Judges be likewise restrained, until the first day of March, 1869, from giving judgments in all such cases.

EDUCATION

Under the new Constitution, the office of State Superintendent of Education has been created, and also that of a School Commissioner for each county—the Superintendent and Commissioners constituting the State Board of Education. The first named officer has already been elected, and will doubtless enter upon the discharge of his duties as soon as they are defined by law.

A commendable interest is manifested by all classes of our people in the establishment of schools; and the desire is general that larger facilities than heretofore shall be furnished for this purpose. To devise a scheme adapted to the wants of South Carolina, and applicable alike to city, village or thinly populated country, will require a very full investigation of details, and not a little acquaintance with the various localities of the State. Hence, unless great care is taken, no plan adopted is likely to result in benefit at all commensurate with the great expense to be entailed upon tax payers.

The subject of popular taxation has long occupied the attention of the Legislators of the State, and for fifty years they have been met by the difficulty of reaching the sparsely settled localities of the purely agricultural Districts. It has engrossed the attention of the best intellects of the State, and yet out of the cities and larger towns, excepting, perhaps, two or three of the Districts, the expenditure for educational purposes heretofore made has been of comparatively little service.

As early as 1811, the General Assembly of South Carolina provided for the establishment of Free Schools, allowing one school to each representative, and appropriating \$300 for the support of such school. They also authorized the Commissioners to unite the public funds in supporting schools jointly with private funds, or individual subscriptions. The annual appropriation was \$37,500, and was continued with but little modification until 1852, when the amount was increased to \$75,000 per annum, which continued until near the close of the war. These sums, which have been annually expended since 1811, have placed it within the reach of every orphan, and child of indigent parents, to acquire a substantial English education; and if any citizen has grown up in ignorance, it has not been from any default on the part of the authorities of the State, but from the neglect of the parent or child.

It must not be supposed that a school system, fashioned upon the basis which prevails in New England, or of the more densely settled regions of the older Western States, will answer the purpose sought in South Carolina. To save an unnecessary expenditure of public money, therefore, it is recommended that a system be thoroughly digested and matured upon all the information which can be obtained from the experience of the other States of the Union, modified by existing circumstances here, and be then submitted to the General Assembly, before appropriations of money be made for the public schools.

The Constitution provides that "there shall be kept open, at least six months in each year, one or more schools in each school district." Gentlemen of intelligence, who were members of the Convention, believe that the fair construction of this Section will authorize, when the system is matured, the establishment of separate schools for the white and colored children of the State. Another Section, however, declares that "all the public schools, colleges and universities of this State, supported in whole or in part by the public funds, shall be free and open to all the children and youths of the State, without regard to race or color."

If it shall be attempted to establish schools where both races are to be taught, no provision being made for their separation, the whole system will result in a disastrous failure. The prejudices of race, whether just or unjust, exist in full force not more in South Carolina than in New England and the West. In the last named localities separate schools are provided for white and colored children, and in a community where these prejudices prevail in so strong a degree, how unreasonable is it to attempt the organization of mixed schools. It cannot but result in constant feuds and collisions between the children, in which the parents, respectively, will necessarily take up the quarrel, and entire communities thus be involved in continual tumult—the consequence of the mis-judged efforts of unwise persons.

It is the more remarkable that such a clause should have been inserted in the Constitution when no necessity existed for making such a rockless experiment. It was demanded by neither the colored nor the white race, and if submitted to their decision, the idea of mixed schools would have been overwhelmingly repudiated by both. If it is attempted to enforce the law in those sections of the country where the colored population preponderate, the white children will be driven from the schools; and in those sections where the white population preponderate, the colored children will likewise find it impossible to remain in the same room. In the new relation between the two races there already exist causes enough for bickering and controversy, and the prudence of grown people is taxed to its tension to prevent disagreeable antagonisms. How much less will such prudence characterize the

relation between children of the two races under the same roof. No greater cruelty could be inflicted by legislation upon the parents of children of the two races than that which is contemplated by this objectionable feature of the Constitution. Indeed, the mingling of the two races in the same school room, in the face of known and uncompromising prejudices on the subject, seems to have been a wanton and offensive effort to enforce by law a social equality which will never be recognized or submitted to by the Caucasian race. I therefore earnestly recommend that, in adopting an educational system, care be taken to provide for the white and colored youths separate places of instruction. At the same time, in the name of peace and of the happiness of the people, I protest against this amalgamation.

CONCLUSION.

I have thus presented all the information in my possession with reference to the condition and prospects of the State. The accompanying documents will furnish you facts in detail, upon which you may predicate much of your action during the present session of the Legislature.

The many changes that have been made by the new Constitution in the organic law of the State renders a very large amount of new legislation necessary to carry the same into operation; and if the work is well done, your deliberations are likely to be protracted to an extraordinary length. The responsibilities devolved upon you are of an unusually grave nature. But few of those who have heretofore been engaged in legislating for the State are embraced in your number; and there will necessarily be a want of familiarity with the various duties which you may be called upon to perform. The lack of such experience may, to a certain extent, be compensated by a careful examination of the questions submitted to your consideration; but the solemn determination on your part to do justice to all the citizens of the State, to the disfranchised as well as the enfranchised, to the white as well as to the colored race, will perhaps be the best compass by which to steer your course as Legislators.

Most reverently, I invoke the guidance of an Omni-scient God in all of your deliberations, to the end that the material and moral, the physical and intellectual, the commercial and industrial interests of the State may be made prosperous and successful; and that the ravages which war has so ruthlessly scattered, may be speedily obliterated, and the State be permitted once more to enter upon an honorable and progressive career.

JAMES L. ORR.

Mr. RANSIER introduced the following resolution, which was agreed to:

Resolved, That the Message of His Excellency the late Governor (James L. Orr) be received, and that its subject matter be referred to the appro-

appropriate Committees of the House when they shall be formed, and that the thanks of this House be returned for the information therein contained.

PAPERS FROM THE SENATE.

The SPEAKER laid before the House the following preamble and joint resolution, which had been adopted by the Senate, ratifying the Constitutional Amendment :

JOINT RESOLUTION RATIFYING THE FOURTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES:

Whereas both houses of the Thirty-ninth Congress of the United States, at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States, in words following, to-wit :

JOINT RESOLUTION PROPOSING AN AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

Be it resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, That the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as a part of the Constitution, namely :

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States ; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excepting Indians not taxed. But when the right to vote at any election for the choice of Electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or is in any way abridged, except for participation in the rebellion, or other crimes, the basis of representation shall be reduced in

the proportion which the number of such male citizens shall bear to the whole number of such citizens, twenty-one years of age, in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or Elector of President or Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for the payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of the insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

Therefore, resolved, That the said proposed amendment to the Constitution be, and the same is hereby, ratified by the General Assembly of the State of South Carolina.

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by the Governor to the President of the United States, to the presiding officer of the United States Senate, and the Speaker of the United States House of Representatives.

On motion of Mr. JENKS, the consideration of the joint resolution was made the Special Order for to-morrow, at half-past 12 o'clock.

The following members appeared and were duly qualified:

Samuel Tinsley, W. A. Bishop and Wilson Cooke, of Greenville County, and J. W. Mead, of York.

On motion, the House then adjourned until 12 M. to-morrow.

WEDNESDAY, JULY 8, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. JAMES SMILEY.

The reading of the Journal of the previous day was, on motion, dispensed with.

Mr. DENNIS, from the Committee appointed to inform the Senate that the House was organized and ready to proceed to business, reported the performance of that duty, and the Committee was discharged.

Mr. NEAGLE offered the following resolution:

Resolved, That when this House adjourns, it stand adjourned to 10 o'clock A. M. to-morrow; that the inauguration of His Excellency Governor R. K. Scott take place at 12 M., and that a Committee of five be appointed to make suitable arrangements therefor.

The resolution was adopted, and the SPEAKER appointed Messrs. Neagle, Smiley, Miller, Ezekiel and A. Smith as the Committee.

Mr. WHIPPER arose to a question of privilege, stating that he held the certificate of Messrs. Frank Sloan and John B. Moore, members from the County of Anderson, whose seats were contested, and advocated their admission.

Mr. DELARGE moved that all papers referring to the contested seats of the members from Anderson be referred to the Committee on Privileges and Elections, which was agreed to after considerable discussion, which occupied the whole of the morning hour.

Mr. E. M. Stoeber, from Marion, and Mr. T. F. Clyburn, of Lancaster, appeared and were qualified.

The House, on motion, adjourned until 10:30 A. M. to-morrow.

THURSDAY, JULY 9, 1868.

Pursuant to adjournment, the House met at 10:30 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. E. JOINSTON.

The reading of the Journal of the previous day was, on motion, dispensed with.

The Committee appointed to wait upon His Excellency Governor R. K. Scott made a verbal report that they had performed their duty, and that the Governor elect was ready to receive any information from the House.

The report was, on motion, received as information, and the Committee discharged.

Mr. NEAGLE, from the Special Committee on Inauguration, reported

that all necessary arrangements for the ceremony had been made, and recommend that Ex-Governor James L. Orr be invited to accompany Governor R. K. Scott, and occupy a seat upon the stand.

The report was adopted, and the Committee discharged.

Mr. NEAGLE, from the Committee on permanent organization of the House, reported the following as the necessary subordinate officers for the House :

A Sergeant-at-Arms, an Assistant Sergeant-at-Arms, a Doorkeeper, an Assistant Doorkeeper, a Messenger, three Assistant Messengers, two Pages, a Clerk, three Assistant Clerks, a Reading Clerk, a Stenographer and a Chaplain.

The Committee further recommend that the Attorney-General be authorized to employ the necessary Engrossing Clerks, not to exceed six in number, except by express authority of the General Assembly, and that he also be authorized to employ the services of two competent legal gentlemen to aid in the preparation of various papers for the consideration of the Legislature.

The following names were recommended for the several offices :

For Sergeant-at-Arms—J. P. R. Camp.

For Assistant Sergeant-at-Arms—Benjamin Byas.

For Doorkeeper—John Fitzsimmons.

For Assistant Doorkeeper—Louis Pinkers.

For Messenger—J. A. Crews.

For Assistant Messengers—E. B. Thompson, A. Ruffin and A. L. Attaway.

For Pages—Benjamin Simmons and Charles Brown.

For Clerk—A. O. Jones.

For Assistant Clerks—J. H. Hendrix, G. Tewksberry and J. H. Just.

For Reading Clerk—F. H. Frost.

The Committee also reported that they knew of no suitable person to recommend as Stenographer, and desired to leave the matter to the consideration of the House; also, that as there were a number of clergymen on the floor who were willing to act as Chaplain, they would not recommend any one for that office.

On motion of Mr. WHIPPER, the report was made the Special Order for to-morrow, at 12:30 P. M.

Mr. ELLIOTT introduced the following resolution :

Resolved, That the House do now rescind its action whereby certain individuals claiming seats as members of this body, and holding certificates of election from General Canby, were and are still denied admission as such, and that they be allowed to take their seats; and if protests be offered, that

they be referred to the Committee on Privileges and Elections for their immediate consideration.

On this the yeas and nays were called, and resulted as follows :

Yeas, 84 ; nays, 27. Agreed to.

SPECIAL ORDER.

At the hour of 12:30 P. M., Mr. TOMLINSON moved that the House proceed to vote for the ratification of the Constitutional Amendment, known as Article XIV.

Upon which the previous question was called and sustained, and on the main question, the yeas and nays were ordered.

On motion of Mr. NEAGLE, the Rules were suspended to allow Messrs. Richard M. Valentine, from Abbeville, Samuel Littlejohn, Robert M. Smith, Javan Bryant and Claude C. Turner, of Spartanburg, B. Frank Sloan, John Wilson and John B. Moore, of Anderson, to qualify.

The vote was then taken, with the following result :

Yeas, 108 ; nays, 12.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Rosemon, Bennett, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bullock, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Drifflé, Duvall, DeMars, Elliott, Ezekiel, Foriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lewie, Lang, Mayer, Morrison, William McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Martin, Mays, Mead, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendergrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrønd, Stubbs, Snalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—108.

Those who voted in the negative are :

Messrs. Doyle, Keith, Field, Littlejohn, R. M. Smith, Bryant, Turner, Sloan, Wilson, Moore, Clyburn and Stewart.—12.

The SPEAKER proclaimed the ratification of the Constitutional Amendment (Article XIV) of the Constitution of the United States, and the joint resolution was ordered to be returned to the Senate.

On motion of Mr. TOMLINSON, the House took a recess for twenty minutes.

RECESS.

The SPEAKER resumed the chair.

Mr. NEAGLE, from the Special Committee on Inauguration, reported that the necessary arrangements had been made.

The Sergeant at-Arms announced "The Honorable the Senate of South Carolina have arrived."

The Senate, by direction of the House, occupied the front seats.

The PRESIDENT of the Senate took the chair.

Mr. NEAGLE, Chairman of the Committee on Inauguration, introduced the Governor elect to the President.

The proceedings were opened with prayer by Rev. E. J. Adams, Chaplain of the Senate.

The PRESIDENT of the Senate introduced the Governor elect to the General Assembly.

The Governor delivered the following inaugural address :

Gentlemen of the General Assembly :

The circumstances under which we meet makes it peculiarly fitting that we should recognize the hand of Divine Providence, not only in the great and painful changes of the past, but especially in the important events which have resulted in the meeting of the General Assembly.

On entering upon the duties of my office, it is right that I should state, in general terms, the principles which will control me in administering the affairs of the State. It would be affectation not to recognize the peculiar circumstances under which I have been elected Governor, and which must necessarily have great influence in shaping my course. Let me say, then, that I have no doubt as to the validity of all the proceedings which have been had under the Reconstruction Acts of Congress, and that I assume this office, after having been elected by a large majority of the votes of the voting population of the State, with the full determination to exercise all the powers belonging to the position—with the purpose always of promoting the best interests of the whole people. But while I believe that in my election the will of the majority of the people of South Carolina has found a fuller expression than ever before in her history, I am, at the same time, aware that an influential minority of her people view the acts that have resulted in the adoption of the Constitution under which we are assembled, and my election to the office of Governor, as in violation of their constitutional rights, and that they more or less earnestly and honestly look forward to the time when these and all other acts done under the authority of the United States Government, since the close of the war, shall be declared null and void. It is never wise in any community for the majority to treat with indifference or unnecessary rigor the opinions and wishes of the minority. In a community

like this, where society is being completely revolutionized, and where, as the result of that revolution, soreness and bitterness of feeling necessarily exist among all classes, but especially among the former ruling class, it is of the very first importance that we, who represent the majority of the people, shall exercise great moderation and forbearance in all that we do, so that we may disappoint both the hopes and fears of those who have prophesied concerning us a different result.

For my own part, while I shall, within the scope of my powers, firmly and consistently carry out the principles of freedom laid down in the Constitution, and jealously seek to maintain the rights of the poorest and humblest citizen of the State, I hope to be able to do this duty in such a manner that large numbers of those who now stand aloof, foreseeing only evil to the State, will, as time rolls on, realize that the extension of equal rights to those hitherto deprived of them, instead of injuring the State, produces contentment and peace, conditions precedent to the growth of an intelligent, strong and prosperous people. Had I not supposed that something could be done in this direction, I never would have dared to accept this trust at the hands of the people.

There is a class of citizens who will probably, for many years, be unable to contentedly adapt themselves to the new order of things; but I confidently believe that this class is very small, and that, as time passes, it will become still smaller and less influential. With the great majority, however, wise laws, justly administered, will have the effect of reconciling them to the new Government; and I have no doubt that, in a very short time, we may, upon the great essential principles of social order and political freedom, be a happy and united people.

Upon you, gentlemen of the General Assembly, will fall a large share of the responsibility which rests upon us all for the security of the future. You will pardon me, therefore, if I urge upon you the exercise of great care, purity and moderation in all that you do. The Constitution adopted by the people of the State must be your guide. Whatever imperative duties it devolves upon you must be performed without qualification; but generally the Constitution is confined to the statement of certain fundamental principles, which are left for you and the people to apply, as time and circumstances may demand. And so long as no man's right or liberty is imperiled by delay, it is wise in matters of legislation "to make haste slowly."

The wisdom and moderation that characterized the Convention, which framed our Constitution, argues favorably as to the future legislation of the State. I pray you to remember, in all your action as a legislative body, that you are to care for the wants of the whole people, without regard to class or condition—while nothing should be done in a spirit of revenge; so we should be equally careful to avoid anything which might be construed into servility, or concession to unworthy demands.

It is, however, upon the people at large that the heaviest responsibility (for the future) must rest. Constitutions and laws amount to nothing, unless they are sustained by a virtuous and intelligent people. A community composed of people who, on the one side, are factious, fault-finding and suspicious, and, on the other, credulous and indifferent, cannot expect to enjoy either peace or prosperity.

The Congress of the United States has done all it can do for us by legislation. It has enabled us to form and adopt a Constitution, which secures to all men equal rights; and to organize a government under that Constitution, we must do the rest ourselves. By wisdom, forbearance one with another, sobriety, industry and education, we may build up a State worthy of the great nation of which we now form an indissoluble part, and fruitful of all blessings to ourselves and posterity.

From this place I venture to ask the people of South Carolina, of all classes and conditions, to devote themselves earnestly to the promotion of good will and harmony. So far as is possible and consistent with duty, let us forget the past; and looking only to the present and the future, strive with cheerfulness and honesty of purpose to make ourselves worthy recipients of the blessings which are sure to flow from a free Government.

At the conclusion of the address, His Excellency Governor R. K. Scott announced himself prepared to take the oath of office.

Hon. A. G. Mackey, President of the Constitutional Convention, administered the oath, and proclaimed His Excellency Robert Kingston Scott Governor of the State of South Carolina.

The Senate then retired, and the business of the House was resumed.

Mr. RANSIER gave notice that he would to-morrow ask leave to introduce

A Bill concerning the bonds of officers of the State.

Mr. ELLIOTT introduced the following resolution, which was agreed to:

Resolved, That a Committee be appointed to find a more suitable place for holding the session of the Legislature.

Messrs. Elliott, Wilder, Moore, Collins and George Lee were appointed as the Committee.

Mr. RANSIER presented sundry papers concerning the contested seats of the members from Anderson, which were referred to the Committee on Privileges and Elections.

On motion of Mr. DELARGE, it was

Resolved, That the Committee on Privileges and Elections be empowered to send for persons and papers.

Mr. FERITER introduced the following resolution :

Resolved, That the Governor be empowered to appoint Justices of the Peace, and such county officers as may be necessary, until a law for that purpose shall be passed.

On motion of Mr. WHIPPER, it was laid on the table.

On motion of Mr. DELARGE, the following was unanimously agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, That the General Assembly of South Carolina hereby petition the Congress of the United States to remove the disabilities of W. J. Mixson, Representative elect from the County of Barnwell.

Mr. WHIPPER introduced the following resolution, which was agreed to :

Resolved, That a Committee of five be appointed to report the necessary Standing Committees for the business of the House.

The SPEAKER appointed Messrs. Whipper, W. J. McKinlay, DeLarge, Sloan and Stubbs as the Committee.

On motion, the House adjourned until 12 M. to-morrow.

FRIDAY, JULY 10, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The reading of the Journal of the previous day was, on motion, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. ELLIOTT, from the Committee appointed to find a more suitable building in which to hold the session of the Legislature, reported the performance of that duty, and that no better place could be found, and asked to be discharged.

On motion, the report was received as information, and the Committee discharged.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved, That a Committee of five be appointed to examine the building situated upon Arsenal Hill, the property of the State, and report to this

House if it is deemed suitable for a residence for the Governor of the State, and what expenditures are necessary to fit these premises for said use.

Messrs. Neagle, Lomax, Clyburn, Bennett and Goodson were appointed as the Committee.

Mr. NEAGLE, from the Committee appointed to wait on the Governor and inform him that the House was ready to receive any communication that he was ready to make, reported that they had discharged that duty, and that His Excellency would communicate forthwith.

The report was received as information, and the Committee discharged.

The Private Secretary of the Governor, Mr. E. S. Jennison, was then introduced, and read the following :

MESSAGE FROM THE GOVERNOR, NO. 1.

Gentlemen of the Senate and House of Representatives:

For the first time in the history of South Carolina, her General Assembly has convened under a Constitution that recognizes the rights of man. The monopoly of class, by which the few governed the many, has gone down before the sovereignty of the people, and her institutions have been founded on the broad basis that "all governments derive their just powers from the consent of the governed." Our Constitution, recently ratified by the vast majority of the voters of South Carolina, guarantees to the citizen every privilege consistent with the safety of the State, and invests the State with every prerogative not inconsistent with the rights of the citizen. Sound policy and correct principle thus unite in our political system, and it will be your duty, as it will doubtless be your chief aim, so to legislate that the public laws and administration of the State shall not discredit the Constitution under which you have assembled.

The object of all legislation should be the greatest good to the greatest number. Equal and exact justice to all is therefore required at your hands; and I have no doubt that each and every class and locality in the State will receive their due share of public favor from your honorable bodies.

FINANCE AND STATE DEBT.

The financial condition of the State will doubtless engage your early and most serious attention, and the necessary ways and means be provided, both for the support of its Government and to meet the lawful demands of its creditors, foreign and domestic.

Character is credit, and credit is the very sinews of the State in peace and war. The obligation of the State, therefore, to meet all of its liabilities is founded alike upon correct moral principle and sound public policy. This obligation should be the more sensibly felt from the fact that a State

cannot, like an individual, become the subject of coercive process to compel it to meet its just indebtedness; but the creditor must rely solely upon its honor. The Convention appointed a Board of Commissioners to investigate the debt and available assets of the State, with instructions to report the results of their investigation to the General Assembly, at its first session, and as I am without any positive data upon this subject, I must refer you to their report, which will doubtless soon be laid before your honorable body. I will make this matter of the debt of the State the subject of a special message to the General Assembly, as it is one that vitally concerns the reputation of our people and the future credit of the State.

The information that I now have places the valid debt of the State, exclusive of the war debt, at about five million five hundred thousand dollars (\$5,500,000). This debt is very small compared with that of other States and the resources of the State, and if proper measures are taken to promptly liquidate the interest due upon it, the credit of South Carolina will stand as high as that of any State in the Union.

I would recommend the funding of the unpaid interest now due upon the State debt, and also that accruing up to a period when the State will, without doubt, be able to meet her liabilities; and would suggest the first of July, 1869, as the date to which it should be funded. I would also recommend that all bonds of the State should be made payable in New York, as the financial centre of the country; and that all stocks should be convertible into bonds, at the pleasure of the holders.

STATE BANK.

I recommend an early and thorough investigation into the affairs of the State Bank, with a view to ascertain the liabilities it may have entailed upon the State, pursuant to the terms of its charter. Its debts and assets should be inquired into, and it should be put in liquidation as soon as possible, in order that the just claims against it may be promptly settled.

BONDS OF STATE OFFICERS, AND DEPOSITORY FOR STATE FUNDS.

In order to guard the State against loss by defalcations or otherwise, I earnestly recommend that all officers who are charged with the custody of public funds shall be required to give ample bonds and security for the safe-keeping or faithful disbursement of the same. I also recommend that a responsible bank shall be designated as a depository for the funds of the State; and that authority should be vested in the Governor, and two private citizens to be selected by the General Assembly, or otherwise, to demand from the State Treasurer at any time an exhibit of his books, and all public moneys for which he may be accountable; this inspection to be made at least once in each quarter.

TAXATION AND ASSESSMENTS.

There is no problem that can engage the attention of the legislator more difficult than the framing of an equitable system of taxation. Even in the most prosperous communities the laws that exact from the citizen a portion of his means to support the Government that protects his life and property are viewed with extreme sensitiveness. Especially is this the case in a society such as ours, where values of every kind have been suddenly changed by the convulsions of war, and where the exclusive government of class has been expanded into the true republicanism of universal suffrage. Hence those who oppose the free Constitution of our State allege that it enables the non-property holder to legislate for and tax the property holder. This argument, however specious it may seem, destroys itself by proving too much; for as in all republics the majority must rule, and as the majority are always non-property holders, or as individuals pay least of the taxes, it follows, under the argument alleged, that the very basis of our republican system should be expunged. While the capitalist may justly declare that he should not be made the subject of unreasonable exactions, as upon his capital depends the creation of great public and private enterprises and the employment of labor in every pursuit in life, yet the working masses—the agriculturalist and the mechanic—may, with no less justice, assert that by their labor and skill capital is multiplied through all the varied forms of production and trade, and that they are the bone and sinew of the State in peace and war, and should therefore receive their due share in its administration.

Recognizing the justice of both of these claims, it is your delicate and important duty so to adjust our system of taxation that the enterprise of the capitalist shall not be depressed by imposing upon him undue burdens, while, at the same time, every class of real and personal property shall be required to aid in the support of the State, and in sustaining the institutions that its condition demands. In this you will be guided by Section 36, Article I, of our State Constitution, which declares that "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 share to the expense of his protection."

It is proper for me here to call your attention to the fact that, under a recent decision of the Supreme Court of the United States, National Banks, within the limits of the State, are subject to State taxation; while the property of railroad companies, municipalities and all other corporations will be embraced in your general tax bill.

I invite your attention to Article IX of the Constitution, which provides

that "the General Assembly shall provide by law for a uniform and equal rate of assessment and taxation," and defines the powers of the corporate authorities of counties, cities, towns, &c., and authorizes them to assess and collect taxes for corporate purposes. The assessed value of the real estate of South Carolina in 1860 was one hundred and twenty-nine million seven hundred and seventy-two thousand six hundred and eighty-four (129,772,684) dollars. This value has, of course, been materially lessened by the violent convulsions to trade and the industrial interest of the people during the past seven years; yet it serves to indicate that with every allowance for the known reduction in the market value of our real estate, that even upon a minimum assessment of values, it will form an important basis of taxation and of the financial resources of the State.

COUNTY TREASURERS AND AUDITORS.

In this connection, I would recommend that the General Assembly will provide by law for the creation of the office of County Treasurer and County Auditor, to be appointed in such manner as your honorable body shall direct. These officers should be placed under ample bonds for the safe-keeping and faithful return of all moneys of the State and county that may at any time come into their possession. The County Auditors will be the clerks of the several Boards of County Commissioners, and will make up and audit the accounts between the county and the tax payers and the State, and examine and countersign the necessary drafts upon the County Treasurers.

DIVISION OF THE COUNTIES.

I respectfully recommend that you will provide at your present session for the division of the larger counties of the State. According to the United States census of 1860, South Carolina has an area of twenty-four thousand five hundred (24,500) square miles, with a population of seven hundred and three thousand seven hundred and eight (703,708), or near fifteen (15) persons to the square mile. As the State is divided into thirty-one (31) counties, these figures show that the average area of our counties is about eight hundred (800) square miles, while several of them actually embrace an area of more than eighteen hundred (1,800) square miles. In the present condition of our public roads, with many of the streams unbridged, and with the few facilities for traveling possessed by the most of our people, the great distance of the county seat and records from those living upon the border of one of those large counties entails the most serious inconvenience upon them.

In view of the necessity of a new geographical sub-division of the State,

Article II, Section 3, of the Constitution provides "That the General Assembly shall have the power, at any time, to organize new counties by changing the boundaries of any of the old ones; but no new county shall be hereafter formed of less extent than six hundred and twenty-five square miles; nor shall any existing counties be reduced to a less extent than six hundred and twenty-five square miles. Each county shall constitute one election district." I suggest that six hundred and twenty-five (625) square miles, or twenty (20) townships, be made the maximum area of any new county that may be hereafter formed.

PUBLIC ROADS AND BRIDGES.

In view of the very bad condition of our public roads and bridges, I recommend that the General Assembly will provide by law for the sub-division of each county into road districts, and for the appointment of competent persons as supervisors of such districts, under the direction of the County Commissioners. These supervisors of roads should receive a reasonable per diem when actually employed, and the County Commissioners should be empowered to require that each able-bodied citizen, between the ages of twenty-one (21) and fifty-five (55) shall give his labor a reasonable number of days in the year, to be fixed by law, for working the public roads, or shall pay in lien thereof a certain sum.

It should also be provided that the County Commissioners may be held responsible in damages for any injury to persons or property that may accrue to any citizen because of their failure to keep the roads and bridges in good and safe repair.

JUDICIARY.

Article IV of our Constitution provides for the reorganization of the Judicial Department of the State, and defines the jurisdiction of the several Courts to be organized in pursuance of the same. This important subject, so vital to the protection of the person and property of the citizen, demands, and will doubtless receive, your early and most serious attention. I recommend that the jurisdiction of Justices of the Peace be extended, so that they may render judgment in petty cases involving the liberty of the accused, subject of course to an appeal. The State will thereby be saved the cost of supporting many prisoners in the jails, charged with small offences, but unable to give bonds for their appearance at the general term of the Court, while the committing Justice has no authority to pass sentence upon them. I would also recommend that Justices of the Peace should be vested with the power to discharge from arrest in any case where there is not probable cause or reasonable grounds for believing the accused guilty. This would not debar the Grand Jury from investigating the case of a person so

discharged, and finding a bill of indictment against him, should the facts warrant it, while it would prevent much hardship to innocent persons, and expense to the State, by the law's delay.

In this connection, I would urge that the fees of Justices of the Peace, Clerks of Courts, Sheriffs, Constables, and other officers who may be entitled to receive fees, should be strictly regulated by statute.

REVISION OF CODE AND CHANGE OF PLEADINGS.

I invite your earnest attention to Section 3, Article V, of the Constitution, providing that "the General Assembly, at its first session, after the adoption of this Constitution, shall make provision to revise, digest, and arrange under proper heads, the body of our laws, civil and criminal, and form a penal code, founded upon principles of reformation." This Section also provides that the General Assembly, "for that purpose, shall appoint some suitable person or persons, whose duty it shall be to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts now in use in this State." A well digested code of public laws, with a full and clear index, will be of great value to all classes of our people, professional or otherwise. Such a code South Carolina has never possessed. The Commission appointed for this purpose should be composed of men of the highest legal ability, and should be empowered to omit from the code such statutes as are no longer in accord with our Constitution, or that conflict with the changes in our political and civil systems. Especially should the plea of "benefit of clergy," which has so long disgraced the judicial system of the State, be no longer recognized by our Courts. I trust that the General Assembly will make an appropriation sufficiently liberal to give a fair compensation to the members of that Commission for their necessarily arduous labors.

STATUTE OF FRAUDS.

Section 20, Article I, of the Constitution having provided that "no person shall be imprisoned for debt, except in cases of fraud," I recommend that the General Assembly shall, at an early day, enact a Statute of Frauds, and also a new Statute of Limitations, defining the rights, remedies and liabilities of creditors and debtors.

ELECTIONS.

I invite your attention to Section 3, Article VIII, of the Constitution, which provides that "it shall be the duty of the General Assembly to provide from time to time for the registration of all electors."

It is important to the safety of the State that the rights of its electors

and the purity of the ballot box should be rigidly guarded. I therefore recommend that you will pass stringent laws prescribing the duties of Registrars and Judges of Elections, with appropriate penalties; and providing also for the punishment of bribery and corruption at public elections.

REMOVAL OF POLITICAL DISABILITIES.

I would earnestly recommend that your honorable body will, at an early period, memorialize Congress to relieve every citizen of South Carolina from all political disabilities. I make this recommendation the more readily from the fact that there are believed to be none of that class of this State who have committed infamous offences against the laws of war.

The statute of disfranchisement was doubtless wise and proper at the earlier stage of reconstruction, and justly marked the nation's abhorrence of those who, having been the trusted leaders of the people, had led them into rebellion against the benign government of their country. Yet the continuance of such disfranchisement would be an anomaly under our republican system, based upon the doctrine of universal suffrage. Let us hope that such an act of magnanimity will not be mistaken by the class disfranchised, while to deny it will tend to make them objects of sympathy, and will be, as it were, to keep a knife sticking in an open wound.

EDUCATION.

Civil liberty and the education of the masses are inseparable.

The safety of a free State rests upon the virtue and intelligence of the people, and it cannot preserve the one without cultivating the other. All republics of which history makes mention have owed their decline and fall to the corruption of the people; who, having become unmindful of their rights and duties through ignorance, became the prey of demagogues through choice. In a country such as ours, where the humblest citizen, if worthy and well qualified, may aspire to the station of the highest, and where the hard-handed child of poverty and toil may become the chief magistrate of the republic, the diffusion of intelligence among the masses is not only a measure of public justice, but vitally concerns the public safety.

The Government of the United States has been so mindful of the importance of popular education that it has already given 70,000,000 of acres of public lands, worth at least ninety millions (90,000,000) of dollars, for the establishment of schools and colleges in the States and Territories of the Union. I would, therefore, earnestly recommend that the provision of our Constitution upon this subject be carried out in its fullest extent, and that as thorough a system of free schools shall be established as is consistent with the present taxable resources of the State.

I deem it proper to add, that satisfactory assurances are given that Con-

gress will, within a brief period, make a liberal grant of public lands to this State, for the creation of a permanent common school fund; thus, in a great measure, relieving our people from the burden of taxation for that special object. I respectfully suggest that you will memorialize the Congress of the United States upon this subject, and solicit the grant referred to at the earliest possible day.

Article X, Section 3, of the Constitution, provides that "there shall be kept open, at least six months in each year, one or more schools in each school district."

I respectfully recommend that the General Assembly will provide, by law, for the establishment of at least two (2) schools in each school district, when necessary, and that one of said schools shall be set apart and designated as a school for colored children, and the other for white children, the school fund to be distributed equally to each class, in proportion to the number of children in each between the ages of six and sixteen years. I deem this separation of the two races in the public schools a matter of the greatest importance to all classes of our people.

While the moralist and the philanthropist cheerfully recognizes the fact that "God hath made of one blood all nations of men," yet the statesman, in legislating for a political society that embraces two distinct, and, in some measure, antagonistic races, in the great body of its electors, must, as far as the law of equal rights will permit, take cognizance of existing prejudices among both. In school districts where the white children may preponderate in numbers, the colored children may be oppressed, or partially excluded from the schools; while the same result may accrue to the whites in those districts where colored children are in the majority, unless they shall be separated by law, as herein recommended. Moreover, it is the declared design of the Constitution that all classes of our people shall be educated, but not to provide for this separation of the two races will be to repel the masses of the whites from the educational training that they so much need, and virtually to give to our colored population the exclusive benefit of our public schools. Let us, therefore, recognize facts as they are, and rely upon time, and the elevating influence of popular education, to dispel any unjust prejudices that may exist among the two races of our fellow-citizens.

AGRICULTURE.

The concentration of labor and capital upon one product, and that, too, extremely liable to the varying hazards of the seasons and the worm, has retarded the agricultural prosperity of South Carolina, and of the entire South. The true safety of the farmer lies in the cultivation of several products, so that although the season may be unpropitious for one, he may preserve the other. He should not imitate the unwise merchant who embarks his all, though uninsured, in a single ship.

The impolicy of concentrating so large a portion of labor upon cotton, instead of dividing it among mixed crops of corn, wheat, potatoes, &c., and the products of the dairy, is best illustrated by the following facts drawn from the census of 1860, and the report of the United States Commissioner of Agriculture for 1866. The cotton crop of Georgia, the empire State of the South, in 1860, was 701,840 bales, yielding little more than thirty millions (30,000,000) of dollars; while the butter of New York in 1865, one of the several products of the dairy, was estimated at sixty millions (60,000,000) of dollars. Yet the census gives to New York but 470,914 farmers and farm laborers, and to Georgia, including white farmers and farm laborers, and *only the males* of the slaves, 316,478 persons engaged in agriculture. Should the female slaves be included, Georgia would have actually had a larger number of farm laborers than the State of New York. Besides the other dairy products, milk and cheese, and the multitude of smaller products of the farm, the principal crops make in value an astounding aggregate. Thus, in 1864, the corn crop of New York was estimated at \$38,000,000, the wheat at \$25,000,000, the oats at \$30,000,000, potatoes at \$19,000,000, and hay at \$90,000,000. Including the minor cereals, the products of orchards and gardens, the production of beef and mutton from pasturage, and a great variety of miscellaneous products, the currency value of the agricultural productions of this one State, in that year, was far greater than the money returns of any cotton crop ever produced in this country; and the gold value of such products would be greater than the gold value of half the cotton crop of 1860, the largest ever made in the United States.

The grand results are not due to any superiority of soil or climate above our own, but to a properly directed and diversified system of labor, and to superior agricultural implements and farm economy. The aggregate product of varied agricultural labors must always exceed in value the yield of any one staple, however vast and well organized may be the system of labor applied to it, for marked success in the production of that one will lessen its price, by an undue increase of the supply over the demand.

The introduction of improved implements of husbandry is a matter of vital importance to the farming interests of the State. With the aid of proper machinery and the proper use of fertilizers, our farmers will be enabled to cultivate a larger area of land, and to cultivate it more thoroughly, than under the former system they cultivated a very limited amount.

These considerations become all the more important in view of the fact that in South Carolina there are four millions (4,000,000) of acres of land improved, while there are nearly twelve millions (12,000,000) of acres *unimproved*. The recent discovery of vast beds of phosphates of lime on the

banks of the Ashley, near Charleston, will enable us to enrich our worn out lands with that most valuable fertilizer at a comparatively small cost. Large shipments of this fertilizer are now being made from Charleston to Northern ports, and which might be manufactured here, and sold cheaply to enrich the poor lands of our own State.

AGRICULTURAL COLLEGE.

I invite your attention to Section 9, Article X of the Constitution, which directs the General Assembly to provide for the establishment of an Agricultural College, upon the basis set forth in an Act of Congress of July 2, 1862, providing for the endowment of Agricultural Colleges in the several States. The Act provides that each State and Territory shall receive thirty thousand (30,000) acres of public land scrip for each Senator and Representative that it may have in Congress. Under its provisions, South Carolina will be entitled to eleven hundred and twenty-five pieces (1,125) of 160 acres each, representing one hundred and eighty thousand (180,000) acres of public land, worth in the market at present about one dollar per acre, or one hundred and eighty thousand (180,000) dollars.

This scrip may be located in any State or Territory having public lands subject to sale at one dollar and twenty-five cents (\$1.25) per acre. The Act also provides that the money arising from the sale of such scrip "shall be invested by the State in public stocks, at not less than five (5) per cent. interest, and the interest shall be appropriated for the establishment of at least one college, where the leading object shall be, without excluding scientific and classical studies, or military tactics, to teach such branches as are related to agriculture or the mechanic arts."

I would also invite your attention to the general Act of Congress of 1864, donating five hundred thousand (500,000) acres of public land to each State in aid of internal improvements. Other States have, under the authority of Congress, applied that donation to educational objects, and I suggest that you memorialize Congress to extend the same privilege to this State.

STATE BOARD OF AGRICULTURE AND EMIGRATION.

A celebrated statesman has observed that "agriculture feeds us; in a great measure it clothes us; without it we could not have manufactures, and we should not have commerce; they will stand together, but they will stand together like pillars, the largest in the centre, and that is agriculture." Agriculture is indeed the life of a nation, its very existence depending upon the annual production of its soil. In view of the vital importance of this subject, and of the vast amount of arable land in the State now lying wild and fallow, or at best poorly cultivated, I respectfully suggest the passage of an Act creating a State Board of Agriculture and Emigration,

to consist of at least three capable persons, one of whom should be a practical chemist.

This Board should be charged with the duty of investigating and making known to the entire country the agricultural resources of the State, and should be required to make an annual report to the Legislature, embody the results of their labors, and recommend such improvements as they may deem necessary in the system of cultivation now practiced among our people, and such improved agricultural machinery as to them may seem most proper, together with the value and mode of using fertilizers. They should also set forth the attractions that our soil and climate and mineral resources offer to the thrifty agriculturists, mechanics and miners of our Northern States, and to those of Europe. They should also present tables showing the cost of living, the rates of wages, the number and class of mechanics needed in the several counties, and the price of land, and the terms upon which it can be rented. Their report should be furnished to the Trades Unions of this country and Europe.

This information, if properly distributed, will, I feel assured, start a tide of emigration that will flow into and greatly enrich the State. The German and French grape-growers will find in our upper tier of counties a soil and climate as genial to the grape as their own vine-clad hills, being precisely on the same parallel of latitude as the great wine-making districts of Spain and Portugal. The Swede and the Dane will find ample scope and verge for their talents for mining in our gold and iron and lead regions, while even the Hollander may exercise his cunning in draining the marsh lands of our low country, which he may get almost for the asking. Our rivers, abounding with noble falls, are running to waste, when they should resound with the hum of thousands of busy spindles. These invite the manufacturer of the North, who will find labor among us abundant and cheap, and may look from his own door upon fields white with the cotton that supplies his mill.

RAILROADS.

According to the eighth census of the United States there were nine hundred and eighty-seven (987) miles of railroad in South Carolina at the close of the year 1860, built at a cost of twenty-two million three hundred and eighty-five thousand (22,385,000) dollars.

It may be interesting to observe that the Charleston and Hamburg Road was the first passenger railway constructed in the United States. It was commenced in the spring of 1829, and six (6) miles were completed in that year. It is a noteworthy fact that before the use of locomotives was established in Great Britain, or they were known in the United States, the Directors of this road determined, under the advice of their engineer, Mr.

Horatio Allen, to make them exclusively the motive power. The same gentleman, in the winter of 1829, made the drawings of the first American steam locomotive, called the "Best Friend," which was planned by Mr. E. L. Miller, of Charleston. Upon the Charleston and Hamburg Road was introduced, in 1831, for the first time on any railroad in the world, the important arrangement of two four (4) wheeled trucks for locomotives and long passenger cars.

The facts here stated are designed to show that the State has never been wanting in men of mechanical genius, with the capacity to achieve the greatest enterprises if properly encouraged. South Carolina; although the first to initiate a railway system, has prosecuted it to a very limited extent, compared with the demands of her commerce and the resources of her soil. The facility with which railroads can be built in this State is evidenced by the fact that the railroads of South Carolina have cost in their construction less per mile than any of equal length in the United States. I would recommend the fostering of these great and beneficent public enterprises by the State so far as may be consistent with the proper maintenance of other important public interests. At the same time that railroad corporations should be generously, but judiciously, fostered, yet suitable laws should be enacted to regulate their tariff of charges for freights and passengers, or otherwise they may oppress all classes by their excessive rates, and check the trade and enterprise of the people.

Railroads are the main arteries of commerce. They stimulate production by bringing the market within easy reach of the producer. They give an impetus to every branch of trade, while they promote unity and good will among great populations by enabling them to circulate freely among each other. I would especially recommend that the State should furnish all the aid that it can expediently for the speedy completion of the Blue Ridge Railroad. The importance of that road to the people of the State at large cannot well be over-estimated. Starting at Anderson Court House as a prolongation of the westerly branch of the Greenville and Columbia Railroad, it will traverse portions of the counties of Anderson and Pickens, and of the States of Georgia, North Carolina and Tennessee, having its western terminus at Knoxville, whence it will have connections with Chattanooga, the great focal point of south-western railroads. It will also connect at Knoxville, with roads running direct to Louisville, Kentucky, and Cincinnati, Ohio. The entire length of the road will be 196 miles, of which 52 miles lie within the limits of South Carolina. Thirty-four (34) miles of this distance have been finished and are now in running order from Anderson to Walhalla.

"The Blue Ridge Railroad Company in South Carolina" was chartered by the Legislature of this State in 1852; but untoward events, among them

the alleged bad faith of the first contractors, have prevented the prosecution of the work upon it.

The total amount thus far expended on the road is three million two hundred and fifty thousand (3,250,000) dollars. The additional amount required to complete it is stated by the President of the road at three million five hundred thousand (3,500,000) dollars. This increased estimate of cost per mile over that portion already constructed is due to the heavy amount of tunneling that will be required in getting through the Blue Ridge. The State now owns stock in this road to the amount of one million three hundred and ten thousand (1,310,000) dollars.

The present bonded debt of the company is stated at two hundred and thirty thousand (230,000) dollars, secured by a mortgage on the road and its running stock. Mr. J. W. Harrison, President of the Company, states, in a recent report that he has made of the condition and prospects of the Blue Ridge Railroad Company, that "all that is expected of the State is, that she shall guarantee the bonds of the company for, say three millions of dollars, to be issued in such sums and at such times as the progress of the work may require; and that the State shall provide for the payment of the interest on the bonds while the road is being built. For example, the company could perhaps expend one million of dollars a year for three years, in which time the road can be completed. The State would provide for interest on \$1,000,000 :

First year.....	\$ 70,000
Second year.....	140,000
Third year.....	210,000
	\$420,000

So that, by an expenditure of four hundred and twenty thousand dollars, to be raised by taxation in three years, this great enterprise would be secured. The State would have ample security for her guaranty. A first mortgage on the road, thus eligibly located, costing \$7,500,000, with a debt of only three millions."

In view of the great commercial importance of the Blue Ridge Railroad to all sections of the State, and of the large amount of its stock that the State already holds, I recommend that your honorable bodies will take into your earnest consideration the expediency of furnishing the company such timely aid as will secure its speedy completion.

The Blue Ridge Railroad, when completed, will give us a direct connection, upon the shortest line, with the great West, with all its inexhaustible supplies of pork, beef, corn and wheat, and will thus cheapen many of the necessaries of life to our people, and at the same time furnish a valuable outlet for our own products. The city of Charleston is the nearest of all

the Atlantic ports to the great States of the West, and by the construction of this road the wealth of that imperial region will be poured into her lap.

She may then cast off her widow's weeds, and become again the "Queen City of the South."

I will hercafter submit, for the consideration of the General Assembly, a plan of State aid for this road, differing somewhat from that set forth by its President, based upon the proposals of the most competent railroad men.

STATE HOUSE.

I invite your attention to the condition of the State House, and as the State is at present too poor to complete it in accordance with its original design, I recommend that it shall be repaired and fitted up so far as to make it tenatable for the General Assembly and the Executive Department of the State. The work should be executed in such a substantial and proper manner that it may be made available on the final completion of the building. For this purpose I recommend that the General Assembly will authorize the Executive to advertise for proposals, with plans and specifications, from architects and builders, to be transmitted by him to the General Assembly, for its action during the present session.

PENITENTIARY AND JAILS.

I invite your attention to the condition of the Penitentiary building, and recommend the completion of the same as soon as the finances of the State will warrant the requisite outlay. Under proper regulations and judicious management, this institution may not only be rendered self-supporting, but may become a source of revenue to the State.

I would also recommend that you will provide by law for a thorough and regular inspection of prisons throughout the State. I am satisfied that a great sanitary reform is needed, as their present condition makes them the means of physical punishment to offenders who are confined within their walls, even for a brief period. The true design of imprisonment should be rather to reform than to punish.

ASYLUMS AND ALMS HOUSES.

The calamities of war have added largely to the number of those who must depend upon the public for the support and assistance that that unfortunate condition demands. I therefore recommend that you will extend your fostering care to the asylums and alms houses of the State, and that they may be founded and administered on a broad and liberal basis, worthy of a Christian people.

THE FREEDMEN'S BUREAU.

The assistance rendered by the Bureau of Refugees and Freedmen to the people of this State has been most timely and valuable. While it has cared for large numbers of destitute poor, who from physical infirmity or otherwise were unable to labor, it has at the same time made judicious advances of provisions to our planters, secured by liens upon their crops, without which advances thousands of laborers, now usefully employed, would be necessarily idle, and thousands of acres of land, now bearing abundant crops, would be lying untilled. It has not only been the chief organizer of labor in the State, during the past two years and a half, by supervising the execution of equitable contracts between the employers and the employed, enforcing the rights of both, but it has inaugurated and sustained a widespread system of schools, that have been open to all without distinction of race or color. As, however, the civil functions of the State are being rapidly resumed, I have informed Major-General O. O. Howard, Commissioner of the Bureau, that it may be dispensed with as an institution in this State, immediately after the civil officers shall have been elected in the State, and shall enter upon the duties of their respective offices. The several Justices of the Peace can discharge the duties that are now performed by agents of the Bureau. I have, however, requested that our people may continue to receive the benefit of the school fund of the Bureau as long as the same is disbursed in the several Southern States for the benefit of the poor.

THE LATE ASSASSINATIONS IN KERSHAW COUNTY.

I have learned with profound sorrow of the recent murder, at his residence in Kershaw County, of the Hon. S. G. W. Dill, a member of the Constitutional Convention, and a member elect of the State Senate. Mr. Dill was assassinated while surrounded by his family, by an armed band of lawless persons. Mr. Fraser, a private citizen, was slain by them at the same time, and Mrs. Dill was seriously wounded. The cause for this infamous deed is unknown, but it is generally believed to have been political. The military authorities have been actively investigating the matter, and have arrested and now hold in custody several persons charged with aiding in, or having a guilty knowledge of, this great crime. I trust that a rigid investigation will be made, and that the guilty parties may soon be brought to justice. It should be clearly understood by all that no man in this State shall be subject to violence because of his political faith or utterances. The citizen is amenable only to the law, and I intend to enforce the laws of the State for the protection of every person within its limits, peaceably if I can, forcibly if I must.

SUSPENSION OF THE WRIT OF HABEAS CORPUS.

I invite your attention to Section 24, Article I, of the Constitution, which declares that the power of suspending the laws, or the execution of the laws, shall never be exercised but by the General Assembly or by authority derived therefrom; to be exercised in such particular cases only as the General Assembly shall expressly provide for. While I am satisfied that there is no organization in the State having for its object resistance to the laws and constituted authorities, yet prudence would suggest that the General Assembly should authorize the Governor to suspend the writ of *habeas corpus* "when in cases of rebellion or invasion the public safety may require it," or when from serious local disturbance the due course of law may be obstructed. I would also recommend the passage of an Act providing that when a party is charged with crime in any county, and it should appear upon proper sworn testimony that justice will not be done the State upon the trial of said party in the county wherein the crime was alleged to have been committed, that then the State shall be entitled to a change of venue to the nearest adjacent county wherein justice can be done both to the State and the accused. It should also be provided that the county from which such change of venue is had on behalf of the State shall be required to pay the whole costs of the same.

ORGANIZATION OF THE MILITIA.

I invite your attention to Article XIII of the Constitution, providing for the organization of the militia of this State. A well regulated militia being necessary to the security of a free State, I trust that the General Assembly will take action upon this important subject at an early day. I am assured that the quota of arms to which the State may be entitled, according to the number of her organized militia, will be promptly furnished by the War Department, upon the transmission of the proper requisition. I respectfully request that the Governor may be authorized to make requisition for one-half of those arms, in the pattern of Springfield rifle, in general use in the United States army, and for the other half in the improved breach-loading Springfield rifle, now being altered at the United States Arsenal from the new pattern of muzzle-loaders. I suggest that the General Assembly shall designate by law the depositories for those arms.

As soon as the militia shall be organized and equipped, the military forces of the United States, now in the State, pursuant to the Reconstruction Acts of Congress, may with propriety be dispensed with. Although that force has been of great value in extending needed protection to the people, yet the continued presence of the military is a reproach to a Republican State. Our Government must rest upon obedience to law, and upon that

willing support that the citizens should give to the institutions that protect him.

MILITARY ORDERS.

The several Military Commanders have issued General and Special Orders during the existence of the Provisional Government of the State, which I recommend that you will declare of binding force until repealed or rendered inoperative by Acts of the General Assembly. The orders referred to relate to the collection of debts, the stay of proceedings in the Courts in certain cases, and the relations of landlords and tenants, &c. It will prevent great disturbance and inconvenience to many of our citizens if the operation of those orders is continued until they can be substituted by the necessary laws. Indeed, the Supreme Court of the United States has decided more than once that military orders, issued pursuant to an Act of Congress, for the government of any domain acquired by conquest, continue in force *per se* as law until formally repealed by the regularly organized civil government. The decisions to which I refer are found in 20th Howard, page 276, case of Eugene Leitensdorfer and Joab Houghton, plaintiffs in error, *versus* James J. Webb; and the case of Cross *vs.* Harrison, 21st Howard, page 66. The former of these two cases was brought up by writ of error from the Supreme Court of the Territory of New Mexico; the latter came up by writ of error from the Circuit Court of the United States for the Southern District of New York, and action was brought to recover back dues paid at the port of San Francisco, California, upon the demand of an officer of the army, who was acting as Collector of that port under a military order. In both cases the Supreme Court of the United States held that the executive authority of the United States properly established a Provisional Government, which ordained laws and instituted a judicial system, all of which continued in force after the termination of the war, and until modified by the direct legislation of Congress, or by the Territorial Government established by its authority.

Although the case of South Carolina is not identical with that of New Mexico or the Territory of California, yet the same principle of expediency would appear to be involved in all, and the same wise policy requires the maintenance of many existing military orders to bridge over the transition period that must intervene between the cessation of the military government and the enactment by the General Assembly of the statutes necessary for the regular administration of the State in its various departments.

SALARIES OF STATE OFFICERS.

In view of the impoverished condition of the Treasury, and the necessity for the most rigid economy, in order to maintain the credit of the State, I

recommend that the salaries of all State officers shall be placed at such a figure as will secure to them only a reasonable compensation for the discharge of their several duties. In fixing these salaries, due allowance may properly be made for the difference between the gold rate at which they were formerly paid and the present market value of the currency; and as the offices were created for the benefit of the public, and not for the emolument of particular individuals, those who hold them may well be content with a fair compensation for the service that they may render to the State.

I further recommend that you provide by law for the appointment by the Governor of a Private Secretary, at such a salary as will secure the necessary clerical skill and intelligence for the proper discharge of all the duties of such office.

CONCLUSION.

Our gratitude is due to the Giver of all good for the bright promises of an abundant harvest now visible throughout the State. Permit me to express the hope that in all your deliberations the spirit of harmony and mutual forbearance, so necessary to the dignity of a legislative body, may be carefully preserved, and that our new State, through your wisdom and prudence, may inscribe upon the opening pages of its history a record un sullied by the petty warfare of local interests, and that every member of your body will bear in mind that he owes not merely a duty to the particular locality that he represents, but that the whole State of South Carolina now calls upon him for the unselfish service of his head and heart. Let us hope that the era of good feeling may soon return to the entire people of the State, and that they will soon regard themselves not simply as the inhabitants of an isolated section, but as citizens of a great nation, whose ships may float in safety upon every sea, and whose flag is the respected symbol of power and liberty in every land.

I trust, gentlemen, that the Omniscient Ruler of the Universe may sustain and direct you in the arduous duties that lie before you, that all your acts may inure to the common good of our whole people.

ROBERT K. SCOTT,
Governor of South Carolina.

Mr. WHIPPER, from the Special Committee, to whom was referred the resolution concerning the appointment of Standing Committees, made a report, and recommended that the following named Standing Committees, which are usually provided for in all State Legislatures, be adopted as the Standing Committees of this House:

A Committee of Ways and Means, to consist of nine members.

A Committee on Federal Relations, to consist of nine members.

- A Committee on the Judiciary, to consist of nine members.
- A Committee on Internal Improvements, to consist of nine members.
- A Committee on the Military, to consist of nine members.
- A Committee on Roads, Bridges and Ferries, to consist of nine members.
- A Committee on Public Buildings, to consist of nine members.
- A Committee on Incorporations, to consist of nine members.
- A Committee on Education, to consist of nine members.
- A Committee on Accounts, to consist of nine members.
- A Committee on District Offices and Officers, to consist of nine members.
- A Committee on Agriculture, to consist of nine members.
- A Committee on Grievances, to consist of nine members.
- A Committee on the Lunatic Asylum, to consist of nine members.
- A Committee on Public Printing, to consist of seven members.
- A Committee on Vacant Offices, to consist of seven members.
- A Committee on Engrossed Acts, to consist of five members.
- A Committee on Legislative Library, to consist of five members.
- A Committee on Railroads, to consist of seven members.
- A Committee on State House and Grounds.
- A Committee on the Penitentiary.

At the hour of 12 M., the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Committee on Subordinate Officers.

Mr. NEAGLE moved that the report be received as information, and that the House proceed at once to ballot for the different candidates. Agreed to.

On motion of Mr. STOLBRAND, the report was amended, and the Speaker was authorized to appoint all subordinate officers, except the Clerk of the House and Sergeant-at-Arms.

The report as amended was then adopted.

The House then proceeded to the election of Sergeant-at-Arms, with the following result:

Mr. J. P. F. Camp received.....	78
Mr. J. E. Green.....	13
Mr. B. A. Byas.....	3

Mr. J. P. F. Camp having received a majority of votes, was declared elected.

The House then proceeded to the election of Clerk of the House.

Mr. A. O. Jones received.....	81
Mr. J. Calnan.....	14
Mr. C. C. Perry.....	7
Mr. J. T. Sloan.....	5

Mr. A. O. Jones having received a majority of the votes, was declared elected.

On motion, it was agreed that when this House adjourns, it stand adjourned until Monday next, at 12 M.

The following concurrent resolution, as a part of the report of the Committee on Subordinate Officers, was agreed to, and ordered to be sent to the Senate :

Be it resolved, by the House of Representatives, the Senate concurring, That the Attorney-General, in accordance with the custom of previous Legislatures, be authorized to employ the necessary number of Engrossing Clerks, not to exceed six, except by express authority of the General Assembly; and that he be further authorized to employ the services of two competent lawyers to aid in preparing and perfecting the various Bills, resolutions and other papers for the General Assembly.

On motion of Mr. W. J. McKINLAY, the Rules were suspended to introduce a resolution.

Mr. W. J. McKINLAY introduced the following, which was agreed to :

Whereas the Rules under which we are now working were adopted temporarily, and are not adapted for the conduct of business in this body; therefore,

Resolved, That a Committee of five be appointed, whose duty it shall be to devise a system of Rules for our government, and report the same to this House at the earliest practicable moment.

Messrs. W. J. McKinlay, Bosemon, Lomax, J. N. Hayne and Milford were appointed as the Committee.

On motion, the House adjourned until 12 M. Monday.

MONDAY, JULY 13, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. Foster Brown, of Columbia.

The reading of the Journal of Saturday was, on motion, dispensed with.

The SPEAKER announced the following appointments of subordinate officers for the House, in accordance with the resolution authorizing him to make such appointments :

Reading Clerk—Mr. F. H. Frost, of Williamsburg.

Assistant Sergeant-at-Arms—Mr. Benjamin A. Byas, of Charleston.

Doorkeeper—John Fitzsimmons, of Richland.

Messenger—J. A. Crews, of Laurens.

Assistant Messengers—Nelson Hammond, of York; Abraham Ruffin, of Sumter, and Samuel Kennedy, of Anderson.

Pages—Benjamin Simmons, of Beaufort, and Charles Brown, of Richland.

Mr. W. W. Waller, member elected from Horry, came forward, was duly sworn, and took his seat.

On motion of Mr. KUH, it was

Ordered, That the United States flag be raised over the Legislative Hall.

The SPEAKER laid before the House a petition from certain citizens of Edgefield, requesting the appointment of certain persons as Managers of Elections for Cold Spring and Collin's Box election precincts. Referred to the Committee on Privileges and Elections. Also,

A petition from the Sumter Fire Engine Company, of Sumter. Referred to the Committee on Incorporations. Also,

A communication from Mr. H. A. Pierce, accompanying a proposal for the printing of the House, which was referred to the Committee on Public Printing. Also,

A communication from Mr. Julian A. Selby, accompanying a proposal for the printing of the House, which was referred to the Committee on Public Printing.

Mr. JACKSON introduced the following preamble and resolution, which were agreed to :

Whereas the State of South Carolina, in compliance with the laws and requirements of the National Congress, known as the Reconstruction Acts, having inaugurated a civil State Government, and having accepted and ratified the amendment to the Constitution, known as Article XIV, is thereby entitled to elect two United States Senators to complete the unfinished terms ending, respectively, March 4, 1871, and March 4, 1873; and whereas a law of said Congress, found on page 243, of the Fourteenth United States Statutes at Large, requires that when a United States Senator is to be elected by the Legislature of any State, such election shall take place at 12 M. on the second Tuesday after the meeting and organization of such Legislature; therefore,

Resolved, That this House do enter into an election for two United States Senators to fill the vacant terms ending, respectively, March 4, 1871, and March 4, 1873, and that the same be made the Special Order for to-morrow, Tuesday, at 12 M.

The SPEAKER, for the information of the House, ordered the Act of Congress referred to in the foregoing resolution to be read.

Mr. W. J. McKINLAY introduced the following preamble and resolution, which were agreed to :

Mr. DELARGE offered the following preamble and resolution, which were laid on the table :

Whereas the depleted condition of the State Treasury, and the interests of the people, require that the present session of the Legislature should be as short as possible; and whereas there are certain duties made incumbent upon this body by the Constitution of the State, the performance of which can be postponed until the fall session without detriment to the State; therefore,

Resolved, That a Committee of eleven be appointed, who shall inquire and report as to what business is requisite to be done during this session, and what can be conveniently delayed, and report to this House the result of their investigation.

PAPERS FROM THE SENATE.

The SPEAKER laid before the House the following joint resolution from the Senate, accompanying the report of the Committee on Public Printing on the part of the Senate.

Your Committee, to whom was referred the subject of printing, respectfully report, that they have had the same under consideration, and after receiving several estimates, we have agreed on the lowest, which is that of Mr. J. W. Denny, who agrees to do the printing on the following terms and conditions :

PROPOSAL A.

The Daily Journals, Calendars, and other current work, at \$2.75 per page of 1,705 ems, "long primer type."

The Bills, 6 by 11 inches, containing 2,170 ems of "pica type," at \$3.00 per page.

For so much of the permanent work as includes the Journals, Reports and Resolutions, one thousand copies, at \$3.48 per page of 1,705 ems of "long primer type," to be stitched and bound together in good paper covers.

For so much of the permanent work as includes the Acts, one thousand copies, at \$4.36 per page, to be stitched and bound together in good paper covers.

Rule and figure work, double the foregoing rates are to be allowed per page of 1,705 ems.

The entire work will be printed on good paper, and executed in a workmanlike manner.

Your Committee recommend that the above estimate be accepted, and present the following :

Resolved, by the Senate and House of Representatives, That the estimate of J. W. Denny be accepted, and that he be constituted Public Printer for this and the ensuing sessions of the General Assembly for this term.

All of which is respectfully submitted.

(Signed)

R. H. CAIN,
JAMES M. ALLEN,
W. R. HOYT,
C. P. LESLIE,
H. BUCK.

On motion of Mr. JENKS, the consideration of the report was made the Special Order for Wednesday next, at 1 o'clock P. M.

Mr. DELARGE moved that the resolution appointing a Committee of eleven to inquire into the expediency of limiting the present session of the Legislature be taken up from the table. Not agreed to.

Mr. BOSEMON offered the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the General Assembly of South Carolina do petition the United States Congress to remove the political disabilities of George Buist, in order that he may at once qualify and enter upon the duties of the office of Probate Judge of the County of Charleston, to which he has been recently elected.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved, That a Committee of three be appointed to investigate the condition of the Treasury of the State, and report to this House what legislation is necessary to enable the members of the General Assembly to collect their mileage and per diem during their attendance thereon.

The SPEAKER appointed Messrs. Neagle, Sasportas and Purvis as the Committee.

Mr. MOORE introduced the following resolution :

Resolved, That five hundred copies of the Message of His Excellency Governor R. K. Scott be printed for distribution among the members of the General Assembly.

Mr. FERITER moved that it be made the Special Order for Thursday, at 1 o'clock P. M.

Mr. DELARGE moved the indefinite postponement of the motion to make it the Special Order, which was agreed to.

The resolution was immediately considered and agreed to.

Mr. G. LEE introduced the following resolution :

Resolved, That a Committee of five be appointed to consider the value of the services rendered by the subordinate officers of this House, and the proper pay to be allowed them severally, and to report the same to this House.

The SPEAKER suggested that the matter be referred to the Committee on Ways and Means.

Mr. WHIPPER moved that it be referred to the proper Standing Committee when appointed, which was agreed to.

On motion of Mr. WHIPPER, so much of the Rules governing this House as relates to the time of assembling and adjournment was suspended.

On motion of Mr. WHIPPER, the House adjourned until to-morrow, at 11 A. M.

TUESDAY, JULY 14, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. DAVID HARRIS.

The reading of the Journal of the previous day was, on motion, dispensed with.

The SPEAKER announced the following Standing Committees :

Committee on Judiciary—Messrs. Whipper, Moore, W. J. McKinlay, Smalls, Jenks, McIntyre and Keith.

Committee on Internal Improvements—Messrs. Crews, Brodie, Jackson, Humphrics, Jervey, L. Cain and Waller.

Committee on Education—Messrs. Tomlinson, D. J. J. Johnson, Johnston, Kuh, S. J. Lee, Wilder and Wilson.

Committee on Incorporations—Messrs. Purvis, Harris, Saunders, Nelson, Ezekiel, Turner and Lewie.

Committee on County Offices and Officers—Messrs. W. J. McKinlay, Rush, A. Smith, Simons and Scott.

Committee on Lunatic Asylum—Messrs. Duvall, Littlejohn, C. D. Hayne, Feriter and Hayes.

Committee on Railroads—Messrs. Elliott, Crews, DeLarge, Thomas, Ferrier, Miller, Lang, Mobley and Brown.

Committee on Public Buildings—Messrs. G. Lee, Wooley, Nash, Nuckles and Perrin.

Committee on Ways and Means—Messrs. DeLarge, W. McKinlay, J. N. Hayne, Milford, Bullock, Chestnut and Root.

Committee on Penitentiary—Messrs. Stoeber, E. J. Cain, Joseph Boston, Bishop, Neagle, Bryant and Collins.

Committee on Engrossed Acts—Messrs. Martin, Wright, Jacobs, G. Johnson, Meade, Driffle and Burton.

Committee on Claims—Messrs. Neagle, Mayer, Crews, Lomax, Wilder, Stewart and B. James.

Committee on Roads, Bridges and Ferries—Messrs. Webb, Morrison, DeMars, Mickey, Mays, White and Pettengill.

Committee on Military Affairs—Messrs. Stolbrand, Stoeber, Dennis, Gray and Rivers.

Committee on Ordinance of the Convention to Establish a Land Commission—Messrs. Pettengill, Jenks, Hyde, Henderson, Neagle, H. James and S. Johnson.

Committee on Legislative Library—Messrs. O'Connell, Field and Whipper.

Committee on State House and Grounds—Messrs. Stubbs, Bennett, Predegrass, Smiley, R. M. Smith, Valentine and John Boston.

Committee on Grievances—Messrs. Wilder, Sasportas, Gardner, Smythe and Goodson.

Committee on Agriculture—Messrs. Sloan, Grant, Tinsley, B. A. Thompson and Purvis.

Committee on Privileges and Elections—Messrs. Ransier, Martin, Cooke, Elliott, Bullock, Chestnut and S. B. Thompson.

Committee on Federal Relations—Messrs. Jackson, Sasportas, Clyburn, Shrewsbury, O'Connell, Farr and Holliman.

Committee on Vacant Offices—Messrs. Cooke, Dusenberry, DeMars, Berry and Doyle.

Committee on Public Printing—Messrs. Bosemon, J. N. Hayne, Wooley Kuh and McDaniels.

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report :

The Committee on Privileges and Elections, to whom was referred a test and sundry papers in relation to the election in Anderson County, members of this House, beg leave to report :

That the following request, contained in a paper submitted to them, h

been duly considered, they determined to submit it to this House for decision and specific instructions.

Your Committee have come to this determination because a decision by the House would be binding upon all parties in this case, and would save a protracted discussion before your Committee, which would be futile, if not expensive to the State, as one or the other party in this case would, in all probability, bring it before this House eventually for decision, whatever the decision might be.

The request reads :

“ That all witnesses may be required to appear in person, to the end that they may be cross-examined, as it is contrary to law and practice to admit affidavits in the trial of protests.”

The report was received, and, on motion of Mr. JENKS, made the Special Order for Thursday, at 12 M.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved, That the House of Representatives shall first vote for a United States Senator for the unexpired short term, and then for the unexpired long term.

On motion of Mr. TOMLINSON, the House took a recess until 11:50 A. M.

RECESS.

The SPEAKER resumed the chair

On motion of Mr. JENKS, the Sergeant-at-Arms was ordered to bring in members who were without the bar of the House.

On motion of Mr. WHIPPER, a call of the House was ordered, and one hundred and twenty-two members answered to their names.

The hour for the Special Order, 12 M., having arrived, on motion of Mr. SASPORTAS, the House proceeded to the election of two United States Senators, in accordance with the resolution previously adopted.

Mr. WM. MCKINLAY nominated Mr. T. J. Robertson, of Richland.

Mr. CREWS nominated Mr. J. R. Edie.

The name of Mr. Edie was, by request, withdrawn.

The vote was then taken, with the following result on the first ballot :

Mr. T. J. Robertson received.....	107
Mr. B. F. Perry.....	14
Mr. F. A. Sawyer.....	1

Whole number of votes given.....	122
Necessary to a choice.....	62

Mr. T. J. Robertson, having received the requisite number of votes, was declared the choice of the House for United States Senator.

Those who voted for Mr. T. J. Robertson are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Bennett, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Johnston, Jackson, Jacobs, B. James, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lewie, Lang, Mayer, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Martin, Mays, Mead, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rivers, Rush, Stoeber, Stolbrand, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Valentine, Wilder, Wooley, Whipper, White, Wright and Webb.—107.

Those who voted for Mr. B. F. Perry are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

Mr. Morrison voted for Mr. F. A. Sawyer.

The House then proceeded to vote for a United States Senator for the unexpired long term.

Mr. JENKS nominated Mr. F. A. Sawyer.

Mr. RANSIER nominated Mr. A. G. Mackey.

Mr. WHIPPER nominated Mr. Mansfield French.

A Committee from the Senate was announced, and stated that the Senate will to-morrow, at 12 M., meet this House for the purpose of reading so much of the Journal of the Senate as relates to the election of two United States Senators.

The vote having been taken for Senator for the long term, resulted as follows :

Mr. A. G. Mackey received.....	50
Mr. F. A. Sawyer.....	34
Mr. M. French.....	24
Mr. J. B. Campbell.....	13
Mr. B. F. Perry.....	1

Whole number of votes given.....	122
Necessary to a choice.....	62

The SPEAKER announced that as neither candidate had received the required number of votes, there was no election.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Duseberry, Farr, Gray, Gardner, Grant, Goodson, Humphries, Harris, Hyde, H. Johnson, S. Johnson, G. Johnson, Johnston, Jervey, Jackson, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Rosemon, Bennett, Berry, Drifflé, Duvall, DeMars, Elliott, Ferrier, C. D. Hayne, J. N. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Mayer, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Stolbrand, Stubbs, Smythe, Scott, Thomas, Valentine and Webb.—34.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Purvis, Rush, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Whipper and Wilder.—24.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller.—14.

Mr. Bullock voted for Mr. B. F. Perry.

On motion of Mr. EZEKIEL, the House then adjourned to 12 M. tomorrow.

WEDNESDAY, JULY 15, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The reading of the Journal of the previous day was, on motion, dispensed with.

The SPEAKER laid before the House a petition from C. P. Sullivan and other citizens of Laurensville, praying for the removal of the Intendant and

Wardens of that town, with a series of resolutions adopted at a public meeting, held on the 29th ultimo, and an adjourned meeting held on the 4th instant, calling the attention of the Legislature to the excessive rates of taxation imposed by the Town Council.

The unfinished business being the election of United States Senator, for the term commencing March 4, 1867, and ending March 3, 1873, the SPEAKER announced that on this a vote would be taken by the Senate and House of Representatives in joint session.

On motion of Mr. JACKSON, a message was sent to the Senate informing that body that the House was ready to proceed in joint session to vote for United States Senators.

On motion of Mr. DELARGE, a call of the House was ordered, and one hundred and twenty-one members answered to their names.

JOINT ASSEMBLY.

VOTE FOR UNITED STATES SENATOR.

At 12:30 P. M., the Senate was announced, and entered the House of Representatives, when so much of the Journals of both Houses, of the preceding day, as related to the votes given for Senators in the Congress of the United States from South Carolina, was read by the Clerk of the Senate and the Clerk of the House, respectively.

The following was announced as the result of the vote given in each House for a United States Senator, for the term commencing March 4, 1865, and ending March 3, 1871 :

SENATE.

Mr. T. J. Robertson received.....	23
Mr. B. F. Perry.....	5
Mr. A. G. Mackey.....	1
<hr/>	
Whole number of votes given.....	29
Necessary to a choice.....	15

HOUSE OF REPRESENTATIVES.

Mr. T. J. Robertson received.....	107
Mr. B. F. Perry.....	14
Mr. F. A. Sawyer.....	1
<hr/>	
Whole number of votes given.....	122
Necessary to a choice.....	62

Whereupon the PRESIDENT of the Senate declared that Mr. T. J. Robertson, having received a majority of the votes given in each House, was duly

elected Senator in the Congress of the United States from South Carolina, for the term commencing March 4, 1865, and ending March 3, 1871.

The following was announced as the vote given in each House for a Senator in the United States Congress from South Carolina for the term commencing March 4, 1867, and ending March 3, 1873 :

SENATE.

Mr. F. A. Sawyer.....	15
Mr. A. G. Mackey.....	9
Mr. Mansfield French.....	5
<hr/>	
Whole number of votes given	29
Necessary to a choice.....	15

HOUSE OF REPRESENTATIVES.

Mr. A. G. Mackey received.....	50
Mr. F. A. Sawyer.....	34
Mr. Mansfield French.....	24
Mr. J. B. Campbell.....	14
<hr/>	
Whole number of votes given.....	122
Necessary to a choice.....	62

No candidate having received a majority of the votes given in each House, the PRESIDENT of the Senate announced that the Joint Assembly would proceed to vote, *viva voce*, for a Senator in the Congress of the United States from South Carolina for the term commencing March 4, 1867, and ending March 3, 1873.

FIRST BALLOT.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bieman, Buck, Coghlan, Corbin, Dickson, Foster, Hayes, Jillson, Leslie, Reid, Rodgers, Rutland, Swails, Whittemore and Wright.—15.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Duncan, Hayne, Maxwell and Randolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervay, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mabley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wcoley, White and Wright.—51.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Boseman, Bennett, John Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Mayer, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—34.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Purvis, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—22.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—13.

Mr. Bullock voted for Mr. B. F. Perry.

RECAPITULATION.

Mr. A. G. Mackey received.....	60
Mr. F. A. Sawyer.....	49
Mr. M. French.....	28
Mr. J. B. Campbell.....	13
Mr. B. F. Perry.....	1
Whole number of votes given.....	151
Necessary to a choice.....	76

No candidate having received a majority of the votes given, there was no election, and the Assembly proceeded to a second ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Rutland, Reid, Rodgers, Swails, Wright, Whittemore, Jillson and Leslie.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Duncan, Hoyne, Maxwell and Randolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Joseph Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Mayer, McIntyre, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—37.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—20.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller —14.

RECAPITULATION.

Mr. A. G. Mackey received.....	59
Mr. F. A. Sawyer.	52
Mr. Mansfield French.....	26
Mr. J. B. Campbell.....	14
<hr/>	
Whole number of votes given.....	151
Necessary to a choice.....	76

No candidate having received a majority of votes given, the Joint Assembly proceeded to a third ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Duncan, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jil-son, Leslie, Rutland, Whittemore, Reid, Rodgers, Swails and Wright.—15.

Those who voted for Mr. Mansfield French are :

Messrs Allen, Cain, Donaldson, Hayne, Maxwell and Raulolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Good-son, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, W. Mc-Kinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Driffle, Davall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Scott, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, George Lee, Lewie, McIntyre, Mead, Parvis, Prendegrass, Pettengill, Richardson, Rush, Stol-brand, Stubbs, Smythe, Thomas and Webb.—35.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Rivers, Stoeber, Smalls, Shrews-bury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whip-per.—21.

Those who voted for Mr. James B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

RECAPITULATION.

Mr. A. G. Mackey received.....	59
Mr. F. A. Sawyer.....	50
Mr. Mansfield French.....	27
Mr. James B. Campbell.....	14
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Whole number of votes given.....	150
Necessary to a choice.....	76

No candidate having received a majority of the votes given, the Joint Assembly proceeded to a fourth ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—10.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Hayne, Maxwell and Randolph.—5.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, Johnston, H. Johnson, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Driffle, Duvall, Holliman, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, McIntyre, Mays, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—36.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—20.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

RECAPITULATION.

Mr. A. G. Mackey received.....	60
Mr. F. A. Sawyer.....	51
Mr. M. French.....	25
Mr. J. B. Campbell.....	14
Whole number of votes given.....	150
Necessary to a choice.....	76

No candidate having received a majority of the votes given, there was no election, and the Joint Assembly proceeded to a fifth ballot.

SENATE.

Those who voted for Mr A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—10.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson Leslie, Rutland, Rodgers, Reid, Swails, Wright and Whitemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Hayne, Maxwell, Donaldson and Randolph.—5.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Cooke, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wilder, Wooley, White and Wright.—52.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Drifflie, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, McIntyre, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—35.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Rivers, Stoeber, Snalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley and Whipper.—19.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Turner, Wilson and Waller.—13.

RECAPITULATION.

Mr. A. G. Mackey received.....	62
Mr. F. A. Sawyer..	50
Mr. Mansfield French.....	24
Mr. J. B. Campbell.....	13

Whole number of votes given.....	149
Necessary to a choice.....	76

The PRESIDENT announced that no candidate having received a majority of the whole number of votes given, there was no election.

On motion of Mr. RUTLAND, the Joint Assembly was dissolved to meet to-morrow, at 12 o'clock M.

The Senate then retired.

On motion, so much of the Rules of the House as relate to adjournment were suspended.

On motion, the House adjourned until 11:30 A. M. to-morrow.

THURSDAY, JULY 16, 1868.

Pursuant to adjournment, the House met at 11:30 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. E. JOHNSTON.

The reading of the Journal of the previous day was, on motion, dispensed with.

Mr. NEAGLE presented the petition of Alex. E. Bristow, Sheriff of Marlboro County, to remit a penalty and for relief, which was referred to the Committee on Claims.

Mr. DEMARS presented the account of Z. D. Radzinsky, M. D., for *post mortem* examination, which was referred to the Committee on Claims.

JOINT ASSEMBLY.

At 12 M. the Senate was announced, and, pursuant to adjournment, the two Houses met in Joint Assembly to vote for a person to represent the State of South Carolina in the United States Senate for the term commencing March 4, 1867, and ending March 3, 1873.

The Clerk of the Senate proceeded to read the Journal of the proceedings of the two Houses in joint session of the preceding day.

On motion of Mr. WHITTEMORE, the further reading of the Journal was dispensed with.

On motion of Mr. H. E. HAYNE, a call of the General Assembly was ordered, and thirty-one Senators and one hundred and twenty-one Representatives answered to their names.

The Assembly then proceeded to vote for United States Senator, with the following result :

SIXTH BALLOT.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jillson, Leslie, Owens, Rutland, Reid, Rodgers, Swails, Wright and Whittimore.—17.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose and Wimbush.—10.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Hayne and Randolph.—3.

Mr. Sims voted for Mr. J. B. Campbell.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Driffle, Duvall, DeMars, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, Lewie, Mayer, Morrison, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Valentine.—34.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—48.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Elliott, Ezekiel, Hayes, D. J. J. Johnson, G. Lee, Mays, Purvis, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder, Whipper and Webb.—24.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller.—14.

RECAPITULATION.

Mr. A. G. Mackey received.....	58
Mr. F. A. Sawyer.....	51
Mr. M. French.....	27
Mr. J. B. Campbell... ..	15

Whole number of votes given.....151

Necessary to a choice..... 76

No candidate having received a majority of the whole number of votes given, there was no election.

Before proceeding to a seventh ballot, Mr. WHIPPER, by request, withdrew the name of Mr. Mansfield French, and stated that Mr. French desired to thank those who had voted for him for their earnest support.

The Joint Assembly then proceeded to a seventh ballot.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Allen, Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jilkson, Leslie, Owens, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—18.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arum, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose and Wimbush.—10.

Mr. Sims voted for Mr. J. B. Campbell.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Jno. Boston, Jos. Boston, Bishop, Drifflie, Duval, DeMars, Elliott, Ezekiel, Ferster, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, D. J. J. Johnson, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Mayer, Morrison, McIntyre, Maya, Mead, Purvis, Prendegrass, Pettegill, Richardson, Rush, Stoeber, Stolbrand, Stubbs, Smalls, Smythe, Smiley, Scott, Tomlinson, Thomas, Tinsley, Valentine, Whipper and Webb.—48.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Brown, Barton, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Hayes, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, B. A. Thompson, S. B. Thompson, Wilder, Wooley, White and Wright.—58.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

Mr. Rivers voted for Mr. Mansfield French.

RECAPITULATION.

Mr. A. G. Mackey received.....	68
Mr. F. A. Sawyer.....	66
Mr. J. B. Campbell.....	15
Mr. Mansfield French.....	1
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Whole number of votes given.....	150
Necessary to a choice.....	76

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to an eighth ballot.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs Allen, Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jillson, Leslie, Oweus, Rutland, Randolph, Reid, Rodgers, Swails, Sims and Whittemore.—19.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose, Wright and Wimbush.—11.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Joseph Boston, Bullock, Bryant, Bishop, Clyburn, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, D. J. J. Johnson, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Littlejohn, Mayer, Morrison, McIntyre, Moore, Mays, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stoeber, Stolbrand, Stubbs, Smalls, R. M. Smith, Smythe, Smiley, Scott, Tomlinson, Tinsley, Turner, Valentine, Wilson, Waller, Whipper and Webb.—57.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Brown, Burton, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Hayes, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, B. A. Thompson, S. B. Thompson, Wilder, Wooley, White and Wright.—57.

Those who voted for Mr. J. B. Campbell are :

Messrs. Doyle, Field, Keith, Sloan and Stewart.—5.

RECAPITULATION.

Mr. F. A. Sawyer received.....	76
Mr. A. G. Mackey.....	68
Mr. J. B. Campbell	5
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Whole number of votes given.....	149
Necessary to a choice.....	75

The PRESIDENT declared Mr. F. A. Sawyer duly elected Senator to the Congress of the United from South Carolina, for the term commencing 4th of March, 1867, and ending 3d of March, 1873.

The Senate then retired, and the business of the House was resumed.

The following members obtained leave of absence :

Mr. Bennett, for twenty days.

Mr. Littlejohn, for four days.

Mr. Tomlinson, for four days.

Mr. Elliott, for four days.

Mr. Brodie, for four days.

On motion of Mr. BOSEMON, the House adjourned until to-morrow, at 12 M.

FRIDAY, JULY 17, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. Mansfield French.

The reading of the Journal of the previous day was, on motion, dispensed with.

The SPEAKER announced the following appointments :

Assistant Doorkeeper—Louis Pinkers, of Colleton.

Janitor—John Williams, of Edgefield.

PETITIONS, RESOLUTIONS, &c.

Mr. WILDER presented the account of Dr. W. P. Geiger for *post mortem* examination. Referred to the Committee on Claims.

Mr. NEAGLE presented the petition of B. F. Boyd for incorporation of a ferry on Catawba River, County of York. Referred to the Committee on Incorporations.

Mr. THOMAS presented the account of Samuel Kingman and R. J. Limehouse, for services rendered as Magistrates. Referred to the Committee on Claims.

Mr. CHESTNUT presented the petition and account of Henry Pate, Tax Collector of Kershaw County. Referred to the Committee on Claims.

Mr. SHREWSBURY presented the petition of Cheraw Hook and Ladder Company for incorporation. Referred to the Committee on Incorporations.

Mr. KUH offered the following resolution, which was referred to the Committee on the Judiciary :

Resolved, That the Governor be empowered, by and with the advice and consent of the General Assembly, to establish municipal courts and appoint Magistrates.

Mr. BERRY introduced the following concurrent resolution, which was referred to the Committee on Privileges and Elections :

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disabilities of N. G. W. Walker, Sheriff elect of Barnwell County.

Mr. BOSEMON, from the Special Committee on Rules and Regulations, submitted the following :

This House shall meet for the transaction of business daily, (Sundays excepted,) at 11 o'clock A. M., and adjourn at 3 o'clock P. M.; during which hours business shall be proceeded with in the usual manner.

The Rules under which this House of Representatives shall be governed shall be the same as formerly controlled and governed the House of Representatives of the State of South Carolina.

In all other respects, this House shall conform to the usages and customs which are common in all parliamentary bodies.

On motion of Mr. WHIPPER, the consideration of the report was made the Special Order for Tuesday, at 12 M.

Mr. RANSIER called up the special report of the Committee on Privileges and Elections relative to the contested seats of the Representatives from the County of Anderson, which had been made the Special Order for Thursday, at 1 o'clock P. M., and deferred.

Mr. SHREWSBURY moved that the report be recommitted, with instructions to report on Wednesday next, at 12 M.

Mr. DELARGE moved an indefinite postponement of the motion to recommit, which was agreed to.

On motion of Mr. WHIPPER, the House proceeded to the immediate consideration of the report.

The SPEAKER ordered General Orders No. 124 of General E. R. S. Canby to be read, for the information of the House.

On motion of Mr. RANSIER, it was

Ordered, That the Committee on Privileges and Elections be, and they are hereby, instructed to proceed with the trial of the Anderson contested election case, in such manner as is most expedient in justice to the parties concerned, and with an eye to the interests of the State; determining for themselves all questions that may be raised by either party during the progress of the trial, subject to the ultimate decision of this House, when the whole case has been disposed of by the Committee, and submitted for decision; and that said Committee be instructed to receive affidavits in evidence.

On motion of Mr. DELARGE, the use of the hall of the House was granted to the Chaplain of the Senate for divine service on Sunday next.

Mr. WHIPPER presented the petition of John F. Porteous, of Beaufort, praying to be relieved from political disabilities. Referred to the Committee on Privileges and Elections.

The joint resolution from the Senate, embodying a report adopted by the Committee on Printing on the part of the Senate, which had been made the Special Order for Wednesday, at 1 o'clock P. M., and deferred, was called up, and, on motion of Mr. WHIPPER, the House proceeded to the immediate consideration of the resolution.

On motion of Mr. DELARGE, the resolution was concurred in, and ordered to be returned to the Senate.

On motion of Mr. DELARGE, the Rules of the House were suspended.

Mr. DELARGE then moved that when this House adjourns, it adjourn until Monday next, at 11 o'clock A. M., which was agreed to.

Mr. PURVIS gave notice that on Monday next he would introduce A Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion of Mr. WHIPPER, it was

Resolved, That leave of absence shall not be granted to more than ten members of this House at one time, unless in case of personal sickness, or severe illness in family.

Mr. WHIPPER offered the following resolution :

Resolved, That the Speaker appoint a Chaplain of the House.

Mr. BOSEMON moved the postponement of its consideration until Tuesday, at 2 o'clock P. M. Disagreed to.

On motion of Mr. RANSIER, the resolution was laid on the table.

The following members obtained leave of absence until Tuesday next.

Messrs. Dennis, C. D. Hayne, Thomas, B. A. Thompson, Collins, Grant, Johnston, Burton and Wright.

Mr. Cooke obtained leave of absence until Monday next.

Mr. Henderson obtained leave of absence for five days.

Messrs. Samuel Johnson and L. W. Duvall obtained leave of absence for ten days.

On motion, the House adjourned until Monday, at 11 o'clock A. M.

MONDAY, JULY 20, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. EDWARD MICKEY.

The Journal of Friday was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. NEAGLE, from the Committee on Claims, reported favorably on the petition of Alex. E. Bristow, Sheriff of Marlboro County, to remit a penalty and for relief, and introduced the following resolution which was agreed to :

Resolved, That the petition of A. E. Bristow be granted, and the whole matter be recommitted to the Committee, with orders to report a Bill granting the relief asked for.

Mr. NEAGLE, from the same Committee, made a report on the account of R. J. Limehouse for services as a Magistrate.

Mr. S. B. THOMPSON presented the account of W. H. Dial for bread furnished the State Arsenal Academy Referred to the Committee on Claims.

Mr. BOSEMON, from the Committee on Public Printing, reported verbally that the Committee had ordered two hundred and fifty copies of the Journal of each day to be printed for daily distribution.

Mr. NEAGLE moved a suspension of the Rules in order to have an immediate consideration of the report on the account of R. J. Limehouse, which was agreed to.

On motion of Mr. NEAGLE, the account was returned to the member who presented it.

Mr. CREWS presented the account of Dr. J. G. Traynham for medical services rendered prisoners in jail ;

Mr. LOMAX presented the account of Edward Parker, M. D., for similar services ; which were severally referred to the Committee on Claims.

Mr. DeLARGE presented the petition of Joseph Green and others, members of the Lincoln Republican Guards, of Charleston, for a charter. Referred to the Committee on the Military.

Mr. NEAGLE presented the petition of sundry citizens of Rockville for incorporation ; also, a counter petition thereto. Referred to the Committee on Incorporations.

Mr. STOEBER presented the account of D. E. McCormick, Tax Collector of Marion County, for printing and advertising ; also, an account for costs and tax executions issued and returned *nulla bona* and *non est inventus*. Referred to the Committee on Claims.

Mr. MOORE presented the petition of sundry citizens of Abbeville County praying for an election precinct at Donaldsville, and the appointment of A. M. Dodson, W. B. Acker and W. E. Barmore Managers of Elections at said precinct. Referred to the Committee on Privileges and Elections.

Mr. KEITH presented the petition of sundry citizens of Pickens County to establish an election precinct at Colonel Hoke's, known as Six Mile Election Box, and Pickens Court House ; and to discontinue the Wolfe Creek election precinct, and to appoint A. Ramsey, Jr., J. W. Lawrence and T. J. Boggs Managers of Elections for Six Mile precinct ; and to continue the present Managers of Wolfe Creek precinct in office as Managers at Pickens Court House ; also, a report from the Commissioners appointed by the Constitutional Convention to select a new county seat for Oconee County, and for other purposes ; which were severally referred to the Committee on the Judiciary.

Mr. MILLER presented the petition of Wm. Hutson Wigg, praying the passage of a law to allow him to practice as attorney at law and solicitor in equity in the Courts of this State. Referred to the Committee on the Judiciary.

Mr. WOOLEY presented the petition of the Langley Manufacturing Company for incorporation. Referred to the Committee on Incorporations.

Mr. MICKEY offered the following resolution, which was referred to the Committee on Education :

Resolved, That measures be taken to establish free schools in St. John's Parish.

Mr. BOSEMOM gave notice that on Wednesday next he would introduce

A Bill to prohibit discrimination between persons in the conduct of any business requiring a license from any municipality, State or the United States.

Mr. MILLER gave notice that on Tuesday next he would introduce

A Bill empowering William Hutson Wigg to practice law in the Superior and Inferior Courts of South Carolina.

On motion of Mr. FERITER, a call of the House was ordered, and ninety members answered to their names.

Mr. CREWS moved a suspension of the call until 11 o'clock A. M. to-morrow. Not agreed to.

Messrs. William Nelson and Henry Johnson were reported as absent without leave.

On motion of Mr. NEAGLE, further action was deferred until the absent members shall appear.

On motion of Mr. JACKSON, the further call of the House was suspended.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 2.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, July 18, 1868.

To the Speaker of the House of Representatives of South Carolina:

I hereby inform your honorable body that I have this day transmitted to the honorable Senate documents furnished me by the Commander of the Second Military District, relating to elections for county officers in the Counties of Abbeville, Chester, Marion, Barnwell, Pickens, Union, Edgefield, Charleston, Georgctown, Horry and Laurens, together with certain documents relating to the elections held on the 14th, 15th and 16th of April last, in Anderson County.

(Signed)

R. K. SCOTT,
Governor of South Carolina.

On motion of Mr. DELARGE, the House, at 1 P. M., went into secret session.

At 1:30 P. M. the business of the House was again resumed.

Mr. DELARGE offered the following, which was agreed to:

Whereas there are not a sufficient number of suitable rooms for the several Committees of the House; therefore, be it

Resolved, That the Sergeant-at-Arms be hereby instructed to furnish proper rooms for the use of the several Standing Committees.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence,

A resolution to petition Congress to remove the political disabilities of George Buist; also,

A resolution to remove the political disabilities of W. J. Mixon; also,

A resolution empowering the Attorney-General to employ six engrossing clerks and two legal gentlemen.

The Senate sent to this House a concurrent resolution to petition Congress to remove the political disabilities of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg County, which was referred to the Committee on Privileges and Elections.

Mr. STOLBRAND offered the following, which was agreed to :

Resolved, That a Committee of five members be appointed for the purpose of investigating the practicability and probable cost of fitting up sufficient rooms in the State House for the accommodation and occupancy of this House, and that said Committee be instructed to report on Thursday, at 12 M.

Messrs. Stolbrand, Wilder, Feriter, Mobley and Jones were appointed the Committee.

Mr. DELARGE, by leave, introduced

A Bill to accept the benefits of an Act of Congress entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862. Read the first time, and ordered to be printed.

Mr. JENKS, by leave, introduced

A Bill entitled "A Bill regulating the election of officers in incorporated towns and cities."

On motion of Mr. WHIPPER, the reading was dispensed with, and the Bill ordered to be printed.

The following members obtained leave of absence :

Mr. Stubbs, for ten days.

Mr. Sloan, for eight days.

Mr. Moore, for eight days.

Mr. Wilson, for eight days.

Mr. Doyle, for five days.

Mr. Field, for two days.

Mr. W. J. McKinlay, for two days.

Mr. Goodson, for one day.

On motion of Mr. WHIPPER, the House adjourned until to-morrow, at

TUESDAY, JULY 21, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. BURTON.

The Journal of the previous day was read and confirmed.

The SPEAKER announced the following appointments:

Assistant Clerks—Mr. W. J. Etter, of Charleston, and Mr. Hendrix, of Lexington.

Stenographer—Mr. F. G. DeFontaine, of Charleston.

The Special Order of the Day, being the consideration of the report from the Special Committee on Rules and Regulations, was called up, and, on motion of Mr. JENKS, recommitted to the Committee, with instructions to report a full set of Rules.

REPORTS FROM COMMITTEES, &c.

On motion of Mr. NEAGLE, the resolution recommending the petition of E. A. Bristow to the Committee on Ways and Means, with orders to report a Bill granting the relief asked for, was reconsidered.

Mr. NEAGLE then introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the petition of Alexander E. Bristow, Sheriff of Marlboro County, be granted, and that he be relieved of the penalty incurred under the Act of 1839, as set forth in the petition.

Mr. CHESTNUT introduced the following preamble and resolutions :

Whereas, at the last general election held in this State, Solomon G. W. Dill, of Kershaw County, was elected by a large majority of the people of said county a Representative to this body ; and whereas since said election he has yielded up his life as a sacrifice to Republican principles, at the hands of base and cowardly assassins ; therefore, be it unanimously

Resolved, That we, the members of the House of Representatives of the State of South Carolina, do hereby tender to his bereaved family this earnest expression of our sympathy in their sudden affliction, and hold up to public condemnation the perpetrators of the foul crime by which the State has been deprived of the services of a good citizen.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded to the family of the deceased.

Mr. JENKS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disabilities of C. B. Farmer, a worthy citizen and resident of Colleton County, in this State.

Mr. SASPORTAS gave notice that on to-morrow, or as soon thereafter as possible, he would introduce

A Bill concerning the State University.

Mr. J. N. HAYNE introduced the following concurrent resolution, which was referred to the Committee on the Judiciary :

Resolved, by the House of Representatives, the Senate concurring, That on Thursday, the 23d instant, at 12 M., the General Assembly proceed, by joint vote, to elect a Chief Justice and Associate Justices of the Supreme Court, and to determine the term for which such Associate Justices shall respectively serve, in conformity with Sections 2 and 3, Article IV, of the Constitution of this State.

Mr. SHREWSBURY gave notice that on to-morrow he will introduce

A Bill to charter the Cheraw Hook and Ladder Company.

Mr. DELARGE presented the petition of T. S. Brown and others for a charter for an engine company, to be known as the "Prudence Engine Company," of Charleston, which was referred to the Committee on Incorporations.

Mr. ELLIOTT gave notice that on to-morrow he will introduce

A Bill to establish a new judicial and election county out of contiguous portions of Orangeburg, Lexington, Barnwell and Edgefield Counties, and to define the boundaries and limits of the same.

Mr. FIELD presented the report of the Special Commissioners appointed by the late Constitutional Convention for the purpose of purchasing lands and locating a new county seat for Pickens County, which was referred to the Committee on the Judiciary.

Mr. MILLER introduced

A Bill entitled "A Bill to allow Wm. Hutson Wigg, Attorney and Counsellor at Law, to practice law in the Courts of this State," which was referred to the Committee on the Judiciary.

On motion of Mr. FERITER, Hon. F. J. Moses, Sr., was invited to a seat on the Speaker's stand.

The House proceeded to the consideration of the Bill accepting the benefits of an Act of Congress entitled "An Act donating public lands to the

several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two, which was read the second and third time, and ordered to be sent to the Senate.

A Bill regulating the election of officers in incorporated towns and cities was read the first time.

On motion of Mr. WHIPPER, the Bill was read by its title as its second reading, and referred to the Committee on Privileges and Elections.

On motion of Mr. SASPORTAS, the Rules of the House were suspended in order to allow the immediate consideration of the Bill reported by the Special Committee appointed to investigate the condition of the State Treasury, &c.

Mr. NEAGLE, from the Special Committee appointed to investigate the condition of the State Treasury, and report what legislation is necessary to enable the members to obtain their per diem and mileage during their attendance thereon, reported a Bill for the same entitled "A Bill to provide for the redemption of the Bills Receivable of this State, and to provide for the payment of the expenses of the General Assembly at its first session."

The Bill was read the first time, and referred to the Committee on Ways and Means, with instructions to report on Thursday, at 1 o'clock P M

Mr. CREWS introduced the following resolution, which was agreed to :

Resolved, That the Committee on Incorporations be instructed to make investigations in reference to companies and corporations holding or applying for charters under this State Government, and to ascertain whether any of the said companies or corporations have discharged, or have threatened to discharge, any of their operatives or employees on account of their political principles, and to report the same to this House as early as possible, that suitable action may be taken thereon.

Mr. ELLIOTT introduced the following resolution, which was agreed to :

Resolved, That the Comptroller-General be instructed to report, as soon as possible, to this House, all contingent accounts in his office that have been audited; and that the report be referred, as soon as received, to the appropriate Committee for their action.

Mr. SMALLS introduced a resolution to remove the county seat of Beaufort County from Gillisonville to Beaufort, which was referred to the Committee on the Judiciary.

THE SPEAKER laid before the House the statement of the Bank of the State of South Carolina, which was read and ordered to be printed. (See Appendix B.)

Mr. BOSEMON introduced the following resolution, which was agreed to :

Resolved, That the Committee on Privileges and Elections is hereby authorized to employ a clerk, who shall also perform the duties of special messenger usually employed by such Committees, and whatever other duties such clerk or messenger may be called upon by said Committee to perform, and whose pay shall be the same as that of the Assistant Clerks of this House.

Mr. SASPORTAS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the Commission appointed by an ordinance of the Constitutional Convention to examine into the liabilities and assets of the State be requested to report the result of their investigations on Friday next.

Mr. HYDE, by leave, introduced

A Bill to invalidate certain sales ordered by the late so-called Confederate authorities, which was ordered for consideration to-morrow.

Mr. H. JOHNSON reported that his absence yesterday was caused by sickness.

Mr. TINSLEY obtained leave of absence for ten days, on account of sickness.

On motion of Mr. TOMLINSON, the House adjourned until 12 M. to-morrow.

WEDNESDAY, JULY 22, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. DELARGE, from the Committee on Ways and Means, reported back a petition of C. P. Sullivan and others, praying the removal of Intendant and Wardens of Laurensville, and asked that the same be referred to the Committee on Grievances, which was so ordered.

The Committee on Ways and Means, to whom was referred a resolution

instructing them to fix the compensation of subordinate officers of the House, submitted a report, which was ordered for consideration to-morrow.

Mr. W. J. MCKINLAY, from the Special Committee on Rules and Regulations for the government of this House, submitted the following report :

The Special Committee to whom was recommitted the report on Rules and Regulations for the government of this House, having had the matter under further consideration, beg leave respectfully to submit the following report :

This House shall meet daily for the transaction of business, Sundays excepted, at 11 o'clock A. M., and adjourn at 3 P. M.

Immediately at the hour appointed for meeting, the Speaker shall take the chair, and the Clerk shall proceed to call the roll. If a quorum be present, business shall be proceeded with in the following order :

1st. Prayer.

2d. The Journal of previous day's session shall be read, and corrected if necessary.

3d. Reports from Standing Committees.

4th. Reports from Special Committees.

Your Committee would further state that, after careful consideration, they are unanimously of the opinion that the Rules of the House of Representatives of the State of South Carolina are in every respect suitable to the government of this body, with the following amendments :

Rule 62 be stricken out.

Rule 74 be stricken out.

And that so much of Rule 77 as relates to the appointment of a Cashier and Deputy Cashier of this House by the Speaker be stricken out, and Sergeant-at-Arms and Assistant Sergeant-at-Arms be substituted therefor.

In all cases not determined by these Rules or by the laws or Constitution of this State, as ratified on the 14th, 15th and 16th days of April, 1868, this House shall conform to parliamentary law, which governs the House of Representatives of the United States Congress.

Your Committee would further recommend that a sufficient number of these Rules be printed for the use of its members.

Mr. LEE moved a suspension of the Rules of the House in order to have an immediate consideration of the report. Adopted.

Mr. RANSIER moved the adoption of the report.

Mr. JENKS moved as an amendment that the 30th Rule be stricken out. Adopted.

The report, as amended, was then adopted.

Mr. SIMONS presented the account of Thomas W. Radcliffe for furnish-

ing gold medals to the South Carolina College. Referred to the Committee on Claims.

Mr. LOMAX presented the petition of A. L. McCaslin, of Abbeville, praying the removal of his political disabilities. Referred to the Committee on Privileges and Elections.

Mr. J. N. HAYNE presented a protest and sundry papers of Messrs. Cousant, Jones and Clinton, against the admission of the Lancaster delegation. Referred to the Committee on Privileges and Elections.

Mr. GOODSON presented the account of J. G. Hugenin, M. D., for *post mortem* examination. Referred to the Committee on Claims.

Mr. PURVIS, by leave, introduced

A Bill to charter the Citizens' Savings Bank of South Carolina. Laid over for consideration to-morrow.

Mr. ELLIOTT, by leave, introduced

A Bill to establish a new Judicial and Election County, to be known as Aiken County, and to define the limits and boundaries of the same.

Mr. SASPORTAS, by leave, introduced

A Bill to suspend the functions of the Trustees and other officers of the State University, and for other purposes. Laid over for consideration to-morrow.

Mr. SHREWSBURY, by leave, introduced

A Bill to charter the Cheraw Hook and Ladder Company. Laid over for consideration to-morrow.

Mr. TOMLINSON, by leave, introduced

A Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in St. Helena Parish, Beaufort County, S. C. Laid over for consideration to-morrow.

Mr. BOSEMON, by leave, introduced

A Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition. Laid over for consideration to-morrow.

GENERAL ORDERS.

The Bill to invalidate certain sales by the so-called Confederate authorities was read the first time, and referred to the Committee on the Judiciary.

The Senate sent to the House a joint resolution rescinding the joint resolution of the General Assembly of 1836. Referred to the Committee on the Judiciary.

Mr. JENKS introduced the following resolution, which was adopted :

Resolved, That the temporary officers of this body appointed by the tem-

porary Speaker, and who served this body faithfully up to the time a permanent organization was effected, be severally paid the per diem fixed by the Committee on Ways and Means for the respective offices in which they served.

Mr. WHIPPER moved that the resolution authorizing the Speaker to appoint a Chaplain be taken from the table, and moved the adoption of the resolution.

On this the yeas and nays were called, and resulted as follows :

Yeas, 40 ; nays, 62 ; absent and not voting, 20.

Those who voted in the affirmative are :

Messrs. Brodie, Brown, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Farr, Gray, C. D. Hayne, J. N. Hayne, Harris, Jenks, Johnston, Jackson, Jacobs, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Morrison, W. J. McKinlay, McIntyre, McDaniels, Nelson, Nash, Nuckles, Neagle, Root, Rivers, Smalls, A. Smith, Sasportas, Smiley, S. B. Thompson, Thomas and Wooley.—40.

Those who voted in the negative are :

Messrs. Bosemon, Berry, Burton, John Boston, Joseph Boston, Bullock, Bryant, Clyburn, Crews, DeLarge, Dusenberry, Driffle, DeMars, Elliott, Feriter, Gardner, Grant, Goodson, Hayes, Humphries, Holliman, Henderson, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Kuh, Keith, Lomax, Lewie, Lang, William McKinlay, Mickey, Mobley, Milford, Martin, Mays, Mead, O'Connell, Purvis, Perrin, Prendegrass, Ransier, Richardson, Rush, Stewart, Stoeber, Stolbrønd, R. M. Smith, Saunders, Shrewsbury, Smythe, Simons, Scott, B. A. Thompson, Tomlinson, Turner, Valentine, Wilder, Waller, Whipper and Wright.—62.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Dennis, Duvall, Doyle, Ezekiel, Field, Hutson, S. Johnson, Littlejohn, Mayer, Moore, Miller, Pettengill, Sloan, Stubbs, Tinsley, Wilson, White and Webb.—20.

Mr. WHIPPER voted in the negative in order to move a consideration, and asked that his reason be recorded on the Journal.

Mr. DEMARS introduced the following concurrent resolution, which was referred to the Committee on Privileges and Elections :

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disabilities of Frank Myers, a citizen of Orangeburg County, S. C.

Mr. TOMLINSON offered the following resolution, which was laid over for consideration to-morrow :

Resolved, That the Speaker of the House be instructed to appoint a Committee on Disabilities, to consist of seven members.

Mr. TOMLINSON introduced a joint resolution authorizing the Governor to employ a Private Secretary, at a salary not to exceed \$1,800 per annum. Referred to the Committee on Ways and Means.

Mr. NEAGLE presented the petition of M. O'Connell praying payment of balance due him for labor on new State House. Referred to the Committee on Claims.

Mr. BERRY introduced a joint resolution providing for the recording of deeds, wills, mortgages, &c. Referred to the Committee on the Judiciary.

PAPERS FROM THE SENATE.

The Senate sent to the House,

A Bill accepting the benefits of an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts.

On motion of Mr. JACKSON, it was read the third time and passed, the title changed to that of an Act, and ordered to be engrossed.

Mr. JERVEY introduced the following resolution, which was agreed to :

Resolved, That the use of this hall be granted to the Rev. E. J. Adams, Chaplain of the Senate, for the purpose of holding divine service every Sabbath during this session.

Mr. SMALLS introduced a joint resolution creating the office of County Solicitor, to act in conjunction with the Circuit Solicitor. Referred to the Committee on the Judiciary.

On motion of Mr. TOMLINSON, the Rules were suspended in order to move an immediate consideration of the Bill to provide for the recording of certificates, &c., which was read the first time, and referred to the Committee on the Judiciary.

On motion of Mr. WHIPPER, the Rules were suspended to take up the report of the Committee on Ways and Means on the pay of subordinate officers.

The House proceeded to its immediate consideration.

Mr. NEAGLE moved to amend by striking out four dollars (\$4) per diem for Assistant Sergeant-at-Arms, and insert five dollars (\$5). Adopted.

The report was then adopted, and is as follows :

Clerk of the House, \$6 per day.

Two Assistant Clerks, \$5 per day each.

One Reading Clerk, \$5 per day.

Sergeant-at-Arms, \$6 per day.

Assistant Sergeant-at-Arms, \$5 per day

Doorkeeper, \$3 per day.

Assistant Doorkeeper, \$3 per day.
 Four Messengers, \$3 per day, each.
 Two Pages, \$1.50 per day, each.
 Janitor, \$3 per day.

The Committee reported that they have not, as yet, been enabled to decide upon the compensation of the Stenographer.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 1.

IN THE SENATE, COLUMBIA, S. C., July 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate begs leave respectfully to ask the return of a Bill donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts, approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two, for the farther action of the Senate.

(Signed)

L. BOOZER, President.

Whereupon, on motion of Mr. TOMLINSON, the Bill was returned the Senate.

On motion of Mr. SASPORTAS, the Rules of the House were suspended in order to proceed to the immediate consideration of a Bill to suspend the functions of the Trustees and other officers of the State University, and for other purposes.

The Bill was read the first time, and referred to the Committee on Education.

On motion of Mr. ELLIOTT, the Rules of the House were suspended to consider a Bill to establish a new Judicial and Election County, to be known as Aiken County, and to define the limits and boundaries of the same.

On motion of Mr. C. D. HAYNE, the Bill was read by its title as its first reading.

Mr. ELLIOTT moved to refer the Bill to a Special Committee of five.

Mr. DELARGE moved an indefinite postponement of the motion to refer to a Special Committee.

On motion of Mr. SASPORTAS, the motion to indefinitely postpone was laid on the table.

The Bill was then referred to the Committee on Internal Improvements.

Mr. FERITER offered a joint resolution to remove the political disabilities of R. L. Heriot and John O'Connor, of Sumter. Referred to the Committee on Privileges and Elections.

Mr. JENKS moved that the Committee on Privileges and Elections be

ordered to report forthwith on the Bill to regulate elections in towns and cities.

Mr. SASPORTAS moved an indefinite postponement of the motion to report, which was agreed to.

Mr. JENKS moved that the Committee be requested to report on the Bill to-morrow.

Mr. CHESTNUT moved an amendment, that they report Tuesday next, at 12 M.

On this the yeas and nays were called, and are as follows :

Yeas, 35 ; nays, 68 ; absent and not voting, 19. Not agreed to.

Those who voted in the affirmative are :

Messrs. Burton, Bishop, Cooke, Chestnut, Crews, DeLarge, Gray, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jones, S. J. Lee, Wm. McKinlay, W. J. McKinlay, Mickey, Mobley, Nelson, Nash, Nuckles, Neagle, Perrin, Simons, Smiley, Waller, Wooley and Wright.—35.

Those who voted in the negative are :

Messrs. Bosemon, Berry, Brodie, Brown, John Boston, Joseph Boston, Bullock, Bryant, L. Cain, E. J. Cain, Collins, Clyburn, Dusenberry, Drifflie, DeMars, Elliott, Feriter, Farr, Hayes, Humphries, Holliman, Jenks, Jackson, Jacobs, B. James, H. James, Jervy, Kuh, Keith, Lomax, G. Lee, Lewie, Lang, Mayer, Morrison, McIntyre, McDaniels, Milford, Martin, Mays, Mead, O'Connell, Purvis, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stewart, Stoeber, Stolbrand, Smalls, A. Smith, R. M. Smith, Saunders, Smythe, Sasportas, Scott, Benjamin A. Thompson, S. B. Thompson, Tomlinson, Thomas, Turner, Valentine, Whipper and Webb.—68.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Dennis, Duvall, Doyle, Ezekiel, Field, Hutson, S. Johnson, Littlejohn, Moore, Miller, Sloan, Stubbs, Shrewsbury, Tinsley, Wilson, Wilder and White.—19.

Mr. TOMLINSON moved that the Committee be requested to report on Friday next.

On this Mr. DELARGE called for the yeas and nays.

Pending which the House, on motion, adjourned until to-morrow, at 11 A. M.

THURSDAY, JULY 23, 1868.

Pursuant to adjournment, the House met at 11 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. SAUNDERS.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. DELARGE, from the Committee on Ways and Means, reported progress in the consideration of a Bill reported by the Special Committee appointed to investigate the condition of the State Treasury, &c., and asked for further time.

On motion of Mr. NEAGLE, further time was granted.

Mr. PURVIS, from the Committee on Incorporations, reported favorably on the petition for charter of the Cheraw Hook and Ladder Company, by a Bill to incorporate the same.

The Bill was read the first time, and referred to the Committee on Incorporations.

Mr. STOLBRAND, from the Special Committee appointed to ascertain the practicability and probable cost of fitting up suitable rooms in the new State House for the use of the General Assembly, submitted a report.

On motion of Mr. NEAGLE, the consideration of the report was made the Special Order for (this day) 2 o'clock P. M.

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report:

The Committee on Privileges and Elections, to whom was referred the concurrent resolution of B. F. Berry to petition the Congress of the United States for the removal of the political disabilities of N. G. W. Walker, Sheriff elect of Barnwell County, beg leave to report that after due consideration of the same, and upon the recommendation of a petition of the Barnwell delegation to this House, they recommend that the resolution do pass.

On motion of Mr. CHESTNUT, the report was adopted and the resolution agreed to, and ordered to be sent to the Senate for concurrence.

PETITIONS.

Mr. STOLBRAND presented the petition and account of W. S. Lance, Magistrate and Tax Collector, St. Luke's Parish, Beaufort County. Referred to the Committee on Claims.

Mr. DEMARS presented the account of B. Williamson, Ex-Sheriff and Jailor of Orangeburg, for dieting prisoners. Referred to the Committee on Claims. Also,

The presentment of the Grand Jury of the Spring Term of Circuit Court, Orangeburg County. Referred to the Committee on Public Buildings.

Mr. WILDER presented the memorial of A. H. Abrahams, of Charleston, for renewal of certificates of State stock, in his favor, which have been lost. Referred to the Committee on Claims.

Mr. TURNER presented claims of L. M. Gentry, Ex-Sheriff of Spartanburg, for services rendered during the war. Referred to the Committee on Claims.

Mr. TOMLINSON presented the memorial of the Greenville and Columbia Railroad Company for the passage of an Act to validate and re-enact the Acts of 1861 and 1866. Referred to the Committee on Railroads.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business being the call of the yeas and nays on the motion to order the Committee on Privileges and Elections to report on Friday next, the roll was called, and the following is the result :

Yeas, 63 ; nays, 34 ; absent and not voting, 25. Agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Bryant, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Clyburn, DeLarge, Dusenberry, Driffle, DeMars, Feriter, Gray, Gardner, Grant, Hayes, Humphries, Holliman, Harris, D. J. J. Johnson, B. James, H. James, Jervey, S. J. Lee, Lang, Morrison, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, Milford, Martin, Mays, Miller, Nelson, Nuckles, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Smiley, Scott, B. A. Thompson, Tomlinson, Thomas, Valentine, Whipper and Wright.—63.

Those who voted in the negative are :

Messrs. Joseph Boston, Bullock, Chestnut, Crews, Elliott, Farr, Goodson, C. D. Hayne, J. N. Hayne, Henderson, Hyde, H. Johnson, G. Johnson, Jackson, Jacobs, Keith, Lewie, Mayer, McDaniels, Mobley, Mead, Nash, Neagle, O'Connell, Stewart, Stoeber, R. M. Smith, Smythe, Simons, S. B. Thompson, Turner, Wilder, Waller and Wooley—34.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Dennis, Duvall, Doyle, Ezekiel, Field, Hutson, Jenks, Johnston, S. Johnson, Jones, Kuh, Lomax, G. Lee, Littlejohn, Moore, Pettengill, Sloan, Stubbs, Sasportas, Tinsley, Wilson, White and Webb.—25.

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion of Mr. TOMLINSON, the reading of the Bill was suspended.

The Bill was then read by its title as the first reading, and referred to the Committee on Incorporations.

A Bill to charter the Cheraw Hook and Ladder Company.

On motion of Mr. TOMLINSON, the Bill was read by its title as the first reading, and referred to the Committee on Incorporations.

A Bill to prevent discrimination between persons by those carrying on

business under license on account of race, color, or previous condition. Read the first time, and referred to the Committee on the Judiciary.

A resolution authorizing the Speaker to appoint a Committee on Disabilities, to consist of seven (7) members, was amended as follows, and agreed to :

Resolved, That a Committee be appointed on Disabilities, to consist of five (5) members.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved, That the report of the President of the Bank of the State of South Carolina be referred to the Committee on Ways and Means, with orders to report to the House on Tuesday next, at 12 M.

Mr. WHIPPER, from the Committee on the Judiciary, by leave of the House, submitted the following report, which was adopted :

The Judiciary Committee, to whom was referred the joint resolution of the Senate rescinding a joint resolution of the General Assembly of 1836, beg leave to report that they have had the matter under consideration, and a majority of the Committee recommend that this House do concur.

Also, reported by the following joint resolution on the report of the Commission appointed by the late Constitutional Convention to establish a new county seat for Oconee County :

Whereas the Special Committee appointed by the Constitutional Convention for the purpose of procuring lands and locating a county seat for Oconee County have made a report to this General Assembly of the action made by said Committee ; and whereas it appears by said report that the said Commission have not been able to complete their work ; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That the action of the said Commission, so far as the same has been completed, be, and is hereby, confirmed ; that they be, and are hereby, instructed to complete the remainder of their work, and report their further action to the next session of the General Assembly.

Which was agreed to, and ordered to be sent to the Senate for concurrence. Also,

Reported by the following joint resolution in reference to the establishment of a new county seat for Pickens County :

Whereas the Special Committee appointed by the Constitutional Convention for the purpose of procuring lands and locating a county seat for Pickens County have made a report to this General Assembly of the action

made by said Committee; and whereas it appears by said report that the said Commission have not been able to complete their work; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That the action of said Commission, so far as the same has been completed, be, and is hereby, confirmed; that they be, and are hereby, instructed to complete the remainder of their work, and report their further action to the next session of the General Assembly.

The resolution was agreed to, and ordered to be sent to the Senate for concurrence. Also,

Reported on the concurrent resolution for the election of Chief Justice and Associate Justices, on Friday, 24th instant, by Joint Assembly, and recommend that the election be deferred until Wednesday next, 29th instant, and that the term of office of the Associate Justices be determined by the General Assembly, after said Justices shall have been elected.

On motion, the report was adopted, and the resolution, as amended, agreed to, and ordered to be sent to the Senate for concurrence. Also,

Reported on joint resolution requiring that all deeds, wills, &c., be recorded in the Clerk's office of each county thirty days after the conveyance, and recommended the indefinite postponement of the resolution.

Mr. WHIPPER then moved an indefinite postponement.

Mr. RANSIER moved that the resolution be laid on the table, which was agreed to. Also,

Reported, on the joint resolution to remove the county seat of Beaufort County from Gillisonville to Beaufort, a bill to effect the same, which was read the first time, and ordered to be printed.

Mr. RANSIER introduced the following resolution, which was agreed to:

Resolved, That the Committee on Military Affairs be, and the same are hereby, instructed to report at as early a day as possible a Bill for the organization of the State militia.

Mr. DELARGE moved a reconsideration of the action of the House in making the report of the Special Committee appointed to ascertain the cost of fitting up the State House for the use of the General Assembly the Special Order for to-day, at 2 o'clock, which was agreed to, and the House proceeded to its immediate consideration.

On motion of Mr. RANSIER, the report was recommitted to the Committee, with instructions to ascertain what would be the probable cost of fitting up the State House for the use of the Supreme Court, State officers and the General Assembly.

Mr. JENKS introduced the following concurrent resolution, which was agreed to, and was ordered to be sent to the Senate:

Resolved, by the House of Representatives, the Senate concurring, That His Excellency the Governor be authorized to advertise for estimates for repairing the roof of the new State House, and the closing up of the doors and windows of the same, with authority to contract with the party presenting the most reasonable estimate for the faithful execution of the same under bond.

Mr. RANSIER introduced the following resolution, which was agreed to :

Resolved, That the Committees on the Judiciary and on Ways and Means be, and they are hereby, authorized to employ one person each to serve them as clerk and messenger, whose pay shall not exceed that of the Assistant Clerks of this House.

Mr. NEAGLE introduced the following resolution, which, on motion of Mr. RANSIER, was referred to the Committee on Ways and Means :

Resolved, That the Committee on Ways and Means be instructed to report to the House, at as early a date as possible, what amount of taxes have been paid into the Treasury by the colored population of this State under the law imposing a capitation tax, and what it has cost the State to collect said tax, and what amount of costs have accrued upon executions issued upon said parties and yet remain uncollected.

On motion of Mr. WHIPPER, the House adjourned until to-morrow, at 11 A. M.

FRIDAY, JULY 24, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. DAVID HARRIS.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. RANSIER, from the Committee on Privileges and elections, reported favorably on the concurrent resolution for the removal of the political disabilities of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg, and on the petition of John F. Porteous, of Beaufort.

The report was adopted, and the resolution agreed to and ordered to be sent to the Senate for concurrence.

Also, reported unfavorably on the petition of A. L. McCaslin, of Abbeville, praying removal of political disabilities.

On motion of Mr. WHIPPER, the consideration of the report was made the Special Order for Monday next, at 12 M.

Also, a report on a Bill regulating elections of officers in towns and cities, and recommend that the Bill do not pass. Laid over for further consideration.

The SPEAKER announced the following as the Committee on Disabilities :

Committee on Disabilities.—Reuben Tomlinson, of Charleston; John B. Hyde, of Greenville; Hutson J. Lomax, of Abbeville; Henry W. Webb, of Georgetown; Samuel J. Lee, of Edgefield.

PETITIONS, MEMORIALS, &c.

Mr. DELARGE presented the petition of A. McCoy and others, for a charter for the Union Star Fire Company, of Charleston. Referred to the Committee on Incorporations.

Mr. S. B. THOMPSON presented the account of Elliott Cowes, M. D., of Richland, for *post mortem* examination. Referred to the Committee on Claims.

The SPEAKER laid before the House a petition from W. J. Clawson, of Yorkville, praying removal of political disabilities. Referred to the Committee on Disabilities.

Mr. NEAGLE presented a petition of John F. Hightower, Absalom Blythe and Wm. E. Earle, citizens of Greenville, for lease of the State Road across the Saluda Mountain, from the County of Greenville, in this State, to the County of Henderson, in the State of North Carolina. Referred to the Committee on Roads, Bridges and Ferries.

RESOLUTIONS, &c.

Mr. TOMLINSON offered the following resolutions, which were agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That S. L. Leaphart, the retiring Comptroller-General, be requested to furnish to the General Assembly a full report of the cash transactions of the Treasury of the State; a report of the contingent accounts of Clerks, Sheriffs, Coroners, Magistrates, Constables, and other officers of the State, audited under the requirements of General Orders No. 129, issued from Headquarters Second Military District, on the 3d day of December, 1867; and, also, a

report of the accounts of Sheriffs, Jailers, &c., audited and allowed under the provisions of the Act of December, 1866, entitled "An Act to regulate the fees of Sheriffs for detaining prisoners confined in jail, and for the more expeditious payment thereof," the said reports to be made up to the 10th day of July, 1868, inclusive.

Resolved, That a Joint Committee of three from each House be appointed to examine the accounts of S. L. Leaphart, the retiring Comptroller-General, and more especially the claims and accounts audited and passed by him, in accordance with General Orders No. 139, and the Act of December, 1866, referred to in the first resolution; and that the said Committee be required to report within ten days whether the said auditing has been in conformity with the provisions and requirements of the said General Orders and the Act of December, 1866.

Mr. GRAY introduced the following resolution, which, on motion of Mr. SMALLS, was laid on the table:

Resolved, That the Speaker issue an order to the Printer to furnish to each member a bound copy of the Constitution of the State.

NOTICES OF INTRODUCTIONS OF BILLS.

Mr. WOOLEY gave notice that on to-morrow he will introduce A Bill to protect the right of suffrage.

Mr. HYDE gave notice that on to-morrow he will introduce A Bill regulating elections and the way of holding the same.

Mr. SASPORTAS gave notice that on to-morrow he will introduce A Bill to prevent and punish frauds and intimidations at elections, and for other purposes.

Mr. NEAGLE gave notice that on to-morrow he will introduce A Bill to repeal the capitation laws now in force, and for other purposes.

Mr. DELARGE gave notice that on to-morrow he will move to suspend the Rule requiring one day's notice to suspend any special Rule.

Mr. NEAGLE introduced the following resolution, which was agreed to:

Resolved, That as there are no funds in the Treasury of the State to pay any claims, the Committee on Claims be discharged from the consideration of papers requiring payment until some provision is made for their payment.

The report of the Committee on Privileges and Elections on a Bill regulating the election of officers in towns and cities was taken up.

Mr. DELARGE moved that the report of the Committee be printed.

Mr. SASPORTAS moved an indefinite postponement of the motion, which was agreed to.

The House then proceeded to the consideration of the Bill.

The Bill was read a second time.

Mr. DELARGE moved that the further consideration of the Bill be postponed until to-morrow, at 12:30 P. M.

Mr. SMALLS moved to lay the motion to postpone on the table, which was agreed to.

Mr. PURVIS moved that the Bill be laid on the table. Agreed to.

The House then proceeded to the consideration of the report of the Committee.

It was moved that the report of the Committee be adopted.

On this Mr. JENKS called for the yeas and nays, which resulted as follows :

Yeas, 70 ; nays, 36 ; absent and not voting, 16 .

The report was adopted.

Those who voted in the affirmative are :

Messrs. Bosemon, Berry, Brown, Burton, Joseph Boston, Bullock, Lawrence Cain, E. J. Cain, Collins, Crews, DeLarge, Dusenberry, Drifflé, Elliott, Farr, Gardner, Grant, Goodson, Hayes, J. N. Hayne, Humphries, Hutson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, S. J. Lee, Lewie, Mayer, Wm. McKinlay, W. J. McKinlay, McIntyre, McDaniels, Mobley, Milford, Martin, Mead, Nelson, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendergrass, Ransier, Richardson, Rivers, Stober, A. Smith, Saunders, Shrewsbury, Smythe, Saspotas, Simons, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder; Waller, Wooley, Whipper and Webb.—70.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, John Boston, Bryant, Bishop, Cooke, Clyburn, DeMars, Feriter, Gray, C. D. Hayne, Holliman, Henderson, Jenks, Johnston, B. James, Kuh, Keith, G. Lee, Lang, Morrison, Mickey, Mays, Miller, Pettengill, Root, Rush, Stewart, Stolbrand, Smalls, R. M. Smith, Smiley, Scott, Turner, Valentine and Wright.—36.

Those absent and not voting are :

Messrs. Bennett, Chestnut, Dennis, Duvall, Doyle, Ezekiel, Field, S. Johnson, Lomax, Littlejohn, Moore, Sloan, Stubbs, Tinsley, Wilson and White.—16.

Mr. JENKS gave notice that on to-morrow he will ask leave to introduce A Bill providing for a municipal election in the city of Charleston.

PAPERS FROM THE SENATE.

The SPEAKER laid before the House the following Bills from the Senate, which bore the endorsement of having been read the third time :

A Bill to determine and perpetuate the homestead ;

A Bill to organize the Circuit Courts ;

A Bill to regulate appeals and writs of error to the Supreme Court.

On motion of Mr. KUH, the Bills were referred to the Committee on the Judiciary.

The Senate returned to the House, with concurrence, the joint resolution granting the petition of A. E. Bristow, Sheriff of Marlboro County.

The House proceeded to the consideration of the

GENERAL ORDERS.

Report of the Committee on Ways and Means on the Bill entitled " A Bill to provide for the redemption of the Bills Receivable of this State, and to provide for the payment of the expenses of the General Assembly at its first session."

Mr. DeLARGE, from the Committee, asked for farther time, which was granted.

A Bill to change the county seat of Beaufort County from Gillisonville to Beaufort was taken up.

The Bill was put upon its second reading.

Mr. STOEBER moved an amendment, as follows, which was adopted : On the fifth line, second Section, the words " be at " to be stricken out, and the word " bear " inserted in its place.

The Bill was read the second time, and ordered to be sent to the Senate.

The following members obtained leave of absence :

Mr. Chestnut, for five days.

Mr. Loumax, for three days.

Mr. Valentine, until Monday next.

On motion of Mr. SASPORTAS, the House adjourned until to-morrow, at 11 A. M.

SATURDAY, JULY 25, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. EVANS HAYES.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. WHIPPER, from the Committee on the Judiciary, made the following report :

The Judiciary Committee, to whom was referred sundry Bills from the Senate, which Bills have been read a third time in that body, and which, according to the ruling of the Chair, prevents them from concurring in any amendments of this House, beg leave to report :

That they have had the matter under consideration, and believe that various amendments to some of the said Bills are necessary. Your Committee have also learned that the Senate is of the opinion that they have the right to act upon any amendments the House may make, so that, without considering the parliamentary question involved, your Committee recommend that the said Bills be put upon their first reading, and then referred to their appropriate Committees, and the said Committees be, and are hereby, instructed to recommend such amendments as they may think proper.

On motion of Mr. SMALLS, the report of the Committee was adopted.

Mr. CREWS, from the Committee on Internal Improvements, reported favorably on a Bill to establish a new Judicial and Election County, to be known as Aiken County, and to define the limits and boundaries of the same.

On motion, the report was laid on the table to take up the Bill.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill to incorporate the Langley Manufacturing Company, and recommend that the Bill do pass.

On motion, the report was laid on the table to take up the Bill.

Also, on the petition of the Cheraw Hook and Ladder Company, by leave of the House, by a Bill to incorporate the same, entitled "A Bill to incorporate the Cheraw Hook and Ladder Company."

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report :

The Committee on Privileges and Elections, to whom was referred a concurrent resolution petitioning the Congress of the United States for the removal of the political disabilities of R. L. Heriot and John O'Connor, of Sumter County, beg leave to report :

That they have had the same under consideration, and recommend the same to the favorable consideration of the House, so far as it concerns the petition of R. L. Heriot ; and in reference to the other petitioner named, (John O'Connor,) your Committee, being satisfied that he labors under no political disabilities, neither under the Constitution of this State nor that of the United States, recommend that the resolution be amended by striking his name from said resolution.

On motion of Mr. FERITER, the report and the resolution, as amended, were adopted, and ordered to be sent to the Senate for concurrence.

RESOLUTIONS, &c.

Mr. G. LEE introduced the following resolution, which was agreed to :

Resolved, That the Committee on Offices and Officers be, and they are hereby, instructed to prepare and report at the earliest practicable time a Bill fixing the salaries of the various officers, State and county.

Pursuant to notice, Mr. DELARGE introduced the following resolution, which was immediately considered, and agreed to :

Resolved, That Rule 76 of this House be, and is hereby, suspended until the end of this session.

Mr. WOOLEY, pursuant to notice, and by leave of the House, introduced

A Bill to protect the right of suffrage.

The Bill was read the first time, and referred to the Committee on Privileges and Elections.

Mr. HYDE, pursuant to notice, and by leave of the House, introduced

A Bill to regulate and enforce the purity of elections, and the manner of holding the same Read a first time, and referred to the Committee on Privileges and Elections.

Mr. PURVIS introduced the following concurrent resolution, the consideration of which was, on motion of Mr. NEAGLE, made the Special Order for Monday next, at 12:30 P. M.:

Resolved, by the House of Representatives, the Senate concurring, That the present Mayor and Council of the city of Columbia, in the State of South Carolina, remain in office until the regular time of election of said Council under the old charter of said city.

Mr. PURVIS gave notice that on Monday next, by leave of the House, he will introduce

A Bill to provide for the appointment of Tax Collectors in this State.

Mr. DOYLE presented the petition of certain citizens of Oconee County praying authority be granted the County Commissioners to make certain changes in the public road leading from Tugaloo River to Walhalla. Referred to the Committee on Roads, Bridges and Ferries.

Mr. DEMARS presented two accounts of C. B. Glover, Magistrate and acting Coroner, Orangeburg County. Laid over in accordance with a resolution previously adopted.

Mr. PETTENGILL presented a petition from the Board of Commissioners on Public Buildings of Williamsburg County, asking for an appropri-

tion for building a new jail. Referred to the Committee on Public Buildings.

Mr. NEAGLE introduced the following resolution, which was agreed to:

Resolved, That the report of Thomas B Lee, Jr., acting Superintendent of the South Carolina Penitentiary, contained in a document furnished the General Assembly by Hon. James L. Orr, marked "G," on pages 78 and 98 inclusive, be referred to the Committee on the Penitentiary, with instructions to report as soon as practicable.

Mr. NEAGLE gave notice that on Monday next, by leave of the House, he will introduce

A Bill to create a one million loan.

Mr. STOEBER presented the account, for services, of J. C. Dubois, Jailer of Marion County. Laid over in accordance with a resolution previously adopted.

Mr. NEAGLE, pursuant to notice, and by leave of the House, introduced

A Bill to prohibit and prevent the levy and collection of a capitation tax. The Bill was read the first time, and referred to the Committee on Ways and Means, and ordered to be printed.

Mr. HYDE, pursuant to notice, and by leave of the House, introduced

A Bill to regulate and enforce the purity of elections, and the manner of holding the same.

On motion of Mr. TOMLINSON, the Bill was read by its title as its first reading, and referred to the Committee on Privileges and Elections, and ordered to be printed.

Mr. WOOLEY, pursuant to notice, and by leave of the House, introduced

A Bill to protect the right of suffrage.

On motion of Mr. TOMLINSON, the Bill was read by its title as first reading, and referred to the Committee on Privileges and Elections, and ordered to be printed.

The following Bills from the Senate were read a first time, referred to the Committee on the Judiciary, and ordered to be printed:

A Bill to determine and perpetuate the homestead;

A Bill to organize the Circuit Courts;

A Bill to regulate appeals and writs of error to the Supreme Court.

The House proceeded to the consideration of the

GENERAL ORDERS.

The Bill to establish a new Judicial and Election County to be known as Aiken County, and to define the limits and boundaries of the same, was put upon its second reading.

On motion of Mr. NEAGLE, the further reading was dispensed with, and the Bill ordered to be printed.

Mr. JENKS, pursuant to notice, and by leave of the House, introduced A Bill to amend the charter of the city of Charleston.

On motion of Mr. JENKS, the Bill was read by its title as a first reading, referred to the Committee on Incorporations, and ordered to be printed.

Mr. JENKS introduced the following resolution, which was agreed to :

Resolved, That the Speaker of the House of Representatives be authorized to furnish each member of the Honorable Senate, through the Sergeant-at-Arms, daily, the Journal of this body, and to request a like consideration of the President of the Senate.

Mr. TOMLINSON moved that the Committee on Public Printing be instructed to investigate the cost of printing the daily Calendar, and report the result of their investigations to this House. Agreed to.

Mr. DELARGE, from the Committee on Ways and Means, submitted the following report :

The Committee on Ways and Means, to whom was referred a Bill entitled "A Bill to provide for the redemption of the Bills Receivable of the State, and to provide for the payment of the expenses of the General Assembly at its first session," have considered the same with as much care and deliberation as the time allowed will permit, and beg leave to make the following report :

Your Committee would first call attention to the provision of the Constitution contained in the thirty-sixth Section of the Bill of Rights of the new Constitution, which is in these words : " All property subject to taxation shall be taxed in proportion to its value." This provision would seem to require that a proper assessment and valuation of all property should be made before a tax is imposed. The Bill in question provides for no valuation and no assessment, but simply declares that certain enumerated articles produced in the State shall be taxed at a certain fixed rate without regard to their value.

Again, in Section 1, Article IX, of the Constitution, it is provided that " the General Assembly shall provide by law for a uniform and equal rate of assessment and taxation."

It appears to your Committee that the imposition of the tax proposed in the Bill, under the Constitution, would be a plain violation of this provision of the Constitution. If the articles enumerated in the Bill, viz. : short staple cotton, long staple cotton, and rice, had been assessed according to their value and a tax imposed thereon, uniform and equal with that imposed

upon other property of the same value, the Bill before us might claim legality; but no assessment is provided for, but an arbitrary sum of one cent per pound on short staple cotton, and two cents per pound on long staple cotton, and seven and one-half cents per bushel on rough rice, is fixed as the tax on the articles without reference to valuation or assessment. If the price of the articles range high or low, this tax remains the same. Indeed, it has no reference to value whatever, but is the same fixed and unalterable sum upon cotton worth fifty cents per pound and that worth one dollar and fifty cents per pound, which are the extremes between which the prices of long staple cotton is wont to range. The same is true of the other articles enumerated in the Bill. Your Committee are of the opinion that the articles named should bear their full share of taxation, but they think such taxation should be *ad valorem*; that they should be made to bear just that proportion of the burden of taxation which their valuation in a uniform and equal valuation of the taxable property of the State will require, and no more.

The policy of this Bill, which is to take the articles in question and place upon them a tax neither proportioned to the general value of the other property of the State, nor graduated according to the various prices which prevail in the articles themselves, does not seem to your Committee to be a policy compatible with the spirit and letter of our Constitution, nor with a just regard to the general welfare of the State. But the Bill in question provides that the tax therein specified shall be laid "*in addition to all other taxes now or hereafter imposed by law.*" This leaves the way open for a second taxation of the very articles enumerated. They may again be brought in under the general provisions of a tax bill, and made to bear another share of the public burden.

If, therefore, it is intended to adhere to the plain provisions of our Constitution, it would seem to your Committee that the special tax contemplated in the Bill before them was unconstitutional and illegal, and that the articles enumerated should be subject, like all other property, to valuation *prior* to taxation, and that they should only bear such a part of the burden of taxation as their value shall demand in a general, uniform and equal valuation of the property of the State. Your Committee say, let the cotton and rice produced in the State bear a just share of taxation, but let the articles be treated precisely like other articles liable to taxation—let them be valued, and then taxed according to value, and let them be taxed but once.

In reporting thus adversely on the Bill before them, your Committee would say that, while they cannot approve the policy of this Bill, they are fully aware of the necessity of a speedy action with a view to obtaining money to pay the immediate expenses of the General Assembly. Your Committee are most diligently considering the subject, and hope very soon to report a line of policy which will not only relieve us from immediate em-

barrassment, but will adequately provide for the permanent relief of the State from her present financial difficulties.

The Committee feel thus constrained to recommend that the Bill be indefinitely postponed.

On motion of Mr. WHIPPER, the report of the Committee was adopted. The SPEAKER laid before the House the following communication :

PRESIDENT'S OFFICE, G. & C. R. R. Co.,
COLUMBIA, S. C., July 25, 1868.

To the Honorable the Speaker of the House of Representatives.

DEAR SIR : A special train on the Greenville and Columbia Railroad will leave here to-morrow morning, at 5 o'clock, for Greenville, to return on Monday. I cordially invite all the officers and members of the Senate and House of Representatives to go, who may find it convenient to do so, and hope to make it a pleasant recreation for them.

Please communicate this to the House of Representatives, and oblige

Yours, very respectfully,

(Signed)

H. P. HAMMETT, President.

On motion of Mr. DELARGE, so much of the Rules as requires the House to meet on Monday next, at 11 A. M., was suspended, and the invitation accepted.

Mr. WHIPPER moved that when this House adjourns, it stand adjourned until Monday next, at 5 P. M.

The following members obtained leave of absence :

Mr. Clyburn, for seven days.

Mr. Keith, for six days from Monday next.

Mr. Gardner, for four days.

Mr. Nash, for three days.

Mr. Hyde, for three days.

Mr. McIntyre, for two days.

On motion of Mr. DELARGE, the House adjourned until Monday next, at 5 o'clock P. M.

MONDAY, JULY 27, 1868.

Pursuant to adjournment, the House met at 5 o'clock P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The Journal of Saturday was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. BOSEMON, from the Committee on Public Printing, reported on the resolution instructing the Committee to report the cost of printing the daily Calendar of the House that the cost per day was \$5.50 for the same.

On motion, the report was received as information.

PETITIONS. &c.

Mr. SMALLS presented the petition of certain pilots of Charleston, praying the grant of licenses as branch pilots. Referred to the Committee on Grievances.

Mr. NEAGLE presented the petition of P. Q. Camp, of Spartanburg, for the removal of his political disabilities. Referred to the Committee on Disabilities.

PAPERS FROM THE SENATE.

The Senate returned to this House a concurrent resolution fixing Wednesday, July 29, at 12 M, as the time for the election by Joint Assembly, of Chief Justice and Associate Justices of the Supreme Court, with the following resolution accompanying the report of the Senate Committee on the Judiciary:

Whereas it is provided by the second Section of Article IV of the Constitution that the Chief Justice and two Associate Justices of the Supreme Court shall be elected by a joint vote of the General Assembly; therefore,

Resolved, by the Senate, the House of Representatives concurring, That the Senate and House of Representatives do meet in Joint Assembly in the hall of the House of Representatives on Wednesday, the 29th day of July, A. D. 1868, at 12 o'clock meridian, and then and there proceed to elect, by a joint vote, a Chief Justice, to serve for the term of six years; and immediately thereafter, unless the Joint Assembly shall direct otherwise, proceed in like manner to elect two Associate Justices of the Supreme Court; that immediately after the election of said Associate Justices the Joint Assembly shall determine, by a *viva voce* vote, which of said Associate Justices elect shall serve for the term of two years, and which for the term of four years; that immediately after the said election the presiding officer of the Joint Assembly shall certify the election hereinbefore provided for, and the determination as to the terms of the Associate Justices, to the Governor of the State.

On motion, the report and resolution were concurred in, and ordered to be returned to the Senate.

Also, the Senate sent to the House a joint resolution requiring the Ex-Comptroller-General to make a final report.

On motion of Mr. TOMLINSON, the resolution was laid on the table.

Also, from the Senate, a favorable report from the Special Committee of the Senate on Removal of Political Disabilities on the petition of William Hill, of Abbeville.

On motion of Mr. TOMLINSON, the report was concurred in, and ordered to be returned to the Senate.

Also, a Bill to incorporate the Langley Manufacturing Company. Read a first time, and referred to the Committee on Incorporations.

Also, a Bill to organize the Supreme Court. Read a first time, and referred to the Committee on the Judiciary.

Also, a Bill to fix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement. Read a first time, and referred to the Committee on Offices and Officers.

At the hour of 12 M. the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Committee on Privileges and Elections on the petition of A. L. McCaslin for the removal of his political disabilities.

On motion, the report was recommitted to the Committee.

At the hour of 12:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

The resolution to continue in office until the next regular election the present Mayor and Council of Columbia was taken up, and, on motion, the resolution was referred to the Committee on the Judiciary.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to incorporate the Cheraw Hook and Ladder Company was put upon its second reading.

On motion of Mr. WM. MCKINLAY, it was recommitted to the Committee on Incorporations, with instructions.

A Bill to incorporate the Langley Manufacturing Company was put upon its second reading.

On motion of Mr. TOMLINSON, it was recommitted to the Committee on Incorporations, with instructions.

A Bill to organize a new Judicial and Election County, to be known as

Aiken County, and to define the limits and boundaries of the same, was put upon its second reading.

Mr. SASPORTAS moved that the further consideration of the Bill be postponed until the next regular session.

Pending this the House, on motion of Mr. BOSEMON, adjourned until 11 A. M. to-morrow.

TUESDAY, JULY 28, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. BERRY.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. NEAGLE, from the Special Committee to whom was referred the resolution concerning the mansion on Arsenal Hill, to be fitted up for the Governor, report that the premises are well suited for a residence for the Governor, and recommend the appropriation of twenty-five hundred dollars, (\$2,500,) to be placed in the hands of a Joint Committee, with authority to make necessary repairs.

On motion of Mr. SMILEY, the report was received as information.

Mr. TOMLINSON, from the Committee on Disabilities, reported on the petition of W. J. Clawson, of Yorkville, praying the removal of his political disabilities, and recommend that the petition be laid on the table.

NOTICE OF BILLS, &c.

Mr. BERRY gave notice that on to-morrow, by leave of the House, he will introduce

A Bill to repeal an Act of 1865 repealing the usury law of this State, for the purpose of establishing a specified rate per cent. interest.

Mr. TOMLINSON introduced the following joint resolution, which was agreed to, and ordered to be sent to the Senate for concurrence:

Resolved, by the House of Representatives, the Senate concurring, That an appropriation of twenty-five hundred dollars (\$2,500) be made to fit up and furnish the house on Arsenal Hill as a residence for the Governor of the State, and that a Joint Committee of two from this House and one from the Senate be appointed to take charge of the work.

Mr. GRAY gave notice that on to-morrow, by leave of the House, he will introduce

A Bill to rebuild the bridge across Church Creek, connecting Johns and Wadmalaw Islands, Charleston County.

Mr. CREWS introduced the following resolution, which was referred to the Committee on the Judiciary:

Whereas the office term of the present Town Council of Laurensville expired on the second Monday in January, 1868, and although not able to take the oath required by the Act of Congress, were allowed, by a Special Order of General Canby, to continue in office; and whereas their administration of the affairs of the town is unsatisfactory to the people of the town; therefore,

Be it resolved, That the aforesaid order of General Canby be, and the same is hereby, rescinded and repealed.

Mr. W. J. MCKINLAY introduced the following resolution, which was agreed to:

Resolved, That no Clerk or subordinate officer of this House shall absent himself, during its session, without leave.

Mr. SIMONS introduced the following resolutions, which were agreed to:

Resolved, That the Committee on Lunatic Asylum be requested to report as soon as possible.

Resolved, That the Committee on the Penitentiary be requested to report on as early a day as possible.

Mr. TURNER introduced the following joint resolution, which was agreed to, and ordered to be sent to the Senate for concurrence:

Whereas the State of South Carolina is largely interested in the Spartanburg and Union Railroad; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That His Excellency the Governor be, and he is hereby, authorized to appoint three (3) persons to represent the interest of the State at the next ensuing annual meeting of the stockholders of said road.

Mr. R. M. SMITH presented the account of J. B. Wofford, Constable of Spartanburg, which was laid over in accordance with the resolution previously adopted.

Mr. R. M. SMITH introduced the following resolution, which was agreed to:

Resolved, That all Bills hereafter introduced into this House shall be read the first time by their title, without any motion to that effect: *Provided*, That this resolution shall not prevent any member from requiring a Bill to be read in full, if he so desires.

Mr. NEAGLE presented the petition of A. E. Smith, of Spartanburg, for the removal of his political disabilities. Referred to the Committee on Disabilities.

Mr. NEAGLE introduced a resolution in reference to an appointment of a Committee on the Catawba Indians.

On motion of Mr. JENKS, the resolution was laid on the table.

GENERAL ORDERS.

The unfinished business being the consideration of the Bill to establish a new Judicial and Election County, to be known as Aiken County, &c., was taken up, and the motion to postpone the consideration of the Bill until the next regular session was renewed.

On this Mr. J. N. HAYNE called for the yeas and nays, which resulted as follows:

Yeas, 69; nays, 12; absent and not voting, 41. Agreed to.

Those who voted in the affirmative are:

Messrs. Bosemon, Brodie, Burton, John Boston, Joseph Boston, Bryant, Bishop, L. Cain, E. J. Cain, Collins, Crews, DeLarge, Dusenberry, Duvall, Doyle, Ezekiel, Field, Feriter, Gray, Grant, Goodson, Hayes, Humphries, Holliman, Hutson, Henderson, Harris, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jacobs, B. James, Jervy, Lomax, S. J. Lee, Lewie, Lang, Morrison, Wm. McKinlay, W. J. McKinlay, Mickey, Milford, Mays, Nelson, O'Connell, Purvis, Perrin, Preudegrass, Pettengill, Richardson, Rush, Rivers, Smalls, A. Smith, R. M. Smith, Saunders, Sasportas, Simons, Scott, B. A. Thompson, Tomlinson, Thomas, Turner, Wilder, Waller, Wooley, White and Wright.—69.

Those who voted in the negative are:

Messrs. Berry, Brown, Driffle, DeMars, C. D. Hayne, J. N. Hayne, H. James, Jones, Kuh, Mead, Miller and Root.—12.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Bullock, Cooke, Clyburn, Chestnut, Dennis, Elliott, Farr, Gardner, Hyde, Jenks, S. Johnson, Jackson, Keith, G. Lee, Littlejohn, Mayer, McIntyre, McDaniels, Mobley, Moore, Martin, Nash, Nuckles, Neagle, Ransier, Sloan, Stewart, Stoeber, Stolbrand, Stubbs, Shrewsbury, Smythe, Smiley, S. B. Thompson, Tinsley, Valentine, Wilson, Whipper and Webb.—41.

Mr. DELARGE moved that the motion to postpone be reconsidered, and that the motion to reconsider be laid upon the table. Agreed to.

Mr. RANSIER gave notice that on to-morrow he will introduce

A Bill repealing so much of an Act of the Legislature as requires bonded officers to file a copy of their bonds in the office of the Secretary of State within thirty days from the time their election was declared, upon pain of forfeiture of their claims to the offices to which they were elected, with a view of an extension of the time.

On motion of Mr. KUH, so much of the rules as relate to adjournment were suspended.

The following members obtained leave of absence :

Mr. Berry, for twelve days.

Mr. Morrison, for twelve days.

On motion of Mr. WILDER, the House adjourned until 11 A. M. to-morrow.

WEDNESDAY, JULY 29, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. EVANS HAYES.

The Journal of the previous day was read and confirmed.

REPORTS FROM STANDING COMMITTEES, &c.

Mr. PURVIS, from the Committee on Incorporations, reported favorably on the Senate Bill to incorporate the Langley Manufacturing Company.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Also, on a Bill to incorporate the Cheraw Hook and Ladder Company, which had been recommitted for correction, with the following amendment inserted in the title of the Bill: "as a part of the Fire Department of the town of Cheraw."

The Bill was read the second time, and ordered to be sent to the Senate.

RESOLUTIONS, &c.

Mr. GEORGE LEE, by leave of the House, presented a series of resolutions, from sundry citizens of Charleston assembled in mass meeting, which were read.

Mr. ELLIOTT moved that the resolutions be returned to the member presenting them.

Pending this the Senate was announced.

SPECIAL ORDER OF THE DAY.

The hour for the Special Order of the Day having arrived, at 12 M. the two Houses met in Joint Assembly, and proceeded to the election of Chief Justice and Associate Justices of the Supreme Court, in accordance with a resolution previously adopted.

JOINT ASSEMBLY.

Mr. TOMLINSON nominated Mr. D. T. Corbin.

Mr. COGHLAN nominated Mr. F. J. Moses.

Mr. HOYT nominated Mr. A. J. Willard.

Mr. TOMLINSON asked for the reading of Section 1 of Article XIV, and Section 2 of Article VIII, of the Constitution of the State of South Carolina; also, the third Section of the amendment to the Constitution of the United States, known as Article XIV, for the information of the Joint Assembly, and it was so ordered.

On motion of Mr. CAIN, of the Senate, the Joint Assembly then proceeded to vote, *via voce*, for Chief Justice of the Supreme Court, with the following result :

FIRST BALLOT.

SENATE.

Those who voted for Mr. F. J. Moses are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Rainey and Wimbush.—6.

Those who voted for Mr. D. T. Corbin are :

Messrs. Arnim, Allen, Cain, Duncan, Hayes, Hayne, Jillson, Leslie, Maxwell, Rutland, Randolph, Rose, Rodgers and Wright.—14.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster, Reid and Sims.—3.

Mr. Hoyt voted for Mr. A. J. Willard.

Mr. Bieman voted for Mr. J. L. Orr.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, Lawrence Cain, Chestnut, DeLarge, Dusenberry, Drifflie, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, H. Johnson, Johnston, Jacobs, Jervy, Lomax, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, Mobley, Mil-

ford, Martin, Mead, Nelson, Nuckles, O'Connell, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Thomas, Wilder, Wooley, White and Wright.—52.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Duvall, DeMars, Ezekiel, Feriter, Holliman, Hutson, Jenks, D. J. J. Johnson, S. Johnson, G. Johnson, B. James, H. James, Kuh, G. Lee, Lewie, Morrison, McDaniels, Mays, Neagle, Perrin, Prendegrass, Pettengill, Richardson, Rush, Rivers, Smalls, Shrewsbury, Scott, Tomlinson, Whipper and Webb.—39.

Those who voted for Mr. A. J. Willard are :

Messrs. Collins, Crews, Stoeber, Stolbrand and B. A. Thompson.—5.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bullock, Bryant, Field, Sloan and Wilson.—5.

Those who voted for Mr. J. L. Wardlaw are :

Messrs. Doyle and Waller.—2.

Those who voted for Mr. J. L. Orr are :

Messrs. Moore and Stewart.—2.

Mr. R. M. Smith voted for Mr. A. P. Aldrich.

Mr. Turner voted for Mr. T. N. Dawkins.

RECAPITULATION.

Mr. F. J. Moses received.....	58
Mr. D. T. Corbin.....	53
Mr. B. F. Dunkin.....	8
Mr. A. J. Willard.....	6
Mr. J. L. Orr.....	3
Mr. J. L. Wardlaw.....	2
Mr. A. P. Aldrich.....	1
Mr. T. N. Dawkins.....	1

Whole number of votes given.....132

Necessary to a choice..... 67

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to a second ballot.

SENATE.

Those who voted for Mr. F. J. Moses are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Rainey and Wimbush.—6.

Those who voted for Mr. D. T. Corbin are :

Messrs. Arnim, Allen, Cain, Dunkin, Hayes, Hayne, Jillson, Leslie, Maxwell, Rutland, Randolph, Rose, Rodgers and Wright.—14.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster, Reid and Sims.—3.

Mr. Hoyt voted for Mr. A. J. Willard.

Mr. Bieman voted for Mr. J. L. Orr.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses are :

Hen. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, L. Cain, Chestnut, Crews, DeLarge, Dusenberry, Driffle, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, H. Johnson, Johnston, S. Johnson, Jervoy, Lomax, S. J. Lee, Lang, Mayer, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, Mobley, Milford, Martin, Mead, Miller, Nelson, Nuckles, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Thomas, Wilder, Waller, Wooley, White and Wright.—56.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Duvall, DeMars, Ezekiel, Feriter, Holliman, Hutson, Jenks, D. J. J. Johnson, G. Johnson, Jacobs, B. James, H. James, Kuh, G. Lee, Morrison, McDaniels, Mays, Neagle, Purvis, Prendegrass, Pettengill, Richardson, Rush, Rivers, Stoeber, Stolbrand, Smalls, Shrewsbury, Scott, B. A. Thompson, Tomlinson, Turner, Whipper and Webb.—42.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bryant, Bullock, Doyle, Sloan and Wilson.—5.

Those who voted for Mr. J. L. Orr are :

Messrs. Lewie, Moore and Stewart.—3.

Mr. Collins voted for Mr. A. J. Willard.

Mr. R. M. Smith voted for Mr. A. P. Aldrich.

RECAPITULATION.

Mr. F. J. Moses received.....	62
Mr. D. T. Corbin.....	56
Mr. B. F. Dunkin.....	8
Mr. J. L. Orr.....	4
Mr. A. J. Willard.....	2
Mr. A. P. Aldrich.....	1
Whole number of votes given.....	183
Necessary to a choice.....	67

No candidate having received a majority of all the votes given, there was no election.

The Joint Assembly then proceeded to a third ballot.

SENATE.

Those who voted for Mr. F. J. Moses are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Ruiney and Wimbush.—6.

Those who voted for Mr. . . . T. Corbin are :

Messrs. Arnim, Allen, Duncan, Hayes, Hayne, Jillson, Maxwell, Rutland, Randolph, Rose, Rodgers, Sims and Wright.—13.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster and Reid.—2.

Mr. Hoyt voted for Mr. A. J. Willard.

Mr. Bieman voted for Mr. J. L. Orr.

Mr. Cain voted for Mr. W. B. Nash.

Mr. Leslie voted for Mr. Wade Hampton.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, Bullock, L. Cain, Chestnut, Crews, DeLarge, Dusenberry, Drifflie, Doyle, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, H. James, Jervey, Lomax, G. Lee, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Moore, Milford, Martin, Mead, Miller, Nelson, Nuckles, Neagle, O'Connell, Purvis, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Wilder, Waller, Wooley, White and Wright.—64.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Dayall, DeMars, Ezekiel, Feriter, Holliman, Hutson, Jenks, D. J. J. Johnson, B. James, Kuh, Lewie, Mayer, Morrison, Prendegrass, Pettengill, Richardson, Rush, Rivers, Steeber, Stolbrand, Smalls, Shrewsbury, Scott, B. A. Thompson, Tomlinson, Thomas, Whipple and Webb.—36.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bryant, Sloan and Wilson.—3.

Those who voted for Mr. T. N. Dawkins are :

Messrs. R. M. Smith and Turner.—2.

Mr. Collins voted for Mr. A. J. Willard.

Mr. Stewart voted for Mr. J. L. Orr.

Mr. Mays voted for Mr. B. F. Randolph.

Mr. Field voted for Mr. J. A. Inglis.

RECAPITULATION.

Mr. F. J. Moses received.....	70
Mr. D. T. Corbin.....	49
Mr. B. F. Dunkin.....	5
Mr. A. J. Willard.....	2
Mr. J. L. Orr.....	2
Mr. T. N. Dawkins.....	2
Mr. J. A. Inglis.....	1
Mr. B. F. Randolph.....	1
Mr. W. B. Nash.....	1
Mr. Wade Hampton.....	1

Whole number of votes given.....134

Necessary to a choice..... 68

Mr. F. J. Moses having received a majority of the votes given, was declared by the PRESIDENT of the Joint Assembly to be duly elected Chief Justice of the Supreme Court of the State of South Carolina.

The Joint Assembly then proceeded to the election of two Associate Justices of the Supreme Court.

Mr. HAYES, of the Senate, nominated Mr. Lemuel Boozer.

Mr. MAXWELL, of the Senate, nominated Mr. A. J. Willard.

Mr. LESLIE, of the Senate, nominated Mr. A. P. Aldrich

Mr. JENKS, of the House, nominated Mr. J. M. Rutland.

Mr. WEBB, of the House, nominated Mr. S. L. Hoge

Mr. FERITER, of the House, nominated Mr. J. A. Inglis.

The Joint Assembly then proceeded to vote *viva voce*.

FIRST BALLOT.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Dickson, Hoyt, Maxwell, Randolph and Wright.—7.

Those who voted for Mr. S. L. Hoge are :

Messrs. Corbin, Cain, Coghlan, Jillson, Nash, Rainey and Wimbuah.—7.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bieman, Foster, Reid, Rodgers and Sims.—5.

Those who voted for Mr. L. Boozer are :

Messrs. Hayes, Montgomery, Rutland and Rose.—4.

Those who voted for Mr. A. P. Aldrich are :

Messrs. Hayne and Leslie.—2.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Burton, Joseph Boston, Bishop, E. J. Cain, Cooke, Crews, Dusenberry, Driffle, DeMars, Ezekiel, Farr, Gray, Gardner, Grant, Hayes, J. N. Hayne. Holliman, Hutson, Henderson, D. J. J. Johnson, Johnston, G. Johnson, Jervey, Kuh, Lomax, S. J. Lee, Lang, Morrison, W. McKinlay, Milford, Martin, Mays, Miller, Perrin, Prendegrass, Richardson, Rush, Rivers, Stolbrand, Saunders and Whipper.—42.

Those who voted for Mr. J. M. Rutland are :

Messrs. John Boston, L. Cain, DeLarge, Duvall, Gardner, Jenks, H. Johnson, Jacobs, Mayer, W. J. McKinlay, McIntyre, McDaniels, Mobley, Mead, Nuckles, Neagle, Simons, S. B. Thompson, Wilder, White and Wright.—21.

Those who voted for Mr. L. Boozer are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Chestnut, Harris, B. James, Lewie, Mickey, O'Connell, Purvis, A. Smith, Smiley, Tomlinson and Wooley.—13.

Those who voted for Mr. S. L. Hoge are :

Messrs. Collins, Elliott, H. James, Pettengill, Ransier, Root, Scott, B. A. Thompson and Webb.—9.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bullock, Bryant, Doyle, Field, Feriter, Moore, Sloan, Stewart, Stoeber, R. M. Smith, Wilson and Waller.—12.

Those who voted for Mr. J. J. Wright are :

Messrs. Sasportas and Thomas.—2.

Those who voted for Mr. F. J. Moses, Jr., are :

Messrs. George Lee and Swalls.—2.

Mr. C. D. Hayne voted for Mr. R. H. Cain.

Mr. Brown voted for Mr. John Morrissey.

Mr. Brodie voted for Mr. C. P. Leslie.

Mr. Nelson voted for Mr. J. H. Rainey.

Mr. Shrewsbury voted for Mr. M. R. Delaney.

RECAPITULATION.

Mr. A. J. Willard received	49
Mr. J. M. Rutland.....	21
Mr. Lemuel Boozer.....	17
Mr. J. A. Inglis	17
Mr. S. L. Hoge.....	16
Mr. A. P. Aldrich.....	2
Mr. J. J. Wright.....	2

Mr. F. J. Moses, Jr.....	2
Mr. R. H. Cain.....	1
Mr. John Morrissey.....	1
Mr. C. P. Leslie.....	1
Mr. J. H. Rainey.....	1
Mr. M. R. Delaney.....	1
Whole number of votes given	131
Necessary to a choice.....	66

No candidate having received a majority of the votes given, there was no election.

Mr. HAYNE, of the Senate, moved that the Joint Assembly be now dissolved to meet to-morrow, at 12 M., which was agreed to, and the Senate retired.

The business of the House was resumed.

The following members obtained leave of absence :

Mr. Littlejohn, for ten days.

Mr. Waller, for twelve days from Friday next.

Mr. Field, for eight days from Friday next.

On motion of Mr. TOMLINSON, the House adjourned until to-morrow, at 11 A. M.

THURSDAY, JULY 10, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. E. MICKEY.

The Journal of the previous day was read and confirmed.

REPORTS FROM STANDING COMMITTEES, &c.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported on the Bill to fix the amount of official bonds of certain officers, and to impose penalties on embezzlement, and recommended that such a disposition of the Bill be made as to bring it within the province of its appropriate Committee.

On motion of Mr. NEAGLE, the Bill was referred to the Committee on Ways and Means and the Committee on County Offices and Officers jointly.

Mr. RANSIER, from the Committee on Privileges and Elections, re-

ported favorably on the petition of A. L. McCaslin for the removal of his political disabilities.

Mr. WHIPPER moved that the report be received and made the Special Order for 12 M. to-morrow, which was agreed to.

PETITIONS, MEMORIALS, &c.

Mr. JENKS presented the petition of the Comet Star Engine Company No. 5, of Charleston, for a charter.

On motion of Mr. GEORGE LEE, it was referred to the Committee on Incorporations.

Mr. CREWS gave notice that on to-morrow, by leave of the House, he will introduce

A Bill to raise a tax on the County of Kershaw to the amount of one thousand dollars annually for the benefit of the widow of S. G. W. Dill.

Mr. LEWIE presented the petition of sundry citizens of Lexington, praying the change of an election precinct. Referred to the Committee on Privileges and Elections.

Mr. HENDERSON presented the accounts of J. Stewart, Magistrate of Newberry County, for services, and J. E. Peterson, Ex-Jailer of Newberry. Laid over for future consideration.

The SPEAKER announced that in future he would enforce Rule 66 of the Rules of this House.

Mr. R. M. SMITH introduced the following resolution, which was agreed to:

Resolved, That the Committee on Privileges and Elections be requested to turn over all papers in their hands in relation to disabilities to the Committee specially assigned to that duty.

Mr. NEAGLE presented the petition of Peter Garrison, of York, for the removal of his political disabilities. Referred to the Special Committee on Disabilities.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 3.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, July 29, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

In accordance with the requirements of the Constitution of the State, I herewith return to the House in which it originated the concurrent reso-

lation to grant the petition of Alex. E. Bristow, of Marlboro County, to remit a penalty and for relief.

The same having remained in this office more than three days, becomes a law without the approval of the Governor.

(Signed)

ROBERT K. SCOTT, Governor.

JOINT ASSEMBLY.

SPECIAL ORDER.

At 12 M. the Senate was announced, and pursuant to adjournment the two Houses met in Joint Assembly, and proceeded to a second ballot, *vice voce*, for an Associate Justice of the Supreme Court.

Mr. HAYES took the chair.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Coghlan, Dickson, Duncan, Hoyt, Maxwell, Nash, Randolph, Wright and Wimbush.—10.

Those who voted for Mr. L. Boozer are :

Messrs. Allen, Cain, Hayes, Rainey, Rutland, Rose and Rodgers.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Buck, Bieman, Foster and Sims.—4.

Those who voted for Mr. J. M. Rutland are :

Messrs. Hayne and Montgomery.—2.

Those who voted for S. L. Hoge are :

Messrs. Jillson and Swails.—2.

Mr. J. H. Reid voted for Mr. B. F. Dunkin.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, Jno. Boston, Jos. Boston, Bishop, Cooke, Collins, Crews, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Farr, Gray, Grant, Goodson, Hayes, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, Johnston, Jackson, H. James, Jervy, Kuh, Lomax, Lang, Mayer, Morrison, W. McKinlay, Mickey, Milford, Mays, Miller, Nelson, Perrin, Preudegrass, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Smalls, Saunders, Thomas and Whipper.—57.

Those who voted for Mr. J. M. Rutland are :

Messrs. Chestnut, DeLarge, Duvall, Feriter, Jenks, Henry Johnson, Jacobs, George Lee, McIntyre, McDaniels, Mobley, Mead, Nuckles, Neagle,

Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Wilder, White and Wright.—22.

Those who voted for Mr. L. Boozer are :

Messrs. C. D. Hayne, B. James, Lewie, W. J. McKinalay, O'Connell, Purvis, Shrewsbury, Sasportas and Wooley.—9.

Those who voted for Mr. S. L. Hoge are :

Hen. F. J. Moses, Jr, Speaker, and Messrs. L. Cain, Gardner, Harris, G Johnson, Jones, S. J. Lee, Pettengill, Scott and Webb.—10.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bullock, Bryant and Moore.—3.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Sloan and Stewart.—2.

Those who voted for Mr. Thomas Thompson are :

Messrs. Doyle and R. M. Smith.—2.

Those who voted for Mr. Wm. Munro are :

Messrs. Field and Waller.—2.

Mr. Turner voted for Mr. T. N. Dawkins.

Mr. Wilson voted for Mr. B. F. Perry.

RECAPITULATION.

Mr. A. J. Willard received.....	67
Mr. J. M. Rutland.....	24
Mr. S. L. Hoge	12
Mr. L. Boozer.....	16
Mr. C. D. Melton.....	4
Mr. J. A. Inglis.....	8
Mr. B. F. Dunkin.....	8
Mr. Thomas Thompson	2
Mr. Wm. Munro.....	2
Mr. B. F. Perry.....	1
Mr. T. N. Dawkins.....	1

Whole number of votes given135

Necessary to a choice..... 68

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to a third ballot.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayne, Montgomery, Maxwell, Nash, Randolph, Wright and Wimbush.—14.

Those who voted for Mr. L. Boozer are :

Messrs. Hayes, Rainey, Rutland and Rose.—4.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman, Foster, Reid and Rodgers.—4.

Those who voted for Mr. S. L. Hoge are :

Messrs. Jillson and Swails.—2.

Mr. Buck voted for Mr. William Munro.

Mr. Sims voted for Mr. T. N. Dawkins.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, Cooke, Collins, Crews, DeLarge, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, B. James, H. James, Jervey, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Morrison, W. McKinlay, Mickey, McDaniels, Mobley, Milford, Mays, Miller, Nelson, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Scott, B. A. Thompson, Thomas, Whipper, White and Webb.—76.

Those who voted for Mr. J. M. Rutland are :

Messrs. Chestnut, Duvall, Jenks, H. Johnson, Jacobs, McIntyre, Mead, Smile, S. B. Thompson, Tomlinson, Wilder and Wright.—12.

Those who voted for Mr. L. Boozer are :

Messrs. Lewie, William J. McKinlay, Purvis, Sasportas, Simons and Wooley.—6.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. L. Cain, Harris, Jones and Stoerber.—5.

Those who voted for Mr. C. D. Melton are :

Messrs. Bullock, Bryant, Moore, Stewart and Waller.—5.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Sloan and R. M. Smith.—2.

Those who voted for Mr. Thomas Thompson are :

Messrs. Doyle and Field.—2.

Mr. Turner voted for Mr. T. N. Dawkins.

Mr. Wilson voted for Mr. B. F. Perry.

RECAPITULATION.

Mr. A. J. Willard received.....	90
Mr. J. M. Rutland.....	12

Mr. L. Boozer.....	10
Mr. C. D. Melton.....	9
Mr. S. L. Hoge.....	7
M. B. F. Dunkin.....	2
Mr. Thomas Thompson.....	2
Mr. T. N. Dawkins.....	2
Mr. B. F. Perry.....	1
Mr. Wm. Mauro.....	1
<hr/>	
Whole number of votes given.....	136
Necessary to a choice.....	69

The PRESIDENT of the Joint Assembly thereupon declared that Mr. A. J. Willard, having received a majority of the whole number of votes given, was elected an Associate Justice of the Supreme Court.

The Joint Assembly then proceeded to vote, *viva voce*, for a second Associate Justice of the Supreme Court, with the following result :

FIRST BALLOT.

SENATE.

Those who voted for Mr. Lemuel Boozer are :

Messrs. Arnim, Buck, Cain, Coghlan, Hayes, Rainey, Rutland, Reid, Rose, Rodgers and Sims.—11.

Those who voted for Mr. J. M. Rutland are :

Messrs. Dickson, Duncan, Hayne, Montgomery, Nash and Wimbush.—6.

Those who voted for Mr. S. L. Hoge are :

Messrs. Allen, Hoyt, Jillson, Maxwell, Randolph, Swails and Wright.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman and Foster.—2.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Joseph Boston, Bishop, L. Cain, Cooke, Collins, Crews, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Gray, Gardner, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Harris, Hyde, G. Johnson, Jackson, Henry James, Jervey, Jones, G. Lee, S. J. Lee, Morrison, Wm. McKinlay, Mickey, Mays, Perrin, Pettengill, Richardson, Root, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Scott, B. A. Thompson, Thomas, Wooley, Whipper and Webb.—49.

Those who voted for Mr. J. M. Rutland are :

Messrs. Burton, John Boston, Chestnut, DeLarge, Duvall, Feriter, Farr, Grant, Goodson, Hayes, Humphries, Holliman, D. J. J. Johnson, Henry

Johnson, Johnston, Jacobs, Lomax, Lang, Mayer, W. J. McKinlay, McIntyre, McDaniels, Mobley, Mead, Nelson, Nuckles, Neagle, O'Connell, Prendergrass, Ransier, Rush, Saunders, Simons, Smiley, S. B. Thompson, Wilder, White and Wright.—38.

Those who voted for Mr. L. Boozer are :

Messrs. Berry, B. James, Lewie, Milford, Purvis, Shrewsbury and Saspotas.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Bullock, Bryant, Doyle, Field, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—11.

RECAPITULATION.

Mr. S. L. Hoge received.....	56
Mr. J. M. Rutland.....	44
Mr. L. Boozer.....	18
Mr. C. D. Melton.....	13
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Whole number of votes given.....	131
Necessary to a choice.....	66

No candidate having received a majority of the votes given, there was no election.

Mr. PURVIS withdrew the name of Mr. L. Boozer.

The Joint Assembly then proceeded to a second ballot.

SENATE.

Those who voted for Mr. S. L. Hoge are :

Messrs. Allen, Cain, Coghlan, Hoyt, Hayne, Jillson, Maxwell, Rainey, Randolph, Swails and Wright.—11.

Those who voted for Mr. James M. Rutland are :

Messrs. Dickson, Duncan, Hayes, Montgomery, Nash, Rose and Wimbush.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman, Foster, Reid, Rodgers and Sims.—5.

Mr. Buck voted for Mr. W. Munro.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Berry, Brodie, Brown, Joseph Boston, Bishop, L. Cain, Cooke, Collins, Crews, DeLarge, Dusenberry, Drifflie, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Harris, Hyde, Jenks, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, Morrison,

Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mays, Miller, Purvis, Perrin, Pettengill, Ransier, Richardson, Root, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Smiley, Scott, B. A. Thompson, Tomlinson, Thomas, Wilder, Wooley, Whipper and Webb.—62.

Those who voted for Mr. J. M. Rutland are :

Messrs. Burton, John Boston, Chestnut, Duvall, Grant, Goodson, Hayes, Humphries, Holliman, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jackson, Jacobs, Lomax, Lang, McIntyre, Mobley, Milford, Mead, Nelson, Nuckles, Neagle, O'Connell, Prendegrass, Rush, Saunders, Shrewsbury, Sasportas, Simons, S. B. Thompson, White and Wright.—34.

Those who voted for Mr. C. D. Melton are :

Messrs. Bullock, Bryant, Moore, Stewart, R. M. Smith, Turner, Wilson and Waller.—8.

Those who voted for Mr. Thomas Thompson are :

Messrs. Doyle and Field.—2.

Mr. Sloan voted for Mr. B. F. Dunkin.

RECAPITULATION.

Mr. S. L. Hoge received.....	73
Mr. J. M. Rutland.....	41
Mr. C. D. Melton.....	13
Mr. Thomas Thompson.....	2
Mr. B. F. Dunkin	1
Mr. William Munro.....	1

Whole number of votes given.....181

Necessary to a choice..... 66

The PRESIDENT of the Joint Assembly thereupon declared that Mr. S. L. Hoge, having received a majority of the whole number of votes given, was elected an Associate Justice of the Supreme Court of the State of South Carolina.

The Joint Assembly then proceeded, by a *viva voce* vote, to determine which of the Associate Justices elect should serve for the term of four years.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayne, Jillson, Maxwell, Nash, Rutland, Randolph, Wright and Wimbush.—15.

Those who voted for Mr. S. L. Hoge are :

Messrs. Bieman, Foster, Hayes, Rainey, Reid, Rodgers, Swails and Sims.—8.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, Cocke, Collins, Chestnut, Ezekiel Feriter, Farr, Gray, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervy, Kuh, Lomax, George Lee, S. J. Lee, Mayer, Morrison, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nelson, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Ransier, Richardson, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Sasportas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder, Whipper, White and Wright.—76.

Those who voted for Mr. S. L. Hoge are :

Messrs. Bullock, L. Cain, Crews, DeLarge, Dusenberry, Driffle, Duvall, DeMars, Elliott, Gardner, Harris, Jackson, Jones, McIntyre, Pettengill, Root, R. M. Smith, Scott, Turner and Webb.—20.

Mr. A. J. Willard received.....	91
Mr. S. L. Hoge.....	28

Whole number of votes given	119
Necessary to a choice.....	60

The PRESIDENT of the Joint Assembly thereupon declared that Mr. A. J. Willard, having received a majority of the whole number of votes given, was elected to serve as Associate Justice of the Supreme Court of South Carolina for the term of four years.

The Joint Assembly was then dissolved, and the Senate retired.

The business of the House was resumed.

The unfinished business, being the consideration of the resolutions adopted by sundry citizens of Charleston in mass meeting, was taken up.

On motion of Mr. WHIPPER, the resolutions were laid on the table.

On this Messrs. Jenks, W. McKinlay, Bosemon, Brown, Mickey, Wright and George Lee desired that it be recorded on the Journal that they vote "nay," and Mr. Johnston to be recorded as voting "yea."

Mr. DELARGE, from the Committee on Ways and Means, reported a Bill to authorize and empower the Governor to effect a loan in behalf of the State of \$125,000.

The Bill was read a first time, and ordered to be printed.

Mr. MILLER gave notice that on to-morrow, by leave of the House, he will introduce

A Bill to regulate the organization of fire and hook and ladder companies.

On motion of Mr. PURVIS, the House adjourned until 11 A. M. to-morrow.

FRIDAY, JULY 31, 1868.

Pursuant to adjournment, the House met at 11 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. JAMES SMILEY.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. TOMLINSON, from the Committee on Disabilities, reported favorably on the petitions of P. Q. Camp and A. E. Smith, of Spartanburg, for the removal of their political disabilities by joint resolution.

The report was adopted, and ordered to be sent to the Senate for concurrence.

PETITIONS, MEMORIALS, &c.

Mr. LOMAX introduced the following resolution, which was agreed to :

Resolved, That from this date all members of this House who shall be absent without leave shall lose their per diem for the time during which they are absent, unless on account of sickness.

Mr. BOSEMON introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Whereas it is generally believed that the State has acquired possession of a considerable amount of lands in consequence of the failure of persons owning them to pay the taxes due thereon ; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That a Committee, consisting of five members from the House and three members from the Senate, be appointed to ascertain, if possible, the precise extent, condition and location of said lands, and report the same to this body at as early a day as practicable.

Mr. G. LEE introduced the following resolution, which, on motion of Mr. FERITER, was laid on the table :

Resolved, That a Committee of three be appointed on Leave of Absence.

Mr TOMLINSON presented the petition of merchants of Charleston, asking relief from certain taxes imposed by the Legislature of 1866. Referred to the Committee on Ways and Means.

The SPEAKER laid before the House the petition of the heirs of Mrs. Georgiana Heyward, of Charleston, asking relief from a double-tax execution issued against them. Referred to the Committee on Ways and Means.

Mr. MILLER, pursuant to notice, and by leave of the House, introduced A Bill to regulate the organization of fire and hook and ladder companies.

The Bill was read a first time, and referred to the Committee on Incorporations.

Mr. CREWS, pursuant to notice, asked leave of the House to introduce A Bill to levy a tax on Kershaw County of five hundred dollars annually for the support of Mrs. S. G. W. Dill.

On this the yeas and nays were called, and resulted as follows:

Yeas, 66; nays, 21; absent and not voting, 35. Agreed to.

Those who voted in the affirmative are:

Messrs. Brown, Burton, John Boston, Joseph Boston, L. Cain, Cooke, Collins, Chestnut, Crews, Dusenberry, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, Humphries, Holliman, Hutson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, Jervey, Lomax, S. J. Lee, Lang, Mayer, Mickey, McDaniels, Milford, Martin, Nelson, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Stubbs, Smalls, A. Smith, Shrewsbury, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Whipper, White and Wright.—66.

Those who voted in the negative are:

Messrs. Brodie, Bullock, Bryant, Drifflie, Duvall, Doyle, DeMars, Ezekiel, Feriter, H. James, Kuh, Lewie, Mays, Mead, Miller, Sloan, Stewart, R. M. Smith, Turner, Wilson and Wilder.—21.

The Bill was read a first time, and referred to the Committee on Ways and Means.

Mr. GRANT introduced a concurrent resolution to petition Congress to remove the political disabilities of Joseph L. Breeden, of Marlboro County. Referred to the Committee on Disabilities.

Mr. DOYLE presented the report of the Keowee and Tuckasegee Turnpike Company. Referred to the Committee on Bridges and Ferries.

Mr. DEMARS introduced a concurrent resolution to petition Congress to remove the political disabilities of W. R. Treadwell, of Orangeburg. Referred to the Committee on Disabilities.

Mr. FERITER introduced the following resolution, which was agreed to:

Resolved, That the Committee on the Judiciary be instructed to report a Bill for holding municipal elections throughout the State at the earliest possible day.

Mr. FERITER gave notice that on to-morrow he will ask leave to introduce

A Bill for the better protection of owners of sheep, goats and beef cattle. The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 4.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, July 30, 1868.

To the Speaker of the House of Representatives of South Carolina:

His Excellency the Governor herewith encloses the following communications, which have been received at this office, for the consideration of the General Assembly:

1st. J. T. White, and others, petition for election precinct at Liberty Hill.

2d. W. J. Lee, declining the office of County Commissioner for Williamsburg County.

3d. Thomas S. Arthur, request for the removal of his political disabilities.

4th. W. R. Mason, relative to the postponement of the municipal election of Charleston, and suggesting the illegality of present officers' actions.

5th. Samuel Place, relative to the condition of the Alms House and poor of Sumter County.

Very respectfully,

Your obedient servant,

(Signed)

E. S. JENNISON,
Acting Private Secretary.

The SPEAKER made the following disposition of the papers referred to:

The petition of J. T. White, and others, to establish an election precinct at Liberty Hill, &c., referred to the Committee on Privileges and Elections.

Communication from W. J. Lee, declining the office of County Commissioner for Williamsburg County, referred to the Committee on County Offices and Officers.

Thomas S. Arthur, of Greenville, request for the removal of his political disabilities, referred to the Committee on Disabilities.

Communication from W. R. Mason, relative to the municipal election in Charleston, referred to the Committee on Privileges and Elections.

Communication from Samuel Place, in reference to the Alms House and poor of Sumter County, referred to the Committee on County Offices and Officers.

SPECIAL ORDER.

The hour for the Special Order having arrived, the House proceeded to the consideration of the report of the Committee on Privileges and Elections on the petition of A. L. McCaslin, for the removal of his political disabilities.

Mr. TOMLINSON moved to lay the report on the table, which was agreed to.

The petition was then considered immediately.

Mr. WHIPPER introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That this General Assembly do petition the Congress of the United States to remove the political disabilities of A. L. McCaslin, of Abbeville.

Mr. NEAGLE introduced a concurrent resolution recognizing as legal officers in this State all appointments made by military commanders of the Second Military District, and said officers are empowered to perform all the duties devolving upon them by law. Referred to the Committee on Vacant Offices.

The SPEAKER laid before the House the petition for the relief of W. W. Armstrong, formerly a Professor in the Citadel Academy, Charleston, which was laid over for future consideration.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars was put upon its second reading.

Mr. DELARGE moved to amend by inserting after the word "loan," in the sixth line, the words "and the State officers having such Bills Receivable, bonds, stocks, or other securities in their custody, are hereby authorized and required to deliver the same to the Governor, when called for for this purpose." Agreed to.

The Bill, as amended, was read the second time, and ordered to be sent to the Senate.

Mr. DELARGE, from the Committee on Ways and Means, by leave of the House, reported

A Bill to make an appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing October 1, 1867, made by

General Orders No. 139, dated Charleston, December 3, 1867. Read a first time, and ordered to be printed.

Mr. DELARGE, from the Committee on Ways and Means, by leave of the House, reported on the resolution to fix the salary of the Private Secretary of the Governor by

A Bill to provide a Private Secretary for the Governor, and to fix the salary.

The Bill was read a first time, and ordered to be printed.

Mr. DELARGE presented the accounts of

F. P. Porcher, M. D., for *post mortem* examination;

W. H. Bailey, M. D., for *post mortem* examination;

S. C. Bunn, M. D., for *post mortem* examination;

F. L. Parker, M. D., for *post mortem* examination.

Laid over, to be referred to the Committee on Claims, in accordance with the resolution previously adopted.

Mr. ELLIOTT gave notice that on Monday next, by leave of the House, he will introduce

A Bill to prevent and punish the offence of carrying concealed deadly weapons.

The following named members obtained leave of absence:

Mr. Wooley, for ten days.

Mr. A. Smith, for ten days.

Mr. Smiley, for ten days.

Mr. Dennis, for ten days.

Mr. Feriter, for five days.

Mr. Perrin, for four days.

Mr. Crews, for four days.

Mr. E. J. Cain, for three days.

Mr. Nash, for one day.

On motion of Mr. WILDER, the House adjourned until 11 A. M. to-morrow.

SATURDAY, AUGUST 1, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. SAUNDERS.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. W. J. McKINLAY, from the Committee on County Offices and Officers, reported on the Bill to fix the amount of official bonds of certain officers, &c.

On motion, the report was laid on the table to take up the Bill.

Mr. PURVIS, from the Committee on Incorporations, reported on the Bill to alter and amend the charter of the city of Charleston.

On motion of Mr. GEO. LEE, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. WILSON presented the petition of sundry citizens of the town of Williamston, Anderson County, praying incorporation. Referred to the Committee on Incorporations.

Mr. SLOAN introduced a joint resolution that the charters of all towns, villages, roads, bridges, ferries and churches, that have expired by limitation, be renewed, with all rights and privileges with which they were empowered in their last charter, except such as conflict with the Constitution of this State and the ordinances of the late Convention.

Mr. G. LEE moved to refer to the Committee on Incorporations, which was agreed to.

Mr. W. McKINLAY presented the account of M. Michel, M. D., for *post mortem* examinations.

Also, the account of Wm. Bettison as school teacher. Referred to the Committee on Claims.

Mr. SHREWSBURY introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That no resolution relative to the removal of the political disabilities of any person shall be hereafter considered unless accompanied by a petition from the party or parties so desiring to be relieved.

Mr. McINTYRE presented the petition of Messrs McLeod & Bro., of Colleton County, praying a charter for opening and making navigable Little Salkahatchie Swamp. Referred to the Committee on Incorporations.

Mr. MILLER introduced a joint resolution to retain in office the present Mayor and Aldermen of Columbia, until the next election under the charter, with all powers and privileges under said charter.

On motion of Mr. DeLARGE, the resolution was laid on the table.

Mr. CHESTNUT introduced a joint resolution relative to the removal and appointment of election managers of Camden precinct, Kershaw County. Referred to the Committee on Privileges and Elections.

Mr. DOYLE introduced a joint resolution for the transfer and preservation of the records of Pickens District.

On motion of Mr. JENKS, the resolution was referred to the Committee on the Judiciary.

Mr. SASPORTAS introduced a resolution to abolish the office of Stenographer of this House.

On motion of Mr. DELARGE, it was laid on the table.

Mr. DEMARS introduced the following resolution, which was agreed to :

Resolved, That the Committee on County Offices and Officers be, and are hereby, authorized to report a Bill to define the duties, powers and compensation of County Commissioners.

Mr. W. J. MCKINLAY introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Whereas there exists a difference in the Rules of the House and Senate in reference to the manner of considering and disposing of Bills; and whereas said difference has caused, and is likely to cause, delay and hindrance to business; therefore, *

Be it resolved, by the House of Representatives, the Senate concurring, That a Committee of Conference shall be appointed by the House and Senate, who shall consider and report to the two Houses a suitable plan for the transaction of the business referred to.

Resolved, That five members of this House be appointed on said Committee, and that the Senate be requested to appoint such number on the same as they, in their discretion, may see fit.

Mr WILDER introduced the following resolution, which was agreed to :

Resolved, That it be referred to the Committee on Public Buildings to consider the expediency and practicability of erecting poor houses in every county in this State where such institutions do not now exist.

Resolved, That they examine into, and report upon, the best system of regulation for the successful government and operation for such establishments, and that they be allowed to report by Bill or otherwise.

Mr. FERITER, pursuant to notice, and by leave of the House, introduced

A Bill for the better protection of owners of sheep, goats and beef cattle.
Laid over.

Mr. FERITER introduced the following resolution, which was agreed to :

Resolved, That the Committee on Privileges and Elections be requested

to report a Bill for the appointment of Registers of Voters and Managers of Election.

Mr. KUH introduced the following concurrent resolution, which, on motion of Mr. RANSIER, was referred to the Committee on Ways and Means :

Whereas S. G. W. Dill, of Kershaw, a duly elected member of this General Assembly, was brutally assassinated; be it, therefore,

Resolved, by the House of Representatives, the Senate concurring, That his widow shall receive for this special session the per diem as if said S. G. W. Dill had occupied his seat.

A Bill to fix the amount of official bonds of certain officers, &c., was taken up, and immediately considered.

The Bill was put upon its second reading.

On motion of Mr. DELARGE, the Bill was recommitted to the Committee on County Offices and Officers.

A Bill to alter and amend the charter of the city of Charleston was put upon its second reading.

Mr. JENKS moved as an amendment to strike out all after the enacting clause, and offered a substitute.

On motion of Mr. NEAGLE, the Bill and substitute was recommitted to the Committee on Incorporations.

On motion of Mr. DELARGE, the Committee were instructed to have the Bill printed, and report on Tuesday next, at 1 P. M.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to make an appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing October 1, 1867, made by General Orders No. 139, dated at Charleston, December 3, 1867, was put upon its second reading.

Mr. TOMLINSON moved to amend, "and provided further, that no person who may have been removed from office by the military authorities, during the existence of the Provisional Government, shall receive any portion of any appropriation for pretended services after said removal."

The amendment was agreed to.

On the question "Shall the Bill, as amended, pass to a third reading, and be sent to the Senate?" it was decided in the affirmative.

A Bill to provide a Private Secretary for the Governor, and fix the salary at twelve hundred dollars, was put upon its second reading.

Mr. TOMLINSON moved to amend by striking out the words "twelve hundred" and inserting "eighteen hundred."

Mr. RANSIER moved, as an amendment to the amendment, that the words "fifteen hundred" be inserted in place of "eighteen hundred."

On the amendment the yeas and nays were called, and are as follows:
Yeas, 25; nays, 69; absent and not voting, 28. Not agreed to.

Those who voted in the affirmative are:

Messrs. Brodie, Brown, Cooke, Chestnut, Crews, Dusenberry, Elliott, Ezekiel, Farr, Charles D. Hayne, Humphries, D. J. J. Johnson, Henry Johnson, Samuel Johnson, Kuh, George Lee, McIntyre, Mobley, Nash, Sloan, Stoebér, Saunders, Shrewsbury, Tomlinson and Whipper.—25.

Those who voted in the negative are:

Messrs. Bosemon, John Boston, Joseph Boston, Bullock, Bryant, Bishop, L. Cain, Collins, DeLarge, Driffle, Duvall, Doyle, DeMars, Feriter, Gardner, Grant, Goodson, Hayes, J. N. Hayne, Holliman, Hutson, Harris, Hyde, Johnston, Griffin Johnson, Jacobs, Burrel James, Henry James, Jervey, Lomax, S. J. Lee, Lang, Mayer, William McKinlay, W. J. McKinlay, Mickey, McDaniels, Moore, Milford, Mays, Mead, Miller, Nelson, Nuckles, O'Connell, Purvis, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stewart, Stubbs, Smalls, Robert M. Smith, Sasportas, Simons, Scott, Benjamin A. Thompson, Samuel B. Thompson, Thomas, Turner, Wilson, Wilder, White, Wright and Webb.—69.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Burton, E. J. Cain, Clyburn, Dennis, Field, Gray, Henderson, Jenks, Jackson, Jones, Keith, Lewie, Littlejohn, Morrison, Martin, Neagle, Perrin, Stolbrand, A. Smith, Smythe, Smiley, Tinsley, Valentine, Waller and Wooley.—28.

The question was then taken on the amendment to the amendment.

On this the yeas and nays were called, and are as follows:

Yeas, 47; nays, 45; absent and not voting, 22. Adopted.

Those who voted in the affirmative are:

Messrs. Brodie, Brown, John Boston, Cooke, Chestnut, Crews, DeLarge, Dusenberry, Elliott, Ezekiel, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Holliman, Hutson, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, B. James, Kuh, Lomax, G. Lee, S. J. Lee, W. J. McKinlay, Mickey, McDaniels, Mobley, Nelson, Nash, Nuckles, Prendegrass, Ransier, Root, Rush, Sloan, Saunders, Shrewsbury, Sasportas, B. A. Thompson, S. B. Thompson, Tomlinson, Wilder, White and Webb.—47.

Those who voted in the negative are:

Messrs. Rosemon, Joseph Boston, Bullock, Bryant, Bishop, L. Cain, Collins, Driffle, Duvall, Doyle, DeMars, Feriter, Farr, Gray, Grant, Hayes, Harris, Hyde, Jacobs, H. James, Jervey, Lang, Mayer, W. McKinlay, McIntyre,

Moore, Milford, Mays, Mead, Miller, O'Connell, Purvis, Pettengill, Richardson, Rivers, Stewart, Stoeber, Stubbs, Smalls, R. M. Smith, Scott, Thomas, Turner, Wilson and Wright.—45.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Burton, E. J. Cain, Clyburn, Dennis, Field, Humphries, Henderson, Jenks, Jackson, Jones, Keith, Lewis, Littlejohn, Morrison, Martin, Neagle, Perrin, Stolbrand, A. Smith, Smythe, Simons, Smiley, Tinsley, Valentine, Waller, Wooley and Whipper —30.

The Bill, as amended, was passed to a third reading, and ordered to be sent to the Senate.

Mr. W. J. McKINLAY, from the Committee on County Offices and Officers, reported back the Senate Bill to fix the amount of official bonds of certain public officers.

The Bill was put upon its second reading.

Mr. BOSEMON moved as an amendment to strike out, in the fourth line of Section 1, the word "forty," and insert in lieu thereof "ninety."

Pending the consideration of the amendment, on motion of Mr. TOMLINSON, the House adjourned until 11 A. M. Monday.

MONDAY, AUGUST 3, 1868.

Pursuant to adjournment, the House met at 11 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. JOHN BOSTON.

The Journal of Saturday was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. W. J. McKINLAY reported on the resolution relative to the salary of State and county officers, and recommended that it be referred to the Committee on Ways and Means and to the Committee on County Offices and Officers jointly.

The report was adopted, and the resolution so referred.

Mr. WHIPPER, from the Committee on the Judiciary, reported on the Senate Bill to organize the Circuit Courts, and recommended certain amendments.

On motion of Mr. TOMLINSON, the report was laid over for consideration.

Mr. WHIPPER, from the Committee on the Judiciary, reported on the joint resolution to rescind the order of General Canby continuing in office the Town Council of Laurensville, and recommended that the resolution be laid on the table.

On motion of Mr. TOMLINSON, the report was adopted.

Pursuant to notice, and by leave of the House, Mr. ELLIOTT introduced

A Bill to amend an Act entitled "An Act to punish assaults committed with concealed weapons." Read the first time, and referred to the Committee on the Judiciary.

Mr. DRIFBLE gave notice that on to-morrow he will ask leave to introduce

A Bill to provide for a Public Administrator.

Mr. O'CONNELL gave notice that on to-morrow he will ask leave to introduce

A Bill to protect the agricultural interests of the State.

PAPERS FROM THE SENATE.

The Senate sent to this House a joint resolution for the appointment of a Committee on Enrolled Bills, which was concurred in, and ordered to be returned to the Senate.

The report of the Committee on Disabilities, on the part of the Senate, on the petition of W. J. Clawson, of Yorkville, for the removal of his political disabilities.

Mr. SASPORTAS moved that it be referred to the Committee on Disabilities, which was agreed to.

The report of the Committee on Disabilities, on the part of the Senate, on the petition of Spartan D. Goodlett, of Greenville, for the removal of his political disabilities.

On motion of Mr. SASPORTAS, the report was referred to the Committee on Disabilities.

Pursuant to notice, and by leave of the House, Mr. WHIPPER introduced

A Bill to declare vacant certain offices, and for other purposes.

The Bill was read the first time, and referred to the Committee on Vacant Offices.

Mr. DELARGE, from the Committee on Ways and Means, submitted the following report :

The Committee on Ways and Means, to whom was referred the Bill to authorize the levy and collection of an annual tax of \$500 out of the taxable real estate of Kershaw County, for the benefit of the widow of Solomon G. W. Dill, beg leave to report :

That the measure proposed is practically a donation awarded out of the funds of the county, to be provided for by a special tax. Without considering the question whether this method of special taxation is admissible under the Constitution, it is sufficient to say that the impolicy of making special appropriations from the funds of the counties, and levying special taxes therefor, opens a door to great abuses and inconveniences. Repeated tax levies tend to the creation of expense, the annoyance of the tax payer, and the derangement of the finances of the State, which can only be placed on a sound condition when the tax levies are uniform and at stated periods. These inconveniences are regarded as affording an insuperable objection to the Bill.

The Committee, therefor, recommend that the Bill be indefinitely postponed.

On motion of Mr. BULLOCK, the report was adopted.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 5.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 1, 1868.

Mr. Speaker :

His Excellency the Governor has this day approved the following concurrent resolutions, viz.:

- 1st. To remove the political disabilities of N. G. W. Walker.
- 2d. To remove the political disabilities of C. B. Farmer.

Very respectfully,

Your obedient servant,

(Signed)

E. S. JENNISON,
Acting Private Secretary.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business, being the consideration of the Senate Bill to fix the amount of the official bonds of certain public officers, and to impose penalties on embezzlement, was taken up.

The question recurring on the amendment of Mr. BOSEMON, to strike out, in the fourth line of Section 1, the word "forty," and insert in lieu thereof the word "ninety," on this Mr. JENKS called for the yeas and nays, which resulted as follows :

Yeas, 25 ; nays, 67 ; absent and not voting, 30.

The amendment was not agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Joseph Boston, Bullock, Bryant, E. J. Cain, Doyle, DeMars, Ezekiel, Jenks, B. James, G. Lee, Moore, Mays, Mead, O'Connell, Ransier, Sloan, Stewart, Stubbs, Smalls, R. M. Smith, Shrewsbury, Tomlinson, Wilson and Whipper.—25.

Those who voted in the negative are :

Messrs. Brown, John Boston, Bishop, L. Cain, Cooke, Collins, Chestnut, Crews, Dassenberry, Driffle, Duvall, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jackson, H. James, Jervy, Jacobs, Kuh, S. J. Lee, Lang, Mayer, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Purvis, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stoerber, Stolbrand, Saunders, Smythe, Sasportas, Simons, Scott, B. A. Thompson, S. B. Thompson, Wilder, White and Wright.—67.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Burton, Clyburn, DeLarge, Dennis, Field, Feriter, Hutson, Johnston, Jones, Keith, Lomax, Lewie, Littlejohn, Morrison, W. McKinlay, Neagle, Perrin, A. Smith, Smiley, Thomas, Tinsley, Turner, Valentine, Waller, Wooley and Webb.—30.

Mr. SASPORTAS desired that it be recorded on the Journal that he voted "nay" because he preferred having the bonds reduced to forty thousand dollars, with sufficient safeguards to prevent embezzlement.

The following paper was presented, to be entered on the Journal :

Believing that a portion of the Act entitled "An Act to reduce the bonds of officers," which reduces the bonds of the Treasurer of this State, will be injurious to the public, I therefore dissent, and ask that the following reasons be entered upon the Journal of the House :

1st. Because it will materially impair the credit of the State.

2d. Because it is done for the purpose of placing the Treasury Department in the hands of a man who has shown himself entirely unworthy of it, by offering straw bonds, or bonds known to be utterly insufficient, and who, it has been currently reported, has promised to use the Bills Receivable in the Treasury to secure any persons that would go on his bonds.

3d. Because I believe that, under any circumstances, it must impair the credit of the State to reduce the bonds of the Treasurer, especially when the officer is either of doubtful capacity or honesty.

4th. Because undue and highly improper means have been resorted to by men who deemed their individual interest paramount to that of the State, by playing upon the credulity of the members of this body, in order to induce them to vote against their better judgment.

(Signed)

W. J. WHIPPER.

A Bill for the better protection of the owners of sheep, goats and beef cattle, was read the first time, and referred to the Committee on Agriculture.

Mr. JENKS gave notice that on to-morrow he will ask leave to introduce

A Bill to incorporate the Home Insurance Company, of Charleston.

The House proceeded to the consideration of the report of the Committee on the Judiciary on the Senate Bill to organize the Circuit Courts.

The Committee recommended that the Bill do pass, with certain amendments.

The Bill was put upon its second reading.

The amendment of the Committee, to change Paragraph 2 of Section 1 so as to read, "the Counties of Edgefield, Barnwell, Colleton and Beaufort shall constitute the Second Circuit," was adopted.

The amendment of the Committee, to change Section 3 of the Bill so as to read, after the word Edgefield, "for the County of Edgefield, on the first Monday of February, June and October; and the Court of Common Pleas, at Edgefield, for the County of Edgefield, on the first Wednesday after the first Monday in February, June and October," was amended by Mr. JENKS by striking out the word "after," between the words "Wednesday" and "the," and inserting in lieu thereof the word "following," and in the same sense where it occurs in the other amendment proposed by the Committee.

The amendment, as amended, was adopted.

The amendment of the Committee to insert instead of Paragraph 2 of Section 3 the following: The Court of General Sessions at Barnwell, for the County of Barnwell, on the fourth Monday in February, June and October; and the Court of Common Pleas at Barnwell, for the County of Barnwell, on the Wednesday after the fourth Monday in February, June and October, was amended by Mr. SASPORTAS by inserting the word "first" before the word "Wednesday."

The amendment, as amended, was adopted.

The following amendments by the Committee, of Paragraphs 1 and 3 of Section 3, were adopted:

3. The Court of General Sessions at Walterboro, for the County of Colleton, on the third Monday after the fourth Monday in February, June and October; and the Court of Common Pleas at Walterboro, for the County of Colleton, on the Wednesday after the fourth Monday in February, June and October.

4. The Court of General Sessions at Beaufort, for the County of Beaufort, on the second Monday in April, August and December; and the Court of Common Pleas at Beaufort, for the County of Beaufort, on the third Monday in April, August and December.

Mr. WHIPPER moved to amend Paragraph 3 of Section 8 so as to read, "at Spartanburg, for the County of Spartanburg, on the first Wednesday after the third Monday in March, July and November."

The amendment was adopted.

The following amendments by the Committee were adopted:

Amend by changing Section 9 of Bill so as to read after Paragraph 1:

2. The Court of General Sessions at Anderson, for the County of Anderson, on the fourth Monday of January, May and September; and the Court of Common Pleas at Anderson, for the County of Anderson, on the first Wednesday after the fourth Monday of January, May and September.

3. The Court of General Sessions at Walhalla, for the County of Oconee, on the second Monday of March, July and November; and the Court of Common Pleas at Walhalla, for the County of Oconee, on the first Wednesday after the second Monday of March, July and November.

4. The Court of General Sessions at New Pickens, for the County of Pickens, on the fourth Monday of March, July and November; and the Court of Common Pleas at New Pickens, for the County of Pickens, on the first Wednesday after the fourth Monday of March, July and November.

The amendment of the Committee to Section 12 so as to read after the words Chief Justice, of which the Judge presiding shall give such notice as the Chief Justice may direct, or as may in his judgment be necessary, should no direction be given, was further amended by Mr. TOMLINSON, so as to strike out all the words after the words "Chief Justice" in the third line to the word "all" in the sixth line.

The amendment, as amended, was adopted.

Mr. TOMLINSON moved as an amendment to Section 14, to strike out in the first line the word "each" between the words "of" and "Circuit," and to insert between the words "day" and "designated" in the second line the words "to be." Adopted.

Mr. TOMLINSON moved as an amendment to Section 15, to strike out in the third line between the words "election" and "by" the words "shall be administered," and insert them instead between the words "oath" and "to" in the second line. Adopted.

Mr. MARTIN moved as an amendment to Section 17, to strike out in the seventh line the words "Deputy Clerk," and insert in lieu thereof the words "Probate Judge."

Mr. SHREWSBURY moved an indefinite postponement of the amendment, which was agreed to.

Mr. DOYLE moved as an amendment to strike out all of Section 17 after the word "office," in the fifth line, and insert in lieu thereof the following: "and said Deputy Clerk, or the one appointed by the Judge shall be required to give the usual bond before entering on the duties of the office." Adopted.

Mr. HYDE moved a reconsideration of the vote by which the amendment was adopted, which was agreed to.

Mr. NEAGLE then moved that the amendment be indefinitely postponed, which was agreed to.

Mr. TOMLINSON moved to amend Section 17, by inserting in the seventh line, after the word "Clerk," the following: "and in case no Deputy Clerk exists, the Judge shall have authority to appoint a person who shall perform the duties of Clerk." Adopted.

Mr. MOORE moved an amendment to the amendment to insert after the word "law," in the eighth line, the following words: "and said Deputy Clerk, or the one appointed by the Judge, shall be required to give the usual bond before entering on the duties of the office." Adopted.

Pending the further consideration of the Bill, the House adjourned.

TUESDAY, AUGUST 4, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. EVANS HAYES.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported favorably on a Bill to provide for the recording of certificates of sales to purchasers of land sold under direction of the United States Direct Tax Commissioners in St. Helena Parish, Beaufort County.

On motion, the report was ordered to lie on the table for further consideration.

Also, on a Bill to invalidate certain sales authorized by the Confederate authorities, and recommended the indefinite postponement of the consideration of the Bill.

On motion, the report was adopted.

Mr. DELARGE, from the Committee on Ways and Means, reported on

the petition of T. S. Heyward praying that the heirs of the late Georgiana Heyward be relieved from a double tax execution, and recommended the adoption of a joint resolution granting the petition.

On motion of Mr. TOMLINSON, the report and petition was recommended to the Committee.

Mr. HYDE moved a reconsideration of the vote to indefinitely postpone the consideration of a Bill to invalidate certain sales ordered by the so-called Confederate authorities, which was agreed to.

Mr. HYDE then moved that the Bill be laid on the table. Agreed to.

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report :

The Committee on Privileges and Elections, to whom was referred the protest of John R. Cochran and N. J. Newell, for themselves and one James Webb, citizens of Anderson County, in the State of South Carolina, contesting the seats of John B. Moore, B. Frank Sloan and John Wilson, sitting members from said county, beg leave to report that they have had the same and accompanying papers under consideration, together with a mass of written testimony submitted by the contestees and papers from military headquarters Second Military District, communicated through His Excellency the Governor.

The protestants claim the seats of the sitting members upon the ground of fraud, bribery and intimidation of voters, by threats of violence and discharge from employment, &c., under the influence of which numbers of qualified voters were kept from the polls during the election in said county for State officers and members of this General Assembly, held on the 14th, 15th and 16th days of April last, and who, it is alleged, would have voted for them; and under said influences others voted against their desire and intention; and the illegal voting of persons deemed to have been disqualified from voting at said election under Acts of Congress.

Your Committee, after careful investigation, which was somewhat protracted, having afforded the contesting parties the time asked for in order to collect testimony in their behalf, and after maturely considering the evidence before them, being a large number of affidavits submitted by both parties, your Committee deeming it unnecessary to send for persons, and hearing counsel on both sides, have unanimously decided :

1st. That the evidence before them does not prove that a sufficient number of illegal votes were cast at any particular box or boxes during said election for any one or more of the persons who are returned as having received the highest number of votes, viz., the contestees, John B. Moore, B. Frank Sloan and John Wilson, to warrant the conclusion that the protestants were elected. If a sufficient number of such votes were cast for the contestees, so that after deducting the same from the whole number

polled for them, the number of legal votes would fall below that of the protestants, then the protestants would be entitled to the seats as the legally elected Representatives from said county. Your Committee, therefore, cannot decide that the protestants are entitled to the seats in question.

This view of your Committee is sustained by decisions in numerous cases, decided in our own Legislature heretofore, and we think in many States of the Union; indeed, in no other way, and for no other reasons, could a party rightfully obtain the seats of those who were returned as having been elected.

2d. Your Committee have also unanimously decided that fraud, bribery and threats of all kinds were used, both by employers and other parties, and illegal conduct of Managers, abundant proof of which is contained in the papers herewith returned to the House, to an extent which satisfies your Committee that the full and free exercise of the suffrage by a large portion of qualified electors, during the election hereinbefore mentioned, were not enjoyed.

Your Committee being satisfied of this beyond the shadow of a doubt, and believing that if these things were not so—if the electors in this county during said election, in the exercise of a right secured to them by the supreme law of the land and of this State, were untrammelled, the results would, perhaps, have been other than that reported; therefore, your Committee recommend the adoption of the following resolutions:

Resolved, That the seats of the sitting members from Anderson County be, and are hereby, declared vacant.

Resolved, That a writ of election issue for three Representatives for Anderson County.

On motion of Mr. TOMLINSON, the report was ordered to be printed, and to be made the Special Order for Thursday, at 1 P. M.

PETITIONS, RESOLUTIONS, &c.

Mr. TOMLINSON gave notice that on to-morrow he will ask leave to introduce the following Bills:

A Bill to incorporate the Wando Company;

A Bill to provide for the revision and consolidation of the statutes of South Carolina.

Pursuant to notice, and by leave of the House, Mr. JENKS introduced

A Bill to incorporate the Home Insurance Company, of Charleston; also, presented a petition from A. L. Tobias and others for the passage of the same. Laid over.

Pursuant to notice, and by leave of the House, Mr. DRIFFLE introduced

A Bill to provide for a public administrator. Laid over.

Mr. CHESTNUT introduced the following concurrent resolutions, which were agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, That the House of Representatives, the Senate concurring, appoint a Committee of five to investigate and find out the causes and persons connected with the disturbance or riot that was made upon certain members of the General Assembly, in this city, on Saturday night last, August 1, 1868.

And be it further resolved, That said Committee be authorized to report persons and papers to the General Assembly as speedily as possible.

Mr. WILDER presented the accounts of P. F. Frazee, of Columbia, for carriage hire.

Also, the account of Messrs. Bryan & McCarter, of Columbia, for stationery. Laid over, under the resolution previously adopted.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 6.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 4, 1868.

Mr. Speaker :

His Excellency the Governor herewith encloses the following communications, which have been received at this office, for the consideration of the General Assembly, viz. :

- 1st. Ira Crowley and others, petition for election precinct at Richardsonville.
- 2d. J. C. Davant, relative to removal of Beaufort County seat.
- 3d. J. K. Terry, relative to County Commissioners.
- 4th. W. W. Ward states that the Clerk of the Court for Williamsburg County declines to serve.
- 5th. The report of the South Carolina Deaf, Dumb and Blind Institute.

Very respectfully,

Your obedient servant,

(Signed)

E. S. JENNISON,
Acting Private Secretary.

The SPEAKER made the following disposition of the above named papers :

1st. Ira Cromley and others, petition for an election precinct at Richardsonville. Referred to the Committee on Privileges and Elections.

2d. J. C. Davant, relative to the removal of Beaufort County seat. Referred to the Committee on the Judiciary.

3d. J. K. Terry, relative to County Commissioners. Referred to the Committee on the Judiciary.

4th. W. W. Ward states that the Clerk of the Court for Williamsburg County declines to serve. Referred to the Committee on Privileges and Elections.

5th. The report of the South Carolina Deaf, Dumb and Blind Institute. Referred to the Committee on Ways and Means.

The SPEAKER announced that Mr. Cooke, Chairman of the Committee on Vacant Offices, desiring to be excused from serving in that capacity, he had appointed Mr. O. M. Doyle in his stead.

The SPEAKER appointed the following members on the Joint Committee on Enrolled Bills, in accordance with the resolution from the Senate :

Messrs. Jenks and Whipper.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to quiet rights vested under military orders.

The Bill was read the first time, and referred to the Committee on the Judiciary.

The Senate returned to this House, with concurrence, a resolution fixing Friday next, 7th instant, as the time for the Commission (appointed by the Constitutional Convention) on the liabilities and assets of the State to report the result of their investigations.

The House proceeded to consider the report of the Committee on the Judiciary on a Bill to record certificates of sale to purchasers of lands sold under the direction and authority of the United States Direct Tax Commissioners in St. Helena Parish, Beaufort County.

On motion of Mr. TOMLINSON, the Bill was ordered for consideration to-morrow, and to be printed.

A Bill to incorporate the Home Insurance Company, of Charleston, was read a first time, and referred to the Committee on Incorporations.

A Bill to provide for a public administrator was read a first time, and referred to the Committee on the Judiciary.

Mr. W. MCKINLAY moved that the Committee be directed to have the Bill printed.

Mr. WHIPPER moved as an amendment that the House order the Bill to be printed.

The motion, as amended, was agreed to.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business, being the further consideration of the Senate Bill to organize the Circuit Courts, the second reading of the Bill was continued.

Section 18 was amended, and Sections 20 and 21 were added to the original Bill, as amendments, by the Committee on the Judiciary.

The Bill, as amended, was read a second time, and ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as having been duly and correctly engrossed:

A Bill to incorporate the Langley Manufacturing Company;

A Bill to fix the amount of the official bonds of certain public officers.

The Bill to fix the amount of the official bonds of certain public officers was read a third time, and on the question "Shall the Bill pass, and the title thereof be changed to that of an Act, and be returned to the Senate?" it passed in the affirmative.

The Bill to incorporate the Langley Manufacturing Company was read a third time, and on the question "Shall the Bill pass, and the title thereof be changed to that of an Act, and be returned to the Senate?" it passed in the affirmative.

On motion, the House took a recess until 1 P. M.

RECESS.

The SPEAKER resumed the chair.

SPECIAL ORDER.

The hour for the Special Order having arrived, the report of the Committee on Incorporations on a Bill to alter and amend the charter of the city of Charleston, and on a substitute for the Bill which was introduced by Mr. JENKS, was called for, and the report, by reason of the printed Bills not having been received, was not considered, and the House proceeded to other business.

Mr. SLOAN, from the Committee on Agriculture, made an unfavorable report on a Bill for the better protection of the owners of sheep, goats and beef cattle.

On motion of Mr. TOMLINSON, the report of the Committee was laid on the table, and the House proceeded to consider the Bill.

Mr. TOMLINSON moved that the Bill be laid upon the table. Agreed to.

Mr. SMALLS moved a reconsideration of the vote laying the Bill on the table, and that the motion to reconsider be laid upon the table. Agreed to.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 2.

IN THE SENATE, COLUMBIA, S. C., August 4, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your House that in accordance with the resolution for the appointment of a Joint Committee on Enrolled Bills, Messrs. B. F. Randolph and J. K. Jilison have been appointed on the Committee on the part of this body.

(Signed)

L. BOOZER,
President of the Senate.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved; That there be appointed a Committee of five, whose duty it shall be to report upon the banks of this State, giving full information as to their condition, and make such recommendations to this House as may be deemed proper.

The SPEAKER appointed Messrs. Neagle, Jenks, Webb, W. McKinlay and Henry Johnson as the Committee.

Mr. WHIPPER moved that so much of Rule 1 of this House as requires the House to meet at 11 A. M. be so amended as to read "12" instead of "11." Agreed to.

Mr. RANSIER introduced the following resolution, which was agreed to :

Resolved, That the Committee on Military Affairs be, and they are hereby, instructed to inquire into and report upon the expediency of the organization of a battalion of State troops, to be placed on duty as guards at the State Penitentiary, subject to the control of the Governor of the State.

The following members obtained leave of absence :

Mr. Doyle, for eight days.

Mr. Elliott, for one day.

At 2 P. M., on motion of Mr. DEMARS, the House adjourned until to-morrow at 12 M.

WEDNESDAY, AUGUST 5, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill entitled "An Act to amend the charter of the city of Charleston," by leave, by a Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned," passed on the 21st day of December, 1866. Laid over for consideration.

Also, favorably on a Bill to incorporate the Citizens' Savings Bank of South Carolina. Laid over for consideration.

Also, on the petition of the Sumter Fire Company praying incorporation by a Bill to incorporate the Sumter Fire Company as a part of the Fire Department of the town of Sumter. Laid over for consideration.

Also, on the petition of the Union Star Fire Company, of Charleston, praying incorporation, by a Bill to incorporate Union Star Fire Company as a part of the Fire Department of the city of Charleston. Laid over for consideration.

Mr. W. J. MCKINLAY, from the Committee on Offices and Officers, reported favorably on a Bill to declare vacant certain offices, and for other purposes.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

Mr. DELARGE, from the Committee on Ways and Means, reported favorably on the petition of T. S. Heyward, praying that the heirs of the late Georgiana Heyward be relieved from a double tax execution, and introduced a joint resolution to grant the same.

Mr. W. J. MCKINLAY moved, as an amendment to the resolution, "to grant the relief for six (6) months." Agreed to.

The report was adopted, and the resolution ordered to be sent to the Senate for concurrence.

Mr. DELARGE moved a reconsideration of the vote.

Mr. SMALLS moved to lay on the table the motion to reconsider.

On this Mr. DELARGE called for the yeas and nays, and they are as follows :

Yeas, 40; nays, 56; absent and not voting, 26. Not agreed to.

Those who voted in the affirmative are :

Messrs. Brodie, Brown, Bishop, E. J. Cain, Cooke, Collins, Dusenberry, Gardner, Goodson, Humphries, Hutson, Henderson, Hyde, D. J. J. Johnson, B. James, W. J. McKinlay, McDaniels, Mobley, Martin, Mays, Miller, Nelson, Neagle, Purvis, Perrin, Ransier, Rush, Rivers, Stubbs, Smalls, Shrewsbury, Smythe, Sasportas, Simons, B. A. Thompson, Tomlinson, Tinsley, Wilder, Whipper and Webb.—40.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, John Boston, Joseph Boston, Bullock, Bryant, L. Cain, Chestnut, Crews, DeLarge, Driffler, Duvall, DeMars, Elliott, Ezekiel, Farr, Grant, Hayes, C. D. Hayne, J. N. Hayne, Holliman, Harris, Jackson, Jacobs, H. James, Jervey, Kuh, Keith, G. Lee, S. J. Lee, Lewie, Lang, Mayer, Wm. McKinlay, Mickey, McIntyre, Moore, Milford, Mead, Nash, Nuckles, O'Connell, Prendegrass, Pettengill, Root, Sloan, Stewart, R. M. Smith, Saunders, Scott, S. B. Thompson, Thomas, Turner, Wilson and Wright.—56.

Those absent and not voting are :

Messrs. Bennett, Berry, Clyburn, Dennis, Doyle, Field, Feriter, Gray, Jenks, H. Johnson, S. Johnson, G. Johnson, Johnston, Jones, Lomax, Littlejohn, Morrison, Richardson, Stoeber, Stolbrand, A. Smith, Smiley, Valentine, Waller, Wooley and White.—26.

The question recurring on the motion to reconsider the vote on the report as amended, Mr. DELARGE called for the yeas and nays, and they are as follows :

Yeas, 46; nays, 52; absent and not voting, 24. Not agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, John Boston, Bullock, Bryant, L. Cain, Chestnut, Crews, DeLarge, Duvall, DeMars, Elliott, Ezekiel, Grant, Hayes, C. D. Hayne, J. N. Hayne, Holliman, Hutson, Harris, Jackson, Jacobs, H. James, Kuh, Keith, Lomax, Lewie, Lang, Mayer, Wm. McKinlay, McIntyre, Moore, Milford, Martin, Nash, Perrin, Prendegrass, Root, Sloan, Stewart, R. M. Smith, Saunders, Thomas, Turner, Wilson and Wright.—46.

Those who voted in the negative are :

Messrs. Brodie, Brown, Burton, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Dusenberry, Driffler, Farr, Gray, Gardner, Goodson, Humphries, Henderson, Hyde, Jenks, H. Johnson, S. Johnson, G. Johnson, B. James, Jervey, Jones, W. J. McKinlay, Mickey, Miller, McDaniels, Mays, Mead, Nelson, Nuckles, Neagle, Purvis, Pettengill, Ransier, Rush, Rivers, Stubbs, Smalls, Shrewsbury, Smythe, Sasportas, Simons, Scott,

B. A. Thompson, S. B. Thompson, Tomlinson, Tinsley, Wilder, Whipper and Webb.—52.

Those absent and not voting are :

Messrs. Bennett, Berry, Clyburn, Dennis, Doyle, Field, Feriter, D. J. J. Johnson, Johnston, G. Lee, S. J. Lee, Littlejohn, Morrison, Mobley; O'Connell, Richardson, Stoeber, Stolbrand, A. Smith, Smiley, Valentine, Waller, Wooley and White.—24.

Mr. WEBB, from the Committee on Roads, Bridges and Ferries, reported on the petition of sundry citizens of Oconee County, praying that authority be granted the County Commissioners to make certain changes in the public road from Tugalo River to Walhalla, that they deem no legislation necessary upon this matter, as Article IV, Section 19, of the Constitution delegates said authority to the County Commissioners.

On motion of Mr. TOMLINSON, the report was adopted.

Mr. WHIPPER, from the Committee on the Judiciary, made a report on a Bill to perpetuate the homestead, recommending certain amendments, and a minority report recommending certain other amendments.

On motion of Mr. TOMLINSON, the reports were laid upon the table in order to take up the Bill

Mr. TOMLINSON, from the Special Committee on Disabilities, reported favorably on the report from the Senate Committee on Disabilities to remove the disabilities of W. R. Treadwell and Frank Myers, of Orangeburg, and Spartau D. Goodlett, of Greenville.

On motion, the report was adopted, and the Senate report returned to that House with concurrence.

Also, favorably on the petition of T. S. Arthur, of Greenville, (referred from the Governor,) praying the removal of his political disabilities. Adopted.

Also, on the report of the Senate Committee on Disabilities on the petition of W. J. Clawson, of Yorkville, for the removal of his political disabilities (unfavorably).

The report was adopted, and the Senate report returned to that House with concurrence.

Pursuant to notice, and by leave of the House, Mr. TOMLINSON introduced

A Bill to incorporate the Wando Company, which was read a first time, and referred to the Committee on Incorporations.

Mr. BOSEMON introduced the following resolution, which was agreed to :

Resolved, That it be made the duty of the Committee on Public Printing to make a report to this House prescribing the duties of the Phonographer, and the pay that should be voted him.

Mr. BURTON introduced the following resolution, which was agreed to :

Resolved, That the report of the Commissioners of the Deaf and Dumb and Blind, accompanying the Message of the Hon. J. L. Orr, late Provisional Governor of South Carolina, marked "D," be referred to the Committee on Education, with instructions to report on the same at as early a day as possible.

Mr. McINTYRE presented the petition of James McKnight, of Sumter County, for his appointment as Magistrate. Referred to the Committee on Vacant Offices.

Mr. BISHOP^a presented the petition of Messrs. Allen, Bishop, Tinsley, Cooke and Hyde, of Greenville, for the removal of the political disabilities of Joel Farmer. Referred to the Committee on Disabilities.

Also, a petition of sundry citizens of Greenville County to have a road opened in said county. Referred to the Committee on Roads, Bridges and Ferries.

Mr. SASPORTAS introduced a resolution that the House rescind its action whereby it created the office of Stenographer, and that the said office be abolished.

Mr. C. D. HAYNE moved that the resolution be laid on the table. Agreed to.

Mr. SIMONS introduced the following resolution, which was agreed to :

Resolved, That it is the desire of this body that the Committees on the Penitentiary and Lunatic Asylum do report on Friday next, August the 7th.

Mr. STEWART presented the petition of sundry citizens of Yorkville for a recharter of the town of Yorkville. Referred to the Committee on Incorporations.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a joint resolution to inquire into the late riot in Columbia.

GENERAL ORDERS.

The House proceeded to the consideration of the Bill to alter and amend the charter of the city of Charleston.

The Bill was put upon its second reading.

During the consideration of the Bill, Mr. WHIPPER moved to suspend so much of the Rules of the House as requires an adjournment at 3 P. M., and that the time of adjournment be optional. Agreed to.

The House resumed the consideration of the Bill.

Sections 3, 6, 7, 8, 10, 12 and 15 were amended, and Section 13 stricken out.

The Bill, as amended, was read the second time, and on the question "Shall the Bill be passed to a third reading, and be sent to the Senate?" it passed in the affirmative.

The House then proceeded to the consideration of the Bill to declare vacant certain offices, and for other purposes.

The Bill was put upon its second reading.

Sections 2, 3 and 4 were amended.

The Bill, as amended, was read the second time, and on the question "Shall the Bill be passed to a third reading, and be sent to the Senate?" it passed in the affirmative.

The House then proceeded to the consideration of a Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners, in St. Helena Parish, Beaufort County, South Carolina.

Section 1 was amended, and the title was amended by striking out "St. Helena Parish."

The Bill, as amended, was read the second time, and on the question "Shall the Bill be passed to a third reading, and be sent to the Senate?" it passed in the affirmative.

A Bill to incorporate the Sumter Fire Company as a part of the Fire Department of the town of Sumter was read the first time, and ordered to be printed.

A Bill to incorporate the Union Star Fire Engine Company as a part of the Fire Department of the city of Charleston was read the first time, and ordered to be printed.

At 4 P. M. the House, on motion, adjourned until 12 M. to-morrow.

THURSDAY, AUGUST 6, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. D. HARRIS.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a

Senate Bill to organize the Supreme Court, and recommended that the Bill do pass, with certain amendments.

On motion of Mr. G. LEE, the report was laid on the table in order to take up the Bill.

Also, reported on the petition of J. K. Terry, Sheriff elect of Colleton County, (referred from the Governor,) and recommended that it be returned, with the information that a Bill has already passed to a second reading in this House covering the difficulties complained of.

On motion, the report was adopted.

Also, on a Bill to punish the offence of carrying concealed deadly weapons, and recommended the indefinite postponement of the Bill.

On motion of Mr. O'CONNELL, the report was laid on the table to take up the Bill.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported on the petition of Samuel Place, relative to the poor and alms houses of Sumter County, (referred from the Governor,) and recommended that the petition be returned, with the information that there is a Bill shortly to be introduced in this House which will remedy the grievances complained of.

On motion, the report was adopted.

Mr. DUVALL, from the Committee on the Lunatic Asylum, made a report on the condition of the same.

On motion of Mr. JENKS, the report was received as information.

Mr. BOSEMON, from the Committee on Printing, made a report defining the duties of the Phonographer of the House, and recommended that he be paid ten dollars per diem during the session of the House.

Mr. DELARGE moved to amend the report by striking out the words "ten dollars per diem" and inserting "twelve hundred dollars for the session."

Mr. TOMLINSON moved that the further consideration be postponed, and it be made the Special Order for to-morrow, at 1 P. M.

Mr. ELLIOTT moved, as a further amendment, that it be made the Special Order for to-day, at 2 P. M.

On motion of Mr. JENKS, the consideration of the whole matter was laid on the table.

Mr. WILDER moved a reconsideration of the vote to lay on the table, and to lay the motion to reconsider on the table. Agreed to.

SPECIAL ORDER.

At the hour of 1 P. M. the House proceeded to consider the Special Order, being the consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County.

On motion of Mr. WHIPPER, the consideration of the Special Order was postponed until the expiration of the morning hour.

PETITIONS, MEMORIALS, &c.

Mr. BOSEMONT introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the Speaker of this House and the President of the Senate be requested to extend a joint invitation to Major-General George G. Meade, commanding the new military department of which this State constitutes a part, to visit this General Assembly whenever it may suit his pleasure and convenience.

Mr. JENKS presented a petition from citizens of Charleston praying such legislation as will enable them to hold the municipal election with the least possible delay.

Mr. TOMLINSON moved to lay the petition on the table. Agreed to.

Mr. RANSIER moved a reconsideration. Agreed to.

Mr. PURVIS moved that the petition be received as information. Agreed to.

Mr. DELARGE introduced a resolution "that the Stenographer of this House be paid \$1,000 for the present session."

On motion, the resolution was laid upon the table.

Mr. JENKS introduced the following resolution, which was agreed to :

Resolved, That a Committee of three shall be appointed by the Speaker, whose duty it shall be to audit all accounts contracted by or for this body, and no bill thus incurred shall be settled until first examined by said Committee and countersigned by the Chairman.

Mr. WHIPPER gave notice that on to-morrow he will ask leave to introduce

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

Mr. PURVIS presented the petition of Wm. Kinsler and others for an amendment and extension of their charter of a ferry at Columbia. Referred to the Committee on Incorporations.

Mr. WILDER presented a petition in reference to the municipal election in Columbia.

Mr. S. B. THOMPSON moved to lay the petition upon the table. Agreed to.

Mr. O'CONNELL introduced the following resolution, which was agreed to :

Resolved, That the Committee on Privileges and Elections be, and are hereby, instructed to inquire into the expediency of reducing the number of polling precincts in portions of this State, and to confer with the different delegations as to what changes may be necessary to effect such reduction.

Also, the following resolution :

Resolved, That the Committee on Public Buildings be, and are hereby, instructed to inquire into the expediency of suspending the annual exercises of the South Carolina College for one year, commencing January 1, 1869, and of appropriating all such sums as were heretofore expended for the maintenance of said College for the purpose of making the necessary repairs on the buildings of said College.

Mr. WILDER moved to lay the resolution on the table. Agreed to.
The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 3.

IN THE SENATE, COLUMBIA, S. C., August 6, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs the House of Representatives that the Senate concurs with the House proposed Committee of Conference on Joint Rules, and have appointed Messrs. Arnim, Wright and Leslie the Committee on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

At the expiration of the morning hour the Special Order was called up.

Mr. TOMLINSON moved that the Special Order be discharged, and that it be made the Special Order for Tuesday next, at 1 P. M.

Mr. WILDER moved to discharge the Special Order until Wednesday next, at 1 P. M.

Mr. DeLARGE moved to strike out "Wednesday next" and insert "Saturday, 15th instant." Agreed to

Mr. C. D. HAYNE moved to suspend so much of the Rules of the House as requires adjournment at 3 P. M. Agreed to.

The House proceeded to the consideration of the

GENERAL ORDERS.

Mr. TOMLINSON moved to take up, out of its regular order, a Bill to determine and perpetuate the homestead.

Mr. RANSIER moved, as an amendment, to take up a Bill to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars. Agreed to.

The House proceeded to the immediate consideration of the Bill.

The Bill was read the third time, and on the question "Shall the Bill pass, and shall the title thereof be changed to that of an Act, and ordered to be sent to the Senate?" it passed in the affirmative.

In accordance with Section 7 of Article IX of the Constitution, the yeas and nays were required, and are as follows:

Yeas, 91; nays, 8; absent and not voting, 23.

Those who voted in the affirmative are:

Messrs. Boseman, Brodie, Brown, Barton, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLargo, Driffler, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Hoffman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Martin, Mays, Mead, Nelson, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Rancier, Root, Rush, Rivers, Stolbrand, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Whipper, Wright and Webb.—91.

Those who voted in the negative are:

Messrs. Bullock, Bryant, Keith, Moore, Sloan, Stewart, R. M. Smith and Wilson.—8.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Clyburn, Dennis, Dusenberry, Doyle, Field, Lomax, Lewis, Littlejohn, Morrison, W. J. McKinlay, Milford, Miller, Richardson, Stoeber, Smiley, Turner, Valentine Waller, Wooley and White.—23.

Mr. TOMLINSON moved to take up a Bill to define the jurisdiction and to regulate the practice of Probate Courts. Agreed to.

The Bill was read a first time, and referred to the Committee on the Judiciary.

A Bill from the Senate to determine and perpetuate the homestead was taken up.

The report from the Committee on the Judiciary, recommending certain amendments, (which had been ordered to lie on the table,) was, on motion, taken up from the table.

The Bill was put upon its second reading.

The majority of the Committee reported to amend the first Section by inserting after the word Court, in the fourth line of Section 1, "on contract made after the ratification of the Constitution of South Carolina."

Mr. TOMLINSON moved to adopt the report.

Mr. ELLIOTT moved to indefinitely postpone the motion to adopt the report. Agreed to.

Mr. O'CONNELL moved to indefinitely postpone the consideration of the report.

Mr. NEAGLE moved that the consideration of Section 1 be postponed until to-morrow.

Mr. RANSIER moved to recommit the Section to the Committee, with instructions.

Mr. JENKS moved to lay the motion to recommit on the table. Agreed to.

The SPEAKER ruled that the adoption of the last motion carried with it all former motions.

The House then proceeded to the consideration of the minority report.

Mr. ELLIOTT moved its adoption.

Mr. DELARGE moved that the further consideration of the Bill be postponed, and that it be made the Special Order for 1:30 P. M. to-morrow.

Mr. WHIPPER amended by making it 12:30 P. M.

Mr. WILDER moved, as a further amendment, that it be made the Special Order after the business of the morning. Agreed to.

The House proceeded to consider a Bill to incorporate the Citizens' Savings Bank of South Carolina.

Mr. WHIPPER moved that the consideration of the Bill be made the Special Order for Wednesday next, at 1 P. M. Agreed to.

The SPEAKER announced that under the joint resolution adopted by the Senate and House to investigate and report upon the disturbance of Saturday night last in Columbia, he had appointed Messrs. J. H. Jenks, of Charleston, and S. B. Thompson and William Simons, of Richland.

Also, the following Committee of Conference on Joint Rules:

Messrs. W. J. McKinlay, Jackson, Duvall, Jones and Stolbrand.

The following named members obtained leave of absence:

Mr. Harris, for twelve days.

Mr. Hayes, for ten days.

Mr. Turner, for ten days.

Mr. Littlejohn, for ten days.

Mr. Nash, for four days.

Mr. Lomax, for three days.

Mr. Henderson, for two days.

On motion, at 3:30 P. M., the House adjourned until to-morrow at 12 M

FRIDAY, AUGUST 7, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. JAMES SMILEY.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. STOLBRAND, from the Committee on Military Affairs, reported, by leave, by a Bill to organize and govern the militia of the State of South Carolina.

The Bill was read a first time.

On motion of Mr. DELARGE, it was ordered to be printed.

On motion of Mr. SMALLS, the consideration of the Bill was made the Special Order for Monday, at 12:30 P. M.

Mr. JENKS, from the Joint Committee on Enrolled Bills, reported that in a Bill to fix the amount of the official bonds of certain public officers, the words "State of South Carolina" had been omitted in the enacting clause.

On motion of Mr. TOMLINSON, the report was laid upon the table, and the Bill referred to the Committee on Engrossed Acts.

RESOLUTIONS, &c.

Pursuant to notice, and by leave of the House, Mr. WHIPPER introduced

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The Bill was read the first time, and referred to the Committee on the Judiciary.

Mr. GRIFFIN JOHNSON obtained leave of absence for four days.

Mr. SMALLS introduced the following resolution :

Resolved, That whenever any member of this House is granted leave of absence on plea of important business he shall not be entitled to any per diem while such absence continues.

On motion of Mr. S. J. LEE, the resolution was laid on the table.

Mr. GEORGE LEE gave notice that on to-morrow, or as soon thereafter as possible, he will introduce

A Bill to provide for the support of the poor, aged and infirm of this State.

Mr. BISHOP introduced the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, now met and sitting in General Assembly, and by authority of the same, That hereafter no persons shall be recommended to Congress for the removal of their political disabilities unless they have aided in the reconstruction of the State

Mr. RANSIER moved to refer to the Committee on Disabilities.

Mr. TOMLINSON moved to lay the whole subject on the table. Agreed to.

Mr. B. JAMES introduced the following resolution, which was, on motion of Mr. ELLIOTT, laid on the table :

Whereas the question of how much the Stenographer should receive for his services in the House ; and whereas no conclusion has been arrived at ; therefore,

Be it resolved, That the Stenographer receive the same pay and mileage as the members of this House.

Mr. WHIPPER, from the Committee on the Judiciary, reported favorably on a Bill to provide a Public Administrator.

On motion, the report was laid on the table, in order to take up the Bill.

SPECIAL ORDER.

At the expiration of the morning hour, the House proceeded to the consideration of the Bill to determine and perpetuate the homestead.

The Bill was put upon its second reading.

The majority report having been previously laid upon the table, the report of the minority, recommending the following amendment to Section 1, to insert after the word "Court," in the third line, the words "on contracts made before and after the ratification of the Constitution of South Carolina," was considered.

Pending the consideration of the report and amendment, at 3 P. M., the House adjourned until to-morrow, at 12 M.

SATURDAY, AUGUST 8, 1868.

Pursuant to adjournment, the House met at 12 o'clock M.

The SPEAKER took the chair.

The roll was called, and a quorum announced:

Prayer by Rev. B. HUMPHRIES.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported favorably on a Senate Bill entitled "A Bill to regulate appeals and writs of error to the Supreme Court"

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

Also, from the same Committee, a report on the Senate Bill to quiet rights vested under military orders, and recommended certain amendments.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. C. D. HAYNE introduced the following resolution, which was agreed to :

Resolved, That the Committee on Roads, Bridges and Ferries be instructed to inquire into the expediency of working the roads of the State under a general system of contracts, with leave to report by Bill, or otherwise, at the next regular session of this Legislature.

Mr. DELARGE presented the petition of John G. Itgen, of Charleston, praying to be allowed to let his house remain in Charleston. Referred to the Committee on the Judiciary.

Also, the petition of Juliana Irvine, of Charleston. Referred to the Committee on the Judiciary.

Mr. JERVEY introduced the following resolution, which was agreed to :

Resolved, That the Committee on Ways and Means be, and is hereby, instructed to report to this House the pay and duties of the Stenographer, and if those duties are discharged by the person so employed, and whether he complies with the resolution adopted by this House, forbidding persons in its employ to absent themselves without leave.

The SPEAKER laid before the House the memorial of the City Council of Charleston, countersigned by the Mayor of Charleston and Clerk of Council, praying in behalf of the Chief and all the officers of the Fire Department that the present organization be left undisturbed, and be exempted from the operation of any Bill about to be passed by the Legislature.

On motion of Mr. DELARGE, it was referred to the Committee on Incorporations.

Mr. RANSIER presented a petition of Niagara Fire Engine Company, of

Charleston, praying incorporation. Referred to the Committee on Incorporations.

Mr. DRIFFLE introduced the following resolution, which was agreed to :

Resolved, That the Committee on Ways and Means be requested to consider and report a Bill for the more convenient and expeditious transfer of State stocks than that now governing the same.

Mr. L. CAIN presented the account of the Sheriff of Edgefield for preparing copy of tax lists for the General Commanding the Second Military District. Referred to the Committee on Claims.

Mr. S. J. LEE gave notice that on Monday next he will ask leave of the House to introduce

A Bill to repeal the charter of the town of Hamburg.

Mr. C. D. HAYNE presented the account of H. Lafitte for *post mortem* examination. Laid over to be referred to the Committee on Claims.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 4.

IN THE SENATE, COLUMBIA, S. C., August 7, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs the House that under the joint resolution adopted by the two Houses, calling for a Committee to investigate and report upon the disturbance of Saturday night, August 1, Messrs. Allen and Rainey have been appointed a Committee on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 5.

IN THE SENATE, COLUMBIA, S. C., August 7, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs the House that under the joint resolution adopted by both Houses, for the appointment of a Committee to examine into the accounts of S. L. Leaphart, Comptroller-General, Messrs. Rainey and Rose have been appointed a Committee on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

Mr. NEAGLE gave notice that on Monday, or as soon thereafter as possible, he will ask leave to introduce

A Bill concerning the Bank of the State of South Carolina.

Mr. J. N. HAYNE gave notice that on Monday next he will introduce A Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company."

Mr. DELARGE presented a memorial and petition of the Savannah and Charleston Railroad Company. Referred to the Committee on Railroads.

Mr. JENKS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That a Joint Committee of five, to be composed of three from the Senate, be appointed, whose duty it shall be to determine upon a Great Seal for the State, as is required by Section 18 of the Executive Department of our Constitution.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business, being the consideration of the minority report of the Committee on the Judiciary on a Bill to determine and perpetuate the homestead, was taken up, and the House proceeded to the further consideration of the same.

On the adoption of the report the yeas and nays were called for, and are as follows :

Yeas, 81 ; nays, 15 ; absent and not voting, 26.

So the report was adopted.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, Bullock, Bishop, Lawrence Cain, E. J. Cain, Cooke, Collins, Crews, DeLarge, Driffle, Elliott, Ezekiel, Farr, Gray, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, Jackson, Jacobs, B. James, H. James, Jervy, Jones, G. Lee, S. J. Lee, Lewie, Lang, Mayer, Mickey, McDaniels, Mobley, Milford, Martin, Nelson, Nuckles, O'Connell, Purvis, Perrin, Prendegrass, Ransier, Richardson, Rush, Rivers, Stewart, Stoeber, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Wilder, Whipper, White, Wright and Webb.—81.

Those who voted in the negative are :

Messrs. Bryant, Dusenberry, Duvall, Field, Feriter, Kuh, W. J. McKinlay, McIntyre, Moore, Neagle, Pettengill, Sloan, Stolbrand, R. M. Smith and Valentine.—15.

Those absent and not voting are :

Messrs. Bennett, Berry, Clyburn, Chestnut, Fennis, Doyle, DeMars, Hayes, Henderson, Harris, G. Johnson, Keith, Lomax, Littlejohn, Morrison, Wm. McKinlay, Mays, Mead, Miller, Nash, Root, Tomlinson, Turner, Wilson, Waller and Wooley.—26.

Mr. RANSIER requested that the following reasons for his vote be recorded on the Journal:

Although I do not believe that the amendment proposed by the minority of the Committee would bind the Courts to decide as it directs, and therefore unnecessary, yet as a Republican, now believing that it is pretty generally understood by the people of the State, upon representations made by us as a party, that the homestead provision of the Constitution was intended to have a retrospective operation, and therefore all laws on this subject ought so to provide; and that, such being the case, we ought to act in consonance with such representations. I, therefore, vote "yes."

On motion of Mr. DELARGE, the further reading of the Bill was suspended for three minutes.

Mr. DELARGE then moved that so much of the Rules as requires this House to adjourn at 3 P. M. be suspended. Agreed to.

The consideration of the Bill was resumed.

Mr. NEAGLE desired to record his vote on the Journal as "nay" on the adoption of the minority report, and "yea" on Section 1 as amended.

On the passage of Section 2 to a third reading, the yeas and nays were called, and they are as follows:

Yeas, 84; nays, 9; absent and not voting, 29.

So the Section was passed to a third reading.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, Bullock, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Crews, DeLarge, Driffle, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Lewie, Lang, Mayer, Mickey, McLutye, McDaniels, Mobley, Milford, Martin, Nelson, Neagle, Nuckles, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Rush, Rivers, Stewart, Stoeber, Stolbrand, Stubbs, Smalls, A. Smith, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Wilder, Whipper, White, Wright and Webb.—84.

Those who voted in the negative are:

Messrs. Bryant, Dusenberry, Duvall, Field, W. J. McKinlay, Moore, Sloan, R. M. Smith and Valentine.—9.

Those absent and not voting are :

Messrs. Bennett, Berry, Clyburn, Chestnut, Dennis, Doyle, DeMars, Goodson, Hayes, Henderson, Harris, G. Johnson, Keith, Lomax, Littlejohn, Morrison, W. McKinlay, Mays, Mead, Miller, Nash, O'Connell, Root, Saunders, Tomlinson, Turner, Wilson, Waller and Wooley —29.

Mr. W. J. MCKINLAY moved to amend the third Section by adding after the word "thereon," in the fourth line, these words: "or mortgages held against said homestead before the ratification of the Constitution in April, 1868."

On motion of Mr. C. D. HAYNE, the amendment was indefinitely postponed.

Mr. STOEBER moved to amend Section 3, on the fourth line, between the words "thereon" and "provided," by inserting the words "or the advances in provisions made by the United States Government in the year 1868 to farmers for the purpose of carrying on their farms."

On motion of Mr. ELLIOTT, it was indefinitely postponed.

The Bill was read the second time, and on the question "Shall the Bill, as amended, be passed to a third reading and ordered to be returned to the Senate?" it passed in the affirmative.

A Bill to provide a Public Administrator was taken up.

The Bill was read the second time, and on the question "Shall the Bill be passed to a third reading and be sent to the Senate?" it passed in the affirmative.

A Bill to organize the Supreme Court was put upon its second reading.

The amendments of the Judiciary Committee to Sections 1, 3 and 4, and the addition of Section 8 as an amendment to the original Bill, were adopted.

Mr. WHIPPER moved to amend Section 8 by adding, between the words "day" and "at," in the third line, the words "or as soon thereafter as possible." Agreed to.

And on the question "Shall the Bill, as amended, pass to a third reading and ordered to be returned to the Senate?" it passed in the affirmative.

A Bill to punish assaults committed with deadly weapons was put upon its second reading.

On motion of Mr. ELLIOTT, the further consideration of the Bill was indefinitely postponed.

A Bill to incorporate the Sumter Fire Company as a part of the Fire Department of the town of Sumter was taken up.

The Bill was read the second time, and ordered to be sent to the Senate.

A Bill to incorporate the Union Star Fire Company as a part of the Fire Department of the city of Charleston was taken up.

The Bill was read the second time, and ordered to be sent to the Senate.

PAPERS FROM THE SENATE.

The Senate returned to this House the following papers :

A Bill to incorporate the Cheraw Hook and Ladder Company as a part of the Fire Department of the town of Cheraw, the Bill having been read three times in that House ;

With concurrence, the report of the Special Committee on Disabilities on the petition of P. Q. Camp and E. A. Smith, of Spartanburg ;

A concurrent resolution relative to the removal of political disabilities, declaring that no resolution for the removal of the political disabilities of any person shall be hereafter considered unless accompanied by a petition from the party so desiring to be relieved ;

A concurrent resolution to remove the political disabilities of A. L. McCaslin, of Abbeville ;

A concurrent resolution extending an invitation to Major-General George G. Meade to visit this General Assembly ;

A concurrent resolution calling for reports from S. L. Leaphart, Ex-Comptroller-General ;

A concurrent resolution to remove the political disabilities of R. L. Heriot, of Sumter ;

A concurrent resolution to remove the political disabilities of John F. Porteous, of Beaufort.

The Senate sent to this House,

A Bill to determine and set out dower.

The Bill was read a first time, and referred to the Committee on the Judiciary.

A Bill to incorporate the Palmetto Fire Engine Company, of Greenville.

The Bill was read a first time, and referred to the Committee on Incorporations.

A Bill to incorporate the Neptune Fire Engine Company, of Greenville.

The Bill was read a first time, and referred to the Committee on Incorporations.

A Bill regulating the manner of keeping and disbursing funds by certain officers.

The Bill was read a first time, and referred to the Committee on Ways and Means.

A Bill to establish a State police.

The Bill was read a first time, and referred to the Committee on Military Affairs.

A report from the Special Committee on Disabilities, on the part of the Senate (favorably), on the petition of John G. Enslow and Wm. M. Rims, of York County, for removal of political disabilities. Referred to the Special Committee on Disabilities.

A report from the Special Committee on Disabilities, on the part of the Senate (favorably), on the petition of Edward Livingston, School Commissioner elect, of Chester County, for the removal of his political disabilities. Referred to the Special Committee on Disabilities.

GENERAL ORDERS.

The House proceeded to the consideration of the Senate Bill, to quiet rights vested under military orders.

The Bill was put upon its second reading.

The following amendments, proposed by the Judiciary Committee, were adopted :

Amend by striking out the words "or in action" in Section 1.

Amend by striking out Section 3 entirely.

Amend in Section 1, after the word "State," in the seventh line, by adding the words "except where they conflict with the law of real property, or the established principles of the common law."

Mr. GEO. LEE moved to insert the word "or" between the words "vested and accrued," in Section 1. Adopted.

The Bill as amended was read a second time, and on the question "Shall the Bill pass to a third reading, and be ordered to be returned to the Senate?" it passed in the affirmative.

A Bill to regulate appeals and writs of error to the Supreme Court was read the second time, and passed to a third reading.

The SPEAKER announced the following as the Committee to audit accounts, in accordance with resolution of August 6: Messrs. Jenks, Ransier and Elliott.

At the request of Mr. SIMONS, he was relieved from serving on the Committee to investigate the late riot, and Mr. Purvis appointed in his stead.

Mr. NEAGLE offered the following resolution, which was agreed to :

Resolved, That the Committee on Ways and Means be requested to report on Monday, at 12:30 P. M., upon the Bill to repeal the Act levying a capitation tax.

The following members obtained leave of absence :

Mr. Mead, for six days.

Mr. Mays, for five days.

Mr. Wilson, for four days.

Mr. DeMars, for three days.

Mr. Farr, for three days.

Mr. B. James, for two days.

Mr. Tomlinson, for one day.

On motion of Mr. G. LEE, at 3 P. M., the House adjourned until Monday, at 12 M.

MONDAY, AUGUST 10, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. SAUNDERS.

The Journal of Saturday was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. G. LEE, from the Committee on Public Buildings, reported, by leave, by a Bill to provide for the poor, aged and infirm of this State. Laid over until the expiration of the morning hour.

Mr. NEAGLE arose to a question of privilege, and asked leave to record the following on the Journal, which, on motion of Mr. JACKSON, was granted :

Whereas certain affidavits have appeared in the Charleston News, emanating from a certain "Rock Hill Conservative Club," making the infamous attempt to fix upon me an infamous crime, therefore I request the appointment of five members of this House as a Committee, with instructions to examine the evidence I propose to produce, and report to this House as to the correctness of said affidavits.

Mr. DELARGE, from the Committee on Ways and Means, asked for further time in reference to a resolution requesting them to report at 12:30 P. M. to-day on a Bill to repeal the Act levying a capitation tax, and the same was granted.

Pursuant to notice, and by leave of the House, Mr. J. N. HAYNE introduced

A Bill to extend the provisions of an Act for the relief of the Charleston and Savannah Railroad Company. Laid over until the expiration of the morning hour.

Mr. BENNETT presented the petition of sundry citizens of St. Helena Parish, Beaufort County, praying the refundment of certain taxes assessed in 1866. Referred to the Committee on Ways and Means.

Mr. DELARGE introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the Committee on Printing of the House of Representatives and of the Senate be instructed to investigate and report upon the feasibility of reducing the expenses of the printing of this General Assembly.

Mr. TOMLINSON introduced the following resolution, which was agreed to :

Resolved, That the Committee on Ways and Means be instructed to report to this House, at as early a day as possible, whether or not the Comptroller-General shall instruct the Sheriffs to continue the sale and purchase of lands for taxes, in accordance with the orders of General Canby upon this subject.

Mr. SHREWSBURY introduced the following resolution, which was agreed to :

Resolved, That the Committee on the Penitentiary be instructed to investigate and inquire into the causes and circumstances connected with the imprisonment of the convicts in the Penitentiary, and that they be ordered to report thereon as early as practicable.

Mr. McINTYRE introduced the following resolution :

Resolved, That in view of the onerous duties of the Speaker of this House that he be allowed, in addition to his regular per diem, an extra compensation of four (4) dollars per diem, dating from the commencement of this session.

Mr. JENKS moved to refer the resolution to the Committee on Ways and Means.

Mr. SMALLS moved to indefinitely postpone the motion to refer. Agreed to.

Mr. SMALLS moved to indefinitely postpone the further consideration of the resolution.

Mr. RANSIER moved to lay the whole subject on the table. Agreed to.

At the hour of 12:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to organize and govern the militia of the State of South Carolina.

On motion of Mr. WHIPPER, the Special Order was suspended until the expiration of the morning hour.

Pursuant to notice, and by leave of the House, Mr. S. J. LEE introduced

A Bill to repeal the charter of the town of Hamburg.

Mr. DELARGE moved to suspend so much of the Rules of the House as requires an adjournment at 3 P. M.

On motion of Mr. JENKS, it was laid upon the table.

Mr. WHIPPER introduced the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That this General Assembly proceed to elect eight (8) Circuit Judges for the State of South Carolina, on Thursday next, the 13th of August, 1868, at 12:30 P. M.; and that they also elect three Commissioners to codify the laws of this State; and that the said elections be by joint ballot of this General Assembly.

It was moved to amend, that the Commissioners be appointed by the Supreme Court.

Mr. C. D. HAYNE moved to indefinitely postpone. Agreed to.

Mr. TOMLINSON moved to strike out so much as refers to the election of the Commissioners to codify the laws of the State by joint ballot of the General Assembly. Agreed to.

Mr. SHREWSBURY moved to amend by substituting 1 P. M. instead of 12:30 P. M. Agreed to.

The resolution, as amended, was agreed to, and ordered to be sent to the Senate for concurrence.

Mr. DELARGE moved to suspend so much of the Rules of this House as requires adjournment at 3 P. M. Agreed to.

Mr. MILLER gave notice that on to-morrow, or as soon thereafter as convenient, he will introduce

A Bill to define the number of members allowed to each steam fire engine company in the incorporated towns and cities of South Carolina.

Mr. PURVIS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Whereas the necessity of an investigation of the disturbance of August 1, in the city of Columbia, is removed by the finding of the jury empaneled for that purpose; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That the joint resolution authorizing the appointment of a Committee be, and the same is hereby, rescinded.

Mr. FERITER introduced the following resolution, which was agreed to :

Resolved, That the Honorable the Secretary of State be, and is hereby, requested to inform this body, at his earliest convenience, what quantity of land is now held by the State, in the several counties, on account of taxes, and for how long a period.

Mr. JOHNSTON introduced the following resolution, which, on motion of Mr. C. D. HAYNE, was laid on the table :

Whereas there is no Rule in this House setting forth what length of time each member should be allowed to speak on any question; therefore,

Be it resolved, That each member be allowed fifteen minutes to speak, so as to expedite business; and at the same time, any member may speak longer, when granted by the House.

The House then proceeded to the consideration of the

SPECIAL ORDER.

A Bill to organize and govern the militia of the State of South Carolina was put upon its second reading.

On motion of Mr. WHIPPER, the further consideration of the Bill was suspended, and made the Special Order for Wednesday next, at 1 P. M.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a joint resolution to appoint a Joint Committee to determine upon a Great Seal of the State.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 6.

IN THE SENATE, COLUMBIA, August 10, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that under a concurrent resolution, adopted by both Houses, to appoint a Joint Committee to determine upon a Great Seal for the State, as required by Section 18 of the Executive Department of the Constitution, Messrs. Whittemore and Jillson have been appointed a Committee on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 7.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 10, 1868.

Mr. Speaker:

His Excellency the Governor has this day approved and signed the following Act, viz.:

An Act to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars.

Very respectfully,

Your obedient servant,

(Signed)

E. S. JENNISON,
Acting Private Secretary.

On motion of Mr. WHIPPER, it was

Resolved, That the motion whereby the Bill to incorporate the Citizens' Savings Bank was made the Special Order of Wednesday, at half-past 12 o'clock, be, and the same is hereby, rescinded, and that we now proceed to the consideration of said Bill.

The House proceeded to the immediate consideration of the Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion of Mr. TOMLINSON, the farther consideration of the Bill was postponed until Friday next, at 1 P. M.

A Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company" was read the first time, and referred to the Committee on Railroads.

A Bill to provide for the poor in the different counties of the State was read a first time, and referred to the Committee on Ways and Means.

A Bill repealing the charter of the town of Hamburg was read a first time, and referred to the Committee on Incorporations.

Mr. WHIPPER gave notice that on to-morrow, or as soon as possible, he will introduce

A Bill requiring all banking institutions, insurance companies, and other corporations, to invest sufficient of their capital stock in State bonds as will secure their liabilities.

The SPEAKER announced the following as a Committee on the joint resolution to examine the accounts of S. L. Leaphart, retiring Comptroller-General:

Messrs. Bosemon, Stuart and Jacobs.

The following members obtained leave of absence:

Mr. Moore, for ten days.

Mr. Morrison, for six days.

Mr. H. Johnson, for two days.

Mr. Thomas, for one day.

At 2:20 P. M., on motion of Mr. JENKS, the House adjourned until to-morrow, at 12 M.

TUESDAY, AUGUST 11, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. WADE PERRIN.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported, by leave, by a Bill on the petition of John G. Itgen, of Charleston. Laid over until the expiration of the morning hour.

Mr. TOMLINSON, from the Committee on Education, reported, by leave, by a Bill to provide for the temporary organization of the Educational Department of the State. Laid over until the expiration of the morning hour.

Mr. DELARGE, from the Committee on Ways and Means, reported on a Bill to prohibit the levy and collection of capitation tax.

On motion of Mr. O'CONNELL, the report was laid on the table to take up the Bill.

Mr. STOEBER, from the Committee on the Penitentiary, made a report on the condition of that institution, with an affidavit of J. T. Tucker relative to the treatment of the convicts, which was read to the House.

On motion of Mr. JACKSON, the report was recommitted to the Committee, with instructions to report by Bill.

Mr. HYDE moved that the affidavit annexed to the report be received as information. Agreed to.

Mr. STOLBRAND, from the Committee on Military Affairs, reported on a Senate Bill to establish a State police, and recommended that the Bill do pass.

On motion of Mr. TOMLINSON, the report was laid on the table, to take up the Bill.

Mr. WHIPPER, from the Committee on the Judiciary, made a report on a joint resolution for the transfer and preservation of the records of the former District of Pickens, by leave, by Bill. Laid over until the expiration of the morning hour.

Also, on a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

On motion, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. LOMAX presented the account of the Abbeville Press. Laid over to be referred to the Committee on Claims.

Mr. C. D. HAYNE introduced the following resolution, which was agreed to :

Resolved, That the Messenger be instructed to furnish a box for the reception of the letters of the members of this House, and to have the same mailed at the proper hours.

Pursuant to notice, and by leave of the House, Mr. WHIPPER introduced

A Bill entitled an Act authorizing R. S. & M. R. Bennett, of Beaufort, to collect wharfage. Laid over.

Also, a Bill relative to banking, insurance and other bodies corporate and politic. Laid over.

Mr. A. SMITH presented the petition of the citizens of the town of Mount Pleasant for an Act to alter and amend the charter of the said town. Referred to the Committee on Incorporations.

Mr. DELARGE presented the petition of W. J. Robinson to renew certificates of State stock, lost or mislaid. Referred to the Committee on Ways and Means.

Mr. MCINTYRE introduced the following resolutions, which, on motion of Mr. FERITER, were laid on the table :

Resolved, by the House of Representatives, the Senate concurring, That a Commission, to consist of three able jurists, be appointed to revise and prepare a condensed digest of the laws of this State.

Resolved, That the Judges of the Supreme Court be empowered to appoint said Commission, which shall report to this General Assembly at its next regular session, or as soon thereafter as practicable, their progress in the codification of the laws of this State.

Mr. WOOLEY presented the account of W. B. Samuel, M. D., for *post mortem* examination. Laid over to be referred to the Committee on Claims.

Mr. BISHOP gave notice that on to-morrow, or soon thereafter, he will introduce

A Bill for the detection and punishment of secret assaults.

Mr. PERRIN gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill for the protection of all mechanics or laborers.

Mr. PURVIS gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill to provide for the appointment of Tax Collectors in this State.

Mr. TOMLINSON introduced the following resolution, which was agreed to:

Resolved, That the motion whereby the Bill to incorporate the Citizens' Savings Bank was made the Special Order for Friday next, at 1 o'clock, be, and the same is hereby, rescinded, and that the consideration of said Bill be postponed until Thursday, 27th instant.

The House proceeded to the consideration of a Bill relative to banking, insurance, and other bodies corporate and politic. Read a first time, and referred to the Committee on Ways and Means.

An Act authorizing R. S. & M. R. Bennet to collect wharfage. Read a first time, and referred to the Committee on Ways and Means.

A Bill to repeal an Act entitled "An Act to repeal the usury laws of this State," approved December 8, 1866. Read a first time, and referred to the Committee on Ways and Means.

A Bill to transfer certain records, and for other purposes. Read a first time, and ordered to lie over for a second reading.

A Bill to provide for the temporary organization of the Educational Department of the State was read a first time, and ordered to be printed.

A Bill relative to a building of J. G. Itgen was read a first time, and ordered to be printed.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a (Senate) Bill entitled "An Act to organize the Circuit Courts," which had been amended by the House, on the second reading, and returned to the Senate for concurrence. Ordered to be engrossed for a third reading.

A Bill to declare vacant certain offices, having been substituted by a Bill to regulate the tenure of certain offices, and appointments thereto, and for other purposes. Laid over until to-morrow.

Also, a Bill to provide a Private Secretary for the Governor. Laid over.

The Senate sent to this House a Bill for the preservation of the State Capitol. Read a first time, and referred to the Committee on Public Buildings.

A Bill to incorporate the Columbia Educational Society. Read a first time, and referred to the Committee on Education.

A Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary. Read a first time, and referred to the Committee on Public Buildings.

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction

and uses of railways and other works of internal improvement. Laid over.

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina." Laid over.

The House then proceeded to the consideration of a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The Bill was put upon its second reading.

Mr. TOMLINSON moved to amend by striking out, in the sixth line of Section 8, all the words after the words "any Court," and insert in lieu thereof the words "in this State."

Mr. FERITER moved, as an amendment to the amendment, to insert, after the word "State," the words "for a period of one year."

Mr. JONES moved to indefinitely postpone the consideration of the amendment to the amendment. Agreed to.

On the adoption of the amendment the yeas and nays were called, and are as follows :

Yeas, 6 ; nays, 82 ; absent and not voting, 34.

The amendment was not adopted.

Those who voted in the affirmative are :

Messrs. Bosemon, Bishop, Goodson, Stolbrand, Tomlinson and Tinsley.—6.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bullock, L. Cain, E. J. Cain, Cooke, Collins, Crews, Dusenberry, Driffle, Elliott, Ezekiel, Field, Feriter, Farr, Gray, Gardner, Grant, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, Jenks, D. J. J. Johnson, S. Johnson, Johnston, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lewie, Lang, Mayer, W. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Miller, Nash, Nuckles, O'Connell, Purvis, Perrin, Prendergrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Smalls, A. Smith, R. M. Smith, Saunders, Smythe, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Valentine, Wilder, Waller, Wooley, Whipper, White and Wright.—82.

Those absent and not voting are :

Messrs. Bennett, Bryant, Clyburn, Chestnut, DeLarge, Dennis, Duvall, Doyle, DeMars, Hayes, Harris, H. Johnson, G. Johnson, B. James, Keith, Littlejohn, Morrison, W. J. McKinlay, Moore, Martin, Mays, Mead, Nelson, Neagle, Sloan, Stewart, Stoeber, Stubbs, Shrewsbury, Sasportas, Simons, Turner, Wilson and Webb.—34.

Mr. PURVIS moved to strike out Section 8.

Mr. SMALLS moved to indefinitely postpone the motion. Agreed to.

Mr. BOSEMON moved to strike out in the fifth line the words "one hundred," and insert in lieu thereof "one thousand."

On the adoption of the amendment the yeas and nays were called, and are as follows :

Yeas, 20 ; nays, 75 ; absent and not voting, 27.

The amendment was not adopted.

Those who voted in the affirmative are :

Messrs. Rosemon, Berry, Brown, Burton, E. J. Cain, Dusenberry, Duvall, Jenks, Jervey, W. J. McKinlay, Mobley, Martin, Perrin, Stoeber, Stolbrand, Tomlinson, Thomas, Tinsley, Valentine and Webb.—20.

Those who voted in the negative are :

Hon. E. J. Moses, Jr., Speaker, and Messrs. John Boston, Bullock, Bryant, Bishop, L. Cain, Cooke, Collins, Clyburn, Crows, DeLarge, Dennis, Driffle, Elliott, Ezekiel, Field, Feriter, Farr, Gray, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, Johnston, S. Johnson, Jackson, Jacobs, H. James, Kuh, S. J. Lee, Lewie, Lang, Mayer, W. McKinlay, Mickey, McDaniels, Milford, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Prendegraas, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Sloan, Stewart, Stubbs, Smalls, A. Smith, R. M. Smith, Saunders, Smythe, Simons, Smiley, Scott, Benjamin A. Thompson, Wilder, Waller, Wooley, Whipper, White and Wright.—75.

Those absent and not voting are :

Messrs. Bennett, Brodie, Joseph Boston, Chestnut, Doyle, DeMars, Hayes, Harris, H. Johnson, G. Johnson, B. James, Jones, Keith, Lomax, G. Lee, Littlejohn, Morrison, McIntyre, Moore, Mays, Mead, Nelson, Shrewsbury, Saspotas, S. B. Thompson, Turner and Wilson.—27.

The Section (8) was passed to a third reading.

Mr. ELLIOTT moved a reconsideration of the vote by which the Section was passed to a third reading.

Mr. SMALLS moved to lay the motion on the table. Agreed to.

Mr. RANSIER moved to strike out at the end of the fifth line, Section 9, the word "the," and insert in lieu thereof the word "this." Agreed to.

Mr. ELLIOTT moved to recommit the Bill to the Committee on the Judiciary.

On this the yeas and nays were called, and are as follows :

Yeas, 27 ; nays, 68 ; absent and not voting, 27.

So the motion was not agreed to.

Those who voted in the affirmative are :

Messrs. Rosemon, Burton, Bullock, Bryant, L. Cain, E. J. Cain, Clyburn, Dusenberry, Driffle, Elliott, Field, Charles D. Hayne, J. N. Hayne, Jacobs, S. J. Lee, Lewie, Mayer, Neagle, Purvis, Pettengill, Sloan, Stoeber, R. M. Smith, Scott, Valentine, Waller and Wooley.—27.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brown, John Boston, Bishop, Cooke, Collins, Crews, DeLarge, Dennis, Duvall, Ezekiel, Farr, Gray, Gardner, Grant, Humphries, Holliman, Hutson, Henderson, Hyde, Jenks, D. J. J. Johnson, Henry Johnson, Johnston, Samuel Johnson, Jackson, Henry James, Jervey, Kuh, George Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nash, Nuckles, O'Connell, Perrin, Prendergrass, Ransier, Richardson, Root, Rush, Rivers, Stewart, Stolbrand, Stubbs, Smalls, A. Smith, Saunders, Smythe, Simons, Smiley, B. A. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Whipper, White, Wright and Webb.—68.

Those absent and not voting are :

Messrs. Bennett, Brodie, Joseph Boston, Chestnut, Doyle, DeMars, Ferrier, Goodson, Hayes, Harris, Griffin Johnson, Burrel James, Jones, Keith, Loumax, Littlejohn, Morrison, McIntyre, Moore, Mays, Mead, Nelson, Shrewsbury, Sasportas, S. B. Thompson, Turner and Wilson.—27.

Mr. R. M. SMITH moved to strike out the enacting clause.

Mr. ELLIOTT moved to lay the motion on the table.

On this the yeas and nays were called.

Pending the call of the yeas and nays, at 2:40 P. M., on motion of Mr. WHIPPER, the House adjourned until to-morrow, at 12 M.

WEDNESDAY, AUGUST 12, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. BERRY.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported, by leave, by Bill on the petition of Juliana Irvine to pay over proceeds of sale, &c. Laid over until expiration of the morning hour.

Also, on a Bill to prevent discrimination on account of color, race, or previous condition, by those carrying on business under license.

On motion of Mr. WILDER, the report was laid on the table, to take up the Bill.

Mr. DELARGE, from the Committee on Ways and Means, reported a Bill providing for the assessment and taxation of property.

The Bill was read a first time, and ordered to be printed.

PETITIONS, RESOLUTIONS; &c.

Mr. SMALLS introduced a concurrent resolution to establish a new election precinct in Beaufort County. Referred to the Committee on Privileges and Elections.

Mr. MCINTYRE introduced the following resolution, which was agreed to:

Resolved, That the Speaker of this House appoint a Committee of three (3), this day, August 12, 1868, to make necessary arrangements to facilitate the payment of the mileage and per diem to members of this Assembly.

Messrs. McIntyre, Keith and Henderson were appointed the Committee.

The SPEAKER also announced as Committee to investigate charges against Hon. J. L. Neagle, member from York County, made by an organization called the "Rock Hill Conservative Club," Messrs. Whipper, Elliott, Root, Johnston and McIntyre.

Pursuant to notice, and by leave of the House, Mr. MILLER introduced A Bill to define the number of members for each steam fire engine company in the incorporated cities and towns of the State of South Carolina. Laid over until expiration of morning hour.

Mr. HYDE introduced the following resolution, which, on motion of Mr. WILDER, was laid on the table:

Resolved, That the Sergeant-at-Arms be authorized to lay on the table of each member of this House a daily paper for the remainder of this session.

Pursuant to notice, and by leave of the House, Mr. PURVIS introduced A Bill to provide for the appointment of Tax Collectors in this State. Laid over.

Pursuant to notice, and by leave of the House, Mr. NEAGLE introduced

A Bill to close the operations of the Bank of the State of South Carolina. Laid over.

Mr. O'CONNELL presented the petition of sundry citizens of Yorkville, protesting against the renewal of the charter of that town. Referred to the Committee on Incorporations.

A Bill to define the number of members for each steam fire engine company in the incorporated cities and towns of the State of South Carolina was read a first time, and referred to the Committee on Incorporations.

A Bill to provide for the appointment of Tax Collectors in this State. Read a first time, and referred to the Committee on Ways and Means.

A Bill to close the operations of the Bank of the State of South Carolina. Read a first time, and referred to the Committee on Ways and Means.

A Bill authorizing the executor of the last will of Juliana Irvine to pay over proceeds, &c. Read a first time, and ordered to be printed.

A Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition. Ordered to be printed.

Mr. WHIPPER introduced the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That the Attorney-General be, and is hereby, authorized to employ a clerk for the Solicitors, whose pay shall not exceed that of the Assistant Clerks of this House.

Mr. SLOAN moved to amend by inserting after the word "employ" the words "during the remainder of the session."

The resolution, as amended, was agreed to, and ordered to be sent to the Senate for concurrence.

Mr. DELARGE introduced the following joint resolution :

Resolved, by the Senate and House of Representatives of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the pay of the two Solicitors authorized to be appointed by the Attorney-General under resolution passed July 18, 1868, is hereby fixed at twelve dollars per day when employed, the fact of such employment to be certified by the Attorney-General.

Mr. HYDE moved to amend by substituting "eight dollars" instead of "twelve dollars."

On motion, the amendment was indefinitely postponed.

Mr. SIMONS moved to amend by substituting "ten dollars" instead of "twelve dollars." Agreed to.

The resolution, as amended, was agreed to, and ordered to be sent to the Senate for concurrence.

Mr. O'CONNELL introduced the following resolution, which, on motion of Mr. DELARGE, was laid on the table :

Resolved, That a Committee of three be appointed by the House to define the duties of the Auditing Committee which was appointed by this House.

Mr. LITTLEJOHN obtained leave of absence for twenty days.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business being the call of the yeas and nays on the mo-

tion to lay on the table the motion to strike out the "enacting clause" of a Bill to regulate the admission of persons to practice as attorneys and counsellors in this State, the call for the yeas and nays was withdrawn.

Mr. ELLIOTT then moved to recommit the Bill to the Committee on the Judiciary.

Mr. SMALLS moved that the motion to recommit be indefinitely postponed. Agreed to.

The Bill, as amended, was read the second time, and ordered to be sent to the Senate.

A (Senate) Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other internal improvements was read a first time, and referred to the Committee on Railroads.

A (Senate) Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company, in South Carolina," was read a first time, and referred to the Committee on Railroads.

On motion of Mr. DELARGE, a Bill (from the Senate) regulating the tenure of certain offices and appointments, and for other purposes, being a substitute for a Bill declaring vacant certain offices, which had been sent to the Senate, was taken up.

Mr. TOMLINSON moved that the House order the Bill to be printed.

Mr. RANSIER moved to amend that the Bill be referred to the Committee on the Judiciary, with instructions to report to-morrow.

The motion, as amended, was agreed to.

On motion of Mr. DELARGE, a Bill to prohibit and prevent the levy and collection of a capitation tax was taken up.

The Bill was put upon its second reading.

Mr. DELARGE moved that Section 1 be stricken out.

Mr. NEAGLE moved that the entire Bill be read for the information of the House. Agreed to.

Pending the consideration of the Bill, at 3 P. M., on motion, the House adjourned until 12 M. to-morrow.

THURSDAY, AUGUST 13, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. JAMES.

The Journal of the previous day was read and confirmed.

On motion of Mr. JOHNSTON, the call of the morning business was suspended in order to introduce the following preamble and resolutions :

Whereas the sad intelligence of the death of the Hon. Thaddeus Stevens, of Pennsylvania, has reached us by telegraph ; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That while we recognize the wisdom of Divine Providence and bow in reverence to His decree, we do most deeply regret the loss to the country of one of its noblest philanthropists, and to the oppressed of every clime and race one of their truest and most constant friends.

Resolved, That the desks of the President of the Senate and Speaker of the House be draped in mourning for thirty days, and that the flag which floats over the General Assembly be hoisted at half-mast until intelligence is received of the burial of this friend of a common humanity.

Mr. JACKSON moved to amend, that the House do now adjourn as a mark of respect to the memory of the deceased.

On motion of Mr. G. LEE, the amendment was indefinitely postponed.

The resolutions were agreed to, and ordered to be sent to the Senate for concurrence.

REPORTS OF COMMITTEES, &c.

Mr. W. J. MCKINLAY, from the Special Committee on Joint Rules, asked for further time to report, and the same was granted.

Mr. MCINTYRE, from the Special Committee appointed to make the necessary arrangements for the pay of the per diem and mileage of the members, reported on the same, and asked that the House should go into secret session.

Mr. G. LEE moved that the report be made the Special Order for 2 P. M. to-day.

Mr. ELLIOTT moved to further amend, that the House remain in secret session until the matter is disposed of.

The motion, as amended, was agreed to.

Mr. DELARGE moved that the Rule requiring adjournment at 3 P. M. be suspended. Agreed to.

Mr. DELARGE, from the Committee on Ways and Means, reported on a Senate Bill to regulate the manner of keeping and disbursing the funds of certain officers.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

Also, from the same Committee, a favorable report on the petition of W. J. Robertson, and recommend the adoption of the following joint resolution :

Resolved, by the House of Representatives, the Senate concurring, That the State Treasurer be, and he is hereby, authorized and instructed to issue to the executor of the estate of Maria Brisbane, deceased, or his legal representatives, a renewal of six (6) per cent. State stock. Act of 1856, redeemable on the 1st of January, 1877, No. 33, for \$3,090, in the name of said Maria Brisbane, deceased, in lieu of the original, which has been lost or mislaid.

Mr. W. J. MCKINLAY moved that the report be laid upon the table, and that the resolution be immediately considered.

On motion of Mr. GRAY, the consideration of the resolution was made the Special Order for to-morrow, at 1:30 P. M.

Mr. G. LEE, from the Committee on Public Buildings, reported on a Bill to provide for the accommodation of the General Assembly, Executive and Judiciary.

Also, on a Bill to provide for the preservation of the State Capitol.

On motion, the reports were laid on the table to take up the Bills.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill regulating the tenure of certain offices and appointments thereto, and for other purposes.

On motion of Mr. HYDE, the report was laid on the table to take up the Bill.

On motion of Mr. DELARGE, the consideration of the Bill was made the Special Order for 1:30 P. M. to-day.

The SPEAKER laid before the House the following communication from the Honorable Secretary of State :

OFFICE SECRETARY OF STATE,

COLUMBIA, August 13, 1868.

Mr. Speaker :

In accordance with a resolution of the House of Representatives, requesting the Secretary of State to inform the House what quantity of land is now held by the State in the several counties, on account of taxes, and for how long a period, I have the honor to transmit the following information :

There are 22,737 acres of land held by the State as definitely returned by the various Sheriffs. There is also an amount, perhaps several thousand, but not definitely returned by the Sheriffs.

You will find on the inner page a more detailed account, mentioning the quantity in each county.

With regard to the time for which these lands were sold, General Canby's General Orders No. 63 states more fully, and in detail, the time and condi-

tion of sale. But I may state, generally, that the land is sold for seven years, but is redeemable within one year by the owner on payment of costs.

I have the honor to be,

Very respectfully,

Your obedient servant,

(Signed)

F. L. CARDOZO,

Secretary of State of South Carolina.

QUANTITY OF LAND HELD BY THE STATE IN THE VARIOUS COUNTIES.

<i>County.</i>	<i>No. of Acres.</i>
Beaufort.....	14,217
Richland.....	1,894
Marion.....	1,610
Greenville.....	995
Sumter.....	955
Horry.....	600
Marlboro.....	380
Barnwell.....	376
Pickens.....	77
Colleton.....	1,560
Chester.....	73
	22,737

On motion of Mr. HYDE, the communication was received as information, and referred to the Committee on Ways and Means.

Mr. DeLARGE, from the Committee on Ways and Means, reported on a Bill entitled "A Bill authorizing R. S. & M. R. Bennett, of Beaufort, to collect wharfage."

On motion, the report was laid on the table to take up the Bill.

Mr. BOSEMON introduced the following resolutions, which were agreed to:

Resolved, That a Special Committee of five be appointed for the purpose of securing all facts which may show the existence of disloyal organizations in this State; also, to report all outrages perpetrated on Union men, murders committed, and other acts of lawlessness throughout this State, which have been practiced upon citizens loyal to the Government.

Resolved, That information be invited from every source which will accomplish the object of the foregoing resolution; and that members of this branch of the General Assembly be requested to furnish said Committee with all outrages and incidents connected therewith which may have occurred.

The SPEAKER announced as the Committee Messrs. Rosemon, Wooley, Brown, Jackson and O'Connell.

Mr. DELARGE introduced the following resolution, which was agreed to :

Resolved, That so much of a resolution as requires all Bills to be read by their title, unless the reading of the entire Bill is called for by some member, be so changed as to read ten members.

Mr. BURTON presented the petition of W. P. Gill, Sheriff of Chester County, to be relieved of a penalty incurred by reason of failure to pay over moneys collected for taxes. Referred to the Committee on Ways and Means.

Mr. H. JAMES introduced the following resolution, which was agreed to :

Resolved, That the Committee on Education be instructed to inquire and report :

1st. If the Walterboro Academy is public property, or the private property of an association.

2d Whether escheated property has been applied according to the provisions of Section 14 of an Act to incorporate certain societies, passed December 17, 1834, (No. 2,630, Vol. 8, Statutes at Large.)

3d. Cannot the people legislate to appropriate escheated property to educational purposes ?

Mr. H. JAMES gave notice that he will introduce

A Bill to alter and amend an Act of the General Assembly, passed December 19, 1843, entitled "An Act to incorporate the village of Walterboro."

Mr. CREWS gave notice that to-morrow, or as soon thereafter as practicable, he will introduce

A Bill for the purpose of abolishing the Town Council of Laurensville.

Mr. STOEBER introduced the following resolution, which was agreed to :

Resolved, That the Committee on the Judiciary be requested to report, at as early a day as possible, by Bill or resolution, to define "larceny," and the difference between "petit larceny" and "grand larceny," and the limits of the respective punishments.

Mr. DEMARS presented the petition of the Orangeburg Fire Company for a renewal of charter under a new name. Referred to the Committee on Incorporations.

Mr. W. J. MCKINLAY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce the following Bills :

A Bill to regulate the powers and duties of County Treasurer ; also,

A Bill to regulate and determine the powers and duties of County Assessor; also,

A Bill to regulate and determine the powers and duties of County Auditor.

The House, at 12:40 P. M., proceeded to the consideration of the

SPECIAL ORDER.

A Bill to organize and govern the militia of the State of South Carolina. On motion of Mr. WILDER, the Special Order was discharged, and made the Special Order for to-morrow, at 1:30 P. M.

Mr. CREWS introduced the following resolution, which was agreed to:

Resolved, That the Committee on the Judiciary be instructed to report a Bill, under Article XIV, Section 5, relative to the granting of divorces.

The House proceeded to the consideration of the

GENERAL ORDERS.

The unfinished business, being the consideration of a Bill to prohibit the levy and collection of a capitation tax, was taken up.

Mr. GRAY moved that the Bill be laid upon the table. Agreed to.

A Bill to authorize the executor of the last will of Juliana Irvine to pay over the proceeds of real estate of the said Juliana Irvine now in his hands was read the second time, and ordered to be sent to the Senate.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 8.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 13, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day signed the joint resolutions petitioning Congress for the removal of the political disabilities of the following persons:

P. Q. Camp and A. E. Smith, of Spartanburg; John F. Porteous, of Beaufort; A. L. McCaslin, of Abbeville; R. L. Heriot, of Sumter, S. C.

Very respectfully,

Your obedient servant,

(Signed)

R. K. SCOTT, Governor.

On motion of Mr. GEO. LEE, the Message was received as information. The House resumed the consideration of the

GENERAL ORDERS.

The House then proceeded to the consideration of a Bill to prevent discrimination between persons, on account of race, color, or previous condition, by those carrying on business under license.

On motion of Mr. CREWS, the Bill was laid on the table.

A Bill authorizing R. S. & M. R. Bennett to collect wharfage. Laid over and ordered to be printed.

A Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary. Laid over and ordered to be printed.

A Bill for the preservation of the State Capitol. Laid over and ordered to be printed.

A Bill to establish a State police was put upon its second reading.

SPECIAL ORDER.

The hour of the Special Order having arrived (1:30 P. M.), the House proceeded to the consideration of the Special Order, being a Bill regulating the tenure of office and appointments thereto, and for other purposes.

On motion, the Special Order was discharged.

The consideration of a Bill to establish a State police was renewed.

Mr. TOMLINSON moved that on the second line of Section 3, the words "two thousand" be inserted in lieu of "fifteen hundred."

On this the yeas and nays were called for by Mr. R. M. SMITH, and are as follows :

Yeas, 42; nays, 55; absent and not voting, 25. Not agreed to.

Those who voted in the affirmative are :

Messrs. Berry, Brown, Burton, Cooke, DeLarge, Dennis, Dusenberry, Elliott, Gray, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Johnston, G. Johnson, Jackson, H. James, Jervoy, Jones, Lomax, S. J. Lee, Mayer, Mickey, McIntyre, McDaniels, Mobley, Milford, Martin, Nuckles, Neagle, Perrin, Root, Stolbrand, A. Smith, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wooley and White.—42.

Those who voted in the negative are :

Messrs. Bosemon, John Boston, Joseph Boston, Bullock, Bryant, Bishop, E. J. Cain, Collins, Driffle, Duvall, Doyle, DeMars, Ezekiel, Field, Feriter, Gardner, Grant, Holliman, Hutson, Hyde, D. J. J. Johnson, H. Johnson, S. Johnson, Jacobs, B. James, Kuh, Keith, G. Lee, Lewie, Lang, W. McKinlay, Nelson, Nash, Purvis, Prendegrass, Ransier, Richardson, Rush, Rivers, Sloan, Stewart, Stubbs, Smalls, R. M. Smith, Saunders, Shrewsbury, Smythe, Simons, Smiley, Tinsley, Valentine, Wilson, Waller, Whipper and Wright.—55.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, L. Cain, Clyburn, Chestnut, Crews, Farr, Hayes, Harris, Jenks, Littlejohn, Morrison, W. J. McKinlay, Moore, Mays, Mead, Miller, O'Connell, Pettengill, Stoerber, Sasportas, Turner, Wilder and Webb.—25.

Mr. DELARGE moved to insert "eighteen hundred" in lieu of "fifteen hundred."

Mr. SMALLS moved to indefinitely postpone the amendment. Agreed to.

Mr. ELLIOTT moved a reconsideration of the vote by which Section 1 had been passed to a third reading. Agreed to.

Mr. WHIPPER moved that the further consideration of the Bill be postponed, and that the Bill be recommitted to the Committee on Military Affairs, with instructions.

Mr. DELARGE moved to amend "and such other measures as may be deemed necessary." Agreed to.

Mr. WHIPPER moved a reconsideration of Section 2. Agreed to.

Mr. TOMLINSON moved to recommit the Section to the Committee. Agreed to.

A Bill regulating the tenure of certain offices and appointments thereto, and for other purposes, being a substitute by the Senate for a Bill vacating certain offices, was taken up.

The substitute was adopted, read the second time, and ordered to be engrossed for a third reading.

A Bill to provide a Private Secretary for the Governor was read a third time, passed, the title changed to that of an Act, and ordered to be enrolled.

A Bill (Senate) to regulate appeals and writs of error was read the third time, passed, the title changed to that of an Act, and ordered to be enrolled.

A Bill relative to a building of John G. Itgen was read a second time, and ordered to be sent to the Senate.

A Bill to transfer certain records, and for other purposes, was made the Special Order for to-morrow, at 2:30 P. M.

At 2 P. M. the House went into secret session.

At 2:20 P. M. the business of the House was resumed.

A Bill to provide for the temporary organization of the Educational Department of the State was put upon its second reading.

Mr. ELLIOTT moved that the further consideration of the Bill be postponed, and be made the Special Order for Tuesday next, at 1 P. M. Agreed to.

A Bill to regulating the manner of keeping and disbursing funds by certain officers was put upon its second reading.

Mr. ELLIOTT moved, as an amendment, to strike out in the first line,

Section 1, the words "Attorney-General," and insert in lieu thereof the word "Treasurer." Agreed to.

Sections 4 and 8 were amended, and the Bill, as amended, was read the second time, and ordered to be returned to the Senate.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a report (favorable) of the Special Committee on Disabilities on the petition of T. S. Arthur, of Greenville, for the removal of his political disabilities ;

A concurrent resolution rescinding the appointment of the Committee to investigate the disturbance in Columbia on August 1 ;

A joint resolution authorizing the Attorney-General to employ a clerk for the Solicitor ;

A concurrent resolution that the desks of the President of the Senate and Speaker of the House of Representatives be draped in mourning for thirty days, and that the flag floating over the hall be hoisted at half-staff.

The Senate sent to this House a concurrent resolution relative to defraying the expenses for fitting up the building, &c., for the General Assembly. Laid over for consideration to-morrow.

Report of (Senate) Special Committee on Disabilities (favorable) on the petition of Wm. H. Anderson, of Chester County, for the removal of his political disabilities. Laid over for consideration to-morrow.

A joint resolution providing for a clerk for the Solicitor of the General Assembly. Laid over for consideration to-morrow.

A Bill to renew the charter of the Camden Independent Fire Engine Company. Read a first time, and referred to the Committee on Incorporations.

The following members obtained leave of absence :

Mr. Hutson, for five days.

Mr. Collins, for four days.

Mr. Tomlinson, for four days.

Mr. Wright, for three days.

Mr. Cooke, for three days.

On motion, at 3:35 P. M., the House adjourned until to-morrow, at 12 M.

FRIDAY, AUGUST 14, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES, &c.

Mr. W. J. McKINLAY, from the Special Committee of Conference on Joint Rules, made a report, and recommended the following Joint Rules :

The Committee for Conference on Joint Rules having had the matter under consideration, recommend the adoption of the following Rules :

RULE 1.

Every Bill shall receive three readings, on three several days, in the House in which it originates, before it be sent to the other House.

RULE 2.

All messages between the two Houses must be in writing, and numbered in regular sequence for each session, except that messages announcing the organization of either House, or its readiness to adjourn pursuant to joint resolution, may be communicated orally by the Clerk in person.

RULE 3.

When the two Houses meet for any purpose, the President of the Senate shall preside, and discharge the duties of the Joint Assembly.

RULE 4.

Questions of disagreement between the two House shall be referred to Committees of Conference as follows : If the disagreement be upon a resolution or report adopted by one House and sent to the other House for consideration, and it be proposed to amend such resolution or report, the House in possession of the paper will send a message to the other House containing the amendment proposed. If that House disagree to such amendment, it will return a message accordingly. If the House proposing the amendment still desire to urge it, it will send a message to the other House insisting upon its amendment, and asking that a Committee for conference may be appointed, at the same time naming its own Committee of Conference. This will be granted as of course. The Joint Committee will meet and exchange views, in writing or orally, as they may deem proper. If the Committees cannot agree upon any plan of settlement, or if their report be not concurred in by both Houses, a Committee of Free Conference will be appointed on the request of either House. Such Committees shall always consist of persons who were not on the first Committee. If the Committee

of Free Conference fail to agree upon any plan of settlement, or if their report be not concurred in by both Houses, the proposition to amend is lost.

RULE 5.

When a Bill, or resolution, or any other matter, which shall have passed in one House is rejected in the other, notice thereof shall be given to that House in which the same shall have passed.

RULE 6.

Each House shall transmit to the other all papers upon which any Bill, or resolution, or report, sent to it for its consideration, shall have passed.

RULE 7.

Every Bill which shall have had three readings in each House, and shall have passed, shall be engrossed, and be signed, in the Senate House, by the President of the Senate and the Speaker of the House of Representatives, at such time as they may appoint during the session of the Senate. The Bill or Act thus signed shall be presented to the Governor by the hands of the Clerk of that House in which it shall have originated, and such Clerk shall endorse thereon the day and hour of such presentation. The Speaker of the House may attend in the Senate House for the purpose of ratifying engrossed Acts or Bills unaccompanied by the House.

On motion of Mr. STOEBER, the report was adopted.

PETITIONS, MEMORIALS, &c.

Mr. SMALLS introduced the following resolution, which was agreed to :

Resolved, That the Committee on Grievances be requested to report on the petitions of the pilots of the harbors of Charleston and Port Royal as soon as possible.

Mr. WHIPPER, pursuant to notice, and by leave of the House, introduced

A Bill to fix the amount of the official bonds of certain county officers. Read a first time, and referred to the Committee on County Offices and Officers.

Mr. JENKS introduced the following joint resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the Sergeant-at-Arms be authorized to draw from the State Treasurer one thousand dollars, to be paid J. W. Denny, State Printer, on account.

Mr. JACKSON introduced the following resolution, which was agreed to:

Resolved, That the Committee on the Penitentiary, who were instructed, by resolution adopted August 10, to inquire into the causes and circumstances connected with the imprisonment of convicts in the Penitentiary, be instructed to report the result of their investigations to this House on Friday next, August 21.

Also, the following resolution, which, on motion of Mr. RANSIER, was laid on the table:

Resolved, That so much of Rule 1 as requires the reading of the Journal of the previous day be suspended for the remainder of this session.

Mr. D. J. J. JOHNSON presented the petition of citizens of Chesterfield for the removal of the court house from Chesterfield to Cheraw. Referred to the Committee on Public Buildings.

Pursuant to notice, and by leave of the House, Mr. H. JAMES introduced

A Bill to repeal the charter of the village of Walterboro. Laid over until expiration of the morning hour.

Mr. MCINTYRE presented the petition of Robert Black to be refunded payment of one hundred and eight dollars and fifty cents on account of failure to turn over taxes at a certain time. Laid over to be referred to the Committee on Claims.

Mr THOMAS gave notice that he will to-morrow ask leave to introduce A Bill to establish a reform school for vagrant children in this State.

Mr. DRIFBLE introduced the following resolution, which was, on motion of Mr. RANSIER, referred to the Committee on Ways and Means:

Resolved, That the Tax Collectors of the State who have failed to make returns as required by law have leave until the first day of November next to complete the collection of taxes and to make their final return, and that they be, and are hereby, exempted from the penalties imposed by law for such failure: Provided, however, That they do pay over to the Treasurer by the first day of October next all moneys which have been or may be collected up to that day.

Resolved, That all executions which have been or may be issued against defaulting tax payers be suspended and stayed until the first day of November next.

Mr. LEWIE introduced the following resolution, which, on motion of Mr. FERITER, was laid on the table:

Whereas reports are in circulation to the effect that funds for the purpose

of payment of mileage and per diem of members have been received, or are accessible for said purpose, and are now being speculated on, to the detriment both of the private interests of members of this body and the credit of the State; therefore,

Be it resolved, That a Special Committee of five be appointed to investigate the subject, and report to this body at its earliest convenience; said Committee to have power, if they see fit, to send for persons and papers.

Mr. KUH gave notice that on to-morrow he will ask leave to introduce

A Bill to regulate the licensing of places wherein wine, spirituous and malt liquors are sold; and also for gaming rooms and taverns.

Mr. STOEBER presented the petition of Samuel Hale, of Marion, for the removal of his political disabilities. Referred to the Committee on Disabilities.

Mr. STUBBS introduced the following resolution, which, on motion of Mr. G. LEE, was laid on the table:

Resolved, That when the members of this body draw their pay they be paid up to date of said payment.

Mr. JOSEPH BOSTON introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence:

Resolved, by the House of Representatives, the Senate concurring, That a Committee of a sufficient number be appointed by each House, and that they be authorized to investigate and present before each House business of the most importance for the present session.

Mr. DEMARS presented the petition of J. W. Lary, of Orangeburg, praying the removal of his political disabilities. Referred to the Committee on Disabilities.

Also, the petitions of Mr. T. H. Cooke and M. C. Conner, for back pay as school teachers. Laid over to be referred to the Committee on Claims.

Mr. B. JAMES gave notice that on to-morrow he will ask leave of the House to introduce.

A Bill for a charter of a new road leading into the town of Sumter.

Mr. JACKSON gave notice that on to-morrow, or soon thereafter, he will ask leave of the House to introduce

A Bill to define the duties and pay of State officers, and to provide for their succession in office in case of death or removal, and for other purposes.

Mr. O'CONNELL introduced the following resolution, which, on motion of Mr. SHREWSBURY, was indefinitely postponed:

Resolved, That the Committee on State House and Grounds be instructed

to inquire into the present condition of that building, and report to this body at the earliest possible moment what legislation is necessary to secure said building from further damages, and also to report the probable cost of repairing the roof of said State House, and of making what other improvements may be necessary for the preservation of said building.

Mr. BOSEMOM moved to take up from the table a Bill to prevent discrimination between persons by those carrying on business under license.

On this the yeas and nays were called, and are as follows :

Yeas, 72 ; nays, 28 ; absent and not voting, 22. Agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Bennett, Brodie, Brown, Burton, John Boston, L. Cain, E. J. Cain, Chestnut, DeLarge, Dennis, Duvall, Elliott, Ezekiel, Gray, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Johnston, Jackson, Jacobs, B. James, Jervey, Kuh, Lomax, G. Lee, S. J. Lee, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Martin, Mays, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendergrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Whipper, White and Wright.—72.

Those who voted in the negative are :

Messrs. Berry, Joseph Boston, Bullock, Bishop, Clyburn, Crews, Dusenberry, Driffle, Doyle, DeMars, Field, Feriter, Grant, Henderson, Hyde, H. James, Keith, Lewie, Milford, Pettengill, Sloan, Stewart, Stubbs, R. M. Smith, Valentine, Wilson, Waller and Webb.—28.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bryant, Cooke, Collins, Farr, Hayes, Hutson, Harris, Jenks, Jones, Lang, Littlejohn, Mayer, Morrison, Moore, Mead, Stoeber, Smiley, Tomlinson, Turner, Wilder and Wooley.—22.

The Bill was taken up from the table and immediately considered.

Mr. BOSEMOM moved that the Bill be made the Special Order for 1:30 P. M. to-morrow.

Mr. HYDE moved to indefinitely postpone the motion.

SPECIAL ORDER.

Pending this the hour (1:30 P. M.) for the Special Order having arrived, the House proceeded to the consideration of a Bill to organize and govern the militia of the State of South Carolina, which was put upon its second reading.

Mr. FERITER moved to strike out Paragraph 5 in Section 1.

On this the yeas and nays were called, and are as follows :

Yeas, 15; nays, 79; absent and not voting, 28. Not agreed to.

Those who voted in the affirmative are:

Messrs. Bullock, Clyburn, Crews, Duvall, Doyle, Feriter, Keith, Lewie, Wm. McKinlay, Pettengill, Sloan, Stewart, R. M. Smith, Wilson and Walker.—15.

Those who voted in the negative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Boscmon, Bennett, Berry, Brodie, Brown, Burton, John Boston, Bishop, L. Cain, E. J. Cain, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Gray, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Henderson, Hyde, D. J. J. Johnson, Henry Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervex, Jones, Kuh, G. Lee, S. J. Lee, Lang, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Mays, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Strolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Valentine, Wright and Webb.—79.

Those absent and not voting are:

Messrs. Joseph Boston, Bryant, Cooke, Collins, Field, Farr, Hayes, Hutson, Harris, Jenks, Jackson, Lomax, Littlejohn, Mayer, Morrison, McIntyre, Moore, Mead, Purvis, Stoeber, Stubbs, Smiley, Tomlinson, Turner, Wilder, Wooley, Whipper and White.—28.

Mr. ELLIOTT moved to amend by inserting before the word minister, in Section 1, fifth line, the words "regularly ordained or licensed." Agreed to.

Mr. G. LEE moved to amend by inserting in the fifteenth line of Section 1, between the words "military" and "duty," the words "or naval."

Mr. JACKSON moved to strike out the words "habitual drunkard" in the first line of Section 3. Agreed to.

Mr. MARTIN moved to add after the word "duty" in the second line of Section 3, "and also every person who shall pay to the County Treasurer three dollars annually, in the month of January, shall be exempt from ordinary militia duty."

On motion, the amendment was indefinitely postponed.

Mr. DELARGE moved that the further reading of the Bill be temporarily suspended. Agreed to.

A Bill regulating the tenure of certain offices and appointments thereto, and for other purposes, was taken up and read the third time, passed, the title changed to an Act, and ordered to be enrolled.

The consideration of a Bill to organize and govern the militia of the State of South Carolina was resumed.

Section 4 was passed to a third reading.

Mr. DELARGE moved that the Rule requiring an adjournment at 3 P. M. be suspended.

Mr. NEAGLE moved to amend by adding "for the remainder of this session."

The motion, as amended, was agreed to.

The SPEAKER obtained leave to absent himself from the House for to-morrow on important business.

The reading of the Bill was again suspended, and the House proceeded to the consideration of the Special Order for 2 P. M., being the joint resolution recommended by the Committee on Ways and Means to grant the petition of W. J. Robinson, executor of Maria Brisbane, deceased.

The resolution, which is as follows, was agreed to, and ordered to be sent to the Senate for concurrence:

Resolved, by the House of Representatives, the Senate concurring, That the State Treasurer be, and he is hereby, authorized and instructed to issue to the executor of the estate of Maria Brisbane, deceased, or his legal representatives, a renewal of six (6) per cent. State stock, Act of 1856, redeemable on the 1st of January, 1877, No. 33, for \$3,090, in the name of the said Maria Brisbane, deceased, in lieu of the original, which has been lost or mislaid.

Mr. DELARGE moved that so much of the Rule be suspended as requires the House to meet at 12 M. Agreed to.

Mr. ELLIOTT moved that when this House adjourns, it stand adjourned to meet to-morrow, at 10 A. M.

Mr. WEBB moved that a Committee of three be appointed to investigate and have abated a nuisance complained of, viz.: smoke from the adjoining buildings entering the hall through the open windows. Agreed to.

The SPEAKER appointed Messrs. Webb, Pettengill and Jones as the Committee.

SPECIAL ORDER FOR 2:30 P. M.

A Bill to transfer certain records, and for other purposes, was taken up. On motion of Mr. KEITH, it was

Resolved, That the Bill be recommitted to the Committee on the Judiciary, with instructions to report a Bill requiring the officers of the Court for Pickens District, except the Commissioners in Equity, to transfer the records of their offices to the respective officers of one of the counties, who shall be authorized to receive them; that the records of the office of Commissioner in Equity shall be removed to the same court house to which the

other records are transported, but shall continue in the custody of the Commissioner until January, 1869, when he shall turn them over to the proper officer.

Mr. ELLIOTT moved to suspend so much of the Rule (41) as requires that no new motion to adjourn shall be in order until fifteen minutes shall have elapsed from the decision of the former motion. Agreed to.

The following members obtained leave of absence :

Mr. Bryant, for ten days.

Mr. Hyde, for five days.

Mr. Jervey, for four days.

Mr. Lewie, for three days.

Mr. Johnston, for three days.

Mr. J. N. Hayne, for three days.

Mr. Saunders, for two days.

On motion, at 3 P. M., the House adjourned until 10 A. M. to-morrow.

SATURDAY, AUGUST 15, 1868.

Pursuant to adjournment, the House met at 10 o'clock A. M.

The SPEAKER *pro tem.*, Mr. Ransier, took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. M. THOMAS.

The reading of the Journal of the previous day, by unanimous consent, was dispensed with.

The following paper was presented to be entered on the Journal :

We, the undersigned, availing ourselves of a privilege accorded by the Constitution of South Carolina, adopted in 1868, desire to have our names recorded on the Journal of the House of Representatives as voting "no" on the resolutions of the member from Sumter, referring to the death of Thaddeus Stevens, passed yesterday.

(Signed)

O. M. DOYLE,
W. C. KEITH,
B. FRANK SLOAN,
J. WILSON,
R. M. SMITH,
ZADOC BULLOCK,
WM. T. FIELD,
T. F. CLYBURN,
W. G. STEWART.

PETITIONS, RESOLUTIONS, &c.

Mr. DELARGE introduced the following resolution, which was agreed to :

Resolved, That from and after the passage of this resolution, the tax Bill be made the Special Order for half-past 1 o'clock each day during this session until the said Bill is disposed of.

Mr. DELARGE presented the account of M. W. Clement, Tax Collector of St. Paul's Parish, for *nulla bona* tax executions returned to the Sheriff's office for 1866. Laid over to be referred to the Committee on Claims.

Mr. JENKS presented the account of the Charleston Daily News for advertising. Laid over to be referred to the Committee on Claims.

Mr. DEMARS presented the petition of W. R. Treadwell, Magistrate, asking for relief, as he is unable to collect his pay for services done the State, in consequence of papers having been lost or mislaid. Laid over to be referred to the Committee on Claims.

Mr. S. B. THOMPSON presented the petition of John Caldwell, asking for the payment of past due interest of the bonds of the Charleston and Savannah Railroad Company. Referred to the Committee on Railroads.

Mr. DRIFLE presented the petition of Henry James, praying the remission of certain taxes. Referred to the Committee on Ways and Means.

Pursuant to notice, and by leave of the House, Mr. B. JAMES introduced

A Bill to open a new road in Sumter County.

The Bill was read the first time, and referred to the Committee on Roads, Bridges and Ferries.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to prevent discrimination between persons, by those carrying on business under license, on account of race, color, or previous condition, was taken up.

The Bill was put upon its second reading.

Mr. DELARGE moved to postpone the further consideration of the Bill until Monday, at 1:30 P. M.

Mr. JOHNSTON moved the indefinite postponement of the motion. Agreed to.

Mr. WHIPPER moved to amend Section 1, first line, after the word "for" to insert "common carriers or."

On this the yeas and nays were called, and are as follows :

Yeas, 73 ; nays, 20 ; absent and not voting, 29.

So the amendment was adopted.

Those who voted in the affirmative are :

Messrs. Bosemon, Bennett, Berry, Brown, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, Chestnut, DeLarge, Driffle Elliott, Ezekiel, Gray, Gardner, Goodson, C. D. Hayne, Humphries, Holliman, Henderson, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McDaniels, Mobley, Mays, Nelson, Nash, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Valentine, Wilder, Wooley, Whipper and White.—73.

Those who voted in the negative are :

Messrs. Bullock, Bishop, Clyburn, Crews, Dusenberry, Doyle, DeMars, Field, Feriter, Grant, Keith, Miller, O'Connell, Pettengill, Sloan, Stewart, Stubbs, R. M. Smith, Wilson and Webb.—20.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Bryant, Cooke, Collins, Dennis, Duvall, Farr, Hayes, J. N. Hayne, Hutson, Harris, Hyde, Jenks, Jervey, Lewie, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Moore, Milford, Martin, Mead, Saunders, Tomlinson, Turner, Waller and Wright.—29.

Mr. G. LEE moved to amend Section 1, in the third line, by inserting the words "or charter" between the words "license" and "is." Agreed to.

Mr. ROOT moved to amend Section 1, in the third line, by inserting, after the word "charter," the words "or permit." Not agreed to.

Section 1, as amended, was passed to a third reading.

Mr. H. JAMES moved to amend Section 2, in the third line, by striking out the word "six" and inserting in lieu thereof the word "twelve." Agreed to.

Section 2, as amended, was passed to a third reading.

Mr. G. LEE moved to reconsider the vote by which Section 2 was passed to a third reading, and to lay the motion to reconsider on the table. Agreed to.

On the passage of Section 3 to a third reading the yeas and nays were called, and are as follows :

Yeas, 67 ; nays, 20 ; absent and not voting, 35. Agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Bennett, Brown, Burton, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Chestnut, DeLarge, Driffle, Elliott, Ezekiel, Gray, Gardner, Goodson, C. D. Hayne, Humphries, Holliman, Henderson, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Johnston, Jackson, Jacobs, B. James, H. James, Jones, Kuh, Lomax, G. Lee, S. J. Lee,

Mayer, W. McKinlay, Mickey, McDaniels, Mobley, Mays, Nelson, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Whipper and White.—67.

Those who voted in the negative are :

Messrs. Bullock, Clyburn, Crews, Dusenberry, Doyle, DeMars, Field, Feriter, Grant, Keith, O'Connell, Pettengill, Sloan, Stewart, Stoeber, Stubbs, R. M. Smith, Wilson, Wilder and Wooley.—20.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Bryant, Cooke, Collins, Dennis, Duvall, Farr, Hayes, Hutson, J. N. Hayne, Harris, Hyde, Jenks, Jervey, Lewie, Lang, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Moore, Milford, Martin, Mead, Miller, Nash, Saunders, Tomlinson, Turner, Valentine, Waller, Wright and Webb.—35.

SPECIAL ORDER.

At the hour of 1 P. M. the Special Order was called up, which was the consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County.

On motion, the consideration of the Special Order was discharged, and the House resumed the consideration of a Bill to prevent discrimination between persons, by those carrying on business under license, on account of race, color, or previous condition.

On the passage of Section 4 to a third reading the yeas and nays were called, and are as follows :

Yeas, 65 ; nays, 22 ; absent and not voting, 35. Agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Bennett, Brown, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, Chestnut, Driffle, Elliott, Ezekiel, Gray, Gardner, Goodson, C. D. Hayne, Humphries, Holliman, Henderson, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McDaniels, Mobley, Mays, Nelson, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Whipper and White.—65.

Those who voted in the negative are :

Messrs. Bullock, Bishop, Clyburn, Crews, Dusenberry, Doyle, DeMars, Field, Feriter, Keith, O'Connell, Pettengill, Sloan, Stewart, Stoeber, Stubbs, R. M. Smith, Tinsley, Wilson, Wilder, Wooley and Webb.—22.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Bryant, Cooke, Collins, DeLarge, Dennis, Duvall, Farr, Grant, Hayes, J. N. Hayne, Hutson, Harris, Hyde, Jenks, Jervey, Lewie, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Moore, Milford, Martin, Mead, Miller, Nash, Saunders, Tomlinson, Turner, Valentine Waller and Wright.—35.

Mr. PURVIS moved to amend by adding the following as Section 5 to the Bill :

SECTION 5. That all associations holding a charter which shall discriminate as to membership, on account of race, color, or former condition, shall forfeit such charter.

On motion, the amendment was indefinitely postponed.

On the question " Shall the Bill, as amended, be passed to a third reading?" the yeas and nays were called, and are as follows :

Yeas, 60 ; nays, 24 ; absent and not voting, 38.

So it passed in the affirmative.

Those who voted in the affirmative are :

Messrs. Bosemon, Bennett, Brown, John Boston, L. Cain, E. J. Cain, Chestnut, Driffler, Elliott, Ezekiel, Gray, Gardner, C. D. Hayne, Humphries, Holliman, Henderson, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McDaniels, Mobley, Mays, Nelson, Nuckles, Neagle, Perrin, Preudegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas and Whipper.—60.

Those who voted in the negative are :

Messrs. Bullock, Bishop, Clyburn, Crews, Dusenberry, Doyle, DeMars, Field, Feriter, Grant, Keith, O'Connell, Purvis, Pettengill, Sloan, Stewart, Stoerber, Stubbs, R. M. Smith, Tinsley, Wilson, Wilder, Wooley and Webb.—24.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Burton, Joseph Boston, Bryant, Cooke, Collins, DeLarge, Dennis, Duvall, Farr, Goodson, Hayes, J. N. Hayne, Hutson, Harris, Hyde, Jenks, Jervey, Lewie, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Moore, Milford, Martin, Mead, Miller, Nash, Saunders, Tomlinson, Turner, Valentine, Waller, White and Wright.—38.

Mr. O'CONNELL desired the following to be entered on the Journal as his reasons for voting " nay :"

While I believe that all men are created equal, and have the same rights to life, liberty and the pursuit of happiness, as guaranteed to all persons by the Constitution, without regard to race, color, or previous condition, still I oppose the passage of this Bill, as I believe that its introduction at the present time is impolitic, and I am of the opinion that its passage at this date will operate against the Republican party in the coming election. As regards the election of Grant and Colfax, although to some people it may appear to be of secondary importance only, to me it is a question of vital moment, as my home is in South Carolina, where this election shall decide upon the life or death of the Republican party, and nothing should be done now that would endanger that election. I further believe in the principle that a "man's house is his castle;" that he has a right to admit whom he pleases; and compulsory legislation on this matter would imperil the liberties of the citizen, which, in a government of the people, is paramount to everything. The fact that a man is necessitated by law to take out a license to carry on a certain business does not necessarily deprive him of the right to select his own guests, which is naturally a result of freedom and equal rights.

Mr. ELLIOTT, from the Committee on Railroads, made a report on a Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement, and recommended certain amendments.

The Bill was laid over for future consideration.

The consideration of the Special Order (report of the Committee on Privileges and Elections) was resumed.

Mr. G. LEE moved to discharge the Special Order until Wednesday next, at 1 P. M. Agreed to.

Mr. DELARGE gave notice that on Monday he will introduce

A Bill to amend the charter of the Cheraw and Coalfields Railroad Company; also,

A Bill to enable the Chatham Railroad Company to extend their road to Columbia.

Mr. JENKS, from the Committee on Enrolled Bills, reported the following as having been duly and correctly enrolled, received the broad seal of the State, and ready for ratification:

An Act to provide a Private Secretary for the Governor of the State;

An Act regulating the tenure of certain offices and appointments thereto, and for other purposes.

Mr. JENKS desired to be recorded on the Journal that he voted "yes" on the passage of the Bill to prevent discrimination between persons, by those carrying on business under license, on account of race, color, or previous condition, to a third reading. His absence from the House when the

vote was taken was necessitated by important public business connected with this Committee (Committee on Enrolled Bills).

A Bill to alter the charter of the village of Walterboro was read a first time, and referred to the Committee on Incorporations.

At the hour of 1:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the assessment and taxation of property was taken up.

Pending the consideration of the Bill, the House, on motion of Mr. ELLIOTT, took a recess until Monday, at 12 M.

MONDAY, AUGUST 17, 1868.

The House met at 12 M., pursuant to the recess taken on Saturday.

The SPEAKER resumed the chair.

A call of the House was ordered, and eighty-nine members answered to their names.

On motion of Mr. G. LEE, the further call was suspended.

The consideration of the Bill to provide for the assessment and taxation of property was resumed.

Mr. WILDER moved to amend the thirteenth line of Section 7 by inserting between the words "sheep and" the word "goats" Agreed to.

Mr. G. LEE moved to amend the sixteenth line of Section 7 by adding "melodeons and cabinet organs." Agreed to.

After the passage of Section 9 to a third reading, Mr. DELARGE moved to temporarily postpone the further consideration of the Bill. Agreed to.

On motion of Mr. DELARGE, the business of the morning hour was taken up.

On motion of Mr. DELARGE, it was

Resolved, That so much of the Rules as requires one day's notice of the introduction of Bills be suspended until the end of this session.

REPORTS FROM COMMITTEES, &c.

Mr. STOLBRAND, from the Committee on Military Affairs, reported back a Bill to establish a State police.

On motion of Mr. WILDER, the report was laid on the table, and the Bill made the Special Order immediately after the morning hour.

Mr. STOEBER, from the Committee on the Penitentiary, reported by a Bill to provide for the re-organization and government of the South Carolina Penitentiary. Read the first time, and ordered to be printed.

Mr. RANSIER, from the Committee on Privileges and Elections, reported by a Bill to regulate elections, and to punish the abuse of the elective franchise. Read a first time, and ordered to be printed.

PETITIONS, RESOLUTIONS, &c.

Mr. SLOAN gave notice that on to-morrow, or some subsequent day, he will introduce

A Bill to renew the charter of Pendleton village, in the County of Anderson.

Mr. WHIPPER, by leave, introduced

A Bill to establish the Justice Courts and define the duties thereof. Read a first time, and referred to the Committee on the Judiciary.

Also, a Bill to provide for the mileage and per diem of the members of the General Assembly. Read a first time, and referred to the Committee on Ways and Means.

Mr. G. LEE introduced the following resolution :

Resolved, That there be, for the remainder of the session, an evening session of this House of Representatives on Mondays, Wednesdays and Fridays, meeting at 7 and adjourning at 10 o'clock, until otherwise ordered by two-thirds of the members present.

On motion of Mr. DELARGE, the resolution was laid on the table.

Pursuant to notice, and by leave of the House, Mr. DELARGE introduced

A Bill to enable the Chatham Railroad Company to extend their road to Columbia. Read a first time, and referred to the Committee on Railroads.

Also, a Bill to amend the charter of the Cheraw and Coalfields Railroad Company. Read a first time, and referred to the Committee on Railroads.

Also, a Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina. Read a first time, and referred to the Committee on Ways and Means.

Also, a Bill to authorize a State loan to pay the interest on the public debt. Read a first time, and referred to the Committee on Ways and Means.

Mr. JENKS, by leave, introduced

A Bill to provide for the election by the State of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress. Read a first time, and referred to the Committee on Privileges and Elections.

Mr. BURTON, by leave, introduced

A Bill to compel owners of stock to keep them within a safe enclosure.
Read a first time, and referred to the Committee on Agriculture.

Mr. FERITER introduced the following resolution, which was agreed to, and a message sent accordingly :

Resolved, That a message be sent to the Senate inviting that body to go into an election on Tuesday, the 18th instant, at 2 P. M., for eight Circuit Judges.

Mr. JAMES introduced the following resolution, which was agreed to :

Resolved, That the Committee on Privileges and Elections be instructed to report a Bill to prevent any person or persons from carrying arms to the polls on the days of election.

SPECIAL ORDER.

At the hour of 1:30 P. M., the House proceeded to the consideration of the Special Order—a Bill to provide for the assessment and taxation of property.

On motion of Mr. DELARGE, the Special Order was temporarily discharged.

The House then proceeded to the consideration of a (Senate) Bill to establish a State police, with the amendments of the Committee on Military Affairs on the part of this House.

The Bill was put upon its second reading.

Mr. SMALLS moved to fill up the blank in the Bill by inserting "fifteen hundred." Agreed to.

The Bill was read a second time, and ordered to be engrossed for a third reading.

SPECIAL ORDER.

The House resumed the consideration of a Bill to provide for the assessment and taxation of property.

Mr. RANSIER moved to amend to strike out, in second line of Section 24, the word "some," and insert in lieu thereof the word "any." Agreed to.

Mr. BOSEMON moved to amend Section 45 by striking out the word "variant" in the fifth line, and insert in lieu thereof the word "varying." Agreed to.

Section 52 was read and passed to a third reading.

Mr. DELARGE moved that the House take a recess until 5 P. M.

On this the yeas and nays were called, and resulted as follows :

Yeas, 20 ; nays, 60 ; absent and not voting, 42. Not agreed to.

Those who voted in the affirmative are:

Messrs. Berry, Bullock, Chestnut, Crews, DeLarge, Doyle, DeMars, Field, Goodson, Jackson, Kuh, G. Lee, S. J. Lee, Perrin, Pettengill, Ransier, Stoeber, Stubbs, Scott and Wilson.—20.

Those who voted in the negative are :

Messrs. Bosemon, Bennett, Brown, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Clyburn, Dusenberry, Driffle, Elliott, Ezekiel, Feriter, Gardner, Grant, C. D. Hayne, Humphries, Holliman, Henderson, Jenks, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jones, Lomax, Lang, Mayer, William McKinlay, McDaniels, Mobley, Milford, Martin, Mays, Mead, Miller, Nelson, Nuckles, O'Connell, Purvis, Prendegrass, Richardson, Rush, Rivers, Stewart, Stolbrand, Smalls, A. Smith, Smythe, Sasportas, Simons, S. B. Thompson, Thomas, Tinsley, Wilder, and Webb.—60.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Burton, Bryant, Cooke, Collins, Dennis, Duvall, Farr, Gray, Hayes, J. N. Hayne, Hutson, Harris, Hyde, Johnston, Jervey, Keith, Lewie, Littlejohn, Morrison, W. J. McKinlay, Mickey, McIntyre, Moore, Nash, Neagle, Root, Sloan, R. M. Smith, Saunders, Shrewsbury, Smiley, B. A. Thompson, Tomlinson Turner, Valentine, Waller, Wooley, Whipper, White and Wright.—42.

The consideration of the Bill was resumed.

Section 53 was passed to a third reading.

At 3:20 P. M., on motion of Mr. RANSIER, the House took a recess until 5:30 P. M.

RECESS.

The SPEAKER resumed the chair, and called the House to order at 5:30 P. M.

The House resumed the consideration of a Bill to provide for the assessment and taxation of property.

Mr. RANSIER moved to amend Section 85, on the eighth line, by inserting between the words "the" and "complained" the word "person." Agreed to.

Mr. JACKSON moved to amend Section 99 by adding after the word "paper," at the end of the sixth line, the words "and if no paper is published in the county, then such notice shall be given, and in such manner, as the County Treasurer shall direct." Agreed to.

The Bill, as amended, was read the second time, and on the question "Shall the Bill pass to a third reading and be ordered to be engrossed?" it passed in the affirmative.

Mr. DELARGE moved that so much of the Rules as requires this House to meet at 12 M. be suspended. Agreed to.

Mr. DELARGE then moved that when this House adjourns, it stand adjourned until 11 A. M. to-morrow.

The following paper was presented to be entered on the Journal :

We, the undersigned, members of the House of Representatives, availing ourselves of the Constitutional privilege granted us, hereby enter our protest against the passage to-day of a Bill entitled "A Bill to establish a State police," and assign for reasons :

1st. That the Bill is unconstitutional, inasmuch as it confers on the Governor rights and powers not recognized by the Constitution.

2d. Its provisions are repugnant to the true spirit of Republican institutions, in impairing the rights of personal security, personal liberty and private property.

3d. It is inexpedient, inasmuch as it will impair the credit of the State by preventing the introduction of capital and labor, being based upon the supposition that the laws are unable to protect the citizen.

(Signed)

ZADOC BULLOCK,
W. W. WALLER,
T. F. CLYBURN,
O. M. DOYLE,
W. C. KEITH,
JOHN WILSON,
W. T. FIELD,
B. FRANK SLOAN,
R. M. SMITH.

The following members obtained leave of absence :

Mr. Scott, for six days.

Mr. Gray, for five days.

At 8 P. M., on motion of Mr. JACKSON, the House adjourned until to-morrow, at 11 A. M.

TUESDAY, AUGUST 18, 1868.

Pursuant to adjournment, the House met at 11 o'clock A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. BURTON.

The Journal of the previous day was read and confirmed.

REPORTS FROM COMMITTEES.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to define the jurisdiction and regulate the practice of the Probate Courts.

On motion, the report was laid on the table to take up the Bill.

On motion of Mr. STOEBER, the report of the Committee on the Penitentiary was taken up from the table and read.

On motion of Mr. G. LEE, the report was again laid on the table.

RESOLUTIONS, &c.

Pursuant to notice, and by leave of the House, Mr. SLOAN introduced A Bill to renew the charter of the village of Pendleton, in the County of Anderson. Read a first time, and referred to the Committee on Incorporations.

Mr. WHIPPER, by leave, introduced

A Bill to establish the office and define the duties of a County Prosecuting Attorney. Read a first time, and referred to the Committee on the Judiciary.

Mr. JENKS introduced the following resolution, which was agreed to :

Resolved, by the House of Representatives, That the Printer, J. W. Denny, be paid one thousand dollars, on account, from any funds now in the Treasury of the State not otherwise appropriated. If there are no other funds available, the same to be paid in Bills Receivable at a value of seventy cents on a dollar.

The following was presented to be recorded on the Journal :

We vote "no" on the resolution to pay the sum of \$1,000 to the State Printer, out of the Bills Receivable of the State in the Treasury, at 30 per cent. discount, because we deem it unwise for the Legislature to place a discount on the currency of the State; and further, because it will be an encouragement to brokers and others to still further depreciate the value of the said bills.

(Signed)

R. B. ELLIOTT,
Representative from Barnwell County.

R. C. DELARGE,
Representative from Charleston.

CHARLES D. HAYNE,
Representative from Barnwell County.

On motion of Mr. STOEBER, the report of the Committee on the Penitentiary was taken up from the table, and the report was, on motion, adopted.

Mr. STOEBER introduced the following resolution, which was agreed to :

Resolved, That a Committee of three be appointed to wait upon His Excellency the Governor and request him to issue the necessary orders to the Superintendent of the Penitentiary to make the amendments on the rules of the Penitentiary as recommended in the report of the Committee on the Penitentiary.

The SPEAKER announced as the Committee Messrs. Stoeber, Nuckles and Mead.

Mr. SIMONS presented the petition of Dr. Thomas J. Rawls in relation to the hospital of the city of Columbia. Referred to the Committee on Ways and Means.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to regulate elections and to punish the abuses of the elective franchise was taken up.

The Bill was put upon its second reading.

Mr. RANSIER moved to amend Section 1, third line, by inserting between the words "for" and "incorporated" the words "the election of officers of." Agreed to.

Mr. TOMLINSON moved to amend Section 1, fourth line, by inserting the word "when" between "except" and "otherwise." Agreed to.

Mr. TOMLINSON moved to amend Section 1, sixth line, by inserting the word "those" between "as" and "provided." Agreed to.

Section 1, as amended, was passed to a third reading.

On motion of Mr. JENKS, the further consideration of the Bill was postponed and made the Special Order for Monday next, at 12:30 P. M.

Mr. DELARGE, from the Committee on Ways and Means, reported on a Bill to provide for the appointment of Tax Collectors in this State.

On motion, the report was laid on the table to take up the Bill.

Also, from the same Committee, a report on a Bill to close the operations of the Bank of the State of South Carolina.

On motion, the report was laid on the table to take up the Bill.

A Bill to provide for the reorganization and government of the South Carolina Penitentiary was put upon its second reading.

Sections 2 and 3 were amended.

Mr. TOMLINSON moved to postpone the further consideration of the Bill until to-morrow, at 1:30 P. M.

Mr. WHIPPER moved to amend by postponing it until Tuesday next, at 1:30 P. M.

The motion, as amended, was agreed to.

The consideration of a Bill to organize and govern the militia of the State of South Carolina, being the unfinished business of Friday, the 14th instant, was resumed.

The second reading of the Bill was continued from Section 5.

Sections 13, 14 and 15 were amended, and Section 17 stricken out.

Section 19 was amended and passed to a third reading.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the temporary organization of the Educational Department of the State.

On motion of Mr. ELLIOTT, the amendment offered by Mr. W. J. McKinlay, when the Bill was under consideration August 13, to amend the ninth line, Section 1, by striking out the words "five hundred," was taken up."

The amendment was, on motion, indefinitely postponed.

Mr. SMALLS moved, as an amendment to Section 1, to strike out the words "two thousand and five hundred" in the ninth line, and insert in lieu thereof "eighteen hundred."

On motion, the amendment was indefinitely postponed.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 9.

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, August 18, 1868.

Mr. Speaker of the House of Representatives:

His Excellency the Governor has this day approved and signed the joint resolutions petitioning Congress for the removal of the political disabilities of Geo. Buist, W. J. Mixson, Thompson H. Cooke, Wm. N. Mount, Geo. Boliver, William Hill and S. D. Goodlett.

Very respectfully,

Your obedient servant,

(Signed)

JOHN HEART,

Private Secretary.

Also,

MESSAGE FROM THE GOVERNOR, No. 10.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 18, 1868.

Mr. Speaker of the House of Representatives:

His Excellency the Governor has this day approved the following Acts, viz.:

1. An Act regulating the tenure of certain offices and appointments thereto, and for other purposes.
2. An Act to incorporate the Cheraw Hook and Ladder Company.
3. An Act to incorporate the Langley Manufacturing Company, of Edgefield County.

Very respectfully,

Your obedient servant,

(Signed)

JOHN HEART,

Private Secretary.

Also,

MESSAGE FROM THE GOVERNOR, No. 11.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., August 18, 1868.

Mr. Speaker of the House of Representatives:

SIR: I have the honor to transmit to the House of Representatives the accompanying report of John A. Wagener, Esq., Commissioner of Emigration.

Very respectfully,

Your obedient servant,

(Signed)

ROBERT K. SCOTT, Governor.

SOUTH CAROLINA BUREAU OF IMMIGRATION,
CHARLESTON, August 18, 1868.

To His Excellency the Governor of South Carolina.

SIR: I have the honor to submit to your Excellency the accompanying statement, showing that there is a balance of \$10,289.19 of the Contingent Fund remaining at the disposal of the Executive for immigration purposes, subject only to this day's draft of \$643.89, the European agencies having been paid in advance to the 1st of October and 1st of November next, respectively.

I am grieved to learn that efforts are now being made to repeal the Act establishing this Bureau. The immigration of an industrious and frugal peo-

ple has incontrovertibly proved a source of great prosperity everywhere, and I am sure our State, above all others, would find an incalculable advantage in obtaining additional and efficient aid in the development of her numerous resources. There is not a class of people that could in any manner be injured by it. On the contrary, even the humblest laborer will find that the greater the yield of our fields, the more extensive and thorough our cultivation, and the more numerous our farms and settlements, so much the more multiplied and remunerative will be his chances of employment and prosperity. Our general resuscitation is the certain foundation of every individual success and comfort, wherever proper and industrious habits prevail and sobriety and thrift are cultivated. But I am aware that your Excellency understands this well, and therefore it needs not that I should enlarge to you upon the many reasons for a continuance of the law, although there can be no objections to a change of the officers appointed to carry it into effect. If for nothing more than as a medium of communication of the land owner and land seeker, this office is of sufficient importance and value to be continued.

Since my last report twenty-four persons have arrived in the State, of whom this office has obtained cognizance. They have all obtained employment, two families of them, numbering eight persons, having settled on their own account. One of these has brought a capital of three thousand dollars in gold—enough to start comfortably. In November next the Bremen barque Gauss may be expected to arrive from Bremen, and will probably bring some three hundred immigrants. A few are now on the way over New York and Baltimore. The agents, however, report a continued disposition in Europe to discourage immigration to the South; but there are, nevertheless, numbers of the laboring class willing to enter into service contracts, provided their passage could be furnished them, and mechanics, provided employment could be secured. It has been one of our greatest impediments that our enterprising land owners have been short of the ready means to provide for this contingency, and thus our success has been far short of what it could have been under more favorable circumstances. It seems, however, that with the blessings of Providence we may hope for a remunerating crop, and the means resulting from such a happy occurrence will perhaps enable us to accomplish better actual results in the future. Indeed, our people are just now beginning to take a very lively interest in the purposes of this Bureau, and are forming associations everywhere to aid its efforts. In one of our Districts a society has been established with a capital of one hundred thousand dollars in lands and ten thousand dollars in cash subscriptions. I am happy to state, at the same time, that in Europe, and in nearly every one of our Northern States, the peculiar advantages of our State are beginning to be appreciated, which I judge by numerous inquiries which I have to respond

to almost every week; and I am fully convinced that our day of success will soon arrive.

I have received advices from a shipping house in Liverpool that arrangements can be made to have immigrants forwarded upon accepted orders at £5 each passenger, including berth, water, fuel and food, according to the sufficient scale of the British Navigation Act. The Cunard steam line has also written, and seems to be willing to enter into a fair and liberal arrangement for the transmission of immigrants to Charleston. With Bremen a credit order mode of transmission is already completed, and the Hamburg and New Orleans steam line is willing to touch at Charleston on reasonable conditions, which our merchants will perhaps be able to comply with whenever their prospects of business will warrant the venture. I am glad to learn that Savannah has had enterprise enough to accomplish direct steam communication with Europe; but I am sorry that Charleston has not secured the honor and advantage of having been first in the patriotic effort. I had the idea that our city could become the port of entry for the immigration to the Southwestern States. The railroads are willing to facilitate such a measure, and if our State was in condition to assist a regular European steam line, it might be accomplished, and would be of incalculable benefit to both our city and State. One-half of the required capital can readily be had in Europe. If the Blue Ridge Railroad could soon be carried through, our route even to Cincinnati would be preferable to any other. I had another plan besides the above for advancing the interests of our State and the cause of immigration. South Carolina has no public lands. The public lands in the Western States are a very great incentive to adventurous people and capital. I wished every District in the State to establish a cotton yarn factory in this manner: That every land owner subscribe a certain area of land at a very reasonable stated valuation towards the capital stock, receiving so many shares in return; that the State take these lands at their valuation, and pay for them in bonds; that these bonds pay for the mill and machinery and furnish the working capital. To insure the success of these factories, subscription lists might be started, binding each planter for a certain number of years to furnish a certain portion of his crop to the mill, to be yarned on toll. Thus a system of industry could be initiated to be of great aid in advancing the value of our productions in giving employment to numbers of poor people, light work for women and children, and in creating a system of public lands for our State that now has none. The value of our staple would be increased at least twenty-five per cent., and it would find as ready a market as now. Russia purchases all her cotton in yarns. I have made inquiries, and find that such factories could be established for sixty thousand dollars and upwards, each.

In the appreciation of the great enterprise of the people of the Northern

States, I have exerted myself to disseminate among them, also, such information as might perhaps induce them to come among us and assist us in the development of our resources. New riches are springing up for us—in the coast regions our phosphates, and in the mountains valuable minerals. What blessings are in store for us if we can only obtain the capital and enterprise to develop them! Our registries of land now embrace about 350,000 acres, but I am satisfied that several millions of acres more may easily be had on fair and reasonable terms and conditions. Besides, our people are more willing every day to offer fair and liberal wages, or to give a fair and liberal share of the crop to the laborer, and thus our prospects might improve, from day to day, until we should be once more prosperous, happy, united and contented, if we could only appreciate that our noble old State looks to every one of her children, whether white or colored, rich or poor, native or adopted, not only to venerate her dignity, observe her laws, keep sacred her graves and unsullied her name, but to endeavor, with heart and arm, to re-elevate her fallen fortunes, and to develop the blessings with which kind Heaven has so plentifully endowed her.

In view of the probable repeal of the Immigration Act, I have given our agents timely warning to prepare for their return home at the expiration of their terms, which will be October 1 and November 1 next, respectively. If your Excellency should determine otherwise, they can easily be instructed. But, under all circumstances, a modification of arrangements may be advisable, which, in a future communication, I shall beg leave to suggest.

I have the honor to be,

Your Excellency's obedient servant,

JOHN A. WAGENER,
Commissioner of Immigration.

FINANCIAL STATEMENT.

SOUTH CAROLINA BUREAU OF IMMIGRATION,

CHARLESTON, August 18, 1868.

To balance remaining January 1, 1868, undrawn of the appropriation of 1867.....	\$2,992 78
To appropriation by General Canby's tax order for the year 1868	10,000 00
	<hr/>
Undrawn January 1, 1868	\$12,992 78

BY EXECUTIVE DRAFTS :

For quarterly salary and expenses of Commissioner to
February 18.....\$421 10

For agent (Ferlov), salary and contingent to October 1, 1868.....	950 00
For agent (Melchers), salary and contingent to November 1, 1868... ..	950 00
For quarterly salary and expenses of Commissioner to May 18	382 49— \$2,703 59
Balance undrawn August 18.....	\$10,289 19

Respectfully submitted,
 JOHN A. WAGENER, Commissioner.

The consideration of the Bill previously under discussion was resumed. Section 3 was passed to a third reading.

Pending this, at the hour of 1:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the assessment and taxation of property was put upon its third reading.

After the third reading of the Bill, to Section 64 inclusive, Mr. JENKS introduced the following resolution :

Resolved, That the resolution adopted by this body making the consideration of the tax Bill a Special Order for half-past 1 o'clock each day be, and the same is hereby, rescinded.

On motion of Mr. DRIFFLE, the resolution was laid on the table.

On motion of Mr. RANSIER, the House took a recess until 4:30 P. M.

RECESS.

The SPEAKER resumed the chair.

A call of the House was ordered, and sixty-four members answered to their names.

On motion of Mr. C. D. HAYNE, the further call was suspended.

The consideration of a Bill to provide for the assessment and taxation of property was renewed.

The Bill was read the third time, and on the question " Shall the Bill pass and be ordered to be sent to the Senate?" it passed in the affirmative.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 7.

IN THE SENATE, COLUMBIA, S. C., August 14, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

I have the honor to respectfully inform your body that under a resolution

adopted by this body, Messrs. H. E. Hayne and W. R. Hoyt have been appointed a Committee on the part of the Senate to act in conjunction with the House Committee to investigate the cause and circumstances connected with the imprisonment of convicts now confined in the State Penitentiary.

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 8.

IN THE SENATE, COLUMBIA, S. C., August 15, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

I have the honor to inform your body that under the joint resolution adopted by both Houses, "that a Committee of sufficient number be appointed from each House of this Assembly to investigate and lay before the General Assembly business of the utmost importance," Messrs. Rutland, Hayne and Leslie have been appointed Committee on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 9.

IN THE SENATE, COLUMBIA, S. C., August 17, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that they respectfully decline to concur in the message from your House proposing to go into an election this day at 2 o'clock for the election of eight Circuit Judges, for the reason that the Bill to organize the Circuit Courts has not yet become a law.

Very respectfully,

Your obedient servant,

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 10.

IN THE SENATE, COLUMBIA, S. C., August 17, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your House that under the joint resolution, adopted by both Houses, for the appointment of a Joint Committee to ascertain, if possible, the precise extent, condition and location of lands belonging to the State, Messrs. Rutland, Wright and Sims have been appointed Committee to act on the part of the Senate.

(Signed)

L. BOOZER,
President of the Senate.

Also, the following :

MESSAGE FROM THE GOVERNOR, No. 12.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 15, 1868.

Mr. Speaker of the House of Representatives.

SIR: By direction of the Governor, the following communications, which have been received at this office, are forwarded to you for the consideration of the General Assembly, viz. :

1. H. A. Shaw, relative to reopening polls at Cherokee Ponds, and enclosing petition of citizens.
2. Jno. S. Burroughs, declining offices.
3. G. E. Pingren, extract of report.
4. W. F. DeKnight, extract of report.
5. Joseph Crews, report and affidavits.
6. W. F. DeKnight, statement of difficulty between freedmen and employer.

Very respectfully,

Your obedient servant,

(Signed)

JOHN HEART,
Private Secretary.

Also,

MESSAGE FROM THE GOVERNOR, No. 13.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 17, 1868.

Mr. Speaker of the House of Representatives.

SIR: By direction of the Governor, the following communications, which have been received at this office, are forwarded to you for the consideration of the General Assembly, viz. :

1. Jas. Callison, enclosing petition from Shatterfield.
2. A. Gilchrist and others, petitioning for opening the polls at Shatterfield.

Very respectfully,

Your obedient servant,

(Signed)

JOHN HEART,
Private Secretary.

The following disposition was made of the papers referred from the Governor in Message No. 12 :

1. H. A. Shaw, relative to reopening polls at Cherokee Ponds, and enclosing petition of citizens, referred to the Committee on Privileges and Elections.

2. John S. Burroughs, declining offices, referred to the Committee on County Offices and Officers.

3. G. E. Pingren, extract of report, referred to the Committee on the Judiciary.

4. W. F. DeKnight, extract of report, referred to the Committee on the Judiciary.

5. Joseph Crows, reports and affidavits, referred to the Committee on Grievances.

6. W. F. DeKnight, statement of a difficulty between freedmen and their employer, referred to the Committee on Grievances.

The following disposition was made with the communications in the Message from the Governor, No. 13 :

1. James Callison, enclosing a petition from Shatterfield, S. C., referred to the Committee on Privileges and Elections.

2. A. Gilchrist and others, petitioning for the opening of the polls at Shatterfield, S. C., referred to the Committee on Privileges and Elections.

PAPERS FROM THE SENATE.

The Senate sent to this House,

A concurrent resolution relative to the defraying of the necessary expenses for fitting up the building, &c., for the General Assembly. Concurred in, and ordered to be returned to the Senate.

The report of the Senate Special Committee on Political Disabilities in the case of William H. Anderson, of Chester, S. C., accompanying his petition to the General Assembly for the same. Referred to the Committee on Disabilities.

A joint resolution providing for a clerk for the Solicitors of the General Assembly. Concurred in, and ordered to be returned to the Senate.

A concurrent resolution that the further consideration of all petitions for the removal of political disabilities be postponed for the remainder of this session of the General Assembly. Concurred in, and ordered to be returned to the Senate.

A joint resolution relative to requesting the Attorney-General to inquire into the competency of the clerks of the Solicitors of this General Assembly. Concurred in, and ordered to be returned to the Senate.

A joint resolution requiring the Clerks of the two Houses to furnish copies of the Calendar and Journal to each House. Concurred in, and ordered to be returned to the Senate.

The Senate returned to this House, with concurrence,

A concurrent resolution fixing the pay of the two Solicitors appointed by the Attorney-General.

A joint resolution to inquire into the amount of lands in the possession of the State in consequence of the non-payment of the taxes due thereon.

The report of the House Committee on Ways and Means on the petition of T. S. Heyward praying for relief from a double tax execution. The Senate returned the same, with certain amendments, and the House concurred in the same.

A joint resolution for fitting up a residence for the Governor. Returned from the Senate, with certain amendments, which the House concurred in.

A joint resolution for the appointment of a Committee to investigate and lay before the General Assembly the business of the most importance. Returned from the Senate, with concurrence.

The SPEAKER announced the appointment of the following Committee on the part of the House, in accordance with the resolution :

Messrs. Joseph Boston, Jones and Mobley.

The Senate sent to this House,

A report of the Special Committee on Disabilities, on the part of the Senate, on the petition of W. R. Treadwell, Frank Myers and S. D. Goodlett for the removal of their political disabilities, recommending concurrence in the case of W. R. Treadwell, and non-concurrence in the petition of Frank Myers, for reasons of a serious nature, and that no further action is necessary in the case of S. D. Goodlett, as previous action has been taken. The House concurred in the report, and ordered that it be returned to the Senate.

The Senate returned to the House, with amendments, a Bill to provide for the recording of certificates of lands in Beaufort County.

The Senate amendments were concurred in, the Bill was read the third time, the title thereof changed to an Act, and ordered to be enrolled.

Also, with amendments, a Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston."

The amendments by the Senate to Sections 6 and 7 were not concurred in by the House.

On motion of Mr. TOMLINSON, a message was ordered to be sent to the Senate informing that body of the non-concurrence.

The Senate amendment to Section 14 was concurred in, and Section 15, as an amendment by the Senate to the original Bill, was concurred in.

The Senate sent to this House,

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government.

The Bill was read a first time, and referred to the Committee on the Judiciary.

A Bill to incorporate the Wando Company. Read the first time, and referred to the Committee on Incorporations.

A Bill to incorporate the United Fire Engine Company, of Charleston. Read the first time, and referred to the Committee on Incorporations.

The Senate returned to this House, with an amendment, a Bill to make an appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing October 1, 1867, made by General Orders No. 139, dated Charleston, December 3, 1867.

The Senate amendments were concurred in.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill entitled "A Bill authorizing R. S. & M. R. Bennett, of Beaufort, to collect wharfage" was put upon its second reading.

On motion of Mr. SMALLS, the Bill was recommitted to the Committee on Ways and Means, with instructions.

A Bill to provide for the appointment of Tax Collectors of this State was put upon its second reading.

On motion of Mr. SMALLS, the consideration of the Bill was postponed and made the Special Order for Thursday next, at 1:30 P. M.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary, was read the second time, and passed to a third reading.

Mr. NEAGLE moved a reconsideration of the vote passing Section 2 to a third reading. Agreed to.

Mr. NEAGLE moved to reconsider the vote passing Section 1 to a third reading. Agreed to.

Mr. RANSIER moved that the further consideration be laid over until the Special Committee on repairs to the State House make a report, and that they be requested to make said report at as early a date as possible. Agreed to.

A Bill for the preservation of the State Capitol was put upon its second reading.

On motion of Mr. NEAGLE, the further consideration of the Bill was postponed until the report of the Special Committee on repairs to the State House is made to the House.

A Bill to establish a State police was read the third time, and on the question "Shall the Bill pass and be ordered to be returned to the Senate as amended?" it passed in the affirmative.

Mr. NEAGLE moved to suspend the Rules requiring fifteen minutes to elapse between motions for adjournment.

On motion of Mr. DELARGE, the motion was indefinitely postponed.

Mr. NEAGLE moved to take a recess until to-morrow at 11 A. M.

On this the yeas and nays were called, and resulted as follows :

Yeas, 35 ; nays, 35 ; absent and not voting, 52. Not agreed to.

Those who voted in the affirmative are :

Messrs. Boseman, Bennett, John Boston, Joseph Boston, Bullock, Bishop, Collins, Dusenberry, , Duvall, Feriter, Farr, Grant, Holliman, Hutson, Henderson, D. J. J. Johnson, H. Johnson, Johnston, B. James, Kuh, G. Lee, Mickey, Milford, Neagle, O'Connell, Pettongill, Rush, Rivers, Stoeber, Stotland, Stubbs, A. Smith, Saunders, Tinsley and Waller—35.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Brown, L. Cain, DeLarge, Driffle, DeMars, Elliott, Gardner, C. D. Hayne, Humphries, S. Johnson, G. Johnson, Jackson, Jacobs, H. James, S. J. Lee, Mayer, W. McKinlay, McDaniels, Mobley, Nelson, Nuckles, Perrin, Prendegrass, Rancier, Richardson, Sasportas, R. M. Smith, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas and Webb.—35.

Those absent and not voting are :

Messrs. Burton, Bryant, E. J. Cain, Cooke, Clyburn, Chestnut, Crews, Dennis, Doyle, Ezekiel, Field, Gray, Goodson, Hayes, J. N. Hayne, Harris, Hyde, Jenks, Jervey, Jones, Keith, Lomax, Lewie, Lang, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Moore, Martin, Mays, Mead, Miller, Nash, Purvis, Root, Sloan, Stewart, Smalls, Shrewsbury, Smythe, Simons, Smiley, Scott, Turner, Valentine, Wilson, Wilder, Wooley, Whipper, White and Wright.—52.

The following members obtained leave of absence :

Mr. Nelson, for ten days

Mr. Bullock, for nine days.

Mr. Brown, for five days.

Mr. Jenks, for four days.

Mr. Goodson, for one day.

At 7:30 P. M., on motion, the House adjourned until 12 M. to-morrow.

WEDNESDAY, AUGUST 19, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. M. THOMAS.

The reading of the Journal of the previous day was, on motion of Mr. SMALLS, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to transfer the records of the County of Pickens, and reported a Bill to establish the Counties of Pickens and Oconee as a Judicial District, and for other purposes, as a substitute for the Bill.

On motion, the report was laid on the table to take up the Bill.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill to repeal the charter of the town of Hamburg.

On motion, the report was laid on the table to take up the Bill.

Mr. DELARGE, from the Committee on Ways and Means, reported on the following Bills :

A Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina ;

A Bill to authorize a State loan to pay interest on the public debt.

The reports were laid on the table to take up the Bills.

Also, from the same Committee, a report that the present mode of transferring State stocks is the most convenient and expeditious, and ask to be discharged from the further consideration of the subject.

On motion, the report was adopted, and the Committee discharged.

Also, from the same Committee, a report that they have considered the petition of Henry James, of Colleton, praying remission of certain taxes, and return the same with the recommendation that the matter be referred to a Special Committee.

On motion, the report was adopted.

Also, from the same Committee, a report on the petition of W. P. Gill, Sheriff of Chester County, praying to be relieved of penalty incurred by reason of failure to pay over moneys collected for taxes, and recommend the adoption of the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. P. Gill, late Sheriff of Chester District, be, and is hereby, relieved of the penalty of five per cent. per month, imposed by the fifty-seventh Section of the Act of 1839, for default in paying over taxes collected by him, so long as the Treasury of the State shall be without funds to pay the contingent account of said Sheriff for expenses incurred in the collection of taxes : Provided, That nothing herein contained shall be construed to excuse the said Sheriff from liability for any sum which he may have retained in excess of the amount of his said contingent account.

The joint resolution was agreed to, and ordered to be sent to the Senate.

Mr. WILDER, from the Committee on Grievances, reported on a petition of sundry pilots of Charleston harbor, by a Bill to license pilots for Charleston bar and harbor, Stono River, &c. Read a first time, and ordered to be printed.

Mr. RANSIER, from the Committee on Privileges and Elections, reported on the petition (referred from the Governor) of W. W. Ward, Sheriff elect from Williamsburg County, praying for an election of Clerk of the Court for that county, and recommend that the petition be referred back to the Governor, inasmuch as a Bill has since become a law which empowers the Governor to fill by appointment such vacancies, and the Committee deem it impracticable to call such elections just now.

On motion, the report was adopted, and a copy ordered to be transmitted to His Excellency the Governor.

Also, from the same Committee, a report on a Bill to provide for the election of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress.

On motion of Mr. SMALLS, the report was laid on the table to take up the Bill.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to prevent discrimination between persons, by those carrying on business under license, on account of race, color, or previous condition, as duly and correctly engrossed.

The Bill was read a third time, and on the question "Shall the Bill pass, and be ordered to be sent to the Senate?" it passed in the affirmative.

Mr. WHIPPER, by leave, introduced

A Bill to establish a health officer, and to define his duties. Read a first time, and referred to the Committee on Vacant Offices.

PETITIONS, RESOLUTIONS, &c.

Mr. STUBBS introduced the following resolution, which was agreed to :

Be it resolved, by the House of Representatives, That the Chairman of the Committee on Engrossed Acts be, and he is hereby, requested to report on the Bill organizing Circuit Courts, which Bill was referred to said Committee on the 11th instant, at the earliest practicable moment.

Mr. B. JAMES introduced the following concurrent resolution, which, on motion, was laid on the table :

Resolved, by the House of Representatives, the Senate concurring, That hereafter all incorporated towns and cities, in making appointments for police force, shall make those appointments without distinction of race or color.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the temporary organization of the Educational Department of the State of South Carolina was taken up.

The second reading of Section 4 was continued.

Mr. TOMLINSON moved to amend Section 6 by striking out, in the eighth line, the figure "3" and inserting "4." Agreed to.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

The report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County.

On motion of Mr. WILDER, the Special Order was discharged, and made the Special Order for Wednesday, September 3, at 1 P. M.

The consideration of the Bill to provide for the temporary organization of the Educational Department of the State was renewed.

Mr. O'CONNELL moved to amend Section 7, second line, by inserting between the words "actually" and "employed" the words "and necessarily." Agreed to.

Mr. BELARGE desired his vote to be recorded on the Journal as "yea" on the passage of Section 7 to a third reading, in order to move a reconsideration.

Mr. ELLIOTT desired his vote to be recorded on the Journal as "yea" on the passage of Section 7 to a third reading, in order to second the motion for a reconsideration.

Mr. SMALLS moved a reconsideration of the vote passing Section 7 to a third reading, and that the motion to reconsider be laid upon the table. Agreed to.

Mr. JACKSON offered the following amendment as Section 10 to the original Bill :

"All institutions of learning in the State, supported wholly or in part by funds furnished by the State, are hereby turned over to the supervision of the State Superintendent of Education; and all the public schools in the several counties, supported as before specified, are hereby placed under the direct supervision of the School Commissioners of the several counties. All Acts, or parts of Acts, inconsistent herewith, are hereby repealed."

Mr. WHIPPER moved to recommit the Bill, with instructions to consider the amendment proposed. Agreed to.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The second reading of Section 20 was continued, and the Section passed to a third reading.

Mr. WHIPPER moved to postpone the consideration of the Bill temporarily, in order to take up the Bill to close the operations of the Bank of the State of South Carolina. Agreed to.

A Bill to close the operations of the Bank of the State of South Carolina was put upon its second reading.

The Bill was read the second time, the blank therein filled by inserting "the first of June," and on the question "Shall the Bill pass to a third reading, and be ordered to be engrossed?" it passed in the affirmative.

A Bill to organize the Circuit Courts was taken up.

The word "New" before "Pickeas" was, on motion of Mr. FIELD, stricken out.

The Bill was read the third time, and on the question "Shall the Bill pass, and the title thereof be changed to that of an Act, and ordered to be enrolled?" it passed in the affirmative.

On motion of Mr. ELLIOTT, the vote by which the Bill was passed was reconsidered.

Mr. ELLIOTT then moved to reconsider the vote by which the word "New" before the word "Pickens," where it occurs in the Bill, was stricken out. Agreed to.

The question being put "Shall the Bill pass, and the title thereof be changed to that of an Act, and ordered to be enrolled?" it passed in the affirmative.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 11.

IN THE SENATE, COLUMBIA, S. C., August 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that they recede from their amendment to last paragraph of Section 7 of a Bill to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned.

By order of the Senate.

Very respectfully,

Your obedient servant,

(Signed)

L. BOOZER,
President of the Senate.

A Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina was taken up.

Mr. G. LEE moved to amend Section 2, first line, by inserting between the words "coupons" and "shall" the words "of the said loan." Agreed to.

Mr. TOMLINSON moved to amend Section 4 by striking out in the second line the word "prompt" and inserting in lieu thereof "punctual." Agreed to.

The Bill, as amended, was read a second time, and on the question "Shall the Bill pass to a third reading and be ordered to be engrossed?" it passed in the affirmative.

A Bill to authorize a State loan to pay the interest on the public debt was taken up.

Mr. DELARGE moved that the further consideration of the Bill be postponed until to-morrow. Agreed to.

On motion, at 3:15 P. M., the House adjourned until to-morrow 12 M.

THURSDAY, AUGUST 20, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. BERRY.

The reading of the Journal of the previous day was, on motion of Mr. TOMLINSON, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. DOYLE, from the Committee on Vacant Offices, reported on a petition of James McKnight for appointment as Magistrate for Sumter County, that Article IV, Section 21, of the Constitution of 1868 takes away from the Legislature the power of appointing Magistrates, and requires that they shall be elected by the people of each county.

On motion of Mr. G. LEE, the report was adopted, and the Committee discharged from the further consideration of the subject.

Mr. DELARGE, from the Committee on Ways and Means, reported on the petition of Dr. Rawls in relation to the Columbia Hospital, and recommended that said petition be referred to the Committee on Public Buildings.

On motion of Mr. TOMLINSON, the report was adopted, and the petition so referred.

PETITIONS, RESOLUTIONS, &c.

Mr. DRIFBLE introduced the following resolution, which was agreed to :

Resolved, That it is expedient to make the poor houses in this State institutions of industry, and that the Committee on Public Buildings inquire into and submit a plan for the same by Bill or otherwise.

Mr. WALLER presented the petition of Isaac G. Long for charter of "Kingstree Lake" and "Maple Swamp" as a right of way. Referred to the Committee on Incorporations.

Mr. STOEBER introduced the following resolution, which was, on motion of Mr. SMALLS, laid on the table :

Resolved, That no Bill shall receive a second reading in this House unless printed copies of such Bill shall have been distributed, and been in possession of the members for at least one day previous to such reading.

Mr. FERITER gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

A Bill to amend an Act entitled "An Act to renew and amend the charter of the town of Sumter."

Mr. WHIPPER, by leave, introduced

A Bill to establish the office of County Treasurer.

The Bill was read a first time, and referred to the Committee on County Offices and Officers.

On motion of Mr. FERITER, it was

Resolved, That a message be sent to the Senate inviting that body to go into an election for eight Circuit Judges to-day, at 2 P. M.

A message was sent accordingly.

Mr. STOEBER introduced the following resolution :

Resolved, That printed copies of Bills introduced into this House shall be distributed among the members at least one day previous to the day when such Bill shall receive its second reading.

On motion of Mr. C. D. HAYNE, the resolution was laid on the table. The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement was taken up.

The amendment to Section 1, sixth line, proposed by the Committee, to strike out the word "ten," between the words "least" and "days," and insert the word "thirty," was agreed to.

The Bill was read the second time, and ordered to be sent to the Senate as amended.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to close the operations of the Bank of the State of South Carolina as duly and correctly engrossed and presented for future action of this House.

A call of the House was ordered, and ninety-three members answered to their names.

On motion of Mr. BOSEMOM, the further call was suspended.

Mr. TOMLINSON introduced the following resolution, which was agreed to :

Resolved, As the sense of the House, that Section 7, Article 9, of the Constitution, requiring a vote of two-thirds of the members of the General Assembly, by yeas and nays, on the passage of all loan Bills, is complied with when such vote is taken on the final passage of the Bill.

A Bill to close the operations of the Bank of the State of South Carolina was read the third time.

Mr. O'CONNELL moved to recommit the Bill to the Committee on Ways and Means. Agreed to.

Mr. STOEBER introduced the following resolution, which, on motion of Mr. WHIPPER, was laid on the table :

Resolved, That the Sergeant-at-Arms be instructed to furnish each member of this House with a printed copy of each Bill introduced into this House, or coming from the Senate, from twelve to twenty-four hours previous to its second reading.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The second reading of Section 21 was continued.

Section 24 was passed to a third reading.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 14.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 20, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have the honor to transmit to the House of Representatives the enclosed communication from the Commanding General of the Department of the South with reference to the quarantine established at Charleston.

As there is no appropriation for the purpose, legislation will be necessary to provide means to defray the expense of the quarantine.

Very respectfully,

Your obedient servant,

(Signed)

R. K. SCOTT, Governor.

Also,

MESSAGE FROM THE GOVERNOR, No. 15.

STATE OF SOUTH CAROLINA,

EXECUTIVE DEPARTMENT,

COLUMBIA, August 20, 1868.

To the Honorable the Speaker of the House of Representatives :

The enclosed memorial of Dr. Alfred Raouls, for arrearages of pay as Physician to Charleston Jail, with the accompanying papers, is respectfully referred to the House of Representatives. The absence of any appropriation renders legislative action necessary.

Very respectfully,

Your obedient servant,

(Signed)

R. K. SCOTT, Governor.

At the hour of 1 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the appointment of Tax Collectors in the State was put upon its second reading.

Mr. WHIPPER moved to postpone the further consideration of the Bill until Tuesday next, August 27. Agreed to.

A Bill repealing the charter of the town of Hamburg was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. G. LEE, a Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston" was taken up.

The Bill was read the third time, and on the question "Shall the Bill pass, the title thereof be changed to that of an Act, and be enrolled?" it passed in the affirmative.

Mr. RANSIER introduced the following resolution, which was agreed to :

Resolved, That the resolution passed by this House, on the 18th instant, providing for the payment of one thousand dollars to the State Printer, on account of expenses for current printing, out of any money in the Treasury not otherwise appropriated, be, and the same is hereby, rescinded.

Also, the following joint resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the State Treasurer be, and he is hereby, authorized to pay to J. W. Denuy, State Printer, on the order of the Speaker of this House, out of any money appropriated to defray the current expenses of this General Assembly on account of current printing for this House the sum of one thousand dollars.

A Bill to authorize a State loan to pay interest on the public debt was taken up.

The Bill was put upon its second reading.

Mr. TOMLINSON moved to amend Section 2 by inserting between the words "coupons" and "shall" the words "of said loan." Agreed to.

Mr. TOMLINSON moved to amend Section 4 by striking out in the second line the word "prompt" and insert in lieu thereof the word "punctual." Agreed to.

The Bill, as amended, was read the second time, and ordered to be engrossed for a third reading.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 12.

IN THE SENATE, COLUMBIA, S. C., August 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate informs your body that it respectfully declines to go into an election for eight Circuit Judges at 2 P. M., this day, and submits as sufficient reason that the Bill to organize the Circuit Courts has not yet become a law; and, also, respectfully informs the House that so soon as said Bill to organize the Circuit Courts shall have become a law, the Senate will unite with the House of Representatives in said election.

(Signed)

L. BOOZER,

President of the Senate.

A Bill to define the jurisdiction and regulate the practice of Probate Courts was taken up.

Mr. TOMLINSON moved to amend Section 13, in the eighth line, by inserting before the word "be" the word "may." Agreed to.

Section 14 was read the second time.

On motion of Mr. WHIPPER, the further consideration of the Bill was postponed.

PAPERS FROM THE SENATE.

The Senate sent to this House,

A joint resolution relative to making poor houses in the State industrial institutions.

On motion, it was referred to the Committee on Public Buildings.

A Bill to recharter Cureton's Ferry, in Lancaster County. Read a first time, and referred to the Committee on Incorporations.

The House then proceeded to consider a (Senate) Bill regulating the manner of keeping and disbursing funds by certain officers.

The Bill was read the third time, and on the question "Shall the Bill pass, and shall the title thereof be changed to that of an Act, and be enrolled?" it passed in the affirmative.

Mr. Morrison obtained leave of absence for six days.

At 3:15 P. M., on motion, the House adjourned until to-morrow, at 12 M.

FRIDAY, AUGUST 21, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The reading of the Journal of the previous day was, on motion of Mr. GEO. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. ELLIOTT, from the Committee on Railroads, reported on a Bill to enable the Chatham Railroad Company to extend their railroad to Columbia, and recommended certain amendments.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

Also, a report (favorably) on a Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

On motion of Mr. GEO. LEE, the report was laid on the table to take up the Bill.

Mr. GEO. LEE, from the Committee on Public Buildings, reported (unfavorably) on the petition of citizens of Chesterfield County, praying the removal of the Court House from Chesterfield village to the town of Cheraw, and recommended that the petition be laid on the table for the following reasons, viz.:

1st. The town of Cheraw is situated on one side of the county, while Chesterfield is situated as near the centre of the populated section of the county as can be.

2d. The State has already gone to the expense of one thousand dollars in fitting up a building in the village of Chesterfield, which answers all the needs of a court house. The jail also has been rebuilt at the expense of three thousand dollars.

3d. There is neither jail or court house at Cheraw.

4th. The fifth Section of the Bill to organize the Circuit Courts enacts that the Court of Common Pleas and the Court of General Sessions shall be held in Chesterfield.

The Committee respectfully submit the foregoing, and beg to be relieved from the further consideration of the petition.

On motion of Mr. SHREWSBURY, the report was adopted, and the petition laid on the table.

Also, from the same Committee, a report (unfavorable) on a (Senate) resolution relative to making poor houses in the State industrial institutions.

The report was, on motion, adopted, and the Committee discharged from the further consideration of the subject.

Mr. STOEBER, from the Committee on the Penitentiary, asked for further time to make a report.

On motion of Mr. JACKSON, one week was granted.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported on a Bill to fix the amount of official bonds of certain county officers.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to establish Justice Courts.

On motion of Mr. S. B. THOMPSON, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. McINTYRE introduced

A joint resolution for the appointment of a Board of State Canvassers.

On motion of Mr. W. J. MCKINLAY, the resolution was referred to the Committee on Privileges and Elections.

Mr. THOMAS introduced

A joint resolution for the appointment of a Committee to consider and report to the next regular session of the General Assembly a plan for a school of reformation for juvenile offenders, which was, on motion, referred to the Committee on Education.

Mr. CLYBURN presented the petition of sundry citizens of Lancaster village, asking for a renewal of charter, &c. Referred to the Committee on Incorporations.

Mr. STOEBER, from the Special Committee to wait on the Governor in reference to the Penitentiary, reported that the Governor would issue the necessary orders to the Superintendent of the Penitentiary to make certain amendments to the Rules of the Penitentiary, as suggested by the Committee.

On motion of Mr. TOMLINSON, the report was received as information, and the Committee discharged.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as having been duly and correctly engrossed :

A Bill to repeal the charter of the town of Hamburg ;

A Bill to authorize a State loan to pay the interest on the public debt ;

A Bill to authorize a loan to redeem the obligations known as Bills Receivable ;

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement.

Pursuant to notice, and by leave of the House, Mr. O'CONNELL introduced

A Bill to protect the agricultural resources of the State, and for other purposes. Read a first time, and referred to the Committee on Agriculture.

On motion of Mr. TOMLINSON, a Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina was taken up.

The Bill was read the third time, and on the question " Shall the Bill pass, and be ordered to be sent to the Senate ? " the yeas and nays were ordered, as required by Section 7 of Article IX of the Constitution, and are as follows :

Yeas, 95 ; nays, 12 ; absent and not voting, 15 .

So the necessary two-thirds having voted in the affirmative, the Bill passed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Rosemon, Bennett, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dusenberry, Drifflie, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervy, Jones, Kuh, G. Lee, S. J. Lee, Lang, Mayer, W. J. McKinlay, Mickey, McIntyre,

McDaniels, Milford, Martin, Mays, Mead, Miller, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—95.

Those who voted in the negative are :

Messrs. Clyburn, Doyle, Field, Keith, Lewie, Moore, Stewart, R. M. Smith, Turner, Valentine, Wilson and Waller.—12.

Those absent and not voting are :

Messrs. Bullock, Bryant, Dennis, Gray, Jenks, Lomax, Littlejohn, Morrison, William McKinlay, Mobley, Nelson, Nash, O'Connell, Sloan and Scott.—15.

On motion of Mr. TOMLINSON, a Bill to authorize a State loan to pay the interest on the public debt was taken up.

The Bill was read a third time, and on the question " Shall the Bill pass, and be ordered to be sent to the Senate?" the yeas and nays were ordered, as required in Section 7 of Article IX of the Constitution, and are as follows :

Yeas, 94 ; nays, 12 ; absent and not voting, 16.

So the necessary two-thirds having voted in the affirmative, the Bill passed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervy, Jones, Kuh, G. Lee, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Milford, Martin, Mays, Mead, Miller, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—94.

Those who voted in the negative are :

Messrs. Clyburn, Doyle, Field, Keith, Lewie, Moore, Stewart, R. M. Smith, Turner, Valentine, Wilson and Waller.—12.

Those absent and not voting are :

Messrs. Bosemon, Burton, Bullock, Bryant, Dennis, Gray, Jenks, Lo-

max, Littlejohn, Morrison, Mobley, Nelson, Nash, O'Connell, Sloan and Scott.—16.

A Bill to repeal the charter of the town of Hamburg was read the third time, and on the question "Shall the Bill pass, and be ordered to be sent to the Senate?" it passed in the affirmative.

Mr. DELARGE, from the Committee on Ways and Means, reported on a Bill to provide for the payment of the mileage and per diem of the members, and current expenses of the General Assembly.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

The Bill was put upon its second reading.

The following amendment, proposed by the Committee, was adopted :

Substitute after the word "of," in the fifth line, Section 1, the words "such an amount of his mileage and per diem, up to the twentieth day of August, eighteen hundred and sixty-eight, as he may determine."

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 16.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 21, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR : I have this day approved the following Acts, viz. :

1st. An Act to make appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriations for the fiscal year commencing on the first of October, 1867, made by General Orders No. 139, dated at Charleston, December 3, 1867.

2d. An Act to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County, S. C.

3d. An Act to provide a Private Secretary for the Governor of the State.

Very respectfully,

Your obedient servant,

(Signed)

ROBERT K. SCOTT, Governor.

Mr. TURNER presented the report of S. L. Leaphart, the retiring Comptroller-General, in compliance with a resolution adopted by this House August 6, 1868. Referred to the Committee on Ways and Means.

The consideration of the Bill previously under discussion was resumed.

On the passage of Section 2 to a third reading the yeas and nays were called, and are as follows :

Yeas, 35 ; nays, 64 ; absent and not voting, 23. Not agreed to.

Those who voted in the affirmative are :

Messrs. Bennett, Brown, Burton, John Boston, Cooke, Collins, DeMars, Ezekiel, Farr, Gardner, Grant, Hayes, Holliman, Harris, Hyde, H. Johnson, Jackson, Jacobs, B. James, Jones, Kuh, S. J. Lee, Lang, Mobley, Milford, Martin, Miller, Pettengill, Root, Rush, Stubbs, Smalls, Smiley, B. A. Thompson and Whipper.—35.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Berry, Brodie, Bishop, L. Cain, E. J. Cain, Clyburn, Crews, DeLarge, Dusenberry, Driffle, Doyle, Elliott, Field, Feriter, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Hutson, Henderson, D. J. J. Johnson, Johnston, S. Johnson, G. Johnson, H. James, Jervy, Lomax, G. Lee, Mayer, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Moore, Mays, Mead, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Ransier, Richardson, Rivers, Stoeber, Stolbrand, A. Smith, R. M. Smith, Shrewsbury, Smythe, Sasportas, Simons, S. B. Thompson, Tomlinson, Thomas, Tinsley, Turner, Wilson, Waller, Wright and Webb.—64.

Those absent and not voting are :

Messrs. Joseph Boston, Bullock, Bryant, Chestnut, Dennis, Duvall, Gray, Jenks, Keith, Lewie, Littlejohn, Morrison, Nelson, Nash, Purvis, Sloan, Stewart, Saunders, Scott, Valentine, Wilder, Wooley and White.—23.

Mr. RANSIER moved to amend Section 2 by striking out all after the word "at," in the fifth line, and insert in lieu thereof the words "their face value or in United States currency."

On this the yeas and nays were called, and are as follows :

Yeas, 54 ; nays, 46 ; absent and not voting, 22. Agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Brodie, Brown, E. J. Cain, Cooke, Clyburn, Chestnut, DeLarge, Driffle, Doyle, DeMars, Elliott, Field, Feriter, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, S. Johnson, Jacobs, Jervy, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Mayer, Wm. McKinlay, W. J. McKinlay, McDaniels, Moore, Martin, Mays, Nuckles, Neagle, Perrin, Ransier, Richardson, Stewart, Stoeber, Stolbrand, R. M. Smith, Sasportas, Simons, S. B. Thompson, Tomlinson, Thomas, Turner, Valentine, Wilson, Wilder, Waller and Webb.—54.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, John Boston, Bishop, L. Cain, Collins, Crews, Ezekiel, Farr, Gardner, Grant; Holliman,

Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jackson, B. James, H. James, Lang, Mickey, McIntyre, Mobley, Mead, Miller, O'Connell, Purvis, Prendegrass, Pettengill, Root, Rush, Rivers, Stubbs, Smalls, A. Smith, Shrewsbury, Smythe, Smiley, B. A. Thompson, Tinsley, Whipper and Wright.—46.

Those absent and not voting are :

Messrs. Berry, Burton, Joseph Boston, Bullock, Bryant, Dennis, Dusenberry, Duvall, Gray, Jenks, Keith, Lewie, Littlejohn, Morrison, Milford, Nelson, Nash, Sloan, Saunders, Scott, Wooley and White.—22.

Mr. SMALLS moved the indefinite postponement of the further consideration of Section 2.

On this the yeas and nays were called.

Pending this the House, on motion, at 3:40 P. M., adjourned until 12 M. to-morrow.

SATURDAY, AUGUST 22, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. JAMES.

The reading of the Journal of the previous day was, on motion of Mr. JERVEY, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. TOMLINSON, from the Committee on Education, submitted the following report :

The Committee on Education, to whom was recommitted the Bill to provide for the temporary organization of the Educational Department of the State with a proposed amendment, which reads as follows: "All institutions of learning in the State, supported wholly or in part by funds furnished by the State, are hereby turned over to the supervision of the State Superintendent of Education; and all the public schools in the several counties, supported as before specified, are hereby placed under the direct supervision of the School Commissioners of the several counties. All Acts, or parts of Acts, inconsistent herewith, are hereby repealed"—would respectfully report :

That under the operation of this amendment, if it is adopted, the South

Carolina College, the Deaf and Dumb Institution, and the Charleston College are all placed under the direct control of one man. These institutions all exist by virtue of charters, which place them in the hands of Trustees duly elected, and it seems to your Committee a monstrous proposition to transfer to a single individual all the powers conferred upon those Trustees by the charters of their several institutions. Besides this, in no State of the Union does the superintendent of public instruction have the supervision or control of colleges and the higher institutions of learning.

Under this amendment, supposing it to have the force of law, all the school property, valued at some two hundred thousand dollars, and all the schools of the city of Charleston, now held and controlled by a Board of thirteen Commissioners, would be at once transferred to the control of a single individual.

It will be borne in mind that the Board of Free School Commissioners for the Parishes of St. Phillip and St. Michael, which constitute the city of Charleston, are clothed with the power to levy and collect a tax for the support of those schools. It is presumed by your Committee that the House does not mean to confer such a power upon any one person, no matter how able and honest he may be.

The public school property of the city of Charleston belongs to that city, and the schools are supported by the city, the State never having paid but a very small proportion of the school expenses of Charleston; therefore until wise and careful legislation can be had, it seems to your Committee unwise to tamper with the existing laws relating to that subject. There are four public schools sustained by the city of Charleston, three of them attended by white children, and one by colored children. The Morris street school building was opened a year ago for colored children, and contains now about 750 pupils; it will accommodate 1,000 pupils. The reason it is not full is doubtless because there are five other free schools for colored children in the city supported by Northern societies.

In the opinion of your Committee, the transfer of the control of the schools of the city of Charleston to the School Commissioner of Charleston County, recently elected, would result practically in the closing of these schools, inasmuch as the special powers given to the Board of Commissioners of Free Schools cannot be conferred upon a single individual by the amendment proposed. Even if this could be accomplished, your Committee could not favor the adoption of the amendment, for the reason that no such extensive powers should, under any circumstances, be conferred upon any one person. Section 2, Article X, of the Constitution, provides that "there shall be elected, biennially, in each county, by the qualified electors thereof, one School Commissioner, said Commissioners to constitute a State Board of Education, of which the State Superintendent of Education shall, by virtue

of his office, be chairman," &c. It is evident that the Constitution never intended to give to the Superintendent of Education, or to the County School Commissioners, such powers as are meant to be given by this amendment.

Your Committee are deeply sensible of the necessity of a reorganization of the school system of the State. But as the system which does exist is the fruit of a great deal of legislation, any such reckless and sweeping action as is contemplated by this amendment would, in the opinion of your Committee, result in more harm than good.

Your Committee hope by the next regular session, if they will be allowed to do so, to mature a school system which will be satisfactory to all, and which will be efficient in its operation.

Your Committee are unanimous in recommending that the amendment be indefinitely postponed.

On motion, the report was adopted, and the Bill laid over until the expiration of the morning hour.

Mr. DELARGE, from the Committee on Ways and Means, reported on a Bill to repeal an Act entitled "An Act to repeal the usury laws of this State," and recommended that its further consideration be postponed until the regular session.

On motion, the report was adopted.

Also, from the same Committee, report on a Bill to close the operations of the Bank of the State of South Carolina.

On motion of Mr. TOMLINSON, the report was adopted, and the Bill made the Special Order for to-day, at 1:30 P. M.

Mr. DOYLE, from the Committee on Vacant Offices, reported on a communication (referred from the Governor) of J. T. Burroughs and J. D. Bryant, declining the office of County Commissioners of Horry County, and recommended that an election be ordered to fill the vacancies.

On motion of Mr. FERITER, the report was adopted, and ordered to be sent to the Senate.

Mr. J. N. HAYNE, by leave, introduced

A Bill to regulate the distillation of certain spirituous liquors. Read a first time, and laid over for reference to the proper Committee.

Mr. C. D. HAYNE presented the petition of S. Randall and others, to change the location of the Pine Log Road where it intersects the road from Charleston to Aiken, in the County of Barnwell. Referred to the Committee on Roads, Bridges and Ferries.

Mr. C. D. HAYNE introduced the following resolution, which, on motion of Mr. JERVEY, was laid on the table :

Resolved, That this House suspend so much of the Rule that requires it

to meet at 12 M., so as to meet on Monday at 10 o'clock A. M., for the balance of the session.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 17.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 22, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR : I have this day approved the joint resolution petitioning Congress for the removal of the political disabilities of Thomas S. Arthur, of Greenville, S. C.

Very respectfully,

Your obedient servant,

(Signed)

R. K. SCOTT, Governor.

Mr. McINTYRE presented the petition of Robert Black, of Colleton County, for the removal of political disabilities. Referred to the Committee on Disabilities.

The SPEAKER announced that he had received the returns of the Managers of Election for Kershaw County to fill the vacancy as Representative occasioned by the death of S. G. W. Dill, said election having taken place August 13, 1868, under writ issued by the Speaker of this House.

The returns were referred to the Committee on Privileges and Elections.

Mr. FERITER, by leave, introduced

A Bill to amend an Act entitled "An Act to renew and amend the charter of the town of Sumter." Read a first time, and referred to the Committee on Incorporations.

Mr. SASPORTAS introduced the following resolution, which was agreed to :

Resolved, That the Sergeant-at-Arms be requested to admit no ladies upon the floor of this House unless accompanied by the members who invites them.

The House proceeded to the consideration of the

GENERAL ORDERS.

The consideration of a Bill to provide for the payment of the per diem and mileage of members and current expenses of the General Assembly was renewed, being unfinished business of the previous day.

The question recurring on the indefinite postponement of Section 2, the motion was lost.

Mr. TURNER moved to amend Section 2 by striking out all after the words "Bills Receivable" in the fifth line.

Mr. HYDE moved to amend the amendment by striking out all of the words after "paid" in the fourth line, and insert in lieu thereof "United States currency or its equivalent in Bills Receivable."

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

The report of the Committee of Ways and Means on a Bill to close the operations of the Bank of the State of South Carolina.

On motion, the Special Order was suspended until the further consideration of a Bill to provide for the payment of the per diem and mileage of members and the current expenses of the General Assembly.

The consideration of the Bill previously under discussion was renewed.

Mr. PETTENGILL moved to lay the Bill on the table. Agreed to.

Mr. J. N. HAYNE introduced the following resolution, which was, on motion of Mr. DELARGE, laid on the table:

Resolved, That so much of the Rule under which we are working as requires fifteen minutes to elapse between two motions to adjourn or to take a recess be suspended for the rest of this session.

The House resumed the consideration of the

SPECIAL ORDER.

The report of the Committee on Ways and Means on a Bill to close the operations of the Bank of the State of South Carolina.

The Committee reported a substitute for the original Bill of the same title.

The Bill was put upon its second reading.

Mr. FERITER introduced the following preamble and resolution, which were agreed to:

Whereas the consideration of the Bill to close the operations of the Bank of the State of South Carolina now before this House, and to the end that this body may vote more intelligently on said Bill, as it effects matters of great import to the finances of the State; therefore,

Be it resolved, That the Attorney-General of the State of South Carolina be, and he is hereby, requested to give his opinion in writing to this body as to the legality of said Bill, and the consideration of said Bill be postponed.

The House resumed the consideration of the

GENERAL ORDERS.

A Bill to enable the Chatham Railroad Company to extend their road to Columbia was taken up.

Mr. TOMLINSON moved to postpone the consideration of the Bill, and make it the Special Order for Tuesday next, at 2 P. M. Agreed to.

Mr. JACKSON introduced the following resolution, which was agreed to :

Resolved, That so much of the Rule under which we are working as allows the members to sit in their seats with their hats on be suspended during the remainder of this session.

A Bill to fix the amount of the official bonds of certain county officers was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The following members obtained leave of absence :

Mr. Martin, for twelve days.

Mr. Stubbs, for ten days.

Mr. Bishop, for ten days.

Mr. Stewart, for ten days.

Mr. Clyburn, for ten days.

Mr. Keith, for ten days.

Mr. Field, for seven days.

Mr. Saunders, for four days.

Mr. Whipper, for two days.

Mr. S. B. Thompson, for one day.

Mr. H. Johnson, for one day.

Mr. G. Lee, for one day.

Mr. Elliott, for one day.

On motion of Mr. DELARGE, a Bill to provide for the payment of the per diem and mileage of the members and the current expenses of the General Assembly was taken up from the table.

Mr. DELARGE moved that the Bill be recommitted to the Committee on Ways and Means. Agreed to.

Mr. O'CONNELL introduced the following joint resolution :

Resolved, by the House of Representatives, the Senate concurring, That His Excellency the Governor be, and he is hereby, empowered to sell such an amount of the Bills Receivable in the Treasury, at the highest market rates, as will realize a sufficient sum in United States currency to pay the per diem and mileage of this Legislature.

Mr. TOMLINSON moved its reference to the Committee on Ways and Means.

Pending this the House, at 3:10 P. M., adjourned until Monday, at 12 M.

MONDAY, AUGUST 24, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. BURTON.

The reading of the Journal of Saturday was, on motion of Mr. FERRIS, dispensed with.

PETITIONS, RESOLUTIONS, &c.

Mr. LOMAX gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill to punish office holders for malfeasance in office.

Mr. KUH, by leave, introduced

A Bill to regulate the granting of licenses by County Commissioners, City or Town Councils. Read a first time, and referred to the Committee on the Judiciary.

Mr. McINTYRE introduced the following resolution, the consideration of which was, on motion of Mr. DELARGE, made the Special Order for Wednesday next, at 12 M.:

Whereas the granting new charters to railroad companies without taking time to give them due consideration as to their merits, or whether they have fulfilled their obligations in their old charters, is inexpedient at this special session; therefore,

Be it resolved, That the granting of new or amending of old railroad charters be, and is hereby, postponed until the next regular session of the General Assembly, in November, 1868.

Mr. B. JAMES introduced the following resolution, which, on motion, was referred to the Committee on Privileges and Elections:

Resolved, That on the days of election all bar-rooms shall be closed; any person or persons detected in selling whiskey on the days of election shall be imprisoned for ten days and pay a fine of one hundred dollars.

The SPEAKER laid before the House the following communication :

HEADQUARTERS DEPARTMENT OF THE SOUTH,
ATLANTA, GA., August 14, 1868.

HON. L. BOOZER, *President of the Senate, and* HON. F. J. MOSES, JR.,
Speaker House of Representatives, General Assembly of South Carolina.

GENTLEMEN : I have the honor to acknowledge the receipt of your communication of the 11th instant, conveying to me the invitation of both Houses of the General Assembly of South Carolina to visit them, and to express my gratification at the compliment, and to say, in reply, that my public duties will not permit me at present to avail myself of their invitation.

I am, gentlemen,

Very respectfully,

(Signed)

GEO. G. MEADE, Major-General.

On motion of Mr. G. LEE, the communication was received as information, and ordered to be spread upon the Journal.

The House proceeded to the consideration of the

GENERAL ORDERS.

A joint resolution relative to the payment of the per diem and mileage of members, &c., being the continued business from Saturday, was taken up.

On motion of Mr. TOMLINSON, the consideration of the resolution was indefinitely postponed.

A Bill to provide for the temporary organization of the Educational Department of the State was taken up ; having been read a second time, was passed to a third reading, and ordered to be engrossed.

A Bill to determine and perpetuate the homestead, with the amendment of the Senate substituted for the amended Section (1) of the House Committee on the Judiciary) by striking out all of Section 1 to the word "if," after the words "South Carolina," in the fourth line, and substituting therefor the words "whenever the real estate of any head of a family residing in this State shall be levied upon by virtue of any mesne or final process issued from any Court, upon any judgment obtained upon any right of action, whether arising previous or subsequent to the ratification of the Constitution of the State of South Carolina," was taken up.

The Senate amendment was concurred in, and the Bill was ordered to be engrossed for a third reading.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The second reading of Section 25 was renewed.

Sections 35 and 41 were amended.

Mr. W. J. McKINLAY moved to amend Section 43 by striking out the word "appointed" and inserting in lieu thereof the words "elected by their several companies."

Pending this, at the hour of 12:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to regulate elections, and punish the abuse of the elective franchise.

The consideration of the Bill was renewed.

The question recurring on the passing of Section 1 to a third reading, it passed in the affirmative.

Mr. RANSIER moved to amend Section 9 by striking out, in the first line, the words "Presidential Electors." Agreed to.

Mr. TOMLINSON moved to temporarily suspend the further consideration of Section 9. Agreed to.

Mr. R. M. SMITH moved to amend Section 12 by striking out the words "three dollars," in the fourth line, and inserting in lieu thereof the words "one dollar and fifty cents."

Mr. C. D. HAYNE moved to indefinitely postpone.

On this the yeas and nays were ordered, and are as follows:

Yeas, 78; nays, 11; absent and not voting, 33. Agreed to.

Those who voted in the affirmative are:

Messrs. Roseman, Brodie, Brown, Burton, John Boston, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Dennis, Dusenberry, Driffle, Duvall, Ezekiel, Farr, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervoy, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Saspotas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Tinsley, Wilder, Wooley, White, Wright and Webb.—78.

Those who voted in the negative are:

Messrs. Bennett, Doyle, Feriter, Moore, Mays, R. M. Smith, Turner, Valentine, Wilson, Waller and Whipper.—11.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Joseph Boston, Bullock, Bryant, Bishop, Clyburn, Crews, DeLarge, DeMars, Elliott, Field, Gray, Harris, Jenks, Johnston, S. Johnson, Jones, Kuh, Keith, Lewis,

Littlejohn, Morrison, McIntyre, Martin, Nelson, Sloan, Stewart, Stoerber, Stubbs, Saunders, Scott and Thomas.—33.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 18.

STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

COLUMBIA, August 24, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR : I respectfully return to the House of Representatives the report of the Committee on Ways and Means on the petition of T. S. Heyward, praying relief from a double tax execution issued in 1866, for its informality.

Section 21 of the Constitution directs that " No Bill shall have the force of law until it shall have been read three times, and on three several days, in each House ; has had the Great Seal of State affixed to it, and has been signed in the Senate House by the President of the Senate and the Speaker of the House or Representatives."

These requirements, in my opinion, are applicable to every Act, Bill or resolution intended to have the force of law ; and as they have not been complied with in the case under consideration, I have felt compelled to withhold my approval of it.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

The consideration of the Bill under discussion was resumed.

On the motion to strike out Section 12 the yeas and nays were ordered, and are as follows :

Yeas, 26 ; nays, 65 ; absent and not voting, 31. Not agreed to.

Those who voted in the affirmative are :

Messrs. Bennett, DeLarge, Fennis, Dusenberry, Drifflie, Doyle, DeMars, Feriter, Humphries, Jackson, G. Lee, Lewie, Moore, Milford, Mead, Purvis, Pettengill, Stewart, R. M. Smith, Turner, Valentine, Wilson, Waller, Wooley, Whipper and Webb.—26.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Duvall, Elliott, Ezekiel, Farr, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervy, Lomax, S. J. Lee,

Lang, Wm. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Mays, Miller, Nash, Nuckles, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Shrewsbury, Smythe, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Tinsley, Wilder, White and Wright.—65.

Those absent and not voting are :

Messrs. Berry, Brodie, Joseph Boston, Bullock, Bryant, Bishop, Clyburn, Crews, Field, Gray, Jenks, Johnston, S. Johnson, Jones, Kuh, Keith, Littlejohn, Mayer, Morrison, W. J. McKinlay, Martin, Nelson, Neagle, O'Connell, Sloan, Stoeber, Stubbs, Saunders, Sasportas, Scott and Thomas.—31.

Mr. SIMONS moved to amend Section 12 by striking out in the fourth line the words "three dollars," and inserting in lieu thereof the words "two dollars." Agreed to.

Mr. RANSIER moved to amend Section 13 by striking out all the words after "cases" in the seventh line. . Agreed to.

Mr. BOSEMON moved to reconsider the vote by which Section 12 was passed to a third reading, and that the motion to reconsider be laid on the table. Agreed to.

Mr. TOMLINSON moved to amend Section 14 by adding "provided that in special cases the Governor shall be authorized to order an election upon such notice as he may deem necessary." Agreed to.

Mr. HYDE moved to amend by substituting the following for Section 15 :

SECTION 15. During any election, any person who shall sell any intoxicating drinks to any person, or give such drink, or carry any such drink to any election polls to give or sell to others—any person so offending shall be adjudged guilty of a misdemeanor, and punished not exceeding five hundred dollars' fine, and not more than twelve months' imprisonment.

On motion of Mr. TOMLINSON, the Bill was recommitted to the Committee, with instructions to reconsider Section 9, and also to consider the amendment offered by Mr. HYDE, viz.: Section 15.

Mr. G. LEE, by leave, introduced

A Bill to provide for the revision and consolidation of the statute laws of the State. Read a first time, and referred to the Committee on the Judiciary.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to license certain persons herein named to act as pilots, and to provide the terms upon which they shall hereafter be licensed, was taken up.

Mr. SMALLS moved to amend Section 1 by inserting between the words

“men” and “to,” in the sixth line, the words “one of whom shall be a first class pilot.” Agreed to.

Mr. SMALLS moved to amend Section 1 by adding “said Board shall be, and is hereby, authorized to grant licenses to pilots as first, second, third and fourth class, as they may be entitled to them from their skill and knowledge of their business.” Agreed to.

Mr. EZEKIEL moved to amend Section 2 by adding “and the pilots appointed in accordance with the provisions of this Act shall be governed by the laws heretofore in force, except so far as the same may be inconsistent with the present Constitution of this State or the provisions of this Act.” Agreed to.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. JACKSON introduced the following concurrent resolution, which agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives of the State of South Carolina, the Senate concurring, That the General Assembly go into an election to-morrow, Tuesday, August 25, at 12:30 P. M., for eight Circuit Judges for this State.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 13.

IN THE SENATE, COLUMBIA, S. C., August 24, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully proposes to your body to go into an election for eight Circuit Judges on Wednesday next, at 12:30 P. M.

(Signed)

L. BOOZER,
President of the Senate.

Mr. ELLIOTT moved to reconsider the vote adopting the concurrent resolution in reference to the election of Circuit Judges, (to-morrow at 12:30 P. M.), and that the resolution be laid on the table. Agreed to.

On motion of Mr. ELLIOTT, a message was sent to the Senate informing that body that the House accepts the invitation as set forth in their message to this House.

A Bill to establish Justice Courts, and define the duties thereof, was taken up.

Section 2 was amended by striking out after the word “ten,” on the seventh line, the words “nor more than fifteen.”

Section 9 was amended by inserting between the words “provided” and “the” the words “that should.”

Section 16 was amended by striking out the word "twenty," on the third line, and inserting "thirty."

The title was amended by striking out all the words after the word "Courts."

The Bill was read the second time, and ordered to be engrossed.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to provide for the payment of the per diem and mileage and current expenses of the General Assembly of South Carolina. Read a first time, and referred to the Committee on Ways and Means.

The following members obtained leave of absence :

Mr. Berry, for ten days.

Mr. Lewis, for ten days.

Mr. Doyle, for ten days.

Mr. Crews, for four days.

On motion, at 3:30 P. M., the House adjourned until 12 M. to-morrow

TUESDAY, AUGUST 25, 1868.

Pursuant to adjournment, the House met at 12 o'clock M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. PERRIN.

The reading of the Journal of the previous day was, on motion of Mr. C. D. HAYNE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. DEMARS, from the Committee on Vacant Offices, reported unfavorably on a Bill to establish a health officer.

Mr. TOMLINSON moved that the consideration of the report and the Bill be postponed until Thursday.

Mr. JERVEY moved, as an amendment, to postpone until the next regular session. Agreed to.

Mr. ROOT, from the Committee on Ways and Means, reported on a (Senate) Bill to provide for the payment of the per diem and mileage and current expenses of the General Assembly.

On motion, the report was laid on the table to take up the Bill.

Mr. RANSIER, from the Committee on Privileges and Elections, to

whom was referred the returns of the Managers of Election of an election held August 13, 1868, for a Representative for Kershaw County, to fill the vacancy occasioned by the decease of S. G. W. Dill, reported on the same as follows :

That they have had the same under consideration. Your Committee find that there were three polling places provided by military authority, and used in the recent elections under said authority, as shown by the records in the State Department in said county, to-wit :

First Precinct—Camden and Cureton Mills.

Second Precinct—Liberty Hill, Flat Rock and Goodwin's—vote at Red Hill.

Third Precinct—Schrock's Mills, Lyzenby's Mills and Buffalo Mills.

That the Managers of Election for the first and second precincts only have made returns, there being no returns from the third.

The returns from the said first and second precincts show that there were cast for Representative 480 votes, of which J. A. Boswell received 476, and Stephen Kirkland 4. Eleven votes were also cast for Benj. Brisbane for County Commissioner, which out to be thrown out, inasmuch as the writ specifically provided for an election for one Representative. The majority of Boswell over Kirkland is therefore 476 votes.

Your Committee are of opinion that J. A. Boswell is entitled to the seat as the legally elected Representative to fill the vacancy above referred to. This determination of your Committee is sustained by the decision of the House of Representatives of this State in the case of Gavin Witherspoon, of Marion District, who was returned as having been elected to the House in 1793, notwithstanding one of the polling places was not opened by the Managers, and no returns, consequently, from said poll made. The Committee on Privileges and Elections in this case reported in favor of Witherspoon taking his seat, to which report the House agreed, and said Witherspoon took his seat.

Your Committee therefore recommend the adoption of the following resolutions :

Resolved, That John A. Boswell is the legally re-elected Representative from Kershaw County to fill the vacancy occasioned by the death of Solomon G. W. Dill, and that he be, and is hereby, admitted to his seat.

Resolved, That the Managers of Election for the third election precinct in Kershaw County, in the election referred to, in refusing to open the poll, have been guilty of an outrage upon the rights of the people, and justly merit the condemnation of all men who have a proper appreciation of the principles involved, and desire to perpetuate republican government.

The returns are herewith returned to the House.

Mr. RANSIER moved that the returns of the election be laid upon the table, and that the House proceed to the consideration of the report. Agreed to.

Mr. TOMLINSON moved the adoption of the report and resolutions recommended by the Committee. Agreed to.

Mr. RANSIER moved that the Representative elect from Kershaw County, Mr. John A. Boswell, be now sworn in as a member of this House. Adopted.

Whereupon Mr. John A. Boswell appeared at the Speaker's desk, was duly sworn, and took his seat

PETITIONS, RESOLUTIONS, &c.

Pursuant to notice, and by leave of the House, Mr. GRAY introduced

A Bill to authorize the building of a bridge to connect the Islands of Wadmalaw and John's. Read a first time, and referred to the Committee on Roads, Bridges and Ferries.

Mr. JACKSON gave notice that on to-morrow, or soon thereafter, he will ask leave of the House to introduce

A Bill to allow minors and others to recover real or personal property, bonds, stocks, bank deposits, bank notes or moneys that were converted into Confederate bonds, stocks or moneys.

Mr. MAYS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to define contracts for laborers, and for other purposes.

Mr. DENNIS gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill for the purpose of regulating the time and manner for insurance companies doing business in this State by agents or otherwise to make returns.

Mr. RICHARDSON introduced the following resolution, which was agreed to :

Resolved, by the House of Representatives, That the Committee on Agriculture report, by Bill or otherwise, a system to promote the draining and improvement of inland swamps.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a joint resolution authorizing the Treasurer of the State to pay to J. W. Denny, State Printer, on account of current printing, one thousand dollars.

The Senate sent to this House a concurrent resolution requiring a report from the Commission appointed by the late Constitutional Convention to inquire into the assets and liabilities of the State.

Mr. TOMLINSON moved to strike out "Saturday, August 22," and insert "Friday, August 28, 1868" Agreed to, and ordered to be returned to the Senate.

The Senate sent to this House the report of Joint Committee on Rules, with the following amendments to Rule 7 :

By striking out the words "hands of the Clerk," and insert in lieu thereof the words "Chairman of Committee on Enrolled Bills of;" also, by striking out the word "Clerk" between the words "such" and "shall," and insert in lieu thereof the word "Chairman."

On motion, the amendments were concurred in, and the report ordered to be returned to the Senate.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The consideration of the amendment to Section 43 was renewed.

The question recurring on the adoption of the amendment, it was not agreed to.

Sections 57 and 68 were amended.

Pending the further consideration of Section 68, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the reorganization and government of the South Carolina Penitentiary.

The second reading of Section 5 was renewed.

Section 6 was amended, and Section 10 stricken out.

The Bill was read the second time, and ordered to be engrossed for a third reading.

At the hour of 2 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to enable the Chatham Railroad Company to extend their road to Columbia.

The Bill was put upon its second reading.

Mr. TOMLINSON moved to amend Section 1 by adding after the word "corporations," in the fourth and fifth lines, the following :

Provided, That this Act shall not have the force of law until the Legislature of the State of North Carolina shall have granted the Cheraw and Coalfields Railroad Company a charter, giving the right of way through that

State for a railroad leading from Cheraw, in South Carolina, to Salisbury, in North Carolina.

Pending the consideration of the amendment, at 3:35 P. M., the House, on motion of Mr. JACKSON, adjourned until to-morrow, 12 M.

WEDNESDAY, AUGUST 26, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. D. HARRIS.

The reading of the Journal of the previous day was, on motion, dispensed with.

The House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of a concurrent resolution to postpone the granting of new and amending of old railroad charters until the next regular session of this General Assembly.

On motion of Mr. DELARGE, the Special Order was discharged.

On motion, the House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the payment of the per diem and mileage of members and the current expenses of the General Assembly was taken up.

The Bill was read the second time, and on the question "Shall the Bill pass to a third reading?" the yeas and nays were ordered.

Pending this, at 12:30 P. M., the Senate was announced, and, according to previous interchange of messages between the two Houses, they proceeded to vote, in Joint Assembly, for Circuit Judges for the several Circuits.

JOINT ASSEMBLY.

The PRESIDENT of the Senate took the chair, and announced that the Joint Assembly would proceed to an election, *viva voce*, for the first Circuit, comprising the Counties of Charleston and Orangeburg.

FIRST CIRCUIT.

Mr. TOMLINSON nominated Mr. David T. Corbin.

SENATE.

Those who voted for Mr. D. T. Corbin are :

Messrs. Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Reid, Rose, Swails, Wright, Whittemore and Wimbush.—22.

Mr. Foster voted for Mr. John Phillips.

Mr. D. T. Corbin received.....	22
Mr. John Phillips.....	1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. D. T. Corbin are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Boseman, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffler, Duvall, DeMars, Elliott, Ezekiel, Ferrier, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, Benj. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Whipper, White, Wright and Webb.—90.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Moore, Sloan, Stewart, Turner, Wilson and Waller.—6.

Mr. Jervev voted for Mr. Zephaniah Platt.

Mr. Wooley voted for Mr. James P. Moore.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. D. T. Corbin received.....	112
Mr. B. F. Dunkin.....	6
Mr. James P. Moore.....	1
Mr. Zephaniah Platt	1
Mr. John Phillips.....	1

Whole number of votes given.....121

Necessary to a choice..... 61

The PRESIDENT declared Mr. D. T. Corbin, having received a majority of the whole number of votes given, duly elected Judge of the First Circuit of the State of South Carolina.

SECOND CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge of the second Circuit, comprising the Counties of Beaufort, Colleton, Barnwell and Edgefield.

Mr. ELLIOTT nominated Mr. Zephaniah Platt.

SENATE.

Those who voted for Mr. Zephaniah Platt are :

Messrs. Allen, Coghlan, Duncan, Hoyt, Hayne, Jillson, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Rose, Wright, Whitmore and Wimbush —16.

Those who voted for Mr. John Maher are :

Messrs. Buck, Bieman, Foster and Leslie.

Those who voted for Mr. Wm. Munro are :

Messrs. Cain, Dickson and Reid.

Mr. Hayes voted for Mr. C. B. Farmer.

Mr. Swails voted for Mr. C. P. Leslie.

Mr. Zephaniah Platt received.....	16
Mr. John Maher.....	4
Mr. Wm. Munro.....	3
Mr. C. B. Farmer.....	1
Mr. C. P. Leslie.....	1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Zephaniah Platt are :

Messrs. Bosemon, Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Fzekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McDaniels, Milford, Mead, Miller, Nash, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoerber, Stolbrand, Shrewsbury, Saunders, Smythe, Sasportas, Simons, Smiley, Scott, S. B. Thompson, Toulinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—85.

Those who voted for Mr. A. P. Aldrich are :

Messrs. Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—7.

Mr. W. J. McKinlay voted for Mr. Wm. Whaley.

Mr. McIntyre voted for Mr. C. B. Farmer.
 Mr. Mobley voted for Mr. W. J. Whipper.
 Mr. O'Connell voted for Mr. G. W. Williams.
 Mr. A. Smith voted for Mr. R. H. Cain.
 Mr. B. A. Thompson voted for Mr. J. M. Rutland.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. Zephaniah Platt received.....	101
Mr. A. P. Aldrich.....	7
Mr. John Maher.....	4
Mr. William Munro.....	3
Mr. C. B. Farmer.....	2
Mr. C. P. Leslie.....	1
Mr. William Whaley.....	1
Mr. J. M. Rutland.....	1
Mr. W. J. Whipper.....	1
Mr. R. H. Cain.....	1
Mr. G. W. Williams.....	1

Whole number of votes given.....123

Necessary to a choice..... 62

The PRESIDENT declared Mr. Zephaniah Platt, having received a majority of the whole number of votes given, duly elected Judge of the second Circuit of the State of South Carolina.

THIRD CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge for the third Circuit, comprising the Counties of Sumter, Clarendon, Williamsburg and Horry.

Mr. FERITER nominated Mr. John T. Green, of Sumter.

SENATE.

Those who voted for Mr. John T. Green are:

Messrs. Allen, Buck, Bieman, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Rose, Swails, Wright, Whittemore and Wimbush.—23.

Mr. Foster voted for Mr. J. T. Walsh.

Mr. John T. Green received..... 23

Mr. J. T. Walsh..... 1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. John T. Green are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Barton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Mayer, W. McKinlay, Mickey, McDaniel, Moore, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, Purvis, Perrin, Preudegrass, Pettengill, Richardson, Root, Rush, Rivers, Stewart, Stolbrand, A. Smith, Saunders, Smythe, Sasportas, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Tinsley, Wilson, Wilder, Wooley, Whipper, White, Wright and Webb.—85.

Those who voted for Mr. J. T. Walsh are :

Messrs. Sloan, Turder and Waller.—3.

Mr. McIntyre voted for Mr. C. B. Farmer.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. John T. Green received.....	108
Mr. J. T. Walsh.....	4
Mr. C. B. Farmer	1
	113
Whole number of votes given.....	113
Necessary to a choice.....	57

The PRESIDENT declared Mr. J. T. Green, having received a majority of the whole number of votes given, duly elected Judge of the third Circuit of the State of South Carolina.

FOURTH CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge for the fourth Circuit, comprising the Counties of Chesterfield, Marlboro, Marion, Darlington and Kershaw.

Mr. MAXWELL nominated Mr. Jas. M. Rutland, of Fairfield County.
Mr Bieman nominated Mr. T. W. Allen.

SENATE.

Those who voted for Mr. J. M. Rutland are :

Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rose, Swails, Wright, Whittemore and Wimbush.—21.

Those who voted for Mr. T. W. Allen are :

Messrs. Buck, Bieman and Foster.—3.

Mr. James M. Rutland received.....	21
Mr. T. W. Allen.....	3

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. J. M. Rutland are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMara, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Predegrass, Pettengill, Richardson, Root, Rush, Rivers, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Simous, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—89.

Those who voted for Mr. T. W. Allen are :

Messrs. Turner, Wilson and Waller.—3.

Those who voted for Mr. J. P. Carroll are :

Messrs. Sloan, Stewart and R. M. Smith.—3.

Mr. Stoeber voted for Mr. T. E. Dudley.

Mr. Moore voted for Mr. B. F. Perry.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. James M. Rutland received.....	110
Mr. T. W. Allen.....	6
Mr. J. P. Carroll.....	3
Mr. B. F. Perry.....	1
Mr. T. E. Dudley.....	1

Whole number of votes given.....121

Necessary to a choice..... 61

The PRESIDENT declared Mr. James M. Rutland, having received a majority of the whole number of votes given, duly elected Judge of the fourth Circuit of the State of South Carolina.

FIFTH CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge for the

Fifth Circuit, comprising the Counties of Fairfield, Richland, Newberry and Lexington.

Mr. CORBIN took the chair.

Mr. HAYNE nominated Mr. Lemuel Boozer.

SENATE.

Those who voted for Mr. Lemuel Boozer are :

Messrs. Allen, Buck, Corbin, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Reid, Rose, Swails, Wright, Whittemore and Wimbush.—25.

Mr. Bieman voted for Mr. T. W. Glover.

Mr. Lemuel Boozer received.....	25
Mr. T. W. Glover.....	1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Lemuel Boozer are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Saunders, Snytho, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilson, Wilder, Waller, Wooley, Whipper, White, Wright and Webb.—89.

Those who voted for Mr. J. P. Carroll are :

Messrs. Moore, Stewart and Turner.—3.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. Lemuel Boozer received.....	114
Mr. J. P. Carroll.....	3
Mr. T. W. Glover.....	1

Whole number of votes given	118
Necessary to a choice.....	60

The PRESIDENT *pro tem.* declared that Mr. Lemuel Boozer, having

received a majority of the whole number of votes given, was duly elected Judge of the fifth Circuit.

SIXTH CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge of the sixth Circuit, comprising the Counties of Chester, Lancaster, Union and York.

Mr. ROSE nominated Mr. G. W. Williams, of York.

Those who voted for Mr. G. W. Williams are :

Messrs. Allen, Buck, Bieman, Corbin, Cain, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Nash, Rainey, Rutland, Reid, Rose, Swail, Whittemore and Wimbush.—21.

Mr. Coghlan voted for Mr. J. J. Wright.

Mr. Maxwell voted for Mr. John M. Langston.

Mr. G. W. Williams received.....	21
Mr. J. J. Wright.....	1
Mr. John M. Langston.....	1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. G. W. Williams are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brown, Burton, John Boston, Joseph Boston, Boswell, E. J. Cain, Cooke, DeLarge, Dusenberry, Duvall, DeMars, Ezekiel, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jones, Lomax, W. J. McKinlay, McDaniels, Moore, Milford, Miller, Nash, Nuckles, Neagle, O'Connell, Prendegrass, Pettengill, Root, Rush, Stewart, Stoeber, A. Smith, R. M. Smith, Saunders, Smythe, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, Wooley, White and Webb.—62.

Those who voted for Mr. J. J. Wright are :

Messrs. Jervey, Mobley, Perrin, Richardson, Thomas, Whipper and Wright.—7.

Those who voted for Mr. W. J. Whipper are :

Messrs. Chestnut, Driffle, Purvis and Stolbrand.—4.

Those who voted for Mr. J. J. Fleming are :

Messrs. Holliman, Harris and Lang —3.

Mr. Mays voted for Mr. B. F. Randolph.

Mr. Rivers voted for Mr. Levi Hill.

Mr. Tinsley voted for Mr. W. R. Hoyt.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. G. W. Williams received.....	88
Mr. J. J. Wright.....	8
Mr. W. J. Whipper.....	4
Mr. J. J. Fleming.....	3
Mr. J. M. Langston.....	1
Mr. W. R. Hoyt.....	1
Mr. R. H. Cain.....	1
Mr. B. F. Randolph.....	1
Mr. Levi Hill ..	1

Whole number of votes given.....103

Necessary to a choice..... 52

The PRESIDENT declared Mr. G. W. Williams, having received a majority of the whole number of votes given, duly elected Judge of the sixth Circuit of the State of South Carolina.

SEVENTH CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge of the seventh Circuit, comprising the Counties of Abbeville, Laurens and Spartanburg.

Mr. OWENS nominated Mr. T. O. P. Vernon, of Spartanburg County.

Mr. TINSLEY nominated Mr. W. M. Thomas.

Mr. LESLIE nominated Mr. James P. Moore.

SENATE.

Those who voted for Mr. T. O. P. Vernon are :

Messrs. Buck, Bieman, Corbin, Cain, Coghlan, Dickson, Duncan, Hayes, Hayne, Nash, Owens, Rutland, Reid, Rose, Swails, Wright and Whittemore.—17.

Those who voted for Mr. W. M. Thomas are :

Messrs. Hoyt and Wimbush.—2.

Mr. Foster voted for Mr. B. F. Dunkin.

Mr. Jillson voted for Mr. James P. Moore.

Mr. Leslie voted for Mr. B. F. Perry.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. T. O. P. Vernon are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brown, John Boston, Joseph Boston, Boeswell, L. Cain, E. J. Cain, Collins, Chestnut, DeLarge, Dusenberry, DeMars, Ezekiel, Gardner, Hayes, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Kuh, Lomax, S. J. Lee, Lang, Mayer,

W. J. McKinlay, McDaniels, Moore, Milford, Mead, Nash, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Richardson, Root, Rush, Stewart, Stoeber, R. M. Smith, Saunders, Smythe, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, Wooley and Wright.—63.

Those who voted for Mr. W. I. Whipper are :

Messrs. Dennis, Drifflé, Duvall, Elliott, Gray, Jenks, Jervey, Jones, Mickey, Mobley, Mays, Miller, White and Webb.—14.

Those who voted for Mr. W. M. Thomas are :

Messrs. Cooke, Stolbrand and Tinsley.—3.

Mr. C. D. Hayne voted for Mr. R. C. DeLarge

Mr. J. N. Hayne voted for Mr. J. P. Moore.

Mr. McIntyre voted for Mr. J. J. Fleming.

Mr. Pettengill voted for Mr S. Saunders.

Mr. Rivers voted for Mr. J. J. Wright.

Mr. A. Smith voted for Mr. J. H. Rainey.

Mr. Thomas voted for Mr W. B. Nash.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. T. O. P. Vernon received	80
Mr. W. J. Whipper.....	14
Mr. W. M. Thomas.....	5
Mr. James P. Moore.....	2
Mr. B. F. Dunkin.....	1
Mr. B. F. Perry.....	1
Mr. J. J. Fleming.....	1
Mr. R. C. DeLarge.....	1
Mr. J. H. Rainey.....	1
Mr. W. B. Nash.....	1
Mr. S. Saunders.....	1
Mr. J. J. Wright.....	1
<hr/>	
Whole number of votes given.....	109
Necessary to a choice.....	55

The PRESIDENT declared Mr. T. O. P. Vernon, having received a majority of the whole number votes given, duly elected Judge of the seventh Circuit of the State of South Carolina.

EIGHTH CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge of the eighth Circuit, comprising the Counties of Greenville, Anderson, Oconee and Pickens.

Mr. DeLARGE nominated Mr. James L. Orr.
 Mr. CAIN nominated Mr. J. J. Wright.
 Mr. MILLER nominated Mr. W. J. Whipper.
 Mr. HOYT nominated Mr. Murray.
 Messrs. Wright and Whipper declined the nomination.

SENATE.

Those who voted for Mr. James L. Orr are :

Messrs. Buck, Bieman, Coghlan, Dickson, Duncan, Foster, Hayes, Hayne, Jillson, Leslie, Maxwell, Nash, Rainey, Rutland, Reid, Wright and Whittemore.—17.

Those who voted for Mr. Murray are :

Messrs. Cain, Owens and Wiimbush.
 Mr. Hoyt voted for Mr. C. G. Memminger.
 Mr. Swails voted for Mr. C. Wingo.

Mr. James L. Orr received:.....	17
Mr. Murray.....	8
Mr. C. Wingo.....	1
Mr. C. G. Memminger.....	1

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. James L. Orr are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Boswell, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, DeMars, Ezekiel, Gray, C. D. Hayne, J. N. Hayne, D. J. J. Johnson, Jacobs, Jervay, Kuh, Lomax, Lang, Mayer, W. J. McKinlay, Moore, Mead, Miller, Nash, Neagle, O'Connell, Pettengill, Rush, Stewart, Stoeber, A. Smith, R. M. Smith, Saunders, Smythe, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, White and Wright.—48.

Those who voted for Mr. Murray are :

Messrs. John Boston, L. Cain, E. J. Cain, Duvall, Feriter, Farr, Gardner, Hayes, Humphries, Harris, Hyde, Jackson, H. James, S. J. Lee, McIntyre, Mickey, Milford, Nuckles, Richardson, Root, Rivers and Tinsley.—22.

Those who voted for Mr. R. H. Cain are :

Messrs. Bosemon, McDaniels, Purvis and Thomas.—4.

Those who voted for Mr. Y. J. Pope are :

Messrs. Joseph Boston and Hutson.—2.

Mr. Brown voted for Mr. C. J. Stolbrand.

Mr. Whipper voted for Mr. Leslie.

Mr. Perrin voted for Mr. Y. J. P. Owens.

Mr. Mobley voted for Mr. J. J. Wright.

Mr. Mays voted for Mr. B. M. Dix.

Mr. Prendegrass voted for Mr. W. J. Whipper.

Mr. Henry Johnson voted for Mr. S. B. Thompson.

Mr. Wooley voted for Mr. Wade Hampton.

Mr. Sloan voted for Mr. Munro.

Upon aggregating the votes, the **PRESIDENT** announced the following as the result :

Mr. James L. Orr received.....	65
Mr. Murray.....	25
Mr. R. H. Cain.....	4
Mr. Y. J. Pope.....	2
Mr. C. P. Leslie.....	1
Mr. Y. J. P. Owens.....	1
Mr. C. J. Stolbrand.....	1
Mr. W. Munro.....	1
Mr. W. J. Whipper.....	1
Mr. S. B. Thompson.....	1
Mr. B. M. Dix.....	1
Mr. J. J. Wright.....	1
Mr. C. G. Memminger.....	1
Mr. C. Wingo.....	1
Mr. Wade Hampton.....	1
Whole number of votes given.....	107
Necessary to a choice.....	54

The **PRESIDENT** declared Mr. James L. Orr, having received a majority of the whole number of votes given, duly elected Judge of the eighth Circuit of the State of South Carolina.

The Joint Assembly was then dissolved, and the Senate retired.

The **SPEAKER** resumed the chair.

The following is the result of the vote, by yeas and nays, on the passage to a third reading of the Bill to provide for the payment of the per diem and mileage and current expenses of the General Assembly :

Yeas, 76; nays, 19; absent and not voting, 29.

So it passed in the affirmative.

Those who voted in the affirmative are :

Messrs. Rosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Duvall, DeMars, Ezekiel, Feriter, Gardner, Grant, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jерvey, Jones, Kuh, Lomax,

S. J. Lee, Lang, Mayer, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder, White, Wright and Webb.—76.

Those who voted in the negative are :

Messrs. DeLarge, Dennis, Driffle, Elliott, Gray, Henderson, G. Lee, Moore, Mead, Sloan, Stewart, Stoeber, Stolbrand, R. M. Smith, Tinsley, Turner, Wilson, Waller and Wooley.—19.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Bullock, Bryant, Bishop, Clyburn, Crews, Dusenberry, Doyle, Field, Farr, Goodson, Johnston, S. Johnson, B. James, Keith, Lewis, Littlejohn, Morrison, Wm. McKinlay, Martin, Mays, Nelson, Stubbs, Smalls, Valentine and Whipper.—29.

The following paper was presented to be entered on the Journal :

We vote "no" on the passage of a Bill to provide for the payment of the per diem and mileage of the members of the General Assembly, because we do not believe that it is wise for the Legislature to depreciate the Bills Receivable of the State, and because we believe the Bill, as it now reads, is equivalent to a depreciation thereof.

R. B. ELLIOTT,
R. C. DELARGE,
GEORGE LEE,
WM. DRIFFLE.

Mr. WHIPPER moved a reconsideration of the vote passing the Bill to a third reading. Agreed to.

Mr. WHIPPER then moved to lay the Bill on the table. Agreed to.

Mr. WRIGHT, from the Committee on Engrossed Acts, reported the following Bills as having been duly and correctly engrossed :

A Bill to determine and perpetuate the homestead ;

A Bill to fix the amount of official bonds of certain county officers ;

A Bill to provide for the temporary organization of the Educational Department of this State ;

A Bill to license pilots for Charleston bar and harbor, Stono River, &c.

Pursuant to notice, and by leave of the House, Mr. JACKSON introduced

A Bill to allow minors and others to recover property, stocks, moneys, &c., that were converted into so-called Confederate bonds, stocks or moneys. Read a first time, and referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. LOMAX introduced A Bill to punish discriminations in the treatment of prisoners by Sheriffs and Jailers. Read a first time, and referred to the Committee on the Judiciary.

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report:

The Committee on Privileges and Elections, to whom was recommitted the Bill to regulate elections and to punish abuses of the elective franchise to consider Section 9, and also the proposed amendment as Section 15, beg leave to report:

That they have had the same under consideration, and recommend the adoption of the accompanying substitute for Section 9, and also the accompanying substitute for Section 15, and that Section 15 in the printed Bill be numbered Section 16.

Your Committee have also considered the resolution to provide a State Board of Canvassers; also, a resolution to close bar-rooms on days of election, and have incorporated as much of both as met their approval:

SECTION 9. That in all elections for members of Congress, State officers and members of the General Assembly, and such other State officers as are now or may hereafter be elected by the people, and for all county officers, the polls shall be opened at 7 o'clock A. M., and remain opened until 5 o'clock P. M. of the same day; and all such elections shall be held for one day only. The Managers of Election shall securely seal up the boxes containing the ballots immediately after the closing of the polls. On the second day succeeding the day of election the Managers of the several polling places shall meet at the county court house, or some other central public place in the county, at 12 o'clock M., elect one of their number chairman of the whole, and proceed to count the ballots. The ballots of each polling place shall then be securely sealed up in separate packages, accompanied by a certificate signed by at least a majority of the Managers of such polling place and countersigned by the Chairman of the whole Board; which certificate shall set forth the name of the polling place, the whole number of votes cast, the office or offices to be filled, and the number of votes polled for the person or persons voted for. If it be a general or State election, the returns shall be forwarded by the Chairman of the whole Board to the Secretary of State, who, together with the Governor and Comptroller-General, shall proceed to and canvass the returns, and the Governor shall then declare the election. If it be a county election or elections, after proceeding to count as hereinbefore prescribed, the results shall be declared by the Chairman of the Board, and the packages shall be kept by the Managers in some safe and convenient place.

SECTION 15. All bar-rooms and drinking saloons shall be closed on the

days of election, and any person who shall sell or give any intoxicating drinks to any person during any election shall be guilty of a misdemeanor, and upon conviction, shall be fined in a sum not less than one hundred dollars nor more than five hundred dollars, or imprisonment for a term not less than three months nor more than one year.

On motion of Mr. TOMLINSON, the consideration of the report was made the Special Order for to-morrow, at 1:30 P. M.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 19.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 26, 1868.

To the Honorable the Speaker of the House of Representatives :

I have this day approved the following Acts, viz.:

1. An Act to authorize a loan to redeem the obligations known as " Bills Receivable of the State of South Carolina."
2. An Act to authorize a State loan to pay interest on the public debt.

Very respectfully,

Your obedient servant,

(Signed)

R. K. SCOTT, Governor.

MESSAGE FROM THE GOVERNOR, No. 20.

Gentlemen of the Senate and House of Representatives :

In my Inaugural Message I expressed the intention of submitting to your honorable body a plan for the early completion of the Blue Ridge Railroad. In accordance therewith, I now invite your earnest consideration of the subject, and invoke such action by you as shall speedily achieve the great result.

For more than forty years the importance of uniting the West with the South Atlantic Coast has been urged by the leading intellects of the country ; and many of the railroads constructed during that period, on both sides of the mountains, have been built with a view to their direct or tributary connection with this great national highway. Roads from Branchville to Columbia, from Columbia to Greenville, Abbeville and Anderson, from Columbia to Spartanburg, from Columbia to Charlotte, and from Charlotte to Statesville, Morganton and Asheville, and the several roads extending from Cincinnati and Louisville towards Knoxville, and from Knoxville towards the Blue Ridge, are all but the off-shoots of this great enterprise. Even as

early as 1836, when delegates from nine States assembled in a railroad convention at Knoxville, it was declared to be the most magnificent and important public work projected in our country.

After mature deliberation, and a critical survey by the most distinguished engineers, it was decided to locate the route between Anderson, South Carolina, and Knoxville, Tennessee, the distance being only 195 miles. The total cost of the undertaking, it was estimated by Col. Gwin, the Chief Engineer in 1860, would not exceed \$7,575,677. The work was commenced under the most favorable auspices, and energetically pressed forward until 1860, when operations were suspended by the war. At this time thirty-four miles of the road had been completed, and were in running order. Much of the grading and masonry in the remaining territory of South Carolina, Georgia and North Carolina was also finished, so that the work may now be said to be more than half completed. In this connection it is proper to state that the grading in South Carolina alone is nearly equal to the whole grading in North Carolina and Tennessee. The bridge and arch masonry in South Carolina is nearly equal to all the bridge and arch masonry of the remainder of the road; while the tunnels in South Carolina exceed nearly all the tunneling on the rest of the line.

The sum expended upon this gigantic work is \$3,287,258—about half the estimated cost of the whole road—and there has been incurred a debt of only two hundred and thirty thousand dollars, besides interest, which is secured by an issue of first mortgage bonds. The State has subscribed and paid, in State bonds, \$1,310,000. The city of Charleston has subscribed and paid, in city scrip, \$1,049,000. So that the State and city are interested in the fortunes of the road to the amount of about \$3,000,000. This estimate includes unpaid interest which has accrued upon the bonds. The railroad company likewise own 70,000 acres of land, and have the promise, from citizens living along the route, of 300,000 acres more, as soon as the work is resumed. This land will, on its completion, become very valuable. Is it wise financial policy of the State, by withholding the further aid required, to hazard a sale of the assets of the road by the Trustees under the first mortgage bonds, and permit some rival enterprise to enjoy the benefit so nearly within our reach?

The advantages of the Blue Ridge Railroad over any other that has been projected are manifest.

1st. It is the shortest line through the mountains from the seaboard to the Ohio River. It must, therefore, always command both trade and travel. The great West exports corn, wheat, flour, bacon, lard, tobacco, whiskey, lime, salt, mules and cattle. These find an outlet through New York and Baltimore, on the one side, and Mobile and New Orleans, on the other. At the present time bacon may be found in Anderson which was shipped from

Cincinnati to Wheeling, thence to Baltimore, thence to Charleston, and thence to the interior—a distance of more than fifteen hundred miles. Were the Blue Ridge Railroad completed, the distance from Anderson to Knoxville would be only one hundred and ninety-five miles, and from Knoxville to Cincinnati less than three hundred miles; making a total of four hundred and ninety-five miles, and saving in travel and expense one thousand miles. To illustrate this item of expense, corn, which, in Columbia, before the war, cost one dollar a bushel, could be bought just across the mountains, in Tennessee, for twenty cents.

2d. During the winter months Northern roads are frequently obstructed by snow, and business is seriously interrupted. At no time is such a casualty likely to occur in the softer climate of these Southern States. Our ports will always be an outlet through which the West can supply the markets of the world, and receive in return, not only the wealth of distant peoples, but the rice and cotton of our own fertile fields. Terminating, as the road will, upon our coast, at Charleston and Port Royal, it has a further material advantage over those lines which terminate upon the Gulf of Mexico. Here the freighted ship may proceed direct to sea. There she must round the capes of Florida, and encounter the increased difficulties and dangers of navigation, consuming time, and swelling the cost of transportation and insurance.

3d. The Blue Ridge Railroad passes through a country rich in resources of every kind. The soil is of unequalled fertility and adapted to nearly all profitable species of agriculture. Gold, silver, iron, coal and copper mines abound, and only wait to be tapped by the hand of industry to add their vast stores to the wealth of the nation. Employment may thus be furnished to thousands of sturdy laborers from every portion of Christendom; emigration will be encouraged; hitherto unsettled country will be opened to enterprise; our water courses will be peopled; manufactories will rear their pleasant shapes; villages will expand into towns and towns into cities; business will thrive and its pursuits become more diversified; and, in short, the whole State will feel the pulses of a new life throbbing through this great artery of trade.

4th. The Blue Ridge Railroad will be the feeder of every other railroad in South Carolina, and a large and remunerative local business must supersede the present stagnation. Charleston and Columbia, as commercial centres of the State, are not only to be benefited, but Port Royal, with the best harbor on the Atlantic coast between Pensacola and the Chesapeake, must become a railroad centre from which imports will be distributed to the North, West and South, a harbor wherein ships will likewise be gathered from every quarter of the world, to receive at that terminus of this great highway the freight which the West and South would exchange for the pro-

ducts of the old world, and the East and West Indies. It is well known to commercial men that during the winter season, the price of transportation to points north of Cape Hatteras is nearly double that paid on shipments to Southern ports.

5th. The building of the Blue Ridge Railroad is of vast military and political importance to the Union. Aside from the sympathy naturally existing between agricultural sections like the West and the South, and strengthened as it must be by all the ties of trade, the necessity of a great air line across the Continent in this direction, with Charleston and Port Royal for its objective points, is too great to be ignored by the General Government, and I feel confident that Congress will give its earnest consideration to an enterprise which may add so much to the military and postal facilities of the country. Such a Western connection across the mountains has always been regarded as a political and military necessity, scarcely less important than the commercial wealth and prosperity that would result from the construction of the road.

This was the view taken even during the administration of Mr. Munroe, when his Secretary of War had a survey made through the identical gap in the mountains through which the Blue Ridge Railroad will pass, with the intention of cutting a canal between the head waters of the Savannah and Tennessee Rivers, before the day of railroads.

In the event of a foreign war it would be of vital importance to the Government to have a naval station at Port Royal, where there is depth of water and room abundant to float the largest fleets of the world. From this point to Cincinnati is almost an air line, and the shortest route to the great heart of the nation.

Such are some of the benefits which must accrue to the State and country from the construction of this great thoroughfare. Upon you, as legislators, depends the completion of the work. You may render aid which in sixty or ninety days will permit operations upon the road to be resumed, and once resumed, we may confidently look for encouragement to the capitalists of the country, if not to the public treasury itself. But whatever is done by you should be done promptly. Georgia and North Carolina are surrounding us with a network of railroads, the object of which is to divert both trade and travel from our midst. They are our competitors for Western commerce, and if we are idle they will succeed. Virginia has loaned her credit to encourage railroad enterprises to the extent of \$12,000,000; Georgia has expended more than \$5,000,000 upon her State Road alone; North Carolina nine millions, and Tennessee, to concentrate trade within her borders, has granted near thirty millions of dollars in guarantee of the bonds of various railroads. South Carolina has also been liberal in the past; and yet with all her liberality her credit has been so sacredly guarded, *that her bonds*

debt at this time (exclusive of the war debt) amounts to only \$5,407,215. The interest in arrears and due on this sum on the 1st of January, 1869, will be only \$564,136. This is exclusive of the Bills Receivable authorized by the Act of 1865, not more than \$300,000 of which are likely to go into general circulation. To meet these liabilities of the State, namely the accumulated interest, and to redeem the Bills Receivable, the Legislature has authorized a loan of \$1,500,000. It will thus be seen that the total bonded debt of the State on the 1st of January next, after the payment of interest due, and the redemption of the Bills Receivable—assuming that the loan of \$1,500,000 recently authorized is all put upon the market, which is not likely to be the case—will be the comparatively small sum of \$6,907,215.

With a basis of \$300,000,000 in real and personal property, subject to taxation, it is evident that with an assessment of only three mills upon the dollar, the interest annually accruing upon the above debt, together with the current expenses of the State, may be promptly met. When it is remembered that new and valuable enterprises are being developed—that capitalists from the North and West are seeking profitable investments in South Carolina; that our lands are being cultivated under an improved system of agriculture which promises to yield more abundant results than heretofore; that the recent discovery of phosphate beds along the coast has opened a new mine of wealth which has already enhanced the value of surrounding property; that an industrious and laboring population are preparing to come hither from various portions of the country, bringing new strength and energy; that manufacturers from the North are turning their attention to the magnificent water power which abounds in almost every portion of the State, and to the extraordinary facilities whereby cotton is manufactured fifteen per cent. cheaper than at the North; that new railroads are being projected and there is promise of increased facilities for trade; that the completion of this Blue Ridge Railroad will of itself open a channel of wealth, the grand results of which no human being can fully estimate—when all these facts are brought into view, we cannot but look with hopeful eyes upon the future, and realize that South Carolina sets forth in her race of progress with advantages superior to those of any of her sister Southern States.

Having thus described the character of the road, its importance to every interest in the State and country, and made an exhibit of the financial condition of the State, and its resources, which demonstrate your ability to grant further aid to the undertaking, I now invite your attention to the plan which I have to suggest as the most feasible, as the one which promises the speediest results, and which will secure the sympathy and practical co-operation of those capitalists of the West who are as deeply interested in the

construction of the road as the people of South Carolina. I am confident that to effect this latter result it is only necessary to show that we are in earnest ourselves, and determined to complete the road in the shortest time that energy and skill can perform the work.

1st. It is essential that the Legislature shall remove the restriction imposed upon the company by the Act of 1854, which required the production of proof to the Governor of such subscriptions or aid granted in the States of North Carolina and Tennessee as to give reasonable assurance of the completion of the road. These promises of aid were based upon a contract by contractors; but as the latter failed to comply with the terms of their contract, South Carolina withheld her guarantee of any of the bonds of the company.

2d. With the removal of this restriction, the State should pass an Act guaranteeing the bonds of the company to the amount of one million of dollars, and authorizing the President to hypothecate or dispose of said bonds in such manner as is best calculated to secure the immediate resumption of the undertaking.

The engineer, Colonel Gwin, states that the entire tunneling can be completed in one year. Three fourths of this work has already been finished, and there is no reason why the remainder may not be completed within the time above specified. The rolling stock can then be put upon the road. In less than one year and a half from this time, therefore, we may have the satisfaction of seeing a through train from the Ohio River to Charleston, and a union between two sections of our country which practically have been to each other as strangers.

Reference has already been made to the importance of this road in a military point of view. Many leading public men have recently urged its construction on this ground, and there is no doubt that Congress is prepared to lend a willing ear to any reasonable proposition which may promise to result in the attainment of so valuable an object.

I therefore respectfully suggest that your honorable body shall request the Senators and Representatives of the State in Congress to lay this subject before that body at the earliest practicable moment, to the end that the General Government may be induced to render such assistance to the road as its importance in a military point of view may justify. This assistance may be granted without hazard.

Bonds of the road, endorsed by the State, may be deposited in the United States Public Treasury, and their equivalent in the United States currency be issued to the road, which will thus be put in possession of an active working capital. Every dollar expended upon the road will then increase the value to the General Government of the security. And, finally, when the road is completed, the Government will have a lien upon property worth

nearly eight million of dollars, for which it has really advanced less than half that amount, while the State will have derived the advantage of a complete road without having been compelled to pay interest on the bonds issued. In a few years the vast business done upon the line will enable the company to pay all of its indebtedness.

This subject is one of the gravest with which we have to deal, because it largely involves the material interests of the State, and promises to contribute more to their future development than any other public enterprise that can be suggested.

I submit these considerations to your honorable body in that spirit of earnestness which I trust will find a response in your early action.

Accompanying this Message is a memorial addressed to the Executive of the State by the President of the Blue Ridge Railroad, and a report on the condition and prospects of the company prepared by the same officer, to both of which I respectfully ask your attention.

Very respectfully,

ROBERT K. SCOTT,
Governor of South Carolina.

On motion of Mr. TOMLINSON, the Message (No. 20) was received as information, and 300 copies ordered to be printed.

Mr. J. N. HAYNE gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill applying for a charter for the Camden and Charlotte Railroad.

Mr. WHIPPER introduced the following resolution, which was agreed to :

Resolved, That the Sergeant-at-Arms be instructed to furnish the members of this House with pay certificates of their mileage and per diem up to date, and the State Treasurer is hereby authorized to pay thereon such an amount as he may be able; like certificates shall be furnished to the subordinate officers and employees of this House, and paid in like manner of those of the members.

The following members obtained leave of absence :

Mr. R. M. Smith for fifteen days.

Mr. Kuh, for ten days.

Mr. Smalls, for nine days.

Mr. Burton, for five days.

Mr. S. Johnson, for three days.

Mr. Goodson, for one day.

On motion, at 3:35 P. M., the House adjourned until 12 M. to-morrow.

THURSDAY, AUGUST 27, 1868

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. R. M. VALENTINE.

The reading of the Journal of the previous day was, on motion of Mr. SHREWSBURY, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill to incorporate the Wando Company, and recommended, as an amendment, that the title of the Bill be changed to read "A Bill to incorporate the Wando Mining and Manufacturing Company."

On motion of Mr. STOEBER, the report was laid on the table to take up the Bill.

Mr. DELARGE, from the Committee on Ways and Means, reported on a resolution fixing the pay of the Stenographer of the House at \$1,200 for this session.

On motion of Mr. JERVEY, the report was adopted.

Mr. WRIGHT, from the Committee on Engrossed Acts, reported that the following Bills had been duly and correctly engrossed.

A Bill to provide for the reorganization and government of the South Carolina Penitentiary;

A Bill to establish Justice Courts.

The Bills were laid over until the expiration of the morning hour.

PETITIONS, RESOLUTIONS, &c.

Mr. BOSEMON presented the petition of the Ashley Fire Engine Company of Charleston, praying a charter. Referred to the Committee on Incorporations.

Also, gave notice that he would to-morrow, or soon thereafter, introduce A Bill to incorporate the Ashley Fire Engine Company, of Charleston.

Mr. McINTYRE introduced the following resolution, the consideration of which, on motion of Mr. FERITER, was postponed until the next regular session :

Resolved, That the Committee on Agriculture submit a Bill to authorize this General Assembly to appoint a Geological, Mineralogical and Agricultural Surveyor, whose duty it shall be to explore the counties of this State, make a geological map, and to analyze minerals, ores, soils, manures, &c.

Mr. PETTENGILL presented the petition of Mr. John W. Stagers, of Williamsburg, praying that his name be changed to John W. Stannard. Referred to the Committee on the Judiciary.

SPECIAL ORDER OF THE DAY.

A Bill to provide for the appointment of Tax Collectors of this State was taken up.

On motion of Mr. DELARGE, the consideration of the Bill was postponed until Tuesday next, September 1.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to enable the Chatham Railroad Company to extend their road to Columbia, was taken up.

The consideration of the indefinite postponement of the amendment offered by Mr. TOMLINSON to Section 1 was renewed, and on the question of indefinite postponement, the yeas and nays were called, and are as follows:

Yeas, 77; nays, 27; absent and not voting, 19.

So the amendment was indefinitely postponed.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, John Boston, Jos. Boston, Bryant, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, Dennis, Dusenberry, Duvall, DeMars, Elliott, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, Humphries, Holliman, Hutson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jacobs, H. James, Lomax, G. Lee, S. J. Lee, Lang, Mickey, McDaniels, Mobley, Moore, Milford, Mays, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Richardson, Root, Rush, Rivers, Sloan, Stoeber, R. M. Smith, Saunders, Shrewsbury, Smythe, Saspotas, Simons, Smiley, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Wilder, Waller, Wooley, Whipper and White—77.

Those who voted in the negative are:

Messrs. Bosemon, Brodie, Brown, DeLarge, Driffler, Ezekiel, J. N. Hayne, Henderson, Jenks, Jackson, Jervey, Jones, Kuh, Mayer, Wm. McKinlay, W. J. McKinlay, McIntyre, Mead, Prendegrass, Pettengill, Ransier, Stolbrand, A. Smith, Tomlinson, Thomas, Wright and Webb.—27.

Those absent and not voting are:

Messrs. Berry, Burton, Bullock, Bishop, Clyburn, Doyle, Field, Samuel Johnson, B. James, Keith, Lewie, Littlejohn, Morrison, Martin, Nelson, Stewart, Stubbs, Swalls and S. B. Thompson.—19.

At the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion, the consideration of the Special Order was suspended until the further consideration of the previous Bill.

The consideration of the Bill to enable the Chatham Railroad Company to extend their road to Columbia was renewed.

It was moved that the consideration of the Bill be postponed until Tuesday next.

It was moved to indefinitely postpone the motion to postpone until Tuesday next.

On this the yeas and nays were called, and are as follows :

Yeas, 79 ; nays, 18 ; absent and not voting, 26. Agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Bennett, Brown, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, Dennis, Dusenberry, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jacobs, H. James, Kuh, Lomax, G. Lec, S. J. Lee, Lang, Mickey, McDaniels, Moore, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Prendegrass, Richardson, Rush, Rivers, Stewart, Stoeber, Stolbrand, R. M. Smith, Saunders, Shrewsbury, Smythe, Saspotas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Tinsley, Valentine, Wilson, Wilder, Wooley and White.—79.

Those who voted in the negative are :

Messrs. DeLarge, Drifflie, Jenks, Jackson, Jervey, Jones, W. McKinlay, W. J. McKinlay, McIntyre, Mobley, Perrin, Pettengill, Ransier, Root, A. Smith, Tomlinson, Wright and Webb.—18.

Those absent and not voting are :

Messrs. Berry, Brodie, Burton, Bullock, Bryant, Bishop, Clyburn, Doyle, Field, Gray, Henderson, S. Johnson, B. James, Keith, Lewie, Littlejohn, Mayer, Morrison, Martin, Nelson, Sloan, Stubbs, Smalls, Turner, Waller and Whipper.—26.

On the question " Shall Section 1 pass to a third reading ? " the yeas and nays were called, and are as follows :

Yeas, 83 ; nays, 12 ; absent and not voting, 28.

So the Section was passed to a third reading.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Bennett, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, Dennis, Dusenberry, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne,

Humphries, Holliman, Harris, Hyde, D. J. J. Johnson, H. Johnson, Johnston, G. Johnson, Jacobs, H. James, Kuh, Lomax, G. Lee, S. J. Lee, Lang, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stewart, Stoeber, Stolbrand, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, Benj. A. Thompson, S. B. Thompson, Thomas, Tinsley, Valentine, Wilson, Wilder, Wooley, White and Webb.—83.

Those who voted in the negative are :

Messrs. Brown, DeLarge, Drifflie, Jenks, Jackson, Jervey, Jones, Wm. McKinlay, McIdtyre, Pettengill, Tomlinson and Wright.—12.

Those absent and not voting are :

Messrs. Berry, Brodie, Barton, Bullock, Bryant, Bishop, Clyburn, Doyle, Field, Hutson, Henderson, S. Johnson, B. James, Keith, Lewie, Littlejohn, Mayer, Morrison, Moore, Martin, Nelson, Sloan, Stubbs, Smalls, Smiley, Turner, Waller and Whipper.—28.

Mr. W. J. MCKINLAY moved a reconsideration of the vote passing Section 1 to a third reading.

On motion, the motion to reconsider was laid on the table.

At the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

The report of the Committee on Privileges and Elections on a Bill to regulate elections and punish abuses of the elective franchise.

On motion, the Special Order was suspended for the further consideration of the previous Bill.

The consideration of the Bill to enable the Chatham Railroad Company to extend their road to Columbia was renewed.

Mr. NEAGLE moved to amend Section 2 by adding "and that the said company shall begin laying the track of said road at the city of Columbia, and shall not use any portion of the end nearest the North Carolina line until the whole is completed."

Mr. ELLIOTT moved to indefinitely postpone the amendment.

On this the yeas and nays were called, and are as follows :

Yeas, 57 ; nays, 28 ; absent and not voting, 38.

So the amendment was indefinitely postponed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, John Boston, Bryant, L. Cain, Cooke, Collins, DeLarge, Dennis, Dusenberry, Duvall, Elliott, Ezekiel, Feriter, Gray, Gardner, Grant, Hayes, Humphries, Holliman, Hudson, Harris, Hyde, D. J. J. Johnson, Johnston, G. Johnson, Jacobs, H. H.

James, G. Lee, S. J. Lee, Lang, Mickey, McDaniels, Moore, Mays, Purvis, Perrin, Richardson, Root, Rush, Rivers, Sloan, Stewart, Stoeber, Stolbrand, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Scott, Tinsley, Turner, Wilson, Wilder and Wooley.—57.

Those who voted in the negative are :

Messrs. Boscmon, Joseph Boston, Boswell, E. J. Cain, Driffle, Farr, Goodson, C. D. Hayne, J. N. Hayne, H. Johnson, Jervy, Jones, Kuh, W. McKinlay, McIntyre, Mobley, Mead, Nash, Nuckles, Neagle, O'Connell, Prendegrass, Pettengill, Simons, S. B. Thompson, Tomlinson, White and Webb.—28.

Those absent and not voting are :

Messrs. Berry, Brodie, Brown, Burton, Bullock, Bishop, Clyburn, Chestnut, Crews, Doyle, DeMars, Field, Henderson, Jenks, S. Johnson, Jackson, B. James, Keith, Lomax, Lewie, Littlejohn, Mayer, Morrison, W. J. McKinlay, Milford, Martin, Miller, Nelson, Ransier, Smalls, Stubbs, Smiley, B. A. Thompson, Thomas, Valentine, Waller, Whipper and Wright.—38.

The amendment to Section 4, proposed by the Committee on Railroads, to insert after the words "Railroad Company," on the thirty-fifth line, the words "subject, however, to the provisions of an Act entitled 'An Act to declare the manner by which the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement,'" was agreed to.

Mr. NEAGLE moved to amend Section 8 by striking out, in the second line, the words "three years," and inserting in lieu thereof the words "one year." Agreed to.

Also, the word "fifteen," in the same line, and inserting in lieu thereof the word "five." Agreed to.

Mr. JONES moved to strike out, in the second line of Section 9, the word "ninety," and insert in lieu thereof the word "twenty."

Mr. FERITER moved to indefinitely postpone the motion.

On this the yeas and nays were called, and are as follows :

Yeas, 79 ; nays, 16 ; absent and not voting, 28.

So the motion was indefinitely postponed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Boscmon, Bennett, John Boston, Bryant, Boswell, L. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, DeMars, Elliott, Ezekiel, Feriter, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, Jacobs, H. James, Kuh, Lomax, S. J. Lee, Lang, Mickey, McIntyre, McDaniels, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prende-

grass, Richardson, Rush, Rivers, Sloan, Stewart, Stoeber, Stolbrand, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Turner, Wilson, Wilder, Wooley, White, Wright and Webb.—79.

Those who voted in the negative are :

Messrs. Brown, Joseph Boston, E. J. Cain, Drifflé, Duvall, Farr, Henderson, Jackson, Jervey, Jones, Wm. McKinlay, W. J. McKinlay, Mobley, Pettengill, Ransier and Root.—16.

Those absent and not voting are :

Messrs. Berry, Brodie, Burton, Bullock, Bishop, Clyburn, Crews, Dusenberry, Doyle, Field, S. Johnson, G. Johnson, B. James, Keith, G. Lee, Lewie, Littlejohn, Mayer, Morrison, Moore, Milford, Martin, Nelson, Stubbs, Smalls, Valentine, Waller and Whipper.—28.

Mr. JONES moved to strike out, in Section 9, all after the word "ratification" in the second line.

It was moved to indefinitely postpone the motion to strike out. Agreed to.

Mr. JERVEY moved to strike out the enacting clause of the Bill.

On this the yeas and nays were called, and are as follows :

Yeas, 5 ; nays, 88 ; absent and not voting, 30. Not agreed to.

Those who voted in the affirmative are :

Messrs. Brown, Farr, Henderson, W. J. McKinlay and McIntyre—5.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Bennett, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Drifflé, Duvall, DeMars, Elliott, Ezekiel, Fetter, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, Johnston, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, S. J. Lee, Lang, Mickey, McDaniels, Mobley, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Sloan Stewart, Stoeber, Stolbrand, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Turner, Wilson, Wilder, Wooley, White, Wright and Webb.—88.

Those absent and not voting are :

Messrs. Berry, Brodie, Burton, Bullock, Bryant, Bishop, Clyburn, Dusenberry, Doyle, Field, S. Johnson, G. Johnson, B. James, Keith, G. Lee, Lewie, Littlejohn, Mayer, Morrison, W. McKinlay, Moore, Milford, Martin, Nelson, Pettengill, Stubbs, Smalls, Valentine, Waller and Whipper.—30.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. JENKS introduced the following joint resolution, which was read the first time, and referred to the Committee on Ways and Means :

Resolved, by the Senate and House of Representatives, of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, That the Clerk of the Senate and Sergeant-at-Arms of the House of Representatives be, and they are hereby, authorized to issue to the officers, members and employees of their respective bodies pay certificates for the amount of mileage and per diem due them up to the 31st day of August, A. D. 1868.

Resolved, further, That said officers be, and they are hereby, authorized to draw from the Treasury of the State seventy thousand dollars, or so much thereof as is necessary, for the payment of said certificates, in accordance with a previous Act of this General Assembly.

On motion of Mr. TOMLINSON, a Bill to determine and perpetuate the homestead was taken up.

The Bill was read the third time, and on the question "Shall the Bill pass, and the title thereof be changed to that of an Act, and ordered to be enrolled?" it passed in the affirmative.

A Bill to fix the amount of the official bonds of certain county officers was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to provide for the temporary organization of the Educational Department of the State was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The House resumed the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion of Mr. TOMLINSON, the Special Order was suspended until to-morrow, at 2 P. M.

On motion of Mr. DELARGE, the petition of T. S. Heyward, praying relief from a double tax execution, with accompanying message from the Governor, received on the 24th instant, was taken up, and immediately considered.

Mr. DELARGE then moved that the petition be recommitted to the Committee on Ways and Means. Agreed to.

A Bill to license pilots for Charleston bar and harbor and Stono River was taken up. Read the third time, passed, and ordered to be sent to the Senate.

The House resumed the consideration of the

SPECIAL ORDER.

The report of the Committee on Privileges and Elections on a Bill to regulate elections and punish the abuse of the elective franchise.

On motion of Mr. DELARGE, the report of the Committee, and the additional Sections proposed, which had been referred, were ordered to be printed, and made the Special Order for Monday next, at 2 P. M.

The SPEAKER announced in accordance with the request contained in the report of the Committee on Ways and Means on the petition of Henry James, praying the remission of certain taxes, that it be referred to a Special Committee, he would appoint as the Committee Messrs. Feriter, Pettengill and Ransier.

The following members obtained leave of absence :

Mr. John Boston, for seven days.

Mr. Rush, for seven days.

Mr. Richardson, for six days.

On motion, at 3:35 P. M., the House adjourned until 12 M. to-morrow.

FRIDAY, AUGUST 28, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. M. B. Salters.

The reading of the Journal of the previous day was, on motion of Mr. GEO. LEE, dispensed with.

REPORTS OF COMMITTEES, &c.

Mr. SLOAN, from the Committee on Agriculture, reported on a Bill to compel owners of stock to keep them within a safe enclosure, and recommended the indefinite postponement of the Bill.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

Also, from the same Committee, a report on a resolution (previously referred) that the Committee on Agriculture report, by Bill or otherwise, on a system to promote the draining and improvement of inland swamps, asking to be relieved from any further consideration of the matter, as they are not aware of any plan by which said end can be accomplished without a

cost far exceeding the benefit to be derived, and could only be devised by civil engineers.

On motion of Mr. WILDER, the report was received as information, and the Committee discharged from the further consideration of the subject.

Also, from the same Committee a report, unfavorably, on a Bill to protect the agricultural resources of the State, and for other purposes.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill, and the consideration of the same postponed until the next regular session.

Mr. WRIGHT, from the Committee on Engrossed Acts, reported a Bill to enable the Chatham Railroad Company to extend their road to Columbia as having been duly and correctly engrossed.

PETITIONS, RESOLUTIONS, &c.

Mr. C. D. HAYNE introduced the following resolution, which was agreed to :

Resolved, That the Judiciary Committee be requested to inquire into the various Acts incorporating railroad companies within the limits of this State, and ascertain whether this General Assembly has power to establish a schedule of prices for the transportation of persons and property over the same, and report, by Bill or otherwise, as early as convenient.

Pursuant to notice, and by leave of the House, Mr. BOSEMON introduced

A Bill to incorporate the Ashley Fire Engine Company, of Charleston. Read a first time, and referred to the Committee on Incorporations.

Also, the following resolutions, which were agreed to :

Resolved, That a Special Committee of three be appointed to define the duties of the Clerk of the House, Stenographer and Sergeant-at-Arms, respectively, and report thereon at their earliest convenience.

Resolved, That the said Committee be, and are hereby, instructed, particularly, to define the relation that the Clerk of the House and the Stenographer will sustain toward each other in preparing and publishing the Permanent Journal, Joint Resolutions, Acts, &c., at the end of the session.

The SPEAKER announced as the Special Committee, in accordance with the foregoing resolutions, Messrs. Bosemon, Neagle and Shrewsbury.

The SPEAKER laid before the House the following communication from the Attorney-General :

OFFICE ATTORNEY-GENERAL SOUTH CAROLINA,
COLUMBIA, August 24, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

I am in receipt of a resolution of the House of Representatives, adopted

on the 22d instant, in which I am requested to give my "opinion in writing as to the legality" of a Bill entitled "A Bill to close the operations of the Bank of the State of South Carolina."

The language of the resolution leaves me in some doubt upon which features of the Bill in question my opinion is specially desired. I shall, however, confine myself to the consideration of two questions which are involved in the Bill:

1st. The liability of the State for the redemption of the bills issued by the Bank of the State.

2d. The legality of the disposition proposed to be made by the pending Bill of the assets and property of the Bank of the State.

To reach a correct answer to the first question it is necessary to examine the legislation in reference to the Bank, in order to determine the relations of the State to the Bank.

The Act incorporating the Bank of the State of South Carolina, and entitled "An Act to establish a bank on behalf of and for the benefit of the State," was passed in 1812. In the preamble of this Act it is recited that "it is deemed expedient and beneficial, both to the State and the citizens thereof, to establish a bank on the funds of the State."

In the first Section of the same Act, after a specification of the funds which shall constitute the capital of the Bank, it is added "and the faith of the State is hereby pledged for the support of the said Bank, and to supply any deficiency in the funds specifically pledged, and to make good all losses arising from such deficiency."

In the same Section it is further directed that "all the unexpended money in the Treasuries of this State, and all the taxes hereafter to be collected on account of the State, shall be deposited in this Bank to aid and facilitate the operations of the same." [Statutes at Large, Vol. VIII, page 24.]

By an Act passed in 1839, and entitled "An Act concerning the office, duties and liabilities of Sheriff," and by an Act passed in 1840, and entitled "An Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity," &c., all Sheriffs, Masters and Commissioners in Equity were directed to deposit in the Bank of the State, and its branches, "all moneys officially in their hands." [Statutes at Large, Vol. II, page 38, and Vol. II, page 113]

By the sixteenth Section of the Act of 1812, already referred to, it is further enacted "that the bills and notes of the said corporation, originally made payable, or which shall have become payable on demand, in gold or silver coin, shall be receivable at the Treasury of this State, either at Charleston or Columbia, and by all Tax Collectors, and other public officers, in all payments for taxes or moneys due to the State."

By the terms of the Act of 1812, the officers of the Bank are made elective by the Legislature; the Bank is made liable to inspection by the Legislature and Comptroller-General, and the President and Cashier are required to report, as often as may be required, the condition of the Bank.

From the citations already made it is apparent that the State intended to identify herself with the Bank in the most intimate manner, and did so identify herself, establishing it for her own benefit, controlling it at her own discretion, and, above all, pledging to it, and to its support, the faith of the State.

Specific funds were set apart to constitute the capital of the Bank, but in addition to this, the State adds the pledge of her own faith for its support. The object of this pledge of the faith of the State is unmistakable. It was to give to the Bank of the State an advantage to which no other Bank within the State could pretend. It was a distinct and solemn promise, on the part of the State, to those who should become the creditors of the Bank, that if the funds specifically pledged and set apart as the capital of the Bank should prove insufficient, from any cause, to redeem its obligations, the State herself would supply all deficiencies and redeem all obligations. And the object of such a pledge was to establish, beyond doubt, the perpetual solvency of the Bank, and thus to enhance the *profits* of the Bank, to which the State alone was entitled.

That this is the proper construction of the statutes referred to, is not less apparent from subsequent declarations of the Legislature than from the terms of the statutes themselves. From a series of Reports of Legislative Committees appointed to investigate the affairs of the Bank, it becomes clear that no other view was entertained of the relation of the State to the Bank.

The Legislative Committee appointed to examine the Bank in 1827 use the following emphatic language: "The State is, indeed, so entirely identified with the Bank, that the Legislature cannot be too deeply sensible of the fact. * * * Let the people realize this truth, as one vitally affecting the interests of the State. Let them look to the Bank as bone of their bone and flesh of their flesh. Let them know that its fate, whether it be good or evil, is their fate."

In the report of a similar Committee of the Legislature in 1847, we find the following expressions of the same view: "There is," say the Committee, "another point of view in which this institution seems peculiarly valuable to the commercial relations of the State at large. *The State herself being the guaranty of its stability*, there is scarcely the possibility of the failure of the Bank. The consequence resulting from this fact is, that it operates as a great and salutary check in times of commercial distress on the disastrous panics which at those periods occur. When distrust is abroad and deposits

and specie withdrawn on every side, from private corporations, then the beneficent effect of an institution *under the guaranty of the State* is more particularly felt."

The same view of the relation of the State to the Bank will be reached by an examination of the sixth paragraph of the first Section of the Act of 1812, which is in these words: "The total amount of the debts which the said corporation shall at any time owe, whether by bond, bill, note or contract, shall not exceed twice the amount of its capital over and above the moneys then actually deposited in the Bank for safe-keeping, unless the contracting of a greater debt shall have been previously authorized by a law of this State; in case of excess, the Directors under whose administration it shall happen, shall be liable for the same in their individual capacities:

* * * * But this shall not be construed to exempt the said bank, or the lands, tenements, goods or chattels, of the same, *or on their insufficiency, the State of South Carolina*, from being also liable for, and being chargeable with, the said excess."

No stronger proof of the complete identification of the State with the Bank could have been given. Not only does she declare herself responsible for all *lawful* obligations of the Bank, but she expressly declares herself liable for debts contracted in direct violation of the charter and in express disregard of the authority of the State.

The State thus sought to silence and set at rest every doubt as to the perfect solvency of the Bank, and the constant safety of those who should become her creditors. No responsibility could be more complete; no language could be more unmistakable.

An examination of the sixteenth Section of the Act of 1812, already recited, which makes the bills of the Bank of the State receivable "in all payments for taxes and other moneys due to the State," will confirm this view, if additional confirmation be needed.

It should be remembered that prior to the incorporation of the Bank of the State, the bills of other banks within the State were also receivable in the same manner for taxes and debts due the State; but when subsequently to the chartering of the Bank of the State, the old banks applied to be re-chartered, this provision was stricken out of their new charters, and the bills of the Bank of the State alone continued receivable for debts due the State. The bills of other banks were receivable only so long as they were redeemable in specie; but the bills of the Bank of the State were receivable as specie, whether redeemable in specie or not.

Again, in 1867, by Act of the Legislature, it was directed that "Tax Collectors shall receive the taxes and other dues only in notes of the Bank of the State or of specie-paying banks of this State, or in coin of the United States."

At this time, (1867) not only had the other banks suspended specie payment, but the Bank of the State had suspended specie payment also; but notwithstanding the suspension, the Act directs that the bills of the Bank of the State shall be received on the same basis as coin. The only possible grounds upon which this Act could have rested, were, that the State was bound by the Act of 1812 to receive the bills of the Bank of the State in payment of taxes, and being herself the guarantor of the Bank, she was compelled to receive her own bills in satisfaction of her own claims.

There are other arguments and other considerations which might be adduced, to confirm the liability of the State for the bills of the Bank of the State and for all its obligations; but it is not deemed necessary to spend more time upon this branch of the subject.

If we have reference to the strict terms of the several Acts of the Legislature already cited; to contemporaneous and subsequent construction of such Acts, by competent official authorities; or to the unbroken practice under such Acts, we arrive at the same inevitable conclusion, to-wit: that the State, by express language, by clear intention and in reality, has made herself, in her own words, directly "liable for and chargeable with" all the debts of the corporation known as the President and Directors of the Bank of the State of South Carolina.

I come now to the examination of the second inquiry involved in the Bill submitted, namely, the legality of the disposition proposed to be made by the pending Bill of the assets and property of the Bank of the State.

By the eleventh Section of an Act of the General Assembly, passed December 21, 1865, and entitled "An Act to raise supplies for the year commencing in October, 1865," the President and Directors of the Bank of the State are "authorized and required to collect the assets and property of the Bank, and hold the same specially appropriated: first, to the payment of the principal and interest of the bonds known as the Fire Loan Bonds, payable in Europe; second, to the payment of the principal and interest of the Fire Loan Bonds, payable in the United States; and third, to the payment of out-standing notes hitherto issued by said Bank." By this Act three classes of creditors of the Bank are recognized: first, Fire Loan bondholders in Europe; second, Fire Loan bondholders in the United States; third, Bill-holders. No reason is expressed, and no reason is perceived, which explains, much less justifies, the discrimination here made in favor of the foreign bondholders over those within the United States. To the uninitiated it suggests motives and designs which are at variance with honesty and fair dealing; but overlooking at this time this unexplained discrimination, let us see what relations the Bank of the State has held to the holders of the bonds known as Fire Loan Bonds.

The Fire Loan Bonds were authorized by an Act of the General Assem-

bly, passed in June, 1838, and entitled "An Act for rebuilding the city of Charleston." I quote the first Section of this Act: "Be it enacted, &c., That the Governor of the State of South Carolina be, and he is hereby, authorized and directed, in the name of the said State, to issue bonds or other contracts, to be countersigned by the Comptroller-General, not exceeding in all the sum of two millions of dollars; one million of which shall be payable at the expiration of twenty years, and the other million at the expiration of thirty years, at a rate of interest not exceeding six per cent., for the purpose of procuring a loan, on the credit of the State, to rebuild that portion of the city of Charleston now lying in ruins; that the said bonds or contracts be issued in such form, and for such sums, and the principal and interest be made payable at such times and places as shall be most effectual in procuring the said loan upon the best terms, either in Europe or America; and that the faith and funds of the State of South Carolina be, and the same are hereby, pledged to secure the punctual payment of the said bonds or contracts, with the interest thereon."

By the second Section of the same Act the Governor is authorized and directed to commission such agent or agents as the President and Directors of the Bank of the State may appoint to effect the said loan; and the money, when procured, is directed to be placed to the credit of the State, subject to the draft or order of the President of the Bank.

Section 3 of the same Act provides that the money, when realized in Charleston, shall be deposited in the Bank of the State of South Carolina, and shall become a part of the capital thereof.

Section 4 of the same Act authorizes and requires the President and Directors of the Bank to loan, on certain specified conditions, the two millions of dollars so realized to such applicants as will rebuild that portion of the city of Charleston which had been destroyed by the late fire.

Section 10 of the same Act requires the officers of the Bank to make proper provisions for the punctual payment of the interest of such loan; and, also, for the ultimate payment of the principal thereof.

Section 11 of the same Act directs the officers of the Bank to open an account in the books of the Bank, in which they shall debit themselves with the profits arising out of the additional capital created out of the two millions loan aforesaid, and with all future profits of said loan as they shall accrue; "which said fund, with its annual accumulation, shall be considered solemnly pledged and set apart for the payment of the interest on the said loan and the final redemption thereof."

Section 12 of the same Act declares that "when the profits of the said Bank of the State of South Carolina shall have paid the interest of certain stocks, and redeemed the said stocks, for which they have heretofore been pledged and set apart, the said profits shall also be considered solemnly

pledged and set apart for the payment of the interest on the said loan, and the final redemption thereof."

From the foregoing provisions of the Act authorizing the Fire Loan Bonds, it will appear that the said bonds were issued by the Governor, *in the name of the State*; that the loan was to be procured *on the credit of the State*; that the faith and funds of the State were pledged to payment of the interest of said bonds, and to the final redemption thereof; that the money when obtained was to be placed *to the credit of the State*, subject to the order of the President of the Bank; that the money, when realized in Charleston, was to become a part of the capital of the Bank; that the Bank was appointed the agent of the State in loaning the said money to citizens of the city of Charleston; that the officers of the Bank were charged with the duty of providing for the payment of the interest and principal of said loan; that the profits arising to the Bank from said loan was pledged to the payment of the principal and interest of said loan; and that, after certain previous obligations of the State were discharged, the entire profits of the Bank were pledged to the payment of the principal and interest of the said loan.

Thus it will be perceived that the Fire Loan Bonds were liabilities or obligations directly and primarily *of the State herself*. In the language of the Act itself, the loan was made "*in the name of the State*," "*on the credit of the State*," and the money when obtained was "*placed to the credit of the State*." The State by the terms of the Act made herself the original, primary obligor.

What, now, was the relation of the Bank to this transaction, this loan? She was the fiscal agent of the State to negotiate the loan *for the State*; she received the money so borrowed *on the credit of the State*, as part of her capital; she was charged with the duty of providing for the payment of the principal and interest of said loan; and finally she was directed to apply the *profits* of the capital arising from said loan, and after discharging certain other obligations previously imposed on her by the State, the *entire profits* of the Bank to the payment of the principal and interest of the said loan. It is presumed that this obligation and duty imposed on the Bank was faithfully discharged by the Bank up to the time when *profits* ceased to accrue from the operations of the Bank. No doubt is admissible that so long as the Bank had *profits*, they were sacredly devoted to the payment of the principal and interest of the Fire Loan Bonds.

But the Bank has long since ceased to have *profits*, and the question now arises, Have the Fire Loan Bondholders a further specific claim upon the *assets* and *property* of the Bank? I can perceive no grounds which support such a claim.

It is true that by the Act of June, 1839, already recited, "the faith and

funds of the State were pledged to secure the punctual payment of said bonds or contracts, with the interest thereon." And it is hence argued that the funds of the Bank, which were the funds of the State, became thereby pledged in a peculiar and specific manner to the payment of the Fire Loan Bonds.

But it is true also that the State had at that time, has since had and now has, other funds than the assets and property of the Bank; and if the funds of the Bank become, under the terms of this general pledge, specifically chargeable with the payment of this loan, then all other funds of the State have become chargeable in the same manner.

No one, it is presumed, will set up such a claim on behalf of the Fire Loan Bondholders.

Again, the same general pledge of "the faith and funds of the State" has been made to other parties, from time to time, who have become the creditors of the State; and if this pledge is held, in the case of the Fire Loan Bonds, to operate to specifically charge the funds of the Bank with the payment of the said Bonds; then, by parity of reasoning, it must operate to charge the said funds of the Bank, in the same manner, with the payment of the other debts of the State.

On the contrary, the correct view would seem to be this: that the pledge of "faith and funds of the State" as made by the Act of June, 1838, had no special reference to the funds of the Bank, and was simply equivalent to a general pledge of the *resources* and *means* of the State, to the payment of the obligations then incurred and since known as the Fire Loan Bonds. This pledge, it is needless to remark, the State acknowledges and *will redeem*.

I am unable, therefore, for the reasons now stated, to discover any grounds of law or equity which sustain the claim set up by the holders of the Fire Loan Bonds, upon the assets and property of the Bank. The State has, in my opinion, in the exercise of her ordinary Legislative discretion, a clear legal right to make such disposition of the assets and property of the Bank of the State as is now proposed by the pending Bill entitled "A Bill to close the operations of the Bank of the State of South Carolina;" and the fact that various parties are now contending in the Courts for the assets and property of the Bank, while it might approve the *policy* of the Bill in question, certainly cannot be regarded as opposing any *legal* obstacle to such action, on the part of the General Assembly, as may seem to best subserve the welfare and maintain the honor of the State.

I have the honor to be, gentlemen,

Your most obedient servant,

D. H. CHAMBERLAIN,

Attorney-General of South Carolina.

The Bill was then taken up and put upon its second reading.

On motion, the further consideration of the Bill was postponed, and made the Special Order for Monday next, August 31, at 1 P. M.

SPECIAL ORDER OF THE DAY.

Report of the Commission appointed by the Constitutional Convention to inquire into the liabilities and assets of the State.

The SPEAKER announced that the resolution of this House requesting the Commission above named to report this day had been amended in the Senate, returned to this House, again amended so as to read "Saturday, August 29, 1868," and the same had not yet been returned from the Senate, therefore the Special Order would necessarily be suspended.

On motion of Mr. ELLIOTT, the House proceeded to the immediate consideration of a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The House then proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the reorganization and government of the South Carolina Penitentiary was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to establish Justice Courts was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to compel owners of stock to keep them within a safe enclosure was taken up.

On motion of Mr. H. JAMES, the consideration of the Bill was indefinitely postponed.

The House renewed the consideration of the

GENERAL ORDERS.

A Bill to provide for the election of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress, was taken up.

The Bill was put upon its second reading.

Mr. RANSIER moved to amend Section 4 by striking out all the words after "shall," in the second line, to the word "proceed," in the fourth line of the printed Bill, and insert in lieu thereof "open the packages contain-

ing said certificates in the presence of the Governor and Comptroller-General who shall." Agreed to.

Mr. RANSIER moved to strike out Section 5. Agreed to.

Mr. O'CONNELL moved to amend Section 6 by inserting between the words "election" and "the," in the first line, "or on such day as may be fixed by the laws of the United States." Agreed to.

At the hour of 2 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

On motion of Mr. TOMLINSON, the Special Order was suspended until the further consideration of the previous Bill.

The consideration of the previous Bill was renewed.

Mr. O'CONNELL moved to amend Section 7 by inserting on the fifth line, between the words "dollars" and "to be," in the printed Bill, the words "nor less than five hundred dollars." Agreed to.

On motion of Mr. EZEKIEL, the word "of," in the fifth line of Section 7, after the word "fine," was stricken out.

Mr. STOEBER moved to amend Section 7 by adding "or shall be punished with imprisonment not exceeding twelve nor less than four months." Agreed to.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 21.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 28, 1868.

To the Honorable the Speaker of the House of Representatives:

I have this day approved the joint resolution for fitting up and furnishing a residence for the Governor.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

MESSAGE FROM THE GOVERNOR, No. 22.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 28, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have the honor to transmit to the House of Representatives

communication from the Comptroller-General, and would respectfully call their attention to the necessity of legislation on the subject referred to.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

EXECUTIVE DEPARTMENT,
OFFICE OF THE COMPTROLLER-GENERAL,
COLUMBIA, S. C., August 28, 1868.

To His Excellency R. K. SCOTT, Governor of South Carolina, Columbia, S. C.

DEAR SIR: Please permit me to call your attention to the fact that the fund appropriated by General Canby for the contingent expenses of the Treasurer's and Comptroller-General's offices has been exhausted. I would, therefore, respectfully suggest to your Excellency the necessity of an appropriation to this fund before the adjournment of this session. Without this neither office can be supplied with stationery, postage stamps or blank books; neither will the Auditor of State be able to get up the tax duplicates, and send out for the assessing of the taxable property of the State. Those books, in all probability, will cost fifteen hundred dollars. I, therefore, would suggest an appropriation of "two thousand dollars, if so much be necessary."

All of which is respectfully submitted.

Your very humble and obedient servant,

(Signed)

J. L. NEAGLE,

Comptroller-General of South Carolina.

The House resumed the consideration of the Bill.

Mr. RANSIER moved to amend Section 9 by striking out all after the word "shall," on the first line of the printed Bill, and insert "be elected for the term commencing on the 4th day of March, 1869, on the day fixed by law for the election of Presidential Electors, after which they shall be elected on the third Wednesday in October, 1870, and thereafter on the same day in every second year." Agreed to.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

The Bill was put upon its second reading.

On motion of Mr. TOMLINSON, Section 1 was amended by adding to the Section: "And provided, further, That this Act shall not have the

force of law until fifty thousand dollars of the capital stock of said Bank shall have been paid in."

On motion of Mr. W. J. MCKINLAY, Section 1 was amended by striking out the word "principal," on the sixth line, between "them" and "office," and all after the word "Columbia," in the sixth and seventh lines printed Bill, to the word "provided," in the eighth line.

On motion of Mr. G. LEE, the consideration of the Bill was temporarily suspended in order to allow the Committee on Ways and Means to submit a report.

Mr. DELARGE, from the Committee on Ways and Means, reported on a joint resolution authorizing the drawing of the necessary funds from the Treasury of the State, and defining the manner in which pay certificates are to be issued to members, &c., and recommended the adoption of the following joint resolution as a substitute :

Resolved, That the officers named for that purpose in an Act passed at the present session of the Legislature, approved August 20, 1868, and entitled "An Act to make appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing on the first of October, in the year of our Lord one thousand eight hundred and sixty-seven, made by General Orders No. 139, dated at Charleston, December 3, 1867," draw pay certificates or orders in favor of the officers, members and employees of the Legislature, to the amount of \$20,000, in payment on account of mileage, per diem and services, and that the sum be collected at the Treasury as provided by the aforesaid Act; said pay certificates and orders to be made out according to the *pro rata* scale prepared by the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

On motion of Mr. G. LEE, the report was laid on the table to take up the substitute reported by the Committee.

The House immediately proceeded to the consideration of the joint resolution.

Mr. ELLIOTT moved to suspend the consideration temporarily of the resolution in order to consider the Governor's Message (No. 18) returning to this House, without approval, the joint resolution granting the petition of T. S. Heyward for remission of a double tax execution. Agreed to.

The Message was read and considered.

Mr. JENKS moved to suspend the consideration of the Message in order to take up the joint resolution previously under consideration. Agreed to.

The joint resolution was again considered, passed to a third reading, and ordered to be engrossed.

The consideration of a Bill to incorporate the Citizens' Savings Bank of South Carolina was resumed.

On motion, the Bill was recommitted to the Committee on Incorporations.

Mr. RANSIER gave notice that on Monday, or as soon thereafter as possible, he would ask leave of the House to introduce

A Bill to provide for the protection of laborers and persons working under contract on shares of crops.

The following members obtained leave of absence :

Mr. Duvall, for ten days.

Mr. Nuckles, for seven days.

Mr. Tinsley, for six days.

Mr. Sloan, for four days.

Mr. Elliott, for one day.

On motion, at 4:35 P. M., the House adjourned until 12 M. to-morrow.

SATURDAY, AUGUST 29, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. PERRIN.

The reading of the Journal of the previous day was, on motion of Mr. DELARGE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WRIGHT, from the Committee on Engrossed Acts, reported a joint resolution authorizing the drawing of twenty thousand dollars from the Treasury of the State to pay, on account, per diem, mileage, &c., as having been duly and correctly engrossed.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to establish the office of Prosecuting Attorney.

On motion of Mr. S. B. THOMPSON, the report was laid on the table to take up the Bill.

The Bill was laid over until the expiration of the morning hour.

PETITIONS, RESOLUTIONS, &c.

Mr. DELARGE presented the petition of the Calvary Baptist Church, of Charleston, for incorporation. Referred to the Committee on Incorporations.

Also, gave notice that on Monday next he will introduce

A Bill to incorporate the Calvary Baptist Church, of Charleston.

Mr. GARDNER gave notice that on Monday, or as soon thereafter as possible, he will ask leave of the House to introduce

A Bill to punish persons pursuing and injuring horses and other live stock with intent to steal them.

Mr. CHESTNUT gave notice that he will on Monday, or soon thereafter, introduce

A Bill entitled "A Bill to amend an Act to renew the charter of the town of Camden."

Mr. BENNETT gave notice that on Monday, or some future day, he will ask leave to introduce

A Bill to amend the charter of the town of Beaufort.

Mr. NEAGLE gave notice that on Monday, or as soon thereafter as practicable, he will ask leave to introduce

A Bill to order an election for county officers for the County of York.

Mr. WHIPPER, by leave, introduced

A Bill to establish the office and define the duties of County Recorder. Read a first time, and referred to the Committee on County Offices and Officers.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

On motion of Mr. ELLIOTT, the consideration of the Bill was postponed to take up a Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to define the jurisdiction and regulate the practice of Probate Courts was taken up.

The second reading of Section 15 was renewed.

Section 40, proposed by the Committee on the Judiciary, as an amendment to the original Bill, was adopted.

The Bill was read the second time, and ordered to be returned to the Senate as amended.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The second reading of Section 69 was continued.

On motion of Mr. STOLBRAND, the blank in Section 73 was filled by inserting the words "fifteen dollars."

On motion of Mr. TOMLINSON, Section 76 was amended by striking out the words "to pay," in the third line of the printed Bill, and inserting before the word "damages," in the same line, the words "shall be subject to," and after the word "damages" the words "to the full value of the property so injured."

On motion of Mr. TOMLINSON, the word "six," in the first line of Section 80, was stricken out, and the word "three" inserted in lieu thereof; also, in the second line of Section 80, the word "three" was stricken out, and the word "two" inserted in lieu thereof.

Section 90 was amended by the words "and in Courts Martial."

Mr. MOORE moved to strike out Section 96.

Mr. GRAY moved to indefinitely postpone the motion to strike out.

On this the yeas and nays were called, and are as follows :

Yeas, 51 ; nays, 13 ; absent and not voting, 59.

So the motion to strike out was indefinitely postponed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Joseph Boston, L. Cain, E. J. Cain, Collins, Driffler, Feriter, Farr, Gray, Gardner, Grant, C. D. Hayne, Holliman, Hutson, Harris, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, S. J. Lee, W. McKinlay, Mickey, McIntyre, McDaniels, Mead, Miller, Nash, Perrin, Prendegrass, Ransier, Richardson, Root, Rivers, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Smiley, Scott, B. A. Thompson, Tomlinson, Wilder, White and Webb.—51.

Those who voted in the negative are :

Messrs. Bennett, Bullock, Bryant, Boswell, Hayes, Humphries, Moore, Milford, Stewart, Valentine, Wilson, Waller and Wooley.—13.

Those absent and not voting are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Bishop, Cooke, Clyburn, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Duvall, Doyle, DeMars, Elliott, Ezekiel, Field, Goodson, J. N. Hayne, Henderson, Hyde, Jenks, B. James, Kuh, Keith, Lomax, G. Lee, Lewie, Lang, Littlejohn, Mayer, Morrison, W. J. McKinlay, Mobley, Martin, Mays, Nelson, Nuokles, Neagle, O'Connell, Purvis, Pettengill, Rush, Sloan, Stoeber, Stubbs, Smalls, R. M. Smith, Sasportas, Simons, S. B. Thompson, Thomas, Tinsley, Turner, Whipper and Wright.—59.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 23.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 29, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: By direction of His Excellency the Governor, I respectfully transmit the enclosed communications, relative to the Bill for the repeal of the charter of the town of Hamburg, to the House of Representatives.

Very respectfully,

(Signed)

JOHN HEART,
Private Secretary.

1. A petition from Joseph J. Kennedy, Intendant of the town of Hamburg, praying for a repeal of the town charter.

2. A petition from sundry citizens of the town of Hamburg, praying for the approval of the Act to repeal the charter of the town of Hamburg.

3. The petition of C. McDonald and others, praying for the disapproval of the Act to repeal the charter of the town of Hamburg.

Also,

MESSAGE FROM THE GOVERNOR, No. 24.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, August 29, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: By direction of His Excellency the Governor, I respectfully transmit the enclosed communications, upon the subject of quarantine, to the House of Representatives.

Very respectfully,

(Signed)

JOHN HEART,
Private Secretary.

1. A communication from C. C. Neil, relative to a quarantine vessel off Charleston.

2. The communication of W. W. Keith, relative to a quarantine off Georgetown.

The above named petitions and communications were laid over for reference to the proper Committees.

A Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes, was taken up.

On motion of Mr. TOMLINSON, the consideration of the Bill was suspended temporarily, to consider a joint resolution, providing for the draw-

ing from the Treasury of the State the sum of twenty thousand dollars, to pay the per diem and mileage of members of the General Assembly, subordinate officers, &c.

The joint resolution was read the third time, and ordered to be sent to the Senate.

The consideration of the previous Bill was resumed.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to incorporate the Wando Company was taken up.

Sections 1, 2, 3 and 4 were passed to a third reading.

On motion of Mr. TOMLINSON, the further consideration of the Bill was suspended, and made the Special Order for Wednesday next, September 2, at 1:30 P. M.

PAPERS FROM THE SENATE.

The Senate returned to this House, with amendments, a Bill to provide for the assessment and taxation of property.

On motion of Mr. TOMLINSON, the consideration of the Bill was suspended, and the Bill referred to the Committee on Public Printing, with instructions to have the amendments printed and report on Monday next, if possible.

The Senate sent to this House a joint resolution to authorize the issue of pay certificates to members of the General Assembly. Read the first time, and referred to the Committee on Ways and Means.

A Bill to fix the amount of the official bonds of certain county officers. Read the first time, and referred to the Committee on County Offices and Officers.

The House proceeded to the consideration of a Bill to establish the office of Prosecuting Attorney.

On motion of Mr. TOMLINSON, the further consideration of the Bill was postponed until Monday next.

Mr. TOMLINSON introduced the following resolution, which was agreed to :

Resolved, That the Committee on Railroads be instructed to take into consideration the Message of His Excellency the Governor relative to the Blue Ridge Railroad, and, if practicable, to prepare a Bill which shall embody the suggestions of the Governor in his Message ; and that the memorial of the President of said road be also referred to the Committee.

On motion of Mr. TOMLINSON, it was

Resolved, That the communication received by His Excellency the Gov-

error from the Comptroller-General, referred to this House (by Message No. 22) for consideration, be referred to the Committee on Ways and Means.

The following members obtained leave of absence:

Mr. Pettengill, for four days.

Mr. C. D. Hayne, for four days.

Mr. Bosemon, for two days.

On motion of Mr. TOMLINSON, at 2:15 P. M., the House adjourned until Monday, at 12 M.

MONDAY, AUGUST 31, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. J. SMILEY.

The reading of the Journal of Saturday was, on motion of Mr. G. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. W. J. McKINLAY, from the Committee on County Offices and Officers, reported on a Bill to establish the office of County Treasurer, and recommended certain amendments.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

The Bill was laid over until the expiration of the morning hour.

Mr. PURVIS, from the Committee on Incorporations, reported on the following Bills:

A Bill to amend an Act to renew and amend the charter of the town of Sumter;

A Bill to incorporate the Home Insurance Company, of Charleston;

A Bill to incorporate the Columbia Educational Society.

The Bills and reports were laid over.

PETITIONS, RESOLUTIONS, &c.

Mr. L. CAIN gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill to alter and amend the charter of the town of Edgefield.

Pursuant to notice, and by leave of the House, Mr. GARDNER introduced

A Bill to punish persons pursuing and injuring horses and other live stock with intent to steal them. Read a first time, and referred to the Committee on Agriculture.

Mr. JENKS introduced the following resolution, which was agreed to :

Resolved, That the Committee on Incorporations, to whom was referred the Bill to incorporate the Comet Star Engine Company, of Charleston, be requested to report at the earliest possible moment their action on said Bill.

Mr. JENKS presented the petition of sundry citizens of Colleton County against the granting of a charter to McLeod & Brother to open the Salkahatchie River to navigation. Referred to the Committee on Internal Improvements.

Also, gave notice that he will, at an early day, introduce
A Bill to incorporate the Longshoremen's Protective Union.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to establish the office of Prosecuting Attorney was taken up.

The Bill was put upon its second reading.

Mr. FERITER moved to postpone the consideration of the Bill until 2:30 P. M. Agreed to.

Mr. JACOBS, from the Committee on Engrossed Acts, reported a Bill to amend the charter of the Cheraw and Coalfields Railroad Company as having been duly and correctly engrossed.

The Bill was taken up, read the third time, passed, and ordered to be sent to the Senate.

Mr. TURNER introduced the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That this General Assembly do adjourn on the 11th day of September, at 3 o'clock P. M.

On motion of Mr. NEAGLE, the consideration of the concurrent resolution was postponed until to-morrow.

Mr. CHESTNUT introduced the following concurrent resolution, which was referred to the Committee on Privileges and Elections :

Be it resolved, by the House of Representatives, the Senate concurring, That an additional place of election be established in Kershaw County, and that the said place be the market house in the town of Camden.

Mr. WHIPPER, by leave, introduced

A Bill to provide for the organization of the Supreme Court.

The Bill was read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to abolish corporeal and capital punishment. Read the first time, and referred to the Committee on the Judiciary.

Also, presented the petition of L. S. Langley, (dated Williston, Vermont,) School Commissioner elect of Beaufort County, praying relief from any Act that may require his presence, within a limited time, to qualify, on account of sickness in his family. Referred to the Committee on County Offices and Officers.

Also, the following joint resolution, which, on motion of Mr. DELARGE, was made the Special Order for to-morrow, at 1:30 P. M. :

Resolved, by the House of Representatives, the Senate concurring, That all joint resolutions introduced into this General Assembly shall become a law by being read once in each branch, and obtaining the signatures of the proper officers thereunto.

Also, the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Be it resolved, by the House of Representatives, the Senate concurring, That no Bill or resolution having the force of law be introduced in this General Assembly after the 7th day of September.

PAPERS REFERRED.

The petition from Jos. J. Kennedy, Intendant of the town of Hamburg, praying the repeal of the town charter, referred from the Governor August 29, by Message No. 23, was referred to the Committee on Incorporations.

The petition from sundry citizens of the town of Hamburg, praying the approval of the, "Act to repeal the charter of the town of Hamburg," referred from the Governor August 29, by Message No. 23, was referred to the Committee on Incorporations.

The petition of C. McDonald and others, praying the disapproval of the "Act to repeal the charter of the town of Hamburg," referred from the Governor August 29, by Message No. 23, was referred to the Committee on Incorporations.

The communication from C. C. Neil relative to quarantine vessel off Charleston, referred from the Governor August 29, by Message No. 24, was referred to the Committee on Ways and Means.

The communication of W. W. Keith relative to quarantine off Georgetown, referred from the Governor August 29, by Message No. 24, was referred to the Committee on Ways and Means.

MONDAY, AUGUST 31, 1868.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 25.

STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

COLUMBIA, August 29, 1868.

To the Honorable the Speaker of the House of Representatives:

By direction of His Excellency the Governor, the enclosed petition of pilots, which has been received at this office, is respectfully referred to the House of Representatives.

Very respectfully,

Your obedient servant,

(Signed)

JOHN HEART,

Private Secretary.

The enclosure (petition of Samuel Bell and others, pilots of Charleston, relative to the new law now before the Legislature,) was referred to the Committee on Incorporations.

Also,

MESSAGE FROM THE GOVERNOR, No. 26.

STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT,

COLUMBIA, August 31, 1868.

HON. F. J. MOSES, JR, *Speaker of the House of Representatives:*

I herewith return to your honorable body "An Act to amend an Act to alter and amend the charter of the city of Charleston, and for other purposes," together with the reasons for my disapproval of the same.

It is not only inconsistent with the genius of a republican form of government, but with the spirit of our own Constitution, recently adopted, that the valuable interests of a community shall be unnecessarily placed in jeopardy by legislation, however well it may be intended. Hence this Act is objectionable. It does not throw around the ballot box that protection against fraud, which it is unquestionably the duty of the Legislature to secure, and which the people have a right to expect.

While the Constitution is definite as to the qualifications of the county voter, the intent of that instrument has not been carried out by the General Assembly, inasmuch as this Act should provide that every elector shall have a fixed residence, without any present intention of changing the same in the ward or polling precinct where he claims the right to vote. Otherwise

abuses of the elective franchise must occur, and the ballot box will cease to be a medium for a fair and impartial expression of the will of the people.

If a temporary residence constitutes the only claim of a voter to exercise his right, how easy would it be for interested parties to secure the presence in any part of one county of persons from another locality in the same county, and control the election, thus thwarting the honest purposes of those most vitally concerned in the result.

As a part of your legislation, therefore, it is desirable that a stringent law shall be passed defining, beyond peradventure, the character of a residence, so that the mere sojourner in any locality shall not be allowed to exercise the elective privileges which appertain to the citizen, and thus force upon that community officials who may be objectionable, or measures that may be oppressive, while he will not himself be affected by the misfortunes he has brought upon others.

In the second place, I disapprove of the Act because it makes a special exception, in favor of Charleston, to the general necessity which demands the election of officers throughout the State.

As yet, no law has been passed for the election of District Attorneys and Justices of the Peace, each a class of officers of vital importance to the people, nor has any law been passed which will apply to all State, county and municipal elections. To exhibit partiality in favor of Charleston, therefore, where there is no pressing need of an immediate change, because all of the officers provided for by the charter are discharging their duties at this time, is to establish a precedent on which similar legislation may be specially demanded by any municipality in the State.

In the third place, it is, in my judgment, impolitic to hold a municipal election in Charleston, or elsewhere, anterior to the general election on the third of November next. If there were no other consideration of a graver character to be urged, the facts that the public mind is already deeply excited; that business and labor would necessarily be interrupted; that additional expense would be entailed upon the citizens by a special registration and election, thereby giving just cause for complaint on the part of those affected by the Act; that, in reality, nothing would be gained by holding this municipal election thirty days in advance of the general election, would themselves demonstrate the impropriety of ratifying the Act which has been submitted to the Executive.

I believe that sound public policy demands the course I have felt it my duty to adopt in returning this Act with my disapproval.

(Signed)

R. K. SCOTT, Governor.

On motion of Mr. ELLIOTT, the House went into Committee of the Whole, in order to consider the veto Message of the Governor.

COMMITTEE OF THE WHOLE.

Mr. TOMLINSON was called to the chair.

Mr. ELLIOTT introduced the following resolution, which, on motion of Mr. DELARGE, was laid on the table :

Be it resolved, That the Committee do now rise and report to the House that the Committee have duly considered the Message of His Excellency the Governor, and recommend that the Bill be taken up, and the question put as to whether the Bill shall pass.

Mr. DELARGE moved that the Committee rise and recommend to the House that the consideration of the Message be made the Special Order for to-morrow, at 2 P. M. Agreed to.

The SPEAKER resumed the chair, when the Chairman of the Committee of the Whole reported that the Message of His Excellency the Governor, returning, with his disapproval, an Act to amend "An Act to alter and amend the charter of the city of Charleston, and for other purposes," had been considered, and would recommend that the same be postponed, and made the Special Order for to-morrow, at 2 P. M.

On motion of Mr. RANSIER, the report was adopted.

At the hour of 1 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to close the operations of the Bank of the State of South Carolina.

On motion of Mr. DELARGE, the consideration of the Special Order was suspended for five minutes.

Mr. DELARGE, by leave, introduced

A Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina." Read a first time, and referred to the Committee on Ways and Means.

Mr. RANSIER, by leave, introduced

A Bill to protect laborers and persons working under contracts on shares of crops.

The entire reading of the Bill was requested; pending which, the time having elapsed for which the Special Order had been suspended, the House resumed the consideration of the Bill to close the operations of the Bank of the State of South Carolina.

The Bill was put upon its second reading.

Mr. STOLBRAND moved to amend Section 2 by inserting in the ninth line, after the figures 1869, the following: "And provided further, that no part of the amount of said bills which were once redeemed and again put in circulation shall ever be paid."

Mr. JENKS moved an amendment to the amendment to strike out the word "redeemed," and insert in lieu thereof the word "cancelled."

Pending this, the hour of 2 P. M. having arrived, the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Committee on Privileges and Elections on a Bill to regulate elections, and punish the abuse of the elective franchise.

On motion of Mr. ELLIOTT, the consideration of the Special Order was suspended until the further consideration of the Bill previously under consideration.

The consideration of the Bill to close the operations of the Bank of the State of South Carolina was renewed.

At the hour of 2:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to establish the office of Prosecuting Attorney.

On motion of Mr. DeLARGE, the consideration of the Special Order was discharged, and made the Special Order for to-morrow at 1:15 P. M.

The consideration of a Bill to close the operations of the Bank of the State of South Carolina was renewed.

Pending the further consideration of the amendment (of Mr. Jenks), the House, at 3:10 P. M., adjourned until 12 M. to-morrow.

TUESDAY, SEPTEMBER 1, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev E. MICKEY.

The reading of the Journal of the previous day was, on motion of Mr. FERITER, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. BOSEMON, from the Committee on Public Printing, reported on the Senate amendments to the Bill to provide for the assessment and taxation of property.

On motion of Mr. GEO. LEE, the report was laid on the table to take up the Bill at the expiration of the morning hour.

Mr. WHIPPER, from the Committee on the Judiciary, reported on the petition of John W. Staggers for change of name, and recommended that it lay over until the regular session.

On motion of Mr. G. LEE, the report was adopted.

Also, on a Bill to regulate the distillation of spirituous liquors, and recommended that it lie over until the regular session.

On motion of Mr. G. LEE, the report was adopted.

PETITIONS, RESOLUTIONS, &c.

The SPEAKER laid before the House the following communication :

To the Honorable the Speaker of the House of Representatives.

DEAR SIR: I now tender to you my resignation as a member of this General Assembly, to take effect from to-day.

Yours, respectfully,

G. A. LEWIE.

September 1, 1868.

On motion of Mr. TOMLINSON, the resignation of the member was accepted.

Pursuant to notice, and by leave of the House, Mr. MAYS introduced

A Bill to define contracts for laborers, and for other purposes. Read the first time, and referred to the Committee on the Judiciary.

Mr. WHIPPER, by leave, introduced

A Bill to establish and define the duties of County Surveyor. Read the first time, and referred to the Committee on County Offices and Officers.

Mr. SIMONS introduced the following resolution, which was agreed to :

Resolved, That the Chairman of the Committee on the Lunatic Asylum be requested to report to this House, at his earliest convenience, the number of persons now in the Asylum ; what proportion are males and what females ; also, what is the number of pay and what the number of pauper patients ; also, the number of keepers employed and the salary of each ; also, the number of regents constituting the Board and their term of office.

Mr. S. B. THOMPSON introduced the following joint resolution, which was referred to the Committee on Privileges and Elections :

Be it resolved, by the House of Representatives, the Senate concurring, That three additional polling places be established in the County of Richland, to-wit : Two in the city of Columbia, and one at Rabin House Shop, near Gadsden Depot.

Mr. JACKSON introduced the following resolution, which was agreed to :

Resolved, That the Committee appointed to ascertain what legislation is necessary to be undertaken at this session be requested to report at their earliest possible convenience.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to close the operations of the Bank of the State of South Carolina was taken up.

The question recurring on the adoption of the amendment offered by Mr. Jenks to the amendment of Mr. Stolbrand to Section 2, the amendment to the amendment was lost.

The amendment was lost.

On the passage of Section 2 to a third reading, the yeas and nays were called, and are as follows :

Yeas, 56 ; nays, 35 ; absent and not voting, 33.

So the Section was passed to a third reading.

Those who voted in the affirmative are :

Messrs. Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Duvall, Ezekiel, Farr, Gray, Gardner, Goodeon, Hayes, Holliman, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jones, Lomax, G. Lee, S. J. Lee, Lang, Mickey, McDaniels, Mobley, Mays, Mead, Miller, Nash, Neagle, Perrin, Prendegrass, Ransier, Root, Rivers, A. Smith, Saunders, Smythe, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Wilder, Whipper and Webb.—56.

Those who voted in the negative are :

Messrs. Bosemon, Brodie, Joseph Boston, Bullock, Bryant, Dusenberry, Drifflie, DeMars, Feriter, Grant, J. N. Hayne, Humphries, Hutson, Hyde, Jackson, Jervey, Littlejohn, Mayer, Wm. McKinlay, McIntyre, Moore, Milford, Martin, O'Connell, Stewart, Stoeber, Stolbrand, Stubbs, Tomlinson, Valentine, Wilson, Waller, Wooley, White and Wright.—35.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brown, Burton, John Boston, Bishop, Clyburn, Dennis, Doyle, Elliott, Field, C. D. Hayne, Kuh, Keith, Morrison, William J. McKinlay, Nelson, Nuckles, Purvis, Pettengill, Rush, Richardson, Simons, Sloan, Snalls, R. M. Smith, Shrewsbury, Sasportas, Tinsley and Turner.—33.

Mr. JERVEY moved to strike out Section 4.

Mr. MOORE moved to indefinitely postpone the motion to strike out.

On this the yeas and nays were called, and are as follows :

Yeas, 64 ; nays, 27 ; absent and not voting, 32.

So the motion to indefinitely postpone was agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Brodie, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, Duvall, Ezekiel, Feriter, Farr, Gray, Gardner, Goodson, Hayes, Humphries, Holliman, Hutson, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jones, Lomax, G. Lee, S. J. Lee, Lang, Mickey, McDaniels, Mobley, Mays, Mead, Miller, Nash, Neagle, Perrin, Prendegrass, Ransier, Root, Rivers, A. Smith, Saunders, Smythe, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Wilder, Whipper, White and Webb.—64.

Those who voted in the negative are :

Messrs. Joseph Boston, Bullock, Bryant, Dusenberry, Drifflie, DeMars, Grant, J. N. Hayne, Jervey, Littlejohn, Mayer, W. McKinlay, W. J. McKinlay, McIntyre, Moore, Milford, Martin, O'Connell, Stewart, Stoeber, Stolbrand, Stubbs, Turner, Wilson, Waller, Wooley and Wright.—27.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brown, Burton, John Boston, Bishop, Clyburn, DeLarge, Dennis, Doyle, Elliott, Field, C. D. Hayne, Hyde, Kuh, Keith, Morrison, Nelson, Nuckles, Purvis, Pet-tengill, Richardson, Rush, Sloan, Smalls, R. M. Smith, Shrewsbury, Sasportas, Tinsley, Tomlinson and Valentine.—32.

At the hour 1:15 P. M , the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to establish the office of County Prosecuting Attorney.

The Bill was put upon its second reading.

Mr. DeLARGE moved to recommitt the Bill to the Committee on the Judiciary. Agreed to.

The consideration of a Bill to close the operations of the Bank of the State of South Carolina was renewed

On the question " Shall the Bill pass to a third reading and ordered to be engrossed ? " it passed in the affirmative.

The yeas and nays were called, and are as follows :

Yeas, 55 ; nays, 32 ; absent and not voting, 35.

Those who voted in the affirmative are :

Messrs. Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Duvall, Ezekiel, Feriter, Farr, Gray, Gardner, Goodson, Hayes, Humphries, Holliman, Hutson, Henderson, Harris, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, B. James, H. James, Jones, G. Lee, S. J. Lee, Lang, Littlejohn, Mickey, McDaniels, Mobley, Mays, Mead, Miller, Nash, Neagle,

Perrin, Prendegrass, Ransier, Root, Rivers, A. Smith, Saunders, Smythe, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Wilder, Whipper and Webb.—55.

Those who voted in the negative are :

Messrs. Bosemon, Joseph Boston, Bullock, Bryant, Crews, Dasenberry, Driffle, DeMars, Grant, J. N. Hayne, Hyde, Jackson, Jacobs, Jervey, Mayer, Wm. McKinlay, W. J. McKinlay, McIntyre, Moore, Milford, O'Connell, Stoeber, Stolbrand, Sasportas, Simons, Tomlinson, Turner, Valentine, Wilson, Waller, Wooley and Wright.—32.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, Burton, John Boston, Bishop, Clyburn, Dennis, Doyle, Elliott, Field, C. D. Hayne, Jenks, G. Johnson, Kuh, Keith, Lomax, Morrison, Martin, Nelson, Nuckles, Purvis, Pettengill, Richardson, Rush, Sloan, Stewart, Stubbs, Smalls, R. M. Smith, Shrewsbury, Tinsley and White.—35.

The following papers were presented, to be recorded on the Journal :

I deem this Bill a fraud in every respect, both on the creditors of the Bank and on the State. Under the specious guise of restoring the credit of the State, it actually destroys what little credit the State has left. This method of winding up the affairs of the Bank is wholly unprecedented in the history of legislation in this country. It burdens the State with millions of debt, for most of which no Court has yet declared she was responsible. Even the pay for perpetrating this gigantic swindle on the State can only be had, if had at all, after a long tedious litigation at law.

The bills of this Bank are mostly held by parties who bought them up for a mere nothing, by men high in official position, who, professing great solicitude for the credit of the State, have urged members of this House to take their pay in depreciated currency, and at the same time, under the plausible pretext of getting funds into the Treasury of the State, also urged them to pass an Act calculated, in its very nature, to sap the foundation of the State's credit; thus showing the utter falsity of their professions, and their recklessness of character, by inaugurating a scheme to make themselves rich at the expense of the State.

The affairs of the Bank are already in the Court of Equity of this State for settlement. The decisions of this Court, up to January, 1868, have been legalized by the new Constitution, therefore this act on the part of the General Assembly to usurp the powers and rights of the Court of Equity is clearly unconstitutional. Even supposing this Act a just one, the almost unlimited power conferred on the Governor, to take possession of, hold and dispose vast sums of money, with no security in the shape of bonds from him to the State, should be a fatal objection to the measure.

(Signed)

GEORGE F. MCINTYRE.

I beg leave to offer the following reasons for opposing this Bill: In the first place, we are not called upon at present, either by any proper authority or by the necessities of the case itself, to take any decisive action in this matter. Secondly, a "writ of injunction" has been issued by a Court of competent authority, which writ prohibits any party from seizing the assets of the Bank, or any part thereof, until it has been decided who holds the first claim upon such assets. Thirdly, it is unwise on the part of the State to shoulder the entire responsibility and liability of the Bank by seizing the assets, when it is generally believed that the value of such assets will not cover the amount of the liabilities of the Bank, and it is a matter of serious doubt whether all the assets of the Bank can be recovered by the State without an enormous expenditure. Again, the State should not volunteer to pay a debt when her liability is, to say the least, doubted. The assets of the Bank, if sold at auction, at the present time, will not bring one-third of their value in the market, and such action could not be taken without gross injustice to the State.

Nearly one million of dollars in bills which had been issued prior to December, 1860, were redeemed and not cancelled. These bills were afterwards illegally put into circulation during the war, and, as a war debt, should neither be paid nor funded under the Constitution.

I favor the closing of the Bank simply; and further than that we should not proceed, under existing circumstances. Any further action, as proposed by the Bill, will prove detrimental to the interests of the State, which it is our duty to secure.

(Signed)

P. J. O'CONNELL.

I voted in the negative because I believe that in the passing of this Bill the State assumes to pay a very large and doubtful debt. The legality of this debt should be determined by the Courts, and not by the General Assembly. The State may be responsible for some of the bills issued prior to 1861; but certainly for none that was used in aid of the rebellion. Under the present Constitution the State is not responsible for a single dollar that was put in circulation by the Bank after January 1, 1861, and as no discrimination can be made so as to determine what amount of the old issue was used by the Bank in aid of the rebellion, therefore I do not regard the State responsible for any bill, unless the bill holder can give sufficient proof that it was not put in circulation by the Bank after January 1, 1861.

(Signed)

J. B. HYDE.

At the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A resolution to render all resolutions valid on the first reading.

On motion of Mr. DELARGE, the consideration of the Special Order was suspended temporarily.

Mr. DELARGE, from the Committee on Ways and Means, reported

A Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State. Read the first time and ordered to be printed.

The consideration of the resolution to render all resolutions valid on their first reading was resumed.

Mr. JACKSON moved that the resolution be referred to the Committee on the Judiciary, with instructions to report to-morrow. Agreed to.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 14.

IN THE SENATE, COLUMBIA, S. C., September 1, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully returns a joint resolution providing for the drawing of \$20,000 from the Treasury of the State for the pay and per diem of members, and asks leave to amend as follows :

Strike out the word "Legislature" and insert the words "General Assembly;" strike out the word "twenty" and insert "seventy;" strike out "20th" and insert "31st inclusive," so as to read "draw pay certificates or orders in favor of the officers, members and employees of this General Assembly to the 31st of August, inclusive, to the amount of seventy thousand dollars," &c.

(Signed) Very respectfully,

L. BOOZER,
President of the Senate.

PAPERS FROM THE SENATE.

The Senate returned to this House a joint resolution relative to the pay of members, officers and employees of the General Assembly, amended as follows :

The word "twentieth," before the words "of August," stricken out and the words "thirty first" inserted in lieu thereof; also, the word "inclusive" inserted after the word "August;" also, the word "twenty," before the words "thousand dollars," stricken out and the word "seventy" substituted; also, the words "collected at" stricken out and the words "draw from" substituted; also, the words "pro rata schedule hereunto annexed" stricken out and the words "the following" substituted.

On motion of Mr. TOMLINSON, the Senate amendments were concurred in, and the joint resolution ordered to be returned to the Senate.

The Senate sent to this House the following papers, which were laid over for consideration to-morrow :

Joint resolution for the relief of Mrs. Mary A. C. Hobbs ;

Joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County ;

A Bill to change the location of a portion of the Rutherfordton Road, in the County of Greenville ;

A Bill to extend the charter of Kinsler's Ferry ;

A Bill to establish Wright's Ferry, over the Catawba River ;

A Bill to re-establish Tucker's Ferry, over the Edisto River ;

A Bill to incorporate the Home Insurance Company, of Charleston ;

A Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways ;

A Bill to close the operations of the Bank of the State of South Carolina.

The House renewed the consideration of the

GENERAL ORDERS.

A Bill to establish the office of County Treasurer.

The Bill was put upon its second reading.

The following, recommended by the Committee as a substitute for Section 1, that there shall be appointed in each county in this State by the Governor one County Treasurer for such county, who shall hold his office for four years, and until his successor shall have been appointed and qualified, was adopted.

Mr. McKINLAY moved to amend Section 1 by inserting between the words "Governor" and "one" the words "by and with the advice and consent of the Senate." Agreed to.

SPECIAL ORDER FOR 2 P. M.

Pending the further consideration of Section 1, the hour for the Special Order having arrived, the House proceeded to the consideration of Message No. 26 of His Excellency the Governor, returning, with disapproval, an Act to amend "An Act to alter and amend the charter of the city of Charleston, and for other purposes."

A call of the House was ordered, and eighty-nine members answered to their names.

On motion of Mr. G. LEE, the further call was suspended.

The Message was again read, and immediately considered.

On the question "Shall the Bill pass, the objections of the Governor to the contrary notwithstanding?" it passed in the negative.

The yeas and nays were ordered, in compliance with the requirements of Section 22 of Article 3 of the Constitution, and are as follows:

Yeas, 41; nays, 43; absent and not voting, 38.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Rosemon, Brodie, E. J. Cain, Chestnut, Gray, Gardner, Goodson, Humphries, Hutson, Henderson, Harris, Jenks, H. Johnson, S. Johnson, G. Johnson, Jackson, Jacobs, Jervcy, G. Lee, S. J. Lee, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Nelson, Nash, Neagle, Perrin, Ransier, Rivers, A. Smith, B. A. Thompson, S. B. Thompson, Tomlinson, Whipper, Wright and Webb.—41.

Those who voted in the negative are:

Messrs. Bullock, Bryant, Boswell, L. Cain, Cooke, Collins, Crews, DeLarge, Dusenberry, DeMars, Ezekiel, Feriter, Farr, Grant, Hayes, Holliman, Hyde, D. J. J. Johnson, Johnston, B. James, Jones, Lomax, Lang, Littlejohn, Mobley, Moore, Milford, Mays, O'Connell, Purvis, Prendegrass, Root, Stewart, Stoeber, Saunders, Simons, Smiley, Scott, Thomas, Turner, Valentine, Wilson, Wilder and Waller.—43.

Those absent and not voting are:

Messrs. Bennett, Berry, Brown, Burton, Jno. Boston, Jos. Boston, Bishop, Clyburn, Dennis, Drifflé, Duvall, Doyle, Elliott, Field, C. D. Hayne, J. N. Hayne, H. James, Kuh, Keith, Morrison, Martin, Mead, Miller, Nuckles, Pettengill, Richardson, Rush, Sloan, Stolbrand, Stubbs, Smalls, R. M. Smith, Shrewsbury, Smythe, Sasportas, Tinsley, Wooley and White.—38.

The following paper was presented to be recorded on the Journal:

I ask leave to record my reasons for sustaining the veto of the Governor:

1. I yield to no man in my desire to accede to the reasonable demands of my constituents, but I certainly shall not yield my own convictions of duty to any demand from any source. I am fully persuaded that there is nothing so exceptional or peculiar in the present situation of public affairs in Charleston as to require that special legislation should be adopted in order to bring on an immediate election in Charleston, while it is not proposed to do the same for any other incorporated town or city. The interests of party or faction may suggest otherwise, but ultimately the real interests of our party will be seen to be best promoted by a steady adherence to general and impartial legislation.

2. It is impossible for me to resist the conviction that the reduction of the time necessary to acquire the right to vote from sixty (60) days to thirty

(30) days is an unwise, if not unconstitutional innovation. I can see no reason why the rule requiring sixty (60) days' residence is not as proper and necessary in the city elections as in the county elections.

3. While I am at all times ready to vindicate the right of the people to hold elections whenever the public good demands, still I cannot consent, in the present state of the public mind, to add any unnecessary excitement to the already feverish apprehension which prevails.

No wise man will court danger. No brave man will provoke a quarrel. If this election is deferred until the 3d of November, the community of Charleston will be able at one time to decide two questions without any additional cost of time or disquiet of a community.

For these three reasons, out of many important reasons, I give my vote to sustain the veto message of His Excellency the Governor.

(Signed)

R. C. DELARGE.

Mr. SASPORTAS stated that he was unavoidably absent from the House when the vote was taken to pass over the veto of the Governor the Bill to alter and amend the charter of the city of Charleston, and now desired that it be recorded on the Journal as voting "yea."

On motion of Mr. TOMLINSON, the consideration of the Senate amendments to the Bill to provide for the assessment and taxation of property was made the Special Order for to-morrow, at 2 P. M.

The following members obtained leave of absence :

Mr. Richardson, for six days.

Mr. Bennett, for six days.

On motion, at 4 P. M., the House adjourned until 12 M. to-morrow.

WEDNESDAY, SEPTEMBER 2, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. SAUNDERS.

The reading of the Journal of the previous day was, on motion of Mr. S. J. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to organize the Commission to codify the laws of the State of South Carolina, and reported the following substitute :

A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

On motion of Mr. WILDER, the report was laid on the table to take up the substitute.

Also, on a Bill to punish discrimination in the treatment of prisoners by Sheriffs and Jailers.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

Also, on a Bill to punish persons who may attempt to hold office by authority of the late Provisional Government.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

Also, the following report on a resolution to render all resolutions valid on their first reading :

The Committee on the Judiciary, to whom were referred a resolution declaring valid all joint resolutions on one reading, have considered the same, and are clearly of the opinion that it is not only unnecessary, but very unusual for joint resolutions to be read more than once in any legislative body, and upon inquiry and examination find that it has never been the custom, either here or elsewhere ; and your Committee are also of the opinion that requiring joint resolutions to be read three times is calculated to defeat the end sought to be accomplished by them, which is to save a portion of the time necessary to get a Bill through. Your Committee are clearly of the opinion that it is only in certain cases that the ends of legislation can be accomplished by joint resolution ; but in such cases it not necessary to read them but once. The Constitution of this State (Section 20 of Article II) says that all Acts or resolutions having the force of law shall relate to but one subject, and Section 21 of the same Article says that no Bill shall have the force of law until it has been read three times, &c. From this it is reasonable to infer that it was not the intention of the framers of the Constitution to require that resolutions be read three times ; at all events, the Constitution being silent thereon, it is clearly the right of this body to decide for themselves. Your Committee therefore recommend that the resolution do pass.

(Signed)

W. J. WHIPPER, Chairman.

On motion of Mr. JACKSON, the report was laid on the table to take up the resolution.

Mr. RANSIER moved that the consideration of the resolution be made the Special Order for to-morrow, at 2 P. M. Not agreed to, by a vote, on division, of yeas, 19 ; nays, 23.

Mr. ELLIOTT moved that the consideration of the resolution be made the Special Order for to-day, at 2 P. M. Agreed to

Mr. PURVIS, from the Committee on Incorporations, reported by Bill on the petition of certain fire engine companies of Charleston.

The Bill was read the first time, and ordered to be printed.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported on a Senate Bill to fix the amounts of official bonds of certain county officers.

On motion, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. MOORE presented the application of the Special Commissioners for Pickens County for payment for services rendered in carrying out the requirements of the Constitutional Convention.

Also, the application of the Special Commissioners of Oconee County for payment for services rendered in carrying out the requirements of the Constitutional Convention. Laid over to be referred to the Committee on Claims.

Pursuant to notice, and by leave of the House, Mr. J. N. HAYNE introduced

A Bill to incorporate the Wateree and North Carolina Railroad. Read the first time, and referred to the Committee on Railroads.

Mr. ELLIOTT presented the petition of the Western Telegraph Company for the remission of a double tax. Referred to the Committee on Ways and Means.

Mr. WHIPPER, by leave, introduced

A Bill to define the jurisdiction and regulate the practice in Justice Courts. Read the first time, and referred to the Committee on the Judiciary.

Mr. WHIPPER, by leave, introduced

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State. Read the first time, and referred to the Committee on the Judiciary.

Mr. G. LEE introduced the following resolutions, which were, on motion of Mr. WILDER, laid on the table by a vote, on division, of yeas, 34; nays, 12:

Resolved, That we, the representatives of the Republicans of South Carolina, heartily congratulate the Republicans of Vermont in their success at their late State election.

Resolved, That we tender our congratulations to the Republicans of Wilmington, Delaware, in their success at their late municipal election.

Pursuant to notice, and by leave of the House, Mr. JENKS introduced A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston. Read the first time, and referred to the Committee on Incorporations.

Mr. SHREWSBURY introduced the following resolution, which was agreed to :

Resolved, That the Committee on the Penitentiary report to this House on the 6th instant, or as soon thereafter as practicable, the result of their investigations relative to the imprisonment of convicts.

Mr. MCINTYRE introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the Comptroller, Attorney, and Adjutant and Inspector-Generals, Secretary of State and Treasurer, Superintendent of Education and Chairman of the several Boards of County Commissioners, be instructed by His Excellency the Governor to submit a report of their transactions in their several offices to this body at the next regular session in November, 1868, and that a copy of this resolution be sent to His Excellency R. K. Scott.

Pursuant to notice, and by leave, Mr. CAIN introduced

A Bill to alter and amend the charter of the town of Edgefield. Read the first time, and referred to the Committee on Incorporations.

Mr. JOSEPH BOSTON gave notice that on to-morrow he will introduce A Bill to regulate and perpetuate the mileage and per diem of each member of this legislative body for the next regular session.

Mr. W. J. MCKINLAY introduced the following resolution, which was agreed to :

Resolved, That a Committee of three be appointed to investigate the circumstances attending the loss of certain Bills which have been presented and duly considered before this House.

The SPEAKER announced the following as the Committee :

Messrs. W. J. McKinlay, Milford and Smiley.

On motion of Mr. NEAGLE, it was

Resolved, That in addition to the duties imposed upon the Committee appointed by a resolution this day, to investigate the causes attending the loss of certain Bills, said Committee shall report to this House, on to-morrow, during the morning hours, what Bills have become laws ; and, also, shall report all Bills subsequently becoming laws every Monday morning.

Mr. SIMONS introduced the following resolution, which was agreed to :

Resolved, That the Committee on Public Buildings be required to report by Friday, at 2 P. M., what they have done in relation to the petition of Dr. Rawls, Chairman of city of Columbia Alms House, requesting a loan from the State to take care of the sick now at the City Hospital here, who were turned over to the charge of the city authorities, and who are residents of different portions of this as well as other States.

Mr. JENKS introduced the following resolution, which was agreed to :

Resolved, That the Bill to incorporate certain fire engine companies of Charleston be made the Special Order for to-morrow, at half-past 1 P. M.

The House proceeded to the consideration of the

GENERAL ORDERS.

Joint resolution for the relief of Mrs. Mary A. C. Hobbs. Read the first time, and referred to the Committee on Ways and Means.

Joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County. Read the first time, and referred to the Committee on Ways and Means.

A Bill to change the location of a portion of the Rutherfordton Road, in the County of Greenville. Read the first time, and referred to the Committee on Roads, Bridges and Ferries.

A Bill to extend the charter of Kinsler's Ferry. Read the first time, and referred to the Committee on Incorporations.

A Bill to establish Wright's Ferry, over the Catawba River. Read the first time, and referred to the Committee on Roads, Bridges and Ferries.

A Bill to re-establish Tucker's Ferry, over the Edisto River. Read the first time, and referred to the Committee on Roads, Bridges and Ferries.

A Bill to incorporate the Home Insurance Company, of Charleston. Read the first time, and referred to the Committee on Incorporations.

A Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways. Read a first time, and referred to the Committee on Roads, Bridges and Ferries.

A Bill to close the operations of the Bank of the State of South Carolina. Read the first time, and referred to the Committee on Ways and Means.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as having been duly and correctly engrossed :

A Bill to provide for the election of Electors for President and Vice-President, and fix the time for the election of members of Congress of the United States;

A Bill to close the operations of the Bank of the State of South Carolina.

A Bill to provide for the election of Electors, &c., was put upon its third reading.

At the hour of 1 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County.

Mr. RANSIER moved to suspend the Special Order until the further consideration of the Bill previously under consideration.

Mr. WILDER moved to amend by discharging the Special Order until this day one week (Wednesday, September 9)

Mr. DELARGE moved the indefinite postponement of the amendment, which was agreed to by a vote, on division, of yeas, 30; nays, 29.

The motion to suspend temporarily was agreed to.

The reading of the Bill was continued.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County was resumed.

Mr. PURVIS moved that the further consideration of the report be made the Special Order for this day two weeks (September 16).

Mr. DELARGE moved to lay the motion to postpone on the table.

On this the yeas and nays were called, and are as follows:

Yeas, 41; nays, 47; absent and not voting, 34. Not agreed to.

Those who voted in the affirmative are:

Messrs. Berry, Bryant, L. Cain, E. J. Cain, Collins, DeLarge, Dusenberry, Doyle, DeMars, Elliott, Feriter, Hayes, J. N. Hayne, Holliman, Hutson, D. J. J. Johnson, Keith, Lomax, G. Lee, Lang, Littlejohn, Mayer, W. J. McKinlay, Milford, Martin, Mays, Nelson, O'Connell, Ransier, Root, Stewart, Stubbs, Shrewsbury, Sasportas, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Valentine, Waller, Wooley and Wright.—42.

Those who voted in the negative are:

Messrs. Bosemon, Brown, Burton, Joseph Boston, Bullock, Bishop, Cooke, Chestnut, Ezekiel, Farr, Gray, Gardner, Grant, Humphries, Henderson, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, S. J. Lee, Wm. McKinlay, Mickey,

McDaniels, Mead, Miller, Nash, Purvis, Perrin, Prendegrass, Rivers, Stoerber, A. Smith, Saunders, Smythe, Simons, Smiley, Scott, Thomas, Whipper and Webb.—47.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, John Boston, Boswell, Clyburn, Crews, Dennis, Drifflie, Duvall, Field, Goodson, C. D. Hayne, Harris, Jenks, Kuh, Morrison, McIntyre, Mobley, Moore, Nuckles, Neagle, Pettengill, Richardson, Rush, Sloan; Stolbrand, Smalls, R. M. Smith, Tinsley, Wilson, Wilder and White.—33.

At the hour of 1:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Wando Company.

The second reading of Section 5 was continued.

The amendment of the Committee to change the title of the Bill to "The Wando Mining and Manufacturing Company" was adopted.

The Bill was read the second time, and ordered to be returned to the Senate as amended.

The consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County was renewed.

The motion to postpone the further consideration and make it the Special Order for Wednesday, September 16, was agreed to.

The House proceeded to the consideration of the

GENERAL ORDERS.

The report of the Committee on Privileges and Elections on a Bill to regulate elections and punish the abuse of the elective franchise was taken up.

The consideration of the Bill was renewed.

The amendment proposed by the Committee as a substitute for Section 9 was adopted.

Pending the consideration of the substitute for Section 15, the House, at 2 P. M., proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the Senate amendments to a Bill to provide for the assessment and taxation of property.

On motion of Mr. TOMLINSON, the consideration of the Special Order was suspended until the further consideration of the Bill to regulate elections and punish abuses of the elective franchise previously under consideration.

Pending the consideration of Section 15, at the hour of 2:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Committee on the Judiciary on a resolution to render all resolutions valid on the first reading.

On motion, the consideration of the Special Order was suspended until the further consideration of the Bill previously under discussion.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The consideration of the Senate amendments to the Bill to provide for the assessment and taxation of property was resumed.

On motion of Mr. WHIPPER, the consideration of the same was suspended to allow a Bill to close the operations of the Bank of the State of South Carolina to be read the third time.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The yeas and nays were called, and are as follows :

Yeas, 66 ; nays, 23 ; absent and not voting, 33.

Those who voted in the affirmative are :

Messrs. Boseman, Brodie, Brown, Burton, Joseph Boston, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Duvall, Elliott, Ezekiel, Farr, Gray, Gardner, Goodson, Hayes, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervey, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Mickey, McDaniels, Mobley, Mays, Mead, Miller, Nelson, Nash, Neagle, Purvis, Perrin, Prendegrass, Ransier, Rivers, A. Smith, Saunders, Smythe, Smiley, Scott, B. A. Thompson, S. B. Thompson, Thomas, Witder, Whipper, Wright and Webb.—66.

Those who voted in the negative are :

Messrs. Berry, Bullock, Bryant, Bishop, Crews, Doyle, DeMars, Grant, Jackson, Keith, Littlejohn, W. McKinlay, W. J. McKinlay, McIntyre, Moore, O'Connell, Stewart, Stolbrand, Shrewsbury, Sasportas, Tomlinson, Turner and Valentine.—23

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, John Boston, Boswell, Clyburn, Dennis, Dusenberry, Drifflie, Field, Feriter, C. D. Hayne, Hyde, Jones, Kuh, Morrison, Milford, Martin, Nuckles, Pettengill, Richardson, Root, Rush, Sloan, Strober, Stubbs, Smalls, R. M. Smith, Simons, Tinsley, Wilson, Walter, Wooley and White.—33.

The following paper was presented to be recorded on the Journal :

We, the undersigned, members of the House of Representatives of the

State of South Carolina, availing ourselves of the constitutional rights granted to members of the General Assembly to protest against any Act or resolution of the General Assembly, do hereby enter our protest against an Act entitled "An Act to close the operations of the Bank of the State of South Carolina."

1st. Because the Act is in direct violation of the faith of the State, pledged by an Act of the General Assembly of June 1st, 1838, entitled "An Act to rebuild the city of Charleston."

2d. Because the merits of the claims of the several parties to the assets of the Bank have been submitted to the law—the proper tribunal—and by the law should be determined without the interference of the legislative department.

3d. Because the General Assembly of 1865 by an Act appropriated the assets of the Bank of the State to certain parties, designating preferences, which appropriation was accepted by the parties interested, and hence amounts to a valid assignment of the assets.

4th. It is unjust and oppressive on the citizens of the State, insomuch as it augments the debt of the State more than a million of dollars, which will ultimately have to be paid by the same people who have already lost *ninety per cent.* of the same money.

5th. It is *inequitable*, inasmuch as it discriminates unjustly between those who have and those who have not rendered in their bills in accordance with the order of the Court—the former comprising brokers and speculators, who have purchased these bills at a nominal price, and the latter the *bona fide* bill holders for value received.

(Signed)

W. C. KEITH,
O. M. DOYLE,
C. C. TURNER,
JAVAN BRYANT,
SAMUEL LITTLEJOHN,
JOHN B. MOORE,
JOHN WILSON,
ZADOCK BULLOCK,
W. W. WALLER,
W. G. STEWART.

Mr. DeLARGE stated that he was absent from the House at the time that the vote was taken to postpone the consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson, and he desired to be recorded as voting yea.

The following members obtained leave of absence :

Mr. Moore, for ten days.

Mr. Lomax, for five days.

Mr. Ransier, for four days.

Mr. Boswell, for three days.

The consideration of the Senate amendments to the Bill to provide for the assessment and taxation of property was resumed.

Mr. WHIPPER moved that the Senate amendments as a whole be concurred in.

Pending this, at the hour of 3:55 P. M., the House adjourned until 12 M. to-morrow.

THURSDAY, SEPTEMBER 3, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. Mr. Goines, of Pennsylvania.

The reading of the Journal of the previous day was, on motion of Mr. S. J. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill to incorporate the Ashley Fire Engine Company, of Charleston.

On motion, the report was laid on the table to take up the Bill.

On motion of Mr. BOSEMON, the consideration of the Bill was made the Special Order for to-morrow, at 1:30 P. M.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported on the petition of L. S. Langley, School Commissioner elect of Beaufort County, praying release from any law requiring his presence to qualify within a limited time, that it would be a violation of the tenure of office Act, and recommended that the petition be not granted.

On motion of Mr. GRAY, the report was adopted.

Mr. DELARGE, from the Committee on Ways and Means, reported on a joint resolution from the Senate in reference to authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County.

On motion, the report was laid on the table to take up the joint resolution.

Also, on a Bill authorizing R. S. & M. R. Bennett, of Beaufort, to collect wharfage.

On motion of Mr. W. J. MCKINLAY, the report was laid on the table to take up the Bill.

Also, on the joint resolution from the Senate for the relief of Mrs. Mary A. C. Hobbs.

On motion, the report was laid on the table to take up the joint resolution.

Also, on the petition of certain merchants of Charleston, asking relief from certain taxes imposed by the Legislature of 1866, and recommended that it be laid over until the next regular session.

On motion, the report was adopted.

Also, on a Bill relative to banking, insurance, and other bodies corporate and politic, and recommend that it be laid over until the next regular session.

On motion of Mr. G. LEE, the report was adopted.

Also, on the petition of sundry tax payers of St. Helena Parish, praying to be refunded, &c., and recommend that it lie over until the next regular session.

On motion, the report was adopted.

Also, on the petition of Mrs. Georgiana Heyward, praying to be relieved of a double tax, and recommend the adoption of the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the heirs of the late Mrs. Georgiana Heyward, of Charleston, in this State, be, and they are hereby, relieved from the double tax execution issued against house No. 2, Legare street, in the said city of Charleston, which said double tax was issued in the year 1866, provided they pay the single tax and costs.

On motion of Mr. G. LEE, the report was laid on the table to take up the joint resolution.

The joint resolution was read the first time, and ordered for a second reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to establish the Counties of Oconee and Pickens as Judicial Districts, and for other purposes, as engrossed and ready for a third reading.

Mr. WEBB, from the Committee on Roads, Bridges and Ferries, reported on a Bill to authorize the building of a bridge to connect the islands of Wadmalaw and John.

The report was laid on the table to take up the Bill.

Also, on a Bill to open a new road in the County of Sumter.

On motion of Mr. SIMONS, the report was laid on the table to take up the Bill.

Mr. GRANT, from the Committee on Agriculture, reported (unfavorably)

on a Bill to punish persons pursuing and injuring horses and other live stock with intent to steal them.

On motion of Mr. GRAY, the report was laid on the table to take up the Bill.

Mr. WHIPPER, from the Committee on Judiciary, reported on a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of the State.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

Also, (favorably) on a Bill that was recommitted entitled a Bill to establish the office of, and define the duties of, County Prosecuting Attorney.

On motion of Mr. W. J. MCKINLAY, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. WHIPPER, by leave, introduced

A Bill to extend the time for county officers to qualify. Read the first time, and referred to the Committee on County Offices and Officers.

Mr. DELARGE, by leave, introduced

A Bill to provide for the election of the officers of cities and incorporated towns in the State of South Carolina. Read the first time, and referred to the Committee on Privileges and Elections.

Mr. SHREWSBURY introduced the following resolution, which was agreed to:

Resolved, That the Committee on the Judiciary report to this House, at their earliest convenience, the Bill to enable minors and others to recover property.

Mr. BISHOP presented a petition to change the election precinct from Old Pickens Court House to Flat Rock muster ground. Referred to the Committee on Privileges and Elections.

Mr. HYDE introduced the following resolution:

Resolved, That so much of the Rules of this House be suspended that requires it to meet at 12 M., and that we meet for the remainder of this session at 10 A. M.

Mr. S. J. LEE moved to strike out "10" and insert "11."

Mr. DELARGE moved to strike out "11" and insert "11:30 A. M."

Mr. DEMARS moved to lay the motion on the table.

On a division being called for, it resulted yeas, 43; nays, 10.

So the resolution and amendments were laid on the table.

Mr. G. LEE moved to take up the resolution from the table. Agreed to.

Mr. ELLIOTT moved to amend the resolution so as to read to meet at "10 A. M.," adjourn at "3 P. M.," and meet again at "5 P. M.," and adjourn at "7 P. M."

The motion was laid on the table on a division resulting yeas, 35; nays, 31.

After considerable discussion, the resolution was laid upon the table.

Mr. HYDE gave notice that on to-morrow, or soon thereafter, he will ask leave to introduce

A Bill to provide the manner in which all debts shall be collected contracted prior to the 1st of May, 1865.

Mr. CLYBURN presented the report of the Commissioners of Free Schools of Kershaw County. Referred to the Committee on Education.

Mr. STOEBER, by leave, introduced

A Bill to provide transportation for convicts discharged from the State Penitentiary. Read the first time, and referred to the Committee on Ways and Means.

The House proceeded to the consideration of

GENERAL ORDERS.

A Bill to protect laborers and persons working under contract on shares of crops was taken up.

The first reading entire of the Bill was continued.

The Bill was read the first time, and referred to the Committee on the Judiciary.

On motion of Mr. TOMLINSON, the Senate amendments to the Bill to provide for the assessment and taxation of property was taken up.

On motion of Mr. JONES, the amendments, as a whole, were concurred in, and the Bill ordered to be returned to the Senate.

Mr. DELARGE, from the Committee on Ways and Means, reported on a petition of the Western Union Telegraph Company, praying the remission of a double tax, and recommend the adoption of the following joint resolution:

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the double tax imposed upon the Western Union Telegraph Company for their failure to make payment of the annual tax of 1867 and the first quarter tax of 1868 be, and the same is hereby, remitted, upon payment of the single tax and cost.

The House proceeded to the immediate consideration of the report and resolution.

Mr. TOMLINSON moved a call of the House, and eighty-one members answered to their names.

On motion of Mr. DEMARS, the further call was suspended.

The consideration of the report and joint resolution of the Committee on Ways and Means was resumed.

On motion of Mr. TOMLINSON, the report was laid upon the table to take up the resolution.

The joint resolution was read the first time, and laid over for a second reading.

At the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate certain fire engine companies of Charleston.

On motion of Mr. W. J. MCKINLAY, the Special Order was suspended temporarily to take up a Bill to fix the amounts of official bonds of certain county officers.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The consideration of a Bill to incorporate certain fire engine companies of Charleston was resumed.

The Bill was put upon its second reading.

On motion of Mr. RANSIER, Section 3 was amended by inserting after the word "Company," in the third line, the words "No. 8."

The Bill was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. PURVIS, a Bill to amend an Act entitled "An Act to renew and amend the charter of the town of Sumter" was taken up.

The Bill was put upon its second reading.

Mr. PURVIS moved to amend Section 2 by adding to the Section "all persons entitled to vote for members of the General Assembly, and who have resided ninety days previous to election within the corporate limits, shall be entitled to vote." Agreed to.

On motion of Mr. ELLIOTT, the Bill was recommitted to the Committee on Incorporations.

A Bill to incorporate the Home Insurance Company, of Charleston, was taken up.

The Bill was put upon its second reading.

On motion of Mr. JERVEY, Section 2 was amended by striking out in the seventh line the words "eighteenth" and "August," and inserting in lieu thereof the words "nineteenth" and "October."

Mr. TOMLINSON moved a call of the House, and seventy-nine members answered to their names.

On motion of Mr. TOMLINSON, the Sergeant-at-Arms was instructed to report the names of members who may refuse to comply with the instructions of this House, to bring all absent members within the bar of the House.

On motion of Mr. TOMLINSON, the further call of the House was suspended.

The consideration of the Bill to incorporate the Home Insurance Company, of Charleston, was resumed.

Mr. WHIPPER moved that the further consideration of the Bill be postponed until this day one week, (September 10.)

Pending this, the SPEAKER announced that in accordance with the order of the House, the Sergeant-at-Arms had reported that Mr. R. C. DeLarge refused to comply with the order of the House, to present himself within the bar of the House.

On motion of Mr. TOMLINSON, the Sergeant-at-Arms was ordered to arrest the absent member and bring him before the House, and that the member be held under arrest until the further action of the House.

On motion, at 2:45 P. M., the House took a recess until 5 P. M.

RECESS.

The House re-assembled at 5 P. M.

The SPEAKER resumed the chair.

A call of the House was ordered, and sixty-two members answered to their names.

On motion, the further call was suspended.

The House proceeded to the consideration of the matter concerning the arrest of Mr. R. C. DeLarge, member from Charleston, for contempt of the House.

Mr. TOMLINSON introduced the following resolution :

Whereas R. C. DeLarge, a member of this House, refused to obey an order of this House; and whereas when the Sergeant-at-Arms, under an order of this House, proceeded to arrest said R. C. DeLarge, he violently refused to submit to such arrest; therefore,

Resolved, That the said R. C. DeLarge be called to the bar of the House, and be censured by the Speaker for his conduct.

The member under arrest (Mr. R. C. DeLarge) was brought to the bar of the House.

Mr. NEAGLE moved that the whole matter be laid on the table, which was withdrawn at the request of Mr. DeLarge, in order that he might speak in his defence.

The SPEAKER stated that the member being under arrest, it would be necessary that the House grant the member the privilege of the floor.

On motion of Mr. ELLIOTT, the request of Mr. DeLarge was granted.

Mr. DeLARGE then appeared at the bar of the House and spoke in his defence.

Mr. RANSIER introduced the following resolution as a substitute for the resolution of Mr. Tomlinson :

Resolved, That the member, R. C. DeLarge, be released from arrest, and that the Sergeant at Arms be summoned before the bar of the House to state what he knows of the matter now pending before the House, under the order this morning to bring in absent members.

Mr. DENNIS moved that the whole matter be indefinitely postponed, and the member (Mr. R. C. DeLarge) be released from arrest. Not agreed to.

After a lengthy discussion, participated in by Messrs. Ransier, Tomlinson, Neagle, Elliott, Wilder and Dennis, the following resolution was offered by Mr. SASPORTAS, and agreed to :

Resolved, That the present investigation be suspended, and a Special Committee of three be appointed to inquire as to who is culpable, and prefer charges accordingly, and the member be now released from arrest.

The SPEAKER announced as the Committee, in accordance with the foregoing resolution, Messrs. Sasportas, Martin and S. J. Lee.

The SPEAKER instructed the Sergeant-at-Arms to release from arrest Mr. R. C. DeLarge, the member from Charleston.

Mr. Sloan obtained leave of absence for ten days.

The following changes were made in the Standing Committees of the House :

Mr. W. Jervey, *vice* G. A. Lewie, resigned, Committee on Incorporations.

Messrs. B. A. Bosemon and John A. Boswell added to the Committee on Lunatic Asylum.

Messrs. Henry Johnson and John A. Boswell added to the Committee on Ordinance of Covention to establish a Land Commission.

On motion, at 8 P. M., the House adjourned until 12 M. to-morrow.

FRIDAY, SEPTEMBER 4, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. J. PRENDEGRASS.

The reading of the Journal of the previous day was, on motion of Mr. SHREWSBURY, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. ELLIOTT, from the Committee on Railroads, reported on the Message (No. 20) of His Excellency the Governor, together with the memorial of the Blue Ridge Railroad, by

A Bill to authorize additional aid to the Blue Ridge Railroad. Read the first time, and ordered to be printed.

Mr. DELARGE, from the Committee on Ways and Means, made the following reports:

On a Bill (favorably) to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as the Bills Receivable.

On motion, the report was laid on the table to take up the Bill.

Also, by the following joint resolution, on the petition to grant relief to Mr. Alfred Raouls for services as Physician to Charleston Jail:

Be it resolved, by the Senate and House of Representatives of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of the State be, and is hereby, directed to pay to Dr. Alfred Raouls the sum of three hundred and fifteen dollars (\$315) out of any moneys in the Treasury not otherwise appropriated, for three months' services as Physician to the Charleston Jail, and for medicines furnished prisoners confined in the same during the months of January, February and March, 1867.

The report was laid on the table to take up the joint resolution.

The joint resolution was read the first time, and ordered to a second reading.

Mr. WHIPPER, from the Committee on the Judiciary, made the following reports:

On a Bill to allow minors and others to recover property, stocks, moneys, &c., that were converted into so-called Confederate bonds, stocks or moneys.

The report was adopted, and the Bill laid over until next regular session.

Also, (favorably) on a Bill to provide for the organization of the Supreme Court.

The report was laid on the table to take up the Bill.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as duly and correctly engrossed for a third reading:

A Bill to fix the amount of the official bonds of certain county officers;

A Bill to regulate elections and punish the abuse of the elective franchise.

Mr. WEBB, from the Committee on Roads, Bridges and Ferries, reported on the petitions of sundry citizens of Greenville County, asking that a road therein described may be opened, and recommended that the whole matter be referred to the Board of County Commissioners of said county.

On motion of Mr. HYDE, the report was adopted and the Committee discharged from the further consideration of the subject.

Also, the same Committee reported on the petition of John H. High-tower and others, of Greenville, for lease of a State Road, by

A Bill to authorize a lease of the State Road running from the County of Greenville, State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina. Read the first time, and ordered to be printed.

Mr. DOYLE, from the Committee on Vacant Offices, to whom was referred a communication (referred from the Governor by Message No. 4) of W. J. Lee, declining to act as County Commissioner for Williamsburg County, reported that a vacancy in said Board exists, and recommend that an election be ordered to fill said vacancy.

On motion of Mr. TOMLINSON, the report was adopted.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported unfavorably on a Bill to extend the time for county officers to qualify.

On motion of Mr. S. J. LEE, the report was laid on the table to take up the Bill.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following.

MESSAGE FROM THE GOVERNOR, No. 27.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 3, 1868.

To the Honorable the Speaker of the House of Representatives :

I have this day approved the joint resolution "providing for drawing from the Treasury of the State the sum of seventy thousand dollars, to pay the per diem and mileage of the members of the General Assembly, and to pay subordinate officers."

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

Also,

FRIDAY, SEPTEMBER 4, 1868.

MESSAGE FROM THE GOVERNOR, No. 28.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 4, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have the honor to transmit for the consideration of the House of Representatives the enclosed communication from the municipal authorities of the city of Columbia relative to the State House and grounds.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

The enclosed resolutions of the City Council of Columbia relative to the present fence around the new State House and grounds was referred to the Committee on the State House and Grounds.

PETITIONS, RESOLUTIONS, &c.

Mr. DRIFFLE introduced the following joint resolution :

Whereas the exigency of the times requires the necessity of strictly enforcing the keeping of the peace and good order; therefore,

Be it resolved, by the House of Representatives, the Senate concurring, That His Excellency the Governor be authorized to appoint a sufficient number of Justices of the Peace for the several counties requiring such; the Justices to be recommended by members of this General Assembly, and to remain in office until the same is filled by an election.

On motion, the resolution was referred to the Committee on County Offices and Officers.

Mr. JOSEPH BOSTON, from the Joint Committee appointed to present before this House business of the most importance for this session, reported that the Committee have not been able to have but one joint meeting; they therefore ask further time to report.

On motion, the request was granted.

Mr. DOYLE presented the petition of sundry citizens of Oconee County, asking that the election box at Keowee be not removed to Flat Rock. Referred to the Committee on Privileges and Elections.

Mr. BOSEMOM, from the Special Committee to define the duties of the Clerk, Phonographer, Sergeant-at-Arms, &c., submitted a report.

On motion of Mr. NEAGLE, the further consideration of the report was postponed until 2 P. M. this day.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

The Bill was read the third time, passed, and ordered to be sent to the Senate

A Bill to authorize the building of a bridge to connect the islands of Wadmalaw and John was taken up.

The Bill was ordered to be printed, and, on motion of Mr. JENKS, made the Special Order for to-morrow, September 5, at 1:30 P. M.

A Bill to incorporate the Columbia Educational Society was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A concurrent resolution relative to the adjournment of this General Assembly on the 11th day of September was taken up.

Mr. TOMLINSON moved to amend by striking out "11th" and inserting "15th." Not agreed to.

On motion of Mr. SMALLS, the resolution was laid on the table.

A joint resolution (Senate) authorizing the issue of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County, was taken up, read the second time, and ordered to lie over for a third reading.

A Bill to establish the office of County Treasurer was taken up.

On motion of Mr. WHIPPER, the consideration of the Bill was postponed temporarily

A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina was taken up.

The Bill was put upon its second reading.

Mr. NEAGLE moved to fill the blank in Section 1 by inserting the words "David T. Corbin, William J. Whipper and James M. Rutland." Agreed to.

Mr. TOMLINSON moved to amend the Section by striking out the word "as" between the words "receive" and "compensation," in the first line of printed Bill. Agreed to.

Mr. G. LEE moved to amend Section 7 by adding, after the words "per annum," in the second line of printed Bill, the word "each." Agreed to.

Mr. TOMLINSON moved to amend Section 7 by inserting, before the word "not," in the fourth line of printed Bill, the words "a sum." Agreed to.

On the question of passing Section 7 to a third reading the yeas and nays were called, and are as follows :

Yeas, 36 ; nays, 50 ; absent and not voting, 36. Not agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Brown, Joseph Boston, E. J. Cain, Dennis, Farr, Goodson, Hayes, Humphries, Hutson, Jeuks, H. Johnson, S. Johnson, G. Johnson, Jacobs, H. James, Jervey, Jones, G. Lee, Mickey, McIntyre, Nelson, Neagle, Perrin, Ransier, Stolbrand, Smalls, A. Smith, Tomlinson, Thomas, Wilder, White, Wright and Webb.—36.

Those who voted in the negative are :

Messrs. John Boston, Bullock, Bryant, Bishop, L. Cain, Collins, Clyburn, DeLarge, Dusenberry, Doyle, DeMars, Feriter, Gardner, Grant, J. N. Hayne, Holliman, Henderson, Harris, Hyde, D. J. J. Johnson, Johnston, Jackson, B. James, S. J. Lee, Lang, Littlejohn, McDaniels, Milford, Martin, Mays, Nash, O'Connell, Prendegrass, Root, Rush, Rivers, Saunders, Stewart, Shrewsbury, Sinythe, Sasportas, Smiley, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Waller and Wooley.—50.

Those absent and not voting are :

Messrs. Bosemon, Bennett, Burton, Boswell, Cooke, Chestnut, Crews, Drifle, Duvall, Elliott, Ezekiel, Field, Gray, C. D. Hayne, Kuh, Keith, Lomax, Mayer, Morrison, W. McKinlay, W. J. McKinlay, Mobley, Moore, Mead, Miller, Nuckles, Purvis, Pettengill, Richardson, Sloan, Stoeber, Stubbs, R. M. Smith, Simons, S. B. Thompson and Whipper.—36

Mr. DELARGE moved to strike out Section 7.

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate the Ashley Fire Engine Company, of Charleston.

On motion of Mr. JENKS, the consideration of the Special Order was suspended until the further consideration of the Bill (for the revision of the statute laws, &c.) previously under discussion.

Mr. NEAGLE offered the following as a substitute for Section 7 :

SECTION 7. The Commissioners shall receive compensation for their services at the rate of four thousand dollars per annum each ; and they shall also receive for reasonable expenses of clerical services, books, printing, stationery, and other incidental expenses, such sum as may be necessary, not to exceed six thousand dollars annually.

Mr. SHREWSBURY moved the indefinite postponement of the substitute.

Pending this, at the hour of 2 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

The consideration of the report of the Special Committee to define the duties of the Clerk of the House, Phonographer, Sergeant-at-Arms, &c.

On motion of Mr. SHREWSBURY, the consideration of the Special Order was postponed until the further consideration of the Bill previously under discussion.

The consideration of the Bill to provide for the revision and consolidation of the statute laws of the State, &c., was resumed.

Mr. RANSIER moved to lay the substitute, and the whole subject matter of the Bill, on the table.

On this the yeas and nays were called, and are as follows :

Yeas, 29 ; nays, 56 ; absent and not voting, 37.

So the motion to lay on the table was not agreed to.

Those who voted in the affirmative are :

Messrs. Bullock, Bryant, Bishop, Clyburn, Dusenberry, Driffle, Doyle, DeMars, Feriter, Grant, Holliman, Hyde, Lang, Littlejohn, W. J. McKinlay, Mickey, Martin, Mays, Mead, O'Connell, Stewart, Simons, Scott, Tinsley, Valentine, Wilson, Waller, Wooley and Wright.—29.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Berry, Brown, Joseph Boston, L. Cain, E. J. Cain, Collins, Dennis, Elliott, Ezekiel, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, Jacobs, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, MoDaniels, Nelson, Nash, Neagle, Purvis, Perrin, Prendegrass, Ransier, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder, Whipper, White and Webb.—56.

Those absent and not voting are :

Messrs. Bennett, Brodie, Burton, John Boston, Bishop, Cooke, Chestnut, Crews, DeLarge, Duvall, Field, Hayes, C. D. Hayne, Hutson, G. Johnson, Jackson, Kuh, Keith, Lomax, Morrison, Wm. McKinlay, McIntyre, Mobley, Moore, Milford, Miller, Nuckles, Pettengill, Richardson, Root, Rush, Rivers, Sloan, Stoeber, Stubbs, R. M. Smith and Turner.—37.

The previous question being called was sustained, and on the main question, which was the indefinite postponement of the substitute offered by Mr. Neagle for Section 7, the yeas and nays were called, and are as follows :

Yeas, 41 ; nays, 47 ; absent and not voting, 34.

So the motion to indefinitely postpone was not agreed to.

Those who voted in the affirmative are :

Messrs. Burton, John Boston, Bullock, Bryant, Bishop, L. Cain, Collins,

Clyburn, DeLarge, Doyle, DeMars, Feriter, Farr, Grant, Goodson, J. N. Hayne, Hutson, Hyde, D. J. J. Johnson, Littlejohn, W. J. McKinlay, Mickey, Martin, Mays, Mead, O'Connell, Rush, Stewart, Shrewsbury, Smythe, Sasportas, Simons, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Waller, Wooley and Wright.—41.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Joseph Boston, E. J. Cain, Crews, Dennis, Dusenberry, Driffle, Elliott, Ezekiel, Gray, Gardner, Humphries, Henderson, Jenks, Johnston, S. Johnson, G. Johnson, Jackson, B. James, Jervey, Jones, G. Lee, S. J. Lee, Lang, Mayer, McDaniels, Mobley, Nelson, Nash, Neagle, Purvis, Perrin, Prendegrass, Ransier, Stolbraud, Smalls, A. Smith, Saunders, Smiley, S. B. Thompson, Tomlinson, Wilder, Whipper and Webb.—47.

Those absent and not voting are :

Messrs. Bennett, Berry, Boswell, Cooke, Chestnut, Duvall, Field, Hayes, C. D. Hayne, Holliman, Harris, H. Johnson, Jacobs, H. James, Kuh, Keith, Lomax, Morrison, W. McKinlay, McIntyre, Moore, Milford, Miller, Nuckles, Pettengill, Richardson, Root, Rivers, Sloan, Stoeber, Stubbs, R. M. Smith, Thomas and White.—34.

The question recurring on the motion to strike out Section 7, the yeas and nays were called, and are as follows :

Nays, 36 ; yeas, 51 ; absent and not voting, 35.

So the motion to strike out was not agreed to.

Those who voted in the affirmative are :

Messrs. Berry, Joseph Boston, Bullock, Bryant, Bishop, Collins, Clyburn, Crews, DeLarge, Dusenberry, Doyle, DeMars, Feriter, Grant, J. N. Hayne, Holliman, Hutson, Hyde, Littlejohn, W. J. McKinlay, McIntyre, Mays, Mead, Prendegrass, Root, Stewart, Simons, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Waller, Wooley and Wright.—36.

Those who voted in the negative are :

Hon. F. J. Moses, Jr. Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, L. Cain, E. J. Cain, Dennis, Driffle, Elliott, Farr, Gray, Gardner, Goodson, Humphries, Henderson, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, Mickey, McDaniels, Mobley, Nelson, Nash, Neagle, Perrin, Ransier, Rush, Rivers, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, B. A. Thompson, S. B. Thompson, Wilder, Whipper, White and Webb.—51.

Those absent and not voting are :

Messrs. Bennett, Brodie, Boswell, Cooke, Chestnut, Duvall, Ezekiel, Field, Hayes, C. D. Hayne, Harris, H. James, Kuh, Keith, Lomax, Lang, Morrison, Wm. McKinlay, Moore, Milford, Martin, Miller, Nuckles, O'Con-

well, Purvis, Pettengill, Richardson, Sloan, Stoeber, Stolbrand, Stubbs, R. M. Smith, Sasportas, Smiley and Thomas.—35.

The question recurring on the adoption of the substitute to Section 7 offered by Mr. Neagle, a division was called for, and resulted yeas, 41; nays, 34. So the substitute was adopted.

On the question of passing Section 7 to a third reading, the yeas and nays were called, and are as follows :

Yeas, 57; nays, 34; absent and not voting, 31.

So the Section (7) was passed to a third reading.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, L. Cain, F. J. Cain, Collins, DeLarge, Dennis, Driffler, Elliott, Ezekiel, Farr, Gray, Gardner, Goodson, Humphries, Henderson, Jenks, H. Johnson, S. Johnson, G. Johnson, Johnston, Jacobs, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, Mickey, McDaniels, Mobley, Nelson, Nash, Neagle, Purvis, Perrin, Prendegrass, Ransier, Rush, Rivers, Smalls, A. Smith, Saunders, Sasportas, B. A. Thompson, S. B. Thompson, Tomlinson, Wilder, Whipper, White and Webb.—57.

Those who voted in the negative are :

Messrs. Berry, Bullock, Bishop, Clyburn, Crews, Dusenberry, Doyle, DeMars, Feriter, Grant, J. N. Hayne, Holliman, Hutson, Hyde, D. J. J. Johnson, Jackson, Lang, W. J. McKinlay, McIntyre, Mays, Mead, Root, Stewart, Shrewsbury, Smythe, Simons, Scott, Tinsley, Turner, Valentine, Wilson, Waller, Wooley and Wright.—34.

Those absent and not voting are :

Messrs. Bennett, Bryant, Bowwell, Cooke, Chestnut, Duvall, Field, Hayes, C. D. Hayne, Harris, Kuh, Keith, Lomax, Littlejohn, Morrison, Wm. McKinlay, Moore, Milford, Martin, Miller, Nuckles, O'Connell, Pettengill, Richardson, Sloan, Stoeber, Stolbrand, Stubbs, R. M. Smith, Smiley and Thomas.—31.

The following members obtained leave of absence :

Mr. Nash, until Wednesday next.

Mr. Holliman, for six days.

Mr. Smiley, for four days.

Mr. G. Lee, for three days.

Mr. Joseph Boston, for three days.

Mr. Mobley, for three days.

Mr. H. Johnson, for two days.

Mr. S. B. Thompson, for one day.

Mr. BOSEMON moved a reconsideration of the vote passing Section 7 of a Bill to provide for the revision and consolidation of the statute laws, &c, to a third reading, and lay the motion to reconsider on the table.

Pending this, at 3:50 P. M., the House adjourned until 12 M. to-morrow.

SATURDAY, SEPTEMBER 5, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. D. HARRIS.

The reading of the Journal of the previous day was, on motion of Mr. DeLARGE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to incorporate certain fire engine companies of Charleston as duly and correctly engrossed.

Mr. WEBB, from the Committee on Roads, Bridges and Ferries, made the following reports :

On (favorably) a Bill to re-establish Wright's Ferry, over the Catawba River.

On motion, the report was laid on the table to take up the Bill.

Also, (favorably) on a Bill to change the location of a portion of the Rutherfordton Road, in the County of Greenville.

On motion, the report was laid on the table to take up the Bill.

Also, (favorably) on a Bill to re-establish Tucker's Ferry, over the Edisto River.

On motion, the report was laid on the table to take up the Bill.

Also, (favorably) on a Bill to declare the roads from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways.

On motion, the report was laid on the table to take up the Bill.

Mr. DeLARGE, from the Committee on Ways and Means, reported (favorably) on a Bill to provide transportation for convicts discharged from the State Penitentiary.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

PETITIONS, RESOLUTIONS, &c.

Mr. BURTON gave notice that on Monday, or soon thereafter, he would ask leave to introduce

A Bill to provide for the identification of live stock, cattle, hogs, horses or mules killed or injured by railroads in this State.

Mr. THOMAS, by leave, introduced

A Bill to change the third Section of an Act of the General Assembly, passed in the year 1856, amending the charter of the town of Summerville. Read the first time, and referred to the Committee on Privileges and Elections.

On motion of Mr. TOMLINSON, the further call of the business of the morning was suspended.

GENERAL ORDERS.

On motion of Mr. TOMLINSON, the unfinished business of the previous day was suspended to take up a (Senate) Bill to fix the amount of the official bonds of certain county officers.

The Bill was read the third time, and on the question "Shall the Bill pass, the title thereof changed to an Act, and ordered to be enrolled?" it passed in the affirmative.

On motion of Mr. TOMLINSON, the House, at 12:25 P. M., took a recess for one hour.

RECESS.

The House re-assembled at 1:15 P. M.

The SPEAKER resumed the chair.

The business of the morning hour was continued.

Pursuant to notice, and by leave of the House, Mr. HYDE introduced A Bill to prescribe the manner in which all debts contracted prior to May 1, 1865, shall be collected in this State. Read the first time, and referred to the Committee on the Judiciary.

Mr. TINSLEY gave notice that on Monday next he will introduce

A Bill to establish a Bureau of Agricultural Statistics, and for the encouragement of industrial institutions in the State.

Mr. O'CONNELL introduced the following resolution, which, on motion of Mr. TOMLINSON, was laid on the table :

Resolved, That the Keeper of the new State House and Librarian be allowed the same amount of per diem and mileage that is given to members of this Legislature.

Mr. DELARGE introduced the following resolution, which was agreed to :

Resolved, That the Special Committee appointed to inquire into the cause that led to my arrest by the Sergeant-at-Arms, agreeable to order of the House, be, and they are hereby, directed to report on Monday next.

The following members obtained leave of absence :

Mr. Chestnut, for five days.

Mr. DeMars, for three days.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina was taken up, being the unfinished business of the previous day when the House adjourned.

The question recurring on the motion of Mr. BOSEMON to reconsider the vote by which Section 7 was passed to a third reading, and lay the motion to reconsider on the table, the yeas and nays were called, and are as follows :

Yeas, 29 ; nays, 56 ; absent and not voting, 37. Not agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Burton, Bishop, E. J. Cain, Chestnut, Dennis, Elliott, Ezekiel, Farr, Gray, C. D. Hayne, J. N. Hayne, Humphries, G. Johnson, Jervey, Kuh, Mickey, McDaniels, Miller, Perrin, Prendegrass, Smalls, A. Smith, Saunders, Simons, Tomlinson, Wright and Webb —29.

Those who voted in the negative are :

Messrs. Berry, John Boston, Joseph Boston, Bryant, Bullock, L. Cain, Collins, Clyburn, Crews, DeLarge, Dusenberry, Driffler, Duvall, Doyle, Ferrier, Gardner, Grant, Goodson, Hayes, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, S. Johnson, Jacobs, H. James, S. J. Lee, Lang, Littlejohn, McIntyre, Milford, Martin, Mays, Nelson, Nash, O'Connell, Pettengill, Root, Rush, Rivers, Stewart, Stolbrand, Shrewsbury, Smythe, Smiley, Scott, B. A. Thompson, Thomas, Tinsley, Turner, Valentine, Wilson, Waller and Wooley.—56.

Those absent and not voting are :

Messrs. Bosemon, Bennett, Brown, Boswell, Cooke, DeMars, Field, Jenks, H. Johnson, Johnston, Jackson, B. James, Jones, Keith, Lomax, G. Lee, Mayer, Morrison, W. McKinlay, W. J. McKinlay, Mobley, Moore, Mead, Nuckles, Neagle, Purvis, Ransier, Richardson, Sloan, Stoeber, Stubbs, R. M. Smith, Sasportas, S. B. Thompson, Wilder, Whipper and White.—37.

Mr. DELARGE moved a reconsideration of the vote by which Section 7 was passed to a third reading.

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to authorize the building of a bridge to connect the islands of Wadmalaw and John.

On motion of Mr. SMALLS, the consideration of the Special Order was suspended until the further consideration of the Bill previously under discussion.

The motion to reconsider the vote passing Section 7 of a Bill to provide for the revision and consolidation of the statute laws, &c., to a third reading was withdrawn by Mr. DELARGE.

Mr. SHREWSBURY renewed the motion to reconsider.

Mr. ELLIOTT moved the indefinite postponement of the motion to reconsider.

On this the yeas and nays were called, and are as follows :

Yeas, 36 ; nays, 50 ; absent and not voting, 36. Not agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, L. Cain, E. J. Cain, Chestnut, Dennis, Elliott, Ezekiel, Farr, Gray, Gardner, Humphries, Harris, Jenks, S. Johnson, Jacobs, Jervey, Jones, S. J. Lee, Mayer, Mickey, McDaniels, Nelson, Nash, Perrin, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Tomlinson, Wilder and Whipper.—36.

Those who voted in the negative are :

Messrs. Berry, Brodie, Joseph Boston, Bullock, Bryant, Bishop, Collins, Clyburn, Crews, DeLarge, Dusenberry, Drifflé, Duvall, Feriter, Grant, Hayes, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Hyde, D. J. J. Johnson, H. James, Lang, Littlejohn, W. J. McKinlay, McIntyre, Milford, Martin, Mays, Mead, Prendegrass, Pettengill, Root, Rush, Stewart, Stubbs, Shrewsbury, Smythe Simons, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Waller, Wooley, Wright and Webb.—50.

Those absent and not voting are :

Messrs. Bennett, Boswell, Cooke, Doyle, DeMars, Field, Goodson, Holliman, H. Johnson, Johnston, G. Johnson, Jackson, B. James, Kuh, Keith, Lomax, G. Lee, Morrison, W. McKinlay, Mobley, Moore, Miller, Nuckles, Neagle, O'Connell, Purvis, Ransier, Richardson, Sloan, Stoeber, R. M. Smith, Sasportas, Smiley, S. B. Thompson, Thomas and White.—36.

The question recurring on the motion to reconsider Section 7, the yeas and nays were called, and resulted as follows :

Yeas, 48 ; nays, 40 ; absent and not voting, 34. Agreed to.

Those who voted in the affirmative are :

Messrs. Berry, John Boston, Joseph Boston, Bullock, Bryant, Bishop, Collins, Clyburn, Crews, DeLarge, Dusenberry, Drifflé, Duvall, Doyle, Feriter, Grant, Hayes, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Hyde, D. J. J. Johnson, H. James, Lang, Littlejohn, Mickey, Milford, Martin, Mead, Prendegrass, Pettengill, Root, Rush, Stewart, Stubbs, Shrewsbury,

Smythe, Simons, Scott, B. A. Thompson, Tinsley, Turner, Valentine, Wilson, Waller, Wooley and Wright.—48.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Burton, L. Cain, E. J. Cain, Chestnut, Dennis, Elliott, Ezekiel, Farr, Gray, Gardner, Humphries, Harris, Jenks, S. Johnson, Jacobs, Jervay, Jones, Kuh, S. J. Lee, Mayer, W. J. McKinlay, McIntyre, McDaniels, Mays, Nelson, Nash, Perrin, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Tomlinson, Wilder, Whipper and Webb.—40.

Those absent and not voting are :

Messrs. Bennett, Boswell, Cooke, DeMars, Field, Goodson, Holliman, H. Johnson, Johnston, G. Johnson, Jackson, B. James, Keith, Lomax, G. Lee, Morrison, W. McKinlay, Mobley, Moore, Miller, Nuckles, Neagle, O'Connell, Purvis, Ransier, Richardson, Sloan, Stoeber, R. M. Smith, Sasportas, Smiley, S. B. Thompson, Thomas and White.—34.

Pending the further consideration of Section 7, the House, on motion, at 3:10 P. M., adjourned until Monday next, at 12 M.

MONDAY, SEPTEMBER 7, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. R. M. VALENTINE.

The reading of the Journal of Saturday was, on motion of Mr. S. B. THOMPSON, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. PURVIS, from the Committee on Incorporations, reported on the petition of J. J. Graham, R. T. Boyd and others, by Bill to establish a public ferry in York County. Read the first time, and ordered to be printed.

Also, (favorably) on (Senate) Bill to re-establish Kinsler's Ferry.

On motion of Mr. C. D. HAYNE, the report was laid on the table to take up the Bill.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to incorporate the Columbia Educational Society as having been duly and correctly engrossed for a third reading. Ordered to lie over for a third reading.

Mr. SASPORTAS, from the Special Committee to investigate the circumstances attending the arrest of Mr. R. C. DeLarge for contempt of the

House, reported progress, and asked for further time to pursue their investigation.

On motion of Mr. C. D. HAYNE, two days were granted.

PETITIONS, RESOLUTIONS, &c.

Mr. BOSEMON introduced the following joint resolution :

Be it resolved, by the Senate and the House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Committee of the General Assembly, consisting on the part of the Senate of the two senior members of the Standing Committee on Printing, and on the part of the House of Representatives of the three senior members of the Standing Committee on Public Printing, be, and the same are hereby, authorized to provide for the publication, in such newspapers of the State as may be by them deemed necessary, of the Acts and resolutions of the present session of the General Assembly; and the said Committee are further authorized to cause the same to be published in the usual pamphlet form for general distribution through the State.

The joint resolution was read the first time, and referred to the Committee on Public Printing.

Mr. DENNIS introduced the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same :

1st. That all statutes now in force in reference to the licensing of insurance companies doing business in this State and incorporated in the United States shall apply to all foreign companies, whether fire, marine or life, or insurers of risks of any other description; and all persons violating said Acts, as applicable by this concurrent resolution to said foreign insurance companies, shall be liable to such penalties as therein contained.

2d. That the time for making the return of insurance companies shall be annually instead of semi-annually as heretofore; and the fee to be paid for each license to do business in the State shall be the same as the amount of the semi-annual fees as heretofore.

Read the first time, and referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. BURTON introduced

A Bill to provide for the identification of live stock, cattle, hogs, horses or mules killed or injured by railroads in this State. Read the first time, and referred to the Committee on Agriculture.

Pursuant to notice, and by leave of the House, Mr. TINSLEY introduced

A Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina. Read the first time, and referred to the Committee on Agriculture.

Mr. STOEBER introduced the following resolution :

Resolved, That during the present special session of this General Assembly the House shall meet each afternoon at 5 o'clock for special session.

On motion of Mr. DELARGE, the resolution was referred to the Special Committee on Rules and Regulations.

Mr. WHITE gave notice that on to-morrow, or as soon thereafter as practicable, he will introduce

A Bill to regulate the sale of spirituous liquors by apothecaries and others.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina was taken up, being the unfinished business at the time of adjournment on Saturday.

Mr. TOMLINSON moved to recommit the Bill to the Committee on the Judiciary.

The SPEAKER informed the House that if the Bill was recommitted in order to give the Committee the power to amend the Bill, it would be necessary to reconsider the Sections that had been passed to a third reading.

Mr. TOMLINSON moved a reconsideration of the vote passing the first six Sections of the Bill to a third reading. Agreed to.

Mr. DELARGE then moved to recommit the Bill. Agreed to.

On motion of Mr. TOMLINSON, a Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina" was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. TOMLINSON, a Bill to extend the time for county officers to qualify was taken up.

The Bill was put upon its second reading.

Mr. TOMLINSON moved to amend Section 1 by striking out the "1st day of January," and inserting in lieu thereof "thirty days."

Mr. ELLIOTT moved to postpone the further consideration of the Bill until 2:30 P. M. Agreed to.

On motion of Mr. BOSEMON, a Bill to incorporate the Ashley Fire Engine Company, of Charleston, was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. TOMLINSON moved to take up a Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

Mr. SASPORTAS moved to lay the motion on the table. Not agreed to by a vote, on a division, of yeas, 12; nays, 17.

Mr. SASPORTAS moved to indefinitely postpone the motion to take up the Bill.

Mr. TOMLINSON withdrew the motion to take up the Bill.

Mr. ELLIOTT renewed the motion.

Mr. SMALLS moved to indefinitely postpone the further consideration of the Bill, and make it the Special Order for Wednesday, at 1 P. M. Agreed to.

On motion of Mr. SMALLS, a Bill to provide for the appointment of Tax Collectors in this State was taken up.

On motion of Mr. TOMLINSON, the Bill was laid on the table.

On motion of Mr. JACKSON, a Bill to establish the office of County Treasurer was taken up.

The Bill was put upon its second reading.

The question recurring on the passage to a third reading of the substitute proposed by the Committee for Section 1, as follows: "There shall be appointed in each county in this State, by the Governor, by and with the advice and consent of the Senate, one County Treasurer for such county, who shall hold his office for four years, and until his successor shall have been appointed and qualified," it passed in the affirmative.

Mr. TOMLINSON moved to amend Section 2 by striking out all the words between the words "Commissioners" and "payable" in the third line, printed Bill, and insert in lieu thereof the words "in the sum of ten thousand dollars."

Mr. SASPORTAS moved to further amend by adding after the word "dollars" the words "except the County of Charleston, where the amount of the bonds shall be twenty-five thousand dollars." Agreed to.

Section 5 was amended by inserting the word "the" between "to" and "inspection" in the second line.

Section 7 was amended by striking out the word "either" in the sixth line, and all the words after "persons" in the sixth line to the word "and" in the seventh line.

Section 9 was amended by striking out the word "shall," in the first line, and inserting the word "may."

Section 10. The following, recommended by the Committee, was adopted:

By striking out all in the first line to the word "the" and inserting the words "all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments at any time after any taxes or assessments shall become due according to law."

Section 11. The amendment proposed by the Committee, as follows, was adopted: Amend by striking out all after the word "shall," in the first line, to the word "make," in the second line, and inserting the words "on or before the first Tuesday in July in each year"

Section 13 was stricken out.

Section 15 (Section 16 of printed Bill). In the first line the words "Treasurer Deputy" were transposed.

Section 16 (Section 17 of printed Bill). The letter "s" was added to the word "Treasurer," in the first line.

Section 18 (Section 19 of printed Bill). In the first line the letter "s" was added to the word "Treasurer."

Section 19 (Section 20 of printed Bill). In the first line the letter "s" was added to the word "Commissioner," and in the seventh line the word "this," between the words "by" and "the," was stricken out.

On motion of Mr. JENKS, Section 20 (Section 21 of printed Bill), in the second line the word "ten," between the words "of" and "days," was stricken out and the word "twenty" inserted; and, in the same Section, in the fifth line, the words "the fourth Section of" were stricken out.

At the hour of 2:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to extend the time for county officers to qualify.

Mr. WHIPPER moved to suspend the Special Order until the further consideration of the Bill previously under discussion.

The consideration of a Bill to establish the office of County Treasurer was renewed.

On motion of Mr. TOMLINSON, the word "or," in the second line of Section 22 of the printed Bill was stricken out and the word "on" inserted; also, the amendment recommended by the Committee, as follows, was adopted: By striking out all after the word "justice," in the eighth line, to the word "for," in the ninth line, and inserting the words "from the 20th of December to the 20th of April in each year."

On motion of Mr. JENKS, Section 26 (Section 28 of printed Bill), was stricken out.

On motion of Mr. WHIPPER, Section 26 was recommitted to the Committee on County Offices and Officers, with instructions to report a definite sum as the per centage for County Treasurers.

The consideration of a Bill to extend the time for county officers to qualify was resumed.

The question recurring on the amendment to Section 1, the proposition of Mr. TOMLINSON to strike out the words the "1st day of January" and to insert the words "thirty days" was not agreed to.

On the passage of the Bill to a third reading, the yeas and nays were called, and are as follows :

Yeas, 45 ; nays, 23 ; absent and not voting, 54.

So the Bill passed to a third reading, and was ordered to be engrossed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. John Boston, Joseph Boston, L. Cain, E. J. Cain, Collins, Chestnut, Dennis, Driffler, Farr, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Hutson, Henderson, Harris, Jenks, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervoy, S. J. Lee, Mayer, Mickey, McDaniels, Mead, Nelson, Perrin, Pendergrass, Rush, Rivers, Stoeber, Smalls, A. Smith, Saunders, Shrewsbury, Sasportas, B. A. Thompson, Whipper and White.—45.

Those who voted in the negative are :

Messrs. Berry, Bullock, Bryant, Bishop, Olyburn, Crews, DeLarge, Doyle, Feriter, Grant, Hyde, D. J. J. Johnson, B. James, Kuh, Littlejohn, Martin, Purvis, Stewart, Scott, Tomlinson, Turner, Valentine and Wilson.—23.

Those absent and not voting are :

Messrs. Bosemon, Bennett, Brodie, Brown, Burton, Boswell, Cooke, Dusenberry, Duvall, DeMars, Elliott, Ezekiel, Field, Gray, Hayes, Holliman, H. Johnson, Jones, Keith, Lomax, G. Lee, Lang, Morrison, W. McKinlay, W. J. McKinlay, McIntyre, Mobley, Moore, Milford, Mays, Miller, Nash, Nuckles, Neagle, O'Connell, Pettengill, Ransier, Richardson, Root, Sloan, Stolbrand, Stubbs, R. M. Smith, Smythe, Simons, Smiley, S. B. Thompson, Thomas, Tinsley, Wilder, Waller, Wooley, Wright and Webb.—54.

Pursuant to notice, and by leave of the House, Mr. DELARGE introduced

A Bill to incorporate the Cavalry Baptist Church, of the city of Charleston. Read the first time, and referred to the Committee on Incorporations.

An extension of the leave of absence for Mr. W. C. Morrison, of Beaufort, was asked for until he recovers from his illness. Granted.

Mr. Thomas obtained leave of absence for two days.

On motion, at 3:30 P. M., the House adjourned until 12 M. to-morrow.

TUESDAY, SEPTEMBER 8, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. E. MICKEY.

The reading of the Journal of the previous day was, on motion of Mr. SMALLS, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported favorably on a Bill to define the jurisdiction of Justices of the Peace, and regulate the practice of Justice Courts.

On motion of Mr. SIMONS, the report was laid on the table to take up the Bill.

Also, the following report on a (Senate) Bill to determine and set out dower:

The Committee on the Judiciary, to whom was referred a Bill to determine and set out dower, ask leave to report that on examination they find that the laws in relation to the matter of dower now existing in South Carolina are ample and sufficient for the regulation and protection of this ancient right.

In addition to the safeguards which the common law has thrown around this great privilege of the widow, statutes have been enacted, and are now in force, calculated to secure to her a prompt, ready and available mode of obtaining its enjoyments, and it has been recognized as one of the few favors which the common law, in its boasted benignity, has accorded to woman.

The Constitution of the State has conferred on the Probate Court "the allotment of dower." Your Committee regard it as only necessary to provide a process by which the Probate Court may exercise the jurisdiction thus devolved on it.

They think the substitute they propose attains that end, and therefore respectfully recommend that all the words of the Bill after the enacting clause be stricken out, and the Sections now herewith reported be substituted.

They also recommend that the title of the Bill be changed, so as to read "A Bill in relation to dower."

Your Committee are further of the opinion that no harm can result from a short delay, and therefore recommend that the consideration of the Bill and the substitute be laid over until the regular session.

On motion, the recommendation contained in the report was adopted, and the Bill accordingly laid over until the next regular session.

Also, (favorably) on a Bill to prescribe the manner in which all debts contracted prior to May 1, 1865, may be collected.

On motion of Mr. SIMONS, the report was laid on the table to take up the Bill.

Also, on a Bill (that was recommitted) to provide for the revision and consolidation of the statute laws of the State of South Carolina, and recommended the adoption of the following substitute for Section 1 :

That in pursuance of Section 3 of Article V of the Constitution of this State the General Assembly proceed to elect, by joint ballot, three Commissioners to revise, digest, arrange and consolidate under proper heads all the statute laws of the State, general and permanent in their nature, which shall be in force at the time they make their final report.

On motion of Mr. DELARGE, the report was laid on the table to take up the Bill, and the consideration of the Bill made the Special Order for to-morrow, at 1:30 P. M.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to organize and govern the militia of the State of South Carolina as duly and correctly engrossed for a third reading.

Mr. BOSEMON, from the Committee on Public Printing, reported favorably on a joint resolution to provide for the publication of the Acts of the present session of the General Assembly, and recommend the adoption of the following addition :

That the Treasurer is hereby authorized to pay all accounts duly audited by said Committee out of any funds appropriated for the payment of the expenses of the General Assembly.

On motion of Mr. SIMONS, the report was laid on the table to take up the joint resolution.

PETITIONS, RESOLUTIONS, &c.

Mr. S. J. LEE presented the petition of A. T. Lee, of Columbia, praying charter for the noiseless traction engines on highways and streets of the towns and cities of South Carolina. Referred to the Committee on Incorporations.

Mr. SASPORTAS introduced the following resolution, which was agreed to :

Resolved, That the Committee appointed to report the business neces-

ary to be transacted at this session to the Legislature be requested to report on Saturday, 12th instant.

The SPEAKER laid before the House the following communication :

YORKVILLE, S. C., September 6, 1868.

To the Honorable the Speaker and Members of the House of Representatives of South Carolina :

I decline to accept the office of Circuit Judge, to which I have been appointed by the General Assembly of this State. Sicknes has prevented me from giving this notice at an earlier time.

(Signed)

G. W. WILLIAMS.

Mr. DELARGE moved that the declination be accepted. Agreed to.

On motion of Mr. JENKS, a Bill to incorporate certain fire engine companies of Charleston was taken up.

On motion, it was made the Special Order for to-day, at 1 P. M.

Mr. WHITE, by leave, introduced

A Bill to regulate the sale of spirituous liquors by apothecaries and others. Read the first time, and referred to the Committee on Ways and Means

On motion of Mr. DELARGE, a joint resolution to relieve the heirs of Mrs. Georgiana Heyward from a double tax execution was made the Special Order for to day, at 2 P. M.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide transportation for convicts discharged from the State Penitentiary was taken up. Read the second time, and ordered to be engrossed for a third reading.

A Bill to provide for the organization of the Supreme Court was taken up. The Bill was ordered to be printed.

A Bill to regulate elections and punish the abuse of the elective franchise was taken up.

The Bill was put upon its second reading.

Mr. JENKS moved to recommit the Bill to the Committee on Privileges and Elections. Agreed to.

A Bill to incorporate the Columbia Educational Society was taken up.

The Bill was read the third time, and ordered to be sent to the Senate.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State was taken up.

On motion of Mr. ELLIOTT, the Bill was ordered to be printed and made the Special Order for Thursday, at 1 P. M.

A Bill to punish discriminations in the treatment of prisoners by Sheriffs

and Jailers was taken up. Read the second time, and ordered to be engrossed for a third reading.

A Bill to meet contingent expenses in the offices of Comptroller-General and Treasurer of the State was taken up. Read the second time, and ordered to be engrossed for a third reading.

Mr. JENKS moved that hereafter no printed Bills shall be distributed to members until the Bill is before the House for consideration.

On motion of Mr. DELARGE, the motion was laid on the table by a vote, on division, of yeas, 38; nays, 5.

A joint resolution (Senate) authorizing the issue of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County, was taken up. Read the third time, passed, and ordered to be returned to the Senate.

The report of the Committee on the Judiciary on a resolution to render all resolutions valid on first reading was taken up.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to incorporate certain fire engine companies of Charleston.

On motion of Mr. DELARGE, the Special Order was suspended until the further consideration of the resolution previously under discussion.

Mr. FERITER moved that the further consideration of the resolution to render all resolutions valid on first reading be indefinitely postponed.

Mr. DELARGE moved to lay the motion on the table. Agreed to.

Mr. DELARGE then moved that the consideration of the resolution be made the Special Order for Saturday next, at 12:30 P. M. Agreed to.

The House resumed the consideration of a Bill to incorporate certain fire engine companies in Charleston.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to establish the office and define the duties of a County Prosecuting Attorney was taken up.

The Bill was put upon its second reading.

Mr. DELARGE moved to strike out all the words in the Bill after the enacting clause. Agreed to.

On motion of Mr. NEAGLE, a Bill to establish a public ferry in York County was taken up.

The Bill was put upon its second reading.

Mr. NEAGLE moved to amend Section 1 by adding the word "wagons" before "carriages," and strike out "seventy-five cents" and insert in lieu thereof "fifty cents." Agreed to.

The Bill was read a second time, and ordered to be engrossed for a third reading.

A Bill to punish person who may attempt to hold office by authority of the late Provisional Government was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to authorize the building of a bridge to connect the islands of Wadmalaw and John was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A joint resolution to relieve the Western Union Telegraph Company from a double tax execution was taken up.

The joint resolution was put upon its second reading.

Pending this, at the hour of 2 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A joint resolution to relieve the heirs of Mrs. Georgiana Heyward from a double tax execution.

Pending the consideration of this, the House, at 2:10 P. M., adjourned until 12 M. to-morrow.

WEDNESDAY, SEPTEMBER 9, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The reading of the Journal of the previous day was, on motion of Mr. C. D. HAYNE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to extend the time for county officers to qualify as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to incorporate the Ashley Fire Engine Company, of Charleston, as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina" as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

PETITIONS, RESOLUTIONS, &c.

Mr. MARTIN presented the petition of the Commissioners of the Poor of Abbeville County for an advance of fifteen hundred dollars to keep up the poor house of said county. Referred to the Committee on Ways and Means.

Mr. SLOAN presented the petition of W. S. Harley, praying for a renewal of certificate of Fire Loan stock. Referred to the Committee on Claims.

Mr. WHIPPER asked authority for the Committee on the Judiciary to employ additional clerical service for thirteen days.

On motion of Mr. JACKSON, the authority was granted.

Mr. WHIPPER presented the petition of the Trustees of Zion Baptist Church, of Columbia, for permission to erect a church on land belonging to the State. Referred to the Committee on Internal Improvements.

Mr. BRODIE gave notice that he will on to-morrow, or soon thereafter, introduce

A Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon.

The House proceeded to the consideration of the

GENERAL ORDERS.

A joint resolution to relieve the heirs of Mrs. Georgiana Heyward from a double tax execution, being the unfinished business at the hour of adjournment of the previous day, was taken up.

The second reading of the joint resolution was continued

Mr. SMALLS moved to amend by striking out the words "Mrs. Georgiana Heyward" and insert the words "all persons in the State."

Mr. DELARGE moved the indefinite postponement of the amendment.

Mr. SMALLS moved to lay the whole subject matter on the table. Agreed to.

Mr. DELARGE moved to take up from the table a joint resolution to relieve the heirs of Mrs. Georgiana Heyward from a double tax execution.

The motion was not agreed to by a vote, on division, of yeas, 84; nays, 38.

On motion of Mr. BOSEMON, a joint resolution to provide for the pub-

lication of the Acts of the present session of the General Assembly was taken up.

The joint resolution was put upon its second reading.

The amendment proposed by the Committee on Public Printing was adopted.

Mr. BOSEMOM moved to amend the joint resolution by striking out the words "the two senior," in reference to the Senate, and leave blank. Agreed to.

The joint resolution was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. SIMONS, the report of the Special Committee to define the duties of Clerk, Phonographer, Sergeant-at-Arms, &c. was taken up, and immediately considered.

Mr. SMALLS moved to amend by allowing the Phonographer fifty days to finish his work after the adjournment of the present session. Agreed to.

Mr. BOSEMOM moved to amend "and the Phonographer shall be allowed to draw from the Treasury the sum of fifty dollars per week until the said work is completed," which was adopted by a vote, on division, of yeas, 16 ; nays, 7.

Mr. G. LEE then moved that the report be adopted.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

On motion of Mr. SMALLS, the consideration of the Special Order was suspended until the further consideration of the matter (consideration of the report on the duties of Clerk, Phonographer, &c.) previously under discussion.

The consideration of the report of the Special Committee to define the duties of Clerk, Phonographer, Sergeant-at-Arms, &c., was renewed.

Mr. ELLIOTT moved that the report be printed, and be made the Special Order for to-morrow, at 1:30 P. M.

Mr. SMALLS moved the indefinite postponement of the motion.

Mr. DELARGE moved to lay the motion to indefinitely postpone on the table. Agreed to by a vote, on division, of yeas, 40 ; nays, 11.

The question recurring on the motion to print the report, and make it the Special Order for to-morrow, at 1 P. M., it was not agreed to.

Mr. G. LEE moved to amend by inserting after the word "Phonographer" "when the balance due shall be paid him."

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the revision and consolidation of the statute laws of the State.

Mr. RANSIER moved to suspend the Special Order until the further consideration of the matter previously under discussion. Agreed to.

The consideration of the report of the Special Committee on the duties of Clerk, Phonographer, &c., was renewed.

Mr. G. LEE withdrew his amendment.

The question recurring on the adoption of the report, it was agreed to by a vote, on division, of yeas, 33; nays, 19.

The report, as amended, is as follows :

The Special Committee appointed by this House to define the duties of the Clerk of the House, Phonographer and Sergeant-at-Arms; also, to define the relations that the two former will sustain towards each other in preparing and publishing the Permanent Journals, Joint Resolutions, Acts, &c., beg most respectfully to submit the following report :

It shall be the duty of the Clerk to take charge of, superintend and direct all matters relating to the clerical work of the House, except such as has been or may be otherwise provided for. He shall also perform such other duties as may be prescribed for him in the Rules and Regulations which now govern this body.

It shall be the duty of the Phonographer to take full and copious notes of all speeches and debates occurring within the House, and to prepare a complete copy of the same, to be written in a clear and legible handwriting, and to deliver the same to the Auditing Committee of this House within fifty days from the expiration of the present session of this General Assembly; and the Phonographer shall be allowed to draw from the Treasury the sum of fifty dollars per week until said work is completed, said Committee to certify to the punctual and faithful performance of the work; and upon the presentation of said certificate to the Sergeant-at-Arms said Phonographer will be paid the amount of money to which he is entitled.

It shall be the duty of the Sergeant-at-Arms to perform all the duties usually pertaining to the office; to prepare all pay bills and certificates of members; to countersign the same and present them to the Speaker for his signature, which signature shall be attested to by the Clerk.

Immediately upon the close of the session the Clerk of the House will assume charge of all work intended for permanent use. He, together with

the first Assistant, will attend to the performance and execution of the same, and deliver it to the Printer at the earliest practicable time.

All of which is respectfully submitted by the Committee.

The House resumed the consideration of a Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

The Bill was put upon its second reading.

Mr. NEAGLE moved to postpone the further consideration of the Bill until the next regular session.

Mr. DELARGE moved to indefinitely postpone the motion to postpone.

Mr. SMALLS moved to lay the motion to indefinitely postpone the motion to postpone on the table. Not agreed to by a vote, on division, of yeas, 19; nays, 40.

The question recurring on the motion to indefinitely postpone the motion to postpone the further consideration of the Bill until the next regular session, it was agreed to.

The second reading of the Bill was continued.

Mr. NEAGLE moved that the consideration of the Bill be postponed, and be made the Special Order for to-morrow, at 1 P. M.

Mr. DELARGE moved to indefinitely postpone the motion. Agreed to by a vote, on division, of yeas, 47; nays, 3.

The second reading of the Bill was continued.

On motion of Mr. ELLIOTT, Section 1 was amended by striking out the word "that" before the word "it" on fourth line, printed Bill; also, "ed" to be added to the word "bond" before the word "debt" in the ninth line, printed Bill.

Section 1 was passed to a third reading.

Mr. NEAGLE moved a reconsideration of the vote, and Mr. DELARGE moved the indefinite postponement of the motion to reconsider, which was agreed to.

On motion of Mr. ELLIOTT, the word "be" between the words "interest" and "made," Section 2, twelfth line, was stricken out.

Mr. NEAGLE moved to strike out Section 2. Not agreed to.

Section 2 was passed to a third reading.

Mr. WHIPPER moved to suspend the further consideration of the Bill, and that it be made the Special Order for to-morrow, at 1:30 P. M. Agreed to.

Mr. DELARGE moved a reconsideration of the vote whereby, on yesterday, all the words after the enacting clause of a Bill to establish the office and define the duties of County Prosecuting Attorney was stricken out. Agreed to.

The following members obtained leave of absence :

Mr. Wilson, for fifteen days.

Mr. Ezekiel, for ten days.

On motion of Mr. SMALLS, at 3:15 P. M., the House adjourned until 12 M. to-morrow.

THURSDAY, SEPTEMBER 10, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. BURTON.

The reading of the Journal of the previous day was, on motion of Mr. C. D. HAYNE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, made the following report:

The Committee on County Offices and Officers, to whom was referred a concurrent resolution authorizing the Governor to appoint Justices of the Peace in the several counties until the same are supplied by election, having had the matter under consideration, ask leave most respectfully to submit the following report:

That the power of appointment of the aforesaid officers has already been given to His Excellency the Governor, by virtue of the tenure of office Bill; and if he has not done so, it is the opinion of your Committee that he only awaits the passage of the Bills creating the office and defining the jurisdiction of Justices of the Peace, and regulating the practice in Justice Courts. Your Committee, taking this view of the matter, would recommend that the resolution be not adopted; and in place thereof, would urge upon this body the necessity of considering as early as practicable the Bills above mentioned, in order that the result desired by the resolution may be obtained.

On motion of Mr. JERVEY, the report was adopted.

Also, the following report:

The Committee on County Offices and Officers, to whom was referred a Bill to establish and define the duties of County Surveyor, having had the matter under consideration, beg leave to submit the following report:

That, whilst they do not doubt but that the creation of the above office

would result beneficially they see no necessity of immediate legislation thereon. They would, therefore, recommend that the further consideration of this Bill be postponed until the regular session.

On motion of Mr. FERITER, the report was adopted, and the Bill laid over until the next regular session.

Also, the following report:

The Committee on County Offices and Officers, to whom was referred a Bill to establish the office and define the duties of County Recorder, having had the matter under consideration, ask leave to submit the following report:

That the exigencies of the public does not require the immediate establishment of this office. They would, therefore, recommend that its further consideration be postponed until the regular session.

On motion of Mr. JERVEY, the report was adopted, and the Bill laid over accordingly.

Mr. DUVALL, from the Committee on the Lunatic Asylum, submitted the following report, in accordance with a resolution of this House:

In accordance with the resolution of Mr. Simons, the following report, relative to the number of patients now in the Asylum, their sex, whether paying or paupers, number of employees, and of wages or salaries paid, also the number of Regents constituting the Board, and their term of office, is herewith respectfully submitted:

There are 207 patients; males, 104; females, 103; paying class, 48; paupers, 159.

There are 42 employees—26 whites, 16 colored, viz.:

One Superintendent and Physician, salary.....	\$2,500
One Secretary and Treasurer, salary	400
One Chaplain, salary.....	600
	<hr/>
	\$3,500

The above officers board themselves.

One head attendant, board and.....	\$ 800
Two nurses (for the two), board and.....	550
One private attendant, board and.	200
Two night watches (one for each sex), board and.....	500
One matron, board and.....	400
One laundress, board and.....	200
Eighteen attendants (nine males at \$300, and nine females at \$200), board and.....	8,500

Seven washers, at \$5 per month, \$60 per annum.....	300
Three men, at \$120 (all work).....	360
Two cooks, cost per annum.....	284
One extra farm hand.....	200—\$7,294
	<hr/> \$10,794

The Board of Regents consists of nine gentlemen—no compensation. They go out of office every two years, but have been generally re-appointed. All of which is respectfully submitted.

On motion of Mr. FERITER, the report was received as information.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to establish a public ferry in York County as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to punish discrimination in the treatment of prisoners by Jailers and Sheriffs as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to authorize the building of a bridge to connect the islands of Wadmalaw and John as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to provide transportation for convicts discharged from the State Penitentiary as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to meet contingent expenses in the office of the Comptroller-General and Treasurer of the State as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to punish persons who may attempt to hold office by authority of the late Provisional Government as duly and correctly engrossed for a third reading.

The Bill was read the third time, passed, the title thereof changed to that of an Act, and ordered to be enrolled.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts." Read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to regulate the manner of drawing juries. Read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to organize townships, and to define their powers and privileges. Read the first time, and referred to the Committee on Incorporations.

Also, a Bill to define the jurisdiction and duties of County Commissioners. Read the first time, and referred to the Committee on County Offices and Officers.

Also, a Bill to provide for the revision and consolidation of the statute laws of the State. Read the first time, and referred to the Committee on the Judiciary.

The Senate returned to this House a Bill to enable the Chatham Railroad Company to extend their road to Columbia, with the following amendment to Section 5: By striking out after the word "improvement," in the twenty-third line, the following:

"But nothing herein contained shall be so construed as to hinder or delay the said company from taking possession and using any such land or right of way whenever desired before any action may have been taken for assessing the damages which may be sustained by any land owner by reason of the taking of such land or right of way as aforesaid."

Mr. ELLIOTT moved that the House concur in the amendment.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

On motion of Mr. DELARGE, the consideration of the Special Order was suspended until the further consideration of the Bill (Chatham Railroad Bill) previously under discussion.

The consideration of a Bill to enable the Chatham Railroad Company to extend their road to Columbia was renewed.

The motion to concur in the Senate amendment to Section 5 was renewed and agreed to.

The amendment to Section 7, inserting at end of the Section the words "or at any place in the State where they may be found," was, on motion of Mr. ELLIOTT, concurred in.

The amendment to Section 8, to strike out "fifty" before "thousand" and insert "twenty," was, on motion of Mr. ELLIOTT, concurred in.

The amendments to Section 9, by adding the following, "that the grad-

ing shall be commenced simultaneously at Columbia and at Raleigh; it be carried on as nearly as practicable mile for mile in each State until the grading is completed in the said States of South and North Carolina," and also before the word "be" the words "that the road," was, on motion of Mr. ELLIOTT, concurred in.

The Bill was then ordered to be sent to the Senate.

The Senate returned, with concurrence, a concurrent resolution relative to report of transactions by State officers and County Commissioners.

The Senate sent to the House a Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal. Read the first time, and referred to Committee on the Judiciary.

The SPEAKER laid before the House

MESSAGE FROM THE SENATE, No. 15.

IN THE SENATE, COLUMBIA, S. C., September 3, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully concurs in the amendment by your body to the Bill entitled "A Bill to incorporate the Wando Company," by changing its title so as to read "The Wando Mining and Manufacturing Company."

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The Bill having been returned with the message, was ordered to be engrossed for a third reading.

Also,

MESSAGE FROM THE SENATE, No. 16.

IN THE SENATE, COLUMBIA, S. C., September 4, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully refuses to concur in the amendment made by your House to "A Bill to define the jurisdiction and to regulate the practice of Probate Courts."

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. TOMLINSON, a message was sent to the Senate informing that body that the House recedes from its amendment.

The Senate sent to the House a Bill to authorize the sale of the Columbia Canal. Read the first time, and referred to the Committee on Internal Improvements.

Also, a Bill providing for the temporary appointment of Magistrates and

defining their powers. Read the first time, and referred to the Committee on County Offices and Officers.

Also, a Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina. Read the first time, and referred to the Committee on Railroads.

Also, a Bill to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county. Read the first time, and referred to the Committee on the Judiciary.

The House resumed the consideration of a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The Bill was put upon its second reading.

Mr. R. M. SMITH moved to strike out Section 2.

Mr. FERITER moved to indefinitely postpone the motion to strike out.

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

Mr. G. LEE moved to suspend the consideration of the Special Order until the further consideration of the Bill (to regulate the admission of persons to practice as attorneys, &c.,) previously under discussion. Agreed to.

The consideration of a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State was renewed.

Mr. TOMLINSON moved to amend Section 8 by striking out all the words between the word "suit" in the third line to the word "such" in the fourth line. Agreed to.

On the passage of the Bill to a third reading the yeas and nays were called, and are as follows :

Yeas, 59 ; nays, 15 ; absent and not voting, 48.

So the Bill was passed to a third reading, and ordered to be engrossed.

Those who voted in the affirmative are :

Messrs. Bosemon, Brodie, Brown, Burton, Bishop, L. Cain, E. J. Cain, Cooke, Collins, DeLarge, Driffle, DeMars, Elliott, Feriter, Gardner, Grant, Goodson, C. D. Hayne, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, Jervey, Jones, G. Lee, S. J. Lee, W. McKinlay, Mickey, McDaniels, Mobley, Martin, Nuckles, O'Connell, Perrin, Prendegrass, Ransier, Root, Rush,

Rivers, Stolbrand, Smalls, A. Smith, Saunders, Smythe, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Whipper, White and Webb.—59.

Those who voted in the negative are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Hutson, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Valentine and Waller.—15.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, John Boston, Joseph Boston, Boswell, Chestnut, Crews, Dennis, Dusenberry, Duvall, Esakiel, Farr, Gray, Hayes, J. N. Hayne, Humphries, Holliman, Hyde, Johnston, H. James, Kuh, Lomax, Lang, Mayer, Morrison, W. J. McKinlay, McIntyre, Milford, Mays, Mead, Miller, Nelson, Nash, Neagle, Purvis, Pettengill, Richardson, Stoeber, Stubbs, Shrewsbury, Sasportas, Simons, Smiley, Wilson, Wilder, Wooley and Wright.—48.

The House resumed the consideration of a Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

The second reading of the Bill was continued.

Mr. ELLIOTT moved to amend Section 4 by striking out, in the second line, all the words between "company" and "twenty," and strike out all the words after the word "State," in the third line, to the word "to," in the third line. Agreed to.

Mr. ELLIOTT offered the following (Section 5) as an additional Section to the original Bill; which was agreed to :

SECTION 5. Be it further enacted, That all provisions of the charter of the Blue Ridge Railroad Company, and all Acts or parts of Acts inconsistent with this Act, be, and the same are hereby, repealed.

Mr. ELLIOTT moved a reconsideration of the vote whereby Section 2 was passed to a third reading. Agreed to.

Mr. ELLIOTT then moved to amend Section 2 by striking out the word "the" before the word "funds," in the third line, and striking out the word "from" after the word "Carolina," in the third line, and insert in lieu thereof the word "with;" and, also, add, at the end of the twelfth line, the words "quarterly or," and insert between the words "much as," in the twenty-third line, the words "of that sum." Agreed to.

On the passage of the Bill to a third reading, the yeas and nays were called, and are as follows :

Yeas, 82; nays, 6; absent and not voting, 34.

So the Bill was passed to a third reading, and ordered to be engrossed.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Berry, Brodie,

Brown, Burton, John Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Crews, DeLarge, Doyle, DeMars, Elliott, Ezekiel, Field, Feriter, Farr, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jackson, B. James, H. James, Jervey, Jones, Kuh, Keith, Lomax, G. Lee, S. J. Lee, Lang, Wm McKinlay, W. J. McKinlay, Mickey, McDauels, Mobley, Moore, Milford, Nuckles, Neagle, O'Connell, Perrin, Predegrass, Peitengill, Ransier, Root, Rush, Rivers, Sloan, Stoeber, Stubbs, Smalls, A. Smith, Saunders, Shrewsbury, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Waller, Wooley, Whipper and Webb.—82.

Those who voted in the negative are :

Messrs. Bryant, Clyburn, Jacobs, Littlejohn, R. M. Smith and Turner.—6.

Those absent and not voting are :

Messrs. Bennett, Joseph Boston, Bullock, Chestnut, Dennis, Dusenberry, Drifflé, Duvall, Gray, Hayes, Holliman, Hutson, Jenks, Johnston, Mayer, Morrison, McIntyre, Martin, Mays, Mead, Miller, Nelson, Nash, Purvis, Richardson, Stewart, Stolbrand, Smythe, Sasportas, Smiley, Valentine, Wilson, White and Wright.—34.

The following paper was presented, to be entered on the Journal :

I vote "yes" with a perfect understanding with the highest officials of the State, with positive pledges that the endorsements of the State will not be permitted to go upon the markets without the full accomplishment of the objects contemplated by this Bill.

(Signed)

J. L. NEAGLE.

The SPEAKER laid before the House the following communication :

COLUMBIA, S. C., September 10, 1868.

To the Honorable the Speaker and Members of the House of Representatives of the State of South Carolina.

GENTLEMEN: I respectfully tender my resignation as a member of this body, on account of important business which requires my presence and personal attention.

(Signed)

T. B. STUBBS.

On motion of Mr. SMALLS, the resignation was accepted.

Mr. BOSEMON introduced the following resolution, which was adopted :

Resolved, That the action of this House, so far as it relates to the pay of the Clerk of the House, and First Assistant Clerk, be, and the same is hereby, rescinded, and the Committee on Ways and Means is hereby instructed to report, as soon as practicable, upon the pay of those officers.

The following members obtained leave of absence :

Mr. Grant, for ten days.

Mr. Brodie, for four days.

Mr. C. D. Hayne, for four days.

On motion, at 3:30 P. M., the House adjourned until 12 M. to-morrow.

FRIDAY, SEPTEMBER 11, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. BERRY.

The reading of the Journal of the previous day was, on motion of Mr. DeLARGE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a joint resolution to provide for the publication of the Acts of the present session of the General Assembly as duly and correctly engrossed for a third reading.

The joint resolution was read the third time, passed, and ordered to be sent to the Senate.

PETITIONS, RESOLUTIONS, &c.

Pursuant to notice, and by leave of the House, Mr. BRODIE introduced

A Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon. Read the first time, and referred to the Committee on the Judiciary.

The following members obtained leave of absence :

Mr. DeMars, for five days.

Mr. McDaniels, for four days.

Mr. JACKSON introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives of South Carolina, the Senate concurring, That the President of the Senate and the Speaker of the House be, and are hereby, requested to extend to Gen. J. R. Hawley, of Connecticut, now visiting Raleigh, N. C., a cordial and unanimous invitation to visit this General Assembly at his convenience.

Mr. H. JAMES introduced the following resolution, which was agreed to :

Resolved, That the Committee on Incorporations, to whom was referred a Bill to alter and amend the charter of the town of Walterboro, be instructed to report on Monday next.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to establish the office and define the duties of a County Prosecuting Attorney, being the unfinished business of September 9, was taken up.

The Bill was put upon its second reading.

Mr. FERITER moved that the further consideration of the Bill be postponed until the next regular session.

On this the yeas and nays were called, and are as follows :

Yeas, 31 ; nays, 43 ; absent and not voting, 47. Not agreed to.

Those who voted in the affirmative are :

Messrs. Brown, Bishop, Boswell, Collins, Clyburn, Crews, DeLarge, Duvall, Field, Feriter, Hutson, Hyde, B. James, Jones, Wm. McKinlay, Mickey, Moore, Mead, O'Connell, Richardson, Sloan, Stewart, Stoeber, R. M. Smith, Shrewsbury, Sasportas, Thomas, Tinsley, Turner, Waller and Webb.—31.

Those who voted in the negative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, Driffle, Farr, Gray, Gardner, Goodson, C. D. Hayne, Jenks, D. J. J. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, H. James, Jervey, S. J. Lee, Mayer, McIntyre, McDaniels, Mobley, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Smythe, B. A. Thompson, S. B. Thompson, Tomlinson, Whipper and White.—43.

Those absent and not voting are :

Messrs. Bennett, Berry, Brodie, Bullock, Bryant, Cooke, Chestnut, Dennis, Dusenberry, Doyle, DeMars, Elliott, Ezekiel, Grant, Hayes, J. N. Hayne, Humphries, Holliman, Henderson, Harris, H. Johnson, Jackson, Kuh, Keith, Lomax, G. Lee, Lang, Littlejohn, Morrison, W. J. McKinlay, Milford, Martin, Mays, Miller, Nelson, Nash, Pettengill, Ransier, Root, Simons, Smiley, Scott, Valentine, Wilson, Wilder, Wooley and Wright.—47.

The second reading of the Bill was continued.

Mr. DeLARGE moved that the further consideration of the Bill be postponed until to-morrow, at 2 P. M.

Mr. JENKS moved to lay the motion to postpone on the table. It was agreed to by a vote, on a division, of yeas, 44 ; nays, 12.

Mr. DeLARGE moved to strike out all after the word "that," in the first line, to the word "Act," in the fourteenth line of Section 2.

Mr. JENKS moved to indefinitely postpone the motion to strike out. Pending this, at 3 P. M., the House, on motion of Mr. STOEBER, adjourned until 12 M. to-morrow.

SATURDAY, SEPTEMBER 12, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. M. THOMAS.

The reading of the Journal of the previous day was, on motion of Mr. C. D. HAYNE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. JERVEY, from the Committee on Internal Improvements, reported favorably on a Senate Bill to authorize the sale of the Columbia Canal.

On motion of Mr. FERITER, the report was laid on the table to take up the Bill.

The Bill was ordered to lie over for a second reading.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, made the following report :

The Committee on Offices and Officers, to whom was recommitted a Bill to establish a County Treasurer, with instructions to fix the per centage to be allowed County Treasurers, ask leave to submit the following report :

That they have confined themselves, as strictly as circumstances would permit, to the commissions heretofore allowed to Tax Collectors in this State, and would, therefore, recommend the following as Section 26 of said Bill :

That the commission of the County Treasurers of Abbeville, Anderson, Beaufort, Barnwell, Chester, Clarendon, Charleston, Darlington, Edgefield, Kershaw, Laurens, Newberry, Orangeburg, Richland, Spartanburg, Sumter, Union, York and Marion shall be at the rate of four per cent.; and Chesterfield, Fairfield, Greenville, Lancaster, Lexington, Marlboro, Pickens, Oconee, Georgetown, Williamsburg, Horry and Colleton at the rate of six per cent : Provided, That in any county wherein the gross amount of taxes paid in shall exceed the sum of \$30,000 the commissions of County Treasurer shall be two per cent. on such excess.

On motion of Mr TOMLINSON, the report was laid on the table to take up the Bill.

The Bill was ordered to lie over for a second reading.

Mr. ELLIOTT, from the Committee on Railroads, reported on a Senate Bill to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina, and recommended that the Bill be laid on the table.

On motion of Mr. C. D. HAYNE, the report was adopted.

Mr. RANSIER, from the Committee on Privileges and Elections, reported back a Bill to regulate the elections and punish the abuse of the elective franchise, and recommended certain amendments.

The report was laid on the table to take up the Bill.

The Bill was put upon its second reading.

The substitute proposed by the Committee for Section 1, as follows, was adopted :

SECTION 1. That there shall be appointed, by the General Assembly at its present session, on the recommendation of the Committee on Privileges and Elections of both the Senate and House of Representatives, in and for each county in the State, three competent persons, whose duties it shall be, in due time after their appointment, to proceed to appoint three Managers of Elections for each polling place in their respective counties; and to make such changes of polling places, in providing new ones and consolidating old ones, as, in their judgment, may be necessary, and the same shall be completed and the Managers notified ten (10) days previous to any election. It shall, also, be their duty to fill any and all vacancies that may occur by the death or resignation of any Manager previous to any election.

The Bill was ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as duly and correctly engrossed for a third reading :

A Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina ;

A Bill to incorporate the Wando Mining and Manufacturing Company ;

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The foregoing Bills were laid over for a third reading.

Mr. W. J. MCKINLAY, from the Special Committee on Rules and Regulations, submitted the following report :

The Special Committee on Rules, to whom was referred a resolution requiring this House to meet at 5 o'clock P. M., having considered the same, ask leave to report as follows :

That in their opinion the object desired to be obtained by the introduction of said resolution would best be effected by requiring this House to meet at an earlier hour. They would, therefore, recommend the adoption of the following by the House :

Resolved, That so much of the Rules under which we are working requiring this body to meet at 12 M. be rescinded, and that this House shall meet hereafter at 10 o'clock A. M.

On motion of Mr. G. LEE, the report was adopted and the resolution agreed to.

PETITIONS, RESOLUTIONS, &c.

Mr. LANG introduced the following resolution, which, on motion of Mr. G. LEE, was laid on the table :

Resolved, That a Committee of three be appointed to wait on the State Treasurer and inquire whether he has sufficient funds at his command, in United States currency, to pay the balance due members of this General Assembly up to the 31st day of August last.

Mr. LOMAX gave notice that he will on Monday next, or as soon thereafter as practicable, introduce

A Bill to alter and amend the charter of the town of Abbeville.

At the hour of 12:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

Consideration of a resolution to render all resolutions valid on their first reading.

Mr. DELARGE moved to amend by adding "except joint resolutions in reference to the appropriation of money."

Mr. FERITER moved to lay the resolution on the table, which was not agreed to by a vote, on division, of yeas, 21 ; nays, 37.

Mr. RANSIER moved to indefinitely postpone the consideration of the resolution. Agreed to.

Mr. STOLBRANT introduced a resolution to defer until the next regular session the consideration of certain Bills.

The SPEAKER decided the resolution out of order, and ruled that it would be necessary to take up the Bills separately, in order to make such disposition of them.

Mr. STOLBRAND then moved to take up a joint resolution to relieve the Western Union Telegraph Company from a double tax execution. Agreed to.

Mr. STOLBRAND then moved that the consideration of the resolution be postponed until the next regular session. Agreed to.

Mr. STOLBRAND moved to take up a Bill to incorporate the Home Insurance Company, of Charleston. Agreed to.

Mr. DELARGE moved to amend by adding a Bill to establish the office and define the duties of a County Prosecuting Attorney.

Mr. WHIPPER moved the indefinite postponement of the amendment.

Mr. DELARGE moved to lay the motion to indefinitely postpone on the table. Agreed to.

Mr. TOMLINSON renewed the motion to take up a Bill to incorporate the Home Insurance Company, of Charleston, which was agreed to.

Mr. TOMLINSON then moved to postpone the consideration of the Bill until the next regular session. Agreed to

Mr. DELARGE moved to take up a Bill to provide for the revision and consolidation of the statute laws of the State. Agreed to.

Mr. DELARGE moved to postpone indefinitely the consideration of the Bill. Not agreed to.

Mr. JENKS moved that the consideration of the Bill be made the Special Order for 2:30 P. M. to-day. Agreed to.

Mr. STOLBRAND moved to take up a Bill to prescribe the manner in which all debts contracted prior to May 1, 1865, shall be collected in this State. Agreed to.

Mr. STOLBRAND then moved to postpone the consideration of the Bill until the next regular session. Agreed to.

Mr. JACKSON moved to take up the following Bills :

A Bill to authorize a lease of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina ;

A Bill (Senate) to change the location of the Rutherfordton Road, in the County of Greenville ;

A Bill (Senate) to re-establish Tucker's Ferry, over the Edisto River ;

A Bill (Senate) to re-establish Wright's Ferry, over the Catawba River ;

A Bill (Senate) to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways ;

A joint resolution (Senate) for relief of Mrs. Mary A. C. Hobbs ;

A Bill authorizing R. S. & M. R. Bennett to collect wharfage ;

A Bill to open a new road in the County of Sumter ;

A Bill to punish persons pursuing and injuring horses and other stock with intent to steal them ;

A Bill (Senate) to extend the charter of Kinsler's Ferry. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill to authorize a lease of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina. Agreed to.

Mr. ELLIOTT then moved to postpone the consideration of the Bill until Tuesday next, at 1 P. M. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill (Senate) to change the location of the Rutherfordton Road, in the County of Greenville. Agreed to.

Mr. TOMLINSON then moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. TOMLINSON moved to proceed to the consideration of a Bill (Senate) to re-establish Tucker's Ferry, over the Edisto River. Agreed to.

Mr. ELLIOTT moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill (Senate) to re-establish Wright's Ferry, over the Catawba River. Agreed to.

Mr. TOMLINSON moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill (Senate) to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways. Agreed to.

Mr. ELLIOTT moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. ELLIOTT moved to proceed to the consideration of a joint resolution (Senate) for relief of Mrs. Mary A. C. Hobbs. Agreed to.

Mr. TOMLINSON moved that the consideration of the resolution be postponed until the next regular session. Agreed to.

Mr. C. D. HAYNE moved to proceed to the consideration of a Bill authorizing R. S. & M. R. Bennett to collect wharfage. Agreed to.

Mr. ELLIOTT moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill to open a new road in the County of Sumter. Agreed to.

Mr. ELLIOTT moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. JACKSON moved to proceed to the consideration of a Bill to punish persons pursuing and injuring horses and other stock with intent to steal them. Agreed to.

Mr. ELLIOTT moved that the consideration of the Bill be postponed until the next regular session. Agreed to.

Mr. C. D. HAYNE moved to proceed to the consideration of a joint resolution authorizing the Treasurer to pay Dr. Alfred Raouls three hundred and fifteen dollars for services as a physician to Charleston Jail and for medicines furnished prisoners. Agreed to.

Mr. SASPORTAS moved that the consideration of the joint resolution be postponed until the next regular session. Agreed to.

Mr. TOMLINSON moved to proceed to the consideration of a Bill (Senate) to extend the charter of Kinsler's Ferry. Agreed to.

On motion of Mr. TOMLINSON, the further consideration of the Bill was made the Special Order for Tuesday next, September 15, at 1:30 P. M.

On motion of Mr. SASPORTAS, a Bill to establish the office and define the duties of a County Prosecuting Attorney, was taken up.

The second reading of the Bill was continued.

Mr. HYDE moved that the further consideration be postponed until the next regular session.

On this the yeas and nays were called, and are as follows :

Yeas, 50 ; nays, 36 ; absent and not voting, 35. Agreed to.

Those who voted in the affirmative are :

Messrs. John Boston, Joseph Boston, Bryant, Bishop, Boswell, E. J. Cain, Collins, Clyburn, DeLarge, Dennis, Duvall, Doyle, Elliott, Field, Feriter, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, Johnston, Jackson, B. James, H. James, Keith, Littlejohn, W. McKinlay, W. J. McKinlay, Mickey, Moore, Milford, Martin, Miller, Nash, Prendegrass, Richardson, Stewart, Stocber, R. M. Smith, Shrewsbury, Sasportas, Simons, Scott, Benjamin A. Thompson, Thomas, Tinsley, Turner, Valentine and Wright.—50.

Those who voted in the negative are :

Messrs. Rosemon, Burton, L. Cain, Cooke, Dusenberry, Driffle, Farr, Gray, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Jenks, H. Johnson, G. Johnson, Jacobs, Jervey, Jones, Kuh, S. J. Lee, Mobley, Nuckles, Neagle, Perrin, Ransier, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Tomlinson, Wilder, Whipper and White —36

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, Bullock, Chestnut, Crews, DeMars, Ezekiel, Grant, Hayes, Humphries, S. Johnson, Lomax, G. Lee, Lang, Mayer, Morrison, McIntyre, McDaniels, Mays, Mead, Nelson, O'Connell, Purvis, Pettengill, Sloan, Smythe, Smiley, S. B. Thompson, Wilson, Waller, Wooley and Webb.—35.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication. Read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to regulate the practice of the Circuit Courts in certain cases. Read the first time, and referred to the Committee on the Judiciary.

Also, a concurrent resolution extending an invitation to Governor J. R. Hawley to visit the city of Columbia, &c.

On motion of Mr. TOMLINSON, the resolution was laid on the table by a vote, on division, of yeas, 47 ; nays, 2.

The Senate returned to this House a Bill to remove the county seat of Beaufort County from Gillisonville to the town of Beaufort.

The Bill was read the third time, passed, the title thereof changed to that of an Act, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 17.

IN THE SENATE, COLUMBIA, S. C., September 11, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully concurs in the amendment made by your House to a Bill entitled "A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement."

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Mr. WHIPPER moved that the Bill referred to in the message be recommitted to the Committee on Railroads. Agreed to.

Mr. DELARGE moved a reconsideration of the vote postponing until the next regular session a Bill to prescribe the manner in which all debts contracted prior to May 1, 1865, shall be collected in this State.

Mr. TOMLINSON moved to lay the motion on the table, which was agreed to by a vote, on division, of yeas, 30; nays, 6.

A Bill to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina, was taken up.

The Bill was put upon its third reading.

Mr. DELARGE moved a call of the House, and ninety-six members answered to their names.

On motion of Mr. G. LEE, the further call was suspended.

At the hour of 2:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the revision and consolidation of the statute laws of the State.

On motion of Mr. DELARGE, the consideration of the Special Order was temporarily suspended.

The consideration of the Bill to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina, was renewed.

The Bill was read the third time.

On the question "Shall the Bill pass, the title thereof be changed to that of an Act, and ordered to be enrolled?" it passed in the affirmative.

The yeas and nays were ordered, in accordance with the provisions of Section 7 of Article XIV of the Constitution, and are as follows:

Yeas, 88 ; nays, 8 ; absent and not voting, 25.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, Joseph Boston, Bishop, Boswell, L. Cain, F. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Drifflie, Doyle, Elliott, Field, Feriter, Gray, Goodson, C. D. Hayne, J. N. Hayne, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, B. James, H. James, Jervey, Jones, Kuh, Keith, Lomax, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, W. J. McKinlay, Mickey, Moore, Martin, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass; Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Saporas, Simons, Scott, B. A. Thompson, Tomlinson, Thomas, Tinsley, Valentine, Wilder, Wooley, Whipper, White, Wright and Webb.—88.

Those who voted in the negative are :

Messrs. Clyburn, Duvall, Farr, H. Johnson, Jacobs, Mobley, Stewart and Turner.—8.

Those absent and not voting are :

Messrs. Bennett, Berry, Brodie, Bullock, Bryant, Crews, Dusenberry, DeMars, Ezekiel, Gardner, Grant, Hayes, Humphries, Littlejohn, Morrison, McIntyre, McDaniels, Milford, Nelson, Sloan, R. M. Smith, Smiley, S. B. Thompson, Wilson and Waller.—25.

The following paper was presented, to be entered on the Journal :

(The undersigned, members of the House of Representatives, enter their protest against the passage of an Act entitled " An Act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina," for the following reasons, viz.:

1st. Because, in their opinion, the present embarrassed financial condition of the tax-paying citizens of South Carolina does not justify this General Assembly, on behalf of the people of South Carolina, in assuming the grave responsibility of becoming surety for the payment of four millions of dollars in the interest of any railroad company or corporation whatever.

2d. Because the credit of the State is already greatly depressed, as evinced by the fact that all efforts on the part of this General Assembly to create a loan sufficient to pay its own members their mileage and per diem have failed ; and, in their judgment, the assumption of a responsibility, amounting to a security for the prompt payment of principal and interest of

four millions of dollars, to be borrowed by a railroad company already comparatively bankrupt, is unwise and destructive to the pecuniary interest of South Carolina.

(Signed)

C. C. TURNER,
R. M. SMITH,
JAVAN BRYANT,
SAMUEL LITTLEJOHN,
T. F. CLYBURN,
W. G. STEWART.

Mr. NEAGLE introduced the following resolution, which was agreed to :

Resolved, That the Committee on the Judiciary be directed to report to the House, at as early a day as possible, such Bills as have become laws during this session; what Bills have passed both Houses, and are ready for the approval of the Governor; and what Bills should yet become laws before the adjournment of this session; and, also, report, every third day, such Bills as become laws during the remainder of the session.

Mr. WHIPPER, by leave, introduced

A Bill to provide for the filling of certain offices. Read the first time, and referred to the Committee on the Judiciary.

Mr. WHIPPER introduced the following resolution, which, on motion of Mr. BOSEMON, was indefinitely postponed :

Resolved, That J. P. F. Camp, Sergeant-at-Arms of this House, be authorized to employ a clerk, whose pay shall not exceed that of the Assistant Clerks of this House.

Mr. DELARGE introduced the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sergeant-at-Arms of the House of Representatives be directed to pay to W. J. Mixson, a member elect of the House of Representatives from Barnwell County, the amount of his mileage from his residence to Columbia and back, the same as is allowed to other members of the General Assembly.

The resolution was read the first time, and referred to the Committee on Ways and Means.

The following members obtained leave of absence :

Mr. Bullock, for ten days.

Mr. Sloan, for ten days.

Mr. Prendegrass, for six days.

Mr. Mays, for four days.

Mr. Pettengill, for four days.

The consideration of a Bill to provide for the revision and consolidation of the statute laws of the State was resumed.

Mr. JERVEY moved that the consideration of the Bill be made the Special Order for Tuesday next, September 15, at 12:30 P. M.

Pending this, at 3:35 P. M., on motion of Mr. DENNIS, the House adjourned until Monday next, at 10 A. M.

MONDAY, SEPTEMBER 14, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. DAVID HARRIS.

The reading of the Journal of Saturday was, on motion of Mr. C. D. HAYNE, dispensed with.

Mr. DELARGE moved that the regular order of business requiring the call for reports from Standing Committees be dispensed with for the remainder of this session, so as to allow the Committees to report at any time during the daily session. Agreed to.

PETITIONS, RESOLUTIONS, &c.

Mr. DELARGE introduced the following resolution, which was agreed to :

Resolved, That from and after the passage of this resolution this House shall adjourn at 2 o'clock P. M., and assemble at 5 P. M.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to incorporate the Wando Mining and Manufacturing Company was taken up.

The Bill was read the third time, passed, the title thereof changed to that of an Act, and ordered to be enrolled.

A Bill to regulate elections and punish the abuse of the elective franchise was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to organize the Supreme Court was taken up.

The Bill was put upon its second reading.

On motion of Mr. JERVEY, Section 8 was amended by striking out the word "second" in the second line, and inserting in lieu thereof the word "fourth."

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to define the jurisdiction of Justices of the Peace and to regulate the practice of Justices' Courts was taken up.

The Bill was put upon its second reading.

Mr. WHIPPER moved to suspend the consideration of Section 18 in order to fill the blank therein. Agreed to.

Sections 1 to 17, inclusive, were passed to a third reading, when, on motion of Mr. WHIPPER, the further consideration of the Bill was suspended.

Mr. WHIPPER, from the Committee on the Judiciary, reported (unfavorably) on a Bill to protect all persons in this State in their civil rights and furnish the means of vindication.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

Mr. G. LEE moved that the Bill be ordered to be printed, and be made the Special Order for to-morrow, at 11 A. M.

Mr. JENKS moved to strike out so much as refers to printing.

Mr. DELARGE moved to lay the motion to strike out on the table. Not agreed to.

The question recurring on the motion to print and be made the Special Order for to-morrow, at 11 A. M., it was agreed to.

Mr. WHIPPER moved that a message be sent to the Senate requesting the return of a Bill to prevent discrimination by persons carrying on business under license, on account of race, color, or previous condition. Agreed to, and the message sent accordingly.

Mr. W. J. MCKINLAY, from the Committee on County Offices and Officers, reported (favorably) on a Senate Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

The Bill was put upon its second reading.

Mr. W. J. MCKINLAY moved to amend Section 1 by adding to the Section "or with the provisions of the Constitution of this State as ratified in April, 1868." Agreed to.

Mr. RANSIER moved to amend Section 8 by striking out the word "fifty" wherever it occurs in the Section, and insert in lieu thereof the words "one hundred." Not agreed to by a vote, on division, of yeas, 19; nays, 28.

Mr. ELLIOTT moved to amend by substituting the following as Section 4 of the Bill, and make Section 4 Section 5 :

SECTION 4. The Governor of the State is hereby authorized and empowered, upon such evidence as may to him be satisfactory, to summarily remove any Magistrate of this State.

Agreed to by a vote, on division, of yeas, 32; nays, 20.

The Bill was read the second time, and ordered to be engrossed for a third reading.

On this the yeas and nays were called, and are as follows :

Yeas, 71; nays, 7; absent and not voting, 43.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, John Boston, Joseph Boston, Bishop, Boswell, L. Cain, Cooke, Collins, Chestnut, DeLarge, Dusenberry, Driffler, Duvall, Elliott, Feriter, Farr, Gray, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, Kuh, Lang, W. McKinlay, W. J. McKinlay, Mickey, Mobley, Milford, Martin, Nash, Perrin, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, R. A. Thompson, S. B. Thompson, Thomas, Tinsley, Whipper, Wright and Webb.—71.

Those who voted in the negative are :

Messrs. Doyle, Keith, S. J. Lee, Littlejohn, Moore, R. M. Smith and Waller.—7.

Those absent and not voting are :

Messrs. Bosemon, Bennett, Berry, Brodie, Bullock, Bryant, E. J. Cain, Clyburn, Crews, Dennis, DeMars, Ezekiel, Field, Grant, Hayes, Hyde, Lomax, G. Lee, Mayer, Morrison, McIntyre, McDaniels, Mays, Mead, Miller, Nelson, Nuckles, Neagle, O'Connell, Purvis, Prendegrass, Pettegill, Sloan, Stewart, Smalls, Smiley, Tomlinson, Turner, Valentine, Wilson, Wilder, Wooley and White.—43.

On motion of Mr. JERVEY, a Bill to authorize the sale of the Columbia Canal was taken up and immediately considered.

The Bill was put upon its second reading.

Mr. FERITER moved to postpone the further consideration of the Bill until the next regular session.

Mr. DELARGE moved to lay the motion to postpone on the table. Agreed to by a vote, on division, of yeas, 43; nays, 22.

On motion of Mr. DELARGE, Section 2 was amended by striking out in the second line the words "and fifty."

On motion of Mr. DELARGE, Section 3 was amended by inserting the word "Columbia" after the word "Richmond," in the fourth line.

On motion of Mr. RANSIER, Section 4 was amended by adding after the word "sell" in the first line the words "said property."

Mr. JACKSON moved to amend Section 4 by inserting between the words "discretion" and "provided" in the second line: "Provided, That said canal shall not be sold at private sale until the same be offered at public sale, and a less sum shall not be accepted at private than the highest bid offered at public sale;" also, to insert the word "further" after the word "provided," in the second line. Not agreed to by a vote, on division, of yeas, 29; nays, 30.

Mr. STOLBRAND moved to amend Section 4 by striking out all after the word "that" in the second line, and insert in lieu thereof the following:

No sale of water power, nor of the lands lying alongside the said canal and the grounds of the State Penitentiary, shall ever be made, nor shall the use of said water power or lands adjacent to the Penitentiary grounds be restricted in any manner whatever.

Pending this, Mr. DELARGE moved that the further consideration of the Bill be postponed, and made the Special Order for to-morrow, at 12:30 P. M. Agreed to.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 18.

IN THE SENATE, COLUMBIA, S. C., September 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that they have laid on the table the Bill from your House entitled "A Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition," referred to in the message received from your body of this date.

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to establish the office of County Treasurer was taken up.

The following Section, reported by the Committee on County Offices and Officers as a substitute for Section 26 of the original Bill, was adopted:

SECTION 26. That the commission of the County Treasurers of Abbeville, Anderson, Beaufort, Barnwell, Chester, Clarendon, Charleston, Darlington, Edgefield, Kershaw, Laurens, Newberry, Orangeburg, Richland, Spartanburg, Sumter, Union, York and Marion shall be at the rate of four per cent. ; and Chesterfield, Fairfield, Greenville, Lancaster, Lexington, Marlboro, Pickens, Oconee, Georgetown, Williamsburg, Horry and Colleton at the rate of six per cent. : Provided, That in any county wherein the gross amount of taxes paid in shall exceed the sum of \$30,000, the commissions of County Treasurer shall be two per cent. on such excess.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to provide for the revision and consolidation of the statute laws of the State was taken up.

On motion of Mr. JERVEY, the Bill was ordered to be printed, and the consideration made the Special Order for Wednesday, at 12:30 P. M.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 19.

IN THE SENATE, COLUMBIA, S. C., September 14, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully asks leave of your body to amend, on the third reading, the Bill entitled "A Bill to enable the Chatham Railroad Company to extend their road to Columbia," by striking out of Section 9 the following words, to-wit : "that the grading shall be commenced simultaneously at Columbia and Raleigh ; it be carried on as nearly as practicable mile for mile in each State until the grading is completed in the said States of South and North Carolina."

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. DENNIS, the vote by which the Bill to enable the Chatham Railroad Company to extend their road to Columbia passed to a third reading was reconsidered.

On motion of Mr. ELLIOTT, a message was sent to the Senate authorizing that body to make the necessary amendment.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State. Read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to organize the Supreme Court. Read the first time, and referred to the Committee on the Judiciary

Mr. Turner obtained leave of absence for ten days.

On motion of Mr. JERVEY, a Bill to organize and govern the militia of the State of South Carolina was taken up.

The Bill was put upon its third reading.

On motion a call of the House was ordered, and sixty-six members answered to their names.

On motion, the further call was suspended.

The third reading of the Bill to organize and govern the militia of the State of South Carolina was continued.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 29.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 13, 1868.

HON. F. J. MOSES, JR., *Speaker of the House of Representatives.*

SIR: I have the honor to acknowledge the receipt of a "concurrent resolution relative to report of transactions by State officers and County Commissioners," and to inform you that in compliance therewith the necessary instructions will be transmitted to the officers referred to.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

The third reading of the Bill to organize and govern the militia of the State of South Carolina was resumed.

Mr. STOLBRAND moved to strike out in Section 25 all the words after the word "musicians," in the second line, to the word "Provided," in the fourth line, printed Bill. Agreed to.

Pending the third reading of Section 38, the House, at 2 P. M., adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. SAUNDERS.

The reading of the Journal of the morning session was, on motion of Mr. G. LEE, dispensed with.

PETITIONS, RESOLUTIONS, &c.

Mr. THOMAS presented the accounts of James M. Cantwell, Magistrate, J. O. A. Connor, Magistrate, and Perry Davis, Special Constable Colleton County, for services. Laid over to be referred to the Committee on Claims.

Mr. DOYLE introduced the following concurrent resolution, which, on motion of Mr. RANSIER, was laid on the table by a vote, on division, of yeas, 46; nays, 27.

Resolved, by the House of Representatives, the Senate concurring, That the extra session of this General Assembly adjourn *sine die* on Friday, the 18th instant, at 2 o'clock P. M.

Mr. FARR introduced the following resolution, which was agreed to :

Resolved, That the Committee to whom was referred a Bill to protect laborers and persons working under contracts on shares of crops be instructed to report as soon as possible.

Mr. DELARGE moved to take up from the table the concurrent resolution relative to adjournment on Friday, 18th instant. Agreed to by a vote, on division, of yeas, 85; nays, 28.

Mr. DELARGE then moved to amend the resolution by striking out Friday, 18th instant, at 2 P. M., and insert Saturday, 19th instant.

Mr. NEAGLE moved to postpone the consideration of the resolution until to-morrow.

Mr. DELARGE moved to lay the motion on the table.

Mr. SMALLS moved to lay the whole subject on the table. Agreed to.

Mr. MARTIN, by leave, introduced

A Bill to amend an Act entitled "An Act to incorporate the village of Abbeville." Read the first time, and referred to the Committee on Incorporations.

Mr. SMALLS moved that the Committee on Incorporations be instructed to report on the Bill (to amend an Act to incorporate the village of Abbeville) at the next regular session. Agreed to by a vote, on division, of yeas, 43; nays, 11.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to organize and govern the militia of the State of South Carolina was taken up.

The third reading of Section 38 was continued.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 20.

IN THE SENATE, COLUMBIA, S. C., September 14, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that it has amended the Bill entitled "A Bill to enable the Chatham Railroad Company to extend its road to Columbia" by striking out the words contained in the message sent from the Senate this A. M., and return the same to your House for its further action.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The House proceeded to the immediate consideration of the Bill.

The Bill was read the third time, passed, the title changed to that of an Act, and ordered to be enrolled.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to provide for the government of the South Carolina Penitentiary. Read the first time, and referred to the Committee on Public Buildings.

Mr. RANSIER, from the Committee on Privileges and Elections, submitted the following report :

The Committee on Privileges and Elections, to whom was referred "A Bill to change the third Section of an Act of the General Assembly, passed in the year 1856, amending the charter of the town of Summerville," beg leave to report that they have had the same under consideration, and recommend that its consideration by the House be deferred to the next regular session.

On motion of Mr. DELARGE, the report was adopted, and the Bill laid over accordingly.

Mr. DELARGE introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Be it resolved, by the House of Representatives, the Senate concurring, That the Public Printer is hereby instructed to publish the permanent work of this and the ensuing sessions of the present General Assembly in the following manner, to-wit :

All reports from Committees, petitions, resolutions, communications, bills, speeches and debates, in what is known as solid matter.

All titles and sub-titles in what is known as long primer small caps.

All lists of yeas and nays in what is known as brevier, solid matter.

All double leads between paragraphs to be omitted, except before and after titles.

Resolved, That before any bill of the Public Printer is paid it shall be submitted, by the Treasurer of the State, to an expert, not interested in the contract, who, under oath, shall revise the figures, measure the matter, and certify to the correctness of the account.

For such service the expert shall be allowed the sum of ten (10) dollars.

On motion, at 6:40 P. M., the House adjourned until 10 A. M. tomorrow.

TUESDAY, SEPTEMBER 15, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. W. PERRIN.

The reading of the Journal of the previous day was, on motion of Mr. G. LEE, dispensed with.

PETITIONS, RESOLUTIONS, &c.

The SPEAKER laid before the House a petition from the Mayor and Council of the city of Charleston, praying the repeal of a law passed in 1838 prohibiting the excavation and building of cellars in any new building, &c.

Mr. SMALLS moved that the paper be received as information, and that it be referred to the Committee on Grievances. Agreed to.

On motion of Mr. SMALLS, it was

Resolved, That the Committee on Grievances be instructed to report tomorrow on the petition.

Mr. G. LEE presented the petition of sundry citizens of James' Island, in reference to the appointment of Managers of Election. Referred to the Committee on Privileges and Elections.

Mr. McINTYRE presented the petition of J. G. Halford, of Colleton County, praying the removal of his political disabilities. Referred to the Committee on Disabilities.

Mr. DELARGE, from the Committee on Ways and Means, reported on a

Bill to provide for the poor in different counties, and recommended that the Bill be laid over until the next regular session.

On motion of Mr. JENKS, the report was adopted, and the Bill laid over accordingly.

Also, on a Bill to regulate the sale of spirituous liquors by apothecaries and others, and recommended that the Bill be laid over until the next regular session.

On motion of Mr. JENKS, the report was adopted, and the Bill laid over accordingly.

Also, on the petition of the Commissioners of the Poor of Abbeville County, for an advance of \$1,500 to keep up the poor house in said county, and recommended that the same be laid over until the next regular session.

On motion, the report was adopted.

Also, (favorably) on a joint resolution to pay W. J. Mixson his mileage.

On motion of Mr. SMALLS, the report was laid on the table to take up the joint resolution.

The joint resolution was read the second time, and ordered to be engrossed for a third reading.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to define the jurisdiction and regulate the practice in the Justice Courts, being the unfinished business of yesterday at the morning session, was taken up.

The second reading of the Bill was continued.

On motion of Mr. SMALLS, the blank in Section 18 was filled by inserting the figures "12."

On motion of Mr. SMALLS, the blank in Section 19 was filled by inserting the figures "14."

On motion of Mr. WHIPPER, the consideration of the Bill was temporarily suspended.

Mr. WHIPPER, from the Committee on the Judiciary, made reports on the following Bills :

On a Bill (favorably) to define contracts for laborers, and for other purposes.

The report was laid on the table to take up the Bill.

On a Bill to regulate the granting of licenses by County Commissioners, City or Town Councils, and recommend that the Bill be laid over until the next regular session.

The report was adopted, and the Bill laid over accordingly.

On a Bill (favorably) to provide for the filling of certain offices.

On motion of Mr. JENKS, the report was laid on the table to take up the Bill.

On a Bill (favorably) to alter and amend an Act to organize the Circuit Courts.

On motion of Mr. S. B. THOMPSON, the report was laid on the table to take up the Bill.

On a Bill (favorably) to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county.

On motion of Mr. SIMONS, the report was laid on the table to take up the Bill.

On a Bill (favorably) to regulate the admission of persons to practice as attorneys, solicitors and counsellors at law.

On motion of Mr. SMALLS, the report was laid on the table to take up the Bill.

On a Bill (favorably) to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal.

On motion of Mr. C. D. HAYNE, the report was laid on the table to take up the Bill.

Mr. JENKS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence:

Resolved, by the House of Representatives, the Senate concurring, That the Comptroller-General be, and he is hereby, requested to furnish to the next session of the General Assembly a full report of all lands owned by the State, their location, and a description of the same.

The House resumed the consideration of a Bill to define the jurisdiction of Justices of the Peace and regulate the practice in Justice Courts.

The second reading of Section 20 was continued.

Mr. MOORE moved to amend Section 37 by adding after word "appeal" in the fourth line the words "except to the Appeal Court." Agreed to. Section 49 was passed to a third reading.

At the hour of 11 A. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

The Bill was put upon its second reading.

Mr. WHIPPER moved to strike out all after the enacting clause and insert the following as a substitute for Section 1, which was agreed to:

SECTION 1. That from and after the passage of this Bill it shall not be lawful for common carriers, or any party or parties, engaged in any business,

calling or pursuit, for the carrying on of which a license or charter is required by law, municipal, State, Federal, or otherwise, to discriminate between persons, on account of race, color, or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit.

The Section was passed to a third reading.

Also, the following, as a substitute for Section 2, which was agreed to :

SECTION 2. Any party so discriminating shall be considered as having violated this Act; and upon conviction, shall be punished by a fine of not less than five hundred dollars or imprisonment for not less than twelve months.

The Section was passed to a third reading.

Also, the following, as a substitute for Section 3, which was agreed to :

SECTION 3. No Act of incorporation shall be conferred upon any organization the rules and regulations of which contain features not compatible with the provisions of this Act.

On passing to a third reading Section 3, the yeas and nays were called, and are as follows :

Yeas, 61; nays, 18; absent and not voting, 42.

So the Section was passed to a third reading.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, DeLarge, Driffle, Elliott, Farr, Gray, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Harris, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, B. James, Jervy, Jones, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McIntyre, Mobley, Miller, Nelson, Nash, Nuokles, Perrin, Ransier, Richardson, Rush, Rivers, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Scott, S. B. Thompson, Thomas, Wilder, Whipper, White and Wright.—61.

Those who voted in the negative are :

Messrs. Bryant, Bishop, Boswell, Dusenberry, Duvall, Doyle, Feriter, Hyde, Keith, Littlejohn, Moore, Stewart, Stoeber, R. M. Smith, Tinsley, Valentine, Waller and Wooley.—18.

Those absent and not voting are:

Messrs. Bennett, Berry, Brodie, Bullock, Cooke, Collins, Clyburn, Chestnut, Crews, Dennis, DeMars, Ezekiel, Field, Grant, Hayes, Henderson, Jenks, Jacobs, H. James, Kuh, Lomax, Morrison, W. J. McKinlay, McDaniels, Milford, Martin, Mays, Mead, Neagle, O'Connell, Purvis, Preadgrass, Pettengill, Root, Sloan, Stolbrand, Smiley, B. A. Thompson, Tomlinson, Turner, Wilson and Webb.—42.

Also, the following, as a substitute for Section 4, which was agreed to :

SECTION 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

On the passage of the substitute for Section 4 to a third reading, the yeas and nays were called, and are as follows :

Yeas, 64 ; nays, 19 ; absent and not voting, 38.

So the Section was passed to a third reading.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, L. Cain, E. J. Cain, Clyburn, Chestnut, DeLarge, Driffle, Elliott, Farr, Gray, Gardner, Goodson, C. D. Hayne, Humphries, Hutson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, W. McKinlay, W. J. McKinlay, Mickey, Mobley, Martin, Miller, Nelson, Nash, Nuckles, Purvis, Perrin, Ransier, Richardson, Rush, Rivers, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Saspotas, Simons, B. A. Thompson, S. B. Thompson, Thomas, Wilder, Whipper, White, Wright and Webb.—64.

Those who voted in the negative are :

Messrs. Joseph Boston, Bryant, Bishop, Boswell, Dusenberry, Doyle, Field, Feriter, Hyde, Keith, Littlejohn, Moore, Stewart, Stoeber, R. M. Smith, Tinsley, Valentine, Waller and Wooley.—19.

Those absent and not voting are :

Messrs. Bennett, Berry, Brodie, Bullock, Cooke, Collins, Crews, Dennis, Duvall, DeMars, Ezekiel, Grant, Hayes, J. N. Hayne, Holliman, Henderson, H. James, Kuh, Lomax, Lang, Morrison, McIntyre, McDaniels, Milford, Mays, Mead, Neagle, O'Connell, Prendegrass, Pettengill, Root, Sloan, Stolbrand, Smiley, Scott, Tomlinson, Turner and Wilson.—38.

On motion of Mr. ELLIOTT, Section 5 was stricken out.

Mr. STOEBER moved to postpone the future consideration of the Bill to the next regular session.

Mr. B. JAMES moved the indefinite postponement of the motion to postpone until the next session. Agreed to.

At the hour of 12:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to authorize the sale of the Columbia Canal.

On motion of Mr. G. LEE, the consideration of the Special Order was suspended until the consideration of the Bill to protect all persons in their civil rights, &c., previously under discussion.

The consideration of the Bill to protect all persons in their civil rights in this State and to furnish the means of their vindication was renewed.

On the question "Shall the Bill be passed to a third reading, and be ordered to be engrossed?" it passed in the affirmative.

The yeas and nays were called, and are as follows :

Yeas, 68; nays, 18; absent and not voting, 35.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Driffle, Elliott, Farr, Gray, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Hutson, Henderson, Harris, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jacobs, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, Mobley, Mead, Nelson, Nash, Nuckles, Neagle, Perrin, Ransier, Richardson, Rush, Rivers, Smalls, A. Smith, Saunders, Shrewsbury, Smythe, Scott, B. A. Thompson, S. B. Thompson, Thomas, Wilder, Whipper, White and Wright.—68.

Those who voted in the negative are :

Messrs. Bishop, Clyburn, Dusenberry, Duvall, Doyle, Field, Feriter, Hyde, Keith, Littlejohn, Moore, Milford, Martin, Miller, Stoeber, R. M. Smith, Waller and Wooley.—18.

Those absent and not voting are :

Messrs. Bennett, Berry, Brodie, Bullock, Bryant, Boswell, Crews, Dennis, DeMars, Ezekiel, Grant, Hayes, Holliman, Kuh, Lomax, Morrison, McDaniels, Mays, O'Connell, Purvis, Prendegrass, Pettengill, Root, Sloan, Stewart, Stolbrand, Sasportas, Simons, Smiley, Tomlinson, Tinsley, Turner, Valentine, Wilson and Webb.—35.

Mr. ELLIOTT, from the Committee on Railroads, submitted the following report :

The Committee on Railroads, to whom was referred a Senate Bill entitled "A Bill to amend an Act entitled 'An Act to incorporate the Air Line Railroad Company, in South Carolina,'" beg leave respectfully to report that they have considered the same, with the following result :

A majority of the Committee have agreed to report favorably on the Bill, and do now, therefore, recommend its passage by the House, with the following amendment :

Amend Section 2, sixth line, by inserting between the words "same" and "thereof" the following words : "to or near Anderson Court House."

All of which is respectfully submitted, &c.

(Signed)

R. B. ELLIOTT, Chairman.
F. F. MILLER,
STEPHEN BROWN,
R. C. DELARGE,
J. S. MOBLEY.

Also, the following minority report :

We, the undersigned, members of the Committee on Railroads, representing a minority of said Committee, to whom was referred a Bill entitled "A Bill to amend an Act entitled 'An Act to incorporate the Air Line Railroad Company in South Carolina,'" beg leave to report :

That in consideration of the probable early adjournment of this body, they consider it inexpedient to consider said Bill at this stage of the session, and therefore recommend that it be laid over for further consideration until the next regular session of the General Assembly.

All of which is respectfully submitted.

(Signed)

JOHN H. FERITER,
JORDAN LANG.

Mr. STOEBER moved that the majority report be laid on the table to take up the Bill. Agreed to.

Mr. DELARGE moved that the minority report of the Committee be postponed until September 29.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to authorize a lease of the State Road running from the County of Greenville, State of South Carolina, across the Saluda Mountain, to the County of Henderson, State of North Carolina.

Mr. DELARGE moved to suspend the consideration of the Special Order until the further consideration of the Bill previously under discussion. Not agreed to by a vote, on division, of yeas, 32; nays, 21.

Mr. WHIPPER moved that the consideration of the Special Order be suspended until the further consideration of a Bill to authorize the sale of the Columbia Canal. Agreed to.

The House proceeded to the immediate consideration of a Bill to authorize the sale of the Columbia Canal.

The question recurring upon the amendment offered by Mr. Stolbrand to Section 4, it was not agreed to.

Mr. JERVEY moved to reconsider the vote whereby Section 1 was passed to a third reading. Agreed to.

Mr. JERVEY then moved to amend Section 1 by striking out in the first and second lines the names "Robert M. Lewis and Thomas J. Robertson," and insert in lieu thereof "E. M. Stoeber and Charles M. Wilder."

Mr. GRAY moved to postpone the further consideration of the whole matter until the next session.

Pending this, at the hour of 1:30 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to extend the charter of Kinsler's Ferry.

On motion of Mr. JACKSON, the consideration of the Special Order was suspended until the further consideration of the Bill (sale of Columbia Canal) previously under discussion.

The consideration of the Bill to authorize the sale of the Columbia Canal was renewed.

Mr. GRAY withdrew his motion to postpone until next session.

Mr. DELARGE moved that the consideration of the amendment of Mr. Jervey be indefinitely postponed. Agreed to.

Mr. DELARGE then moved to amend Section 1 by striking out the name of "T. J. Robertson," and insert in lieu thereof the name of "C. M. Wilder." Agreed to.

Mr. RANSIER moved to amend by adding the following as Section 5 of the original Bill :

That His Excellency the Governor, R. M. Lewis and C. M. Wilder be, and they are hereby, authorized to appraise the said property previous to the sale thereof.

Mr. G. LEE moved to lay the amendment on the table. Agreed to.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following as duly and correctly engrossed for a third reading :

A Bill to provide for the organization of the Supreme Court. Laid over for a third reading.

A Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties.

The Bill was ordered to be returned to the Senate as amended.

A Bill to define the jurisdiction and to regulate the practice of Probate Courts. Laid over for a third reading.

A joint resolution to allow mileage to W. J. Mixson. Laid over for a third reading.

Mr. STOEBER, from the Committee on the Penitentiary, reported by resolution as follows :

Whereas the sentences of many of the convicts in the State Penitentiary have been unequal in regard to the time of imprisonment for one and the same offence ; therefore, be it

Resolved, That His Excellency the Governor is hereby authorized and requested to remit the time of imprisonment exceeding six months in all cases of petit larceny and larceny, and to pardon the respective convicts.

Resolved, That His Excellency also be requested to extend the same leniency and mercy towards all the convicts where there appear persons to be sentenced to an unusual length of time over others for the same offence.

The resolution was, on motion of Mr. DELARGE, referred to the Committee on the Judiciary by a vote, on division, of yeas 18 ; nays, 6.

The House resumed the consideration of a Bill to authorize a lease of the State Road running from the County of Greenville, State of South Carolina, across the Saluda Mountain, to the County of Henderson, State of North Carolina.

The Bill was put upon its second reading.

Mr. HYDE moved to amend Section 1 by striking out the words "Solomon Jones, Jacob Linderman and J. Gray" where they occur in the Section, and inserting in lieu thereof "Alexander McBee, Dunklin Sullivan and Solomon Jones." Agreed to.

Also, to amend the same Section by adding after the word "years," ninth line of printed Bill, the following: "said Commissioners to lease the road in forty (40) days after the passage of this Act." Agreed to

The Bill was read the second time, and ordered to be engrossed for a third reading.

PAPERS FROM THE SENATE.

The Senate sent to this House the following :

A Bill to regulate attachments. Read the first time, and referred to the Committee on the Judiciary.

A Bill to suppress insurrection and rebellion. Read the first time, and referred to the Committee on the Judiciary.

A Bill to regulate arrests and bail in civil actions. Read the first time, and referred to the Committee on the Judiciary.

A Bill to provide for the formation and proceedings of the Colleges of Electors. Read the first time, and referred to the Committee on Privileges and Elections.

At 2 P. M. the House adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. E. MICKEY.

The reading of the Journal of the morning session was, on motion of Mr. G. LEE, dispensed with.

Mr. WHIPPER, from the Committee on the Judiciary, reported as follows :

The Committee on the Judiciary, to whom has been referred a Bill from the Senate to organize the Supreme Court, have had the same under consideration, and beg leave to report :

That a Bill to organize the Supreme Court has already received two readings in this House, and has been ordered to be engrossed.

The Committee have examined the Senate Bill, and find it in all respects a good one, and recommend that the House reconsider the vote whereby it passed to a third reading the House Bill, and lay said Bill on the table, and that the Senate Bill be put upon its passage.

On motion, the report was adopted.

The House Bill was then ordered to lie on the table.

A Bill (Senate) to organize the Supreme Court was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. RANSIER, a Bill to protect laborers and persons working under contract on shares of crops was taken up and immediately considered.

The Bill was put upon its second reading.

On motion of Mr. ELLIOTT, Section 1 was amended by inserting between the words "Peace and," in the third line printed Bill, the words "or Magistrates."

On motion of Mr. ELLIOTT, Section 2 was amended by inserting after the words "Justice of the Peace," wherever it occurs in the Section, the words "or Magistrates."

On motion of Mr. NEAGLE, Section 2 was further amended by inserting between the words "parties except," in the twelfth line of the printed Bill, the words "according to their several interests."

On motion of Mr. G. LEE, Section 4 was amended by inserting after the words "Justice of the Peace," in the fifth line printed Bill, the words "or Magistrates."

On motion of Mr. SASPORTAS, Section 5 was amended by striking out the word "them" in the fourth line, printed Bill, and insert in lieu thereof the word "him."

On motion of Mr. ELLIOTT, Section 5 was amended by adding to the Section the following words : "and fined the sum of not less than fifty dollars nor more than one hundred dollars."

The Bill was read the second time, and ordered to be engrossed for a third reading.

PAPERS FROM THE SENATE.

The Senate returned to this House a Bill to extend the time for county officers to qualify, amended as follows :

Title changed by striking out the word "county."

Section 1, word "county" stricken out and inserting between the words "officers" and "be" the words "heretofore elected," and adding to the Section the words "and on failure to qualify within the above specified time, their respective offices shall be declared vacant by the Governor."

Section 2, by striking out the word "Comptroller" and inserting "Attorney."

Section 3, a substitute as follows: "That all Acts and parts of Acts inconsistent with this Act are hereby suspended until after the first day of January next, except the Act to organize the Supreme Court."

The Senate amendments were concurred in, and the Bill ordered to be returned to the Senate.

The Senate sent to this House a Bill providing for the next general election, and the manner of conducting the same. Read the first time, and referred to the Committee on Privileges and Elections.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the filling of certain offices was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts" was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county, was taken up.

On motion of Mr. C. D. HAYNE, the further consideration of the Bill was postponed until the next regular session.

A Bill to empower Circuit Judges to change the venue for trial of actions, both civil and criminal, was taken up.

The Bill was put upon its second reading.

On motion of Mr. SASPORTAS, Section 1 was amended by striking out the word "reasonable" in the ninth line, printed Bill, and inserting in lieu thereof the words "twenty days."

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. G. LEE gave notice that on to-morrow he will call up for consideration a Bill to provide for the accommodation of the General Assembly; also,

A Bill to provide for the preservation of the State Capitol.

A Bill to extend the charter of Kinsler's Ferry was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" was taken up.

On motion of Mr. SMALLS, the Bill was ordered to be printed and made the Special Order for to-morrow, at 12 M.

The following members obtained leave of absence :

Mr. Field, for ten days.

Mr. O'Connell, for ten days.

Mr. DeMars, for six days.

Mr. Whipper, for two days.

On motion, at 6:35 P. M., the House adjourned until to-morrow, at 10 A. M.

WEDNESDAY, SEPTEMBER 16, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. JAMES.

The reading of the Journal of the previous day was, on motion of Mr. GEO. LEE, dispensed with.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to define the jurisdiction of Justices of the Peace and regulate the practice in Justices' Courts, being the unfinished business of yesterday, was taken up.

The second reading of Section 50 was continued.

Mr. JERVEY moved to postpone the consideration of Section 73 until to-morrow.

Mr. DeLARGE moved to amend by postponing the consideration of the whole Bill until 5:30 P. M. Agreed to.

Mr. ELLIOTT introduced the following resolution :

Resolved, That the Speaker of the House be allowed, in addition to his pay proper as a member of this House, the sum of four dollars per day: Provided, That his pay as Adjutant and Inspector-General shall not begin or be estimated until after the adjournment of this special session.

Mr. G. LEE moved to refer the resolution to the Committee on Ways and Means.

Mr. DeLARGE moved to indefinitely postpone the motion to refer. Agreed to by a vote, on division, of yeas, 18; nays, 11.

Mr. G. LEE moved to reconsider the vote by which the motion to indefinitely postpone the motion to refer the resolution to the Committee on Ways and Means was agreed to. Agreed to.

Mr. HYDE moved to lay the whole matter on the table. Agreed to.

Mr. JENKS, by leave, introduced

A Bill to change the day of election of chartered officers of the city of Charleston. Read the first time, and referred to the Committee on Privileges and Elections.

According to notice previously given, on motion of Mr. G. LEE, a Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary was taken up.

The Bill was put upon its second reading.

Mr. JENKS moved to amend Section 1 by striking out the word "requested" in the fourth line of printed Bill, and insert in lieu thereof the word "directed."

Mr. JACKSON moved to postpone the further consideration of the Bill until 5:15 P. M. Agreed to.

According to notice previously given, on motion of Mr. G. LEE, a Bill to provide for the preservation of the State Capitol was taken up.

Mr. G. LEE moved to make the consideration of the Bill the Special Order for 6 P. M. Agreed to.

A joint resolution to allow mileage to W. J. Mixson was taken up. Read the third time, passed, and ordered to sent to the Senate.

A Bill to define the jurisdiction and regulate the practice of Probate Courts was taken up. Read the third time, passed, title changed to an Act, and ordered to be enrolled.

PAPERS FROM THE SENATE.

The Senate returned to this House, with amendments, a Bill to provide for the transportation of convicts discharged from the South Carolina Penitentiary.

Mr. G. LEE moved that this House concur in the Senate amendment to Section 1, as follows: By inserting between the words "with transportation" the words "a suit of common clothes, if deemed necessary, and." Agreed to.

Mr. G. LEE moved that the House concur in the Senate amendment to Section 2, as follows: By inserting between the words "transportation shall" the words "and clothes." Agreed to.

The Bill was then ordered to be returned to the Senate.

The Senate sent to this House a Bill authorizing the leasing of the Saluda Turnpike, and directing the disposition of the rental money of the same. Read the first time, and referred to the Committee on Roads, Bridges and Ferries.

Mr. G. LEE moved to reconsider the vote by which a Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" was made the Special Order for to-day, at 12 M. Agreed to.

Mr. G. LEE then moved to take up the Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina." Agreed to.

Mr. JERVEY moved to postpone the consideration of the Bill until the next regular session.

Mr. JENKS moved to lay the motion to postpone on the table.

On this the yeas and nays were called, and resulted as follows :

Yeas, 43 ; nays, 35 ; absent and not voting, 43. Agreed to.

Those who voted in the affirmative are :

Messrs. Burton, Bryant, Bishop, Lawrence Cain, Cooke, Collins, DeLargo, Duvall, Elliott, Gardner, Hayes, C. D. Hayne, Humphries, Henderson, Hyde, D. J. J. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jones, G. Lee, S. J. Lee, Littlejohn, Mickey, Mobley, Milford, Martin, Nuckles, Neagle, Perrin, Root, Rivers, Stewart, Stolbrand, R. M. Smith, Saunders, B. A. Thompson, Tinsley, Valentine, Wilder, Wooley and White.—13.

Those who voted in the negative are :

Messrs. Boseman, Brown, John Boston, Jos. Boston, Boswell, E. J. Cain, Chestnut, Driffler, Doyle, Feriter, Gray, Goodson, J. N. Hayne, Jenks, H. Johnson, Johnston, S. Johnson, B. James, Jervy, Keith, Lang, W. McKinlay, McIntyre, Nelson, Nash, Pervis, Rush, Smalls, A. Smith, Sasportas, Simons, Scott, Tomlinson, Thomas and Webb—35.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Ballock, Clyburn, Crews, Dennis, Dasenberry, DeMars, Ezekiel, Field, Farr, Grant, Holliman, Hutson, Harris, Kuh, Lowax, Mayer, Morrison, W. J. McKinlay, McDaniels, Moore, Mays, Mead, Miller, O'Connell, Prendegrass, Pettengill, Ransier, Richardson, Sloan, Stoeber, Shrewsbury, Smythe, Smiley, S. B. Thompson, Turner, Wilson, Waller, Whipper and Wright.—43.

The Bill was put upon its second reading.

Mr. PURVIS moved to postpone the further consideration of the Bill and make it the Special Order for this day three weeks, (October 6.) Not agreed to by a vote, on division, of yeas, 36 ; nays, 40.

The second reading of Section 1 was continued.

The Section was passed to a third reading.

At the hour of 12:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the revision and consolidation of the statute laws of the State.

Mr. G. LEE moved to suspend the Special Order until the further consideration of the Bill (Air Line Railroad) previously under discussion. Agreed to by a vote, on division, of yeas, 41; nays, 8.

The consideration of the Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" was renewed.

The following amendment was proposed by a majority of the Committee on Railroads to Section 2: Amend in sixth line by inserting between the words "same" and "thence" the following words: "to or near Anderson Court House."

Mr. DELARGE moved the indefinite postponement of the amendment. Agreed to by a vote, on division, of yeas, 31; nays, 25.

The Bill was read the second time.

Mr. PURVIS moved to strike out all after the enacting clause of the Bill.

Mr. DELARGE moved to indefinitely postpone the motion to strike out.

Mr. JENKS moved to lay the motion on the table.

On this, Mr. PURVIS called for the yeas and nays.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

Consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County.

Mr. DELARGE moved to suspend the consideration of the Special Order until the consideration of the Bill (Air Line Railroad) previously under discussion. Agreed to by a vote, on division, of yeas, 31; nays, 18.

The consideration of the Bill to incorporate the Air Line Railroad Company, in South Carolina, was renewed.

The question recurring on the calling of the yeas and nays on Mr. Purvis' motion, the call was resumed.

Mr. BOSEMON asked leave of the House to be excused from voting.

On this Mr. W. J. MCKINLAY called for the yeas and nays.

During the call, Mr. SMALLS asked leave to be excused from voting on the motion to excuse Mr. Bosemon from voting.

On this the yeas and nays were called, and are as follows :

Yeas, 12 ; nays, 54 ; absent and not voting, 55.

So Mr. Smalls was not excused from voting.

Those who voted in the affirmative are :

Messrs. Bosemon, Driffle, Feriter, Henderson, Jackson, Jervey, Wm. McKinlay, William J. McKinlay, McIntyre, R. M. Smith, Sasportas and Scott.—12.

Those who voted in the negative are :

Messrs. John Boston, Bishop, Boswell, L. Cain, E. J. Cain, Collins, Clyburn, DeLarge, Duvall, Doyle, Elliott, Goodson, C. D. Hayne, Humphries, Holliman, Hutson, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jones, Keith, G. Lee, S. J. Lee, Lang, Mobley, Moore, Martin, Mead, Nelson, Nash, Nuckles, Neagle, Purvis, Perrin, Root, Rush, Rivers, Stewart, Stoeber, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Tomlinson, Tinsley, Wilder and Wright.—54.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, Burton, Joseph Boston, Bullock, Bryant, Cooke, Chestnut, Crews, Dennis, Dusenberry, DeMars, Ezekiel, Field, Farr, Gray, Gardner, Grant, Hayes, J. N. Hayne, Harris, Jeuks, Kuh, Lomax, Littlejohn, Mayer, Morrison, Mickey, McDaniels, Milford, Mays, Miller, O'Connell, Prendergrass, Pettengill, Ransier, Richardson, Sloan, Smalls, Simons, Smiley, R. A. Thompson, S. B. Thompson Thomas, Turner, Valentine, Wilson, Waller, Wooley, Whipper, White and Webb—55

The call of the yeas and nays on the question of excusing Mr. Bosemon from voting was resumed, and are as follows :

Yeas, 22 ; nays, 42 ; absent and not voting, 57.

So the request of Mr. Bosemon to be excused from voting was not granted.

Those who voted in the affirmative are :

Messrs. Brown, Joseph Boston, L. Cain, Cooke, Collins, Clyburn, Driffle, Feriter, Henderson, S. Johnson, G. Johnson, Jackson, Jacobs, Jervey, William J. McKinlay, Purvis, Perrin, Root, Stewart, Smalls, Sasportas and Wilder.—22.

Those who voted in the negative are :

Messrs. Bishop, Boswell, E. J. Cain, DeLarge, Duvall, Doyle, Elliott, Gray, Goodson, C. D. Hayne, Humphries, Holliman, Hutson, Hyde, D. J. J. Johnson, H. Johnson, Johnston, B. James, H. James, Jones, Keith, G. Lee, S. J. Lee, Wm. McKinlay, Mobley, Moore, Martin, Mead, Nelson, Nash, Nuckles, Neagle, Rush, Rivers, Stoeber, Stolbrand, A. Smith, R. M. Smith, Scott, Tinsley, Valentine and Wright.—42.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Bennett, Berry, Brodie, Burton, John Boston, Bullock, Bryant, Chestnut, Crews, Dennis, Dusenberry, DeMars, Ezekiel, Field, Farr, Gardner, Grant, Hayes, J. N. Hayne, Harris, Jenks, Kuh, Lomax, Lang, Littlejohn, Mayer, Morrison, Mickey, McIntyre, McDaniels, Milford, Mays, Miller, O'Connell, Prendergrass, Pettengill, Ransier, Richardson, Sloan, Saunders, Shrewsbury, Smythe, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Turner, Wilson, Waller, Wooley, Whipper, White and Webb.—57.

The following paper was presented to be entered on the Journal :

We vote "no" on the question of excusing the gentleman from Charleston (Mr. Bosemon) from voting on the question before the House, because the yeas and nays were ordered for the purpose of baffling legislation, thereby retarding the early adjournment, and thereby increasing the burden of taxation on the people of the State.

The same reasons induce us to vote "no" on the question of excusing the Representative from Beaufort (Mr. Smalls).

(Signed)

R. B. ELLIOTT,
B. C. DELARGE.

The question recurring upon the motion of Mr. Jenks to lay on the table the motion to indefinitely postpone the motion to strike out the enacting clause of the Bill, the call of the yeas and nays was continued.

Pending the further call, the House, at 2 P. M., adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. E. HAYES.

The reading of the Journal of the morning session was, on motion of Mr. G. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WILDER, from the Committee on Grievances, reported on the petition of the Mayor and Council of Charleston by a Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.

The Bill was read the first time, and referred to the Committee on the Judiciary.

Mr. TINSLEY presented the petition of sundry citizens of Greenville County, contesting the election of county officers of said county.

On motion of Mr. WILDER, the petition was referred to the Committee on Privileges and Elections.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" was taken up, being the unfinished business of the morning session at the time of the adjournment.

The calling of the yeas and nays on the motion to lay on the table the motion to indefinitely postpone the motion to strike out the enacting clause was continued, and are as follows:

Yeas, 31; nays, 40; absent and not voting, 50.

So the motion to lay on the table was not agreed to.

Those who voted in the affirmative are:

Messrs. Bosemon, Brodie, Burton, John Boston, Joseph Boston, Bishop, Boswell, E. J. Cain, Collins, Feriter, Gray, C. D. Hayne, J. N. Hayne, Holliman, Henderson, Johnston, Jackson, Jervey, W. McKinlay, W. J. McKinlay, McIntyre, Nelson, Perrin, Pettengill, Ransier, Richardson, A. Smith, B. A. Thompson, Wilder, White and Webb.—31.

Those who voted in the negative are:

Messrs. Brown, L. Cain, DeLarge, Duvall, Doyle, Elliott, Gardner, Goodson, Humphries, Hutson, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jones, Keith, S. J. Lee, Lang, Mobley, Moore, Milford, Martin, Mead, Nash, Nuckles, Neagle, Root, Rush, Rivers, Saunders, Shrewsbury, Simons, Scott, S. B. Thompson, Tomlinson, Tinsley and Walker.—40.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Bullock, Bryant, Cooke, Cylburn, Chestnut, Crews, Dennis, Dusenberry, Driffle, DeMars, Ezekiel, Field, Farr, Grant, Hayes, Harris, Hyde, Jenks, Kuh, Lomax, G. Lec, Littlejohn, Mayer, Morrison, Mickey, McDaniels, Mays, Miller, O'Connell, Purvis, Prendegrass, Sloan, Stewart, Stoeber, Stolbrand, Smalls, R. M. Smith, Snythe Sasportas, Smiley, Thomas, Turner, Valentine, Wilson, Wooley, Whipper and Wright.—50.

The question recurring on the motion to indefinitely postpone the motion to strike out, it was agreed to.

On the question "Shall the Bill pass to a third reading and be ordered to be engrossed?" it passed in the affirmative by a vote, on division, of yeas, 43; nays, 13.

Mr. MARTIN, from the Committee on Engrossed Acts, reported the following Bills as duly engrossed for a third reading:

A Bill to extend the charter of Kinsler's Ferry Read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to empower Circuit Judges to change the venue for the trial of actions, civil and criminal.

The Bill was ordered to be returned to the Senate as amended.

A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication. Read the third time, passed, and ordered to be sent to the Senate.

A Bill to establish the office of County Treasurer. Laid over for a third reading.

A Bill to authorize the sale of the Columbia Canal.

The Bill was ordered to be returned to the Senate as amended.

A Bill to authorize a lease of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina. Read the third time, passed, and ordered to be sent to the Senate.

A Bill to protect laborers and persons working under contract on shares of crops. Laid over for a third reading.

A Bill to organize the Supreme Court. Laid over for a third reading.

A Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts." Laid over for a third reading.

A Bill to provide for the filling of certain offices. Laid over for a third reading.

Mr. DELARGE introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That this General Assembly do adjourn *sine die* on Thursday next, 24th September.

At the hour of 5:30 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to define the jurisdiction of Justices of the Peace and regulate the practice of Justices' Courts.

The second reading of Section 73 was continued.

At the hour of 5:45 P. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary.

The second reading of the Bill was continued.

The question recurring on the motion of Mr. Jenks, to amend Section 1 by striking out the word "requested," and inserting in lieu thereof the word "directed," it passed in the affirmative.

Mr. G. LEE moved to amend by adding the following as Section 3 to the original Bill:

SECTION 3. And be it further enacted, That His Excellency the Governor is hereby authorized to make arrangements in Charleston for the accommodation of the General Assembly at its next regular session, if he deems it necessary.

Mr. WILDER moved to indefinitely postpone the amendment.

Pending the further consideration of the amendment, at the hour of 6 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the preservation of the State Capitol.

On motion, the further consideration of the Special Order was suspended until the further consideration of the Bill previously under discussion.

The consideration of a Bill to provide accommodation for the General Assembly, the Executive and the Judiciary, was renewed.

Mr. G. LEE withdrew his amendment.

The Bill was read the second time, and ordered to be returned to the Senate as amended.

The House resumed the consideration of a Bill to provide for the preservation of the State Capitol.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The Senate returned to this House a Bill to repeal the charter of the town of Hamburg, with the following:

MESSAGE FROM THE SENATE, No. 21.

IN THE SENATE, COLUMBIA, S. C., September 16, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully asks leave of your body to amend the Bill entitled "A Bill to repeal the charter of the town of Hamburg," by striking out Section 2.

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Mr. DELARGE moved to make the consideration of the Bill and message the Special Order for 1 P. M. to-morrow. Agreed to.

The following members obtained leave of absence :

Mr. Sasportas, for the remainder of the session.

Mr. Doyle, for ten days.

Mr. Kuh, for five days.

On motion, at 7 P. M., the House adjourned until to-morrow, 10 A. M.

THURSDAY, SEPTEMBER 17, 1868.

Pursuant to adjournment, the House met at 12 M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. HUMPHRIES.

The reading of the Journal of the previous day was, on motion of Mr. GEO. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. MARTIN, from the Committee on Engrossed Acts, reported a Bill to provide for the preservation of the State Capitol as duly engrossed for a third reading.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" as duly engrossed for a third reading.

The Bill was read the third time, passed, title changed to an Act, and ordered to be enrolled.

Mr. MOORE, from the Committee on the Judiciary, reported on a resolution relative to the imprisonment of convicts, and recommended the further consideration of the resolution be postponed to the next regular session.

On motion of Mr. DELARGE, the consideration of the report was made the Special Order for 6 P. M.

Also, on a Bill to regulate arrests and bail in actions, civil and criminal, and recommended that the consideration of the Bill be postponed until the next regular session.

Mr. TOMLINSON moved to lay the report on the table to take up the Bill. Agreed to.

Mr. W. J. McKINLAY, from the Committee on County Offices and Officers, reported favorably on a Bill to regulate the jurisdiction and define the duties of County Commissioners.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

Mr. MOORE, from the Committee on the Judiciary, reported favorably on a Bill to suppress insurrection and rebellion.

On motion, the report was laid on the table to take up the Bill.

Also, on a Bill to regulate attachments, and recommend that the Bill be postponed until the next regular session.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

Also, on a Bill (favorably) to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.

On motion of Mr. W. J. McKINLAY, the report was laid on the table to take up the Bill.

Mr. DeLARGE asked leave of the House to introduce

A Bill to amend an Act entitled "An Act to provide for the inspection of flour."

On this the yeas and nays were called, and are as follows:

Yeas, 40; nays, 46; absent and not voting, 35. Not agreed to.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Burton, Bryant, L. Cain, Collins, DeLarge, Dennis, Dusenberry, Drifflé, Elliott, Gray, Gardner, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Henderson, Harris, D. J. J. Johnson, H. James, Keith, G. Lee, S. J. Lee, Littlejohn, Moore, Milford, Martin, Miller, Nuckles, Perrin, Root, Stewart, Stolbrand, R. M. Smith, Saunderson, Simons, B. A. Thompson, Waller, Wooley and White.—40.

Those who voted in the negative are:

Messrs. Bosemon, Brodie, Brown, John Boston, Bishop, Boswell, E. J. Cain, Clyburn, Chestnut, Duvall, Feriter, Farr, Humphries, Holliman, Hyde, H. Johnson, S. Johnson, G. Johnson, Jacobs, B. James, Jervy, Lang, Mayer, W. McKinlay, W. J. McKinlay, McIntyre, McDaniels, Mead, Nash, Purvis, Pettengill, Ransier, Richardson, Rush, Rivers, Stoeber, Smalls, A. Smith, Smythe, Scott, S. B. Thompson, Tomlinson, Tinsley, Wilder, Wright and Webb.—46.

Those absent and not voting are:

Messrs. Bennett, Berry, Joseph Boston, Bullock, Cooke, Crews, Doyle, DeMars, Ezekiel, Field, Grant, Hutson, Jenks, Johnston, Jackson, Jones, Kuh, Lomax, Morrison, Mickey, Mobley, Mays, Nelson, Neagle, O'Connell, Prendegrass, Sloan, Shrewsbury, Sasportas, Smiley, Thomas, Turner, Valentine, Wilson and Whipper.—35.

Mr. DENNIS introduced the following resolution, which was agreed to:

Resolved, That a Committee of three on the part of the House be appointed to confer with a Committee of the Senate for the purpose of agreeing upon and reporting such Bills as are of the utmost importance and necessary to be passed by this special session of the General Assembly, with a view to effect the earliest possible adjournment; and that this Committee be allowed to sit during the present morning session, and be instructed to report before its close the result of their conference.

The SPEAKER announced Messrs. Dennis, Webb and S. J. Lee as the Committee.

Mr. JERVEY introduced the following resolution, which was, on motion of Mr. DeLARGE, laid on the table:

Resolved, That for the remainder of this session no member shall speak more than once in any one debate on the same day, nor more than ten minutes at any one time, without leave of the House.

Mr. CHESTNUT introduced the following resolution, which was agreed to:

Resolved, That no member of this House shall speak longer than fifteen minutes at any one time on any question before this House during the present session.

Mr. RANSIER, from the Committee on Privileges and Elections, reported (unfavorably) on a Bill (Senate) providing for the next general election and the manner of conducting the same, and on a Bill (Senate) providing for the formation and proceedings of the Colleges of Electors.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bills.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to organize the Supreme Court.

The Bill was read the third time, passed, the title thereof changed to an Act, and ordered to be enrolled.

A Bill to establish the office of County Treasurer was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Mr. G. LEE moved to take up from the table the following report from the Committee on Privileges and Elections. Agreed to.

The Committee on Privileges and Elections, to whom was referred the

Senate Bill providing for the next general election, and the manner of conducting the same; also, a Bill to provide for the formation and proceedings of the Colleges of Electors, beg leave to report that they have considered the same, and recommend that neither of the Bills do pass, and that they be returned to the Senate.

Your Committee have come to this conclusion because they are of the opinion that the House Bills now before the Senate more fully provides for the accomplishment of the purpose in these Bills, and desire to economize time.

The report was then, on motion of Mr. G. LEE, adopted, and the Bills ordered to be returned to the Senate, with a message informing that body of the action of the House.

Mr. RANSIER introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That a Joint Committee, consisting of three members of the House and _____ members of the Senate, be appointed to consider and report forthwith upon the Bills now pending in relation to elections.

A Bill to protect laborers and persons working under contract on shares of crops was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to provide for the filling of certain offices was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to amend an Act entitled "An Act to organize the Circuit Courts" was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to provide for the revision and consolidation of the statute laws of the State was taken up.

The Bill was put upon its second reading.

Mr. WILDER moved to wake the further consideration of the Bill the Special Order for to-morrow, at 1 P. M. Agreed to.

On motion of Mr. W. J. MCKINLAY, the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County was taken up.

Mr. SMALLS moved to postpone the consideration of the report until the next regular session

Mr. WILDER moved to lay the motion on the table. Agreed to.

Mr. CHESTNUT moved to make the further consideration of the report the Special Order for Wednesday next, at 1 P. M.

Mr. PURVIS moved to lay the motion on the table. Agreed to.

Mr. SMALLS moved to indefinitely postpone the consideration of the report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County. Not agreed to.

Mr. RANSIER moved to make the consideration of the report the Special Order for to-morrow, at 11:30 A. M.

Mr. HYDE moved to lay the motion on the table. Agreed to.

Mr. G. LEE moved to make the consideration of the report the Special Order for to-morrow, at 1:30 P. M.

Mr. HYDE moved to amend by making it the Special Order for 5:30 P. M. to-day. Agreed to by a vote, on division, of yeas, 39; nays, 4.

A Bill to define the jurisdiction and regulate the practice in the Justice Courts, being the unfinished business of September 16, was taken up.

The reading of Section 73 was continued.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following.

MESSAGE FROM THE GOVERNOR, No. 30.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 16, 1868.

To the Honorable the Speaker of the House of Representatives:

I have this day approved "An Act to authorize additional aid to the Blue Ridge Railroad Company, in South Carolina."

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

Also,

MESSAGE FROM THE GOVERNOR, No. 31.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 16, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I beg leave to transmit, for the information of the honorable body over which you preside, the enclosed letter from a citizen of St. John's Colleton, in reference to certain illegal and riotous proceedings on John's and Wadmalaw Islands, and implicating, I trust groundlessly, a member of your House, as countenancing and instigating them.

Inflammatory speeches and riotous proceedings, by bodies of men falsely pretending to act under the authority of the law, if not promptly arrested, must inevitably lead to disastrous consequences, and I earnestly appeal to the House of Representatives to take such steps as it may deem proper to vindicate its members from the charge of complicity with the authors of the outrages adverted to, that I may be better enabled to enforce the laws and preserve the public tranquility.

Very respectfully,
(Signed) ROBERT K. SCOTT, Governor.

On motion of Mr. TOMLINSON, the communication enclosed in Message No. 31 was received as information, and referred to a Special Committee of three.

The SPEAKER announced as the Committee Messrs. Tomlinson, G. Lee and Pettengill.

The consideration of the Bill to define the jurisdiction and regulate the practice in Justices' Courts was resumed.

Mr. FERITER moved to recommit Section 73 to the Committee on the Judiciary, with instructions to fill the blank in the Section. Agreed to.

Mr. WILDER moved to suspend the further consideration of the Bill until the Committee on the Judiciary report on Section 73. Agreed to.

A Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to suppress insurrection and rebellion was taken up.

On motion of Mr. JERVEY, the Bill was ordered to be printed, and made the Special Order for to-morrow, at 10:30 A. M.

A Bill (Senate) to regulate attachments was, on motion of Mr. TOMLINSON, taken up, consideration postponed, ordered to be printed, and made the Special Order for to-morrow, at 11 A. M.

A Bill (Senate) to regulate arrests and bail in civil actions was, on motion of Mr. TOMLINSON, taken up, consideration postponed, and ordered to be printed.

A Bill to define the jurisdiction and duties of County Commissioners was taken up.

The Bill was put upon its second reading.

The following amendment, proposed by the Committee on County Offices and Officers, was adopted :

Section 14, Article III, by inserting after the last word in said Section, these words : " provided that no such loan shall be created by the County Commissioners until they notify the General Assembly of the necessity thereof, and authority be granted by them to create said loan."

On motion of Mr. W. J. MCKINLAY, Section 18 was amended by striking out in the second line, printed Bill, the words "as often as may be," and insert in lieu thereof the word "whenever."

Mr. STOLBRAND moved to amend Section 19 by striking out in the third line, printed Bill, the word "County" before the word "Clerk," and insert after the word "Clerk" the words "of the Courts in said counties."

Mr. FERITER moved to indefinitely postpone the amendment.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

Consideration of message from the Senate, No. 21, and a Bill to repeal the charter of the town of Hamburg.

On motion of Mr. WILDER, the consideration of the Special Order was suspended until the further consideration of the Bill previously under discussion.

The consideration of the Bill to define the jurisdiction and duties of County Commissioners was renewed.

The question recurring on the indefinite postponement of the amendment offered by Mr. Stolbrand to Section 19, it was not agreed to by a vote, on division, of yeas, 16; nays, 19.

The amendment was not agreed to by a vote, on division, of yeas, 19; nays, 80.

The Section (19) was passed to a third reading.

Mr. FERITER moved to reconsider the vote by which Section 19 was passed to a third reading.

Mr. DELARGE moved to lay the motion to reconsider on the table

On this the yeas and nays were called, and resulted as follows:

Yeas, 31; nays, 41; absent and not voting, 49.

So the motion to lay on the table the motion to reconsider was not agreed to.

Those who voted in the affirmative are:

Messrs. Bryant, L. Cain, Cooke, Collins, Clyburn, DeLarge, Gray, Goodson, C. D. Hayne, J. N. Hayne, Humphries, H. Johnson, H. James, Jervy, Jones, Keith, Littlejohn, Mayer, W. J. McKinlay, Moore, Martin, Nuckles, Pettengill, Richardson, Root, Stewart, R. M. Smith, Saunders, Scott, Tomlinson and Wright.—31.

Those who voted in the negative are:

Messrs. Bosemon, Brown, Burton, John Boston, Joseph Boston, Bishop, Boswell, Chestnut, Driffler, Elliott, Feriter, Farr, Gardner, Hayes, Holliman, Henderson, D. J. J. Johnson, G. Johnson, Jacobs, B. James, G. Lee, Lang,

W. McKinlay, McIntyre, McDaniels, Mobley, Mead, Nash, Neagle, Purvis, Ransier, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Shrewsbury, Tinsley, Wilder and White.—41.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Bullock, E. J. Cain, Crews, Dennis, Dusenberry, Duvall, Doyle, DeMars, Ezekiel, Field, Grant, Hatson, Harris, Hyde, Jenks, Johnston, S. Johnson, Jackson, Kuh, Lomax, S. J. Lee, Morrison, Mickey, Milford, Mays, Miller, Nelson, O'Connell, Perriu, Prendegrass, Sloan, Smythe, Sasportas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Thomas, Turner, Valentine, Wilson, Waller, Wooley, Whipper and Webb.—49.

The question recurring on the motion to reconsider the vote by which Section 19 passed to a third reading, it passed in the affirmative

Mr. FERITER then moved to amend Section 19 by striking out the word "county," in the third line, and insert after the word "Clerk," in the third line, the words "of the Court of Common Pleas and General Sessions of said county." Agreed to.

The Section, as amended, was passed to a third reading.

Pending the second reading of Section 23, Mr. TOMLINSON moved to suspend the consideration of the Bill for five minutes. Agreed to.

Mr. TOMLINSON then introduced the following resolution, which, after considerable debate, was agreed to :

Resolved, That so much of the action of this House as prescribes the hours of meeting and adjournment be amended so as to do away with an afternoon session ; and that so much of said action as requires the House to adjourn each day at 2 P. M. be so amended as to allow the House to adjourn at such hour as the business of the day will permit.

Mr. Crews obtained leave of absence for four days.

At 2 P. M. the House adjourned until to-morrow, at 10 A. M.

FRIDAY, SEPTEMBER 18, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. BURTON.

The reading of the Journal of the previous day was, on motion of Mr. G. LEE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly and correctly engrossed for a third reading a Bill to repeal an Act prohibiting the digging of cellars in future within the limits of towns on the seaboard

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Mr. RANSIER, from the Committee on Privileges and Elections, reported on a Bill to provide for the election of the officers of cities and incorporated towns in the State of South Carolina, and recommended the adoption of a substitute.

The report was laid on the table to take up the substitute. Laid over for second reading.

Mr. DENNIS, from the Special Committee to lay before the House important business, reported as follows :

The Committee of Conference appointed by the Senate and House to consider what Bills are necessary to be passed at this special session of the General Assembly, having examined the Calendar of both Houses, recommend the immediate consideration, in their respective order, of the following Bills, which are necessary to be passed at this session, viz. :

1. Bill (House) to provide for the election by the State of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress.

2. Bill to determine the manner of disposing of lands purchased by the State for taxes.

3. Bill to supply temporary vacancies in the office of Governor.

4. Joint resolution (House) to provide for the publication of the Acts of the General Assembly.

5. Joint resolution relative to publication of proceedings of the late Constitutional Convention.

6. Bill (House) to organize and govern the militia of the State of South Carolina.

7. A Bill to fix the salary and define the duties of the Attorney-General.

8. A Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

9. A Bill to quiet rights vested under military orders.

10. A Bill to authorize a leasing of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina.

11. A Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina."

12. A joint resolution to appoint a Commission to inquire into the assets and liabilities of the Bank of the State of South Carolina.

13. A Bill to provide for the revision and consolidation of the statutes of the State.

14. A Bill to organize the Supreme Court.

15. A Bill to alter and amend an Act entitled "An Act to organize Circuit Courts."

16. A Bill to regulate the practice of the Circuit Courts in certain cases.

17. A Bill to regulate attachments.

18. A Bill to regulate arrests and bail in civil cases.

19. A Bill to organize townships, and define their powers and privileges.

20. A Bill to regulate the manner of drawing juries.

21. A Bill to define the jurisdiction and duties of the County Commissioners.

22. A Bill to provide for quarantine at Georgetown, Charleston and Hilton Head.

23. A Bill to fix the salaries of certain State officers.

24. A Bill to regulate the admission of persons to practice in the Courts of the State.

25. A Bill to declare the manner by which the lands of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement.

26. A joint resolution to provide for the public printing.

Nos 13, 14, 15, 16, 17 and 18 are House Bills.

B. F. WHITTEMORE, Chairman Senate Committee.

JOHN B. DENNIS, Chairman House Committee.

On motion of Mr. FERITER, the report was received as information.

PETITIONS, RESOLUTIONS, &c.

Mr. TOMLINSON, by leave, introduced

A Bill to provide for the transient sick poor in the city of Charleston. Read the first time, and referred to the Committee on Ways and Means.

PAPERS FROM THE SENATE.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 22.

IN THE SENATE, COLUMBIA, S. C., September 17, 1868
Mr Speaker and Gentlemen of the House of Representatives :

The Senate respectfully refuses to concur in the amendment of your

House to the Bill entitled "A Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary."

(Signed)

Respectfully,

L. BOOZER,
President of the Senate.

On motion of Mr. G. LEE, a message was sent to the Senate, informing that body that the House recedes from its amendment.

The Bill having been returned with the Message, was ordered to be engrossed for a third reading.

The Senate sent to this House a Bill to fix the salary and define the duties of the Attorney-General of the State. Read the first time, and referred to the Committee on the Judiciary.

The Senate sent to this House a joint resolution authorizing the Governor to appoint a Commissioner to take charge of the State Works at Greenville. Read the first time, and referred to the Committee on Public Buildings.

Also, a concurrent resolution to appoint a Committee on subjects requiring immediate consideration.

On motion of Mr. ELLIOTT, the resolution was laid on the table.

The Senate returned to this House, with amendments concurred in, a Bill to authorize the sale of the Columbia Canal. Laid over for a third reading.

Also, with amendments concurred in, a Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal. Laid over for a third reading.

Also, returned to this House a Bill to amend the charter of the Cheraw and Coalfields Railroad Company, amended as follows:

Amended the Bill, on second reading, in Section 5, by inserting between the words "with five" the words "one year to commence and," and in the same Section, struck out the words "to the North Carolina line."

On motion of Mr. G. LEE, the amendments were concurred in, and the Bill ordered to be returned to the Senate.

Also, with concurrence, a resolution for appointment of Committee on Bills now pending relative to elections.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 23.

IN THE SENATE, COLUMBIA, S. C., September 18, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully proposes to unite with your House in Joint Assembly on Monday next, at 12 M., to go into an election for a Circuit Judge, to supply the vacancy created by the refusal of Hon. G. W. Williams to qualify.

(Signed)

Very respectfully,

L. BOOZER,
President of the Senate.

On motion of Mr. G. LEE, a message was sent to the Senate informing that body that the House concurs in their proposition.

The Senate sent to this House a Bill to supply temporary vacancies in the office of Governor. Read the first time, and referred to the Committee on Vacant Offices.

Also, a Bill to determine the manner of disposing of lands purchased by the State for taxes. Read the first time, and referred to the Committee on Ways and Means.

Also, a Bill to quiet rights vested under military orders. Read the first time, and referred to the Committee on the Judiciary.

At the hour of 10:30 A. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to suppress insurrection and rebellion.

On motion of Mr. RANSIER, the Special Order was suspended temporarily.

The report of the Committee on Privileges and Elections on the contested seats of the members from Anderson County was taken up.

On motion of Mr. RANSIER, the report was laid on the table.

Mr. RANSIER then introduced the following resolution, which was agreed to :

Resolved, That the sitting members from Anderson County, John B. Moore, B. Frank Sloan and John Wilson, be, and they are hereby, confirmed in their seats.

On motion of Mr. JENKS, a Bill to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina was taken up.

The substitute reported by the Committee on Privileges and Elections was adopted.

The Bill was put upon its second reading.

On motion of Mr. RANSIER, Section 2 was amended by striking out all after the word "law" in the fifth line, printed Bill.

Mr. JENKS moved to amend Section 10 by inserting between the words "election shall" in the third line, printed Bill, the words "for the purpose of influencing his vote."

Pending this, at the hour of 11 A. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to regulate attachments.

On motion of Mr. G. LEE the Special Order was suspended until the further consideration of the Bill previously under discussion.

The consideration of a Bill to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina was renewed.

The amendment to Section 10, offered by Mr. Jenks, was withdrawn.

Mr. JENKS then moved to strike out the words "or give," in second line printed Bill. Agreed to by a vote, on division, of yeas, 47; nays, 18.

On motion of Mr. S. J. LEE, Section 10 was amended by inserting, between the words "saloons shall," the words "in the town or city where such election is held."

The Bill was read the second time, and ordered to be engrossed for a third reading.

The consideration of a Bill to suppress insurrection and rebellion was resumed.

On motion of Mr. ELLIOTT, the consideration of the Bill was suspended for five minutes.

The consideration of a Bill to regulate attachments was resumed.

On motion of Mr. ELLIOTT, the consideration of the Special Order was suspended for ten minutes.

Mr. ELLIOTT, from the Committee on Railroads, reported (favorably) on a Bill to declare the manner by which lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railroads and other works of internal improvement.

The report was laid on the table to take up the Bill.

The Bill was ordered to be engrossed for a third reading.

Mr. FERITER introduced the following resolution, which was agreed to by a vote, on division, of yeas, 50; nays, 5:

Resolved, That the Bills and resolutions reported by the Committee of Conference shall have precedence of all other business that is, or may be, brought before the present session, exclusive of the Calendar of to-day, except by concurrence of two-thirds of the members present.

Mr. DELARGE, by leave, introduced

A Bill to amend an Act entitled "An Act to provide for the inspection of flour." Read the first time, and referred to the Committee on Ways and Means.

The House resumed the consideration of a Bill to suppress insurrection and rebellion.

The Bill was put upon its second reading.

The time (ten minutes) for which the Special Order had been suspended having expired, the House proceeded to the consideration of a Bill to regulate attachments.

On motion of Mr. FERITER, the Special Order was again suspended until the further consideration of the Bill previously under discussion.

The consideration of the Bill to suppress insurrection and rebellion was renewed.

The second reading of the Bill was continued.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The House resumed the consideration of a Bill to regulate attachments.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 32.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 17, 1868.

To the Honorable the Speaker of the House of Representatives :

I have this day approved the following Acts, viz.:

1. An Act providing for the assessment and taxation of property.
2. An Act to provide for the temporary organization of the Educational Department of the State.
3. An Act to remove the county seat of Beaufort County from Gillisonville to the town of Beaufort.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to define the jurisdiction and duties of County Commissioners, being the unfinished business of September 17, was taken up.

The second reading of the Bill was continued.

Section 23 was passed to a third reading.

On motion of Mr. W. J. MCKINLAY, Section 24 was amended by striking out, in the first line of the printed Bill, the words "day of," and inserting in lieu thereof the words "Monday in."

The amendment proposed by the Committee on County Offices and Officers to Section 29, by striking out the word "three," in the fifth line, and inserting the word "four" and the word "five," in the sixth line, and inserting "ten," was adopted.

On motion of Mr. W. J. MCKINLAY, Section 33 was amended by striking out the word "it," in the eleventh line of the printed Bill, and inserting in lieu thereof the word "he."

Mr. W. J. MCKINLAY moved a reconsideration of the vote by which Section 29 was passed to a third reading. Agreed to by a vote, on division, of yeas, 23; nays, 2.

Mr. W. J. MCKINLAY then moved to amend Section 29 by striking out the words "five cents per mile," and inserting in lieu thereof the words "the actual cost of transportation." Agreed to.

The Bill was read the second time, and ordered to be returned to the Senate, as amended.

The report of the Committee on the Judiciary on the resolution of the Committee on the Penitentiary, in relation to convicts, &c., was taken up.

Mr. G. LEE moved the adoption of the report.

Mr. JACKSON moved the indefinite postponement of the motion to adopt the report.

Pending this, at the hour of 1 P. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the revision and consolidation of the statute laws of the State.

On motion of Mr. JACKSON, the Special Order was suspended until the further consideration of the report previously under discussion.

The consideration of the report of the Committee on the Judiciary on the resolution of the Committee on the Penitentiary, in relation to convicts, &c., was renewed.

Mr. JENKS moved to recommit the resolution to the Committee on the Judiciary, with instructions to report a resolution in proper form. Agreed to.

The consideration of the Bill to provide for the revision and consolidation of the statute laws of the State was resumed.

The Bill was put upon its second reading.

The substitute proposed by the Committee on the Judiciary to Section 1 was adopted.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The House proceeded to the consideration of message from the Senate No. 21, and a Bill to repeal the charter of the town of Hamburg.

The House reconsidered its action in passing the Bill to a third reading.

On motion of Mr. TOMLINSON, the request of the Senate to amend the Bill by striking out Section 2 was granted, and a message sent informing that body of the same.

Mr. J. N. HAYNE introduced the following resolution, which was agreed to:

Resolved, That the Sergeant-at-Arms be instructed to pay to W. J. Mixson, member of this House from Barnwell County, his mileage from and to his home.

A Bill to authorize the sale of the Columbia Canal was taken up. Read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to empower Circuit Judges to change the venue in actions, civil and criminal, was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

The SPEAKER announced the following Committee, in accordance with a resolution passed yesterday, to consider and report upon all pending Bills in relation to elections:

Messrs. Ransier, Feriter and Smalls.

Mr. NEAGLE, by leave, introduced

A Bill to regulate the proceedings in cases of assault with deadly weapons. Read the first time, and referred to the Committee on the Judiciary.

The House, on motion of Mr. NEAGLE, at 1:30 P. M., took a recess for ten minutes.

RECESS.

The SPEAKER resumed the chair.

A call of the House was ordered, and sixty-eight members answered to their names.

The further call was, on motion, suspended.

Mr. DELARGE, from the Committee on Ways and Means, reported a Bill to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of the State officers. Read the first time, and ordered to a second reading.

The House resumed the consideration of the

GENERAL ORDERS.

A Bill to regulate arrests and bail in civil actions was taken up.

The Bill was put upon its second reading.

On motion of Mr. NEAGLE, Section 8 was amended by inserting between the words "Peace or" the word "Magistrate."

On motion of Mr. WILDER, Section 11 was amended by striking out the word "either" in second line of printed Bill.

On motion of Mr. PURVIS, Section 11 was amended by striking out the word "bail," in the second line of printed Bill, and insert in lieu thereof the word "sureties"

On motion of Mr. PURVIS, Section 12 was amended by striking out the word "bail" wherever it occurs in the Section, and insert in lieu thereof the word "sureties."

On motion of Mr. NEAGLE, the vote whereby Sections 1 to 11, inclusive, were passed to a third reading was reconsidered.

On motion of Mr. WILDER, the Bill was recommitted to the Committee on the Judiciary, with instructions to report as soon as practicable.

The following members obtained leave of absence :

Mr. Miller, for ten days.

Mr. Waller, for ten days.

Mr. Tinsley, for six days.

Mr. Nelson, for four days.

Mr. Jones, for two days.

On motion of Mr. W. J. MCKINLAY, the House, at 2:20 P. M., adjourned until to-morrow, at 10 A. M.

SATURDAY, SEPTEMBER 19, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. J. PRENDEGRASS.

The reading of the Journal of the previous day was, on motion of Mr. G. LEE, dispensed with.

PETITIONS, RESOLUTIONS, &c.

Mr. G. LEE presented the petition of sundry citizens of James' Island, praying that "Holmes' Place" be designated a polling place. Referred to the Committee on Privileges and Elections.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of the State officers was taken up.

On motion of Mr. DELARGE, all the words after "Senate," in ninth line, printed Bill, to the word "and," in eleventh line, was stricken out.

On motion of Mr. DELARGE, Section 2 was amended in first line, printed Bill, by striking out the word "ten" before "thousand," and inserting in lieu thereof the word and figure "twelve (12);" also, by inserting between the words "Governor, Private," second line printed Bill, the words "Adjutant and Inspector-General, the State Constabulary force."

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. G. LEE, from the Committee on Public Buildings, reported (favorably) on a (Senate) joint resolution authorizing the Governor to appoint a Commissioner to take charge of the State Works at Greenville.

On motion of Mr. JACKSON, the report was laid on the table to take up the joint resolution.

The joint resolution was read the second time, and ordered to be engrossed for a third reading.

Mr. STOEBER, from the Committee on the Penitentiary, reported on a Bill to provide for the government of the South Carolina Penitentiary.

On motion of Mr. STOEBER, the report was laid on the table to take up the Bill.

The Bill was taken up, on motion of Mr. TOMLINSON, and immediately considered.

The Bill was put upon its second reading.

On the passing Section 14 to a third reading, the yeas and nays were called, and are as follows:

Yeas, 55; nays, 22; absent and not voting, 44.

So the Section was passed to a third reading.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Burton, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Drifflie, Elliott, Farr, Gray, Garduer, Goodson, Hayes, Humphries, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jackson, Jacobs, G. Lee, S. J. Lee, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mays, Nuokles, Perrin, Prendergrass, Pettengill, Ransier, Rivers, Stoeber, Stolbrand, A. Smith, Saunders, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder, White and Wright—55.

Those who voted in the negative are:

Messrs. John Boston, Boswell, DeLarge, Dusenberry, Feriter, C. D. Hayne, Holliman, B. James, H. James, Jervoy, Lang, Littlejohn, Mayer, Moore, Nash, Richardson, Rush, Stewart, Smalls, R. M. Smith, Smythe and Valentine.—22.

Those absent and not voting are :

Messrs. Bennett, Berry, Bullock, Bryant, L. Cain, Clyburn, Chestnut, Crews, Dennis, Duvall, Doyle, DuMars, Ezekiel, Field, Grant, J. N. Hayne, Jenks, Johnston, Jones, Kuh, Keith, Lomax, Morrison, Mobley, Milford, Martin, Mead, Miller, Nelson, Neagle, O'Connell, Purvis, Root, Sloan, Shrewsbury, Sasportas, Smiley, Tinsley, Turner, Wilson, Waller, Wooley, Whipper and Webb.—44.

The amendment proposed by the Committee to Section 15 by inserting, between the words "two thousand" and "dollars," the words "five hundred," was adopted.

The Bill was read the second time, and ordered to be returned to the Senate, as amended.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to incorporate the Longshoremen's Protective Union Association, of Charleston. Read the first time, and referred to the Committee on Incorporations.

The House resumed the consideration of the

GENERAL ORDERS.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State was taken up.

On motion of Mr. WILDER, the Bill was ordered to be printed, and the consideration of the same made the Special Order for Monday next, at 11 A. M.

Mr. W. J. MCKINLAY, from the Committee on the Judiciary, reported favorably on a Bill to quiet rights vested under military orders.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Also, reported favorably on a Bill to fix the salary and define the duties of the Attorney-General of the State.

On motion of Mr. TOMLINSON, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

A Bill to quiet rights vested under military orders was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to fix the salary and define the duties of the Attorney-General of the State was taken up, and, on motion of Mr. TOMLINSON, immediately considered.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. WHIPPER, from the Committee on the Judiciary, to whom was recommitting the resolution of the Committee on the Penitentiary, relating to the examination of the causes and circumstances connected with the imprisonment of the convicts in the Penitentiary, reported by a Bill to authorize the Governor to release certain convicts.

The Bill was read the first time, and ordered to be printed.

Mr. Clyburn obtained leave of absence for ten days.

On motion of Mr. ELLIOTT, at 12 M., the House took a recess until 5 P. M.

RECESS.

The SPEAKER resumed the chair at 5 P. M.

On motion of Mr. FERITER, a call of the House was ordered, and sixty-three members answered to their names.

On motion, the further call was suspended.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly and correctly engrossed for a third reading,

A Bill to quiet rights vested under military orders. Laid over for a third reading.

Also, a joint resolution authorizing the Governor to appoint a Commissioner to take charge of the State Works at Greenville. Laid over for a third reading.

On motion of Mr. DELARGE, it was

Resolved, That the Hon. John M. Langston, of Ohio, be invited to a seat on the floor of this House.

On motion of Mr. DELARGE, the House took a recess for five minutes.

RECESS.

The SPEAKER resumed the chair.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly and correctly engrossed for a third reading a Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement.

The Bill was put upon its third reading.

Mr. WHIPPER moved that the enacting clause of the Bill be stricken out. Not agreed to.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 24.

IN THE SENATE, COLUMBIA, S. C., September 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that a Bill sent by the House to the Senate entitled " A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication," has been laid on the table in the Senate.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 25.

IN THE SENATE, COLUMBIA, S. C., September 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully refuses to concur in the amendment of your House to a Bill entitled " A Bill to provide for the government of the South Carolina Penitentiary."

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Mr. ELLIOTT moved that the House recede from its amendment. Agreed to by a vote, on division, of yeas, 26; nays, 13.

A message was sent to the Senate informing that body of this action.

The Bill was ordered to be engrossed for a third reading.

Mr. WHIPPER, from the Committee on the Judiciary, reported (favorably) on a Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon.

On motion of Mr. JACKSON, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Also, a verbal report on Section 73 of a Bill to define the jurisdiction and regulate the practice of Justice Courts, which had been recommitted to fill the blank. The same had been filled by inserting the figures " 18 and 19."

On motion of Mr. JACKSON, the report was received as information.

Mr. NEAGLE introduced the following resolution, which was agreed to, and a message sent accordingly :

Resolved, That the Senate be invited to go into an election for Register

of Mesne Conveyance for Charleston County on Monday, immediately after the election of Judge of the sixth Circuit.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary. Read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to make additional appropriation for the payment of the per diem and mileage of the members and salaries of subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of State officers. Laid over for a third reading.

Also, on a Bill to provide for the election of the officers in the cities and incorporated towns in the State of South Carolina. Laid over for a third reading.

Mr. Thomas obtained leave of absence for three days.

On motion, at 8 P. M., the House adjourned until Monday, at 10 A. M.

MONDAY, SEPTEMBER 21, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. S. JOHNSON.

The reading of the Journal of Saturday was, on motion of Mr. A. SMITH, dispensed with.

Mr. BOSEMON, by leave, introduced

A Bill to establish quarantine at Georgetown, Charleston and Hilton Head. Read the first time, and referred to the Committee on Internal Improvements.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to authorize the Governor to release certain convicts was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to quiet rights vested under military orders was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to provide for the elections of the officers of the incorporated cities and towns in the State of South Carolina was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

A Bill to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of the State officers, was taken up.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

REPORTS FROM COMMITTEES.

Mr. DELARGE, from the Committee on Ways and Means, reported (favorably) on a Bill to provide assistance for the transient sick poor in the city of Charleston.

On motion of Mr. WILDER, the report was laid on the table to take up the Bill.

On motion of Mr. DELARGE, the Bill was made the Special Order for 10:50 A. M.

Also, reported (favorably) on a Bill to determine the manner of disposing of lands purchased by the State for taxes.

On motion of Mr. C. D. HAYNE, the report was laid on the table to take up the Bill.

Mr. DELARGE moved to make the consideration of the Bill the Special Order for 1:30 P. M.

Mr. FERITER moved to lay the motion on the table. Agreed to by a vote, on division, of yeas, 29; nays, 13.

The Bill was laid over for a second reading.

The House resumed the consideration of the

GENERAL ORDERS.

A (Senate) joint resolution authorizing the Governor to appoint a Commissioner to take charge of the State Works at Greenville was taken up.

The joint resolution was read the third time, passed, and ordered to be enrolled.

A Bill to define the jurisdiction and regulate the practice in Justices' Courts was taken up.

The second reading of Section 73 was continued.

On motion of Mr. FERITER, the further consideration of Section 73 was suspended for one hour.

The second reading of the Bill (at Section 74) was continued.

Pending the second reading of Section 76, Mr. FERITER moved to postpone the further consideration of the Bill until 1 P. M. Agreed to by a vote, on division, of yeas, 49; nays, 17.

At the hour of 10:50 A. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to provide for the transient sick poor in the city of Charleston.

The Bill was put upon its second reading.

Mr. PETTENGILL moved to postpone the consideration of the Bill until the next regular session.

Mr. TOMLINSON moved the indefinite postponement of the motion to postpone.

Pending this, the SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 26.

IN THE SENATE, COLUMBIA, S. C., September 21, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully asks permission of your body to delay the joint session of the Senate and House of Representatives, fixed for 12 M. this day, for the purpose of electing a Circuit Judge for the sixth Circuit, until Wednesday, September 23, 1868, at 5 o'clock P. M.

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. TOMLINSON, a message of concurrence was sent to the Senate.

At the hour of 11 A. M., the House proceeded to the consideration of the

SPECIAL ORDER.

A (Senate) Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

On motion of Mr. SHREWSBURY, the consideration of the Special Order was suspended until the further consideration of the Bill previously under discussion.

The consideration of a Bill to provide for the transient sick poor of the city of Charleston, was renewed.

Mr. TOMLINSON offered the following as a substitute for Section 1, which was agreed to :

SECTION 1. That twenty-five thousand dollars, or so much of that sum as may be necessary, be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to assist the authorities of the various towns and cities in the State in caring for the transient sick poor of such cities and towns.

Mr. TOMLINSON moved to amend the title of the Bill so as to read : A Bill to provide assistance for the transient sick poor in the various cities and towns of this State. Agreed to.

Mr. TOMLINSON offered the following as a substitute for Section 2, which was agreed to :

No portion of this appropriation shall be paid out of the Treasury, except upon the order of the Mayor or Intendant of such cities and towns, approved by the Governor of the State.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly and correctly engrossed for a third reading the following :

A Bill to fix the salary and define the duties of the Attorney-General of the State ;

A Bill to regulate attachments ;

A Bill to suppress insurrection and rebellion.

The above Bills were laid over for a third reading.

A Bill to determine the manner of disposing of lands purchased by the State for taxes was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The consideration of a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State was resumed.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

A Bill to suppress insurrection and rebellion was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to fix the salary and define the duties of the Attorney-General of the State was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill to regulate attachments was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 27.

IN THE SENATE, COLUMBIA, S. C., September 21, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully asks your body to inform the Senate what disposition has been made by the House of a Bill from the Senate entitled "A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina," the Senate having laid on the table a similar Bill from your body, and await your answer.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

A message was returned informing the Senate that the Bill referred to was in possession of the House Committee on the Judiciary.

Mr. Milford obtained leave of absence for ten days.

On motion, at 12:30 P. M., the House adjourned until to-morrow, at 10 A. M.

TUESDAY, SEPTEMBER 22, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. BERRY.

The reading of the Journal of the previous day was, on motion of Mr. EZEKIEL, dispensed with.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to fix the salary and regulate the pay of certain officers. Read the first time, and referred to the Committee on Ways and Means.

Also, a joint resolution to inquire into the liabilities and assets of the Bank of the State. Read the first time, and referred to the Committee on Ways and Means.

Also, returned to this House, with amendments, a Bill to repeal the charter of the town of Hamburg.

On motion of Mr. TOMLINSON, the Senate amendments were concurred in, and the Bill ordered to be returned to the Senate.

Also, sent to this House a Bill to renew the charter of the ferry over the Saluda River, known as Island Ford, in the County of Newberry. Read the first time, and referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 28.

IN THE SENATE, COLUMBIA, S. C., September 19, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that they concur in the amendments of your House to the Bill entitled "A Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties," and respectfully asks leave to further amend the Bill in several particulars recommended by the Committee on the Judiciary, on the part of the Senate, herewith sent to your House.

(Signed) Respectfully,

L. BOOZER,
President of the Senate.

On motion of Mr. TOMLINSON, the amendments of the Senate were concurred in, and a message sent accordingly.

The Bill was ordered to be returned to the Senate.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly and correctly engrossed for a third reading a Bill to provide for the government of the South Carolina Penitentiary.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to provide assistance for the transient sick poor in the various cities and towns of this State.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

Also, a Bill to authorize the Governor to release certain convicts.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

PETITIONS, RESOLUTIONS, &c.

Mr. TOMLINSON introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the Attorney-General of the State shall receive as compensation for his services during the time from his induction into office to the day on which the Act defining his duties and fixing his compensation shall become a law the same per diem and mileage as is allowed to members of the General Assembly : Provided, That he shall receive from the State no other compensation for his services during that time.

Mr. ROSEMON offered the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the law governing the printing for the General Assembly, and for the Executive and other Departments of the State Government, shall be as follows :

1. That the Laws, Journals, Bills, Reports and Resolutions shall be printed in such manner as to conform to the work printed for the session of the General Assembly of 1866, viz : The Journals, Reports and Resolutions shall be printed in long primer type, each page to contain one thousand seven hundred and five (1,705) ems.

The Bills to be six by eleven inches in dimensions, and to contain two thousand one hundred and seventy (2,170) ems of pica type.

The Acts or Laws to be printed, with side notes, in such type and size of page as the former Legislatures of this State.

2. The printing for the Executive and other Departments of the State Government shall be done under the direction of the several State officers by whom the work is required, and under such contract or contracts as shall be made by the Comptroller-General.

3. After the permanent work of this session is commenced, the Printer shall be paid, on account, such sums as shall be agreed upon by the Governor and the Treasurer of the State, not exceeding seven-eighths ($\frac{7}{8}$) of the amount which may be due at the time of such payment.

4. When the work shall be completed and ready for delivery, the Treasurer of the State, before paying the account of the Printer in full, shall submit the entire work to a competent printer, who shall measure the said

work, and if the work has been done in conformity to the contract and the foregoing rules, it shall be delivered to the Treasurer of the State, who shall have authority, with the advice and consent of the Governor, to pay the balance due to the Printer.

Read the first time, and referred to the Committee on Public Printing.

PAPERS FROM THE SENATE.

The Senate sent to this House the following concurrent resolution to appoint Joint Committees on unfinished business :

Resolved, by the House of Representatives, the Senate concurring, That a Joint Committee, consisting of two from the Senate and three from the House of Representatives, be appointed to confer upon the unfinished business of both Houses during the remainder of the session.

Concurred in, and ordered to be returned to the Senate.

The SPEAKER announced as the Committee on the part of the House Messrs Tomlinson, Elliott and Lomax

A message was sent to the Senate advising that body of said appointment. Also, with concurrence, a resolution in reference to an adjournment, *sine die*, of this General Assembly, on Thursday, September 24.

Mr. J. N. HAYNE introduced the following joint resolution :

Whereas John G. Itgen, of the city of Charleston, did, during the year A. D. 1867, erect a wooden building on the north side of Tradd street, on made land, near the water, in the city of Charleston; and whereas the erection of said building was in violation of the provisions of an Act entitled "An Act for the rebuilding of the city of Charleston," passed June 1, A. D. 1838, as amended by an Act entitled "An Act to amend the laws in relation to the erection of wooden buildings in the city of Charleston," passed December 21, A. D. 1856; and whereas the said building was erected by the permission of the City Council of Charleston, and under a misapprehension of the proper construction of the aforesaid Acts; therefore,

Resolved, by the House of Representatives, the Senate concurring, That the premises upon which the said wooden building has been erected by the said John G. Itgen be, and the same are hereby, exempted from the effect of the aforesaid Acts, and the said John G. Itgen is hereby indemnified against all fines and penalties for the violation of the same.

Read the first time, and referred to the Committee on the Judiciary.

Mr. DEMARS, from the Committee on Vacant Offices, reported favorably on a Bill to supply temporary vacancies in the office of Governor.

The report was laid on the table to take up the Bill.

The Bill was read the second time, and ordered to be engrossed for a third reading.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to define the jurisdiction and regulate the practice in Justices' Courts was taken up.

On motion of Mr. TOMLINSON, the further consideration was postponed until the next regular session.

On motion of Mr. TOMLINSON, a (Senate) Bill to provide for the payment of the per diem and mileage and current expenses of the General Assembly, which had been ordered to lie on the table on August 26, after its second reading, was taken up from the table and recommitted to the Committee on Ways and Means, with instructions to make the necessary amendments.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to determine the manner of disposing of lands purchased by the State for taxes.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Mr. RANSIER, from the Joint Committee on Elections, submitted the following report:

The Joint Committee of the Senate and House of Representatives, to whom was referred the Bills relating to elections, have considered the same, and recommend that the Senate Bill entitled "A Bill providing for the next general election and the manner of conducting the same" do pass, with the following amendment, viz.: After the first sentence in the first Section insert: "Said Commissioners are authorized to increase or diminish the number of polling places in their respective counties." Also, insert the following as Section 11 of the Bill:

SECTION 11. If any company or corporation who have obtained, or may hereafter obtain, a charter from the Legislature of this State, for the benefit of such company or corporation, shall discharge, or threaten to discharge, from employment in such business, any operative or employee, at, before or after any election, for or on account of his political opinion, or for voting or attempting to vote as he or they may desire, said charter shall be deemed and taken to be forfeited, and shall have no legal or binding force at any time thereafter, but shall be utterly null and void; and the person discharged may have an action of trespass to recover damages for his losses therein sustained, against the said company or corporation; and should any agent or

clerk in the employment of such company or corporation discharge, or threaten to discharge, any employee on account of his political opinion, or for voting or attempting to vote as he or they may desire, if said agent or clerk is not immediately dismissed when said company or corporation becomes possessed of such information, said company or corporation shall be held responsible for the same, and be liable to the penalties hereinbefore prescribed.

The Committee also recommend that the Senate Bill entitled "A Bill providing for the formation and proceedings of the Colleges of Electors" do pass.

On motion of Mr. C. D. HAYNE, the report was laid on the table to take up the Bill.

On motion of Mr. RANSIER, the Bills were ordered to be printed.

On motion of Mr. ELLIOTT, it was

Resolved, That when this House adjourns, it stands adjourned until 6 P. M.

On motion of Mr. ELLIOTT, at 11:30 A. M., the House took a recess for one hour.

RECESS.

The SPEAKER resumed the chair.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following:

MESSAGE FROM THE GOVERNOR, No. 33.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 22, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day approved the following Acts, viz.:

1st. An Act to authorize a lease of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina.

2d. An Act to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

Also,

MESSAGE FROM THE GOVERNOR, No. 34.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 21, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day approved the Act to enable the Chatham Railroad Company to extend their road to Columbia.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

Also,

MESSAGE FROM THE GOVERNOR, No. 35.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 19, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day approved the following Acts, viz.:

1st. An Act to provide transportation for convicts discharged from the State Penitentiary.

2d. An Act to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as the Bills Receivable of the State of South Carolina."

3d. An Act to extend the time for officers to qualify.

4th. An Act to incorporate the Wando Mining and Manufacturing Company.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

Also,

MESSAGE FROM THE GOVERNOR, No. 36.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 21, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I respectfully transmit for the information of the House of Representatives the enclosed letter, from Dr. S. B. Thompson, relative to the illegal organizations and proceedings on John's Island. He has been connected with the Freedmen's Bureau, since its establishment, as a physician, during which he has given many evidences of his benevolence and kindly feelings towards the colored race, and his sincere desire for their welfare and prosperity. His statements may be implicitly relied on.

Very respectfully,

(Signed)

ROBERT K. SCOTT, Governor.

The enclosed communication was referred to the Special Committee to whom was referred a similar communication accompanying Message No. 31.

Mr. W. M. McKINLAY, from the Committee on Ways and Means, reported on a Bill to provide for the payment of the per diem and mileage and current expenses of the General Assembly, with certain amendments.

On motion of Mr. FERITER, the report was laid on the table to take up the Bill.

The vote by which the several Sections had been passed to a third reading was reconsidered.

The amendments proposed by the Committee, as follows, were adopted :

Section 1. Amended by striking out the words "such an," before "amount," and inserting the word "the." Also, striking out the words "of his," before the word "mileage." Also, striking out all the words after the words "per diem" to "1868," and inserting in lieu thereof "due him from the 1st of September, 1868, to the last day of the present session, inclusive."

Section 2. Amended by inserting between the words "exchange and" the words "said rate to be fixed by the Treasurer of the State."

Section 4. Amended by inserting between the words "Carolina and" the words "at the current rates as provided in Section 2 of this Bill."

On motion of Mr. TOMLINSON, Section 5 was stricken out.

On motion of Mr. TOMLINSON, the title was changed by striking out "current expenses" and inserting in lieu thereof "employees."

The Bill, as amended, was ordered to be engrossed for a third reading.

Mr. ELLIOTT introduced the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Benjamin Byas be, and he is hereby, appointed to take charge of the property of the General Assembly until the next regular session of the same, and that for this service he shall receive the same compensation as is now allowed to the Assistant Sergeant-at-Arms of the House of Representatives.

Read the first time, and referred to the Committee on Ways and Means.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to amend an Act entitled "An Act to provide for the inspection of flour." Read the first time, and referred to the Committee on the Judiciary.

Also, a joint resolution for the relief of John G. Itgen. Read the first time, and referred to the Committee on Ways and Means.

Also, a Bill to establish quarantine at Georgetown, Charleston and Hilton Head. Read the first time, and referred to the Committee on Internal Improvements.

Also, a resolution to relieve the Western Union Telegraph Company from double tax. Read the first time, and referred to the Committee on Ways and Means, with instructions to report to-morrow.

Also, returned to this House a Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties, with amendments inserted as noted in message No. 28.

The amendments having been concurred in by the House, the Bill was ordered to be engrossed for a third reading.

Also, returned, with an amendment, a Bill to provide for the revision and consolidation of the statute laws of the State by a substitute for Section 1.

Mr. ELLIOTT moved that a message be sent to the Senate informing that body that the House refuses to concur in the amendment to Section 1.

On this the yeas and nays were called by Mr. FERITER, and are as follows :

Yeas, 51 ; nays, 29 ; absent and not voting, 41.

So a message was sent to the Senate accordingly.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Boscmon, Brown, John Boston, Joseph Boston, L. Cain, E. J. Cain, Dennis, Driffle, Elliott, Ezekiel, Farr, Gray, Gardner, Goodson, C. D. Hayne, Humphries, Holliman, Jenks, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jervey, Jones, G. Lee, S. J. Lee, Lang, Mayer, Mickey, McDaniels, Mubley, Mays, Nash, Nuckles, Neagle, Perrin, Prendergrass, Ransier, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Smythe, B. A. Thompson, S. B. Thompson, Whipper and White—51.

Those who voted in the negative are :

Messrs. Bishop, Boswell, Cooke, Collins, Crews, Dusenberry, Duvall, DeMars, Feriter, Grant, Hutson, Henderson, Harris, Jackson, Jacobs, B. James, Keith, Loumax, W. McKinlay, Moore, Martin, Pettengill, Root, Stewart, Stoeber, R. M. Smith, Shrewsbury, Swiley and Scott.—29.

Those absent and not voting are :

Messrs. Bennett, Berry, Brodie, Burton, Bullock, Bryant, Clyburn, Chestnut, DeLarge, Doyle, Field, Hayes, J. N. Hayne, Hyde, H. James, Kuh, Littlejohn, Morrison, W. J. McKinlay, McIntyre, Milford, Mead, Miller, Nelson, O'Connell, Purvis, Richardson, Sloan, Saspotas, Simons, Tomlinson, Thomas, Tinsley, Turner, Valentine, Wilson, Wilder, Waller, Wooley, Wright and Webb.—41.

Also, a joint resolution to carry out the contract made between the late

Constitutional Convention and Denny & Perry for printing the proceedings of the said Convention.

The joint resolution was read the third time, and referred to the Committee on Ways and Means and Public Printing jointly.

Also, returned, with an amendment, a Bill to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and the expenses of the General Assembly, and for the payment of the salaries of the State officers. Amended by striking out, in Section 1, the word "members" between "of" and "officers."

The amendment was concurred in, and the Bill ordered to be returned to the Senate.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to supply temporary vacancies in the office of Governor.

The Bill was laid over for a third reading.

Also, a Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon.

The Bill was read the third time, passed, and ordered to be sent to the Senate.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 29.

IN THE SENATE, COLUMBIA, S. C., September 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that they concur in the amendments of your body to a Bill entitled "A Bill to define the jurisdiction and duties of County Commissioners," with the exceptions mentioned in the report of the Committee on the Judiciary and the accompanying Bill.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. G. LEE, the House receded from its amendments to Sections 24 and 33, but insisted upon its amendment to Section 29.

On motion of Mr. G. LEE, a message was sent to the Senate informing that body of the action of the House.

On motion, at 2:45 P. M., the House adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Mr. NEAGLE introduced the following resolution, which was agreed to, and a message accordingly sent:

Resolved, That the honorable Senate be invited to join with the House in the election of twenty persons to fill the vacancies in the Board of Trustees of the South Carolina University, on Wednesday next, the 23d instant, as soon as the other elections are gotten through with which have been agreed upon.

PAPERS FROM THE SENATE.

The Senate returned, with concurrence, the resolution requesting the Comptroller-General to make a report of the lands owned by the State.

REPORTS FROM COMMITTEES.

Mr. PURVIS, from the Committee on Incorporations, reported back a Bill to incorporate the Citizens' Savings Bank, with amendments.

On motion of Mr. WHIPPER, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 30.

IN THE SENATE, COLUMBIA, S. C., September 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that under the resolution for the appointment of a Joint Committee on unfinished business, Messrs. Corbin and Rainey have been appointed Committee on the part of the Senate.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

A Bill to incorporate the Citizens' Savings Bank was taken up.

Mr. TOMLINSON moved to postpone the consideration of the Bill until the next regular session. Agreed to by a vote, on division, of yeas, 24; nays, 14.

Mr. STOLBRAND moved to reconsider the vote whereby the Bill to incorporate the Citizens' Savings Bank was postponed until the next regular session.

Mr. TOMLINSON moved to lay the motion on the table. Agreed to by a vote, on division, of yeas, 37; nays, 11.

Mr. NEAGLE introduced the following resolution, which was agreed to by a vote, on division, of yeas, 23; nays, 5; and a message sent accordingly:

Resolved, That the honorable Senate be invited to join the House in the election of nine persons to fill the vacancies in the Regency of the Lunatic Asylum of South Carolina, on Wednesday next, 23d instant, after the other elections are gotten through with which have already been agreed upon.

Mr. TOMLINSON introduced the following resolution, which was agreed to:

Resolved, That this House hereby votes to the Speaker a gratuity of three hundred dollars for his services during this special session.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 31.

IN THE SENATE, COLUMBIA, S. C., September 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully insists upon its amendments to the Bill entitled "A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina," and ask for a Committee of Conference. The Senate have appointed Messrs. Corbin, Arnim and Hayes the Committee on the part of the Senate.

(Signed)

Respectfully,

L. BOOZER,
President of the Senate.

On motion of Mr. ELLIOTT, a Committee of five was appointed on the part of the House, viz.:

Messrs. Elliott, Bosemon, Smalls, Jenks and Purvis.

A message was sent to the Senate informing that body of the appointment of said Committee.

Also,

MESSAGE FROM THE SENATE, No. 32.

IN THE SENATE, COLUMBIA, S. C., September 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully insists on its disagreement to the amendment of the House to the 29th Section of a Bill entitled "A Bill to define the jurisdiction and duties of County Commissioners," and request a Committee of Conference. The Senate have appointed Messrs. Hayne, Foster and Owens the Committee on the part of the Senate.

(Signed)

Respectfully,

L. BOOZER,
President of the Senate.

On motion of Mr. JACKSON, a Committee of five was appointed on the part of the House, viz.: Messrs. Jackson, Wilder, Stoeber, Ezekiel and Boswell.

A message was sent to the Senate informing that body of the appointment of said Committee.

On motion of Mr. WILDER, at 6 P. M., the House adjourned until tomorrow, at 10 A. M.

WEDNESDAY, SEPTEMBER 23, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. M. VALENTINE.

The reading of the Journal of the previous day was, on motion of Mr. O. D. HAYNE, dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WHIPPER, from the Committee on the Judiciary, reported (favorably) on a (Senate) Bill to amend an Act entitled "An Act to provide for the inspection of flour."

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

On motion of Mr. BANSIER, the House proceeded to the immediate consideration of the Bill.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Also, reported (favorably) on a joint resolution to indemnify John G. Itgen from fines and penalties.

On motion of Mr. FERITER, the report was laid on the table to take up the joint resolution.

The joint resolution was read the second time, and ordered to be engrossed for a third reading.

Also, reported (favorably) on a Bill to regulate arrests and bail in civil actions.

On motion of Mr. G. LEE, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to provide for the payment of the per diem and mileage of the members and of the employees of the General Assembly of South Carolina.

The Bill was read the third time, passed, and ordered to be returned to the Senate.

Mr. CREWS, from the Committee on Internal Improvements, reported (favorably) on a Bill to establish quarantine at Georgetown, Charleston and Hilton Head.

On motion, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Mr. BOSEMON, from the Committee on Public Printing, reported (favorably) on a joint resolution to provide for the public printing.

The report was laid on the table to take up the joint resolution.

The joint resolution was read the second time, and ordered to be engrossed for a third reading.

PAPERS FROM THE SENATE.

The Senate sent to this House a concurrent resolution to authorize the Governor to convene the next regular session of the General Assembly in the city of Charleston.

Mr. JACKSON moved that the House do concur.

Mr. WILDER moved to lay the motion to concur on the table. Not agreed to by a vote, on division, of yeas, 20; nays, 30.

Mr. STOLBRAND moved to indefinitely postpone the motion to concur.

Mr. DENNIS moved to lay the motion to indefinitely postpone on the table. Agreed to by a vote, on division, of yeas, 50; nays, 20.

The question recurring on the motion to concur, the yeas and nays were called, and are as follows:

Yeas, 43; nays, 48; absent and not voting, 30.

So the motion to concur was not agreed to.

Those who voted in the affirmative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Brown, Burton, Boswell, Cooke, Collins, Crews, DeMars, Feriter, Farr, Gray, Grant, C. D. Hayne, Humphries, Harris, Jenks, D. J. J. Johnson, Jackson, H. James, B. James, Jones, Mayer, Mickey, McIntyre, Mobley, Martin, Mays, Mead, Nash, Nuckles, Perrin, Pettengill, Ransier, Rush, Smalls, Saunders, Smiley, Scott, B. A. Thompson, Thomas, White and Wright.—43.

Those who voted in the negative are:

Messrs. Bosemon, Berry, John Boston, Joseph Boston, Bishop, L. Cain, E. J. Cain, Dennis, Dusenberry, Drifflie, Duvall, Elliott, Ezekiel, Gardner, Goodson, Hayes, Holliman, Henderson, Hyde, H. Johnson, S. Johnson,

G. Johnson, Jacobs, Jervey, Keith, Lomax, G. Lee, S. J. Lee, Lang, Littlejohn, W. J. McKinlay, McDaniels, Moore, Purvis, Prendergrass, Rivers, Stewart, Stoeber, Stolbrand, A. Smith, R. M. Smith, Shrewsbury, Simons, S. B. Thompson, Tomlinson, Valentine, Wilder and Whipper.—48.

Those absent and not voting are :

Messrs Bennett, Bullock, Bryant, Clyburn, Chestnut, DeLarge, Doyle, Field, J. N. Hayne, Hutson, Johnston, Kuh, Morrison, Wm. McKinlay, Milford, Miller, Nelson, Neagle, O'Connell, Richardson, Root, Sloan, Smythe, Sasportas, Tinsley, Turner, Wilson, Waller, Wooley and Webb.—30.

Previous to the announcement of the foregoing vote, the SPEAKER ruled that a two-thirds vote was necessary to render the resolution valid on its adoption.

An appeal by Mr. RANSIER was taken from the decision of the Chair.

On this the yeas and nays were called, and are as follows :

Yeas, 67 ; nays, 25 ; absent and not voting, 29.

So the decision of the Chair was sustained.

Those who voted in the affirmative are :

Messrs. Rosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, Bishop, L. Cain, E. J. Cain, Collins, Crews, Dusenberry, Driffle, Duvall, DeMars, Elliott, Garduer, Grant, Goodson, Hayes, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, S. Johnson, G. Johnson, Jacobs, Jervey, Keith, Lomax, G. Lee, S. J. Lee, Lang, Littlejohn, W. J. McKinlay, Mickey, McDaniels, Moore, Martin, Nash, Purvis, Perrin, Prendergrass, Richardson, Rush, Stewart, Stoeber, Stolbrand, Smalls, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Simons, Smiley, Scott, S. B. Thompson, Tomlinson, Thomas, Valentine, Wilder and Whipper.—67.

Those who voted in the negative are :

Messrs Cooke, Dennis, Ezekiel, Feriter, Farr, Gray, C. D. Hayne, Harris, Jenks, Jackson, B. James, H. James, Jones, Mayer, McIntyre, Mobley, Mays, Mead, Nuckles, Pettengill, Ransier, Rivers, B. A. Thompson, White and Wright.—25.

Those absent and not voting are :

Hon. F. J. Moses, Jr, Speaker, and Messrs. Bennett, Berry, Bullock, Bryant, Clyburn, Chestnut, DeLarge, Doyle, Field, J. N. Hayne, Johnston, Kuh, Morrison, Wm McKinlay, Milford, Miller, Nelson, Neagle, O'Connell, Root, Sloan, Sasportas, Tinsley, Turner, Wilson, Waller, Wooley and Webb.—29.

Mr. WILDER moved that the vote by which the House refused to concur in a (Senate) concurrent resolution, authorizing the Governor to convene the next regular session in Charleston, be reconsidered, and lay the motion to reconsider on the table.

On this the yeas and nays were called, and are as follows :

Yeas, 42 ; nays, 44 ; absent and not voting, 35. Not agreed to.

Those who voted in the affirmative are :

Messrs. Bosemon, Berry, Burton, John Boston, Boswell, Bishop, L. Cain, F. J. Cain, Collins, Driffle, Duvall, Elliott, Ezekiel, Grant, Goodson, Hayes, Humphries, Holliman, Hutson, Hyde, S. Johnson, G. Johnson, Jacobs, Keith, Littlejohn, McDaniels, Moore, Purvis, Prendegrass, Rivers, Stewart, Stolbrand, Smalls, R. M. Smith, Saunders, Shrewsbury, Simons, B. A. Thompson, S. B. Thompson, Tomlinson, Valentine and Wilder.—42.

Those who voted in the negative are :

Messrs. Brodie, Brown, Cooke, Crews, Dennis, Dusenberry, DeMars, Ferrier, Farr, Gray, Gardner, C. D. Hayne, Henderson, Harris, Jenks, D. J. J. Johnson, Jackson, B. James, H. James, Jones, Lomax, G. Lee, S. J. Lee, Mayer, Wm. McKinlay, Mickey, McIntyre, Martin, Mays, Mead, Nash, Nuckles, Perrin, Pettengill, Ransier, Richardson, Rush, A. Smith, Smythe, Smiley, Scott, Thomas, White and Wright.—44.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Joseph Boston, Bullock, Bryant, Clyburn, Chestnut, DeLarge, Doyle, Field, J. N. Hayne, H. Johnson, Johnston, Jervey, Kuh, Lang, Morrison, W. J. McKinlay, Mobley, Milford, Miller, Nelson, Neagle, O'Connell, Root, Sloan, Stoeber, Sasportas, Tinsley, Turner, Wilson, Waller, Wooley, Whipper and Webb — 35.

The Senate returned to this House a concurrent resolution relative to the compensation of the Attorney-General, with amendment, by striking out, the words "same per diem," and inserting "sum of ten dollars per day."

On motion of Mr. G. LEE, the amendment was concurred in.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a joint resolution indemnifying John G. Itgen from all fines and penalties. Laid over for a third reading.

Also, a Bill to amend an Act entitled "An Act to provide for the inspection of flour." Laid over for a third reading.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the formation and proceedings of the Colleges of Electors was taken up.

The Bill was put upon its second reading.

On motion of Mr. ELLIOTT, the further consideration of the Bill was suspended for five minutes.

Mr. ELLIOTT, from the Committee of Conference on the part of the House, submitted the following report :

The Committee of Conference, appointed by the House to act in conjunction with a Committee of the Senate on the disagreement between the two Houses on a Bill entitled "A Bill to provide for the revision and consolidation of the statute laws of the State," beg leave to report that they have, in obedience to the instructions of this House, held a conference with the Senate Committee without being able to effect an agreement.

Mr. JACKSON moved that the report be received as information, and a Committee of five (5) on Free Conference be appointed by the Chair. Agreed to.

A message, requesting the appointment of a like Committee, was sent to the Senate.

The consideration of the Bill previously under discussion (Bill to provide for the formation and proceedings of the Colleges of Electors) was resumed.

The second reading of the Bill was continued.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. JACKSON, from the Committee of Conference on the part of the House, submitted the following report :

The Committee of Conference on the part of the House, who were appointed to meet the Committee on the part of the Senate to adjust the difference between the two Houses on the amendments proposed by this House to Section 29 of a Bill to define the duties of County Commissioners, beg leave to report that they have met the Committee on the part of the Senate, and have agreed upon the following compromises, viz. : to recommend

1st. That the House recede from its amendment making the pay of Commissioners four dollars (\$4) per day, and allow the pay to remain at three dollars per day.

2d. That the Committee recommend the Senate to agree to the House amendment allowing said Commissioners their actual traveling expenses.

On motion of Mr. TOMLINSON, the report was received as information, and the House receded from its amendment.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 83.

IN THE SENATE, COLUMBIA, S. C., September 23, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate informs your body that they respectfully decline to accede to the propositions in the messages of this date from your House, to enter into an election for persons to fill vacancies in the Regency of the Lunatic Asylum of South Carolina and Board of Trustees of the South Carolina University.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Mr. ROOT, from the Committee on Ways and Means, reported (favorably) on a joint resolution to appoint a Committee to inquire into the liabilities and assets of the State of South Carolina.

On motion, the report was laid on the table to take up the joint resolution.

The joint resolution was put upon its second reading.

Mr. ELLIOTT moved to postpone the further consideration until the next regular session.

Mr. TOMLINSON moved to lay the motion to postpone on the table. Not agreed to by a vote, on division, of yeas, 12 ; nays, 14.

The question recurring on the motion to postpone, it was not agreed to.

Mr. ELLIOTT moved to strike out the resolving clause of the joint resolution.

Mr. TOMLINSON moved to lay the motion to strike out on the table.

On this the yeas and nays were called, and are as follows :

Yeas, 40 ; nays, 80 ; absent and not voting, 51. Agreed to.

Those who voted in the affirmative are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brown, Burton, John Boston, Crews, Duvall, DeMars, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Jackson, B. James, Keith, Littlejohn, Mayer, McDaniels, Moore, Mays, Nash, Purvis, Root, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, R. M. Smith, Saunders, Shrewsbury, Smythe, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, and Thomas.—40.

Those who voted in the negative are :

Messrs. Berry, L. Cain, E. J. Cain, Driffler, Elliott, Feriter, Farr, Gray, Grant, Goodson, Holliman, Hutson, Henderson, Harris, D. J. J. Johnson, H. Johnson, S. Johnson Jacobs, H. James, Jervy, G. Lee, S. J. Lee, Mickey, Mobley, Nuckles, Neagle, Perrin, Prendegrass, Ransier and Whipper.—30.

Those absent and not voting are :

Messrs. Bennett, Brodie, Joseph Boston, Boswell, Bullock, Bryant, Bishop, Cooke, Collins, Clyburn, Chestnut, DeLarge, Dennis, Dusenberry, Doyle, Ezekiel, Field, Hyde, Jenks, Johnston, G. Johnson, Jones, Kuh, Lomax, Lang, Morrison, Wm. McKinlay, W. J. McKinlay, McIntyre, Milford, Martin, Mead, Miller, Nelson, O'Connell Pettengill, Richardson, Sloan, Stewart, Sasportas, Simons, Scott, Tinsley, Turner, Valentine, Wilson, Wilder, Waller, Wooley, White, Wright and Webb.—51.

Section 1 was passed to a third reading by a vote, on division, of yeas, 43 ; nays, 11.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 34.

IN THE SENATE, COLUMBIA, S. C., September 23, 1868.

Mr Speaker and Gentlemen of the House of Representatives :

The Senate respectfully concurs in the proposition of your House to appoint a Committee of Free Conference to adjust differences relative to a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina, and have appointed Messrs. Rose, Sims and Jillson the Committee on the part of the Senate.

Very respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The SPEAKER announced as the Committee on the part of the House Messrs. Neagle, W. J. McKinlay, G. Lee, Whipper and Ransier.

A message was sent to the Senate informing that body of the said appointment.

The House resumed the consideration of a joint resolution relative to the appointment of a Joint Committee to inquire into the assets and liabilities of the State.

Section 2 was passed to a third reading.

Mr. ELLIOTT moved to postpone the further consideration of the joint resolution until the next regular session.

On this the yeas and nays were called, and are as follows :

Yeas, 29 ; nays, 39 ; absent and not voting, 53.

So the motion to postpone was not agreed to.

Those who voted in the affirmative are :

Messrs. Elliott, Feriter, Farr, Gray, Gardner, Grant, Holliman, Hutson, Harris, Jenks, Jervy, Jones, G. Lee, S. J. Lee, Lang, Mickey, Mobley, Nuckles, Neagle, Perrin, Prendegrass, Rush, Smalls, A. Smith, Smythe, Scott, B. A. Thompson, Whipper and White.—29.

Those who voted in the negative are :

Messrs. Bosemon E. J. Cain, Cooke, Chestnut, Crews, Drifflie, Duvall, DeMars, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Henderson, D. J. J. Johnson, Jackson, Jacobs, B. James, Keith, Littlejohn, Mayer, Wm. McKinlay, McIntyre, Moore, Martin, Mays, Nash, Purvis, Pettengill, Ransier, Richardson, Root, Stewart, Stoeber, Stolbrand, R. M. Smith, Shrewsbury, Smiley, Tomlinson and Wilder.—39.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, Bullock, Bryant, Bishop, L. Cain, Collins, Clyburn, DeLarge, Dennis, Duseberry, Doyle, Ezekiel, Field, Hayes, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, H. James, Kuh, Lomax, Morrison, W. J. McKinlay, McDaniels, Milford, Mead, Miller, Nelson, O'Connell, Rivers, Sloan, Saunders, Sasportas, Simons, S. B. Thompson, Thomas, Tinsley, Turner, Valentine, Wilson, Waller, Wooley, Wright and Webb.—53.

Mr. SMALLS moved to strike out Section 3.

Mr. CHESTNUT moved to lay the motion on the table.

On this the yeas and nays were called, and are as follows :

Yeas, 44 ; nays, 24 ; absent and not voting, 53.

So the motion to strike out was laid on the table.

Those who voted in the affirmative are :

Messrs. Bosemon, Cooke, Chestnut, Crews, Drifflie, Duvall, DeMars, Gardner, Grant, Goodson, C. D. Hayne, J. N. Hayne, Humphries, Henderson, D. J. J. Johnson, Jackson, Jacobs, B. James, Keith, Littlejohn, Mayer, W. McKinlay, McIntyre, Moore, Martin, Mays, Nash, Neagle, Purvis, Pettengill, Ransier, Richardson, Root, Stewart, Stoeber, Stolbrand, R. M. Smith, Saunders, Shrewsbury, Simons, Smiley, B. A. Thompson, Tomlinson and Wilder.—44.

Those who voted in the negative are :

Messrs. Elliott, Farr, Feriter, Gray, Holliman, Hutson, Jervey, Jones, G. Lee, S. J. Lee, Lang, Mickey, Mobley, Nelson, Nuckles, Perrin, Predegrass, Rush, Smalls, A. Smith, Smythe, Scott, Whipper and White.—24.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, Bullock, Bryant, Bishop, L. Cain, E. J. Cain, Collins, Clyburn, DeLarge, Dennis, Duseberry, Doyle, Ezekiel, Field, Hayes, Harris, Hyde, Jenks, H. Johnson, Johnston, S. Johnson, G. Johnson, H. James, Kuh, Lomax, Morrison, W. J. McKinlay, McDaniels, Milford, Mead, Miller, O'Connell, Rivers, Sloan, Sasportas, S. B. Thompson, Thomas, Tinsley, Turner, Valentine, Wilson, Waller, Wooley, Wright and Webb.—53.

Section 3 was passed to a third reading.

Mr. ELLIOTT moved to strike out Section 5. Agreed to.

The joint resolution was read the second time, and ordered to be returned to the Senate, as amended.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 37.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 23, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day approved the Act to amend the charter of the Charaw and Coalfields Railroad Company.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

On motion of Mr. G. LEE, it was

Ordered, That when this House adjourns, it stand adjourned until 4:30 P. M.

Mr. JENKS, from the Auditing Committee, made a verbal report that the Committee had examined the accounts of J. W. Denny, State Printer, for printing and stationery, found the same to be correct, and recommend that they be paid.

Mr. TOMLINSON moved to recommit the accounts to the Committee.

Mr. RANSIER moved to lay the motion on the table. Agreed to by a vote, on division, of yeas, 16; nays, 11.

Mr. JACKSON moved that the accounts be referred to the Committee on Public Printing. Agreed to.

Mr. ROOT, from the Committee on Ways and Means, reported favorably on a joint resolution for the relief of John G. Itgen.

On motion of Mr. TOMLINSON, the joint resolution was laid on the table.

Also, reported unfavorably on a joint resolution to carry out the contract made between the late Constitutional Convention and Denny & Perry for printing the proceedings of said Convention.

On motion, the report was adopted, and the joint resolution ordered to lie over until the next regular session.

Also, reported on a joint resolution relative to the appointment of Benjamin Byas to take charge of the property of the General Assembly, and recommended certain amendments.

On motion of Mr. FERITER, the report and resolution were laid on the table by a vote, on division, of yeas, 34; nays, 7.

Also, reported favorably on a Bill to fix the salary and regulate the pay of certain officers.

On motion of Mr. JACKSON, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Mr. BOSEMON introduced the following resolution, which was agreed to:

Resolved, That the Committee on Ways and Means, to whom was referred a resolution relating to the pay of the Clerk and the First Assistant Clerk of the House, be instructed to report upon the same, on to-morrow, the 24th instant.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 35.

IN THE SENATE, COLUMBIA, S. C., September 23, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that they have agreed to the report of the Committee of Conference on a Bill entitled "A Bill to define the jurisdiction and duties of County Commissioners." The report and Bill are herewith returned.

(Signed)

Respectfully,

L. BOOZER,
President of the Senate.

The Bill was ordered to be engrossed for a third reading.

On motion of Mr. TOMLINSON, a Bill to establish quarantine at Georgetown, Charleston and Hilton Head was taken up.

The Bill was put upon its second reading.

On motion of Mr. TOMLINSON, Section 2 was amended by striking out the words "March and December," wherever it occurs in the Section, and insert in lieu thereof the words "May and November."

On motion of Mr. TOMLINSON, Section 3 was amended by striking out in the first and second line, printed Bill, the word "December," and inserting in lieu thereof the word "November."

On motion of Mr. TOMLINSON, Section 10 was amended by the following as paragraph 5:

5. To subject himself to such detention and delay, and cleansing and purification, as to his person and clothing, as shall be prescribed by the

health officer, after having boarded or brought to the quarantine ground any vessel subject to quarantine.

On motion of Mr. JACKSON, Section 10 was further amended by inserting between the words "being thrown," in the sixth line, printed Bill, the words "transferred to or."

The Bill was read the second time, and ordered to be returned to the Senate as amended.

On motion, at 3 P. M., the House adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

JOINT ASSEMBLY.

At the hour of 5:30 P. M. the Senate was announced.

The PRESIDENT took the chair, and in accordance with previous interchange of messages and the Special Order for this hour, the Joint Assembly proceeded to vote, *viva voce*, for Judge of the sixth Circuit of the State of South Carolina, (comprising the Counties of Chester, Lancaster, Union and York,) to fill the vacancy created by the non-acceptance of the same by the Hon. George W. Williams.

Mr. CORBIN nominated Mr. J. M. Moore.

Mr. COGHLAN nominated Mr. J. J. Wright.

Mr. WIMBUSH nominated Mr. W. M. Thomas.

The Joint Assembly then proceeded to vote, with the following result on

FIRST BALLOT.

SENATE.

Those who voted for Mr. Wm. M. Thomas are :

Messrs. Allen, Cain, Duncan, Hoyt, Montgomery and Wimbush.—6.

Those who voted for Mr. James M. Moore are :

Messrs. Bieman, Corbin, Donaldson, Foster, Hayne, Jillson, Rose and Sims.—8.

Those who voted for Mr. James M. Langston are :

Messrs. Maxwell, Rainey and Swails.—3.

Mr. Coghlan voted for Mr. J. J. Wright.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. W. M. Thomas are :

Messrs. Berry, Burton, John Boston, Joseph Boston, L. Cain, Cooke, Dusenberry, Farr, Gardner, Hayes, Humphries, Holliman, Henderson, Harris, D. J. J. Johnson, G. Johnson, Jacobs, B. James, H. James, Lang, Wm. McKinlay, Mickey, McDaniels, Mobley, Nuckles, Perrin, Prendegrass, Rush, Stolbrand, A. Smith, Saunders, Smiley, Scott, B. A. Thompson, Thomas and White.—36.

Those who voted for Mr. J. M. Moore are :

Messrs. Collins, Duvall, Grant, Keith, Moore, Stewart, Stoeber and Shrewsbury.—8.

Those who voted for Mr. J. J. Wright are :

Messrs. Brown, Goodson, H. Johnson, S. Johnson, Mayer and S. B. Thompson.—6.

Those who voted for Mr. J. M. Langston are :

Messrs. Gray, C. D. Hayne and Ransier.—3.

Those who voted for Mr. W. J. Whipper are :

Messrs. Driffle and Wright.—2.

Those who voted for Mr. A. J. Ransier are :

Messrs. Mays and Mead.—2.

Mr. DeMars voted for Mr. B. F. Perry.

Mr. Dennis voted for Mr. F. L. Cardozo.

Mr. Crews voted for Mr. J. M. Runion.

Mr. Chestnut voted for Mr. W. H. W. Gray.

Mr. Jervey voted for Mr. H. W. Purvis.

Mr. Wilder voted for Mr. C. D. Melton.

Mr. W. J. McKinlay voted for Mr. T. J. Coghlan.

Mr. Richardson voted for Mr. J. Prendegrass.

Mr. Purvis voted for Mr. S. Saunders.

Mr. Nash voted for Mr. J. K. Jillson.

Mr. McIntyre voted for Mr. W. J. McKinlay.

RECAPITULATION.

Mr. W. M. Thomas received.....	42
Mr. James M. Moore.....	16
Mr. J. J. Wright	7
Mr. J. M. Langston	7
Mr. A. J. Ransier.....	2
Mr. W. J. Whipper.....	1
Mr. J. M. Runion.....	1
Mr. F. L. Cardozo.....	1
Mr. B. F. Perry	1
Mr. H. W. Purvis.....	1
Mr. W. J. McKinlay.....	1

Mr. T. J. Coghlan.....	1
Mr. J. K. Jillean.....	1
Mr. S. Saunders.....	1
Mr. C. D. Melton	1
Mr. J. Prendegrass.....	1
Mr. W. H. W. Gray.....	1
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Whole number of votes given.....	86
Necessary to a choice.....	44

The PRESIDENT announced that no candidate had received a majority of the votes cast, and the Joint Assembly then proceeded to a

SECOND BALLOT.

SENATE.

Those who voted for Mr. Wm. M. Thomas are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash and Rose.—7.

Those who voted for Mr. James M. Moore are :

Messrs. Bieman, Corbin, Donaldson and Rodgers.—4.

Those who voted for Mr. John M. Langston are :

Messrs. Coghlan and Wright.—2.

Those who voted for Mr. H. Sparnick are :

Messrs. Hayes and Sims —2.

Mr. Hayne voted for Mr. Julian A. Selby.

Mr. Swails voted for Mr. R. B. Elliott.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. W. M. Thomas are :

Messrs. Burton, John Boston, L. Cain, Cooke, Collins, Chestnut, Crews, Drifflé, Farr, Gardner, Grant, Humphries, Holliman, Henderson, Harris, D. J. J. Johnson, S. Johnson, G. Johnson, Jacobs, B. James, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, Mobley, Mays, Nuckles, Perrin, Prendegrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Swalls, Saunders, Scott, B. A. Thompson, S. B. Thompson, Thomas and Wilder.—42.

Those who voted for Mr. J. M. Moore are :

Messrs. Berry, Duvall, DeMars, Keith, Littlejohn, Moore, Stewart, Stoerber and R. M. Smith.—9.

Those who voted for Mr. B. A. Bosemon are :

Messrs. Brown, Nash and Pettengill —3.

Those who voted for Mr. John M. Langston are :

Messrs. Dennis, C. D. Hayne and Mayer.—3.

Those who voted for Mr. W. J. Whipper are :

Messrs. Jervey and Wright.—2.

Those who voted for Mr. J. J. Wright are :

Messrs. Goodson and Mead.—2.

Mr. Purvis voted for Mr. John A. Chestnut.

Mr. Shrewsbury voted for Mr. A. E. Cohen.

Mr. Elliott voted for Mr. S. A. Swails.

Mr. White voted for Mr. C. M. Wilder.

RECAPITULATION.

Mr. W. M. Thomas received.. .. .	50
Mr. J. M. Moore..... .. .	13
Mr. J. M. Langston..... .. .	6
Mr. W. J. Whipper..... .. .	2
Mr. J. J. Wright..... .. .	2
Mr. Henry Sparnick	2
Mr. Julian A. Selby..... .. .	1
Mr. A. E. Cohen..... .. .	1
Mr. C. M. Wilder..... .. .	1
Mr. J. Chestnut..... .. .	1
Mr. S. A. Swails..... .. .	1
Mr. B. A. Bosemon..... .. .	1
Mr. R. B. Elliott	1
<hr/>	
Whole number of votes given..... .. .	82
Necessary to a choice..... .. .	42

The PRESIDENT announced that Mr. W. M. Thomas, having received a majority of all the votes cast, was duly elected Judge for the sixth Circuit of the State of South Carolina.

The Joint Assembly was then dissolved, and the Senate retired.

The SPEAKER resumed the chair.

PAPERS FROM THE SENATE.

The Senate returned to this House a Bill to license pilots for Charleston bar and harbor, Stono River, &c., with amendments.

On motion of Mr. SMALLS, the amendment to Section 1, by inserting "board of," before "Commissioners," was concurred in.

On motion of Mr. SMALLS, the amendment to Section 2, by striking out all the words after "Commissioner" to "and," and inserting in lieu thereof the words "herein provided for," and the words "board of" inserted before "Commissioners," was concurred.

On motion, the amendment to the original Bill by the addition of Sections 3 and 4 was concurred in.

The Bill was ordered to be returned to the Senate.

The Senate returned to this House, with amendments, a Bill to protect laborers and persons working under contracts on shares of crops.

The amendments by the Senate to Sections 1, 2, 3 and 4 were concurred in, and the Bill ordered to be returned to the Senate.

Mr. NEAGLE, by leave, introduced

A Bill to authorize the Governor to leave the State under certain circumstances. Read the first time, and referred to the Committee on the Judiciary.

REPORTS FROM COMMITTEES.

Mr. PURVIS, from the Committee on Incorporations, reported on a Bill to organize townships and define their duties.

On motion of Mr. RANSIER, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Mr. BOSEMON, from the Committee on Public Printing, reported on certain accounts of J. W. Denny, State Printer, and recommend that they be paid.

On motion, the report was adopted.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill providing for the next general election and the manner of conducting the same was taken up.

The Bill was put upon its second reading.

The following, proposed by the Joint Committee of Conference as Section 11 of the Bill, was adopted :

SECTION 11. If any company or corporation who have obtained, or may hereafter obtain, a charter from the Legislature of this State, for the benefit of such company or corporation, shall discharge, or threaten to discharge, from employment in such business, any operative or employee, at, before or after any election, for or on account of his political opinion, or for voting or attempting to vote as he or they may desire, said charter shall be deemed and taken to be forfeited, and shall have no legal or binding force at any time thereafter, but shall be utterly null and void; and the person discharged may have an action of trespass to recover damages for his losses therein sustained, against the said company or corporation; and should any agent or clerk in the employment of such company or corporation discharge, or

threaten to discharge, any employee on account of his political opinion, or for voting or attempting to vote as he or they may desire, if said agent or clerk is not immediately dismissed when said company or corporation becomes possessed of such information, said company or corporation shall be held responsible for the same, and be liable to the penalties hereinbefore prescribed.

Section 11 of the original Bill was made Section 12, and each Section thereafter numbered in accordance.

On motion of Mr. RANSIER, Section 28 (Section 27 of original Bill), was amended by striking out the word "shall," between "they" and "appoint," and inserting "may" in lieu thereof.

On motion of Mr. TOMLINSON, the following was adopted as Section 57 to the original Bill.

SECTION 57. Solicitors for the several Circuits in the State shall be elected at the next general election provided for in this Act; also, suitable persons to fill any vacancy in any elective office in any county, of which at least fifteen days' previous notice shall be given, by the proclamation of the Governor.

The Bill was read the second time, and ordered to be returned to the Senate, as amended.

Mr. RANSIER introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate:

Resolved, by the House of Representatives, the Senate concurring, That the concurrent resolution adopted by both Houses, fixing the time of the adjournment of this special session for Thursday, the 24th instant, be, and the same is hereby, rescinded, and that both Houses do adjourn on Saturday, the 26th instant, at 12 M.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 36

IN THE SENATE, COLUMBIA, S. C., September 23, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that they have concurred in the amendments of your House to a Bill entitled "A Bill to establish quarantine at Georgetown, Charleston and Hilton Head;" also, of the joint resolution to inquire into the liabilities and assets of the Bank of the State of South Carolina.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The Bill and joint resolution having been returned, were ordered to be engrossed for a third reading.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 37.

IN THE SENATE, COLUMBIA, S. C., September 22, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully asks leave of your House to amend the Bill entitled "A Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State by adding after the word "Treasurer" the words "and Auditor," &c.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. JENKS, the request was granted, and a message sent accordingly.

The Bill having been returned with the message from the Senate, on motion of Mr. JENKS, the amendments were concurred in, and the Bill ordered to be returned to the Senate.

PAPERS FROM THE SENATE.

The Senate sent to the House a joint resolution to provide for the public printing. Read the first time, and referred to the Committee on Public Printing.

The Senate returned to this House a Bill to provide for the election of officers in incorporated cities and towns in the State of South Carolina, with the following amendment to Section 2 of the manuscript Bill: Insert, after the figures "1868," the words "entitled an Act to provide for the next general election."

On motion of Mr. JENKS, the amendment was concurred in, and the Bill ordered to be returned to the Senate.

The House proceeded to the consideration of a Bill to organize townships and define their powers and duties.

On motion of Mr. STOLBRAND, the further consideration was made the Special Order for 10:30 A. M. to-morrow.

A Bill to supply temporary vacancies in the office of Governor was taken up

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

On motion of Mr. JENKS, at 8 P. M., the House adjourned until to-morrow, at 10 A. M.

THURSDAY, SEPTEMBER 24, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. E. HAYES.

The reading of the Journal of the previous day was, on motion of Mr C. D. HAYNE, dispensed with.

The Sergeant-at-Arms announced a Message from His Excellency the Governor.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 38.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 23, 1868.

To the Honorable the Speaker of the House of Representatives :

SIR : I have this day approved the following Acts and joint resolutions, viz. :

- 1st. An Act to repeal the charter of the town of Hamburg.
- 2d. An Act to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.
- 3d. Joint resolution to provide for the publication of the Acts of the present session of the General Assembly.

Very respectfully,

(Signed)

R. K. SCOTT, Governor.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a joint resolution to provide for the public printing.

The joint resolution was read the third time, passed, and ordered to be enrolled.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a resolution relative to adjournment of the General Assembly on the 26th instant, at 12 M.

Mr. JERVEY introduced the following resolution, which was agreed to :

Resolved, That the Sergeant-at-Arms be, and is hereby, ordered to prepare the pay certificates of members from September 1 to the 26th, inclusive, and to have the same ready for delivery on Saturday, the 26th instant, immediately upon the adjournment of this House.

At the hour of 10:30 A. M. the House proceeded to the consideration of the

SPECIAL ORDER.

A Bill to organize townships, and to define their powers and privileges—The Bill was read the second time, and ordered to be engrossed for a third reading.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 38.

IN THE SENATE, COLUMBIA, S. C., September 24, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that they have concurred in the amendments of your House to the Bill entitled "A Bill providing for the next general election and the manner of conducting the same."

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The Bill having been returned with the message, it was ordered to be engrossed for a third reading.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to regulate arrests and bail in civil actions was taken up.

The Bill was read the second time, and ordered to be engrossed for a third reading.

REPORTS FROM COMMITTEES.

Mr. WHIPPER, from the Committee on the Judiciary, reported on a Bill to regulate the manner of drawing juries, and recommend an amendment as follows: Strike out in last Section all after the words "County Commissioners," and insert in lieu thereof "except the Sections from 21 to 34, both numbers inclusive, which shall take effect immediately."

On motion of Mr. S. B. THOMPSON, the report was laid on the table to take up the Bill.

The Bill was laid over for a second reading.

Also, (favorably) on a Bill to regulate the practice of the Circuit Courts in certain cases.

On motion of Mr. S. B. THOMPSON, the report was laid on the table to take up the Bill.

The Bill was put upon its second reading.

On motion of Mr. TOMLINSON, Section 8 was amended by inserting between the words "under the," in third line, printed Bill, the words "military orders and."

The Bill was read the second time, passed to a third reading, and ordered to be returned to the Senate as amended.

A Bill to regulate the manner of drawing juries was taken up.

The Bill was put upon its second reading.

The amendment proposed by the Committee on the Judiciary, as follows: To strike out in the last Section all after the words "County Commissioners," and insert in lieu thereof the words "except the Sections from twenty-one to thirty-four, both numbers inclusive, which shall take effect immediately," was adopted.

The Bill was read the second time, and ordered to be returned to the Senate as amended.

PAPERS FROM THE SENATE.

The Senate returned to this House a Bill to regulate the practice in Circuit Courts in certain cases, with amendments to Section 8 concurred in.

The Bill was ordered to a third reading.

The consideration of the General Orders was resumed.

A Bill to amend an Act entitled "An Act to provide for the inspection of flour" was taken up.

The Bill was read the third time, passed, title changed to an Act, and ordered to be enrolled.

A joint resolution indemnifying John G. Itgen from all fines and penalties was taken up.

The joint resolution was read the third time, passed, and ordered to be enrolled.

A Bill to fix the salaries and regulate the pay of certain officers was taken up.

The Bill was put upon its second reading.

Mr. TOMLINSON moved to amend Section 1 by inserting between the words "thousand dollars," relative to pay of County Treasurers, the words "five hundred." Agreed to by a vote, on division, of yeas, 23; nays, 18.

Mr. ELLIOTT moved to further amend Section 1 by striking out the words "two thousand five hundred," relative to the salary of the Treasurer of the State, and insert in lieu thereof, the words "three thousand." Agreed to by a vote, on division, of yeas, 22; nays, 15.

Mr. SMALLS moved to amend Section 1 by striking out after the words "except in the County of Charleston, who shall receive," the words "fifteen hundred dollars," and insert in lieu thereof "twelve hundred dollars."

Mr. JACKSON moved to indefinitely postpone the amendment. Agreed to by a vote, on division, of yeas, 28; nays, 7.

Mr. JERVEY moved to amend Section 1 by striking out in the 22d to 25th line, the words "and his Chief Clerk to be appointed, with the approval of the Governor, shall receive an annual salary of eighteen hundred dollars."

Mr. JACKSON moved the indefinite postponement of the motion.

Mr. JERVEY moved to lay the motion to indefinitely postpone on the table.

On this the yeas and nays were called, and are as follows:

Yeas, 11; nays, 50; absent and not voting, 60. Not agreed to.

Those who voted in the affirmative are:

Messrs. Crews, Duvall, C. D. Hayne, Hutson, Jenks, D. J. J. Johnson, B. James, Jervey, Mead, Perrin and Stolbrand.—11.

Those who voted in the negative are:

Messrs. Bosemon, Berry, Brodie, Brown, John Boston, Joseph Boston, E. J. Cain, Collins, Driffle, Elliott, Farr, Gray, Gardner, Grant, Hayes, J. N. Hayne, Humphries, Holliman, Harris, H. Johnson, S. Johnson, Jackson, Jacobs, H. James, Jones, G. Lee, S. J. Lee, Lang, Littlejohn, Mayer, Mickey, Martin, Miller, Nash, Nuckles, Purvis, Prendegrass, Rancier, Rush, Stoeber, Smalls, A. Smith, R. M. Smith, Saunders, Smythe, B. A. Thompson, S. B. Thompson, Tomlinson, Wooley and Whipper.—50.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Burton, Boswell, Bullock, Bryant, Bishop, L. Cain, Cooke, C'yburn, Chesnut, DeLarge, Dennis, Dusenberry, Doyle, DeMars, Ezekiel, Field, Feriter, Goodson, Henderson, Hyde, Johnston, G. Johnson, Kuh, Keith, Lomax, Morrison, Wm. McKinlay, W. J. McKinlay, McIntyre, McDaniels, Mobley, Moore, Milford, Mays, Nelson, Neagle, O'Connell, Pettengill, Richardson, Root, Rivers, Sloan, Stewart, Shrewsbury, Sasportas, Simons, Smiley, Scott, Thomas, Tinsley, Turner, Valentine, Wilson, Wilder, Waller, White, White and Webb.—60.

The question recurring on the motion to indefinitely postpone the amendment, it passed in the affirmative.

On the passage of Section 1 to a third reading, the yeas and nays were called, and are as follows:

Yeas, 41; nays, 23; absent and not voting, 58.

So Section 1 was passed to a third reading.

Those who voted in the affirmative are:

Messrs. Berry, Brodie, Brown, Burton, L. Cain, E. J. Cain, Collins, Chestnut, Crews, Elliott, Ezekiel, Feriter, Farr, Gray, Grant, Goodson, C. D. Hayne, Humphries, Holliman, Hutson, Harris, D. J. J. Johnson, S. John-

son, Jackson, Jacobs, H. James, Jones, Lomax, W. J. McKinlay, Mickey, Martin, Miller, Pettengill, Root, Stoeber, Stolbrand, Simons, B. A. Thompson, Tomlinson and Wooley.—40.

Those who voted in the negative are :

Messrs. Bosemon, John Boston, Joseph Boston, Boswell, Driffle, Duvall, B. James, Jervey, S. J. Lee, Mayer, W. McKinlay, Mobley, Mead, Nuckles, Purvis, Prendegrass, Rush, Stewart, Smalls, A. Smith, Saunders, Valentine and White.—23.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Bullock, Bryant, Bishop, Cooke, Clyburn, DeLarge, Dennis, Dusenberry, Doyle, DeMars, Field, Gardner, Hayes, J. N. Hayne, Henderson, Hyde, Jenks, H. Johnson, Johnston, G. Johnson, Kuh, Keith, G. Lee, Lang, Littlejohn, Morrison, McIntyre, McDaniels, Moore, Milford, Mays, Nelson, Nash, Neagle, O'Connell, Perrin, Ransier, Richardson, Rivers, Sloan, R. M. Smith, Shrewsbury, Smythe, Smiley, Scott, Sasportas, S. B. Thompson, Thomas, Tinsley, Turner, Wilson, Wilder, Waller, Whipper, Wright and Webb.—58.

Mr. W. J. MCKINLAY moved to reconsider the vote by which Section 1 passed to a third reading.

Mr. SASPORTAS moved to lay the motion to reconsider on the table.

On this the yeas and nays were called, and resulted as follows :

Yeas, 28 ; nays, 44 ; absent and not voting, 49. Not agreed to.

Those who voted in the affirmative are :

Messrs. Brodie, Burton, L. Cain, E. J. Cain, Collins, Crews, Dennis, Ezekiel, Gardner, Goodson, C. D. Hayne, J. N. Hayne, Humphries, D. J. J. Johnson, H. Johnson, S. Johnson, Jackson, Jacobs, Lomax, McIntyre, Perrin, Pettengill, Root, Rush, Stolbrand, Shrewsbury, B. A. Thompson and Tomlinson.—28.

Those who voted in the negative are :

Messrs. Bosemon, Berry, John Boston, Joseph Boston, Chestnut, Driffle, Duvall, Feriter, Gray, Grant, Holliman, Hutson, Henderson, Harris, H. James, B. James, Jervey, Jones, G. Lee, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKinlay, Martin, Mead, Miller, Nash, Nuckles, Purvis, Prendegrass, Ransier, Stewart, Stoeber, Smalls, A. Smith, Smythe, Sasportas, Simons, Thomas, Valentine, Wooley, Whipper and White —44.

Those absent and not voting are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brown, Boswell, Bullock, Bryant, Bishop, Cooke, Clyburn, DeLarge, Dusenberry, Doyle, DeMars, Elliott, Field, Farr, Hayes, Hyde, Jenks, Johnston, G. Johnson, Kuh, Keith, Littlejohn, Morrison, Mickey, McDaniels, Mobley, Moore, Milford, Mays, Nelson, Neagle, O'Connell, Richardson, Rivers, Sloan, R. M. Smith, Saunders, Smiley, Scott, S. B. Thompson, Tinsley, Turner, Wilson, Wilder, Waller, Wright and Webb.—49.

The question recurring on the motion to reconsider, it was agreed to by a vote, on division, of yeas, 36; nays, 16.

Mr. TOMLINSON moved to reconsider the vote by which the salary of the Treasurer of this State was increased to three thousand dollars. Agreed to.

Mr. TOMLINSON then moved to strike out "three thousand" and insert "twenty-five hundred." Agreed to.

Mr. W. MCKINLAY moved to strike out the words "eighteen hundred dollars" as the salary of the chief Clerk to the Treasurer, and insert in lieu thereof "one thousand dollars."

Mr. JACKSON moved the indefinite postponement of the amendment. Agreed to.

Section 1 was passed to a third reading.

On passing the Bill to a third reading, and ordering it to be returned to the Senate as amended, the yeas and nays were called, and are as follows:

Yeas, 47; nays, 11; absent and not voting, 63. Agreed to.

Those who voted in the affirmative are:

Messrs. Bosemon, Brodie, Brown, Burton, John Boston, Joseph Boston, L. Cain, E. J. Cain, Cooke, Collins, Crews, Dennis, Elliott, Ezekiel, Gardner, Grant, Goodson, C. D. Hayne, Hutson, Harris, Jeuka, D. J. J. Johnson, H. Johnson, S. Johnson, Jackson, Jacobs, H. James, G. Lee, S. J. Lee, Lang, Mickey, McIntyre, Mobley, Martin, Nash, Nuokles, Purvis, Prendergrass, Ransier, Sauuders, Shrewsbury, B. A. Thompson, Tomlinson, Thomas, Wilder, Whipper and White.—47.

Those who voted in the negative are:

Messrs. Chestnut, Driffle, Feriter, B. James, Jervey, Wm. J. McKinlay, Mead, Rush, Stewart, A. Smith and Valentine.—11.

Those absent and not voting are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Berry, Boswell, Bullock, Bryant, Bishop, Clyburn, DeLarge, Dusenberry, Duvall, Doyle, DeMars, Field, Farr, Gray, Hayes, J. N. Hayne, Humphries, Holliman, Henderson, Hyde, Johnston, G. Johnson, Jones, Kuh, Keith, Lomax, Littlejohn, Mayer, Morrison, Wm. McKinlay, McDaniels, Moore, Milford, Mays, Miller, Nelson, Neagle, O'Connell, Perrin, Pettengill, Richardson, Root, Rivers, Sloan, Stoeber, Stolbrand, Swalls, R. M. Smith, Snythe, Saspotas, Simons, Smiley, Scott, S. B. Thompson, Tinsley, Turner, Wilson, Waller, Wooley, Wright and Webb.—63.

Mr. CHESTNUT, from the Committee on Ways and Means, reported on a resolution relative to fixing the salaries of Clerk of the House and First Assistant Clerk, and recommended that the Chief Clerk receive nine hundred dollars, and the First Assistant Clerk seven hundred dollars, and they are to complete the work of this session.

Mr. JENKS moved to amend by striking out "nine hundred dollars," as pay of the Clerk of the House, and insert in lieu thereof "twelve hundred dollars." Agreed to.

Mr. TOMLINSON moved to amend by striking out "seven hundred dollars," as pay of the First Assistant Clerk, and insert in lieu thereof "one thousand dollars." Agreed to.

On motion, the report, as amended, was adopted.

On motion of Mr. BOSEMON, it was

Ordered, That when this House adjourns, it stand adjourned until 5 P. M.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading the following :

A Bill to provide for the formation and proceedings of the Colleges of Electors. Laid over for a third reading.

Also, a joint resolution to inquire into the liabilities and assets of the Bank of the State Laid over for a third reading.

Mr. Richardson obtained leave of absence for two days.

On motion, at 3:10 P. M., the House adjourned until 5 P. M.

EVENING SESSION.

Pursuant to adjournment, the House met at 5 P. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to provide for the formation and proceedings of the Colleges of Electors was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A joint resolution to inquire into the liabilities and assets of the Bank of the State was taken up.

The joint resolution was read the third time, passed, and ordered to be enrolled.

Mr. C. D. HAYNE introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the Printer is hereby instructed to print three thousand copies of the Act providing for the next general election, and the manner of conducting the same, for distribution among the Canvassers and Managers of Elections throughout the State.

PAPERS FROM THE SENATE.

The Senate returned to this House a Bill to provide assistance for the transient sick poor in the various cities and towns of this State, with an amendment to Section 1, in the fifth line of original Bill, by striking out the words "twenty-five" before "thousand," and inserting in lieu thereof the word "fifteen."

On motion of Mr. G. LEE, the amendment was concurred in, and the Bill ordered to be returned to the Senate.

The Senate returned to this House, with amendment concurred in, a Bill to fix the salaries and regulate the pay of certain officers.

The Bill was ordered to be engrossed for a third reading.

Also, returned, with amendments concurred in, a Bill to regulate the manner of drawing juries.

The Bill was ordered to be engrossed for a third reading.

Also, returned a concurrent resolution to print 3,000 copies of a Bill providing for the next general election, &c., for distribution, amended by striking out the figures "3,000" and inserting "1,000."

On motion, the amendment was concurred in.

REPORTS FROM COMMITTEES, &c.

Mr. PETTENGILL, from the Committee on Roads, Bridges and Ferries, reported (favorably) on a Bill to renew the charter of the ferry over the Saluda River known as Island Ford Ferry, in the County of Newberry.

On motion, the report was laid on the table to take up the Bill.

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to define the jurisdiction and duties of County Commissioners.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Mr. WHIPPER, from the Committee on the Judiciary, reported (favorably) on a Bill to authorize the Governor to leave the State under certain circumstances.

On motion, the report was laid on the table to take up the Bill.

The Bill was read the second time, and ordered to be engrossed for a third reading.

On motion of Mr. WHIPPER, the vote whereby a joint resolution to carry out the contract made between the late Constitutional Convention and Denny & Perry for printing the proceedings of said Convention was postponed to the next regular session was reconsidered.

On motion of Mr. WHIPPER, the joint resolution was taken up.

The joint resolution was put upon the second reading.

On motion of Mr. WHIPPER, the joint resolution was amended by striking out the words "State Librarian," and inserting in lieu thereof "Secretary of State."

The joint resolution was read the second time, and ordered to be returned to the Senate, as amended.

On motion of Mr. PURVIS, it was

Resolved, That the House rescind its action whereby it postponed until the regular session the consideration of a Bill to declare the roads leading from Gervais street to Kinsler's Ferry public highways, and that the same be taken up and immediately considered.

The Bill was taken up, read the second time, and ordered to be engrossed for a third reading.

Mr. WHIPPER introduced the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. P. F. Camp be, and he is hereby, authorized to take charge of the furniture and property of this General Assembly, and that the Governor be, and is hereby, authorized to pay him such an amount as may to him seem just and proper for his services.

The joint resolution was read the first time, and referred to the Committee on Ways and Means.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill providing for the next general election, and the manner of conducting the same. Laid over for a third reading.

Mr. WHIPPER introduced the following joint resolution :

Whereas it is currently reported that there are many persons continuing to collect debts in cases where slaves were the consideration ; therefore,

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any person or persons who shall attempt to enforce the collection of such debts, and any attorney or attorneys who shall advise or commence suits for such debt or debts, and any Justice or Judge who shall entertain such suit or suits, knowingly, shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than the amount sued for, or imprisoned in the Penitentiary for a period not less than six months.

Read the first time, and referred to the Committee on the Judiciary.

Mr. WHIPPER introduced the following joint resolution :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this joint resolution no property lying or being within this State shall be sold under execution or other process issued by any Court of this State until after the General Assembly shall meet in regular session and take action modifying or repealing this joint resolution.

Read the first time, and referred to the Committee on the Judiciary.

Mr. WHIPPER, from the Committee on Free Conference, made the following report :

The Committee appointed on the part of the House to meet a Committee on the part of the Senate, to adjust the disagreement of the two Houses upon the Bill providing for the codifying the statute laws, &c., beg leave to report :

That they met in conference, and after two sessions, and earnest efforts on the part of your Committee, the Joint Committee failed to agree.

On motion of Mr. G. LEE, the report was received as information, and the Committee discharged.

Mr. Nash obtained leave of absence for two days.

On motion of Mr. STOLBRAND, at 7 P. M., the House adjourned until to-morrow, at 10 A. M.

FRIDAY, SEPTEMBER 25, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. J. PRENDEGRASS.

The reading of the Journal of the previous day was, on motion of Mr. A. SMITH, dispensed with.

On motion of Mr. TOMLINSON, the call of the morning business was dispensed with.

The SPEAKER laid before the House the following communication :

COLUMBIA, S. C., September 25, 1868.

HON. F. J. MOSES, Jr., *Speaker of the House of Representatives.*

SIR: Some weeks since, the Joint Assembly of the State of South Carolina did me the honor, with great unanimity, to elect me Circuit Judge of the first Circuit.

I appreciate highly the honor conferred, and am profoundly grateful for the expression of confidence which the election gave; but, sir, proud and grateful as I am for the election, I am obliged to decline the office, and I beg herewith, through you, to communicate my declination to the House of Representatives.

The salary of the office has, since my election, been fixed at so low a sum that I am unable to accept it.

I am, very respectfully,

Your obedient servant,

(Signed)

D. T. CORBIN.

On motion of Mr. DELARGE, the declination was accepted.

Mr. DELARGE introduced the following concurrent resolution:

Resolved, by the House of Representatives, the Senate concurring, That the sum of eighty-three (83) dollars be paid for contingent expenses in the work of engrossing, during the present session, and that the President of the Senate and Speaker of the House of Representatives be directed to sign certificates for the payment of the same.

Also presented, in connection with the resolution, the accounts of S. P. Gage, for twenty-five (25) dollars; D. B. Clayton, for twenty-six (26) dollars, and E. W. Everson, for thirty-two (32) dollars, certified to by the Attorney-General.

On motion of Mr. JENKS, the resolution was agreed to, and ordered to be sent to the Senate for concurrence.

The House proceeded to the consideration of the

GENERAL ORDERS.

A Bill to regulate the practice of the Circuit Courts in certain cases was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

A Bill providing for the next general election, and the manner of conducting the same, was taken up.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

PAPERS FROM THE SENATE.

The Senate sent to this House a Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina. Read the first time, and referred to the Committee on the Judiciary.

Also, a Bill to authorize the Governor to leave the State under certain circumstances.

The Bill was read the first time.

Mr. S. B. THOMPSON introduced the following resolution, which was agreed to :

Resolved, That the Senate be invited to meet in Joint Assembly this day, the 25th instant, at 6 o'clock P. M., to elect one Circuit Judge for the first Circuit, to fill the vacancy caused by the resignation of the Hon. D. T. Corbin, and a Register of Mesne Conveyance for Charleston County.

A message was sent to the Senate accordingly.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to establish quarantine at Georgetown, Charleston and Hilton Head.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to organize townships, and to define their powers and privileges.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 39.

IN THE SENATE, COLUMBIA, S. C., September 25, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully informs your body that they concur in so much of the message from your House of this date (September 25) as relates to the election of a Judge for the first Circuit, but respectfully decline to enter into an election for Register of Mesne Conveyance.

Respectfully,

(Signed)

J. H. RAINEY,
President of the Senate *pro tem*.

Mr. PURVIS, from the Committee on Incorporations, reported favorably on a Bill to establish a Bureau of Agricultural Statistics, and for the encouragement of industrial enterprises, and to invite capital to South Carolina.

On motion of Mr. RANSIER, the report was laid on the table in order to proceed to the immediate consideration of the Bill.

The Bill was taken up.

On motion of Mr. JACKSON, the first blank in Section 6 was filled by inserting the words "fifteen hundred dollars."

On motion of Mr. JACKSON, Section 6 was further amended by filling the second blank by inserting the words "five hundred dollars;" also, by striking out the words "per day," and inserting in lieu thereof the words "per annum."

The Bill was read the second time, and ordered to be engrossed for a third reading.

Mr. DELARGE, from the Committee on Ways and Means, reported on a joint resolution to provide for the preservation of the furniture of the General Assembly by the following concurrent resolution, as a substitute :

1st. That the Keeper of the State House and Grounds be, and he is hereby, instructed to take charge of and keep safe all the furniture and other property now in use by and belonging to this General Assembly, and to hold the same in readiness in this hall for future use; and for this purpose the Sergeant-at-Arms shall prepare an accurate inventory of the same, and the said Keeper of the State House and Grounds shall give a receipt therefor in writing.

2d. All documents, papers and records shall be deposited by the Clerks of each of the two Houses of this General Assembly in the office of the Secretary of State, and be there preserved, subject to the orders of the presiding officers of the said two Houses at the session next ensuing.

On motion of Mr. DRIFLE, the report was laid on the table to take up the joint resolution.

The joint resolution was taken up, and put upon its second reading.

On motion of Mr. WILDER, the substitute of the Committee on Ways and Means was adopted.

The concurrent resolution was read the second time, and ordered to be engrossed for a third reading.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to regulate arrests and bail in civil actions.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to renew the charter of the ferry over the Saluda River known as Island Ford Ferry, in the County of Newberry.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to authorize the Governor to leave the State under certain circumstances.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to fix the salaries and regulate the pay of certain officers.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Also, a Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways.

The Bill was read the third time, passed, the title changed to an Act, and ordered to be enrolled.

Mr. WILDER introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate for concurrence :

Resolved, by the House of Representatives, the Senate concurring, That the balance which may be due the Public Printer, on account of the current work for both branches of this General Assembly, shall be paid in Bills Receivable at current rates of exchange, provided that there are no current funds available for that purpose.

On motion of Mr. ELLIOTT, at 12:30 P. M., the House took a recess for thirty minutes.

RECESS.

The SPEAKER resumed the chair.

On motion of Mr. C. D. HAYNE, a call of the House was ordered, and sixty-two members answered to their names.

On motion of Mr. FERITER, the further call was suspended.

REPORTS FROM COMMITTEES.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to regulate the manner of drawing juries.

The Bill was read the third time, passed, title changed to an Act, and ordered to be enrolled:

Mr. CREWS introduced the following concurrent resolution, which was agreed to, and ordered to be sent to the Senate :

Resolved, by the House of Representatives, the Senate concurring, That the Governor be required to notify the various railroad companies of this State, whose bonds have been guaranteed or endorsed by the State, that unless satisfactory provisions be made by said railroad companies to pay the interest due and past due, on the meeting of the General Assembly in No-

member next, legal proceedings will at once be instituted against said railroad companies for the collection of the said interest.

Mr. W. McKINLAY, from the Committee on Ways and Means, reported (unfavorably) on resolution from Senate to grant relief to the Western Union Telegraph Company from double tax execution.

On motion of Mr. ELLIOTT, the report was laid on the table to take up the joint resolution.

The joint resolution was taken up and read the second time.

On motion of Mr. R. M. SMITH, the joint resolution was laid on the table by a vote, on division, of yeas, 48; nays, 5.

Mr. RANSIER moved a reconsideration of the vote by which the joint resolution was laid on the table, and to lay the motion to reconsider on the table.

On this the yeas and nays were called, and are as follows:

Yeas, 48; nays, 15; absent and not voting, 58. Agreed to.

Those who voted in the affirmative are:

Messrs. Bosemon, Brodie, Brown, John Boston, Joseph Boston, L. Cain, E. J. Cain, Collins, Crews, Driffle, Gray, Gardner, Goodson, Humphries, Hutson, Harris, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervey, Jones, S. J. Lee, Lang, W. McKinlay, Mickey, McDaniels, Mobley, Mead, Nuckles, Perrin, Prendergrass Ransier, Rush, Stoeber, Stolbrand, Smalls, R. M. Smith, Saunders, Simons, B. A. Thompson, S. B. Thompson, Tomlinson, Whipper and White.—48.

Those who voted in the negative are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Cooke, DeLarge, Elliott, Feriter, Farr, Grant, C. D. Hayne, J. N. Hayne, D. J. J. Johnson, Jackson, G. Lee, Purvis, Thomas and Wilder.—15.

Those absent and not voting are:

Messrs. Bennett, Berry, Burton, Boswell, Bullock, Bryant, Bishop, Clyburn, Chestnut, Dennis, Dusenberry, Duvall, Doyle, DeMars, Ezekiel, Field, Hayes, Holliman, Henderson, Hyde, Jenks, Kuh, Keith, Lomax, Littlejohn, Mayer, Morrison, W. J. McKinlay, McIntyre, Moore, Milford, Martin, Mays, Miller, Nelson, Nash, Neagle, O'Connell, Pettengill, Richardson, Root, Rivers, Sloan, Stewart, A. Smith, Shrewsbury, Smythe, Sasportas, Smiley, Scott, Tinsley, Turner, Valentine, Wilson, Waller, Wooley, Wright and Webb.—58.

Mr. Henderson obtained leave of absence for one day.

On motion of Mr. TOMLINSON, at 2 P. M., the House took a recess until 5:30 P. M.

RECESS.

At 5:30 P. M. the SPEAKER resumed the chair.

A call of the House was ordered, and sixty-two members answered to their names.

On motion of Mr. FERITER, the further call was suspended.

PAPERS FROM THE SENATE.

The Senate returned to this House, with concurrence, a resolution requiring the Governor to notify all railroad companies whose bonds are guaranteed or endorsed by the State, that unless provisions are made by them to pay interest due and past due, by November next, legal proceedings will be instituted against them.

Also, with concurrence, a resolution relative to the payment of contingent expenses for engrossing for the General Assembly.

Also, with concurrence, a resolution defining the manner in which the balance due the Public Printer, on account of work done, be paid, &c.

Also, with amendment concurred in, a joint resolution to carry out the contract made between the late Constitutional Convention and Denny & Perry, for printing the proceedings of said Convention

The joint resolution was read the third time, passed, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 40.

IN THE SENATE, COLUMBIA, S. C., September 25, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully refuses to concur in the resolution from your House relative to the keeping of the furniture and other property of the General Assembly, and have laid said resolution on the table.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

Also,

MESSAGE FROM THE SENATE, No. 41.

IN THE SENATE, COLUMBIA, S. C., September 25, 1868.

Mr. Speaker and Gentlemen of the House of Representatives :

The Senate respectfully asks leave to rescind the order made to-day to go into an election at 6 P. M. for a Judge of the first Circuit ; and, also, that said election be postponed until the next regular session of the General Assembly.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. TOMLINSON, a message was sent to the Senate informing that body that the House concurs in the request.

At 6 P. M. the House adjourned until to-morrow, at 10 A. M.

SATURDAY, SEPTEMBER 26, 1868.

Pursuant to adjournment, the House met at 10 A. M.

The SPEAKER took the chair.

The roll was called, and a quorum announced.

Prayer by Rev. B. F. JACKSON.

The reading of the Journal of the previous day was, on motion of Mr. G. LEE, dispensed with.

PAPERS FROM THE SENATE.

The Senate sent to this House the following concurrent resolution :

Resolved, by the Senate, the House of Representatives concurring, That the Governor be requested to take such action as may be necessary to have the more important towns in the State garrisoned by United States troops, that peace and order may be preserved and the rights of the people may be protected.

Mr. BOSEMON moved the following amendment, which was agreed to, and the resolution, as amended, was concurred in, and ordered to be returned to the Senate :

Be it resolved, That the Governor be, and he is hereby, authorized to take such measures as he may deem expedient and necessary for an efficient co-operation with the United States troops—in preserving the public peace, the enforcement of the laws, and the protection of every citizen in the exercise of civil and political rights.

Also, the following concurrent resolution :

Be it resolved, by the Senate, the House of Representatives concurring, That the Governor be, and he is hereby, requested to inquire and ascertain whether any of the marble or other property of the State, purchased for building the new State House, has been improperly disposed of or removed, and to take such measures in the premises as shall be judged by him necessary to protect the interests of the State.

Mr CREWS offered the following amendment, which was agreed to, and the resolution, as amended, concurred in, and ordered to be returned to the Senate :

And the Governor is hereby authorized, should the evidence elicited in such investigation implicate any public officer in the service of the State, to suspend such officer, should the public interests, in his opinion, require it.

Also, the following concurrent resolution :

Be it resolved, by the Senate, the House of Representatives concurring, That the pay certificates for the contingent expenses of the Senate and the House of Representatives shall be made out as follows: For the Senate by the Clerk of the Senate, and signed by the President of the Senate; for the House of Representatives by the Sergeant-at-Arms of the House of Representatives, and signed by the Speaker of the House of Representatives. Said certificates shall be paid by the Treasurer of the State in Bills Receivable of the State to the value of United States currency at the current rates of exchange.

On motion of Mr. G. LEE, the House concurred in the resolution, and ordered it to be returned to the Senate.

Also, the following concurrent resolution :

Resolved, by the Senate, the House of Representatives concurring, That James M. Allen, member of the Senate, and ———, members of the House of Representatives, be, and they are hereby, appointed a Joint Committee, under Section 5 of the Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers," passed at this special session of the General Assembly.

On motion of Mr. G. LEE, the resolution was concurred in.

On motion of Mr. FERITER, the names of Messrs. W. J. McKinlay and Ransier were inserted in the blank.

The resolution was ordered to be returned to the Senate.

Mr. MARTIN, from the Committee on Engrossed Acts, reported as duly engrossed for a third reading a Bill to establish a Bureau of Agricultural Statistics, and for the encouragement of industrial enterprises and to invite capital to South Carolina.

The SPEAKER stated that by the operation of Rule 49 of this House no Bill could be read a third time on the last day of the session.

On motion of Mr. JACKSON, the Rule was suspended and the Bill taken up.

The Bill was read the third time, passed, title changed to an Act, and ordered to be enrolled.

The SPEAKER laid before the House the following :

MESSAGE FROM THE SENATE, No. 40.

IN THE SENATE, COLUMBIA, S. C., September 26, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully refuses to concur in the amendment of your House to the resolution requiring the Governor to have the more important towns of the State garrisoned by United States troops. The Senate also asks leave to amend the amendment of your House to the resolution relative to the marble of the new State House by striking out the word "authorized" and inserting the word "requested."

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

On motion of Mr. TOMLINSON, the House receded from its amendment to the resolution.

On motion of Mr. TOMLINSON, the House concurred in request of the Senate to amend, &c.

A message was sent accordingly.

The SPEAKER laid before the House the following:

MESSAGE FROM THE SENATE, No. 43.

IN THE SENATE, COLUMBIA, S. C., September 26, 1868.

Mr. Speaker and Gentlemen of the House of Representatives:

The Senate respectfully informs your body that under the joint resolution adopted by the General Assembly for the appointment of a Joint Committee to inquire into the liabilities and assets of the Bank of the State, Hon. D. T. Corbin has been appointed Committee on the part of the Senate.

Respectfully,

(Signed)

L. BOOZER,
President of the Senate.

The SPEAKER appointed Messrs. Tomlinson and Dennis as the Committee.

A message was sent to the Senate informing that body of the appointment of the Committee.

Mr. JENKS, from the Auditing Committee, reported on sundry accounts, as follows, find the same correct, and recommend that they be paid:

Account of J. W. Denny, for printing and stationery.

Account of W. K. Greenfield.

Account of W. B. Stanley.

Account of Columbia Gas Light Company.

Account of A. Gage & Co. (2).

Account of P. F. Frazee.

Account of George Symmers.

Account of A. Palmer.

Account of Bryant & McCarter (2).

Account of A. Tolleson.

Account of M. H. Berry.

On motion of Mr. FERITER, the report was adopted, and the accounts ordered to be paid.

On motion of Mr. SHREWSBURY, a call of the House was ordered, and sixty-two members answered to their names.

On motion of Mr. G. LEE, the further call was suspended.

Mr. G. LEE introduced the following resolution, which was agreed to :

Resolved, That the Speaker of the House be authorized to allow the County Commissioners of the County of Richland to use the hall of the House of Representatives for the sittings of the Circuit Court for said county.

The SPEAKER laid before the House the following :

MESSAGE FROM THE GOVERNOR, No. 39.

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 26, 1868.

To the Honorable the Speaker of the House of Representatives.

SIR: I have this day approved the following Acts, viz. :

- 1st. An Act to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State.
- 2d. An Act to license Pilots for Charleston Bar and Harbor, Stone River, &c.
- 3d. An Act to punish discrimination in the treatment of prisoners by Jailers and Sheriffs.
- 4th. An Act to provide for the election of officers of the incorporated cities and towns in the State of South Carolina.

(Signed)

Very respectfully,

R. K. SCOTT, Governor.

Mr. TOMLINSON introduced the following resolution, which was unanimously agreed to :

Resolved, That the thanks of this House be returned to the Speaker for the efficiency and dignity with which he has presided over its deliberations.

The Sergeant-at-Arms announced a message from the Senate.

The Clerk of the Senate delivered orally a message that the Honorable

Senate had discharged the business before it, and are now ready to adjourn *sine die*.

The SPEAKER directed the Clerk of the House to inform the Senate that the House had discharged the business before it, and are now ready to adjourn *sine die*.

The SPEAKER then delivered a valedictory address.

At 12 M., the House of Representatives was adjourned *sine die*.

ERRORS AND OMISSIONS.

Page 76—Omit “Mr. W. J. McKinlay introduced,” &c.

Page 103—Omit in fourth line “and third time.”

Page 121—Omit the introduction and reading of a Bill to protect the right of suffrage.

Page 160—Add after paper from Mr. Whipper the following: “The Bill was read the second time, and ordered to be engrossed for a third

Page 192—Read “Stewart” instead of “Stuart.”
reading.”

Page 445—In sixteenth line read “incorporated cities and towns” instead of “cities and incorporated towns.”

INDEX TO THE JOURNAL.
 OF THE
HOUSE OF REPRESENTATIVES
 OF THE
STATE OF SOUTH CAROLINA,
 BEING THE
SPECIAL SESSION OF 1868.

A.

Address on assuming chair by J. H. Jenks.....	4
Adams, Rev. E. J., opens proceedings with prayer.....	551
Address of Speaker on assuming chair	8
Amendment to United States Constitution.....	46
Ratification of.....	50
Address, inaugural of Governor.....	51
Abrahams, A. H., memorial for renewal of certificate of stock.....	111
Arthur, Thos. S., communication from, referred	149
Abbeville Press, account of.....	194
Attorney-General, opinion of relative to Bank of State.....	302

B.

Bank of the State of South Carolina, statement of (See Appendix B.)	103
referred.....	118
opinion relative to.....	302
Bailey, W. H., M. D., account of.....	151
Bunn, S. C., M. D., account of.....	151
Betterson, Wm., account of.....	152
Bryan & McCarter, account of.....	165
Burroughs, John S., communication, referred.....	237, 259
Boozer, Lemuel, elected Circuit Judge.....	279
Bell, Samuel, and others, petition of, from Governor.....	322
referred.....	322

* The titles of those Bills marked with an asterisk have been changed.

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Ransier.	A Bill concerning the bonds of officers of the State.....	53					
Mr. Purvis.	A Bill to incorporate the Citizens' Savings Bank of South Carolina	96	112			106, 169, 178 192, 296, 300 314, 311, 312 459	
Mr. Bosemon.	A Bill to prohibit discrimination between persons in the conduct of business requiring a license from any municipality, State or the United States.....	99					
Mr. Miller.	A Bill empowering Wm. Hutson Wigg to practice law in the Superior and Inferior Courts of South Carolina.....	99				102	
Mr. DeLargo.	A Bill to accept the benefits of an Act of Congress entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and Mechanic Arts," approved July 2, 1862		100	103	108	109	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Jenks.	A Bill regulating the election of officers in incorporated towns and cities....		100	103		110, 112, 116 117, 118	
Special Committee.	A Bill to provide for the redemption of the Bills Receivable of the State and to provide for the payment of the expenses of the General Assembly at its first session.		103			119, 123	
Mr. Sasportas.	*A Bill concerning the State University....	102	109			106	
Mr. Shrewsbury.	* A Bill to incorporate the Cheraw Hook and Ladder Company.....	102	111	131		106, 131, 186	231
Mr. Elliott.	A Bill to establish a new judicial and election county out of contiguous portions of Orangeburg, Lexington, Barnwell and Edgefield Counties, and to define the boundaries and limits of same..	102					
Mr. Hyde.	A Bill to invalidate certain sales ordered by the so-called Confederate authorities.....	104	106			162, 163	
Mr. Elliott.	A Bill to establish a new judicial and						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
	election county, to be known as Aiken County and to define the limits and boundaries of same.		109			120, 122, 127 130	
Mr. Tomlinson	A Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in St. Helena Parish, Beaufort County, S. C.....		108	173	239	162, 166	255
Mr. Bosemon.	A Bill to prevent discrimination between persons by those carrying on business under license on account of race, color or previous condition.....		112	221	243	198, 200, 207 214, 218, 399	
Committee on Privileges and Elections.	A Bill to remove the county seat of Beaufort County from Gillis onville to Beaufort.....		114	119	393		437
Mr. Wooley.	A Bill to protect the right of suffrage	117	121			122	
Mr. Hyde.	*A Bill regulating elections and the way of holding the same.....	117	121			122	

Introduced by	Title of.	Notice.	First Reading	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Sasportas	A Bill to prevent and punish frauds and intimidations at elections, and for other purposes.....	117					
Mr. Neagle.	*A Bill to repeal the capitation laws now in force, and for other purposes.....	117	122			193, 201, 206	
Mr. Jenks.	A Bill providing for a municipal election in the city of Charleston.....	118					
From Senate.	A Bill to determine and perpetuate the homestead	118	122	264	300	120, 171, 176 177, 180, 183 185, 285	
From Senate.	A Bill to organize the Circuit Courts.....	119	122	195	245	120, 156, 160 167	
From Senate.	A Bill to regulate appeals and writs of error to the Supreme Court.....	119	122	187	208	120, 181	
Committee on Incorpo- rations.	A Bill to incorporate the Langley Manufacturing Company.	120				127	
Committee on Incorpo- rations.	A Bill to incorporate the Cheraw Hook and Ladder Com- pany....	120				127	
Mr. Purvis.	A Bill to provide for the appointment of Tax Collectors in the State.....	121					

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Neagle.	A Bill to create a one million loan.....	122					
Mr. Jenks.	A Bill to amend the charter of the city of Charleston.....		123			152, 154, 167	
From Senate.	A Bill to incorporate the Langley Manufacturing Company.		127	131	167		231
From Senate.	A Bill to organize the Supreme Court....		127	185		174	
From Senate.	A Bill to fix the official bonds of certain public officers and to impose penalties on embezzlement...		127	158	167	138, 152, 154 156, 179	
Mr. Berry.	A Bill to repeal an Act of 1865 repealing the usury laws of this State for the purpose of establishing a specified rate per cent. interest...	128					
Mr. Gray.	A Bill to rebuild the bridge across Church Creek connecting John's and Wadmalaw Islands. Charleston County.	129	271	372	379	344, 353, 360	
Mr. Ransier.	A Bill repealing so much of an Act of the Legislature as requires bonded officers to file a copy of their bond in the						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
	office of the Secretary of State within thirty days from the time their election was declared, upon pain of forfeiture of their claims to the offices to which they were elected, with a view of an extension of time.....	131					
Mr. Crews.	*A Bill to raise a tax in the County of Kershaw to the amount of one thousand dollars annually for the benefit of the widow of S. G. W. Dill.....	139	148			157	
Committee on Ways and Means	A Bill to authorize and empower the Governor to effect a loan of \$125,000...		146	150	176		192
Mr. Miller.	A Bill to regulate the organization of fire and hook and ladder companies.....	146	148				
Mr. Feriter.	A Bill for the better protection of owners of sheep, goats and beef cattle.....	148	160			153, 167	
Committee on Ways and Means.	A Bill to make an appropriation for the payment of the expenses of the present session of the						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro ceedings.	Approved.
	Legislature and to meet certain deficiencies in the appropriation for the fiscal year commencing October 1st, 1867, made by General Orders No. 139, dated Charleston, December 3, 1867.....		150	154	240		255
Committee on Ways and Means.	A Bill to provide a Private Secretary for the Governor and to fix the salary.....		151	156	208	154, 195, 222	255
Mr. Elliott.	A Bill to prevent and punish the offence of carrying concealed deadly weapons	151				157, 174, 185	
Mr. Driffle.	A Bill to provide for a Public Administrator.....	157	166			164, 180, 185	
Mr. O'Connell	A Bill to protect the agricultural interests of the State....	157	253			302	
Mr. Whipper.	A Bill to declare vacant certain offices, and for other purposes		157	173		169, 195	
Mr. Jenks.	A Bill to incorporate the Home Insurance Company, of Charleston	160	166			348, 390, 164, 319, 347	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Temlinson	A Bill to incorporate the Wando Company.....	164	171				
Mr. Temlinson	A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.....	164	267	438	445	465, 467, 487, 427, 457, 460, 393, 396, 400, 418, 364, 369, 375, 390, 354, 355, 360, 361, 335, 353	
From Senate.	A Bill to quiet rights vested under military orders.....		166	187		181	
Committee on Incorporations.	A Bill to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned," passed on the 21st day of December, 1866.....		123	173	249	322, 332, 169, 172, 239	
Committee on Incorporations.	A Bill to incorporate the Sumter Fire Company as a part of the Fire Department of the town of Sumter.....	169	173	185			
Committee on Incorporations.	A Bill to incorporate the Union Star Fire Company as part of the Fire Department of the city of Charleston.....	169	173	185			

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Whipper.	A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.	175	179	201		190, 193	
From Senate.	A Bill to define the jurisdiction and regulate the practice of Probate Courts		177	315	416	411, 238, 250, 381	
Committee on Military Affairs.	A Bill to organize and govern the militia of the State of South Carolina.....		179	316	402	315, 369, 401, 248, 264, 272, 214, 216, 230, 245, 189, 191, 206	
Mr. Geo. Lee.	A Bill to provide for the support of the poor, aged and infirm of this State...	180	192			188, 405	
Mr. S. J. Lee.	A Bill to repeal the charter of the town of Hamburg	182	192	249	255	423, 430, 438, 450, 189, 242, 253	478
Mr. Neagle.	A Bill to close the operations of the Bank of the State of South Carolina.....	182	200	245	341	199, 339, 302, 310, 324, 325, 327, 229, 348, 261	
Mr. J. N. Hayne.	A Bill to extend the provisions of an Act for the relief of the Charleston and Savannah Railroad Company.....	183	192			188	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Approved.
From Senate.	A Bill to determine and set out dower..		186			368	
From Senate.	A Bill to incorporate the Palmetto Fire Engine Company of Greenville.....		186				
From Senate.	A Bill to incorporate the Neptune Fire Engine Company of Greenville.....		186				
From Senate.	A Bill regulating the manner of keeping and disbursing funds by certain officers.....		186	208	251	202	
From Senate.	A Bill to establish a State Police.....		186	225	240	193, 207, 223	
Mr. Miller.	A Bill to define the number of members allowed to each Steam Fire Engine Company in the incorporated towns and cities of South Carolina.....	190	199			199	
Mr. Whipper.	A Bill requiring all banking institutions insurance companies and other corporations to invest sufficient of their capital stock in State bonds as will secure their liabilities.....	192	195			194, 344	

Introduced by	Title of.	Notice	First Reading.	Second Reading.	Third Reading.	Other Pro- ceedings.	Approved.
Committee on Education.	A Bill to provide for the temporary or- ganization of the Educational Depart- ment of the State...		195	264	300	193, 208, 230 244, 257, 285	437
Mr. Whipper	A Bill to authorize R. S. & M. R. Ben- nett, of Beaufort, to collect wharfage....	194	195			204, 207, 240 343, 390, 391	
Mr. Bishop.	A Bill for the detec- tion and punish- ment of secret as- saults	194					
Mr. Perrin.	A Bill for the protec- tion of all mechanics and laborers.....	194					
Mr. Purvis.	A Bill to provide for the appointment of Tax Collectors in this State.....	195	199			199, 229, 240 249, 295, 365	
	A Bill to repeal an Act entitled an Act to repeal the usury laws of this State, approved December 8, 1866.....		195			250	
	A Bill to transfer cer- tain records and for other purposes.....		195			242, 208, 216	
	A Bill relative to a building of John G. Itgen.....		195	208			

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
From Senate.	A Bill to regulate the tenure of certain offices and appointments thereto.....	195	208	215	201, 203, 222	231	
From Senate.	A Bill for the preservation of the State Capitol.....	195	423	424	203, 240, 414 416		
From Senate.	A Bill to incorporate the Columbia Educational Society.....	195	453	370	319, 362		
From Senate.	A Bill to provide for the accommodation of the General Assembly, the Executive, and the Judiciary.....	195	423	445	203, 207, 240 414, 416, 434		
From Senate.	A Bill to declare the manner by which the lands, or the right of way over the lands, of persons and corporations may be taken for the construction and uses of railways and other works of internal improvement.....	196	201	248	443	222, 247, 253 393, 436	
From Senate.	A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company, in South Carolina".....	196	201	421	424	409, 415, 417 418	
Committee on Judiciary.	A Bill authorizing Executor of Juliana						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved,
	Irvine to pay over proceeds of sale, &c.	198	200	206			
Committee on Ways and Means.	A Bill providing for the assessment and taxation of property		198	226	235	223, 225, 318 325, 334, 340 341, 343, 346	437
Mr. H. James.	A Bill to alter and amend an Act of the General Assembly passed December 19, 1843, entitled "An Act to incorporate the village of Walterboro"	205	223			212	
Mr. Crews.	A Bill to abolish the Town Council of Laurensville.....	205					
Mr. W. J. McKinlay.	A Bill to regulate the powers and duties of County Treasurer...	205					
Mr. W. J. McKinlay.	A Bill to regulate and determine the powers and duties of County Assessor....	206					
Mr. W. J. McKinlay.	A Bill to regulate and determine the powers and duties of County Auditor.....	206					
From Senate.	A Bill to renew the charter of the Camden Independent Fire Engine Company		209				

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Whipper.	A Bill to fix the official bonds of certain county officers.....		211	262	300	252, 285	
Mr. Thomas.	A Bill to establish a reform school for vagrant children in the State.....	212					
Mr. Kuh.	A Bill to regulate the licensing of places wherein wine, spirituous and malt liquors are sold, and also for gaming rooms and taverns..	213					
Mr. B. James.	A Bill for a charter of a new road leading into the town of Sumter.....	213	218			344, 390, 391	
Mr. Jackson.	A Bill to define the duties and pay of State officers, and to provide for their succession in office in case of death or removal, and for other purposes.....	213					
Mr. DeLarge.	A Bill to amend the charter of the Cheraw and Coalfields Railroad Company..	222	224	315	320	251, 434	469
Mr. DeLarge.	A Bill to enable the Chatham Railroad Company to extend their road to Columbia	222	224	299	403	400 251, 262, 272 295, 296, 297 302, 310, 380	455

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Approved.
Committee on the Penitentiary.	A Bill to provide for the reorganization and government of the South Carolina Penitentiary		224	272	310	228, 229, 294	
Committee on Privileges and Elections.	A Bill to regulate elections and punish the abuse of the elective franchise...		224	388	396	229, 265, 266 286, 297, 301 325, 340, 341 350, 370	
Mr. Sloan.	A Bill to renew the charter of Pendleton village, in the County of Anderson	224	228				
Mr. Whipper.	A Bill to establish Justices' Courts and define the duties thereof		224	269	310	252, 294	
Mr. Whipper.	A Bill to provide for the mileage and per diem of the members of the General Assembly		224			255, 261, 262	
Mr. DeLarge.	A Bill to authorize a loan to redeem the obligations known as Bills Receivable of South Carolina...		224	246	253	242, 245	287
Mr. DeLarge.	A Bill to authorize a loan to pay interest on the public debt..		224	250	254	242, 246, 253	287
Mr. Jenks.	A Bill to provide for the election by the State of Electors of						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
	President and Vice-President of the United States, and to fix the time for the election of members of Congress....		224	312	339	243, 310	
Mr. Burton.	A Bill to compel owners of stock to keep them within a safe enclosure.....		225			301, 310	
Mr. Whipper.	A Bill to establish the office and define the duties of a County Prosecuting Attorney.....		228			314, 318, 320 325, 328, 345 371, 376, 385 390, 392	
From Senate.	A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government		239	372	379	335	
From Senate.	A Bill to incorporate the Wando Mining and Manufacturing Company		240	340	396	294, 318, 381 388	455
From Senate.	A Bill to incorporate the United Fire Engine Company of Charleston		240				
Committee on Judiciary.	A Bill to establish the Counties of Pickens and Oconee as a Judicial District...				317	353 242, 344	454

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Committee on Grievances	A Bill to license pilots for Charleston bar and harbor, Stono River, &c.....		243	268	300	267, 285, 474	
Mr. Whipper.	A Bill to establish a health officer, and define his duties...		243			269	
Mr. Feriter.	A Bill to amend an Act entitled "An Act to renew and amend the charter of the town of Sumter"...	247	260			319, 347	
Mr. Whipper.	A Bill to establish the office of County Treasurer	247	400	426		319, 332, 333 365, 366, 387 399, 422	
From Senate.	A Bill to recharter Cureton's Ferry, in Lancaster County...		251				
Mr. J. N. Hayne.	A Bill to regulate the distillation of certain spirituous liquors in the State.		259			326	
Mr. Lomax.	A Bill to punish office holders for malfeasance in office..	263					
Mr. Kuh.	A Bill to regulate the granting of licenses by County Commissioners, City and Town Councils.....		263			405	
From Senate.	A Bill to provide for the payment of the per diem and mile-						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Jackson.	age and current expenses of the General Assembly of South Carolina.....		269	273	462	285, 453, 456	
Mr. Mays.	A Bill to allow minors and others to recover real or personal property, bonds, stocks, bank deposits, bank notes or moneys that were converted into Confederate bonds, stocks or moneys...	271	285			350	
Mr. Dennis.	A Bill to define the contracts for laborers, and for other purposes.....	271	326			405	
Mr. Lomax.	A Bill for the purpose of regulating the time and manner for Insurance Companies doing business in this State, by agents or otherwise, to make returns.....	271					
Mr. J. N. Hayne.	A Bill to punish discrimination in the treatment of prisoners by Sheriffs and Jailers.....		286	370	379	335	
Mr. J. N. Hayne.	A Bill applying for a charter for the Camden and Charlotte Railroad.....	293					

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Bosemon.	A Bill to incorporate the Ashley Fire Engine Company, of Charleston	294	302	365	372	343, 354	
Mr. Ransier.	A Bill to provide for the protection of laborers and persons working under contract on shares of crops.....	314	346	413	427	324, 422, 475	
Mr. DeLarge.	A Bill to incorporate the Calvary Baptist Church, of Charleston	315	367				
Mr. Gardner.	A Bill to punish persons pursuing and injuring horses and other live stock with intent to steal them.	315	320			345, 390, 391	
Mr. Chestnut	A Bill entitled "A Bill to amend an Act to renew the charter of the town of Camden".	315					
Mr. Bennett.	A Bill to amend the charter of the town of Beaufort.....	315					
Mr. Neagle.	A Bill to order an election for county officers for the County of York.....	315					
Mr. Whipper.	A Bill to establish the office and define the duties of County Recorders.....		315			378	

Introduced by	Title of.	Notice.	First Reading.	Second Reading	Third Reading	Other Pro-ceedings.	Approved.
From Senate.	A Bill to fix the official bonds of certain county officers.....		318	347	359	336, 350	
Mr. L. Cain.	A Bill to alter and amend the charter of the town of Edgefield.	319	337				
Mr. Jenks.	A Bill to incorporate the Longshoremen's Protective Union...	320	337				
Mr. Whipper.	A Bill to provide for the organization of the Supreme Court.		326	397		350, 370, 396 411	
Mr. Whipper.	A Bill to abolish corporeal and capital punishment.....		326				
Mr DeLarge.	A Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina" ...		324	364	373	350	455
Mr. Whipper.	A Bill to establish and define the duties of County Surveyor....		326			377	
Committee on Ways and Means.	A Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State		331	371	379	477	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro ceedings.	Approved.
From Senate.	A Bill to change the location of a portion of the Rutherfordton Road in the County of Greenville	332	338			358, 390, 391	
From Senate.	A Bill to extend the charter of Kinsler's Ferry	332	338	415	422	362, 390, 392 411, 414	
From Senate.	A Bill to establish Wright's Ferry over the Catawba River.	332	338			358, 390, 391	
From Senate.	A Bill to re-establish Tucker's Ferry over the Edisto River...	332	338			358, 390, 391	
From Senate.	A Bill to incorporate the Home Insurance Company, of Charleston.....	332	338				
From Senate.	A Bill to declare the roads leading from Gervais street in the city of Columbia to Kinsler's Ferry, and from Kinsler's Ferry to the State Road on the western side of the Congaree River, public highways	332	338	486	491	358, 390, 391	
From Senate.	A Bill to close the operations of the Bank of the State of South Carolina...	33	338				

Introduced by	Title of.	Notice	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Committee on Incorporations.	A Bill to incorporate certain fire engine companies of Charleston		336	347	371	358, 370	
Mr. James N. Hayne.	A Bill to incorporate the Wateree and North Carolina Railroad Company..		336				
Mr. Whipper.	A Bill to define the jurisdiction and regulate the practice in Justices' Courts.		336			368, 397, 405 406, 415, 422 428, 429, 444 446, 453	
Mr. Whipper.	A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the courts of this State		336	382	399	345, 370, 380 388	
Mr. Joseph Boston.	A Bill to regulate and perpetuate the mileage and per diem of each member of this legislative body for the next regular session	337					
Mr. Whipper.	A Bill to extend the time for county officers to qualify.....		345	367	372	351, 364, 366 367, 413	455
Mr. DeLarge.	A Bill to provide for the election of officers of cities and incorporated towns in the State of South Carolina.....		345	436	446	432, 435, 445 477	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Hyde.	A Bill to provide the manner in which all debts shall be collected contracted before May 1st, 1865.....	346	359			369, 380, 393	
Mr. Stoeber.	A Bill to provide transportation for convicts discharged from the State Penitentiary.....		346	370	379	358, 416	455
Committee on Railroads.	A Bill to authorize additional aid to the Blue Ridge Railroad Company.....		350	383	393	365, 374, 376, 382, 388, 393	428
Committee on Roads, Bridges and Ferries.	A Bill to authorize a lease of the State Road running from the County of Greenville, State of South Carolina, across the Saluda Mountain to the County of Henderson, in the State of North Carolina..		351	412	422	390, 410	454
Mr. Burton.	A Bill to provide for the identification of live stock, cattle, hogs, horses or mules killed or injured by railroads in this State.....	358	363				
Mr. Thomas.	A Bill to change the third Section of an Act of the General Assembly, passed in the year 1856,						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
	amending the charter of the town of Summerville.....		359			403	
Mr. Tinsley.	A Bill to establish a Bureau of Agricultural Statistics, and for the encouragement of industrial institutions in the State	359	364	489			
Committee on Incor- porations.	A Bill to establish a public ferry in York County.....		362	371	379	371	
Mr. White.	A Bill to regulate the sale of spirituous liquors by apothecaries and others.....	364	370			405	
Mr. Brodie.	A Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon.....	373	385	448	458	444	
From Senate.	A Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts."		379	414	427	406, 422	
From Senate.	A Bill to regulate the manner of drawing juries		380	480	491	479, 485	
From Senate.	A Bill to organize townships and to define their powers and privileges.		380	479	489	475, 477	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third reading.	Other Pro-ceedings.	Approved.
From Senate.	A Bill to define the jurisdiction and duties of County Commissioners.....		380	438	485	425, 429, 430 437, 458, 460 465, 470	
From Senate.	A Bill to provide for the revision and consolidation of the statute laws of the State.....		380			449	
From Senate.	A Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal.....		381	414	439	406, 422, 434	
From Senate.	A Bill to authorize the sale of the Columbia Canal.....		381	411	439	387, 398, 408 410, 422	
From Senate.	A Bill providing for the temporary appointment of Magistrates, and defining their powers.....		381	398	464	397, 411, 450 457	
From Senate.	A Bill to authorize additional aid to the Blue Ridge Railroad Company.....		382				
From Senate.	A Bill to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county.....		382			406, 414	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Approved.
Mr. Lomax.	A Bill to alter and amend the charter of the town of Abbeville.....	389	402				
From Senate.	A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication		392	409	422	397, 406, 408 444	
From Senate.	A Bill to regulate the practice of Circuit Courts in certain cases.....		392	480	488	479	
Mr. Whipper.	A Bill to provide for the filling of certain offices.....		395	414	427	405, 422	
From Senate.	A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.		400	448	450	406, 442, 447	
From Senate.	A Bill to organize the Supreme Court.....		400	413	426	413, 422	
From Senate.	A Bill to provide for the government of the South Carolina Penitentiary.....		403	441	450	444	
From Senate.	A Bill to regulate attachments.....		412	437	449	425, 429, 435 436	
From Senate.	A Bill to suppress insurrection and rebellion.		412	437	448	425, 429, 435 436	

Introduced by	Title of.	Notice.	First Reading	Second Reading	Third Reading.	Other Proceedings.	Approved.
From Senate.	A Bill to regulate arrests and bail in civil actions.....		412	479	490	424, 429, 439 461	
From Senate.	A Bill to provide for the formation and proceedings of the College of Electors.		412	465	484	427, 464	
From Senate.	A Bill providing for the next general election and the manner of conducting the same.....		414	476	488	426, 427, 453 475, 479, 486	
Mr. Jenks.	A Bill to change the day of election of chartered officers of the city of Charleston		416				
From Senate.	A Bill authorizing the leasing of the Saluda Turnpike, and directing the disposition of the rental money of the same..		417				
Committee on Grievances.	A Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard		420	429	432	425	473
Mr. Tomlinson	A Bill to provide for the transient sick poor in the city of Charleston		433	448	450	446, 447, 485	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Approved.
From Senate.	A Bill to fix the salary and define the duties of the Attorney General of the State		434	442	449	448	
From Senate.	A Bill to supply temporary vacancies in the office of Governor		435	353	477	458	
From Senate.	A Bill to determine the manner of disposing of lands purchased by the State for taxes.....		435	448	453	446	
From Senate.	A Bill to quiet rights vested under military orders		435	442	446	443	
Mr. DeLarge.	A Bill to amend an Act entitled "An Act to provide for the inspection of flour.".....		436				
Mr. Neagle.	A Bill to regulate the proceedings in cases of assault with deadly weapons.....		439				
Committee on Ways and Means.	A Bill to make additional appropriations for the payment of the per diem and mileage of the members, and the salaries of the subordinate officers and other expenses of the General As-						

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Approved.
	sembly, and for the payment of the salaries of the State officers		439	441	446	445, 458	
From Senate.	A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston.....		442				
Committee on Judiciary.	A Bill to authorize the Governor to release certain convicts.....		443	445	451		
Mr. Bosemon.	A Bill to establish quarantine at Georgetown, Charleston and Hilton Head.....		445				
From Senate.	A Bill to fix the salary and regulate the pay of certain officers.....		449	483	491	470, 480, 485	
From Senate.	A Bill to renew the charter of the ferry over the Saluda River, known as Island Ford, in the County of Newberry		450	485	490		
From Senate.	A Bill to amend an Act entitled "An Act to provide for the inspection of flour."		456	461	480	461, 464	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Approved.
From Senate.	A Bill to establish quarantine at Georgetown, Charleston and Hilton Head.....		457	471	489	462, 470, 476	
Mr. Neagle.	A Bill to authorize the Governor to leave the State under certain circumstances..		475	485	491		
From Senate.	A Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises and to invite capital to South Carolina.....		489				
From Senate.	A Bill to authorize the Governor to leave the State under certain circumstances..		489				

C.

Chairman, selection of Mr. J. H. Jenks as.....	4
administration of oath of office to.....	5
vote of thanks to.....	12
Committee, Special, appointed to wait on President of Constitutional Convention.....	5
Committee, Special, to inform Senate of organization of House.....	8
to recommend suitable subordinate officers.....	11
to conduct Speaker to the chair....	8
to wait upon late Provisional Governor Orr.....	12
to wait upon the Governor elect.....	12
on Privileges and Elections, appointed.....	12
to make arrangements for inauguration of Governor elect.....	48
to find more suitable place for meeting of Legislature.....	53
to recommend the necessary Standing Committees	54
to estimate cost of fitting up building on Arsenal Hill as residence for Governor.....	54
on Rules.....	74
to report business for the session.....	76
to report what legislation is necessary to collect mileage and per diem for members.....	77
to report cost of fitting up rooms in new State House.....	100
(Joint) on Enrolled Bills appointed.....	166
appointed to report upon the Banks of the State...	168
to investigate riot in Columbia.....	178
on Rules.....	178, 272
on examination of accounts of S. L. Leaphart, Ex-Comptroller-General.....	192
on collection of per diem and mileage.....	199
to investigate charges against Hon. J. L. Neagle	199
on disloyal organizations.....	205
Camp, J. P. F., elected Sergeant-at-Arms.....	73
Clerk of House elected.....	73
Committees Standing, appointed.....	78, 116
Clerks, Assistant, appointed.....	101
Cowes, Elliott, M. D., account of.....	116
Charleston, resolutions from sundry citizens of.....	131, 146
Cromley, Ira, communication referred.....	166
Clement, M. W., account of.....	218

Crews, Jos., communication referred.....	237
Callison, James, communication referred.....	237
Corbin, D. T., elected Circuit Judge.....	274
declines office of Circuit Judge First Circuit.....	488
Comptroller-General, communication from, referred.....	318
Columbia City Council, communication of, referred from Governor.....	352
referred to Committee.....	352
Cantwell, James M., account of.....	402
Connor, J. O. A., account of.....	402
Clayton, D. B., account of.....	488
Committee, Special, appointed to abate a nuisance.....	216
wait on Governor in relation to rules	
of South Carolina Penitentiary....	229
on petition of H. James for remission	
of taxes.....	230
Committee, Joint, on important business.....	239
to define duties of Clerk of House, Phonographer	
and Sergeant-at-Arms.....	302
Committee, Special, of the Whole.....	324
appointed to investigate the loss of certain Bills...	337
relative to arrest of Mr. R. C. DeLarge,	
a member.....	349
of conference on important pending Bills... ..	426
investigate a disturbance on John's Island.....	428
Committee, Joint, on Election Bills.....	439
Committee, Special, on Unfinished Business	452
conference on Bill to codify the laws.....	460, 467
defining duties of County Com-	
missioners.....	461
Commissioners, Special, Oconee County, application for payment for	
services.....	336
Commissioners, Special, for Pickens.....	336

D.

Doorkeeper, appointed	75
Assistant, appointed.....	94
Denny, J. W., proposal for Public Printing.....	76
Dial, W. H., account of.....	97
Dill, S. G. W., decease of announce.....	101
resolutions relative to.....	101
Dubois, J. C., account of.....	122
Davant, J. C., communication, referred.....	166

Daily News, Charleston, account of.....	218
DeKnight, W. F., communication, referred.....	237
Davis, Perry, account of.....	402
Denny, J. W., State Printer, account of.....	475

E.

Election of Clerk of House and Sergeant-at-Arms.....	73
United States Senators by House.....	80
Joint Assembly.....	83, 94
Election of Speaker.....	8
Chief Justice of Supreme Court.....	136
Associate Justice of Supreme Court.....	143, 145
Circuit Judges.....	273, 274, 276, 277, 278, 279, 281, 282, 284
Edgefield, Sheriff of, account.....	282
Election, special, Kershaw County, returns of.....	260, 270
of Circuit Judge, Sixth Circuit.....	474
Evening session.....	401, 412, 458, 471, 484
Everson, G. W., account of.....	488

F.

Flag, United States, raised over hall.....	75
Frazer, P. F., account of.....	115

G.

Governor, proclamation of, convening General Assembly.....	3
Orr, J. L., Provisional, Message of.....	13
referred.....	45, 122, 172
introduced to General Assembly.....	51
inauguration of.....	53
Message of No. 1.....	5
2 transmitting to Senate documents from Military Commander pertaining to elections.....	99
3 returning concurrent resolution relative to granting petition of A. E. Bristow.....	139
4 referring communications.....	149
5 approval of resolutions for removal of disabilities of N. G. W. Walker and C. B. Farmer.....	158
6 referring communications.....	165
7 approving Acts.....	192
8 signed joint resolutions.....	206
9 signed joint resolutions for removal of political disabilities.....	230

Governor, Message of No. 10 approving Acts.....	231
11 transmits report of Commissioner of Im migration.....	231
12 referring communications.....	237
13 referring communications.....	237
14 transmits communication relative to quaran- tine at Charleston.....	248
15 transmits memorials of Dr. Alfred Raouls, of Charleston.....	249
16 approving Acts.....	255
27 approving joint resolutions removing polit- ical disabilities.....	260
18 returning petition of T. S. Heyward.....	266
19 approving Acts.....	287
20 in reference to Blue Ridge Railroad.....	287
21 approving joint resolution.....	311
22 enclosing communication from Comptrol- ler-General.....	311
23 enclosing communications.....	317
24 enclosing communications.....	317
25 enclosing petition of pilots.....	322
26 returning with disapproval an Act to alter and amend charter of city of Charleston..	322
27 approval of joint resolution for drawing seventy thousand dollars.....	351
28 enclosing communication from City Coun- cil of Columbia.....	352
29 acknowledging receipt of a concurrent res- olution relative to reports from State offi- cers, &c.....	401
30 approving Act.....	428
31 endorsing communication.....	428
32 approving Acts.....	437
33 approving Acts.....	454
34 approving Acts.....	455
35 approving Acts.....	455
36 endorsing communication.....	455
37 approving an Act.....	469
38 approving Acts and resolutions.....	478
39 approving Acts.....	497
Geiger, W. P., M. D., account of.....	94
Gentry, L. M., account of.....	112

Greenville and Columbia Railroad, memorial of.....	112
communication from.....	125
Glover, C. B., account of.....	
Gilchrist, A., communication, referred.....	237
Green, J. T., elected Circuit Judge.....	277
Gage, S. P., account of.....	486

H.

House of Representatives convened.....	3
call of.....	80, 83, 223, 235, 248, 332, 347
348, 393, 401, 439, 443, 491, 493	
Hall of House, use of granted Chaplain of Senate for holding service on Sunday.....	96, 108
Hugenin, J. G., M. D., account of.....	106
Hoge, S. L., elected Associate Justice of Supreme Court.....	145
Hamburg, citizens of, petition, referred from Governor.....	317
referred ..	321

J.

Jenks, J. H., chairman, address of.....	4
Jones, A. O., elected Clerk.....	74
Janitor, appointed	94
Joint Assembly.....	83, 90, 132, 140, 273, 471

K.

Kingman, S. J., account of.....	95
Kershaw County, election returns from.....	260, 270
Kennedy, John J., petition, referred from Governor.....	317
referred ..	321
Keith, W. W., communication, referred from Governor.....	317
referred ..	321

L.

Leaves of absence, 94, 97, 100, 104, 119, 125, 131, 138, 151, 168, 178 179, 187, 192, 200, 209, 217, 227, 241, 251, 262, 269, 293, 301 314, 319, 334, 342, 349, 357, 359, 367, 377, 385, 3495, 401, 415 424, 431, 440, 443, 445, 484, 487, 492	
Limehouse, R. J., account of.....	95
Lance, W. S., account of.....	111
Lee, W. J., communication from, referred.....	149
report on.....	351

M.

Membership, military orders taken as guide of.....	5
Mackey, A. G., President of Constitutional Convention, administers oath of office to temporary chairman	5
Mackey, A. G., administers oath of office to Governor.....	53
Members interrogated as to qualification.....	5
Members appeared, sworn, and took seats.....	67
additional appeared, sworn, and took seats... 47, 48, 50, 75,	271
Members unable to qualify.....	7
resignation of.....	326, 384
Members recorded votes..... 107, 146, 159, 184, 217, 221, 222,	227
228, 329, 330, 333, 334, 342, 384, 394	
Mixson, W. J., non-qualification of.....	7
Members, seats of contested.....	7
Moses, F. J., Jr., elected Speaker.....	8
address on assuming chair as Speaker.....	8
Messengers appointed.....	75
Members absent without leave... 399, 400, 403, 433, 434, 444, 447, 449	
450, 458, 459, 460, 466, 467, 470, 476, 477, 479, 493, 495	
Messages from Senate..... 109, 163, 176, 182, 191, 235, 236, 245,	250
268, 331, 381, 393	
Moses, Hon. F. J., invited to seat on Speaker's stand	102
Moses, F. J., elected Chief Justice of Supreme Court.....	136
Mason, W. R., communication from, referred.....	149
Mitchel, M., M. D., account of.....	152
Members excused from serving on Committees.....	187
brought to bar of House.....	348
Meade, George G., Major-General, communication from.....	264

N.

Neagle, J. L., presents paper for record on journal.....	188
Neil, C. C., communication of, referred from Governor.....	317
referred.....	321

O.

Organization, temporary.....	4
Oath administered to Chairman.....	5
members.....	6
Governor.....	53
Officers, temporary appointed by Chairman.....	7
Orr, J. L., Provisional Governor, Message of.....	13
elected Circuit Judge.....	284

P.

Protest, presentation of against admission of members from Anderson County.....	7
Protest, presentation of, against legality of election of members from Spartanburg County.....	12
Protest, presentation of, against legality of election of members from Lancaster.....	106
Papers relative to contested seats of members from Anderson County, referred to Committee.....	48
Pages appointed.....	75
Petition by citizens of Edgefield County for appointment of Managers of Election.....	75
Petition of Sumter Fire Engine Company for incorporation.....	75
citizens of Laurensville, praying removal of Intendant and Wardens of that town.....	82, 104
A. E. Bartow, Sheriff of Marlboro County, for relief from penalty.....	90
B. F. Boyd for incorporation of Ferry in York County..	94, 362
Cheraw Hook and Ladder Company, for incorporation.....	95
John F. Porteous, of Beaufort, for removal of political disabilities.....	96, 115
Lincoln Republican Guards, of Charleston, for a charter...	98
citizens of Rockville, for town charter.....	98
counter petition.....	98
citizens of Abbeville County, for an Election Precinct and Managers of Election.....	98
citizens of Pickens County, for an Election Precinct and Managers of Election.....	98
W. H. Wigg, to allow him to practice law in certain Courts	98
Langley Manufacturing Company, for incorporation.....	98
for charter of Prudence Fire Engine Company, of Charleston.....	102
A. L. McCaslin, of Abbeville, for removal of political disabilities.....	106, 116, 127, 139, 150
M. O. Connell, for balance due him for labor on new State House.....	108
A. McCoy, and others, for charter of the Union Star Fire Company, of Charleston.....	116
W. J. Clawson, of Yorkville, for removal of political disabilities.....	116, 128
Messrs. Hightower, Blythe and Earle, of Greenville, for lease of State Road across the Saluda Mountain, &c.....	116, 351

Petition of citizens of Oconee County, for certain changes in a public road.....	121, 171
Board of Commissioners of Public Buildings of Williamsburg County, for appropriation to build a jail.....	121
certain pilots of Charleston, for license as branch pilots.....	126
P. Q. Camp, of Spartauburg, for removal of political disabilities.....	126, 147, 186
A. E. Smith, of Spartauburg, for removal of political disabilities.....	130, 147, 186
Comet Star Fire Engine Company, for a charter.....	139
sundry citizens of Lexington County, for change of an Election Precinct.....	139
merchants of Charleston, asking relief from certain taxes imposed by Legislature of 1866.....	147, 344
heirs of Georgiana Heyward, asking relief from a double tax execution.....	148, 163, 169, 239, 266, 300, 344
W. W. Armstrong, formerly Professor in Citadel Academy, Charleston, for relief.....	150
sundry citizens of Williamston, Anderson County, praying incorporation.....	152
McLeod & Bro., of Colleton County, for charter for opening and making navigable Little Salkahatchie Swamp.....	152
A. L. Tobias, and others, praying passage of a Bill to incorporate the Home Insurance Company, of Charleston.....	164
J. McKnight, for appointment as Magistrate.....	172, 246
citizens of Greenville County, for removal of political disabilities of Joel Farmer.....	172
citizens of Greenville County, to have road opened.....	172, 351
Yorkville, for recharter of town.....	172
Charleston, praying legislation to enable them to hold a municipal election.....	175
W. Kinsler, for charter of Ferry, at Columbia.....	175
citizens in reference to election in Columbia.....	175
John G. Itgen, of Charleston, in reference to a building.....	181
Juliana Irvine, of Charleston.....	181
City Council of Charleston, relative to Fire Department.....	181
Niagra Fire Company, Charleston, for incorporation.....	182
Savannah and Charleston Railroad Company.....	183
citizens of St. Helena, for refundment of taxes.....	188, 344
Mt. Pleasant, to amend town charter.....	194
W. J. Robinson, to renew stock certificate.....	194, 202
citizens of Yorkville, protesting against renewal of the town charter.....	199

Petition of W. P. Guy, Sheriff of Chester County, be relieved of a penalty.....	205
Orangeburg Fire Company, for incorporation.....	205
Robert Black, for refundment of taxes.....	213
citizens of Chesterfield, for removal of court house....	212, 251
Samuel Hale, of Union, for removal of political disabilities	213
J. W. Lary, of Orangeburg, for removal of political disabilities.....	213
T. H. Cooke and M. C. Conner, Orangeburg, School Teachers, for back pay.....	213
John Caldwell, for payment interest on past due bonds of Savannah and Charleston Railroad.....	218
Henry James, for remission of taxes	218
Dr. T. J. Rawls, in relation to Columbia Hospital.....	229, 246
Isaac G. Long, for charter of Kingstree Swamp, &c., as right of way.....	246
citizens of Lancaster for renewal of charter.....	253
S. Randall, for change of road in Pickens County..	259
B. Black, Colleton County, for removal of political disabilities	260
Ashley Fire Engine Company, of Charleston, for incorporation.....	294
John W. Staggers, of Williamsburg County, for a change of name.....	295, 326
Calvary Baptist Church, of Charleston, for incorporation....	314
citizens of Colleton, against petition of McLeod & Bros	320
L. S. Langley, of Beaufort County, for relief in consequence of non-qualification as School Commissioner.....	321, 343
Western Union Telegraph Company, for the remission of tax..	336, 346
for change of Election Precinct in Pickens County.....	345
citizens of Oconee County, against removal of an election box	352
A. Y. Lee, of Columbia, for charter for noiseless traction engines.....	369
Abbeville County Commissioners of Poor, for funds to build jail	373, 405
W. S. Harley, for renewal of Fire Loan Stock.....	373
Zion Church, Columbia, to erect on State land.....	373
Mayor and City Council, of Charleston, praying repeal of an Act relative to digging cellars, &c.....	404, 420

Petition of citizens of James' Island, for appointment of Election Managers..... 404

J. G. Halford, of Colleton County, for removal of political disabilities..... 404

sundry citizens of Greenville County, contesting election of certain county officers 421

sundry citizens of James' Island, for a new polling place..... 440

Pierce, H. A., proposal for public printing..... 75

Pate, Henry, account of..... 95

Printing, public, proposals for..... 13, 75, 76

Parker, Edward, M. D., account of..... 98

Presentment of Grand Jury of Orangeburg County, referred..... 111

Peterson, J. E., account of..... 139

Place, Samuel, communication from, referred..... 149

acted upon..... 174

Porcher, F. P., M. D., account of 151

Parker, F. L., M. D., account of..... 151

Pingree, G. K., communication, referred..... 237

Platt, Zephaniah, elected Circuit Judge 276

R.

Recess..... 7, 50, 80, 226, 235, 348, 443, 454, 491, 493

Rules, suspension of 7, 50, 74, 78, 90, 96, 97, 103, 105, 108, 125

131, 168, 172, 176, 184, 223, 226

Ratification of Article XIV of United States Constitution. 20

Reading Clerk appointed..... 75

Robertson, T. J., elected United States Senator..... 83

Radszinsky, L. D., M. D., account of..... 90

Radcliffe, Thomas W., account of..... 105

Rule, Special, notice of to suspend..... 117

76 suspended..... 121

66 announcement of Speaker relative to..... 139

41 suspended..... 217

Rutland, J. M., elected Circuit Judge..... 278

Railroad, Blue Ridge, memorial of..... 287

referred 318

Report of Committee to inform Senate of organization of House..... 48

on inauguration... .. 48, 51

on permanent organization..... 49

concerning appointment of Standing Committees..... 72

in reference to contested seats of members from Anderson County..... 79, 95

Report of Committee on Rules and Revolutions.....	95
to find more suitable place for meeting of Leg- islature	54
on printing of Daily Journal.....	97
on account of R. J. Limehouse.....	97, 98
on Rules and Regulations.....	105
on pay of subordinate officers of House.....	108
to investigate condition of State Treasury.....	111
to ascertain cost of fitting up the new State House.....	111, 114
on resolution rescinding joint resolution of 1836.....	113
on report of Commissioners appointed to select county seats for Oconee and Pickens Counties.....	118
on resolution for election of Justices of the Su- preme Court.....	114
on Ways and Means on a Bill to provide for the redemption of the Bills Receivable...	123
Report of Commissioners to create new county seat for Pickens County..	118
Senate Committee on Disabilities on petition of William Hill, Abbeville, for removal of political disabilities.....	127
Kcowie and Tuckaseege Turnpike Company.....	148
Senate Committee on Disabilities of W. J. Clawson.....	157
S. D. Goodlett.....	157
Report of Committee on Anderson contested seats.....	164, 174, 220, 222
339, 418, 427, 435	
South Carolina Deaf, Dumb and Blind Institution, referred..	166
Report of Committee on Disabilities on Treadwell, Myers, Arthur and Clawson.....	171, 209, 239
Report of Committee (Senate) on Disabilities of J. G. Ensloe and W. M. Rivers, of York.....	186
Report of Committee (Senate) on Disabilities of E. Livingston	187
Committee on Penitentiary about Tucker.....	193
Secretary of State.....	203
Committee of Conference on Joint Rules.....	210
Commissioner of Immigration.....	231
Senate Committee on Disabilities of W. H. Anderson, of Chester.....	209, 238
Leaphart, S. L.....	255
Commissioners of Free Schools of Kershaw County.....	346
Committee on duties of Clerk, Phonographer, &c.....	375
on Lunatic Asylum.....	378

RESOLUTIONS.

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Moses.	That the President of the Constitutional Convention administer oath of office to temporary Chairman.....	5
Mr. DeLarge.	For appointment of Committee to wait on President of Constitutional Convention	5
Mr. Moses.	Relative to guide of membership.....	5
Mr. Moses.	That oath be administered to members in order of counties.....	5
W. McKinlay.	To interrogate members as to their qualification	5
W. McKinlay.	For election of Speaker.....	7
Mr. Perrin.	For Committee to inform Senate of organization of House.....	11
Mr. DeLarge.	Adopting Rules for government of House.	11
Mr. Tomlinson.	Requesting information from late Provisional Governor Orr relative to condition of the State.....	11
Mr. Tomlinson.	To inform Governor elect that House is ready to receive any communication from him.....	12
Mr. DeLarge.	Inviting certain persons to seats on floor of House.....	12
Mr. Ransier.	Relative to Message of Provisional Governor Orr.....	45
From Senate.	(Joint) ratifying Constitutional Amendment (Article XIV).....	46
Mr. Neagle.	Relative to inauguration of Governor elect	48
Mr. Elliott.	Relative to contested seats of certain members	49

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Elliott.	For appointment of Committee to find more suitable place for meeting of the Legislature.....	53
Mr. Feriter.	That Governor be empowered to appoint Justices of Peace.....	54
Mr. DeLarge.	Relative to contested seats of members from Anderson County.....	53
Mr. DeLarge.	For removal of political disabilities of W. J. Mixson, of Barnwell.....	54, 100
Mr. Whipper.	Relative to appointment of Standing Committees of House.....	54
Mr. Neagle.	For appointment of Committee to report cost of fitting up building on Arsenal Hill, as residence for Governor.....	54, 128
Committee on Permanent Organization.	Authorizing Attorney General to employ Engrossing Clerks.....	74, 100
Mr. W. J. McKinlay.	For appointment of Committee on Rules for government of House.....	74
Mr. Jackson.	Relative to election of United States Senators	75
Mr. DeLarge.	For appointment of Committee of ten to lay business before the House.....	76
From Senate.	Appointing of J. W. Denny State Printer, accompanied by report of Senate Committee on Public Printing.....	76, 96
Mr. Boscmon.	For removal of political disabilities of George Buist, of Charleston.....	77, 100
Mr. Neagle.	For appointment of Committee to investigate condition of State Treasury.....	77
Mr. Moore.	To print 500 copies of Message No. 1 of Governor	77

INTRODUCED BY	CHARACTER OF	ACTION.
Mr. G. Lee.	Relative to pay of subordinate officers.....	78
Mr. Neagle.	Reference to balloting for United States Senators.....	80
Mr. Kuh.	Empowering Governor to appoint Magistrates.....	95
Mr. Berry.	To remove political disabilities of N. G. W. Walker, of Barnwell County.....	95, 111
Mr. DeLarge.	Granting use of hall of House for Divine services.	96
Mr. Whipper.	Relative to granting leaves of absence.....	96
Mr. Whipper.	Relative to appointment of Chaplain.....	96, 107
Committee on Claims.	Granting petition of A. E. Bristow.....	97, 119, 139
Mr. Mickey.	In reference to establishing free schools in St. John's Parish.....	98
Mr. DeLarge.	That Sergeant-at-Arms secure suitable rooms for use of Committees.....	99
From Senate.	For removal of political disabilities of T. H. Cooke, Geo. Boliver and W. N. Mount.....	100, 115
Mr. Stolbrand.	For appointment of Committee to report cost of fitting up rooms in new State House.....	100
Mr. Neagle.	For relieving A. E. Bristow of a penalty incurred.....	101
Mr. Chesnut.	Relative to death of Hon. S. G. W. Dill..	101
Mr. Jenks.	To remove political disabilities of C. B. Farmer, of Colleton County.....	102
Mr. J. N. Hayne.	Relative to election of Justices of Supreme Court.....	102, 114, 226

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Crews.	Instruction to Committee on Incorporations to report whether any incorporated companies in this State have discharged employees on account of political principles.....	103
Mr. Elliott.	That the Comptroller-General be requested to report all contingent accounts audited in his office.....	103
Mr. Smalls.	For removal of county seat of Beaufort County from Gillsonville to Beaufort	103, 114
Mr. Bosemon.	Authorizing Committee on Privileges and Elections to employ a clerk.....	104
Mr. Sasportas.	That the Commission to examine into the assets and liabilities of the State report.....	104, 166
From Senate.	(Joint) rescinding a joint resolution of the General Assembly of 1836.	106, 113
Mr. Jenks.	For the payment of temporary officers of the House.....	107
Mr. DeMars.	For removal of political disabilities of Frank Meyers, of Orangeburg County	107
Mr. Tomlinson.	For appointment of Committee on Disabilities.. ..	107, 113
Mr. Tomlinson.	(Joint) authorizing the Governor to employ a Private Secretary.....	108
Mr. Berry.	(Joint) providing for recording deeds, wills, &c	108, 114
Mr. Jervey.	Granting use of hall of House for Divine service on Sunday.....	108
Mr. Smalls.	(Joint) creating office of County Solicitor, &c.	108

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Feriter.	(Joint) for removal of political disabilities of R. L. Heriot and John O'Connor, of Sumter.....	109, 120
Mr. Neagle.	Referring report of President of Bank of State of South Carolina to Committee on Ways and Means, with instructions.....	113
Committee on the Judiciary.	(Joint) instructing Commissioners appointed to select county seats for Oconee and Pickens Counties to continue their work.....	113
Mr. Ransier.	Instructing Committee on Military Affairs to report a Bill for the organization of the militia.....	114
Mr. Jenks.	Authorizing the Governor to contract for closing the doors and windows in the new State House.....	115
Mr. Ransier.	Authorizing Committees on the Judiciary and Ways and Means to employ a clerk	115
Mr. Neagle.	Instructions to Committee on Ways and Means to report what amount of taxes has been paid into the Treasury by colored people, &c.....	115
Mr. Tomlinson.	Requesting Ex-Comptroller General Leaphart to furnish certain reports, &c....	116, 127
Mr. Smalls.	That the Printer, on the order of the Speaker, furnish each member with a bound copy of the Constitution of the State.....	117
Mr. Neagle.	That petitions for claims be discharged until the State Treasury is in funds.	117
Mr. George Lee.	Instructing Committee on Offices and Officers to report a Bill fixing salaries of various officers.....	121, 156

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Purvis.	To continue in office until regular election the Mayor and Aldermen of Columbia.....	121, 127, 152
Mr. Neagle.	Referring a portion of Provisional Governor Orr's Message marked "D" to Committee on the Penitentiary...	122
Mr. Jenks.	Reference to distribution of daily Journal	123
Mr. Tomlinson.	Instructing Committee on Public Printing to report cost of printing daily Calendar.....	123, 126
Mr. Tomlinson.	(Joint) appropriating \$2,500 to fit up the Governor's residence on Arsenal Hill	128, 239, 311
Mr. Crews.	To rescind an order of General Canby continuing in office the Town Council of Laurensville.....	129, 157
Mr. W. J. McKinlay.	In reference to the absence of subordinate officers of the House.....	129
Mr. Simons.	Instructing Committees on Lunatic Asylum and Penitentiary to report.....	129
Mr. Turner.	(Joint) authorizing the Governor to appoint three persons to represent the State at the next meeting of the stockholders of the Spartanburg and Union Railroad....	129
Mr. R. M. Smith.	In reference to the manner of introducing Bills	129
Mr. Neagle.	For appointment of Committee on Catawba Indians.....	130
Mr. R. M. Smith.	Requesting all papers in hands of Committee on Privileges and Elections relative to political disabilities to be turned over to Committee on Disabilities	139

INTRODUCED BY	CHARACTER OF.	ACTION.
Committee on Disabilities.	(Joint) for removal of political disabilities of P. Q. Camp and A. E. Smith, of Spartanburg	147, 206
Mr. Lomax.	In reference to members absent without leave	147
Mr. Bosemon.	For appointment of Committee to ascertain extent, condition and location of lands acquired by State from failure of persons to pay taxes.....	147, 239
Mr. G. Lee.	For appointment of Committee on Leaves of Absence.....	147
Mr. Grant.	For removal of political disabilities of Joseph L. Breeden, of Marlboro County.....	148
Mr. DeMars.	For removal of political disabilities of W. R. Treadwell, of Orangeburg...	148
Mr. Feriter.	Instructing Committee on Judiciary to report a Bill for holding municipal elections, &c.....	148
Mr. Whipper.	For removal of political disabilities of A. L. McCaslin, of Abbeville.....	150, 206
Mr. Neagle.	Recognizing as legal all military appointees to office in the State.....	150
Mr. Sloan.	(Joint) that charters of all towns, &c., that have expired by limitation be renewed, &c.....	152
Mr. Shrewsbury.	That no resolution for removal of political disabilities be considered unless accompanied by a petition from the persons so desiring.....	152
Mr. Chestnut.	Relative to removal and appointments of Election Managers of Camden precinct, Kershaw County.	152

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Doyle.	(Joint) for preservation of records of Pickens District.....	153
Mr. Sasportas.	To abolish the office of Stenographer of the House.....	153
Mr. DeMars.	Instructing Committee on County Offices and Officers to report a certain Bill..	153
Mr. W. J. McKinlay.	For a Committee of Conference on Rules of House and Senate.....	153
Mr. Wilder.	In reference to erection of poor houses...	153
Mr. Feriter.	Instructions to Committee on Privilege and Elections to report a Bill.....	154
Mr. Kuh.	To pay per diem of S. G. W. Dill to his widow.	154
From Senate.	(Joint) for appointment of Committee on Enrolled Bills	157
Mr. Chestnut.	To investigate cause of a riot in Columbia.	165, 173
Mr. Neagle.	For a Committee of five to report upon the Banks of the State	163
Mr. Ransier.	Instructing Committee on Military Affairs to inquire into expediency of organizing State troops as guards for Penitentiary	168
Mr. Bosemon.	In reference to pay of Phonographer of House.....	171, 174
Mr. Burton.	Referring portion of Governor Orr's Message to Committee on Education.....	172
Mr. Sasportas.	In reference to abolishing office of Stenographer of the House.....	172
Mr. Simons.	Instruction to Committee on Lunatic Asylum to report.....	172

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Bosemon.	(Joint) invitation to Gen. G. G. Meade to visit Assembly.....	175
Mr. Jenks.	For appointment of Committee to Audit Accounts.....	175
Mr. O'Connell.	In reference to a reduction of polling precincts in the State.....	176
	In reference to suspending the annual exercises of the South Carolina College for one year.....	176
Mr. Smalls.	In reference to leaves of absence.....	179
Mr. Bishop.	No person to be recommended for removal of political disabilities unless they have aided in reconstructing the State.....	180
Mr. B. James.	In reference to pay of Stenographer.....	180, 294
Mr. C. D. Hayne.	In reference to working of State roads...	181
Mr. Jervey.	In reference to duties, &c., of Stenographer of House.....	181
Mr. Driffler.	Instruction to Committee to report a Bill for transfer of State stocks.....	182, 242
Mr. Jenks.	For Joint Committee to determine upon a great seal for the State.....	183, 191
From Senate.	A resolution for removal of political disabilities must be accompanied by a petition	186
From Senate.	To remove political disabilities of A. L. McCaslin, of Abbeville.	186
From Senate.	Inviting General George G. Meade to visit General Assembly.....	186
From Senate.	Calling for reports from Ex-Comptroller General.....	186

INTRODUCED BY	CHARACTER OF.	ACTION.
From Senate.	To remove political disabilities of R. L. Heriot of Sumter.....	186, 206
From Senate.	To remove political disabilities of John F. Porteous, of Beaufort.....	186, 206
Mr. Neagle.	Instruction to Committee to report on a Bill for levying capitation tax.....	187, 188
Mr. DeLarge.	In reference to reducing expenses of Public Printing.....	188
Mr. Tomlinson.	Instructing Committee to report in reference to continuing the sale of land for taxes in accordance with certain military orders.....	189
Mr. Shrewsbury.	Instructing Committee to inquire into cause of imprisonment of certain convicts in State Penitentiary.	189
Mr. McIntyre.	To allow Speaker an extra per diem.....	189
Mr. Whipper.	For election of eight Circuit Judges, &c., August 13.....	190
Mr. Purvis.	Rescinding resolution to appoint Committee to investigate a riot in Columbia.	190, 209
Mr. Feriter.	Requesting Secretary of State to inform House what amount of land is now held by the State for taxes.....	190, 203, 236
Mr. Johnston.	Allowing each member fifteen minutes to speak.....	191
Mr. C. D. Hayne.	Instructing Messenger to furnish letter box	194
Mr. McIntyre.	For a Commission to revise the laws of the State.....	194
Mr. Tomlinson.	Rescinding motion making Special Order Bill to incorporate Citizens' Savings Bank.....	195

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Smalls.	To establish a new election precinct in Beaufort County.....	199
Mr. McIntyre.	For appointment of Committee to facilitate collection of per diem and mileage.....	199, 202
Mr. Hyde.	That Sergeant-at-Arms furnish each member a daily paper.....	199
Mr. Whipper.	Authorizing Attorney-General to employ a clerk for the Solicitors.....	200, 209
Mr. DeLarge.	Fixing pay of the two Solicitors in the Attorney-General's office.....	200, 239
Mr. O'Connell.	For appointment of Committee to define the duties of Auditing Committee...	200
Mr. Johnston.	In reference to decease of Hon. Thaddeus Stevens, of Pennsylvania.....	202, 209
Committee on Ways and Means.	(Joint) to issue a renewal to executors of Maria Brisbane of 6 per cent. stock..	203, 216
Mr. Bosmon.	In reference to disloyal organizations.....	204
Mr. DeLarge.	In reference to reading of Bills.....	205
Mr. H. James.	In relation to Walterboro Academy.....	205
Mr. Stoeber.	Instruction to Committee to report Bill defining larceny, &c.....	205
Mr. Crews.	Relative to granting divorces—Committee to report a Bill.....	206
From Senate.	To defray expenses for fitting up building for General Assembly.....	209
Mr. Smalls.	Instructing Committee to report on petition of pilots of Charleston, &c.....	211
Mr. Jenks.	(Joint) to pay State Printer three hundred dollars.	211

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Jackson.	For Committee on Penitentiary to report in relation to convicts	212
Mr. Jackson.	For suspension of reading of daily Journal for remainder of session.....	212
Mr. Driffle.	In reference to Tax Collectors to pay over moneys collected.....	212
Mr. Lewie.	In reference to per diem and mileage.....	212
Mr. Stubbs.	In reference to payment of members.....	213
Mr. Joseph Boston.	For appointment of Committee to present to House business of the utmost importance for present session.....	213, 236, 239
Mr. O'Connell.	To investigate cost of repairing roof of the new State House.....	214
Mr. DeLarge.	Tax Bill made Special Order.....	218
Mr. G. Lee.	For holding evening sessions.....	224
Mr. Feriter.	Inviting Senate to meet on 18th August to elect eight Circuit Judges.....	225
Mr. James.	Instructing Committee on Privileges and Elections to report a Bill to prevent persons being present at election polls with fire-arms.	225
Mr. Jenks.	To pay State Printer \$1,000.....	228
Mr. Stoeber.	For appointment of Committee to wait upon the Governor in relation to rules of South Carolina Penitentiary.	229
Mr. Jenks.	Rescinding resolutions in reference to tax Bill	235
From Senate.	Relative to expenses for fitting up building for General Assembly.....	238

INTRODUCED BY	CHARACTER OF.	ACTION.
From Senate.	Providing for a clerk for the Solicitors of the General Assembly.....	238
From Senate.	Postponing action on petitions for removal of political disabilities.....	238
From Senate.	For Attorney-General to inquire into competency of clerks for Solicitors...	238
From Senate.	Directing the Clerks of the two Houses to furnish copies of the Journal and Calendar to either House.....	238
Committee on Ways and Means.	(Joint) to relieve W. P. Gill of a penalty	242
Mr. Stubbs.	Instructing Committee to report on a Bill organizing Circuit Courts	248
Mr. B. James.	In reference to discrimination in appointments of police in towns and cities ..	248
Mr. Driffle.	Relative to poor houses in the State.....	246
Mr. Stoeber.	In relation to reading of Bills.....	247
Mr. Feriter.	Inviting Senate to unite in Joint Assembly for election of Circuit Judges.....	247
Mr. Tomlinson.	In reference to construction placed upon Article IX, Section 7.....	248
Mr. Ransier.	Rescinding a resolution of August 18 to pay State Printer \$1,000.....	249
Mr. Ransier.	To pay State Printer \$1,000.....	250, 271
From Senate.	To make poor houses industrial institutions	250, 252
Mr. McIntyre.	For appointment of Board of State Caversers	252
Mr. Thomas.	For appointment of Committee to report plan for school of reformation.....	252
Mr. C. D. Hayne.	In reference to suspension of a Rule.....	259, 261

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Sasportas.	In reference to admission of persons on the floor of the House.....	260
Mr. Feriter.	Relative to a Bill to close the operations of the Bank of the State of South Carolina.....	261
Mr. Jackson.	Relative to suspension of Rules.....	262
Mr. O'Connell.	To empower the Governor to sell Bills- Receivable.....	262, 264
Mr. McIntyre.	Reference to railroad charters.....	263, 273
Mr. B. James.	Relative to elections.....	263
Mr. Jackson.	For election of Circuit Judges.....	268
Committee on Privileges and Elections.	In reference to election of J. A. Boswell from Kershaw County.....	270, 271
Mr. Richardson.	Instructing Committee to report by Bill or otherwise a system for draining inland swamps.....	271, 201
From Senate.	Requiring report from Commissioners appointed by Constitutional Convention to inquire into the assets and liabilities of the State....	271, 310
Mr. Whipper.	In reference to pay certificates.....	293
Mr. McIntyre.	In reference to a State Surveyor.....	294
Mr. Jenks.	In reference to payment of the General Assembly.....	300, 331
Mr. C. D. Hayne.	In reference to railroad schedules.....	302
Mr. Bosemon.	For appointment of Committee to define duties of Clerk of House, Photographer and Sergeant at-Arms.....	302, 352, 355 374, 375
Committee on Ways and Means.	(Joint) to draw from Treasury funds to pay expenses.....	313, 314, 318 351

INTRODUCED BY	CHARACTER OF.	ACTION.
From Senate.	(Joint) authorizing issue of pay certificates to members.....	318
Mr. Tomlinson.	In reference to Blue Ridge Railroad.....	318
Mr. Tomlinson.	In reference to communication from Comptroller-General.....	318
Mr. Jenks.	Requesting Committee on Incorporations to report on a Bill.....	320
Mr. Turner.	Relative to adjournment of General Assembly September 11.....	320, 353
Mr. Chestnut.	For establishing additional election precinct in Camden.....	320
Mr. DeLarge.	In reference to joint resolution to render resolutions valid on first reading....	321, 331, 335 341, 371, 389
Mr. DeLarge.	No Bill to be introduced after September 7th.....	321
Mr. Simons.	That Committee on Lunatic Asylum report number of persons in Asylum, &c.....	326, 378
Mr. S. B. Thompson.	For establishment of three additional polling places in the County of Richard.....	326
Mr. Jackson.	Requesting Committee to report important business for consideration.....	327
From Senate.	(Joint) for relief of Mrs. Mary A. C. Hobbs.....	332, 338, 344 390, 391
From Senate.	(Joint) authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barwell County.	332, 338, 343 353, 371
Mr. G. Lee.	Congratulation on elections in Vermont and Delaware.....	336

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Shrewsbury.	Requesting a report from Committee on Lunatic Asylum.....	337
Mr. McIntyre.	Relative to reports from State and county officers to General Assembly at regular session, 1868.....	337, 381, 401
Mr. W. J. McKinlay.	For appointment of Committee to investigate the loss of certain Bills.....	337
Mr. Neagle.	Additional instructions to Special Committee in reference to loss of certain Bills.....	337
Mr. Simons.	Requesting a report from Committee on Public Buildings in relation to Columbia Alms House.....	338
Mr. Jenks.	Making Special Order a Bill to incorporate certain Fire Engines.....	338
Committee on Ways and Means.	(Joint) relieving heirs of Mrs. Georgiana Heyward, of Charleston, of a double tax execution.....	344, 370, 372 373
Mr. Shrewsbury.	That Committee on Judiciary report a Bill to enable minors to recover property	345
Committee on Ways and Means.	(Joint) relieving Western Union Telegraph Company from double tax.....	346, 347, 372 389
Mr. Tomlinson.	That R. C. DeLarge, a member, be brought to bar of House and censured by Speaker.....	348
Mr. Tomlinson.	Releasing from arrest Mr. R. C. DeLarge a member.....	349
Mr. Sasportas.	For appointment of Special Committee to inquire into the arrest of Mr. R. C. DeLarge	349
Committee on Ways and Means.	(Joint) granting relief to Dr. A. Raouls, of Charleston.....	350, 391

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Driffler.	(Joint) authorizing Governor to appoint Justices of the Peace.....	352, 377
Mr. O'Connell.	In reference to pay of State Librarian, &c.	359
Mr. DeLarge.	Directing Committee to report on arrest of R. C. DeLarge.....	359, 362
Mr. Bosemon.	(Joint) relative to publication of Acts, &c.....	363, 369, 374 385, 478
Mr. Dennis.	(Joint) relative to insurance companies..	363
Mr. Stoeber.	In reference to evening session.....	364, 388
Mr. Sasportas.	For Committee to submit important business to make a report.....	369
Mr. Bosemon.	In reference to pay of Clerk and First Assistant	384
Mr. Jackson.	Inviting General J. R. Hawley to visit the General Assembly.....	385
Mr. H. James.	Requesting Committee on Incorporations to report a Bill to amend charter of town of Walterboro.....	386
Mr. Lang.	For appointment of Committee to ascertain if the Treasurer has sufficient funds to pay balance due members...	389
Mr. Stolbrand.	To defer consideration of certain Bills until regular session.....	389
From Senate.	Inviting General J. R. Hawley to visit Columbia, &c.....	392
Mr. Neagle.	For Committee on Judiciary to report what Bills have become laws, &c.....	395
Mr. Whipper.	To grant the Sergeant-at-Arms a clerk...	395
Mr. DeLarge.	(Joint) to pay W. J. Mixson, member elect from Barnwell County, his mileage... ..	395, 405, 411 416

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. DeLarge.	For House to adjourn at 2 P. M. and meet again at 5 P. M.....	396
Mr. Ransier.	To adjourn <i>sine die</i> September 18.....	402
Mr. Farr.	For Committee to report on a Bill to protect laborers on crops, &c.....	402
Mr. DeLarge.	Instructions to State Printer regarding printing of Permanent Journal, &c...	403
Mr. Jenks.	Requesting Comptroller-General to furnish General Assembly, at its next session, a report of all lands owned by State, &c.....	406, 459
Committee on Penitentiary.	Authorizing Governor to remit sentence of certain convicts... ..	411, 424, 438
Mr. Elliott.	To allow Speaker of House an extra compensation of four dollars per day....	415
Mr. DeLarge.	That General Assembly adjourn <i>sine die</i> September 24.....	422, 552
Mr. Dennis.	For appointment of Committee of Conference on important Bills.....	426, 432
Mr. Jervey.	Limiting debate.....	426
Mr. Chesnut.	Limiting debate to fifteen minutes	426
Mr. Ransier.	For a Joint Committee on Bills in relation to elections.....	427, 453
Mr. Tomlinson.	To dispense with evening sessions.....	431
From Senate.	(Joint) authorizing Governor to appoint a Commissioner to take charge of State Works at Greenville.....	434, 441, 443 446
From Senate.	For appointment of Committee on subjects requiring immediate consideration...	434
Mr. Ransier.	Confirming the election of members from Anderson County.....	435

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Feriter.	That Bills, &c., reported on by Committee of Conference have precedence of all other business.....	436
Mr. J. N. Hayne.	To pay mileage to W. J. Mixson.....	439
Mr. DeLarge.	Inviting Hon. John M. Langston, of Ohio, to a seat on floor of House....	443
Mr. Neagle.	Inviting Senate to go into election for Register Mense Conveyance for Charleston	444
From Senate.	(Joint) to inquire into the assets and liabilities of the Bank of the State...	434, 450, 466 476
Mr. Tomlinson.	Relative to compensation of Attorney-General.....	451, 464
Mr. Bosemon.	(Joint) relative to permanent printing...	451, 462
From Senate.	For appointment of Joint Committee on unfinished business.....	452
Mr. J. N. Hayne.	(Joint) for relief of John G. Itgen.....	452, 461, 464
Mr. Elliott.	Relative to care of property of General Assembly.	456, 469, 490
From Senate.	(Joint) for relief of John G. Itgen.....	456, 469, 480
From Senate.	To relieve Western Union Telegraph Company from double tax.....	457, 492
From Senate.	(Joint) to carry out contract with Denny & Perry for printing for Constitutional Convention	457, 469, 485 493
Mr. Neagle.	Inviting Senate to meet in Joint Assembly to elect Trustees of South Carolina University and Regents for Lunatic Asylum.....	459 460, 466
Mr. Tomlinson.	Gratuity to Speaker of House of \$300...	460

INTRODUCED BY	CHARACTER OF.	ACTION.
From Senate.	Authorizing Governor to convene next regular session of General Assembly in Charleston.....	462
Mr. Bosemon.	Instructing Committee on Ways and Means to report on pay of Clerk and First Assistant.....	470, 488
Mr. Ransier.	Rescinding resolution to adjourn <i>sine die</i> September 24th and adjourn 26th...	476, 478
From Senate.	(Joint) to provide for the Public Printing.....	477, 478
Mr. Jervey.	In reference to preparation of pay certificates.....	478
Mr. C. D. Hayne.	Instructing Printer to print, for distribution, three thousand copies of an Act providing for the next general election.....	484, 485
Mr. Whipper.	Authorizing J. P. F. Camp to take charge of furniture, &c., of the General Assembly after adjournment.....	486, 493
Mr. Whipper.	(Joint) defining punishment for persons attempting to collect debts where slaves were the consideration.....	486
Mr. Whipper.	(Joint) in reference to sale of property under process.....	487
Mr. DeLarge.	Appropriating eighty-three dollars for contingent expenses for engrossing.....	488, 493
Mr S. B. Thompson.	Inviting Senate to meet in Joint Assembly to elect a Circuit Judge for first Circuit and a Register of Mesne Conveyances.....	489, 493
Mr. Wilder.	To pay balance due State Printer on account of current work.....	491, 493

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Crews.	Relative to bonds of railroad companies...	491, 493
From Senate.	Authorizing Governor to inquire into removal of marble from State House Grounds	494, 495
From Senate.	Relative to garrisoning towns.....	494
From Senate.	Appointing Joint Committee under Act regulating keeping and disbursing funds by certain officers.....	495
Mr. Tomlinson.	Thanks to Speaker.....	497
Mr. G. Lee.	Granting use of Legislative Hall to Court of Appeals.....	497

S.

Sasportas, J. K., appointed as Secretary <i>pro tem</i>	5
Stolbrand, C. J., appointed as Secretary <i>pro tem</i>	5
Speaker, election of.....	8
rulings of.....	178, 364, 389, 463
Sergeant-at-Arms, election of.....	73
orders to.....	80, 100, 348, 349, 478
Assistant, appointed.....	75
Selby, J. A., proposal for public printing.....	13, 75
Sawyer, F. A., elected United States Senator.....	94
Secret session.....	99, 208
Stenographer appointed.....	101
Senate, notification to House of organization.....	7
Standing Committees	78, 116, 187
members added to.....	166, 187, 349
Salaries of subordinate officers defined.....	109
Stewart, J., account of.....	139
Samuel, W. B., M. D., account of.....	194
Stevens, Thaddeus, decease of announced.....	202
Secretary of State, transmits report.....	203
Shaw, H. A., communication, referred.....	237

T.

Thanks, vote of to temporary Chairman	12
Tranyham, Dr. J. G., account of	98
Terry, J. K., communication, referred.....	166
acted upon.....	174
Treadwell, W. R., account of.....	218
Thomas, W. M., elected Judge Sixth Circuit	474

V.

Vernon, T. O. P., elected Circuit Judge	282
Vote on ratification of Amendment to United States Constitution.....	50

W.

Williamston, B., account of.....	
Wofford, J. B., account of.....	129
Willard, A. J., elected Associate Justice of Supreme Court.....	143
White, J. T., communication from, referred.....	149
Ward, W. W., communication from, referred.....	166, 243
Williams, G. W., elected Circuit Judge.....	281
declination of as Judge.....	370

REPORTS AND RESOLUTIONS.

IN THE HOUSE OF REPRESENTATIVES, July , 1868.

Resolved, That the General Assembly of South Carolina do hereby petition the Congress of the United States to remove the disabilities of W. J. Mixson, of the County of Barnwell, Representative elect to the General Assembly.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 18, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 10, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Attorney-General, in accordance with the custom of previous Legislatures, be authorized to employ the necessary number of Engrossing Clerks, not to exceed six, except by express authority of the General Assembly; and that he be further authorized to employ the services of two competent legal gentlemen, to aid in preparing and perfecting the various Bills, Resolutions, and other papers for the General Assembly.

Resolved, That the House do agree to the resolution.

Ordered, That that it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 18, 1868.

Resolved, That the Senate concur in the resolution.

Ordered, That it be returned to the House of Representatives.

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 13, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the General Assembly of South Carolina do petition the United States Congress to remove the political disabilities of George Buist, in order that he may at once qualify and enter upon the duties of the office of Probate Judge of the County of Charleston, to which he has been recently elected.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 18, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 21, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the petition of Alexander E. Bristow, Esq., Sheriff of Marlboro County, be granted, and that he be relieved of the penalty incurred under Act of 1839, as set forth in said petition.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 22, 1868.

Resolved, That the Senate do concur with the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 21, 1868.

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disa-

bilities of C. B. Farmer, a worthy citizen and resident of Colleton County, State of South Carolina.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 25, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 23, 1868.

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disabilities of N. G. W. Walker, Sheriff elect of Barnwell County.

Resolved, That the House do agree to the resolution.

Ordered, That it be returned to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 24, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 24, 1868.

1st. Resolved, by the House of Representatives, the Senate concurring, That S. L. Leaphart, the retiring Comptroller-General, be requested to furnish to the General Assembly a full report of the cash transactions at the Treasury of the State, a report of the contingent accounts of Clerks, Sheriffs, Coroners, Magistrates, Constables and other officers of the State, audited under the requirements of General Orders No. 139, issued from Headquarters Second Military District, on 3d day of December, 1867; and, also, a

report of the accounts of Sheriffs, Jailers, &c., audited and advanced under the provisions of the Act of December, 1866, entitled "An Act to regulate the fees of Sheriffs for dieting prisoners confined in jail, and to provide for the more expeditious payment thereof;" the said reports to be made up to the 10th day of July, 1868, inclusive.

2d. Resolved, That a Joint Committee of three from each House be appointed to examine the accounts of S. L. Leaphart, the retiring Comptroller-General, and more especially the claims and accounts audited and passed by him in accordance with the General Orders No. 139 and the Act of December, 1866, referred to in the first resolution, and that the said Committee be required to report, within ten days, whether the said auditing has been in conformity with the provisions and requirements of the said General Orders and the Act of December, 1866.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

—

IN THE SENATE, August 6, 1868.

Resolved, That the Senate do concur with the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

—

IN THE HOUSE OF REPRESENTATIVES, August : , 1868.

Resolved, That the House of Representatives, the Senate concurring, do petition the Congress of the United States to remove the political disabilities of W. R. Treadwell, of Orangeburg County, South Carolina.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

—

IN THE SENATE, August 17, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 1, 1868.

Whereas there exists a difference in the Rules of the House and Senate in reference to the manner of considering and disposing of Bills; and whereas said difference has caused, and is likely to cause, delay and hindrance to business; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That a Committee of Conference shall be appointed by the House and Senate who shall consider and report to the two Houses a suitable plan for the transaction of the business referred to.

Resolved, That five members of this House be appointed on said Committee, and that the Senate be requested to appoint such number on the same as in their direction they may see fit.

Resolved, That the House do agree to the resolution.

Ordered, To be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 5, 1868.

Resolved, That the Senate do agree to the report and concur in the resolution.

Ordered, That it be returned to the House of Representatives, and Senators Arnim, Wright and Leslie appointed Committee.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 1, 1868.

Resolved, by the House of Representatives, the Senate concurring, That no resolution relative to the removal of the political disabilities of any person shall be hereafter considered, unless accompanied by a petition from the party or parties so desiring to be relieved.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 6, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 4, 1868.

Resolved, That the House of Representatives, the Senate concurring, appoint a Committee of five to investigate and find out the causes and persons connected with the disturbance or riot that was made on certain members of the General Assembly in this city on Saturday night last, August the 1st, 1868.

Resolved, That said Committee be authorized to report persons and papers to the General Assembly as speedily as possible.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 5, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 8, 1868.

Resolved, by the House of Representatives, the Senate concurring, That a Joint Committee of five, to be composed of three from the House and two from the Senate, be appointed, whose duty it shall be to determine upon a Great Seal for the State, as is required by Section 18 of the Executive Department of our Constitution.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 10, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 10, 1868.

Whereas the necessity of an investigation of the disturbance of August in the city of Columbia, is removed by the findings of the jury empan- for that purpose ; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the joint resolution authorizing the appointment of a Committee be, and the same is hereby, rescinded.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

—

IN THE SENATE, August 11, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

—

IN THE HOUSE OF REPRESENTATIVES, August 12, 1868.

Resolved, by the Senate and House of Representatives of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the pay of the two Solicitors authorized to be appointed by the Attorney-General under resolution passed July 18, 1868, is hereby fixed at ten dollars per day, when employed, the fact of such employment to be certified by the Attorney-General.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

—

IN THE SENATE, August 17, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

—

IN THE HOUSE OF REPRESENTATIVES, August 13, 1868.

Whereas the sad intelligence of the death of the Hon. Thaddeus Stevens, of Pennsylvania, has reached us by telegraph ; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That while we recognize the wisdom of Divine Providence, and bow in reverence to his decrees, we do most deeply regret the loss to the country of one of its

most noble philanthropists, and to the oppressed of every clime and race one of their truest and most constant friends.

Resolved, That the desks of the President of the Senate and Speaker of the House be draped in mourning for thirty days, and that the flag which floats over the hall of the General Assembly be hoisted at half-mast until intelligence is received of the burial of this friend of a common humanity.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 13, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 14, 1868.

Resolved, by the House of Representatives, the Senate concurring, That a Committee of a sufficient number be appointed by each House, and that they be authorized to investigate and present before each House business of the most importance for the present session.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 15, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 31, 1868.

Whereas it is generally believed that the State has acquired possession of a considerable amount of lands in consequence of the failure of persons owning them to pay the taxes due thereon; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That

a Committee consisting of five members from the House and three members from the Senate be appointed, to ascertain, if possible, the precise extent, condition and location of said lands, and report the same to this body at as early a day as practicable.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 17, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August , 1868.

Resolved, by the House of Representatives, the Senate concurring, That the State Treasurer be, and is hereby, authorized to pay to J. W. Denny, State Printer, on the order of the Speaker of this House, out of any money appropriated to defray the current expenses of this General Assembly, on account of current printing for this House, the sum of one thousand dollars.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 21, 1868.

Resolved, That the Senate do concur with the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 2, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Comptroller, Attorney and Adjutant and Inspector-General, Secretary of State and Treasury, Superintendent of Education and Chairman of the several Boards of County Commissioners, be instructed by His Ex-

cellency the Governor to submit a report of their transactions in their several offices to this body at the next regular session in November, 1868, and that a copy of this resolution be sent to His Excellency R. K. Scott.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 3, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 15, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Comptroller-General be, and he is hereby, requested to furnish to the next session of the General Assembly a full report of all lands owned by the State, their location, and a full description of the same.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 22, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 22, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Attorney-General of the State shall receive as compensation for his services, during the time from his induction into office to the day on which the Act defining his duties and fixing his compensation shall become a law, the sum of ten dollars per day and mileage, as is allowed to members of the

General Assembly : Provided, That he shall receive from the State no other compensation for his services during that time. •

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 22, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 23, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the concurrent resolution adopted by both Houses fixing the time of adjournment of this special session for Thursday, 24th instant, be, and the same is hereby, rescinded, and that both Houses do adjourn on Saturday, 26th instant, at 12 M.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 24, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 24, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Printer is hereby instructed to print 1,000 copies of the "Act providing for the next general election and the manner of conducting the same" for distribution among the Canvassers and Managers of Election throughout the State.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R

IN THE SENATE, September 24, 1868.

Resolved, That the Senate agree to the resolution as amended.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 25, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the balance which may be due the Public Printer on account of the current work for both branches of this General Assembly shall be paid in Bills Receivable, at current rates of exchange : Provided, That there are no current funds available for that purpose.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 25, 1868,

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 25, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the Governor be required to notify the various railroad companies of this State whose bonds have been guaranteed or endorsed by the State that unless satisfactory provisions be made by said railroad companies to pay the interest due and past due on the meeting of the General Assembly in November next, legal proceedings will at once be instituted against said railroad companies for the collection of the said interest.

Resolved, That the House do agree to the resolution.

Ordered, To be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 25, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 25, 1868.

Resolved, by the House of Representatives, the Senate concurring, That the sum of eighty-three dollars be paid for contingent expenses in the work of engrossing during the present session, and that the President of the Senate and Speaker of the House of Representatives be directed to sign certificates for the payment of the same.

Resolved, That the House do agree to the resolution.

Ordered, That it be sent to the Senate for concurrence.

By order :

A. O. JONES, C. H. R.

—
IN THE SENATE, September 25, 1868.

Resolved, That the Senate do concur in the resolution.

Ordered, That it be returned to the House of Representatives.

By order :

J. WOODRUFF, C. S.

A P P E N D I X A .

PAPERS ACCOMPANYING

THE

MESSAGE OF PROVISIONAL GOV. ORR.

- A.—Report of the Comptroller-General.
- B.—Report of Treasurer.
- C.—Report of Regents of Lunatic Asylum.
- D.—Report of Commissioners of the Deaf and Dumb and the Blind.
- E.—Report of Commissioner of Immigration.
- F.—Report of the Chairman of the Faculty of the University of South Carolina.
- G.—Report of the Engineer and Architect and Superintendent of Penitentiary; also, his Supplemental Report.
- H.—Proceedings of Commission to inquire into the management and treatment of prisoners in Penitentiary.
- I.—Report of pardons granted and reasons therefor.

A.

REPORT OF THE COMPTROLLER-GENERAL.

COMPTROLLER-GENERAL'S OFFICE,

COLUMBIA, S. C., 25th November, 1867.

To His Excellency JAMES L. ORE, Governor of South Carolina :

The Comptroller-General has the honor to report to your Excellency the transactions in his office, and at the Treasury of the State, from 1st October, 1866, to 1st October, 1867, as set forth in the following statements and exhibits, viz. :

1. Statement of Receipts and Payments at the Treasury from 1st October, 1866, to 1st October, 1867.

2. * * * * *

3. Abstract of the Debtors and Creditors of the State, on 30th September, 1867.

4. Exhibit of Returns of General Taxes received by Tax Collectors of the Upper Division, for the year commencing on 1st October, 1866.

5. Returns of General Taxes received by Tax Collectors of the Lower Division, for the year commencing 1st October, 1866.

6. Aggregate Returns of the Upper and Lower Divisions, and the aggregate taxes thereon.

7. Statement showing the Funded Debt of the State on 1st October, 1867, and the balance of debt to be funded under Acts of September and December, 1866, together with interest due on same to 1st October, 1867.

8. Police or District Assessments on the General Tax of 1866.

Respectfully submitted,

S. L. LEAPHART, Comptroller-General.

Abstract of the Debtors and Creditors of the State on September 30, 1867.

DEBTORS.		CREDITORS.	
Bank of the State for capital, - - - -	\$1,876,163 92	Bank of the State for Current Fund Treasury Upper and Lower Divisions, - - - -	\$1,178,973 60
Bank of the State for sinking fund, - - - -	3,387,784 26	3 per cent. State Stock, - - - -	38,836 60
Bank of the State for redemption of 6 per cent. Bonds of 1860, - - - -	39,200 00	6 per cent. State and 5 per cent. Bonds, 1838—fire loan, - - - -	798,898 40
Treasury of the State of South Carolina, - - - -	191,039 69	6 per cent. Bonds, 1854, Blue Ridge Railroad, - - - -	1,000,000 00
Shares in Railroad Companies, &c., - - - -	2,754,660 00	6 per cent. Bonds and Stock, new capital, - - - -	2,286,600 00
Late Confederate States of America, - - - -	5,447 63	6 per cent. Bonds and Stock, 1866. funded debt, - - - -	735,383 33
Balances due by Sheriffs, Tax Collectors, &c., - - - -	403,965 09	Balance debt fundable under Acts Sept. and Dec., 1866, - - - -	547,496 90
Hamburg Bonds, - - - -	2,057 66	6 per cent. Bonds and Stocks of 1860 and '61—military defence, - - - -	2,241,840 00
Sundries belonging to the Blair Tuition Fund, - - - -	8,258 08	Interest on 3 per cent. Stock, - - - -	291 27
Pensions and Annuities, - - - -	150 00	Interest on 6 per cent. Bonds and Stock—fire loan, - - - -	47,416 69
Fees of Sheriffs for dieting, &c., - - - -	40,463 23	Interest on 6 per cent. Bonds and Stock—new capital, - - - -	84,299 06
Balance against the State, - - - -	1,111,194 58	Interest on 6 per cent. Bonds Blue Ridge Railroad, - - - -	15,000 00
		Interest on 6 per cent. funded debt, Acts September and December, 1866, - - - -	19,354 37
		Interest on 6 and 7 per cent. Bonds and Stock of 1860 and 1861, military defence, to October 1, 1866, - - - -	458,302 28
		Bills Receivable, State of South Carolina, - - - -	222,000 00
		New State House, Columbia, - - - -	19,916 60
		Balance due Free Schools, - - - -	17,263 42
		Balance due Sheriffs and Tax Collectors, - - - -	3,305 92
		Balance due public officers, &c, salaries, - - - -	41,868 38
		Balance of other accounts, being undrawn portions of appropriations, - - - -	111,079 30
		Blair Tuition Fund, - - - -	8,258 08
	\$9,820,384 14		\$9,820,384 14

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, November 25, 1867.

S. L. LEAPHART, Comptroller-General.

For detailed statement of "Debtors and Creditors of the State of South Carolina, on the 30th September, 1867," see pamphlet copy of Comptroller-General's report, pages 8 to 17, inclusive.

Receipts and Payments at the Treasury of the State of South Carolina from October 1, 1866, to October 1, 1867.

RECEIPTS.		PAYMENTS.	
General Taxes.....	\$375,543 19	Salaries.....	\$ 78,456 02
Premium on Coin	513 40	Contingent Accounts.....	40,111 36
Funded Debt, Acts September and December, 1866, paid by parties funding, to make up even sums of \$100 and \$50.....	350 52	Contingent Fund Executive Department.....	17,896 48
Interest received from Tax Collectors.....	17 12	Temporary Jails and Court Houses.....	9,533 33
Commissioners to sell Columbia Canal.....	100 00	Jurors and Constables.....	42,292 88
Wm. A. Harris, Agent for sale of State property under Governor's appointment.....	2,586 80	Free Schools.....	27,157 13
Claims refunded.....	182 20	Contingencies Comptroller's and Treasury offices, Military contingencies.....	3,504 38 248 45
Distributing Acts, &c., refunded.....	8 00	General Taxes, refunded Tax Collectors.....	5,786 23
Bills Receivable of the State, issued under Act of December, 1865.....	75,000 00	State Penitentiary.....	65,000 00
Total receipts.....	\$454,302 23	State Treas'r, transfer & redistribu'n surp. Acts, &c	200 00
Balance of cash in the Treasury on 1st Octo- ber, 1866.....	211,190 83	Library Court of Appeals.....	2,000 00
		Julian A. Selby, State Printer.....	3,065 75
		F. G. DeFontaine, State Printer.....	7,593 72
		Furnishing Room for Court of Appeals.....	300 00
		Legislative Pay Bills.....	47,825 40
		Stationery, fuel for Legislature, distrib'g Acts, &c	620 37
		Court House at Charleston.....	8,000 00
		Engrossing Clerks.....	689 20
		Claims allowed.....	17,268 08
		Roper Hospital, at Charleston.....	3,000 00
		Elizabeth Smith, annuitant, Spartanburg ..	30 00
		Ladies' Memorial Association, Charleston.....	1,000 00
		Catawba Indians.....	2,400 00
		Special Railroad Commission.....	441 80
		Special Commission to inquire into disposition of certain public property.....	230 80

Committee on Emigration.....	500 00
Special Bank Commission.....	594 40
Fuel for Court of Appeals.....	50 00
Filing bills to perpetuate testimony.....	78 20
Fees of Sheriffs, for dieting, &c.....	40,463 23
Building or renting houses for Courts.....	1,650 00
Governor's house rent.....	125 00
Advertising sale of Columbia Canal.....	198 45
Clerk to Committee on Accounts.....	40 00
Lunatic Asylum.....	16,191 47
Repairing University buildings.....	2,000 00
Committee on Education.....	50 00
Contingent expenses Legislative Library.....	200 00
Copying Tax Returns, 1866 and 1867.....	400 00
Expenses of issuing bonds and stocks under fund- ing Acts, September and December, 1866...	1,067 64
Expenses issuing Bills Receivable S. C.....	16 50
Watchmen State House and Grounds.....	640 00
Permanent Jail, Richland.....	10,000 00
Education deaf, dumb and blind.....	2,600 00
Covering State House with tin.....	10,177 00
Artificial legs for soldiers of the State.....	2,615 10
Maintaining quarantine on coast.....	250 00
Total payments.....	\$474,453 37
Balance cash in Treasury 1st October, 1867.....	191,039 69
	\$665,493 06

\$665,493 06

\$665,493 06

S. L. LEAPHART, Comptroller-General

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Upper Division, for the year commencing October 1, 1866.

DISTRICTS AND PARISHES.	AD VALOREM TAXES ON PROPERTY, HAVING REFERENCE TO JANUARY 1, 1867.									
	Number Acres of Land not in possession of Freedmen's Bureau on 1st January, 1867.	Valuation of Land according to Assessment of same on 1st January, 1867.	Tax on Land, 80 cents on every \$100.	Value of Real Estate in Cities, Towns and Villages, not in possession of Freedmen's Bureau on 1st January, 1867.	Tax on Real Estate in Cities, Towns and Villages, 30 cents on every \$100.	Value of Buggies, Carriages, Gold and Silver Plate, Watches, Jewelry and Pianos on hand 1st January, 1867, not held by Dealers for the purpose of Sale.	Tax on Buggies, Carriages, Gold and Silver Plate, Watches, Jewelry and Pianos, \$1 on every \$100.	Value of Articles Manufactured for Sale, Barter or Exchange, between 1st January, 1866, and 1st January, 1867.	Tax on Articles Manufactured, to be paid by the Manufacturers, \$1 on every \$100.	
Abbeville.....	589,091	\$1,824,210	\$5,472 63	\$313,300	\$ 989 90	\$187,133	\$1,871 33	6,412	\$64 12	
Anderson.....	413,810	1,224,075	3,672 28	351,890	1,055 67	77,235	772 35	62,891	628 91	
Barnwell.....	926,050	2,425,300	7,275 90	269,700	809 10	96,410	964 10	4,750	47 50	
Chester.....	341,800	1,217,368	5,652 10	201,435	604 31	69,692	696 92	11,856	118 56	
Chesterfield.....	397,014	657,016	1,971 05	113,540	340 62	21,660	216 60	3,800	33 00	
Clarendon.....	434,695	728,386	2,185 16	40,810	122 43	37,278	372 78	2,170	21 70	
Darlington.....	466,600	1,795,327	5,385 98	222,775	668 32	79,296	792 96	7,437	74 37	
Edgefield.....	911,130	2,218,870	6,656 61	153,910	461 73	160,630	1,606 30	567,478	5,674 78	
Fairfield.....	427,528	1,719,887	5,159 66	189,080	567 24	61,563	615 63	9,800	98 00	
Greenville.....	440,335	955,855	2,866 06	526,650	1,579 95	73,707	737 07	161,875	1,618 75	

Kershaw.....	452,884	1,108,028	3,324 08	388,850	1,166 55	45,570	455 70	.....	.....
Lancaster.....	293,118	781,716	2,345 15	79,450	238 35	23,585	235 35	500	5 00
Laurens.....	424,191	1,866,889	5,599 17	104,400	313 20	74,170	741 70	6,156	61 56
Lexington.....	622,334	1,083,513	3,100 54	14,290	42 87	32,570	325 70	920	9 20
Marlboro.....	270,890	1,353,975	4,161 93	51,725	155 17	45,462	454 62	1,000	10 00
Newberry.....	343,130	1,433,970	4,301 91	248,100	744 80	82,755	827 55	5,192	51 92
Orange.....	594,061	664,125	1,992 37	197,225	591 67	47,022	470 22	7,215	72 45
Pickens.....	698,525	1,430,307	4,290 92	53,160	159 48	35,791	357 91	5,99	59 90
Richland.....	317,187	1,393,840	4,181 52	1,657,750	4,973 25	58,710	587 10	11,400	114 00
Spartanburg.....	581,033	1,685,467	5,056 40	248,700	746 10	75,791	757 91	111,834	1,118 34
St. Matthew's.....	252,316	489,900	1,469 70	450	1 35	34,771	347 71	.....	.....
Sumter.....	502,460	1,926,339	5,779 02	301,025	903 08	103,969	1,039 69	5,475	54 75
Union.....	380,869	1,441,397	4,324 19	116,800	350 40	71,880	718 80	16,498	164 98
York.....	442,959	1,578,063	4,734 19	295,500	886 50	70,082	700 82	22,500	225 00
	11,523,008	32,952,823	98,858 47	6,140,515	18,421 54	1,616,682	16,166 82	1,032,679	10,326 79

7

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1868.

Returns of General Taxes Received by Tax Collectors of the Upper Division, for the year commencing October 1, 1868.
CONTINUED.

TAXES ON GROSS INCOMES RECEIVED BETWEEN JANUARY 1, 1866, AND JANUARY 1, 1867

DISTRICTS AND PARISHES.	Gross Income from Employments, Faculties and Professions, from 1st January, 1866, to 1st January, 1867, excepting Clergymen only.	Tax on Gross Income from Employments, Faculties and Professions, \$3 on every \$100.	Gross Income from Commissions of Brokers, Vendue Masters, Factors or Commission Merchants, &c., from 1st Jan., 1866, to 1st Jan., 1867.	Tax on Gross Incomes from Commissions and Exchange, &c., \$5 on every \$100.	Gross Amount of Premiums received between 1st Jan., '66, and 1st Jan., '67, by Ins. Co.'s incorporated in S. C.	Tax on Gross Premiums received by Insurance Companies, incorporated in South Carolina, \$2 on every \$100.	Gross Amount Premiums received between 1st Jan., '66, and 1st Jan., '67, by Agencies of Insurance Companies, &c., not incorporated in S. C.	Tax on Gross Premiums received by Agencies of Insurance Companies, &c., not incorporated in South Carolina, \$3 on every \$100.	Gross Amount Sales Goods, Wares and Merchandize, between 1st Jan., '66, and 1st Jan., '67, embracing all Articles of Trade for Sale, Barter or Exchange, except those ex'mpt'd in Act.	Tax on Gross Sales of Goods, Wares and Merchandize, &c., 60 cents on every \$100.	Gross Sales of Pictorial Newspapers or Pictorial Magazines, between 1st Jan., 1866, and 1st Jan., 1867.
Abbeville.....	\$54,272	\$1,085 44	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	
Anderson.....	16,685	830 70	.....	.....	.....	.....	.....	.....	.....	.....
Barrow.....	32,480	649 60	.....	.....	.....	.....	.....	.....	.....	.....
Cherokee.....	11,871	227 42	.....	.....	.....	.....	.....	.....	.....	.....
Cherokee field.....	6,385	127 70	.....	.....	.....	.....	.....	.....	.....	.....
Charleston.....	8,899	167 98	.....	.....	.....	.....	.....	.....	.....	.....
Darlington.....	15,495	309 90	.....	.....	.....	.....	.....	.....	.....	.....
Edgewood.....	27,840	546 80	.....	.....	.....	.....	.....	.....	.....	.....

Fairfield.....	19,070	381 40					125	3 75	122,138	732 83
Greenville.....	9,580	191 60	900	45 00			4,118	123 54	177,900	1,067 40
Kershaw.....	14,630	292 60	200	10 00			2,925	87 75	211,812	1,270 87
Lancaster.....	2,105	42 10							60,363	362 18
Laurens.....	10,240	204 80					475	14 25	174,784	1,048 70
Lexington.....	4,405	88 10							34,670	208 02
Marlboro.....	13,850	277 00							128,687	772 12
Newberry.....	14,269	285 38	822	41 10			5,000	150 00	287,185	1,723 11
Orange.....	18,756	375 12					250	7 50	203,942	1,223 65
Pickens.....	5,960	119 20							21,860	131 16
Richland.....	72,441	1,448 82	4,384	219 20	9,000	180 00	30,178	905 34	1,034,975	6,209 85
Spartanburg...	19,374	387 48			154	3 08	769	23 07	141,455	848 73
St. Matthew's..	7,590	151 80	20	1 00					44,590	267 54
Sumter.....	24,372	487 44	1,050	52 50					478,245	2,869 47
Union.....	7,004	140 08							162,659	975 95
York.....	21,915	438 30	180	9 00			3,100	93 00	170,675	1,024 05
Total.....	437,835	8,756 76	13,406	670 30	9,192	183 84	58,164	1,744 92	5,444,303	32,665 82

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Upper Division, for the year commencing October 1, 1866.
CONTINUED.

TAXES ON GROSS INCOMES RECEIVED BETWEEN JANUARY 1, 1866, AND JANUARY 1, 1867.—CONTINUED.

DISTRICTS AND PARISHES.	Tax on Gross Sales of Pictorial Newspapers and Magazines, \$25 on every \$100.	Gross Receipts between 1st January, 1866, and 1st January, 1867, of Newspapers published in this State.	Tax on Gross Receipts of Newspapers published in this State, \$2 on every \$100.	Gross Income from the arts of Photographing and Daguerreotyping, between 1st January, 1866, and 1st January, 1867.	Tax on Gross Incomes from Photographing and Daguerreotyping, \$1 on every \$100.	Gross Incomes in excess of \$500, from Salaries, Rents, Dividends and Money at Interest, between 1st January, 1866, and 1st January, 1867.	Tax on Gross Incomes from Salaries, Rents, Dividends and Money at Interest, \$1 on every \$100.	Gross Income from Saw, Flour and Grist Mills, and from Cotton Ginned on Toll, from 1st January, 1866, to 1st January, 1867.	Tax on Gross Income from Saw, Flour and Grist Mills, &c., \$2 on every \$100.	Gross Income from Hotels, Restaurants, or Eating Houses, from 1st January, 1866, to 1st January, 1867.	Tax on Gross Income from Hotels, Restaurants, &c., \$2 on every \$100.
Abbeville.....	\$4,660	\$93 20	.....	.....	\$ 2,740	\$ 27 40	\$447 00	\$2,900	\$58 00	
Anderson.....	4,000	80 00	\$150	.....	14,136	141 36	390 50	1,500	30 00	
Barnwell.....	1,200	24 00	.....	.....	900	9 00	570 00	.....	.....
Chester.....	550	11 00	.....	.....	1,652	16 52	182 46	.....	.....
Chesterfield.....	650	13 00	150	1 50	3,379	33 79	202 06	500	10 00	
Charleston.....	135	2 70	.....	.....	1,060	10 60	168 70	.....	.....

Danlinton.....					5,190	51 90	11,800	236 00		
Edgefield.....	5,100	102 00			17,300	173 00	80,270	605 40	250	5 00
Fairfield.....	1,488	29 76	450	4 50	7,370	73 70	17,826	856 52	2,000	40 00
Greenville.....	2,750	55 00			18,200	182 00	15,185	303 70		
Kershaw.....					6,890	68 90	8,695	173 90		
Lancaster.....	1,444	28 88			6,680	66 80	10,090	201 80	150	3 00
Laurens.....	3,060	61 20			1,300	13 00	15,776	315 52	1,800	36 00
Lexington.....							36,450	729 00	300	6 00
Marlboro.....					2,350	23 50	17,186	343 72		
Newberry.....	8,000	60 00			8,930	89 30	14,073	281 46		
Orange.....	1,500	30 00			1,350	13 80	34,682	693 64	4,308	86 16
Pickens.....	800	16 00			1,000	10 00	10,391	207 82	200	4 00
Richland.....	16,400	328 00	2,500	25 00	80,623	806 23	13,027	260 54	26,350	527 00
Spartanburg.....	1,042	20 84	300	3 00	5,165	51 65	20,857	417 14	1,620	32 40
St. Matthew's.....							4,619	92 38		
Sumter.....	5,900	118 00	1,300	13 00	3,967	39 67	19,890	397 80	800	16 00
Union.....	200	4 00			5,000	50 00	11,306	226 12	150	3 00
York.....	3,000	60 00	500	5 00	3,175	31 75	15,463	309 26		
	56,879	1,137 58	5,350	53 50	198,387	1,983 87	405,622	8,112 44	42,828	856 56

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Upper Division, for the year commencing October 1, 1866.

CONTINUED.

DISTRICTS	TAXES ON GROSS INCOMES REC'D BETWEEN JAN. 1, '66, AND JAN. 1, '67.—CONTIN'D	
AND		
PARISHES.		
	Gross Income of Keepers of Livery Stables, from 1st January, 1866, to 1st January, 1867.	
Abbeville.....	\$ 400	
Anderson.....	2,500	
Bardwell.....	350	
Chester.....	3,000	
Chesterfield.....		
Clarendon.....		
Darlington.....		
	Tax on Gross Income from Livery Stables, \$2 on every \$100.	
	\$ 8 00	
	50 00	
	7 00	
	60 00	
	Gross Income received by Butchers and Hucksters, from 1st January, 1866, to 1st January, 1867.	
	\$.....	
	1,575	
	570	
	Tax on Gross Income of Butchers and Hucksters, \$2 on every \$100.	
	\$.....	
	31 50	
	11 40	
	Gross Income from Billiard Tables and Bowling Alleys, from 1st January, 1866, to 1st January, 1867.	
	\$.....	
	70	
	Tax on Gross Income from Billiard Tables and Bowling Alleys, \$5 on every \$100.	
	\$.....	
	3 50	
	Gross Income from Bar Rooms, whether connected with a Hotel or not, from 1st Jan'y, 1866, to 1st Jan'y, 1867.	
	\$1,650	
	6,450	
	2,950	
	1,700	
	Tax on Gross Income from Bar Rooms, \$10 on every \$100.	
	\$165 00	
	645 00	
	295 00	
	170 00	
	Gross Income from Ferries and Toll Gates, from 1st January, 1866, to 1st January, 1867.	
	\$ 500	
	240	
	150	
	568	
	Tax on Gross Income from Ferries and Toll Gates, \$1 on every \$100.	
	\$ 5 00	
	2 40	
	1 50	
	5 cts	
	Tax on every taking out of a Charter, except those exempted, \$20.	

Edgefield.....			800	6 00			9,124	912 40	800	8 00	.....
Fairfield.....							250	25 00	800	8 00	.....
Greenville.....	2,000	40 00	550	11 00					1,800	18 00	.....
Kershaw.....			225	4 50			1,540	154 00	2,980	29 80	.....
Lancaster.....									542	5 42	.....
Laurens.....							1,780	178 00			.....
Lexington.....							1,920	192 00	4,148	41 48	.....
Marlboro.....											20
Newberry.....	1,000	20 00	100	2 00	75	3 75	1,700	170 00	650	6 50	.....
Orange.....							2,209	220 90	150	1 50	.....
Pickens.....			100	2 00			650	65 00	800	8 00	.....
Richland.....			3,400	68 00			6,375	687 50	8,800	88 00	20
Spartanburg.....	2,015	40 30	200	4 00							.....
St. Matthew's.....											.....
Sumter.....			200	4 00			8,185	818 50			.....
Union.....	1,350	27 00					2,444	244 40			.....
York.....	3,500	70 00	800	16 00			450	45 00	400	4 00	.....
	\$16,115	\$322 30	8,020	\$160 40	\$145	\$ 7 25	\$49,477	\$4,947 70	\$17,278	\$172 78	\$40

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Upper Division, for the year commencing October 1, 1866.
CONTINUED.

	Tax on each Renewal of Charter liable to Tax, \$10.	Number Public Hacks, Stage Coaches, Dray and Baggage Wagons.	Tax on each Public Hack, Coach, Dray and Baggage Wagon, \$10.	Number of Umbuses.	Tax on Umbuses, \$25 each.	Capitation Tax on Males between 21 and 50 years, resident in State on 1st February, 1867, \$1 each.	Tax on Dogs in the State on 1st Jan., 1867, except one Dog for each Plantation, and one for each Inhabited Lot in Cities, Towns, &c., \$1 each.	Arrears, Double Taxes, &c.	Gas Light Companies.	Tax on Gas Light Companies.	Total Gross Taxes.
DISTRICTS											
Abbeville.....	3	1	\$10	3	\$2,750	\$669	\$669	\$.....	\$.....	\$.....	\$15,563 80
Anderson.....	.....	.....	30	.....	1,712	240	240	57 31	.....	.....	11,352 11
Barnwell.....	.....	3	.....	.....	2,724	744	744	.....	.....	.....	16,529 40
Chester.....	.....	2	20	.....	765	361	361	40 60	.....	.....	8,675 99
Chesterfield.....	10	.....	.....	.....	1,075	142	142	.....	.....	.....	5,119 15
Clarendon.....	.....	.....	.....	.....	1,443	588	588	.....	.....	.....	5,565 61
Darlington.....	.....	.....	.....	.....	1,399	807	807	.....	.....	.....	11,117 03
Edgefield.....	.....	.....	.....	.....	3,157	688	688	.....	.....	.....	21,858 52
Fairfield.....	.....	1	10	.....	1,591	580	580	.....	.....	.....	10,276 99
Greenville.....	.....	7	70	.....	1,178	221	221	.....	.....	.....	210,308 07

Kershaw.....	1	10	.....	1,027	255	.....	.....	.....	8,380	15
Lancaster.....	.....	.....	.....	1,161	335	.....	.....	.....	5,080	03
Laurens.....	.....	.....	.....	1,825	589	.....	.....	.....	10,951	10
Lexington.....	.....	.....	.....	1,233	231	15	86	.....	6,222	77
Marlboro.....	.....	.....	.....	1,520	916	.....	.....	.....	8,554	06
Newberry.....	2	20	.....	1,889	568	.....	.....	.....	11,235	28
Orange.....	1	10	.....	1,684	453	35	17	.....	7,911	15	
Pickens.....	1	1	1 25	1,773	221	.....	.....	.....	7,455	39
Richland.....	18	180	2 50	468	90	40,000	200	00	22,521	85			
Spartanburg.....	2	20	.....	1,900	359	.....	.....	.....	11,789	44
St. Matthew's.....	.....	.....	.....	390	212	.....	.....	.....	2,988	48
Sumter.....	.....	.....	.....	2,698	1,189	.....	.....	.....	16,479	92
Union.....	.....	.....	.....	1,870	754	.....	.....	.....	9,852	92
York.....	3	30	.....	1,063	468	105	25	.....	10,318	12	
	10	42	420	3 75	38,254	11,149	254	19	40,000	200	00	255,951	88

15

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1868.

Returns of General Taxes Received by Tax Collectors of the Lower Division for the year commencing October 1, 1866.

DISTRICTS AND PARISHES.	AD VALOREM TAXES ON PROPERTY, HAVING REFERENCE TO JANUARY 1, 1867.							
	Number Acres of Land not in possession of Freedmen's Bureau on 1st January, 1867.	Valuation of Land according to Assessment of same on 1st January, 1867.	Tax on Land, 30 cents on every \$100.	Value of Real Estate in Cities, Towns and Villages, not in possession of Freedmen's Bureau on 1st January, 1867.	Tax on Real Estate in Cities, Towns and Villages, 30 cents on every \$100.	Value of Buggies, Carriages, Gold and Silver Plate, Watches, Jewelry and Pianos on hand 1st January, 1867, not held by Dealers for the purpose of Sale.	Tax on Buggies, Carriages, Gold and Silver Plate, Watches, Jewelry and Pianos, \$1 on every \$100.	Value of Articles Manufactured for Sale, Barter or Exchange, between 1st January, 1865, and 1st January, 1867.
All Saints'	168,690	\$ 416,627	\$ 1,249 88	\$	\$	\$ 5,625	\$ 56 25	\$
Christ Church.....	70,513	384,391	1,153 17	241,100	723 30	4,130	41 30	.....
Horry	418,464	353,704	1,061 11	30,490	91 47	4,782	47 82	.....
Marion	662,080	1,835,796	5,507 39	109,300	327 90	55,260	552 60	175
Prince George's Winyah.....	35,069	1,448,718	4,346 15	100,490	1,201 47	32,786	327 86	22,618
Prince William's.....	203,472	826,711	2,480 13	.....	.....	8,561	85 61	.....
St. Andrew's.....	50,018	324,362	973 09	850	2 55	205	2 05	.....
St. Bartholomew's.....	538,059	861,278	2,583 83	107,760	323 28	19,090	190 90	.....
St. George's Dorchester.....	224,194	302,084	906 25	60,450	181 35	10,400	104 00	325

St. Helena.....									
St. James' Goose Creek.....	206,929	252,563	757 69	27,800	83 40	6,353	63 53		
St. James' Santee.....	143,054	286,202	858 61	2,600	7 80	3,620	36 20		
St. John's Berkeley.....									
St. John's Colleton.....	89,380	711,382	2,134 15			12,200	122 00		
St. Luke's.....	191,668	344,849	1,034 55	41,430	124 29	11,611	116 11		
St. Paul's.....	143,203	420,425	1,261 28	490	1 47	4,065	40 65		
St. Peter's.....	404,142	1,201,942	3,605 83	900	2 70	18,742	187 42		
St. Phillip's and St. Michael's.....				19,170,251	57,510 75	201,239	2,012 39	108,517	
St. Stephen's.....	116,733	154,074	462 22	7,325	21 98	3,365	33 65		
St. Thomas' and St. Dennis'.....	84,640	223,138	669 41			1,080	10 80		
Williamsburg.....	590,165	823,295	2,469 89	40,960	122 88	33,189	331 89		
Total	4,660,573	11,171,541	33,514 63	20,242,196	60,726 59	436,303	4,363 03	131,635	

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Lower Division, for the year commencing October 1, 1866.

CONTINUED.

DISTRICTS	TAXES ON GROSS INCOMES REC'D BETWEEN JAN. 1, 1866, AND JAN. 1, '67.	
AND		
PARISHES.		
	Tax on Articles Manufactured, to be paid by the Manufacturers, \$1 on every \$100.	
All Saints'	\$ 300	Gross Income from Employments, Faculties and Professions, from 1st January, 1866, to 1st January, 1867, excepting Clergymen only.
Christ Church	906	Tax on Gross Income from Employments, Faculties and Professions, \$2 on every \$100.
Holy	2,195	Gross Income from Commissions of Brokers, Vendue Masters, Factors or Commission Merchants, &c., from 1st Jan., 1866, to 1st Jan., 1867.
Marion	27,431	Tax on Gross Incomes from Commissions and Exchange, &c., \$5 on every \$100.
Prince George's Winyah	7,122	Gross Amount of Premiums Received between 1st Jan., '66, and 1st Jan., '67, by Ins. Cos., incorpor'd in S. C.
Prince William's	849	Tax on Gross Premiums Received by Insurance Companies, incorporated in S. C., \$2 on every \$100.
St. Andrew's	5,450	Gross Amount Premiums Received between 1st Jan. '66, and 1st Jan., '67, by Agencies of Insurance Companies, &c, not incorporated in S. C.
St. Bartholomew's	109 00	Tax on Gross Premiums Received by Agencies of Insurance Companies, &c., not incorporated in South Carolina, \$3 on every \$100.

St. George's Dorchester.....	8 25	1,550	31 00						
St. Helena.....									
St. James' Goose Creek.....		600	12 00						
St. James' Santee.....		100	2 00						
St. John's Berkeley.....									
St. John's Colleton.....		750	15 00						
St. Luke's.....		2,685	58 70						
St. Paul's.....		900	18 00						
St. Peter's.....		1,900	38 00						
St. Phillip's and St. Michael's.....	1,085 17	180,750	3,615 00	326,604	16,330 20	23,638 47	2 76	233,503	7,005 00
St. Stephen's.....		300	6 00						
St. Thomas and St. Dennis.....		500	10 00						
Williamsburg.....		10,173	203 46						
	1,316 85	244,455	4,889 10	328,290	16,414 50	23,638 47	2 76	235,793	7,018 79

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Lower Division, for the year commencing October 1 1866.
CONTINUED.

TAXES ON GROSS INCOMES RECEIVED BETWEEN JANUARY 1, 1866, AND JANUARY 1, 1867—CONTINUED.

DISTRICTS AND PARISHES.	Gross Amount Sales Goods, Wares and Merch'dize, between 1st Jan., '66, and 1st Jan., '67, embracing all Articles of Trade, for Sale, Barter or Exchange, except those exempted in Act.	Tax on Gross Sales of Goods, Wares and Merchandize, &c., 60 cents on every \$100.	Gross Sales of Pictorial Newspapers or Pictorial Magazines, between 1st Jan., 1866, and 1st Jan., '67.	Tax on Gross Sales of Pictorial Newspapers and Magazines, \$25 on every \$100.	Gross Rec'ts between 1st Jan., 1866, and 1st Jan., 1867, of Newspapers published in this State.	Tax on Gross Receipts of Newspapers published in this State, \$2 on every \$100.	Gross Incomes from Arts of Photographing and Daguerreotyping, between 1st January, 1866, and 1st January, 1867.	Tax on Gross Incomes from Photographing and Daguerreotyping, \$1 on every \$100.	Gross Incomes in excess of \$500, from Salaries, Rents, Dividends and Money at Interest, between 1st Jan, 1866, and 1st Jan., 1867.	Tax on Gross Incomes from Salaries, Rents, Dividends and Money at Interest, \$1 on every \$100.
All Saints'.....	\$ 13,118	\$ 78 71	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	\$.....	
Christ Church.....	19,000	114 00	.....	.....	.....	.....	.....	3,600	56 00	
Horry.....	86,700	220 20	.....	.....	.....	.....	.....	.....	.....
Marion.....	209,038	1,254 28	.....	.....	2,600	52 00	200	2 00	2,060	20 60
Prince George's Winyah.....	237,070	1,422 42	.....	.....	1,600	32 00	.....	.....	9,248	92 48
Prince William's.....	13,741	82 45	.....	.....	.....	.....	.....	.....	.....	.....
St. Andrew's.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
St. Bartholomew's.....	49,615	297 87	.....	.....	.....	.....	.....	.....	.....	.....
St. George's Dorchester.....	61,760	370 66	.....	.....	.....	.....	.....	2,420	24 20	

St. Helena.....									
St. James' Goose Creek...	11,000	66 00						700	7 00
St. James' Santee.....	2,000	12 00							
St. John's Berkeley.....									
St. John's Colleton.....	8,184	49 10						5,505	55 05
St. Luke's.....	34,400	206 40							
St. Paul's.....	3,100	18 60							
St. Peter's.....	26,660	159 96						4,620	46 20
Sts. Phillip's & Michael's	8,330,434	49,982 60		145,966	2,919 32	6,013	60 18	594,395	5,943 95
St. Stephen's.....	3,950	23 70							
Sts. Thomas' & Dennis'...								100	1 00
Williamsburg.....	78,499	470 99		1,200	24 00			3,720	37 20
	9,138,299	54,829 79		151,366	3,027 32	6,213	62 18	628,368	6,283 68

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Lower Division, for the year commencing October 1, 1866.

CONTINUED.

TAXES ON GROSS INCOMES RECEIVED BETWEEN JANUARY 1, 1866, AND JANUARY 1, 1867.—CONTINUED

DISTRICTS	AND	PARISHES.
	Gross Income from Saw, Flour and Grist Mills, and from Cotton Ginned on Toll, from 1st January, 1866, to 1st January, 1867.	
	Tax on Gross Income from Saw, Flour and Grist Mills, &c., \$2 on every \$100.	
	Gross Income from Hotels, Restaurants, or Eating Houses, from 1st January, 1866, to 1st January, 1867.	
	Tax on Gross Income from Hotels, Restaurants, &c., \$2 on every \$100.	
	Gross Income of Keepers of Livery Stables, from 1st January, 1866, to 1st January, 1867.	
	Tax on Gross Income from Livery Stables, \$2 on every \$100.	
	Gross Income received by Butchers and Hucksters, from 1st January, 1866, to 1st January, 1867.	
	Tax on Gross Income of Butchers and Hucksters, \$2 on every \$100.	
	Gross Income from Billiard Tables and Bowling Alleys, from 1st January, 1866, to 1st January, 1867.	
	Tax on Gross Income from Billiard Tables and Bowling Alleys, \$5 on every \$100.	
All Saints'.....	\$ 372	\$ 7 44
Christ Church.....	1 127	22 54
Horry.....	8,735	74 70
Marion.....	9,402	188 04
Prince George's Winyah.....	10,950	219 00
Prince William's.....	6,828	106 56
St. Andrew's.....		

St. Bartholomew's.....	1,170	28 40								
St. George's-Dorchester.....	11,962	289 24								
St. Helena.....										
St. James' Goose Creek.....	1,685	83 70								
St. James' Santee.....										
St. John's Berkeley.....										
St. John's Colleton.....										
St. Luke's.....	760	15 20								
St. Paul's.....	1,000	38 00								
St. Peter's.....	2,207	44 14								
St. Phillip's and St. Michael's.....	16,380	327 60	1,200	24 00	3,000	60 00	5,695	118 90	800	15 00
St. Stephen's.....	552	11 04								
St. Thomas' and St. Dennis',.....	758	15 16								
Williamsburg.....	2,718	54 36	500	10 00			801	16 00		
	71,006	1,420 12	2,250	45 00	3,500	70 00	7,495	149 90	820	16 00

2

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Lower Division for the year commencing October 1, 1866.
CONTINUED.

DISTRICTS	AND		PARISHES.	TAXES ON GROSS INCOMES.—CONT'D.	
All Saints.....	\$			Gross Income from Bar Rooms, whether connected with a Hotel or not, from 1st of January, 1866, to 1st of January, 1867.	
Christ Church.....	675	\$		Tax on Gross Incomes from Bar Rooms, \$10 on every \$100.	
Horry.....	1,165	67 50		Gross Income from Ferries and Toll Gates, from 1st January, 1866, to 1st January, 1867.	
Marion.....	1,018	116 50		Tax on Gross Income from Ferries and Toll Gates, \$1 on every \$100.	
Prince George's Winyah.....		101 80		Tax on every Taking out of a Charter, except those exempted, \$20.	
Prince William's.....		284		Tax on each Renewal of Charter Liable to Tax, \$10.	
St. Andrew's.....		80		Number of Public Hacks, Stage Coaches, Dray and Baggage Wagons.	
St. Bartholomew's.....		885		Tax on each Public Hack, Coach, Dray and Baggage Wagon. \$10.	
	480	350		Number of Omuibusses.	
		48 00			
		8 50			
		5			
		50			
		90			

St. George's Dorchester.....	137	13 70	25	25				
St. Helena.....								
St. James' Goose Creek.....								
St. James' Santee.....								
St. John's Berkeley.....								
St. John's Colleton.....								
St. Luke's.....								
St. Paul's.....								
St. Peter's.....			500	5 00				
St. Phillip's and St. Michael's.....	25,249	2,524 90	1,908	19 08		152	1,520 6	
St. Stephen's.....								
St. Thomas' and St. Dennis'.....								
Williamsburg.....								
	<u>28,724</u>	<u>2,872 40</u>	<u>3,982</u>	<u>39 82</u>			<u>166</u>	<u>1,660 6</u>

S. L. LEAPHART, Comptroller-General

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Returns of General Taxes Received by Tax Collectors of the Lower Division, for the year commencing October 1, 1866.

CONCLUDED.

DISTRICTS AND PARISHES.	
	Tax on Omnibuses, \$25 each.
	Capitation Tax on Males between 21 and 50 years, resident in State on 1st February, 1867, \$1 each.
	Tax on Dogs in the State on 1st Jan., 1867, except one Dog for each Plantation, and one for each Inhabited Lot in Cities, Towns, &c., \$1 each.
	Arrears, Double Taxes, &c.
	Gas Light Companies.
	Tax on Gas Light Companies.
	Gross Profits National Banks.
	Tax.
	Total Gross Taxes.
All Saints'.....	\$ 1613 28
Christ Church.....	2346 81
Horry.....	2712 04
Marion.....	11445 94
Prince George's Whayah.....	9724 64
Prince William's.....	3311 73
St. Andrew's.....	1002 69

St. Bartholomew's		1,417	224						5,220 78
St. George's Dorchester.....		871	152						2,396 80
St. Helena.....									
St. James' Goose Creek.....		174	79						1,276 32
St. James' Santee.....		75	17						1,008 61
St. John's Berkeley.....									
St. John's Colleton		79							2,454 30
St. Luke's.....		572	124						2,246 25
St. Paul's.....		444	32						1,551 00
St. Peter's.....		1,068	315						5,472 25
St. Phillip's and St. Michael's.....	150	1,344	37	367,968	1,839 84	114,217	2,284 34	157,197 02	
St. Stephen's.....		84	22						664 59
St. Thomas' and St. Dennis'.....		22	3						731 37
Williamsburg.....		1,420	754						5,914 67
	150	11,723	3,050	367,968	1,839 84	114,217	2,284 34	218,294 09	

St. John's Berkeley (returns received after statement was made up)..... \$ 603 87

\$218,897 96

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Aggregate Returns of the Upper and Lower Divisions, and Aggregate Taxes thereon.

SUBJECTS OF TAXATION.	UPPER DIVISION.	LOWER DIVISION.	AGGREGATE RETURNS	AGGREGATE TAXES.
Number of Acres of Land	11,523 008	4,660,573	16,183 581	
Valuation of Land.....	\$32,952,823 00	\$11,171,541 00	\$44,124,364 00	\$132,373 10
Value of Real Estate.....	6,140,515 00	20,242,196 00	26,382,711 00	79,148 13
Value of Buggies, Carriages, Gold and Silver Plate, &c..	1,616,682 00	436,303 00	2,052,985 00	20,529 85
Value of Articles Manufactured for Sale or Barter.....	1,032,679 00	131,635 00	1,164,314 00	11,643 14
Gross Income from Employments, Faculties, &c.....	437,838 00	244,455 00	682,293 00	13,645 86
Gross Income from Commission of Brokers, Vendue Masters, &c.....	13,406 00	328,290 00	341,696 00	17,084 80
Gross Amount of Premiums of Insurance Companies Incorporated in South Carolina.....	9,192 00	23,638 00	32,830 00	656 60
Gross Amount of Premiums of Insurance Companies not Incorporated in South Carolina.....	58,164 00	235,793 00	293,957 00	8,818 71
Gross Amount of Sales of Goods, Wares, &c.....	5,444,303 00	9,138,299 00	14,582,602 00	87,495 61
Gross Receipts of Newspapers Published in this State	56,879 00	151,366 00	208,245 00	4,164 90
Gross Income from Photographing, &c.....	5,350 00	6,213 00	11,563 00	115 63
Gross Income from Salaries, Rents, Dividends, &c....	198,387 00	628,368 00	826,755 00	8,267 55
Gross Income from Saw, Flour and Grist Mills, &c....	405,622 00	71,006 00	476,628 00	9,532 56
Gross Income from Hotels, Restaurants, &c.....	42,828 00	2,250 00	45,078 00	901 56
Gross Income of Livery Stables.....	16,115 00	3,500 00	19,615 00	392 30
Gross Income from Butchers and Hucksters.....	8,020 00	7,495 00	15,515 00	310 30
Gross Income from Billiard Tables, &c.....	145 00	320 00	465 00	23 25
Gross Income from Bar Rooms.....	49,477 00	28,724 00	78,201 00	7,820 10
Gross Income from Ferries and Toll Gates.....	17,278 00	3,982 00	21,260 00	212 60

Taking out of Charter.....	40 00		40 00	40 00
Renewal of Charter.....	10 00		10 00	10 00
Number of Public Hacks..	42	166 00	208 00	2,080 00
Number of Omnibuses.....	3	6 00	9 00	225 00
Capitation.....	38,254 00	11,723 00	49,977 00	49,977 00
Dogs.....	11,149 00	3,050 00	14,199 00	14,199 00
Arrears, Double Taxes, &c.....	254 19		154 19	254 19
Gas Light Companies.....	40,000 00	367,968 00	407,968 00	2,039 84
				\$471,961 58
St. John's Berkeley.....				603 87
Returns on Gross Profits of National Banks.....				2,284 34
Total Gross.....				\$474,849 79

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

STATEMENT OF THE FUNDED DEBT,

Showing the Bonds and Stocks of the State of South Carolina outstanding on 1st October, 1867, and balance of debt to be funded under Acts of September and December, 1866, together with interest due on same to 1st October, 1867.

	Principal.	Interest.
THREE PER CENT. STATE SOCK.— Redeemable at the pleasure of the State Interest payable quarterly at the Treas- ury, by drafts on the Sinking Fund.....	\$ 38,836 60	\$ 291 27
SIX PER CENT. STOCK, FIRE LOAN Issued under Act of June, 1838, "for rebuilding the city of Charleston." Faith and funds of the State, and the profits of the Bank of the State, pledged for the final redemption of the Loan and the payment of the interest, the Bank being required to make provision for the same. Interest payable quarterly at the Treasury, but chargeable upon the Bank of the State, the drafts of the Treasury being directed to be paid from the avails of the Loan. Principal redeemable in 1870.....	\$314,453 89	314,453 89
		4,716 81
FIVE PER CENT. BONDS, FIRE LOAN, PAYA- BLE IN LONDON. Issued under Act of June, 1838, "for rebuilding the city of Charleston." Same provision made for the security and redemption of the Principal and for the payment of the Interest as for the Six per Cent. Stock, Fire Loan. Interest paid by the Bank of the State. Principal redeemable in 1868.....	484,444 51	42,699 88
SIX PER CENT. BONDS, BLUE RIDGE RAIL- ROAD. First issue, under Act 1864, "to author- ize aid to the Blue Ridge Railroad in South Carolina." Principal redeemable at Treasury, July 1, 1875..	\$200,000 00	
Principal redeemable at Treasury, July 1, 1876..	200,000 00	
Principal redeemable at Treasury, July 1, 1877..	200,000 00	

Statement of the Funded Debt of the State.—CONTINUED.

	Principal.	Interest.
Principal redeemable at Treasury, July 1, 1878.. 200,000 00		
Principal redeemable at Treasury, July 1, 1879.. 200,000 00		
Interest payable at the Bank of the State.		
	\$1,000,000 00	\$15,000 00
SIX PER CENT. BONDS, NEW STATE HOUSE.		
Issued under Acts "to provide funds for the erection of the new State Capitol." The faith and funds of the State pledged Interest payable semi annually at Treasury from the Current Fund.		
First issue, under Act December, 1853.		
Principal redeemable in 1871.....	\$250,000 00	
Second issue, under Act December, 1855.		
Principal redeemable in 1881.....	250,000 00	
	500,000 00	7,500 00
SIX PER CENT. STOCK, NEW STATE HOUSE.		
Issued under Acts "authorizing issue of Bonds and Stocks for continuing the construction of the new State House." The faith of the State pledged to secure the Principal and Interest. Interest payable semi-annually at Treasury from the Current Fund.		
First issue, Act 1856, redeemable at the Treasury on 1st January, 1877.....		
	\$250,000 00	
Second issue, Act 1857, same, 1888.....		
	300,000 00	
Third issue, Acts 1858, same, July, 1883.....		
	200,000 00	
Third issue, Acts 1858, same, July, 1885.....		
	200,000 00	
Fourth issue, Act 1859, same, July, 1887.....		
	200,000 00	
Fourth issue, Act 1859, same, July, 1889.....		
	200,000 00	
Fifth issue, Act 1861, same, July, 1882.....		
	200,000 00	
Fifth issue, Act 1861,		

Statement of the Funded Debt of the State.—CONTINUED.

	Principal.	Interest.
same, July, 1886.....	200,000 00	
Sixth issue, Act February, 1863, same, July, 1890...	25,000 00	
	<u>\$1,775,000 00</u>	<u>\$26,625 00</u>
SIX PER CENT. BONDS, MILITARY DEFENCE.		
Issued under Act December, 1860, "to authorize the issue of Certificates or Stock to provide for the Military Defence of the State." The faith of the State pledged to secure the Principal and Interest. The certificates, and the respective coupons thereto, receivable at maturity, in payment of taxes and other debts due the State. Interest payable semi-annually at the Treasury, out of the Current Fund.		
Principal redeemable at Treasury on 1st June, 1862, 1863 and 1864 ...\$300,000		
Amount redeemed to 1st October, 1864..... 160,000		
<u>Balance unpaid.....\$139,200</u>		
Redeemable 1st June, 1865.... 100,000		
	<u>239,200 00</u>	<u>34,831 00</u>
SEVEN PER CENT. BONDS, MILITARY DEFENCE.		
Issued under Act January, 1861, to raise supplies. The faith of the State pledged as above. The bonds and coupons receivable at maturity in payment of all debts due the State.		
Principal redeemable at Treasury, July 1, 1868..... \$ 9,650		
Principal redeemable at Treasury, July 1, 1870... .. 56,500		
Principal redeemable at Treasury, July 1, 1872 125,000		
	<u>191,150 00</u>	<u>67,812 21</u>
Interest payable annually (1st July) at the Treasury, out of the Current Fund.		
SEVEN PER CENT. STOCK, MILITARY DEFENCE.		
Issued under Act December, 1861, "to amend Act of January, 1861, to raise supplies," and subject to the provision:		

Statement of the Funded Debt of the State.—CONTINUED

	Principal.	Interest.
of the last Act, and the faith of the State pledged as above. Stock issued in exchange and substitution for Seven per Cent. Bonds, and also in place of Bonds remaining unsold. Interest payable semi-annually at the Treasury, out of Current Fund.		
Principal redeemable at the Treasury, in 1868.....	\$ 28,280	
Principal redeemable at the Treasury, in 1870.....	193,500	
Principal redeemable at the Treasury, in 1872.....	75,000	
	<u>\$296,780 00</u>	<u>\$80,161 55</u>
SEVEN PER CENT. STOCK, MILITARY DEFENCE		
Act December, 1861, "to authorize the issue of Stock to the amount of \$1,800,000 for the Military Defence of the State, and for other purposes." The faith of the State pledged. The annual redemption of the Principal to be provided for by taxation. Interest payable semi-annually at Treasury, out of the Current Fund.		
Principal redeemable (\$84,070) annually, from 1st July, 1867, to 1st July, 1883, inclusive.....	\$1,429,190 00	
And on 1st July 1884....	85,520 00	
	<u>1,514,710 70</u>	<u>430,034 82</u>
SIX PER CENT. BONDS, 1866, NEW CAPITOL.		
Issued under Act December, 1866, "to authorize the issue of Bonds or Stock to pay amount due the contractors for marble work of new State House." The faith of the State pledged for payment of the Interest and Principal when due. Interest payable semi-annually at the Treasury. Principal redeemable at the Treasury, 1st January, 1885.....	11,600 00	174 00
SIX PER CENT. BONDS AND STOCK (FUNDING ACTS SEPTEMBER AND DECEMBER, 1866.)—		
Issued under Act September, 1866, "to provide for the Funding of the Interest and Principal of certain Stocks		

Statement of the Funded Debt of the State.—CONTINUED.

	Principal.	Interest.
and Bonds of the State past due," and the Act supplementary thereto, passed 20th December, 1866; the said Acts providing for the Funding of Principal of 6 per cent. Bonds of 1859, Blue Ridge Railroad, due in 1865.....	\$ 310,000 00	
Interest on said Bonds and on \$1,000,000 6 per cent. Bonds, Blue Ridge Railroad, to 1st July, 1867..	375,525 00	
Interest on \$500,000 6 per cent. Bonds, new State Capitol, Act 1853 and 1855, to 1st July, 1867.	166,790 00	
Interest on \$1,775,000 6 per cent. Stocks, new State Capitol, Acts of 1856-'57-'58-'59-'61 and '63, to 1st July, 1867	858,607 81	
Interest on 6 per cent. Stock, 1838, Fire Loan, \$314,453.89 redeemable 1870, to 1st July, 1867..	63,870 86	
Balance Principal 6 per cent. Stock of 1838, Fire Loan, due 1860, to bear interest from 1st January, 1867.....	3,705 46	
Interest on \$38,836.60, 3 per cent Stock to 1st July, 1867.....	4,302 77	
Whole amount to be funded.....	\$1,282,801 90	
Amount funded to 1st Oct., 1867, viz.: in Bonds redeemable at Treasury in Columbia, with half-yearly Coupons, for Interest commencing 1st July, 1867, payable in city of Columbia, and in Stocks redeemable as above, with interest payable at Treasury on 1st January and 1st July, each year,		

Statement of the Funded Debt of the State.—CONTINUED.

viz.:	Principal.	Interest.
Bonds redeemable 1st January, 1887.....		
\$325,700 00		
Bonds re- deemable 1st Jan., 1897.....	326,700 00	
Stock re- deemable 1st Jan., 1887.....	82,983 33	
Whole am't funded..	\$735,383 33	\$ 11,070 75
Balance not yet funded on 1st October, 1867.....	\$547,418 57	
Add amount paid in by parties funding to make up even sums of \$100 and \$50.....	350 52	
	\$547,769 09	
Less fractional amounts re- linquished by stockhold- ers.....	272 19	
	\$547,496 90	
Interest on said balance of from 1st July, 1867, to 1st October, 1867, including interest from 1st January, 1867, on \$2,372.13, balance of 6 per cent. Stock, 1838, Fire Loan, due 1860, not yet funded.....		8,283 62
	\$7,101,558 33	\$729,200 41

RECAPITULATION.

Total Principal of Bonds and Stocks outstanding 1st October, 1867.....	\$7,101,558 33
Balance Debt not yet funded under Acts of September and December, 1866.....	547,496 90
Total Interest due 1st October, 1867.....	729,200 41
	\$8,378,255 64

S. L. LEAPHART, Comptroller-General.
COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

Police Assessments on the General Taxes for the year commencing October 1, 1866.

DISTRICTS AND PARISHES.	POOR TAX.		PUBLIC BUILDINGS.		ROAD AND BRIDGETAX.		FREE SCHOOL TAX.		ARREARS.		COMMISSIONS.	TOTAL ASSESSMENTS.
	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.		
Abbeville.....	28	\$4,357 86	3	\$ 460 91	A34	\$ 1,095 80	...	\$.....	.....	.....	\$396 81	\$ 9,920 57
Anderson.....	B37½	4,291 88	.....	.....	C33½	2,578 57	.....	.....	.....	14 42	275 46	6,884 87
Barnwell.....	20	3,305 88	10	1,652 94	D10	1,366 72	.....	.....	.....	.....	253 00	6,325 54
Chester.....	30	2,602 79	10	867 60	30	2,602 79	.....	.....	.....	.....	242 92	6,073 18
Chesterfield.....	25	1,279 79	25	1,279 79	25	1,279 79	.....	.....	.....	.....	230 34	3,839 37
Clarendon.....	30	1,669 68	3	166 97	67	3,728 95	.....	.....	.....	.....	311 68	5,565 60
Darlington.....	35	3,890 96	15	1,667 55	20	2,223 40	.....	.....	.....	.....	311 26	7,781 91
Edgefield.....	L15	1,686 92	M5	609 89	L45	5,090 76	.....	.....	.....	.....	295 90	7,397 57
Fairfield.....	35	3,596 78	20	2,055 30	25	2,569 13	.....	.....	.....	.....	493 27	8,221 21
Greenville.....	37½	3,865 53	.....	.....	25	2,577 02	.....	.....	.....	.....	541 17	6,442 55
Kershaw.....	33½	2,844 54	20	1,706 72	20	1,706 72	.....	.....	.....	.....	312 88	6,257 98
Lancaster.....	25	1,257 51	33½	1,676 68	12½	623 76	.....	.....	.....	.....	213 41	3,562 95

Laurens.....	35	3,882	88			35	3,882	88				306	63	7,665	76
Lexington.....	15	933	40	10	622	27	25	1,855	69			186	67	3,111	26
Marlboro.....	30	2,566	21	20	1,710	81	15	1,284	11			333	60	5,560	13
Newberry.....	25	2,808	82				25	2,808	82			224	70	5,617	64
Orange.....	10	791	11	10	791	11	E35	1,787	03			134	76	3,369	25
Pickens.....	10	745	54	5	372	76	50	3,727	69			290	75	4,845	99
Richland.....	20	4,506	26	20	4,506	26	10	2,253	13			450	62	11,265	65
Spartanburg....	37½	1,421	26	10	1,179	00	27½	3,242	26			358	70	8,842	52
St. Matthew's.....					F10	283	42	20	566	85		51	01	850	27
Sumter.....	33½	5,493	31	5	824	00	G30	3,589	93			396	29	9,907	24
Union.....	H28	1,966	15	H10	702	19	I22	1,104	83			150	91	3,773	17
York.....	K25	2,116	74	5	423	34		2,660	09			208	00	5,200	17
All Saint's.....	N10	191	19	5	95	60	50	955	98			99	41	1,242	77
Christ Church.....				5	117	34	10	234	68			28	16	352	02
Horry.....	37	1,003	44	5	135	60						91	09	1,189	04
Marion.....	O20	2,444	17	10	1,222	08	10	1,222	08			195	52	4,888	33
Prince George, Winyah.....	37½	3,646	75	25	2,431	17	37½	3,646	75			583	47	9,724	67
Prince William's.....					P15	185	33					14	83	185	33
St. Andrew's.....				5	50	13						5	01	50	13
St. Bartholomew's.....	10	522	07	20	1,044	15						93	97	1,566	22
St. George's, Dorchester.....	20	479	36	15	359	52		636	25			118	01	1,475	13
St. Helena.....															
St. James', Goose Creek.....	6	76	58	5	63	82	20	255	26			31	66	395	66
St. James', Santee.....	Q.....			5	50	22	30	301	34			28	11	251	56
St. John's, Berkeley.....															
St. John's, Colleton.....															
St. Luke's.....	10	224	62	15	336	93	35	786	18			134	76	1,347	73
St. Paul's.....				15	233	07	R20	298	13			53	11	531	20
St. Peter's.....				15	820	83						65	66	820	83
Sts. Philip's and Michael's.....				5	7,859	85	7	11,003	79	30	47,159	11		66,022	75

DISTRICTS AND PARISHES.	POOR TAX.		PUBLIC BUILDINGS.		ROAD AND BRIDGE TAX.		FREE SCHOOL TAX.		ARREARS.		COMMISSIONS.	TOTAL ASSESSMENTS.
	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.	RATE.—PER CENT.	AMOUNT.		
St. Stephen's.....			5	33 02	5	33 02					5 28	66 04
St. Thomas and St. Dennis.....			5	36 57	50	365 68					40 22	402 25
Williamsburg.....	20	1,183 09	20	1,183 09	20	1,183 09					212 94	3,549 27
Total.....		74,613 07		39,823 83		80,782 95		47,159 11		14 42		242,393 38
A...On \$14,987 65.—Abbeville village exempt.								\$11,966 44				\$ 1,911 95
B...On 11,445 01								7,021 98				12,220 86
C...On 7,735 73								5,021 98				1,235 55
D...On 13,667 25								8,466 99				1,004 48
E...On 5,105 81								11,312 80				1,490 66
F...On 2,834 27								12,197 86				

S. L. LEAPHART, Comptroller-General.

COMPTROLLER-GENERAL'S OFFICE, COLUMBIA, October 1, 1867.

B.

TREASURER'S REPORT.

STATE TREASURY OFFICE,
COLUMBIA, S. C., May 6, 1868.

To His Excellency JAMES L. ORR, Governor of South Carolina.

DEAR SIR: I have the honor to submit to your Excellency statements from my office, setting forth the condition of the Treasury, on the 1st instant:

Statement No. 1 shows the receipts and expenditures from 1st October, 1867, to 1st instant. They are classified under their appropriate heads by the month, so as to exhibit the tax levies by which the funds have come into the Treasury, and the Appropriation Acts and military orders expending the same.

Your Excellency will observe, by reference to the Recapitulation, that the total receipts into the Treasury, during the time above specified, amounts to.....\$494,427 42
And that the expenditures for the same time amounts to..... 398,881 16
Leaving a balance of cash on hand, 1st instant, of..... 95,546 26

Statement No. 2 shows the aggregate balance of appropriations remaining unpaid on 1st instant.

You will see from this statement that of appropriations heretofore made and still in operation, there remains to be paid a balance of \$265,727.96.

I would attempt to submit to your Excellency an estimate of the probable amount that will yet be realized on the tax levies now in force, separating the yield of the levy by the late Convention from the others, but I have not received from Tax Collectors sufficient data to justify it. If, however, I might base a conjecture on the meagre statements by collections, in connection with the deposits of the general taxes, payable 31st March, 1868, I would say that the assessments of the present year will fall far short of the assessments of last year; and that, therefore, the income to the Treasury this year will be much less than it was last.

Hoping that these statements will furnish your Excellency such data as you may need, I have the honor to remain,

Very respectfully, your obedient servant,

WILLIAM HOOD,
Treasurer State South Carolina.

No. 1.—*Statement of Receipts and Expenditures at State*

1867,	RECEIPTS.	TAX ACTS OF 1865 AND 1866.
Oct. 1	To balance of cash	\$191,039 69
31	Amount received from Tax Collect- ors.....	8,199 68
	Amount received from Sheriffs.....	6,503 92
	Amount received from parties fund- ing.....	6 50
		\$205,749 79

Treasury from 1st October, 1867, to 30th April 1868.

1867.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPE- CIAL, 1867.
Oct. 31	By amount paid Free Schools.....	\$ 627 33	
	Amount paid Salaries.....	5,788 78	
	Amount paid Jurors and Constable's costs.....	1,884 25	
	Amount paid contingent fund Exe- cutive Department.....	58 50	
	Amount paid contingencies Comp- troller and Treasurer's offices....		\$ 13 95
	Amount paid fees of Sheriffs for diet- ing prisoners confined in jail....		3,519 32
	Amount paid State Penitentiary.....		6,500 00
	Amount paid for maintaining Quar- antine on coast South Carolina....		4,300 00
	Amount paid Watchmen of State House and Grounds.....	80 00	
	Amount paid for education of Deaf, Dumb and Blind.....	1,015 93	
	Amount paid for covering State House with roof.....	1,823 00	
	Amount paid for Artificial Legs.....	3,202 48	
	Amount paid J. P. Clement, T. C. St. Andrew's refund of over de- posit.....	38 81	
		\$ 14,019 08	\$ 14,333 27
	Total expenditure.....	\$ 28,352 35	
	Balance of cash	177,397 44	
		\$205,749 79	

1867.	RECEIPTS.	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Nov. 1	To balance of cash.....	\$177,897 44	
30	Amount received from Tax Collect- ors.....	6,517 35	
	Amount received from Sheriffs.....	11,780 92	
	Amount received from lottery license issued under special order.....		\$213 70
		<hr/> \$195,645 71	<hr/> \$213 70
	Total receipts.....	\$195,859 41	

Continued.

1867.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Nov. 30	By amount paid Free Schools.....	\$1,537 29	
	Amount paid Salaries.....	5,773 54	
	Amount paid Jurors and Constable's costs.....	4,202 95	
	Amount paid Contingent Fund Executive Department.....	1,714 38	
	Amount paid Military Contingent Fund.....	17 00	
	Amount paid Contingencies Comptroller and Treasurer's Offices.....		\$ 46 15
	Amount paid Contingent Accounts.....	15 00	
	Amount paid Fees of Sheriffs for dieting prisoners confined in jail.....		6,692 26
	Amount paid for maintaining Quarantine on coast South Carolina.....		270 83
	Amount paid State Penitentiary.....		7,000 00
	Amount paid for Filing Bills to perpetuate testimony.....		19 50
	Amount paid Watchmen of State House and Grounds.....	80 00	
	Amount paid for Artificial Legs.....	87 40	
		\$ 13,427 56	\$ 14,028 74
	Total Expenditures.....	\$ 27,456 30	
	Balance of Cash.....	168,403 11	
		\$195,859 41	

1867.	RECEIPTS.	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Dec. 1	To balance of cash.....	\$168,403 11	
	Amount received from Tax Collect- ors.....	532 66	
	Amount received from Sheriffs.....	7,658 68	
	Amount received from parties fund- ing.....	6 50	
	Amount received from J. W. Nich- olls, Paymaster, U. S. A., re- fund of Bills Receivable by in- structions from Brevet-Major- General E. R. S. Canby.....	\$ 3,800 00	
		\$176,600 95	\$ 3,800 00
	Total receipts.....	\$180,400 95	

Continued.

1867.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Dec. 31	By amount paid Free Schools..... Amount paid Salaries..... Amount paid Jurors and Constable's costs..... Amount paid contingent fund Executive Department..... Amount paid contingencies Comptroller and Treasurer's offices..... Amount paid contingent accounts..... Amount paid fees of Sheriffs for dieting prisoners confined in jail..... Amount paid rent of house for Court of Appeals..... Amount paid State Penitentiary..... Amount paid Lunatic Asylum..... Amount paid for Artificial Legs..... Amount paid for covering State house with roof..... Amount paid contingencies Court Appeals, fuel.....	\$ 40 00 2,018 94 1,586 60 822 25 300 00 488 76 1,638 17	\$ 7,185 10 21 10 13,572 14 5,178 16 7,618 51 6,000 00 2,000 00 50 00
		\$ 6,839 72	\$41,625 01
	Total expenditures	\$ 48,464 73	
	Balance of cash.....	131,926 22	
		\$180,400 95	

Statement

1868.	RECEIPTS.	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Jan. 1	To balance of cash.....	\$131,936 22	
31	Amount received from Tax Collect- ors.....	12,472 95	
	Amount received from Sheriffs	18,494 18	
	Amount received from parties fund- ing	81	
	Amount received from lottery li- cense, issued under General Orders No. 139.....		\$500 00
		\$162,904 16	\$500 00
	Total receipts.....	\$163,404 16	

Continued.

1868.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MIL- ITARY ORDERS, GEN- ERAL AND SPECIAL, 1867.
Jan. 31	By amount paid salaries.....	\$1,282 53	\$12,385 26
	Amount paid Jurors and Constable's costs.....	1,849 25	
	Amount paid contingent fund Ex- ecutive Department.....	638 55	
	Amount paid contingent accounts..	9 14	7,650 74
	Amount paid contingencies Comp- troller and Treasurer's offices....		297 08
	Amount paid fees of Sheriffs for dieting prisoners confined in jail.....		5,381 09
	Amount paid for repairs to Uni- versity building.....		525 00
	Amount paid for Artificial Legs.....	3,855 36	
	Amount paid State Penitentiary....		6,500 00
	Amount paid Lunatic Asylum.....		2,009 87
	Amount paid Watchmen of State House and Grounds.....	260 00	
	Amount paid Log House Jail.....	833 33	
	Amount paid Roper Hospital.....		3,000 00
	Amount paid Constitutional Con- vention		12,000 00
		\$8,628 16	\$49,749 04
	Total expenditures.....	\$ 58,877 20	
	Balance of cash.....	105,026 96	
		\$163,404 16	

1868.	RECEIPTS.	TAX ACCTS. OF 1865 AND 1866	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Feb. 1 29	To balance of cash..... Amount received from Tax Collect- ors..... Amount received from Sheriffs..... Amount received from parties fund- ing..... Amount received from Railroad, Telegraph and Express Compa- nies.....	\$105,026 96 7,304 42 22,581 46 15 00 2,162 36	\$4,000 00
		\$137,090 20	\$4,000 00
	Total receipts	\$141,090 20	

Continued.

1868.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPE- CIAL, 1867.
Feb. 29	By amount paid Free Schools.....	\$ 762 30	
	Amount paid Salaries.....	12 00	\$2,521 69
	Amount paid Jurors and Constable's costs.....	2,510 35	1,777 40
	Amount paid contingent fund Exe- cutive Department.....	955 90	
	Amount paid contingencies Comp- troller and Treasurer's offices....		2,183 66
	Amount paid Contingent Accounts....		3,769 05
	Amount paid fees of Sheriffs for diet- ing prisoners confined in jail....		7,772 80
	Amount paid for Repairs to Univer- sity Buildings.....		1,475 00
	Amount paid Constitutional Conven- tion		50,000 00
	Amount paid State Penitentiary.....		6,500 00
	Amount paid Watchmen of State House and Grounds.....		80 00
	Amount paid for Artificial Legs.....	62 00	
	Amount paid for Filing Bills to per- petuate testimony.....		25 50
	Amount paid Lunatic Asylum.....		3,278 39
	Amount paid N. Langford, T. C. Prince Williams, refund of over deposit	345 00	
		\$ 4,647 55	\$79,383 49
	Total expenditure.....	\$ 84,031 04	
	Balance of cash	57,059 16	
		\$141,090 20	

1868.	RECEIPTS.	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Mar. 1	To balance of cash.....	\$ 57,059 16	
31	Amount received from Tax Collect- ors.....	1,920 10	\$ 41,215 51
	Amount received from Sheriffs.....	17,742 69	
	Amount received from parties fund- ing.....	16 61	
		\$ 76,788 56	\$ 41,215 51
	Total receipts....	\$117,954 07	

Continued.

1868.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPE- CIAL, 1867.
Mar 31	By amount paid Free Schools.....	\$ 958 68	
	Amount paid salaries....		\$ 5,747 33
	Amount paid Jurors and Constable's costs		2,144 31
	Amount paid contingent fund Exe- cutive Department.....	1,381 82	
	Amount paid contingencies Comp- troller and Treasurer's offices..		298 54
	Amount paid contingent accounts...	26 08	12,175 32
	Amount paid fees of Sheriffs for diet- ing prisoners confined in jail...		6,020 05
	Amount paid Watchmen of State House and Grounds.....		80 00
	Amount paid for Artificial Legs.....	671 85	
	Amount paid State Penitentiary.....		9,000 00
	Amount paid Constitutional Conven- tion		48,000 00
	Amount paid for permanent jail, Richland.....		6,000 00
	Amount paid contingent expenses Legislative Library.....		100 00
	Amount paid Log House Jail.....	1,000 00	
	Amount paid covering State House with roof.....		161 04
	Amount paid Lunatic Asylum.....		2,000 00
	Amount paid for filing bills to per- petuate testimony.....		81 45
	Amount paid R. Black, T. C. St. Bartholomew, refund of over de- posit.....	6 81	
		\$ 4,045 24	\$ 91,758 04
	Total expenditures.....	\$ 95,808 28	
	Balance of cash.....	22,150 79	
		\$ 117,954 07	

1868.	RECEIPTS.	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Apr. 1 30	To balance of cash..... Amount received from Tax Collect- ors..... Amount received from Sheriffs. Amount received from parties fund- ing..... Amount received from Railroad Tele- graph and Express Companies...	\$ 22,150 79 312 10 17,594 30 8 40 \$ 40,065 59	\$111,554 25 822 68 \$111,876 93
	Total receipts.....	\$151,942 52	

Continued.

1868.	EXPENDITURES.	APPROPRIATIONS UNDER ACTS OF 1865 AND 1866.	APPROPRIATIONS BY MILITARY ORDERS, GENERAL AND SPECIAL, 1867.
Apr. 30	By amount paid Free Schools..... Amount paid Salaries..... Amount paid Jurors and Constable's costs..... Amount paid Contingent Fund Executive Department..... Amount paid Contingencies Comptroller and Treasurer's Offices..... Amount paid Contingent Accounts..... Amount paid Fees of Sheriffs for dieting prisoners confined in jail..... Amount paid Watchmen of State House and Grounds..... Amount paid State Penitentiary..... Amount paid Log House Jails..... Amount paid Medical College..... Amount paid Catawba Indians..... Amount paid for maintaining Quarantine on coast South Carolina..... Amount paid for Artificial Legs..... Amount paid Isaac Boles, Sheriff of Edgefield, refund of over deposit.....	\$ 3,974 94 1,236 07 833 34 74 65 739 84	\$ 11,557 09 5,744 80 16 38 10,984 17 3,298 80 160 00 6,500 00 2,000 00 600 00 8,676 68
		\$ 6,858 84	\$ 49,137 42
	Total Expenditures.....	\$ 56,396 26	
	Balance of Cash.....	95,546 26	
		\$151,942 52	

RECAPITULATION.

RECEIPTS			EXPENDITURES		
FROM	TAX ACTS OF 1865 AND 1866.	TAX UNDER MILITARY OR- DERS, GENERAL AND SPECIAL, 1867.	FROM	APPROPRIAT'NS UNDER ACTS OF 1865 AND 1866.	APPROPRIAT'NS BY MILITARY ORDERS, GENE- RAL, AND SPE- CIAL, 1867.
OCT. 1, '67, TO APRIL 30, '68.			OCT. 1, '67, TO APRIL 30, '68.		
To balance of cash, 1st October, 1867	\$191,039 69		By am't paid Free Schools.....	\$ 7,900 54	
Amounts received from Tax Collectors	37,259 26	\$156,769 76	Am't paid Salaries.....	14,870 79	\$ 39,396 47
Amounts received from Sheriffs.	102,306 15		Am't paid Jurors and Constable's accounts	11,483 40	9,660,01
Amounts received from parties funding.....	53 82		Am't paid contingent fund Executive Department.....	6,807 47	
Amounts received from lottery licenses		713 70	Am't paid contingencies Comptroller and Treasurer's offices ..		2,876 86
Amounts received from J. W. Nicholls, Paymaster, U. S. A.		3,800 00	Am't paid fees of Sheriffs for dieting prisoners confined in jail.....		37,862 48
Amounts received from Railroad, Telegraph and Express Companies	2,162 36	322 08	Am't paid State Penitentiary....		49,618 51
			Am't paid for maintaining Quarantine on coast S. Carolina....		13,247 51
			Am't paid Watchmen of State House and Grounds.....	320 00	320 00
			Am't paid for education of Deaf, Dumb and Blind.....	1,015 95	
			Am't paid for covering State House with roof.....	1,823 00	2,161 04
			Am't paid for Artificial Legs....	9,591 91	
			Am't paid refund to Tax Col'rs..	1,180 46	

	Am't paid Military Court fund....	17 00	
	Am't paid contingent accounts....	50 22	48,151 42
	Am't paid for filing bills to per- petuate testimony.....		76 45
	Am't paid rent of house for Court of Appeals.....	300 00	
	Am't paid Lunatic Asylum.....	488 76	13,288 26
	Am't paid contingencies Court of Appeals, for fuel.....		50 00
	Am't paid for repairs to Univer- sity Buildings.....		2,000 00
	Am't paid Log House Jails.....	2,666 67	
	Am't paid Roper Hospital.....		3,000 00
	Am't paid Con'l Convention.....		110,000 00
	Am't paid for permanent Jail, Richland.....		6,000 00
	Am't paid contingent expenses Legislative Library.....		100 00
	Am't paid Medical College, Charleston.....		2,000 00
	Am't paid Catawba Indians.....		600 00
		<u>\$ 58,466 15</u>	<u>\$340,415 01</u>
	Total expenditures.....	\$398,881 16	
	Balance of cash.....	95,546 26	
		<u>\$494,427 42</u>	
4	Total receipts.....	\$494,427 42	

STATEMENT No. 2.

Showing outstanding balances of appropriations 1st May, 1868, and estimate of expenditures for the remainder of the fiscal year.

Salaries*.....	\$70,926 12
Jurors and Constables.....	50,601 04
Free Schools.....	34,362 88
State Penitentiary.....	32,881 49
Contingent Fund Executive Department.....	29,208 06
Fees of Sheriffs for dieting prisoners in jail.....	22,137 52
Artificial Legs.....	7,792 99
Claims*.....	29,168 30
New State House, Columbia, S. C.†.....	13,916 60
Lunatic Asylum.....	6,429 74
Military Contingent Fund†.....	9,130 05
Contingent Accounts.....	6,940 64
Maintaining Quarantine on coast of South Carolina.....	4,502 49
Legislative Pay Bills†.....	5,652 60
Transient Poor, Charleston.....	6,000 00
Permanent Jail, Darlington.....	4,000 00
Sheriffs and Collectors.....	2,175 46
Covering State House with roof.....	1,338 96
Commission Public Property†.....	69 20
Bank Commission†.....	105 60
Watchmen New State House and Grounds.....	640 00
Expenses Issuing Bonds and Stock.....	832 36
Governor's House Rent.....	625 36
Stationery, Fuel for Legislature, Distributing Acts, &c.....	981 40
Education, Deaf, Dumb and Blind.....	384 07
Temporary Jails and Court House.....	800 07
Building and Renting Houses for Courts.....	350 07
Removing Records to Barnwell.....	300 07
Enclosing State House and Grounds.....	300 07
House Rent for Court of Appeals.....	300 07
Railroad Commission†.....	10 20
Repairing Buildings at Cedar Spring.....	2,000 20
Contingent Expenses Legislative Library.....	100 00
Purchase of Books for Court of Appeals.....	1,000 00
Copying Tax Returns.....	200 00
Publishing Tax and Appointment Orders.....	300 00

Contingencies Comptroller and Treasury offices.....	623 14
Catawba Indians.....	600 14
Furnishing hall for meeting of Legislature, on 12th May, 1868†.....	2,500 14

\$350,181 91

As to an estimate of the expenditures for the balance of the fiscal year, I can only say that inasmuch as the balances of appropriations remaining unpaid on the 1st instant amounts to \$350,181 91, and contains, as seen by reference to the asterisks at the foot of this statement:

Sundries.....	\$29,866 65
Salaries....	26,336 40
Claims....	28,250 90

\$84,458 95

Which I think may safely be deducted from that aggregate only the balance of.....\$266,727 96
Will require payment within the present fiscal year.

WM. HOOD, Treasurer South Carolina.

COLUMBIA, May 6, 1867.

*Appropriations marked with the asterisk are such as the Treasurer thinks will never be demanded, as they are mostly balances of appropriations made under the usual language in such cases, viz.: "If so much be necessary;" and he apprehends that all claims against them have been presented for payment.

†Of this balance of salaries, arrearages amounting to \$26,336.40 were appropriated previous to the 1st October, 1865, and payment of which is not likely to be successfully demanded under orders now in force. Of the balance of *claims*, only \$917.40 is represented by outstanding obligations.

‡It is not known whether this appropriation was made previous to the 1st May, 1868, as the officer has had no official information thereof; but it has been included in the statement, as attention has been called to it through the public prints.

C.

REPORT OF REGENTS OF LUNATIC ASYLUM.

LUNATIC ASYLUM, S. C., COLUMBIA, April 20, 1868.

His Excellency GOVERNOR ORR :

I beg leave most respectfully to submit the report of the Board of Regents of the Lunatic Asylum of South Carolina, with the accompanying reports of the Physician and Superintendent, the Secretary and Treasurer, and Chaplain. Congratulating you and the country upon the successful administration of its affairs, under circumstances of no ordinary character, and referring you to the several reports for information in detail, I have the honor to subscribe myself your Excellency's most obedient servant,

M. LABORDE,

President of the Board of Regents of Lunatic Asylum.

REPORT OF COMMITTEE.

The Committee to whom were referred the reports of the officers of the Asylum for the last year, respectfully report :

The practice hitherto has been that the Superintendent and Physician, the Secretary and Treasurer, and the Chaplain, made to the Board annual reports in their respective departments, for the year ending in November. These reports were referred to a committee for examination, and to furnish the basis of the annual report of the Board to the General Assembly, as required by law. This report was in the first instance prefaced by the committee; and having been submitted to and approved by the Board, was adopted as the report of the latter to the Legislature, at the session commencing the fourth Monday of November. The Committee appointed at the annual meeting of the Board in November last, have performed the duty of examining the reports of the officers named, and have approved the same; but there being no General Assembly in existence since the appointment of the Committee, to whom to address a report, they have been unable to pursue the established practice. They think, however, that it will promote the welfare of the institution, and also be in discharge of a duty to the public, that these reports, together with the action of the Board thereon, be published in some mode. The Committee accordingly recommend that

the reports be transmitted to his Excellency the Governor, as approved by the Board on examination, and as correctly exhibiting the condition of the Asylum during the period designated; and that his Excellency be requested to make such disposition thereof as in his judgment may be proper.

WM. H. TALLEY,
WM. WALLACE,
WM. K. BACHMAN,
Committee.

COLUMBIA, April 3, 1868.

LUNATIC ASYLUM, S. C., November 5, 1868. 1867

To the Board of Regents.

GENTLEMEN: Having completed another year—the thirty-first of my connection with this institution as Superintendent—the duty devolves on me to render my annual report, which I now proceed to make in as few words as may be compatible with the importance of the subject:

The year was commenced with 142 patients—85 were received during the year, making 227. From this number 41 have been discharged, viz.:

Cured.....	25
Eloped.....	2
Removed.....	3
Died.....	11
Leaving now in the house.....	187

Paupers.....	126
Paying class.....	61
Males.....	89
Females.....	99

The excess of paupers over paying patients is owing to circumstances familiar to our people.

The deaths which occurred were from apoplexy.....	1
General paralysis.....	2
Convulsions.....	2
Abcess.....	1
Consumption.....	2
Diarrhœa.....	2
Heart disease.....	1
Inanition.....	1

In taking a retrospective glance at the thirty-nine years which have passed since this Asylum has been in operation, with the result and attendant circumstances of each, our present report cannot be otherwise than satisfactory. Commencing the year with 142 patients—mostly chronic and hopeless cases—our financial condition such as to make our existence beyond a few

few months doubtful; with our poverty came pestilence, followed by an unusual amount of sickness, common to the surrounding country. Nevertheless, our bill of mortality was small. The addition of patients was greater than during any former year; and under the blessing of God, there was no lack of the necessaries and comforts of life.

By reference to the bill of mortality, it will appear that all who died, were of diseases over which medical treatment exerts but little control. The case of abscess was in an aged woman, who was brought to the Asylum in the last stage of exhaustion. She survived but three days. The loathsome disease, small pox, made its appearance in the Asylum in December. Its origin seems to have been spontaneous, without the immediate agency of contagion—the first subject being an old imbecile, who was never allowed to go out of the enclosure; nor was he known to come in contact with visitors. The disease was in the city two months previous. No case was nearer than four hundred yards, nor subsequent to October. By rigid attention to the hygien of the institution, vaccinating every inmate, isolating the sick, thoroughly cleansing and white-washing repeatedly the interior of the building, and airing the bedding daily, the disease was confined to fourteen cases; all of whom recovered.

By reference to the table appended, it will be seen that a large proportion of our cases are beyond the curable state. In all hospitals for the insane, we find it so—owing much to the habit of detaining this class of sufferers too long at home. Under any circumstances, there is a natural tendency to that state of things; but the numbers might be greatly reduced if all who have the care of the insane would place them early under judicious treatment. My own observation attests the truthfulness of the following declaration: “The evidence, that comes from our own and many other hospitals shows that there are manifold disorders of the brain producing perversions of mental and moral action in numberless forms, classed under the general term of insanity. These are usually grave diseases, and yet they are among the most curable of maladies of their severity, provided they are taken in season and the proper remedies applied and continued.” “In recent cases, the recoveries amount to the proportion of seventy-five to ninety per centum of all that are submitted to the restorative process.” It is equally well established that, with the lapse of one, two or more years, the disease becomes fixed, and the recovery of a patient is more the offspring of chance than the result of rational calculation and treatment.

Among the patients admitted were three convicts. One from the Charleston Jail, under sentence of death; one from Chester Jail, who had been awaiting his trial for murder; and one from the Penitentiary, who had been sentenced to imprisonment for life.

I would respectfully suggest that the transfer of convicts from the Peni-

mentary or jails to be at least of doubtful propriety, "for in one case where the procedure is a laudable act of mercy to an innocent individual, in ten it is either a fraud upon justice or a cruel imposition upon those who must suffer from such association." Nor does the Asylum afford sufficient security for the safe-keeping of those having the cunning and determination common to convicts least they be remanded to their former prison. It is proper that I should call your attention to this evil now while the Penitentiary is in its infancy and before the practice of such transfer, by tacit acquiescence, becomes engrafted on the Asylum. In the case of Hyfield, the first criminal alluded to, there was much dissatisfaction expressed by the patients; both patients and attendants assured me that he was more crazy before the Regents and in my presence than in our absence; he adroitly deceived those in charge of him and made his escape. It is highly probable he assumed insanity as the only means of escaping the punishment awarded for an atrocious crime. Not the interest of the Asylum alone, but that of the community, are interested in such cases, and suggests the importance of providing for insane convicts within the walls of the Penitentiary.

The apartment provided for colored insane was, of necessity, limited, and is now full. We have been gratified in seeing several of this class leave the Asylum in health of body and mind. Others are improving daily—eight or ten go out regularly and cheerfully every day with their head attendant to perform such work as may be required.

Exercise and agreeable occupation we regard of first importance in drawing the mind from its morbid contemplations and promoting bodily health. A large majority of our patients are, from former habits, easily induced to engage in farming and gardening; others are occupied with in-door work. The farm and garden have been cultivated with success—from each the yield has been abundant. We boast an average of thirty-five bushels of corn per acre on thirty-five acres. Our harvest of potatoes, peas, hay, &c., is very satisfactory. I place before you an extraordinary specimen of the sweet potato from our farm, weighing ten pounds, and another of eight and a half pounds. From one-tenth of an acre we harvested forty-five and a half bushels of "Early Goodrich" Irish potatoes. You saw growing in our garden, in one lot, 20,640 cabbage plants, with all other vegetables of the season. For our success in farming and gardening we are largely indebted to the skill and industry of the patients and their attendants. While this branch of work has been a valuable auxiliary in the treatment of the patients, it has also been very profitable to the Asylum, and suggests the advantage which could be derived from a larger farm, workshops, &c. In reporting the industry of our male patients, we would not overlook the handiwork of the females. They, too, have performed well their part in the sewing rooms and in the general work of the house. With little exception,

all the clothing has been made by them. Knitting for our entire household seemed a part of their recreation.

In attaching great importance to occupation, cultivating habits of industry, and in enforcing rules for cleanliness and neatness, we are not unmindful of the importance of supplying means for the amusement and recreation of our patients; and all such as are common in every first-class institution are afforded in this.

Religious services, as heretofore, have been regularly conducted by our esteemed Chaplain, Rev. Wm. Martin. The attendance of the patients, in this as in all other duties which they perform, is entirely voluntary; nevertheless, there is generally a good congregation of attentive hearers, who would be very unwilling to dispense with the privileges of the sanctuary. The services in the Chapel is but a part of the good influence of the Chaplain; his words of cheering and encouraging admonition should be felt in every part of the house.

The Library is a source of pleasure to many of the inmates.

To those editors who furnish us with their newspapers, our thanks are especially due. Their papers are sought after and read with avidity.

It gives me pleasure to report the continued devotion and judicious deportment of the subordinate officers and attendants. To them much is due for any success which may have attended my administration as chief officer.

The green house and flower gardens are places of pleasant resort for the patients. Oqui Adair is always at his post to wait on the ladies. The want of means to repair the house will cause much damage and the loss of many of his plants the ensuing winter.

The repairs on the Asylum's building, and in providing for colored insane, very far exceeded the amount appropriated for the purpose at the last sitting of the Legislature.

By reference to the balance sheet of the Treasurer it will be seen that some \$30,000 have been collected and disbursed during the year, and that there now remains in the Treasury but \$56.24. It has been estimated that there remains now due and owing for supplies and salaries \$6,000. The uncertainty with which payments have been made during the past and previous years, has caused much embarrassment; and the want of ready money has obliged me to purchase on credit wherever the articles could be obtained, and necessarily has largely increased the expenses. If payments were made with any degree of punctuality, the income of the house would be ample for its support; but judging from the past, no calculation can safely be made for the future.

Large sums are still due, both by the Commissioners of the Poor and by individuals; and further advances are falling due from day to day, with but

little prospect of being met. The general poverty of the people of the whole country and State, and the depletion of the public Treasury, renders it impossible for me to suggest any means of relief. It may be, however, that other than the ordinary and prescribed mode of maintaining the State Government and institutions may be resorted to; and that in such case, some patronage might be secured for this one.

An appropriation to cover deficiencies, make necessary repairs, and provide comfortable quarters for colored insane is required.

With renewed thanks, gentlemen, for your continued confidence,

Respectfully,

J. W. PARKER,
Superintendent and Physician Lunatic Asylum S. C.

ANNUAL REPORT OF THE TREASURER.

To the Board of Regents of the Lunatic Asylum of South Carolina.

GENTLEMEN: The annual tabular statement sets forth the financial condition of the Asylum throughout the past year, beginning November 1, 1866, and ending October 31, 1867:

RECEIPTS.

1866.		
November 1.—	Balance on hand.....	\$ 163 80
	Collections.....	892 25
December.	“	1,728 60
1867.		
January.	“	2,046 81
	Appropriation.....	8,000 00
February.	Collections.....	2,517 05
March.	“	3,324 55
April.	“	3,608 00
May.	“	1,029 75
June.	“	2,148 97
July.	“	5,037 56
August.	“	2,564 84
September.	“	4,861 92
October.	“	1,579 85
	Total.....	\$39,503 95

EXPENDITURES.

1866.		
November and December,	by supplies and salaries.....	\$3,976 23
1867.		
Supplies and Salaries.....		8,480 86
February supplies.....		2,342 73
March “		1,913 74
April “		3,190 98
February, March and April salaries.....		2,332 50
May supplies.....		1,791 97
June “		1,467 45
July “		3,789 52
May, June and July salaries.....		992 50
August supplies.....		1,599 58
September supplies.....		3,882 18
October supplies.....		1,499 97
August, September and October salaries.....		2,192 50
	Total.....	\$39,447 71

Balance on hand October 31, 1867..... \$56 24

Respectfully submitted,
COLUMBIA, October 31, 1867.

Examined and found correct.

JOHN WATIES,
Treasurer Lunatic Asylum.
WILLIAM H. TALLEY,
WILLIAM WALLACE,
WILLIAM K. BCKMAN,
Committee.

NOVEMBER 9, 1867.

REPORT OF THE CHAPLAIN.

Although there are so few salient points in the pastorate of a Lunatic Asylum, that the annual report of my spiritual mission there may contain nothing specially interesting to the reader, yet, to myself, it is a work of earnest and unceasing interest. For my peculiarly afflicted charge, my supplications and prayers go out continually; and would that the success of my efforts were commensurate with my sympathy. Sometimes I am encouraged to think I perceive some fruit of my labors; some improvement, not only in the mental, but spiritual appreciation of my humble teachings. And there are always cases that I am assured are comforted by the ministrations of the Gospel of Peace—cases of not total privation, but only temporary or partial aberration of intellect. To these the appliances of Scriptural truths must be not only soothing but sanitary, and in some degree curative. There are always in the Asylum some Christians of deep and consistent piety, whose pious hearts are not at all affected by the “jangling bells” in their poor hearts. To these, religious services are not only a comfort, but a necessity, of which to deny them the privilege, were to deprive them of the greatest alleviation which their sad lot is capable of receiving.

Our Sabbath worship in the Chapel has been uninterrupted during the year; and from the general excellent deportment of the congregation there, it would not often be suspected that the individuals composing it were for the most part deprived of reason. By instinct, example, but more from careful training, they have been taught to reverence God's house, while feeling that it was “good for them to be there.” Respectfully,

WM. MARTIN.

COLUMBIA, November 5, 1867.

D.

REPORT OF COMMISSIONERS OF THE DEAF AND DUMB AND THE BLIND.

2

At a meeting of the Board of Commissioners for the Deaf and Dumb and the Blind, held at Cedar Spring, July 29, 1867, Chancellor Lesesne and Judge Dawkins present, it was determined that the dome be removed and arrangements made for replacing it by a plain roof; and that Chancellor Lesesne be authorized to employ and contract for this matter.

That a report of the standing of the finances of the institution be made at once by the Steward; and that in view of the unsettled condition of State affairs, the exercises of the institution be not resumed on the 1st of October next, as usual.

Adjourned *sine die*.

N. F. WALKER,
Acting Secretary of Board.

REPORT.

CEDAR SPRING, S. C., August 5, 1867.

JUDGE DAWKINS—DEAR SIR: The amount of cash received this fiscal year has been as follows, to July 1, 1867:

Balance of appropriation for 1866.....	\$1,919 71
Draft No. 1—appropriation 1867.....	1,200 00
Draft No. 2—appropriation 1867.....	1,400 00
From pay pupils and all other sources.....	387 55
	\$4,907 26

The amount of cash paid during the same time, to July 1, 1867, has been as follows:

For salaries.....	\$1,641 66
For supplies.....	1,857 07
For expenses, including servant hire, piano, &c.....	753 05
For furniture and improvements.....	437 28
	\$4,689 06
Total amount cash paid.....	\$4,689 06
Balance on hand.....	218 20

\$4,907 26

Accounts unpaid to July 1, as follows :

Messrs. Cleveland, Walker & Co., as per bills on file.....	\$ 492 23
A. Floyd for flour.....	61 90
Servant hire unpaid.....	80 00

\$ 634 18

Balance on hand, as shown by cash account 218 20

Balance necessary to pay off outstanding accounts to July 1.\$ 415 98

There is yet a balance remaining in the Treasury appropriation for
support, &c.....\$1,400 00

Amount as above to pay balance to July 1.....\$ 415 98

Salaries for present quarter..... 600 00

\$1,015 98

This will leave a balance in the Treasury for expenses

to October 1, 1867..... 384 07

\$1,400 00

I would suggest that a draft for the above amount, \$1,015.98, be given to enable us to pay off the outstanding accounts to July 1, and to pay the salaries of the officers, so as to enable them to get into other engagements.

We hope at an early day to be advised of the prospects of a resumption of the exercises of the institution, so that we may be enabled to act accordingly.

I am, very respectfully,

NEWTON F. WALKER, Steward.

To His Excellency JAMES L. ORR, Governor of South Carolina :

The undersigned, Commissioners of the Institution at Cedar Spring, for the education of the Deaf, Dumb and Blind, present the following report : The practice heretofore has been to make reports to the Legislature, at each annual session ; but the condition of the institution renders it proper, in our judgment, thus to address you, as Chairman of the Board, as you were prevented from attending our last meeting, when matters of grave importance, involving the continuance of the exercises of the institution, had to be decided.

We met, by agreement, at Cedar Spring Asylum, on the 27th of July, and remained until the evening of the 30th. Examined the buildings and

financial condition of the Asylum. We determined to have the dome of the building removed and supplied by a roof. The whole injury to the building heretofore has been occasioned by the unskillful and inartificial manner in which the dome was put up. It was in such condition it could not be repaired to advantage; and the substitution of another would cost more than the roof which we propose in its stead; and in the opinion of artists of taste, the change, if it does not add to, will not detract from the appearance of the building. We had to consult economy—the appropriation for repairs being two thousand dollars (\$2,000). The subject which gave us the most concern, and about which we deliberated long, was whether the exercises of the institution should be suspended after the first of October next, and if any means could be devised to prevent it. You will perceive from the report of the Steward, that the whole appropriation will be exhausted by him, which is the commencement of the fiscal year. This has been the case heretofore; but we never hesitated to go on, relying on the ensuing Legislature to make an appropriation to meet the expenditure. At present we do not know if we will have a Legislature next winter; and if we do, can form no definite idea of its complexion, or how far it may be disposed to sustain the existing institution. We did not consider it wise or just to incur debts, even if credit could be had, upon the doubtful and uncertain contingency of an appropriation hereafter to be made. We next considered whether we might not use the fund appropriated for repairs; but as it was made for a specified purpose, we did not consider we had a right to divert it, especially as the Legislature reduced the sum asked for by the Commissioners, reported on favorably by the Committees, one-half, thereby clearly signifying that \$1,000 was all they intended to give for the “Education of the Deaf,” &c. In this condition of the finances we had no alternative, and were constrained, however reluctant, to direct a suspension of the exercises of the institution after the first of October next.

At our first meeting after the appropriation, at which you presided, it was agreed the sum was insufficient to carry on the Asylum as previously, and we considered the questions whether we should restrict the number of pupils to fifty, as to avoid a suspension before the 1st of October next, or to admit all applicants and go on until the fund was exhausted, and then suspend. We decided, for satisfactory reasons, to adopt the first, and have succeeded in our expectations, though it is a source of regret that many applicants were refused admission, who were equally entitled to the benefit of the charity.

It is most probable, if there is not a prospect of re-opening the Asylum by or before the winter, that all who have been connected with it, as teachers or otherwise, will leave and seek employment elsewhere. They have faith-

fully discharged their duty, and are entitled, not only to the thanks of the pupils, but the State, for the kind and paternal manner in which they have treated those entrusted to their care. We would, if there is a prospect of re-opening, do well to retain the services of a part at least. In the event of the present occupants leaving, the building and furniture must be taken charge of by some one. They have cost the State a large sum of money, and should not be neglected or abandoned, if they cease to be used for the purpose originally intended. They might possibly be disposed of by lease, for some kindred purpose of education, until the State was in a condition to make an appropriation sufficient to sustain the institution.

We cannot express too profoundly our regret at being compelled to come to the conclusion we did, to suspend the exercises of the institution. It has done much good—not only favored and cherished by the State, but commended itself favorably to visitors and strangers. It has given speech to the dumb, and eyes to the blind; and should, if practicable, receive the support and fostering care of the State, without which it cannot exist.

We send herewith the report of the Secretary of our meeting, and the report of the Steward, trusting you will be able to devise some means by which the institution can resume its exercises on the first of October next.

Respectfully submitted.

T. N. DAWKINS.
HENRY D. LESESNE.

August 26, 1867.

E.

REPORT OF THE COMMISSIONER OF IMMIGRATION.

SOUTH CAROLINA BUREAU OF IMMIGRATION,
CHARLESTON, January 1, 1868.

To His Excellency JAMES L. ORR, Governor of South Carolina.

SIR: Conformably to the Act of the General Assembly, of 1866, and in obedience to the request of your Excellency, I respectfully submit the following brief report of the operations of this Bureau :

On the 18th of February last, I had the honor to receive the appointment of Commissioner. I forthwith advertised in all the papers of the State for registration of lands for sale, and for notice of such labor as should be wanted. At the same time I prepared a pamphlet for distribution in the countries of Europe and of our Northern States and cities, containing a sketch of the history and resources of South Carolina, with other matters of useful information, and such registries of lands and labor as had been made, to which was appended a map of the State. Of this 5,000 copies have been printed in English, 5,000 copies in German, 2,000 in Danish, and 2,000 in Swedish.

In April, your Excellency appointed Mr. Ferler the agent for Scandinavia ; and in May, Capt. Melchers for Germany, and Major Ryan for Ireland. Messrs. Ferler and Melchers, after having given bonds for the faithful discharge of their duties, sailed for their fields of operation in May ; but Major Ryan, having since removed to Texas, has resigned his office, and no successor to him has, as yet, been appointed. In June, I found it necessary to publish a circular to the citizens of the State, urging their co-operation with the efforts of this Bureau. In August, I had obtained so many additional registries, that I deemed it proper to publish another pamphlet, Supplement No. 1, in which, at the same time, I endeavored to reply to some animadversions of the European press. This has also been published in English, German and the Scandinavian languages. I have, on several occasions, been strongly advised to publish a translation of the pamphlets in French, but not being myself a sufficient master of that language to perform this task, I would ask the concurrence of your Excellency and your permission to employ a translator at a reasonable charge. There is no doubt that

our success depends very much on a liberal distribution of useful information of our State and her resources, and of gaining in this manner the attention of the emigrant. I have encountered very bitter opposition in my endeavors, both at home and abroad; but I have also found numerous friends and well-wishers, even in the North and in Europe, and their advice has uniformly been to print in every language and scatter our pamphlets broadcast everywhere.

During the year, I have delivered several addresses in various parts of our State, for the purpose of awakening a general interest in the measures of immigration, which, through the kindness of the press and *DeBow's Review*, have been extensively circulated. In October I published another circular with special reference to labor, contracts and the advance of the passage money for such industrious immigration as could in that manner be enabled to accept employment in our State. From Germany and Scandinavia many such could have been obtained; but I am sorry to say that our people were so embarrassed in ready means that no result was obtained. Having received advices from our agents that it might be possible to establish a line of steamers to Charleston, if any encouragement of reasonable success could be obtained, I took the liberty to address letters to the Charleston Chamber of Commerce and Board of Trade, of which your Excellency received copies at the time, requesting of them such information as they, above all, could best furnish regarding the matter; but no reply has been received excepting a note from the President of the Board of Trade, that he would forward the matter with a hearty good will. I am grieved at this because our merchants are a class of well-informed people, capable of making reliable reports, that would exercise a powerful influence in Europe. A line of steamers would be of the greatest benefit to us, not only in the matter of trade, but in giving us a share of the better class of immigrants, who generally prefer to cross the ocean in that manner. Besides I am of opinion, that by inducing the railroads to combine a reduced rate of fare to Memphis, and getting such a line of steamers, the port of Charleston might become the entry for immigrants to Georgia, Alabama, Mississippi, Arkansas, Tennessee etc. The immense value of this must be obvious to all without my going into any further details of reasoning.

In accordance with the requirements of the law, I have opened a book for the registry of lands, and these now number 125 proprietors, with 311,272 acres of lands, at rates of 50 cents to \$15 per acre—generally ranging from \$3 to \$8; in a few instances, exceeding even the highest mentioned figure. Of these, two plantations have been sold through this agency to Northern parties, and one has been settled by the proprietors with a small colony of Germans, and called Germanville, on such just and liberal terms, that it is certain to succeed and increase rapidly. Other registered property

is now being treated for by Northern parties, and I have the assurance from Pennsylvania that a company of mechanics and other men of enterprise is now being formed to purchase one of our water-powers, and to develop it at once.

I have also opened books for employers, and another for employees. One hundred and one persons have obtained work in the country, and our railroads have kindly, upon my request, forwarded them at half fare. Another book, a general registry of immigrants, shows that 248 persons have arrived in this State, of whom this office has had cognizance. Many more have arrived, but not having applied to me, have not been registered. Of the 248, the greater portion (147) have found employment in Charleston, one of them only having reported sick and gone to the hospital. I have received and answered nearly 400 letters, and have distributed nearly 1,000 pamphlets in the Northern States and cities. I had advertisements in the German and Irish papers of New York, which have brought me a number of applications for special information, and for situations, which I was not always able to furnish. In the absence of our agent for Ireland, I have accepted the kind aid of several gentlemen and ship-masters to distribute in that country and in Scotland several hundred pamphlets. But I deem it of importance that the office should now be filled, and would respectfully solicit your Excellency to make the appointment at your earliest convenience.

It will be seen from the above that our success is very limited; but from the comprehensive view of the matter which, in my official position, I have been able to obtain, I have been strengthened in the opinion that immigration is one great necessity, and that without an influx of an industrious and reliable working population, our State can never recover her lost prosperity. And I think I perceive a prospect of success, depending, however, on our continued exertions, and the liberality of our people in their offers of lands. I am now preparing a scheme for aiding the efforts of this Bureau, and at the same time giving an impetus to the industrial developments of our State, which I will soon have the honor of submitting to your Excellency. Several planters have already made offers of donating to industrious settlers portions of their lands; and if such liberality could become general, it would certainly exercise a decided and favorable influence. But our constant endeavor should be to induce our people to associate everywhere in the interest of immigration and industrial progress. A commencement has been made, but our distress is so general and our energies seem to be so benumbed, in consequence of the embarrassments of our labor system, and the insecurity of our institutions, that it would be unjust not to bide patiently for more favorable developments in the course of time. Yet, whoever among us has patriotism, should exercise it now, with his friends and neighbors, for the general good.

The General Assembly, at the last session, added the appropriation of \$10,000 to the Executive Contingent Fund for the expenses of the Bureau of Immigration. Of this amount, Executive drafts have been made of \$7,007.22, to cover the payments, viz. :

For salary of the agent in Scandinavia for the year, to April, 1868.....	\$1,500 00
For salary of the agent in Germany, for the year to May, 1868...	1,500 00
For salary of Commissioner for nine months, up to November 18, 1867.....	1,125 00
Contingencies, printing and advertising in Germany	500 00
Contingencies, printing and advertising in Scandinavia.....	500 00
For advertising in this State and in the North, and sundry other expenses.....	468 55
For postage, box rent and distributing expenses.....	51 29
For books, stationery and fuel.....	88 60
For stereotype map, printing 5,000 pamphlets in English, and 10,000 maps of State, &c.....	732 00
For printing Supplement No. 1.....	167 28
Balance Commissioner's contingent	424 50
	<hr/>
	\$7,007 22

Leaving undrawn of appropriation for 1867..... \$2,992 78

Your Excellency will perceive that our expenses, including the pay of an agent for Ireland, have been entirely within the appropriation. It was the intention of the law to have the three agencies of Ireland, Germany and Scandinavia filled, and the appropriation was estimated accordingly. Subsequent developments would seem to make it desirable to also establish an agency in France, if we could in any manner accomplish it, which would perhaps be possible by means of last year's unexpended funds. Several of our Southern sister States have now established Immigration Bureaus. Louisiana pays her Commissioner a very liberal salary, and provides for two clerks and five agents. But New Orleans has now steam communication with Europe, and immigrants for Missouri and the far West travel that route. Texas is increasing very fast by large immigration from Germany—four vessels with nearly a thousand passengers having arrived at Galveston this season. This is owing to her German colonies established before the war. Tennessee provides only for agents in the Northern parts of the United States, and expects to gain her share of immigration in that manner. But her people are very much alive to the subject, and are everywhere forming associations to facilitate immigration by private contributions. By reducing the salaries of our other agents, we might, perhaps, also have an agency in

New York ; but I am not convinced of any great advantage from it. The better class of immigrants to that great port proceed immediately to their points of destination, leaving those without means and without a settled purpose, and very often disinclined to agricultural pursuits, behind them. Such we could not give employment to. We are as yet too contracted in varieties of pursuits, until our industrial occupations and general prosperity shall be once more better developed. There are now a number of private agencies ready to fill all orders of planters for laborers on special contracts. My efforts have been directed to an influence in Europe which should give us a class of immigrants that will not only bring us their personal powers of production, but the means also to make them available at once ; and with them and after them will come enough of laborers to supply all our demands, without overburdening us with numbers of useless idlers, whom we are unable to support. And we are in a fair way of attaining these objects, which, however, would be very much facilitated by a line of steamers, as I have mentioned above. The city of Charleston can and must be made the port of arrival for the immigrants to the State, that I have named, and when we are once more under our own Government, if it should be at all inclined to our speedy recuperation, it must be the aim of the Legislature to liberally assist in measures to that effect.

I have the honor to be,

Your Excellency's obedient servant,

JOHN A. WAGENER,

Commissioner Immigration.

See supplementary report, p. 187-150, same paging.

F.
SOUTH CAROLINA UNIVERSITY.

COLUMBIA, S. C., May, 1868.

To His Excellency JAMES L. ORR, President Board of Trustees of the University of South Carolina.

SIR: At your request, I submit to you the following report, in relation to the University of South Carolina :

By an Act of the Legislature, passed on the 19th day of December, 1865, the South Carolina College was constituted a University, to "foster," as it declares, "all the elements which have heretofore contributed to its intellectual and moral power." In the existing condition of the State, in my opinion, the change was judicious, and has proved beneficial; for, whilst ample provision was made for the prosecution of a full course of liberal studies by those whose inclinations and means allowed them to do so, substituting only the consecutive for the simultaneous cultivation of the different branches of learning, it allowed others to select and cultivate exclusively such departments as were most congenial to their tastes and aptitudes, and most conducive to their interests.

This change in the character of the institution, together with the wise and generous provision made by the Legislature for the education, without any charge for tuition, room-rent, or the use of the library, of one student from each Election District, would, under ordinary circumstances, have at once insured the attendance at the University of a large number of students. But the extreme impoverishment of the State compelled many youths, who would gladly have availed themselves of the opportunity offered for mental cultivation, to turn to other avocations necessary for the support of their families and themselves. Two successive failures of the annual crops of the State tended to perpetuate this evil; and the number of our students increased very slowly. If fidelity and diligence in the teachers, and application and excellent conduct in the taught, could have availed for enlarging the numbers in our institution, I can confidently assert that these qualities were not wanting from the inception of the University.

In December, 1866, "An Act to amend an Act establishing the University of South Carolina" was passed, establishing schools of law and medi-

oine in the University ; and in October, 1867, the University, having all its schools filled with their respective Professors, commenced its exercises with 113 students present ; a number still much reduced by the pressure of poverty, but indicating growth and promising larger results in the future.

In May, 1866, the list of students numbered..... 49 names
 In May, 1867, the list of students numbered..... 93 "
 In May, 1868, the list of students numbered..... 115 "

The instruction in the schools, as indicated by the reports of the Professors, made to me and communicated to the Board of Trustees, gives the assurance of an earnest desire, in instructors and instructed, to impart and receive knowledge respectively ; and the result of our intermediate examination in February last proves that their combined labors have been crowned with merited success.

The extent of the buildings of the University, and the various dilapidations which they had sustained during the period in which they ceased to be used for collegiate purposes, rendered large repairs necessary. The Legislature voted the University generously \$2,000. This being exhausted, the same amount was kindly and judiciously allowed to the Trustees of the University by the Department Commander, Major-General Canby. I submit a statement of the application of this sum :

Repairs on roof about.....	\$170 00
Smaller jobs and material on hand.....	230 00
Repairs on East DeSausure.....	250 00
Discount on Bills Receivable.....	400 00
Repairs on out-buildings adjacent.....	145 00
Balance on hand about.....	805 00

Many important repairs and improvements still remain unaccomplished.

At your suggestion, I append a general statement of the ordinary receipts and expenditures of the University for its last fiscal year, ending October 31, 1867 :

	Annual Fee.	Library.	Rent.
Receipts.....	\$299 65	\$746 40	\$2,516 70
Expenditures	293 75	55 75	2,256 60

And for the half year, ending April 30, 1868 :

	Annual Fee.	Library.	Rent.
Receipts.....	\$237 20	\$1,375 55	\$1,999 65
Expenditures	226 35	753 60	1,413 60

I cannot conclude this report without submitting a few observations in reference to this institution as connected with the State. I speak not of the influence or excellence of high mental cultivation which it is designed to impart. All men, if they do not fully comprehend, yet freely admit

this. I allude to the peculiar character of the sympathy by which the State thus draws together its most enlightened and influential citizens. At that period of opening manhood, when friendships are easily formed, and yet are endued with the most indestructible permanence, the State assembles, from every location and every condition, her youth to enter together upon that noblest employment, the cultivation of the mind, to become members of that society in which alone the high principle of a just equality, to each according to his capacity, and to each capacity according to its work, thoroughly prevails. How strong is that bond of enduring union thus formed? Nor is this all. The State not only binds them to each other, but to herself also. She has become the mother of their minds, and no success in life to which education has contributed (and how few are those to which it has not contributed) can be dissevered from grateful recollections of this beneficent and efficient instructress, and intense devotion to her honor and interests. Thus has it been in the past history of this State. Thus may it be in her future history forever.

Respectfully submitted,

R. W. BARNWELL,
Chairman Faculty University of South Carolina.

G.

REPORT OF THE SUPERINTENDENT OF THE PENITENTIARY.

SUPERINTENDENT'S OFFICE, S. C. P.,
COLUMBIA, S. C., January 14, 1868.

His Excellency JAMES L. ORE, *Governor of South Carolina.*

SIR: I herewith report the progress of the work and condition of the South Carolina Penitentiary from its commencement, 17th November, 1866, to 31st December, 1867.

We have now completed one hundred and four cells, built in a substantial manner of granite, brick and iron.

The work was nominally commenced during the winter of 1866, but little else was done than to accumulate building material. In January, 1867, the work of building was commenced, and has been pressed on as fast as the means and the nature of such work would permit. April 18, 1867, the first convicts were received. Since that time their labor has been used to the exclusion of hired labor, and am pleased to be able to report that we are now almost independent of hired labor—in some branches quite so. The quarrying and transportation of the stone is done by convicts. Brick-laying is done by convicts, and the convict stone-cutters are making rapid progress in learning their trade. Shoes for the convicts are made by convict shoemakers. The cloth they wear is now being woven by convicts. The cooking, washing, and all duties pertaining to the subsistence and taking care of the convicts, is done by convict labor.

The location of the Penitentiary on the banks of the Congaree Canal affords a water power of great value to the State now and prospectively. Every effort is being made to employ this power to advantage. An inclined plane has been built, which is worked by a water wheel, up which all the stone used in the building has been elevated. It is brought to the foot of this incline in boats on the canal from the quarry. These boats are propelled by convict labor. This means of transportation enables us to deliver the granite on the yard for the small cost of fifteen cents per ton. Wagon transportation of this stone would cost one dollar and fifty cents per ton, or ten times the cost of the present means employed. This inclined plane,

boats and water power are often otherwise employed than in transporting stone, viz., delivery of building sand, fire wood, &c., which adds to their value. The above is the present use of the canal. During the present year the same water wheel which works the inclined plane will be made to drive a machine and wood working shop, wherein all the iron and wood work we need can be done by convict labor. As the work progresses, other applications will be made of this power. The use and close proximity of this canal and water power is of great value to the State, as the work of building progresses, and the different branches of industry are developed here, it will afford ample propelling power for all machinery used, and its possession will save thousands of dollars annually to the State. The advocates of steam claim that the refuse from the wood working machinery would furnish ample fuel for the steam engines, as a motive power. This is no doubt true, provided that no other use for this fuel is found; but it will be seen that all this fuel can be used in cooking, warming buildings, and other purposes besides driving machinery.

It will be necessary to suspend the work on the prison building until the cold weather is over. Masonry in lime and cement should not be built during freezing weather.

The foundation of the yard wall is being pushed on. Cold weather will not materially interfere with this work, as it is of dry masonry.

Accompanying this, please find the following papers: A, B, C and D, and Supplemental Sheet E; also, Surgeon's and Chief of Guard's Reports. They show the following facts:

1st The cost of guarding, clothing, subsisting, medical attention, and all other charges pertaining to the keeping of convicts, has been at the rate of forty-eight cents per day. The cost of subsisting each convict, included in the above, has been only fifteen cents per day.

2d. Value of work done and material on hand is \$72,171 79-100. (See sheet "D.") Expenses or amount paid for work and material, &c., (see sheet "B,") \$72,139 87-100. This shows a value of work equal to expenditures, besides taking care of the convicts. The value of this, as allowed by law to the Sheriffs, is forty cents per day, or \$9,674 80-100. (See sheet "C" for convict days.) The convict labor is becoming daily of more value—those employed as stone-cutters are worth about \$2 per day; those as brick-layers, shoemakers and carpenters, \$1.25; quarry and boats hands, \$1 per day; laborers, 75 cents per day. Those are the prices necessary to be paid, were the same character of work performed by hired labor. The average value of each convict is about \$1 per day at this time. The work has now been in progress about fourteen months. During the last eight and a half months, the process of substituting convict labor has been gradually going on. In a work such as we are building, a large proportion

of those employed must be skilled mechanics, who command high wages—this fact prevents that rapid substitution of convict labor that otherwise would be done. The convict must be taught, which requires time. By the 1st of July, their labor will entirely supersede hired labor.

The convicts are well fed—their food is thoroughly prepared; their clothing is warm and sufficient. They are required to labor hard, (unless otherwise directed by the Surgeon of the Institution,) to observe and obey all rules and regulations prescribed for their government, (a copy of these rules and regulations accompany this report.) When they do these things they are never punished. The discipline record (accompanying this paper) presents a long list of punishments; but on examination it will be found that but few, severe in their character, have been inflicted. Three escapes have been effected. This is deeply regretted; but after careful investigation, I cannot attach censure to the guard. They have had a difficult task to perform; no convict has ever escaped from his cell; it has always been when they were out of the enclosure on some working detail, had they an opportunity of getting away by risking their lives before the guns of the guard.

But the vigilance of the guard has deterred many from attempting escape. Seven deaths have occurred among the convicts. But for the skill and great care bestowed on them by Dr. B. W. Taylor, others would have died. Many convicts have been received here filthy, emaciated and sick—fit subjects for the hospital. I expected more to die than have died.

The convict is here for punishment. He is made to feel this. He is made to labor, and humanity demands that he should be well cared for.

The institution, which is now being established, will, in a few years, if properly managed, not only be of no expense to the State, but a source of income. The convicts of our Courts will no longer be idle in jail, but be made to labor for their support, and remunerate the State for the expense of protecting society.

In conclusion, allow me to commend to you the industry and zeal which have been displayed by my assistants. Much of our success has been due to their hearty co-operation.

To yourself and the Commissioners of the Penitentiary, my thanks are due for your confidence and courtesy extended to me.

Respectfully,

THOMAS B. LEE, JR.,
Engineer and Architect,
And Acting Superintendent, S. C. P.

ABSTRACT OF RECEIPTS, EXPENDITURES, WORK DONE, MATERIAL ON HAND,
SUPPORT OF OFFICERS, GUARD AND CONVICTS, &c.

From the 17th day of November, 1866, to the 31st of December, 1867,

the total expense of the building materials employed, the salaries of officials, physician's bill, subsistence of the prisoners and guards, and pay of the latter, amount to.....\$72,139 87

While the value of material and work actually done, including the buildings erected, masonry, brick and iron, the 104 cells already completed, the walls, stone quarried, &c., amounts to.....\$56,471 79

To this add the value of derricks, cranes, inclined planes, trucks, &c., on the ground and paid for.. 5,000 00

Fencing office and guard buildings, hospital, shops, &c..... 5,050 00

Materials, provisions, clothing, medicines, &c..... 4,450 00

Developing and opening canal..... 1,200 00

Making a total of.....\$72,171 79

The permanent work has been estimated on the basis upon which such work could have been secured by contract. It will be perceived that the value of the work actually done, and the material on hand, is greater than the amount expended; and let it be remembered that the sum of \$72,139.87, includes not only the expense of material, labor, &c., but also that of subsisting the guard and convicts, the payment of the salaries of the officials, the provision of medical attendance, &c.

SANITARY REPORT OF THE SURGEON IN CHARGE.

As seen by the accompanying report of sick—the most prevalent diseases were fevers, diarrhoea and skin affections.

The large number of cases of fever and diarrhoea have, in a measure, been due to the long confinement in prison of some of the patients, and the total disregard of the Sheriff to all hygienic precautions.

The prisoners from Abbeville and Colleton Districts I would particularly call attention to. They were filled with vermin, with but few raggs on, starved and filthy to the greatest degree. Their food has been mush, rice, potatoes and very occasionally, meat.

The cases of fever at this place were not greater than they were in the Western and Northern parts of the city, and I think, with proper precautions, and the improved health of the convicts, we will have much less sickness another season. The good diet and warm clothes furnished will tend much to the health of the Penitentiary.

I remain, very respectfully,

Your obedient servant,

B. W. TAYLOR.

RULES AND REGULATIONS OF THE SOUTH CAROLINA PENITENTIARY.

DUTIES OF THE SUPERINTENDENT.

1. It shall be the duty of the Superintendent to keep a register, in which shall be regularly entered the reception, former occupation, a general description, sentence of the Court, and the discharge, death, pardon or escape of every prisoner.

2. The Superintendent shall have the entire control and management of the penitentiary, subject to the authority established by law.

3. It shall be his duty to obey and carry out all written orders and instructions that he shall, from time to time, receive from the Governor of South Carolina.

4. He shall exercise a general supervision and direction in regard to the discipline and police of the prison, and the business concerns thereof.

5. He shall also see that the prisoners are treated with humanity; that the sick and complaining have proper medical and other attendance, and that they are supplied with such food and medicine as may be prescribed.

6. He shall take proper measures for the health and cleanliness of the prison, and see that the convicts pay proper attention to their persons.

7. He shall not permit any kind of gaming, nor allow profane or indecorous language to be used by convicts or officers.

8. He shall see that the rules and regulations prescribing the "duties" of all persons connected with the institution are strictly observed.

DUTIES OF THE CLERK.

1. The Clerk shall keep the books of the institution, and act as an assistant to the Superintendent in the discharge of his duties.

2. It shall be his duty to attend daily at the prison during the proper business hours.

3. He shall receive visitors, see that they register their names, are conducted through the prison without delay, furnish them with tickets, and keep an accurate account of the same, with the moneys received therefor.

DUTIES OF THE CHIEF OF GUARD.

1. The Chief of Guard shall reside at the prison, and have the immediate charge of the prisoners.

2. He shall spend the whole day in a general supervision of the guards and prisoners, direct them in their duties, and receive reports from the guards of all disobedience or violation of the rules by any person connected with the institution, and report the same to the Superintendent.

3. It shall be the duty of the Chief of Guard to keep a book, in which shall be recorded every infraction of the published rules of discipline, with the name of the prisoner so guilty, which record shall be submitted to the Superintendent every month, and by him to the Executive every three months.

4. He shall cause the locks, doors and cells to be examined daily.

5. He shall be constantly moving about the institution, visiting frequently but irregularly, and without notice, the workshops, kitchen, and all other departments of the prison.

6. He shall inspect the arms and equipments of the guard not less than twice a week, and report to the Superintendent any officer who may be found deficient in the required amount of ammunition, or whose gun or equipments are not in perfect order. He shall inspect all the arms or equipments not in daily use as often as once a week.

7. The Chief of Guard shall not grant leave of absence to any officer for a longer period than one half day, without consulting the Superintendent; and this privilege shall be withheld at the pleasure of the Superintendent.

8. He shall be present and preside at the meals of the prisoners, unless his place be taken by the Superintendent.

9. He shall receive all his instructions from the Superintendent.

DUTIES OF THE GUARD.

1. The guard shall be the agents of the Superintendent in enforcing the police and discipline of the prison, and in carrying into effect the laws for the government thereof.

2. They shall be under the immediate orders of the Chief of Guard.

3. It shall be their duty to reside at the prison, and not to absent themselves therefrom under any pretext or excuse, except by permission of the Chief of Guard.

4. They are to obey all lawful orders that may be given to them from time to time, in enforcing the police and discipline of the prison.

5. While within the prison, the guard shall refrain from singing, whistling and scuffling, immoderate laughter, boisterous conversation, exciting discussions upon politics, religion, or other subjects, provoking witticisms or sarcasm, and all other acts calculated to disturb the harmony and good order of the prison.

6. In their intercourse among themselves, the officers of the prison are at all times to treat each other with that mutual respect and kindness that become gentlemen and friends, and are required to avoid all collisions, jealousies, separate and party views and interests among themselves, and are strictly forbidden to treat each other with disrespect or any ungentlemanly epithets.

7. They shall not, while on duty, hold conversation with each other, nor with the workmen or foreman, except such as may be necessary in the discharge of their duties.

8. Neither shall they be engaged, while on duty, in reading, writing, other than in making necessary notes, or in any other employment calculated to interfere with constant watchfulness and vigilance.

9. They shall not, under any circumstances, allow prisoners to speak to them upon any subject not immediately connected with their duty, employment or wants.

10. They shall keep the convicts under their charge diligently at work at the several occupations at which they are employed.

11. They shall not permit them to hold any conversation with each other, or with any person whatever, except those allowed by law, nor to communicate with each other by signs or signals.

12. They shall require the greatest possible cleanliness in the convicts, their persons and clothing, and in their working and sleeping apartments.

13. They shall instruct them in all rules of the prison for their government, and admonish them on the least appearance of insubordination.

14. They shall not punish or strike a convict with a cane or stick, or with the fist or feet, or any weapon, unless it be in self-defence or to quell an insurrection; nor shall they use any profane or indecorous language to them or in their presence, but shall uniformly treat them in a kind and humane manner.

15. Should a prisoner or prisoners attempt to escape from the yard, or a guard, he shall, if possible, be ordered to halt, and on failing to do so, he must be shot. Should any revolt or attempt at revolt be made by the prisoners, if necessary to quell it, they must be killed by the guard.

16. They shall not allow their prisoners to leave their work without permission, nor shall they allow them to speak to or gaze at visitors.

17. They shall not receive from or deliver to a prisoner any article or thing whatever, without the knowledge or consent of the Superintendent or his deputy.

DUTIES OF THE PHYSICIAN.

1. The Physician shall visit the Penitentiary at least once every day, and personally examine every sick and complaining prisoner that may be reported to him as such, or whom he may find in the cells or hospital, and shall prescribe such medical treatment as their cases require.

2. He shall keep a book, to be called the "Hospital Register," in which shall be entered the names of all the prisoners sick or complaining, who require medical treatment, with the disease of each, and his prescription therefor.

3. He shall see that all proper medicine is administered to those who are sick, and perform all surgical operations that may be necessary, and discharge all other duties that properly pertain to his profession, and, if necessity require it, to pay extra visits; but no surgical operation shall be performed upon any prisoner without his consent, or the consent of the Governor, or two of the Commissioners of the Penitentiary.

4. When a prisoner dies, the Physician shall record the nature of the complaint, and all the circumstances connected therewith that he may deem proper and necessary.

5. He shall, in all cases, direct the diet to be prepared for the sick; and should it happen that his direction or prescription be neglected, he shall report the same to the Superintendent.

6. He shall, as often as may be necessary, furnish the Superintendent a memorandum of such medicines and other supplies as may be required for the hospital.

DUTIES OF THE PRISONERS.

1. They are to labor faithfully and diligently, to obey all orders promptly, and to observe unbroken silence.

2. They are not to exchange a word with each other under any pretence, nor communicate any intelligence to each other in writing; they are not to exchange looks, winks, laugh with each other, or make any use of any signs, except such as are necessary to convey their wants to the waiters.

3. They must approach their keepers in a respectful manner, and be brief in their communications; they are not to speak to them on ordinary topics, nor address them, except when it becomes necessary in relation to their work, or their necessary wants.

4. They shall not at any time, nor under any pretence, without leave, speak to any person who does not belong to the institution, nor receive from them any letters, papers, tobacco, or anything whatever; they are not permitted to leave the place where they are put to work, nor the work they are set to do, without the special permission or orders of the proper officer; they are not to suffer their attention to be taken from their work to look at visitors, nor are they to gaze or look at them when unemployed.

5. No convict is wilfully or carelessly to injure his work, tools, wearing apparel, bedding, or any other article belonging to or about the prison; nor will any prisoner be suffered to mark, injure, or in any way deface the walls or any part of his cell, or any other room he may be in; nor is he to execute his work badly, when he has the ability to do it well.

6. No convict shall receive or transmit any letter or paper, except under the inspection of the Superintendent; nor shall such convict converse with any person, except with the special permission of the Superintendent, and

not longer than five minutes, and then only in presence of a guard; as also with the officers of the prison on business.

7. Each prisoner, so far as practicable, shall occupy the same cell every night. As they enter their respective cells, the convict must stand in front of and facing the door of his cell, until the bar is let down by his keeper.

8. They shall always march in military step, and in such order as may be designated by the officer in charge. While in their cells, and while marching, and at all other times, all unnecessary noise must be avoided.

9. If a prisoner becomes sick, or from any cause feels unable to work, he shall report himself to the officer under whose charge he may be.

10. For all wilful violations of the above rules, punishment will certainly be inflicted.

11. If any prisoner attempts to escape from the yard or a guard, he shall, if possible, be ordered to halt, and on failing to do so, he must be shot by the guard. The prisoners are forbidden to go near the fence, and any violation of this rule will be considered as an attempt to escape.

12. In case of any revolt or attempted revolt, if necessary to quell it, the parties engaged may be killed.

DUTIES OF EMPLOYEES.

1. Foremen and other employees shall hold no intercourse with any convict other than those superintended by them; nor upon any subject whatever other than necessary to the proper execution of the work.

2. Their intercourse with the officers of the prison shall be such only as is necessarily connected with the prosecution of the business under their charge.

3. They are not, under any circumstances, to inflict any punishment or to enforce the discipline in any manner, upon any convict whatever.

4. They are to report to the keepers having charge of the convict in their department, all violations of the rules and regulations of the prison.

5. They shall not apply any harsh or opprobrious epithets to the convicts, nor use any profane language in their presence.

6. The teamsters or other persons in the employ of contractors, who may occasionally visit the prison, shall not be permitted to speak to a convict without permission of an officer.

8. All employees will be required to obligate themselves to assist the guard in preventing an attempted escape of a prisoner, or to quell a revolt, whenever called upon.

GENERAL RULES AND REGULATIONS.

1. No ardent spirits, wines, strong beer or ale, are upon any occasion to

be used by any officer, contractor or employee, in or about the prison; neither are they to suffer any other person to bring the same within the prison walls, except for the hospital, to be used for medicine, under the direction of the Superintendent or Physician.

2. The convicts shall have, at all times, the liberty of speaking to the Governor, or the Commissioners of the Penitentiary, when present at the prison.

3. Any officer who shall sleep while at his post, or in charge of any other duty, or shall neglect the same, or who shall behave improperly, shall be discharged from the institution.

4. The guard must yield that ready obedience to their superior officers so necessary to secure the beneficial results of effective co-operation and good government.

5. They shall not be permitted to have any unnecessary conversation in the dining room while the prisoners are at their meals.

6. No person shall be allowed to be present in the washing room, while prisoners are being washed and changing clothes, except officers of the Penitentiary.

7. No officer of the prison, or other person, shall purchase for him or themselves, any provisions, fuel or supplies, or any article in connection with the supplies purchased for the prison; nor shall officers or other persons use for themselves or family, or purchase any provisions, fuel or supplies, or any article whatever, bought for the use of the institution.

8. Convicts who are well behaved throughout their term of imprisonment, not wilfully violating any of the rules and regulations, and are recommended to the Governor by the Superintendent for their exemplary conduct, shall have their term shortened one-twelfth, as reward for their good deportment.

9. In enforcing the discipline of the prison, the Superintendent will proportion the punishment to the offence committed; and he is authorized to inflict any punishment authorized by the army regulations of the United States, or in the naval service of the United States.

10. The Superintendent is required to make any rules or orders which may be necessary for the proper enforcement of the foregoing.

11. Until the prison walls are completed, the Superintendent is authorized to use the ball and chain, or chain gang, or other manacles, to prevent the escape of prisoners while at work, or when not confined in their cells. In cases of insubordination, revolt or attempt to escape, the convict may be placed in irons in his cell.

12. It shall be the duty of the Superintendent to dismiss promptly his assistant, or any guard, for neglect of any duty required of them; and in case of the escape of any prisoner, whether the same be voluntary or neg-

figence, he shall arrest said assistant or guard, and prosecute him before the District or Circuit Court for the same.

SUPPLEMENTAL RULES OF THE PENITENTIARY.

EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., July 30, 1867.

The Superintendent will pay to each convict upon his discharge, who has been recommended for discharge, under paragraph 8 of General Rules and Regulations, or who has been pardoned by the Governor, the sum of two dollars.

Visitors will not be permitted within the enclosure of the Penitentiary, except such persons as may have business with officers of the institution, without a permit from the Executive Department, or from one of the Commissioners of the Penitentiary.

No visitors will be admitted on Sunday except ministers of religion.

(Signed)

JAMES L. ORR, Governor.

Every convict, on being received at the Penitentiary, shall be carefully weighed and his weight entered as part of his descriptive roll. When discharged, he shall likewise be weighed and the weight entered.

JAMES L. ORR, Governor.

February 20, 1868.

SUPERINTENDENT'S OFFICE S. C. P.,
COLUMBIA, S. C., May 1, 1868.

His Excellency JAMES L. ORR, Governor of South Carolina.

SIR: I herewith make this report, as supplemental to my report made to you, January 14, 1868, "Of the progress of the work and condition of the South Carolina Penitentiary, from its commencement, November 14, 1866, to December 31, 1867."

Since January 1, 1868, to this date, but little progress has been made in the actual building of cells; but a large amount of material, consisting of cast and wrought iron work and cut stone, has been prepared ready for building—enough to complete forty-six cells. With our facilities and improved appliances, the work of building is light, and far outstrips the preparation of the necessary material. Hence a close scrutiny of the progress of the work will reveal the fact that during one month many cells are built, while again

the next month probably none are completed. Building constitutes but a small proportion of the expense of masonry.

Besides preparing the material for forty-six cells, we have prepared and put in the heavy foundations for the yard wall on the south side. The great necessity of the yard wall can hardly be over estimated. It is highly important to have a stone fence around the prison, at as early a day as possible. The convicts are increasing rapidly in number; this, with the wooden enclosure here, compels me to increase the guard, in order to prevent outbreaks and escapes. I am pushing this work forward as rapidly as the limited means at my disposal will allow.

Since my last report, rapid progress has been made in substituting the the convicts' labor for the hired labor. By reference to that report you will see that I expressed the opinion that by July 1, 1868, convict labor would entirely supersede hired labor.

I have the pleasure to report that by the efforts of the foremen in the different departments in teaching those under their direction that we are now independent of hired labor. Our convict mechanics are doing all the work required of them. The weaving room, tailor shop and shoe shop are in successful operation, and have aided much in reducing the expense of maintaining the convicts.

A large machine and wood working shop has been built, and will afford facilities for doing iron and wood work by convict labor at a large saving of expense to the State. A quarry is in successful operation on the Penitentiary lot, from which an excellent quality of stone is obtained. This stone is lifted from its bed to the car, and hoisted into the upper yard without boat transportation, as was necessary in our old quarry.

Allow me to remark in this connection, that without the use of the canal and boats for transportation of stone, &c., and the water power to hoist them into the upper yard, that it would have been impracticable to have prosecuted the work with the limited funds appropriated. Even with the natural advantages we enjoy, I find that it is now, with the large number of convicts here, almost impossible to provide for the absolutely necessary expenditures made each month. The strictest economy is required in all departments, yet the sum (\$6,500) allowed me to prosecute the work and maintaining the convicts each month, is inadequate. If this amount was drawn from the Treasury in current funds, then it would be sufficient; but by reference to sheet C, you will see that the discount on the Bills Receivable, issued to me by the Treasurer, amounts to \$5,882.72. The original estimate of \$6,500 in current funds per month is amply sufficient to carry on the work; and I respectfully request that it be allowed. If furnished with adequate funds, the work can be carried on ten per cent. cheaper.

The whole number of convicts in confinement is 232. For the detail of

expenditures in maintaining convicts and prosecuting the work, see accompanying sheets marked A, B, C, D and E. It will be seen from sheet B, that the aggregate expenditures has been \$23,004.76, while the actual value of material and work done (sheet D) amounts to \$26,219.47. This shows an excess of \$3,214.71. But by reference to my last report, it will be seen that there was \$1,450.00 worth of material on hand, which amounts must be taken into this estimate; and when considered, makes the actual expenditures greater by this sum—this, then, shows the expenditures greater than the value of work done and material on hand, by the sum of \$1,285.29.

This result shows that the convict has not only sustained himself by his labor, but has placed the State in possession of buildings and material nearly equal in value to the entire expenditure in carrying on the work of building the Penitentiary and maintaining the convicts.

The average daily cost of maintaining a convict (including dieting, clothing, guarding, medical attention, &c.,) has been 34 cents, since January 1st, or an average from the first receiving of convicts, to May 1, 1868, of 41 cents per day.

In conclusion, allow me to say that this institution, founded under your auspices, must not only prove of great usefulness to society in deterring from crime, but if properly managed, will in a few years be not a burden, but a source of revenue to the State.

I thank you and the Commissioners of this great work for the continued confidence and kindness extended to me in my official capacity.

Respectfully,

THOMAS B. LEE, JR.,
 Engineer and Architect,
 And Acting Superintendent S. C. P.

DETAIL A.—Expenditures of South Carolina Penitentiary, at Columbia, S. C., from 1st January, 1868, to 30th April, 1868.

DATE.	BUILDING MATERIAL.	SALARIES OF OFFICERS AND GUARDS.	LABOR.	BOARD OF COMMISSIONERS.	SALARY OF SECRETARY OF BOARD.	FUEL.	PROVISIONS.	CLOTHING, SHOES, &c.	MEDICINES.	DISCHARGED PRISONERS.	TOTAL.
1868.											
Jan. 31	\$2,429 69	\$ 619 33	\$1,326 44			\$14 00	\$ 665 88	\$256 68	\$ 44 13	\$ 8 00	\$5,394 15
Feb. 29	883 57	768 03	884 38			59 00	1,050 90	61 60	41 73	2 00	3,751 27
Mar 31	2,844 66	1,229 04	1,186 35	\$15 50		130 80	2,294 75	551 56	185 41	10 00	8,448 05
Apl. 30	1,402 87	1,030 14	1,012 09		\$25 00	93 00	1,601 89	210 97	33 33	2 00	5,411 29
Total ..	7,560 79	3,646 54	4,409 26	15 50	25 00	326 80	5,613 46	1,080 81	304 60	22 00	28,004 76

THOMAS B. LEE, JR.,
Engineer, Architect and Acting Superintendent S. C. P.

*B.—Expense of South Carolina Penitentiary from January 1, 1868, to
April 30, 1868.*

	AMOUNT.
For Building Materials	\$7,560 79
Pay of Officers and Guards.....	3,646 54
Labor	4,409 26
Commissioner's attendance of meeting of Board	15 50
Salary of Secretary of Board of Commissioners.....	25 00
Fuel	326 80
Provisions.....	5,613 46
Clothing, Shoes, &c.	1,080 81
Medicines.....	804 60
Discharged Prisoners	22 00
Total	\$23,004 76

THOMAS B. LEE, JR.,

Engineer, Architect and Acting Superintendent S. C. P.

C.—Statement of Funds Received and Expended, South Carolina Penitentiary, from January 1, 1868, to April 30, 1868.

1868.		AMOUNT.	1868.		AMOUNT.
Jan. 1	To cash on hand.....	\$ 643 75	Jan. 31	By paid salaries of Officers, Labor, Material, &c.....	\$5,394 15
	Cash received from Treasurer, Government Drafts.....	6,500 00	Feb. 29	Paid salaries of Officers, Labor, Material, &c.....	3,751 27
3	Cash received from C. Gaines and William Graw, discharged on payment of sixty dollars each.....	120 00	Mar. 31	Paid salaries of Officers, Labor, Material, &c.....	8,448 05
Feb. 4	Cash from Treasurer.....	6,500 00	Ap'l. 30	Paid salaries of Officers, Labor, Material, &c.....	5,411 29
29	Cash sale of Shoes manufac- tured.....	46 55		Paid discount on Bills Receivable of the State.....	5,882 72
Mar. 2	Cash from Treasurer.....	6,500 00		Cash on hand.....	567 92
24	" ".....	2,500 00			
31	Cash from sale of Shoes.....	60 80			
Ap'l. 2	Cash from Treasurer.....	6,500 00			
30	Cash from sale of Shocs.....	84 30			
		<hr/> 29,455 40			<hr/> 29,455 40

THOMAS B. LEE, JR.,

Engineer, Architect and Acting Superintendent S. C. P.

D.—*Value of Material and Work done on South Carolina Penitentiary,
from January 1, 1868, to April 30, 1868.*

PERMANENT WORK.	AMOUNT.	TOTAL.
20,000 Bricks, \$20.....	\$ 400 00	
20,000 Bricks on hand, \$10.....	200 00	
725 Cubic Yards Masonry in Wall, \$8.....	5,800 00	
6,000 Cubic Yards Earth Excavation, \$15.....	900 00	
2,000 Superficial Feet Cut Stone, \$1.50.....	3,000 00	
100 Cubic Yards Stone, quarried and delivered, \$3.	300 00	
89,010 lbs. Cast Iron for Cells, 6c.....	5,340 60	
2,208 lbs. Wrought Iron Manufactured, 10c.....	220 80	
5 per cent. for Plans and Architects attention.....	808 07	\$16,969 47
BUILDING APPARATUS.		
Derricks, &c	1,000 00	1,000 00
TEMPORARY STRUCTURES.		
Additional Fencing.....	300 00	
Bathing House for Convicts.....	300 00	
Blacksmith Shop.....	50 00	
Machine Shop.....	1,500 00	2,150 00
MATERIAL ON HAND.		
Provisions, Clothing, Medicines, Iron, Coal, &c., Cooking Apparatus, Vegetable Garden.....	6,100 00	6,100 00
Total.....		26,219 47

THOMAS B. LEE, JR.

Engineer, Architect and Acting Superintendent S. C. P.

South Carolina Penitentiary Prison Report, 1868.

	WHITE.	COLORED.	TOTAL.
Convicts in Prison January 1, 1868.....	29	158	187
“ received from January 1 to April 30, 1868.....	10	82	
“ escaped in 1867, and returned to Prison in 1868...		1	93
Total confined during the year.....	39	241	280
Convicts discharged by expiration of sentence.....	2	17	19
“ pardoned by Governor.....	4	17	21
“ died.....		4	4
“ escaped	2	2	4
“ remaining in Prison April 30, 1868.	31	201	232
	39	241	280

THOMAS B. LEE, JR.,

Engineer, Architect and Acting Superintendent S. C. P.

List of Officers and Guards, South Carolina Penitentiary.

	PAY PER MONTH.
1. Thomas B. Lee, Jr., Engineer, Architect and Acting Superintendent.....	\$229 16
2. A. Y. Lee, Draftsman.....	100 00
3. William Lee, Clerk.....	33 33
4. B. W. Taylor, Surgeon.....	33 33
5. Samuel Green, Chief of Guard.....	62 50
1 Sergeant.....	25 00
4 Corporals.....	20 00
27 Guards.....	16 00
1 Storekeeper.....	25 00

THOMAS B. LEE, JR.,

Engineer, Architect and Acting Superintendent S. C. P.

H.

PROCEEDINGS OF COMMISSION

TO INQUIRE INTO THE MANAGEMENT AND TREATMENT
OF PRISONERS IN PENITENTIARY.

HEADQUARTERS SECOND MILITARY DISTRICT,
CHARLESTON, S. C., May 4, 1868.

His Excellency JAMES L. ORR, *Governor of South Carolina.*

SIR: Agreeably to your request of the 27th ultimo, I herewith transmit a copy of proceedings of the Special Commission, organized to inquire into charges of cruelty and harsh treatment against Major T. B. Lee, Superintendent of the State Penitentiary.

Very respectfully,

Your obedient servant,

ED. R. S. CANBY,
Brevet Major-General Commanding.

FIRST DAY.

Proceedings of the Special Commission of Inquiry, which met at Columbia, South Carolina, by virtue of the following order:

HEADQUARTERS SECOND MILITARY DISTRICT,
CHARLESTON, S. C., March 12, 1868.

[*Special Orders No. 69.*]

EXTRACT.

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IV. A Special Commission of Inquiry is hereby appointed to meet at Columbia, South Carolina, on the 18th day of March, 1868, to examine into and report upon the charges of cruel and harsh treatment of convicts, preferred against Thomas B Lee, Superintendent of the Penitentiary of South Carolina.

DETAIL FOR THE COMMISSION.

1. Brevet Colonel Henry B. Judd, United States Army, (retired.)
2. Brevet Colonel Francis S. Guenther, Captain Fifth Artillery.

3. Brevet Captain James Chester, First Lieutenant Third Artillery.

The junior member will act as Recorder.

The Commission will sit without regard to hours; will thoroughly examine into the allegations made; will be authorized to call for persons and papers, and to take evidence; will afford all reasonable facilities to the party interested to present his counter allegations and testimony; and will report the proofs, with expression of opinion thereon and recommendation of action, if any be deemed useful, with reasons therefor.

The Commanding Officer, Post of Columbia, will provide needful facilities for the accommodation of the Commission.

Publicity will be given to this order.

By command of Brevet Major-General E. R. S. CANBY.

(Signed)

LOUIS V. CAZIARC,

A. D. C. and A. A. A. G.

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COLUMBIA, S. C., March 18, 1868.

The Commission met pursuant to the above order.

PRESENT.

Brevet Colonel Henry B. Judd, United States Army, (retired.)

Brevet Colonel Francis L. Guenther, Captain Fifth Artillery.

Brevet Captain James Chester, First Lieutenant Third Artillery.

The order convening the Commission was then read. It was ordered, in accordance with the last paragraph thereof, to be published four consecutive days in the Columbia Phoenix, at Columbia, S. C.

The Recorder was also directed to invite, through the columns of the same newspaper, such persons as had any allegations to make against Thos. B. Lee, Superintendent of the Penitentiary of South Carolina, to appear before the Commission and prefer their charges.

To facilitate the business of the Commission, the Recorder was authorized to cause to be printed one hundred blank summonses, and two hundred certificates of attendance.

The Recorder was then directed to furnish Thomas B. Lee with a copy of the order convening the Commission, informing him, at the same time, that it had met and was ready to proceed with the investigation therein ordered: and also requesting him to appear, either personally or by counsel, before it, at 10 o'clock A. M. to-morrow, the 19th instant, to which day and hour the Commission then adjourned.

(Signed)

JAMES CHESTER,

Bvt. Capt. and 1st Lieut. 3d Artillery, Recorder.

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SECOND DAY.

COLUMBIA, S. C., March 19, 1868.

The Commission met, pursuant to adjournment, at 10 o'clock A. M.

Present—All the members

Thomas B. Lee, acting Superintendent of the Penitentiary of South Carolina, was also present.

The Recorder having read the order convening the Commission in his hearing, asked Thomas B. Lee if he was prepared to proceed with the investigation therein ordered. To which he replied, in writing, in the affirmative. Said reply having been read, was appended to the record, (marked "E.")

The petition and resolution of the Constitutional Convention of the State (marked "A") was then read; also, the accompanying documents, (marked "B," "C" and "D,") all of which are appended to the record.

No person appearing to make any allegations against Thomas B Lee, and there being no specific charges against him in the hands of the Commission, nor any papers connected with the case, other than those read and appended, the Commission

Resolved, That as it appears to be the object of the Commanding General, and also the desire of Mr. Lee, that a thorough examination into the allegations and charges be made, the persons signing the petition for the removal of Mr. Lee be summoned before the Commission, to give testimony in the case.

To allow the witnesses time to comply with the summons of the Commission, it then adjourned to meet at 10 o'clock A. M. on Tuesday, the 24th instant.

(Signed)

JAMES CHESTER,
Bvt. Capt. and 1st Lieut. 3d Artillery, Recorder.

THIRD DAY.

COLUMBIA, S. C., March 24, 1868.

The Commission met, pursuant to adjournment, at 10 o'clock A. M.

Present—All the members, and Thomas B. Lee, the respondent.

The proceedings of last session were then read.

The roll of witnesses summoned to testify was then called, and Mr. T. J. Robinson, of Columbia, S. C., answering to his name, was duly sworn, and testified as follows :

Question—Where do you reside?

Answer—I reside in Columbia, S. C.

Question—Were you a member of the Constitutional Convention of this State; and if so, did you sign a certain petition for the removal of Thomas B. Lee, acting Superintendent of the State Penitentiary, for causes?

Answer—I was a member of the Convention, and did sign such a petition.

Question—State, if you please, the reasons which led you to sign that petition.

Answer—The principal cause was, that I am a "Jacksonian" in principle, believing that "to the victors belong the spoils," and that as the Republican party are in power in South Carolina, their friends should hold the offices of the State. I know nothing personally of Mr. Lee's harsh treatment of the prisoners, only from hearsay.

Question—Have you ever visited the Penitentiary?

Answer—I have been there twice within the last twelve months.

Question—Was Mr. Lee Superintendent at that time?

Answer—So I understood.

Question—Did you examine into the management of the institution at that time ?

Answer—No, sir; I didn't go there for that purpose.

Question—Please state the impression made upon you by your visit to the institution.

Answer—I saw the prisoners at work. Everything seemed to be progressing favorably, as far as I could see. I saw no evidence of dissatisfaction among the prisoners, while I was there. I remained only a short time, probably half an hour.

Mr. Lee, the respondent, had no questions to ask.

W. B. Nash, of Columbia, S. C., was then duly sworn, and testified as follows :

Question—Were you a member of the Constitutional Convention of South Carolina; and if so, did you sign a petition for the removal of Thomas B. Lee, Superintendent of the State Penitentiary ?

Answer—I was a member of the Convention, and did sign such a petition.

Question—State your reasons for signing the petition.

Answer—My reasons were, that before I went to Charleston to attend the Convention, I heard from persons who had visited the Penitentiary that the prisoners were cruelly treated; and I had asked General Burton to have the matter investigated, and gave him the names of the persons who would testify in the matter, which he said he forwarded to Governor Orr, but up to that time had got no reply; and believing, as I did, that Major Lee was a public officer, and his conduct a proper subject for investigation, when the subject came up in the Convention, I voted for the resolution, and signed the petition from the same motives.

QUESTIONS BY THE RESPONDENT.

Question—When you visited the Penitentiary, did you see any prisoners that appeared to have been ill-treated ?

Answer—I cannot say that I did. I didn't notice particularly.

Question—Have you not heard since that Governor Orr investigated the charge preferred against Major Lee, by yourself, to General Burton, and that the result of that investigation was published ?

Answer—I have not, or if I have, I don't recollect it. I know the last time I spoke to General Burton he told me he had heard nothing of it.

S. B. Thompson, of Columbia, S. C., being duly sworn, testified as follows :

Question—Were you a member of the Constitutional Convention of South Carolina; and if so, did you sign a petition for the removal of Major Lee, Superintendent of the State Penitentiary ?

Answer—I was a member of the Convention, and did sign the petition referred to.

Question—State the causes which led you to sign that petition.

Answer—Before I left Columbia to attend the meeting of the Convention at Charleston, persons, saying they were eye-witnesses, told me that the convicts in the Penitentiary were cruelly treated, especially the colored prisoners. They begged me to see if something could not be done. I offered a resolution to have the matter investigated. That resolution was referred to General Canby. A few weeks, probably a month, afterwards, there was

a petition brought to me to sign, for the removal of Major Lee, the present Superintendent of the Penitentiary. I signed that petition, with the view that the matter might be investigated.

Question—Did you ever visit the Penitentiary?

Answer—Yes, sir, once; sometime before I went to Charleston, within the last six months.

Question—State what were the impressions made upon you by that visit.

Answer—One of the officers there, Major Lee's brother, took me around and showed me the Penitentiary, and also showed me the "punishment record." The prisoners were at table when I was there. I saw no distinction on account of color, either in the fare or position at table. They all sat in the same hall. I thought the provisions were plenty.

Question—Did you leave the institution convinced that the reports and complaints made to you were erroneous, or did your observations confirm these reports?

Answer—The reports that induced me to offer the resolution in the Convention have come to me since my visit to the Penitentiary, and refer to corporeal punishment. My visit to the Penitentiary was to see if the reports, that there were distinctions made among the convicts on account of color, were true or not. I saw none while I was there.

QUESTIONS BY RESPONDENT.

Question—Did you not visit the Penitentiary with others, as a Committee appointed by the Union League, to examine into its affairs; and were you not permitted to go into the enclosure, and given access to all books and papers you desired to see—also carried into the mess hall; and, in fact, had all the workings of the institution shown to you?

Answer—I have stated already the nature of my visit there. I was there as a member of a Committee of the Union League, and was permitted to go around and shown all papers and books that I asked for.

Question—After this examination, what was your opinion of its management?

Answer—I saw no distinction made on account of color. The prisoners were orderly, clean and generally healthy—some of them looked as if they had been treated roughly. They were at supper at the time.

Question—Did you not express yourself to Mr. A. Y. Lee as satisfied with what you saw?

Answer—I don't recollect. I certainly found no fault to him. There was some complaint made by one of the Committee to Mr. Lee's brother, but I took no part in it.

Question—Were you not shown the "Discipline Record," and did you not see the names of white and colored recorded?

Answer—I was, and I did see the names of whites and colored delinquents there.

Question—Please state what was the appearance of the prisoner or prisoners that caused you to think they had been roughly treated.

Answer—They looked downcast and low-spirited, and didn't look like some of the others did.

The list of witnesses summoned in this case having been called, and no others answering to their names, the recorder invited any one present, who

knew anything about the matter under consideration, to come forward and testify.

Joe Williams then presented himself, and being duly sworn, testifies as follows :

I was a prisoner there for six months. I saw and felt the treatment, a great portion of it, within six months. I saw men bucked and gagged, balled and chained. I saw them marched in blind gangs from twenty five to thirty in a gang over ladders, wheel-barrows, ditches, and sometimes holes, and hindermost ones frequently knocked. And there was a distinction made, I thought, as white convicts were given the trade of dressing stone, whereas the black were chained and sent to the quarry. I have seen them hung up by the thumbs, the hands carried backward, and drawn clear off the ground by a block and tackle. I have seen them also stood on posts, whilst it was raining and freezing. I have seen them jabbed with the bayonet and muzzle of the gun. These are about all the kinds of punishment I saw practiced during my six months stay in the Penitentiary.

Question—Was there any system of punishments, that is, a certain sort of punishment for each infringement of the rules of the Penitentiary ?

Answer—No, sir; the guard would report a prisoner by number, for some offence, to the Captain of the Penitentiary, who would assign the punishment. The punishment was inflicted on Sundays. There was some inflicted at times during the week, but not often.

Question—Were you well acquainted with the rules of the Penitentiary ?

Answer—Yes, sir; I thought I was. I was twice punished during my confinement. The first time was for not giving up a bucket to a boy whom the Captain had sent for it. I thought I had a right to hold on to it. I was tied hand and foot a whole night in my cell for that. The other time, was for talking to another convict; the guard reported me to the Captain, who came and asked me about it. I denied it; but the guard said I was the man by my number. I was then, about a week after, taken out and blindfolded, and marched about three hours in the blind gang. There were seven others besides me tied together, wrists and elbows.

BY RESPONDENT.

Question—State the name of prisoner whom you saw jabbed with the bayonet; also knocked and struck with muzzle of gun.

Answer—I do not know his name, nor his number. Joe Jackson, Sam Gridiron, and more whom I don't remember, were knocked—beat I call it—like as you were driving horses, and they stables at that.

Question—Did you see any negroes at all learning trades, either in blacksmith's shop, shoe shop, carpenter's shop, or tailor's shop, or anywhere else ?

Answer—There was a colored blacksmith; and he had some colored assistants. All the shoemakers, I think, were colored. They came in there with trades. There were two or three colored carpenters, and one learning, who quit soon after I went in. There was one also in the tailor's shop, patching. There was no regular tailor shop there.

Question—Did you know the proportion of whites and colored, while you were in the prison ?

Answer—I cannot tell exactly. There were some eighteen or twenty whites, and over one hundred colored, when I left.

Question—Were not those convicts who were working at the quarry learning a trade ?

Answer—They were splitting out rock ; a pretty poor trade ; any man can do that.

Question—What were you sentenced to the Penitentiary for ?

Answer—Stealing cotton.

Question—Was Major Lee ever present when you saw prisoners maltreated ; did he permit it ?

Answer—I have seen him in the shoemaker's and tailor's shops, when they were marching around the blindgang on Sunday evening. I didn't see him present on any occasion when convicts were struck or beaten.

Question—Did you say that Sam Gridiron was knocked ?

Answer—Yes, sir.

Question—How did you know that the colored men were carpenters ?

Answer—I heard them say so ; and since I came out, I have learned that one of them was.

Robert Hopkins, of Columbia, S. C., then presented himself, and being duly sworn, testifies as follows :

Question—State all you know relative to the treatment and management of convicts in the State Penitentiary.

Answer—I saw Mr. Pope, one of the guard at the Penitentiary, while he had a party of convicts down at the river at work, beat one of them severely with a handspike. I couldn't see that the prisoner did anything to deserve the beating. I think this was about three months ago, as near as I can recollect.

Question—Was Major Lee, the Superintendent, present ?

Answer—No, sir ; he was not, neither was any of the officers. I have seen convicts bucked and gagged, and tied up by the thumbs, their hands behind their back ; and working, wearing a ball and chain that they could scarcely get along with.

Question—Were you in the Penitentiary yourself ?

Answer—Yes, sir ; but not as a prisoner. I was working on the building.

Question—How were the convicts generally treated at work ?

Answer—They worked the colored ones pretty severely there. They did all the hard laborious work—every bit of it. They were worked from 7 A. M. to 1 P. M., and from 2 P. M. to 6 P. M., daily. All the prisoners, black and white, were kept out that time.

Question—How long did you work inside the Penitentiary ?

Answer—Fifteen months.

Question—How many men have you seen at a time bucked and gagged ?

Answer—Only one at a time.

Question—About how many did you see during the fifteen months ?

Answer—I have no idea.

Question—How many did you ever see tied up by the thumbs ?

Answer—I have seen over twenty from the time the convicts began to come there.

Question—How long would they be tied up at a time ?

Answer—One was, I think, about sixty minutes. The general time was, I think, from half an hour to three-quarters.

Question—Do you know the name of the convict who was tied up sixty minutes ?

Answer—I don't know his name; he was a yellow man.

Question—Did you ever see a white man tied up?

Answer—Yes, sir; I have seen Faget tied up about three-quarters of an hour, I think.

Question—Do you know what they were tied up for?

Answer—No, sir.

BY THE RESPONDENT.

Question—Do you know the wages a good quarry hand can command?

Answer—No, sir.

Question—What course did Major Lee pursue towards Mr. Pope, when he was informed that he had maltreated a convict?

Answer—He told me that he was going to discharge him, and he was discharged.

Question—While you were employed at the Penitentiary, or at any other time, did you ever know of Major Lee's permitting a convict to be maltreated?

Answer—No, sir.

Question—Have you not heard him declare that he never would permit a convict, black or white, to be cruelly or harshly treated?

Answer—No, sir; I have never heard him say that.

Question—Do you not regard stone cutting as very hard work?

Answer—Yes, sir; pretty hard work.

Question—Have you not seen colored convicts doing what might be called light work—such as cooking, weaving, shoemaking, and so forth?

Answer—Yes, sir; I have seen a couple weaving, and I have seen some cooking, and some shoemaking.

Question—Why are the hands (convicts) who are sent to the quarry chained?

Answer—I don't know, sir. The quarry is about a mile from the Penitentiary. I suppose they are chained to prevent their escaping. They are all chained by the wrist to a long chain, going to the quarry. When they arrive there, the chain is taken off, and a chain and ball attached to the leg of each convict while he is at work.

Question—Do you think it would be safe to work forty convicts outside of the walls of the prison without a ball and chain on one leg?

Answer—Yes, sir; if they had plenty of guards around them.

Question—Did not Major Lee declare to you himself, on a Sabbath morning, that he would always punish a guard who improperly treated a convict, and hoped that parties interested would always report such cases?

Answer—He told me that he was going to discharge Mr. Pope. He said that he was very glad that I had made the report to him; but that he was going to discharge him anyhow. I don't recollect his saying anything further.

Question by Commission—Did you ever see the "cat-o'-nine-tails" used on the convicts?

Answer—No, sir.

Question—Did you see the lash used?

Answer—No, sir.

Question—Did you ever see any of their heads shaved for punishment?

Answer—No, sir.

Joe Thompson, of Columbia, S. C., then presented himself, and being duly sworn, testifies as follows :

Question—State to the Commission all you know relative to the treatment and management of convicts in the State Penitentiary.

Answer—I was working in the Penitentiary for two months about the end of last August or the beginning of September. I thought some of them were treated pretty roughly. I never saw any one tied up by the thumbs, but I have seen the thumbs of some of them swollen, and on asking the reasons, was told that it was from being tied up.

Question—Did you ever see the “cat-o’-nine-tails” used on the convicts?

Answer—No, sir.

Question—Nor the lash?

Answer—No, sir.

Question—Did you ever see any of their heads shaved as a punishment?

Answer—No, sir; I have seen heads that were shaved, but don’t know the reason.

Question—Did ever you see the shower bath punishment inflicted?

Answer—No, sir.

The Commission then adjourned to meet again at 10 o’clock A. M. tomorrow, the 25th instant.

(Signed)

JAMES CHESTER,
Bvt. Capt., 1st Lieut. 3d Artillery, Recorder.

FOURTH DAY.

COLUMBIA, S. C., March 25, 1868.

The Commission met, pursuant to adjournment, at 10 o’clock A. M.

Present—All the members, and Thomas B. Lee, the respondent.

The proceedings of yesterday were then read, after which the Recorder read communications from N. G. Parker (who was summoned to attend as a witness), asking to be excused, and stating that he knew nothing personally of the management or treatment of convicts in the Penitentiary; also, a communication from Gen. Canby, excusing the Hon. A. G. Mackey from attendance as a witness; both of which documents were appended to the record (marked I and G).

The list of witnesses summoned to attend yesterday and to day was then called, and no one answering, the Recorder invited any one present, who knew anything about the matter under investigation, to come forward and give his testimony.

William Stevens then presented himself, and being duly sworn, testifies as follows :

Question—State all that you know in relation to the management and treatment of the convicts in the State Penitentiary.

Answer—I was working there last summer, either in June or July—I forget which. I saw the prisoners there. I consider that they were well fed. I do not know what treatment convicts are generally subjected to. I have seen convicts bucked and gagged, and kept out during the heaviest rain I mostly ever saw; but for what offence, I do not know. I have seen them also, on Sunday afternoons, stood on posts, three or four feet from the ground, blindfolded, as many as five at a time. I saw one of the prisoners

fall off the post blindfolded, and he was compelled by one of the guard to go back on the post. The guard punched him in the side with the butt of his gun, to make him go back on the post.

Question—What were you doing in the Penitentiary?

Answer—I was painting, and worked there about two weeks.

Question—Did you ever see the “cat-o’-nine-tails” used?

Answer—I did not, sir.

Question—Nor the lash?

Answer—I did not, sir.

Question—Did you ever see heads shaved as a punishment?

Answer—I have seen them cropped when they arrived, but never shaved as a punishment.

Question—Did you ever see the shower bath punishment inflicted?

Answer—I did not, sir.

BY THE RESPONDENT.

Question—Were the prisoners, who, as you say, kept out in the rain, put out there before or after the rain commenced?

Answer—Before the rain commenced.

Question—Do you know that the prisoner whom you saw kept out in the rain was required to remain there the whole time he was ordered there for?

Answer—I don’t know.

Question—State the name or number of the convict or convicts who was compelled, as you say, to remain in the rain, and the guard who punched one with a musket to make him go back on the post; also the name of the convict who was punched?

Answer—I do not know the name or number of either of the convicts, nor the name of the guard who used the musket. I’m very sorry that I don’t.

Question—Did the guard strike the convict that left the post, or merely punch him with his musket, to let him know that he must go back on the post?

Answer—He punched him in the side immediately after he fell, and ordered him to get back.

Question—Was the convict who you say was kept out in the rain white or black?

Answer—There were two colored ones; there were only about half a dozen white men in the Penitentiary at that time.

Question—Did not the prisoner who you say was kept in the rain have a blanket around him?

Answer—I do not remember, sir. It was hot weather at the time. It was in July or August.

Question—Was Major Lee present when you saw the prisoner standing in the rain?

Answer—He was not, sir; he had gone to dinner.

Question—As far as you know, did he ever permit the prisoners to be maltreated?

Answer—I never saw him permit any one to be maltreated.

Question—Give the date when you saw the prisoner kept out in the rain.

Answer—To the best of my knowledge it was in July or August.

Question—Have you come forward voluntarily to give your testimony, or were you employed to do so?

Answer—I was not employed. I was asked by some of my friends to come and tell what I knew about the matter.

Question—Are you certain that convicts were placed on posts in July or August?

Answer—The post punishment which I saw has been since Christmas.

A communication from Nelson Cook, who was summoned to appear as a witness to-day, explaining his absence was received, read and appended to the record (marked "H.")

Jack Nott then presented himself, and being duly sworn, testifies as follows :

Question—State what you know relative to the treatment and management of convicts in the State Penitentiary.

Answer—When I was working down there, about a year ago, I heard the Captain cursing the convicts. I understood that guards were not permitted to curse the prisoners. I don't remember the exact words used. The men he cursed were on the sick report, and at the time on their way from the hospital to the mess house. I worked in the Penitentiary some three weeks. I never saw any extra punishment during that time, except on Sundays, when I have seen convicts blindfolded and stood on posts.

BY THE RESPONDENT.

Question—You were employed in the Penitentiary not less than a year ago, were you not?

Answer—Yes, sir; I think it was about that time, as near as I can remember.

Question—Give the names or numbers of the convicts that the Chief of Guard cursed.

Answer—I do not know their names, because we were not allowed to know their names, nor talk to them. I didn't take notice of their numbers.

Question—Have you not a great personal dislike and revengeful feelings against the Chief of Guard at the Penitentiary?

Answer—I don't hate him, but have no use for the gentleman, whatever; my disliking him does not make me say anything against him which is not so; his name is Captain Green.

Question—Did you not once belong to him or some of his family; and did he not have the training of you?

Answer—I belonged to his father, and he once had the training of me.

Question—Would you not do him an injury if you could?

Answer—No, sir; I would not do him any injury. If I would do him an injury on account of his meanness, there are a great many others equally deserving. I have never shown any ill feelings against him nor any of his family.

Question—Have you come up here voluntarily to give your testimony, or were you employed and urged to do so?

Answer—I came of my own accord.

Question—Have you not had frequent difficulties with members of Mr. Green's family, resulting even in a fight once?

Answer—Yes, sir; it was with his brother. It had nothing to do with the Penitentiary.

The Commission then adjourned to meet again at 11 o'clock A. M. to-morrow, the 26th instant.

(Signed)

JAMES CHESTER.
Bvt. Capt., 1st Lieut. 3d Artillery, Recorder.

FIFTH DAY.

COLUMBIA, S. C., March 26, 1868.

The Commission met at 11 o'clock A. M. pursuant to adjournment.

Present—All the members and the respondent.

The proceedings of yesterday were then read.

James Windsor, of Richland District, was then duly sworn, and testifies as follows:

Question—State what you know relative to the treatment and management of prisoners in the State Penitentiary.

Answer—As regards the treatment of convicts, I was employed there from November, 1866, to the 27th or 28th of May, 1867, principally as storekeeper; I never saw any ill treatment of convicts while I was there. There were not more than twenty or thirty convicts there when I left.

Question—Was Major Lee Superintendent of the institution at the time?

Answer—He was, sir; and is now, as far as I understand.

Question—Did you ever see any punishment inflicted on convicts while you were there?

Answer—I never saw any punishment of any description while I was there. The convicts began to arrive some time in April, 1867; I cannot exactly tell the day.

BY THE RESPONDENT.

Question—Were the convicts well fed and well taken care of while you were there?

Answer—I consider they were, sir, well fed and well treated in every respect.

His Excellency James L. Orr, Governor of South Carolina, was then duly sworn, and testifies as follows:

Question—Please state your position as regards the Penitentiary of the State, and what you know of its organization and management.

Answer—Pursuant to a law passed by the General Assembly of the State, in September, 1866, I appointed William Gregg (now deceased), and W. R. Robertson and Archibald Cameron Commissioners of the Penitentiary. The Commissioners, at their first meeting, appointed Thomas B. Lee, Jr., Engineer and Architect of the work, which appointment was approved by me. The work was commenced, and, about the 20th of April, 1867, a few of the cells were completed and two prisoners were delivered by the Sheriff of Williamsburg District. Under the same Act of the Legislature, the Governor of the State was authorized to appoint such officers and guards and establish such rules and regulations as in his judgment might be necessary to carry on all of the operations of the prison. On the 15th day of April, 1867, the rules and regulations set forth in the pamphlet now before me were adopted and the Superintendent directed to have them printed;

since that date, some three or four supplemental rules have been adopted from time to time. It became necessary to appoint a Superintendent, who should be charged with the discipline of the prison and with the general control of the convicts and so forth. Upon reflection, I was satisfied that more unity and efficiency would be secured by uniting, in the person of the Architect and Engineer, the duties of Superintendent, preventing all clashing and collision between the two; and this was the more necessary, inasmuch as the entire labor of all the convicts was employed in the construction of the building and walls and the general service, such as cooking, washing, making clothes and so forth. Knowing Mr. Lee well, and having a high appreciation of his integrity and administrative ability, I appointed him Superintendent, with the additional salary of five hundred dollars per annum, which was subsequently increased, after the prisoners exceeded one hundred, to seven hundred and fifty dollars per annum. The salary allowed him by the Commissioners, as Engineer and Architect, was two thousand dollars. His entire salary, therefore, for all the duties pertaining by him there, is two thousand seven hundred and fifty dollars. The progress of the work and the general management of the prison has met my unqualified approbation. I have visited the institution, since the work commenced, very frequently, and have made strict examination in all of the departments. The only complaint which ever reached me was a petition from, I suppose, some thirty or forty colored men of the city of Columbia to General Burton, which petition was referred to me by General Burton. There were no specific allegations in the petition, but a general charge of cruel punishments. Upon inquiry, I learned that the most rigorous punishment which had been inflicted (and it was to that, I suppose, that the petitioners referred), was the tying up by the thumbs of six colored and one white convict. The cause, upon inquiry, of this punishment I learned to be that these seven convicts had formed a conspiracy to overrun the guards on the Sunday following the discovery of the plot by the Chief of Guard, and, if necessary, take the lives of the guards to effect their escape. I wrote a reply to this petition which was published some time in August, 1867, in the Columbia papers. I believed then, and do now, that the punishment inflicted was merited, the more especially as the only wall surrounding the cells is a temporary wooden fence, which would offer little or no resistance to the escape of convicts if the guards were disabled or killed. This is the only complaint that has reached me.

Under the rules of the institution, the convicts (at all times) have permission when the Governor is visiting the premises to approach and speak to him. No convict has ever made complaint, nor has any convict, when interrogated by me as to his general treatment, feeding and so forth, made complaint.

Major Lee, the respondent, had no questions to ask.

Captain Samuel Green, Chief of Guard at the South Carolina Penitentiary, was then duly sworn, and testifies as follows:

Question—State your position in regard to the Penitentiary of South Carolina.

Answer—I have charge of the guard and general charge of the prisoners.

Question—How long have you been on duty in that capacity?

Answer—Since the 21st of May, 1867.

Question—State the manner of enforcing discipline among the convicts in the institution.

Answer—The severest punishment that we use is hanging up by the thumbs. We also buck and gag them, blindfold them and stand them on posts, and tie them together and march them blindfolded for an hour, or an hour and a half, at a time. For stealing from each other, or from the ration house, for the first offence, they are generally stood on posts, (the height of these posts vary from eighteen inches to four feet,) the more active convicts being stood on the highest posts; old and infirm ones on the low ones. The duration of the punishment is regulated by the strength of the convicts. There are about ninety, I believe, out of the two hundred and thirteen now in the institution, who have never been punished. I have about twenty-five who are continually in for it, for stealing, quarreling, fighting among themselves, cursing the guard and mostly every offence, except actual assault on the guard, which is a very rare offence. There has never been but two men bayoneted, and that was in an attempt to take possession of a guard's gun. The wounds inflicted were not serious, being flesh wounds in the lower part of the thigh. The guard acted in self-defence; he was trying to put the convict on the post at the time. I found it necessary to blindfold the convicts to make the punishment of any effect, as they used to make fun of it; and also to keep them from having communication with citizens, who are permitted to come in the walls, and who are always peeping through the cracks of the fence during the infliction of punishment. One of the men thus bayoneted was a white man, and the other colored. I have never known a guard to strike prisoners, only on one occasion, and he was discharged for it. In the blind gang the white men generally get the worst of it, as they are put in the middle of the gang. The blind march punishment is as follows: Delinquents who have committed offences during the week are brought out on Sunday, each one blindfolded with his own towel; they are then tied together in single file, breast to back, and marched around the yard, in charge of three of the guard. No one had ever been injured in any way by this punishment, although we march them over pretty rough places, to make them dread the punishment. They are told by the men who have them in charge to stoop low, or step high, when there are no obstacles in the way whatever. The absurdity of the punishment is thus increased. Sometimes they get angry in the gang and kick each other, inflicting some little injuries, but nothing serious ever occurs. I do not put sick men in the blind gang. Sometimes I charge their misdemeanors up against them, and make them pay up when they get well. I put the white men in the centre of the gang, as I consider their cases more aggravated; they have more intelligence than the colored ones, and are better able to understand the rules of the institution.

I have never known any one injured by falling from posts.

Tying up by the thumbs is the severest punishment. The first man I tied up was a black man, who defied a guard and dared him to shoot him. He was a seven years man, and said that he was wrongly convicted. I tied up a white man once for general insubordination, and getting upon the rafters and attracting the attention of the convicts in the shoe shop from their work. In aggravated cases of insubordination, or conspiracy to overthrow the guard, only is this punishment resorted to. I never knew of any thumbs to be discolored from being tied up. Their thumbs sometimes swell up, and some of them try to keep them sore after the punishment is over. There have not been over fifteen men tied up in this manner; some of

them, however, have been hung up four or five times. The usual time given those who are tied up is from three to twenty minutes. On one occasion a man was tied up sixty, and another fifty minutes, for conspiracy. Some men can stand the punishment much better than others. I have to watch them pretty closely, having been instructed by the surgeon to do so. Tying up is certainly a severe punishment; but we must have something to keep the convicts in order. We buck and gag them, also, in the same way as they do in the army. This punishment is inflicted for minor offences, such as talking, stealing, &c. I tried the bread and water punishment on a white man who defied the guard and was very violent, but it did not have any effect. I was obliged to put the double shackles on him before I subdued him. I sometimes have put boys in cells darkened, on bread and water, but it didn't have any effect. We have no dungeon in the institution.

Question—Have you ever used the “cat-o-nine-tails?”

Answer—No, sir; beating is strictly prohibited.

Question—Or the lash?

Answer—No, sir.

Question—Or the shower bath?

Answer—No, sir. There was a white man in for life who pretended to be crazy, and he was ducked once or twice; but shower bath was never inflicted as a punishment.

Question—Do you ever shave any heads as a punishment?

Answer—No, sir; we sometimes have to shave them to clean them and get rid of vermin; especially new arrivals.

Question—Are you familiar with the punishment of soldiers in the army or convicts in the other prisons?

Answer—Yes, sir; I have seen the punishment inflicted in a brigade of regulars, and think it was pretty severe. I have seen in Worcester County House, Massachusetts, the iron cap punishment inflicted. The cap consists of four pieces, and is placed on the head and contracted so as to compress the head. Such punishment is never resorted to in the South Carolina Penitentiary.

Question—How about the diet of the convicts?

Answer—That department is entirely under my supervision. I inspect their meals, and visit the kitchen frequently. They get three meals a day on week days, and two on Sundays. Breakfast consists of bacon, beef or fish, with wheat or corn bread, and molasses. At dinner we give them peas or beans in soup, and meat always. For supper, bread and molasses, or hominy and molasses, and those who worked outside and missed their soup at dinner time, get it at night. All the invalids are fed under the directions of the doctor, getting everything he asks for them—milk, coffee and tea, and so forth. We have no complaints about the quality or quantity of the provisions furnished. They are not allowed; those with big appetites are supplied with a larger ration. Every convict mostly leaves something uneaten on his plate. The cost of the ration, I think, last year, was about twenty cents, or probably less. There has never been any convict shot by the guard inside the enclosure; one man was shot outside, in attempting to escape, by the sentry on the wall. He was hit by two buck shot; but one seriously injured; he is still in the prison. The upper quarry is about a mile or a mile and a half from the Penitentiary. We

march the convicts, (in a chain gang,) twenty-six in a gang, with five guards, to and from the quarry. At the quarry they are unchained, and a twelve pound ball and chain attached to the leg of each while at work. Now we work ten hours a day; in summer we allow one and a half hours at noon. It takes about half an hour to feed a squad. We have three squads. We never suspend work, only on account of rain. The cells are very comfortable, and the convicts are supplied with two blankets each. The cell is five feet by eight, and seven feet high, with a ventilator at the top. We put three convicts in winter, and two in summer, into a cell. We never lock them up during the day, except for misbehavior. There is no work done on Sunday, except the necessary police and duties of the prison. Every Sunday afternoon we have Divine service from one to three hours. Theological students generally conduct the services, although clergymen of any denomination are permitted to come in and have service. The convicts seem to like the singing very much, and seem to try, some of them, how loud they can bawl; some sing pretty well. They are supplied with tracts, and all who want it, with a Bible. Religious newspapers were at one time permitted to be introduced and distributed, but the practice had to be stopped, on account of the general local and political news they contained, which gave rise to a great many discussions among the convicts, particularly those in the hospital. We have at present twenty-eight white prisoners; all the rest being colored. That has been about the proportion since the opening of the institution. The crimes are murder, rape, arson, larceny; the most are in for theft. The whites are principally in for horse stealing; there are very few in for murder.

Question—Where were you born?

Answer—I was born in this city, and raised and learned my trade in Massachusetts. I went to school in Worcester, Massachusetts, five years. I returned to this city when I was of age. I am a machinist by trade.

BY THE RESPONDENT.

Question—If a guard improperly treated a convict, was he not reprimanded by you; and if the importance of the case demanded his further punishment, did you not report the matter to Major Lee, the Superintendent, for his action in the matter?

Answer—They have been particularly warned about laying hands on any of the convicts. There has never been any punishment inflicted on any man there, except on one occasion, that I have not had the supervision of. In cases where any ill-treatment has been offered to convicts, the guard was severely reprimanded, and informed that a repetition of the offence would result in his discharge.

Question—Was it not well understood by yourself and your guard that if your prisoner was maltreated, Major Lee, the Superintendent, would discharge the offender, or otherwise punish him?

Answer—Yes, sir; and not only that, but I have taken pains to inform them that they would be indicted for it by parties outside, as well as discharged by the Superintendent.

Question—Do you not keep the "Discipline Record" of the South Carolina Penitentiary in your office, and do you not make all the entries therein?

Answer—I do, sir; there is only one entry that has not been made by me.

Question—Have you not recorded in that book, the “Discipline Record,” every punishment inflicted on convicts in the South Carolina Penitentiary?

Answer—I have recorded every punishment that has been inflicted.

Question—Refer to the record of convicts, and state whether or not the name of Sam Gridiron is to be found there. Did you ever know of a man by that name as a convict in the Penitentiary?

Answer—There is no man of that name, nor anything that sounds like it.

Question—Was not every convict, when received, assigned a number, which was branded on his clothing in a conspicuous place?

Answer—Every convict is stripped and cleaned, and his clothes then put on him, conspicuously marked on the back with his number.

Question—When the number of a convict was known, could not his name be always found with certainty from it?

Answer—Yes, sir; most of the guard have a memorandum book, the name and number of each convict recorded in it.

Question—Do you know the names of all the convicts?

Answer—I do not; there have been so many new ones received lately.

Question—Do you ever object to, or throw any obstacles in the way of, persons ascertaining the names or numbers of convicts?

Answer—I never did, sir; I never refused to answer any visitor any proper question.

Question—To your knowledge, was ever Joe Jackson knocked, jabbed with a bayonet, or otherwise improperly treated?

Answer—He never was; I threw him into a cell once—he was one of the men engaged in the conspiracy. He was quarreling with another convict, and was standing near his cell door. I never saw him struck with gun, or revolver, or anything else.

Question—Was not Joe Jackson once severely punished; if so, state why he was punished?

Answer—He was the man that was hung up by the thumbs for sixty minutes, and the only one who ever hung that length of time. He was the leader in the conspiracy I have before referred to.

Question—Did not Major Lee, the Superintendent, direct you in writing, to discharge Mr. Pope, one of the guard, for improper treatment of a convict, in words and figures:

SUPERINTENDENT'S OFFICE,

SOUTH CAROLINA PENITENTIARY, February 23, 1868.

S. GREEN, *Chief of Guard*:

Discharge from your guard Mr. Pope, for violation of regulations, in striking and otherwise improperly treating convicts.

Respectfully,

(Signed)

T. B. LEE,
Acting Superintendent.

Answer—Yes, sir; I have the order on file in my office. I don't recollect word for word of it, but that is the substance of it.

Question—Was not Mr. Pope discharged?

Answer—He was, sir.

Question—Refer to the “Record of Convicts,” and state when the first convicts were received at the South Carolina Penitentiary.

Answer—The first two were received before I came there. They were received on the 18th of April, 1867, and none other until the 9th of May, 1867.

Question—About what time did I instruct to use the post punishment?

Answer—About the 1st of December, 1867.

Question—Did you ever punish, or permit, or know of a convict being punished by standing on a post, at the South Carolina Penitentiary, previous to your receiving instructions from Major Lee to use that mode of punishment?

Answer—I never did, sir.

Question—Did you ever require any convict or convicts to stand on post two hours in a hard rain; did any convict so stand?

Answer—I never had a man on a post during rain, but on one occasion, and he had a blanket around him. He was a white man named Faget; he was not kept up more than half an hour. By so doing, I would only be adding to my own work, as the doctor would be after me, if I put any away with wet clothes. I would have to hunt up dry clothing, and see that the wet clothes were changed before putting the convict in his cell.

Question—At what time was that punishment, that is, standing on the post, instituted?

Answer—About the 1st, or between that and the 10th of last December. The first punishment of that kind is recorded in the latter part of December.

Question—Refer to the “Discipline Record,” and state if that is the book in which you make your record of punishments inflicted at the South Carolina Penitentiary, on convicts confined there.

Answer—This is the book, and every record made in it was made by me, except one entry made in November, while I was sick.

Question—Has any convict died from any injuries from punishment inflicted; if so, was the District Coroner notified of the fact?

Answer—There were never any convict died from punishment; there was never one died suddenly there at all.

The Commission then adjourned to meet again at 10 o'clock A. M. tomorrow, the 27th instant.

(Signed)

JAMES CHESTER,
Bvt. Capt., 1st Lieut. 3d Artillery, Recorder.

COLUMBIA, S. C., March 27, 1868.

The Commission met, pursuant to adjournment, at 10 o'clock A. M.

Present—All the members, and Thomas B. Lee, the respondent.

The proceedings of yesterday were read.

Judge W. R. Robertson was then duly sworn, and testified as follows:

Question—State your position as regards the South Carolina Penitentiary, and what you know of the general management and treatment of convicts.

Answer—I am one of the Commissioners of the South Carolina Penitentiary, appointed by Governor Orr, early in 1867. I was first engaged in the

duty of locating the Penitentiary. After locating it, the Commissioners, which consisted of Mr. Gregg, Mr. Cameron and myself, appointed Mr. T. B. Lee Engineer and Architect of the work. He was afterwards appointed by the Governor Superintendent, the duties of which he performed in addition to those I have already mentioned. As such Commissioner, I have frequently visited the Penitentiary, both before and since it has been receiving convicts. During my visits there, I made it my business to inspect the various departments of the institution; all of which I found kept in good order. Also, during my visits there, I made it a point frequently to interrogate the convicts as to the treatment they received from the officers of the institution. The universal response was that they were well treated. I never, myself, witnessed any unkind treatment to them. There were several in the Penitentiary who were there under my sentences, as Judge of Fairfield District; and with them I had frequent conversations. They always seemed glad to see me, and were unreserved in their conversations with me.

The respondent had no questions to ask.

Dr. B. W. Taylor was then duly sworn, and testifies as follows:

Question—State your position in connection with the South Carolina Penitentiary, and what you know relative to the sanitary condition, treatment and management of the convicts confined there.

Answer—My first connection with the institution was some time about the middle of June, 1867. I was appointed by the Governor of the State, attending Surgeon to the South Carolina Penitentiary. At the time of my appointment, I found the convicts suffering principally from debility, caused by long confinement in jails. Upon the diet and open air of the Penitentiary, they improved rapidly. The general health of the prison is as good as could be expected under existing circumstances. All available means have been used to increase the comforts and improve the health of the convicts. Every article of diet which is considered necessary to the sick has been furnished by the Superintendent, and all changes recommended or suggested by the physician, with a view to increase the sanitary condition of the prison, have been carried out. About sixteen convicts a day reported themselves sick, or were excused by the Surgeon. The number in the institution is, I think, about one hundred and eighty. It has varied from forty up, since I was connected with the institution. The average of sick was materially increased by the new arrivals, most of whom were in a miserable condition.

Question—What has been the relative health of the convicts who have been there over three months, and the guard on duty at the Penitentiary?

Answer—About the same proportion.

The character of punishment used down there is bucking and gagging, standing on posts, marching in the blind gang, and tying up by the thumbs. These are the only punishments I have seen inflicted. The only convicts who have come to me for treatment on account of punishment received were Faget and Jackson—the one white and the other colored. They were suffering from a partial paralysis of one arm; they had been punished by tying up by the thumbs. They struggled very violently, and thus caused an abrasion of the skin around the thumb. The paralysis in these cases was partially caused by the obstinacy of the men to use, or try to use, their arms after the infliction of the punishment,

and partly by the severity of the punishment itself. The paralysis was only temporary. If they had used their hands immediately after the infliction of the punishment, they would have had very little trouble with them. As it was they recovered the use of their hands in about a month. I was informed that they were punished for a conspiracy to overthrow, and if necessary, kill two of the guard, the Captain and a sergeant, and thus effect their escape. They were the ringleaders of the conspiracy. These are the only cases that have been excused on account of the effects of punishment.

Convicts have free access to the Surgeon daily.

The condition of convicts improves materially as a general thing in the institution. They increase in weight and strength very materially. There have been eight deaths during my connection with the Penitentiary. One was brought from Charleston sick with fever, and died a month afterwards. Another suffering from cancer, also died soon after. I frequently inspect all the departments of the prison, the kitchen, cells, and so forth, and make such suggestions to the Superintendent as I deem necessary to improve the sanitary condition of the convicts.

BY THE RESPONDENT.

Question—Have there been to your knowledge, any convict or convicts, permanently disabled by being punished, or died from the effects of punishment?

Answer—None, sir.

Question—Has, or has not, Major Lee evinced a desire to have the convicts well cared for and treated with humanity?

Answer—Yes, sir; to the utmost of his ability.

James Henderson was then called, duly sworn, and testifies as follows:

Question—Were you a signer of the petition for the removal of T. B. Lee, Superintendent of the South Carolina Penitentiary; if so, what were the causes which led you to sign said petition?

Answer—I was in Charleston, South Carolina, in Convention. I did sign petition referred to, and my reasons for so doing were: I had heard in 1867 a complaint that there was harsh treatment inflicted on the prisoners confined. I was not sufficiently convinced, nor acquainted with the rules of the institution, to feel justified in making any complaint on the information I then received. The petition was brought to me in the Convention by Dr. Neagle, a member of the Convention from York District. I refused to sign it at first; but after considering the matter, and the fact that complaints had previously been made to me, I concluded to sign it, in order that the matter might be investigated.

BY THE RESPONDENT.

Question—Was not your principal reason for signing that petition that you desired to have him removed to make room for a man of your own party?

Answer—No, sir; I did not know the present Superintendent nor the one recommended to replace him. I signed in order to have their fitness investigated.

Question—Have you ever visited the Penitentiary; if so, how did you find things conducted there?

Answer—I never visited it.

F. G. DeFontaine, being then called and duly sworn, testifies as follows :

Question—What do you know in regard to the allegations and charges preferred against T. B. Lee, Superintendent of the South Carolina Penitentiary, contained in a certain petition for his removal ?

Answer—I am the Private Secretary to Governor Orr, and Secretary of the Board of Commissioners of the Penitentiary. In those capacities I have frequently been present and participated in discussions that have taken place between the Governor, Commissioners, Superintendent and Chief of Guard of the Penitentiary, relating to the organization and management of the institution. It has been the aim of the Governor and the Commissioners, as far as was practicable, to temper the punishments inflicted with mercy. Many of the rules adopted were written in the office of the Governor and transmitted by me to the Superintendent. The Governor has sought to obtain the largest experience on the subject of penitentiaries, and besides sending the Superintendent on a tour of investigation through the North, received a volume embodying the report of Commissioners appointed by the State of New York to examine the prisons of the United States. To a great extent, the suggestions in that report have been used as a guide in the management and discipline of the institution. The Act establishing the Penitentiary invests the Governor and Commissioners with supreme control. He is, therefore, responsible for its general management and discipline, since through him and them issue the orders that are carried out in detail by the Superintendent and his subordinates. The Governor and Commissioners have frequently discussed the subject of discipline, and it was determined that solitary confinement was, in their opinion, not a merciful or prudent punishment under the circumstances. They, therefore, sought to create a system of discipline which should be marked with such qualification as would induce convicts to behave in obedience to the rules. On one occasion, I remember that instructions were issued to allow two or more convicts who had behaved in an exemplary manner, to remove a part of their prison dress. On another occasion, one of the prisoners reported that he had found a guard asleep ; the next day the Governor attended the Penitentiary, and in the presence of other prisoners, complimented him for the act, and ordered his immediate discharge. It is one of the rules of the prison, that good behavior discounts one-twelfth of the term of imprisonment, and a very considerable number of the convicts have thus been discharged. I have visited the Penitentiary many times, and conversed freely with prisoners and heard no complaint. I have, also, been present with the Governor and Commissioners, when prisoners have approached and had an opportunity of freely laying any subject before these gentlemen. I have heard no complaint. I have examined the culinary department—the bread and meat prepared, seen the prisoners while eating, and at all times have found the utmost system, cleanliness and good order prevail, all of which I attribute directly to the management of Mr. Lee, the Superintendent. I consider him eminently a humane and kind man. I will say, further, that several of the prisoners have returned to the Penitentiary in the capacity of employed laborers. I have conversed with two prisoners since their discharge, who, with much emotion, spoke of the kindness they had received at the hands of Mr. Lee, before their pardon by the Governor. They were white men.

Question—What do you know in regard to the petition ?

Answer—During the session of the Convention, I was sitting at one of the tables, in my professional capacity, as an associate editor of the Daily News, of Charleston, when E. W. M. Mackey handed a paper to some colored delegate sitting at an adjoining table, with a request that they should sign it; his remark being, "We want to get W. E. Rose, of York, into the Penitentiary as Superintendent," or words equivalent thereto. I think, in less than an hour afterwards, the petition was presented.

BY THE RESPONDENT.

Question—Did not Governor Orr investigate the charges made to General Burton by sundry citizens, of cruel punishment inflicted on four convicts in the Penitentiary; if so, state what was the result of such investigation ?

Answer—A letter was promptly addressed on the subject to General Burton by the Governor, and several days thereafter General Burton informed me that he had called a number of the colored men who signed the petition to his office, and had the same read to them. He himself expressed entire satisfaction with the statement made by the Governor.

Question—Was W. B. Nash one of the colored men whom General Burton called to him to report what the Governor had done in the matter ?

Answer—I now recall the fact that General Burton informed me that he called Nash, a colored man named Edwards, and a third, whose name I do not remember, to listen to the reading of the Governor's letter.

J. K. Jillson, of Kershaw, was then called, and being duly sworn, testifies as follows :

Question—State whether or not you were a signer of the petition for the removal of Thomas B. Lee, as Superintendent of the South Carolina Penitentiary; and if so, what were your reasons for signing ?

Answer—I signed the petition referred to, it being presented to me by Dr. Neagle, of York. In fact, it was handed to me twice. The first time I refused to sign it. In a day or two it was handed to me again. The person presenting the petition represented that general charges, not specific, were brought against the present Superintendent, on account of harsh and cruel treatment of convicts. I am not acquainted with the Superintendent, having never seen him that I knew him, and am well acquainted with Mr. Rose, who was recommended for the position. I believe Mr. Rose to be a gentleman, and that he would treat his fellow-man with humanity and kindness. I have never visited the Penitentiary, and have no personal knowledge of the institution.

Respondent had no questions to ask.

A. Y. Lec, of Columbia, S. C., was then called, and being duly sworn, testifies as follows :

Question—State what position you occupy in regard to the Penitentiary of South Carolina, and what you know relative to the treatment of convicts in that institution ?

Answer—I am the appointed draughtsman for the Engineer and Architect of the Penitentiary. I exercise no control or authority in regard to the convicts, unless the Superintendent be absent. In that case, I do not interfere with the details of the respective departments, but keep myself well posted in everything that transpires during his absence, and report on his

return. I do not inquire into anything that is done while the Superintendent is present.

Question—What punishments have you seen inflicted?

Answer—I have seen convicts tied up by the thumbs; stood on posts blindfolded; bucked and gagged, and marched in the blind gang.

Question—Did you ever see any of them lashed?

Answer—No, sir.

Question—Do they ever use the shower bath punishment?

Answer—No, sir.

Question—Have you ever seen convicts ill treated by the guards?

Answer—No, sir.

Question—Do you spend much of your time inside the walls or about the Penitentiary?

Answer—I'm in the office mostly all the time.

BY THE RESPONDENT

Question—Do you not know that Major Lee, the Superintendent, will not allow any maltreatment of a convict, if it comes to his notice?

Answer—He will not allow any ill treatment. He has given special orders to that effect.

The list of witnesses summoned to appear was then called, and no one answering, the Recorder read a communication from Simeon Corley, explaining his absence, and stating that he knew nothing of the facts, either for or against Mr. Lee; which communication is appended to the record, marked "I."

To enable the Recorder to write up the record, and to give opportunity to witnesses from a distance to answer the summons of the Commission, it then adjourned to meet again at 11 o'clock A. M. on Tuesday, the 31st instant.

(Signed)

JAMES CHESTER,
Bvt. Capt. and 1st Lieut. 3d Artillery, Recorder.

SEVENTH DAY.

COLUMBIA, S. C., March 31, 1868.

The Commission met, pursuant to adjournment, at 11 o'clock A. M.

Present—All the members, and Thomas B. Lee, the respondent.

The proceedings of last session were then read.

William Lee, of Columbia, S. C., was then called, and being duly sworn, testifies as follows:

Question—What is your position at the Penitentiary of the State?

Answer—I am clerk, sir.

Question—What books or records are kept at the institution?

Answer—The "Convict's Descriptive Roll" and the "Discipline Record," besides the books showing disbursement of money, and so forth.

Question—Are the books now before the Commission the ones you refer to?

Answer—They are.

Question—Give a description of the receipt, treatment and discharge of a convict in the Penitentiary?

Answer—Prisoners are received at the office, being brought there by Sheriffs in most cases. On their arrival, a correct description of each is

taken by me and entered in the "Convict Descriptive Roll." Since about a month ago, in obedience to instructions from the Governor, the weights of convicts have been correctly taken on their arrival and entered in the descriptive record, in addition to the ordinary description formerly taken. (Instructions have also been received from the Governor to take the weights of the convicts in similar manner at their discharge.) The convict is then turned over to the Chief of Guard, who has him stripped, washed and cropped, and put into prison uniform. This uniform is conspicuously marked with the prison number assigned to him. The series of numbers representing the order of the arrival of the convicts. The convict is then assigned to a cell and attached to a gang for work. If he has a trade he is put to work at that. There are no idlers allowed in the institution. We carry on blacksmithing, carpentering, stone cutting, weaving, shoemaking, tailoring and quarrying. The work day is as follows: Convicts get up at 5:30 A. M., at present clean cells, fold blankets and perform necessary police. At about 6:30 A. M., breakfast commences, a bell ringing for the purpose of informing convicts that that time has arrived. It takes to nearly 7 A. M. to finish breakfast. At 7 A. M. work commences. Such convicts as are employed inside the yard go to work themselves; those intended for work outside are formed in gangs, and marched to their work, in the order prescribed by the rules of the prison. At 1 P. M. the bell rings for dinner, one hour being allowed for that meal. At 2 P. M. the bell again rings, and work is resumed and continued until 6 P. M., when the bell again calls the convicts from their work. When they return from work, they wash and prepare for supper. They are then marched in gangs, under one of the guard, to the mess hall. After supper they retire to their cells, and are locked up for the night. On Sundays only two meals are served to the convicts, breakfast about 9 A. M. and dinner 3 P. M. During the rest of the day, except during Divine service, which they are permitted to attend if they desire it, they are locked up. Sunday is the day also on which punishment is inflicted for offences committed during the week, a correct record of which is kept by the Chief of Guard. The punishments are tying up by the thumbs, bucking and gagging, standing on posts, and the blind march. These are all the punishments in general use. In some few cases they have been placed in dark cells, on bread and water diet. When their sentence has expired, their prison dress is changed, the clothes in which they were brought to the institution being restored to them, having been thoroughly cleaned and stored away by the Chief of Guard for that purpose. They are then marched to the office and furnished with a certificate of discharge, and the sum of two dollars in money, if they have not violated the rules, or if they have been pardoned by the Governor.

Question—How many have been received since the opening of the institution?

Answer—The first prisoners were received on the 18th of April, 1867. Since that time two hundred and eighty-nine have been received. There are now two hundred and fifteen there.

Question by respondent—Are prisoners ever punished during the week?

Answer—Yes, sir.

R. C. DeLarge, of Charleston, S. C., was then called, and, being duly sworn, testified as follows:

Question—Were you a signer of the petition for the removal of Thomas

B. Lee, Superintendent of the State Penitentiary; and, if so, what were your reasons for so signing?

Answer—I cannot say that I signed the petition for the removal of Thomas B. Lee, Superintendent of the South Carolina Penitentiary. I didn't know who was Superintendent. I signed a petition which I believed to be for the appointment of Mr. W. E. Rose.

My reasons for signing the petition are as follows:

It was represented to me by the parties who presented it, that the person who was then Superintendent of the Penitentiary had ill treated prisoners; and knowing Mr. Rose, and believing him to be a fit man for the position, and also relying upon the representations made by the parties presenting the petition, I signed it. I have never visited the Penitentiary in my life.

Respondent had no questions.

James M. Allen, of Greenville, S. C., was then called, and being duly sworn, testifies as follows:

Question—Were you a signer of the petition for the removal of Thomas B. Lee, Superintendent of the South Carolina Penitentiary; and if so, what were the reasons which led you to sign it?

Answer—I was; one reason was the representations made by the delegates to the Convention from this District. My most particular reason, however, was the representations made by Alexander Brice, Junior, of Pickens District, who represented to me that men sentenced from that District had been very much ill used and maltreated in the Penitentiary. Having full confidence in him, I believed. The prisoners whose treatment Mr. Brice referred to, were some fifteen men who had been convicted of murder, or aiding and abetting it. One man was hanged, and the remainder sent to the Penitentiary. The man who was murdered was named Hunnicut. I believe they are still in the Penitentiary. I have never visited the institution myself, and don't know the Superintendent.

BY THE RESPONDENT.

Question—Did Alexander Brice state to you in what manner those convicts had been ill treated, and at what time they were so ill treated?

Answer—He did not.

There being no further testimony to offer, and to allow the respondent time to prepare an answer to the allegations made against him, the Commission adjourned, to meet again at 11 A. M. to-morrow, the 1st day of April, 1868.

EIGHTH DAY.

COLUMBIA, S. C., April 1, 1868.

The Commission met pursuant to adjournment.

Present—All the members, and Thomas B. Lee, the respondent.

The answer of Thomas B. Lee was then read by him, which answer is appended to this record, (marked A.)

The Commission then proceeded to the Penitentiary, and carefully inspected the institution in all its departments; after which it adjourned to meet again at 10 o'clock A. M. to-morrow, the 2d instant.

(Signed)

JAMES CHESTER,
Bvt. Capt. 1st Lieut. 3d Artillery, Recorder.

NINTH DAY.

COLUMBIA, S. C., April 1, 1868.

The Commission met, pursuant to adjournment, at 10 o'clock A. M.

Present—All the members.

The Commission then, with closed doors, proceeded to consider the evidence adduced, and, after mature deliberation, respectfully submit the following

REPORT.

Deeply impressed with the gravity of the allegations and charges preferred against Mr. T. B. Lee, Superintendent of the South Carolina Penitentiary, although not of a specific character, and giving all due weight to the source from which these charges emanate, the Commission regarded it as a duty to the people of the State, as well as to the cause of humanity, that a searching investigation of all the workings of "prison discipline," as carried out in this Penitentiary, should be made, have endeavored to give the most impartial hearing to the respondent, as well as those making the allegations. With this view, a public hall (Janney's) in Columbia, S. C., in a central part of the city, open to all classes of citizens, was engaged for the meetings of the Commission, in order that the utmost publicity might be given to the investigation.

The public was also duly notified that all who had testimony to offer in support of the allegations made had the right to come forward and testify. In addition to this general invitation, summonses were issued to all parties whose names were given to the Commission as being cognizant of any facts of cruelty committed on the convicts in the Penitentiary. Of these, a large number failed to respond to the summons of the Commission, and several excused themselves by letter; but, in the opinion of the Commission, a sufficient number of witnesses were examined to justify the most searching inquiry into the discipline of the prison. Among these, several prominent members of the late Constitutional Convention of the State, whose names were attached to the petition for the removal of the present Superintendent, on a general allegation of cruelty, and of His Excellency James L. Orr, Governor of South Carolina, the Hon. Judge W. R. Robertson, one of the Commissioners of the institution, and the Secretary of the Board of Commissioners, the last three being *ex officio* Inspectors of the Penitentiary.

The Commission, also, visited the Penitentiary, and carefully inspected every department, and questioned not only the subordinate officers of the prison, but the prisoners themselves, in regard to the discipline and treatment of the convicts.

This institution was established by an Act of the Legislature in September, 1866, and a few of the cells having been completed in April, 1867, two prisoners were received.

The prison is located on a bluff, on the Congaree River, within the corporate limits of the city of Columbia, S. C., a space of only four acres, being now enclosed by a common board fence, about ten feet high. The accommodations for the prisoners are all temporary, with the exceptions of about a hundred cells, capable of holding from two to three hundred convicts.

The convicts are principally employed in procuring and preparing the material (granite) for the erection of the building and walls. There are at present two hundred and fifteen prisoners, of whom thirty only are white, confined under charge of a guard of thirty men.

The granite blocks are brought from a quarry one and a half miles distant, and are dressed and fitted under a shelter within the enclosure. Convicts are detailed for the various classes of labor, according to their capabilities, without regard to color, white and black working in the same gang. One gang is sent to the quarry to drill, blast and get out blocks; another engaged in transporting them by a canal and temporary railway to the work, where still another gang dress them. Others are employed as blacksmiths, carpenters, shoemakers, tailors and weavers, each department under charge of a foreman not a convict. In these departments the convicts are required to labor industriously, and the interest and cheerfulness with which they apply themselves to their various tasks furnish the best evidence of their appreciation of the value of the instructions they are receiving in those branches of industry to which they have heretofore been entire strangers, especially in those of quarrying, stone dressing, weaving and shoemaking. The Commission examined carefully the hospital, mess room and kitchen. The sick are well cared for, under the charge of a humane and skillful physician, their diet not being confined to prison fare, but embracing any articles of hospital diet required.

The food of the prisoners is abundant, healthful, and well and regularly served; breakfast consisting of wheat or corn bread, and meat or fish; dinner of wheat or corn bread, meat always, and peas or beans in soup; supper of corn bread, hominy and molasses. The ration is not fixed, each convict being allowed all he desires. Nothing can be more certain, from the appearance of the convicts, than that they are abundantly fed.

The cells were commodious, clean, thoroughly ventilated, and remarkably free from what is known as a "prison smell." In this respect they are superior to any of the guard houses of the army known in the experience of the members of the Commission.

Each prisoner is supplied with a bed sack filled with straw, two blankets, and a sufficient quantity of prison clothing, which, in spite of its peculiarity, contrasts favorably with that to which most of them have been accustomed. The Commission had a good opportunity of judging of this by the presence, within the enclosure, of a number of prisoners held there by military authority for safe-keeping before trial.

The Commission observed the countenances and general aspect of the prisoners, but failed to detect that dejected, downcast and hopeless look, which is a general characteristic of prison discipline in many of our best regulated penitentiaries.

The large mass of the prisoners belong to that class of men whose physical necessities and mental requirements are best served by being well fed, comfortably clad, and constantly occupied in labor, intervals of rest and eating, the nights in uninterrupted repose.

On Sunday no labor is required, except necessary duties. Divine service is held every Sunday afternoon by theological students, or ministers of the Gospel—the attendance on which seems to afford great pleasure to the convicts. Deprivation of this privilege being one of the punishments for minor offences.

Discipline is maintained by carrying out certain rules and regulations drawn up by the Governor, in conformity to an Act of the General Assembly of the State. They differ very little from those in use at most penitentiaries, except in being less exacting and less severe. (A copy of these rules is forwarded with this report, marked B, I.) Strict obedience is required of every convict, as well as the officers and employees of the prison.

To effect this object, the following punishments are resorted to: They are such as are not unknown to those familiar with discipline in the land and naval forces of the United States. They are arranged in the order of their severity. First—tying up by the thumbs, from three to sixty minutes; second—bucking and gagging, from one to six hours; third—standing on a post, blindfolded, from one to nine hours; and fourth—the blind march, from one to one and a half hours.

Before the punishment is inflicted, each convict is informed of the offence or offences for which he is to be punished. It does not appear from any of the testimony that these punishments have ever resulted in serious injury to any of the convicts.

The "Discipline Record" shows that punishment has been inflicted since the opening of the institution seven hundred and eighty-four times, viz.:

Tying up by the thumbs.....	39 times.
The buck and gag.....	42 "
Standing on post.....	152 "
Blind march.....	410 "
Minor punishments.....	141 "

The severest punishment—tying up by the thumbs—has been inflicted for the following offences:

Attempting to escape.....	11 times.
Insubordination.....	11 "
Conspiracy.....	7 "
Stealing.....	3 "
Visiting cells of the convicts.....	3 "
Smaller offences.....	4 "

Some of the convicts have been punished over twenty-nine times; but a large majority have never received any punishment whatever. From the records, it appears that punishment has been confined to from thirty to fifty convicts. There seems to have been no distinction between the whites and blacks in the award of punishment, except that in the case of white convicts, to add to the severity of the punishment by the "blind march," they are placed in the middle of the gang. Confinement in dark cells, on bread and water diet, was tried for some time, but was found ineffectual, and consequently discarded.

The relative severity of these punishments, compared with those employed in other penitentiaries, will be seen from the following extracts from a "Report on the Prisons and Reformatories of the United States and Canada, made to the Legislature of New York, January, 1867, by E. C. Wines, D.D., LL.D., and Theodore W. Dwight, LL.D.;" a copy of which

report has been carefully perused by the Commission—page 165 “The punishments employed in Connecticut are the lash, dark cell, and loss of commutation; in Indiana, the lash, shackles, loss of time and the privation of sending or receiving letters; in Kentucky, the lash, dark cell; in Maine, the dark cell, with bread and water; in Massachusetts, solitary confinement in dark cell, and substitution of bread and water for the ordinary ration; in Michigan, the lash, dark cell, with bread and water, and ball and chain; in Missouri, the lash, dark cell, and, occasionally, shaving the head on one side; in Rhode Island, solitary confinement in the dungeon; in Vermont, the dungeon, iron jacket, ball and chain, stoppage of correspondence, privation of bed and particular kind of food, and, in rare cases, the lash; and in New York, the shower-bath, dark cell, ball and chain, shaving the head, iron cap, bucking, and a yoke or crucifix.”

On page 168, same report, we find the following: “Mr. Willard, of the Connecticut State prison, said both these punishments—the solitary cell and the lash, which are the only punishments used in his prison—are good when properly used. Mr. Wood, of the State Prison of Northern Indiana, unhesitatingly and boldly affirms: ‘The lash is the most effective punishment, when used with judgment and discretion.’ And adds: ‘A man is never sentenced here to receive a specified number of lashes, but is only punished till he is conquered, or promises amendment.’”

On page 175, same report, we find the following: “The discipline at Wethersfield (Conn.) Prison is stern, rigid and inflexible. It bends to no offender, however obstinate and indomitable his spirit. It allows no insubordination, yields to no compromise, relaxes no restraint. In a word, it contemplates and enforces unqualified submission and obedience. We passed the entire company, pausing a moment at the back of each to inspect his work. With the exception of a negro lad, who stole one furtive glance at the strangers, (and the Warden apologized for him by saying that this was his second day in prison,) not a man turned an eye towards us, not one seemed conscious of our presence, not one suspended for an instant the work on which he was engaged. All that long line of human beings, forming three sides of a large hollow square, seemed like parts of some huge machine, with such regularity, precision, steadiness, absolute self-abnegation, were all their movements conducted.”

Such a state of discipline as this is not to be found in the South Carolina Penitentiary, nor can it be attained without resort to punishments similar to those recorded in the report above referred to.

In the management of this prison, unceasing vigilance takes the place of cruel punishments. Considerate and impartial regard for the substantial comforts and occupation of the prisoners supply the deficiency in the efforts to reduce the convicts to mere machines. In addition to his duties as Superintendent, it should be borne in mind that Mr T. B. Lee is exercising the important functions of Architect and Engineer in erecting the prison. Thus his responsibility for the charge of the convicts is combined with his professional reputation, giving him a deep interest in the improvement, well being, and skill of the workmen under his charge.

The Commission has not failed to be impressed with the devotion, fidelity and skill with which, in the midst of many embarrassments, the present Superintendent has labored in the performance of the various duties devolving upon him.

OPINION.

The Commission find that the charges of harsh and cruel treatment made against him are unfounded ; and they regard the administration of Thomas B. Lee, as Superintendent of the South Carolina Penitentiary, as humane and efficient, and would consider any change in that important office, at this time, as fraught with danger to the people of the State, and injurious to the interests and welfare of the institution and its inmates.

(Signed)

HENRY B. JUDD,
Bvt. Col. U. S. A., President of Commission.

(Signed)

F. L. GUENTHER,
Capt. 5th Artillery and Bvt. Col. U. S. A.

(Signed)

JAMES CHESTER,
Bvt. Capt. and 1st Lieut. 3d Artillery, Recorder.

The finding of the Special Commission, that the charges against the Superintendent of the Penitentiary, of cruel and harsh treatment of convicts, is unfounded, and that his administration of the Penitentiary has been humane and efficient, is approved, and no further action upon the petition for his removal will be taken.

A copy of this record will be furnished the President of the Convention.

(Signed)

ED. R. S. CANBY,
Bvt. Maj. Gen. U. S. A.

The Commission then adjourned, to meet again at 11 A. M. to-morrow the 3d instant.

(Signed)

JAMES CHESTER,
Bvt. Capt. 1st Lieut. 3d Artillery, Recorder.

TENTH DAY.

COLUMBIA, S. C., April 3, 1868.

The Commission met with closed doors.

Present—All the members.

The proceedings of yesterday were read, and there being no further business before it, after signing the above report, the Commission adjourned *sine die*.

(Signed)

HENRY B. JUDD,
Bvt. Col. U. S. A., President of Commission.

(Signed)

JAMES CHESTER,
Bvt. Capt. and 1st Lieut. 3d Artillery, Recorder.

SUPERINTENDENT'S OFFICE,
SOUTH CAROLINA PENITENTIARY, April 1, 1868.

COL. H. B. JUDD, COL. F. L. GUENTHER, CAPT. JAMES CHESTER, *Commissioners of Inquiry, &c.*

GENTLEMEN : I am charged with inhumanity towards those whom I have the care of. This I deny. It has been attempted here by certain parties to substantiate those charges ; with what success, it now remains with you to decide.

One of those who would blacken my character has sworn that all that he knew of the charges preferred against me was heresay; and that his principal reason for thus accusing me of harsh treatment and cruelty towards convicts was, that those in authority might be induced to remove me and make room for one of his own party. Thus, this lust after spoils will induce a party to attempt the defamation of character, rather than to be frustrated in its aims.

Another, (Wm. B. Nash,) with less candor than the first, declares that he presented a petition to General Burton, the commanding officer of the post, complaining of cruel punishment inflicted on convicts in the Penitentiary, with witnesses' names to substantiate the charges; and that that officer never granted him a satisfactory reply.

Now, the testimony of F. G. DeFontaine will show that this man, in his eagerness to carry his point, has a very convenient memory.

I append to this paper the elaborate and very able reply of His Excellency the Governor to the petition of sundry citizens, as presented to General Burton by Wm. B. Nash. This paper was also published in the newspapers, about the 24th August, 1867.

The evidence of certain witnesses brought forward by Nash and others may or may not be very conclusive proof to sustain the charges. Certainly, Joe Williams, a man convicted of stealing, and having served a term in the Penitentiary for the same, is not a witness of very high character, and he shows that he is not more particular in telling the truth than he was in not being careful to appropriate to himself things that belonged to others, when he declares that Sam Gridiron was knocked. The record, and other evidence, proves that no such man ever was a convict.

Jack Wolf, a man so embittered against the officers of the Penitentiary as to allow himself to swear that he saw convicts ill treated in the Penitentiary more, or not less, than a year ago, certainly cannot be very particular whether he tells the truth or not, as the records and other witnesses show that no convicts were in the Penitentiary at that time.

William ———, another witness, too, is not very careful what he has to say, when he swears that during the month of July or August he saw two convicts kept out on a post without blankets, (because it was too hot to wear them,) in as hard a rain as he ever knew to fall for two hours, when the record and the testimony of other witnesses prove that no convict was ever put on a post until the latter part of December of the same year.

Bob Hopkins, yet another witness, attempts to tell only half the truth, and would not willingly out with the whole truth, until he is reprimanded.

Politics must be banished from the government of a Penitentiary, if it is to be successfully managed. Its officers must not be the creatures of a party. If they are, they cannot do their whole duty, both to State and the convict. A Penitentiary is a little world within itself. It has its laws, both for the officer and the convict. The Superintendent must see that these laws are enforced, and a strict discipline preserved. To do this, he must be untrammelled and pampered by no outside influence. In our administration of the affairs of the South Carolina Penitentiary, I have known no party, no black, no white. I have striven to economize its funds, and do justice to the convicts. I have insisted on a strict discipline, which is absolutely essential in the management of convicts, but have never permitted harshness or cruelty toward them. I have required them to labor hard and caused them

to be well fed, well clothed, kept clean, and well cared for when sick. One of our maxims being that exercise (work) saves medicine and keeps men from mischief.

That the idle brain is the devil's workshop was well illustrated in the South Carolina Penitentiary, where several unemployed convicts concocted a plan to make their escape by killing the guard, which was fortunately discovered, and brought severe punishment on its originators. The South Carolina Penitentiary is yet in an unfinished condition. The yard is secured only by a temporary wooden fence, which requires the utmost vigilance on the part of the guard to prevent escapes. There are now more than two hundred convicts within the enclosure. In the management of that number of convicts, many of whom are very bad men, I submit to you that it is almost impossible for a guard not to become impatient and lose his temper some time, and probably do what he should not do; but when any one of my subordinates acts improperly towards a convict—if it is brought to my notice—he is immediately reprimanded or discharged, as the gravity of the case demands.

The convict is always permitted to approach the Superintendent and lay his complaints before him; and I never thrust him away, but carefully examine into what he has to say, and decide for or against him, as may be right.

The regulations of the South Carolina Penitentiary provide that the Superintendent shall proportion the punishment to the offence, specifying no particular punishment, but limiting him to such as are allowed by the army and naval regulations of the United States. This is a wise provision. In a Penitentiary every convict is well known in all his peculiarities. The Superintendent knows that a mild punishment, even a reproof, would be effective on one man, while, if inflicted on another, it would only cause him to make sport. His experience teaches him that it is not the kind of punishment inflicted that is most effectual, but that it is the man who is punished, whether he be easily corrected or not. Some offenders must be very severely punished for a repetition even of light offences, before they can be controlled. Very severe punishments have been inflicted at the South Carolina Penitentiary, but they were well merited.

All punishments ever inflicted on convicts have been recorded in the "Discipline Record." This book shows a great many punishments; but an analysis of that list will exhibit that nearly one-half of the convicts have never been punished; about one-fourth have received light punishments, while a few are incorrigible, and are frequently in trouble.

Every effort is made to induce the convict to preserve his self-respect; he has his own clothing, bedding, cell, and is not required to hang his head like a dog. Where self-respect is gone, then we can never expect reformation.

I now leave my case in your hands. I have desired that the widest scope might be given to this investigation, and invited the closest scrutiny into my management of the affairs of the South Carolina Penitentiary.

I have striven earnestly, to the utmost of my ability, to discharge the arduous and responsible trust confided to me. I may have failed; if so, I regret it, and am willing to abide the consequences. If I have succeeded, then let the mouth of slander be hushed.

Respectfully,

(Signed) THOMAS B. LEE, JR.,
Engineer and Architect and Acting Superintendent of the South Carolina Penitentiary.

EXECUTIVE DEPARTMENT SOUTH CAROLINA,
ANDERSON C. H., August 19, 1867.

GENERAL H. S. BURTON, *Commanding Post, Columbia, S. C.*

GENERAL: I have the honor to acknowledge the receipt of a petition of sundry "Citizens of Columbia," addressed to you, and transmitted through you to me, calling "your attention to the cruel and inhuman treatment of the colored prisoners in the State prison at this place." (Columbia,) &c.

They say in the petition "that their treatment would be a disgrace to any Government, even in the dark ages. They are made subject to punishments only such as might be expected from the Turks, or the cruel savage."

Again, they say that "nothing but a deep interest in the cause of equal rights, and the welfare of our race, would cause us to ask you to investigate the nefarious treatment of our race in the prison."

Again, "we feel that we have but to make the fact known to you to get justice done, and the laws of our country justly executed. We ask nothing more, nor do we expect anything less," &c. This petition purports to be signed by thirty-one persons.

The accusations contained in it are of the gravest character; and if true, should subject the officers of the Penitentiary not only to a prompt dismissal, but to punishment. If the petitioners had specified any occasion when a cruel or unusual punishment had been inflicted upon a convict, or had given the name of such convict, they would have furnished a starting point upon which an investigation could have been based. But the charge is in general terms, and covers the general treatment of the officers to the prisoners.

The petitioners have doubtless heard the exaggerated reports with reference to punishment; but it was unjust, on their part, to the officers of the Penitentiary to have given credence to such statements, without taking some pains to ascertain whether they were founded on truth or falsehood.

The Act of the General Assembly of this State, authorizing the establishment of a Penitentiary, passed in September, 1866, empowered the Executive to prepare the rules and regulations for the government of the officers and convicts therein. In conformity to this law, on the 15th of April last, when a portion of the cells had been completed and were in readiness to receive convicts, I did adopt rules and regulations, which have been printed. (A copy has been transmitted to you.) Turning to them you will find on page 9, section 9, the following: "In enforcing the discipline of the prison, the Superintendent will proportion the punishment to the offences committed; and he is authorized to inflict any punishment authorized by the army regulations of the United States, or in the naval service of the United States."

You will also observe that the infliction of punishment is confined *exclusively* to the Superintendent; and that all subaltern officers and guards are prohibited from imposing the same. The Superintendent has in no single instance departed from these rules with reference to the character of the punishment prescribed; and in the main the punishments have been extremely light.

These petitioners specify no particular instance nor any occasion upon

which this alleged "cruelty" has been practiced, nor any case in which a punishment has been inflicted upon a colored man different from that received by the white man, when the offence was the same

Punishment approximating severity has been inflicted but once, about the 1st of August, and it is presumed that the petitioners have derived their impressions from the exaggerated report growing out of this occasion. The discipline then employed consisted in tying up the guilty convicts by the thumbs for a length of time, proportioned to the physical endurance of the individual. At the time referred to seven convicts were punished, one white man and six negroes.

Their offence was conspiracy, abundantly proven, and in fact admitted by all but two of the seven, to force the guards, and if necessary, *take their lives*, in effecting an escape. No graver offence could have been committed by the inmates of the institution, as every sensible and discreet man will acknowledge, and as a correction the offenders were tied up by the thumbs—a common punishment in the army—white men and negroes alike, and each, in addition, required to wear a ball and chain, until further orders from the Superintendent. As there is no wall around the building, except a temporary wooden structure, can it be questioned that the safe-keeping of these desperate men requires that they shall be thus shackled, while engaged at labor out of their cells to prevent escapes?

The Chief of the Guard was warned by one of the convicts, on the 24th of July, of the intended revolt, the convict having received his information from Jackson, one of the conspirators. The officers, without giving any intimation that the fact had been communicated to them, were on the alert until the 31st of July, when one of the convicts (white colored) attempted to escape. Upon being detected and closely questioned, he stated that three of the parties were fully engaged in the conspiracy, and had assisted him in his preparations for an escape. He also added that they were to carry their conspiracy into effect on the following Sunday.

Did not the conduct of these conspirators, who were resolved upon forcing the guard, even if it required the commission of murder, justify the Superintendent in imposing the heaviest punishment upon them authorized by the regulations, and was that punishment imposed disproportionate to the enormity of the offence?

A Penitentiary is an entirely new institution in South Carolina, and little is known by our people of its management, arrangement or discipline. But, notwithstanding this fact, it was not to be supposed that, in prescribing a measure of punishment for the gravest cases, it would be considered either cruel or severe, when restricted by such punishments as are by the laws of the United States permitted to be inflicted upon its soldiers and sailors.

These petitioners in their solicitude, doubtless, to keep pace with the humanity of the age, have clearly got in advance of it, as will be shown by a brief reference to the discipline employed in the institutions of a similar character in the North and West.

On page 164, of "A Report on the Prisons and Reformations of the United States and Canada, made to the Legislature of New York, January, 1867, by E. C. Aimes, D. D. LL. D., and Theodore Dwight, LL. D.," those gentlemen state as follows:

"The punishments employed in the prisons of the United States and

Canada in the enforcement of the rules of order are various; most of which, but not all, are unobjectionable on the score of humanity. On this point, some detail will probably be acceptable to those of our readers who, whether law makers or prison officers, will be likely to take the deepest interest in the matters embraced in this report.

"The punishments employed in Connecticut are the lash, dark cell, and loss of commutation; in Indiana, the lash, shackles, loss of time earned, and privation of the privilege of sending and receiving letters to and from friends; in Kentucky, the lash and dark cell; in Maine, the dark cell, with bread and water, the lash never being used, though not prohibited by law; in Massachusetts, solitary confinement in dark cell, and substitution of bread and water for the ordinary ration; in Michigan, the lash, dark cell, with bread and water, and ball and chain; in Missouri, the lash, dark cell, and, occasionally, shaving the head on one side; in New Hampshire, solitary confinement in dark cell, the lash never being used, though not prohibited by law; in Ohio, dark cell, without bed, and a diet of bread and water; in Pennsylvania, the withholding of rations, stoppage of correspondence, forfeiture of the use of the library or exercise in the yard, deprivation of the visits of the teacher, and shutting up in a dark cell, with a ration of bread and water once a day, without bedding other than a single blanket, and the addition of irons in cases of desperate refractoriness; in Rhode Island, solitary confinement in the dungeon; in Vermont, the dungeon, confinement in their own cells, iron jacket, ball and chain, stoppage of correspondence, privation of bed and particular kinds of food, and, in rare cases, the lash; in Wisconsin, solitary confinement in the prisoner's own cell or dungeon, forfeiture of commutation, privation of light, books, food, papers, and correspondence with friends, the lash, though not prohibited by law, being never used; in Canada, an extra amount of labor, privation of bed, a diet of bread and water, confinement in ordinary cell or dark cell, hampering with a chain, cropping the hair, (a final punishment,) the switch, (used in punishing boys,) and the 'cat,' and in New York, the shower bath, dark cell, ball and chain, shaving the head, iron cap, bucking, and the yoke or crucifix."

Upon reading the above paragraphs, detailing the punishments inflicted in various institutions in the Northern and Western States, where they have had long experience in dealing with convicts, can it be truly said that "the punishments imposed in the South Carolina Penitentiary are such as might be expected only from Turks or the cruel savage?" Might not these petitioners have as well added, "or from the barbarous States of Canada, Connecticut, New York, Indiana, Michigan and Vermont?"

It is due to the officers of the institution that I should add, that the punishments have not only been of the mildest type for ordinary offences, but that they have had occasion very seldom to resort to any correction.

If the antipathy of the colored race to all punishments is so great as to excite this indignation and sympathy, when a desperado commits the greatest outrage against the laws of an institution and the lives of its officers, and this sentiment is to be yielded to by those in authority, how is it possible for discipline to be enforced? The fact that these men are in the Penitentiary is itself *prima facie* evidence of their desperate character; and if the fear of the law and the restraints of society have failed to prevent them from perpetrating the highest crimes, is it to be expected that they will be

suddenly metamorphosed, when they enter the walls of the Penitentiary, into docile, obedient and contented convicts?

Is it not rather surprising that the petitioners, who claim to be humane, respectable and law-abiding citizens, should exhibit such a zealous sympathy for men of so depraved a character, that even the restraints of a Penitentiary cannot subdue the temptation to commit murder within its walls?

I have made this communication to you, General, thus elaborate, not merely for the purpose of defending the officers of the Penitentiary, but with the view of availing myself of the occasion to testify to you my high appreciation of the just, judicious and admirable manner in which they have discharged their delicate and responsible duties. With the facts herein set forth, I feel the most perfect assurance that you will decide in your own mind that the charges brought against them by the petitioners are unjust and false.

I have the honor to be,

Very respectfully,

Your obedient servant,

(Signed)

JAMES L. ORR,

Governor of South Carolina.

EXECUTIVE DEPARTMENT, COLUMBIA, April 1, 1868.

This is to certify that the foregoing is a true copy of the communication addressed by Governor Orr to Gen. H. S. Burton, August 19, 1867.

(Signed)

F. G. DEFONTAINE,

Private Secretary.

HEADQUARTERS SECOND MILITARY DISTRICT,
CHARLESTON, S. C., May 6, 1868.

(A true copy.)

LOUIS V. CAZIARC,

A. D. C. A. A. G.

I.

P A R D O N S .

EXECUTIVE DEPARTMENT, SOUTH CAROLINA.

Gentlemen of the Senate and House of Representatives :

It is made the duty of the Governor, by the Constitution of 1865, to "report to the General Assembly, at the next regular session thereafter, all pardons granted by him, with a full statement of each case and the reasons moving him thereunto." In compliance with this clause of the Constitution, I communicate herewith all pardons granted by me, and the reasons therefor, since the adjournment of the General Assembly in December, 1866.

JAMES L. ORR, Governor.

COLUMBIA, May, 1868.

The defendant, Green McElwee, a person of color, was convicted of petit larceny before Judge Beatty, of the District Court of York District, on the 7th of November, and sentenced to three months' imprisonment.

He was indicted with two others, who were acquitted, but who the Judge believed were the really guilty parties. This defendant is quite young, under nineteen, and the former owner attests the good character of the boy.

The Judge in his report commends the party to Executive clemency. I have, therefore, remitted the remaining term of imprisonment on condition that he pay the costs of prosecution and jail fees up to the day of his discharge.

COLUMBIA, November 27, 1866.

The prisoner, Moses Lackey, was convicted of horse stealing before Judge Munro, at Anderson, Fall Term, 1866, and sentenced to be executed on Friday, the 30th instant.

The prisoner was certainly guilty of the offence, and exhibited a dexterity and cunning in its perpetration which was far beyond his years. He is represented to be under eighteen years of age. He was recommended by the Jury, as part of their verdict, to Executive clemency. A petition to the same end has been submitted, signed by over three hundred citizens of Anderson District. The Judge who tried the case, in consideration of the extreme youth of the prisoner, expresses the opinion that it is a fit case for the exercise of Executive clemency.

In deference to the recommendation of the Jury, and the numerous petitions of the prisoner's neighbors, and considering his extreme youth, I have commuted his punishment to imprisonment in the Penitentiary, at hard labor, for the period of ten years from the day he is delivered to the Keeper of the Penitentiary.

COLUMBIA, November 27, 1866.

The prisoner, Ned Williams, was tried before Judge Munro, at Fall Term, 1866, at Greenville, and convicted of burglary. He was sentenced to be executed on Friday, the 14th instant. The burglary consisted in breaking and entering a store, in the night time, where the clerk occasionally slept, and within two hundred yards of the owner's dwelling, and stealing some fifty dollars worth of goods. Most of the goods and money were recovered. There is nothing in the case making the crime peculiarly heinous. A petition for a commutation of his punishment to imprisonment in the Penitentiary has been presented, and the Judge who tried the case and the Solicitor unite in the recommendation of the petition. I have, therefore, commuted the death penalty to imprisonment at hard labor in the Penitentiary for the term of seven years from the date of his delivery there; to be retained in close custody at Greenville till the cells are ready to securely keep convicts.

COLUMBIA, December 1, 1866.

The defendants, Thomas Cook and Hannah Cook, were tried before Judge Glover, Spring Term, 1866, at Charleston, for larceny, and were convicted. Hannah Cook was sentenced to four months' imprisonment, to pay a fine of one hundred dollars, and to receive one stripe. I remitted the whipping. Thomas Cook was sentenced to be imprisoned eight months, pay a fine of two hundred dollars, and receive ten stripes.

The facts in the case are not, by any means lucid, and I am very much inclined to the opinion that the facts scarcely justified a conviction of the defendants. Affidavits have been submitted, from persons who were not examined on the trial, which throws additional doubt on the correctness of the verdict. I have, therefore, remitted the whipping, also the remaining term of the imprisonment, (about one month,) on condition that the defendant pay all costs, including jail fees, before he is released from prison.

DECEMBER 1, 1866.

The prisoner, Sarah Calhoun, was tried before Judge Munro, at Pickens, Fall Term, 1866, and was convicted. She was accused of infanticide, and convicted. She was sentenced to be executed on the third Friday in December.

The deceased was her own child, about eight years old. The child was secretly murdered and thrown into a creek. When the body was discovered, a few days after, it exhibited signs of the most deliberate and shocking brutality on the part of its slayer. The child was believed to have been a mulatto. The reputed father of the child, a negro, was arraigned and tried with Sarah Calhoun, the mother of the deceased infant. The testimony was circumstantial. She was examined on the trial, and denied that she had murdered the child, or had any agency in its murder. She stated on her examination that she had carried the child some miles away from the

place of its birth, and had, when eight days old, delivered it to the father; that she did not see the child afterwards; but she persistently refused to disclose the name of the father to the Court and Jury. The negro was acquitted. As the evidence was entirely circumstantial, there is a possibility that she did not perpetrate the horrible deed herself, though the circumstances show she must have had a guilty knowledge of it.

The jury who tried the case recommended the prisoner, as part of their verdict, to Executive clemency. A petition, signed by some of the most respectable citizens in the District, urge that imprisonment at hard labor in the Penitentiary for life be substituted for the death penalty. Judge Munro, who tried the case, unites in the recommendation. I have, therefore, commuted her punishment of death as follows: That she remain in prison at Pickens until the cells at the Penitentiary are ready to receive convicts; that she be then brought to the Penitentiary by the Sheriff of Pickens District, and delivered to the Keeper thereof, and that she be confined there at hard labor for and during her natural life.

[NOTE.—This prisoner, after remaining in jail at Pickens nearly two years, was, on 25th April, 1868, pardoned.]

DECEMBER 1, 1866.

The prisoners, Phillis Williams and Caroline Williams, persons of color, were tried before Judge Munro, at Fall Term, 1866, Greenville, for the murder of Isham Williams, a person of color, and convicted. They were sentenced to be executed on Friday, the 14th day of December. Isham was the husband of Phillis, and father of Caroline. The instrument used was an axe, and several mortal wounds were inflicted on the head with the edge. The body was carried from the house in which the murder was perpetrated, and concealed by putting it in a gully and covering it with pine leaves.

Both denied, when questioned by the neighbors, a day or two after the murder, any knowledge of Isham or his whereabouts. A boy named George, about thirteen years old, was the only person present when the homicide occurred, beside the prisoners. He was awakened by the noise, and saw his sister Caroline inflict one blow while her father was sitting or standing, and one after he fell on the floor. His mother, who was out of the house, returned in her night clothes, with one of the children in her arms, just after the last blow was stricken; and so far as the proof goes was not present when either of the blows was inflicted by Caroline. There was no proof of any previous understanding or arrangement between Phillis and Caroline to do violence to Isham. Phillis' guilt, in fact, was that of accessory, after the fact, in helping Caroline to remove and conceal the body, and attempting by false representations to evade detection.

Caroline, immediately after her father was felled to the floor, said in presence of George, that she had struck Isham to keep him from killing her mother, (his wife;) that he swore he would kill her for not preparing bread for his supper; and George saw a large knife in his father's hand after he fell and was most likely dead. Caroline had no time to make a false statement, for she spoke immediately after the deed. George was asleep in the room, and did not see the commencement of the difficulty.

The statement of Caroline seems to be confirmed that violence was intended, or had been offered Phillis by Isham. George's evidence was that

Phillis was out of the house when the blows were stricken. The boy George had no communication with Phillis or Caroline after they were put in jail, and his statement is entitled to credence. In affidavits filed by Phillis and Caroline, taken after conviction, (but the statements of which are corroborated by the version of the affair when first brought to jail,) it appears that Isham returned home about two hours before daylight and asked for his supper. Phillis and Caroline were in bed. Phillis told him it was on the table. He got very angry because no bread had been prepared, and ordered Phillis to get up. When she got up he choked her, and drew his knife and swore he would kill her. She seized the youngest child and ran out at the door. She soon heard a blow in the house, and supposing that Isham was killing Caroline, she rushed back into the house, with the child in her arms, and found that Isham was prostrated on the floor by blows from Caroline.

There seems to have been no occasion for Caroline to strike the blow when she did. Her mother had escaped, and Isham made no effort to pursue her. Nor does it appear from her own statement that he offered her any violence. If her father had been in the act of murdering her mother, she might have been excused for slaying him, but such is not the fact. If Isham was not killed by preconcert, and Phillis was not in the house, her offence was in concealing the crime. Her excuse for that was "she was afraid they would kill Caroline if it was found out." Her anxiety to conceal the crime was almost a pardonable weakness in a mother to save her daughter; and her sentence was commuted to two years' imprisonment in the Penitentiary, at hard labor. Phillis and Caroline are both represented to be extremely ignorant. Their former owner represents them as honest and harmless people while they were his slaves.

Caroline was under no necessity of taking her father's life to save her mother's life, but the circumstances have induced me to commute the sentence of death imposed on her to imprisonment for life in the Penitentiary, with hard labor.

The Judge who tried the case concurred in the propriety of commuting the death penalty in both cases.

COLUMBIA, December 3, 1866.

The prisoner, Marion Walker, a person of color, was tried before Judge Munro, at Fall Term, 1866, Greenville District, and convicted of burglary. He was sentenced to be executed on Friday, the 14th of December. The burglary was effected in the town of Greenville by breaking into a store in the night time and stealing some three hundred dollars' worth of goods and some money. The stolen property was recovered. In this case there was no peculiarly aggravating circumstances, although it was a bold, impudent robbery. A petition has been presented to me asking that the extreme penalty of the law pronounced against him may be commuted to imprisonment for a term of years in the Penitentiary. The Judge who tried the case and the Solicitor unite in the recommendation contained in the petition.

I have, therefore, commuted the death penalty to imprisonment, at hard labor, in the Penitentiary, for seven years; prisoner to be retained in close custody in the jail until cells are ready in the Penitentiary to securely keep the convicts.

DECEMBER 1, 1866.

The defendant, J. J. Underwood, was surety of one Westmoreland, that that the latter would prosecute one Pender for obstructing a highway. Westmoreland died during the war, and when the *sci fa.* was served on Underwood, he neglected to make any response to it. His recognizance was estreated for one hundred dollars and the costs of the prosecution. Mr. Solicitor Reed recommended that the forfeiture be remitted, as Westmoreland had died and could not prosecute; and, in conformity to the recommendation of the Solicitor, I remitted the forfeiture, on condition that defendant pay all costs.

DECEMBER 14, 1866.

The prisoner, Sam Kibler, a person of color, was tried before Judge Aldrich, at the Fall Term, 1866, Newberry District, for house breaking, and was convicted. He was sentenced to be hung on the first Friday in January.

The prisoner entered the house in the day time, by cutting a leather string that secured the window, and took therefrom a pair of pantaloons, shirt and some food; he then drew a staple out of the facing of the door to the meat house and took therefrom one bushel of wheat and a sack. The owner of the house and his family were absent, and neither force or threats were used. When he went to the house, it is believed, his purpose was to get work.

The presiding Judge and the acting Solicitor unite in recommending that the death penalty be commuted to imprisonment, at hard labor, in the Penitentiary.

I commuted the punishment to hard labor in the Penitentiary for the term of five years.

DECEMBER 14, 1866.

The prisoner, Sam Hyler, a freedman, was tried at Fall Term, 1866, Lexington District, before Judge Aldrich, for stealing two bales of cotton, packed ready for market, and was convicted. He was sentenced to be hung on the first Friday in January.

A petition, numerously signed by whites and freedmen, has been presented, praying that the sentence be commuted to imprisonment, at hard labor, in the Penitentiary. A petition has likewise been presented, respectably signed, praying that Sam should be required to suffer the penalty of the law, on account of his bad character. The Act making the offence a capital felony was passed 19th December, 1865, and the cotton was stolen the 9th of January, 1866. It is not probable that this ignorant negro knew of the change in the law making the offence a capital felony. A white man was arraigned and tried with him, but escaped conviction on a mere technical ground, that the indictment charged him as a principal, when the evidence showed him to be an accessory before the fact.

The negro was used by this white man, whose intelligence enabled him to corrupt Sam, and as the more guilty of the two escaped, it would hardly be just to visit the utmost penalty of the law upon the negro. His character, however, is represented as bad, and he has made himself a nuisance to the neighborhood. I have, therefore, commuted the death penalty to imprisonment, at hard labor, in the Penitentiary, for the term of ten years.

[NOTE.—This person escaped from the jail at Lexington before his transfer to the Penitentiary, and has not since been recaptured.]

COLUMBIA, December 14, 1866.

The prisoner, Charles Parker, was tried before Judge Aldrich, at Fall Term, 1866, in Richland District, was convicted and sentenced to execution on the first Friday in January. The jury who tried the case recommended the prisoner to Executive clemency. The acting Solicitor who prosecuted the case recommended that the death penalty be commuted to imprisonment for a term of years.

Upon these recommendations, I commuted Parker's punishment to imprisonment, at hard labor in the Penitentiary, for the term of ten years; to be delivered to the Keeper thereof when the cells are ready to receive him.

DECEMBER 19, 1866.

The defendants, Carey Hughes, Robert Hughes and Whitfield Coleman, freedmen, were indicted for hog stealing at January Term, 1867, of the District Court for Edgefield District, and convicted before Judge J. E. Bacon. They were sentenced to six months' imprisonment, and pay a fine of twenty-five dollars each; and on failure to pay the fine, to receive fifteen lashes on the bare back each.

A number of the citizens of Edgefield petition the pardon of the defendants, upon the ground that there was no intent to convert the stolen property to their own use.

Upon examining the evidence, I was satisfied that the prisoners did not intend to commit a larceny—the hogs were carried to the field of their employer and placed in it, under the impression on the part of the freedmen that they were the property of their employer. They had been directed previously by the employer to collect his hogs in the range, and place them in his pasture. They believed they were carrying out his instructions, and there was no proof whatever to show that they had any intent to slaughter the hogs for their own use. I have, consequently, pardoned all the defendants.

FEBRUARY, 10, 1867.

The State vs. John Slidell, Paul Hutchinson, Robert Gaillard, George Webster, John Edwards, Thomas White, Middleton W. Smith, William Jenkins, Philip Fraser, John Smith, Samuel Howard, Benjamin Perry, Joseph Williams, John Robinson, Ashbury Jones, John Richardson, Harry Mazyck, Nelson Bernick, freedmen.

The two first named defendants were convicted of assault and battery, and the remaining sixteen of larceny before Judge Logan, at the January Term of the District Court in Charleston, and sentenced to terms of imprisonment of from two to six months.

The defendants have already undergone imprisonment for several weeks, and have contracted to labor for the year for a planter on one of the islands, and remote some distance from the city.

The Attorney-General recommends the pardon of all the defendants, and the party employing them has consented to retain the costs of their prosecution and their jail fees from the proceeds of their labor at the end of

the year ; and as their further detention in jail would only increase largely their expense to the State, I pardoned all the defendants.

FEBRUARY 14, 1867.

The prisoners, Dennis Drawdy and Joseph C. Padgett were indicted for burglary at Fall Term, 1866, before Judge Glover, and sentenced by the Appeal Court to be executed on the first Friday in March.

The prisoners broke into the meat-house of Dr. Colson in the night time, and stole about four hundred pounds of bacon, one-half of which was recovered ; one white man and two freedmen who were equal, if not more guilty than the prisoners, fled the country and escaped arrest.

A petition numerously signed by many of the respectable citizens of Colleton was presented, praying the commutation of the death penalty to banishment. In deference to their wishes, and as this is the first allegation of crime against the prisoners, I commuted the death penalty to three years' imprisonment at hard labor in the Penitentiary.

FEBRUARY 18, 1867.

The defendant Wm. H. Walker, was tried before Judge Munro, at Spartanburg, Fall Term, 1866, for grand larceny and convicted. He was sentenced by the Appeal Court to pay a fine of one hundred dollars, be imprisoned until the first of May, 1867, on the first Monday in March receive twenty-five lashes on the bare back.

The larceny was two bales of cotton, and there is but little doubt of the guilt of the defendant, but the jury who tried the case unanimously recommended him to Executive clemency. The Senators and Representatives from Spartanburg recommended that the whipping be remitted, and several hundred citizens unite in the recommendation, on condition that he should be required to leave the State.

This is the first occasion that the defendant has been *convicted* of an infamous offence, and the numerous and highly respectable applications for the remission of the whipping is entitled to consideration. I, therefore, commuted the punishment of whipping as follows : That the defendant should, on or before the first day of May next, pay the fine and all costs, including jail fees ; and that five days thereafter he should leave the State, and not return within its limits for the term of ten years ; and should he fail to fulfil all above conditions, that the original sentence be revived and enforced against him.

FEBRUARY 19, 1867.

The defendant, Wright Sullivan, freedman, was convicted of robbery before Judge Munro, at Fall Term, 1866, Laurens District, and sentenced by the Court of Appeals to be executed on the first Friday in March.

There was some conflict in the evidence, but the guilt of the prisoner was established to the satisfaction of the jury.

The circumstance of mitigation in the case is, that no serious violence was offered the prosecutor when the robbery was committed. The prosecutor was intoxicated at the time. The freedman had supported a good character previous to this occurrence. The sum of money taken was about fifty dollars. I commuted the penalty of death to imprisonment at hard labor in the Penitentiary, for fifteen years.

FEBRUARY 19, 1867.

The defendant, William Watson, a freedman, was tried before the District Court of Edgefield, at the January Term, for stealing a bale of cotton, and sentenced by Judge Bacon to one year's imprisonment in the Penitentiary, at hard labor.

Two white men were the parties who procured the theft to be committed, and used the negro as their dupe; one of them was killed by the Deputy Sheriff in an effort to arrest him for this offence, and the other fled the country. The presiding Judge and the Deputy Solicitor both state that the prisoner was persuaded to commit the offence by the two white men, on an assurance from them that it would never be detected.

A petition, signed by several highly respectable citizens, requests that the prisoner be pardoned, as he was the ignorant instrument of more cunning and designing white men. The prisoner had heretofore maintained a good character, and was convicted alone upon his own confession. I therefore commuted his punishment as follows: That upon payment of all costs, including jail fees and a fine of ten dollars, he be discharged.

FEBRUARY 21, 1867.

The defendant, Enoch Hendrix, was convicted of petit larceny, at the February Term of the District Court for Lexington District, before Judge Boozer, and sentenced to one week's imprisonment and to receive twenty-five lashes.

The larceny consisted in taking less than half a bushel of potatoes from the bank.

The whipping was commuted as follows: To remain in jail one month, and to pay a fine of ten dollars and all costs, including jail fees; and if, at the end of said month, fine and costs were not paid, that he be further imprisoned one week, and subsisted on bread and water.

FEBRUARY 22, 1867.

The defendant, John Jeffries, freedman, was convicted of grand larceny, before Judge Goudelock, at Union, January Term, 1867, and sentenced to twelve months' imprisonment, at hard labor, in the Penitentiary, and to work the streets until the cells at the Penitentiary were ready to receive convicts.

He stole about eighty dollars from his employer in money.

A petition, numerously signed by the citizens of that District, requests his pardon, on the ground that he is a person of very weak intellect and scarcely responsible in law for any crime he may commit.

The Intendant and Wardens of Unionville unite in this representation.

The defendant has been imprisoned some months, and has worked with fidelity on the streets since his conviction. He is about sixty years of age. In view of all these representations, I pardoned the defendant.

FEBRUARY 22, 1867.

The defendant, Smart Star, a freedman, was convicted before Judge McLure, at the January Term of the Court for Chester District, of larceny, and sentenced to pay a fine of two hundred dollars and costs of prosecution; and in default of payment, that he be imprisoned for six months.

A petition, signed by several highly respectable citizens of Chester, represents that the defendant was an instrument in the hands of more guilty

parties in perpetrating the larceny; that he had previously maintained a good character, and that it was a case in which they invoked the interposition of the Executive.

The Solicitor and District Judge unite in the recommendation that the defendant should be relieved from the fine and imprisonment on payment of the costs of prosecution. I therefore remitted the fine and imprisonment, on condition that the defendant should pay, before his discharge, the costs of prosecution, including jail fees.

MARCH 4, 1867.

The defendants, James Clear, Michael Stanton, John Jenkins, Richard DeCue, Thomas Roach and James Sullivan, were convicted of larceny, before Judge Dawkins, at Charleston, June Term, 1866, and sentenced each to be imprisoned eight months, pay a fine of one hundred dollars, receive ten stripes at the expiration of their imprisonment, and be banished ten years from the State.

The punishment imposed on the defendants was most exemplary, but, with the view of avoiding any unnecessary collision with the military authorities of the United States, I remitted the whipping which the defendants were sentenced to receive.

MARCH 4, 1867.

The prisoners, Wesley Williams, George Chambers and Julius Ferguson, were convicted of burglary, at Darlington, Fall Term, 1866, before Judge Moses, and sentenced to be executed on the third Friday in April next. The burglary consisted in breaking the lock of a barn, distant one hundred and eighty yards from the dwelling-house, and taking therefrom from ten to fifteen bushels of corn. The former owners of the prisoners certify to their previous good character. A petition, numerously signed by respectable persons, white and colored, was presented, urging the commutation of the sentence of the prisoners. The jury who tried the case in their verdict recommend the prisoners to mercy, and the presiding Judge, in his official report of the case, says: "I have no hesitation in saying to you that I concur with the jury in their recommendation to mercy, and think that a commutation of the death penalty would better conserve the cause of justice." I therefore commuted the death penalty to imprisonment, at hard labor, in the Penitentiary, for three years.

FEBRUARY 27, 1867.

The defendant, Daniel New, a freedman, was tried before Judge Haskell, at the February Term of the District Court, at Abbeville, was convicted and sentenced to three months' imprisonment. The defendant is a weak minded youth. He stole some food to satisfy his hunger, and has been imprisoned since last September. The Judge and acting Solicitor unite in recommending the full pardon of the defendant. I have, therefore, remitted his punishment, and authorized his discharge.

MARCH 2, 1867.

The prisoners, Booker Duckett, Jim Posey, Albert Davis, Emanuel Gunter and Dave Lane, were convicted of robbery at Newberry, Extra Term, 1867, before Judge Aldrich, and sentenced to be executed on the first Friday in March next.

See p. 176.

The defendants, Berry Gunn and Wesley Gunn, freedmen, were convicted of larceny before Judge Beatty, and sentenced to three months' imprisonment, at Yorkville, January Term, District Court, 1867. The offence consisted in taking some loose cotton. These men, whilst slaves, were proven to be of good character, and the presiding Judge, in view of all the circumstances, recommended their punishment to be remitted. They have been in jail under sentence more than two months, and I have, in accordance with the recommendation of Judge Beatty, remitted the remaining term of their imprisonment.

APRIL 12, 1867.

The defendant, John Odam, was tried before Judge Munro, at Fall Term, 1866, at Spartanburg, for larceny, and was convicted. He was sentenced to twelve months' imprisonment, at hard labor. The larceny consisted in stealing three bushels of corn. He was in prison four months before trial, and has been in jail, under sentence, nearly six months, making ten months' imprisonment. He is upwards of seventy years of age, is in feeble health, has a very dependent family, and sustained a good character up to this transaction. The Solicitor says the law has been sufficiently and fully vindicated by the imprisonment he has already undergone, and earnestly recommends that the remaining term of his imprisonment be remitted. In view of all the facts, I remitted the balance of the term of his imprisonment.

APRIL 15, 1867.

The prisoner, Dick Bell, colored, was tried before Judge Munro, at Winoosboro, Fairfield District, at the Spring Term of 1867, for the homicide of Joseph Bishop, white man, and convicted of murder. His counsel gave notice of appeal, but abandoned the same, and the pardon of the prisoner was recommended by the Judge, the Solicitor and the Jury who tried the case. Bishop had been wandering over the Districts of Fairfield and Newberry for a year or more preceding his death, and had distinguished himself in these and other localities by the numerous and unprovoked outrages which he committed upon the colored population. He claimed that he had been a soldier during the war, but that in consequence of some act of violence committed by himself and ten associates in East Tennessee, he could not return to his home in that State, apprehending that he might be arrested for the same, and that the laws of war would not protect him from conviction for the outrage. He was a man of bad character, indulged freely in drink, and was a terror to the colored population in his neighborhood. Upon the trial it was proven by seven different witnesses—two white and five colored—that he had threatened to kill the prisoner on sight, and that these threats were communicated to the prisoner. It was also shown by the testimony that the latter had never in any manner given any provocation to the deceased. Bishop had the previous day shot and wounded dangerously a colored man on the premises of Mrs. Furman.

The prisoner's wife resided there and was with him in their own cabin, when he saw Bishop approaching in the direction of his house. The prisoner knowing the desperate character of Bishop, and being fully informed of the threats made against him by the deceased himself testifies that he went back into the cabin, procured a musket, (which he had borrowed from

his former owner, Mr. James, the day before,) then advancing to the palings, shot Bishop. He returned the gun the same day, informed Mr. James of the occurrence, and asked his counsel. The latter directed him to deliver himself up to the Sheriff, which he promptly did. The testimony upon the trial developed the fact that Bishop had returned to the premises that morning, not with the view really of taking the life of the prisoner, but for the purpose of ministering to the negro whom he had shot the preceding day. The prisoner, however, had no notice that his errand was one either of peace or charity. The general conduct of Bishop, with a few others like him, has had a most baneful influence, not only upon the tranquility of society within the State, but has produced the most unfavorable impressions abroad concerning the lawlessness of our population. And while technically the prisoner may not have been justified in taking his life at the moment it was taken, the deceased had established such a character as an outlaw, that it could hardly be considered as an offence for any person, white or colored, to shoot him down as a wild beast on sight.

Just preceding his death, I had determined to offer a reward for his arrest, with the view of bringing him, if possible, to punishment, for more than one murder which he had committed. Having taken the legal opinion of Attorney-General Hayne and Mr. Solicitor Melton, and they concurring that the Executive had authority to pardon a criminal after conviction and before sentence, I at once granted an absolute pardon to Dick Bell.

APRIL 11, 1867.

The defendants, Isaac Coulter and Captain Williams, freedmen, were tried before Judge Legare, at Orangeburg, February Term, 1867, for larceny, were convicted and sentenced to three months' imprisonment.

The larceny consisted in taking some bacon from the depot at Jamison's. The testimony was circumstantial—the parties had previously borne a good character, and a petition signed by some of the best citizens in the District asked for the above reasons that the punishment of the defendants should be remitted. The presiding Judge also states that from a careful examination of the evidence, he is of opinion that it is a case fully authorizing Executive interposition, and recommends the pardon of the defendants. I have, therefore, remitted the remaining term (thirty days) of their imprisonment.

APRIL 12, 1867.

The prisoners, John Comfit and Monday Brown, were indicted before Judge Glover, at Spring Term, 1867, at Abbeville, for arson, were convicted and sentenced to execution the first Friday in May next.

The proof was entirely circumstantial, and satisfies the mind with reasonable certainty that the prisoners were guilty, but it cannot be said that their guilt is established beyond all doubt. A petition signed by the prosecutor, several members of the Bar who heard the case, and some citizens, urge that the death penalty be commuted to imprisonment at hard labor, for a term of years, in the Penitentiary. Desiring to err on the side of safety as well as mercy, I commuted their sentences as follows: That John Comfit be imprisoned at hard labor in the Penitentiary for seven years, and Monday Brown for five years.

APRIL 19, 1867.

The prisoner, Robert Harthcock, was tried at Marlboro, Spring Term, 1867, before Judge Aldrich for horse stealing, and was convicted. He was sentenced to six months' imprisonment, and to receive fifty lashes. There is nothing in this case to authorize the interposition of Executive clemency; he was a young man able to work, and preferred to subsist himself by stealing rather than by labor; but as the military authorities have prohibited whipping in the State, I have remitted the whipping, on condition that the prisoner, after remaining six months in jail, shall be carried to the Penitentiary, and there kept at hard labor for the space of six additional months
APRIL 11, 1867.

The prisoners, Levi M. Bolick and Robert B. Bolick, (his nephew,) were indicted for the murder of Julius Blain, a freedman, before Judge Dawkins, at Fall Term, 1866, at Winnsboro, S. C.; Robert B. was acquitted, and Levi M. Bolick was convicted of manslaughter, and sentenced to twelve months' imprisonment and to pay a fine of five hundred dollars.

It is somewhat doubtful from the evidence how the difficulty originated, but it is reasonably certain that the deceased assaulted the prisoner with a pair of heavy iron tongs first, and that, after inflicting some blows which caused serious wounds, the prisoner fired upon the deceased and killed him.

Julius Blain was armed with a pistol and a knife at the time; it was proven that he tried to draw the pistol from the belt, but it became entangled in some way and he was prevented from so doing. After the prisoner fired at Blain and inflicted the mortal wound, Blain ran some fifty or sixty yards and fell dead. The prisoner fired at him as he was running off, but the testimony would seem to establish the fact that his shot did not take effect; and that the mortal wound was inflicted during the encounter.

The Jury who tried the case, through their foreman, recommended the prisoner to Executive clemency, and would have made this recommendation a part of their verdict, if they had thought it competent so to do. A petition, signed by some three hundred citizens of Fairfield District, has been filed in this office, praying the pardon of Bolick. A petition, signed by quite a number of freedmen, and which, as is represented to me, was drawn up and subscribed on their part voluntarily, and without the intervention of any white person, represents that the deceased was a dangerous, bad tempered, turbulent man; that he usually wore arms, and was really a terror to white and colored people in the neighborhood. The District Judge, who was present and heard the case tried, recommends that the prisoner be pardoned, and states that the purposes of public justice have been attained, and the law vindicated by the punishment Bolick has already suffered. The Solicitor of the Circuit, who prosecuted the case, unites in the recommendation that Bolick should be pardoned. Affidavits are submitted by W. R. Garrison and the Rev. C. P. Betts, white, and Scipio Cohen, freedman, establishing very satisfactorily the lawless and violent character of the deceased. Their testimony was ruled inadmissible upon the trial of the cause. It further appears, from the papers submitted, that Bolick is in feeble health, that he has been suffering some eight years from chronic disease of the kidneys and liver, that his ailment has been greatly aggravated by his confinement, and if continued to the end

of the term, may result either fatally or in the total breaking down of his health. Under all the circumstances, and in deference to the recommendation of the Judge, Jury, Solicitor and citizens, white and colored, I have remitted the remaining term of his imprisonment, (nearly six months,) on condition that he pay the fine of five hundred dollars, all the costs of prosecution, including jail fees, and two hundred and fifty dollars additional fine to the Commissioners of Public Buildings for Fairfield District.

APRIL 19, 1867.

The prisoner, Dennis Drawdy, was convicted of burglary and larceny, before Judge Glover, at Fall Term, 1866, and sentenced to be executed on the first Friday in March, which sentence was commuted to imprisonment, at hard labor, for three years in the Penitentiary.

I have become satisfied that there is great doubt as to the guilt of Drawdy. The stolen meat was found in his possession, but it is very probable, from the circumstances, that he purchased the same from Padgett. I, therefore, pardoned the prisoner.

MAY 2, 1867.

The prisoners, Thomas and Cuffee Harley, was convicted of stealing cotton, and sentenced to nine months' imprisonment in the Penitentiary. A petition, signed by the citizens, and an urgent recommendation from the officers of the Freedmen's Bureau, were presented, urging that the defendants should be pardoned. I commuted their punishment by remitting the remaining term of their imprisonment, on condition that they pay all the costs of prosecution, and as recommended by the agents of the Freedmen's Bureau, that they enter into contracts to labor for the balance of the year.

APRIL 19, 1867.

The prisoner, Thomas Byers, was convicted of arson, before Judge Munro, Union, Spring Term, 1867, and sentenced to be executed in June.

The testimony in the case was somewhat conflicting, and the principal witness for the prosecution was proved to be very inimical to the prisoner. On this account, Judge Munro, who tried the case, and the District Judge who heard the trial, both united in recommending that the sentence be commuted to imprisonment, at hard labor, in the Penitentiary.

I, therefore, commuted the punishment to imprisonment, at hard labor, in the Penitentiary for ten years.

MAY 6, 1867.

The prisoner, William Dawkins, freedman, was convicted of burglary, before Judge Glover, at Spartanburg, Spring Term, 1867, and sentenced to be executed the first Friday in June next.

The evidence in this case establishes the guilt of the prisoner beyond all doubt; there seems to be no excuse or palliation for the offence.

But for the order of General Sickles, prohibiting the punishment of death for burglary, I would not have commuted the sentence of this prisoner, who seems to be an incorrigible villain. In obedience to General Sickles' order, I have commuted his punishment to imprisonment in the Penitentiary, at hard labor, for seven years.

MAY 6, 1867.

19

The prisoner, Alfred Pugh, freedman, was convicted of assault and battery, with intent to commit rape, on the person of Louiser McIver, a freed-woman, before Judge Aldrich, at Spring Term, 1868, Darlington, and sentenced to be executed on the first Friday in July. The evidence in the case was very conflicting, but the facts seem to be that the prisoner was the paramour of the prosecutrix, and his offence appears to have been a violent assault and battery on the prosecutrix, arising from jealousy.

The Judge who tried the case and the Solicitor recommend that the punishment be commuted to imprisonment in the Penitentiary. I have, therefore, remitted the death penalty, and commuted his punishment to six months' hard labor in the Penitentiary, to commence from the day of his delivery there.

MAY 6, 1867.

The State vs. Adam Rumph and Robert Johnson, Allen Road, Stephen Brown and Samuel Ryan. The prisoners above named were all convicted of burglary, before Judge Moses, and sentenced at Spring Term, Colleton District, 1867, to be executed.

Under General Orders No. 10, issued by General Sickles, prohibiting execution for burglary and larceny, and fixing the punishment at imprisonment, at hard labor, for not less than two, nor more than ten years, I commuted the punishment of all the parties to imprisonment for five years, at hard labor, in the Penitentiary.

MAY 9, 1867.

The defendant, Marshall, a freedman, was convicted of larceny, at Abbeville, April Term, 1867, before Judge Haskell, and sentenced to twelve months' imprisonment, at hard labor. The evidence in the case shows that he was a mere accessory, and that the more guilty party has been convicted and is now undergoing sentence. A petition, signed by several highly respectable citizens of Abbeville District, in which the prosecutor unites, requests that the said Marshall may be pardoned. It also appears that he was in prison some months previous to his trial.

In view of all the facts, I have remitted the remaining term of the imprisonment, on condition that he pays the cost of his prosecution.

MAY 10, 1867.

The defendants, James Blain, white, and Aaron Wickle and Terry Gailard, colored, were convicted, before Judge Murray, at Anderson, April Term, 1867, of receiving stolen goods in two cases, and sentenced, in each case, to pay a fine of twenty-five dollars each, and costs of prosecution, in each case, or be imprisoned one month each. The goods stolen were two wash-pots; they were taken to the camp of Blain and Wickle, at 9 P. M., on a rainy night, who had been to Hamburg, and were returning to their homes in North Carolina. They were purchased by Wickle, and one pot placed in each wagon; the pots were missed next morning, the wagons were pursued, the pots recovered, and the defendants arrested. The Jury convicted the three. Wickle admitted, on the trial, that he made the purchase for his own use. Blain has furnished affidavits (some by his neighbors) that he is a man of respectability in North Carolina, where he resides.

The Judge and Solicitor both recommended Blain's pardon, and a peti-

tion, signed by many citizens, make the same request. I remitted the balance of Blain's imprisonment, about ten days, on condition that he pay the costs of his prosecution.

MAY 27, 1867.

The defendant, Anton F. Bruggenan, was convicted, before Judge Mayrant, at April Term, 1867, Sumter District Court, of receiving stolen goods, and was sentenced to be imprisoned three months, or pay a fine of one hundred dollars, and costs of prosecution. The defendant, it appears, has been unable to pay the fine and costs, and six weeks of the term of his imprisonment has expired. There is some doubt as to the guilt of the defendant, and his conviction was against the charge of the presiding Judge. The Judge who tried the case, the Solicitor who prosecuted, and Judge Moses, who is familiar with the facts, all unite in recommending that the defendant be pardoned. I have, therefore, remitted the fine and imprisonment, on condition that the defendant pay all the costs of prosecution, within ninety days after his discharge; on his failure to do so, that the original sentence be executed.

COLUMBIA, May 31, 1867.

The defendant, Henry Shockley, was tried before Judge Davis, at the District Court, Spring Term, for Laurens District, for petit larceny, was convicted, and sentenced to three months' hard labor, during the day, on the streets and roads. The offence was the felonious taking of a small quantity of flour, which he secreted near the premises of the prosecutor.

The flour was found the next day, and removed by the prosecutor, and that night the prosecutor and one of his neighbors secreted themselves near the place. Just after dark the defendant came, found the flour had been removed, and expressed some disappointment while soliloquizing aloud. He is not more than seventeen or eighteen years old, and it appeared, upon trial, that the mother had a key which unlocked the door of the flour room of the prosecutor. It is very probable, therefore, that she was the more guilty of the two in the theft.

The presiding Judge who tried, and the assistant Solicitor who prosecuted the case, with most of the District officers, concurred in recommending the pardon of the defendant.

I therefore remitted the remaining term of the imprisonment—about six weeks.

COLUMBIA, June 14, 1867.

The defendant, Thos. Smith, with Cato Nelson, was convicted of larceny, before Judge Haskell, at Abbeville, April Term, 1867, and sentenced to three months' imprisonment or pay a fine of twenty-five dollars each. There seems to be some conflict in the evidence, and the Judge, as well as many citizens, unite in asking the pardon of Smith. I remitted the punishment, on condition that defendant should, within six months, pay all costs of his prosecution, and, failing to do so, that the original sentence be enforced.

COLUMBIA, June 1, 1867.

The defendant, James Geiger, was fined by Judge Boozer twenty dollars for neglect of Jury duty, at the Spring Term of the District Court for Lexington District.

The defendant was sick at the time the Court met, when he was summoned as a juror, and, from want of information, neglected to make a return to the *sci. fa.* served on him why he should not be fined for neglect of Jury duty, and was fined by default. I am satisfied the Judge would have excused him if his affidavit had been submitted in time, which shows that it was not a wilful neglect of duty.

I remitted the fine on condition that he pay the costs of *sci. fa.* and judgment.

JUNE 11, 1867.

The defendant, Samuel Artful, was tried and convicted before Judge Screven, at Beaufort Spring Term, 1867, of an assault and battery, and sentenced to three months' imprisonment.

The presiding Judge states upon the application that evidence has been developed since the conviction which would have secured the acquittal of the prisoner had it been brought to the attention of the Court, and recommends that the remaining term of his imprisonment, to-wit: one month, should be remitted. The defendant was imprisoned one month previous to trial, and as the facts of the case show no circumstances of aggravation, I complied with the Judge's request and remitted the balance of the imprisonment.

COLUMBIA, June 14, 1867.

The prisoner, John A. DeVane, was convicted of manslaughter, at Columbia, Spring Term, 1867, before Judge Dawkins, and sentenced to be imprisoned nine months and pay a fine of one hundred dollars.

The prisoner was employed as an overseer on a railroad contract taken by H. Gibbes, Esq., near Columbia, and had under his direction quite a force of freedmen as laborers. The deceased, Bennett, came to where the laborers were at work, during working hours, and proposed to induce them to leave their employer, offering them higher wages if they would go with him to the West. One of the hands reported Bennett to DeVane, who came up and requested him not to interfere with the hands while at work, and said: "When they are off duty you can talk with them, but you must not during work hours." Thereupon Bennett became greatly enraged and threatened violence to DeVane. After continuing it for some time, DeVane left and went into the house he occupied at a back door. He opened one of the front doors to give light to do some writing, and, upon opening the door, he saw Bennett who had come around the house. Bennett renewed his abuse and swore he would whip him as he was fully prepared for him. He approached within a few feet of the door where DeVane stood, and DeVane shot him. It is very evident that DeVane believed that Bennett was approaching him with intent either to murder or grievously beat him. The difficulty in the case arises, in my judgment, from DeVane's firing before his life was in danger or he was in peril of great bodily harm; but the excuse for that, and it seems reasonable, is that Bennett was a trespasser upon the premises, and, from the violence of his conduct, well authorized the apprehension that he intended to do DeVane serious injury. DeVane's character is proven to be unusually good, quiet, modest and unobtrusive, yet brave and honorable. He is a native of North Carolina, and well known to General Ransom, who says of him that "he was brave, generous, unselfish

and faithful." The acting Solicitor recommended his pardon, and a petition, numerously signed by the leading citizens of Columbia, was presented, urging his unconditional pardon.

I therefore remitted the fine and pardoned the remaining term of his imprisonment on condition that the said DeVane should pay the costs of his prosecution, including jail fees.

COLUMBIA, June 1, 1867.

The prisoner, Frederick Miller, was indicted at the April Term of the District Court of Berkeley District, before Judge Richardson, and was convicted and sentenced to three months' imprisonment on a charge of receiving stolen goods. The article was an old piece of sail cloth of little value. The prisoner alleges that he purchased the cloth from a freedman, and presents for my consideration in support of his allegation that he possessed himself honestly of the property the certificate of quite a number of his neighbors that he has always heretofore maintained the reputation of being an honest, sober and industrious man. He has already undergone two of the three months of the imprisonment imposed upon him, and, in consideration of his former good character, I have remitted the remaining one month of his term of imprisonment.

COLUMBIA, July 1, 1867.

The defendant, Moore Burgess, was convicted of hog stealing, before Judge Logan, at Kingstree, July Term, 1867, and sentenced to six months' imprisonment, at hard labor, in the Penitentiary.

The defendant took the hog of the prosecutor, and kept him in his possession two weeks. It was placed in a pen, and no effort made to conceal it. He claimed that the prosecutor owed him for labor performed in 1866, and for which he was not paid on account of leaving before the year had expired. He became satisfied that he had no right to seize the property of the prosecutor, even if the debt had been justly due, and of his own accord, he returned the hog to the pen of the prosecutor. After the property had been returned, he was prosecuted.

It was a mere trespass, and the defendant ought not to have been convicted. I therefore remitted the imprisonment, and authorized the discharge of the defendant.

[NOTE.—This prisoner was again sent to the Penitentiary in thirty days after his discharge for cow stealing, upon conclusive proof of his guilt.]

COLUMBIA, July 20, 1867.

The defendant, John Fanning, was convicted before Judge Green, in Richland District, July Term, 1867, of assault and battery, and was fined one hundred dollars. The affair was entirely unpremeditated, and the party upon whom the assault was made requested the Executive to remit the fine. The defendant is in feeble health, and has small pecuniary means. I therefore remitted the fine, on condition that the defendant, on or before the 5th day of August next, pay all the costs of his prosecution.

COLUMBIA, July 26, 1867.

The defendant, John C. Doniphan, was convicted of an assault and battery, in Berkeley District, before Judge Richardson, and sentenced to

one month's imprisonment. A petition numerously signed by his neighbors requests his pardon. The difficulty between himself and prosecutor ended in a cross indictment. Both were convicted, and having pardoned the prosecutor, I think it just to extend the same kindness to this defendant. I therefore remitted the remaining term of his imprisonment, about ten days.

ANDERSON, S. C., August 19, 1867.

The defendant, John Davis, was tried and convicted of larceny before Judge Leitner, at Kershaw, August Term, 1867, and sentenced to six months' imprisonment, at hard labor, in the Penitentiary. The larceny complained of was taking from the till, in one of the stores of Camden, about twenty dollars. Several persons were about the store, and none of the stolen money was found in possession of the defendant, and as he was a stranger, he did not likely have accomplices to whom he might have delivered it. The evidence was entirely circumstantial, but the verdict having found the defendant guilty, little weight is due to these circumstances alone. The prisoner is about nineteen years of age, but appears much younger, and is, therefore, not incorrigible. The Judge who tried, and the Solicitor who prosecuted the case, both recommend that the defendant be pardoned. This recommendation is also made by several of the most respectable citizens of Camden. I have, therefore, commuted his punishment to imprisonment in the common jail until the 15th of September next, when the Sheriff will discharge him. He has been imprisoned since the 3d of July last.

ANDERSON, S. C., August 19, 1867.

The defendant, Charles Russel, freedman, was tried before Judge Beatty, at Yorkville, July Term, 1867, for an assault and battery, and sentenced to three months' imprisonment.

Since the sentence was passed, the presiding Judge has become satisfied that a white man of intelligence really incited and procured the battery to be committed by Russel, and that the latter was the innocent dupe of the former. He, therefore, recommends that the imprisonment of the defendant be remitted, which I have done, and authorized his discharge.

ANDERSON, S. C., August 19, 1867.

The defendant, Francis Cherry, was tried and convicted of an assault and battery before Judge Richardson, at July Term, of Berkeley, and sentenced to two months' imprisonment, and to pay a fine of twenty-five dollars.

The facts are not set forth, but the acting Solicitor recommends that the defendant be pardoned. It is also recommended by the United States District Attorney, and solicited by numerous petitions of great respectability. I have, therefore, remitted the remaining term of his imprisonment, (thirty days.)

ANDERSON, S. C., August 19, 1867.

The defendant, James Casey, was indicted at the April Term of the District Court, Charleston, before Judge Logan, for an assault with intend to kill; was convicted and sentenced to six months' imprisonment, and to pay the costs of prosecution.

It appears that the defendant was greatly provoked, and that his previous character had been that of a peaceful and orderly citizen. The Judge who

tried the case, and a number of respectable citizens in view of these facts, earnestly recommend the pardon of the prisoner. I therefore remitted the imprisonment, on condition that he pay the costs of prosecution before July 20, 1867.

COLUMBIA, July 4, 1867.

The prisoner, Smart Chisolm, *alias* Scipio Jenkins, was convicted of murder, before Judge Moses, at June Term, 1867, in Charleston, and sentenced to be executed on Friday, 4th day of October.

The deceased was a female child, aged about two years, and his step-daughter. The residence of the prisoner was very near the dock, in the city of Charleston; and the testimony showed that on a previous occasion, at low tide, the child had wandered into the water. The defence relied upon by the prisoner was that the child had straggled into the water at high tide, and was drowned.

There was no direct testimony implicating Chisolm in the murder. On the contrary, the evidence established the fact that not only kind and affectionate relations existed between him and the child, but he treated her with the greatest tenderness.

The Jury who tried the case "strongly recommend the prisoner to the mercy of the Court and Executive;" and the presiding Judge concurs in the opinion that Executive clemency should be interposed.

The conviction was based exclusively on circumstantial testimony, and the guilt of the prisoner was not established beyond reasonable doubt.

On a careful review of the testimony, and in deference to the opinions of the Judge and Jury who tried the case, I commuted the punishment of the prisoner to five years' banishment from the State.

COLUMBIA, September 12, 1867.

The prisoner, Perry A. Durham, was, with his father, Allen Durham, and James Perry Looper, indicted for the murder of Thomas R. Miller, at Pickens, Fall Term, 1866, before Judge Munro, and sentenced to be executed on the 14th December last. He was respited until the first Friday in February, and further respited until the first Friday in March next.

The prisoner was a young man, with a low order of intellect, and very little intelligence. He, with three others, about nightfall, started in pursuit of a person who was represented and believed by the party to be a notorious outlaw, for whose arrest a reward had been offered by the Executive of the State. The deceased, when approached, having been somewhat intoxicated in the evening, was laying upon the roadside; but when the party pursuing advanced within a few paces of him, he rose up and inquired, "Who comes there?" The party answered "Friends." The deceased waved his hand a time or two, and young Looper, believing that he had drawn a pistol and was in the act of firing, drew his pistol, fired, and Miller fell dead.

There can be but little doubt that Looper and Allen Durham believed that the deceased was the outlaw, and they were, in good faith, pursuing him with a view to his arrest. The Jury convicted the prisoner Perry Durham of murder, and Looper, who perpetrated the deed, and Allen Durham of manslaughter. The evidence induced the Jury to believe that Perry Durham knew that the deceased was Miller, and not the outlaw, he having been drinking with him some hours during the day.

The two former, having started upon what they believed to be a lawful and laudable enterprise, although making a sad mistake in killing an innocent man for a guilty outlaw, were not deemed by the Jury criminal to the same extent as Perry Durham, who, according to the evidence, was responsible for the murder. And hence this singular verdict, which convicts a principal of manslaughter and an accessory of murder.

A petition, numerously signed by respectable citizens of Pickens District, has been presented, asking for a commutation of the death penalty to imprisonment for a term of years. In their verdict the Jury recommended the prisoner to mercy.

Upon a careful review of all the circumstances of the case, and in deference to the recommendation of the Jury, and the earnest petition of those who know the prisoner and are familiar with the facts, I commuted the death penalty to imprisonment in the Penitentiary, at hard labor, for and during his natural life.

[NOTE.—This prisoner became insane after being placed in Penitentiary. He was ordered to the Lunatic Asylum by a board of surgeons and a magistrate. He remained in the Asylum some weeks and escaped. He has not been recaptured.]

COLUMBIA, S. C., February 25, 1867.

The prisoners, Perry Durham, Allen Durham and James Perry Looper, were tried before Judge Munro, Fall Term, 1866, at Pickens, for murder. Perry Durham was convicted of murder and sentenced to be executed. Allen Durham and James Perry Looper were convicted of manslaughter, the former sentenced to three years' imprisonment, at hard labor, in the Penitentiary, and the latter to five years. I commuted the death penalty pronounced against Perry Durham to imprisonment for life, and have stated, in my reasons in his case, the general facts connected with the homicide.

Allen Durham was the father of Perry, and though present when the shooting of Miller took place, had specially cautioned the two young men not to use violence, as this supposed desperate outlaw, Largent, was drunk, and could be arrested without great personal hazard.

The facts of the case leave no doubt that Allen Durham and Perry Looper both believed, when they started in pursuit of the stranger, that he was the outlaw Largent. A reward had been offered by the Executive for the arrest of Largent, and it was their right as well as their duty to arrest him. When they came up to him, about nightfall, and the deceased made some movement with his arm, Perry Looper, supposing that he was drawing a pistol, drew his likewise, and firing, killed the deceased, who proved to be Thomas R. Miller, and not Largent. The mistake was not discovered for some hours afterwards. Miller, during the day, was intoxicated, and foolishly boasted at the house of one of the neighbors that he was Largent. The Jury who tried the case unanimously recommended the prisoners to mercy. The presiding Judge was satisfied that Allen Durham and Looper really believed that the deceased was Largent when they started in pursuit. Petitions, signed by several hundred citizens, have been presented, urging the pardon of Allen Durham and James Perry Looper.

After Perry Looper had been imprisoned some seven months in the jail, I remitted the remaining term of his imprisonment, on condition that he should

pay the costs of his prosecution, including jail fees, recognizances of witness, costs and charges for transportation to and from Columbia, and costs upon the *habeas corpus*, amounting to upwards of \$400. This was on the first day of May, 1867.

On the 19th of August, 1867, I remitted the remaining term of Alleg Durham's imprisonment, on condition that he pay one hundred dollars of the cost of his prosecution to the Clerk of the Court, at Pickens, before his discharge.

COLUMBIA, September 17, 1866.

The prisoners, Merit Moore, William Greene and Carroll Gaines, freedmen, were convicted of larceny, before Judge Munro, in Charleston, at April Term, 1867, and sentenced to five years' imprisonment each, at hard labor, in the Penitentiary.

The larceny consisted in the taking of two barrels of sugar from the store of George W. Williams & Co., of that city, two of the prisoners being employed as porters, and one as a drayman, by that firm. Their guilt was satisfactorily established.

In their application for pardon, they have presented ample testimonials as to their former good character, and it is charitable to presume that this theft was their beginning in crime. They were prosecuted by a member of the firm of G. W. Williams & Co. Mr. Williams and Mr. Taylor, another of the partners, unite in an application that the remainder of their term of imprisonment be remitted; and, as evidence of the conviction of the gentlemen that the prisoners have been sufficiently cautioned, and, perhaps, reformed, they propose to again give them employment in the respective positions which they held at the time the larceny was committed. This fact, together with the previous good character of the prisoners, induced me to remit the remaining term of their imprisonment, on condition that they each pay the sum of sixty dollars to the Superintendent of the Penitentiary, for the maintenance of that institution, and thereby reimburse the State for the expenses incurred in their prosecution, and for subsisting them while in jail and transporting them to Columbia, these sums to be severally paid before they are discharged from the Penitentiary.

COLUMBIA, September 17, 1866.

The prisoners, Miles Simms and Anderson Jones, freedmen, were convicted of grand larceny, before Judge Wardlaw, at the August Term of the District Court for Abbeville, and sentenced to two years' imprisonment each, at hard labor, in the Penitentiary.

The larceny consisted in stealing three hundred pounds of bacon. Simms was the active agent in the larceny, and, doubtless, persuaded Jones to assist him in its consummation. Both parties pleaded "guilty," and Simms tried to excuse himself upon the ground that his family was in great destitution. The presiding Judge states that the punishment imposed was in conformity to Military Order No. 10, and was heavier, therefore, than it would have been if left to his unrestrained discretion. He recommends that their punishment be commuted as follows: Miles Simms to be imprisoned one year, and Anderson Jones six months, in the Penitentiary. Deferring to the recommendation of the Judge, who was familiar with the facts of the case, I modified the punishment as follows: Miles Simms to

be confined in the Penitentiary, at hard labor, until the 1st day of September, 1868, and then discharged; and Anderson Jones to remain in the common jail at Abbeville until the 1st day of January next, and be then discharged by the Sheriff.

COLUMBIA, September 17, 1867.

The prisoner, Thomas Richardson, freedman, was convicted of larceny, before Judge Logan, in Charleston, at July Term, 1867, and sentenced to two years' imprisonment, at hard labor, in the Penitentiary.

The larceny consisted in taking books from his employer and selling them. He is a mere youth, and is, perhaps, less to blame than the parties who encouraged him by purchasing the books he offered for sale. The Judge who tried the case states that the sentence was imposed in conformity to Military Orders, the value of the property exceeding twenty-five dollars, and recommends the pardon of the prisoner.

The prisoner has already been in jail upwards of two months, and, in consideration of his extreme youth, and the recommendation of Judge Logan, I remitted the remaining term of his imprisonment.

COLUMBIA, S. C., September 17, 1867.

The defendant, John Mitchell, freedman, was convicted of cheating by false tokens in two cases before Judge Logan, in Charleston, at April Term, 1867, and sentenced to three months' imprisonment in each case.

Previous to this charge his character had been good, and an earnest appeal was made for his release by his former owner. He has already undergone five months' imprisonment, and I have, therefore, remitted the remaining term, to-wit: about one month.

COLUMBIA, S. C., September 17, 1867.

The prisoner, Thomas Q. Odom, was convicted of manslaughter, at Marlboro, Fall Term, 1866, before Judge Moses, and sentenced to eighteen months' imprisonment and to pay a fine of \$1,000. He has already undergone eleven months of the imprisonment, and the certificates of respectable citizens make it manifest that to all external appearances he has already been thoroughly reformed.

The jailer certifies that he has on several occasions communicated to him the plans and purposes of other prisoners to escape in time to frustrate their object when he himself might have effected his escape.

The Senator from that District, and other respectable citizens, urge an absolute pardon on the ground of his reformation; and the presiding Judge who tried the case recommends his pardon likewise.

As one of the great purposes of punishment seems in this case to have been accomplished, I have remitted the remaining term of his imprisonment and all the fine except one hundred dollars, on condition that Odom, before his discharge, should pay all the costs of his prosecution, including jail fees during his imprisonment.

COLUMBIA, S. C., September 17, 1867.

The prisoner, Patrick Clifford, was convicted of horse stealing before Judge Munro, at Pickens, Fall Term, 1866, and sentenced to be hung. His punishment was commuted by me on the recommendation of the Judge

and Jury who tried the case to imprisonment at hard labor in the Penitentiary. The term fixed was ten years.

Several petitions numerously signed by citizens of Anderson and Pickens Districts have been received by me since then urging the absolute pardon of Clifford.

Prior to the commission of this offence he maintained the reputation of a strictly honest man, and the facts of the case render it nearly certain that he was made the dupe of others who drugged him with liquor, and while intoxicated the property was stolen.

He has been in the jail and Penitentiary some fourteen months already. Dr. Taylor, the Surgeon of the Penitentiary, reports to me officially that he has a running sore near his shoulder, and that the same cannot be cared without an operation which may place him in the hospital for some months. Major Lee, the Superintendent of the Penitentiary, reports that since he was lodged in the Penitentiary "he has been of little or no service because of his wounded arm."

I therefore granted him a full pardon on condition that he should leave the State and not return within its limits for the period of five years, on pain of the remaining imprisonment in the Penitentiary being imposed upon him.

COLUMBIA, S. C., September 17, 1867.

The defendant, Wash. Miller, was tried at the February Term of the District Court for Laurens District, before Judge Davis, and convicted of larceny. He was sentenced to three months' imprisonment, and to work the streets with ball and chain. He has already been in prison two months, and the presiding Judge recommends that the remaining term of his imprisonment should be remitted. The character of Wash. had previously been good. I remitted the balance of the imprisonment.

COLUMBIA, April 12, 1867.

The prisoner, Archibald F. Richards, was indicted at Spring Term, 1866, at Greenville, before Judge Moses, for the homicide of John P. Pool, Jr. He was convicted of manslaughter, and sentenced to fourteen months' imprisonment and to pay a fine of five hundred dollars. The prisoner is over seventy years of age, has heretofore maintained a good character, and been esteemed a good citizen. A petition very numerously signed was presented to me, asking his pardon, soon after his conviction. He has been imprisoned more than twelve months, and I have, therefore, remitted the remaining term of the imprisonment (less than two months.)

APRIL 13, 1867.

The defendant, Poney McCulley, freedman, was convicted of obstructing a railroad before Judge Munro, at Anderson, Fall Term, 1866, and sentenced to three years' imprisonment in the Penitentiary.

The defendant is a youth, and the act was the result more of thoughtlessness than of vicious intent to do serious harm. He has been imprisoned several months, and I remitted the remaining term of his imprisonment on condition that he should leave the State and not again return to it.

COLUMBIA, S. C., March 23, 1867.

The defendant, Toney Jennings, freedman, was convicted of larceny before Judge Munro, at Anderson, Fall Term, 1866, and sentenced to six months' imprisonment. A petition numerously signed was presented asking that the remaining term of his imprisonment (about thirty days) should be remitted. As his character had been good before this event I remitted the remaining term of his imprisonment.

COLUMBIA, March 24, 1867.

The defendant, Isham Carter, freedman, was convicted of larceny before Judge Munro, at Fall Term, 1866, at Anderson, and sentenced to six months' imprisonment.

The defendant had been confined about six months, and was anxious to go West to join some relations there. I therefore remitted the remaining term of his imprisonment—about thirty days.

COLUMBIA, S. C., March 29, 1867.

The prisoner, George Claiborne, freedman, was tried at the April Term of the District Court for Richland, 1867, before Judge Green, found guilty of larceny, and sentenced to one year's imprisonment in the Penitentiary.

I have this day received a letter from Major T. B. Lee, Superintendent of the Penitentiary, in which he states that "Claiborne discovered and reported one of the guards to be sleeping on his post. Further investigation proved the correctness of the report, and the guard was promptly discharged." In consideration of this remarkable act of Claiborne, and the fact that his conduct during confinement is described by the acting Superintendent as being every way exemplary, and the further important consideration that the present is a fitting time to afford an example to the remaining convicts, not more of the virtue of perfect obedience, than the desire of the proper authorities to recognize and reward the good actions of convicts, I have thought fit, in accordance with the recommendation of the acting Superintendent, to grant a full pardon to Claiborne and authorize his discharge.

COLUMBIA, S. C., October 7, 1867.

The prisoner, Jack Morgan, freedman, was arraigned at the July Term of the District Court, at Sumter, 1867, before Judge Mayrant, plead guilty of larceny, and was sentenced to two years' imprisonment in the Penitentiary.

Morgan is a mere youth. According to the statement in his affidavit, it appears that he had contracted to labor for certain wages, which were to be paid monthly. The employer, as is alleged, paid the freedman nothing, and saw fit to change the contract to a yearly one. Thereupon the boy was dissatisfied, and yielding to the advice of two of his fellow-laborers, also freedmen, he took an ox in payment of his arrearages, and in broad daylight started for home. While on his way, he was arrested by his employer, lodged in jail on the 2d of July, and there has since remained. Being brought to trial, and having no counsel, he plead guilty to the charge of larceny, and was sentenced to two years' imprisonment in the Penitentiary.

The Judge, in his report to me, states that he recommended the prisoner to be discharged; "because he had already been confined three months in a jail, which is hardly in a habitable condition—quite punishment for the offence."

In view of the mitigating circumstances of the case, the extreme youth and ignorance of the prisoner, and the recommendation of the Judge, I have remitted the unexpired portion of the imprisonment, and authorized the discharge of Jack Morgan.

COLUMBIA, S. C., October 14, 1867.

The prisoners, Jack and George Dickey and Taylor Morgan, freedmen, were indicted for larceny, at the July Term of the District Court of Greenville, before Judge Campbell, convicted and sentenced to six months' hard labor in the Penitentiary.

The larceny consisted of stealing bacon, and, according to the statement of the prosecutor, the three parties above named, were made the tools of two older prisoners, now undergoing punishment. The prosecutor requests that, in view of their youth and the fact above mentioned, Jack and George Dickey and Taylor Morgan shall be pardoned, and the Judge concurs in the application. As the older and more guilty parties have been convicted, in deference to the request of the prosecutor, and the recommendation of the presiding Judge, I have remitted the remaining term of imprisonment of the prisoners.

COLUMBIA, S. C., October 29, 1867.

The defendant, J. Belton Neall, was tried before Judge Moses, at Fall Term, 1867, at Newberry, and convicted of an assault and battery, and sentenced to be imprisoned one month, and pay a fine of fifty dollars. The defendant was greatly provoked by the prosecutor, who used some very offensive language to him. The battery was not serious, and the presiding Judge recommends that his imprisonment be reduced to one week, and his fine increased to one hundred dollars. He has now been in prison about ten days, and I remitted the balance of the term, on condition that he pay a fine of one hundred dollars, and all costs, before his discharge.

COLUMBIA, S. C., November 5, 1867.

The prisoner, Moses Green, freedman, was convicted of larceny, before Judge Green, at October Term of the District Court of Richland, and sentenced to six months' hard labor in the Penitentiary. It appeared that the prosecutor owed the prisoner Green, and the latter took property from him as a pledge for the money due, to the value of about six dollars, and confessed the fact on his trial. The prosecutor, in his affidavit, which accompanied an application for pardon, states that he believes the prisoner took the property ignorantly, and did not intend to convert it to his own use, but simply to retain it until he should be paid the amount due. He therefore asks that the prisoner shall be pardoned.

In his report upon the case, the presiding Judge states that "the affidavit of the prosecutor since the prosecution varies essentially from the effect of his testimony in open Court, and gives a very different complexion to the case, and makes it a proper case for the exercise of Executive clemency."

Under these circumstances, I thought fit to yield to the prayer of the petitioners, and remit the remaining portion of the sentence of said Green.

COLUMBIA, S. C., November 12, 1867.

The prisoners, Richard F. Clark and George W. Allen, together with two

colored men named Wm. J. Thomas and Edward Murray, were tried for stealing cotton, at the Spring Term of the Court of General Sessions, Richmond, before Judge Dawkins. The two last named were found not guilty. Clark and Allen were found guilty, with a recommendation to mercy. They appealed from the verdict; but, finally waiving all further proceedings, were surrendered by their bail, and sentenced by Judge Moses, at the October Term, to be imprisoned in the common jail for five weeks, from the 18th October. I am informed that not a word was said nor a witness called in their defence. It is also stated that they were imprisoned five months before procuring bail. Many of the most respectable members of the Bar of Columbia, (including the acting Solicitor who prosecuted the case,) who were present during the trial, unite, with others, in a petition to me to remit the short remaining period of their imprisonment. Edward Murray, one of the parties acquitted, makes an affidavit, that neither of the prisoners are guilty of the charge of stealing the cotton. Taking all the circumstances into consideration, I think it a proper case for the exercise of Executive clemency, and have remitted the remaining period of their confinement.

COLUMBIA, November 12, 1867.

The prisoner, Frank Small, freedman, was tried and convicted of larceny, before Judge Richardson, at the October Term of the Berkeley Court, and sentenced to six months' imprisonment.

The only witness for the prosecution was one Judge McPherson, a negro, and since the trial it has been satisfactorily ascertained that he is a person of bad character. His testimony is, therefore, unworthy of credence. Several of the most respectable citizens of Berkeley District testify to this fact, and in view of their petition and the statement of the presiding Judge that, "since the trial of this case, he is much more satisfied of the innocence of the prisoner than he was of his guilt, and, consequently, that he recommends his immediate release," the Executive has thought the case a proper one for the exercise of clemency. He has, therefore, remitted the remainder of the term of imprisonment of the said Frank Small, and authorized his discharge.

COLUMBIA, November 12, 1867.

The prisoner, Diana Coleman, and her two sons, respectively aged twelve and fourteen years, were tried in the District Court of Beaufort, before Judge Screven, at the October Term, 1867, convicted of burg stealing, and sentenced to pay the fine imposed by law, or be imprisoned.

The application for the pardon of this woman and her two sons sets forth the fact that she has a large family of little children, one of whom is an infant in arms, and she being a widow, and too poor to pay the fine, her family will be exposed to great want. The application is signed by the most respectable white citizens, who have charitably interested themselves in the case. The jury accompanied their verdict with a recommendation for mercy, and the presiding Judge having concurred therein, I have thought it a proper occasion for the exercise of Executive clemency, and accordingly remitted the imprisonment, and authorized the discharge of the woman and her sons.

COLUMBIA, November 13, 1867.

The prisoner, Wm. J. Evans, was convicted of an assault and battery upon the person of a freedman named Erwin Crawford, before Judge Graham, at Fall Term, 1867, District Court of Marion, and sentenced to pay a fine of one hundred dollars and costs of suit. The battery complained of was committed by the defendant upon the prosecutor for a breach of trust, alleged to have been committed by the prosecutor, who had been intrusted with the safe-keeping of the buggy, horse and umbrella of the defendant; the umbrella has not been returned or accounted for by the prosecutor. After the defendant was arrested, the prosecutor expressed an entire willingness to let the matter drop, but said that he was a member of the Union League, and according to the League, he was not at liberty to make any compromise in such a case. The battery was not a violent one, and the personal disposition of the prosecutor was evidently in favor of compromising the same. I remitted all of the fine, except ten dollars, including costs, which I believe to be an adequate punishment for the offence committed.

COLUMBIA, S. C., November 27, 1867.

The prisoner, William H. Harmon, was convicted of unlawfully marking a cow, at November Term, 1867, Berkeley District, before Judge Richardson, and sentenced to pay £20 proclamation money and costs, or be imprisoned six months. The fine was estimated by the Judge to amount to eighty-eight dollars and eighty cents. The punishment for stealing a cow is but £5 sterling, which is about twenty-two dollars and twenty-four cents. It would be very remarkable that for marking an animal of this description the fine should be eighty-eight dollars and eighty cents, when the stealing of the same would only be twenty-two dollars and twenty-four cents. The real question is what is the value of the £20 proclamation money. I am satisfied that it is only twelve dollars and twenty-four cents, and, therefore, remitted all of the fine imposed by the Judge, except twelve dollars and twenty-four cents and the costs.

COLUMBIA, November 23, 1867.

The prisoner, Giles Simmons, freedman, was convicted of horse stealing, before Judge Richardson, of the District Court of Berkeley, at Fall Term, 1867, and sentenced by him to two years' imprisonment. Judge Richardson states that but for the military orders requiring that parties convicted of larceny, where the value of the property exceeds twenty-five dollars, should be sentenced to not less than two years' imprisonment in the Penitentiary or elsewhere, he would have imposed a much smaller sentence upon the prisoner, say not more than three months. This prisoner exhibited great fidelity, and such traits of character, during the war, as were indicative of an excellent disposition, and would utterly negative the idea of larceny for mere individual or personal gain. Besides, this offence was committed when lawlessness prevailed in the State, and parties should not be held to that strict accountability which would exist under ordinary circumstances.

I therefore remitted the imprisonment imposed upon the prisoner.

COLUMBIA, S. C., November 28, 1867.

The prisoners, Simon Gadsden, (convicted of riot,) Samuel Jacobs, (riot,) James Heyward, (assault, with intent to kill,) Peter Williams, (petit lar-

cey,) and John Haney, freedmen, (receiving stolen goods,) were tried at the October Term, 1867, of the District Court of Charleston, before Judge Logan, and sentenced to various terms of imprisonment.

Without giving any minute report of the case, Judge Logan recommends the pardon of these parties in the following language: "I make this application under the belief that all the true ends of justice have been attained by the conviction of these parties and the publication of their sentences; and that, whether really guilty or not, there are mitigating circumstances which warrant the exercise of your pardoning power." I therefore remitted the remaining portion of their sentences, and authorized their discharge from custody.

COLUMBIA, S. C., November 27, 1867.

The prisoner, John Thomas, freedman, was convicted of larceny, at the Fall Term of the District Court of Charleston, before Judge Logan, and sentenced to three months' imprisonment. He was confined two months before trial, and has been in prison, under his sentence, nearly one month. The physician of the jail at Charleston reported officially to the Executive Department that the prisoner is in infirm and feeble health, and that his release from confinement is necessary to his recovery. He also states that the prisoner is an old man, and so weak in his intellect that he could hardly be held responsible for his acts. I therefore ordered the immediate release of the prisoner.

COLUMBIA, November 27, 1867.

The prisoner, Samuel Brewton, freedman, was convicted of petit larceny, at Spartanburg, Spring Term, District Court, before Judge Gloyer, and sentenced to ten months' imprisonment. The larceny consisted of taking a brass ring and some other articles of small value from a woman of doubtful reputation, with whom it was alleged he was living on terms of great intimacy.

The Solicitor of the Circuit earnestly recommends that the further imprisonment of the defendant be remitted. In consideration that the offence was one of minor importance, and of the recommendation of the Solicitor, I remitted further imprisonment, and authorized the discharge of the prisoner from confinement.

COLUMBIA, November 28, 1867.

The prisoner, Prince McQuits, freedman, was tried before Judge Beatty, at Spring Term, 1867, of the District Court for York, and convicted of horse stealing. He was sentenced by the Judge to two years' imprisonment in the Penitentiary. The property was recovered by the owner, and it is represented that the offence was committed in the spring of 1865, when great lawlessness prevailed among all classes of the community. The prisoner has been confined in jail nearly one year. The Judge states, in his report of the case, that but for the military orders requiring he should sentence parties to two years' imprisonment, in all cases of larceny where the property is of greater value than twenty-five dollars, he would not have sentenced this prisoner to more than twelve months' imprisonment. The Judge earnestly recommends that, as the prisoner has been already punished,

the remaining term of his imprisonment should be remitted. I have, therefore, authorized his discharge from custody.

COLUMBIA, November 27, 1867.

The prisoner, William Foster, freedman, was convicted of larceny at Spartanburg Court of General Sessions, before Judge Glover, Spring Term, 1867, and sentenced to ten months' imprisonment. The larceny consisted of taking half a bushel of ears of corn, and placing them in a bag, which bag was not removed from the crib in consequence of his detection.

He was reported to the military authorities at Spartanburg at the time, and after trial was punished by that Court. Subsequently, upon an affidavit of the prosecutor, he was re-arrested by the civil authorities on this charge, convicted and sentenced as stated above. The Solicitor urgently recommends the pardon of the prisoner. If the case had been brought to my attention at an earlier day, I would have discharged the prisoner immediately upon his conviction, after learning that he had been punished by the military authorities for the same offence. When the petition was presented, I granted an unconditional pardon.

COLUMBIA, November 28, 1867.

The prisoner, Jefferson Ferguson, freedman, was convicted of robbery before Judge Dawkins, at the Fall Term of the Court of General Sessions for Pickens District, and sentenced to be executed on the first Friday in December. It appears that the prisoner entered the house of the prosecutrix, Mrs. Barrett, a very old lady, after dark, seized, choked and threw her down upon the floor. She got up, when he struck and knocked her down. She was bruised considerably, and lay in a senseless condition for some two hours. The prosecutrix sustained herself sufficiently to go to a neighbor's house, and hid herself that night. No property was taken from the premises, except a piece of bacon, weighing less than the prosecutrix supposed, some six or seven pounds. The meat was subsequently found in the possession of the prisoner. The Judge, in his report of the case, says: "I think the evidence well warranted conviction, and that for the unnecessary violence offered to the old woman, it should be pleased to see him get off lightly, as he was probably tempted by hunger to take the meat. I am not satisfied for him to be hung, and respectfully recommend that his punishment be commuted to such terms you see proper."

I have commuted the punishment of the prisoner from death to four years' imprisonment, at hard labor, in the Penitentiary.

COLUMBIA, November 28, 1867.

The prisoner, Young Gilreath, freedman, was convicted of rape, before Judge Dawkins, at Fall Term, 1867, Court of Sessions and Common Pleas for Greenville District, and sentenced to be executed on the 13th of December, 1867.

The offence was committed upon a colored girl, aged about twelve years. The identity of the prisoner with the crime was satisfactorily established upon the trial. The Judge, however, recommended that the prisoner's punishment should be commuted from death to imprisonment for a term of years in the Penitentiary. The father of the girl in an earnest petition to the Executive, represents that he was not aware of the punishment which

would be inflicted upon the prisoner if convicted, and requests that the death penalty may be commuted to imprisonment in the Penitentiary.

The recommendation of the Judge, united with the earnest request of the father of the injured party, has induced me to commute the death penalty to imprisonment for life in the Penitentiary.

COLUMBIA, December 8, 1867.

The prisoners, Nat Frazier, December Gadsden, Jackson Henderson, Jack Walker, John Keish and Green Cleveland, freedmen, were convicted at the Fall Term, 1867, of the Court of General Sessions and Common Pleas, Pickens District, before Judge Dawkins, of the murder of Miles M. N. Hanniutt, and sentenced to be executed on the first Friday in December.

Hanniutt, and several young men of the neighborhood, were engaged in a debate in a debating society, where they regularly met at stated periods for this purpose.

The negroes of the vicinity had a Union League meeting the same night, at the house of one Garrett, a freedman, situate about one hundred and fifty yards from the building where the debate was progressing.

It appears that one Bob Smith, a white man, who was under the influence of liquor, went near the premises where the Union League was in session, and fired a pistol. Orders were immediately issued within the League room to reinforce the guard without, and pursue and "arrest Smith, dead or alive." Finding that he was thus pursued, Smith fled towards the building where the debate was in progress.

On reaching there, some of the young men being in front of, or near the door smoking, Smith exclaimed as he rushed up: "Boys, the negroes are after me." He then passed around the building, and there is no information from the evidence that he was again seen that night. The guard sent out by the League, some ten in number, were greatly exasperated at Smith for his alleged discharge of the pistol; and when they came up to the debating room, one of them seized a young man named Casey, who was a member of the club, though not within the hall at the moment, supposing him to be Smith. Casey resisted, and Fredericks and others came to his relief, among them his father—Roland Casey—and he was released from the grasp of the negroes. A contest, however, ensued before this was done, between the whites and this advance guard of the negroes; and about the termination of the fight, a pistol was discharged, which took effect in the back of young Hanniutt, who, it appears, had come out of the house when the disturbance commenced; and finding that a row was progressing in the yard, turned back in the direction of the house, and was at that moment shot and killed.

Six of the guard were convicted of murder. After the trial, one of the six, Jackson Henderson, made such confessions as induced the belief that the fatal shot was fired from a pistol in the hands of Nat Frazier. The confession of Henderson was confirmed by full examination of the rioters in confinement in the Penitentiary, who were present on the occasion. Nat Frazier himself subsequently confessed that he had fired the pistol, but alleged that it was fired by him by accident. He furnished, however, no corroborative evidence to establish the fact that the discharge was accidental. On the contrary, all of the facts show that the pistol was fired with deliberation.

I have given these persons who constituted the guard, and who, technically, were as guilty of murder as the person who fired the pistol, the full benefit of the excuse resulting from the passion and excitement of the moment; and while I have not felt at liberty to interfere at all with the execution of the sentence against Nat Frazier, who fired the pistol shot, I have thought fit to commute the punishment of the other prisoners, according to my judgment of their relative guilt in the transaction as developed by the testimony, to-wit: December Gadsden, five years hard labor in the Penitentiary; Jack Walker and Jackson Henderson four years, and John Keith and Green Cleveland for two years each. I should have imposed upon Jackson Henderson the extent of punishment inflicted upon December Gadsden, but for his confession, his conduct throughout the whole transaction showing he was equally guilty with any other of the parties, except Nat Frazier.

COLUMBIA, December 4, 1867.

The prisoner, J. B. Hodge, was convicted of manslaughter, before Judge Moses, at Sumter, Fall Term, 1867, and sentenced to be imprisoned three years and six months, at hard labor, in the Penitentiary. There is no doubt that the deceased, Durant, came to his death by the hands of Hodge, the deceased having been killed by the prisoner in the streets of Sumter on an open public occasion.

Durant had been employed by Hodge as a clerk in his store after the termination of the war, and, while occupying that position, had either seduced or tried to violate the wife of the prisoner. Whether he succeeded or not, the deceased boasted success, and charged the wife of the prisoner with the most shameless infidelity to her bed. Not content with any triumph he may have obtained over this woman, who was the mother of five children, he publicly proclaimed her shame and his infamy on various occasions, and positively announced that the prisoner knew of his amours, but was afraid to punish the wrong done his household. This information was communicated to the prisoner from several sources, and the outrage upon his feelings and manhood was consummated the day before the homicide was committed, by the deceased, who enclosed certain amorous and lewd verses to the wife of the prisoner, under an envelope addressed to the prisoner himself.

I considered that the outrage upon the marital rights and honor of the prisoner, and the shameless promulgation of the same by the deceased, apparently with the view of provoking the prisoner, was a sufficient justification for the exercise of Executive clemency, and I therefore remitted the punishment imposed upon him:

COLUMBIA, December 7, 1867.

The prisoner, Samuel Harris, was convicted of an assault and battery, before Judge Logan, at the October Term of the District Court for Charleston, and sentenced to one month's imprisonment, to be released on the payment of a fine of ten dollars and the costs.

The battery complained of was merely technical, and, if it was otherwise, the prisoner certainly had a right, legal and perhaps moral, to turn out of his premises the obnoxious lodgers, to whom he had rented rooms, and who had made themselves notoriously objectionable to the prisoner and his family.

As it is manifest that the prosecutrix is destitute of character, the defendant is entitled to every decided sympathy in his efforts to relieve his house from their presence.

I remitted the fine and imprisonment imposed upon him, believing that the costs would be ample punishment for the offence committed.

COLUMBIA, December 9, 1867.

The prisoners, John Brown and Jackson Langley, were convicted of cow stealing, before Judge Hough, at District Court, Chesterfield, September Term, 1867.

The offence was committed in 1862. There is doubt whether the alleged larceny was felonious or only an ordinary trespass. It is very certain that the prosecution of these prisoners at this late day, five years after the perpetration of the offence, has not been instituted for the public good, but to gratify feelings of private malevolence. I therefore remitted the punishments imposed upon the prisoners.

COLUMBIA, December 11, 1867.

The defendant, Robert Bryson, freedman, was convicted of larceny, before Judge Davis, at Spring Term, 1867, of the District Court at Laurens, and sentenced to one year's imprisonment in the Penitentiary. The larceny consisted in stealing some bacon, which was carried off on one of the mules belonging to the prosecutor.

The prisoner was young, and the prosecutor, his former owner, represents that up to this occurrence, he was a boy of good character, and earnestly recommends his pardon. The Judge who tried the case unites in the recommendation that the remaining term of his imprisonment be remitted. In deference to the recommendations of the prosecutor and the Judge who tried the case, I have remitted the remaining term of the defendant's imprisonment, (about five months.)

COLUMBIA, December 11, 1867.

The prisoners, Sam Green, Jack Cain, alias Williams, Robert Singleton, James Frisson, Samuel Johnson, Henry Herbeck, and Thomas Bennett, freedmen, were convicted of riot, assault and battery, and false imprisonment, before Judge Logan, at October Term, 1867, for Charleston, and sentenced to eight, six and three months' imprisonment. They acted under the orders of one Aaron Logan, who had been appointed a Register in Christ Church Parish, and who charged that a Mr. Frasier had attempted to prevent certain freedmen, who were employed upon his premises, from going to the precinct to register. He therefore ordered the arrest of Frasier, and his delivery to the military authorities in Charleston. These being his guards, required him to walk fifteen miles, not allowing him to ride his horse; carried him to various plantations of negroes, and exhibited him somewhat after the manner of a wild beast. Upon reaching Charleston, Frasier was discharged, and Logan and these parties arrested for riot and false imprisonment. The offence was a grave one, but these parties acted under the orders of Logan, who was tried before a Military Commission, found guilty, and sentenced to two years' hard labor, at Fort Macon, North Carolina. The Commanding General approved the findings, but modified the sentence to six months' imprisonment, instead of two years. It is not just that these

parties, who were subalterns in the affair, should be subjected to greater punishment than the principal, and I have therefore commuted their punishment as follows: Samuel Green to four months' imprisonment; Robert Singleton, three months; Jack Cain, *alias* Williams, James Frierson, Samuel Johnson and Henry Horbeck, until the 1st of January, 1868; and Thomas Bennett, until the 1st of February, 1868; measuring the punishment of the respective parties according to the sentence of Judge Logan.

COLUMBIA, December 14, 1867.

The prisoner, George Adair, freedman, was convicted of larceny before Judge Munro, at Laurens, Fall Term, 1866, and sentenced to two years' hard labor in the Penitentiary. His offence consisted in stealing a small pistol from his former owner, who had him employed at the time the alleged larceny was committed, and who continued him in his employment until his conviction.

He is under the age of twenty-one years; is of weak intellect, and should not be held to as strict an account as one of greater intelligence. He has already been imprisoned one year; and, in view of the above facts, I have remitted the remaining term of his imprisonment, and authorized his discharge from the Penitentiary, where he has been confined for three months, and behaved with great propriety.

COLUMBIA, December 16, 1867.

The prisoner, Alfred Pughe, freedman, was convicted of an assault and battery with intent to commit a rape on the person of a freedwoman, at Spring Term, Court of General Sessions and Common Pleas, at Darlington, before Judge Aldrich, and sentenced to be hung.

Upon an examination of the papers in the case, together with the report of the Judge, I was satisfied that the extent of the offence committed by the prisoner was an assault and battery, and, therefore, commuted the death penalty to imprisonment in the Penitentiary for six months. Since that time the prosecutor, who is a gentleman of high character and intelligence, in Darlington District, has written to me that he is "satisfied Alfred is more sinned against than sinning," and that the assault was made under encouragement. He further says: "I trust your Excellency may feel authorized to remit all further imprisonment and return the prisoner to his family at once." The Superintendent of that institution also represents that Pughe's conduct has been most exemplary during his confinement there. I have therefore remitted the remaining term of the imprisonment, and authorized the discharge of Alfred Pughe from the Penitentiary.

COLUMBIA, December 26, 1867.

The prisoner, Alice Jackson, a freedwoman, was convicted of larceny, at the July Term of the District Court of Charleston, before Judge Logan, and sentenced to two years' imprisonment in jail. The theft consisted in stealing some dry goods from a store on King street. The value of the goods was proved to be more than twenty-five dollar, and, under the military orders, the Judge was constrained to impose a punishment of not less than two years. The Sheriff reports that her conduct has been quiet and orderly since her imprisonment commenced, and expresses the opinion that

she is thoroughly penitent and reformed. I have therefore remitted the remaining term of her imprisonment.

COLUMBIA, December 20, 1867.

The case of Wright Sullivan, freedman, tried at Laurens for robbery, and sentenced to be executed, which sentence was commuted by me to fifteen years in Penitentiary, for reasons heretofore set forth, has been carefully reviewed by me, and the case, as reported in the last volume of reports, together with the evidence, has been carefully examined. I have also made a personal examination of the small lump on the breast which enabled the prosecutor, Jones, to identify the prisoner. The lump is not larger than a small button, and I cannot conceive how it could have attracted the notice of the prosecutor when he was under the influence of liquor, suddenly jerked from his horse and thrown upon the ground—when he was too drunk for him to say whether it was a white or black man who robbed him, and, when the robbery was effected, the robber made off. Besides, two of the witnesses for the defense proved an *alibi*, and one of them, young Sullivan, of such respectability that there is no reason to doubt the truthfulness of the statement. There is now very great doubt in my mind if he ought to have been convicted. If I had been a juror who tried the case, I would not have consented to his conviction, feeling it due to law, as well as humanity, to give him the benefit of the reasonable doubts in the case. I have therefore remitted the remaining term of his imprisonment and authorized his discharge from the Penitentiary.

He was originally sentenced to be hung on the 19th of February, 1867. Before the day of execution I commuted the punishment to imprisonment for fifteen years.

Since then, I have examined the case, with additional evidence, and have pardoned him unconditionally.

The prisoner, Ephraim Davis, freedman, was convicted of the murder of a colored man before Judge Munro, at Fall Term, 1867, in Fairfield, and his counsel, Mr. Rion, gave notice of an appeal. Pending the appeal, and before it was heard, the Judge who tried, and the Solicitor who prosecuted the case, became satisfied that the prisoner was convicted upon insufficient evidence, and united in recommending that he should be pardoned before sentence.

I have yielded to their recommendation with great reluctance, believing that is wiser and safer for the Executive to await the consideration of all applications for pardon until the prisoner has received sentence.

An examination of the evidence in this case, however, leads my own mind irresistibly to the conclusion that the case proven did not justify the conviction. There were circumstances of suspicion against the prisoner, but the doubts as to his guilt entitled him to an acquittal. I therefore pardoned him.

COLUMBIA, January 4, 1868.

The prisoner, George Barr, freedman, was convicted of larceny before Judge Leitner, at the Fall Term of the District Court for Kershaw, 1867, and sentenced to one year's imprisonment in the Penitentiary.

He was indicted jointly with his sister, Ellen Barr, who was several

years his senior, (the prisoner being only about fifteen years of age.) She was more responsible for the crime, by reason of her greater age and experience, than the prisoner. When she appeared for sentence, however, she had an infant child, in consideration of which fact the Judge fined her twenty-five dollars and authorized her discharge. The larceny consisted in the killing and appropriating to their own use of a cow. The prisoner was arrested early in August, and has been in custody up to the present time.

Several of the most prominent and intelligent citizens of the District have petitioned that the prisoner should be released from further confinement. In consideration of his tender years, and the fact that he was induced to participate in the crime by an older sister, and that he has already been imprisoned nearly six months, I have remitted the remaining term of his imprisonment, and authorized his unconditional discharge.

COLUMBIA, December 25, 1867.

The defendant, Diana Alston, was indicted for an assault and battery, at Charleston, Fall Term, 1867, District Court, before Judge Logan, and sentenced to six months' imprisonment, or pay a fine of twenty-five dollars and the costs. The Judge in his report of the case, says "that the husband of this woman is a very decent man, and lives now in Florida. As she is a woman, is penitent, and has a husband who will take her to her home at once, I recommended her pardon, on payment of one-half of the costs."

There appears to have been no peculiar circumstances of aggravation in this case, and in deference to the presiding Judge who tried it, I remitted the punishment and authorized her discharge, on condition that she should pay one-half the costs of prosecution.

COLUMBIA, S. C., December 30, 1867.

The defendant, Francis Green, freedman, was convicted before Judge Green, at the Fall Term of the District Court for Richland, for larceny, and sentenced to six months' imprisonment, at hard labor, in the Penitentiary. As the prisoner has already undergone several months' imprisonment, and the case had some mitigating circumstances, the Judge recommends that the remaining term of her imprisonment be remitted. I therefore discharged her from further custody.

COLUMBIA, January 13, 1868.

The prisoners, Geo and Henry Saunders, were tried before Judge Moses, at Barnwell, Spring Term of the Court of General Sessions and Common Pleas, for the homicide of George Meyer, on the 19th of November, 1866, convicted of manslaughter, and sentenced to imprisonment in the Penitentiary for four years from the 23d of March.

The deceased was a resident of Blackville, and, at the solicitation of his wife, Miss Nellie Saunders, the sister of the prisoners, became a guest in his family, where she remained from November, 1864, until February, 1865. After February, she spent two or three months in the families of other refugees living in that vicinity, but subsequently returned to the residence of Meyer, and it is manifest that during her stay in this house he had taken advantage of her dependency and seduced her. Becoming solicitous concerning the exposure of her ruin, even to her own family, the young girl secretly, and alone, left her home in Charleston, proceeded to Augusta, and

there procured admission to the Lying-in Hospital. Months of destitution and suffering followed, until about the 17th of November, 1866, she sought the presence of a brother, whom she had not seen for ten years, but who was then in Augusta, as a performer in a circus, and to him revealed the story of her ruin. He at once informed the family in Charleston of the circumstances. The letter was received on Saturday night. On Monday morning, George and Henry Saunders started for Blackville to meet Meyers. He was absent from the place, and they pursued their search on foot. About five miles from that locality they encountered him, in a buggy, and made known their names and purposes. George commenced shooting. The deceased scrambled to the ground, and there received several additional balls in different portions of his body. The prisoners then replaced Meyers in the buggy and drove him to a neighboring house, where he lingered thirteen or fourteen hours—denying, however, that he had seduced the sister—when he expired.

There is no doubt both of the guilt of the deceased and of the prisoners, and the Jury rendered their verdict accordingly, with a recommendation to mercy.

The case is one of that peculiar character which strongly enlists human sympathy. The family of Mr Saunders, the father of the prisoners, is respectably connected, and the character of the young men themselves was without blemish. Such an outrage upon a sister was well calculated to arouse the deepest indignation in their hearts, and provoke the terrible punishment which followed its perpetration. Society itself is lenient in that judgment with which it regards even crime, when that crime avenges wrong, and seeks to uphold the honor and sanctity of home and family. These considerations have doubtless moved the community to make extraordinary exertions in behalf of the prisoners, and the Executive has received many applications praying for their release. One of these is a petition signed by the Lieutenant-Governor of the State, the Mayor of Charleston, and numerous influential citizens. Another holds the signatures of the Jury who tried the case, the officers of the District of Barnwell, members of the Bar, citizens and ladies.

I have given the subject a careful and deliberate examination. The offence was a grave one; but the cause of it was not less aggravating; and as the prisoners have been in confinement nearly a year, I remitted the remainder of the imprisonment imposed them, and authorized their discharge from the Penitentiary.

COLUMBIA, September, 1867.

The prisoner, Blihu Bullock, a freedman, was convicted of larceny, before Judge Davis, at the January Term of the District Court for Laurens, and sentenced to four months' imprisonment, or to pay a fine of ten dollars and costs and be imprisoned two months.

The prisoner was charged with stealing nine sides of bacon from Mrs. Martin. Some of the meat, as was supposed, was found in the prisoner's house, though the sides had been divided. The prisoner offered proof that he had bought the meat some fifteen miles off from where he resided, and the witnesses swore that the sides were cut to enable the prisoner to get them in a basket. The proof identifying the stolen property was not very satisfactory, and leaves reasonable grounds to doubt whether the prisoner was properly convicted.

The Deputy Solicitor who prosecuted the case says: "I have my doubts as to the propriety of the conviction."

In view of the evidence taken in the case and submitted, and the opinion of the Deputy Solicitor, I remitted the remaining term of imprisonment of the prisoner, and authorized his discharge from jail.

COLUMBIA, March 3, 1868.

The prisoner, Benjamin Mack, freedman, was convicted, at Orangeburg Extra Court, February, 1868, of highway robbery, before Judge Glover, and sentenced to be executed on the first Friday in April.

The offence of the prisoner consisted in meeting the prosecutor, and after asking him if he would sell his watch, and being answered in the negative, drew his pistol upon the prosecutor and demanded that he should give up the watch. The prosecutor, not being armed, and a cripple in one arm, surrendered it. This occurred in September, 1866. There is little doubt of the guilt of the prisoner, and the offence committed was a very grave one; but as no actual violence was done in perpetrating the robbery, I have thought it wise and humane to commute the death penalty to imprisonment for a long term of years, at hard labor, in the Penitentiary. I have, therefore, commuted the punishment of death to imprisonment, at hard labor, in the Penitentiary, for ten years, commencing on the first day of April, 1868.

COLUMBIA, March 4, 1868.

The prisoners, John Jenkins and Scipio Fraser, were indicted for the murder of R. M. Brantford, in the city of Charleston, on the 24th of June, 1866. They were tried at the January Term, 1867, of the Court of Sessions, before Judge Dawkins, and convicted. Their counsel appealed. Pending the appeal, one of the prisoners, Scipio Fraser, died in jail. At the April Term of the Appeal Court, 1867, the case of Jenkins was heard, his motion for a new trial refused, and he was sentenced to be executed in June. A few days before the execution was to take place, I respited the prisoner for one month. Before the expiration of this time, I was applied to by the officer then commanding this Military District for a further respite. I declined, however, to grant it, and assigned my reasons at length in a communication addressed to General Sickles.

The prisoner, John Jenkins, was then further respited by the military authorities, and evidence was taken by General Hincks, the Provost Marshal-General of this District, in the form of affidavits, from quite a number of witnesses who were not sworn on the trial, tending to show an *alibi*. These papers were submitted to my consideration, and upon a careful examination, I was satisfied that the effort of the prisoner to establish an *alibi* was unsuccessful, and that this supplemental evidence was not entitled to outweigh and override the testimony given by witnesses on the stand during the trial. Several witnesses then established to my satisfaction the fact that Jenkins was engaged in the riot on the Bay and up King street.

But the only witness who professed to have seen John Jenkins inflict a blow upon the deceased (Brantford) was one George J. Ahrens. He stated in his testimony before Judge Dawkins that he "saw Jenkins and Fraser both throw bricks that took effect on Brantford. Jenkins threw one after he fell, and stamped upon him. They were the leaders of the crowd, and he knew them well." He further says: "The next day he saw Fraser,

heard him say in his yard, 'he had killed one white-livered son of a bitch, and would kill another,' and he had him arrested." In his cross-examination he says: "Jenkins flung the first brick, and Scipio Fraser the second. Brantford then ran and was by their house when Jenkins hit him again."

Upon the testimony of Ahrens, then, solely depends the question whether Jenkins did, or did not, upon that occasion, inflict one or more of the blows which took the life of the deceased.

In the two reviews of the case heretofore made by me, and transmitted to the military authorities, I assumed that Ahrens' testimony was true, and if so, that Jenkins was the murderer.

After General Canby assumed the command of this District, he examined the case and remitted it again to the civil authorities, and in January, 1868, Jenkins was re-sentenced by Judge Moses, and his execution fixed for the second Friday in February. A renewed effort has been made by the friends of the prisoner to secure the pardon, or a commutation of the punishment of Jenkins, and a very numerous signed petition, embracing the names of some whites and of many hundred colored citizens, has been placed in my hands. In addition to this, from the information communicated to General Canby by General Hincks, who investigated the subject closely, General Canby instructed Lieutenant-Colonel Williams, the present Provost Marshal, to make a careful examination of the premises and ascertain the exact locality where the first brick was thrown, and where Brantford fell. He has made that examination, together with a drawing of the premises, and concludes his report "that Ahrens could not have seen, with any certainty, the transaction, and particularly if the crowd, as it did, assembled around the fallen man."

This report was made on the 30th of January last. General Canby, in his communication of the 4th instant, says: "I stated to you verbally, some days since, that General Hincks, then acting Provost Marshal of this District, had formed the opinion, from his own examination of the case, that it was physically impossible for the boy (Ahrens) to have seen what he testified to on the trial of John Jenkins for the murder of Brantford, and that on his examination subsequently to the trial, he was unable to discriminate, with any distinctness, between what he had seen and what he had heard of the riot. To settle this question definitely, I directed Colonel Williams, the present Provost Marshal, to make a careful examination again, fix exactly the spot where Brantford fell, and the location of the porch from which, according to the testimony before the Court, Ahrens witnessed the killing."

Again, General Canby says: "On Saturday preceding the date of this letter, prompted, I suppose, by the new investigation, Ahrens sent word to the Provost Marshal that his testimony was not true, but that he had been deterred, by the fear of prosecution, from making this confession at an earlier period.

On the 8th instant, Ahrens subscribed, in his own handwriting, an affidavit before Colonel E. W. Dennis, Judge Advocate of the United States Army, Second Military District, of which the following is a copy:

"Statement of George F. Ahrens, in the case of John Jenkins, colored, convicted of the murder of Richard M. Brantford, on Sunday, 24th June, 1866, about 8 o'clock P. M.:

was standing on the piazza of the house I live in, No. 86 Tradd

street. The crowd of negroes came out of King street into Tradd street and stopped in front of my house. While the crowd were standing in the street, I saw Mr. Brantford coming along Tradd street from Orange street, and going towards King street. When Brantford got opposite our big gate, on the same side of the street that I was on, the cry of 'Fire' was raised by Scipio Fraser and others in the crowd. Scipio Fraser then threw a brick bat at Brantford, which hit him in the back; then several more brick bats were thrown by the crowd, one of which struck Brantford on the back of his head, knocking him down. As he fell he struck his head on the corner of the stone step, on the house next to ours, toward King street, and punched a hole in his head. Then the crowd gathered around him, as he lay on the ground, kicked him and struck him with brick bats. They then left him, and I saw two colored men come up Tradd street, who picked up Brantford and carried him home. I remained on the piazza from the time the crowd first turned into Tradd street until the two colored men carried Mr. Brantford away. There were about twenty-seven colored men in the crowd who attacked Brantford. During the time that the bricks were being thrown, I heard Scipio Fraser say 'Kill the rebel son of a bitch.' The distance from where I stood in the piazza to the spot where Brantford was knocked down was from fifty to seventy-five yards. John Jenkins was in front of our house, and nearly under me, as I stood in the piazza. I recognized Scipio Fraser in the crowd that surrounded Brantford after he fell, but I cannot say I saw Jenkins among them. It was a moonlight night, but not very bright, rather cloudy and hazy. I did not see Jenkins, at any time during the riot, any nearer to Mr. Brantford than he (Jenkins) was at the time Brantford fell, which was about twelve feet closer to Brantford than I was at the time. The same evening that the riot occurred, Scipio Fraser came into my yard and was talking about the riot. He said: 'I, and no one else, killed the rebel son of a bitch, and he is not the first, nor he will not be the last I will kill.' The next morning I told Mr. Nipson what Fraser had said, and he caused him to be arrested. I did not see Jenkins strike Brantford during the riot.

"(Signed)

G. F. AHRENS."

"Sworn to and subscribed before me this 8th day of February, 1868.

"(Signed)

GEO. A. WILLIAMS,

"Bvt. Lieut. Col. and Major of 6th Infantry, Provost Marshal-General."

"A true copy of the original affidavit.

"GEO. A. WILLIAMS,

"Bvt. Lieut. Col. and Major 6th Infantry, Provost Marshal-General."

The foregoing statement by Ahrens, contradicting so absolutely and unequivocally his own sworn testimony upon the trial, should cause any Executive to hesitate before allowing the death penalty to be executed on a human being when that is the only testimony identifying Jenkins as one of the persons who inflicted the blows which took the life of young Brantford. If the prisoner possessed wealth and means it might have been that the witness, for a consideration, would have been induced to perjure himself; but the prisoner has not the means to purchase such a statement as the last one made by Ahrens. Additional evidence, however, has been placed in my hands, in the form of affidavits, and, with such surroundings, I am bound to credit them, confirming the truth of the last statement of Ahrens, to-wit: that he did not see Jenkins use any violence whatever upon the deceased.

Francis Nipson, who is the executor or administrator of the estate of the father of Ahrens, in an affidavit on the 1st of February, 1868, says: "George Ahrens, who was a witness in the above case, came to me (Nipson) and said Scipio Fraser, the boy who killed Brantford, was there the day before he was arrested, and told him (Ahrens) that he was the one who killed Brantford, and no other person had done it, and it was not the last or the first rebel that he had killed. And, also, that George Ahrens had said that no one had done it but Scipio Fraser. Scipio Fraser told me (Nipson) at the time I arrested him, and before I handed him over to the police, that he was the one who committed the act. The two female witnesses in the yard of No. 86 Tradd street (Sarah Brown and Kate Kennedy) and Ahrens also told me that Scipio Fraser was the one who killed Brantford, and they did not mention anything about Jenkins; otherwise I would have gone with the police and arrested him also." [Jenkins was not arrested until three days after Fraser had been arrested and put in jail.] "From the situation of the piazza of the house, No. 86 Tradd street, where Ahrens says he saw Jenkins strike Brantford, after a careful examination, I find it was impossible for Ahrens to have seen Jenkins strike Brantford, as he says."

John Hass, the uncle of Ahrens, on the 4th February, 1868, makes the following statement on oath: "That he saw Brantford walking up Tradd street, towards King, and distinctly observed that he tried to turn back again, but, there being a large crowd of men and boys, he found it impossible. One colored man cried out 'Charge!' and bricks and stones were thrown, apparently by all of them, so that he could not tell who threw the brick or stone that killed Brantford; and that he was in the house, No. 86 Tradd street, looking out of the window, which is nearly twenty-five feet nearer to where Brantford was killed than where Ahrens stood on the piazza, and saw the whole affair, from the time the rioters turned into Tradd street from King street, and that the bricks and stones were thrown so fast that he could not tell who threw the brick or stones that killed Brantford, and that he could not recognize any of the crowd."

Neither of the two last named witnesses were sworn upon the trial or have heretofore submitted affidavits.

The foregoing are the additional facts which have been brought to my attention since the case was reviewed by me on a previous occasion. There was one fact, however, important in its bearing upon the case, which was before me, and which it is proper here to repeat.

James Kennedy, who was the jailer of the Charleston jail at the time that Scipio Fraser died, to-wit: about the 17th of April, 1867, states, under oath: "That Fraser died in his cell; that when the said Scipio Fraser was *in articulo mortis*, having been previously informed, and being himself convinced, that he was in a dying state, he made to deponent a confession, as follows: That he was concerned in the affair in which one Brantford was killed, in July, 1866, and that one John Williams, freedman, struck the blow which knocked Brantford down; and he (Scipio Fraser) struck Brantford when he was down; that said Williams lived on South Bay, in some wood-yard the deponent thinks, and much resembled one John Jenkins, now under sentence of death for having killed Brantford; that he knew the said Jenkins previous to the affair, and that he was innocent of the crime for which he had been convicted, as he (Jenkins) was not present at

the time Brantford was killed; that the deponent then asked the said Fraser why he had not made this confession previous to the trial of Jenkins, and the said Fraser answered that he thought he would have a better chance to get clear if he could have a trial with Jenkins, knowing him (Jenkins) to be innocent of the charge."

After a careful review of the case and its circumstances, and of the new facts that have been brought to light within the past few days, I have come to the conclusion that there is not sufficient evidence to justify me in declaring that Jenkins was one of the party who actually inflicted violence on the body of Brantford. On the contrary, the evidence certainly tends to exonerate Jenkins from any active participation in the murder. I still, however, entertain the opinion that he was among the rioters; that he was with them in their march up King street, and when they turned into Tradd street; and, although not striking the fatal blow himself which took the life of Brantford, he was guilty, technically, of the murder, giving aid and encouragement by his presence to Fraser, who struck the fatal blow; and that, for his participation therein, he merits exemplary punishment.

Believing that he is not guilty of having stricken either of the blows which produced the death of the unfortunate Brantford, but that he was among the rioters, giving aid by his presence to the murder, I have commuted his punishment from death to five years' imprisonment, at hard labor, in the Penitentiary.

CHARLESTON, February 12, 1868.

The prisoner, Edmund Fraser, freedman, was tried at Clarendon, Fall Term, 1867, before Judge Moses, for the murder of Carolina Fraser, his father. He was convicted, and sentenced to be executed on the fourth Friday in January, 1868. The Jury recommended the prisoner to Executive clemency. He is represented to be a boy of good face, between twelve and thirteen years of age; but the circumstances of the case indicate a depravity rarely to be met with in a person of such tender years.

The prisoner and his younger brother, Frederick Fraser, a boy of eleven years of age, left the home of their father, Carolina, and mother, Mosely Fraser, on Sunday afternoon in April last, taking with them a double-barrelled shot gun belonging to the father. They stayed at the house of a neighbor that night. About sun-up the next morning, the father left home without stating whither he was going; but as the boys had gone off and taken his gun without permission, it is probable that he was in pursuit of them.

He stated to his wife that he would return to breakfast. The younger brother, Frederick, in his examination, states that they had started home on Monday morning when they met their father. He proposed to the prisoner that they should run. The prisoner said "No; he would not run." The father had a switch in his hand, and when he came up within about thirty feet of the boys, the prisoner, according to the testimony of his brother, raised the gun, cocked it, fired upon his father, and killed him instantly. They then dragged the body by the feet a distance of some fifty yards from the path in which he had been murdered, and the prisoner took some bark from an adjoining stump and covered the body. He then hid the gun under the side of a log, and the two boys went on home. When they reached home, their mother inquired if they had seen their father;

both of them declared they had not. When she inquired where the gun was, they replied, "a white man had took it from them." The gun had been loaded a day or two before to shoot crows. The boys ate their meals as usual and exhibited no excitement or concern. Some ten days afterwards, the body was found in a state of great decomposition. The evidence of the younger boy was fully confirmed by witnesses who went to the spot where the murder was committed and traced the path along which the body had been dragged. The bark was also found upon the body as described by the younger brother, and the gun was found under the log.

The deliberation exhibited by the prisoner, and the concealment and self-possession subsequently, shows a depravity and heartlessness rarely, if ever, equalled in the annals of crime, and yet in consideration of the very tender years of the boy, who is now less than thirteen years of age, and that under the law he is barely responsible for any criminal act which he might perpetrate, I have been constrained from considerations of humanity to spare his life. In doing so, however, I have felt that such an atrocious crime should be visited by a punishment second only to that of death, and I have therefore, commuted the death penalty to imprisonment for life, at hard labor, in the Penitentiary.

COLUMBIA, S. C., December, 1867.

The defendant, John R. Simpson, was convicted at Fall Term, 1858, at Laurens, of unlawfully trading with a slave, and sentenced to four months' imprisonment and a fine of two hundred dollars. He underwent the imprisonment on the adjournment of the court, in 1858, and was discharged from custody on a *ca. sa.* for fine and costs, under the prison bounds Act.

Recently, upon motion of the Solicitor of the Western Circuit, the judgment was revived and an *alias fi. fa.* issued, which has been levied upon a small tract of land belonging to the defendant, and which he has purchased and paid for by industry and economy, since his discharge in 1858. As he had undergone the imprisonment, and by his subsequent conduct showed a determination to practice industry, honesty and frugality, he gives the highest evidence of reformation, and I therefore remitted the fine of two hundred dollars.

COLUMBIA, January 22, 1868.

The defendant, Sarah Burns, freedwoman, was convicted of assault and battery, before Judge Logan, at Fall Term, District Court, 1867, and sentenced to six months' imprisonment. This was nothing more than a fight between two women, with very considerable provocation on the part of the prosecutrix. The defendant has already been imprisoned more than two months, and her further incarceration, under the circumstances, seems to be unnecessary for her reformation. She has demeaned herself with propriety while in jail, and exhibits full penitence for being concerned in so discreditable a transaction. I therefore remitted the remaining term of her imprisonment.

COLUMBIA, February 4, 1868.

The prisoner, Benjamin Hagan, freedman, was convicted before Judge Moses, at January Term, 1868, of the Court of General Sessions and Common Pleas, at Charleston, of arson, and sentenced to be executed on the third Friday in April next.

The arson consisted in burning down a dwelling-house (occupied by a person of color, who was absent from the premises at the time,) and three out-houses. The only testimony against the prisoner was his own confession, made to Dr. Baker, the magistrate, and which was ruled by the Judge to be competent.

It appears that the prisoner had no ill-will against the owner or occupant of the premises, and, according to the confession, was induced to fire the houses by a white man, who forced him to commit the act. He further states that when he objected, the white man, Villeponteaux, threatened to take his life unless he complied with his orders. That after the second building was fired, he remonstrated against burning the third, but was again required by the white man to apply the match, and that the matches used were furnished by Villeponteaux.

It was in proof that the prisoner is a man of weak mind and therefore likely to be easily impressed. The Judge, in his report, says: "The prisoner appeared dull and stolid, and, I believe, from want of proper perception, did not appreciate the position in which he was placed, or the consequences of conviction. The jury unanimously recommend the prisoner to mercy." The Judge says: "I fully endorse the recommendation of the jury, and believe the public interest would be promoted by a commutation of the punishment to confinement at hard labor in the Penitentiary." The Attorney-General also recommends a commutation of the sentence. I therefore commuted the death penalty to imprisonment, at hard labor, in the Penitentiary for five years.

COLUMBIA, March 10, 1868.

The defendant, Francis Hahn, was convicted at the April Term of the District Court of Greenville, before Judge Campbell, of retailing without a license, and was sentenced to pay a fine of one hundred dollars and costs. Hahn is blind and of very small means, and having now taken out a license to retail, and having made the most earnest protestation of his determination to abide by the law in future, has secured the recommendation for his pardon by the Judge who tried the case, the Intendant of the town, and several others of the leading citizens of the District.

In view of all the circumstances, I have remitted the fine and imprisonment imposed upon him.

COLUMBIA, March 10.

The prisoner, Clairborne Kinard, freedman, was convicted of stealing cotton, before Judge Pope, at January Term of the District Court for Newberry, and sentenced to be imprisoned for twelve months, at hard labor, in the Penitentiary. Suitable accommodations could not be prepared until the summer approached, and the Superintendent, desiring that the convicts just received should be for the longest terms, requested that those sentenced to the short terms should be continued in jail. Hence, the prisoner has never been transferred to the Penitentiary.

More than twelve months, however, have expired since his sentence, which is the full term of confinement thought by the Judge to be necessary in the case. He, with the Solicitor, unites in recommending that, under these circumstances, the imprisonment in the Penitentiary be remitted, and

I have therefore authorized the Sheriff to discharge him from further confinement.

COLUMBIA, March 10, 1868.

The prisoner, T. W. Medlock, was convicted in March, 1867, before Judge Wardlaw, at Abbeville, in the District Court, of receiving stolen goods, and has been in prison since the 24th of January, 1868. He is now ill and subject to fits. The jailor testifies that he has had quite a number of fits since his confinement in jail. It is very manifest that the health and perhaps the life of the prisoner is jeopardized by his continuance in confinement. He was sentenced to eight months' imprisonment in the Penitentiary. The above facts are certified to, and the pardon of the prisoner solicited by several of the leading citizens of Abbeville District.

Believing that the further punishment is not likely to benefit society, or be of further use in reforming the prisoner, I have remitted the remaining term of his imprisonment.

MARCH 10, 1868.

The defendant, Thomas Lynch, freedman, was convicted at the January Term of the District Court for Greenville, before Judge Campbell, for retailing without license, and sentenced to three months' imprisonment, or to pay a fine of one hundred dollars and costs. There is reason to doubt in this case whether the party was properly convicted, inasmuch as but one witness testified, and it was proven that they were on bad terms, and the witness expressed very hostile feelings towards the defendant. Major Wallace, the Assessor of the Internal Revenue for the Third District, says he "gave this case a personal examination, and he is satisfied that the prosecution and conviction grew out of the defendant's aiding the revenue officers to find and break up illicit distilleries," and urgently recommends that he be discharged from further confinement. He has already been imprisoned about one month, and I have therefore remitted the remaining portion of his sentence.

COLUMBIA, March 16, 1868.

The defendant, Jack Connell, *alias* John Colonel, was convicted of an assault and battery, before Judge Logan, at the January Term of the District Court for Charleston, and sentenced to pay a fine of five dollars, or be imprisoned three months.

There are no circumstances of aggravation brought to the notice of the Executive in this case. The defendant is very poor, and unable to pay the fine. He has been imprisoned already nearly two months. His character is represented to be good, and the Judge who tried the case recommends that the defendant should be released from further imprisonment. I therefore modified his sentence, so as to authorize his discharge by the Sheriff on the 1st day of April.

COLUMBIA, March 20, 1868.

The defendants, J. B. McJunkin, D. McJunkin and A. Fortner, were convicted, before Judge Campbell, at Greenville, July Term, 1867, of hog stealing, and sentenced at March Term, 1868, to one month's imprisonment, and to pay a fine of twenty-five dollars each.

The defendants claimed to have hogs running at large in the mountains, and went to hunt them. One Sanders, who fled the country after the offence was committed, represented that his mother had hogs also in the mountains, and described marks, &c.

The party, with Sanders, went on the hunt and killed two—one of which was certainly in the mark described by Sanders. They were taken to the house of Mrs. McJunkin, and Sanders got his share of the meat.

The prosecutor, learning that the hogs had been killed, went to Mrs. McJunkin's, and from Fortner's description of the hogs, the prosecutor identified them as his. Fortner at once proposed to pay for the hogs if they were not Mrs. Sanders', and gave his note for twenty-five dollars, upon which he has since been sued. The prosecution was subsequently commenced. Sanders appears to have been the really guilty party and has escaped.

The hogs' heads were found in a pot boiling at Mrs. McJunkin's when the prosecutor went to inquire after the hogs, and their ears had been cut off. This circumstance alone in the case indicates a felonious intent, and but for it I should have regarded the case merely as a trespass. The parties have now been in jail nearly three weeks, and I have remitted the remaining term of their imprisonment, and also the fine imposed on Fortner, as he had made full satisfaction for the value of the property by his note.

MARCH 20, 1868.

The prisoner, Elias Sanders, freedman, was convicted of manslaughter, before Judge Munro, at Anderson, Spring Term, 1868, and sentenced to one year's imprisonment, at hard labor, in the Penitentiary.

The homicide was committed on a colored man, under circumstances of great provocation, and the evidence was by no means conclusive that the killing was not in self-defence.

The prisoner established a good character for honesty, industry, and for his peaceable and orderly disposition, by his late owner and the neighbors who knew him. The presiding Judge, in his report of the case, says: "I recommend that an unconditional pardon be granted the prisoner, Elias Sanders. I am decidedly impressed with the conviction that the prisoner acted in self-defence." And so believing, and in deference to the recommendation of the Judge who tried the case, I have pardoned Sanders, and authorized his immediate discharge from prison.

COLUMBIA, March 20, 1868.

The defendant, James Flemming, freedman, was convicted of assault and battery, before Judge Logan, at January Term, 1868, and sentenced, on the 18th of February, to two months' imprisonment in jail. The assault and battery was committed in a difficulty which Flemming had with a son of the prosecutrix. The son had used some violent language with reference to the wife of Flemming. When he attempted to resent it, the prosecutrix interposed her person and received the blows, which he doubtless intended for her son.

The defendant has already undergone one month's imprisonment, and as there are no circumstances of aggravation connected with the case, and the Judge who tried it recommends that he be released from further confine-

ment, I have remitted the remaining portion of his imprisonment, and authorized his discharge.

CHARLESTON, March 11, 1868.

The prisoner, Robert Williams, was convicted of manslaughter, before Judge Moses, at Columbia, Spring Term, 1868, and sentenced to eight months' imprisonment in the common jail. The deceased was also a colored man, and the prisoner had been working some time with him in the country. They came to Columbia on the afternoon of the homicide, Williams bringing with him an old musket, charged with powder and a paper wad.

Their personal relations were most friendly. They went into a shop in the town, and commenced a playful scuffle, the gun being in the hands of the prisoner. He pointed it at the deceased and said, "I'll shoot you." The deceased laughingly replied, "Well, go ahead." The gun first snapped; the second time it went off, and the wad took effect in the abdomen, penetrating, however, not more than an eighth of an inch deep and not reaching the cavity. The deceased exclaimed that he was hurt, whereupon the prisoner, ascertaining the fact, ran for, and soon returned with a physician, who, after an examination, stated that the wound was not dangerous. The deceased, however, lingered some ten days, when inflammation supervened, and resulted in *tetanus*, from which he died.

The prisoner was recommended to clemency by the jury. The acting Solicitor who prosecuted the case recommended his unconditional pardon.

The prisoner may be guilty of technical manslaughter, but the kind relations of the parties up to the happening of the sad event, and the assiduous attentions of the prisoner afterwards, precludes entirely the idea of any malice. I, therefore, granted the prisoner an unconditional pardon.

COLUMBIA, March 24, 1868.

The defendant, Mingo McCrea, was convicted of malicious trespass before Judge Logan, at Williamsburg District Court, June Term, 1867, and sentenced to twelve months' imprisonment. The trespass complained of was the shooting of a cow. The statement of the defendant is that he met another freedman on the road, about dark, who told him that he had a cow which he wanted to kill, and asked him to wait in the road until he returned. The defendant heard a gun fire, and went in the direction of the report and found the cow dead. The freedman asked him to mind it until he went to the plantation to get some help to skin and dress it, agreeing to give defendant some of the meat. The freedman went off and did not return. The defendant waited some fifteen minutes and left. He told the circumstances himself voluntarily, and the cow was found in the place described. The party who is alleged to have killed the cow by Mingo was not arrested or tried. If this version of the facts be true, the defendant might very well have been acquitted by the jury; and, as there appears no evidence of maliciousness on the part of the defendant, it would seem that his imprisonment for nine months was full punishment for the offence. I have therefore remitted the remaining term of his imprisonment, and authorized his discharge.

COLUMBIA, March 28, 1868.

The defendants, Eli Snell, Bob Cain, Henry Miller and David Miller,

freedmen, were convicted at the August Term, 1867, of the District Court of Orangeburg, before Judge Legare, of stealing a cow, and sentenced to twelve months' imprisonment at hard labor in the Penitentiary.

These prisoners have been confined in the Penitentiary nearly eight months. They have conducted themselves with propriety, and, by their good conduct, secured the commendation of the officers of the prison. It is represented to the Executive that they were persons whose honesty had not been impugned prior to this occurrence. From these considerations, I have remitted the remaining term of their imprisonment (four months), and authorized their discharge.

COLUMBIA, March 20, 1868.

The defendant, Archy Miller, freedman, was convicted of cow stealing before Judge Wolfe, at Kingstree, Spring Term, 1868, and sentenced to be imprisoned two months.

There was no proof that the ox of Mr. Belin was killed. He may now be living. There is no proof that the defendant had any beef in his house: The witness who saw the beef, as he supposed, and who alone identified the horn and beef, was never nearer than two hundred yards to either. The Judge who tried the case says that he advised the jury to acquit the defendant, and "that the proof is wholly inadequate to justify the verdict." I have therefore pardoned the defendant.

COLUMBIA, April 25, 1868.

The prisoners, Jackson Chick and Thomson Chick, were tried for arson before Judge Moses, at Newberry, Spring Term, 1868, and convicted. They were sentenced to be executed on the fifth Friday in May, instant. The arson consisted in burning a gin house, which was fired just at twilight, and at which the prisoners and several other freedmen, together with the owner, had been at work during the day. There are, perhaps, two circumstances which might create a suspicion that the prisoners were guilty of the offence; but it is manifest to my mind, from the full report of the testimony submitted by the Judge, that the proof was insufficient to justify the verdict of guilty. In summing up the evidence, Judge Moses says: "I should reproach myself if I did not say that the testimony, in my judgment, was not strong enough to sustain the conviction." Concurring fully in this opinion of the Judge, I pardoned, absolutely, both of the prisoners.

APRIL 25, 1868.

The defendant, Bill Armstrong, colored, was convicted of larceny before Judge Logan, at July Term, 1867, Charleston, and sentenced to one year's imprisonment. I am not informed of the facts of the case. He has already been in prison ten months, and the physician to the Charleston jail reports to me officially that his health is becoming seriously impaired by repeated attacks of rheumatism, and recommends that he be discharged from further confinement. I have therefore remitted the remaining term of his imprisonment.

MAY 6, 1868.

The defendants, Ed. Watson, Jack Green and J. H. Thomas, freedmen, were tried before Judge Logan, at Charleston, at the Spring Term of the

District Court, 1868, on separate indictments for larceny, and convicted. Watson, Green and Thomas were sentenced to two years' imprisonment. The Judge says that the value of the property in each case exceeded twenty-five dollars, and, under military orders, two years was the minimum punishment he could impose; but that the punishment, in his judgment, is excessive, and recommends that the punishment of Watson and Green be reduced to six months, and Thomas to three months. General Scott, Governor elect, and Assistant Commissioner Freedmen's Bureau, unite in the recommendation. I have considered these cases, and have reduced the punishment, according to the recommendation of Judge Logan.

MAY 6, 1868.

The prisoner, Harrison Peterson, colored, was convicted of larceny, before Judge Davis, at Laurens, August Term of the District Court, 1867, and sentenced to one year's imprisonment.

The Judge earnestly recommends that the remaining term of the imprisonment of Peterson be remitted. It is also represented that the prosecutor consents to his release. He has been in prison already about ten months, and upon the above facts, I remitted the remaining term of the imprisonment.

MAY 7, 1868.

The prisoner, Anderson McCord, freedman, was convicted, at Spring Term, 1868, Richland, before Judge Green, of larceny, and sentenced to six months' imprisonment in the Penitentiary. He was convicted on the testimony of a single witness of doubtful reputation. A petition, signed by several of the respectable citizens of the District, has been presented, expressing very strongly the opinion of the petitioners that the prisoner is innocent. The Judge, in his report, says the evidence was not satisfactory, and that he so stated to the Jury. He recommends that the prisoner be pardoned. The guilt of the prisoner being doubtful, I have adopted the recommendation of Judge Green, and pardoned him.

MAY 8, 1868.

The prisoner, Essex Bull, freedman, was convicted of murder, before Judge Glover, at Orangeburg, Spring Term, 1868, and sentenced to be executed on Friday, 12th June next.

The homicide was committed on one Roach Huggins, in a field in which they with others were at work. The deceased charged prisoner with having broken his gun, which was denied by prisoner. After abusive language by deceased, the prisoner said he would pay for it. When they reached the end of the row, at the fence, (both were ploughing,) the deceased renewed his abuse, and finally took hold of prisoner, and pulled and shoved him; the prisoner calling out "quit." Deceased then seized prisoner by the hair and jerked him; whereupon the prisoner drew his knife. From this point there is conflict in the evidence. One version is, that deceased, seeing the knife, let prisoner go and turned to walk off; whereupon prisoner stepped forward and stabbed deceased from the rear in the neck, severing the jugular vein, from which deceased died in a few minutes. The other version is, that the blow was inflicted by the knife while deceased still held prisoner by the hair of the head.

Taking either version of the affair, it seems that the prisoner might have been properly convicted of manslaughter. The quarrel arose suddenly, the prisoner evidently desiring to avoid it, and when they reached the fence and he was seized, he still declined a rencontre, and not until he was rudely dragged by the hair of the head, did he resort to his knife, an ordinary pocket knife, which he usually carried, and evidently not prepared for the occasion. It was, in my judgment, a case of manslaughter, and I, therefore, commuted the death penalty to imprisonment, at hard labor, in the Penitentiary, for ten years.

MAY 8, 1868.

The prisoner, Reuben Fields, freedman, was convicted of rape, at Beaufort, Spring Term, 1868, before Judge Glover, and sentenced to be executed on the 21st May. The female upon whom the outrage was committed was the half sister of prisoner's wife, and was fourteen years old. The offence was committed in an open cotton field, where some thirty hands were at work, though none were nearer her than two hundred and fifty yards. Some two or three professed to have seen him struggling with the girl for a considerable time, (she says half an hour,) but none of them went to her rescue. Her father was in the field. She reported this outrage to him in half an hour, when she had finished her task. She admits that he committed a similar outrage on her three weeks before, and that upon telling her mother, she whipped her.

It has been ascertained since that the girl was abandoned, and that one of the witnesses to convict her was her paramour. A petition, signed by most of the members of the Bar, at Beaufort, asks that the punishment be commuted.

The prisoner established on the trial a good character previous to this event.

Upon reviewing the case, and the recommendation of the intelligent gentlemen who heard the trial, I commuted the death penalty to imprisonment, at hard labor, in the Penitentiary, for ten years from this date.

MAY 9, 1868.

The defendant, William Hyatt, was convicted of larceny, before Judge Graham, at the November Term, 1867, of the District Court for Marion District, and sentenced to six months' imprisonment, or pay a fine of fifty dollars; imprisonment to commence 1st January last, so as to give the defendant time to raise the money before that day, which he failed to do. The larceny charged was taking some corn from the field of one Surls, who was not the prosecutor. The prosecutor and defendant were unfriendly, and some doubt exists as to the guilt of the defendant. The Judge who tried the case recommends the pardon of Hyatt, and I have therefore, remitted the imprisonment, but not the fine.

MAY 11, 1868.

The prisoner, William B. Prissock, was convicted of robbery, at Spring Term, 1868, at Edgefield, before Judge Glover, and took an appeal, which appeal was dismissed, and he was sentenced by said Appeal Court to be executed on Friday, the 19th of June next. The prisoner and two other parties, one of whom was indicted with Prissock jointly, went to the re-

sidence of an old man by the name of Sheeley, aged about seventy-one years. One of the party was disguised, and one or more were armed with pistols. The prisoner represented himself as being one Brown, and had to search the house; but would not explain, when interrogated, the object of the search. After searching the house for some time, he found in the clock case a pocket book of the prosecutor, and took from it the sum of twenty-five dollars in gold and silver coin and United States currency. One of the party drew a pistol upon the daughter of the prosecutor, and threats of violence were made by the prisoner and his confederates. No actual violence, however, was committed either upon Sheeley or any member of his family; and after taking the money and a little flour, the parties left.

The party jointly indicted with Prissock was acquitted by the Jury. I am satisfied of the guilt of Prissock; but as no actual violence was used, I have thought it a case in which the Executive might well mitigate the punishment from death to confinement for a term of years in the Penitentiary.

I have, therefore, commuted his punishment to ten years' imprisonment, at hard labor, in the Penitentiary, from this day.

MAY 11, 1868.

In the cases respectively of Charles Parker and Moses Lackey, convicted of horse stealing and sentenced to execution, the death penalty was commuted to ten years' imprisonment, at hard labor, in the Penitentiary. Subsequent to the commutation the General Assembly modified the Act punishing horse stealing with death to imprisonment in the Penitentiary. Since which modification the sentences generally average three years, at hard labor, in the Penitentiary. I have, therefore, reduced the term of Parker and Lackey each to three years' hard labor.

In the case of Brown, freedman, convicted in Beaufort, on two indictments of horse stealing and sentenced to four years in each case, I have reduced the same to three years in each case.

MAY, 1868.

The prisoner, Thomas Owens, was convicted of manslaughter, at Fall Term, 1859, at Laurens, and sentenced to three years' imprisonment and to pay a fine of one thousand dollars. He was imprisoned two years, under sentence, and had been confined in jail five months previous to his trial. Proceedings have been lately instituted in Laurens to revive the judgment against him, with a view of collecting the fine. He has, by industry and economy, accumulated some little property since his release from prison, and has a large family dependent on him for support. As this was an old affair of nine years' standing, and the prisoner had been incarcerated for two years and five months for the crime, and the result of collecting the fine would be simply to distress his family, I remitted the fine.

APRIL 20, 1868.

The prisoner, Thomas Hudson, was convicted of perjury, before Judge Platt, at Charleston, Spring Term, 1868, and sentenced to be imprisoned two years in the Penitentiary.

The alleged perjury consisted in falsely swearing before the Mayor's Court that one Everhart had sold him liquor at retail, not having a license.

The presiding Judge, in his report of the case, says that he believes the verdict "was rendered upon insufficient testimony." Only one witness was offered to contradict the oath of Henderson; and the Judge says, of the corroborating evidence required by law to convict, that the circumstantial testimony to corroborate and endorse Everhart and to convict Hudson, is insufficient in his judgment.

Deferring to the opinion of the Judge who heard the case, and believing the conviction was improper, I have given the prisoner an absolute pardon.
COLUMBIA, S. C., May 18, 1868.

The defendant, Eggie F. Starcken, was tried at Charleston, April Term, 1868, before Judge Platt, and convicted of retailing without a license. He was sentenced to pay a fine of six hundred dollars, or be imprisoned six hundred days. The offence of the defendant consisted, according to the allegations of the prosecution, in selling a single glass of liquor. A certified copy has been furnished me of the indictment upon which the principal witness had been tried and convicted of larceny. The Jury, however, believed the evidence of the case and convicted the defendant. But the punishment, in my judgment, is greatly disproportioned to the offence, and I have, therefore, reduced the same, and authorized the discharge of the prisoner at the end of thirty days, to-wit: on the 17th day of June next.
COLUMBIA, S. C., May 22, 1868.

The defendant, Marsh Brown, was convicted of larceny, before Judge Logan, at Charleston, May Term, 1868, and sentenced to be imprisoned for two months.

Dr. Parker, the physician to the jail, reports to me officially that the physical condition of the prisoner requires that he should be released from jail, when he can be treated. That he has a very painful and threatening ulcer on his leg, and that he is now indicating typhoid symptoms, which will likely terminate in typhoid fever. He recommends the discharge of the prisoner. I remitted the remaining term of the imprisonment, and authorized his discharge.

MAY 22, 1868.

The defendant, John Brown, was convicted of an assault with a deadly weapon, before Judge Graham, at Marion, July Term, 1867, and sentenced to two years' imprisonment, at hard labor, in the Penitentiary. The defendant went, on a Sunday morning, to the house of a freedman, and drew his gun upon him, threatening to shoot. He, however, did not shoot. Brown was under the influence of liquor, and has the reputation of being a vicious and violent man. He came to the Penitentiary early in September, and has been confined there near about nine months, which is, in my judgment, a full punishment for the crime committed. I remitted the remaining term of the imprisonment, and authorized his discharge.

MAY 22, 1868.

The prisoners, John Flowers and Samuel J. Cooper, were convicted before Judge Logan, at Kingstree, Spring Term, 1867, of larceny, and sentenced to twelve months' imprisonment in the Penitentiary. They were the first convicts ever sent to that institution. Both of them behaved well, and

were faithful and diligent in doing the work required of them, and strictly observant of the rules of the prison. The Superintendent recommended their discharge. After a confinement of nine months, I remitted the remaining term of the imprisonment, and ordered their release.

MAY, 1868.

The defendant, John Reid, freedman, was convicted, at Pickens, of riot, before Judge Dawkins, October, 1867, and sentenced to twelve months' in the Penitentiary. The Pickens riot has been already fully referred to in the case of Walker and others. This man (John Reid) was one of the rioters, but did not take any active part in the riot, being simply present, and aiding and encouraging by his presence. The same thing may be said of Isaac Brown and Sopho Bradley. These parties having already been imprisoned six months in the Penitentiary, I remitted the remaining term of their imprisonment on the — day of —, 1868. And on the — day of —, 1868, I remitted the remaining term of the imprisonment of Jim Keith, after 1st day of June, and of David Singleton, after 1st day of July next—the two latter having conducted themselves remarkably well, and performed their labor with diligence.

APRIL 25, 1868.

The defendant, Butler Lindler, freedman, was convicted of hog stealing, before Judge Boozer, at Lexington, June Term, 1868, and sentenced to two months' imprisonments. The defendant was convicted on circumstantial evidence, which the Judge reports, was insufficient to convict, and that he was surprised at the verdict. Three affidavits have been submitted establishing the larceny of the shoat on one Alfred Jumper. The defendant did not know of these witnesses at the time of the trial—they not having disclosed, up to that time, their knowledge of Jumper's guilt. As the defendant was improperly convicted, I remitted his punishment.

JUNE 15, 1868.

The prisoner, Leggett Quick, was convicted of murder, before Judge Dawkins, at Marlboro, Spring Term, 1868, and sentenced by the Court of Appeals to be executed on Friday, the 19th instant.

The deceased was shot after dark, on the roadside, while traveling the road in a buggy—a woman, Nancy English, was in the buggy with him, and was likewise severely wounded. Newton survived only a few minutes. He, however, declared before dying, and when in *articulo mortis*, that "Leggett Quick is the man who killed me." The fatal shot was fired after dark, and from the rear. Mrs. English, who was in the buggy with him, says she saw the flash of the pistol or gun, but could not tell who fired it. She further says, that Newton was sitting in the buggy, his elbows resting on his knees, and his chin on his hands. In this position, it was impossible for Newton to have known who fired the weapon, and his declarations must have been predicated upon suspicion. The suspicious acts proven were that prisoner had been on terms of criminal intimacy with Mrs. English, until four or five days before, when deceased came into the neighborhood and became her paramour—that deceased and prisoner did not speak, and that prisoner did not visit Mrs. E. after deceased came into the neighborhood. Mrs. E. also swears that prisoner said, four or five weeks before, that he

would kill deceased, if he ever got an opportunity, as he had a grudge against him for fifteen years, because deceased had caused his mother to whip him many years before. Mrs. English admits that deceased had slept with her during his stay in the neighborhood, just preceding the murder. Charles Hodge, her brother-in-law, proved threat three months before, but admitted he himself had been accused of hog and corn stealing. Some of the witnesses say they did not see prisoner that night after the firing of the gun—while two others swear each that they saw prisoner at Wise's gate, within two minutes after the gun fired. The distance from this point to where the gun fired was seven hundred yards. If these witnesses swore truly, then Quick could not have fired the gun, and within two minutes have been seven hundred yards distant from the point. No proof of tracks going from or returning to Quick's house, or at the place of shooting, was offered; and the proof is clear, that when Newton started from Hodge's, in the buggy, that Quick was at a well within a few yards of the starting point.

The whole case is made out from circumstantial evidence, but satisfied the jury of prisoner's guilt.

Although not suggested in the argument or appeal, it may be that Quick procured some one else to perpetrate the deed. I have, upon full consideration of the case, concluded that it was safest to commute the death penalty to imprisonment at hard labor in the Penitentiary for life. He will not again be able to harm society if guilty, and if the conviction should turn out a mistake, his life will have been spared.

JUNE 2, 1868.

The defendant, H. W. M. Mackey, was indicted for an assault and battery, before Judge Platt, at Charleston, Spring Term, 1868, and plead guilty. He was fined \$100 and costs of suit. The battery grew out of certain articles published in the Charleston Mercury, reflecting upon the character of Dr. A. G. Mackey, the father of the defendant. The authorship of the article was avowed by R. T. Logan, upon whom the battery was inflicted. Young Mackey was naturally greatly exasperated at what he considered so scurrilous an assault upon the private as well as public character of his father, and proceeded to avenge the injury by inflicting the battery. That a son should promptly step forward to redress a wrong done his father, is natural and commendable. Prompted by such a motive, and acting under such an impulse, there is much to palliate the unlawful act. The sentence is heavier than is usually inflicted in such a case, especially as very little injury resulted, and no weapon was used. The public lecture to which he was subjected, and the expense of making his defence and paying the costs of the prosecution, is a sufficient punishment for the offence, and I remitted the fine.

MAY 22, 1868.

OMISSION.

Page 141—The following paragraph should have followed the bottom of the page :

The offence of the prisoners consisted in robbing the premises of Lemuel Lane, on the night of the 27th of July, 1866, after Lane had been murdered by other parties. They stole a quantity of meat from a smoke house, and perhaps a few articles from the dwelling. The testimony in this case, and in the case against Hilliard Dawkins and others, for the murder of Lane, satisfied me that these prisoners were in nowise concerned in the murder of Mr. Lane. After he had been murdered, and his house plundered by the murderers, these defendants, it appeared, concluded that they would supply themselves with some of the spoils of the general pillage which was progressing through the premises. Two of the murderers have already been executed, and a third one is now in custody, and will most likely be convicted and executed. The presiding Judge who tried the case recommends that the death penalty be commuted to imprisonment, with hard labor, in the Penitentiary, for life. Believing that the ends of justice will be attained, and the punishment be sufficiently exemplary to reform these prisoners, if they can be reformed, and to deter others from like offences, I commuted the death penalty to imprisonment in the Penitentiary, at hard labor, for seven years.

[NOTE.—All these prisoners escaped from the jail at Newberry before they were transferred to the Penitentiary, and none of them have been recaptured.]

FEBRUARY 27, 1867.

SUPPLEMENTARY REPORT OF COMMISSIONER OF IMMIGRATION.

SUPERINTENDENT BUREAU OF IMMIGRATION.
CHARLESTON, May 18, 1868.

To His Excellency GOV. JAMES L. ORR.

SIR : Since my last report to your Excellency, thirty-one persons have been registered in this office, and have found employment in this State. There are now twenty persons on the way from Germany and Scandinavia, via Baltimore, and may arrive in a few days. The registries of lands now embrace 332,660 acres, in almost every District of the State, for sale at reasonable rates and on favorable conditions; and nearly 6,000 acres of good lands in salubrious sections of the State have been registered to be given as a free donation to actual settlers, upon reasonable conditions of improvement.

I am glad to perceive a more favorable consideration of our State in Europe, and the indications are, that as soon as we can obtain greater and regular facilities for passage, we shall certainly receive a share of immigration. Indeed, there would now be no want of well inclined labor for us, if our people could make arrangement for an outlay of the cost of transportation.

In Germany, there are now three influential papers that advocate our cause, although I am sorry to say we have, as yet, a multitude of very bitter opponents. In Sweden and Denmark, our influence is also extending; and, after a while, practical results will follow. In Ireland, several gentlemen are kindly distributing our pamphlets. I have mentioned to your Excellency, on a former occasion, that I desired very much the establishment of direct steam communication with Europe. With reasonable sacrifices this could be effected with Bremen, Hamburg and Glasgow, where ship owners are very favorably inclined to our project. The railroads from Charleston to Memphis being willing to transport immigrant passengers at one cent per mile, and their baggage at very reduced rates, would make this route to the West a more favorable one than over either New York or Baltimore. It should be our constant aim to accomplish so desirable an arrangement, and I trust, when our political position is once more assured, that the State will liberally sustain every effort that shall be made in that direction.

I had, besides, intended to have published a suggestion for an industrial movement, which seems calculated not only to be of great advantage to our people, generally, but would afford facilities for the profitable employment of a considerable number of immigrant employees. I intended to suggest and urge the establishment of at least one cotton factory in a central and eligible position, in every District, for the making up of the raw material into yarns, the capital to be subscribed in lands at a low valuation, and the lands to be sold to immigrants. To make the profits of these establishments secure, the planters to pledge a certain number of bales of cotton to be yarned on toll. I only indicate the outline of the plan for your consideration, deeming the confused state of public affairs unpropitious for attempting it at present. It seems that even in the city of New York there is a perceptible want of sufficient laborers for the farmers in the vicinity—the papers complaining that the better class of immigrants, however in large numbers they arrive, are already, before they leave Europe, billeted for their destination in the Western States, and that only the worthless and indigent remain for local engagements. This agrees entirely with my formerly expressed opinions, although it seems that some of our planters have obtained labor from New York. I had made arrangements with a gentleman in Pennsylvania to furnish labor of any kind, and of a superior character, to such planters as could comply with his terms—which were very reasonable—and whenever I have been applied to I have furnished his address. But I still continue to believe that our resuscitation must be founded upon the incurring of an immigration of small farmers, who will be followed by reliable laborers and skilled mechanics of every description, and that the most practical method of effecting that is direct steam communication with European ports, proffers of cheap lands and a multiplication of our industrial pursuits.

I have the honor to be,

Your Excellency's obedient servant,

JOHN A. WAGENER,¹⁰⁰
Commissioner of Immigration.

A P P E N D I X B .

R E P O R T

O F T H E

P R E S I D E N T O F T H E B A N K

O F T H E

S T A T E O F S O U T H C A R O L I N A .

REPORT.

*To the Honorable the Senate and House of Representatives
of the State of South Carolina :*

Herewith are submitted statements exhibiting the condition of the several accounts of the Bank as appearing on the books. The Bank has not been engaged in discounting, or the transaction of any new business. Attention has been directed solely to the arrangement of the old business, and the collection of debts, restrained, however, by the operation of the Stay Law and military orders. By the Act passed in 1865, it was proposed so to modify the charter of the institution as to enable it to resume business ; but for reasons which have been detailed in previous reports, no action was taken under it. That much advantage would have been derived both by the community and by the State from the success of the measure, we have no doubt.

At the subsequent meeting of the Legislature, the subject again occupied its attention. An Act was passed at the last session predicated upon the provisions of the Act of 1865, the purport of which was to put the Bank in operation in a manner which would not conflict with the Act of Congress relative to National Banks.

The great need of the people of the State for bank facilities would seem to justify the effort it was proposed to make to provide them, and from past experience, it was reasonably anticipated that aid in payment of interest of a portion of the State debt would be afforded. The Bill passed both Houses, but failed through the veto of the Governor.

With a portion of the State debt the Bank has always been intimately connected. We refer to the Fire Loan debt, or the bonds and stock issued under the Act for rebuilding the city of Charleston, passed in 1838. It might, with propriety, be regarded as a debt of the Bank, rather than a debt of the State. The State bonds and stock were sold and the funds placed under control of the Bank, which was charged with the distribution of the fund, and also with the duty of providing for the interest and principal of the obligations as they fell due. The Bank, until after the commencement of the war, paid the interest and redeemed a large part of the principal of the debt ; but there is now an arrear of interest due to the bondholders in Europe, and also a sum due to Messrs. Baring Bros. & Co. for advances

made to bondholders on account of interest up to January last. The balance of the bonds sold in Europe, amounting to one hundred and nine thousand pounds sterling (109,000), falls due on the 1st of July of the present year. It was proposed to the Legislature at its last session to authorize the Bank to negotiate with the bondholders for an extension of the time of payment. There is little doubt that such a proposal would have been acceded to, and it is presumed would now meet with a favorable response. The necessary authority to the Bank was incorporated in the Bill which failed as above stated. The subject merits particular attention, as the good faith of the State to the foreign creditor is involved in it, and authority to renew the loan at once granted.

During the last year a suit has been instituted by parties, holders of the notes of the Bank, the immediate or direct purport of which is to question the effect of the Act of 1865, directing the assets of the Bank to be applied first to the settlement of the Fire Loan debt already referred to. Under these proceedings an injunction has been issued against any final appropriation of the funds of the Bank, until the question can be submitted to the Courts; and all holders of the notes of the Bank, and of claims on the institution, have been required to file statements with the Master in Equity in Charleston, and the notes to the amount of about \$1,220,800 have been presented and proven. It is presumed that no definite action respecting the Bank can be taken till the question raised by these proceedings have been adjusted. There appears in the Bank statement a large deposit account, but as the account consist almosts entirely of sums deposited in Confederate money, received by the Bank on the express stipulation that the depositors assumed upon themselves the risk of all changes in value, no liability has been incurred in this respect. The liability of the Bank consists almost entirely of its issues. The circulation of the Bank on the 1st October, 1860, was estimated to amount to about \$825,000, after making proper allowance for lost bills. The circulation, after making similar allowance, is now \$3,053,454. This is composed of several items:

First: The old issue which was in circulation

1st October, 1860.....	\$ 825,000	
Increased issue to 1st January, 1861.....	49,992	\$ 874,992
Second: Bills which had been redeemed before the war, but remaining uncanceled, were again put in circulation.....		988,621
		<hr/>
		\$1,818,618
Less burnt since 1860, say.....		890,657
		<hr/>
		\$1,422,956

Third: Bills issued since the 1st January, 1861.....	\$1,572,400	
Less burnt, say.....	659,691	912,709
Fourth: Change bills issued under Act passed after commencement of the war, as a matter of convenience to the public, and it is believed were generally exchanged for Confederate money.....		305,275
Fifth: Change bills issued under Act of 1863, made on the face payable in "Currency," and regarded as merely equivalent to Confederate money.....		412,514
		<hr/>
The aggregate as above stated.....	\$3,053,454	

On the approach of the Federal troops on Columbia, it was deemed prudent to destroy the issues on hand, but time was not allowed to assort them as to date. It is believed, however, that a very near approximation to the amount of each, old and new, is made in the foregoing statement.

We would refer to the Report made respecting the Bank, at the last session of the Legislature, as embracing the views which we deem it desirable to present respecting the institution.

Respectfully submitted,

C. M. FURMAN, President.

A.

STATEMENT of the Bank of the State of South Carolina, Charleston, July 1, 1868.

Dr.

Cr.

To Capital		\$1,073,560 18	By bills and notes dis- counted	\$1,618,852 59	
To bank notes issued.....	\$2,561,164 08		Bills, notes and bonds in suit.....	34,784 86	\$1,703,637 39
To bank notes issued under one dollar.....	78,293 93		Bond account.....	51,594 43	
To change bills issued.....	305,275 55		Bond account, Fire Loan.....	584 97	52,179 40
To change bills issued, Act 1863.....	412,514 35	3,357,247 91	Agency at Spartanburg...		48,380 72
To premium account U. S....	28,381 70		Agency at Columbia.....		112,017 77
To profit and loss on notes...	157,940 24	186,821 94	Interest on 6 per cent. Fire Loan.....	1,917 32	
To State Treasury, sinking fund.....	3,387,784 26		Interest and expenses Fire Loan.....	88,678 38	90,625 70
To State Treasury, loan re- building city.....	802,603 79	4,190,888 05	State South Carolina ad- vances new State House	119,278 49	
To State Treasury, new ac- count.....		114,118 21	State South Carolina ad- vances sundries.....	531,769 85	
To State South Carolina, loan December, 1864.....	1,840,576 42		State South Carolina ad- vances military contin- gencies.....	997,882 25	1,648,480 59
To State South Carolina re- emption 6 pr. ct. 1860..	89,200 00	1,879,776 42	State South Carolina old currency secured.....		1,012,124 08

194

To Baring Brothers & Co., London	
Amount due banks in city	6,296 53
Amount due banks out of city	22,224 05
Bonds payable.....	
Drafts in transit.....	
Personal deposit account..	

42,203 58	By Wilmington & Manchester R. R. Co. bonds.....	87,361 80
28,520 58	Greenville & Columbia R. R. Co. bonds.....	48,284 75
	Laurens R. R. Co. bonds.....	38,500 00
4,528 00	South Carolina R. R. Co. 5 per cent. bonds.....	29,454 44
25,056 03	South Carolina R. R. Co. 7 per cent. bonds.....	100,000 00
4,185,782 81	South Carolina R. R. Co. sterling bonds.....	103,163 80
	Charlotte & South Carolina R. R. Co. bonds....	752 50
	North Eastern R. R. Co. stock.....	30,000 00
	Savannah & Charleston R. R. Co. stock.....	35,525 00
	South Carolina R. R. Co. stock.....	190,329 98
	Commercial Bank stock...	40,111 400 00
	Confederate States 4 per cent. bonds.....	11,400 00
	Confederate States 6 per cent. stock and bonds....	60,500 00
	Confederate States 7 per cent. stock and bonds....	867,000 00
	Confederate States 8 per cent. stock and bonds....	2,673,400 00
	Confederate States 4 per cent. call loan.....	1,222,300 00
	Confederate States 8 per	

A.—CONTINUED.

STATEMENT of the Bank of the State of South Carolina, Charleston, July 1, 1868.

CR.

cent. specie loan.....	\$ 18,000 00	\$5,516,372 27
Confederate States Treasury notes.....		2,378,921 93
Bank estate.....	87,744 11	
Real estate.....	40,477 67	128,221 78
Domestic exchange.....	12,592 48	
Domestic exchange protested.....	40,834 15	
Inland bills.....	4,451 04	57,877 67
Protested Foreign Exchange.....		5,977 78
State Treasury, old account.....		1,152,008 40
Amount due by banks in the city.....	631,058 90	
Amount due by banks out of city.....	13,301 34	644,360 24
Cashier for the costs of suit.....		2,078 00
Cash United States currency.....	10,147 59	

		\$20,762 69
Bills Receivable.....		30,910 28
Our notes.....		9,618 61
Other notes.....		500 00
Specie.....		3,266 05
		\$44,294 94
		\$14,587,503 66

THOS. R. WARING, Cashier.

CHARLESTON, S. C., July 1, 1868.

B.

STATE TREASURER for Sinking Fund of the State of South Carolina for Redemption of 5 and 6 per cent. Stocks, and for the payment of Interest thereon.

Dr.		Cr.	
1868.			
July 1.	To balance carried down.....	\$3,387,784 26	1866. Oct. 1. By balance.....
			\$3,387,734 26
			1868. July 1. By balance.....
			\$3,387,784 26

CHARLESTON, S. C., July 1, 1868.

THOS. R. WARING, Cashier.

199

C.

STATE TREASURY for Loan under Act for Rebuilding City of Charleston.

Dr.

Cr.

1868.			1866.		
July 1	To balance carried down.....	\$802,603 79	Oct. 1	By balance.....	\$802,603 79
			1868.		
			July 1	By balance.....	\$802,603 79

661
500

THOS. R. WARING, Cashier.

CHARLESTON, S. C. July 1, 1868.

D.

INTEREST AND EXPENSES on State Loan under Act for Rebuilding City of Charleston.

Dr.

Cr.

1866.				1868.		
Oct. 1	To balance.....	\$ 35,561 53		July 1	By balance.....	\$ 88,678 38
1867.						
Jan. 26	Dividends for January, 1867, paid by Baring Brothers & Co., to holders of £109,000 State Bonds in London, £2,752 5s. 0d. at \$1.44.....	12,232 22				
July 18	Dividends for July, 1867, paid by Baring Brothers & Co., to holders of £109,000 State Bonds in London, £2,752 5s. 0d. at \$1.44.....	12,232 22				
Sept. 30	Premium paid on Sterling Bills remitted Baring Brothers & Co., on account of advances for interest on State Bonds made by them	8,236 02				
1868.						
Feb. 4	Dividends for January, 1868, paid by Baring Brothers & Co., to holders of £109,000 State Bonds					

200

	in London, £2,752 5s. 0d. at £4 41.....	\$12,282 22	
June 30	Premium paid on Sterling Bills remitted Baring Brothers & Co on account of advances for in terest on State Bonds made by them.....	8,184 17	
		<u>\$88,678 38</u>	
July 1	Balance.....	\$88,678 38	<u>\$88,678 38</u>

CHARLESTON, S. C., July 1, 1868.

THOS. R. WARING, Cashier.

E.

CONTINGENT EXPENSE ACCOUNT of the Bank of the State of South Carolina and of the Agency at Columbia, from the 1st October, 1866, to 1st July, 1868, being for Twenty-one Months.

Officers' Salaries.....		\$11,975 00
Office Expenses, Postages, Fuel, Servant Hire, &c., &c.....		480 41
Solicitor's Salary.....		1,750 00
Traveling Expenses.....		103 10
Books and Stationery.....		62 10
Insurance.....		137 50
Advertising and Subscription to Papers.....		59 90
Costs and Fees.....		202 50
AGENCY AT COLUMBIA.		
Salary of Agent.....	\$2,100 00.	
Office and other expenses.....	177 45	
		2,277 45
		\$17,047 96

THOS. R. WARING, Cashier.

CHARLESTON, S. C., July 1, 1868.

MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

F. J. MOSES, JR., Speaker.

A. O. JONES, Clerk.

ABBEVILLE.

George Dusenberry,
T. B. Milford,

Hutson J. Lomax,
James Martin,*

Richard M. Valentine.

ANDERSON.

John B. Moore,

B. Frank Sloan,

John Wilsen.

BARNWELL.

W. J. Mixson,
R. B. Elliott,
Charles D. Hayne,

Benjamin F. Berry,
James N. Hayne,
Julius Mayer.

BEAUFORT.

William J. Whipper,
Carlos J. Stolbrand,
Philip E. Ezekiel,

Robert Smalls,
George A. Bennett,
Charles S. Kuh,

William C. Morrison.

CHARLESTON.

Robert C. DeLarge,
Alonzo J. Ransier,
Reuben Tomlinson,
William H. W. Gray,
Benjamin A. Bosemon,
George Lee,
Benjamin F. Jackson,
Joseph H. Jenks,
William McKinlay,

F. J. Moses, Jr.,
William J. Brodie,
John B. Dennis,
John B. Wright,
William Jervay,
Abraham Smith,
Samuel Johnson,
Stephen Brown,
Edward Mickey.

CHESTER.

Barney Humphries, Sancho Saunders,
Barney Burton.

CHESTERFIELD.

H. L. Shrewsbury, D. J. J. Johnson.

CLARENDON.

Powell Smythe, William Nelson.

COLLETON.

W. M. Thomas, Thomas Richardson,
Henry James, George McIntyre,
William Drifflie.

DARLINGTON.

John Boston, G. Holliman,
Alfred Rush, Jordan Lang.

EDGEFIELD.

T. Root, John Wooley,
David Harris, Prince R. Rivers,
Samuel J. Lee, John Gardner,
Lawrence Cain.

FAIRFIELD.

Lewis W. Duvall, Henry Johnson,
Henry Jacobs.

GEORGETOWN.

Henry W. Webb, Franklin F. Miller,
William H. Jones.

GREENVILLE.

Samuel Tinsley, Wilson Cooke,
John B. Hyde, W. A. Bishop.

HORRY.

Zadoc Bullock, W. W. Waller.

KERSHAW.

John A. Chestnut, John A. Boswell,
Jonas W. Nash.

LANCASTER.

T. Frank Clyburn, W. G. Stewart.

LAURENS.

Griffin Johnson, Wade Perrin,
Joseph Crews, Harry McDaniels.

LEXINGTON.

G. A. Lewie, †

H. W. Purvis.

MARION.

W. S. Collins,

Evans Hayes,

B. A. Thompson,

E. M. Stoeber.

MARLBORO.

T. B. Stubbs, †

John G. Grant.

NEWBERRY.

Joseph Boston,

James Hutson,

James Henderson.

OCONEE.

O. M. Doyle,

W. C. Keith.

ORANGEBURG.

W. J. McKinlay,

Thaddeus K. Sasportas,

Francis DeMars,

Edwin J. Cain,

James P. Mays.

PICKENS.

William T. Field.

RICHLAND.

Samuel B. Thompson,

William Simons,

Charles M. Wilder,

Æsop Goodson.

SPARTANBURG.

Samuel Littlejohn,

Robert M. Smith,

Javan Bryant,

Claude C. Turner.

SUMTER.

John H. Feriter,

William E. Johnston,

James Smiley,

Burrell James.

UNION.

Samuel Nuckles,

Junius S. Mobley,

Simon Farr.

WILLIAMSBURG.

Charles H. Pettengill,

Robert F. Scott,

Jeffrey Prendegrass.

YORK.

J. H. White,

P. J. O'Connell,

John W. Mead,

J. L. Neagle.

* Deceased. † Resigned.

JOURNAL OF THE SENATE

OF THE

STATE OF SOUTH CAROLINA,

BEING THE

SPECIAL SESSION OF 1868.

COLUMBIA, S. C.:

JOHN W. DENNY, STATE PRINTER.

1868.

JOURNAL OF THE SENATE

OF THE

STATE OF SOUTH CAROLINA.

SPECIAL SESSION, COMMENCING JULY 6, 1868.

MONDAY, JULY 6, 1868.

In pursuance of the proclamation of His Excellency R. K. SCOTT, Governor elect, and the provisions of the Act of Congress of the United States, of June 25, 1868, the Senate of the State of South Carolina assembled in their chamber, at Janney's Hall, in the city of Columbia, this day at 12 M.

In the absence of the President, Hon. LEMUEL BOOZER, and on motion of Mr. W. E. ROSE, of York, Hon. D. T. CORBIN, Senator elect from Charleston County, was called temporarily to the chair.

The proceedings were opened with prayer by Rev. R. H. CAIN.

The PRESIDENT *pro tem.* returned his thanks for the Senate's expression of confidence, and for the honor so unexpectedly conferred upon him. He then announced himself ready to take the oath as prescribed by the 30th Section of Article 2 of the Constitution, which provided that the oath be administered by the President of the Constitutional Convention.

Hon. A. G. Mackey, President of the Convention, then announced that, in accordance with the provision of the 30th Section of Article 2 of the Constitution of South Carolina, authorizing him to fill the blank in the oath to be administered to all officers of the General Assembly, said blank would be filled with the dates of the ratification of said Constitution; namely, the 14th, 15th and 16th days of April, 1868.

The oath was then administered to the President *pro tem.*, who was declared authorized according to law to proceed to administer the oath to the other members elect.

On motion of Mr. E. S. J. HAYES, of Lexington, it was

Resolved, That a Committee of three, to examine credentials, be appointed by the President.

Messrs. E. S. J. Hayes, C. P. Leslie and B. F. Whittemore were appointed said Committee.

On motion of Mr. B. F. WHITTEMORE, it was

Resolved, That the President appoint a Clerk *pro tem.*

In accordance with this resolution, the PRESIDENT appointed Mr. J. Woodruff Clerk *pro tem.*

The roll of Senators elect, as mentioned in General Orders No. 79, was then called, their credentials examined by the Committee, and the oath of office administered by the President to the following persons :

Barnwell County—Charles P. Leslie.

Beaufort County—Jonathan J. Wright.

Charleston County—Richard H. Cain.

Colleton County—Wm. R. Hoyt.

Chester County—Lucius Wimbush.

Darlington County—B. F. Whittemore.

Edgefield County—Frank Arnim.

Fairfield County—James M. Rutland.

Georgetown County—Joseph H. Rainey.

Horry County—H. Buck.

Kershaw County—Justus K. Jillson.

Laurens County—Young J. P. Owens.

Lexington County—E. S. J. Hayes.

Oconee County—D. Bieman.

Orangeburg County—B. F. Randolph.

Richland County—Wm. B. Nash.

Sumter County—T. J. Coghlan.

Union County—Hiram W. Duncan.

Williamsburg County—Stephen A. Swails.

York County—W. E. Rose.

Twenty-one Senators having answered to their names, the PRESIDENT announced a quorum present.

The Senate then proceeded (Mr. Whittemore in the chair) to an election for a President *pro tem.*, to act at any time in the absence of the Lieutenant-Governor during the session.

Hon. D. T. Corbin having received the whole number of votes cast, was declared duly elected President *pro tem.* of the Senate.

The PRESIDENT, on resuming the chair, addressed the Senate as follows .

Senators of the State of South Carolina :

I am profoundly grateful for this mark of your approbation, and kind expression of confidence in myself. A stranger somewhat among you, I am not a stranger in the State. We have assembled, perhaps, upon one of the most important occasions that has ever occurred in the meeting of a legislative body. The arduous and difficult work before us will command your most prayerful and earnest consideration. To be called to preside at such a time over a body like this, is an expression of confidence for which I feel the profoundest gratitude. I only hope in the little time I may preside to discharge the duty satisfactorily ; and in the discharge of the duties imposed upon me, I shall confidently look to you for your sympathy and support. In your hands, Senators, rests the orderly conduct of business. In your hands rests the great responsibility of the work to be done. The presiding officer is your instrument merely to assist in carrying out your will. I trust I shall discharge the duties devolved upon me with impartiality, patience and entire fairness to every member. Should I err in my attempt to do this, let me assure you it will be an error of judgment and not of the heart. Senators, I await your pleasure.

The names of the Counties, with the Senators elect, as published in General Orders No. 124, and withheld from publication in General Orders No. 79, "in order to afford an opportunity to contestants to furnish proofs in relation to the election," were called.

Mr. WRIGHT, of Beaufort, moved that the Senators named in General Orders No. 124, who present themselves with that evidence of the right to a seat, be sworn in, and any person having a protest be permitted to enter it when the oath is to be administered.

Mr. HAYES, of Lexington, moved that the oath of office be administered to the Senator from Anderson.

Mr. WRIGHT, of Beaufort, begged leave to ask the difference between the credentials presented by the gentleman from the Counties last called and those of the members already qualified.

The PRESIDENT decided that in the preliminary organization any satisfactory evidence presented by any person willing to take the oath, and no other person presenting similar evidence, was *prima facie* proof of the right of the person presenting it to have the oath administered to him ; subject, however, to the future action of the Senate.

On motion of Mr. WHITTEMORE, of Darlington, General Orders No. 124 was received as *prima facie* evidence of the persons therein named to the right of a seat, and permission granted them to qualify.

Upon the call of Anderson County, Mr. Reid appeared to qualify.

Mr. ROSE read a protest of Mr. N. McAllister, which the PRESIDENT decided to be out of order.

The oath was then administered to Mr. Reid, who, being duly qualified, took his seat.

Mr. Henry E. Hayne, of Marion County, also appeared and qualified.

The PRESIDENT then announced the next business the election of officers to complete the organization of the Senate.

On motion of Mr. HAYES, of Lexington, the Senate proceeded to the election of a Clerk, which resulted as follows :

Mr. J. Woodruff.....	18 votes.
Mr. A. N. Boozer.....	4 votes.

The PRESIDENT announced that Mr. Woodruff, having received a majority of the votes cast, was duly elected Clerk of the Senate.

On motion of Mr. LESLIE, of Barnwell, it was

Ordered, That the Clerk be allowed to appoint his own assistant.

On motion of Mr. WRIGHT, of Beaufort, it was

Resolved, That a Committee of nine be appointed, whose duty it shall be to receive applications and to nominate suitable persons for the remaining offices to be filled by the Senate.

In accordance with this resolution, Messrs. Wright, Leslie, Hoyt, Whittemore, Rutland, Jillson, Nash, Reid and Hayne were appointed said Committee.

On motion of Mr. HAYNE, it was

Resolved, That until the appointment of a Committee on Rules, the Rules of the Senate of the United States be adopted for the government of this body.

On motion of Mr. WHITTEMORE, it was

Resolved, That the reporters of the press be allowed seats upon this floor, and that preparations be made for their accommodation.

Mr. HAYES moved that when the Senate adjourn, it adjourn to meet to-morrow at 12 M.

Mr. SWAILS moved to amend by striking out 12 and inserting 10. The amendment was not accepted.

On motion of Mr. WHITTEMORE, the Senate took a recess of thirty minutes, to permit the Committee of nine to receive applications from those desiring positions in the Senate, and to examine and report.

The thirty minutes having expired, the PRESIDENT called the Senate to order.

Mr. WHITTEMORE, of the Committee of nine, reported that the Committee had directed him to ask an extension of time, as the applications for office were numerous, and it had been found impossible to complete their report in the time allowed.

On motion, the request of the Committee was granted, and the Senate took a second recess.

On re-assembling, Mr. WRIGHT, of the Committee of nine, reported that they had performed the duty assigned them, and recommend the following persons as officers :

For Chaplain—Rev. E. J. Adams, of Charleston.

Reading Clerk—J. H. Corbett, of Sumter.

Doorkeeper—Adam Thomas, of Columbia.

Assistant Doorkeeper—Mat. Brooks, of Marion.

Messengers—James Moody, of Barnwell, and Samuel Lee, of Sumter.

On motion of Mr. ROSE, of York, it was

Resolved, That the report of the Committee of nine be adopted, and that the persons named therein, upon the adoption of the report, be considered elected.

On motion of Mr. LESLIE, it was

Resolved, That a Committee of three be appointed by the President *pro tem.* to notify the House of Representatives that the Senate of the State of South Carolina has been duly organized, and is ready to proceed to business.

Messrs. Leslie, Jillson and Cain were appointed said Committee.

Mr. ROSE moved that a Committee of three be appointed to wait on His Excellency the Governor, and inform him that the Senate is duly organized, and ready to receive any communication he might be pleased to make.

Mr. RANDOLPH offered the following amendment :

That when the House of Representatives is organized, a Committee of three be appointed by the Senate, to act in conjunction with a Committee of the House, to wait upon His Excellency the Governor, and inform

him that both branches of the General Assembly are organized, and ready to receive any communication he may be pleased to make.

The amendment was agreed to.

Messrs. Rose, Jillson and Wright were appointed said Committee.

Mr. WHITTEMORE offered the following, which was agreed to :

Whereas, It is customary for the outgoing Executive of the State to communicate to the Legislature a statement of the condition of the public affairs and public institutions ; be it

Resolved, That His Excellency James L. Orr, Provisional Governor of South Carolina, be invited to send to this body any communication bearing upon the welfare or property of the State.

Messrs. Whittemore, Jillson and Wright were appointed said Committee.

Mr. LESLIE offered the following resolution, which was not agreed to :

Resolved, That the Senators select their seats in this chamber by "lot," and that such selection be made at once.

The PRESIDENT called the attention of the Senate to the provision of the Constitution requiring the division of the Senators into two classes, one half to serve for the term of two years, and the other half for a term of four years.

On motion of Mr. RUTLAND, the Senate adjourned at half-past 3 o'clock.

TUESDAY, JULY 7, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer was offered by Rev. Mr. WHITTEMORE.

The rolled was called, and a quorum being present, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the *Journal* of yesterday's proceedings.

Mr. HAYES, of the Committee on Credentials, reported the presence of the Senators elect from the Counties of Marlboro, Newberry, Lancaster, Greenville and Pickens.

The following additional Senators then appeared at the President's desk, and were duly qualified :

Marlboro County—Henry J. Maxwell.

Newberry County—Charles W. Montgomery.

Lancaster County—R. M. Sims.

Greenville County—J. M. Allen.

Pickens County—T. A. Rodgers.

On motion of Mr. RUTLAND, of Fairfield, it was

Resolved, That in the absence of the President of the Senate, the President *pro tempore* do appoint the usual Standing Committees.

Mr. ARNIM, of Edgefield, offered the following, which was not seconded :

Resolved, That the members of the Senate draw for seats according to Article II, Section 9, of the Constitution of South Carolina.

On motion of Mr. RANDOLPH, of Orangeburg, it was

Resolved, That a Committee of three be appointed by the President to ascertain the location of the State Library, and that they report whether or not it is accessible and convenient for the members of the Senate.

Messrs. Randolph, Wright and Jillson were appointed said Committee.

Mr. HAYNE, of Marion, moved that the Senate proceed to draw lots for the terms of Senators.

Mr. WHITTEMORE offered the following substitute, which was adopted :

Resolved, That in pursuance of Section 9 of Article II of the Constitution of the State of South Carolina, the Senate do now proceed to divide itself by lot into two classes; the seats of the Senators of the first class to be vacated at the expiration of two years after the Monday following the general election, and of those of the second class at the end of four years.

Resolved, That for this purpose the President *pro tem.* prepare thirty-two ballots, upon sixteen of which shall be written the words "first class," and upon the other sixteen the words "second class," to be placed in a hat and well shaken, from which each Senator shall draw one ballot; and those Senators who shall draw a ballot upon which the words "first class" are written shall be considered and held to be members of the first class, and those Senators who shall draw a ballot upon which the

words "second class" are written shall be considered and held to be members of the second class.

The PRESIDENT announced that the ballots were prepared, and the Senators then proceeded, as their names were called, to draw, which resulted as follows :

First Class—R. H. Cain, T. J. Coghlan, Hiram W. Duncan, Wm. R. Hoyt, J. K. Jillson, Henry J. Maxwell, W. B. Nash, J. H. Reid, T. A. Rodgers, Stephen A. Swails, R. M. Sims, B. F. Whittemore and Lucius Wimbush.—13.

Second Class—Hon. D. T. Corbin, President; Frank Arnim, J. M. Allen, H. Buck, D. Bieman, E. S. J. Hayes, Henry E. Hayne, C. P. Leslie, Charles W. Montgomery, Y. J. P. Owens, Joseph H. Rainey, J. M. Rutland, B. F. Randolph, W. E. Rose and J. J. Wright.—15.

Mr. HAYNE, of Marion, moved that the Senate proceed to adopt the 14th Article of the Constitution of the United States.

Mr. WHITTEMORE, of Darlington, offered the following substitute for the motion, which was adopted :

JOINT RESOLUTION RATIFYING THE FOURTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Whereas, Both Houses of the Thirty-ninth Congress of the United States, at its first session, by a constitutional majority of two-thirds thereof, made the following proposition to amend the Constitution of the United States, in words following, to wit :

JOINT RESOLUTION PROPOSING AN AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

Be it Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, That the following Article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as a part of the Constitution, namely :

ARTICLE XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or

property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excepting Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or is in any way abridged, except for participation in the rebellion, or other crimes, the basis of representation shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of such citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President or Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for the payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States, nor any State, shall assume or pay any debt or obligation incurred in aid of the insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

Therefore, Resolved, That the said proposed amendment to the Constitution be, and the same is hereby, ratified by the General Assembly of the State of South Carolina.

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by the Governor to the President of the United States, to the presiding officer of the United States Senate and the Speaker of the United States House of Representatives.

The question being taken upon the passage of the resolution, on motion

of Mr. WHITTEMORE, the yeas and nays were called, and resulted as follows .

Yeas—The President and Messrs. Arnim, Allen, Cain, Coghlan, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Randolph, Rose, Swails, Wright, Whittemore and Wimbush.—23.

Nays—Messrs. Buck, Bieman, Reid, Rodgers and Sims.—5.

On motion of Mr. MONTGOMERY, the yeas and nays were ordered to be entered on the Journal of the Senate.

On motion of Mr. RANDOLPH, it was

Ordered, That the resolution be sent to the House of Representatives for concurrence.

Mr. LESLIE, of the Committee appointed to wait upon the House of Representatives, reported that the Committee had attended to the duty assigned them, and informed that body that the Senate was duly organized, and ready to proceed to business.

Mr. WHITTEMORE, of the Committee appointed to wait on His Excellency Ex-Governor James L. Orr, and request of him such information as may bear upon the public institutions of the State of South Carolina, reported that they had performed their duty, and now had the honor to inform the Senate that Ex-Governor Orr would transmit his communication to this body some time during the present session.

Mr. LESLIE stated that in conformity with the invitation to Ex-Governor Orr, to transmit any information he might have upon public affairs to the Senate, his messenger, Mr. Henry Sparnick, was present, and was prepared to read the communication.

On motion of Mr. WRIGHT, the business of the Senate was suspended for the purpose of hearing the communication read.

The Message was then read by Mr. Henry Sparnick.

During the reading of the Message, a committee of the House of Representatives, consisting of Messrs. Dennis, Ransier and Elliott, appeared, when the reading was suspended, and the Committee notified the Senate that the House of Representatives was duly organized, and ready to proceed to business.

Mr. WHITTEMORE moved that the communication of Ex-Governor Orr be received as information.

Mr. WRIGHT moved to amend by adding "and that the thanks of the Senate be tendered for the valuable information therein."

The amendment was accepted by the mover, and the resolution adopted.

Mr. HAYES moved that Julian A. Selby be appointed temporary printer to this body, at a *pro ratu* compensation to be given to the permanent printer.

Mr. RAINEY moved to amend by striking out the name of Mr. Selby, and inserting "that a printer be elected to do the temporary printing."

Mr. CAIN moved to amend the amendment by inserting the name of Mr. J. W. Denny, which was agreed to.

The question then recurred on the adoption of the resolution as amended.

Mr. LESLIE moved that the resolution, for the present, be laid on the table.

On motion of Mr. CAIN, it was

Resolved, That a Committee on Printing, to consist of three members, be appointed, and that the resolution now pending be placed in their hands.

Messrs. Cain, Leslie and Hayne were appointed on said Committee.

Mr. LESLIE desired to have his name recorded on the Journal as having voted "no" on the above resolution.

Mr. RANDOLPH moved that when the Senate adjourns, it adjourn to meet to-morrow at 10 A. M.

Mr. RUTLAND moved to amend by striking out "10" and inserting "11."

Mr. HAYNE moved an indefinite postponement of the amendment.

Mr. WHITTEMORE moved to lay the whole matter on the table, which was agreed to.

Mr. CAIN moved to adjourn to 11 o'clock A. M., to-morrow.

The motion was decided to be out of order.

On motion of Mr. WHITTEMORE, the Senate adjourned at 3 o'clock P. M.

WEDNESDAY, JULY 8, 1868.

The Senate was called to order at 12 o'clock by the PRESIDENT.

Prayer by the Chaplain, Rev. Mr. ADAMS.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday's proceedings.

The PRESIDENT announced the following Standing Committees.

Committee on Agriculture.—Senators Dickson, Owens, Hayes, Wimbush and Rodgers.

Committee on Military.—Senators Wright, Whittemore, Maxwell, Montgomery and Swails.

Committee on Public Lands.—Senators Rutland, Jillson, Allen, Owens and Rodgers.

Committee on Claims.—Senators Hayes, Montgomery, Sims, Nash and Dickson.

Committee on the Judiciary.—Senators Corbin, Rutland, Leslie, Montgomery and Wright.

Committee on Finance.—Senators Whittemore, Rose, Rainey, Donaldson and Coghlan.

Committee on Printing.—Senators Cain, Leslie, Allen, Hoyt and Buck.

Committee on Education.—Senators Jillson, Whittemore, Sims, Hayne and Nash.

Committee on Contingent Expenses and Accounts.—Senators Leslie, Allen and Nash.

Committee on Elections.—Senators Rose, Wright, Buck, Hoyt and Owens.

Committee on Railroads.—Senators Leslie, Rose, Hoyt, Allen and Swails.

Committee on Engrossed Acts.—Senators Randolph, Jillson and Donaldson.

Committee on the Legislative Library.—Senators Hayne, Sims, Wright and Bieman.

Committee on Public Buildings.—Senators Arnim, Dickson and Buck.

Committee on Retrenchments.—Senators Coghlan, Rainey and Reid.

Committee on Incorporations.—Senators Montgomery, Rose, Arnim, Bieman and Cain.

Mr. HAYES, of the Committee on Credentials, reported the Senator elect from Spartanburg present, and ready to qualify.

Hon. Joel Foster, Senator elect from Spartanburg County, then appeared at the President's desk, and was duly qualified.

Mr. MONTGOMERY, of Newberry, moved that the Senator from Spartanburg be permitted to record the vote on the constitutional amendment he might have given if present yesterday.

Permission having been granted, Mr. Foster was called, and declined to vote.

The PRESIDENT decided that the matter having been already acted upon, and passed out of the hands of the Senate, the Senator, in accordance with the motion made, had the right to accept or decline the privilege extended to him.

Mr. RANDOLPH, from the Committee appointed to ascertain the location of the State Library, and whether accessible and convenient to the members of the Senate, reported that the Library is located at the

corner of Washington and Richardson streets, and accessible and convenient to the members of this body.

On motion of Mr. HAYNE, of Marion, it was

Resolved, That the President be empowered to invite State officers, members of Congress elect, and such other persons as he may deem proper, to seats on the floor of the Senate.

Hon. Mr. WHITTEMORE, of Darlington, at the request of the PRESIDENT *pro tem.*, took the chair.

Mr. CORBIN gave notice that on to-morrow he will ask leave to introduce

A Bill entitled "An Act to organize the County Courts."

Also, a Bill entitled "An Act validating the laws of the Provisional Government of South Carolina."

On motion of Mr. HAYES, of Lexington, it was

Resolved, That the Clerk of the Senate prepare, and have printed in alphabetical order, a list of Senators, with the postoffice address and occupation or profession of each annexed; and that a sufficient number of copies be stricken off to supply each Senator with five copies.

Mr. CAIN offered the following, which was seconded by Mr. Hoyt :

Resolved, That a Committee of five be appointed by the President *pro tem.* with instructions to report whether the Senators who voted in the negative on the ratification of the amendment to the United States Constitution *have* or *have not* violated their oaths and committed *perjury*; and if so, to recommend what course should be adopted by the House to vindicate the purity of its organization.

On motion of Mr. WRIGHT, the resolution was ordered to lie on the table.

Mr. HAYNE offered the following :

Resolved, That the President be authorized to appoint two pages.

On motion of Mr. NASH, the resolution was ordered to lie on the table.

On motion of Mr. NASH, it was

Resolved, That it be referred to the Judiciary Committee to inquire and report whether the State Solicitors are required to attend during the session of this General Assembly.

Mr. RANDOLPH offered the following joint resolutions, declaring

vacant certain offices now held by persons disfranchised under the 14th Article of the Constitution of the United States .

Resolved, That all offices now held by persons who are disfranchised by the proposed 14th Article or amendment of the Constitution of the United States be, and is hereby, declared vacant.

Resolved, That the Governor, by and with the advice and consent of the Senate, be authorized to fill such vacancies until elections shall be ordered.

On motion of Mr. CORBIN, the resolutions were referred to the Committee on the Judiciary.

On motion of Mr. CORBIN, it was

Resolved, That the Message of His Excellency James L. Orr, late Provisional Governor of South Carolina, be referred to the appropriate Committees.

On motion of Mr. ARNIM, it was

Resolved, That a Committee of five be appointed by the President *pro tem.* to report rules and regulations for the government of the Senate.

Messrs. Arnim, Rainey, Montgomery, Cain and Owens were appointed said Committee.

Mr. RANDOLPH offered the following resolution, which, on motion of Mr. MONTGOMERY, was referred to the Committee on Printing :

Resolved, That the President *pro tem.* of the Senate be authorized to have the daily proceedings of this body printed, until the selection of a permanent printer.

Mr. CAIN offered the following :

Resolved, That a Committee be appointed to inquire and report to this body whether a more suitable place can be obtained in this city for the sittings of the General Assembly.

On motion of Mr. MONTGOMERY, the resolution was ordered to lie on the table.

Mr. RANDOLPH offered the following, which was not seconded :

Resolved, That the Committee appointed to select a printer *pro tem.* be required to report to-morrow at 12 M.

On motion of Mr. LESLIE, it was

Resolved, That the Committee on Printing, appointed to provide for the temporary printing of the Journals of the Senate be discharged, and all matters relating to printing be referred to the Committee on Printing.

On motion of Mr. RUTLAND, the Senate adjourned at 2 P. M.

THURSDAY, JULY 9, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. RUTLAND, it was

Resolved, That the reading of the minutes be suspended until the return of the Senate from the inauguration of the Governor.

Mr. ROSE, from the Committee of the Senate, appointed to act with a similar Committee on the part of the House of Representatives, to wait upon His Excellency the Governor elect, and inform him that the General Assembly was duly organized, and ready to receive any communication he might be pleased to make, reported that they had performed the duty assigned them, and were informed by the Governor that he had no communication to make until after the inauguration.

On motion of Mr. SWAILS, the report was received as information, and the Committee discharged.

Mr. ARNIM offered the following, which was not seconded :

Resolved, That the Board of Commissioners of Election, created by an Ordinance passed in the late Constitutional Convention, held in Charleston, S. C., March 17, 1868, is hereby declared abolished.

Resolved, That the said Board be directed to send to the General Assembly, without delay, a specified report of their proceedings, the amount of moneys received, and how expended.

Resolved, That a copy of these resolutions be sent to the Chairman of said Board for information.

Messrs. Neagle, Ezekiel, Miller, Smiley and Smith, a Committee on the part of the House of Representatives, appeared, and invited the Senate to repair to the House, and join with that body in the inauguration of the

Governor elect, R. K. Scott, into office, and also informed the Senate that preparations had been made for their reception.

Mr. WHITEMORE offered the following, which was adopted :

The Senate having been informed of the intended inauguration of the Governor elect in the House of Representatives, and having been invited to be present at the same ; therefore,

Resolved, That the Senate do proceed in a body to the House of Representatives for that purpose.

On motion of Mr. MONTGOMERY, it was

Resolved, That a Committee of three be appointed by the President to notify the House of Representatives of the action of the Senate, and inform that body of the readiness of this body to proceed.

Messrs. Montgomery, Whittemore and Rainey were appointed on said Committee.

Mr. ARNIM asked and obtained leave to withdraw the resolution he had just offered.

Mr. LESLIE asked leave to again introduce the resolutions which the Senator from Edgefield had withdrawn.

The PRESIDENT stated that the resolutions introduced by the member from Edgefield, in order to have force, should be put in the form of joint resolutions, and passed in the mode prescribed by the Constitution, namely, read on three separate days, passed by the Senate, and sent to the House of Representatives for concurrence. It would be necessary to move a suspension of the Rules to permit the Senate to act immediately upon the resolution; otherwise, it would have to lie over.

On motion of Mr. LESLIE, the Rules were suspended for the purpose of introducing the resolutions previously introduced by the Senator from Edgefield, and subsequently by himself.

The resolutions were read, and at the request of the mover, and by leave of the Senate, they were withdrawn.

Mr. WRIGHT gave notice that he would on to-morrow, or some subsequent day, introduce

A resolution requesting the Congress of the United States to remove the political disabilities of all the citizens of the State of South Carolina who are disfranchised by the 14th amendment to the Constitution of the United States.

Mr. MCNTGOMERY, from the Committee on the part of the Senate, to confer with a like Committee of the House of Representatives, in relation to arrangements for the inauguration of the Governor elect, reported

that they had attended to the duty assigned them, and it was agreed that the body should proceed to the House of Representatives, preceded by the President *pro tem.*; that the Senators should take seats in front of the Speaker's desk, while the President *pro tem.* would be conducted to a seat on the platform, and the proceedings be opened with prayer by the Chaplain of the Senate.

On motion of Mr. SWAILS, the report was received as information, and the Committee discharged.

The Senate then proceeded to the House of Representatives to attend the inauguration.

The PRESIDENT *pro tem.* took the chair.

Prayer was offered by Rev. Mr. ADAMS, Chaplain of the Senate.

The PRESIDENT *pro tem.* then introduced to the Senate and House of Representatives His Excellency R. K. Scott, Governor of the State of South Carolina.

His Excellency Governor Scott then delivered his inaugural address.

At the conclusion of the address, His Excellency Governor R. K. Scott announced himself prepared to take the oath of office.

Hon. Mr Mackey, President of the Constitutional Convention, administered the oath, and proclaimed His Excellency Robert Kingston Scott Governor of the State of South Carolina.

The President of the Constitutional Convention then announced to the Honorable the Senate of South Carolina his readiness at any time to proceed to the Senate chamber and inaugurate the Lieutenant-Governor of the State.

On motion of Mr. WHITEMORE, the inauguration ceremonies having concluded, the Senate returned to their chamber.

The PRESIDENT *pro tem.* called the Senate to order, when the President of the Constitutional Convention was announced, and upon his appearance stated that, in compliance with the Ordinance of the Constitutional Convention, he had repaired to the Senate chamber, and was ready to administer the oath of office to the Lieutenant-Governor.

The PRESIDENT *pro tem.* informed the Honorable President of the Constitutional Convention that the Lieutenant-Governor elect had not made his appearance, his delay being caused by illness, but that he was expected in the course of the week.

On motion of Mr. WRIGHT, it was

Resolved, That a Committee of three be appointed to wait upon the Governor of the State, and inform him that the Senate was ready to receive any communication he might be pleased to make.

Messrs. Wright, Montgomery and Allen were appointed on said Committee.

Mr. WHITTEMORE gave notice that on to-morrow he would offer

A resolution relative to an Ordinance passed by the Constitutional Convention in relation to the appointment of a Board of Commissioners for the County of Pickens.

On motion of Mr. WHITTEMORE, the Rules of the Senate were suspended to permit the introduction of the following joint resolution :

Resolved, That the Judiciary Committee of the Senate be permitted to employ a clerk, at a compensation not exceeding five dollars per diem, to be paid upon the certificate of the Chairman of said Committee out of any moneys not otherwise appropriated.

Mr. RANDOLPH asked and obtained leave of absence for the remainder of the day on account of illness.

On motion of Mr. LESLIE, the Rules of the Senate were suspended for the purpose of introducing the following joint resolution, which was read a first-time, and ordered for consideration to-morrow :

Whereas an Ordinance was passed by the Constitutional Convention creating a Board of Commissioners having authority in all matters of election, in the management of the same ; and whereas said Board of Commissioners, by provisions of said Ordinance, are required "to make to the General Assembly a report of their proceedings, and a statement of the moneys expended by them;" and whereas said Commissioners were to receive a per diem of five dollars in United States currency, or an equivalent in the Bills Receivable of the State ; therefore,

Resolved, That the said Board of Commissioners be hereby required to fulfill the provisions of the Ordinance by which they were created, and that the functions of said Board of Commissioners cease.

Hon. Mr. WHITTEMORE, of Darlington, at the request of the PRESIDENT *pro tem.*, took the chair.

Mr. WIMBUSH, of Chester, offered the following resolution :

Resolved, That the bonds and securities required by law to be given by the several public officers be modified, or so much thereof as requires the Clerks of the Courts of Common Pleas and General Sessions to give bond and security to the amount of eight thousand dollars be reduced to three thousand, and one or more sureties instead of three.

On motion of Mr. CORBIN, the resolution was referred to the Committee on the Judiciary.

Mr. CORBIN, pursuant to notice, introduced

A Bill for organizing the County Courts ; also,

A Bill entitled "An Act validating the laws of the Provisional Government of South Carolina;" which were read a first time, and on motion, were referred to the Judiciary Committee.

Mr. WRIGHT, of the Committee appointed to wait upon His Excellency the Governor of the State of South Carolina, and inform him that the Senate was ready to receive any communication he might be pleased to make, reported that they had performed that duty, and had the pleasure to inform the Senate that His Excellency would communicate to this body in a few moments.

On motion of Mr. MAXWELL, the report of the Committee was received, and the Committee discharged.

The PRESIDENT announced the return to the Senate, with the concurrence of the House of Representatives; the joint resolution ratifying the 14th amendment of the Constitution of the United States; which was ordered to be engrossed.

On motion Mr. CORBIN, the Rules of the Senate were suspended to permit him to introduce

A Bill entitled "A Bill to determine and perpetuate the homestead," which was read a first time, and on motion, was referred to the Committee on the Judiciary.

The Secretary of His Excellency the Governor, with a Message to the Senate, was announced.

On motion of Mr. RAINEY, the Secretary was invited to the floor of the Senate, and to communicate the Message.

The Secretary appeared and delivered to the President the Message of His Excellency the Governor.

On motion of Mr. CORBIN, the Message was read.

Mr. SWAILS moved that the Message be referred to the appropriate Committees

Mr. MONTGOMERY moved to substitute the following :

That the Senate having heard read the Message of His Excellency, so much as is appropriate be referred to the several Standing Committees; so much as is not within the province of those Committees be referred to Special Committees.

Mr. LESLIE offered the following :

Resolved, That the Senate do petition the Congress of the United States to remove the political disabilities of Mr. W. J. Mixson, a member elect to the House of Representatives from the County of Barnwell.

Mr. MONTGOMERY moved that the resolution be laid on the table.

Mr. CAIN moved to amend by ordering that the resolution be laid on the

table until the action of the House of Representatives on similar resolutions now before that body be communicated to the Senate.

Mr. LESLIE asked and obtained leave to withdraw the resolution.

On motion of Mr. HAYNE, the Senate adjourned at 3 P. M.

FRIDAY, JULY 10, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The PRESIDENT announced that the first business in order was the presentation of petitions and reports of Standing Committees.

Mr. JILLSON presented the petition of the Camden Independent Fire Engine Company, praying a renewal of charter, and asking permission to increase the number of members to fifty-five, instead of forty-five. Referred to the Committee on Public Buildings.

Mr. WHITTEMORE, in accordance with notice given yesterday, asked and obtained leave to introduce the following joint resolution :

Whereas, An Ordinance "To divide Pickens District into two Election and Judicial Districts" was passed by the Constitutional Convention held at Charleston; and whereas two Boards of Commissioners, under the provisions of said Ordinance, were authorized to select sites, purchase certain tracts of land, locate and erect public buildings, lay out and sell town lots and make titles thereto, dispose of public buildings, with the public grounds attached thereto, in the District of Pickens, and divide the proceeds of said sale equally between the two Boards, to be applied by them to the erection of the new buildings in their respective Districts; and whereas it is the duty of the said Boards of Commissioners to report their action, respectively, in the premises to the first session of the first General Assembly that shall assemble under the authority of the Constitution adopted by the Convention, and of the said General Assembly in the same session to perfect the division of the Districts of Pickens and Oconee; therefore,

Resolved, That the said Boards of Commissioners be hereby required to report to the General Assembly, now assembled, their action in the premises, as soon as practicable, to the end that the requirements of the Ordinance may be carried out.

The resolution received its first reading, and, on motion of Mr. WHITTEMORE, passed to its second reading.

Mr. WRIGHT, in accordance with notice given yesterday, submitted the following :

Whereas, By an Act of the Honorable Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses having concurred in an Article to be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, and which amendment disfranchises the following classes of persons, to wit: All who having previously taken an oath as members of Congress; or as members of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, then having engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof; therefore,

Be it resolved, by the Honorable the Senate and House of Representatives of South Carolina, in General Assembly met, That we do hereby request the Honorable Senate and House of Representatives of the United States of America to remove the political disabilities of the class of persons in the State of South Carolina who are disfranchised by reason of said constitutional amendment.

On motion of Mr. ALLEN, the resolution was ordered to lie on the table.

On motion of Mr. COGHLAN, it was

Resolved, That the Hon. F. J. Moses, Sr., late Senator from Sumter, S. C., for many years, be invited to a seat on the floor of the Senate.

Mr. WRIGHT moved a reconsideration of the resolution just adopted, a resolution authorizing the President to invite to seats on the floor of the Senate such persons as he might deem proper having passed yesterday.

On motion of Mr. SWAILS, the motion for reconsideration was laid on the table.

Mr. CAIN, of the Committee on Printing, reported that they had considered the subject, and submitted the following :

REPORT OF THE COMMITTEE ON PRINTING.

Your Committee, to whom was referred the subject of printing, respectfully report that they have had the same under consideration, and after receiving several estimates, we have agreed on the lowest, which is that of Mr. J. W. Denny, who agrees to do the printing on the following terms and condition :

PROPOSAL A.

The Daily Journals, Calendars, and other current work, at \$2.75 per page of 1,705 ems, "long primer type."

The Bills, 6 by 11 inches, containing 2,170 ems of "pica type," at \$3.00 per page.

For so much of the permanent work as includes the Journals, Reports and Resolutions, one thousand copies, at \$3.48 per page of 1,705 ems of "long primer type," to be stitched and bound together in good paper covers.

For so much of the permanent work as includes the Acts, one thousand copies, at \$4.36 per page, so be stitched and bound together in good paper covers.

Rule and figure work, double the foregoing rates are to be allowed per page of 1,705 ems.

The entire work will be printed on good paper, and executed in a workmanlike manner.

Your Committee recommend that the above estimate be accepted, and present the following :

Resolved, by the Senate and House of Representatives, That the estimate of J. W. Denny be accepted, and that he be constituted Public Printer for this and the ensuing sessions of the General Assembly for this term.

All of which is respectfully submitted.

(Signed)

R. H. CAIN,
W. R. HOYT,
C. P. LESLIE,
JAMES M. ALLEN,
H. BUCK.

On motion of Mr. CAIN, the report was received and the resolution adopted.

On motion of Mr. WHITEMORE, the resolution was ordered to be sent to the House of Representatives for concurrence.

Mr. JILLSON offered the following :

Resolved, That the Committee on Finance be authorized to employ a stenographic reporter, whose duty it shall be to furnish a full and complete report of the proceedings of this body.

Mr. LESLIE moved that the resolution be referred to a Committee of three to inquire in the propriety of the employment of a stenographic reporter by the Senate.

On motion of Mr. RAINEY, the resolution, together with the amendment, was indefinitely postponed.

Mr. RAINEY gave notice that he would, on Monday or some subsequent day, introduce

A joint resolution relative to the Board of Commissioners appointed to inquire into the liabilities and assets of the State.

Mr. HAYNE gave notice that on Monday he would introduce

A Bill entitled "A Bill for the completion of the State House."

Mr. HAYES moved that when the Senate adjourns, it adjourn to meet on Tuesday next at 12 M.

Mr. SWAILS moved to amend by striking out "Tuesday" and inserting "Monday," which was accepted by the mover, and the motion agreed to.

Mr. RANPOLPH moved that the Senate go into Committee of the Whole, which was not seconded.

Mr. WHITTEMORE presented the protest of Mr. A. P. Turner against the admission to a seat in the Senate of Mr. Joel Foster, on the ground that he had not been legally elected, and of frauds in the election, which he was prepared to prove. He also claimed to be the legal Senator from the County of Spartanburg.

On motion of Mr. WHITTEMORE, the protest was referred to the Committee on Privileges and Elections.

On motion of Mr. MONTGOMERY, it was

Resolved, That so much of the Message of His Excellency the Governor as relates to matters appropriate to the several Standing Committees be so referred; and so much thereof as relates to other matters not so appropriate, be referred to Special Committees.

Mr. CAIN moved that so much of the Governor's Message as relates to finance be referred to the Committee on Finance.

The PRESIDENT *pro tem.* decided that the resolution offered by the Senator from Newberry (Mr. Montgomery) referred the entire Message to the appropriate Committees, who would take notice and report their action on the various subjects that came before them.

Mr. CAIN withdrew his motion.

Mr. LESLIE offered the following joint resolution:

Whereas, A considerable number of persons throughout the State of South Carolina have been elected to various offices as provided by the Constitution of this State, which was ratified by the people thereof on the 14th, 15th and 16th days of April, 1868, who are unable to execute the duties of their office on account of their political disabilities; therefore, be it

Resolved, That a Committee of three be appointed by the President

pro tem. of the Senate to examine and recommend to the Senate such persons as ought to have their political disabilities removed.

Mr. WHITTEMORE moved to amend by striking out "three" and inserting "five," which was accepted by the mover.

On motion of Mr. RAINEY, the resolution, as amended, was adopted.

Messrs. Rainey, Nash, Wright, Sims and Montgomery were appointed said Committee.

Mr. WRIGHT gave notice that on Monday, or some subsequent day, he would introduce

A Bill for the punishment of persons improperly converting the public funds.

Mr. CAIN offered the following :

Resolved, That a Committee be appointed by the President *pro tem.* of the Senate to inquire into the murder of the Hon. S. G. W. Dill, in Kershaw County, and to report to this body at as early a period as possible.

On motion of Mr. LESLIE, who stated that the military have the matter under thorough investigation, the resolution was ordered to lie on the table.

Mr. RANDOLPH gave notice that on Monday, or some subsequent day, he would introduce

A Bill entitled "A Bill to enable laborers who work under contract, or otherwise, to recover pay for their labor when such pay is due."

Mr. CAIN gave notice that on Monday, or some subsequent day, he would introduce

A Bill to abolish the negro code of South Carolina.

Mr. WHITTEMORE took the chair.

Mr. CORBIN gave notice that on Monday, or some subsequent day, he would introduce

A Bill regulating appeals and writs of error to the Supreme Courts.

Also, a Bill entitled "An Act organizing the Supreme Court."

On motion of Mr. SWAILS, the Senate adjourned at 2:15 P. M.

MONDAY, JULY 13, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by Rev. Mr. WHITTEMORE.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The PRESIDENT called for petitions, reports of Standing Committees, &c.

Mr. SWAILS presented the petition and claim of Samuel W. Maurice, a citizen of Williamsburg County, for services rendered as Magistrate. Referred to the Committee on Claims.

Mr. WHITTEMORE presented the petition of John T. Green, a citizen of Sumter, praying the General Assembly to recommend to Congress the removal of his political disabilities.

Mr. MAXWELL presented the claim of Mr. Thomas E. Dudley, Deputy Solicitor for Marlboro, for services rendered and cases terminating during 1867. Referred to the Committee on Claims.

On motion of Mr. WHITTEMORE, it was

Resolved, That a Committee of five be appointed by the Chair, to whom shall be referred all petitions presented to this body for the removal of political disabilities.

Senators Whittemore, Jillson, Coghlan, Cain and Buck were appointed said Committee.

Mr. ALLEN offered the following :

Resolved, That the election of United States Senators be made the Special Order of Tuesday, 14th instant, at 12 M.

Resolved, That the Senate proceed to ballot for United States Senator for the short term, and immediately thereafter to ballot for a United States Senator for the long term.

On motion, the resolutions were ordered to lie on the table.

Mr. MONTGOMERY offered the following :

Resolved, That a Special Committee of three be appointed by the Chair, on the part of the Senate, to confer with a similar Committee to be appointed by the House of Representatives, to inquire into and report what arrangements and provisions should be made for the election of Senators from this State to the Congress of the United States, in view of the requirements of "An Act to regulate the times and manner of holding elections for Senators to Congress," approved July 25, 1866.

On motion, the resolution was ordered to lie on the table.

Mr. WHITTEMORE offered the following, which was not seconded :

Resolved, That after the announcement of the result of the ballot for United States Senators in this body to-morrow, if necessary, a Committee of three be appointed to wait upon the House of Representatives and inform that body of the action of the Senate.

BILLS AND JOINT RESOLUTIONS.

Mr. WRIGHT, pursuant to notice, introduced

A Bill for the punishment of persons who improperly convert the public funds of the State, which was read a first time, passed to a second reading, and ordered to be printed.

Mr. RAINEY, pursuant to notice, introduced

A joint resolution relative to the Board of Commissioners to inquire into the liabilities and assets of the State, which was read a first time, passed to a second reading, and ordered to be printed.

RESOLUTIONS.

Mr. HOYT offered the following :

Resolved, That two thousand copies of the inaugural address of His Excellency Governor R. K. Scott and the same number of Message No. 1 be printed for the use of the Senate.

Mr. SWAILS moved to amend by striking out the words "two thousand" and inserting "five hundred," which was agreed to, and the resolution adopted.

Mr. WRIGHT moved to take up from the table the joint resolution introduced by him on Friday last, in relation to the removal of political disabilities.

Mr. SWAILS moved that the motion be indefinitely postponed, which was decided in the negative.

The resolution was then taken up, considered, and, after a debate participated in by Senators Wright, Maxwell, Randolph and Whittemore, on motion of Mr. WHITTEMORE, was referred to a Special Committee of five.

Senators Whittemore, Jillson, Coghlan, Cain and Buck were appointed said Committee.

Mr. HAYNE, pursuant to notice, introduced

A joint resolution to authorize the Governor to invite proposals for the completion of the new State House. Referred to the Committee on Public Buildings.

Mr. MONTGOMERY presented the proposition of Mr. Julian A. Selby for the legislative printing. Referred to the Committee on Printing.

Mr. DONALDSON offered the following :

Resolved, That the Senate do petition the Congress of the United States to remove the political disabilities of Henry McIver and Hugh Craig, Jr., both of Chesterfield County.

Referred to the Special Committee of five.

Mr. MONTGOMERY moved that the Senator from Chesterfield be allowed to record the vote he would have given on the constitutional amendment, if present at its passage.

The motion was agreed to, and Mr. Donaldson being called, recorded his vote in the affirmative.

On motion of Mr. RAINEY, the Rule requiring the Senate to meet at 12 o'clock M. was suspended for one day.

Mr. RAINEY moved that when the Senate adjourns, it stand adjourned to meet to-morrow at 11 A. M.

Mr. RANDOLPH moved to amend by striking out "11" and inserting "10," which was accepted by the mover.

Mr. WHITTEMORE moved to amend the amendment by striking out "10" and inserting "11," which was agreed to, and the resolution, as amended, adopted.

Hon. Mr. RUTLAND, Senator from Fairfield, at request of the President *pro tem.*, took the chair.

Mr. CORBIN, of the Committee on the Judiciary, to whom was referred a Bill to determine and perpetuate the homestead, reported the same back, and recommended its passage.

The Bill was read, and on motion of Mr. WHITTEMORE, taken up Section by Section, passed to a second reading, and ordered for consideration to-morrow.

Mr. CORBIN, of the same Committee, also reported back a Bill validating the laws of the Provisional Government of South Carolina.

The Bill was read, passed for a second reading, and ordered for consideration to-morrow.

On motion of Mr. RAINEY, it was

Resolved, That a Committee of three be appointed by the President *pro tem.* to wait upon the Hon. Lemuel Boozer, Lieutenant-Governor elect, and inform him that the Senate will be ready to proceed with the inauguration ceremonies to-morrow at 11:30 A. M.

Senators Rutland, Owens and Allen were appointed said Committee.

Mr. HOYT offered the following :

Resolved, That a liberal and judicious freight and passenger tariff by railroad companies is important to the welfare of the State.

Resolved, That a Committee be appointed to examine the present tariffs of the several railroads in this and other States, and ascertain if any reduction can be made in the present tariff of South Carolina railroads without damaging the interests of the several railroad companies.

Referred to the Committee on Railroads.

On motion of Mr. MONTGOMERY, it was

Resolved, That a Special Committee of three be appointed on the part of the Senate, to meet a similar Committee to be appointed by the House of Representatives, to consider the matter of the Great Seal of the State.

Senators Montgomery, Jilison and Maxwell were appointed said Committee.

On motion of Mr. WHITTEMORE, it was

Resolved, That the Clerk of the Senate be allowed to employ two pages.

Mr. WRIGHT offered the following, which was not seconded :

Resolved, That all joint resolutions presented to this body be introduced in the form prescribed by the Constitution of the State.

On motion of Mr. WHITTEMORE, the Senate adjourned at 2:15 P. M.

TUESDAY, JULY 14, 1868.

The Senate assembled at 11 A. M., and was called to order by the PRESIDENT *pro tem*.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Mr. WHITTEMORE offered the following resolution, which was considered immediately and adopted :

Whereas, Two vacancies exist in the representation of the State of South Carolina in the Senate of the United States ; and whereas this is the second Tuesday after the meeting and organization of the General Assembly of this State ; therefore,

Resolved, That the Senate do, at 12 o'clock M., proceed to vote, first for a person to fill the vacancy of the short unexpired term ; and, secondly, for a person to fill the vacancy of the long unexpired term of Senators for the State of South Carolina in the Senate of the United States.

The PRESIDENT *pro tem.* called for petitions, memorials, and such like papers.

Mr. JILLSON presented the petition and Claim of Henry Pate, Tax Collector for Kershaw County, praying payment for services rendered in issuing, by direction of the late Legislatures and orders from the military, eight hundred and twenty-five executions, which have been returned *nulla bona.* Referred to the Committee on Claims.

Mr. ARNIM presented the petition of Mr. Benjamin Roper, Tax Collector for Edgefield County, praying the interposition of the General Assembly, and remission of the interest penalty of five per cent. per month on a deficiency exhibited by an accidental error in making his returns for the year 1868, but which deficiency has been paid and made good to the State. Referred to the Committee on Claims.

Mr. WHITTEMORE, from the Committee on Disabilities, to whom was referred the petition of John T. Green, reported that the Committee having learned that Congress has recommended the removal of the disabilities of John T. Green, of Sumter, they beg leave to be discharged from the further consideration of said petition.

On motion of Mr. ALLEN, the report was accepted, and the Committee discharged.

Mr. RUTLAND, from the Committee appointed to wait on the Hon. Lemuel Boozer, Lieutenant-Governor elect, and inform him that the Senate will be ready to proceed with the inauguration ceremonies at 11:30 A. M., this day, reported that they had performed the duty assigned them, and that the Lieutenant-Governor had informed them that he would be present in the Senate chamber at the time designated in the resolution, ready to take the oath of office.

On motion of Mr. HAYNE, the report was received as information.

On motion of Mr. ALLEN, it was

Resolved, That a Committee of three be appointed to wait upon the Honorable President of the Constitutional Convention, and inform him that Honorable Lemuel Boozer, Lieutenant-Governor elect, will be ready for inauguration at 11:30 A. M., and that he be invited to attend for the purpose of administering the oath as prescribed by the Constitution.

Messrs. Allen, Rutland and Owens were appointed said Committee.

Mr. MAXWELL presented the petition and claim of D. D. McColl, a citizen of Marlboro County, praying compensation for services rendered as Magistrate. Referred to the Committee on Claims.

Mr. HAYES presented the account of Dr. W. L. Templeton for *post mortem* examination. Referred to the Committee on Claims.

Mr. WIMBUSH offered the following :

Resolved, That the General Assembly do petition the Congress of the United States to remove the political disabilities of Edward Livingston, of Chester County.

Referred to the Special Committee of five on Political Disabilities.

On motion of Mr. WHITTEMORE, the Senate proceeded to the second reading of a Bill to determine and perpetuate the homestead.

SPECIAL ORDER.

The hour of 11:30 A. M. having arrived, the reading of the Bill was suspended, and Hon. Lemuel Boozer, Lieutenant-Governor elect, was escorted by the Committee into the Senate chamber.

The Lieutenant-Governor elect was introduced to the Senate by the PRESIDENT *pro tem.*, and delivered the following inaugural address :

Gentlemen of the Senate :

Through you I most respectfully tender to the people of South Carolina my most sincere thanks for the distinguished honor which they have conferred upon me in electing me to the high office upon which I am about to enter. I am not insensible, however, that it is a responsible duty imposed, as well as a distinguished honor conferred. That duty consists mainly in the preservation of order, in the direction of the business and the administration of the Rules of the Senate. It shall be my purpose and endeavor faithfully to discharge that duty. But, gentlemen, in a deliberative body like this, it is not upon the presiding officer alone that this responsibility entirely rests. You, too, must share that responsibility. Your intelligence, your sense of decorum, propriety and honor, are due to your presiding officer. And upon these I shall rely, with unwavering confidence.

Senators, I need not remind you that you have assembled, on this occasion, in eventful times, and that this session of the General Assembly will constitute an epoch in the legislative history of South Carolina. Your every act will be scanned with the strictest scrutiny, and subjected to the severest criticism. It behooves us all, therefore, to act with moderation and justice, and at the same time with decision and firmness. Most of you have been the victims of obloquy and abuse the most unsparring and relentless ; but, gentlemen, let not any sense of the wrong and injustice which any of you may have suffered swerve you from the path of duty to the State, nor incite you for a moment to acts of revenge. Rather let all your actions here be directed solely to the welfare and prosperity of the whole people of South Carolina.

Gentlemen, I will not longer detain you from the more important business before you.

Mr. President, I am now ready to take the oath of office prescribed by the Constitution of South Carolina.

Hon. A. G. Mackey, President of the Constitutional Convention, then administered the oath of office, and proclaimed Hon. Lemuel Boozer duly inaugurated as Lieutenant-Governor of South Carolina, and, by virtue of his office, *ex officio* President of the Senate.

The President of the Constitutional Convention retired, and the PRESIDENT took the chair.

On motion of Mr. WHITTEMORE, the Senate resumed the reading and consideration of the Bill to perpetuate the homestead.

Mr. WHITTEMORE moved that the Senate pass upon the Bill Section by Section as read.

Mr. RUTLAND moved to amend so that the Bill be read through and afterwards considered by Sections.

The amendment was accepted by the mover, the Bill read, and afterwards taken up by Sections.

Section 1 was read a second time and passed to a third reading.

Mr. WRIGHT moved a reconsideration of the first Section, which was agreed to.

Mr. WRIGHT moved to amend, commencing on the sixth line, by striking out the words "one to be named by the creditor, one by the debtor, and one by himself," and inserting "one to be appointed by the creditor, one by the debtor, and in case they fail to agree upon a third person, the Sheriff shall have the appointment of said person."

SPECIAL ORDER.

Pending the consideration of the amendment, the hour of 12 having arrived, the PRESIDENT announced that the Senate will proceed to vote *viva voce* for a Senator to the Congress of the United States from the State of South Carolina for the term commencing on the 4th of March, 1865, and terminating 3d of March, 1871.

On motion of Mr. JILLSON, it was

Resolved, That the roll of the Senate be called, that the Doorkeeper be instructed to bring in all absentees, and that no Senator be allowed to leave the floor during the voting.

The roll was then called, and twenty-nine Senators answered to their names.

On motion of Mr. WHITTEMORE, the further call of the roll was dispensed with.

The Senate then proceeded to vote for United States Senator from South Carolina, for the unexpired term ending 4th of March, 1871.

Mr. WHITTEMORE nominated Mr. Thomas J. Robertson.

On the names of the Senators being called, the following Senators voted for Mr. Robertson :

Messrs. Arnim, Allen, Coghlan, Corbin, Cain, Donaldson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Randolph, Rose, Swails, Whittemore and Wimbush.—23.

The following named Senators voted for Mr. B. F. Perry :

Messrs. Buck, Bieman, Foster, Reid and Rodgers.—5.

Mr. J. J. Wright voted for Mr. A. G. Mackey.

Mr. WHITTEMORE moved that the Senate now proceed to vote for United States Senator for the unexpired term ending 3d of March, 1873, which was agreed to.

The PRESIDENT then announced that the Senate will proceed to vote *viva voce* for United States Senator from the State of South Carolina to the Congress of the United States for the term commencing on the 4th of March, 1867, and terminating the 3d of March, 1873.

Mr. WHITTEMORE nominated Mr. Frederick A. Sawyer.

Mr. MONTGOMERY nominated Mr. A. G. Mackey.

Mr. RANDOLPH nominated Mr. Mansfield French.

On the names of the Senators being called, the result was announced as follows .

FIRST BALLOT.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—8.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Corbin, Coghlan, Hayes, Jillson, Leslie, Rutland, Swails, Wright and Whittemore.—9.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Cain, Donaldson, Duncan, Hayne, Maxwell and Randolph.—7.

Those who voted for Mr. J. B. Campbell are :

Messrs. Buck, Bieman, Foster, Reid and Rodgers.—5.

Whole number of votes given..... 29

Necessary to a choice..... 15

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a second ballot.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Coghlan, Corbin, Foster, Hayes, Jilison, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—13.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Duncan, Hayne, Maxwell and Randolph.—6.

Mr. Bieman voted for Mr. J. B. Campbell.

Whole number of votes cast..... 29

Necessary to a choice 15

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a third ballot.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Coghlan, Corbin, Donaldson, Foster, Hayes, Jilison, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—14.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Duncan, Hayne, Maxwell and Randolph.—5.

Mr. Bieman voted for Mr. J. B. Campbell.

Whole number of votes cast..... 29

Necessary to a choice..... 1

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a fourth ballot.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Coghlan, Corbin, Donaldson, Foster, Hayes, Jilison, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—14.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Duncan, Hayne, Maxwell and Randolph.—5.

Mr. Bieman voted for Mr. J. B. Campbell.

Whole number of votes given..... 29

Necessary to a choice..... 15

No candidate having received a majority of the whole number of votes given, the Senate proceeded to a fifth ballot.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Coghlan, Corbin, Donaldson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allon, Duncan, Hayne, Maxwell and Randolph.—5.

Whole number of votes given.....29

Necessary to a choice.....15

The PRESIDENT announced, upon the result of the fifth ballot, that Mr. Frederick A. Sawyer had received a majority of the whole number of votes given in the Senate.

Mr. MONTGOMERY moved that a message be sent to the House of Representatives respectfully informing that body of the state of the vote for Senators in Congress from the State of South Carolina.

The motion was not seconded.

On motion of Mr. WHITTEMORE, it was

Resolved, That a Committee of three be appointed by the President to notify the House of Representatives that the Senate will, if it be the pleasure of that body, meet in Joint Assembly to-morrow at 12 M., for the purpose of reading so much of the Journals of the Senate and House of Representatives as relates to the vote given for United States Senators.

Messrs. Whittemore, Randolph and Hayes were appointed said Committee.

On motion of Mr. DONALDSON, the Senate adjourned at 2:15 P. M.

WEDNESDAY, JULY 15, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. WHITTEMORE announced the Senator elect from Clarendon County.

Mr. HAYES, of the Committee on Credentials, reported that they had examined the credentials of the Senator elect from Clarendon County, and found them correct.

Hon. E. E. Dickson, Senator elect from Clarendon County, appeared at the President's desk, when the oath was administered, and he took his seat.

Mr. WHITTEMORE, from the Committee appointed to wait on the House of Representatives and notify that body that the Senate was ready to meet in Joint Assembly at 12 M., this day, for the purpose of reading so much of the Journals of the Senate and House of Representatives as relates to the vote given for United States Senators, reported that they had performed the duty assigned them, and asked to be discharged.

On motion of Mr. SWAILS, the report of the Committee was received as information, and the Committee discharged.

On motion of Mr. RANDOLPH, the Senate proceeded to the consideration of the General Orders, and resumed the consideration and second reading of a Bill to determine and perpetuate the homestead.

The Senate proceeded to the consideration of the amendment to Section 1, proposed by Mr. WRIGHT.

Mr. MONTGOMERY moved that the General Order be discharged, and made the Special Order for 12 M. to-morrow.

The motion was not seconded.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., July 15, 1868.

To the Honorable the Senate of South Carolina :

MR. PRESIDENT AND GENTLEMEN : This House respectfully informs the Senate that it is now ready to go into a joint vote for United States Senators, and awaits the presence of the Senate.

By order of the House.

F. J. MOSES, JR.,
Speaker of the House of Representatives.

VOTE FOR UNITED STATES SENATORS.

The Senate proceeded, at 12:30 P. M., to the House of Representatives, when so much of the Journals of both Houses as relates to the votes given for Senators in the Congress of the United States from South Carolina was read by the Clerk of the Senate and the Clerk of the House of Representatives, respectively.

The following was announced as the result of the vote given in each House for a Senator in the Congress of the United States from South

Carolina for the term commencing 4th of March, 1865, and terminating 3d of March, 1871.

SENATE.

Mr. Thomas J. Robertson, received.....	23
Mr. B. F. Perry.....	5
Mr. A. G. Mackey.....	1
	<hr/>
Whole number of votes given.....	29
Necessary to a choice.....	15

HOUSE OF REPRESENTATIVES.

Mr. Thomas J. Robertson received.....	107
Mr. B. F. Perry.....	14
Mr. F. A. Sawyer.....	1
	<hr/>
Whole number of votes given.....	122
Necessary to a choice.....	62

Whereupon the PRESIDENT of the Senate declared that the Hon. Thomas J. Robertson, having received a majority of the votes given in each House, was duly elected Senator in the Congress of the United States from South Carolina for the term commencing 4th of March, 1865, and terminating 3d of March, 1871.

The following was announced as the result of the vote given in each House for a Senator in the United States Congress from South Carolina for the term commencing 4th of March, 1867, and terminating 3d of March, 1873 :

SENATE.

Mr. A. G. Mackey received.....	9
Mr. F. A. Sawyer.....	15
Mr. Mansfield French.....	5
	<hr/>
Whole number of votes given.....	29
Necessary to a choice.....	15

HOUSE OF REPRESENTATIVES.

Mr. A. G. Mackey received.....	50
Mr. F. A. Sawyer.....	34
Mr. Mansfield French.....	24
Mr. J. B. Campbell.....	14
	<hr/>
Whole number of votes given.....	122
Necessary to a choice.....	62

No candidate having received a majority of the votes given in each House, the Joint Assembly proceeded to vote *viva voce* for a Senator in the Congress of the United States from South Carolina for the term commencing 3d March, 1867, and terminating 3d March, 1873.

FIRST BALLOT.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Duncan, Hayne, Maxwell and Randolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perin, Ransier, Root, Abraham Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—51.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, John Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, Burrell James, Henry James, Jones, Kuh, George Lee, Lewie, Mayer, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—34.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Ceoke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Purvis, Rivers, Stoerber, Smalls, Shrewsberry, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—22.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—13.

Mr. Bullock voted for Mr. B. F. Perry.

Mr. A. G. Mackey received.....	60
Mr. F. A. Sawyer.....	49
Mr. M. French.....	28
Mr. J. B. Campbell.....	13
Mr. B. F. Perry.....	1

Whole number of votes given.....151

Necessary to a choice 76

No candidate having received a majority of the whole number of votes given, there was no election, and the Joint Assembly proceeded to a second ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Duncan, Hayne, Maxwell and Randolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lowax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Joseph Boston, Driffler, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Mayer, McIntyre, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—37.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—20.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller.—14.

Mr. A. G. Mackey received.....	59
Mr. F. A. Sawyer.....	52
Mr. Mansfield French.....	26
Mr. J. B. Campbell.....	14

Whole number of votes given151

Necessary to a choice..... 76

No candidate having received a majority of the votes given, the Joint Assembly proceeded to a third ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Duncan, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—9.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Cain, Donaldson, Hayne, Maxwell and Randolph.—6.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, Burrel James, Henry James, Jones, Kuh, Geo. Lee, Lewie, McIntyre, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—35.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Ezekiel, Hayes, Johnson, Morrison, Mays, Rivers, Stoeber, Smalls, Shrewsberry, Smiley, B. A. Thompson, Tinsley, Wilder and Whipper.—21.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

Mr. A. G. Mackey received.....	59
Mr. F. A. Sawyer.....	50
Mr. M. French.....	27
Mr. J. B. Campbell.....	14

Whole number of votes given..... 150

Necessary to a choice..... 76

No candidate having received a majority of the votes given, the Joint Assembly proceeded to a fourth ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash, Owens, Kainey, Rose and Wimbush.—10.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are :

Messrs. Allen, Donaldson, Hayne, Maxwell and Randolph.—5.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, L. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervay, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—50.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, Burrell James, Henry James, Jones, Kuh, Geo. Lee, Lewie, McIntyre, Mays, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—36.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Cooke, Collins, Eze-

kiel, Hayes, D. J. J. Johnson, Morrison, Rivers, Stoeber, Smalls, Shrewsberry, Smiley, B. A. Thompson, Tomlinson, Tinsley, Wilder and Whipper.—20.

Those who voted for Mr. J. B. Campbell are:

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

Mr. A. G. Mackey received.....	60
Mr. F. A. Sawyer.....	51
Mr. Mansfield French.....	25
Mr. J. B. Campbell.....	14

Whole number of votes given.....150

Necessary to a choice..... 76

No candidate having received a majority of the votes given, the Joint Assembly proceeded to a fifth ballot.

SENATE.

Those who voted for Mr. A. G. Mackey are:

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash, Owens, Rainey, Rose and Wimbush.—10.

Those who voted for Mr. F. A. Sawyer are:

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Foster, Hayes, Jillson, Leslie, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—15.

Those who voted for Mr. Mansfield French are:

Messrs. Allen, Donaldson, Hayne, Maxwell and Randolph.—5.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. G. Mackey are:

Hon. F. J. Moses, Jr. Speaker, and Messrs. Brown, Burton, L. Cain, Cooke, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, Abraham Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wilder, Wooley, White and Wright.—52.

Those who voted for Mr. F. A. Sawyer are:

Messrs. Bosemon, Bennett, Berry, Jno. Boston, Driffle, Duvall, DeMars, Elliott, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, Burrell James, Henry James, Jones, Kuh, George Lee, Lewie, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Webb.—35.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, E. J. Cain, Collins, Ezekiel, Hayes, D. J. J. Johnson, Morrison, Mays, Rivers, Stoeber, Smalls, Shrewsberry, Smiley, B. A. Thompson, Tomlinson, Tinsley and Whipper.—19.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller.—14.

Mr. A. G. Mackey received.....	62
Mr. F. A. Sawyer.....	50
Mr. Mansfield French.....	24
Mr. J. B. Campbell.....	14

Whole number of votes given.....	150
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Necessary to a choice.....	79
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The PRESIDENT announced that no candidate having received a majority of the whole number of votes given, there was no election.

On motion of Mr. RUTLAND, the Joint Assembly was dissolved, to meet to-morrow at 12 M.

The Senate returned to their chamber, and, on motion of Mr. DONALDSON, the Senate adjourned at 3:15 P. M.

THURSDAY, JULY 16, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WHITTEMORE, the reading of the Journal of yesterday was suspended.

Mr. WHITTEMORE moved that the Senate proceed to the hall of the House of Representatives for the purpose of continuing the vote in Joint Assembly for a Senator in the Congress of the United States from South Carolina for the term commencing 4th of March, 1867, and terminating 4th of March, 1873.

The motion was agreed to.

The Senate then proceeded to the House of Representatives, and united with that body in Joint Assembly to vote for a Senator to the United States Congress from South Carolina.

JOINT ASSEMBLY.

At 12:15 P. M. the Joint Assembly was called to order by the **PRESIDENT** of the Senate.

The Clerk of the Senate proceeded to read the Journal of yesterday.

On motion of Mr. **WHITTEMORE**, the reading of the Journal was dispensed with.

On motion of Mr. **HAYNE**, a call of the Joint Assembly was ordered.

The Joint Assembly then proceeded to continue the ballot for a Senator in the Congress of the United States from South Carolina for the term commencing 4th of March, 1867, and terminating 4th of March, 1873.

SIXTH BALLOT.

SENATE.

Those who voted for Mr. F. A. Sawyer are:

Messrs. Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jillson, Leslie, Owens, Rutland, Reid, Rodgers, Swails, Wright, and Whittemore.—17.

Those who voted for Mr. A. G. Mackey are:

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose and Wimbush.—10.

Those who voted for Mr. Mansfield French are:

Messrs. Allen, Hayne and Randolph.—3.

Mr. Sims voted for Mr. J. B. Campbell.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are .

Messrs. Bosemon, Bennett, Berry, John Boston, Drifle, Duvall, DeMars, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, Jacobs, B. James, H. James, Jones, Kuh, Lewie, Mayer, Morrison, McIntyre, Mead, Prendegrass, Pettengill, Richardson, Rush, Stolbrand, Stubbs, Smythe, Scott, Thomas and Valentine.—34.

Those who voted for Mr. A. G. Mackey are:

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brown, Burton, I. Cain, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, S. B. Thompson, Wooley, White and Wright.—48.

Those who voted for Mr. Mansfield French are :

Messrs. Brodie, Joseph Boston, Bishop, Edwin J. Cain, Cooke, Collins, Elliott, Ezekiel, Hayes, D. J. J. Johnson, George Lee, Mays, Purvis, Rivers, Stoeber, Smalls, Shrewsbury, Smiley, Benjamin A. Thompson, Tomlinson, Tinsley, Wilder, Whipper and Webb.—24

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, R. M. Smith, Stewart, Turner, Wilson and Waller.—14.

Mr. F. A. Sawyer received	51
Mr. A. G. Mackey.....	58
Mr. M. French.....	27
Mr. J. B. Campbell.....	15

Whole number of votes given.....151

Necessary to a choice. 76

No candidate having received a majority of the whole number of votes given, there was no election.

The name of Mr. Mansfield French was withdrawn, and the Joint Assembly then proceeded to a seventh ballot.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Allen, Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jillson, Leslie, Owens, Rutland, Reid, Rodgers, Swails, Wright and Whittemore.—18.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose and Wimbush.—10.

Mr. R. M. Sims voted for Mr. J. B. Campbell.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, John Boston, Joseph Boston, Bishop, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, D. J. J. Johnson, Jacobs, Burrell James, Henry James, Jones, Kuh, George Lee, Lewie, Mayer, Morrison, McIntyre, Mays, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stoeber, Stolbrand, Stubbs, Smalls, Smythe, Smiley, Scott, Tomlinson, Thomas, Tinsley, Valentine, Whipper and Webb.—48.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Brodie, Brown, Burton, Lawrence Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews,

DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Hayes, J. N. Hayne, Humphries, Harris, Hyde, Henry Johanson, Johnston, Samuel Johnson, Griffia Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, Abraham Smith, Saunders, Sasportas, Simons, B. A. Thompson, S. B. Thompson, Wilder, Wooley, White and Wright.—58.

Those who voted for Mr. J. B. Campbell are :

Messrs. Bullock, Bryant, Clyburn, Doyle, Field, Keith, Littlejohn, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—14.

Mr. F. A. Sawyer received.....	66
Mr. A. G. Mackey.....	68
Mr. Mansfield French.....	1
Mr. J. B. Campbell.....	15

Whole number of votes given.....150

Necessary to a choice..... 76

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to an eighth ballot.

SENATE.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Allen, Buck, Bieman, Corbin, Coghlan, Dickson, Donaldson, Foster, Hayes, Jillson, Leslie, Owens, Rutland, Randolph, Reid, Rodgers, Swails, Sims and Whittimore.—19.

Those who voted for Mr. A. G. Mackey are :

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Maxwell, Nash, Rainey, Rose, Wright and Wimbush.—11.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. A. Sawyer are :

Messrs. Bosemon, Bennett, Berry, John Boston, Joseph Boston, Bullock, Bryant, Bishop, Clyburn, Driffle, Duvall, Doyle, DeMars, Elliott, Ezekiel, Feriter, Grant, C. D. Hayne, Holliman, Hutson, Henderson, Jenks, D. J. J. Johnson, Jacobs, B. James, H. James, Jones, Kuh, G. Lee, Lewie, Littlejohn, Mayer, Morrison, McIntyre, Moore, Mays, Mead, Purvis, Prendegrass, Pettengill, Richardson, Rush, Stoeber, Stolbrand, Stubbs, Smalls, R. M. Smith, Smythe, Smiley, Scott, Tomlinson, Tinsley, Turner, Valentine, Wilson, Waller, Whipper and Webb.—58.

Those who voted for Mr. A. G. Mackey are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Brodie, Brown, Burton,

L. Cain, E. J. Cain, Cooke, Collins, Chestnut, Crews, DeLarge, Dennis, Dusenberry, Farr, Gray, Gardner, Goodson, Hayes, J. N. Hayne, Humphries, Harris, Hyde, H. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, Jervey, Lomax, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Martin, Miller, Nelson, Nash, Nuckles, Neagle, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, B. A. Thompson, S. B. Thompson, Wilder, Wooley, White and Wright.—57.

Those who voted for Mr. J. B. Campbell are :

Messrs. Field, Keith, Sloan and Stewart.—4.

Mr. F. A. Sawyer received.....	77
Mr. A. G. Mackey.....	68
Mr. J. B. Campbell.....	4

Whole number of votes given.....149

Necessary to a choice..... 75

Mr. Frederick A. Sawyer having received a majority of the votes given, the PRESIDENT of the Senate declared him duly elected Senator in the Congress of the United States from South Carolina for the term commencing 4th March, 1867, and terminating 3d March, 1873.

The Joint Assembly was then dissolved, and the Senate returned to their chamber.

Mr. WHITTEMORE asked and obtained leave of absence for ten days.

Mr. LESLIE asked and obtained leave of absence for three days.

Mr. RANDOLPH moved that so much of the Rules requiring the Senate to meet at 12 M. be suspended.

The motion was not seconded.

On motion of Mr. ALLEN, the Senate adjourned at 1:15 P. M.

FRIDAY, JULY 17, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. DONALDSON asked and obtained leave of absence for a few days.

Mr. RUTLAND asked and obtained leave of absence for three days.

Mr. CAIN asked and obtained leave of absence until Tuesday next.

On motion of Mr. MONTGOMERY, the Senator from Edgefield (Mr. Arnim) was granted leave of absence until Wednesday next.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a concurrent resolution to petition Congress to remove the political disabilities of George Buist; also,

A concurrent resolution to petition Congress to remove the political disabilities of W. J. Mixson. Referred to the Special Committee of five on Political Disabilities. Also,

A concurrent resolution empowering the Attorney-General to employ six engrossing clerks and two legal gentlemen. Referred to the Committee on the Judiciary.

Mr. RANDOLPH presented the petition of Thompson H. Cooke, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

Mr. MAXWELL presented the petition of Alexander E. Bristow, Sheriff of Marlboro District, praying remission of penalty and for relief. Referred to the Committee on Claims.

Mr. MAXWELL presented the accounts of John L. McColl, Ex-Tax Collector of Marlboro, for issuing executions and lodgment of them with the Sheriff; P. McCall, Clerk of Marlboro District; Gilbert Calder, Special Constable; John M. Miller, Tax Collector for Marlboro, issuing and lodging executions with the Sheriff. Referred to the Committee on Claims

Mr. SIMS presented the petition of M. F. Molony, praying that the Comptroller-General be directed to issue a duplicate warrant for one lost, and submitted the following resolution, which he asked to be considered immediately :

Resolved, That the Senate, with the concurrence of the House of Representatives, now sitting, direct that the Comptroller-General do issue to W. W. Woodward, Sheriff of Barnwell District, for the benefit of M. F. Molony, a duplicate warrant to one issued to the said W. W. Woodward on 12th of May, 1868, for the sum of \$255.20; the original warrant having been lost, as shown in the petition of M. F. Molony.

The resolution being a resolution of concurrence, it was ordered to lie over for consideration to-morrow.

Mr SIMS presented sundry accounts of the Winnsboro and Fairfield Herald for printing. Referred to the Committee on Claims. Also,

The petition of James Thompson, of Beaufort, praying that a dispensation may be granted allowing him to apply for admission to practice in the Courts of Law and Equity in this State at the next Fall Term of the Court, at which time he will still be under the age of 21 years. Referred to the Committee on the Judiciary.

Mr. SIMS presented the account of Dr. Charles E. Dupont for *post mortem* examination. Referred to the Committee on Claims.

Mr. RANDOLPH presented the petition of George Boliver and Wm. N. Mount, praying the General Assembly to petition Congress to remove their political disabilities.

Mr. NASH presented sundry accounts of A. W. Kennedy for arrearages of salary and services as Bursar of Arsenal Academy, from 1st day of January, 1864, to 1st day of January, 1868, inclusive. Referred to the Committee on Claims.

Mr. CAIN presented a petition of the officers of the Republican Cadets of the city of Charleston, consisting of one captain, three lieutenants, five sergeants, eight corporals and fifty-nine privates, for an Act of incorporation. Referred to the Committee on Military.

RESOLUTIONS.

Mr. RUTLAND offered the following resolution, which was considered immediately and agreed to :

Resolved, That a Special Committee of five be appointed by the Chair to inquire into and report upon the propriety of reducing the amounts of the official bonds of the State Treasurer, Sheriffs, and other State and County officers; and that said Committee have leave to report by Bill or otherwise.

Messrs. Rutland, Corbin, Rose, Allen, Hayes and Wright were appointed said Committee.

Mr. HOYT offered the following resolution :

Resolved, That a Committee of three be appointed, to act with a similar Committee on the part of the House of Representatives, to proceed to Greenville and ascertain what accommodations can be obtained for the sittings of the General Assembly at that place, and report at as early a period as possible.

On motion of Mr. SWAILS, the resolution was ordered to lie on the table.

NOTICES OF BILLS.

Mr HAYES gave notice that on Monday next, or some subsequent day, he will ask leave to introduce

A Bill to incorporate the Citizens' Savings Bank of South Carolina.

Mr. HAYES gave notice that on Monday next, or on some subsequent day, he will ask leave to introduce

A Bill to provide for the appointment of Tax Collectors in this State.

BILLS INTRODUCED.

Mr. RANDOLPH, pursuant to notice and by leave of the Senate, introduced

A Bill enabling persons resident in this State, and having worked under contract; to recover pay for their labor when said contract is not complied with.

The Bill received its first reading, and was ordered for a second reading to-morrow.

GENERAL ORDERS.

On motion of Mr. ALLEN, the Senate proceeded to the consideration of General Orders, and the Bill to determine and perpetuate the homestead was taken up.

The question recurred on the amendment to the first Section proposed by Mr. Wright, which, after some discussion by Messrs. Corbin and Wright, was not agreed to.

The Section then passed as reported by the Committee.

The remaining Sections were read a second time, and the Bill ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate took up a Bill organizing the County Courts.

Section 1 received its second reading.

On motion of Mr. WRIGHT, the Bill was made the Special Order for Monday next at 1 P. M.

On motion of Mr. CORBIN, the Rules of the Senate were suspended in order to take up a Bill to regulate appeals and writs of error to the Supreme Court; which was read the first time, and ordered for consideration to-morrow.

On motion of Mr. RANDOLPH, a Bill validating the laws of the Provisional Government of South Carolina was taken up.

Mr. CORBIN moved to amend in the first line by striking out the word "Acts" wherever it occurs in the line, so as to read that "all laws and parts of laws," &c.

The amendment was agreed to.

Mr. RANDOLPH moved to amend in the third line by inserting after the word "Constitution" the words "and Ordinances."

Pending the consideration of this amendment, Mr. HAYNE moved that when the Senate adjourns, it adjourn to meet on Monday at 12 M. The motion was not agreed to.

On motion of Mr. RANDOLPH, the Senate adjourned at 2:45 P. M.

SATURDAY, JULY 18, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PETITIONS, &c.

Mr. BIEMAN presented the report of the Commissioners for Oconee County, appointed by the late Constitutional Convention of South Carolina to locate a new County site for Oconee County, and for other purposes. Referred to the Committee on the Judiciary.

Mr. SWAILS presented the petition of the Commissioners of Williamsburg County, asking an appropriation to assist them in building a jail. Referred to the Committee on Public Buildings.

Mr. RODGERS presented the report of the Commissioners for Pickens County, appointed by the Constitutional Convention to locate a new County site, and for other purposes. Referred to the Committee on the Judiciary.

Mr. ALLEN presented the petition of R. F. Weldon and others in reference to the closing up of a part of the Rutherfordton Road, in Greenville County. Referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. ALLEN, it was

Resolved, That the President of the Senate appoint a Committee of five on Roads, Bridges and Ferries.

The PRESIDENT stated that he would announce the Committee on Monday next.

Mr. COGHLAN presented the account of Dr. F. L. Green, of Sumter, for a *post mortem* examination. Referred to the Committee on Claims.

Mr. ALLEN presented the account of J. C. Bailey for printing. Referred to the Committee on Claims.

Mr. CORBIN presented the petition of Wm. C. Langley, Samuel Keyser and Charles D. Cook for an Act of incorporation for Kalmia Mills. Referred to the Committee on Incorporations.

Mr. CORBIN presented the petition of Joseph Walker for payment of bill contracted by the Clerk of the last Legislature. Referred to the Committee on Claims.

Mr. JILLSON, from the Special Committee of five on Disabilities, to whom had been referred the petitions of George Buist and W. J. Mixson for the removal of their political disabilities, endorsed by the House of Representatives, and ordered to be sent to the Senate for concurrence, reported the same back with the following:

Resolved, That the Senate do concur with the resolution of the House in regard to the same.

Mr. JILLSON, from the same Committee, on the petitions of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg, for the removal of their political disabilities, reported the following:

Resolved, by the Senate and House of Representatives concurring, That the General Assembly of the State of South Carolina do petition the United States Congress to remove the political disabilities of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a joint resolution from the House of Representatives empowering the Attorney-General to employ six engrossing clerks and two legal gentlemen, reported the same back, and recommended that the Senate concur in the resolution.

On motion of Mr. CORBIN, the Rules were suspended for the purpose of immediate consideration of the report.

The resolution was then concurred in, and ordered to be returned to the House of Representatives.

NOTICES OF BILLS.

Mr. ALLEN gave notice that on Monday, or some subsequent day, he will introduce

A Bill to validate all Ordinances passed by the late Constitutional Convention.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders.

The Bill validating the laws of the Provisional Government of South Carolina was taken up.

The question recurred on the amendment proposed by Mr. Randolph, to insert the word "and Ordinances" after the date "1868."

Some discussion ensued, participated in by Messrs. Randolph, Corbin, Allen and Wright.

Mr. RANDOLPH offered the following :

Resolved That the Bill validating the laws of the Provisional Government of South Carolina be recommitted to the Judiciary Committee, with instructions to except such Acts as the Committee may consider should not be validated.

Mr. MONTGOMERY moved to amend by striking out so much of the resolution as relates to instructions, which was not agreed to.

The question was then taken upon the resolution to recommit, which was decided in the affirmative, by a vote of yeas 13, nays 8.

The Bill for the punishment of persons who improperly convert the public funds of the State was read a second time, and referred to the Judiciary Committee.

The Bill enabling persons resident in this State, and having worked under contract, to recover pay for their labor when said contract is not complied with was read a second time, and was referred to the Judiciary Committee.

The Bill to regulate appeals and writs of error to the Supreme Court received a second reading, and after some verbal amendments, was ordered to be engrossed for a third reading.

NOTICES OF BILLS.

Mr. WRIGHT gave notice that on Monday, or some subsequent day, he would introduce

A Bill to continue in force the General and Special Orders of Military Commanders issued during the existence of the Provisional Government of South Carolina.

On motion of Mr. RANDOLPH, the Senate proceeded to the consideration of the joint resolution (introduced by Mr. Sims) asking issue of warrant to Sheriff of Barnwell County for one lost.

Mr. CORBIN offered the following amendment :

Provided, That W. L. Woodward shall give to the Treasurer of the State of South Carolina a bond of indemnity against the production and presentation for payment of the original order.

On motion of Mr. WRIGHT, the resolution was referred to the Committee on Claims.

On motion of Mr. RAINEY, the joint resolution relative to the Board of Commissioners for Pickens County was postponed to the 28th instant.

RESOLUTIONS.

Mr. RANDOLPH offered the following :

Whereas, The Rev. Valentine Young, Senator elect from Abbeville County, refuses to appear, qualify and take his seat in this Senate; and whereas Section 29, Article 2, of the Constitution of the State provides that when any person chosen a member of either House shall refuse to qualify and take his seat, a writ of election shall be issued by the President of the Senate or Speaker of the House of Representatives, as the case may be, for the purpose of filling the vacancy; therefore, be it

Resolved, That the President of the Senate be authorized to issue a writ of election to fill the vacancy in the Senate for Abbeville County, occasioned by the refusal of the Rev. Valentine Young to appear and qualify.

On motion, the resolution was referred to the Committee on Elections.

On motion of Mr. HAYNE, the Senate adjourned at 2 P. M.

MONDAY, JULY 20, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

The PRESIDENT announced the following gentlemen as the Standing Committee on Roads, Bridges and Ferries:

Messrs. Allen, Nash, Sims, Duncan and Hayes.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with concurrence, the report of the Committee on Printing, appointing Mr. J. W. Denny Printer to the General Assembly for the term.

Mr. SIMS asked and obtained leave of absence for Mr. Buck until the 31st instant.

Mr. RANDOLPH asked and obtained leave of absence for Mr. Hayes from Saturday last until Tuesday.

PETITIONS, MEMORIALS, &c.

Mr. NASH presented the petition of Thomas P. Walker, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Disabilities.

Mr. SIMS presented the petition of J. L. Wright, Jr., and sundry citizens of York County, asking renewal of a charter for Wright's Ferry, said charter having expired by limitation. Referred to the Committee on Roads, Bridges and Ferries.

Mr. COGHLAN presented the account of J. M. Wilder, Sheriff of Sumter County, for fees as Sheriff. Referred to the Committee on Claims.

Mr. NASH presented the account of Dr. W. P. Geiger for *post mortem* examination. Referred to the Committee on Claims.

Mr. RANDOLPH offered the following :

Resolved, That the Committee on Incorporations be instructed to ascertain whether the charters of any bodies which have been incorporated by the General Assembly of this State should be altered or renewed under the new Constitution, and said Committee shall report accordingly to the Senate.

Referred to the Committee on Incorporations.

Mr. MONTGOMERY offered the following, which was considered immediately, and, on motion of Mr. ALLEN, was made a concurrent resolution, and ordered for consideration to-morrow :

Whereas, The General Assembly of 1836, by joint resolution, provided that the Legislature will not in future grant any new charter, Act of incorporation, or any extension of a charter previously granted, unless the applicant or applicants for the same shall have first given notice of three months prior to making application for such new charter, Act of incorporation, or extension thereof ; therefore, be it

Resolved, by the Senate and House of Representatives, That the joint resolution of 1836 so providing be, and the same is hereby, suspended during the session of this General Assembly.

NOTICES OF BILLS.

Mr. RANDOLPH gave notice that on to-morrow, or some subsequent day, he would introduce

A Bill enabling minor children and persons heretofore known as "free persons of color" to recover all property, and in specie or United States currency, the value of all bonds, deposits or moneys that may have been converted without their consent into Confederate bonds or moneys

BILLS INTRODUCED.

Mr. ALLEN, pursuant to notice, introduced

A Bill validating all Ordinances passed by the late Constitutional Convention of South Carolina, which was read a first time and ordered for consideration to-morrow.

Mr HAYES, pursuant to notice, introduced

A Bill to incorporate the Citizens' Savings Bank of South Carolina, which was read a first time and ordered for consideration to-morrow.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to continue in force the General and Special Orders of Military Commanders issued during the existence of the Provisional Government, which was read a first time and ordered for consideration to morrow.

On motion of Mr. JILLSON, the Rules were suspended for the purpose of introducing

A Bill accepting the benefits of an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

The Bill was read a first time, ordered for a consideration to-morrow, and on motion of Mr. HAYNE, ordered to be printed.

MESSAGE FROM THE GOVERNOR.

Message No. 2 from His Excellency the Governor was received and read, as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, July 18, 1868

To the President of the Senate of South Carolina :

I herewith transmit to your honorable body certain documents relating to the late elections for County officers in the Counties of Abbeville, Chester, Marion, Barnwell, Pickens, Union, Edgefield, Charleston, Georgetown, Horry and Laurens.

The documents referred to were transmitted to me by the Commander of the Second Military District, and I now lay them before the General Assembly for such action as your honorable body, in connection with the House of Representatives, may deem lawful and proper.

I also herewith transmit documents relating to the election held on the 14th, 15th and 16th days of April last, in Anderson County.

R. K. SCOTT,

Governor of South Carolina.

On motion of Mr. RANDOLPH, the Message was received as information, and together with the accompanying documents, was referred to the Committee on Elections

On motion of Mr. SWAILS, the report of the Special Committee of five on Political Disabilities on the petitions of George Buist, W. J. Mixson, Thompson H. Cooke, George Boliver and Wm. N. Mount was taken up, agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. RANDOLPH, it was

Resolved, That the President be authorized to add an additional member to the Military Committee.

SPECIAL ORDER.

At 1 o'clock the PRESIDENT announced the Special Order, which was a Bill to organize the Circuit Courts.

Mr. CORBIN moved that the Bill be read through and afterwards taken up Section by Section, which was agreed to.

The Bill was read through and then considered by Sections.

On motion of Mr. CORBIN, the word "County," wherever occurring before the word "Courts," was stricken out, and the word "Circuit" inserted.

Mr. MONTGOMERY moved to amend Section 11 by inserting after the word "adjourn" on the fourth line the following: "or order an extra session for the completion of such unfinished business as may be before said Court of General Sessions."

The amendment was afterward withdrawn.

On motion of Mr. CORBIN, the Bill was further amended by the correction of some verbal errors in the various Sections, and the question taken upon its passage to a third reading.

Mr. COGHLAN moved that the Bill be referred to a Special Committee

The PRESIDENT decided the motion to be out of order, the only motion in order being to recommit.

On motion of Mr. SWAILS, the Bill passed, and was ordered to be engrossed for a third reading.

The PRESIDENT announced that Mr. Hayne had been added to the Military Committee.

On motion of Mr. RUTLAND, the vote whereby a Bill to regulate appeals and writs of error to the Supreme Court was passed to a third reading was reconsidered.

Mr. RUTLAND moved to amend Section 2, fifteenth line, by inserting between the words "costs" and "if" the words "occasioned by reason of his proceedings in error."

The amendment was agreed to, and upon the question being taken, the Bill was passed, and was ordered to be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate adjourned at 2:20 P. M.

TUESDAY, JULY 21, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

The PRESIDENT laid before the Senate the report of the President and Directors of the Bank of the State of South Carolina; which was referred to the Committee on Finance, and, on motion of Mr. CORBIN, ordered to be printed.

PETITIONS.

Mr. RANDOLPH presented the petition of William Hill, of Abbeville, praying the General Assembly to petition the Congress of the United States for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

Mr. RANDOLPH rose to a question of privilege, and asked leave to correct sundry statements in the newspapers in regard to the bids for the Legislative printing. He then read an extract from the Charleston Courier, of the 20th, stating that there were three competitors for this printing—Mr. J. W. Denny, one General Pierce, a Republican adventurer, who made one of your Fourth of July speeches on the Citadel Green, and Mr. Julian A. Selby, of the Phoenix, who has been State Printer since the close of the war.

In regard to this statement, Mr. Randolph said, first, that Mr. Julian A. Selby was not State Printer the entire time since the close of the war, for the Reports and Resolutions and Journals of the General Assembly of the annual session of 1866 show that Mr. F. G. DeFontaine was

State Printer part of that session. Second. Mr. Selby's estimate for the printing was not before the Committee at the time the statement would seem to imply. Two estimates were sent in to the Committee on Printing, and the time for proposals kept open four days. Mr. Denny's proposal is dated July 8, 1868, and was signed by him. The other estimate was without signature. The estimate of Mr. Denny being the lowest of the two, was reported upon favorably by the Committee on Printing on the 10th instant. The report was agreed to, and the resolution appointing Mr. Denny Printer adopted in the Senate. This appeared in the Journal of the Senate on the 10th instant, showing the prices at which Mr. Denny proposed to do the work. On the 13th of July, three days after, Mr. Selby, having the advantage of Mr. Denny's exhibit, presented, through the Senator from Newberry, his estimate and proposition for the Legislative printing. The correspondent then goes on to state that Mr. Denny's prices are much higher than those at which the work was done at any former period. It may be seen, however, that Mr. Denny's prices are at a small advance on those of Mr. DeFontaine, who admits that the prices at which he did the work gave him no profit, but that he rather suffered loss. It is evident that Mr. Denny is doing the work at very reasonable figures, but the correspondent, in order to keep up existing prejudice, says: "This shows how you may expect to be taxed to death to support a party now in control of the State." He (Mr. Randolph), a few days ago, on the presentation of Mr. Selby's proposal, stated to a Senator on his left that he had no doubt a flaming article would appear in the newspapers charging the General Assembly with making contracts for special favorites regardless of expense, and his prediction had been verified. With this explanation and statement of the case, he left the matter to be judged of by the public.

Mr. HOYT, member of the Committee on Printing, rose and confirmed the statement of the Senator from Orangeburg, (Mr. Randolph,) and stated that Mr. Selby, during the time the Committee were ready to receive estimates, sent in no proposition.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill enabling persons having worked under contract to recover pay for their labor when said contract is not complied with, reported that they had considered the same, and recommend that the Bill do not pass. Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to consider the joint resolution rescinding joint resolution of the General Assembly of South Carolina of 1836, which was read a second time, agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill validating all Ordinances passed by the late Constitutional Convention of South Carolina was read a second time, referred to the Committee on the Judiciary, and, on motion of Mr. WRIGHT, ordered to be printed.

A Bill to continue in force the General and Special Orders of Military Commanders issued during the existence of the Provisional Government was read a second time.

Mr. MONTGOMERY moved to strike out all after the enacting clause, which was not seconded.

On motion of Mr. SWAILS, the Bill was referred to the Committee on the Judiciary, and ordered to be printed.

A Bill accepting the benefits of "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two, was read a second time.

On motion of Mr. CORBIN, the Bill was ordered to be engrossed for a third reading.

A Bill to incorporate the Citizens' Savings Bank of South Carolina was read a second time. Referred to the Committee on Incorporations, and, on motion of Mr. HAYES, it was ordered to be printed.

Mr. CORBIN, from the Committee on the Judiciary, pursuant to notice, introduced

A Bill to organize the Supreme Court, which received its first reading and was ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. CORBIN gave notice that he will to-morrow, or some subsequent day, ask leave to introduce

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina."

Mr. JILLSON gave notice that he will to-morrow, or some subsequent day, ask leave to introduce

A Bill entitled "A Bill to provide for the election of the Board of Directors of the State Penitentiary."

Mr. RANDOLPH gave notice that he will on Saturday, or some subsequent day, ask leave to introduce

A Bill to enforce the 39th Section of Article 2 of the Constitution, which "prohibits distinction in any case on account of race, color or previous condition."

Mr. CORBIN gave notice that he will to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate and determine the powers and duties of County Commissioners ; also,

A Bill to define the jurisdiction and practice of the Probate Courts ; also,

A Bill to define the powers and duties of Justices of the Peace ; also,

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement.

Mr. MONTGOMERY gave notice that he will on to-morrow ask leave to introduce

A Bill incorporating the Langley Manufacturing Company of Edgefield County.

Mr. RANDOLPH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce, in accordance with an Ordinance of the Convention,

A Bill to establish a Board of Land Commissioners.

On motion of Mr. SWAILS, the Senate adjourned at 1 P. M.

WEDNESDAY, JULY 22, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate for concurrence a resolution to grant the petition of Alexander E. Bristow, late Sheriff of Marlboro County, to remit a penalty and for relief.

On motion of Mr. HAYES, the resolution was laid on the table, to be taken up with the report of the Committee of Claims in the Senate on the same subject.

PETITIONS, &c.

Mr. HAYES presented the petition of Mrs. Mary A. C. Hobbs, praying to be relieved from the penalty of a double tax. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Citizens' Savings Bank of South Carolina, reported the same back, and recommended that the Bill do pass. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred the petition of Wm. C. Langley, Samuel Keyser and Chas. D. Cooke, praying that they may be declared a body politic and corporate, reported the same back favorably, accompanied by a Bill to incorporate the Langley Manufacturing Company of Edgefield County, which was read a first time and ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, made reports on the following engrossed Bills, which had been passed to a third reading and engrossed :

A Bill to determine and perpetuate the homestead.

A Bill to organize the Circuit Courts.

A Bill to regulate appeals and writs of error to the Supreme Court.

A Bill accepting the benefits of "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two which were sent to the House of Representatives for concurrence.

Mr. RUTLAND, from the Special Committee of five, to whom was referred a resolution of inquiry as to the propriety of reducing the amounts of the official bonds of the State Treasurer, Sheriffs, and other County officers, reported that they had considered the same, and beg leave to submit and recommend the passage of a Bill to fix the amounts of official bonds of certain public officers, and to impose penalties on embezzlements.

The Bill was read a first time, ordered for a second reading to-morrow and to be printed.

Mr. HAYES, from the Committee on Claims, to whom were referred the accounts of J. C. Bailey, Joseph Walker, Benjamin Roper, A. W. Kennedy, B. H. Knight, S. W. Maurice, and the petition of M. F. Molony, made reports thereon, which were severally ordered for consideration to-morrow.

Mr. SWAILS moved that the petition of S W. Maurice and the report thereon be printed, which was not agreed to.

Mr. HAYES moved to suspend the Rules to take up the concurrent resolution from the House of Representatives on the petition of Alex. E. Bristow, for the purpose of submitting the report of the Committee on 'Claims of the Senate.

The motion was agreed to, and the report of the Committee read, recommending that the resolution be concurred in, and that it be returned to the House of Representatives.

The question being upon the adoption of the report, a discussion ensued, participated in by Senators Randolph, Leslie, Cain and Corbin.

Mr. LESLIE moved to recommit the report to the Committee on Claims for further action and investigation.

On motion of Mr. HAYES, the motion to recommit was ordered to lie on the table.

The question recurred upon agreeing to the resolution, and after another debate, participated in by Senators Wright, Randolph, Maxwell, Leslie, Cain and Corbin, was decided in the affirmative.

Mr. LESLIE demanded the yeas and nays, which were ordered and are as follows:

Yeas—Messrs. Allen, Bieman, Corbin, Dickson, Duncan, Hayes, Montgomery, Maxwell, Nash, Rainey, Rutland, Randolph, Reid, Sims, Wright and Wimbush.—16.

Nays—Messrs. Coghlan, Cain, Foster, Hoyt, Hayne, Jillson, Leslie, Owens, Rose, Rodgers and Swails.—11

The resolution was thereupon ordered to be returned to the House of Representatives.

NOTICES OF BILLS.

Mr. ALLEN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to protect the property of married women from the debts contracted by and the liabilities of their husbands, and to secure their separate estates in the same.

RESOLUTIONS.

Mr. HAYNE offered the following resolution:

Resolved, That the Surveyor-General be requested to send a report to the General Assembly of all vacant lands belonging to the State; also a report of all lands that have been escheated to the State.

Referred to the Committee on Public Lands.

On motion of Mr. RUTLAND, it was

Resolved, That the names of two Senators be added to the Committee on Public Buildings.

Messrs. Hoyt and Rose were added to the Committee.

On motion of Mr. HAYES, it was

Resolved, That an additional member be added to the Committee on Claims.

Mr. Reid was added to said Committee.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina," which was read a first time and ordered for a second reading to-morrow. Also,

A Bill to define the jurisdiction and regulate the practice of Probate Courts. Read the first time and ordered for a second reading to-morrow

Mr. JILLSON, pursuant to notice, introduced

A Bill to provide for the election of the Board of Directors of the State Penitentiary. Read the first time and ordered for a second reading to-morrow.

On motion of Mr HAYNE, a message was sent to the House of Representatives requesting that body to return, for the further action of the Senate, a Bill accepting the benefits of "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two

The Senate then proceeded to the consideration of the

GENERAL ORDERS.

The report (unfavorable) of the Committee on the Judiciary on a Bill enabling persons having worked under contract to recover pay for their labor when said contract is not complied with was taken up

Pending the consideration of the report, the PRESIDENT announced a

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

IN THE HOUSE OF REPRESENTATIVES, July 22, 1868.

Mr. President and Members of the Senate :

In accordance with the request of the Senate, the House respectfully returns to the Senate an Act accepting the benefits of "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," &c

Said Act has been read in this House three times.

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The Bill accepting the benefits of "An Act donating public lands to

the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved the second day of July, in the year of our Lord one thousand eight hundred and sixty-two, was then read a third time and returned to the House of Representatives.

The Senate then resumed the consideration of the report of the Judiciary Committee on the Bill to enable persons having worked under contract to recover pay for their labor when said contract is not complied with.

On motion of Mr. HOYT, the Senate adjourned at 2:45 P. M.

THURSDAY, JULY 23, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

The PRESIDENT announced the presence of Hon. James L. Orr, Ex-Governor of South Carolina, and invited him to a seat on the stand.

In accordance with the invitation, Hon. James L. Orr took a seat on the stand.

PETITIONS, &c.

Mr. CAIN presented the petition of sundry citizens and tax-payers of the city of Charleston, praying the passage of an Act to facilitate the election of municipal officers in the city of Charleston. Referred to the Committee on Elections.

Mr. CORBIN presented the petition of the South Carolina Society, praying the renewal of certain State bonds, which were destroyed by fire in February, 1865. Referred to the Committee on Claims.

Mr. NASH presented the account of T. W. Radcliffe for four gold medals furnished the South Carolina College. Also,

The account of Dr Elliott Cowes for a *post mortem* examination. Referred to the Committee on Claims.

Mr. ALLEN presented the petition of John F. Hightower, Absalom Blythe and Wm. E. Earle, citizens of Greenville, for a lease of the State Road across the Saluda Mountain, from the County of Greenville, in this

State, to the County of Henderson, in the State of North Carolina. Referred to the Committee on Roads, Bridges and Ferries.

Mr. COGHLAN presented the accounts of Mr. Julius J. Fleming, Thomas J. Duncan and Thomas J. McCants, for services rendered as Magistrates. Referred to the Committee on Claims.

Mr. CORBIN presented the memorial of the Greenville and Columbia Railroad Company. Referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Special Committee of five to whom was referred the petition of William Hill, of Abbeville, Judge of Probate elect for Abbeville County, praying the General Assembly to petition for the removal of his political disabilities, made a report, and recommended the following :

Resolved, by the Senate, the House of Representatives concurring. That the General Assembly of the State of South Carolina do hereby petition the Congress of the United States to remove the political disabilities of William Hill, of Abbeville, S. C.

Ordered for consideration to-morrow.

Mr. JILLSON, from the same Committee, reported on the petition of Thomas P. Walker, praying the General Assembly to petition Congress for the removal of his political disabilities, and recommended that the further consideration of the petition be indefinitely postponed. Ordered for consideration to-morrow.

RESOLUTIONS.

Mr. RAINEY offered the following joint resolution, which was read a first time and ordered for consideration to-morrow :

Whereas, The Ex-Comptroller-General, S. L. Leaphart, has failed to lay before the General Assembly the transactions of his department embraced within the period commencing October 1, 1867, and ending July 6, 1868; therefore, be it

Resolved, by the Senate and House of Representatives, That the General Assembly respectfully request the Ex-Comptroller-General, S. L. Leaphart, Esq., to furnish a statement of transactions of his department for the period commencing October 1, 1867, and ending July 6, 1868.

Mr. JILLSON offered the following, which was read a first time and ordered for consideration to-morrow :

Resolved, That the Committee on Finance, in the Senate, be authorized to make such arrangements with the Clerk as stenographer as may be necessary to a full report and publication of the proceedings of the Senate in permanent form at the close of each session.

Mr. JILLSON also offered the following, which was read and ordered for consideration to-morrow :

Whereas, It is eminently expedient that this session of the General Assembly should pursue such a course of legislation as the exigencies of the State and the public good demand ; therefore, be it

Resolved, That the President of the Senate is hereby authorized to appoint a Special Committee of five, who shall advise and consult with the Governor, and who shall report a schedule of the subjects which demand the immediate and special consideration of the General Assembly.

Mr. RANDOLPH offered the following, which was read and ordered for consideration to-morrow :

Resolved, That the Finance Committee be authorized to fix the compensation of the officers of the Senate, and report to this body.

Mr. RANDOLPH offered the following, which was read and ordered for consideration to-morrow :

Resolved, That the President of the Senate be, and is hereby, requested to obtain from the President of the late Constitutional Convention of this State a copy of the ordinance known as "An ordinance requiring this General Assembly to appoint a Board of Commissioners to ascertain and report the liabilities and outstanding obligations of this State."

Mr. ALLEN offered the following, which was read and ordered for consideration to-morrow :

Resolved, That the Committee on Railroads be instructed to confer with the President of the Greenville and Columbia Railroad to inquire into the details, prospects and workings of the road, and that they be authorized to proceed along the line of said road to ascertain its condition, prospects and advantages to the State.

Mr. MONTGOMERY offered the following, which was read and ordered for consideration to-morrow :

Resolved, That it be referred to the Committee on Incorporations to inquire and report on the policy and usefulness of a general incorporation Act; and that the Committee have leave to report by Bill or otherwise.

Mr. MONTGOMERY also offered the following, which was read and ordered for consideration to-morrow :

Resolved, That it be referred to the Committee on Railroads to inquire and report, at the earliest possible day, on the expediency and policy of at once throwing open the State to the introduction of an enlarged and liberal railroad system by the enactment of a free railroad law, and that the Committee have leave to report by Bill or otherwise.

Mr. LESLIE offered the following, which was read and ordered for consideration to-morrow :

Resolved, That the Messengers of the Senate be instructed to deliver to His Excellency the Governor each day's proceedings of the Senate; and that said proceedings be furnished at the earliest practicable moment after the same shall have been printed.

Mr. JILLSON moved that the Rules be suspended for the purpose of immediate consideration of the resolution. Objected to.

Mr. LESLIE offered the following, which was read and ordered for consideration to-morrow :

Resolved, That the Speaker of the House be requested by the President of the Senate to return to the Senate a certain concurrent resolution for relief of the Sheriff of Marlboro.

Mr. HAYES, from the Committee on Claims, made a report asking that the Committee be discharged from the further consideration of all claims which propose to draw upon the Treasury at present; and that consideration of all such claims be postponed until the meeting of the General Assembly in regular session in November.

On motion of Mr. LESLIE, the report of the Committee was adopted and the Committee discharged.

The PRESIDENT laid before the Senate a communication from Louis V. Caziarc, A. D. C., Acting Assistant Adjutant-General, accompanied by a statement showing the number of persons registered as voters in South Carolina under the Reconstruction Acts of Congress, the vote for and against the Convention, and the vote for and against the Constitution, &c.

On motion of Mr. RANDOLPH, the communication was referred to the Committee on Elections.

On motion of Mr. SWAILS, the Senate proceeded to the consideration of the

GENERAL ORDERS.

The consideration of the report of the Judiciary Committee on the Bill enabling persons having worked under contract to recover pay for their labor when said contract is not complied with was resumed.

After discussion, participated in by Senators Randolph, Wright and Corbin, the question was taken upon recommitting the report to the Committee on the Judiciary, and was decided in the negative.

The question was then taken upon the adoption of the report, which was decided in the affirmative, and the Bill thereupon declared rejected.

The Bill to organize the Supreme Court was read a second time, and, on motion of Mr. CORBIN, taken up Section by Section.

Mr. RUTLAND moved to amend Section 2 by striking out the word "twenty" in the third and sixth lines, and insert the word "ten," which was agreed to.

Mr. CORBIN moved to amend Section 5 by striking out on the fourth line the words "or removed to," which was agreed to.

Mr. CORBIN moved to amend Section 6 by striking out the words "on writ of error or appeal to the Supreme Court," and substituting "and final adjudication by the proper jurisdiction," which was agreed to.

Mr. CORBIN moved to amend Section 7 by striking out the word "and" on the sixth line, before the word "stationery," and insert after the word "stationery" the words "fuel and lights," which was agreed to.

Mr. MONTGOMERY moved to amend by inserting the word "provide" on the fifth line of the 7th Section before the word "officers," and to strike out the word "provide" before the word "necessary."

On motion of Mr. HAYNE, the amendment was indefinitely postponed.

Mr. WRIGHT moved to amend on the third line of Section 7, after the period, by adding the words "during his attendance upon said Court."

The amendment was not agreed to, and the Section passed to its third reading.

The question was then taken upon the passage of the Bill, which was decided in the affirmative, and the Bill ordered to be engrossed for a third reading.

The Bill (from the Committee on Incorporations) to incorporate the Langley Manufacturing Company, of Edgefield County, was taken up for a second reading.

On motion of Mr. HAYNE, the Bill was made the Special Order for to-morrow at 1 o'clock, and ordered to be printed.

A Bill to fix the amounts of the official bonds of certain public officers

and to impose penalties on embezzlement was taken up for a second reading.

Mr. LESLIE moved that the Bill be referred to the Committee on the Judiciary.

The PRESIDENT decided a motion to refer a report of one Committee to another Committee out of order.

Mr. SWAILS appealed from the decision of the Chair.

The question was taken as to whether the decision of the Chair should be sustained, and was decided in the affirmative.

The Bill was then read a second time, and, on motion, taken up Section by Section.

After a debate, participated in by Senators Rutland and Leslie, on motion of Senator CORBIN, the further consideration of the Bill was postponed until to-morrow.

A Bill to define the jurisdiction and regulate the Probate Courts was taken up

On motion of Mr. CORBIN, the second reading was suspended and the Bill ordered to be printed.

A Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina" was taken up.

On motion of Mr. CORBIN, the second reading was suspended and the Bill ordered to be printed.

Mr. RUTLAND moved to adjourn, which was not agreed to.

The following Bills received their third reading, were passed, and ordered to be sent to the House of Representatives:

A Bill to determine and perpetuate the homestead.

A Bill to organize the Circuit Courts.

A Bill to regulate appeals and writs of error to the Supreme Court was read a third time.

On motion of Mr. MONTGOMERY, and by unanimous consent of the Senate, leave was granted Mr. Corbin to add an amendment to Section 1, after which the Bill passed, and was ordered to be sent to the House of Representatives.

Mr. RANDOLPH gave notice of

A Bill to secure the payment of laborers and mechanics when employers fail or refuse to pay them.

On motion of Mr. RAINEY, the Senate adjourned at 3:45 P. M.

FRIDAY, JULY 24, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. RAINEY asked and obtained leave of absence for two days, on business of importance.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following papers for concurrence :

A report of the Judiciary Committee of that body on a resolution of the House in relation to fixing a day for the election of Chief Justice and Associate Justices. Referred to the Committee on the Judiciary.

A resolution requesting the Commission appointed by the Constitutional Convention to examine into the liabilities and assets of the State. Referred to the Committee on Finance.

A Bill to accept the benefits of an Act of Congress donating public lands to the several States which may provide colleges for the benefit of agriculture and mechanic arts. Laid over for consideration.

A resolution calling for reports from S. L. Leaphart, retiring Comptroller-General. Referred to the Committee on Finance.

A concurrent resolution to petition Congress to remove the political disabilities of N. G. W. Walker, Sheriff elect of Barnwell County.

On motion of Mr. LESLIE, the Rules were suspended for the purpose of the immediate consideration of the resolution, which was concurred in by the Senate, and ordered to be returned to the House of Representatives.

A concurrent resolution to petition Congress to remove the political disabilities of C. B. Farmer, a citizen of Colleton County.

Mr. HOYT moved that the Rules of the Senate be suspended for the purpose of the immediate consideration of the resolution.

Objection being made, the resolution was ordered for consideration tomorrow.

Joint resolutions authorizing the Special Commissioners appointed by the Constitutional Convention for the purpose of purchasing lands and locating County seats and court houses for Pickens and Oconee Counties

to complete the work assigned them were referred to the Committee on Public Buildings

A resolution from the Senate rescinding joint resolution of the General Assembly of 1836.

PETITIONS, MEMORIALS, &c.

Mr. ROSE presented the petition of W. J. Clawson, of Yorkville, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

Mr. RANDOLPH presented the account of Charles Green, of Orangeburg County, for services rendered as Special Constable. Referred to the Committee on Claims.

Mr. NASH offered the following, which was referred to the Committee on Finance:

Be it resolved, by the Senate, the House of Representatives concurring, That all public officers entrusted with the keeping of public funds shall make deposits of the same, within five (5) days after its reception, in some National Bank, to be designated by the Governor.

Be it further resolved, That all checks, drafts or warrants for the sum of five hundred (500) dollars and upwards, drawn on the National Banks so designated, for moneys so deposited, shall be countersigned by the Governor of the State.

On motion of Mr. HOYT, the Committee on Public Buildings were discharged from the further consideration of the petition of the Independent Fire Engine Company, of Columbia, S. C., for a renewal of charter, and the petition referred to the Committee on Incorporations.

NOTICES OF BILLS.

Mr. MAXWELL gave notice that he will on Monday, or some subsequent day, ask leave to introduce

A Bill to regulate the punishment of larceny in certain cases.

Mr. JILLSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to renew the charter of the Independent Fire Engine Company, of Camden, South Carolina.

Mr. MONTGOMERY gave notice that on to-morrow, or some subsequent day, he will ask leave to introduce

A Bill to enable the corporate authorities of towns and cities to lay and collect taxes on agricultural and farm lands within their corporate

limits, and to provide three rates of taxation on real property within the same.

Mr. WRIGHT gave notice of

A Bill providing for the punishment of embezzlement of public moneys or property.

BILLS INTRODUCED.

Mr. RANDOLPH, pursuant to notice, introduced

A Bill to establish a Board of Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands, which was read a first time and ordered to be printed for consideration to-morrow.

Mr. HAYES, pursuant to notice, introduced

A Bill to provide for the appointment of Tax Collectors in this State, which was read a first time, and ordered to be printed for consideration to-morrow.

On motion of Mr. CORBIN, the Rule requiring one day's notice of a Bill before being introduced was suspended for the purpose of allowing him to introduce

A Bill to regulate the manner of keeping and paying over funds by certain officers, which was read a first time, and ordered to be printed for consideration to-morrow.

SPECIAL ORDER.

At the hour of 1 o'clock, the PRESIDENT announced the Special Order, which was a Bill (from the Committee on Incorporations) to incorporate the Langley Manufacturing Company, of Edgefield County.

The Bill received its second reading, and was ordered to be engrossed for a third reading.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders.

A Bill to fix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement, which was under consideration at the hour of adjournment yesterday, was again taken up.

After some discussion, participated in by Senators Leslie, Corbin and Rutland, Sections 1 and 2 passed to a third reading.

Mr. CORBIN moved to substitute the following for Section 3 :

All officers and other persons charged with the safe-keeping, transfer and disbursement of the public moneys, or money or property of private individuals, are hereby required to keep an accurate entry of each sum

received, and of each payment or transfer; and if any one of said officers or persons mentioned in this Act or any other Act, in an official capacity, charged with the safe-keeping, transfer or disbursement of the public or other moneys, shall convert to his own use in any way whatever, or shall use by way of investment in any kind of property or merchandize, or shall loan with or without interest, or shall exchange for other funds except as allowed by law, any portion of the public moneys entrusted to him for safe-keeping, disbursement, transfer, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, loaned, or exchanged, which is hereby declared to be a felony; and any failure to pay over or to produce the public moneys entrusted to such officer or person shall be held and taken to be *prima facie* evidence of such embezzlement. And any officer or agent of the State of South Carolina, and all persons advising or participating in such act, being convicted thereof before any Court of the State of competent jurisdiction, shall be sentenced to imprisonment in the Penitentiary for a term of not less than six months nor more than ten years, and a fine of not less than double the amount of the money embezzled.

Mr. RUTLAND moved to amend by striking out "ten" and inserting "five" in the last line of the substitute, so that the imprisonment would not be more than "five" instead of "ten" years.

The amendment was not agreed to.

Mr. LESLIE moved to strike out "six" in the last line and insert "twelve" before the word "months," so as to make the imprisonment not less than twelve months; which was agreed to.

The question then recurred upon the adoption of the substitute.

Mr. RANDOLPH moved that the Bill be recommitted to the Special Committee.

A discussion ensued, participated in by Senators Randolph, Leslie, Rutland and Wright.

Mr. RANDOLPH called for the yeas and nays upon the question of recommitment.

The yeas and nays were ordered and are as follows:

Yeas—Messrs. Hayes, Montgomery, Maxwell and Randolph.—4.

Nays—Messrs. Arnim, Allen, Bieman, Corbin, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayne, Jillson, Leslie, Nash, Rainey, Rutland, Reid, Rose, Rodgers, Swails, Sims, Wright and Wimbush.—23.

So the motion to recommit was not agreed to.

The question was then taken upon the Bill being engrossed for a third reading, which was decided in the affirmative.

On motion of Mr. ROSE, the Senate adjourned at 2:30 P. M.

SATURDAY, JULY 25, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. CAIN asked and obtained leave of absence for two days.

The PRESIDENT laid before the Senate a communication from H. P. Hammett, Esq., President of the Greenville and Columbia Railroad, extending an invitation to the officers and members of the Senate and House to visit Greenville, by special train, over that road.

Mr. MONTGOMERY moved that the invitation be accepted.

Mr. LESLIE moved to amend by adding "by such members as may find it convenient to go."

Mr. CORBIN offered the following as a substitute for the motion of the Senator from Newberry :

Resolved, That the Senate receive the courteous invitation of the President of the Greenville and Columbia Railroad Company, and respectfully return their thanks therefor, and inform him that in view of the exigencies of the public business, the Senate deems it inexpedient to accept the same.

Mr. NASH moved to lay the substitute on the table.

Mr. HAYNE moved to indefinitely postpone the motion to lay on the table, which was not agreed to.

After discussion, participated in by Senators Corbin, Leslie, Randolph, Rutland, Wright and Nash, the question recurred on the motion to lay the substitute on the table.

Mr. CORBIN called for the yeas and nays, which were ordered and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Coghlan, Dickson, Duncan, Hoyt, Leslie, Montgomery, Maxwell, Nash, Rutland, Swails, Sims and Wimbush.—15.

Nays—Messrs. Corbin, Cain, Foster, Hayes, Hayne, Jillson, Randolph, Reid, Rose, Rodgers and Wright.—11.

So the substitute was ordered to lie on the table.

The question being upon the adoption of the motion of the Senator

from Newberry, (Mr. Montgomery,) after a discussion, participated in by Senators Randolph, Leslie and Cain, it was decided in the affirmative.

Mr. MONTGOMERY moved that when the Senate adjourns, it adjourn to meet on Tuesday, at 12 o'clock M.

Mr. HAYNE called for the yeas and nays, which were ordered and are as follows :

Yeas—Mr. Coghlan.

Nays—Messrs. Arnim, Allen, Bieman, Corbin, Cain, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Rutland, Randolph, Reid, Rose, Rodgers, Swails, Wright and Wimbush.—24.

So the motion was not agreed to.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., July 25, 1868.

Sir. President and Members of the Senate :

I have the honor to forward to your honorable body the within "protest of J. Harvey W. Cousart, against admission to a seat of Robert M. Sims, from Lancaster.—Senate."

Very respectfully, &c.,

FRANKLIN J. MOSES, JR.,
Speaker of House of Representatives.

On motion of Mr. CORBIN, the protest was referred to the Committee on Elections.

The House also sent to the Senate, for concurrence, the following :

A Bill to remove the County seat of Beaufort County from Gillisonville to the town of Beaufort.

The Bill received its first reading in the Senate, and was ordered for a second reading and consideration on Monday.

A concurrent resolution praying Congress to remove the political disabilities of Mr. J. F. Porteous.

On motion of Mr. SWAILS, the resolution was referred to the Special Committee of five on Political Disabilities.

A concurrent resolution to petition Congress to remove the political disabilities of S. D. Goodlett. Referred to the Special Committee of five on Political Disabilities.

The House also returned to the Senate, with concurrence, the report

of the Special Committee of five of the Senate on the removal of political disabilities, regarding the petitions of W. J. Mixson, George Buist, Thompson H. Cooke, W. N. Mount and George Beliver.

PETITIONS, MEMORIALS, &c.

Mr. ALLEN presented the petition of the Palmetto Fire Engine Company, of Greenville, for a charter. Referred to the Committee on Incorporations.

Mr. ALLEN presented the petition of the Neptune Fire Engine Company, of Greenville, for a charter. Referred to the Committee on Incorporations.

RESOLUTIONS.

Mr. RANDOLPH introduced the following joint resolution :

Resolved, That a Joint Standing Committee, to consist of two members of the Senate and two members of the House of Representatives, be appointed to act as a Committee on Enrolled Bills.

Ordered for consideration on Monday.

REPORTS OF COMMITTEES.

Mr. ARNIM, from the Committee on Public Buildings, made the following report :

The Committee on Public Buildings, who have had under consideration, for some time, a resolution authorizing the Governor to invite proposals for completing so much of the State House as to provide for the sitting of the General Assembly and the accommodation of the Executive officers therein, respectfully report :

1st. From investigation and information, they are convinced that it will require an amount of not less than one hundred thousand dollars to accomplish the proposed objects, which sum the State cannot afford, under present circumstances.

2d. We recommend that His Excellency the Governor be authorized to invite proposals for repairing the roof and to close the doors and windows of the State House, so as to protect that building from further deterioration, and enter into contract with the lowest responsible bidder.

3d. We recommend the building known as the College Chapel as a very suitable place for the sitting of the General Assembly, and that His Excellency the Governor be authorized to have the same altered and repaired, so as to render it fit for the reception of the General Assembly at its next session.

4th. In case the foregoing recommendations should be deemed im-

practicable or unadvisable, then that the Governor be authorized to make such arrangements for the accommodation of the General Assembly, the Executive officers and the Courts, as he may deem advisable and proper.

In accordance with the above recommendations, the Committee herewith report a Bill for the preservation of the State Capitol, and a Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary.

The report, with the accompanying Bills, were ordered for consideration on Monday.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred the petition of the Camden Fire Engine Company, reported the same back, with a recommendation that the prayer of the petition be granted, and also accompanied by a Bill, which was read a first time and ordered for consideration on Monday.

Mr. LESLIE, from the Committee on Railroads, to whom was referred the memorial of the Greenville and Columbia Railroad, reported the same back, accompanied by a Bill, and recommended that the prayer of the memorialists be granted.

The Bill to re-enact certain Acts lending the name and credit of the State to the Greenville and Columbia Railroad, and to validate the action of said company thereunder, received its first reading.

Mr. LESLIE moved that the Bill be made the Special Order for Tuesday next, at 1 o'clock.

Mr. NASH moved to amend by making the Bill the Special Order for the fourth Monday in November next, at 12 M.

Mr. SWAILS moved to amend by striking out "Tuesday" and inserting "Monday."

The motion to make the Bill the Special Order, and the amendments, were subsequently withdrawn, and the report of the Committee, with the accompanying Bill, ordered for consideration on Monday.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the concurrent resolution from the House of Representatives fixing the time of the election of the Justices of the Supreme Court, reported back the same, and recommended that the Senate concur in the same as to time, and also recommended the adoption of the following substitute :

Whereas, It is provided by Section 2 of Article IV of the Constitution that the Chief Justice and two Associate Justices of the Supreme Court shall be elected by a joint vote of the General Assembly; therefore,

Resolved, by the Senate, the House of Representatives concurring, That the Senate and House of Representatives do meet in Joint Assembly in

the Hall of the House of Representatives, on Wednesday, the 29th day of July, A. D. 1868, at 12 o'clock meridian, and then and there proceed to elect, by a joint vote, a Chief Justice, to serve for the term of six years; and immediately thereafter, unless the Joint Assembly shall direct otherwise, proceed in like manner to elect two Associate Justices of the Supreme Court; that immediately after the election of said Associate Justices, the Joint Assembly shall determine by a *viva voce* vote which of said Associate Justices elect shall serve for the term of two years, and which for the term of four years; that immediately after said election, the presiding officer of the Joint Assembly shall certify the election hereinbefore provided for, and the determination as to the terms of the Associate Justices, to the Governor of the State.

On motion of Mr. SWAILS, the Rules of the Senate were suspended for the purpose of the immediate consideration of the report, which was agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. HOYT, the Bill for the preservation of the State Capitol; also, the Bill to provide for the accommodation of the General Assembly, the Executive and Judiciary, reported by the Chairman of the Committee on Public Buildings, were read a first time and ordered to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following Bills as having been engrossed for a third reading:

A Bill to incorporate the Langley Manufacturing Company, of Edgefield County;

A Bill to organize the Supreme Court;

A Bill to affix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement.

The Bills were ordered for consideration on Monday.

NOTICES OF BILLS.

Mr. COGHLAN gave notice that he will on Monday next, or some subsequent day, introduce

A Bill to change the time of collecting the taxes in the several Counties of the State.

1

BILLS INTRODUCED.

Mr. WRIGHT, pursuant to notice, introduced

A Bill providing for the punishment of embezzlement of public moneys or property, which was read a first time, and ordered for consideration on Monday and to be printed.

GENERAL ORDERS.

On motion of Mr. JILLSON, the Senate proceeded to the consideration of General Orders on the Calendar.

Mr. JILLSON moved to take up out of its order No. 27, being a resolution to appoint a Special Committee of five to consult with the Governor. The motion was not agreed to.

A Bill to amend "An Act to incorporate the Air Line Railroad Company in South Carolina" was read a second time and referred to the Committee on Railroads.

A Bill to define the jurisdiction and regulate the practice of Probate Courts. Read a second time and referred to the Committee on the Judiciary.

A Bill to provide for the election of the Board of Directors of the State Penitentiary. Read a second time and referred to the Committee on the Judiciary.

The report from the Special Committee of five on Political Disabilities on the petitions of Wm. Hill and Thos. P. Walker was adopted, and a resolution to petition Congress to remove the disabilities of Wm. Hill sent to the House of Representatives for concurrence.

The joint resolution to request Ex-Comptroller-General S. L. Leaphart to furnish a statement of the transactions of his department for the period commencing October 1, 1867, and ending July 6, 1868, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

A resolution in reference to publication of permanent proceedings.

On motion of Mr. NASH, it was laid on the table.

A resolution to appoint a Special Committee of five to consult with the Governor and report a schedule of the subjects which demands the immediate and special consideration of the General Assembly was read, and, on motion of Mr. CORBIN, the words "who shall advise and consult with the Governor and" stricken out.

Mr. SWAILS moved to strike out "five" and insert "three," which was not agreed to.

The resolution was then agreed to, and the PRESIDENT stated that he would announce the Committee on Monday.

A resolution to authorize the Finance Committee to fix compensation of the officers of the Senate was read and agreed to.

A resolution to request a copy of a certain ordinance from the President of the late Constitutional Convention, on motion of Mr. SWAILS, was ordered to lie on the table.

Mr. ALLEN asked and obtained leave to withdraw the resolution of-

ferred by him for instruction to the Committee on Railroads to confer with the President of the Greenville and Columbia Railroad.

A resolution for the Committee on Incorporations to inquire as to the usefulness of a general incorporation Act, on motion of Mr. HAYNE, was agreed to.

A resolution for the Committee on Railroads to inquire and report on the expediency and policy of at once throwing open the State to the introduction of an enlarged and liberal railroad system by the enactment of a free railroad law was read and agreed to.

A resolution to furnish daily proceedings of the Senate to the Governor was agreed to.

A joint resolution in relation to the political disabilities of C. B. Farmer was agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill to establish a Board of Commissioners of Public Lands was read by its title.

Mr. RANDOLPH moved that it be referred to a Special Committee, which was not agreed to, and, on motion, the Bill was referred to the Committee on Public Lands.

A Bill to provide for the appointment of Tax Collectors was read by its title and referred to the Committee on Finance.

A Bill to regulate the manner of keeping and disbursing funds by certain officers was read by its title and referred to the Committee on the Judiciary.

Mr. MONTGOMERY moved that when the Senate adjourns, it adjourn to meet on Monday, at 5 P. M., which was not agreed to.

On motion of Mr. HAYNE, the Senate adjourned at 3 P. M.

MONDAY, JULY 27, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

The PRESIDENT laid before the Senate the following communication :

WASHINGTON, D. C., July 24, 1868.

HON. L. BOOZER—*Dear Sir*: On account of the non-adjournment of

Congress, I shall be obliged to ask the Senate of South Carolina one week's leave of absence from July 28. I shall, at the expiration of that time, unless unforeseen circumstances should arise, be able to take my seat in the Senate.

I have the honor to be,

Yours truly,

B. F. WHITTEMORE, M. C.

Mr. HAYNE moved that leave of absence be extended, subject to the non-payment of the Senator's per diem, from the 28th instant until he resumes his seat in this body.

The PRESIDENT decided the motion for non-payment to be out of order.

The question being taken upon granting leave, it was decided in the affirmative.

Mr. HAYNE asked to have his name recorded on the Journal, on that question, as voting "no."

The PRESIDENT announced the following gentlemen to constitute a Special Committee of five, to report a schedule of the subjects which demand the immediate and special consideration of the General Assembly :

Senators Jillson, Corbin, Wright, Rutland and Foster.

PETITIONS, MEMORIALS, &c.

Mr. CORBIN presented the petition of Augustus L. Tobias, in his own behalf and of others, praying for an Act of incorporation for the Home Insurance Company, of Charleston. Referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the petition of James Thompson, praying permission to apply for examination and admission to practice in the Courts of the State, reported the same back, with the recommendation that it be not granted. Ordered for consideration to-morrow.

Mr. CORBIN, from the same Committee, to whom was referred a Bill to continue in force the General and Special Orders of Military Commanders, issued during the existence of the war, reported on the same that it is inexpedient to pass the Bill, but report and recommend a Bill to quiet rights vested under military orders.

The Bill was read a first time, and, on motion of Mr. CORBIN, it was

Ordered, That the report and Bill be printed for a second reading and consideration to-morrow.

Mr. CORBIN, from the same Committee, to whom was referred the reports of the Special Commissioners appointed under an ordinance of the Convention to select sites, locate and erect court houses and jails for Oconee and Pickens Counties, reported back the same, with the recommendation that the reports be received as information, that they be printed, and that no further legislation is necessary at this time. Ordered for consideration to-morrow.

Mr. CORBIN, from the same Committee, to whom was referred a Bill for the punishment of persons who improperly convert the public funds of the State, reported the same back, with the recommendation that the Bill do not pass, the offences therein provided for being punishable under the third Section of the Bill just passed the Senate and sent to the House of Representatives for concurrence, entitled a Bill to fix the amount of the bonds of certain officers and punish embezzlement. Ordered for consideration to-morrow.

Mr. RUTLAND, from the Committee on Public Lands, to whom was referred the resolution requesting the Surveyor-General to send a report to the General Assembly of all vacant lands belonging to the State, reported back the same, with a recommendation that the Senate do adopt the resolution, and that the President of the Senate be requested to forward a copy to the Surveyor-General. Ordered for consideration to-morrow.

Mr. JILLSON, from the Special Committee of five on Political Disabilities, to whom was referred the petition of W. J. Clawson, of Yorkville, Spartan D. Goodlett, of Greenville, and John F. Porteous, of Beaufort, praying the General Assembly to petition Congress for the removal of their political disabilities, reported the same back, with the recommendation that the prayer of the petitioners be granted.

Mr. JILLSON moved that an additional member be added to the Committee on Education.

The motion was agreed to, and the PRESIDENT stated that he would announce the name of an additional member to the Committee to-morrow.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement.

The Bill was read a first time, and ordered to be printed for consideration to-morrow.

NOTICES OF BILLS.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate the manner of settling and determining obligations contracted in Confederate currency ; also,

A Bill to determine and set out dower.

Mr. JILLSON gave notice that he would on to-morrow, or some subsequent day, ask leave to introduce a joint resolution, entitled

A joint resolution to appropriate the sum of one thousand dollars from the State Treasury, and to donate the same to Mrs. Dill, widow of the late Hon. Solomon G. W. Dill, of Kershaw County.

GENERAL ORDERS.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of the General Orders.

A Bill (from the House) to remove the county scat of Beaufort County from Gillisonville to the town of Beaufort was read a second time, and referred to the Committee on the Judiciary.

The joint resolution for the appointment of a Joint Standing Committee on Enrolled Bills was read a second time.

On motion of Mr. JILLSON, the resolution was adopted, and ordered to be sent to the House of Representatives for concurrence.

The report (unfavorable) of the Committee on Public Buildings on a resolution authorizing the Governor to invite proposals for the completion of the new State House was considered and adopted.

The Senate, in connection with the report, proceeded to consider the accompanying Bills :

A Bill for the preservation of the State Capitol ; also,

A Bill to provide for the accommodation of the General Assembly, Executive and Judiciary.

The Bills were read a second time, and, on motion of Mr. CORBIN, their further consideration was postponed until next Monday, at 1 P. M.

A Bill to renew the charter of the Camden Independent Fire Engine Company, on motion of Mr. HAYNE, was made the Special Order for 1 P. M. to-morrow, and ordered to be printed.

A Bill to re-enact certain Acts lending the name and credit of the State to the Greenville and Columbia Railroad Company, and to validate the action of said company thereunder, was read by its title.

Mr. ROSE moved that the further consideration of the Bill be postponed until the first Monday in December.

Mr. SWAILS moved to amend by striking out the words " until the first Monday in December," and insert " and made the Special Order for Thursday next, at 1 P. M."

Mr. WRIGHT moved to amend the amendment by striking out all after the word " postponed," and inserting the words " for three weeks from to-day."

The question was first taken on the motion offered by the Senator from York (Mr. Rose) to postpone the further consideration of the Bill till the first Monday in December.

Mr. ROSE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Nash, Rutland and Rose.—3.

Nays—Messrs. Arnim, Bieman, Corbin, Coghlan, Dickson, Duncan, Foster, Hayes, Hayne, Jillson, Montgomery, Randolph, Reid, Rodgers, Swails, Sims and Wright.—17.

So the motion to postpone the further consideration of the Bill until the first Monday in December next was not agreed to.

The question was then taken on the amendment offered by the Senator from Beaufort (Mr. Wright) to postpone the further consideration of the Bill to this day three weeks, which was decided in the affirmative.

The following Bills were read a third time, and ordered to be sent to the House of Representatives :

A Bill to fix the amounts of official bonds of certain officers, and to impose penalties on embezzlement ;

A Bill to incorporate the Langley Manufacturing Company, of Edgefield County ;

A Bill to organize the Supreme Court.

A Bill providing for the punishment of embezzlement of public moneys or property was read by its title, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. HAYNE offered the following :

Resolved, That the President of the Senate do respectfully request the Mayor and City Council of the city of Columbia to withdraw the license of the bar-room in the building adjoining the Senate chamber on the north, said bar-room having become a nuisance.

Mr. HAYNE moved the immediate consideration of the resolution.

Objection being made, the resolution was ordered to lie over for consideration to-morrow.

On motion of Mr. SIMS, the Senate adjourned at 1:55 P. M.

TUESDAY, JULY 28, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate for concurrence the report of the Committee on Privileges and Elections on the petition of R. L. Heriot, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

The House returned, with concurrence, the favorable report of the Special Committee of five on the petition of Wm. Hill, of Abbeville, praying the General Assembly to petition Congress for the removal of his political disabilities.

ADDITIONAL MEMBER TO THE COMMITTEE ON EDUCATION.

The PRESIDENT announced that Mr. Hayes was added to the Committee on Education.

PETITIONS, &c.

Mr. WRIGHT presented the petition of sundry citizens of Beaufort County, praying legislation to prevent depredations on their property. Referred to the Committee on the Judiciary.

Mr. LESLIE presented the petition of J. W. S. Tucker, praying for the charter of a ferry, known as Tucker's Ferry, across the Edisto River, connecting the lower part of Barnwell and Orangeburg Counties. Referred to the Committee on Roads, Bridges and Ferries.

Mr. RANDOLPH presented the petition of Wm. A. Easterling and sundry citizens of Orangeburg and Barnwell Counties for the return of a road to its former course. Referred to the Committee on Roads, Bridges and Ferries.

REPORTS OF COMMITTEES.

Mr. RUTLAND, from the Committee on Public Lands, to whom was referred a Bill to establish a Board of Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchase of lands, reported the same back, with a recommendation that the Bill do pass, with the exception of Section 1, in lieu of which they present the following substitute:

SUBSTITUTE FOR SECTION 1.

SECTION 1. There shall be established a Board of Commissioners of

Public Lands, to consist of five members, one from each Congressional District, each of said Commissioners to be a citizen and resident of the Congressional District which he shall represent, and the Comptroller-General of the State, who shall be *ex officio* a member of said Board. The said Commissioners shall be elected by a joint vote of the General Assembly, and shall hold said office for the term of four years, and each of the aforesaid Commissioners shall receive for his compensation a salary of dollars per annum. The Commissioners of Public Lands, whose election is hereinbefore provided for, shall possess all the qualifications prescribed by the Constitution of this State for all officers elected thereunder, and, before entering upon the duties of their office, shall take and subscribe to, before the Governor, who shall have authority to administer the same, the official oath prescribed by said Constitution.

Mr. ARNIM, from the Special Committee of five appointed to report Rules for the government of the Senate, made a report, which, on motion of Mr. JILLSON, was made the Special Order for Thursday next, at 2 P. M., and ordered to be printed.

Mr. RAINEY, from the Committee on Finance, to whom was referred a resolution authorizing the Committee to fix the compensation of officers of the Senate, made a report, and recommended the following sums for this special session, to be paid at the close of the session :

Chaplain, the same compensation as that allowed members; Clerk, \$1,500; Assistant Clerk, \$500; Reading Clerk, \$350; two Messengers, each \$250, \$500; Doorkeeper, \$250; Assistant Doorkeeper, \$200; two Pages, each \$50, \$100. Ordered for consideration to-morrow.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the Bill to define the jurisdiction and regulate the practice of Probate Courts, reported back the same, with the recommendation that the Bill do pass. Ordered for consideration to-morrow, and to be printed.

Mr. CORBIN, from the same Committee, to whom was referred a Bill to regulate the manner of keeping and disbursing funds by certain officers, reported the same back, with the recommendation that the Bill do pass. Ordered for consideration to-morrow.

RESOLUTIONS.

Mr. HAYNE offered the following resolution :

Resolved, That the per diem of Senators, except in cases of sickness, shall not be allowed when absent by leave of the Senate.

Mr. WRIGHT moved to lay the resolution on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Coghlan, Dickson, Duncan, Hoyt, Jillson, Leslie, Maxwell, Rutland, Randolph, Rose and Wright.—15.

Nays—Messrs. Foster, Hayes, Hayne, Montgomery, Nash, Rainey, Reid and Rodgers.—8.

So the resolution was ordered to lie on the table.

Mr. ARNIM offered the following :

Resolved, That Senators absent without leave shall not be entitled to their per diem during such absence.

Mr. WRIGHT moved a suspension of the Rules for the purpose of immediate consideration of the resolution.

Objection being made, the resolution was ordered to lie over for consideration to-morrow.

Mr. HAYES offered the following :

Whereas the official term of the present Town Council of Laurensville expired on the second Monday in January, 1868, and, although not able to take the oath required by the Act of Congress, were allowed by a Special Order of General Canby to continue in office; and whereas their administration of the affairs of the town is unsatisfactory to the people thereof; therefore, be it

Resolved, That the aforesaid order of General Canby be, and the same is hereby, rescinded and repealed.

Mr. WRIGHT moved that the resolution be laid on the table.

The motion was not seconded, and the resolution was ordered for consideration to-morrow.

Mr. COGHLAN offered the following :

Whereas, in accordance with an Act of the Legislature of the Provisional Government of the State of South Carolina, and now of force by Act of the General Assembly, the county officers elect are required to qualify within thirty days of their election for entering on the duties of their respective offices; and whereas but very few of the officers elect under the new Constitution have qualified, and the time allowed for that purpose having nearly expired; be it, therefore,

Resolved, That this General Assembly do grant an extension of thirty days to the time already allowed by law to said county officers elect to qualify and enter upon the duties of their respective offices.

Mr. COGHLAN subsequently asked and obtained leave to withdraw the resolution, for the introduction, by the Senator from Orangeburg (Mr. Randolph), of a Bill relating to the same subject matter.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to determine and set out dower ; which was read a first time.

On motion of Mr. ALLEN, the Bill was ordered to be printed, and laid over for consideration to-morrow.

Mr. MONTGOMERY, pursuant to notice, introduced

A Bill to subject agricultural and farming lands to taxation within the limits of corporate towns and cities, and to fix three rates of taxation within the same.

The Bill received its first reading, and was ordered for consideration and second reading to-morrow, and also ordered to be printed.

Mr. JILLSON, pursuant to notice, introduced

A joint resolution to appropriate the sum of one thousand dollars from the State Treasury, and to donate the same to Mrs. Dill, widow of the late Hon. Solomon G. W. Dill, of Kershaw County.

The resolution received its first reading, and on motion of Mr. CORBIN, was ordered to be printed for a second reading and consideration to-morrow.

NOTICES OF BILLS.

Mr. RANDOLPH gave notice that he will on Thursday next ask leave to introduce

A Bill to amend an Act entitled "An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries."

Mr. RAINEY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Educational Society of the city of Columbia.

SPECIAL ORDER.

At 1 P. M. the Senate proceeded to the consideration of the Special Order, which was a Bill to renew the charter of the Camden Independent Fire Engine Company.

The Bill received its second reading.

On motion of Mr. MONTGOMERY, the enacting clause was amended by inserting after the word "Representatives" the words "State of South Carolina," which had been omitted, and the Bill was then ordered to be engrossed for a third reading.

GENERAL ORDERS.

The Senate then proceeded to the consideration of the General Orders of the Day.

A Bill to incorporate the Citizens' Savings Bank was read by its title, and ordered to be engrossed for a third reading.

The report (unfavorable) of the Committee on the Judiciary on the petition of James Thompson was considered, and after some discussion between Senators Wright and others, was agreed to.

The report (unfavorable) of the Committee on the Judiciary on a Bill for the punishment of persons who improperly convert the public funds was agreed to.

The following reports on the Calendar were also agreed to :

Report of the Committee on the Judiciary on reports of Special Commissioners to select county sites, &c., for Oconee and Pickens Counties.

Report of Committee on Public Lands on a resolution requesting the Surveyor-General to furnish a report of all lands that have been escheated to the State.

The favorable reports of the Special Committee of five on Political Disabilities on the petitions of W. J. Clawson and Spartan D. Goodlett were agreed to, and ordered to be sent to the House of Representatives for concurrence.

The favorable report of the Special Committee of five on Political Disabilities on the petition (from the House) of John F. Porteous was agreed to, and the petition, with the report, ordered to be returned to the House of Representatives.

The report of the Committee on the Judiciary on a Bill to continue in force the General and Special Orders of military commanders, issued during the existence of the late Provisional Government, was agreed to, and the consideration of a Bill to quiet rights vested under military orders, reported as a substitute, on motion of Mr. CORBIN, was postponed for ten days.

The resolution in reference to the bar-room nuisance was taken up for consideration.

Mr. WRIGHT moved to substitute the following :

Resolved, That the President of the Senate is hereby requested to appoint a Special Committee to wait upon the City Council of Columbia, and inform that body that the bar-room in the building adjoining the Senate chamber, on the north, is a nuisance, and if carried on under a license, request that the license be withdrawn.

The proposed substitute was not seconded.

Mr. RANDOLPH moved to amend the resolution by making it read, "that the President order this bar to be closed."

The motion was not seconded.

Mr. ALLEN moved that the resolution be ordered to lie on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Dickson, Duncan, Hoyt, Hayes, Jillson, Leslie, Montgomery, Maxwell, Rainey, Rutland, Rose and Wright.—15.

Nays—Messrs. Corbin, Coghlan, Foster, Hayne, Nash, Randolph, Reid and Rodgers.—8.

On motion of Mr. ROSE, the Senate adjourned at 1:55 P. M.

WEDNESDAY, JULY 29, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. JILLSON asked and obtained leave of absence for the Senator from Williamsburg (Mr. Swails) for two days.

Mr. SIMS asked and obtained leave of absence for three days from Friday until Tuesday next.

Mr. BIEMAN asked and obtained leave of absence for ten days from Friday next, on account of important public business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with their concurrence, the report of the Committee on the Judiciary on the concurrent resolution from that body, fixing the time of the election of the Justices of the Supreme Court this day at 12 M.

JOINT ASSEMBLY.

In pursuance of the resolution, the Senate repaired to the hall of the House of Representatives at 12:15 P. M., and the two Houses having met in Joint Assembly, it was called to order by the PRESIDENT of the Senate.

The PRESIDENT then announced that the Joint Assembly would proceed to choose, by a *viva voce* vote of each member present, a person to be Chief Justice.

Mr. TOMLINSON nominated Mr. David T. Corbin.

Mr. HOYT nominated Mr. A. J. Willard.

Mr. COGHLAN nominated Mr. Franklin J. Moses, Sr.

Mr. TOMLINSON moved that Section 2 of Article VIII of the Constitution, and also Section 1 of Article XIV, be read.

Upon a division of the Joint Assembly on this question, it resulted yeas 59, nays 32.

The Articles and Sections were then read.

Mr. ALLEN moved that the Attorney-General of the State be requested to give his opinion in writing as to the legality of the election of a person to office who is disqualified by the Constitution of the State or the Constitution of the United States from being an elector by reason of his political disabilities.

The PRESIDENT decided the motion to be out of order, that being a question to submit to another tribunal after the election.

The Joint Assembly then proceeded to vote, *via voce*, for a person as Chief Justice.

FIRST BALLOT.

SENATE.

Those who voted for Mr. F. J. Moses, Sr., are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Rainey and Wimbush.—6.

Those who voted for Mr. D. T. Corbin are :

Messrs. Arnim, Allen, Cain, Duncan, Hayes, Hayne, Jillson, Leslie, Maxwell, Rutland, Randolph, Rose, Rodgers and Wright.—14.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster, Reid and Sims.—3.

Mr. Hoyt voted for Mr. A. J. Willard.

Mr. Bieman voted for Mr. J. L. Orr.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses, Sr., are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, L. Cain, Chestnut, DeLarge, Dusenberry, Driffle, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, H. Johnson, Johnston, Jacobs, Jervey, Lomax, S. J. Lee, Lang, Mayer, W. McKinlay, W. J. McKiulay, Mickey, McIntyre, Mobley, Milford, Martin, Mead, Nelson, Nuckles, O'Connell, Rancier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Thomas, Wilder, Wooley, White and Wright.—52.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Duvall, DeMars, Ezekiel, Ferriter, Holiiman, Hutson, Jenks,

D. J. J. Johnson, S. Johnson, G. Johnson, B. James, H. James, Kuh, George Lee, Lewie, Morrison, McDaniels, Mays, Neagle, Perrin, Prendergrass, Pettengill, Richardson, Rush, Rivers, Smalls, Shrewsbury, Scott, Tomlinson, Whipper and Webb.—39.

Those who voted for Mr. A. J. Willard are :

Messrs. Collins, Crews, Stoeber, Stolbrand and B. A. Thompson.—5.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bullock, Bryant, Fields, Sloan and Wilson —5.

Those who voted for Mr. J. L. Wardlaw are :

Messrs. Doyle and Waller —2.

Those who voted for Mr. J. L. Orr are :

Messrs. Moore and Stewart.—2.

Mr. R. M. Smith voted for Mr. A. P. Aldrich.

Mr. Turner voted for Mr. T. N. Dawkins.

Mr. F. J. Moses, Sr., received.....	58
Mr. D. T. Corbin.....	53
Mr. A. J. Willard.....	6
Mr. B. F. Dunkin.....	8
Mr. J. L. Wardlaw.....	2
Mr. J. L. Orr.	3
Mr. A. P. Aldrich.....	1
Mr. T. N. Dawkins.....	1

Whole numbers of votes given..... 132

Necessary to a choice..... 67

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to a second ballot.

SENATE.

Those who voted for Mr. F. J. Moses, Sr., are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Rainey and Wimbush.—6.

Those who voted for Mr. D. T. Corbin are :

Messrs. Arnim, Allen, Cain, Dunkin, Hayes, Hayne, Jillson, Leslie, Maxwell, Rutland, Randolph, Rose, Rodgers and Wright.—14.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster, Reid and Sims.—3.

Mr. Hoyt voted for Mr. A. J. Willard.

Mr. Bieman voted for Mr. J. L. Orr.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses, Sr., are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, L. Cain, Chestnut, Crews, eLarge, Dusenberry, Driffle, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, Henry Johnson, S. Johnson, Johnston, Jervey, Lomax, S. J. Lee, Lang, Mayer, William McKinlay, W. J. McKinlay, Mickey, McIntyre, Mobley, Milford, Martin, Mead, Miller, Nelson, Nuokles, O'Connell, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Thomas, Wilder, Waller, Wooley, White and Wright.—65.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Duvall, DeMais, Ezekiel, Feriter, Holliman, Hutson, Jenks, D. J. J. Johnson, G. Johnson, Jacobs, B. James, H. James, Kuh, G. Lee, Morrison, McDaniels, Mays, Neagle, Purvis, Prendegrass, Pettengill, Richardson, Rush, Rivers, Stoeber, Stolbrand, Smalls, Shrewsbury, Scott, B. A. Thompson, Tomlinson, Turner, Whipper and Webb.—42.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bryant, Bullock, Doyle, Sloan and Wilson.—5.

Those who voted for Mr. J. L. Orr are :

Messrs. Lewie, Moore and Stewart.—3.

Mr. Collins voted for Mr. A. J. Willard.

Mr. R. M. Smith voted for Mr. A. P. Aldrich.

Mr. F. J. Moses, Sr., received	62
Mr. D. T. Corbin.....	56
Mr. A. J. Willard.....	2
Mr. B. F. Dunkin.....	8
Mr. J. L. Orr.....	4
Mr. A. P. Aldrich.....	1
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Whole number of votes given.....	138
Necessary to a choice.....	67

No candidate having received a majority of all the votes given, there was no election.

The Joint Assembly then proceeded to a third ballot.

SENATE.

Those who voted for Mr. F. J. Moses, Sr., are :

Messrs. Coghlan, Dickson, Montgomery, Nash, Rainey and Wimbush.—6.

Those who voted for Mr. D. T. Corbin are :

Messrs. Arnim, Allen, Duncan, Hayes, Hayne, Jillson, Maxwell, Rutland, Randolph, Rose, Rodgers, Sims and Wright.—13.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Foster and Reid.—2.

Mr. Hoyt voted for Mr. A. J. Willard.
 Mr. Bieman voted for Mr. J. L. Orr.
 Mr. Cain voted for Mr. W. B. Nash.
 Mr. Leslie voted for Mr. Wade Hampton.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. F. J. Moses, Sr., are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Burton, Bullock, L. Cain, Chestnut, Crews, DeLarge, Dusenberry, Driffle, Doyle, Elliott, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Henderson, Harris, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, H. James, Jervey, Lomax, G. Lee, S. J. Lee, Lang, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Moore, Milford, Martin, Mead, Miller, Nelson, Nuckles, Neagle, O'Connell, Purvis, Perrin, Ransier, Root, A. Smith, Saunders, Sasportas, Simons, Smiley, S. B. Thompson, Wilder, Waller, Wooley, White and Wright.—64.

Those who voted for Mr. D. T. Corbin are :

Messrs. Berry, Brodie, Brown, John Boston, Joseph Boston, Bishop, E. J. Cain, Cooke, Duvall, DeMars, Ezekiel, Feriter, Holliman, Hutson, Jenks, D. J. J. Johnson, B. James, Kuh, Lewis, Mayer, Morrison, Prendegrass, Pettengill, Richardson, Rush, Rivers, Stoeber, Stolbrand, Smalls, Shrewsbury, Scott, B. A. Thompson, Tomlinson, Thomas, Whipper and Webb.—36.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Bryant, Sloan and Wilson.—3.

Those who voted for Mr. T. N. Dawkins are :

Messrs. R. M. Smith and Turner.—2.

Mr. Collins voted for Mr. A. J. Willard.

Mr. Stewart voted for Mr. J. L. Orr.

Mr. Mays voted for Mr. B. F. Randolph.

Mr. Field voted for Mr. J. A. Inglis.

Mr. F. J. Moses, Sr., received.....	70
Mr. D. T. Corbin.....	49
Mr. A. J. Willard.....	2
Mr. B. F. Dunkin.....	5
Mr. J. L. Orr	2
Mr. T. N. Dawkins.....	2
Mr. J. A. Inglis.....	1
Mr. B. F. Randolph.....	1
Mr. W. B. Nash.....	1
Mr. Wade Hampton.....	1

Whole number of votes given.....134
 Necessary to a choice..... 68

The PRESIDENT of the Senate, after announcing the vote, declared the Hon. F. J. Moses, Sr., duly elected Chief Justice of the Supreme Court of the State of South Carolina, for the term of six years.

On motion of Mr. HAYNE, the Joint Assembly proceeded to vote, *viva voce*, for Associate Justices of the Supreme Court.

Mr. HAYES, of the Senate, nominated Mr. Lemuel Boozer.

Mr. MAXWELL, of the Senate, nominated Mr. A. J. Willard.

Mr. LESLIE, of the Senate, nominated Mr. A. P. Aldrich.

Mr. JENKS, of the House, nominated Mr. J. M. Rutland.

Mr. WEBB, of the House, nominated Mr. S. L. Hoge.

Mr. FERITER, of the House, nominated Mr. J. A. Inglis.

The Joint Assembly then proceeded to vote *viva voce*.

FIRST BALLOT.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Dickson, Hoyt, Maxwell, Randolph and Wright.—7.

Those who voted for Mr. S. L. Hoge are :

Messrs. Corbin, Cain, Coghlan, Jillson, Nash, Rainey and Wimbush.—7.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bieman, Foster, Reid, Rodgers and Sims.—5.

Those who voted for Mr. L. Boozer are :

Messrs. Hayes, Montgomery, Rutland and Rose.—4.

Those who voted for Mr. A. P. Aldrich are :

Messrs. Hayne and Leslie.—2.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Burton, Joseph Boston, Bishop, E. J. Cain, Cooke, Crews, Dusenberry, Driffle, DeMars, Ezekiel, Farr, Gray, Gardner, Grant, Hayes, J. N. Hayne, Holliman, Hutson, Henderson, D. J. J. Johnson, Johnston, G. Johnson, Jervy, Kuh, Lomax, S. J. Lee, Lang, Morrison, W. McKinlay, Milford, Martin, Mays, Miller, Perrin, Prendegrass, Richardson, Rush, Rivers, Stolbrand, Saunders and Whipper.—42.

Those who voted for Mr. J. M. Rutland are :

Messrs. John Boston, L. Cain, DeLarge, Duvall, Gardner, Jenks, H. Johnson, Jacobs, Mayer, W. J. McKinlay, McIntyre, McDaniels, Mobley, Mead, Nuckles, Neagle, Simons, S. B. Thompson, Wilder, White and Wright.—21.

Those who voted for Mr. L. Boozer are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Berry, Chestnut, Harris,

B. James, Lewie, Mickey, O'Connell, Purvis, A. Smith, Smiley, Tomlinson and Wooley.—13.

Those who voted for Mr. S. L. Hoge are :

Messrs. Collins, Elliott, H. James, Pettengill, Ransier, Root, Scott, B. A. Thompson and Webb.—9.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bullock, Bryant, Doyle, Field, Feriter, Moore, Sloan, Stewart, Stoerber, R. M. Smith, Wilson and Waller.—12.

Those who voted for Mr. J. J. Wright are :

Messrs. Sasportas and Thomas.—2.

Those who voted for Mr. F. J. Moses, Jr., are :

Messrs. George Lee and Smalls.—2.

Mr. C. D. Hayne voted for Mr. R. H. Cain.

Mr. Brown voted for Mr. John Morrissey.

Mr. Brodie voted for Mr. C. P. Leslie.

Mr. Nelson voted for Mr. J. H. Rainey.

Mr. Shrewsbury voted for Mr. M. R. Delaney.

Mr. A. J. Willard received.....	49
Mr. Lemuel Boozer	17
Mr. J. M. Rutland.....	21
Mr. A. P. Aldrich.....	2
Mr. S. L. Hoge	16
Mr. J. A. Inglis.....	17
Mr. J. J. Wright.....	2
Mr. F. J. Moses, Jr.....	2
Mr. R. H. Cain.....	1
Mr. John Morrissey.....	1
Mr. C. P. Leslie	1
Mr. J. H. Rainey.....	1
Mr. M. R. Delaney.....	1

Whole number of votes given.....131

Necessary to a choice

66

No candidate having received a majority of the whole number of votes given, there was no election.

On motion, the Joint Assembly dissolved to meet to-morrow at 12 M.

The Senate returned to their chamber, and, on motion of Mr. HAYNE, adjourned at 2:45 P. M.

THURSDAY, JULY 30, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. HOYT, the reading of the Journal was dispensed with.

PETITIONS, &c.

Mr. HAYNE presented the accounts of Thomas C. Moody, Clerk of the Court for Marion County, for services rendered the State. Referred to the Committee on Claims.

SPECIAL ORDER.

Pursuant to adjournment, the Senate attended in the Hall of the House of Representatives at 12:10 P. M., when the Joint Assembly proceeded to a second ballot, *viva voce*, for an Associate Justice of the Supreme Court of the State of South Carolina.

Mr. HAYES took the chair.

Mr. RANSIER nominated Mr. David T. Corbin.

Mr. WHIPPER rose and announced that he was authorized to say Mr. Corbin was not a candidate.

Mr. WRIGHT stated that he had received a communication from Mr. Corbin, in which he declined to be a candidate for the position of Associate Justice.

Mr. PETTENGILL nominated Mr. S. L. Hoge.

Mr. CAIN nominated Mr. Lemuel Boozer.

Mr. HAYNE nominated Mr. J. M. Rutland.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Coghlan, Dickson, Duncan, Hoyt, Maxwell, Nash, Randolph, Wright and Wimbush.—10.

Those who voted for Mr. L. Boozer are :

Messrs. Allen, Cain, Hayes, Rainey, Rutland, Rose and Rodgers.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Buck, Bieman, Foster and Sims.—4.

Those who voted for Mr. J. M. Rutland are :

Messrs. Hayne and Montgomery.—2.

Those who voted for Mr. S. L. Hoge are :

Messrs. Jillson and Swails.—2.

Mr. J. H. Reid voted for Mr. B. F. Dunkin.

HOUSE OF REPRESENTATIVES. .

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, Cooke, Collins, Crews, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Farr, Gray, Grant, Goodson, Hayes, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, Johnston, Jackson, H. James, Jervey, Kuh, Lomax, Lang, Mayer, Morrison, W. McKinlay, Mickey, Milford, Mays, Miller, Nelson, Perrin, Predegrass, Ransier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Smalls, Saunders, Thomas and Whipper.—57.

Those who voted for Mr. J. M. Rutland are :

Messrs. Chestnut, DeLarge, Duvall, Feriter, Jenks, Henry Johnson, Jacobs, George Lee, McIntyre, McDaniels, Mobley, Mead, Nuckles, Neagle, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Wilder, White and Wright.—22.

Those who voted for Mr. L. Boozer are :

Messrs. C. D. Hayne, B. James, Lewie, W. J. McKinlay, O'Connell, Purvis, Shrewsbury, Sasportas and Wooley.—9.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr, Speaker, and Messrs. L. Cain, Gardner, Harris, G. Johnson, Jones, S. J. Lee, Pettengill, Scott and Webb.—10.

Those who voted for Mr. J. A. Inglis are :

Messrs. Bullock, Bryant and Moore.—3.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Sloan and Stewart.—2.

Those who voted for Mr. Thomas Thompson are :

Messrs. Doyle and R. M. Smith.—2.

Those who voted for Mr. William Muuro are :

Messrs. Field and Waller.—2.

Mr. Turner voted for Mr. T. N. Dawkins.

Mr. Wilson voted for Mr. B. F. Perry.

Mr. A. J. Willard received.....	67
Mr. J. M. Rutland.....	24
Mr. S. L. Hoge.....	12
Mr. L. Boozer.....	16
Mr. J. A. Inglis.....	3

Mr. B. F. Dunkin.....	3
Mr. C. D. Melton.....	4
Mr. Thomas Thompson.....	2
Mr. William Munro.....	2
Mr. B. F. Perry.....	1
Mr. T. N. Dawkins.....	1
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Whole number of votes given.	135
Necessary to a choice.....	68

No candidate having received a majority of the whole number of votes given, there was no election.

The Joint Assembly then proceeded to a third ballot.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayne, Montgomery, Maxwell, Nash, Randolph, Wright and Wimbush.—14.

Those who voted for Mr. L. Boozer are :

Messrs. Hayes, Rainey, Rutland and Rose.—4.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman, Foster, Reid and Rodgers.—4.

Those who voted for Mr. S. L. Hoge are :

Messrs. Jillson and Swails.—2.

Mr. Buck voted for Mr. William Munro.

Mr. Sims voted for Mr. T. N. Dawkins.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, Cooke, Collins, Crews, DeLarge, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, Johnston, S. Johnson, G. Johnson, Jackson, B. James, Henry James, Jervey, Kuh, Lonax, George Lee, S. J. Lee, Laug, Mayer, Morrison, Wu. McKinlay, Mickey, McDaniels, Mobley, Milford, Mays, Miller, Nelson, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Pet-tengill, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Scott, B. A. Thompson, Thomas, Whipper, White and Webb.—76.

Those who voted for Mr. J. M. Rutland are :

Messrs. Chestnut, Duvall, Jenks, H. Johnson, Jacobs, McIntyre, Mead, Smiley, S. B. Thompson, Tomlinson, Wilder and Wright.—12.

Those who voted for Mr. L. Boozer are :

Messrs. Lewie, W. J. McKinlay, Purvis, Sasportas, Simons and Wooley.—6.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. L. Cain, Harris, Jones and Stoeber.—5.

Those who voted for Mr. C. D. Melton are :

Messrs. Bullock, Bryant, Moore, Stewart and Waller.—5.

Those who voted for Mr. B. F. Dunkin are :

Messrs Sloan and R. M. Smith.—2.

Those who voted for Mr. Thomas Thompson are :

Messrs. Doyle and Field.—2.

Mr. Turner voted for Mr. T. N. Dawkins.

Mr. Wilson voted for Mr. B. F. Perry.

Mr. A. J. Willard received.....	90
Mr. J. M. Rutland.....	12
Mr. L. Boozer.....	10
Mr. S. L. Hoge.....	7
Mr. C. D. Melton.....	9
Mr. B. F. Dunkin.....	2
Mr. Thomas Thompson.....	2
Mr. T. N. Dawkins....	2
Mr. B. F. Perry.....	1
Mr. William Munro.....	1

Whole number of votes given136

Necessary to a choice..... 69

The PRESIDENT of the Joint Assembly thereupon declared that Mr. A. J. Willard, having received a majority of the whole number of votes given, was elected an Associate Justice of the Supreme Court.

The Joint Assembly then proceeded to vote, *viva voce*, for a second Associate Justice of the Supreme Court, with the following result :

SENATE.

Those who voted for Mr. Lemuel Boozer are :

Messrs. Arnim, Buck, Cain, Coghlan, Hayes, Rainey, Rutland, Reid, Rose, Rodgers and Sims.—11.

Those who voted for Mr. J. M. Rutland are :

Messrs. Dickson, Duncan, Hayne, Montgomery, Nash and Wimbush.—6.

Those who voted for Mr. S. L. Hoge are :

Messrs. Allen, Hoyt, Jillson, Maxwell, Randolph, Swails and Wright.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Bieman and Foster.—2.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. S. L. Hoge are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Brodie, Brown, Joseph Boston, Bishop, L. Cain, Cooke, Collins, Crews, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Gray, Gardner, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Harris, Hyde, G. Johnson, Jackson, Henry James, Jervey, Jones, G. Lee, S. J. Lee, Morrison, Wm. McKinlay, Mickey, Mays, Perrin, Pettengill, Richardson, Root, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Scott, B. A. Thompson, Thomas, Wooley, Whipper and Webb.—49.

Those who voted for Mr. J. M. Rutland are :

Messrs. Burton, John Boston, Chestnut, DeLarge, Duvall, Feriter, Farr, Grant, Goodson, Hayes, Humphries, Holliman, D. J. J. Johnson, Henry Johnson, Johnston, Jacobs, Lomax, Lang, Mayer, W. J. McKinlay, McLuttyre, McDaniels, Mobley, Mead, Nelson, Nuckles, Neagle, O'Connell, Prendegrass, Ransier, Rush, Saunders, Simons, Smiley, S. B. Thompson, Wilder, White and Wright.—38.

Those who voted for Mr. L. Boozer are :

Messrs. Berry, B. James, Lewie, Milford, Purvis, Shrewsbury and Sasportas.—7.

Those who voted for Mr. C. D. Melton are :

Messrs. Bullock, Bryant, Doyle, Field, Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Waller.—11.

Mr. S. L. Hoge received	56
Mr. J. M. Rutland.....	44
Mr. C. D. Melton.....	13
Mr. L. Boozer.....	18
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Whole number of votes given.....	131
Necessary to a choice	66

No candidate having received a majority of the votes given, there was no election.

Mr. PURVIS withdrew the name of Mr. L. Boozer.

The Joint Assembly then proceeded to a second ballot.

SENATE.

Those who voted for Mr. S. L. Hoge are :

Messrs. Allen, Cain, Coghlan, Hoyt, Hayne, Jillson, Maxwell, Rainey Randolph, Swails and Wright.—11.

Those who voted for Mr. James M. Rutland are :

Messrs. Dickson, Duncan, Hayes, Montgomery, Nash, Rose and Wimbush.—7.

Those who voted for Mr. C. D. Melton are :
 Messrs. Bieman, Foster, Reid, Rodgers and Sims.—5.
 Mr. Buck voted for Mr. Wm. Munro.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. S. L. Hoge are :
 Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon, Berry, Brodie, Brown, Joseph Boston, Bishop, L. Cain, Cooke, Collins, Crews, DeLarge, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, C. D. Hayne, J. N. Hayne, Hutson, Henderson, Harris, Hyde, Jenks, B. James, H. James, Jervey, Jones, G. Lee, S. J. Lee, Mayer, Morrison, Wm. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mays, Miller, Purvis, Perrin, Pettengill, Ransier, Richardson, Root, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Smiley, Scott, B. A. Thompson, Tomlinson, Thomas, Wilder, Wooley, Whipper and Webb.—62.

Those who voted for Mr. J. M. Rutland are :
 Messrs. Burton, John Boston, Chestnut, Duvall, Grant, Goodson, Hayes, Humphries, Holliman, D. J. J. Johnson, Henry Johnson, Johnston, G. Johnson, Jackson, Jacobs, Lomax, Lang, McIntyre, Mobley, Milford, Mead, Nelson, Nuckles, Neagle, O'Connell, Pendegrass, Rush, Saunders, Shrawsbury, Sasportas, Simons, S. B. Thompson, White and Wright.—34.

Those who voted for Mr. C. D. Melton are :
 Messrs. Bullock, Bryant, Moore, Stewart, R. M. Smith, Turner, Wilson and Waller.—8.

Those who voted for Mr. Thomas Thompson are :
 Messrs. Doyle and Field.—2.

Mr. Sloan voted for Mr. B. F. Dunkin.

Mr. S. L. Hoge received.....	73
Mr. J. M. Rutland.....	41
Mr. C. D. Melton.....	13
Mr. Thomas Thompson.....	2
Mr. B. F. Dunkin.....	1
Mr. William Munro.....	1

Whole number of votes given.....	131
Necessary to a choice.....	66

The PRESIDENT of the Joint Assembly thereupon declared that Mr. S. L. Hoge, having received a majority of the whole number of votes given, was elected an Associate Justice of the Supreme Court of the State of South Carolina.

The Joint Assembly then proceeded, by a *viva voce* vote, to determine which of the Associate Justices elect should serve for the term of four years.

SENATE.

Those who voted for Mr. A. J. Willard are :

Messrs. Arnim, Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayne, Jillson, Maxwell, Nash, Rutland, Randolph, Wright and Wimbush.—15.

Those who voted for Mr. S. L. Hoge are :

Messrs. Bieman, Foster, Hayes, Rainey, Reid, Rodgers, Swails and Sims.—8.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. A. J. Willard are :

Messrs. Bosemon, Berry, Brodie, Brown, Burton, John Boston, Joseph Boston, Bishop, Cooke, Collius, Chestnut, Ezekiel, Feriter, Farr, Gray, Grant, Goodson, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, Johnston, S. Johnson, G. Johnson, Jacobs, B. James, H. James, Jervey, Kuh, Lomax, George Lee, S. J. Lee, Mayer, Morrison, W. McKinlay, W. J. McKinlay, Mickey, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nelson, Nuckles, Neagle, O'Connell, Perrin, Prendegrass, Ransier, Richardson, Rush, Rivers, Stoeber, Stolbrand, Smalls, A. Smith, Saunders, Shrewsbury, Sasportas, Simons, Smiley, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Wilder, Whipper, White and Wright—76.

Those who voted for Mr. S. L. Hoge are :

Messrs. Bullock, L. Cain, Crews, DeLarge, Dusenberry, Driffle, Duvall, DeMars, Elliott, Gardner, Harris, Jackson, Jones, McIntyre, Pettengill, Root, R. M. Smith, Scott, Turner and Webb.—20.

Mr. A. J. Willard received..... 91

Mr. S. L. Hoge..... 28

Whole number of votes given..... 119

Necessary to a choice..... 60

The PRESIDENT of the Joint Assembly thereupon declared that Mr. A. J. Willard, having received a majority of the whole number of votes given, was elected to serve as Associate Justice of the Supreme Court of South Carolina, for the term of four years.

The Senate, at 1:45 P. M., returned to their chamber.

The House of Representatives sent to the Senate for concurrence the joint resolution appropriating \$2,500 for the purpose of fitting up and furnishing a residence for the Governor of the State, and to appoint a Joint Committee to take charge of the work

On motion of Mr. RAINEY, the resolution was referred to the Committee on Public Buildings.

On motion of Mr. ROSE, the Senate adjourned at 2:15 P. M.

FRIDAY, JULY 31, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, the reading of the minutes was dispensed with.

Mr. ROSE asked and obtained leave of absence for the Senator from Lexington (Mr. Hayes) for two days.

Mr. LESLIE asked and obtained leave of absence for three days, on account of important public business.

Mr. CORBIN asked and obtained leave of absence for two weeks from to-morrow, with permission, at the expiration of that time, if necessary, to make application by letter for an extension of said leave of absence.

The PRESIDENT stated that he desired to be absent for two days, and requested that, as the President *pro tem.* would be away, the Senate should select a member to occupy the chair in his absence.

On motion of Mr. CAIN, the Senator from Fairfield (Hon. J. M. Rutland) was chosen to preside during the absence of the President.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

A Bill to incorporate the Cheraw Hook and Ladder Company, which was read a first time, and ordered for a second reading and consideration to-morrow; also,

A joint resolution providing for the appointment of three persons to represent the interest of the State in the Spartanburg and Union Railroad Company. Read a first time, and referred to the Committee on Railroads.

PETITIONS, &c.

Mr. SIMS presented the account of the Lancaster Ledger for printing. Referred to the Committee on Claims.

Mr. COGHLAN presented the account of Drs. R. S. Mellet and F. L. Green, of Sumter, for an examination and certificate of lunacy of Johanna Bracey, of Sumter. Referred to the Committee on Claims.

Mr. LESLIE presented the petition of sundry citizens of Charleston, ask-

ing the refunding of certain taxes imposed by an Act of the Legislature of 19th December, 1866, on the amount of sales of goods, wares and merchandise, at the rate of sixty cents on every hundred dollars, and paid by the petitioners, &c. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. ARNIM, from the Committee on Public Buildings, to whom was referred the petition of the Board of Commissioners of Williamsburg County, asking an appropriation to assist them in building a jail, reported the same back, with a recommendation for its favorable consideration. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following Bills as engrossed and ready for a third reading :

A Bill to incorporate the Citizens' Savings Bank of South Carolina. Ordered for consideration to-morrow.

A Bill to renew the Charter of the Camden Independent Fire Engine Company.

On motion of Mr. JILLSON, the Bill was made the Special Order for Saturday, 8th proximo.

Mr. RAINEY, from the Committee on Finance, to whom was referred a concurrent resolution from the House of Representatives, requesting the Commission appointed by the Constitutional Convention to examine into the liabilities and assets of the State to make report on Friday next, reported the same back, with a recommendation that the Senate do concur in the resolution. Ordered for consideration to-morrow.

Also, on the petition of Mrs. Mary A. C. Hobbs, praying to be relieved from a double tax, with the recommendation that the prayer of the petitioner be granted. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporation, to whom was referred the petition of Augustus L. Tobias and others, for an Act of incorporation for the "Home Insurance Company, of Charleston," reported the same back, accompanied by a Bill and a recommendation that the same do pass.

The Bill was read a first time, ordered for consideration to-morrow, and to be printed

Mr. JILLSON, from the Special Committee of five on Political Disabilities, to whom was referred the petition of Edward Livingston, School Commissioner elect in and for Chester County, praying the General Assembly to petition Congress for the removal of his political disabilities, reported the same back, with a recommendation that the Senate do adopt the following resolution :

Resolved, by the Senate, the House of Representatives concurring, That the General Assembly of the State of South Carolina do hereby petition the Congress of the United States to remove the political disabilities of Edward Livingston, of Chester County.

Ordered for consideration to-morrow.

Mr. JILLSON, from the same Committee, also made a favorable report on the concurrent resolution from the House of Representatives concerning the petition of R. L. Heriot, of Sumter County, praying for the removal of his political disabilities, and recommended that the Senate concur with said resolution. Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. RAINEY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the United Fire Company, of the city of Charleston.

Mr. WRIGHT gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to organize a constabulary force in the State.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to require the Comptroller-General to issue a duplicate warrant to W. W. Woodward, late Sheriff of Barnwell County, the original having been lost or destroyed.

BILLS INTRODUCED.

Mr. MAXWELL, pursuant to notice, introduced

A Bill to regulate the punishment of larceny in certain cases, which was read a first time, ordered for consideration to-morrow, and to be printed.

Mr. RAINEY, pursuant to notice, introduced

A Bill to incorporate the Educational Society of the city of Columbia, which was read a first time, ordered for consideration to-morrow, and to be printed.

JOINT RESOLUTIONS.

Mr. CAIN offered the following joint resolutions :

Resolved, That a Joint Committee of three, of both Houses, be appointed to inquire and report to this General Assembly the amount of land in this State sold for taxes and purchased by the Sheriffs of the different counties in the name and to the credit of this State, under the orders of General E. R. S. Cauby, and now owned by the State.

Resolved, That the same Committee be empowered to extend their inquiries so far as to ascertain the amount of other public land of right belonging to this State, but now in the possession of private persons, if any.

Resolved, That said Committee may extend their inquiries so as to learn the number of acres of land in this State on which the taxes have not been paid since 1861, and what amount of taxes are due by virtue of the non-payment by the parties owning the said lands.

Resolved, That said Committee be allowed to report by Bill or otherwise.

The resolutions were read, ordered for consideration to-morrow, and to be printed.

Mr. MONTGOMERY offered the following :

Resolved, That the Committee on Incorporations have leave to withdraw the Bill incorporating the Camden Independent Fire Engine Company.

Mr. JILLSON objected to the withdrawal of the Bill.

The PRESIDENT decided as the Bill had already been made the Special Order for a fixed time, unless that vote was reconsidered, the motion of the Senator from Newberry (Mr. Montgomery) was out of order.

GENERAL ORDERS.

The Senate proceeded to the General Orders on the Calendar.

A joint resolution for the appointment of a Committee on Enrolled Bills was read a third time, passed, and ordered to be sent to the House of Representatives.

The report of the Committee on Finance on compensation of officers of the Senate, on motion of Mr. JILLSON, was ordered to be printed, and to be laid over for consideration to-morrow.

Mr. RANDOLPH offered the following :

Resolved, That the Committee on Finance be requested to ascertain whether there be a Janitor to this building, and if so, to report to the Senate the amount of compensation he receives for his services.

Mr. HAYNE moved to lay the motion on the table, which was not agreed to.

Mr. RANDOLPH moved a suspension of the Rules of the Senate for the purpose of immediate consideration of the resolution.

Objections being made, the resolution was ordered for consideration to-morrow.

A Bill to define the jurisdiction and regulate the practice of Probate Courts, reported by the Committee on the Judiciary, was read a second

time, considered Section by Section, and after sundry amendments by Mr. Corbin, passed, and was ordered to be engrossed for a third reading.

A Bill for regulating the manner of keeping and disbursing public funds was read a second time, considered Section by Section, passed, and ordered to be engrossed for a third reading.

SPECIAL ORDER.

At 2 P. M. the PRESIDENT announced the hour for the consideration of the Special Order, which was the report of the Special Committee appointed to report Rules for the government of the Senate.

On motion of Mr. LESLIE, the Special Order was postponed until to-morrow, at 2 P. M.

A resolution (by Mr. Arnin) relative to per diem of members absent without leave, on motion of Mr. HAYNE, was made the Special Order for 1 P. M. to-morrow.

A resolution (by Mr. Hayes) to continue in office the present Town Council of Laurensville, on motion of Mr. CORBIN, was laid over for consideration to-morrow.

A Bill to determine and set out dower was taken up, read a second time, considered Section by Section, passed, and ordered to be engrossed for a third reading to-morrow.

A Bill to subject agricultural and farming lands to taxation, within the limits of corporate towns and cities, and to fix three rates of taxation, was read by its title, and referred to the Committee on the Judiciary.

The joint resolution (by Mr. Jillson) to appropriate one thousand dollars to Mrs. Dill, widow of the late Hon. Solomon G. W. Dill, of Kershaw County, was taken up for consideration.

Mr. RANDOLPH moved that it be referred to the Committee on Finance.

Mr. LESLIE moved to amend by striking out the words "on Finance," and inserting "on the Judiciary," which was agreed to.

Mr. HAYNE moved that when the Senate adjourns, it stand adjourned to meet on Tuesday, at 12 M.

On motion of Mr. JILLSON, the motion to adjourn to Tuesday, 12 M., was ordered to lie on the table.

On motion of Mr. HAYNE, the Senate adjourned at 3:15 P. M.

SATURDAY, AUGUST 1, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT *pro tem.*, the Senator from Fairfield (Hon. J. M. Rutland).

Prayer by the Chaplain.

The PRESIDENT *pro tem.* addressed the Senate as follows.

SENATORS: I rise to thank you for this unexpected, unsolicited, and, I must say, uncoveted honor, which you have seen fit to confer upon me. I am entirely inexperienced as a presiding officer, and must crave your kind indulgence, and ask your aid and assistance in the discharge of my duties. No presiding officer, however accomplished and well qualified for the position to which he has been called, can preside successfully without the support and assistance of the body over which he presides, and I confidently rely upon you, Senators, for that support and assistance which will enable me to perform my duties in a manner creditable to myself and acceptable to the Senate.

Mr. HAYNE asked and obtained leave of absence for the Reading Clerk for two days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a Bill to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars, which was read a first time, and ordered for a second reading and consideration on Monday.

PETITIONS, &c.

Mr. ARNIM, on behalf of the Senator from Oconee County (Mr. Bie-man), presented the petition of sundry citizens of Oconee County, asking the repeal of a conditional Act of the Legislature, granting leave to obstruct Little River, in said county, and for authority to remove such obstructions to the passage of fish up the river, on the ground of entire failure of the party to comply with the Act. Referred to the Committee on Roads, Bridges and Ferries.

Mr. ARNIM, on behalf of the same Senator, presented the report of W. S. Grisham, President of the Keowee and Tuckassee Turupike Road. Referred to the Committee on Roads, Bridges and Ferries.

Mr. ROSE presented the petition of John G. Fuloe, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

Mr. BUCK presented the petition of John R. Cooper and others, citizens of Horry County, praying for a charter with the right of way for clearing out and making navigable for conveying timber a certain swamp connecting with the Pee Dee River, and known as Lake Swamp. Referred to the Committee on Incorporations.

Mr. BUCK presented the account of James Dudley, Clerk of the Court for Horry County. Referred to the Committee on Claims.

JOURNAL OF THE SENATE,
REPORTS OF COMMITTEES.

Mr. ARNIM, from the Committee on Public Buildings, to whom was referred a resolution from the House of Representatives to appropriate \$2,500 for the purpose of fitting up a house on Arsenal Hill as a residence for the Governor, reported favorably, accompanied by a joint resolution, which was read, and with the report, ordered for consideration on Monday, and to be printed.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred the petition of Porter Smith, Thomas Rivers, Thomas Lewis and others, praying to be incorporated under the name and style of the "Neptune Fire Engine Company, of Greenville;" also, the petition of Julius C. Smith, H. A. Cauble, A. A. Foster and others, praying to be incorporated under the name and style of the "Palmetto Fire Engine Company, of the town of Greenville," reported the same back favorably, accompanied by Bills. Ordered for consideration on Monday.

Mr. JILLSON offered the following resolution, and moved a suspension of the Rules for its immediate consideration :

Resolved, That any Senator who shall absent himself from the services of the Senate without leave of the Senate first obtained, except in case of sickness, shall forfeit his per diem while so absent. This resolution shall take effect on and after the 1st of August, 1868.

Mr. WRIGHT stated that a similar resolution was already pending before the Senate, and had been made the Special Order for 1 P. M. this day.

Mr. JILLSON thereupon asked and obtained leave to withdraw the resolution offered by him.

Mr. CAIN offered the following joint resolutions, which were read, ordered to be printed, and made the Special Order for Tuesday, August 4, at 2 P. M. :

Whereas the Republican party in this State will bear the odium and censure of malfeasance or unfaithfulness in office by public servants; and whereas the successful operation of this State Government depends upon the friends of said Government; therefore,

Resolved, That the offices of remuneration, trust and responsibility in this State should be in the hands of such persons as are friendly to the success of the present State Government, and that all officers in this State who are not qualified under the new Constitution, or by the appointment of General E. R. S. Canby, or who are opposed to the Reconstruction Acts of Congress, by which this State Government is established, shall be displaced; and the Governor shall be, and is hereby, authorized to fill all such offices by appointment, until such time as elections shall be held in all the counties to fill such offices.

NOTICES OF BILLS.

Mr. WRIGHT gave notice that he will on Monday, or some subsequent day, ask leave to introduce

A Bill to fix the salaries and regulate the pay of certain officers in the State.

BILLS INTRODUCED.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to establish a State police, which received its first reading, was ordered to be printed, and lie over for consideration till Monday.

GENERAL ORDERS.

On motion of Mr HAYNE, the Senate proceeded to the consideration of the General Orders of the Day.

The report of the Committee on Finance on compensation of the officers of the Senate was the first business in order.

Mr. HAYNE moved that the report be recommitted to the Committee, with instructions to reduce the salaries of all the officers.

Pending the consideration of this motion, the hour for the consideration of the Special Order arrived.

The Special Order, being the resolution (by Mr. Arnim) relative to the per diem of members absent without leave, on motion of Mr. SWAILS, was discharged until the Senate disposed of the report of the Committee on Finance on compensation of officers.

The consideration of the report of the Committee on Finance was then resumed.

Mr. WRIGHT moved to recommit the report to the Committee, with instructions to reduce the salary of the Chaplain and to strike out the words "Assistant Doorkeeper."

The PRESIDENT *pro tem.* decided the motion to strike out the words "Assistant Doorkeeper" to be out of order.

The question was taken on the motion to recommit the report to the Committee with instructions to reduce the salaries of all the officers.

Mr. CAIN moved to lay the motion on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Buck, Cain, Coghlan, Jillson, Maxwell, Rainey, Rutland, Randolph, Rose, Swails and Wright.—12.

Nays—Messrs. Arnim, Dickson, Foster, Hoyt, Hayne, Nash, Owens, Reid, Rodgers and Wimbush.—10.

So the motion to recommit was ordered to lie on the table.

Mr. HOYT moved that the report be recommitted to the Committee, with instructions to reduce the salary of the Chaplain, and to strike out the words "two messengers," and to insert the words "one messenger," and to strike out the words "Assistant Doorkeeper."

The PRESIDENT *pro tem.* decided that any motion to strike from the report the officers elected by the Senate to be out of order.

The question recurred upon the adoption of the report.

Mr. NASH moved that the report be recommitted to the Committee, with instructions to reduce the salary of Chaplain.

Mr. CAIN moved to lay the motion on the table, which was agreed to.

The question was then taken upon the adoption of the report.

Mr NASH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Cain, Coghlan, Jillson, Maxwell, Rainey, Randolph, Rose, Swails and Wright.—10.

Nays—Messrs. Allen, Buck, Dickson, Duncan, Foster, Hoyt, Hayne, Nash, Owens, Reid, Rodgers and Wimbush.—12.

So the report was not agreed to.

Mr. HAYNE moved a reconsideration of the vote whereby the report was rejected, which was agreed to.

The question was then taken upon the adoption of the report, and decided in the affirmative.

SPECIAL ORDER.

The Special Order, which was a resolution relative to the per diem of members absent without leave, was again taken up.

Mr. HAYNE moved the adoption of the resolution.

Mr. CAIN moved to amend by adding the words "and this shall apply to all Senators who have absented themselves heretofore without leave."

Mr. SWAILS moved to amend the resolution by adding after the word "Senators" the words "and officers of the Senate."

The amendments were accepted by the mover of the resolution.

Mr. JILLSON moved to substitute the following :

Resolved, That any Senator or officer of the Senate who shall absent himself from the services of the Senate, without leave of the Senate first obtained, except in case of sickness, shall forfeit his pay while so absent. This resolution shall take effect on and after the 1st of August, 1868.

On motion of Mr. CAIN, the substitute was ordered to lie on the table.

The question was then taken upon the adoption of the resolution, which was agreed to.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of the General Orders.

The resolution relative to the Janitor was read.

Mr. RAINEY moved that the resolution be indefinitely postponed

Mr. RANDOLPH asked and obtained leave to withdraw the resolution.

On motion of Mr. RAINEY, the resolution rescinding the order of General Canby continuing in office the Town Council of Laurensville was postponed until 2 P. M. on Tuesday next.

On motion of Mr. KANDOLPH, it was

Resolved, That the consideration of the report of the Committee on Public Buildings on the petition of the Board of Commissioners of Williamsburg County asking appropriation to build a jail be postponed until the Commission appointed by the Constitutional Convention to examine into the financial condition of the State make their report.

SPECIAL ORDER.

The Special Order for 2 P. M., which was the report of the Special Committee appointed to report Rules for the government of the Senate, was called up, and the report read.

Mr. MAXWELL moved the adoption of the Rules as reported by the Committee.

Mr. WRIGHT moved to amend Rule 1 in the last line by striking out the words "on this day," which was agreed to.

Mr. RANDOLPH moved that the Rules be considered separately and in regular order, which was not agreed to.

Mr. RANDOLPH moved to amend Rule 8 by inserting the words "the same day" between the word "question" and the word "unless," which was agreed to.

Mr. SWAILS moved to amend Rule 44 by striking out all after the word "by" on the second line, and inserting "such Rules as are laid down in Jefferson's Manual of Parliamentary Practice."

The amendment was agreed to.

Mr. NASH moved to amend Rule 35 by striking out the words "Sergeant-at-Arms," which was not seconded.

Mr. RAINEY moved the report be adopted, which was agreed to.

Mr. RAINEY moved that the Rules as amended be printed, which was not agreed to.

On motion of Mr. ROSE, the Senate adjourned at 3 P. M.

MONDAY, AUGUST 3, 1868.

The Senate assembled at 11 A. M., and was called to order by the PRESIDENT *pro tem*.

Prayer by Rev. Mr. RANDOLPH.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

Mr. CAIN asked and obtained leave of absence for one day.

Mr. JILLSON asked and obtained leave of absence for the Senator from Sumter (Mr. Coghlan) for six days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate the following papers :

A concurrent resolution relative to applications for the removal of political disabilities. Read a first time, and referred to the Special Committee of five on Political Disabilities.

Report (favorable) of Special Committee of the House of Representatives on the petitions of P. G. Camp and A. E. Smith, of Spartanburg, relative to the removal of the political disabilities of the petitioners. Referred to the Special Committee on Political Disabilities.

A joint resolution relative to petitioning for the removal of the political disabilities of A. L. McCasliu. Referred to the Special Committee on Political Disabilities.

A concurrent resolution for the appointment of a Committee of Conference, consisting of five members from the House of Representatives and as many as the Senate may appoint, to regulate the Rules by which both Houses shall be governed. Read a first time, and referred to the Special Committee on Rules for the government of the Senate.

A joint resolution to inquire into the amount of lands in possession of the State in consequence of non-payment of taxes due thereon July 31, 1868. Read a first time, and ordered for consideration to-morrow.

A Bill to provide a Private Secretary for the Governor. Read a first time, and ordered for a second reading and consideration to-morrow.

PETITIONS, MEMORIALS, &c.

Mr. MONTGOMERY presented the account of T. M. Paysinger, Sheriff of Newberry County, with State Treasury. Referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to define the jurisdiction and regulate the practice of Probate Courts. Ordered for consideration to-morrow.

On motion of Mr. RANDOLPH, the Senate proceeded to the consideration of the report of the Committee on Public Lands on the Bill to establish a Board of Land Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands

The report and accompanying Bill were read a second time, and on motion of Mr SWAILS, made the Special Order for Thursday next, at 1 P. M., and ordered to be printed.

BILLS INTRODUCED.

Mr. RANDOLPH, pursuant to notice, introduced

A Bill to repeal an Act entitled "An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries," which was read a first time, and ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to fix the salary and regulate the pay of certain officers, which was read a first time, and ordered for a second reading and consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to consider the General Orders of the Day upon the Calendar.

The Bill to incorporate the Citizens' Savings Bank of South Carolina was read a third time.

On motion of Mr. MAXWELL, Section 6 was verbally amended by striking out the word "freedmen."

Mr. WRIGHT moved to strike out the words "and others of moderate means."

The PRESIDENT decided any other than a verbal amendment on the third reading to be out of order.

On motion of Mr. WRIGHT, the Bill was recommitted to the Committee on Incorporations, with instructions to strike out the words "and others of moderate means."

The report (favorable) of the Committee on Finance on a resolution from the House of Representatives to request the Commission appointed by an ordinance of the Convention to examine into the liabilities and assets of the

State, and report their investigation on Friday next, 7th instant, was read and agreed to, and ordered to be returned to the House of Representatives.

The report (favorable) of the same Committee on the petition of Mrs. Mary C. Hobbs, praying to be refunded a double tax, was read, agreed to, and ordered to be sent to the House of Representatives.

The Bill to incorporate the Home Insurance Company, of Charleston, on motion of Mr. MONTGOMERY, was made the Special Order for to-morrow, at 1 P. M., and the Bill ordered to be printed.

The report (favorable) of the Special Committee of five on the petition of Edward Livingston for the removal of his political disabilities was agreed to, and the report ordered to be sent to the House of Representatives.

The report of the same Committee on the petition of R. L. Heriot, praying the General Assembly to petition Congress for the removal of his political disabilities, was agreed to, and ordered to be returned to the House of Representatives.

A Bill to regulate the punishment of larceny in certain cases, on motion of Mr. SWAILS, was read by its title, and referred to the Committee on the Judiciary.

A Bill to incorporate the Educational Society of the city of Columbia was read by its title, and referred to the Committee on Education.

The joint resolution (by Mr. Cain) relative to lands belonging to the State, on motion of Mr. ALLEN, was laid over for consideration till to-morrow.

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement was read a second time, and, on motion of Mr. SWAILS, was considered Section by Section.

Mr. MONTGOMERY moved to amend the enacting clause by inserting after the word "Representatives" the words "of the State of South Carolina," which was agreed to.

Mr. JILLSON moved to amend Section 2 by inserting in the eleventh line after the word "twelve" the word "persons," which was not seconded.

Mr. WRIGHT moved to amend Section 4, in the first line, by striking out the word "as" between "verdict" and "rendered," and inserting the word "so," which was agreed to.

Mr. MONTGOMERY moved to amend Section 6, in the thirteenth line, by inserting the word "then" after the word "published," so as to read "or if there be none there published, then in some newspaper of the State," &c., which was agreed to.

Mr. WRIGHT moved to amend Section 12, in the second line, by inserting after the word "against" the words "in the same manner," so as to read "shall be proceeded against in the same manner," which was agreed to.

The Bill then passed, and was ordered to be engrossed for a third reading.

A Bill (from the House of Representatives) to incorporate the Cheraw Hook and Ladder Company was read a second time, passed, and ordered to be engrossed for a third reading.

A Bill (from the Judiciary Committee) to quiet rights vested under military orders was next in order.

Mr. MONTGOMERY moved that the Bill be discharged, and made the Special Order for 1 P. M. on the first Wednesday after the fourth Tuesday in November.

On motion of Mr. WRIGHT, the motion of the Senator from Newberry (Mr. Montgomery) was ordered to lie on the table.

Mr. MONTGOMERY moved to strike out the enacting clause, which was not seconded.

Mr. MONTGOMERY also moved to strike out all after the enacting clause, which motion was not seconded.

The Bill was then read a second time.

Mr. RANDOLPH moved to amend Section 2 by adding the following, which was agreed to: "Unless inconsistent with the Constitution of this State, or the Acts passed by this special session of the General Assembly."

Mr. WRIGHT moved to amend the Bill by adding the following Section, which was agreed to:

SECTION 3. All persons who are now holding office by reason of any General or Special Orders issued by any military commanders in this State are hereby continued in office until their successors shall be elected and qualified.

Mr. MONTGOMERY moved to amend the Bill by adding the following Section:

SECTION 4. That nothing herein contained shall ever be so construed as to deprive any person or persons affected by the 1st and 2d Sections of their legal rights and remedies.

Mr. HAYNE moved to indefinitely postpone the amendment last offered, which was agreed to.

Mr. MONTGOMERY moved that the Bill be recommitted to the Committee on the Judiciary, without instructions, which was not agreed to.

Mr. SWAILS moved to recommit the Bill to the Committee on the Judiciary, with instructions to report the Bill back at 11:30 A. M. to-morrow.

The question being taken upon the motion to recommit, it was decided in the negative.

The question was then taken upon the adoption of the report of the Committee and the passage of the Bill, as amended, to its third reading.

Mr. HOYT moved that the Rules be suspended for the purpose of taking up the Bill for a third reading.

The PRESIDENT decided the motion out of order.

Mr. MONTGOMERY moved that the Bill, with the amendments, be laid on the table, which was not seconded.

Mr. SWAILS moved that the Bill pass, and be engrossed for a third reading, which was agreed to

A Bill (from the House of Representatives) to authorize the Governor to effect a loan of \$125,000 was read a second time, and ordered to be engrossed for a third reading.

The favorable report of the Committee on Public Buildings, relative to furnishing a house for the Governor, accompanied by joint resolutions fixing the appropriation of \$2,500 for the same, and providing that a Joint Committee of one from the Senate and two from the House of Representatives be appointed to take charge of the work, was read, and the report agreed to, and the joint resolutions ordered to be engrossed for a third reading.

The favorable reports of the Committee on Incorporations on the petitions of Porter Smith, Thos. Brier and others, praying an Act of incorporation for the Neptune Fire Engine Company, of Greenville, also on the petition of Julius C. Smith, H. A. Cauble and others, for an Act of incorporation for the Palmetto Fire Engine Company, of Greenville, accompanied by separate Bills, were read a second time, the reports adopted, the Bills read a first time, and ordered for a second reading and consideration to-morrow.

The Bill to establish a State police, on motion of Mr. HAYNE, was referred to the Committee on the Military.

Mr. RANDOLPH called for the reading of the Bill reported by the Committee on Engrossed Acts, namely: "A Bill to define the jurisdiction and regulate the practice of Probate Courts."

On motion of Mr. ARNIM, the Senate adjourned at 2:30 P. M.

TUESDAY, AUGUST 4, 1868.

The Senate assembled at 11 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. REID asked and obtained leave of absence, on account of public business and affliction in his family, for eight days, from Saturday next.

Mr. JILLSON asked and obtained leave of absence for four days, to commence to-morrow

Mr. ALLEN asked and obtained leave of absence for Mr. Owens, on account of illness, for three days.

Mr. ROSE asked and obtained leave of absence for Mr Rutland, on account of indisposition, for one day.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate.

A Bill to make appropriation for the payment of the expenses of the present session of the General Assembly, and to meet certain deficiencies in the appropriation for the fiscal year commencing on first of October, in the year of our Lord one thousand eight hundred and sixty-seven, made by General Orders No. 139, dated at Charleston, December 3, 1867. Read a first time, and ordered for consideration to-morrow.

A joint resolution calling for reports from S. L. Leaphart, retiring Comptroller-General. Read a first time, and referred to the Committee on Finance.

A resolution, with concurrence of the House, for the appointment of two members from each body to serve as a Committee on Enrolled Bills.

PETITIONS, &c.

Mr. ROSE presented the petition of Wm. M. Kerr praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee of five on Political Disabilities.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to quiet rights vested under military orders.

On motion of Mr. WRIGHT, the consideration of the Special Order was postponed, and the Rules suspended for the purpose of taking up the Bill, which was read a third time, passed, and ordered to be sent to the House of Representatives

Mr. RANDOLPH, from the same Committee, also reported as engrossed and ready for a third reading a joint resolution for fitting up and furnishing a residence for the Governor of the State and the appointment of a Joint Committee to take charge of the work. Ordered for consideration to-morrow.

Mr. ALLEN, from the Committee on Roads, Bridges and Ferries, to whom was referred the petition of J. W. S. Tucker and others, in reference

to a ferry across the Edisto River between the Counties of Barnwell and Orangeburg, reported back the same, with a recommendation that the prayer of the petitioner be granted, and the adoption of the following resolution :

Resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry over the Edisto River, on the road leading to Branchville, and known as Tucker's Ferry, be, and the same is hereby, re-established for the term of seven years, and vested in John W. S. Tucker, his heirs and assigns, who shall be allowed the same rates of toll as heretofore established by law.

Ordered for consideration to-morrow.

Mr. ALLEN, from the same Committee, to whom was referred the petition of John F. Hightower, Absalom Blythe and Wm. E. Earle, in reference to a public road in Greenville County, known as Saluda Gap Road, reported the same back, with a recommendation that the prayer of the petitioners be granted. Ordered for consideration to-morrow.

Mr. ALLEN, from the same Committee, to whom was referred the petition of R. F. Weldon and others, in reference to a public road in Greenville County, reported back the same, with a recommendation that the prayer of the petitioners be granted. Ordered for consideration to-morrow.

Mr. JILLSON, from the Committee on Education, to whom was referred a Bill to incorporate the Educational Society of the city of Columbia, reported back the same with amendments, and a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following Bills as having been engrossed for a third reading :

A Bill to regulate the manner and disbursement of funds by certain officers ;

A Bill to authorize and empower the Governor to effect a loan in behalf of the State of \$125,000 ;

A Bill to incorporate the Cheraw Hook and Ladder Company.

The above Bills were ordered for consideration to-morrow.

Mr. ARNIM, from the Special Committee of five on the Rules of the Senate, to whom was referred a concurrent resolution from the House of Representatives to appoint a Committee of five from the House, and as many as the Senate may appoint to regulate the Rules by which both Houses are to be governed, reported the same back favorably. Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. RANDOLPH asked and obtained a suspension of the Rules for the purpose of introducing

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government.

The Bill was read the first time.

Mr. JILLSON moved that it be made the Special Order for 1 P. M. to-morrow, which was not agreed to.

The Bill was then ordered for consideration to-morrow, and to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 4, 1868.

Mr. President and Members of the Senate :

I have the honor to inform you that under the joint resolution adopted by the two Houses, I have appointed Messrs. J. H. Jenks, of Charleston, and W. J. Whipper, of Beaufort, to serve on the Joint Committee on Enrolled Bills.

Very respectfully,

Your obedient servant,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The PRESIDENT announced Messrs. B. F. Randolph and J. K. Jillson as members of said Committee on the part of the Senate, and returned a message to the House informing that body of the same.

GENERAL ORDERS.

On motion of Mr. SWAILS, the Senate proceeded to the consideration of the General Orders upon the Calendar.

A resolution rescinding the order of General Canby continuing in office the Town Council of Laurensville was taken up for consideration.

On motion of Mr. WRIGHT, the resolution was indefinitely postponed.

A Bill to provide a Private Secretary for the Governor was read a second time, and referred to the Committee on Finance.

A Bill to repeal an Act entitled " An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries " was read a second time, and, on motion, referred to the Committee on the Judiciary, with instructions to report it back to the Senate at 12 M. to-morrow.

A Bill to define the jurisdiction and to regulate the practice of Probate Courts was next in order.

Mr. JILLSON moved to amend the enacting clause by inserting after the word "Representatives" the words "of the State of South Carolina."

There being no objection, the clause was so amended.

The Bill was then read a third time, passed, and ordered to be sent to the House of Representatives.

A joint resolution relative to lands belonging to the State was taken up for a second reading and referred to the Committee on Public lands, with instructions to the Committee to report on the same at 12 M. Thursday.

The following Bills were read a second time, passed, and ordered to be engrossed for a third reading :

A Bill (from the Committee on Incorporations) to incorporate the Neptune Fire Engine Company, of Greenville.

A Bill (from the Committee on Incorporations) to incorporate the Palmetto Fire Engine Company, of Greenville.

A Bill to fix the salaries and regulate the pay of certain officers in the State was read a second time, and, on motion of Mr. JILLSON, referred to Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 4, 1868.

To the Honorable the President and Members of the Senate :

I have the honor, very respectfully, to return to your honorable body, without amendments, a Bill to fix the amount of the official bonds of certain public officers, and to impose penalties on embezzlement ; also,

A Bill to incorporate the Langley Manufacturing Company, of Edgefield County.

These Bills have received three readings in this House, and the titles thereof have been changed to Acts.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion, the titles of the Bills as changed by the House to Acts was concurred in, and the Acts referred to the Committee on Enrolled Bills.

Mr. RANDOLPH moved a reconsideration of the vote whereby the Rules for the government of the Senate were adopted on Saturday last, which was agreed to.

On motion of Mr. RANDOLPH, the Rules were recommitted to the Special Committee of five on Rules for the government of the Senate.

Mr RAINEY moved that Mr. Randolph be added to the Committee on Rules, which was agreed to.

SPECIAL ORDER.

At 1 P. M. the Senate proceeded to the consideration of the Special Order, which was a Bill to incorporate the Home Insurance Company, of Charleston.

On motion of Mr. JILLSON, the Bill was considered by Sections.

On motion of Mr. ALLEN, Section 2 was amended, in the seventh line, by striking out the word "third," and inserting "eighteenth," so as to read "the said Commissioners, or a majority of them, shall open books at such places in Charleston as they shall appoint on the 18th day of August," which was agreed to.

Mr. JILLSON moved to amend Section 17, in the second line, by striking out the word "Legislature," and substituting the words "General Assembly," which was agreed to.

Mr. JILLSON also moved to amend Section 17, in the first line, by a transposition of words, so that the sentence will read "no dividend exceeding twelve per cent. shall be declared upon the capital of the company."

The amendment was agreed to.

Mr. MONTGOMERY moved a reconsideration of Section 6, for the purpose of inserting in the first line, after the word "its," the word "corporate."

The motion to reconsider was agreed to, and the amendment adopted.

The Bill then passed its second reading, and was ordered to be engrossed.

Mr. MONTGOMERY gave notice that on the third reading of the Bill to incorporate the Home Insurance Company, of Charleston, he will move to amend the seventh line of the 16th Section, by inserting the words "the same" between the words "require and provided" on said line.

RESOLUTION FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following concurrent resolution :

Resolved, That the House of Representatives, the Senate concurring, appoint a Committee of five to investigate and find out the causes and persons connected with the disturbance or riot that was made on certain members of the General Assembly, in this city, on Saturday night last, August 1, 1868.

And be it further resolved, That said Committee be authorized to report persons and papers to the General Assembly as speedily as possible.

On motion of Mr. HAYNE, the resolution was made the Special Order for 12 M. to-morrow.

On motion of Mr. HAYNE, the Senate adjourned at 1:45 P. M.

WEDNESDAY, AUGUST 5, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for 12 M. this day, which was a concurrent resolution from the House of Representatives in reference to the appointment of a Committee of five to investigate the causes and find out persons connected with the disturbance on Saturday night, August 1, 1868.

On motion of Mr. ALLEN, the resolution was concurred in, and ordered to be returned to the House of Representatives.

PETITIONS, MEMORIALS, &c.

Mr. SIMS presented the petition of sundry citizens of Yorkville, asking a recharter of the village of Yorkville. Referred to the Committee on Incorporations.

Mr. SIMS also presented the petition of sundry citizens of Rock Hill, York County, praying for an Act of incorporation of the village of Rockville. Referred to the Committee on Incorporations.

Mr. SIMS also presented the petition of the Catawba Indians praying aid for their removal to the West.

On motion of Mr. SIMS, the petition was referred to a Special Committee of three, to be appointed by the President.

Messrs. Sims, Rose and Hayne were appointed on said Committee.

Mr. RAINEY presented the petition of the United Fire Engine Company for an Act of incorporation, accompanied by a Bill. Referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. WRIGHT, from the Committee on the Military, to whom was referred a Bill to establish a State police, reported the same back, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Railroads, to whom was referred a Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina," reported back the same, with certain verbal alterations, and a recommendation that the Bill do pass. Ordered for consideration to-morrow, and to be printed.

Mr. LESLIE, from the same Committee, to whom was referred a joint resolution from the House of Representatives providing for the appointment of three persons to represent the interest of the State in the Spartanburg and Union Railroad Company, reported the same back, with a recommendation that the following be adopted as a substitute :

Whereas the State of South Carolina is largely interested in the Spartanburg and Union Railroad ; therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That His Excellency the Governor be, and he is hereby, authorized to appoint three proxies to represent the interests of the State at the next ensuing annual meeting of the stockholders of said road.

Ordered for consideration to-morrow.

Mr. RAINEY, from the Committee on Finance, to whom was referred a concurrent resolution from the House of Representatives calling for reports from S. L. Leaphart, retiring Comptroller-General, reported the same back, with a recommendation that the Senate do concur in the resolution. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following engrossed Bills ready for a third reading :

A Bill to determine and set out dower ;

A Bill to incorporate the Palmetto Fire Engine Company, of the town of Greenville ;

A Bill to incorporate the Neptune Fire Engine Company, of the town of Greenville.

The above Bills were ordered for consideration to-morrow.

Mr. SWAILS, on behalf of the Chairman of the Special Committee of five on Political Disabilities, to whom was referred the petitions of John G. Enloe and William M. Kerr, praying the General Assembly to petition Congress for the removal of their political disabilities, reported the same back, with a recommendation that the prayer of the petitioners be granted. Ordered for consideration to-morrow.

Mr SWAILS, on behalf of the Chairman of the Special Committee of five on Political Disabilities, to whom was referred the petition of A. L. McCaslin, of Abbeville, praying the General Assembly to petition Congress for the removal of his political disabilities, reported the same back, with a recommendation that the prayer of the petitioner be granted. Ordered for consideration to-morrow.

Mr. SWAILS, on behalf of the Special Committee of five on Political Disabilities, to whom was referred the concurrent resolution of the House of Representatives concerning the petitions of P. Quin Camp and A. E. Smith, of Spartanburg, reported the same back, with a recommendation that the Senate concur with said resolution. Ordered for consideration to-morrow.

Mr. SWAILS, on behalf of the same Committee, to whom was referred a concurrent resolution from the House of Representatives relative to applications for the removal of political disabilities, reported the same back, with a recommendation that the Senate do concur. Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. CAIN, pursuant to notice, introduced

A Bill to incorporate the Wando Company, which was read a first time, and ordered for a second reading and consideration to-morrow.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to define the law of contracts for hire

On motion of Mr. RAINEY, the vote by which the report of the Committee on Finance on the petition of Mrs. Mary A. C. Hobbs was adopted was reconsidered, and the report recommitted to the Committee.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders upon the Calendar.

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government, on motion of Mr. WRIGHT, was read by its title, and referred to the Committee on the Judiciary.

A Bill from the House of Representatives to make appropriations for the payment of the expenses of the General Assembly, on motion of Mr. ALLEN, was read by its title, and referred to the Committee on Finance.

The reports of the Committee on Roads, Bridges and Ferries on the

several petitions of R. F. Weldon, John F. Hightower, A. Blythe, Wm E Earle and J. W. S. Tucker, on motion of Mr. ALLEN, were recommitted to the Committee.

The report of the Committee on Education on a Bill to incorporate the Educational Society of the city of Columbia was agreed to, the Bill read a second time, and ordered to be engrossed for a third reading.

The Bill to regulate the manner of keeping and disbursing funds by certain officers was taken up for a third reading, and recommitted to the Committee on Engrossed Acts.

A Bill from the House of Representatives to authorize and empower the Governor to effect a loan in behalf of the State of \$125,000 was read a third time, and in conformity with the provisions of Article IX, Section 7, of the Constitution, in reference to debts contracted by the State, the yeas and nays were taken on the passage of the Bill, and are as follows :

Yeas—Messrs. Arnim, Allen, Cain, Dickson, Duncan, Hoyt, Hayes, Hayne, Leslie, Montgomery, Nash, Rainey, Rose, Swails, Wright and Wimbush.—16.

Nays—Messrs. Buck, Foster, Reid, Rodgers and Sims.—5.

So the Bill was passed, its title ordered to be changed to that of an Act, and returned to the House of Representatives.

A Bill to incorporate the Cheraw Hook and Ladder Company was read a third time, passed, its title ordered to be changed to that of an Act, and ordered to be returned to the House of Representatives.

The favorable report of the Special Committee on Rules relative to a proposed Committee of Conference between the Senate and House on Joint Rules was read, the report agreed to, and the resolution concurred in.

Mr. HAYNE moved that the Committee on the part of the Senate consist of two Senators, including the Chairman of the Committee on Rules.

Mr. WRIGHT moved to amend by striking out "two" and inserting "five."

The amendment was accepted by the mover.

Mr. LESLIE moved to amend by striking out "five" and inserting "three," which was agreed to.

Messrs. Arnim, Wright and Leslie were appointed said Committee.

A joint resolution to fix up and furnish a residence for the Governor, on motion of Mr. LESLIE, was recommitted to the Committee on Public Buildings, with instructions to strike out Section 2, and to insert a substitute authorizing the Governor to attend to the work contemplated by Section 1.

A Bill for the preservation of the State Capitol was taken up for consideration, and ordered to be engrossed for a third reading.

A Bill to provide for the accommodation of the General Assembly, Executive and Judiciary, was taken up for consideration.

Mr. HAYNE moved that the Bill be indefinitely postponed, which was not agreed to.

Mr. RANDOLPH moved to amend Section 1 by inserting after the word "Chapel" the word "new State House," and to strike out after the word "fit" the word "it," and to insert the words "either the one or the other."

Mr. LESLIE moved to lay the amendment on the table, which was agreed to.

Mr. SIMS moved that the Bill be recommitted to the Committee on Public Buildings, with instructions to inquire whether the use of the College Chapel will interfere with the exercises of the College, which was not agreed to.

The question was then taken on the passage of the Bill to a third reading, which was decided in the affirmative, and the Bill ordered to be engrossed.

A joint resolution from the House of Representatives to inquire into the amount of lands in possession of the State in consequences of non-payment of taxes due thereon July 31, 1868, was read, and on motion of Mr. HAYES, it was referred to the Committee on Public Lands.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported back the Bill to regulate the manner of keeping and disbursing funds by certain officers.

On motion of Mr. LESLIE, the Senate adjourned at 2:30 P. M.

THURSDAY, AUGUST 6, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following papers:

Report of the Committee of Ways and Means of the House on the petition of T. S. Heyward, praying relief from a double tax. Referred to the Committee on Finance.

Reports (favorable) of the Special Committee on Political Disabilities,

on the part of the House, in the cases of the petitions of Thomas S. Arthur and Spartan D. Goodlett, of Greenville, and Frank Myers, of Orangeburg, for the removal of their political disabilities. Referred to the Special Committee of five on Political Disabilities.

The House returned to the Senate with concurrence the favorable report of the Special Committee of five of the Senate on Political Disabilities on the petition of Spartan D. Goodlett, praying the General Assembly to petition Congress for the removal of his political disabilities.

Also, the unfavorable report of the House Committee on Disabilities on the petition of W. J. Clawson, Jr., praying the General Assembly to petition Congress for the removal of his political disabilities, in which report the House concurred. Laid on the table.

PETITIONS, MEMORIALS, &c.

Mr. MONTGOMERY presented the petition of Tobias F. Clark and others, praying an Act of incorporation for the Longshoremen's Protective Union Association of Charleston. Referred to the Committee on Incorporations.

Mr. HAYES presented the petition of Wm. Kinsler, Edward Kinsler and H. O. Kinsler, for an amendment and extension of their charter of a ferry across the Congaree River, near the city of Columbia. Referred to the Committee on Roads, Bridges and Ferries.

Mr. WIMBUSH presented the petition of Wm. H. Anderson, a citizen of Chester, praying the General Assembly to petition Congress for the removal of his political disabilities. Referred to the Special Committee on Political Disabilities.

Mr. WIMBUSH presented the account of Dr. R. G. Montgomery for a *post mortem* examination. Referred to the Committee on Claims.

Mr. SIMS presented the account of R. H. Jordan, M. D., for a *post mortem* examination. Referred to the Committee on Claims.

Mr. SIMS also presented the petition of John Samuel Cureton, asking the recharter of Cureton's Ferry, and to establish a schedule of fare for the same. Referred to the Committee on Roads, Bridges and Ferries.

Mr. RAINEY presented the account of Dr. H. F. Heriot, of Georgetown, for medical services and attendance on prisoners in jail. Referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred the petition of Henry Larcomb and others, praying an Act of incorporation for the "United Fire Engine Company," of Charleston, re-

ported the same back favorably, accompanied by a Bill, which was read a first time, and ordered for a second reading and consideration to-morrow.

Mr. ARNIM, from the Committee on Public Buildings, to whom was re-committed, on the third reading, with instructions, a joint resolution relative to fitting up and furnishing a residence for the Governor, reported back the same, with a recommendation that the Bill annexed to the joint resolution as first reported do pass, and the amendment offered by the Senator from Barnwell be rejected. Ordered for consideration to-morrow.

Mr. ALLEN, from the Committee on Roads, Bridges and Ferries, to whom was referred the several petitions of John F. Hightower, R. F. Weldon and others, J. W. S. Tucker and others, J. S. Wright and others, relative to various roads, ferries, &c., reported the same back favorably, accompanied by a Bill to re-establish certain ferries, alter the location of roads, and for other purposes, which was read a first time, and ordered for consideration to-morrow, and to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following Bills as engrossed and ready for a third reading :

A Bill for the preservation of the State Capitol ;

A Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary ;

A Bill to incorporate the Columbia Educational Society.

The above Bills were ordered for consideration to-morrow.

Mr. RAINEY, from the Committee on Finance, to whom was referred a Bill from the House of Representatives to provide a Private Secretary for the Governor, reported the same back, with a recommendation that the Bill, as amended by the House, do pass. Ordered for consideration to-morrow.

Mr. RAINEY, from the same Committee, to whom was re-committed the report on the petition of Mrs. Mary A. C. Hobbs, submitted a report, and recommended the adoption of the following resolution :

Resolved, by the Senate, the House of Representatives concurring, That the petition of Mrs. Mary A. C. Hobbs, to be relieved of a double tax, be granted on payment of costs by the petitioner.

Ordered for consideration to-morrow.

Mr. RAINEY, from the same Committee, to whom was referred a Bill to fix the salaries and regulate the pay of certain officers in the State, reported the same back, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred a Bill to regulate the punishment of larceny in certain cases, reported the same back, with a recommendation that the Bill do lie upon the table. Ordered for consideration to-morrow.

Mr. LESLIE also, from the same Committee, submitted reports upon the following :

A Bill providing for the punishment of embezzlement of public moneys or property. The Committee report the same back, with a recommendation that it do lie upon the table, another Bill having a similar object in view having already passed the Senate. Ordered for consideration to-morrow.

A joint resolution relative to filling various offices with persons friendly to the success of the present State Government, &c. The Committee report the same back, and recommend that the resolution do lie upon the table. Ordered for consideration to-morrow.

A Bill to repeal an Act entitled "An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries." The Committee report the same back, with a recommendation that it do lie on the table. Ordered for consideration to-morrow.

A Bill to subject all agricultural and farm lands to taxation within the corporate limits of towns and cities, and to fix three rates of taxation on real property within the same. The Committee report the same back, and recommend that the Bill do lie upon the table. Ordered for consideration to-morrow.

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government. The Committee report the same back, and recommend, with the adoption of the following as a substitute for Section 2, that the Bill do pass :

SECTION 2. A violation of the foregoing Section of this Act shall, upon conviction thereof, for the first offence, subject the offender to a fine of not less than five hundred dollars, nor more than one thousand dollars, and imprisonment at hard labor for not less than six months, nor more than one year; and for the second offence, to a fine of not less than one thousand dollars, nor more than two thousand dollars, and to imprisonment for not less than one year, nor more than two years.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. HAYNE gave notice that he will on Monday, or some subsequent day, ask leave to introduce

A Bill entitled "A Bill to repeal an Act passed by the General Assembly of South Carolina, at the regular session of 1866, for the encouragement and protection of European immigration, and for the appointment of a Commissioner and agents, and for other purposes therein expressed."

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders upon the Calendar.

A Bill to establish a State police was taken up for a second reading.

Mr. ARNIM moved to amend Section 1 by inserting after the word "Governor" the words "and confirmed by the Senate," which was agreed to.

Mr. MONTGOMERY moved the following substitute for Section 1, which, after some discussion, participated in by Senators Randolph, Leslie, Wright, Cain and others, was not agreed to :

SECTION 1. It shall be the duty of the Adjutant and Inspector-General of the State, under the direction and control of the Governor, to devise and promulgate a system of rules and regulations for the establishment and government of a State constabulary force. He shall appoint as many Deputies in each county of the State as the Governor may deem necessary, having at least one Deputy in each county.

On the question of the passage of the first Section, Mr. RANDOLPH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Buck, Cain, Dickson, Donaldson, Duncan, Foster, Hoyt, Hayes, Hayne, Leslie, Montgomery, Nash, Rainey, Reid, Rose, Rodgers, Swails, Sims, Wright and Wimbush.—22.

Nays—Messrs. Maxwell and Randolph.—2.

Mr. HAYNE moved to fill the blank in the second line of Section 2 with \$1,500.

Mr. MAXWELL moved to amend by inserting \$1,200.

Mr. ALLEN moved to amend by inserting \$2,000.

The question was first taken on the motion to insert \$2,000, and decided in the negative.

The question was then taken on the motion to insert \$1,500, which was agreed to, and the blank so filled.

SPECIAL ORDER.

Mr. RAINEY called for the Special Order for 1 P. M. this day, which was the report of the Committee on Public Lands on a Bill to establish a Board of Land Commissioners.

On motion of Mr. WRIGHT, the Special Order was discharged until the Bill then before the Senate was disposed of.

On motion of Mr. LESLIE, Section 3 was reconsidered, and the seventh line amended by inserting between the words "State and before" the words "and the Governor thereof," so as to require the accounts of the Constables and Deputy Constables to be verified by the Constable of the State and the Governor thereof.

The Bill was then passed, and ordered to be engrossed for a third reading.

SPECIAL ORDER.

On motion of Mr. HAYNE, the Senate resumed the consideration of the Special Order.

The report of the Committee on Public Lands on the Bill to establish a Board of Commissioners of Public Lands, to define their duties, and to authorize the issue of bonds or stocks for the purchasing of lands, together the substitute proposed by the Committee for Section 1, was read.

After a discussion between Senators Randolph, Leslie, Cain, Rainey and others, on motion of Mr. CAIN, the report and Bill were made the Special Order for Saturday next, at 1 P. M.

GENERAL ORDERS.

The consideration of the General Orders was resumed.

The Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad" was taken up for a second reading.

Mr. HAYNE moved a postponement of the Bill to the next session of the General Assembly, but subsequently withdrew the motion.

On motion of Mr. WRIGHT, the Bill was made the Special Order for 2 P. M. to-morrow.

The report of the Committee on Railroads on a resolution from the House to appoint three persons to represent the interests of the State in the Spartanburg and Union Railroad was considered, the substitute of the Committee agreed to, and a message ordered to be sent to the House of Representatives accordingly.

The favorable report of the Committee on Finance on a resolution from the House calling for reports from S. L. Leaphart, retiring Comptroller-General was considered, agreed to, the resolution concurred in, and ordered to be returned to the House of Representatives.

The Bill to determine and set out dower was read a third time, passed, and ordered to be sent to the House of Representatives.

The Bill to incorporate the Palmetto Fire Engine Company, of the town of Greenville, was read a third time, passed, and ordered to be sent to the House of Representatives.

The Bill to incorporate the Neptune Fire Engine Company, of the town of Greenville, was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. HOYT, the General Orders were suspended for the purpose of immediate consideration of a Bill from the House of Representatives entitled "A Bill to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned."

The Bill received its first reading in the Senate, and was ordered for consideration to-morrow, and to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 6, 1868.

To the Honorable the President and Members of the Senate :

I have the honor to inform you that under the joint resolution in reference to the appointment of a Committee to report to the two Houses a plan for the disposition of Bills, &c., Messrs. W. J. McKinlay, of Orangeburg, and B. F. Jackson, of Charleston, and J. W. Duvall, of Fairfield, have been appointed on said Committee on the part of this House.

Very respectfully, &c.,
F. J. MOSES, JR.,
Speaker of the House of Representatives.

The PRESIDENT announced that the Committee on the part of the Senate to act with the Committee from the House on the same subject embraced in the message was appointed yesterday, and a message sent to the House accordingly.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 6, 1868.

To the Honorable the President and Members of the Senate :

This House respectfully informs the Senate that under the joint resolution, adopted by the two Houses, calling for a Committee to investigate and report upon the disturbance of Saturday night last, Messrs. J. H. Jenks, of Charleston, and S. B. Thompson and William Simons, of Richland, have been appointed on said Committee on the part of this House.

Very respectfully, &c.,
F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. CAIN, the President was authorized to appoint two members of the Senate as a Committee to act with the Committee appointed on the part of the House, and a message returned to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

The favorable reports of the Special Committee of five on Political Dis

bilities on the petitions of William M. Kerr, A. L. McCaslin, John G. Enloe, P. Q. Camp and A. E. Smith were considered, agreed to, and those of William M. Kerr, John G. Enloe, P. Q. Camp and A. E. Smith ordered to be sent to the House of Representatives.

A Bill to regulate the manner of keeping and disbursing funds by certain officers was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to incorporate the Wando Company was read by its title, and referred to the Committee on Incorporations.

The House sent to the Senate a Bill to declare vacant certain offices.

The Bill was read a first time, and, on motion of Mr. LESLIE, the Rules were suspended for the purpose of referring the Bill to the Committee on the Judiciary, which was so ordered, and the Bill ordered to be printed.

On motion of Mr. RANDOLPH, the Senate adjourned at 3:45 P. M.

FRIDAY, AUGUST 7, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. MAXWELL asked and obtained leave of absence for the Senator from Chester (Mr. Wimbush) until Monday next.

Mr. ALLEN asked and obtained leave of absence for the Senator from Laurens (Mr. Owens) for two days, on account of severe indisposition.

Mr. CAIN asked and obtained leave of absence for the Chaplain for three days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate the following resolution :

Resolved, by the House of Representatives, the Senate concurring, That the Speaker of this House and the President of the Senate be requested to extend a joint invitation to Major General George C. Meade, commanding the new military department, of which this State constitutes a part, to visit this General Assembly, whenever it may suit his pleasure and convenience.

On motion of Mr. HOYT, the Rules were suspended for the immediate

consideration of the resolution, which was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate a Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County.

The Bill received its first reading, and was ordered for a second reading and consideration to-morrow, and to be printed.

The House returned, with certain amendments, to the Senate a Bill to organize the Circuit Courts, which had received three readings in the Senate. Referred to the Committee on the Judiciary.

NOTICES OF BILLS.

Mr. ALLEN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to define and to punish offences against the public peace.

REPORTS OF COMMITTEES.

Mr. RAINEY, from the Committee on Finance, to whom was referred a Bill to fix the salary and regulate the pay of certain officers, reported back the same, with a recommendation that the Bill do pass, with the following amendments to Section 1 :

That the Chief Justice of the Supreme Court shall receive an annual salary of four thousand dollars, payable quarterly, and the Associate Justices of the Supreme Court shall receive each an annual salary of thirty-five hundred dollars, payable quarterly. The Judges of the Circuit Courts shall receive an annual salary of thirty-five hundred dollars each.

Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to establish a State police.

On motion of Mr. HAYNE, the Rules were suspended, and the Bill taken up for immediate consideration.

The Bill was then read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Wando Company, reported back the same, with a recommendation that it do pass. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the same Committee, to whom was referred the petition of Tobias F. Clark and others, praying an Act of incorporation for the Longshoremen's Protective Union Association, of Charleston, re-

ported back the same, with a recommendation that the prayer of the petition be granted. Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred a Bill to declare vacant certain offices, and for other purposes, reported the same back, with sundry amendments, and recommended that the Bill, as amended by the Judiciary, do pass.

On motion of Mr. RANDOLPH, the Rules were suspended for the purpose of the immediate consideration of the report and Bill.

On motion of Mr. SWAILS, the report of the Committee was adopted, and the Bill considered by Sections.

The title of the Bill, as recommended by the Committee, was amended to read as follows :

A Bill regulating the tenure of certain offices and appointments thereto, and for other purposes.

Mr. HOYT moved to amend Section 2 by striking out the word "ten," in the fifth line, and inserting the word "thirty," so as to give thirty instead of ten days to persons elected to enter upon the discharge of their duties.

Mr. LESLIE moved to amend by inserting "twenty," which was accepted by the mover.

The question was then taken upon the amendment, which was agreed to.

On motion of Mr. LESLIE, all after the enacting clause was stricken out, and the Bill as amended by the Committee taken up for consideration.

On motion of Mr. WRIGHT, Section 2 was amended so as to read, commencing on the third line, after the date 1868, as follows :

And those offices for which the persons elected shall not qualify, give required bonds, and enter upon the discharge of the duties of said office within twenty days after this Bill becomes a law.

Mr. SWAILS moved to amend Section 4, in the third line, by inserting after the word "year" the words "nor less than six months," so as to make the penalty of imprisonment not to exceed one year, nor less than six months.

Mr. WRIGHT moved to amend the amendment by striking out the words "to exceed" and insert the words "not less than," so as to make it read "not less than one year."

The amendment was accepted by the mover.

Mr. ALLEN moved to amend by inserting after the word "year" "nor to exceed three years," which was not agreed to.

The question was then taken upon the amendment offered by the Senator from Williamsburg, (Mr. Swails,) and agreed to.

On motion of Mr. MONTGOMERY, sundry verbal amendments were made.

Mr. LESLIE submitted the following additional Section to the Bill, which was agreed to :

SECTION 5. That the provisions of this Act shall not apply to the offices of Judges of the Court of Equity, and of Masters, Registers and Commissioners in Equity; but that the said officers shall, until the first of January, one thousand eight hundred and sixty-nine, continue to discharge the duties and functions of their respective offices for the disposition of causes which are now pending.

The Bill then passed, and was ordered to be engrossed for a third reading.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred a Bill to organize the Circuit Courts, with certain amendments thereto attached in the House of Representatives, reported the same back, with a recommendation that the Senate concur in the amendments made by the House.

The report and Bill were ordered for consideration to-morrow, and, on motion of Mr. ALLEN, also ordered to be printed.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred a joint resolution to appropriate from the Treasury of the State the sum of \$1,000 to the wife of the late Hon. G. W. Dill, reported the same back, with a recommendation that the resolution do lie on the table. Ordered for consideration to-morrow.

Mr. LESLIE, from the same Committee, to whom was referred a Bill to change the county seat of Beaufort County from Gillisonville to Beaufort, reported the same back, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for construction and uses of railways, and other works of internal improvement.

Mr. RANDOLPH moved a suspension of the Rules for the purpose of immediate consideration of the Bill.

Objection being made, the Bill was laid over for consideration to-morrow.

RESOLUTIONS.

Mr. LESLIE introduced the following joint resolution :

Resolved, That whereas Section 3 of Article V of the Constitution of the State of South Carolina provides that the General Assembly, at its first session after the adoption of this Constitution, shall make provision to revise,

digest and arrange, under proper heads, the body of our laws, civil and criminal, and form a penal code, founded upon principles of reformation, and have the same promulgated in such manner as they may direct; and a like revision, digest and promulgation shall be made within every subsequent period of ten years; that justice may be administered in a uniform mode of pleading, without distinction between law and equity, they shall provide for abolishing the distinct forms of action, and for that purpose shall appoint some suitable person or persons, whose duty it shall be to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts now in use in this State:

Now, therefore, in pursuance and by virtue of the provisions of said Section, the Governor is hereby authorized to appoint a Commission, to consist of three persons learned in the law, whose duty it shall be to revise, digest and arrange under proper heads, the body of our laws, civil and criminal, and form a penal code, founded upon principles of reformation, and to revise, simplify and abridge the rules, practice, pleadings and forms of the Courts now in use in this State, and to submit their report thereof to the General Assembly as soon as practicable, and within one year after the passage of this resolution.

The said Commissioners shall receive, as compensation for their services, the sum of four thousand dollars (\$4,000) each, and shall be authorized to employ three clerks at the rate of twelve hundred dollars (\$1,200) each, per annum, and may submit a partial report before finishing the whole work.

SPECIAL ORDER.

On motion of Mr. SWAILS, the Senate proceeded to the consideration of the Special Order for this day at 2 P. M.

The Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad" was taken up.

Mr. CAIN moved to postpone the consideration of the Special Order for the purpose of taking up from the Calendar a Bill to alter and amend the charter of the city of Charleston, and for other purposes, which motion was afterwards withdrawn, and the consideration of the Special Order resumed.

Mr. WRIGHT submitted the following as an additional Section:

SECTION 3. That in all other cases than the foregoing, where charters have been granted to railroads passing through or over any portion of this State, looking to a connection with the works of improvement of a coterminous State, the operation of such charter shall be suspended at the nearest intermediate point where the local trade and travel can be adequately accommodated until such State authorize, by legislative enactment, connections with its works of improvement by railroads incorporated by this State, at such points as they may deem eligible and proper.

The PRESIDENT ruled the Section out of order, as not relating to the subject matter of the Bill, nor expressed in the title, and in conflict with Section 20 of Article II of the Constitution, which requires "every Act or resolution having the force of law shall relate to but one subject, and that shall be expressed in the title."

Mr. WRIGHT moved to recommit the Bill, with instructions to the Committee to incorporate the subject matter of the additional Section introduced and ruled out of order.

On motion of Mr. HAYNE, the motion to recommit, with instructions, was indefinitely postponed.

Mr. HOYT moved to amend by adding "that the gauge of said road shall be in conformity with the gauge of roads now in operation in this State."

The amendment was not agreed to.

After some discussion, which was participated in by Senators Leslie, Cain, Wright, Donaldson, Rose, Hoyt, Rainey, Randolph and Hayne, the Bill passed, and was ordered to be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate adjourned at 3:15 P. M.

SATURDAY, AUGUST 8, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Rev. B. F. WHITTEMORE.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. HAYES asked and obtained leave of absence for the Senator from Newberry (Mr. Montgomery), on account of indisposition.

PETITIONS, MEMORIALS, &c.

Mr. ALLEN presented the petition of John G. Itgen praying remission of fine imposed for erection of a house in the city of Charleston in violation of an Act of General Assembly, passed June 1, 1838, known as the Fire Loan Act, petitioner being misled by the action of the City Council in permitting him to erect the building; and also praying the General Assembly to allow him to keep said house standing, &c.

On motion of Mr. SIMS, the petition was referred to the Committee on the Judiciary.

Mr. WHITTEMORE presented, accompanied by an explanatory letter,

the account of W. B. Timmons, Sheriff of Darlington County, for fees for services rendered. Referred to the Committee on Claims.

Mr. WRIGHT presented the memorial and petition of the Charleston and Savannah Railroad, for a loan of half a million of dollars to rebuild and complete the road, and to pay the arrears of interest due on the six per cent. bonds guaranteed by the State. Referred to the Committee on Railroads.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Bills on the part of the Senate, reported as enrolled, sealed, and ready for ratification, "An Act to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars."

A message was sent to the House of Representatives informing that body that the Committee on Enrolled Bills had reported the above Act ready for ratification, and inviting the Speaker and members to attend in the Senate chamber for the purpose of ratifying the Act.

BILLS INTRODUCED.

Mr. NASH, pursuant to notice, introduced

A Bill to define the law of contracts for hire, which was read a first time, and ordered for consideration on Monday, and to be printed.

Mr. RANDOLPH, pursuant to notice, introduced

A Bill to enable laborers in certain cases to recover pay for labor, and for other purposes, which was read a first time, and ordered for consideration on Monday, and to be printed.

NOTICES OF BILLS.

Mr. WRIGHT gave notice that he will on Monday, or some subsequent day, ask leave to introduce

A Bill to close up the affairs of the Bank of the State of South Carolina.

Mr. SWAILS gave notice that he will on Monday, or some subsequent day, introduce

A Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company."

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The favorable report of the Committee on Finance on the petition of Mrs. Mary A. C. Hobbs was considered, and the joint resolution recommending that the prayer of the petitioner be granted read a first time, and ordered for a second reading and consideration on Monday.

The favorable report of the Committee on Finance on a Bill to provide a Private Secretary for the Governor was considered, the Bill read a second time, and ordered to be engrossed for a third reading.

The report of the Committee on Finance on a Bill (from the House) to fix the salaries and regulate the pay of certain officers was considered, with the amendments proposed by the Committee.

On motion of Mr. LESLIE, the report and Bill were recommitted to the Committee on Finance, with instructions to report amendments to the Bill providing for and fixing the salaries of the several State officers.

The report of the Committee on the Judiciary on a Bill to regulate the punishment of larceny in certain cases was taken up, agreed to, and the Bill, in accordance with the recommendation of the Committee, ordered to lie on the table.

SPECIAL ORDER.

On motion of Mr. SWAILS, the Senate proceeded to the consideration of the Special Order.

Report of the Committee on a Bill to establish a Board of Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of the bonds or stock for the purchasing of lands.

The report was read, and the Bill taken up for consideration.

Mr. LESLIE, moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

Mr. CAIN moved to amend by striking out the words "the next regular session of the General Assembly," and inserting "Wednesday next, at 1 P. M.," so as to read "that the further consideration of the Bill be postponed until Wednesday next, at 1 P. M."

After some discussion, participated in by Senators Randolph, Leslie, Cain, Rainey, Wright and Whittemore, the amendment was agreed to, and the motion as amended adopted.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, an Act to fix the official bonds of certain public officers, and to impose penalties on embezzlement.

The Speaker of the House of Representatives attended in the Senate chamber, when the following Acts were duly ratified :

An Act to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars ;

An Act to fix the official bonds of certain public officers, and to impose penalties on embezzlement.

In conformity to the Rule, the following endorsement on the last named Act was entered on the Journal of the Senate :

IN THE SENATE CHAMBER,
COLUMBIA, S. C., August 8, 1868.

I certify that this Act originated in the Senate.

J. WOODRUFF, Clerk of the Senate.

On motion of Mr. WRIGHT, the Senate took up out of its order on the Calendar the report of the Committee on the Judiciary on a Bill to punish persons who may attempt to hold office under the laws of the late Provisional Government.

Pending the consideration of the substitute for Section 2, proposed by the Committee, on motion of Mr. WRIGHT, the Senate adjourned at 3:30 P. M.

MONDAY, AUGUST 10, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Rev. B. F. WHITTEMORE.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

Mr. ROSE asked and obtained leave of absence for the Senator from Laurens (Mr. Owens) until Monday next, on account of severe indisposition.

Mr. ARNIM asked and obtained leave of absence for the Senator from Newberry (Mr. Montgomery), on account of sickness.

The PRESIDENT laid before the Senate the memorial of the City Council of Charleston, addressed to the President of the Senate by the Mayor of the city of Charleston, praying that the Fire Department of that city, as at present organized, be not disturbed. Read and referred to the Committee on Incorporations.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate for concurrence a resolution to appoint a Joint Committee to determine upon a Great Seal for the State, as required by Section 18 of the Executive Department of the Constitution.

On motion of Mr. WHITTEMORE, the Rules were suspended, the resolution considered immediately, concurred in, and ordered to be returned to the House of Representatives.

A message was sent to the House informing that body that under the resolution adopted by both Houses to appoint a Joint Committee to determine upon a Great Seal for the State, Messrs. B. F. Whittemore and J. K. Jillson had been appointed on the part of the Senate.

The House returned to the Senate, with certain amendments, the following :

A Bill to quiet rights vested under military orders, which had received three readings in the Senate. Referred to the Committee on the Judiciary.

A Bill to organize the Supreme Court, which had received three readings in the Senate. Referred to the Committee on the Judiciary.

A Bill to determine and perpetuate the homestead, which had received three readings in the Senate. Referred to the Committee on the Judiciary.

The House also sent to the Senate the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring. That the Committee of Public Printing of the House of Representatives and of the Senate be instructed to investigate and report upon the feasibility of reducing the expenses of the printing of the General Assembly.

Mr. WRIGHT moved that the Rules be suspended for the purpose of immediate consideration of the resolution.

Objection being made, on motion, it was referred to the Committee on Printing.

PETITIONS, MEMORIALS, &c.

Mr. DONALDSON presented the account of Daniel Douglas, Ex-Sheriff of Chesterfield District, for fees for services rendered the State during the war. Referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Special Committee of five on Political Disabilities, to whom was referred the several petitions of Henry McIver and Hugh Craig, of Chesterfield County, Wm. H. Anderson, of Chester, reported back the same, with a recommendation that a concurrent resolution be adopted by the General Assembly praying Congress to remove the political disabilities of the petitioners. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred the joint resolutions from the House of Representatives recommending the removal of the political disabilities of Wm. R. Treadwell and Frank Myers, of Orangeburg, Thomas S. Arthur, of Greenville, and Spartan D. Goodlett,

of Greenville, reported back the same, with a recommendation that the Senate concur in so much of the resolutions from the House as relates to the three first named petitioners, and that so much as relates to Spartan D. Goodlett be struck from the resolution, as special action has been taken in his case, and concurred in by both branches of the General Assembly, recommending the same. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following :

A Bill to provide a Private Secretary for the Governor ;

A Bill to amend an Act entitled " An Act to incorporate the Air Line Railroad Company in South Carolina. "

The above Bills were ordered for a third reading to morrow.

Mr. RANDOLPH, from the same Committee, reported as engrossed and ready for a third reading " A Bill regulating the tenure of certain officers and appointments, and for other purposes. "

On motion of Mr. LESLIE, the Rules were suspended, and the Bill re-committed to the Committee on the Judiciary.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following :

An Act to incorporate the Langley Manufacturing Company, of Edgefield County ;

A joint resolution ratifying the Fourteenth Amendment to the Constitution of the United States.

A message was sent to the House of Representatives inviting the Speaker of that body to attend in the Senate chamber, at his pleasure, to assist in the ratification of the above Acts.

Mr. RANDOLPH, from the same Committee, reported that they had presented to the Governor, at 6 P. M., on the 8th instant, the following Acts, which had been enrolled, sealed and ratified :

An Act to fix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement ;

An Act to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars.

BILLS INTRODUCED.

Mr. HAYNE, pursuant to notice, introduced

A Bill to repeal an Act entitled " An Act for the encouragement and protection of European immigration, and for the appointment of a Commission and agents, and for other purposes therein expressed. " Read a first time, and ordered for consideration to-morrow, and to be printed.

Mr. ALLEN, pursuant to notice, introduced

A Bill to define and punish offences against the public peace. Read a first time, and ordered for consideration to-morrow, and to be printed.

Mr. SWAILS, pursuant to notice, introduced

A Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company" to the Charleston and Savannah Railroad Company. Read a first time, and ordered for consideration to-morrow, and to be printed.

Mr. CAIN, pursuant to notice, introduced

A Bill to amend an Act entitled "An Act to amend the criminal law," passed on the 19th day of December, in the year of our Lord 1865. Read a first time, and ordered for consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, introduce

A Bill to authorize the sale of the Columbia Canal.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The report of the Committee on the Judiciary on a Bill to punish persons who may attempt to hold office under the laws of the late Provisional Government, the consideration of which was pending up to the hour of adjournment on Saturday, was taken up.

Section 2, after sundry amendments offered by Messrs. Leslie, Whittemore, Swails, Hayne and Jillson, was amended to read as follows :

"A violation of the foregoing Section of this Act shall, upon conviction thereof, subject the offender to a fine of not less than one thousand dollars, and imprisonment at hard labor in the penitentiary for not less than one year."

On motion of Mr. RANDOLPH, Section 4 was verbally amended by striking out in the third line, after the words "virtue of," and inserting the word "has;" also, by striking out in the fourth line the words "they are," and inserting "he is."

On motion of Mr. WHITTEMORE, the Bill was further amended by the addition of the following Section :

SECTION 5. All Acts, or parts of Acts, conflicting with the provisions of this Act, are hereby declared of no effect.

The Bill was then passed, and ordered to be engrossed for a third reading.

On motion of Mr. LESLIE, the consideration of the General Orders was suspended for the purpose of submitting the report of the Committee on the Judiciary, to whom was recommitted a Bill regulating the tenure of certain offices and appointments thereto, and for other purposes.

Mr. LESLIE reported back the Bill, with the recommendation that the following be adopted as a substitute for the second Section :

SECTION 2. It shall be lawful for any county or State officer elected at the elections of April 14, 15 and 16, or June 2 and 3, 1868, to file the bond required by law and qualify for the office to which he has been elected, at any time within twenty days from the passage of this Act, and no later ; and upon filing of such bond and qualifying according to law, he shall enter upon the duties of said office.

The report of the Committee was agreed to, the Bill read a third time, and ordered to be sent to the House of Representatives.

The consideration of General Orders was resumed.

The report of the Committee on the Judiciary on a Bill providing for the punishment of embezzlement of public moneys or property was read, the report agreed to, and the Bill, pursuant to the recommendation of the Committee, ordered to lie on the table.

The report of the Committee on the Judiciary on a joint resolution relative to filling various offices with persons friendly to the present State Government was agreed to, and the resolution ordered to lie on the table.

The report of the same Committee on a Bill to subject all agricultural and farm lands to taxation within the corporate limits of towns and cities, and to fix three rates of taxation on real property within the same, was read, the report agreed to, and the Bill ordered to lie on the table.

The report of the same Committee on a Bill to repeal an Act entitled " An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries," was read, agreed to, and the Bill ordered to lie on the table.

On motion of Mr. ALLEN, the report and Bill from the Committee on Roads, Bridges and Ferries to re-establish certain ferries, alter roads, &c., was referred to the Committee on the Judiciary.

The report of the Committee on Public Buildings on a joint resolution to fit up and furnish a residence for the Governor was read.

Mr. LESLIE moved that the report be not adopted, and that the resolution be referred back to the Committee, with the instructions that so much as refers to the appointment of the Committee of one from the Senate and two from the House of Representatives be stricken out.

Mr. LESLIE subsequently withdrew his resolution.

On motion of Mr. WRIGHT, the report and resolutions were recommitted

to the Committee, with instructions to carry into effect the instructions heretofore given to it.

On motion of Mr. HAYNE, it was

Resolved, That the Committee on Public Buildings be instructed to make their report on the subject of fitting up and furnishing a residence for the Governor, to-morrow at 1 P. M.

A Bill for the preservation of the State Capitol was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary, was read a third time, passed, and ordered to be sent to the House of Representatives

A Bill to incorporate the Columbia Educational Society was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to alter and amend an Act to alter the charter of the city of Charleston, on motion of Mr. SWAILS, was read by its title, and referred to the Committee on Incorporations.

The report of the Committee on Incorporations on the petition of Henry Larcomb and others, for an Act of incorporation for the United Fire Engine Company, of Charleston, was read a second time, and ordered to be engrossed for a third reading.

A Bill (from the House) to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County, on motion of Mr. HAYNE, was made the Special Order for to-morrow, at 2 P. M.

A Bill to organize the Circuit Courts, with amendments from the House, was read, the report of the Committee recommending that the amendments be concurred in by the Senate agreed to, and the Bill ordered to be returned to the House of Representatives.

A Bill to incorporate the Wando Company was read a second time, passed, and ordered to be engrossed for a third reading.

A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, on motion of Mr. LESLIE, was placed in the General Orders for to-morrow.

A Bill to declare the manner by which lands, &c., may be taken for works of internal improvement, on motion of Mr. LESLIE, was placed in the General Orders for to-morrow.

On motion of Mr. JILLSON, the Bill to renew the charter of the Camden Fire Engine Company was made the Special Order for to-morrow, at 1:30 P. M.

The joint resolution to authorize the Governor to appoint a Commission of three persons to codify the laws was read a second time.

Mr. LESLIE moved that it do pass, and be engrossed for a third reading.

Mr. RANDOLPH moved that it be made the Special Order for Saturday next, at 1 P. M.

Mr. WRIGHT moved to amend by striking out "Saturday, at 1 P. M.," and insert "Tuesday, at 2 P. M."

Upon the question to amend, a division of the Senate was made, when the vote stood 10 yeas and 10 nays.

The question was then decided in the negative by the President, who voted "no."

So the amendment was not agreed to.

On motion of Mr. WRIGHT, the Senate adjourned at 3:45 P. M.

TUESDAY, AUGUST 11, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by Rev. B. F. WHITTEMORE.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a concurrent resolution rescinding the appointment of a Committee to investigate the disturbance on the 1st of August, 1868.

On motion of Mr. MAXWELL, the resolution was considered immediately, concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate the following:

Resolved, by the House of Representatives, the Senate concurring, That this General Assembly proceed to elect eight Circuit Judges for the State of South Carolina on Thursday next, 13th of August, 1868, at 1 P. M., and that the said election be by joint ballot of this General Assembly.

On motion of Mr. ALLEN, the resolution was referred to the Committee on the Judiciary.

PETITIONS, &c.

Mr. COGHLAN presented the petition of T. W. Stuckey, Tax Collector

for Sumter County, praying for relief. Referred to the Committee on Finance.

RESOLUTIONS.

Mr. SIMS offered the following resolution, which, on motion, was considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, by the Senate, the House of Representatives concurring, That the Clerks of the same be required to furnish daily to the members of both Houses of the General Assembly during the session a copy each of the Calendar of the day, and the Journal of the preceding day, of their respective Houses.

Mr. WHITTEMORE offered the following, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives :

Whereas the Convention, by an ordinance adopted on the 16th day of March, 1868, providing that the General Assembly elected under the provisions of the said Convention should assemble at Columbia, on the 12th day of May, 1868; and whereas the proper officers of the Provisional Government of the State were to make suitable arrangements for the accommodation of the General Assembly, and for the defraying of the necessary expenses of the same; and whereas an appropriation of \$2,500 from any moneys in the Treasury of the State of South Carolina, not otherwise appropriated, was made; and whereas, on May 2, 1868, the Provisional Government obeyed the General Orders of the Commander of the Second Military District, which assigned the duty of executing the foregoing provisions to Theodore Stark, State House Keeper and Legislative Librarian; and whereas there is in the hands of the Treasurer an unexpended balance of said sum (of \$2,500), amounting to or nearly \$1,000; therefore,

Resolved, by the Senate, the House of Representatives concurring, That Theodore Stark be, and is hereby, requested to report to the General Assembly, at his earliest practicable opportunity, the amount expended by him of said appropriation, and the items for which the same was expended and the amount of said unexpended appropriation.

Mr. WHITTEMORE offered the following, which was considered immediately, and agreed to :

Resolved, That the Clerk of the Senate prepare a pay roll of the members and officers with a view to the payment of the per diem and mileage of the same, and that a sufficient amount of funds be drawn from the Treasury, by the proper officers, for the immediate payment of the members and officers to date.

Mr. WRIGHT offered the following, which was read, and referred to the Committee on Finance :

Resolved, by the Senate and House of Representatives of the State of South Carolina, met in General Assembly, and by the authority of the same, That the pay of each of the two Solicitors, authorized to be employed by the Attorney-General under resolution of the General Assembly, passed July 8, 1868, be fixed at twelve dollars per day when employed, the fact of such employment to be certified by the Attorney-General.

REPORTS OF COMMITTEES.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the amendments of the House to the Senate Bill entitled "A Bill to organize the Supreme Court," reported the same back, with a recommendation that the Bill do pass, with the adoption of the following as a substitute for the third Section :

SECTION 3. The Justices of the Supreme Court, elected and qualified by taking the oath prescribed by the 50th Section of Article II of the Constitution, shall enter forthwith upon the duties of their offices, and their terms of office shall be deemed to have commenced from the date of the issuing of their respective commissions; and such oath of office shall be administered to the Justices chosen at the first election, if qualified under the Constitution by the Governor of the State; and when such Justices shall be chosen at any subsequent election, such oath shall be administered in like manner and under like condition and limitations by a Justice of said Court.

Ordered for consideration to-morrow, and to be printed.

Mr. LESLIE, from the same Committee, to whom was referred the amendments of the House to the Senate Bill entitled "An Act to determine and perpetuate the homestead," reported the same back, with a substitute for the whole of the first Section down to the word "if" on the seventh line of the engrossed Bill, and, thus amended, the Committee recommended that the Bill do pass.

SUBSTITUTE FOR SECTION 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, Whenever the real estate of any head of a family residing in this State shall be levied upon by virtue of any mesne or final process issued from any Court, upon any judgment obtained upon any right of action, whether arising previous or subsequent to the ratification of the Constitution of the State of South Carolina.

Ordered for consideration to-morrow.

Mr. LESLIE, from the same Committee, to whom was referred the House Bill entitled "A Bill to provide for recording the certificates of sale issued to purchasers of land sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County," reported the same back, with a recommendation that the following be added as an amendment to Section I of said Bill :

"That when such certificates shall have been so recorded, such recording shall be deemed to be a legal notice of title to the land described in the same."

Ordered for consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of T. S. Heyward, in behalf of Georgianna Heyward *et al*, which was sent from the House for the concurrence of the Senate, reported the same back, with a recommendation to amend the report of the House by the adoption of the following resolution :

Resolved, That the petition be returned to the House, with the recommendation that the resolution of the House be so amended as to relieve the petitioners of the double tax on the payment of all costs and the single tax.

Ordered for consideration to-morrow.

Mr. JILLSON, from the Committee on Education, submitted a report from that Committee, accompanied by a Bill to provide for the temporary organization of the Educational Department of the State. The Bill was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following :

A Bill to incorporate the Home Insurance Company, of Charleston. Ordered for consideration to-morrow.

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government. Ordered for consideration to-morrow

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, an Act to incorporate the Cheraw Hook and Ladder Company as a part of the Fire Department of the town of Cheraw.

A message was sent to the House of Representatives inviting the Speaker of the House to attend in the Senate chamber for the purpose of ratifying said Act.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom referred a Bill to alter and amend an Act entitled "An Act to alter

and amend the charter of the city of Charleston, and for other purposes," together with an amendment to the same, reported the same back, with a recommendation that the Bill, with the subjoined amendment, forming an additional Section, to be numbered Section 15, do pass :

SECTION 15. It shall be lawful for the Mayor of Charleston, when in his judgment the public good shall require it, to discharge any officer or private of the city guard or police force of said city, and to appoint other persons to fill the vacancies thus created ; and the person or persons thus appointed shall hold the positions to which they shall be so appointed, and perform the duties thereof, until the expiration of the term for which their predecessors were appointed or elected, unless the City Council shall, by vote of a majority of the whole Board, disapprove the action of the Mayor in the premises, or unless said appointed persons are sooner removed by death, resignation or discharge, under the provisions of this Section, or under some city ordinance. And in case the action of the Mayor shall be disapproved by vote of the City Council, as aforesaid, the positions shall be declared vacant, and the Mayor shall nominate other persons to fill said positions, who, after confirmation by the City Council, and not before, shall enter upon and discharge the duties of the said positions till the end of the term for which their predecessors were appointed or elected, unless sooner discharged, as aforesaid ; and all laws and parts of laws of the State of South Carolina, and all ordinances and parts of ordinances of the city of Charleston, inconsistent with the provisions of this Sections, are hereby repealed. This Section shall take effect from and after the passage of this Bill.

Ordered for consideration to-morrow, and to be printed.

Mr. ARNIM, from the Committee on Public Buildings, to whom was recommitted the joint resolution for fitting up and furnishing a residence for the Governor of the State, and the appointment of a Joint Committee to take charge of the same, with instructions to strike out Section 2 and substitute a resolution authorizing the Governor to take charge of the work, reported that, in accordance with the instructions of the Senate, they report the joint resolution, with the following amendments :

In the title strike out all after the word " State," in the third line.

At the close of Section 1, after the word " State," add the words " to be expended under the direction of the Governor," and strike out Section 2.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred a Bill from the House entitled " A Bill to make an appropriation for the payment of the expenses of the present session of the General Assembly, and for other purposes," reported the same back, with a recom-

mendation that it be returned to the House of Representatives, with the following amendments on third page and eleventh line, viz :

Strike out the word "he" on the eleventh line, and substitute the words "the Speaker of the House of Representatives and President of the Senate."

Ordered for consideration to-morrow.

Mr. HAYES, from the Committee on Roads, Bridges and Ferries, to whom was referred the petition of John Samuel Cureton, praying for a charter of Cureton's Ferry, over the Catawba River, reported the same back, accompanied by a Bill and a recommendation that the same do pass.

The Bill was read the first time.

On motion of Mr. SIMS, the printing of the Bill was dispensed with, and the report and Bill ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to change the county seat of Barnwell County from Barnwell Court House to Blackville.

Mr. MONTGOMERY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Lake Swamp Navigation Company, of Horry County.

Mr. ARNIM gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce the following Bills :

A Bill to regulate and determine the powers and duties of the County Commissioners; also,

A Bill to regulate and determine the powers and duties of County Treasurers; also,

A Bill to regulate and determine the powers and duties of County Assessors; also,

A Bill to regulate and determine the powers and duties of County Auditor.

Mr. JILLSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

Mr. WRIGHT gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the conversion of State securities, and for other purposes; also,

A Bill to empower Circuit Judges to change venue for trial of actions, both civil and criminal.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The joint resolution to authorize the Governor to appoint a Commission of three persons to codify the laws, &c., the consideration of which was pending at the hour of adjournment yesterday, was taken up.

The question recurred on the motion to make the resolution the Special Order for Saturday, at 1 P. M.

Mr. SWAILS moved to amend by striking out "Saturday" and inserting "Thursday," but subsequently withdrew his amendment.

The question was then taken upon making the resolution the Special Order for Saturday next, at 1 P. M.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Buck, Cain, Coghlan, Duncan, Foster, Hoyt, Hayes, Montgomery, Maxwell, Nash, Rutland, Randolph, Rose, Wright, Wimbush and Whittemore.—18.

Nays—Messrs. Dickson, Rainey, Rodgers, Swails and Sims.—5.

So the resolution was made the Special Order for Saturday next, at 1 P. M.

Mr. ALLEN moved that the resolution be printed, which was not agreed to.

The Bill to incorporate the Longshoremens's Protective Union Association, of Charleston, on motion, was read by its title, and placed in the General Orders for to-morrow.

A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement, was read a third time, considered by Sections, passed, and ordered to be sent to the House of Representatives.

SPECIAL ORDER.

Mr. JILLSON called for the Special Order for this day at 1:30 P. M.

A Bill to renew the charter of the Camden Fire Engine Company was read a third time, passed, and ordered to be sent to the House of Representatives.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

The report of the Special Committee on Political Disabilities on the petitions of Henry McIver and Hugh Craig was taken up and, on motion of Mr. HAYNE, recommitted to the same Committee.

The report of the same Committee on the petition of Thomas S. Arthur, of Greenville, recommending the concurrence of the Senate in the joint resolution of the House relative to the removal of the political disabilities of the petitioner was agreed to, and ordered to be returned to the House of Representatives.

The favorable report of the same Committee on the petition of William H. Anderson, of Chester, for the removal of his political disabilities, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The report of the same Committee on the petitions of William R. Treadwell, Frank Myers and Spartan D. Goodlett was recommitted to the Committee.

The Bill to provide a Private Secretary to the Governor was read a third time, passed, and ordered to be returned to the House of Representatives.

The Bill to repeal an Act passed by the General Assembly of South Carolina, at the regular session of 1866, for the encouragement and protection of European immigration, and for the appointment of a Commission and agents, and for other purposes therein expressed, was read by its title, and referred to the Committee on Agriculture.

A Bill to define and punish offences against the public peace was read by its title, and referred to the Committee on the Judiciary.

A Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company" was read by its title, and, on motion of Mr. SWAILS, referred to the Committee on Railroads.

A Bill to define the law of contracts for hire was read by its title.

Mr. MAXWELL moved that it be referred to a Special Committee.

Mr. LESLIE moved that it be referred to a Standing Committee.

Mr. MAXWELL withdrew the motion to refer to a Special Committee.

Mr. RANDOLPH renewed the motion.

Mr. HAYNE moved that the motion to refer to a Special Committee be laid on the table.

After a discussion participated in by Senators Maxwell, Randolph, Wright, Leslie and Cain, Mr. RANDOLPH withdrew the motion to refer to a Special Committee, and the Bill was referred to the Committee on the Judiciary.

A Bill to enable laborers, in certain cases, to recover pay for labor, and for other purposes, was read by its title, and referred to the Committee on the Judiciary.

A Bill to amend an Act entitled "An Act to incorporate the Air Line

Railroad Company in South Carolina" was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to alter and amend an Act entitled "An Act to amend the criminal law," passed on the 19th of December, 1865, was read by its title, and referred to the Committee on the Judiciary.

Mr. RANDOLPH moved that the Committee on the Judiciary be instructed to report on the Bill to enable laborers, in certain cases, to recover pay for labor, and for other purposes, Thursday next, at 1 P. M.

On motion of Mr. JILLSON, the motion of the Senator from Orangeburg (Mr. Randolph) was laid on the table.

BILLS INTRODUCED.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to close the operations of the Bank of the State of South Carolina. Read a first time, and ordered for a second reading to-morrow, and to be printed.

On motion of Mr. ROSE, the Senate adjourned at 2:45 P. M.

WEDNESDAY, AUGUST 12, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a concurrent resolution fixing the pay of two Solicitors appointed by the Attorney-General, which was read, and, on motion, referred to the Committee on Finance.

MESSAGE NO. 3. FROM THE GOVERNOR.

Message No. 3 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary. The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., August 12, 1868.

Mr. President and Gentlemen of the Senate :

I have the honor to return to the Senate, in which it originated, "An

Act to fix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement," without my approval, which I am constrained to withhold for the following reasons :

The public credit must be guarded at every point. The embarrassments encountered in the inauguration of our new State Government will be best overcome by proceeding in such a manner as to command, from the first, the confidence of capitalists in the financial policy of the State. Any measure appearing to countenance a relaxation of the precautions with which the State guards its funds will impair the public credit. Such a measure now tolerated would be a blow struck at the financial standing of the State, at a time when all-important considerations demand that it should be vigilantly and vigorously upheld.

To reduce, at this time, the bonds of those to whom the public funds are entrusted for safe-keeping seems to me dangerous to the public credit. Many of the men who have been elected to positions of trust are new to the public service. They have not been tried. We believe they are true men. Those who know them express unqualified confidence in their integrity. But the peculiar circumstances in which they are placed demand that they should furnish the amplest guarantees of their official rectitude. The ability to do this is the only sufficient answer to the often repeated charge that the party in power has advanced to positions of responsibility and trust those who were without respectability and good standing in the community.

Were the question of the amount of the bonds to be required of public officers a new one, the Bill now returned might be unobjectionable. But the circumstances must be duly weighed. And it cannot be overlooked that the reduction of these bonds now will be understood and believed to be made to meet individual cases—cases of men who were elected with a full knowledge of the requirements of the law. Legislation to meet special cases is always objectionable, and the present is probably a time when more harm will result from such legislation than at any previous moment in our history.

It is not pertinent, however, to inquire particularly what may be the individual character of the officer and officers who chance to be personally interested in securing the proposed reduction. The source of danger is in the principle, and does not rest on personal grounds. The precedent is bad. When once we begin to accommodate legal requirements to suit special cases the mischief is done.

In the case of some of the officers of the counties, it is understood that a proposition is under consideration to diminish the responsibility by assigning part of the duties to other officers. In cases where the responsibility may be thus reduced, the reduction of the bonds required would not be improper. But upon a careful consideration of the whole subject, and with

the deepest concern for the interests of the State, I feel compelled to disapprove the Act to reduce the bonds now required by law of those officers elect, whose duties and responsibilities remain the same as those of the present incumbents and their predecessors.

The Section guarding against the embezzlement of the public moneys meets my unqualified approval; but I am compelled, for the reasons above given, to disapprove the Act as a whole.

ROBERT K. SCOTT, Governor.

Mr. WHITEMORE moved that the Message be received as information, printed, and made the Special Order for Tuesday next.

On a division of the Senate, the vote stood yeas, 12; nays, 13.

So the motion was not agreed to.

Mr. RANDOLPH moved that the objections of His Excellency the Governor be entered on the Journal, and that the Senate proceed at once to the consideration of the Act.

Mr. SWAILS moved to lay the motion of the Senator from Orangeburg (Mr. Randolph) on the table.

A division of the Senate was called for, which was made, and resulted yeas, 11; nays, 13.

The motion to lay on the table was, therefore, not agreed to.

The question recurring upon the motion of the Senator from Orangeburg (Mr. Randolph), that the objections of His Excellency the Governor be entered at large upon the Journal, and that the Senate proceed forthwith to consider the Act, the Senate divided, and the vote stood yeas, 13; nays, 12.

So the motion was agreed to.

Mr. WRIGHT moved that the further consideration of the Message be postponed, and that it be made the Special Order for to-morrow, at 1 P. M.

On division, the Senate voted yeas, 15; nays, 10.

The Message was, therefore, made the Special Order for to-morrow, at 1 P. M.

PAPERS WITHDRAWN.

Mr. COGHLAN asked and obtained leave to withdraw from the files of the Senate the account of J. M. Wilder, late Sheriff of Sumter County, from the Committee on Claims, in order to have the same audited by the Comptroller-General.

Mr. NASH asked and obtained leave to withdraw from the files of the Senate the account of Dr. A. W. Kennedy.

PETITIONS, &c.

Mr. COGHLAN presented the account of J. M. Wilder, Sheriff, for ser-

vices in preparing the tax list of Sumter County, in accordance with General Orders No. 116. Referred to the Committee on Claims.

RESOLUTIONS.

Mr. WHITTEMORE offered the following joint resolution, which was read, and ordered for consideration to-morrow :

Resolved, That the Attorney-General be requested to inquire into the competency of the clerks now employed by the Solicitors of the General Assembly, and report the result of his examination, with a view of securing the services of the most expert clerical force in this department of duty.

Mr. WHITTEMORE offered the following :

Resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Solicitors of the General Assembly be authorized to employ one clerk, whose duties shall be such as the said Solicitors may prescribe, and whose compensation shall not exceed the compensation of the Engrossing Clerks of the General Assembly.

On motion of Mr. CAIN, the Rules were suspended, and the resolution considered immediately.

Upon the question of agreeing to the resolution, a division of the Senate was made, and the vote stood yeas, 16 ; nays, 6.

So the resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence.

REPORTS OF COMMITTEES.

Mr. RUTLAND, from the Committee on Public Lands, to whom was referred the joint resolution from the House of Representatives recommending the appointment of five members from the House and three members from the Senate to ascertain, if possible, the precise extent, condition and location of lands acquired by the State, reported the same back, with a recommendation that the Senate do concur in the same. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading a Bill to incorporate the Wando Company. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Enrolled Acts, reported as enrolled, sealed, and ready for ratification, " An Act to accept the benefits of an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts."

The Committee further report that after the Act was enrolled, the engrossed copy was forwarded to Washington; consequently, the Committee, not being able to compare the enrolled copy with the engrossed copy, would most respectfully ask that they may not be held responsible for errors that may hereafter appear in the enrolled copy.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate chamber to assist in ratifying the above Act.

Mr. LESLIE, from the Committee on Railroads, to whom was referred an Act for the relief of the Charleston and Savannah Railroad Company, reported the same back, with a recommendation that the same do pass. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Citizens' Savings Bank of South Carolina, with instructions to strike out from Section 6 of said Bill the words "and all others of moderate means," reported the same back, and ask leave to report that to amend the Bill by so striking out would limit and confine the operations of the proposed bank to two classes of persons only—widows and orphans—which, in the opinion of your Committee, would impair the usefulness and abridge the powers of the institution to a degree almost rendering the charter, when obtained, comparatively valueless. The Committee, therefore, ask to be discharged from the said instructions, and recommend that the Bill do pass in its present form. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the joint resolution fixing the pay of the Solicitors, reported the same back, with a recommendation that the resolution do pass. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred the petition of sundry citizens of Charleston, asking the refunding of certain axes, reported the same back, with a recommendation, as great difficulty would arise by opening up precedents of such a nature, and throw the whole matter of revenue into confusion, that the petition be laid upon the table. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred a Bill to provide for the appointment of Tax Collectors in the State, reported the same back, with a recommendation that the Bill do pass, with this modification: to strike out all after the words, on the sixth line of Section 1, "from Williamsburg to Abbeville;" on the seventh line, "and two Tax Collectors for each of the following counties." Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was re-

ferred the pay roll ordered by a vote of the Senate and made out by the Clerk, reported that they had examined the same, and recommend that it be adopted as the basis of the payment of members to August 11, inclusive; and furthermore, that the following sums be drawn for the payment, on account, of the annexed officers, viz. :

Chaplain.....	\$ 50
Clerk.....	100
Assistant Clerk.....	50
Reading Clerk.....	100
Messengers, each \$100.....	200
Doorkeepers, each \$100.....	200
Pages, each \$25.....	50

On motion, the Rules were suspended, the report considered immediately, and agreed to.

SPECIAL ORDER.

On motion of Mr. SWAILS, the Senate proceeded to the consideration of the Special Order for 1 P. M. this day.

The report of the Committee on Public Lands on a Bill to establish a Board of Land Commissioners, to define their power and duties, and to authorize the issue of bonds or stock for the purchasing of lands, was taken up.

Mr. SWAILS moved that the report of the Committee be adopted, which was not agreed to.

Mr. RANDOLPH moved that the report and substitute be laid on the table, but subsequently withdrew the motion, and moved that the substitute be laid on the table.

Mr. WRIGHT moved to amend the substitute by striking out the word "four" and inserting "two," so as to read "that said Commissioners shall be elected by a joint vote of the General Assembly, and shall hold office for the term of two years," &c., instead of four years.

Mr. WHITEMORE moved, as a substitute for the motion to amend, that the report be recommitted to the Committee, with instructions to strike out "four" and insert "two."

The substitute was accepted by the mover of the amendment.

Mr. CAIN moved to lay the motion to recommit on the table.

On division of the Senate, the vote stood yeas, 11; nays, 16.

So the motion to lay on the table was not agreed to.

The question recurred upon the motion to recommit to the Committee, with instructions to strike out "four" and insert "two."

Mr. SIMS called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Arnim, Allen, Buck, Coghlan, Dickson, Duncan, Foster, Hayes, Jillson, Leslie, Rainey, Rutland, Rodgers, Swails, Sims and Whittemore.—16.

Nays—Messrs. Hoyt, Payne, Maxwell, Nash, Randolph, Rose, Wright and Wimbush.—8.

Mr. RANDOLPH moved that the Committee on Public Lands be permitted to sit ten minutes during the session.

Mr. SIMS moved to lay that motion on the table.

A division of the Senate was called for on the motion to lay on the table, and made, when the vote stood yeas, 9; nays, 11.

So the motion to lay on the table was not agreed to.

The question was then taken on the granting leave to the Committee on Public Lands to sit ten minutes during the session, and decided in the affirmative.

BILLS INTRODUCED.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to provide for the conversion of State securities, and for other purposes, which was read a first time, ordered for a second reading to-morrow, and to be printed.

Mr. WRIGHT, pursuant to notice, also introduced

A Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal, which was read a first time, ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, was taken up for consideration.

Mr. JILLSON moved that the further consideration of the Bill be postponed, and that it be placed in the General Orders for to-morrow, and be printed, which was agreed to.

The report of the Committee on the Judiciary on the House amendments to Senate Bill to organize the Supreme Court was considered, agreed to, and the Bill ordered to be returned to the House of Representatives.

On motion of Mr. RUTLAND, the consideration of the General Orders was suspended for the purpose of making a report.

Mr. RUTLAND, from the Committee on Public Lands, to whom was re-committed the report of the Committee on a Bill to establish a Board of Land Commissioners, reported that in conformity with the instructions given,

they had amended the report by striking out "four" and inserting "two."
Ordered for consideration to-morrow.

GENERAL ORDERS.

The consideration of the General Orders was resumed.

The report of the Committee on the Judiciary on the House amendments to Senate Bill to determine and perpetuate the homestead was taken up for consideration.

Pending the consideration of the report and Bill, on motion of Mr. RUTLAND, the Senate adjourned at 2:45 P M.

THURSDAY, AUGUST 13, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. ALLEN asked and obtained leave of absence until Tuesday next.

Mr. WHITTEMORE asked and obtained leave of absence until Tuesday next.

Mr. RANDOLPH asked and obtained leave of absence until Tuesday next.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a concurrent resolution authorizing the Attorney-General to employ a clerk to assist the Solicitors, which was read, and referred to the Committee on Finance:

A Bill to incorporate the Union Star Fire Engine Company, of the city of Charleston. Read a first time, and ordered for a second reading and consideration to-morrow.

A Bill to provide for a public administrator. Read a first time, and ordered for a second reading and consideration to-morrow.

A Bill to incorporate the Sumter Fire Engine Company. Read a first time, and ordered for a second reading and consideration to-morrow.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of the State. Read a first time, and ordered for a second reading and consideration to-morrow.

The House of Representatives also sent to the Senate the following concurrent resolution :

Whereas the sad intelligence of the death of the Hon. Thaddeus Stevens, of Pennsylvania, has reached us by telegraph ; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That while we recognize the wisdom of Divine Providence, and bow in reverence to His decree, we do most deeply regret the loss to the country of one of its noblest philanthropists, and to the oppressed of every clime and race one of their truest and most constant friends.

Resolved, That the desks of the President of the Senate and Speaker of the House be draped in mourning for thirty days, and that the flag which floats over the hall of the General Assembly be hoisted at half-mast until intelligence is received of the burial of this friend of a common humanity.

On motion of Mr. SWAILS, the Rules were suspended, the resolution considered immediately, concurred in, and ordered to be returned to the House of Representatives.

PETITIONS, &c.

Mr. WIMBUSH presented the petition of W. P. Gill, Sheriff of Chester District, to be relieved of a penalty incurred by reason of failure to pay over moneys collected for taxes. Referred to the Committee on Claims.

Mr. WHITTEMORE presented the account of D. J. F. Culpepper, of Timmons ville, for services as Coroner. Referred to the Committee on Claims.

RESOLUTIONS.

Mr. WHITTEMORE offered the following resolution, which, on motion, was referred to the Committee on Education :

Resolved, That the State Superintendent of Education shall select and prescribe a list of text books to be used in the public schools, to the end that a uniform system of text books shall be introduced throughout the State.

Mr. WHITTEMORE also offered the following, which, on motion, was referred to the Committee on Education :

Resolved, That all institutions of learning in the State, supported wholly or in part by funds furnished by the State, are hereby turned over to the supervision of the State Superintendent of Education, and all the public schools in the several counties supported as before specified are hereby placed under the direct supervision of the School Commissioners of the several counties.

Mr. WHITTEMORE also offered the following :

Resolved, That a Special Committee of five be appointed for the purpose of securing all facts which may show the existence of disloyal organizations, outrages perpetrated on Union men, murders committed, and every other act of lawlessness throughout the State of South Carolina, which has been practiced upon citizens who have been loyal to the Government.

Resolved, That information be invited from every source which will accomplish the object of the foregoing resolution, and that members of this branch of the General Assembly be requested to furnish said Committee with all outrages and incidents connected therewith which may have occurred in their respective counties.

Mr. ALLEN moved that the Rules be suspended, and the resolution considered immediately.

Objection being made, the resolution was ordered for consideration to-morrow.

Mr. HAYNE offered the following :

Resolved, That a Committee of two be appointed by the President to act in conjunction with the House Committee to investigate the cause and circumstances connected with the imprisonment of convicts now confined in the State Penitentiary.

On motion of Mr. HAYNE, the Rules were suspended for the purpose of immediate consideration of the resolution.

Mr. RANDOLPH moved to amend by adding "and that said Committee report at as early a day as practicable."

The amendment was accepted, and the resolution agreed to.

The PRESIDENT announced Messrs. Hayne and Hoyt the Committee on the part of the Senate, to act in pursuance of the resolution with the Committee appointed on the part of the House of Representatives.

REPORTS OF COMMITTEES.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the action of the Commissioner on Roads and Bridges on certain memorials and petitions respecting the passage of an Act authorizing the re-establishment of Tucker's Ferry, over the Edisto River, reported back the same, accompanied by a Bill, which was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE, from the same Committee, to whom was referred the action of the Commissioner on Roads and Bridges on certain sundry memorials and petitions respecting the passage of an Act authorizing a change of location

of a portion of the Rutherfordton Road, in the county of Greenville, reported back the same, accompanied by a Bill, which was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the action of the Commissioner on Roads and Bridges on certain sundry memorials and petitions respecting the leasing of the Saluda Turnpike, and directing the disposition of the rental money of the same, reported back the same, in accordance with the order of the Senate, accompanied by a Bill.

The Bill was read a first time, and, on motion of Mr. ALLEN, was made the Special Order for Wednesday next, at 1 P. M.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the action of the Commissioner on Roads and Bridges on certain sundry memorials and petitions respecting the passage of an Act authorizing the re-establishment of Wright's Ferry, over the Catawba River, reported the same back, accompanied by a Bill, which was read the first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. HAYES, from the Committee on Roads, Bridges and Ferries, to whom was referred the petition of William Kinsler, Edward Kinsler and H. O. Kinsler, praying an amendment and extension of the charter of Kinsler's Ferry, and that certain roads be declared public highways, reported the same back, accompanied by a Bill, which was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred a concurrent resolution from the House, relative to the employment of a clerk by the Solicitors, reported the same back, with a recommendation that as a like resolution has been acted upon in the Senate, and sent forward to the House for concurrence prior to the reception of the House resolution, the said resolution be returned to the House of Representatives with the information hereinbefore mentioned.

On motion of Mr. SWAILS, the Rules were suspended, the report considered and agreed to, and ordered to be sent to the House of Representatives.

Mr. WHITTEMORE, from the Special Committee on the removal of political disabilities, to whom was recommitted a report of that Committee on the joint resolutions recommending the removal of the political disabilities of William R. Treadwell, Frank Myers and Spartan D. Goodlett, and which advised the concurrence of the Senate with the House resolution in the removal of the same, reported that having received information which fastens upon the said Frank Myers accusations of the most infamous nature, the Committee recommend the non-concurrence of the Senate in the removal of his disabilities. The Committee recommend the concurrence of

the Senate in the removal of the disabilities of William R. Treadwell, and that so much as relates to Spartan D. Goodlett be struck from the resolution, as special action has already been taken in his case. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the concurrent resolution of the House of Representatives fixing the pay of two Solicitors appointed by the Attorney-General, reported the same back, with a recommendation that the Senate do concur in the same. Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Contingent Expenses and Accounts, submitted the report of their Committee on the bill of J. W. Denny, State Printer, which was ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to incorporate the United Fire Engine Company, of Charleston. Ordered for consideration to-morrow.

SPECIAL ORDER.

On motion of Mr. JILLSON, the Senate proceeded to the consideration of the Special Order for 1 P. M.

Message No. 3 of His Excellency the Governor, returning with his objections "An Act to fix the amounts of the official bonds of certain public officers, and to impose penalties on embezzlement," was read.

The question was taken on a reconsideration and passage of the Bill.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Cain, Coghlan, Duncan, Hoyt, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Randolph, Swails, Wright and Wimbush.—15.

Nays—Messrs. Allen, Buck, Bieman, Dickson, Foster, Hayes, Hayne, Jillson, Leslie, Rose, Rodgers, Sims and Whittemore.—13.

The Bill was therefore declared rejected.

BILLS INTRODUCED.

Mr. MONTGOMERY, pursuant to notice, introduced

A Bill to incorporate the Lake Swamp Navigation Company, of Horry County. Read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

Mr. NASH, pursuant to notice, introduced

A Bill to authorize the sale of the Columbia Canal, which was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to determine and fix the amount of the official bonds of State and county officers.

Mr. CAIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to fix the amount of bonds of county officers.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders upon the Calendar.

The consideration of the report of the Committee on the Judiciary on the House amendments to Senate Bill to determine and perpetuate the homestead, which was pending at the hour of adjournment yesterday, was resumed.

After a discussion participated in by Senators Leslie, Rutland, Whittimore, Wright and Cain, the question was taken on the adoption of the substitute to the first Section of the Bill recommended by the Committee.

Mr. WIMBUSH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Buck, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Maxwell, Nash, Rainey, Rose, Swails, Sims, Wright and Wimbush.—20.

Nays—Messrs. Donaldson, Owens, Rutland, Randolph, Rodgers and Whittimore.—6.

The report was therefore agreed to, and the Bill ordered to be returned to the House of Representatives.

On motion of Mr. WHITTEMORE, the Senate adjourned at 3:15 P. M.

FRIDAY, AUGUST 14, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WRIGHT, the reading of the minutes was dispensed with.

Mr. HAYES asked and obtained leave of absence for two days.

Mr. DUNCAN asked and obtained leave of absence for one week.

Mr. SIMS asked and obtained leave of absence for one day.

Mr. ROSE asked and obtained leave of absence until Tuesday next.

Mr. CAIN asked and obtained leave of absence for three days.

Mr. BUCK asked and obtained leave of absence until Tuesday next.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

A Bill relative to a building in the city of Charleston, the property of J. G. Itgen. Read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

A Bill authorizing the executor of the last will of Julianna Izard to pay over the proceeds of the real estate of the said Julianna Izard, now in his hands. Read a first time, ordered for consideration to-morrow, and to be printed.

A Bill to regulate the manner of keeping and disbursing funds by certain officers, which had been read three times in the Senate, twice in the House of Representatives, and returned to the Senate with amendments. Referred to the Committee on Finance.

PETITIONS, &c.

Mr. ROSE presented the petition of sundry tax payers and citizens of the village of Yorkville, praying that the charter of said village may not be renewed. Referred to the Committee on Incorporations.

Mr. WRIGHT presented the petition of John Caldwell in relation to payment of coupons of the Charleston and Savannah Railroad.

RESOLUTIONS.

Mr. ROSE offered the following resolution, which, on motion of Mr. SWAILS, was considered immediately, and agreed to :

Whereas the Committee on Contingent Expenses is charged with the duty of auditing bills ; and whereas the Chairman of said Committee has so many other and great duties to discharge, by which a neglect in auditing bills may occur ; therefore, be it

Resolved, That the President appoint two additional members, so that the Committee consist of five.

The PRESIDENT announced Messrs. Foster and Arnim added to the Committee on Contingent Expenses and Accounts.

BILLS INTRODUCED.

Mr. JILLSON, pursuant to notice, introduced

A Bill to provide for the appointment of a Board of Directors of the State Penitentiary. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. CAIN, pursuant to notice, introduced

A Bill to fix the amounts of official bonds of certain county officers which was read a first time, ordered for consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the petition of John G. Itgen, of Charleston, praying relief from a certain judgment, &c., reported the same back, with a recommendation that the petition do lie upon the table. The Committee are of opinion that the Legislature ought not to grant this petition, as to do so would in effect repeal to that extent a most solemn Act, known as the First Loan Act, by virtue of which Act the State issued bonds, &c. Ordered for consideration to-morrow.

Mr. HAYES, from the Committee on Claims, to whom was referred the petition of W. P. Gill, Sheriff of Chester County, praying relief from penalty, &c., reported the same back, with a recommendation that the prayer of the petitioner be granted.

On motion of Mr. LESLIE, the consideration of the report was postponed until the next regular session of the General Assembly.

Mr. ARNIM, from the Committee on Joint Rules of the Senate and House, submitted the report of that Committee, which was read, and on motion of Mr. SWAILS, made the Special Order for 1 P. M. to-morrow, and also to be printed.

JOINT RESOLUTION.

The Committee of Conference on Joint Rules having had the matter under consideration, recommend the adoption of the following Rules:

RULE 1.

Every Bill shall receive three readings, on three several days, in the House in which it originates, before it be sent to the other House.

RULE 2.

All messages between the two Houses must be in writing, and numbered in regular sequence for each session, except that messages announcing the

organization of either House, or its readiness to adjourn pursuant to joint resolution, may be communicated orally by the Clerk in person.

RULE 3.

When the two Houses meet for any purpose, the President of the Senate shall preside, and discharge the duties of the Joint Assembly.

RULE 4.

Questions of disagreement between the two Houses shall be referred to Committees of Conference as follows: If the disagreement be upon a resolution or report adopted by one House and sent to the other House for consideration, and it be proposed to amend such resolution or report, the House in possession of the paper will send a message to the other House containing the amendment proposed. If that House disagrees to such amendment, it will return a message accordingly. If the House proposing the amendment still desire to urge it, it will send a message to the other House insisting upon its amendment, and asking that a Committee for conference may be appointed, at the same time naming its own Committee of Conference. This will be granted as of course. The Joint Committee will meet and exchange views, in writing or orally, as they may deem proper. If the Committees cannot agree upon any plan of settlement, or if their report be not concurred in by both Houses, a Committee of Free Conference will be appointed on the request of either House. Such Committees shall always consist of persons who were not on the first Committee. If the Committee of Free Conference fail to agree upon any plan of settlement, or if their report be not concurred in by both Houses, the proposition to amend is lost.

RULE 5.

When a Bill, or resolution, or any other matter, which shall have passed in one House, is rejected in the other, notice thereof shall be given to that House in which the same shall have passed.

RULE 6.

Each House shall transmit to the other all papers upon which any Bill, or resolution, or report, sent to it for its consideration, shall have passed.

RULE 7.

Every Bill which shall have had three readings in each House, and shall have passed, shall be engrossed, and be signed, in the Senate House, by the

President of the Senate and the Speaker of the House of Representatives, at such time as they may appoint during the session of the Senate. The Bill or Act thus signed shall be presented to the Governor by the hands of the Clerk of that House in which it shall have originated, and such Clerk shall endorse thereon the day and hour of such presentation. The Speaker of the House may attend in the Senate House for the purpose of ratifying engrossed Acts or Bills unaccompanied by the House.

GENERAL ORDERS.

The Senate proceeded to the consideration the General Orders upon the Calendar.

On motion of Mr. HAYES, No. 155, being the report of the Committee on Finance on House Bill to make appropriations to meet expenses of the present session, was taken up out of order on the Calendar.

On motion of Mr. ARNIM, the enacting clause was amended by inserting after the word "Representatives" the words of the State of South Carolina."

The Bill was then considered by Sections, passed, and ordered to be engrossed for a third reading.

On motion of Mr. LESLIE, No. 181, which was the report of the Committee on Contingent Expenses and Accounts on the account of J. W. Denny, State Printer, was taken up out of its order, considered, and the report adopted.

The Senate then proceeded regularly to the consideration of the General Orders.

The report of the Committee on the Judiciary on the House Bill to provide for the recording of certificates of sale issued to purchasers of lands by the United States Direct Tax Commissioners in Beaufort County was considered, the Bill taken up, read a second time, passed, and ordered to be engrossed for a third reading.

The Bill to provide a temporary organization of the Educational Department of the State was taken up for a second reading.

Mr. LESLIE moved to amend by the addition of the following to the third Section :

The State Superintendent of Education shall select and prescribe a list of text books to be used in the public schools, to the end that a uniform system of text books shall be introduced throughout the State.

Mr. HAYNE moved that the amendment be inserted after the word "female" on the fifth line of the third Section.

Mr. WRIGHT moved to strike out the words "colored" and "white" wherever they occur in the Bill.

Mr. HAYNE moved to indefinitely postpone the motion of the Senator from Beaufort to strike out the words "colored" and "white."

Mr. WRIGHT withdrew the motion to strike out, and moved that the Bill be made the Special Order for Wednesday.

Mr. LESLIE moved to amend by striking out "Wednesday" and inserting "Thursday next, at 1 P. M.," which was agreed to.

The Bill to incorporate the Home Insurance Company was taken up for a second reading, and, on motion of Mr. CORBIN, recommitted to the Committee on Incorporations.

The report of the Committee on Incorporations, with amendments, on a Bill to alter and amend the charter of the city of Charleston, and for other purposes, was read, and the Bill taken up for consideration.

Mr. RAINEY moved to amend Section 2 by striking out the word "thirty" in the second line and insert the word "sixty," so as to read that "the Governor shall, on or immediately after the passage of this Act, order an election to be held within sixty days," &c.

The amendment was not agreed to.

Mr. LESLIE moved to amend Section 6, in the second line, by striking out, between the words "for" and "days," the word "ten," and insert the word "sixty," so that the Section shall read "the qualifications of an elector shall be those required by the Constitution, together with a residence for sixty days."

Mr. CORBIN moved to amend the amendment of the Senator from Barnwell by striking out "sixty" and inserting "thirty."

Upon the question of the adoption of the amendment to the amendment, Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Corbin, Cain, Coghlan, Dickson, Donaldson, Duncan, Hoyt, Hayne, Maxwell, Nash, Owens, Rutland, Wright and Wimbush.—15.

Nays—Messrs. Bieman, Foster, Leslie, Rainey, Rodgers, Swails and Sims.—7.

So the amendment to the amendment was adopted.

Mr. JILLSON moved to amend the Section by striking out, after the word "Constitution," the words "together with a residence for ten days next preceding the election within the corporate limits of the city," and insert in lieu thereof the following, "together with a residence within the corporate limits of the city for thirty days next preceding the election."

Mr. SWAILS moved to amend the amendment by striking out the words "thirty days" and inserting the words "two months."

Mr. HAYNE moved to indefinitely postpone the amendment to the amendment.

Mr. JILLSON asked and obtained leave to withdraw the amendment offered by him.

Mr. SWAILS renewed the amendment offered and withdrawn by the Senator from Kershaw (Mr. Jillson).

A discussion ensued, participated in by Senators Leslie, Corbin, Cain, Hayne and Swails, during which the Senator from Barnwell (Mr. Leslie) was called to order by Mr. CAIN, for using objectionable language.

The PRESIDENT decided the language of the Senator from Barnwell to be out of order.

Mr. CORBIN submitted the following as the objectionable language used by the Senator from Barnwell, and moved that a vote of censure be passed upon him for violation of parliamentary decorum :

“The Senators who have voted to-day as they have, have shown by their votes they are unfit to be trusted.”

The question was taken on the motion that the Senator from Barnwell be censured for unparliamentary language used in debate, and decided in the affirmative.

The PRESIDENT decided that the Senator from Barnwell would not be permitted to proceed in the debate. As the presiding officer, it was painful for him to be compelled to reprimand any Senator, and he hoped that the good sense of the Senator, and his appreciation of what is due the dignity and character of this body, will hereafter restrain the Senator from Barnwell from using, upon the floor of the Senate of South Carolina, even in the excitement of debate, language unbecoming his position.

The question recurring upon the amendment of the Senator from Williamsburg, (Mr. Swails,) it was decided in the affirmative, and the 6th Section passed as amended.

Mr. RAINEY moved to amend Section 7 by striking out the word “six” and inserting “seven,” so that it shall read “the polls shall be opened at 7 A. M.”

The amendment was not agreed to.

Mr. SWAILS moved to amend by striking out after the word “six” the letters “P. M.,” and insert “A. M.,” which was not seconded.

Mr. CAIN moved to amend by inserting after the letters “A. M.” the words “for two days,” and after the word “during,” to strike out the word “one” and insert the word “each;” also, to insert after the letters “P. M.,” on the third line, the words “one each day;” also, to strike out “each ward shall constitute at least one polling precinct.”

Mr. SWAILS moved to amend the amendment by striking out “two days” and inserting “one week.”

The motion was not seconded.

Mr. CAIN withdrew the amendment.

Mr. HOYT moved to amend Section 14, on the third line of printed Bill, by inserting after the word "closed" the words "and no intoxicating drinks shall be sold therein," which was agreed to.

Mr. SWAILS moved to amend by striking out on the third line the words "six o'clock" and inserting the word "sunset," which was agreed to.

Mr. RAINEY moved to amend on the fifth line by inserting after the word "imprisonment" the words "in the county jail," which was agreed to.

The Section then passed as amended.

On motion of Mr. CAIN, the vote whereby Section 7 passed its second reading was reconsidered.

Mr. CAIN moved to restore the sentence heretofore stricken out: "Each ward shall constitute at least one polling precinct."

Mr. SWAILS moved to amend the amendment by striking out the words "at least," which was agreed to.

The question was then taken upon agreeing to the amendment, and decided in the affirmative.

The question was then taken upon agreeing to the additional Section recommended by the Committee, as follows:

SECTION 15. It shall be lawful for the Mayor of Charleston, when in his judgment the public good shall require it, to discharge any officer or private of the city guard or police force of said city, and to appoint other persons to fill the vacancies thus created; and the person or persons thus appointed shall hold the positions to which they shall be so appointed, and perform the duties thereof, until the expiration of the term for which their predecessors were appointed or elected, unless the City Council shall, by vote of a majority of the whole Board, disapprove the action of the Mayor in the premises, or unless said appointed persons are sooner removed by death, resignation or discharge, under the provisions of this Section, or under some city ordinance. And in case the action of the Mayor shall be disapproved by vote of the City Council, as aforesaid, the positions shall be declared vacant, and the Mayor shall nominate other persons to fill said positions, who, after confirmation by the City Council, and not before, shall enter upon and discharge the duties of the said positions till the end of the term for which their predecessors were appointed or elected, unless sooner discharged, as aforesaid; and all laws and parts of laws of the State of South Carolina, and all ordinances and parts of ordinances of the city of Charleston, inconsistent with the provisions of this Section, are hereby repealed. This Section shall take effect from and after the passage of this Bill.

The Section was agreed to, the Bill passed, and ordered to be engrossed for a third reading.

Mr. LESLIE rose to a question of privilege, and said :

Mr. President and Senators :

But a short time since the Senate voted, nearly unanimously, a vote of censure upon myself for having used language in debate not justifiable by parliamentary usage. I desire to say that I did use language that under no circumstances can be justified in legislative bodies, and just to that extent I desire to apologize to you, Mr. President, and to the Senate, for having indulged in unparliamentary expressions, unbecoming a Senator.

On motion of Mr. CORBIN, it was

Resolved, That the vote of censure passed by this Senate upon the Senator from Barnwell be, and is hereby, rescinded.

The Speaker of the House of Representatives attended in the Senate chamber, when the following Acts were duly ratified :

An Act to incorporate the Langley Manufacturing Company, of Edgefield County ;

An Act to accept the benefits of an Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts ;

An Act to incorporate the Cheraw Hook and Ladder Company as a part of the Fire Department of the town of Cheraw.

On each of the first two was entered the following endorsement :

I certify that this Act originated in the Senate.

J. WOODRUFF, Clerk of the Senate.

Mr. CORBIN asked and obtained further leave of absence until Tuesday next.

On motion of Mr. HAYNE, the Senate adjourned at 3:45 P. M.

SATURDAY, AUGUST 15, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, the reading of the Journal was dispensed with.

Mr. RODGERS asked and obtained leave of absence for ten days from Monday next.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate,

A joint resolution authorizing the State Treasurer to issue to the executor of the estate of Maria Brisbane, deceased, a renewal of six per cent. State stock, &c.

A joint resolution that a Committee of sufficient number be appointed by each House to act as a Joint Committee to investigate and lay before the two Houses the most important business requiring the attention of the General Assembly at its present session.

On motion of Mr. SWAILS, the Rules were suspended, the resolution considered immediately, concurred in, and ordered to be returned to the House of Representatives.

A message was sent to the House informing that body that under the joint resolution adopted for the appointment of a Joint Committee on the most important business of the session, Messrs. Rutland, Hayne and Leslie had been appointed as the Committee on the part of the Senate.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading the following :

A Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County, South Carolina ;

A Bill to make appropriations for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing on the first of October, in the year of our Lord one thousand eight hundred and sixty-seven, made by General Orders No. 139, dated at Charleston, December 3, 1867.

The above were ordered for consideration on Monday.

Mr. SIMS, from the Committee on Claims, submitted the report of that Committee on certain sworn petitions and memorials in regard to a lost or destroyed warrant of the Comptroller-General, drawn in favor of W. W. Woodward, late Sheriff of Barnwell District, accompanied by the following joint resolution, and a recommendation that the same do pass :

Resolved, by the Senate of the State of South Carolina, the House of Representatives concurring, That a new warrant be issued by the Comptroller-General of South Carolina to the said W. W. Woodward, Sheriff aforesaid, for the amount of \$255.20, payable to the said W. W. Wood-

ward, on condition that he execute to the Comptroller-General a bond in twice the amount of said warrant, with good and sufficient sureties, to be approved by the Comptroller-General, against all loss by the issuing of said warrant.

Ordered for consideration on Monday.

Mr. LESLIE, from the Committee on Contingent Expenses and Accounts, to whom was referred the account of Banks & Brothers, law book-sellers of New York, for copies of revised statutes ordered through the Clerk, reported the same back, with a recommendation that it be paid.

On motion of Mr. LESLIE, the Rules were suspended, the report considered immediately, and agreed to.

NOTICES OF BILLS.

Mr JILLSON gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

A Bill to enable the Chatham Railroad Company to extend their road to Columbia; also,

A Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to punish persons who may attempt to hold office by authority of the late Provisional Government was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to close the operations of the Bank of the State of South Carolina was read by its title, and, on motion of Mr. WRIGHT, referred to the Committee on Finance.

A Bill to recharter Cureton's Ferry, in Lancaster County, was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

The report of the Committee on Finance on the petition of T. S. Heyward, from the House, was considered, the amendments of the Senate Committee and report agreed to, and the petition ordered to be returned to the House of Representatives.

The report of the Committee on Public Buildings on the joint resolution to fit up and furnish the Governor's residence was considered, the report adopted, and the resolution authorizing the Governor to have the work done concurred in, and ordered to be returned to the House of Representatives.

The report of the Committee on Railroads on an Act for the relief of

the Charleston and Savannah Railroad was read, and the Bill taken up for consideration.

Mr. WRIGHT moved that the Bill be made the Special Order for Tuesday next, at 2 P. M.

SPECIAL ORDER.

At 1 P. M. Mr. DONALDSON called for the Special Order, which was a joint resolution to authorize the Governor to appoint a Commission to codify the laws.

On motion of Mr. SWAILS, the consideration of the Special Order was suspended until the question already before the Senate was disposed of.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders, and the question was taken on making the Bill for the relief of the Charleston and Savannah Railroad the Special Order for Thursday next.

On division of the Senate, the vote was yeas, 6; nays, 11.

So the motion to postpone and make the Bill the Special Order for Thursday next was not agreed to.

The Bill was then read a second time, considered by Sections, and ordered to be engrossed for a third reading.

SPECIAL ORDER.

The consideration of the Special Order, the joint resolution authorizing the Governor to appoint a Commission to codify the laws, was resumed.

On motion of Mr. LESLIE, the resolution was made the Special Order for Thursday next, at 1 P. M.

The report of the Committee on Public Lands on a Bill to establish a Board of Land Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands, was taken up for consideration.

On motion of Mr. LESLIE, the report and Bill were made the Special Order for Friday next, at 1 P. M.

On motion of Mr. RUTLAND, the Senate adjourned at 1:30 P. M.

MONDAY, AUGUST 17, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

The PRESIDENT laid before the Senate the following communication, which was received as information :

HEADQUARTERS, DEPARTMENT OF THE SOUTH,
ATLANTA, GA., August 14, 1868.

HON. L. BOOZER, *President of the Senate, and* HON. F. J. MOSES, JR.,
Speaker House of Representatives, General Assembly South Carolina.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 11th instant, conveying to me the invitation of both Houses of the General Assembly of South Carolina to visit them, and to express my gratification at the compliment, and to say in reply that my public duties will not permit me at present to avail myself of their invitation.

I am, gentlemen,

Very respectfully,

GEO. G. MEADE, Major-General.

The PRESIDENT also laid before the Senate the following communication :

108 WEST 37TH STREET, NEW YORK, August 12, 1868.

GENTLEMEN: A South Carolinian, and resident of his native State for fifty-six years, claims the privilege of calling your attention to the great injustice done a few years ago by the Legislature of South Carolina to South Carolinians, by placing their names on the "Roll of Infamy" for having remained in the United States naval service after South Carolina had seceded from the United States.

This intolerant and tyrannical act (perpetrated by men now blatant with complaint against acts, in their opinion, at variance with the principles of American liberty,) is an outrage upon every American citizen who has steadfastly adhered to the principles of American liberty and religious toleration, and who will expect you to expunge that disgraceful act from the Legislative Journals, and to place the name of every South Carolinian on the "Roll of Honor" (upon whom, I am pained to say, South Carolinians affixed the brand of dishonor), as an earnest appreciation of their loyalty and unwavering fidelity to their country.

The names of these patriots are now on the list of admirals, commodores and captains in the United States Navy, a fact truly gratifying to fellow-citizens of my native State, who, ever jealous of their "birth-right," would denounce proscription for opinion sake, and deny the right impertinently

assumed by agitators, tyrants and would-be dictators (an assumption so repugnant to the principles of American liberty), to interfere with the religious, moral or political duties to any American citizen.

Asking at your hands but a simple act of justice to loyalty and manhood,
I am your obedient servant,

L. J. MOSES.

To the Senate and House of Representatives of the State of South Carolina,
Columbia, South Carolina.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Education, to whom was referred a resolution relative to all institutions of learning supported wholly or in part by funds furnished by the State, reported back the same, with a recommendation that it be laid upon the table. Ordered for consideration to-morrow.

Mr. JILLSON, from the same Committee, to whom was referred a resolution requiring the State Superintendent of Education to select and prescribe a list of text books to be used in the public schools, reported the same back, with a recommendation that it be made an additional Section of the Bill entitled "A Bill to provide for the temporary organization of the Educational Department of the State." Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was recommitted the Bill to incorporate the Home Insurance Company, of Charleston, reported the same back, with a recommendation that the Bill do pass, amended as follows, viz.: By striking out the words "eighteenth" and "August," where they occur in Section 2, and insert in lieu thereof the words "eighth" and "September." Ordered for consideration to-morrow.

Mr. JILLSON, from the Special Committee of five on Political Disabilities, submitted the following resolution from that Committee, with a recommendation that the Senate do agree to the same :

Resolved, by the Senate and House of Representatives of the State of South Carolina, in General Assembly convened, That the further consideration of all petitions for the removal of political disabilities be, and the same is hereby, postponed for the remainder of this session of the General Assembly.

On motion of Mr. SWAILS, the Rules were suspended, the resolution considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence.

BILLS INTRODUCED.

Mr. MAXWELL, pursuant to notice, asked and obtained leave to introduce

A Bill to provide for the payment of the per diem and mileage of members of the General Assembly of South Carolina. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. ARNIM, pursuant to notice, asked and obtained leave to introduce

A Bill to regulate the powers and duties of County Commissioners. Read a first time, ordered for consideration to-morrow, and to be printed

Also, a Bill to regulate and determine the powers and duties of County Assessors. Read a first time, ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

On motion of Mr. RAINEY, the Senate proceeded to the consideration of the General Orders on the Calendar, and took up out of its order No. 186, being a Bill to make appropriations to meet the expenses of the present session of the General Assembly, and for other purposes.

The Bill was read a third time, passed, its title ordered to be changed to that of an Act, and returned to the House of Representatives.

The Senate then proceeded regularly with the consideration of General Orders.

A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

A Bill to provide for the conversion of State securities, and for other purposes, was read by its title, and referred to the Committee on Finance.

A Bill to empower the Circuit Judges to change venue for trial of actions, both civil and criminal, was read by its title, and referred to the Committee on the Judiciary.

A joint resolution inquiring into competency of clerks employed by the Solicitors was considered, agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill to incorporate the Wando Company was read a third time, passed, and ordered to be sent to the House of Representatives.

The report of the Committee on Public Lands recommending concurrence in a joint resolution from the House of Representatives for the appointment of a Joint Committee to ascertain, if possible, the precise extent, condition and location of said lands, and to report the same, was considered, the report adopted, and the resolution ordered to be returned to the House of Representatives.

A message was sent to the House informing that body that, under the joint resolution adopted by both Houses for the purpose of inquiry into the amount of lands in possession of the State, in consequence of non-payment of taxes due thereon, Messrs. Rutland, Wright and Sims had been appointed the Committee on the part of the Senate.

The report of the Committee on Finance on a joint resolution fixing the salaries of Solicitors was considered, and the report recommending that the Senate adopt the same disagreed to.

The report of the Committee on Finance on a Bill to provide Tax Collectors for the State, with an amendment to the accompanying Bill, was considered, the report adopted, the Bill read a second time, and ordered to be engrossed for a third reading.

The unfavorable report of the Finance Committee on a petition of sundry citizens of Charleston, asking a refund of certain taxes, was read, the report adopted, and the petition ordered to lie on the table.

A Bill to regulate the admission of attorneys, &c., to practice in the State Courts, was read by its title, referred to the Committee on the Judiciary, and ordered to be printed.

A Bill to incorporate the Union Star Fire Engine Company, of Charleston, was read by its title, and referred to the Committee on Incorporations.

A Bill to incorporate the Sumter Fire Engine Company was read by its title and referred to the Committee on Incorporations.

A Bill to provide a public administrator was read by its title, and referred to the Committee on the Judiciary.

The consideration of a resolution to appoint a Special Committee of five for the purpose of securing all facts relative to the existence of disloyal organizations and outrages perpetrated on Union men, on motion of Mr. RAINEY, was postponed to Thursday next.

A Bill to authorize the sale of the Columbia Canal was read by its title, and referred to the Committee on Public Lands.

The reports of the Committee on the Judiciary, with accompanying Bills, for the re-establishment of certain roads, ferries, &c., were considered, the following read a second time, and ordered to be engrossed for a third reading :

A Bill to re-establish Tucker's Ferry, over the Edisto River ;

A Bill to change the location of a portion of the Rutherfordton Road, in the County of Greenville ;

A Bill to re-establish Wright's Ferry, over the Catawba River.

The report of the Committee on Roads, Bridges and Ferries on a petition for an extension of the charter of Kinsler's Ferry, and that certain roads be declared public highways, was read, and the following Bills read a second time, considered, and ordered to be engrossed for a third reading :

A Bill to extend the charter of Kinsler's Ferry ;

A Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road on the western side of the Congaree River, public highways.

A Bill to incorporate Lake Swamp Navigation Company was read by its title, and referred to the Committee on Incorporations.

The report of the Committee on Finance on a resolution from the House fixing the pay of the Solicitors of the General Assembly was considered, agreed to, the resolution concurred in, and ordered to be returned to the House of Representatives.

The report of the Committee on Disabilities on the joint resolution from the House recommending the removal of the political disabilities of W. R. Treadwell, Frank Myers and Spartan D. Goodlett was considered, agreed to, and the resolution, with the recommendations of the Senate Committee, ordered to be returned to the House of Representatives.

A Bill to incorporate the United Fire Engine Company, of Charleston, was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to provide for the appointment of a Board of Directors of the State Penitentiary was read by its title and referred to the Committee on Public Buildings.

A Bill to fix the amount of official bonds of certain county officers was read by its title, and referred to the Committee on Finance.

The report of Committee on the Judiciary on the petition of J. G. Itgen was considered, agreed to, and the petition, in accordance with the recommendation of the Committee, ordered to lie on the table.

The report of Committee on Claims relative to the issuing duplicate warrant to W. W. Woodward, on motion of Mr. SIMS, was recommitted to the Committee.

A Bill to provide for recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County was read a third time, passed, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

On motion of Mr. RUTLAND, it was

Resolved, That the Committee on the Judiciary be requested to report tomorrow on the resolution from the House of Representatives fixing the time of election of Circuit Judges.

The Speaker of the House of Representatives, *pro tem.*, Mr. A. J. RANSIER, attended in the Senate chamber, when the following Act was duly ratified :

An Act regulating the tenure of certain offices, appointments thereto, and for other purposes.

On motion of Mr. SWAILS, the Senate adjourned at 2:30 P. M.

TUESDAY, AUGUST 18, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 17, 1868.

To the Honorable the President and Members of the Senate :

This House respectfully invites the Senate to go into joint ballot to-morrow (Tuesday, the 18th instant,) at 2 o'clock P. M., for the election of eight Circuit Judges.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

Mr. DICKSON moved that a message of concurrence be returned to the House of Representatives.

Mr. LESLIE moved to amend by substituting that the message be referred to the Committee on the Judiciary, which was not agreed to.

Mr. HAYES moved to amend by substituting that a message be returned to the House of Representatives respectfully declining to go into an election Tuesday, 18th instant, but proposing to go into an election of eight Circuit Judges on Thursday, 20th instant, at 2 P. M.

The amendment was not agreed to.

Mr. RANDOLPH moved to amend the message from the House by striking out "2 P. M." and inserting "4 P. M."

On motion of Mr. JILLSON, the amendment of the Senator from Orangeburg was indefinitely postponed.

The question was then taken on the motion that a message of concur-

rence be returned to the House of Representatives, and decided in the negative.

On motion of Mr. JILLSON, a message was sent to the House informing that body that the Senate respectfully declines to concur in the message from the House proposing to go into an election for eight Circuit Judges at 2 P. M. this day, and submits as the reason that the Bill to organize the Circuit Courts has not yet become a law.

PETITIONS, &c.

Mr. COGHLAN presented the petition of J. M. Wilder, Ex-Sheriff of Sumter County, praying to be relieved from a penalty. Referred to the Committee on Finance.

Mr. WHITTEMORE presented the report of Mr. Theodore Stark, Keeper of the State House and Grounds, upon expenditures, &c., made by him in the fitting up of the General Assembly, accompanied by the bills and vouchers. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. HAYES, from the Committee on Claims, to whom was referred the petition of M. F. Melony praying renewal of certificate lost or destroyed, reported back the same, with a recommendation that the joint resolution authorizing the Comptroller-General to issue a new warrant to W. W. Woodward do pass. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following as engrossed and ready for a third reading :

A Bill to recharter Cureton's Ferry in Lancaster County ;

A Bill to extend the provisions of an Act entitled " An Act for the relief of the Charleston and Savannah Railroad Company " to the Savannah and Charleston Railroad Company ;

A Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, South Carolina ;

A Bill to re-establish Tucker's Ferry, over the Edisto River ;

A Bill to re-establish Wright's Ferry, over the Catawba River ;

A Bill to provide for the appointment of Tax Collectors in this State ;

A Bill to extend the charter of Kinsler's Ferry ;

A Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road on the western side of the Congaree River, public highways.

The above Bills were ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, also reported as engrossed and ready for a third reading a Bill to alter and amend an Act

entitled "An Act to alter and amend the charter of the city of Charleston, and for other purposes."

On motion of Mr. RANDOLPH, the Rules were suspended, and the Bill taken up for consideration.

The Bill was then read a third time, considered by Sections, passed, and ordered to be returned to the House of Representatives.

Mr. RUTLAND, from the Committee on Public Lands, to whom was referred a Bill to authorize the sale of the Columbia Canal, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. WRIGHT, from the Committee on the Judiciary, to whom was referred a Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. ARNIM, from the Committee on Public Buildings, to whom was referred a Bill to provide for the appointment of a Board of Directors of the State Penitentiary, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred Senate Bill to regulate the manner of keeping and disbursing funds by certain officers as amended by the House, reported back the same, with the recommendation that the Bill do pass with the House amendments. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred the petition of John Caldwell, praying the General Assembly to take such steps as will compel the Charleston and Savannah Railroad Company to pay over the amount of past due coupons which he holds against said Company, for which the faith and funds of the State are pledged, and payment of which has been demanded and refused, reported back the same, with a recommendation that further action upon the subject be postponed to the regular session of the General Assembly. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred a joint resolution from the House authorizing the State Treasurer to issue to the executors of Maria Brisbane, deceased, a renewal of certificate of six per cent. State stock for \$3,090, reported back the same, with a recommendation that the Senate concur with the House in the passage of the said joint resolution. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred a Bill to fix the amounts of the official bonds of certain county officers, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred a Bill to provide for the conversion of State securities, and for other purposes, reported back the same, with a recommendation that the Bill do pass after striking out the fourth and fifth Sections, which relate to the appointment of a financial agent for the State of South Carolina, in the city of New York, and the necessary arrangements for the compensation of the same, inasmuch as all matters pertaining to a financial agent will be incorporated in a Bill more appropriate in its nature than the one under consideration. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the same Committee, to whom was referred a Bill to close the operations of the Bank of the State of South Carolina, reported back the same, with sundry verbal amendments, and a recommendation that the Bill, thus amended, do pass. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Lake Swamp Navigation Company, of Horry County, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. LESLIE, from the Committee on Contingent Expenses and Accounts, submitted the reports of that Committee on a bill of M. H. Berry, for sundry articles of furniture; also, on a bill of J. W. Denny, for stationery. Ordered for consideration to-morrow.

Mr. ARNIM offered the following joint resolutions, which were ordered for consideration to-morrow:

Resolved, That it is expedient to make the poor houses in this State industrial institutions, and that a Committee of two members from the Senate and three from the House of Representatives be appointed to inquire into and submit a plan for the same.

Resolved, That they adopt a system of regulations for the successful government and operations for said poor houses, and to report by Bill or otherwise.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order.

A Bill to re-enact certain Acts lending the name and credit of the State to the Greenville and Columbia Railroad Company, and to validate the action of said company thereunder.

Mr. LESLIE moved that the Special Order be discharged, and that the Bill be made the Special Order for Friday next, at 1:30 P. M.

Mr. HAYNE moved to amend by substituting "that the consideration of the Bill be postponed until the next regular session of the General Assembly."

Mr. RAINEY moved that the motion of the Senator from Marion to postpone to the next regular session be laid on the table.

Mr. HAYNE withdrew the motion to postpone to the regular session.

The question was taken upon the motion to make the Bill the Special Order for Friday next, at 1:30 P. M., and decided in the affirmative.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The report of the Committee on Joint Rules of both Houses was taken up, and on motion of Mr. JILLSON, the Rules considered separately.

On motion of Mr. JILLSON, Rule 7 was amended by striking out the word "engrossed" wherever it occurred, and inserting the word "enrolled."

On motion of Mr. ARNIM, Rule 7 was further amended by striking out the fifth and sixth lines and substituting the words "by the Chairman of the Committee on Enrolled Bills of that House in which it shall have originated, and such Chairman of the Committee on Enrolled Bills shall endorse thereon the day and hour of such presentation."

On motion of Mr. WHITTEMORE, the words "unaccompanied by the House" in the last line of Rule 7 were stricken out.

On motion of Mr. RUTLAND, the Rule was also amended by striking out the word "Chamber" and inserting the word "House," so as to read "Senate House."

The report was then agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill authorizing the executor of the last will of Julianna Izard to pay over the proceeds of the real estate of the said Julianna Izard was read by its title, and referred to the Committee on the Judiciary.

A Bill relative to the building of J. G. Itgen, of Charleston, was read by its title, and referred to the Committee on the Judiciary.

A joint resolution recommending that a double tax be remitted to Mrs. Mary A. C. Hobbs was read a second time, and ordered to be engrossed for a third reading.

The report of the Committee on Incorporations on a Bill to incorporate the Citizens' Savings Bank of South Carolina was taken up for consideration, and on motion of Mr. SWAILS, the Bill made the Special Order for Thursday next, at 2 P. M.

The report of the Committee on Education on a resolution relative to institutions of learning, submitted by the Senator from Darlington, was considered, the report agreed to, and the resolution, in accordance with the recommendation of the Committee, ordered to lie on the table.

The report of the Committee on Incorporations on a Bill to incorporate the Home Insurance Company, of Charleston, was read, and on motion of Mr. LESLIE, the consideration of the Bill postponed until Thursday next.

A Bill to provide for the payment of the per diem and mileage of the members of the General Assembly was read by its title, and referred to the Committee on Finance.

A Bill to regulate and determine the powers and duties of County Commissioners was read by its title, and referred to the Committee on the Judiciary.

A Bill to regulate and determine the powers and duties of a County Assessor was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. LESLIE, the Rules were suspended, the vote by which the report of the Committee on Claims on the petition of M. F. Maloney was ordered for consideration to-morrow reconsidered, and the joint resolution authorizing the issue of a new warrant by the Comptroller-General to W. W. Woodward read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. RANDOLPH, the Committee on the Judiciary were requested to report to-morrow upon a Bill entitled "A Bill to enable laborers to recover pay in certain cases, and for other purposes."

Mr. JILLSON moved that the Committee on Rules for the government of the Senate be requested to report on a report recommitted to that Committee.

Mr. ARNIM moved to amend by adding: "Provided, That the members attend the meeting of the Committee."

Mr. JILLSON withdrew the resolution.

NOTICES OF BILLS.

Mr. MONTGOMERY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill for the protection and relief of those who are now, and have been since the first day of January, 1866, policy holders in the Underwriters' Agency, of the city of New York, and other corrupt and fraudulent fire insurance companies doing business through agencies in this State.

On motion of Mr. SWAILS, the Senate adjourned at 2:45 P. M.

WEDNESDAY, AUGUST 19, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a Bill providing for the assessment and taxation of property.

The Bill was taken up for a first reading.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, during the reading of the above Bill, a Bill to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned, accompanied by the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 19, 1868.

To the Honorable the President and Members of the Senate :

I herewith return to your honorable body a Bill to alter and amend an Act entitled " An Act to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned," with the concurrence by this House in certain amendments proposed by the Senate.

The House respectfully refuses to concur in the Senate amendment to the said Bill, proposed in the last paragraph of Section 7.

Very respectfully,

Your obedient servant,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The reading of the Bill was suspended, and the Bill to alter and amend the charter of the city of Charleston, &c., together with the message, taken up for consideration.

Mr. DONALDSON moved that the Senate recede from its amendment to the last paragraph of Section 7, which was agreed to, and the Bill, with a message informing the House of the action of the Senate ordered to be returned to the House of Representatives.

SPECIAL ORDER.

Mr. RAINEY called for the Special Order, which was report (favorable) of the Judiciary Committee on the action of the Commissioners on Roads, Bridges and Ferries on certain petitions respecting the passage of an Act authorizing the leasing of the Saluda Turnpike, and directing the rental of the same.

On motion of Mr. WHITTEMORE, the Special Order was discharged, and made the Special Order for to-morrow, at 1:15 P. M.

The reading of the Bill providing for the assessment and taxation of property was resumed.

Mr. DONALDSON moved that the further reading of the Bill be suspended for half an hour, for the purpose of receiving the reports of Committees, &c.

Mr. WHITTEMORE moved to amend by substituting "that the further reading of the Bill be suspended by unanimous consent, and that this reading be considered the first reading of the Bill."

The PRESIDENT decided such motion to be out of order, Section 21 of the Constitution requiring every Bill to have three readings, on three several days, in each House.

Mr. JILLSON moved that the motion of the Senator from Chesterfield (Mr. Donaldson) be laid on the table, which was agreed to.

On motion of Mr. WHITTEMORE, Hon. Wm. Aiken, who was present in the Senate House, was invited to a seat on the floor of the Senate.

Mr. HAYNE moved that the Senate take a recess until 5:30 P. M.

On motion of Mr. JILLSON, the motion of the Senator from Marion was laid on the table.

The reading of the Bill was resumed and concluded.

On motion of Mr. WHITTEMORE, the Bill was referred to the Committee on Finance, and ordered to be printed.

The House returned to the Senate, with concurrence,

A joint resolution relative to the defraying of the necessary expenses for fitting up the building, &c, for the General Assembly; also,

The report of the Special Committee on the removal of political disabilities in the cases of Wm. R. Treadwell, Frank Myers and Spartan D. Goodlett; also,

A joint resolution relative to requesting the Attorney-General to inquire into the competency of clerks, &c.; also,

A joint resolution providing for a clerk for the Solicitors of the General Assembly; also,

A joint resolution requiring the Clerks of the two Houses of the General Assembly to furnish copies of the Calendar and Journal to both Houses; also,

The report of the Special Committee on Political Disabilities submitting a concurrent resolution from that Committee, recommending that the further consideration of all petitions for the removal of political disabilities be postponed for the remainder of this session ; also,

A Bill to establish a State police, which Bill had received three readings in the Senate and three readings in the House of Representatives.

The title of the Bill was changed to that of an Act, and referred to the Committee on Enrolled Acts.

The House also sent to the Senate :

Joint resolution to relieve W. P. Gill of the penalty of five per cent. per month, caused by default of paying over taxes collected by him. Read a first time, and referred to the Committee on Finance ; also,

A Bill to prevent discrimination between persons by those carrying on business, which was read a first time.

Mr. JILLSON moved that the Bill be made the Special Order for 1:30 P. M. to-morrow.

Mr. WRIGHT moved to amend by substituting that the Bill be referred to the Committee on the Judiciary, which was accepted by the mover.

Mr. HAYNE moved that the motion to refer the Bill to the Committee on the Judiciary be indefinitely postponed.

The PRESIDENT decided the motion of reference to a Committee previous to a second reading to be out of order.

Mr. JILLSON moved that the Bill be made the Special Order for 1:30 P. M. to-morrow, and be printed.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the petitions and sundry memorials of the citizens of Barnwell County, in reference to changing the location of the county seat, reported back the same, accompanied by a Bill to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county, which received its first reading, was ordered for consideration to-morrow, and to be printed.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred a Bill to provide for the payment of the mileage and per diem of the members of the Legislature, reported the same back, with sundry amendments, and a recommendation that the Bill, so amended, do pass. Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of J. M. Wilder praying to be relieved of the five per

cent. penalty, reported the same back, with a recommendation that the prayer of the petitioner be granted. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading,

A joint resolution for the relief of Mrs. Mary A. C. Hobbs; also,

A joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County.

The above were ordered for consideration to-morrow.

Mr. WRIGHT, from the Committee on the Judiciary, to whom was referred a Bill to remove the county seat from Gillisonville to the town of Beaufort, reported back the same, with the recommendation that the Bill do pass. Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. RANDOLPH, pursuant to notice, introduced

A Bill to allow minors and others to recover property, stocks, moneys, &c., that were converted into Confederate bonds, stocks or moneys. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. JILLSON, pursuant to notice, introduced

A Bill to enable the Chatham Railroad Company to extend their road to Columbia. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. JILLSON, pursuant to notice, introduced

A Bill to amend the charter of the Cheraw and Coalfields Railroad Company. Read a first time, ordered for consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. LESLIE offered the following resolution, which was afterwards withdrawn :

Resolved, That in reading Bills, it shall be a compliance with the 21st Section of the 2d Article of the Constitution to read Bills by their title on their first reading.

On motion of Mr. WRIGHT, the Rules were suspended for the purpose of taking up the report of the Committee on Finance on a Bill to provide for the payment of the mileage and per diem of the members of the Legislature.

Section 1 was amended, as recommended by the Committee on Finance, by inserting the following substitute after the word "of," in the third line :

“such an amount of his mileage and per diem, up to the twentieth day of August, eighteen hundred and sixty-eight, as he may direct.”

Mr. WHITTEMORE moved to amend Section 2 by striking out, in the fifth, line the words “seventy-five cents on a dollar” and insert “to the value of United States currency at the current rates of exchange.”

Mr. SIMS called for the yeas and nays, which was not seconded.

The question was then taken upon the amendment, and decided in the affirmative.

Mr. LESLIE moved to amend Section 3 by adding to the last line the words “except as to mileage,” which was agreed to.

Mr. WHITTEMORE moved to amend Section 4 by erasing the word “any” before the words “Bills Receivable,” which was agreed to.

Mr. WHITTEMORE moved that the Bill be further amended by the addition of the following Section :

SECTION 5. That all bills audited and authorized to be paid, previous or subsequent to the passage of this Act, for the payment of the current expenses of each House, shall be paid in Bills Receivable, as provided in the second Section of this Act, to-wit : at the current rates of exchange.

On motion of Mr. JILLSON, the title of the Bill was amended by striking out the word “Legislature” and inserting “General Assembly.”

On motion of Mr. WHITTEMORE, the title of the Bill was amended to read as follows : A Bill to provide for the payment of the mileage and per diem of the members and current expenses of the General Assembly.

The Bill then passed, as amended, and was ordered to be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate took a recess until 6 P. M.

EVENING SESSION.

The Senate re-assembled at 6 P. M., and was called to order by the PRESIDENT.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The joint resolutions to make the poor houses in this State industrial institutions were considered, agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill to recharter Cureton's Ferry, in Lancaster County, was read a third time, passed, and ordered to be sent to the House of Representatives.

A Bill to extend the provisions of an Act entitled “An Act for the relief of the Charleston and Savannah Railroad Company” to the Savannah and Charleston Railroad Company was read a third time.

Mr. DONALDSON moved that the Bill be recommitted to the Committee on Railroads, with instructions to strike out the fourth Section.

Mr. CORBIN moved to amend by a substitute "that the further consideration of the Bill be postponed until the next regular session of the General Assembly."

After some discussion, participated in by Senators Leslie, Donaldson, Corbin and Randolph, the question was taken upon the motion to postpone until the next regular session.

Mr. ROSE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Donaldson, Nash, Owens, Rutland, Reid, Rose, Wright, Whittemore and Wimbush.—12.

Nays—Messrs. Coghlan, Hoyt, Jillson, Leslie, Maxwell, Randolph and Swails.—1.

So the motion was agreed to, and the consideration of the Bill postponed until the next regular session.

The Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, was taken up for its third reading.

Mr. WHITTEMORE moved that the Bill be recommitted to the Committee on Incorporations, with instructions to incorporate in the Bill provisions more perfectly defining the object of the association.

Mr. HAYNE moved to amend by a substitute "that the further consideration of the Bill be postponed until the next regular session."

After some discussion, participated in by Senators Corbin, Cain, Leslie, Randolph, Hoyt, Whittemore and Jillson, the question was taken upon the motion to postpone until the next regular session.

On division, the vote stood yeas, 9; nays, 12.

So the motion to postpone was not agreed to.

The question was then taken on the motion of the Senator from Darlington to recommit, which was decided in the affirmative.

On motion of Mr. WRIGHT, the Senate took up out of its order No. 208—the report of the Committee on Finance on a Bill to regulate the manner of keeping and disbursing funds by certain officers.

The report of the Committee recommending the concurrence of the Senate with the House amendments was agreed to, and the Bill ordered to be returned to the House of Representatives.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to provide for the payment of the per diem and mileage, current expenses, &c., of the General Assembly of South Carolina.

Mr. HOYT moved to take up out of its order the report of the Committee on Public Buildings on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

On motion of Mr. LESLIE, the Senate adjourned at 8:30 P. M.

THURSDAY, AUGUST 20, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. MAXWELL, the reading of the Journal of yesterday was dispensed with.

Mr. SIMS asked and obtained leave of absence for three days.

PETITIONS, &c.

Mr. ALLEN presented the petition of Burrell J. Stewart, of Greenville, praying the General Assembly to petition Congress for the removal of his political disabilities. Under the joint resolution adopted by both Houses, the petition was ordered to lie over to the next regular session.

Mr. ALLEN asked and obtained leave to withdraw the petition.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, asked and obtained leave to introduce A Bill to define the jurisdiction and duties of County Commissioners. Read a first time, ordered for consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. RANDOLPH introduced the following resolution :

Resolved, That the Standing Committees of the Senate are hereby required to report upon all resolutions or Bills that may be referred to them within five days from the time of reference.

Ordered for consideration to-morrow.

Mr. RANDOLPH introduced the following resolution :

Resolved, That the Committee on Military Affairs be, and are hereby, instructed to ascertain the number of stands of arms, batteries, and the amount of other military equipments, that are now in possession of the State and at the disposition of the Governor, and to report accordingly to this Senate.

Ordered for consideration to-morrow.

Mr. CORBIN introduced the following joint resolutions for the appoint-

ment of a Committee to investigate the affairs of the Bank of the State of South Carolina :

Resolved, by the Senate, the House of Representatives concurring. That a Committee of three, to consist of two members of the House of Representatives and one member of the Senate, be appointed to inquire into the assets and liabilities of the Bank of the State of South Carolina, and report at the next regular session of the General Assembly.

2. That said Committee be instructed to inquire into and report whether the State is liable in any way for the debts of said Bank, and if so, to what amount.

3. Also, to report whether the debts of said Bank were created to aid the rebellion, or exist in consequence of the rebellion, or are in any way tainted with the rebellion, so that the payment thereof by the State is prohibited by the Constitution.

4. That said Committee have power to examine the books and papers of said Bank, and to summon witnesses and examine them, under oath, relative to all matters touching the history and conduct of the affairs of the said Bank.

5. That said Committee be authorized, if they shall deem it advisable, to report a plan for the winding up of the affairs of said Bank, and may append a Bill to their report for that purpose for the consideration of the General Assembly.

On motion of Mr. WHITTEMORE, the Rules were suspended, and the resolutions referred to the Committee on Finance.

Mr. RANDOLPH introduced the following joint resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, That the Commission appointed by the late Constitutional Convention to inquire into the liabilities and financial condition of the State be, and the same are hereby, required to report to the General Assembly on Saturday, the 22d instant, at 1 P. M., and that a copy of this resolution be served on the Chairman of the Committee

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following Acts :

An Act to regulate appeals and writs of error to the Supreme Court ;

An Act to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County ;

An Act to organize the Circuit Courts ;

An Act to make appropriation for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing 1st October, A. D. 1867, made by General Orders No. 139, dated at Charleston, December 5, 1867.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House to assist in the ratification of the above Acts.

Mr. WHITEMORE, from the Committee on Finance, to whom was referred the joint resolution to relieve W. P. Gill, late Sheriff of Chester County, of the penalty of five per cent. per month for default of taxes collected by him, reported back the same, with a recommendation that the Senate concur in the resolution from the House of Representatives granting the prayer of the petitioner, with a proviso "that nothing therein contained shall be construed to excuse said Sheriff from liability for any sum which he may have retained in excess of the amount of his contingent expenses." Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred a Bill to incorporate the Union Star Fire Engine Company, of Charleston, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. MONTGOMERY, from the same Committee, to whom was referred a Bill to incorporate the Sumter Fire Engine Company, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. SWAILS, the Senate took up out of its order No. 240. being the report of the Committee on Finance on a Bill to close the operations of the Bank of the State of South Carolina.

The report was read, the Bill taken up and considered by Sections.

The following message was received from the House, and the consideration of the Bill was suspended :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 20, 1868.

To the President and Members of the Senate :

This House respectfully invites the Senate to unite with them at 2 o'clock P. M. this day in a joint ballot for the election of eight Circuit Judges.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

Mr. WHITTEMORE moved that the message be referred to the Committee on the Judiciary.

Mr. HAYNE moved to amend by a substitute "that the message be received as information, and that a message be sent to the House respectfully declining to go into the proposed election until the Act to organize the Circuit Courts has become a law."

The question was taken on the adoption of the substitute, and decided in the negative.

The question then recurred on the motion to refer the message to the Committee on the Judiciary, and decided in the affirmative.

Mr. WRIGHT moved to reconsider the vote by which the message from the House was referred to the Committee on the Judiciary.

On motion of Mr. SWAILS, the motion to reconsider was laid on the table.

GENERAL ORDERS.

The Senate resumed the consideration of the Bill to close the operations of the Bank of South Carolina.

On motion of Mr. WHITTEMORE, Section 1 was amended by inserting in the tenth line, manuscript Bill, after the words "South Carolina," the words "in whosoever's hands found."

SPECIAL ORDER.

Mr. ARNIM called for the Special Order for 1 P. M.

On motion of Mr. CORBIN, the Special Orders for this day were discharged, and made the Special Orders for the same hours to-morrow.

On motion, the consideration of the Bill under discussion was suspended for the purpose of receiving a report.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the message of the House of Representatives, inviting the Senate to unite with that body at 2 P. M. this day, for the election of eight Circuit Judges, reported back the same, with the recommendation that no election be entered into for said officers until the Bill to organize the Circuit Courts shall have become a law; also, that a message be sent to the House of Representatives informing that body that for the above reason, and also for the reason that until said Bill becomes a law the number of Judges to be elected is uncertain, the Senate respectfully declines to enter into the election for Judges at the time named, but that so soon as said Bill to organize the Circuit Courts shall have become a law the Senate will unite with the House in said election.

The report was agreed to, and a message accordingly sent to the House informing that body of the action of the Senate.

GENERAL ORDERS.

The Senate resumed the consideration of the Bill to close the operations of the Bank of the State of South Carolina.

The question recurred upon the adoption of Section 1, as amended.

After some discussion, participated in by Senators Donaldson, Leslie, Whittemore and Corbin, on motion of Mr. CORBIN, the yeas and nays were ordered, and are as follows :

Yeas—Messrs. Allen, Cain, Coghlan, Dickson, Donaldson, Payne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Randolph, Swails, Wright, Whittemore and Wimbush.—19.

Nays—Messrs. Buck, Bieman, Corbin, Foster, Hayes, Reid and Rose.—7.

On motion of Mr. WHITTEMORE, Section 2 was amended in the sixth line by striking out, after the date 1868, the words "and which were duly filed in the Court of Equity of the State for Charleston County on or before the first day of June, 1868, in pursuance of the order of said Court, under the date ———, 1868," and by the insertion, after the words "per annum," in the tenth line, the following proviso: "Provided, That said bills shall be presented to the Treasurer before January 1st, 1869;" also, by inserting after the word "bonds," in the twelfth line, the words "to be signed by him and countersigned by the Treasurer;" also, after the word "interest," to insert the words "of said bonds;" also, at the end of the Section, the following proviso: "Provided, also, That said bonds shall not be presented to the bill-holders and executed before January 1st, 1869."

Mr. CORBIN moved to amend the last proviso by striking out "January 1st" and inserting "March 31st," which was not agreed to.

Mr. CORBIN moved to amend Section 2 by adding the following proviso: "Provided, Said issue of bonds shall not exceed the amount realized from the assets received from said Bank."

Mr. WRIGHT moved to lay the amendment on the table.

Mr. CORBIN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Cain, Coghlan, Dickson, Donaldson, Hoyt, Payne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Randolph, Swails, Wright and Wimbush.—18.

Nays—Messrs. Allen, Bieman, Corbin, Foster, Hayes, Reid, Rose, Sims and Whittemore.—9.

So the amendment was ordered to lie on the table.

On motion of Mr. WHITTEMORE, Section 2 was further amended by inserting the word "within" after the word "payable," in the sixth line of printed Bill.

Mr. CORBIN moved to amend Section 2, in the ninth line, by inserting

after the word "bills" the words "at the rate of twenty five cents on their face value."

On motion of Mr. RUTLAND, the amendment of the Senator from Charleston was laid on the table.

The Section then passed as amended.

On motion of Mr. WHITTEMORE, Section 3 was stricken out.

Section 4 was amended in the second line in accordance with the recommendation of the Committee on Finance, by striking out "No. 4,728, page 276, Statutes at Large," and inserting "to raise supplies for the year commencing in October, 1865."

On motion of Mr. WHITTEMORE, the Bill was further amended by the addition of the following Sections:

SECTION 5. The Governor of the State of South Carolina is hereby authorized to pay all expenses necessary to carry into effect the provisions of this Act out of any funds in the State Treasury not otherwise appropriated.

SECTION 6. All bonds or stocks authorized in this Act, or hereafter to be authorized, shall be of uniform character in design; and to secure this result, the financial agent in New York shall make all necessary arrangements for the same.

The Bill, as amended, was then passed, and ordered to be engrossed for a third reading.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were duly ratified:

An Act to regulate appeals and writs of error to the Supreme Court;

An Act to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County, S. C.;

An Act to make appropriations for the payment of the expenses of the present session of the Legislature, and to meet certain deficiencies in the appropriation for the fiscal year commencing 1st of October, A. D. 1867, made by General Orders No. 139, dated at Charleston, December 5, 1867;

An Act to organize the Circuit Courts.

The first and last named Acts were endorsed as follows:

IN THE SENATE, COLUMBIA, S. C., August 20, 1868.

I certify that this Act originated in the Senate.

J. WOODRUFF, Clerk of the Senate.

On motion of Mr. CAIN, the Senate adjourned at 3:45 P. M.

FRIDAY, AUGUST 21, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. WIMBUSH asked and obtained leave of absence for three days.

Mr. WHITTEMORE asked and obtained leave of absence for one day.

Mr. RANDOLPH asked and obtained leave of absence for one day.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate, for concurrence, a joint resolution authorizing the Treasurer of the State to pay, on account of current printing, one thousand dollars to J. W. Denny. Read and referred to the Committee on Printing.

PETITIONS, &c.

Mr. ALLEN presented sundry warrants, signed by the Comptroller-General during the existence of military rule, in favor of W. A. McDaniel, L. C. Reynolds and others, for payment of certain contingent accounts against the State remaining unpaid, on account of the appropriation for contingent accounts having been exhausted, accompanied by a letter from G. W. Walker, for Treasurer. Referred to the Committee on Contingent Expenses and Accounts.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Acts, reported that the following Acts, enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 20th instant, at 5:30 P. M.:

An Act to regulate appeals and writs of error to the Supreme Court ;

An Act to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners, of Beaufort County, S. C.;

An Act to organize the Circuit Courts ;

An Act to make appropriations for the payment of the expenses of the Legislature, and to meet deficiencies in the appropriations for the fiscal year commencing October 1, 1867, made by General Orders No. 139, dated December 5, 1867.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the report of Theodore Stark, Keeper of the State House, made in obedience to a resolution of the Senate, relative to expenditures made in accordance with General Canby's orders, for preparations for the meeting of the General Assembly, accompanied by various bills and vouchers, reported back the same, with a request that the Committee be discharged from the same, and a recommendation that the report be referred to the Committee on Contingent Expenses.

On motion of Mr. WHITTEMORE, the Rules were suspended, and the report of the Committee on Finance considered immediately.

The report was agreed to, the request of the Committee to be discharged granted, and the report of Mr. Stark, with the vouchers, &c., referred to the Committee on Contingent Expenses and Accounts.

Mr. WHITTEMORE, from the same Committee, to whom was referred a Bill providing for the assessment and taxation of property, reported back the same, with a recommendation that the Bill do pass, after inserting in the third and fourth lines of Section 146, between the words "County Auditor" and "County Treasurer," the following: "who shall be *ex officio* clerk of the Board of County Commissioners." Ordered for consideration tomorrow.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, an Act to regulate the manner of keeping and disbursing funds by certain public officers.

A message was accordingly sent to the Speaker of the House of Representatives, inviting him to attend in the Senate House to assist in the ratification of said Act.

Mr. WHITTEMORE, from the same Committee, to whom was referred the joint resolution to appoint a Committee to investigate the affairs of the Bank of the State of South Carolina, reported back the same, and say that, in their opinion, an investigation of the assets and liabilities of the Bank of the State of South Carolina should be made, and as a Bill to close the operations of the Bank of the State of South Carolina has already passed to its third reading in the Senate, in order that the joint resolution may not conflict with the same, the Committee desire to report the following amendments to the joint resolution, viz.: In the first Section substitute in the place of all after the word "consist," on the second line, the following:

"The Attorney-General and two other proper persons to be appointed by the Governor for the purpose of inquiring into the assets and liabilities of the Bank of the State of South Carolina, and reporting at the next regular session of the General Assembly."

Strike out Section 2.

Strike out in third line of Section 4 the word " history " and insert the word " operations."

Strike out Section 5.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration the General Orders on the Calendar.

The report of the Committee on Incorporations on a Bill to incorporate the Home Insurance Company, of Charleston, was read, and the Bill taken up for consideration.

On motion of Mr. DONALDSON, the Bill was recommitted to the Committee on Incorporations, with instructions to amend Section 14, in the first line, by striking out the word " fourth " and inserting the word " half," so that it will read " that one-half of the capital stock shall be paid in before the company shall be authorized to commence business," and to add to the same Section " proof of such final payment being furnished the Comptroller-General."

On motion of Mr. RANDOLPH, the Committee were further instructed to amend in Section 15, eleventh line of the manuscript Bill, by striking out the word " District " and inserting " County."

Mr. HOYT moved to take up, out of its order on the Calendar, No. 235, being the report of the Committee on Public Lands on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

The motion was not agreed to.

Mr. WRIGHT moved to take up, out of its order, No. 238, being the report of the Committee on Finance on a Bill to fix the amounts of the official bonds of certain county officers.

The motion was not agreed to.

SPECIAL ORDER.

Mr. SWAILS moved to suspend the Rules, and to take up the third Special Order of the Day for 1 P. M., which was a Bill to prevent discrimination between persons by those carrying on business.

The motion was not agreed to.

Mr. DONALDSON moved that the first Special Order for 1 P. M., which was the joint resolution to authorize the Governor to appoint a Commission of three persons to codify the laws, be discharged, and made the Special Order for 1 P. M. to-morrow.

On division, the vote stood yeas, 7 ; nays, 15.

So the motion was not agreed to.

The question was taken on the passage of the joint resolution, and upon its being engrossed for a third reading.

Mr. LESLIE offered as a substitute a Bill to provide for the revision and consolidation of the statute laws of the State.

The PRESIDENT decided the substitute out of order.

On motion of Mr. SWAILS, the joint resolution and the substitute were referred to the Committee on the Judiciary.

On motion of Mr. CAIN, the Rules were suspended for the purpose of introducing the report of the Committee on Printing on a joint resolution from the House to pay to J. W. Denny \$1,000 on account of printing for the House of Representatives. The Committee recommend that the resolution be concurred in by the Senate, but believe that each House has the authority to pass for payment all bills incurred for their own current expenses without the concurrence of the other House.

The report was agreed to, the resolution concurred in, and ordered to be returned to the House of Representatives.

SPECIAL ORDER.

The Senate proceeded to the consideration of the second Special Order, being the report of the Committee on Public Lands on a Bill to establish a Board of Land Commissioners of Public Lands, &c.

Mr. HAYNE moved that the Special Order be discharged, and be made the Special Order for Monday next, at 1 P. M.

After some discussion, participated in by Senators Leslie, Cain, Randolph, Wright and Hayne, the question recurred on the motion of the Senator from Marion.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Buck, Bieman, Corbin, Dickson, Foster, Hayne, Jillson, Leslie, Montgomery, Maxwell, Owens, Rainey, Reid, Rose, Swails and Wimbush.—16.

Nays—Messrs. Arnim, Allen, Cain, Coghlan, Donaldson, Nash, Rutland, Randolph and Wright.—9.

So the second Special Order was discharged, and made the Special Order for Monday next, at 1 P. M.

MESSAGE FROM THE GOVERNOR.

Message No. 4 from His Excellency the Governor was announced and presented to the Senate by Mr. John Hearst, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., August 21, 1868.

To the Honorable the President of the Senate :

I have this day approved an Act to regulate appeals and writs of error to the Supreme Court.

Very respectfully,

Your obedient servant,

ROBERT K. SCOTT, Governor.

SPECIAL ORDER.

The Senate proceeded to the consideration of the third Special Order for 1 P. M., which was a Bill to prevent discrimination between persons by those carrying on business.

Mr. LESLIE moved that the Bill be referred to the Committee on the Judiciary.

Mr. JILLSON moved to amend by striking out the motion to refer, and inserting "that the Bill be taken up and considered by Sections."

Mr. LESLIE moved to lay the motion of the Senator from Kershaw on the table.

The PRESIDENT decided that the motion to refer was first in order.

Mr. WIMBUSH moved that the Bill be referred to the Committee on the Judiciary, with instructions to report on Tuesday next, at 1 P. M.

Mr. RANDOLPH moved to amend the motion of the Senator from Chester by striking out "referred to the Committee on the Judiciary, with instructions to report" and insert "made the Special Order for Tuesday next, at 1 P. M."

Mr. WIMBUSH accepted the amendment.

On the question of making the Bill the Special Order for Tuesday next, at 1 P. M., Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Hayne, Jillson, Montgomery, Maxwell, Nash, Randolph, Swails, Wright and Wimbush.—10.

Nays—Messrs. Arnim, Allen, Buck, Bieman, Corbin, Cain, Dickson, Donaldson, Foster, Hoyt, Leslie, Rainey, Reid and Rose.—14.

So the motion to make the Bill the Special Order for Tuesday next, at 1 P. M., was not agreed to.

Mr. SWAILS moved that the motion of the Senator from Barnwell to refer the Bill to the Committee on the Judiciary be laid on the table.

Mr. LESLIE call for the yeas and nays.

On motion of Mr HOYT, a call of the Senate was ordered.

Mr. DONALDSON moved that the further call of the Senate and the proceedings thereon be suspended.

Mr. HAYNE moved to lay that motion on the table.

On division, the vote stood yeas, 12; nays, 8.

So the motion to lay the motion of the Senator from Chesterfield on the table was agreed to.

On motion of Mr. LESLIE, further proceedings on the call of the Senate were suspended.

Mr. HAYNE moved that the Special Order be discharged, and made the Special Order for Wednesday next.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Allen, Coghlan, Donaldson, Hayne, Jillson, Montgomery, Maxwell, Nash, Randolph, Swails and Wright.—11.

Nays—Messrs. Arnim, Buck, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Leslie, Rainey, Reid and Rose.—12.

So the motion to make the Bill the Special Order for Wednesday was not agreed to.

Mr. LESLIE renewed the motion to refer the Bill to the Committee on the Judiciary.

Mr. SWAILS moved to amend by adding "to report on Wednesday next."

Mr. LESLIE called for the yeas and nays.

Pending the question, on motion of Mr. DONALDSON, the Senate adjourned at 3:30 P. M.

SATURDAY, AUGUST 22, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. MAXWELL, the reading of the Journal of yesterday was dispensed with.

Mr. ARNIM asked and obtained leave of absence for one week.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

A Bill to authorize a loan to redeem the obligations known as Bills Re-

ceivable of the State of South Carolina. Read a first time, ordered for consideration on Monday, and to be printed.

A Bill to authorize a State loan to pay the interest on the public debt. Read a first time, ordered for consideration on Monday, and to be printed.

A Bill to repeal the charter of the town of Hamburg. Read a first time, ordered for consideration on Monday, and to be printed.

PETITIONS, &c.

Mr. MONTGOMERY presented the petition of Thomas G. White, of Newberry County, for a renewal of the charter of Island Ford Ferry, in said county. Referred to the Committee on Roads, Bridges and Ferries.

Mr. CAIN presented the petition of the Promptitude Fire Engine Company, of Charleston, for a charter. Referred to the Committee on Incorporations.

Mr. LESLIE presented the petition of Salles Randall, of Barnwell County, recommended by sundry citizens of that county, praying permission to change the location of the Pine Log Road where it intersects the road from Charleston to Aiken, on the South Carolina Railroad, three miles below Aiken, in the County of Barnwell. Referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. ARNIM, the vote by which the Bill to regulate the powers and duties of County Commissioners was referred to the Committee on the Judiciary was reconsidered, the Bill withdrawn from the Committee, and ordered to lie on the table.

Mr. JILLSON called for the report of the Committee on Rules, recommitted to that Committee on Tuesday, the 4th instant.

Mr. ARNIM, Chairman of the Committee on Rules, reported the Committee not ready to submit a report.

On motion of Mr. JILLSON, the Committee on Rules for the government of the Senate was discharged from the further consideration of the report recommitted to them, and the President authorized to appoint a Special Committee of five, to whom the report was referred.

Messrs. Jillson, Hayne, Montgomery, Donaldson and Swails were appointed said Committee.

RESOLUTIONS.

Mr. RANDOLPH introduced the following, and moved its immediate consideration :

Resolved, That the President of the Senate be hereby authorized to issue a writ of election for a Senator from Abbeville County.

Mr. CORBIN moved to amend by the adoption of the following substitute:

Resolved, That the Committee on Elections be instructed to inquire into and report whether a vacancy exists in the representation of Abbeville County in this Senate, and that said Committee be authorized to report by Bill or resolution.

The question was taken on the adoption of the substitute, and decided in the affirmative.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, a Bill to establish a State police.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were duly ratified:

An Act to regulate the manner of keeping and disbursing funds by certain public officers;

An Act to establish a State police.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was recommitted the Bill to incorporate the Home Insurance Company, of Charleston, with instructions to amend the same, reported back the Bill, with a request of the Committee to be discharged from the instructions, and a recommendation that the Bill do pass unamended in accordance with said instructions, for the following reasons:

"The Bill incorporating the proposed insurance company does not differ materially from the charters of honorable companies heretofore incorporated in this State. The future policy holder will have thrown around him, by the provisions of this Bill, all the legal protection proper to guard his interests in the company, with the further guarantee of the historic good faith and honor of the fire insurance institutions of South Carolina. Such is the record of these companies in the past that their bright catalogue presents no instance of dishonor. True, their fortunes have often been wrecked amidst the disasters of great conflagrations, but even with the proud reflection that though all was lost, honor was saved."

Ordered for consideration on Monday.

Mr. MONTGOMERY, from the same Committee, to whom was recommitted the Bill to incorporate the Longshoremen's Protective Union Association, of Charleston, with instructions to incorporate in the Bill more fully the objects of the association, reported back the same, and gave, among other reasons that influenced the Committee in coming to a conclusion in support of the Bill, the following:

“Protective union associations already exist throughout the length and breadth of the land, incorporated under charters of which this Bill is, to all intents and purposes, a copy. It is true that the objects and ends of the association sought to be incorporated are not specifically set forth in the Bill, nor are they ever so set forth in any Acts incorporating similar societies. The Protective Union Association, in its scope, purposes, designs and objects, is the same with kindred associations, wherever established and however incorporated. These associations spring from the best sympathies and purest affections of our nature, and, when guided and directed by the kindly promptings of charity and benevolence, are capable of becoming mutually beneficial in the relief of distress and support of the widow and orphan. The Committee believing that this association is entitled to the favorable legislation of this body, ask to be discharged from their instructions, and recommend that the Bill do pass in its present form.”

Ordered for consideration on Monday.

BILLS INTRODUCED.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. CORBIN, the Senate took up, out of its order, No. 245, being a Bill to define the jurisdiction and duties of County Commissioners.

On motion of Mr. RANDOLPH, the Bill was read by its title, and referred to the Committee on the Judiciary.

On motion of Mr. HOYT, the Senate took up, out of its order, No. 235, being the report of the Committee on Public Buildings on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

The report of the Committee was read.

Mr. WRIGHT moved the adoption of the report, and that the Bill be taken up for a second reading.

Mr. LESLIE moved to amend by the substitute “that the report and Bill be referred to the Committee on the Judiciary.”

The PRESIDENT decided the motion to refer the report of one Standing Committee to another to be out of order.

SPECIAL ORDER.

At 1 P. M. the PRESIDENT announced the Special Order, which was a Bill to prevent discrimination between persons by those carrying on business.

On motion of Mr. HOYT, the consideration of the Special Order was suspended until the question before the Senate was disposed of.

GENERAL ORDERS.

The Senate then resumed the consideration of the Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

On motion of Mr. RANDOLPH, the Bill was recommitted to the Committee on Public Buildings, with instructions to report amendments specifying the powers and duties of the Board of Directors of the State Penitentiary.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order.

The consideration of the Special Order, which was the Bill to prevent discrimination between persons by those carrying on business, was resumed.

The question recurred on the motion of Mr. SWAILS, pending at the hour of adjournment yesterday, to amend the motion of the Senator from Barnwell to refer to the Committee on the Judiciary by adding "to report on Wednesday next."

Mr. DONALDSON moved to amend the amendment by striking out "Wednesday" and inserting "Tuesday."

The amendment to the amendment was accepted by the Senator from Williamsburg.

On the question of agreeing to the amendment of the Senator from Williamsburg to the motion of the Senator from Barnwell, Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Dickson, Donaldson, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph and Swails.—10.

Nays—Messrs. Buck, Corbin, Cain, Foster, Hoyt, Leslie, Reid and Wright.—8.

So the amendment of the Senator from Williamsburg was agreed to.

The question then recurred upon the motion of the Senator from Barnwell, as amended.

Mr. LESLIE withdrew his motion.

Mr. DONALDSON renewed the motion.

Mr. HOYT moved to amend by striking out "Tuesday" and inserting "Saturday next."

The PRESIDENT decided the amendment out of order.

The question was taken on the motion to refer the Bill to the Committee on the Judiciary, with instructions to report on Tuesday next.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Donaldson, Hayne, Jillson, Maxwell, Nash, Randolph and Swails.—7.

Nays—Messrs. Buck, Corbin, Cain, Coghlan, Dickson, Foster, Hoyt, Leslie, Owens, Rainey, Reid and Wright.—12.

So the motion was not agreed to.

Mr. HOYT moved that the Bill be referred to the Committee on the Judiciary, without instructions.

Mr. HAYNE moved to lay the motion of the Senator from Colleton on the table.

The PRESIDENT decided the motion to refer to the Committee on the Judiciary to be out of order.

On motion of Mr. DONALDSON, the Special Order was discharged, and made the Special Order for Wednesday next, at 1 P. M.

SPECIAL ORDER.

The PRESIDENT announced the Special Order for 1:15 P. M., which was the Bill relative to the leasing of the Saluda Turnpike.

Mr. HAYNE moved that the Special Order be discharged, and made the Special Order for Saturday next, at 1 P. M.

The motion was subsequently withdrawn.

The Bill was then taken up, read, and considered by Sections.

On motion of Mr. RANDOLPH, a call of the Senate was ordered.

On motion of Mr. RAINEY, the Senate adjourned at 2:30 P. M.

MONDAY, AUGUST 24, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. LESLIE, the reading of the Journal of Saturday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate, with concurrence in amendments of the Senate, a joint resolution appropriating twenty-five hundred dollars for the fitting up and furnishing a residence for the Governor of the State, which had received three readings in the Senate and three in the House of Representatives. Referred to the Committee on Enrolled Bills.

REPORT OF COMMISSION ON LIABILITIES OF THE STATE, &c.

Mr. ALLEN, on behalf of the Commission, presented the report of the Board of Commission appointed by the Constitutional Convention to inquire into the liabilities and assets of the State.

The report was read, and on motion of Mr. CORBIN, the report, with accompanying exhibits, was referred to the Committee on Finance, and ordered to be printed.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following resolution :

Resolved, That all Bills, reports, resolutions, &c., which are printed, shall have their respective numbers printed on the upper margin of the first page of the same.

Ordered for consideration to-morrow.

REPORTS OF COMMITTEES.

Mr. ROSE, from the Committee on Public Buildings, to whom was recommitted a Bill to provide for the appointment of a Board of Directors of the State Penitentiary, reported back the same, with the recommendation that the Bill do pass, with the following amendments :

1st. That there shall be a Board of Directors consisting of three persons, to be styled the President and Directors of the Penitentiary of the State of South Carolina.

2d. That two of the above Board of Directors shall be elected by the Joint Assembly of the State of South Carolina.

3d. The Governor of the State shall be *ex officio* the President of said Board.

4th. That it shall be the duty of the said Board of Directors to appoint a Warden, and such other officers, guards and overseers as shall, from time to time, be necessary

Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading a Bill to close the operations of the Bank of the State of South Carolina. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 22d instant, at 1 o'clock P. M.:

An Act to regulate the manner of keeping and disbursing of funds by certain public officers ;

An Act to establish a State police.

Mr. LESLIE, from the Committee on the Judiciary, to whom was referred the joint resolution appointing Commissioners to codify and revise the laws of the State, and also a substitute for said joint resolution; entitled "A Bill to provide for the revision and consolidation of the statute laws of the State," reported back the same, with a recommendation that the joint resolution do lie on the table, and that the substitute do pass.

The Bill was read the first time, and ordered for a second reading and consideration to-morrow.

Mr. WHITTEMORE, from the Committee on Finance, to whom was recommended a Bill to fix the salary and regulate the pay of certain officers, with instructions to report amendments, reported back the same, with the scale of salaries recommended by the Committee. Ordered for consideration to-morrow, and to be printed.

NOTICES OF BILLS.

Mr. WRIGHT gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to incorporate the Mission Presbyterian Church, of the city of Charleston.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to organize townships and to define their powers and privileges.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill entitled "A registry Bill for South Carolina;" also,

A Bill to regulate the practice in Justices' Courts.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate the manner of drawing juries.

GENERAL ORDERS.

On motion of Mr. JILLSON, the Senate proceeded to the consideration of the General Orders upon the Calendar.

A resolution relative to the appointment of a Special Committee of inquiry on disloyal organizations, outrages on Union men, &c., was taken up.

Mr. LESLIE moved that the consideration of the resolution be postponed until to-morrow.

Mr. HAYNE moved to amend by striking out the motion to postpone and inserting "that the resolution be adopted."

Mr. LESLIE withdrew the motion to postpone.

Mr. WRIGHT moved to amend by striking out the words "Union men" and inserting the words "all persons," which was agreed to.

Mr. JILLSON moved to amend by inserting the word "all" before the word "outrages," which was agreed to.

Mr. RANDOLPH moved to amend by adding the words "that the Committee be authorized to send for persons and papers."

Mr. LESLIE moved to lay the motion of the Senator from Orangeburg on the table, which was not seconded.

Mr. JILLSON moved that the resolution be referred to the appropriate Committee.

Mr. DONALDSON moved that it be referred to the Committee on Education.

Mr. HAYNE moved to lay the motion of the Senator from Chesterfield on the table.

The motion was not agreed to.

The question was taken on referring the resolution to the Committee on Education, and decided in the affirmative.

SPECIAL ORDER.

Mr. HOYT called for the Special Order.

The PRESIDENT announced the first Special Order, the consideration of which was pending at the hour of adjournment on Saturday, to be the first Section of the Bill relative to the leasing of the Saluda Turnpike, in Greenville County.

On motion of Mr. CORBIN, Section 1 was amended by striking out on the third line of printed Bill all after the words "Saluda Turnpike," to and including the word "year," and inserting "for the term of three years to one or more persons who shall be the highest responsible bidders;" also, by adding the following to the Section: "and notice of the time of leasing the same shall be given for two weeks in the papers published in the County of Greenville."

Mr. WHITTEMORE moved to amend by adding the following: "providing that a uniform rate of toll shall be charged by the leasers."

The amendment was not seconded, and Section 1, as amended, was agreed to.

MESSAGE FROM THE GOVERNOR.

Message No. 5 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows:

STATE OF SOUTH CAROLINA,
 EXECUTIVE DEPARTMENT,
 COLUMBIA, S. C., August 24, 1868.

To the Honorable the President of the Senate :

I have this day approved the following Acts, viz. :

1. An Act to regulate the manner of keeping and disbursing funds by certain officers.
2. An Act to organize the Circuit Courts.
3. An Act to establish a State police.

Very respectfully,

Your obedient servant,

ROBERT K. SCOTT, Governor.

GENERAL ORDERS.

The Senate resumed the consideration of the Bill relative to leasing the Saluda Gap Turnpike.

On motion of Mr. CORBIN, Section 3 was amended by striking out all after the words "shall be," in the second line of printed Bill, and the words "subject to the draft of the State Superintendent of Education, to be by him used for educational purposes," and inserting "paid over to the State Treasurer, to be by him set apart for educational purposes."

The Bill, as amended, was then passed, and ordered to be engrossed for a third reading.

SPECIAL ORDER FOR 1 P. M.

The PRESIDENT announced the next Special Order to be the report of the Committee on Public Lands to establish a Board of Land Commissioners on Public Lands.

On motion of Mr. LESLIE, the Special Order was discharged, and made the Special Order for to-morrow, at 1 P. M.

SPECIAL ORDER FOR 1:30 P. M.

A Bill to re-enact certain Acts lending the name and credit of the State to the Greenville and Columbia Railroad Company, and to validate the action of said company thereunder.

On motion of Mr. SWAILS, the Special Orders were discharged, and the consideration of the Bill postponed until the next regular session of the General Assembly.

On motion of Mr. JILLSON, the second Special Order, being a Bill to provide for the temporary organization of the Educational Department of the State, was discharged, and made the Special Order for Wednesday next, at 2 P. M.

SPECIAL ORDER FOR 2 P. M.

Report of the Committee on Incorporations on a Bill to incorporate the Citizens' Savings Bank of South Carolina.

Mr. HAYNE moved that the Special Order be discharged, and the further consideration of the Bill be postponed until the next regular session of the General Assembly.

Mr. LESLIE moved that the report and Bill be made the Special Order for Saturday next, at 1 P. M.

Mr. HAYNE withdrew the motion to postpone until the regular session of the General Assembly.

Mr. DONALDSON moved to amend the motion of the Senator from Barnwell by striking out "Saturday" and inserting "Thursday," which was not agreed to.

The question was taken upon the motion to postpone the Special Order to Saturday next, at 1 P. M., and decided in the affirmative.

Mr. HAYNES moved that a message be sent to the House of Representatives proposing to go into an election for eight Circuit Judges on Tuesday next, at 12:30 P. M.

Mr. CORBIN moved to amend by striking out "Tuesday," and inserting "Wednesday," which was agreed to.

The question was taken upon the motion, as amended, which was agreed to, and a message sent to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

Mr. JILLSON moved to take up, out of its order, No. 244, being the report of the Committee on Finance on a Bill from the House providing for the assessment and taxation of property.

Mr. CORBIN moved to take up Nos. 247 and 249, being a Bill from the House to authorize a State loan to pay the interest on the public debt, and a Bill from the House to authorize a State loan to redeem the obligations known as Bills Receivable of the State of South Carolina.

Mr. JILLSON withdrew the motion to take up No. 244.

The question was taken upon the motion of the Senator from Charleston, and agreed to.

A Bill to authorize a State loan to pay the interest on the public debt was taken up, read a second time, and, on motion of Mr. JILLSON, considered by Sections.

On motion of Mr. WHITTEMORE, it was

Resolved, That the call of the yeas and nays upon the third reading of any

Bill providing for a loan shall be considered a compliance with the requirements of the Constitution therefor.

The question was then taken on the Bill being engrossed for a third reading, which was decided in the affirmative.

A Bill to authorize a State loan to redeem the obligations known as Bills Receivable of the State of South Carolina was taken up, read a second time, considered by Sections, and ordered to be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate took up, out of its order, No. 226—a Bill for the payment of the per diem and mileage, current expenses, &c., of the General Assembly of South Carolina.

Mr. LESLIE moved to recommit the Bill, with instructions to amend Section 2 by striking out the words "to the value of United States currency at current rates of exchange," and inserting the words "to be paid in Bills Receivable at par."

Mr. LESLIE afterwards withdrew the motion to recommit.

The Bill was then read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. RANDOLPH, No. 222, being a Bill to allow minors and others to recover property, stocks, money, &c., that were converted into Confederate bonds, stocks or money, was taken up out of its order, read by its title, and referred to the Committee on the Judiciary.

Mr. SWAILS moved to take up, out of its order, No. 230, being a Bill to provide for the appointment of Tax Collectors in this State.

Mr. LESLIE moved to amend by striking out the motion to take up No. 230, and to take up in its place No. 244, being a Bill providing for the assessment and taxation of property.

Pending the consideration of this motion, on motion of Mr. HAYNE, the Senate, at 3 P. M., took a recess until 5 P. M.

EVENING SESSION.

The Senate re-assembled at 5 P. M., and was called to order by the PRESIDENT.

The question recurred on the motion to take up No. 230.

Mr. LESLIE moved to amend by striking out No. 230 and inserting No. 244.

The motion to take up No. 230 was withdrawn by the mover.

Mr. RANDOLPH moved to take up No. 237, which was a report of the Committee on Finance on a Bill to fix the amounts of the official bonds of certain county officers.

The motion was not agreed to.

The question was then taken upon the motion to take up No. 244, and decided in the affirmative.

A Bill providing for the assessment and taxation of property was taken up for a second reading, and considered by Sections.

Twenty-three Sections were read and agreed to.

On motion of Mr. WRIGHT, the vote by which Section 22 passed its second reading was reconsidered.

On motion of Mr. CORBIN, Section 22 was amended by striking out on the tenth and thirteenth lines the words "Probate Judge" and inserting the words "Court of General Sessions;" also, on the fourteenth line, by striking out the word "Judge" and inserting the word "Court."

On motion of Mr. ALLEN, the Senate adjourned at 6:20 P. M.

TUESDAY, AUGUST 25, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. LESLIE, the reading of the Journal was dispensed with.

Mr. DONALDSON asked and obtained leave of absence for ten days, on account of sickness in his family.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendments, a Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement. Referred to the Committee on Railroads.

The House sent to the Senate, for concurrence, the report of the Committee on Vacant Offices of the House of Representatives relative to a vacancy in the Board of County Commissioners of Horry County. Referred to the Committee on Elections.

PETITIONS, &c.

Mr. WIMBUSH presented the petition of W. M. Nicholson, of Chester County, praying to be relieved of a double tax. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. MONTGOMERY, from the Committee on Incorporations, to whom was referred the petition of F. Rames, M. Brown, J. Zeller, F. White and others, praying an Act of incorporation for the Promptitude Fire Engine Company, of Charleston, reported back the same, accompanied by a Bill and a recommendation that the same do pass.

The Bill was read a first time, ordered for consideration to-morrow, and to be printed.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to define the jurisdiction and duties of County Commissioners, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following Bills :

A Bill to authorize a State loan to redeem the obligations known as Bills Receivable of the State of South Carolina ;

A Bill to authorize a State loan to pay the interest on the public debt ;

A Bill authorizing the leasing of the Saluda Turnpike, and directing the disposition of the rental money of the same.

On motion of Mr. HAYNE, the Rules were suspended, and the two first named Bills taken up for a third reading.

A Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina was read a third time.

On the question of the passage of the Bill, the yeas and nays were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Rainey, Rutland, Randolph, Wright, Whittemore and Wimbush.—21.

Nays—Messrs. Buck, Bieman, Owens and Reid.—4.

The Bill having passed by the Constitutional two-thirds vote, it was ordered to be returned to the House of Representatives.

A Bill to authorize a State loan to pay the interest on the public debt was read a third time.

On the question of the passage of the Bill, the yeas and nays were ordered, and are as follows :

Yeas—Messrs. Allen, Buck, Corbin, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Rainey, Rutland, Randolph, Wright, Whittemore and Wimbush.—22.

Nays—Messrs. Owens and Reid.—2.

The Bill having passed by a two-thirds vote, was ordered to be returned to the House of Representatives.

The Bill authorizing the leasing of the Saluda Turnpike, and directing

the disposition of the rental money of the same, was ordered for consideration to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., August 25, 1868.

To the Honorable the President and Members of the Senate :

This House concurs in the resolution from the Senate to unite in joint ballot on Wednesday, (to-morrow,) the 26th instant, at 12:30 P. M., for the election of eight Circuit Judges.

Very respectfully,

Your obedient servant,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the case of removal, resignation or death of the Lieutenant-Governor.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate the formation of corporations.

BILLS INTRODUCED.

Mr. WRIGHT, pursuant to notice, introduced

A Bill to incorporate the Mission Presbyterian Church, in the city of Charleston. Read a first time, and ordered for consideration to-morrow.

GENERAL ORDERS.

The PRESIDENT announced as first in order the unfinished business of yesterday, which was the consideration of the Bill providing for the assessment and taxation of property.

On motion of Mr. WHITTEMORE, the further consideration of the unfinished business was suspended, in order to take up and dispose of No. 235 on the Calendar, being the report of the Committee on Finance on a Bill to fix the amounts of the official bonds of certain county officers.

The report was read, the Bill taken up, and, on motion of Mr. WHITTEMORE, considered by Sections.

On motion of Mr. WRIGHT, Section 1 was amended by striking out after the word "County," in the seventh line, the word "five," and inserting the word "ten," so that it will read "of the Coroner of Charleston County, ten thousand dollars."

Mr. HAYNE moved to amend Section 1 by adding to the Section "of the County Treasurer of Charleston County, twenty thousand dollars, and of the County Treasurer of the other counties, ten thousand dollars."

Mr. RANDOLPH moved to amend the amendment by striking out the word "twenty" after the words "Charleston County," and inserting the word "fifty," so that it will read "of the County Treasurer of Charleston, fifty thousand dollars," &c.

Mr. JILLSON moved that the amendment to the amendment be indefinitely postponed.

On division, the vote was yeas, 10; nays, 10.

The PRESIDENT thereupon voted aye, and the motion to indefinitely postpone the amendment of the Senator from Orangeburg was decided in the affirmative.

Mr. WRIGHT desired to be recorded on the Journal on that question as voting "no."

The question was taken upon the amendment of the Senator from Marion, and decided in the affirmative.

Mr. OWENS moved to amend Section 1 by striking out, in the eighth line, the word "two" and inserting "five," so that the clause will read "of the Coroner of each of the other counties, five thousand dollars."

On motion of Mr. NASH, the amendment was laid on the table.

Mr. RANDOLPH moved to amend on the eleventh line by striking out the word "five," so that it will read "of the Sheriff of Charleston County, twenty thousand dollars."

The amendment was not agreed to.

Mr. NASH moved to amend by adding to the Section "of the Tax Collector of Charleston County, twenty thousand dollars."

The amendment was subsequently withdrawn by the mover, and the Section, as amended, was agreed to.

The remaining Section was then read a second time, and the Bill ordered to be engrossed for a third reading.

Mr. SWAILS gave notice that on the third reading of the Bill to fix the amounts of the official bonds of certain county officers, he will move to strike out the words commencing on the twelfth line, to-wit: "County Treasurer of Charleston County, \$20,000, and each of the other County Treasurers, \$10,000."

SPECIAL ORDER.

Mr. RANDOLPH called for the Special Order, which was the report of

Committee on Public Lands to establish a Board of Land Commissioners on Public Lands, &c.

Mr. WHITEMORE moved that the Special Order be suspended until after the consideration and disposal of the Bill providing for the assessment and taxation of property.

Mr. RANDOLPH moved that the Senate take a recess daily, and that the consideration of the tax Bill be made the Special Order for evening sessions until disposed of.

On motion of Mr. LESLIE, the motion of the Senator from Orangeburg was laid on the table.

The question was then taken on the motion of the Senator from Darlington to take up the unfinished business, being the Bill providing for the assessment and taxation of property.

The Senate resumed the second reading of the Bill, commencing with Section 24.

On motion of Mr. CORBIN, Section 55 was amended by inserting, on the fifteenth line, between the words "to" and "any," the words "or receive," and by striking out on the sixteenth and seventeenth lines the words "nor shall he receive any compensation for his services until he takes and subscribes the oath," and after the word "nor" the words "shall receive any compensation."

The several Sections to and including Section 59 were read a second time.

On motion of Mr. CORBIN, the consideration of Section 59 was suspended.

On motion of Mr. RANDOLPH, the Rules were suspended for the purpose of submitting a report from the Committee on Enrolled Acts.

Mr. RANDOLPH, from the Committee on Enrolled Acts, reported the following as enrolled, sealed, and ready for ratification :

An Act to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned ;"

A joint resolution to fit up and furnish a residence for the Governor.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate for the purpose of assisting in the ratification of the above Act.

On motion of Mr. JILLSON, the Senate, at 3 P. M., took a recess until 5 P. M.

EVENING SESSION.

The Senate re-assembled at 5 P. M., and was called to order by the PRESIDENT.

The consideration of the Bill providing for the assessment and taxation of property was resumed.

On motion of Mr. WHITTEMORE, Section 59 was amended by inserting in the twelfth line, between the words "of" and "Districts," the word "said," and by striking out after the word "Districts," on the twelfth line, the remainder of the Section.

On motion of Mr. LESLIE, Section 61 was stricken out.

The several Sections to and inclusive of Section 69 was read.

On motion of Mr. CORBIN, the vote whereby Section 65 was agreed to was reconsidered.

Section 65 was amended by striking out in the fifth line the words "fifteenth day of November," and inserting the words "second Monday in December."

The Section, as amended, was then agreed to.

On motion of Mr. WHITTEMORE, the vote whereby Section 67 was agreed to was reconsidered, and the Section amended by striking out in the fourteenth line the word "fifth" and inserting the words "second Monday."

Section 68, on motion of Mr. WHITTEMORE, was amended in the fifth line by striking out the words "fifteenth day of November," and inserting the words "second Monday in December."

Section 69, on motion of Mr. WHITTEMORE, was amended in the fifth line by striking out the words "twentieth day of November," and inserting the words "first Monday of December."

Mr. RANDOLPH moved a reconsideration of the vote by which Section 68 was agreed to.

The motion to reconsider was not agreed to.

Section 70 was amended in the twenty-seventh line by striking out the word "sixth" and inserting the word "fifth."

Section 72, on motion of Mr. WHITTEMORE, was amended in the fourteenth line by striking out the words "fifteenth day of December," and inserting the words "first day of January."

Section 73 was read a second time and agreed to.

On motion of Mr. ALLEN, the Senate adjourned at 6:20 P. M.

WEDNESDAY, AUGUST 26, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence,

A resolution requiring a report from the commission appointed by the Convention to inquire into the liabilities and financial condition of the State ; also,

The report of the Joint Committee of Conference on Joint Rules of both Houses.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate for a suspension of the Rules to introduce, without previous notice, as a substitute for the Bill to prevent discrimination between persons carrying on business under license, &c.,

A Bill to protect all persons in the State in their civil rights, and furnish the means of vindication.

The Bill was read a first time, ordered for a second reading to-morrow, and to be printed.

Mr. CORBIN also asked and obtained unanimous consent for a suspension of the Rules to introduce, without previous notice,

A Bill to provide a Chief Clerk for the Treasurer of the State.

The Bill was read a first time, ordered for a second reading to-morrow, and to be printed.

Mr. BIEMAN asked and obtained the unanimous consent of the Senate for a suspension of the Rules to introduce, without previous notice,

A Bill to regulate the distillation of spirituous liquors.

The Bill was read the first time, ordered for a second reading to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following :

An Act to authorize a State loan to pay the interest on the public debt ;

An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were duly ratified :

An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina ;

An Act to authorize a State loan to pay the interest on the public debt;
 An Act to alter and amend an Act entitled "An Act to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned;"

A joint resolution to fit up and furnish a residence for the Governor.

JOINT ASSEMBLY.

At 12:30 P. M., pursuant to previous orders, the Senate proceeded to the hall of the House of Representatives, and joined that body in voting for eight Circuit Judges of the State of South Carolina.

The PRESIDENT of the Senate took the chair, and announced that the Joint Assembly would proceed to an election, *visa voce*, for a Judge for the first Circuit, comprising the Counties of Charleston and Orangeburg.

FIRST CIRCUIT.

Mr. TOMLINSON nominated Mr. David T. Corbin.

SENATE.

Those who voted for Mr. D. T. Corbin are :

Messrs. Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Reid, Rose, Swails, Wright, Whittemore and Wimbush.—22.

Mr. Foster voted for Mr. John Phillips.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. D. T. Corbin are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bosemon Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, Henry Johnson, Griffin Johnson, Jackson, Jacobs, Henry James, Jones, Kuh, Lomax, George Lee, S. J. Lee, Lang, Mayer, William McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Predegrass, Pettengill, Ransier, Richardson, Root, Rush, Rivers, Stoerber, Stolbraud, Abraham Smith, Saunders, Shrewsbury, Smythe, Sasportas, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Whipper, White, Wright and Webb.—90.

Those who voted for Mr. B. F. Dunkin are :

Messrs. Moore, Sloan, Stewart, Turner, Wilson and Waller.—6.

Mr. Jervey voted for Mr. Platt.

Mr. Wooley voted for Mr. Moore.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. D. T. Corbin received.....	112
Mr. B. F. Drankin.....	6
Mr. James P. Moore.....	1
Mr. Zephaniah Platt.....	1
Mr. John Phillips.....	1

Whole number of votes given.....121

Necessary to a choice..... 61

The PRESIDENT declared Mr. D. T. Corbin, having received a majority of the whole number of votes given, duly elected Judge of the first Circuit of the State of South Carolina.

SECOND CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge of the second Circuit, comprising the Counties of Beaufort, Colleton, Barawell and Edgefield.

Mr. ELLIOTT nominated Mr. Zephaniah Platt.

SENATE.

Those who voted for Mr. Zephaniah Platt are :

Messrs. Allen, Coghlan, Duncan, Hoyt, Hayne, Jillson, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Rose, Wright, Whittemore and Wimbush.—16.

Those who voted for Mr. John Maher are :

Messrs. Buck, Bieman, Foster and Leslie.—4.

Those who voted for Mr. Munro are :

Messrs. Cain, Dickson and Reid —3.

Mr. Hayes voted for Mr. C. B. Farmer.

Mr. Swails voted for Mr. C. P. Leslie.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Zephaniah Platt are :

Messrs. Bosemon, Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson,

G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Lang, Mayer, Wm. McKinlay, Mickey, McDaniels, Milford, Mead, Miller, Nash, Nuckles, Ncagle, Porvis, Perrin, Prendegrass, Pettengill, Rancier, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, Shrewsbury, Saunders, Smythe, Sasportas, Simons, Smiley, Scott, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—85.

Those who voted for Mr. A. P. Aldrich are :

Messrs. Moore, Sloan, Stewart, R. M. Smith, Turner, Wilson and Walker.—7.

Mr. W. J. McKinlay voted for Mr. Whaley.

Mr. McIntyre voted for Mr. C. B. Farmer.

Mr. Mobley voted for Mr. W. J. Whipper.

Mr. O'Connell voted for Mr. G. W. Williams.

Mr. A. Smith voted for Mr. R. H. Cain.

Mr. B. A. Thompson voted for Mr. J. M. Rutland.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. Zephaniah Platt received.....	101
Mr. A. P. Aldrich	7
Mr. William Munro.....	3
Mr. John Maher.....	4
Mr. C. B. Farmer.....	2
Mr. C. P. Leslie.....	1
Mr. William Whaley.....	1
Mr. J. M. Rutland.....	1
Mr. W. J. Whipper.....	1
Mr. R. H. Cain.....	1
Mr. G. W. Williams	1

Whole number of votes given..... 123

Necessary to a choice..... 62

The PRESIDENT declared Mr. Zephaniah Platt, having received a majority of the whole number of votes given, duly elected Judge of the second Circuit of the State of South Carolina.

THIRD CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge of the third Circuit, comprising the Counties of Sumter, Clarendon, Williamsburg and Horry.

Mr. FERITER nominated Mr. John T. Green, of Sumter.

SENATE.

Those who voted for Mr. John T. Green are:

Messrs. Allen, Buck, Bieman, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jilison, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Rose, Swails, Wright, Whittemore and Wimbush.—23

Mr. Foster voted for Mr. J. T. Walsh.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. John T. Green are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, Duvall, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, G. Lee, S. J. Lee, Mayer, W. McKinlay, Mickey, McDaniels, Moore, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, Purvis, Perrin, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stewart, Stolbrand, A. Smith, Saunders, Smythe, Sasportas, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Tinsley, Wilson, Wilder, Wooley, Whipper, White, Wright and Webb.—85.

Those who voted for Mr. J. T. Walsh are :

Messrs. Sloan, Turner and Waller.—3.

Mr. McIntyre voted for Mr. C. B. Farmer.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. John T. Green received.....	108
Mr. J. T. Walsh.....	4
Mr. C. B. Farmer.....	1
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Whole number of votes given.....	113
Necessary to a choice.....	57

The PRESIDENT declared Mr. J. T. Green, having the majority of the whole number of votes given, duly elected Judge of the third Circuit of the State of South Carolina.

FOURTH CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge for the fourth Circuit, comprising the Counties of Chesterfield, Marlboro, Marion, Darlington and Kotshaw.

Mr. MAXWELL nominated Mr. James M. Rutland, of Fairfield County.
Mr. BIEMAN nominated Mr. T. W. Allen.

SENATE.

Those who voted for Mr. J. M. Rutland are :

Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Durcan, Hoyt, Hayes, Hayne, Jibson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rose, Swails, Wright, Whittmore and Wimbush.—21.

Those who voted for Mr. T. W. Allen are :

Messrs. Buck, Bieman and Foster.—3.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. J. M. Rutland are :

lion. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Drifflie, Duvall, DeMar, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, Jenks, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Mayer, W. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stolbrand, A. Smith, Saunders, Shrewsbury, Smythe, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilder, Wooley, Whipper, White, Wright and Webb.—89.

Those who voted for Mr. T. W. Allen are :

Messrs. Turner, Wilson and Waller.—3.

Those who voted for Mr. J. P. Carroll are :

Messrs. Sloan, Stewart and R. M. Smith.—3.

Mr. Stoeber voted for Mr. T. E. Dudley.

Mr. Moore voted for Mr. B. F. Perry.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. James M. Rutland received.....	110
Mr. T. W. Allen.....	6
Mr. J. P. Carroll.....	3
Mr. B. F. Perry.....	1
Mr. T. E. Dudley.....	1
Whole number of votes given.....	121
Necessary to a choice.....	61

The PRESIDENT declared Mr. James M. Rutland, having received the majority of the whole number of votes given, duly elected Judge of the fourth Circuit of the State of South Carolina.

FIFTH CIRCUIT.

The Joint Assembly then proceeded to vote, *viva voce*, for Judge for the fifth Circuit, comprising the Counties of Fairfield, Richland, Newberry and Lexington.

Mr. CORBIN took the chair.

Mr. HAYNE nominated Mr. Lemuel Boozer.

SENATE.

Those who voted for Mr. Lemuel Boozer are :

Messrs. Allen, Buck, Corbin, Cain, Coghlan, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Nash, Owens, Rainey, Rutland, Reid, Rose, Swails, Wright, Whittemore and Wimbush.—25.

Mr. Bieman voted for Mr. T. W. Glover.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Lemuel Boozer are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brodie, Brown, Burton, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffle, DeMars, Elliott, Ezekiel, Feriter, Farr, Gray, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jervey, Jones, Kuh, Lomax, G. Lee, S. J. Lee, Lang, Wm. McKinlay, W. J. McKinlay, Mickey, McIntyre, McDaniels, Mobley, Milford, Mays, Mead, Miller, Nash, Nuckles, Neagle, O'Connell, Purvis, Perrin, Prendegrass, Pettengill, Richardson, Root, Rush, Rivers, Stoeber, Stolbrand, A. Smith, Saunders, Smythe, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Thomas, Tinsley, Wilson, Wilder, Waller, Wooley, Whipper, White, Wright and Webb.—89

Those who voted for Mr. J. P. Carroll are :

Messrs. Moore, Stewart and Turner.—3.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. Lemuel Boozer received.....	114
Mr. J. P. Carroll	3
Mr. T. W. Glover.....	1
Whole number of votes given.....	118
Necessary to a choice.....	60

The PRESIDENT *pro tem.* declared Mr. Lemuel Boozer, having received a majority of the whole number of votes given, duly elected Judge of the fifth Circuit.

SIXTH CIRCUIT.

The Joint Assembly then proceeded to vote, *sua voce*, for Judge for the sixth Circuit, comprising the Counties of Chester, Lancaster, Union and York.

Mr. ROSE nominated Mr. G. W. Williams, of York.

SENATE

Those who voted for Mr. G. W. Williams are :

Messrs. Allen, Buck, Bieman, Corbin, Cain, Dickson, Duncan, Foster, Hoyt, Hayes, Hayne, Jillson, Leslie, Nash, Rainey, Rutland, Reid, Rose, Swails, Whittemore and Wimbush.—21.

Mr. Coghlan voted for Mr. J. J. Wright.

Mr. Maxwell voted for Mr. John M. Langston.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. Geo. W. Williams are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brown, Burton, John Boston, Joseph Boston, Boswell, E. J. Cain, Cooke, DeLarge, Dusenberry, Duvall, DeMars, Ezekiel, Gardner, Hayes, C. D. Hayne, J. N. Hayne, Humphries, Hutson, Henderson, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Jones, Lomax, W. J. McKinlay, McDaniels, Moore, Milford, Miller, Nash, Nuckles, Neagle, O'Connell, Prendegrass, Pettengill, Root, Rush, Stewart, Stoeber, A. Smith, R. M. Smith, Saunders, Smythe, Simons, Smiley, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, Wooley, White and Webb.—62.

Those who voted for Mr. J. J. Wright are :

Messrs. Jervey, Mobley, Perrin, Richardson, Thomas, Whipper and Wright.—7.

Those who voted for Mr. W. J. Whipper are :

Messrs. Chestnut, Driffle, Purvis and Stolbrand.—4.

Those who voted for Mr. Fleming are :

Messrs. Holliman, Harris and Lang.—3.

Mr. Mays voted for Mr. B. F. Randolph.

Mr. Rivers voted for Mr. Levi Hill.

Mr. Tinsley voted for Mr. W. R. Hoyt.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. G. W. Williams received	83
Mr. J. J. Wright.....	8
Mr. W. J. Whipper.....	4
Mr. J. J. Fleming.....	3
Mr. J. M. Langston	1
Mr. W. R. Hoyt.....	1
Mr. R. H. Cain	1
Mr. B. F. Randolph.....	1
Mr. Levi Hill.....	1
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Whole number of votes given.....	103
Necessary to a choice.....	52

The PRESIDENT declared Mr. G. W. Williams, having received a majority of the whole number of votes given, duly elected Judge of the sixth Circuit of the State of South Carolina.

SEVENTH CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge of the seventh Circuit, comprising the Counties of Abbeville, Laurens and Spartanburg.

- Mr. OWENS nominated Mr. T. O. P. Vernon, of Spartanburg County.
- Mr. TINSLEY nominated Mr. W. M. Thomas.
- Mr. LESLIE nominated Mr. James P. Moore.

SENATE.

Those who voted for Mr. Vernon are :

Messrs. Buck, Bieman, Corbin, Cain, Coghlan, Dickson, Duncan, Hayes, Hayne, Nash, Owens, Rutland, Reid, Rose, Swails, Wright and Whittemore.—17.

Those who voted for Mr. W. M. Thomas are :

Messrs. Hoyt and Wimbush.—2.

Mr. Foster voted for Mr. B. F. Dunkin.

Mr. Jillson voted for Mr. James P. Moore.

Mr. Leslie voted for Mr. B. F. Perry.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. T. O. P. Vernon are :

Hon. F. J. Moses, Jr., Speaker, and Messrs. Bennett, Brown, John Boston, Joseph Boston, Boswell, L. Cain, E. J. Cain, Collins, Chestnut, DeLarge, Dusenberry, DeMars, Ezckiel, Gardner, Hayes, Humphries, Holliman, Hutson, Henderson, Harris, Hyde, D. J. J. Johnson, H. Johnson, G. Johnson, Jackson, Jacobs, H. James, Kuh, Lomax, S. J. Lee, Lang,

Mayer, W. J. McKinlay, McDaniels, Moore, Milford, Mead, Nash, Neckles, Neagle, Purvis, Perrin, Prendegrass, Richardson, Root, Rush, Stewart, Stoeber, R. M. Smith, Saunders, Smythe, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, Wooley and Wright.—63

Those who voted for Mr. W. J. Whipper are :

Messrs. Dennis, Drifflie, Duvall, Elliott, Gray, Jenks, Jervey, Jones, Mickey, Mobley, Mays, Miller, White and Webb.—14.

Those who voted for Mr. W. M. Thomas are :

Messrs. Cooke, Stolbrand and Tinsley.—3.

Mr. C. D. Hayne voted for Mr. R. C. DeLarge.

Mr. J. N. Hayne voted for Mr. J. P. Moore.

Mr. McIntyre voted for Mr. J. J. Fleming.

Mr. Pettengill voted for Mr. S. Saunders.

Mr. Rivers voted for Mr. J. J. Wright.

Mr. A. Smith voted for Mr. J. H. Rainey.

Mr. Thomas voted for Mr. W. B. Nash.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. T. O. P. Vernon received.....	80
Mr. W. J. Whipper.....	14
Mr. W. M. Thomas.....	5
Mr. B. F. Dunkin.....	1
Mr. B. F. Perry.....	1
Mr. J. J. Fleming.....	1
Mr. R. C. DeLarge.....	1
Mr. J. H. Rainey.....	1
Mr. W. B. Nash.....	1
Mr. S. Saunders.....	1
Mr. James P. Moore.....	2
Mr. J. J. Wright.....	1
Whole number of votes given.....	109
Necessary to a choice.....	55

The PRESIDENT declared Mr. T. O. P. Vernon, having received a majority of the whole number of votes given, duly elected Judge of the seventh Circuit of the State of South Carolina.

• EIGHTH CIRCUIT.

The Joint Assembly proceeded to vote, *viva voce*, for Judge for the eighth Circuit, comprising the Counties of Greenville, Anderson, Oconee and Pickens.

Mr. DELARGE nominated Ex Governor James L. Orr.

Mr. CAIN nominated Mr. J. J. Wright.

Mr. MILLER nominated Mr. W. J. Whipper.

Mr. HOYT nominated Mr. Murray.

Messrs. Wright and Whipper declined the nomination.

SENATE.

Those who voted for James L. Orr are :

Messrs. Buck, Bieman, Coghlan, Dickson, Duncan, Foster, Hayes, Hayne, Jillson, Leslie, Maxwell, Nash, Rainey, Rutland, Reid, Wright and Whittemore.—17.

Those who voted for Mr. Murray are :

Messrs. Cain, Owens and Wimbush.—3.

Mr. Hoyt voted for Mr. C. G. Memminger.

Mr. Swails voted for Mr. C. Wingo.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. James L. Orr are :

Hon. F. J. Moses, Jr, Speaker, and Messrs. Bennett, Boswell, Cooke, Collins, Chestnut, DeLarge, Dennis, Dusenberry, Driffler, DeMars, Ezekiel, Gray, C. D. Hayne, J. N. Hayne, D. J. J. Johnson, Jacobs, Jervey, Kuh, Lomax, Lang, Mayer, W. J. McKinlay, Moore, Mead, Miller, Nash, Nengle, O'Connell, Pettengill, Rush, Stewart, Stoeber, Abraham Smith, R. M. Smith, Saunders, Smythe, Simons, Scott, B. A. Thompson, S. B. Thompson, Tomlinson, Turner, Wilson, Wilder, Waller, White and Wright.—48.

Those who voted for Mr. Murray are :

Messrs. John Boston, L. Cain, E. J. Cain, Duvall, Feriter, Farr, Gardner, Hayes, Humphries, Harris, Hyde, Jackson, H. James, S. J. Lee, McIntyre, Mickey, Milford, Nuckles, Richardson, Root, Rivers and Tinsley.—22.

Those who voted for Mr. R. H. Cain are :

Messrs. Bosemon, McDaniels, Purvis and Thomas.—4.

Those who voted for Mr. Y. J. Pope are :

Messrs. Joseph Boston and Hutson.—2.

Mr. Brown voted for Mr. C. J. Stolbrand.

Mr. Whipper voted for Mr. C. P. Leslie.

Mr. Perrin voted for Mr. Y. J. P. Owens.

Mr. Mobley voted for Mr. J. J. Wright.

Mr. Mays voted for Mr. B. M. Dix.

Mr. Prendegrass voted for Mr. W. J. Whipper.

Mr. Henry Johnson voted for Mr. S. B. Thompson

Mr. Wooley voted for Mr. Wade Hampton.

Mr. Sloan voted for Mr. W. Munro.

Upon aggregating the votes, the PRESIDENT announced the following as the result :

Mr. James L. Orr received.....	65
Mr. Murray.....	25
Mr. R. H. Cain.....	4
Mr. Y. J. Pope.....	2
Mr. C. P. Leslie.....	1
Mr. Y. J. P. Owens.....	1
Mr. C. J. Stolbrand.....	1
Mr. W. Munro.....	1
Mr. W. J. Whipper.....	1
Mr. S. B. Thompson.....	1
Mr. B. M. Dix.....	1
Mr. J. J. Wright.....	1
Mr. C. G. Memminger.....	1
Mr. C. Wingo.....	1
Mr. Wade Hampton.....	1
<hr/>	
Whole number of votes given.....	107
Necessary to a choice.....	54

The PRESIDENT declared Mr. James L. Orr, having received a majority of the whole number of votes given, duly elected Judge of the eighth Circuit of the State of South Carolina.

The Senate returned to the Senate House, and, on motion of Mr. ALLEN, adjourned at 2:45 P. M.

THURSDAY, AUGUST 27, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read so much of the Journal of yesterday as related to the regular proceedings of the Senate.

On motion of Mr. JILLSON, by unanimous consent of the Senate, the reading of so much of the Journal as related to the proceedings of the Joint Assembly was dispensed with.

REPORTS FROM COMMITTEES, &c.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of William M. Nicholson, of Chester County, praying to be relieved from an execution now in force against him for double tax, reported back the same, with a recommendation, as no receipts of the payment to the proper officer of said taxes which petitioner claims to have paid accompanies the petition, and as the whole matter lies between the petitioner and the Tax Collector, which can be settled by legal process, that the Committee be discharged from the further consideration of the petition, and that it be ordered to lie on the table.

The report was considered immediately, the Committee discharged, and the petition ordered to lie on the table.

Mr. WRIGHT, from the Committee on Elections, to whom was referred the report of the Committee on Vacant Offices of the House of Representatives relative to vacancies in the Board of County Commissioners of Horry County, reported back the same, with a recommendation that said vacancies be filled by appointment by the Governor, as provided by a Bill to regulate the tenure of office, &c. Ordered for consideration to-morrow.

Mr. JILLSON, from the Special Committee of five on the report of the Special Committee appointed to report Rules for the government of the Senate, reported back a substitute, with a recommendation that the substitute do pass.

Mr. JILLSON moved that the report, together with the report of the Committee of Conference on Joint Rules of both Houses, be printed, and made the Special Order for 1 P. M. to-morrow.

The question being taken on the motion to print and make the report Special Order, a division was requested, when the vote stood yeas, 8; nays, 12.

The motion was therefore decided in the negative.

On motion of Mr. CORBIN, the report was ordered to be placed in the General Orders, and to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to fix the amounts of the official bonds of certain county officers. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts having been enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 27th instant, at 10 A. M.:

An Act to alter and amend an Act entitled "An Act to amend the charter of the city of Charleston, and for other purposes;"

A joint resolution to fit up and furnish a residence for the Governor.

Mr. JILLSON, from the Committee on Education, to whom was referred a resolution calling for the appointment of a Special Committee of five on the investigation of outrages, reported back a substitute, with a recommendation that said substitute do pass. Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. DICKSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to charter the Camden and Charlotte Railroad Company.

GENERAL ORDERS.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of the General Orders.

The second reading and consideration of the Bill providing for the assessment and taxation of property was resumed, commencing with Section 73.

On motion of Mr. WHITTEMORE, the vote whereby Section 69 passed its second reading was reconsidered, and the Section amended by striking out in the eighth line the word "sixth" and inserting the word "fifth"

Section 75 was amended in the eighteenth line by striking out the words "first" and "December," and inserting in lieu thereof the words "fifteenth" and "January."

Section 78 was amended by striking from the fifth and eighth lines the words "dividing the aggregate therefrom into two equal parts."

MESSAGE FROM THE GOVERNOR.

Message No. 6 from His Excellency the Governor was announced, and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

Gentlemen of the Senate and House of Representatives :

In my Inaugural Message, I expressed the intention of submitting to your honorable body a plan for the early completion of the Blue Ridge Railroad.

In accordance therewith, I now invite your earnest consideration of the subject, and invoke such action by you as shall speedily achieve this great result.

For more than forty years the importance of uniting the West with the South Atlantic Coast has been urged by the leading intellects of the country ; and many of the railroads constructed during that period, on both sides of the mountains, have been built with a view to their direct or tributary con-

nection with this great national highway.] Roads from Branchville to Columbia, from Columbia to Greenville, Abbeville and Anderson, from Columbia to Spartanburg, from Columbia to Charlotte, and from Charlotte to Statesville, Morganton and Asheville, and the several roads extending from Cincinnati and Louisville towards Knoxville, and from Knoxville towards the Blue Ridge, are all but the off-shoots of this great enterprise. [Even as early as 1836, when delegates from nine States assembled in a railroad convention at Knoxville, it was declared to be the most magnificent and important public work projected in our country.]

After mature deliberation, and a critical survey by the most distinguished engineers, it was decided to locate the route between Anderson, S. C., and Knoxville, Tenn., the distance being only 195 miles. The total cost of the undertaking, it was estimated by Col. Gwin, the Chief Engineer in 1860, would not exceed \$7,575,677. [The work was commenced under the most favorable auspices, and energetically pressed forward until 1860, when operations were suspended by the war.] At this time, thirty-four miles of the road had been completed and were in running order. Much of the grading and masonry in the remaining territory of South Carolina, Georgia and North Carolina was also finished, so that the work may now be said to be more than half completed. In this connection it is proper to state that the grading in South Carolina alone is nearly equal to the whole grading in North Carolina and Tennessee; the bridge and arch masonry in South Carolina is nearly equal to all the bridge and arch masonry of the remainder of the road; while the tunnels in South Carolina exceed nearly all the tunnelling on the rest of the line.

[The sum expended upon this gigantic work is \$3,287,250—about half the estimated cost of the whole road, and there has been incurred a debt of only two hundred and thirty thousand dollars, beside interest, which is secured by an issue of first mortgage bonds. The State has subscribed and paid in State bonds \$1,310,000. The city of Charleston has subscribed and paid in City Scrip \$1,049,000; so that the State and city are interested in the fortunes of the road to the amount of about \$3,000,000. This estimate includes unpaid interest which has accrued upon the bonds. The Railroad Company likewise own 70,000 acres of land, and have the promise, from citizens living along the route, of 300,000 acres more as soon as the work is resumed. This land will, on its completion, become very valuable. Is it wise financial policy for the State, by withholding the further aid required, to hazard a sale of the assets of the road by the trustees under the first mortgage bonds, and permit some rival enterprise to enjoy the benefit so nearly within our reach?

The advantages of the Blue Ridge Road over any other that has been projected are manifest.

1st. It is the shortest line through the mountains from the Seaboard to the Ohio River. It must, therefore, always command both trade and travel. The great West exports corn, wheat, flour, bacon, lard, tobacco, whiskey, lime, salt, mules and cattle. These find an outlet through New York and Baltimore on the one side, and Mobile and New Orleans on the other. At the present time bacon may be found in Anderson which was shipped from Cincinnati to Wheeling, thence to Baltimore, thence to Charleston, and thence to the interior—a distance of more than fifteen hundred miles. Were the Blue Ridge Railroad completed, the distance from Anderson to Knoxville would be only one hundred and ninety-five miles, and from Knoxville to Cincinnati less than three hundred miles, making a total of three hundred and ninety-five miles, and saving in travel and expense one thousand miles. To illustrate this item of expense, corn which in Columbia before the war cost one dollar a bushel, could be bought just across the mountains in Tennessee for twenty cents.

2d. During the winter months, Northern roads are frequently obstructed by snow, and business is seriously interrupted. At no time is such a casualty likely to occur in the softer climate of these Southern States. Our ports will always be an outlet through which the West can supply the markets of the world, and receive in return not only the wealth of distant peoples, but the rice and cotton of our own fertile fields. Terminating, as the road will, upon our coast at Charleston and Port Royal, it has a further material advantage over those lines which terminate upon the Gulf of Mexico. Here the freighted ship may proceed direct to sea. There she must round the capes of Florida, and encounter the increased difficulties and dangers of navigation, consuming time, and swelling the cost of transportation and insurance.

3d. The Blue Ridge Railroad passes through a country rich in resources of every kind. The soil is of unequalled fertility and adapted to nearly all profitable species of agriculture. Gold, silver, iron, coal and copper mines abound, and only wait to be tapped by the hand of industry to add their vast stores to the wealth of the nation. Employment may thus be furnished to thousands of sturdy laborers from every portion of Christendom; emigration will be encouraged; hitherto unsettled country will be opened to enterprise; our water courses will be peopled; manufactories will rear their pleasant shapes; villages will expand into towns and towns into cities; business will thrive and its pursuits become more diversified; and, in short, the whole State will feel the pulses of a new life throbbing through this great artery of trade.

4th. The Blue Ridge Railroad will be the feeder of every other Railroad in South Carolina; and a large and remunerative local business must supersede the present stagnation. Charleston and Columbia, as commercial cen-

ties of the State. are not only to be benefited, but Port Royal, with its best harbor on the Atlantic coast between Pensacola and the Chesapeake, must become a railroad centre from which imports will be distributed to the North, West and South, a harbor wherein ships will likewise be gathered from every quarter of the world, to receive at that terminus of this great highway the freight which the West and South would exchange for the products of the old world, and the East and West Indies. It is well known to commercial men that during the winter season, the price of transportation to points north of Cape Hatteras is nearly double that paid on shipments to Southern ports.

[5th. The building of the Blue Ridge Railroad is of vast military and political importance to the Union. Aside from the sympathy naturally existing between agricultural sections like the West and the South, and strengthened as it must be by all the ties of trade, the necessity of a great air line across the Continent in this direction, with Charleston and Port Royal for its objective points, is too great to be ignored by the General Government, and I feel confident that Congress will give its earnest consideration to an enterprise which may add so much to the military and postal facilities of the country.] Such a Western connection across the mountains has always been regarded as a political and military necessity, scarcely less important than the commercial wealth and prosperity that would result from the construction of the road.

This was the view taken even during the administration of Mr. Munroe, when his Secretary of War had a survey made through the identical gap in the mountains through which the Blue Ridge Railroad will pass, with the intention of cutting a canal between the head waters of the Savannah and Tennessee Rivers, before the day of railroads.

In the event of a foreign war it would be of vital importance to the Government to have a naval station at Port Royal, where there is depth of water and room abundant to float the largest fleets of the world. From this point to Cincinnati is almost an air line, and the shortest route to the great heart of the nation.

Such are some of the benefits which must accrue to the State and country from the construction of this great thoroughfare. Upon you, as legislators, depends the completion of the work. You may render aid which in sixty or ninety days will permit operations upon the road to be resumed, and once resumed, we may confidently look for encouragement to the capitalists of the country, if not to the public treasury itself. But whatever is done by you should be done promptly. Georgia and North Carolina are surrounding us with a network of railroads, the object of which is to divert both trade and travel from our midst. They are our competitors for Western commerce, and if we are idle they will succeed. Virginia has loaned her credit to en-

courage railroad enterprises to the extent of \$12,000,000; Georgia has expended more than \$5,000,000 upon her State Road alone; North Carolina nine millions, and Tennessee, to concentrate trade within her borders, has granted near thirty millions of dollars in guarantee of the bonds of various railroads. South Carolina has also been liberal in the past; and yet with all her liberality her credit has been so sacredly guarded, *that her bonded debt at this time (exclusive of the war debt) amounts to only \$5,407,215.* The interest in arrears and due on this sum on the 1st of January, 1869, will be only \$564,136. This is exclusive of the Bills Receivable authorized by the Act of 1865, not more than \$300,000 of which are likely to go into general circulation. To meet these liabilities of the State, namely the accumulated interest, and to redeem the Bills Receivable, the Legislature has authorized a loan of \$1,500,000. It will thus be seen that the total bonded debt of the State on the 1st of January next, after the payment of interest due, and the redemption of the Bills Receivable—assuming that the loan of \$1,500,000 recently authorized is all put upon the market, which is not likely to be the case—will be the comparatively *small sum of \$6,907,215.*

With a basis of \$300,000,000 in real and personal property, subject to taxation, it is evident that with an assessment of only three mills upon the dollar, the interest annually accruing upon the above debt, together with the current expenses of the State, may be promptly met. When it is remembered that new and valuable enterprises are being developed—that capitalists from the North and West are seeking profitable investments in South Carolina; that our lands are being cultivated under an improved system of agriculture which promises to yield more abundant results than heretofore; that the recent discovery of phosphate beds along the coast has opened a new mine of wealth which has already enhanced the value of surrounding property; that an industrious and laboring population are preparing to come hither from various portions of the country, bringing new strength and energy; that manufacturers from the North are turning their attention to the magnificent water power which abounds in almost every portion of the State, and to the extraordinary facilities whereby cotton is manufactured fifteen per cent cheaper than at the North; that new railroads are being projected and there is promise of increased facilities for trade; that the completion of this Blue Ridge Railroad will of itself, open a channel of wealth, the grand results of which no human being can fully estimate—when all these facts are brought into review, we cannot but look with hopeful eyes upon the future, and realize that South Carolina sets forth in her race of progress with advantages superior to those of any of her sister Southern States.

Having thus described the character of the road, its importance to every

interest in the State and country, and made an exhibit of the financial condition of the State, and its resources, which demonstrate your ability to grant further aid to the undertaking. I now invite your attention to the plan which I have to suggest as the most feasible; as the one which promises the speediest results; and which will secure the sympathy and practical co-operation of those capitalists of the West, who are as deeply interested in the construction of the road as the people of South Carolina. I am confident that to effect this latter result it is only necessary to show that we are in earnest ourselves, and determined to complete the road in the shortest time that energy and skill can perform the work.

1st. It is essential that the Legislature shall remove the restriction imposed upon the company by the Act of 1854, which required the production of proof to the Governor of such subscriptions or aid granted in the States of North Carolina and Tennessee, as to give reasonable assurance of the completion of the road. These promises of aid were based upon a contract by contractors, but as the latter failed to comply with the terms of their contract, South Carolina withheld her guarantee of any of the bonds of the company.

2d. With the removal of this restriction, the State should pass an Act guaranteeing the bonds of the company to the amount of one million of dollars, and authorizing the President to hypothecate or dispose of said bonds in such manner as is best calculated to secure the immediate resumption of the undertaking.

The engineer, Col. Gwin, states that the entire tunnelling can be completed in one year. Three-fourths of this work has already been finished, and there is no reason why the remainder may not be completed within the time above specified. The rolling stock can then be put upon the road. In less than one year and a half from this time, therefore, we may have the satisfaction of seeing a through train from the Ohio River to Charleston, and a union between two sections of our country, which practically have been to each other as strangers.

Reference has already been made to the importance of this road in a military point of view. Many leading public men have recently urged its construction on this ground, and there is no doubt that Congress is prepared to lend a willing ear to any reasonable proposition which may promise to result in the attainment of so valuable an object.

I therefore respectfully suggest that your honorable body shall request the Senators and Representatives of the State in Congress to lay this subject before that body at the earliest practicable moment, to the end that the General Government may be induced to render such assistance to the road as its importance in a military point of view may justify. This assistance may be granted without hazard.

Bonds of the road, endorsed by the State, may be deposited in the United States Public Treasury; and their equivalent in the United States currency be issued to the road, which will thus be put in possession of an active working capital. Every dollar expended upon the road will then increase the value to the General Government of the security. And, finally, when the road is completed, the Government will have a lien upon property worth nearly eight millions of dollars, for which it has really advanced less than half that amount, while the State will have derived the advantage of a complete road without having been compelled to pay interest on the bonds issued. In a few years the vast business done upon the line will enable the company to pay all of its indebtedness.

This subject is one of the gravest with which we have to deal, because it largely involves the material interests of the State, and promises to contribute more to their future development than any other public enterprise that can be suggested.

I submit these considerations to your honorable body, in that spirit of earnestness which I trust will find a response in your early action.

Accompanying this message, is a memorial addressed to the Executive of the State, by the President of the Blue Ridge Railroad, and a report on the condition and prospects of the company prepared by the same officer, to both of which I respectfully ask your attention.

Very respectfully,

ROBERT K. SCOTT,

Governor of South Carolina.

On motion of Mr. RANDOLPH, the Message was ordered to be printed, and, with the accompanying documents, referred to the Committee on Railroads.

The Senate, on motion of Mr. WHITTEMORE, at 1 P. M., went into executive session on Message No. 7 of His Excellency the Governor.

After disposing of the executive business, on motion of Mr. WHITTEMORE, the doors were re-opened at 1:30 P. M.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order, which was a Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition.

Mr. CORBIN moved that the consideration of the Special Order be postponed until the conclusion of the second reading and consideration of the Bill providing for the assessment and taxation of property.

On division, the vote stood yeas, 16; nays, 7.

So the motion was agreed to.

The Senate resumed the consideration of the Bill providing for the assessment and taxation of property.

Section 79 was amended in the second line by striking out the word "twentieth" and "January" and inserting the words "first" and "March;" also, in the sixth line, by striking out the word "twentieth" and inserting in lieu thereof the word "first;" also, in the tenth line, by striking out the word "April" and inserting the word "May."

Section 80 was amended in the first line by striking out the word "February" and inserting "March."

Section 82 was amended by striking out, in the thirtieth line, the words "any Justice of the Peace of any township," and inserting the words "the Common Pleas for."

Section 84 was amended in the seventh line by striking out the words "Probate Judge" and inserting the words "Court of General Sessions;" and in the tenth, eleventh and twelfth lines, by striking out the words "Probate Judge, and detain him in his custody until a hearing of the same can be had, and upon hearing and proof" and inserting in lieu thereof the words "Court upon conviction thereof;" also, in the thirteenth line, by striking out the word "Judge" and inserting the word "Court."

Section 86 was amended in second line by striking out the word "four" and inserting the word "three."

Section 87 was amended by striking out of the second line the word "fifth" and inserting the word "third;" also, in the third line, by inserting between the words "to" and "Constables" the words "Sheriffs and."

Section 91 was amended in the first line by striking out the word "December" and inserting the word "January."

Section 94 was amended by inserting in the second line, after the word "September," the words "except the present year, which shall be then, or so soon thereafter as practicable;" also, in the fifth line, by inserting "except the present year, which shall be then, or so soon thereafter as practicable."

Section 95 was amended in the first line by inserting, after the word "on," the word "before;" and, in the second line, by striking out the words "twentieth day of January" and inserting the words "first day of March."

Section 96 was amended in the second line by striking out the words "twentieth of December to the twentieth day of April" and inserting "fifteenth day of January to the twentieth day of May."

Section 97 was amended in the second line by striking out the words "twentieth" and "January," and inserting the words "first" and "March;" also, in the fourth line, by striking out the word "April" and inserting "May."

Section 101 was amended by inserting in the third line, after the word

"him," the words "Sheriffs or;" and, in the tenth line, by striking out the word "third" and inserting the word "second."

Section 102 was amended by striking out in the fourth line the word "fourth" and inserting the word "third."

Section 106 was amended in the first line by striking out the words "first Tuesday in" and inserting "on or before the twentieth day of."

On motion of Mr. MONTGOMERY, the vote whereby Section 16 passed its second reading was reconsidered, the words "Common Pleas" stricken out, and the words "Court of General Sessions" substituted.

Mr. RANDOLPH moved a reconsideration of Section 7 which was agreed to.

On motion of Mr. RANDOLPH, Section 7 was amended by inserting in the fifteenth line after the word "the" the words "value of gold and silver plate."

Mr. RANDOLPH moved to further amend Section 7 by striking out on the eighteenth line the words "the number and value of dogs."

On motion of Mr. JILLSON, the amendment was indefinitely postponed.

On motion of Mr. HAYNE, the Senate, at 3 P. M., took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The Senate resumed the consideration of the Bill providing for the assessment and taxation of property, commencing with Section 108.

Mr. CORBIN moved to amend Section 108 by the addition of the following:

"Provided, further, That if the land advertised for sale as aforesaid, except in incorporated cities and villages, cannot be sold for at least one-fourth of the assessed value, the Auditor shall, on behalf of the State, purchase sufficient thereof, at that rate, to satisfy the amounts of the taxes, assessments and penalties aforesaid."

The amendment was agreed to.

Mr. RANDOLPH moved a reconsideration of the vote by which the amendment was adopted.

The motion was not agreed to.

Section 110 was amended in the sixth line by inserting after the word "bidders" the words "or shall have been bid in on behalf of the State."

Section 116 was amended in the fifth line by striking out the word "captivity" and inserting the word "confinement."

Section 117 was amended by inserting in the eighth line after the

word "thereon" the words "and the value of growing crops, if any, thereon."

Section 125 was amended in the third line after the words "forfeited to" by inserting the words "or purchased in behalf of," and in the seventh line after the word "forfeiture" the words "or purchase."

Section 140 was amended in the second line by striking out the word "eighth" and inserting the word "seventh," and in the fourth line by striking out the word "four" and inserting "three."

Section 144 was amended in the third line by striking out the word "assent" and inserting the words "consent and approval."

Section 145 was amended in the first line by inserting after the word "authorized" the words "by and with the advice and consent of the Senate," and also by striking out in the second line the words "and Boards of Equalization."

Mr. WHITTEMORE moved that the further consideration of the Bill be postponed till to-morrow, which was agreed to.

Mr. WHITTEMORE introduced the following joint resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives :

Resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerk of the Senate and Sergeant-at-Arms of the House of Representatives be, and they are hereby, authorized to issue to the officers, members and employees of their respective bodies pay certificates for the amount of mileage and per diem due them up to the twentieth day of August, A. D. 1868.

Resolved, further, That said officers be, and they are hereby, authorized to draw from the Treasury of the State eighteen thousand dollars, to be disbursed proportionately among the officers, members and employees aforesaid, as is already provided by law.

On motion of Mr. SWAILS, the Senate adjourned at 6:45 P. M.

FRIDAY, AUGUST 28, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Mr. BUCK asked and obtained leave of absence for two days.

Mr. REID asked and obtained leave of absence for one week, on account of sickness in his family.

Mr. MONTGOMERY asked and obtained leave of absence for the Senator from Orangeburg, on account of indisposition, until he is able to resume his seat in the Senate.

Mr. SIMS asked and obtained leave of absence for two days.

Mr. SWAILS asked and obtained leave of absence for three days from Monday next.

Mr. HOYT asked and obtained leave of absence for three days from Monday next.

Mr. WRIGHT asked and obtained leave of absence for one day.

Mr. NASH asked and obtained leave of absence for one day.

Mr. WHITTEMORE asked and obtained leave of absence for two days from Monday next.

Mr. WRIGHT asked and obtained leave of absence for the Chaplain for four days.

Mr. Moody, Messenger of the Senate, asked and obtained leave of absence for three days.

REPORTS OF COMMITTEES.

Mr. WRIGHT, from the Committee on Elections, to whom was referred a resolution relative to the vacancy in the Senate from the County of Abbeville, reported back the same, with a recommendation that the resolution be adopted. Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. RODGERS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to grant charters to certain parties in South Carolina to build a railroad from Columbia to Camden, from Camden to Cheraw, and from Cheraw to the State line.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced

A Bill to supply temporary vacancies in the office of Governor. Read a first time, ordered for consideration to-morrow; and to be printed.

GENERAL ORDERS.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of the General Orders on the Calendar.

The PRESIDENT announced that the unfinished business, being the consideration of the Bill providing for the assessment and taxation of property, was first in order.

On motion of Mr. LESLIE, the consideration of the unfinished business was suspended, and the Senate took up, out of order, the reports of the Committee on Contingent Expenses and Accounts on the bills of M. H. Berry and J. W. Denny.

The reports were read, considered and adopted.

On motion of Mr. HAYNE, the consideration of the unfinished business was further suspended for the purpose of taking up from the Calendar No. 235, being a Bill to fix the amounts of the official bonds of certain county officers.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. HAYNE moved to take up, out of its order on the Calendar, No. 247, being the report of the Committee on Public Buildings on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

The motion was not agreed to.

The Senate resumed the consideration of the Bill providing for the assessment and taxation of property.

On motion of Mr. WHITTEMORE, the vote whereby Section 67 was agreed to was reconsidered, and the Section amended in the fourth line by striking out the words "seventy-two" and inserting the words "sixty-eight, and on the same day in every fifth year;" also, on the fifteenth and sixteenth lines, by striking out the words "seventy-three, and as often thereafter as the General Assembly shall by joint resolution direct," and inserting the words "sixty-eight, and on the same day in every fifth year."

The Section, as thus amended, was agreed to.

On motion of Mr. JILLSON, the vote whereby Section 18 was agreed to was reconsidered, and the Section amended by striking out in the second line the words "through or into," and inserting the word "in" before "which."

On motion of Mr. MONTGOMERY, the Section was further amended by inserting the word "there" between the words "adding" and "to" on the eighth line.

The Section, as amended, was agreed to.

On motion of Mr. WHITTEMORE, the vote whereby Section 102 was agreed to was reconsidered, and the Section amended by the addition of the following proviso :

Provided, Every County Treasurer shall, on the fifteenth of each month forward to the State Treasurer all the moneys collected by him for or on ac-

court of the State taxes, specifying for and on account of what fund the same was collected, for which triplicate receipts shall be returned to them by the State Treasurer. Of said receipts one shall be retained by the County Treasurer, one shall be forwarded by him to the State Auditor, and one to the Comptroller-General. The County Treasurer shall, also, on the fifteenth day of each month, notify the Board of County Commissioners and Selectmen of towns the amount of funds collected for and on account of their respective counties and towns, and the character of such funds.

The Section, as thus amended, was agreed to.

On motion of Mr. WHITTEMORE, the Bill was further amended by the addition of the following Sections :

SECTION 146. If the Senate is not in session when a vacancy occurs in any of said offices, then the Governor shall fill such vacancy by appointments, and the officers thus appointed shall continue in office until the expiration of the next term of the General Assembly ; and if they shall be confirmed by the Senate, they shall continue in office until the expiration of the regular term, and their successors are appointed and qualified.

SECTION 147. If any of the duties required to be performed in this Act on or before a certain day, by any officer herein named, cannot, for want of proper time, be so performed, the State Auditor, with the approval of the Governor, upon proper evidence of the necessity of the same, may extend the time as long as may be necessary therefor.

SECTION 148. There shall be printed in pamphlet form fifteen hundred copies of this Act for general circulation, and for the benefit of the officers created under the provisions of this Act, together with such regulations and forms as may be established. The whole to be under the direction of the State Auditor.

The question was then taken upon the passage of the Bill as amended, which was decided in the affirmative.

The Bill was then ordered, with the amendments, to be returned to the House of Representatives.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order, which was a Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition.

On motion of Mr. CORBIN, the Bill was ordered to lie on the table, and the Senate proceeded to consider as a substitute a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

Mr. LESLIE moved that the further consideration of the Bill be postponed until the next regular session.

Mr. HAYNE moved to lay the motion of the Senator from Barnwell on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Hoyt, Hayne, Jillson, Montgomery, Maxwell, Nash, Owens, Rainey, Rose, Swails, Wright, Whittemore and Wimbush.—18.

Nays—Messrs. Back, Bieman, Hayes, Leslie, Reid, Rodgers and Sims.—7.

So the motion to postpone to the regular session was laid on the table.

The Bill was then taken up and considered by Sections.

On motion of Mr. CORBIN, Section 1 was amended by inserting after the word "full" in the eighth line the word "enjoyment."

The Section, as thus amended, was agreed to.

Mr. SWAILS moved to amend the Bill by striking out Section 2 and inserting the following substitute :

SECTION 2. That it shall not be lawful for any party or parties engaged in any business, calling or pursuit, for the carrying on of which a public license or charter is required by any law or ordinance, to discriminate between persons on account of race, color, or previous condition, when such persons shall make lawful application for the benefit of such business, calling or pursuit.

Mr. LESLIE moved to amend the amendment of the Senator from Williamsburg by substituting the following :

That every person, without distinction of race, color, or previous condition, shall be entitled, on making lawful application, to obtain a public license or charter.

Mr. HAYNE moved the indefinite postponement of the amendment of the Senator from Barnwell.

Mr. LESLIE withdrew the amendment.

Mr. CORBIN offered the following amendment as a substitute for the amendment of the Senator from Williamsburg :

That it shall not be lawful in granting licenses to any party or parties to engage in any business, calling or pursuit, for the carrying on of which a public license or charter is required by any law or ordinance, to discriminate between persons, on account of race, color, or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit.

Mr. WRIGHT moved to indefinitely postpone the amendment of the Senator from Charleston.

The PRESIDENT asked and obtained leave to vacate the chair for the remainder of the day, and for absence to-morrow and Monday.

Mr. CORBIN took the chair.

Mr. MAXWELL offered the following substitute for the amendment of the Senator from Charleston :

That it shall not be lawful for common carriers, or any party or parties engaged in any business, pursuit or calling for public accommodation, to discriminate between persons, on account of race or color, who shall make lawful application for the benefit of said business, calling or pursuit.

Mr. RUTLAND took the chair.

The question recurred upon the motion to indefinitely postpone the amendment of the Senator from Charleston.

After some discussion, participated in by Senators Leslie, Swails, Hayne, Randolph, Wright, Maxwell and Wimbush, the further consideration of the Bill was postponed till to-morrow.

The PRESIDENT *pro tem.* resumed the chair, and asked and obtained leave of absence for to-morrow and Monday.

Hon. J. J. WRIGHT, Senator from Beaufort, was thereupon elected to preside during the absence of the President *pro tem.*

Mr. WHITTEMORE introduced the following joint resolution :

JOINT RESOLUTION.

Resolved, That the officers named for that purpose, in an Act passed at the present session of the General Assembly, entitled " An Act to make appropriation for the payment of the expenses of the present session of the General Assembly, and to meet certain deficiencies in the appropriation for the fiscal year commencing on the first of October, in the year of our Lord one thousand eight hundred and sixty-seven, made by General Orders No. 139, dated Charleston, October 3, 1867," draw pay certificates or orders in favor of the officers, members and employees of the General Assembly, to the amount of twenty thousand dollars (\$20,000), in payment on account of mileage, per diem and services, and that the same be collected at the State Treasury, as provided for in the aforesaid Act; said pay certificates and orders to be made out according to the *pro rata* scale prepared by the Committee of Ways and Means of the House of Representatives and Committee on Finance of the Senate, and hereunto annexed :

155 Members, \$100 each.....	\$15,500
3 Clerks in Senate, \$100 each.....	300

1 Committee Clerk in Senate.....	100
2 Doorkeepers, \$50 each.....	100
2 Pages, \$25 each	50
1 Sergeant-at-Arms.....	100
1 Assistant Sergeant-at-Arms.....	100
4 Clerks, \$100 each.....	400
4 Messengers, \$50 each.....	200
2 Doorkeepers, \$50 each.....	100
2 Pages, \$25 each.....	50
6 Engrossing Clerks, \$100 each.....	600
3 Committee Clerks, \$100 each.....	300
1 Janitor.....	50
2 Watchmen, \$50 each.....	100
1 Stenographer, House of Representatives.....	150
1 Solicitor (Green).....	100
1 Solicitor.....	50
Printer.....	1,000
Contingent expenses.....	650
	\$20,000

Read and ordered for consideration to-morrow.

Mr. WHITTEMORE moved that the consideration of the unfinished business be suspended, in order to take up and read a third time a Bill to close the operations of the Bank of the State of South Carolina.

Pending the motion to suspend, on motion of Mr. HAYNE, the Senate adjourned at 4:30 P. M.

SATURDAY, AUGUST 29, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT *pro tem.*, Hon. J. J. Wright, of Beaufort.

Prayer by Rev. B. F. RANDOLPH.

The roll was called, and a quorum answering to their names, the PRESIDENT *pro tem.* announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a Bill to provide for the reorganization of the South Carolina Penitentiary.

The reading of the Bill was suspended, and on motion of Mr. MONTGOMERY, a count of the Senate was ordered.

A quorum not being present, on motion of Mr. MONTGOMERY, the Messengers were instructed to summon absent members.

On motion of Mr. SWAILS, the Messengers were instructed to summon the following absent members:

Messrs. Dickson, Duncan, Foster, Hayes, Leslie, Owens, Rose and Rodgers.

Mr. CAIN moved that the Senate adjourn.

The motion was not agreed to.

On motion of Mr. MONTGOMERY, three additional Messengers were employed to summon absent members.

On motion of Mr. HOYT, the Senate adjourned at 1:15 P. M.

MONDAY, AUGUST 31, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT *pro tem.*

Prayer by Rev. B. F. RANDOLPH.

The roll was called, and a quorum answering to their names, the PRESIDENT *pro tem.* announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

A joint resolution providing for the drawing from the Treasury of the State the sum of \$20,000, to pay the per diem and mileage of members of the General Assembly, and pay subordinate officers. Read a first time, and ordered for consideration to-morrow. Also,

A Bill to provide for the reorganization and government of the South Carolina Penitentiary. Read a first time, ordered for consideration to-morrow, and to be printed. Also,

A Bill to provide for the temporary organization of the Educational Department of the State.

Mr. JILLSON moved that the last named Bill, by unanimous consent, be made the Special Order for to-morrow, at 1 P. M.

Objection being made, the Bill was ordered for consideration to-morrow. Also,

A Bill to enable the Chatham Railroad Company to extend their railroad to Columbia. Read a first time.

Mr. HAYES moved that the Bill be referred to the Committee on Railroads.

Objection being made, the Bill was ordered for consideration to-morrow, and to be printed. Also,

A Bill to license pilots for Charleston bar and harbor, Stono River, &c. Read a first time, ordered for consideration to-morrow, and to be printed. Also,

A Bill to fix the amounts of the official bonds of certain county officers. Read a first time.

Mr. HAYNE moved that the Bill be laid on the table, which was not agreed to.

Mr. RANDOLPH moved that the Bill be referred to the Committee on the Judiciary.

Objection being made, the Bill was ordered for consideration to-morrow. Also,

A Bill to establish Justice Courts. Read a first time, ordered for consideration to-morrow, and to be printed. Also,

A Bill to amend the charter of the Cheraw and Coalfields Railroad Company. Read a first time, and ordered for consideration to-morrow. Also,

A concurrent resolution suspending the introduction of Bills and joint resolutions after 7th day of September next. Ordered for consideration to-morrow.

RESOLUTIONS.

Mr. JILLSON offered the following resolution :

Resolved, That the Senate do proceed to elect a Sergeant-at-Arms on Thursday next, at 2 P. M.

Mr. JILLSON moved that the Rules be suspended, and the resolution considered immediately.

Objection being made, the resolution was ordered for consideration to-morrow.

Mr. RANDOLPH offered the following preamble and resolution :

Whereas the former leaders of the late rebellion, by their journals and public speakers, are again advising and urging resistance to civil authority, causing thereby civil and domestic discord, which may lead to dreadful results; and whereas the civil authority, by many, is being disregarded, and many lawless acts have recently been committed; therefore,

Resolved, That the Committee on Military Affairs be instructed to ascer-

tain from His Excellency the Governor what further legislation is necessary to preserve the public peace and bring the violators of law to justice.

Ordered for consideration to-morrow.

Mr. RANDOLPH offered the following :

Resolved, That C. P. Leslie, Senator from Barnwell, be expelled from this Senate for the following named reasons : 1st. Contempt for the President *pro tempore* of the Senate. 2d. Contempt for the Senate. 3d. Conduct unbecoming a Senator and a gentleman.

Ordered for consideration to-morrow.

SPECIAL ORDER.

At 1 P. M. the PRESIDENT announced the hour for the consideration of the Special Order.

A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

On motion of Mr. JILLSON, the Special Order was discharged, and made the Special Order for Wednesday next, at 1 P. M.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate took up, out of its order, a Bill to close the operations of the Bank of the State of South Carolina.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. ARNIM, the Senate took up, out of its order, a Bill to repeal the charter of the town of Hamburg.

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate took up, out of its order, the report of the Committee on Incorporations on a Bill to incorporate the Home Insurance Company, of Charleston.

The report was read, agreed to, and the Bill read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. RANDOLPH, the Senate took up, out of its order, the resolution requiring Standing Committees to report upon all Bills or resolutions referred to them within five days from the time of reference.

The resolution was read and agreed to.

The Senate then proceeded regularly to the consideration of the

GENERAL ORDERS.

A joint resolution for the relief of Mrs. Mary A. C. Hobbs was read a third time, agreed to, and ordered to be sent to the House of Representatives for concurrence.

A joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell, was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. JILLSON, the following Bills were laid on the table:

A Bill to amend the charter of the Cheraw and Coalfields Railroad Company;

A Bill to enable the Chatham Railroad Company to extend their road to Columbia.

The following Bills were read a third time, passed, and ordered to be sent to the House of Representatives:

A Bill to change the location of a portion of the Rutherfordton Road, in the County of Greenville;

A Bill to re-establish Tucker's Ferry, over the Edisto River;

A Bill to re-establish Wright's Ferry, over the Catawba River;

A Bill to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, &c., public highways;

A Bill to extend the charter of Kinsler's Ferry.

On motion of Mr. HAYNE, a Bill to provide for the appointment of Tax Collectors in this State was laid on the table.

On motion of Mr. JILLSON, the Senate took up, out of its order, a resolution requesting the Committee on Military Affairs to ascertain the number of stands of arms, batteries, and the amount of other military equipments that are now in possession of the State, and at the disposition of the Governor.

The resolution was read and agreed to.

On motion of Mr. JILLSON, the Senate took up, out of its order, a resolution relative to the numbering of Bills, reports, resolutions, &c.

The resolution was read and agreed to.

Mr. RANDOLPH moved to take up, out of its order, the report of the Committee on Finance on a Bill to regulate the pay of certain State officers.

Pending the consideration of this motion, the Senate, on motion of Mr. HAYNE, adjourned at 2 P. M.

TUESDAY, SEPTEMBER 1, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by Rev. W. E. Johnston.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. ALLEN asked and obtained leave of absence for the Senator from Union, Mr. Duncan, during his illness.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendments, a Bill to define and regulate the practice of Probate Courts. Referred to the Committee on the Judiciary.

NOTICES OF BILLS.

Mr. RUTLAND gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to extend the time of filing declarations and to vacate judgments and decrees in certain cases.

GENERAL ORDERS.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of the General Orders on the Calendar.

A joint resolution relative to the pay of members was read a second time.

On motion of Mr. RAINEY, the resolution was amended by striking out "20th of August" and inserting "31st of August, inclusive;" also, by striking out the word "twenty" and inserting the word "seventy;" also, to strike out the words "collected at" and insert the words "draw from," and strike out the words "*pro rata* schedule hereunto annexed" and substitute "the following."

On motion of Mr. JILLSON, the resolution was further amended by striking out the word "Legislature" and inserting the words "General Assembly."

The resolution, as amended, was ordered to be returned to the House of Representatives for concurrence.

A Bill to provide for the submission of the question to change the location of the county seat of Barnwell County to the voters of said county was

read a second time, considered by Sections, agreed to, and ordered to be engrossed for a third reading

On motion of Mr. WRIGHT, the further consideration of the report of the Committee on Finance on the petition of J. M. Wilder for relief from penalty was postponed to the next regular session of the Legislature.

Mr. MAXWELL moved to take up, out of its order, No. 253, being a Bill to amend the charter of the Cheraw and Coalfields Railroad.

Mr. HAYNE moved to amend by taking up No. 241 on the Calendar, which was agreed to.

A Bill to define the jurisdiction and duties of County Commissioners was read a second time, and considered by Sections.

Mr. JILLSON moved to amend Section 5 by inserting in the second line, after the word "annually," the words "at the county seat of," so as to read "shall meet annually at the county seat of their respective counties."

The amendment was subsequently withdrawn.

Mr. RANDOLPH moved to amend Section 5 by striking out, in the second line, the word "may," and inserting in lieu thereof the words "shall, whenever necessary," so as to read "they shall, whenever necessary, also hold special meetings," &c.

The amendment was not seconded.

Mr. HAYNE moved to amend Section 7 by striking out, in the fifth and sixth lines, the words "twelve hours," and inserting the words "one week."

The amendment was not seconded.

Mr. RAINEY moved to amend Section 11 in the thirteenth line by inserting after the word "brick" the words "or wood," and to strike out the word "or" between the words "stone" and "brick."

Mr. COGILLAN moved to amend the amendment by striking out "wood" and inserting "iron."

The amendment was accepted by the mover of the original amendment.

The question was taken on agreeing to the amendment, as accepted, and decided in the affirmative.

On motion of Mr. CORBIN, Section 12 was amended in the third line by striking out the word "annual" and inserting the word "first."

Mr. RANDOLPH moved to further amend Section 12 by striking out, in the first line, the word "erect," and inserting the words "lay off."

The amendment was not seconded.

Mr. HAYNE moved to amend Section 16 by striking out, in the fourth line, the word "five," and inserting "ten," so as to read "ten cents for each mile of necessary travel."

The amendment was not seconded.

On motion of Mr. NASH, Section 22 was amended by inserting, after

the word "Magistrate," in the sixth, eighth and tenth lines, the words "Justices of the Peace."

On motion of Mr. RAINEY, Section 22 was further amended by striking out, in the twelfth line, the word "Magistrate," and inserting in lieu thereof the words "such officers."

The Bill, as amended, was ordered to be engrossed for a third reading.

Mr. HAYNE moved to take up, out of its order, No. 251, being a Bill from the House to fix the amounts of the official bonds of certain county officers, for the purpose of disposing of it from the Calendar, a similar Bill having already received three readings and passed the Senate.

The motion was not agreed to.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with concurrence in the Senate's amendments, the joint resolutions relative to the pay of members, subordinate officers and employees of the General Assembly. Ordered to be engrossed for a third reading.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

A Bill to remove the county seat of Beaufort County from the town of Gillisonville to the town of Beaufort was taken up for consideration.

The report of the Committee on the Judiciary, to whom the Bill had been referred, recommending that the Bill do pass, was read and agreed to.

The question was taken on the Bill being engrossed for a third reading, and decided in the affirmative.

On motion of Mr. RANDOLPH, the Rules were suspended for the purpose of introducing a report.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to repeal the charter of the town of Hamburg.

On motion of Mr. RANDOLPH, the Rules were further suspended, and the Bill taken up for a third reading.

The Bill was read a third time, and, on motion of Mr. CORBIN, was recommitted to the Committee, with instructions to strike out Section 2.

Mr. HAYNE moved to take up, out of its order, No. 247, being a House Bill to provide for the reorganization of the South Carolina Penitentiary.

The motion was not seconded.

Mr. MAXWELL moved to take up No. 253, being a Bill to amend the charter of the Cheraw and Coalfields Railroad.

The motion was not agreed to.

Mr. RANDOLPH moved to take up, out of its order, No. 237, being the

report of the Committee on Finance on a Bill to regulate the pay of certain State officers.

Mr. WRIGHT moved to amend by taking up No. 252, being a Bill to establish Justice Courts.

The amendment was agreed to, and the Bill taken up for a second reading.

On motion of Mr. CORBIN, the Bill was referred to the Committee on the Judiciary.

Mr. WRIGHT moved to take up, out of its order, No. 236, being a Bill to provide for the revision and consolidation of the statute laws of the State.

Mr. HAYNE moved to amend by taking up No. 247, being a House Bill to provide for the reorganization of the South Carolina Penitentiary.

The amendment was not agreed to.

The question was then taken on the motion to take up No. 236, and decided in the affirmative.

A Bill to provide for the revision and consolidation of the statute laws of the State was then taken up for a second reading, and considered by Sections.

Mr. NASH moved to amend Section 1 by inserting after the name of David T. Corbin, Esq., the name of James S. G. Richardson, Esq.

A discussion ensued, participated in by Senators Nash, Wright, Coghlan, Raulolph, Rainey and Maxwell.

Mr. WIMBUSH offered the following as a substitute for Section 1 :

SECTION 1. In pursuance of Section 3 of Article V of the Constitution, that David T. Corbin, J. S. G. Richardson and G. W. Williams are hereby appointed a commission to revise, digest, arrange and consolidate, under proper heads, all the statute laws of the State, general and permanent in their nature, which shall be in force at the time they may make their final report.

Mr. ALLEN moved to amend the substitute by striking out the name of J. S. G. Richardson and inserting the name of Benjamin F. Perry.

Pending the consideration of the substitute, on motion of Mr. RAINEY, the Senate adjourned at 3:20 P. M.

WEDNESDAY, SEPTEMBER 2, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by Rev. B. F. WHITEMORE.

The roll was called, and a quorum answering to their names, the **PRESIDENT** announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PETITIONS.

Mr. **WHITTEMORE** presented the petition of the Western Union Telegraph Company praying relief from a double tax assessed against them, and that summary proceedings against them may be averted. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. **ARNIM**, from the Committee on Incorporations, to whom was recommitted a Bill to repeal the charter of the town of Hamburg, reported back the same, pursuant to instructions, with Section 2 stricken out, and a recommendation that the Bill, as amended, do pass.

Mr. **RANDOLPH** moved that the Rules be suspended, and the report considered immediately.

Objection being made, the report was ordered for consideration to-morrow.

Mr. **CORBIN**, from the Committee on the Judiciary, to whom was referred a Bill to define the jurisdiction and to regulate the practice of Probate Courts, as amended by the House, reported back the same, with a recommendation that the Senate do not concur in the amendment. Ordered for consideration to-morrow.

Mr. **CORBIN**, from the same Committee, reported a Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts." Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. **RANDOLPH**, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading the following :

A joint resolution to draw from the Treasury of the State the sum of seventy thousand dollars to pay the per diem and mileage of members of the General Assembly, and pay subordinate officers ;

A Bill to provide for the submission of the question of location of the county seat of Barnwell to the voters of that county. Ordered for consideration to-morrow.

On motion of Mr. **ALLEN**, the Rules were suspended for the purpose of immediate consideration of the joint resolution to draw from the Treasury of the State seventy thousand dollars to pay the per diem of members, &c.

The resolution was read a third time, agreed to, and referred to the Committee on Enrolled Bills.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to organize townships, and to define their powers and privileges. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. DICKSON, pursuant to notice, introduced

A Bill to incorporate the Wateree and North Carolina Railroad Company. Read a first time, and ordered for consideration to-morrow.

Mr. HAYNE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to provide transportation for convicts discharged from the State Penitentiary. Read a first time, and ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

The PRESIDENT announced the unfinished business first in order to be a Bill to provide for the revision and consolidation of the statute laws of the State.

The question recurred upon the adoption of the substitute for the first Section, proposed by the Senator from Chester.

Mr. WIMBUSH asked and obtained leave to withdraw the substitute.

On motion of Mr. CORBIN, Section 1 was amended by striking out the words on the first line after the word "Constitution" to the words "a Commissioner" on the second line, and inserting in lieu thereof the words "the Governor is authorized to appoint by and with the advice and consent of the Senate."

On motion of Mr. RANDOLPH, Section 1 was further amended by striking out in the third line the words "or two."

SPECIAL ORDER,

Mr. SWAILS called for the Special Order for 1 P. M., which was a Bill to protect all persons in the State in their civil rights, and furnish the means of vindication.

On motion of Mr. WRIGHT, the consideration of the Special Order was suspended until the disposal of the Bill then before the Senate.

The consideration of the Bill to provide for the revision and consolidation of the statute laws of the State was resumed.

On motion of Mr. WHITTEMORE, Section 7 was amended by striking out, on the second line, the words "or associates."

Mr. WRIGHT moved to amend Section 7 by striking out, in the second line, the word "five" before "thousand," so as to read, "the Commissioner shall receive for services four thousand dollars per annum."

Mr. MAXWELL moved to amend the amendment by striking out "four thousand" and inserting "four thousand five hundred."

Mr. HAYNE moved to strike out "four thousand" and insert "thirty-five hundred."

Mr. CAIN moved to lay the motion of the Senator from Marion on the table.

On division of the Senate, the vote stood yeas, 9; nays, 13.

So the motion to lay on the the table was not agreed to.

The question was taken on the motion to strike out "five thousand," and insert "thirty-five hundred."

Mr. NASH called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Coghlan, Dickson, Foster, Hayne, Nash, Owens, Randolph, Rose and Wimbush.—9.

Nays—Messrs. Arnim, Allen, Buck, Bieman, Corbin, Cain, Hayes, Jillson, Maxwell, Rainey, Rutland, Swails, Wright and Whittemore.—14.

So the motion was not agreed to.

The question recurred upon the amendment of the Senator from Beaufort to strike out "five" and insert "four."

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Arnim, Buck, Bieman, Coghlan, Dickson, Foster, Hayne, Nash, Owens, Rainey, Rose, Rodgers, Swails, Wright and Wimbush.—15.

Nays—Messrs. Allen, Corbin, Cain, Hayes, Jillson, Maxwell, Rutland, Randolph and Whittemore.—9.

So the motion was agreed to.

Mr. SWAILS moved to further amend Section 7 by striking out, in the sixth line, the word "six" before "thousand" and inserting the word "four," so that it will read: "The Commissioner shall receive for reasonable expenses of clerical services, books, printing, stationery, and other necessary incidental matters, not exceeding four thousand dollars annually."

Mr. RANDOLPH moved to amend the amendment by striking out on the fourth line the words "shall receive for reasonable expenses of" and inserting after the word "Commissioner" the words "by orders signed by the Governor and countersigned by the Treasurer, shall draw from time to time such amounts as may be necessary to defray the current expenses of clerical service, purchase of books, stationery, &c., not exceeding six thousand dollars annually."

The amendment was not seconded.

Mr. HAYNE moved to strike out the words "six thousand" and insert "thirty-five hundred."

The amendment was not agreed to.

Mr. CORBIN moved to amend by inserting after the word "matters" on the fifth line the words "so much as may be necessary."

Upon the question of striking out "six" and inserting the word "four" before the word "thousand," Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Dickson, Foster, Hayne, Nash, Owens, Rainey, Rodgers and Swails.—9.

Nays—Messrs. Arnius, Allen, Buck, Bieman, Corbin, Cain, Hayes, Jillson, Maxwell, Rutland, Randolph, Wright, Whittemore and Wimbush.—14.

So the motion was not agreed to.

On motion of Mr. WRIGHT, Section 7 was amended in the manuscript Bill by striking out the words "five hundred."

Mr. COGHLAN moved to amend by adding the following proviso :

Provided, That the Commissioner be required to produce vouchers for all expenses incurred in the completion of the aforesaid work.

Upon the question of agreeing to the amendment, Mr. COGHLAN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Dickson, Foster, Hayes, Hayne, Nash, Owens, Rainey, Randolph, Rodgers and Swails.—11.

Nays—Messrs. Arnius, Allen, Corbin, Cain, Jillson, Maxwell, Rutland, Rose, Wright, Whittemore and Wimbush.—11.

The PRESIDENT thereupon gave the casting vote, and decided the question in the affirmative.

On motion of Mr. CORBIN, Section 8 was amended by striking out after the word "Commissioner" the words "herein named."

The Bill, as amended, then passed, and was ordered to be engrossed for a third reading.

On motion of Mr. RANDOLPH, the Senate departed from the General Orders for the purpose of receiving a report from the Committee on Enrolled Bills.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, a joint resolution providing for the drawing of \$70,000 from the Treasury to pay the per diem and mileage of members of the General Assembly, pay of officers, &c.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of ratifying the joint resolution.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order.

The consideration of the Special Order was resumed, being a Bill to

protect all persons in the State in their civil rights, and furnish the means of their vindication.

The question recurred upon the motion to postpone indefinitely the amendment offered by the Senator from Charleston to the amendment offered by the Senator from Williamsburg.

Mr. WRIGHT withdrew the motion to indefinitely postpone the amendment offered by the Senator from Charleston.

Mr. CORBIN withdrew the amendment to the amendment.

Mr. CAIN renewed the amendment, but subsequently withdrew it.

The question then recurred upon the amendment offered by the Senator from Williamsburg.

A discussion ensued, participated in by Senators Maxwell, Coghlan, Wright, Cain, Randolph, Corbin, Whittemore, Swails and Jillson.

Mr. WHITTEMORE offered the following substitute as an amendment to the amendment of the Senator from Williamsburg :

It shall not be lawful for common carriers in the carriage of passengers or freight to discriminate between persons on account of race, color, or previous condition.

Upon the question of agreeing to the substitute, Mr. COGHLAN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Corbin, Cain, Dickson, Hoyt, Hayes, Maxwell, Owens, Wright and Whittemore.—11.

Nays—Messrs. Buck, Bieman, Coghlan, Foster, Hayne, Jillson, Nash, Randolph, Rodgers, Swails and Wimbush.—12.

So the substitute was not agreed to.

On motion of Mr. CORBIN, a call of the Senate was ordered.

On motion of Mr. WHITTEMORE, the Messengers were instructed to summon absent members.

On motion of Mr. CORBIN, the Senate adjourned 4:15 P. M.

THURSDAY, SEPTEMBER 3, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate, for concurrence, a concurrent resolution requiring the Comptroller, Attorney, Adjutant and Inspector Generals, Secretary of State and Treasurer, and other State officers, and County Commissioners, to submit a report from their respective offices of their transactions to the General Assembly at the next regular session, in November, 1868.

On motion of Mr. SWAILS, the resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate a Bill to provide for the election by the State of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress. Read a first time, ordered for consideration to-morrow, and to be printed.

The House returned to the Senate a Bill to incorporate the Wando Company, amended on the second reading by the House in the title so as to read "A Bill to incorporate the Wando Mining and Manufacturing Company."

On motion of Mr. JILLSON, the amendment was concurred in, and a message returned to the House of Representatives accordingly.

PETITIONS.

Mr. SIMS presented the return of the Commissioners of Free Schools for Kershaw District for the years 1866 and 1867. Referred to the Committee on Education.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of the Western Union Telegraph Company, praying for relief from a double tax assessed against them, and that summary proceedings against them may be averted, reported back the same, with a recommendation that the following joint resolution be adopted :

Resolved, That the Western Union Telegraph Company be allowed to pay the actual amount of their tax indebtedness, viz. : four hundred and fifty-five dollars and fifty-five cents, with the costs accrued in serving the execution, and be relieved from the summary proceedings which have been commenced against them.

Ordered for consideration to-morrow.

Mr. ALLEN, from the Committee on Roads, Bridges and Ferries, to whom was referred the petition of Thomas G. White, praying for a renewal of the charter of the ferry over the Saluda River, known as Island Ford

Ferry, in the County of Newberry, reported back the same, accompanied by a Bill.

The Bill was read a first time, ordered for consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. LESLIE offered the following resolution :

Resolved, That it shall be deemed a compliance with Article II, Section 21, of the Constitution, when the Senate shall so order, to read a Bill the first time by reading the same by its title.

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to regulate the manner of drawing juries. Read the first time, ordered for consideration to-morrow, and to be printed.

Mr. LESLIE, pursuant to notice, introduced

A Bill providing for the election and defining the powers and duties of Justices of the Peace, and for regulating the practice in Justices' Courts. Ordered to lie on the table, and to be printed.

Mr. LESLIE, pursuant to notice, also introduced

A Bill providing for the temporary appointment of Magistrates, and defining their powers and duties. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. RUTLAND, pursuant to notice, introduced

A Bill to extend the time of filing declarations and to vacate judgments and decrees in certain cases. Read a first time, ordered for consideration to-morrow, and to be printed.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order, which was a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

The PRESIDENT stated the question to be upon the adoption of the amendment of the Senator from Williamsburg offered as a substitute for the second Section of the Bill.

Mr. WRIGHT moved to amend the amendment by striking out the words "previous condition."

The amendment was accepted by the mover of the original amendment. The question recurred upon the substitute as amended.

Mr. CAIN moved that the further consideration of the Bill and the substitute be postponed until the next regular session of the General Assembly.

Mr. RANDOLPH moved that the motion of the Senator from Charleston be laid on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Coghlan, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Swails, Wright and Wimbush.—11.

Nays—Messrs. Allen, Buck, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Hayes, Leslie, Owens, Rutland, Rose, Rodgers, Sims and Whittemore.—16.

So the motion to lay on the table was not agreed to.

Mr. RANDOLPH moved that the motion to postpone to the next regular session be indefinitely postponed.

Some discussion ensued, participated in by Senators Cain, Wright and Randolph.

Mr. CAIN, during the discussion, called the Senator from Orangeburg to order, and submitted the following as the objectionable language used by the Senator :

“ Senators here on this floor were sent by their constituents to represent them, but now they stab their dearest interests, and are not true to their constituents.”

Mr. RANDOLPH denied using the words affirmatively, but by way of interrogation.

The PRESIDENT accepted the explanation, and the Senator was permitted to proceed with his remarks.

At the conclusion of his remarks, Mr. RANDOLPH moved that the motion to postpone to the next regular session be indefinitely postponed.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Coghlan, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Swails, Wright, Whittemore and Wimbush.—12.

Nays—Messrs. Allen, Buck, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Hayes, Leslie, Owens, Rutland, Rose, Rodgers and Sims.—15.

Mr. RANDOLPH moved that the Senate take a recess until 5 P. M.

Mr. CAIN moved to lay the motion to take a recess on the table.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Buck, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Hayes, Leslie, Owens, Rutland, Rose, Rodgers, Sims and Whittemore.—17.

Nays—Messrs. Coghlan, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Swails, Wright and Wimbush.—10.

Mr. SWAILS moved that a call of the Senate be made.

Mr. CAIN moved to lay the motion on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Buck, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Hayes, Leslie, Owens, Rutland, Rose and Rodgers.—14.

Nays—Messrs. Arniun, Coghlan, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Swails, Wright, Whittemore and Wimbush.—12.

So the motion to lay on the table was agreed to.

Mr. SWAILS moved to adjourn.

The motion was not agreed to.

The question recurred upon the motion to postpone the consideration of the Bill and the substitute to the next regular session.

After some time in discussion by Mr. Wright, Mr. CAIN withdrew the motion to postpone to the next regular session.

Mr. RANDOLPH moved to reconsider the vote whereby the amendment offered by the Senator from Darlington to the amendment of the Senator Williamsburg was rejected.

Mr. HAYNE moved to lay the motion for a reconsideration on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Buck, Bieman, Foster, Hayes, Hayne, Leslie, Owens, Rose, Rodgers, Wright and Wimbush.—11.

Nays—Messrs. Arniun, Allen, Corbin, Cain, Coghlan, Dickson, Hoyt, Jillson, Maxwell, Nash, Rainey, Rutland, Randolph, Swails and Whittemore.—15.

The motion to lay on the table was not agreed to.

The question was taken on the agreeing to the amendment of the Senator from Darlington to the substitute for the second Section proposed by the Senator from Williamsburg.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arniun, Allen, Corbin, Cain, Dickson, Hoyt, Hayes, Owens, Rutland, Randolph, Rose, Rodgers and Whittemore.—13.

Nays—Messrs. Buck, Bieman, Coghlan, Foster, Hayne, Jillson, Maxwell, Nash, Rainey, Swails, Wright and Wimbush.—12.

The amendment of the Senator from Darlington was therefore agreed to, and the following substituted for Section 2 of the Bill :

SECTION 2. It shall not be lawful for common carriers in the carriage of

passengers or freight to discriminate between persons, on account of race, color, or previous condition.

Mr. CORBIN moved that the following be inserted as Section 3 of the Bill :

SECTION 3. That it shall not be lawful in granting licenses to any party or parties to engage in any business, calling or pursuit, for the carrying on of which a public license or charter is required by any law or ordinance, to discriminate between persons, on account of race, color, or previous condition, who shall make lawful application for the benefit of such business, calling or pursuit.

Mr. HAYNE moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

On motion of Mr. LESLIE, the motion of the Senator from Marion was laid on the table.

Upon the question of agreeing to the amendment proposed by the Senator from Charleston, to be inserted as Section 3, Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Cain, Dickson, Foster, Hoyt, Hayes, Jillson, Leslie, Maxwell, Nash, Rutland, Randolph, Rose, Rodgers and Whittemore.—18.

Nays—Messrs. Coghlan, Hayne, Owens, Rainey, Swails and Winbush.—6.

So the Section was agreed to.

Mr. WHITTEMORE moved to amend by incorporating the following as Section 4 :

SECTION 4. That any person who shall deny to any citizen any right secured or procured by this Act, or any Court that shall subject any citizen to different punishment, pains or penalties, on account of race, color, or previous condition, than is prescribed for white persons, shall be deemed guilty of a misdemeanor, and on conviction thereof before the proper tribunal, if a judicial officer, be removed from office and forever disqualified from holding any office of trust or profit under this State, and liable to the party injured in a suit for damages ; and if any other person, shall be liable to punishment by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, within the discretion of the Court.

Mr. RANDOLPH moved to amend the amendment by inserting after the word "person" and before the words "shall be liable to punishment" the words "or corporation;" also, to strike out the words "five hundred" and insert "one thousand" before the word "dollars."

The amendments were agreed to.

On motion of Mr. WHITTEMORE, the Section was further amended by striking out after the word "dollars" the words "or imprisonment not exceeding one year, or both."

The Bill Section, as amended, was agreed to.

On motion of Mr. WHITTEMORE, the remaining Section was so amended as to read Section 5, and the Section, as amended, agreed to.

The question was then taken upon the Bill being ordered to be engrossed for a third reading.

On division of the Senate, the vote stood yeas, 14 ; nays, 10.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. JILLSON, the Senate adjourned at 4:40 P. M.

FRIDAY, SEPTEMBER 4, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. HAYES asked and obtained leave of absence for one week.

Mr. WHITTEMORE asked and obtained leave of absence for one day.

Mr. WRIGHT asked and obtained leave of absence for three days

Mr. FOSTER asked and obtained leave of absence for twelve days from to-morrow.

Mr. CAIN asked and obtained leave of absence for three days.

The PRESIDENT laid before the Senate a communication addressed to the Chair by sundry citizens of Barnwell County, purporting to represent a convention of that county, accompanied by a preamble and resolutions relative to the Senator from that county.

Mr. CORBIN moved that the communication and accompanying papers be returned to the persons who sent them.

Mr. SWAILS moved to lay the motion of the Senator from Charleston on the table.

Upon the question of agreeing to the motion to lay on the table, Mr. SWAILS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Coghlan, Hayne, Jillson, Maxwell, Owens, Rainey, Randolph, Swails, Whittemore and Wimbush.—12.

Nays—Messrs. Buck, Bieman, Corbin, Cain, Duncan, Foster, Hoyt, Hayes, Nash, Rutland, Rose, Rodgers and Sims.—13.

So the motion to lay on the table was not agreed to.

Mr. MAXWELL moved that the communication and accompanying documents be referred to a Special Committee.

Mr. CORBIN withdrew the motion to return the communication and accompanying documents, and moved that the papers be not received.

Mr. WHITTEMORE moved that the papers be received as information.

Mr. CORBIN moved to lay the motion of the Senator from Darlington on the table.

Mr. MAXWELL called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Buck, Bieman, Corbin, Dickson, Duncan, Foster, Hoyt, Hayes, Nash, Rutland, Rose, Rodgers, Sims and Whittemore.—16.

Nays—Messrs. Ceghan, Jillson, Maxwell, Owens, Rainey, Randolph, Swails and Wimbush.—8.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 4, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully concurs in amendments by your body to the Bill entitled "A Bill to provide for the assessment and taxation of property."

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. WHITTEMORE, the Rules were suspended, the engrossing for a third reading ordered to be dispensed with, and the Bill made the Special Order for 1 P. M. to-morrow.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the report of the Board of Commissioners authorized by an ordinance passed by the Constitutional Convention to examine into the condition of the assets of the State, reported back the same, with the recommendations of the Committee thereon. Ordered for consideration to-morrow, and to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading the following :

A Bill to provide for the revision and consolidation of the statute laws of the State ;

A Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

The above Bills were ordered for consideration to-morrow.

RESOLUTIONS.

Mr. RANDOLPH offered the following resolution :

Resolved, That from and after the adoption of this resolution, this Senate shall hold two sessions a day, commencing at 10:30 A. M. to 2 P. M., and from 5:30 P. M. to 9 P. M.

Mr. RANDOLPH moved that the Rules be suspended, and the resolution considered immediately.

Objection being made, the resolution was ordered for consideration to-morrow.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce

A Bill to organize the Supreme Court.

The Bill was read a first time, ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

On motion of Mr. HAYNE, the Senate took up, out of its order, No. 259, being the report of the Committee on the Judiciary on the amendment of the House of Representatives to a Bill to regulate the practice in Probate Courts.

The report of the Committee was read, and with the recommendation that the Senate do not concur in the amendment by the House, agreed to.

A message was sent to the House of Representatives informing that body that the Senate refused to concur in the House amendments to a Bill to regulate the practice and define the jurisdiction of Probate Courts.

On motion of Mr. HAYNE, the Senate took up, out of its order, No. 246, being a Bill to provide for the reorganization of the South Carolina Penitentiary, which was considered as in Committee of the Whole, by Sections, read a second time, and after sundry amendments offered by Messrs. Hayne, Corbin, Swails, Hoyt, Nash, Coghlan, Randolph, Rainey, Jillson, Whittemore and Rose, on motion of Mr. SWAILS, was referred to the Committee on Public Buildings.

Mr. RANDOLPH moved to take up, out of its order, No. 248, being a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

On motion, the motion of the Senator from Orangeburg was laid on the table. '

On motion of Mr. CORBIN, the Senate took up, out of its order, No. 262, being a Bill to organize townships, and to define their powers and privileges.

On motion of Mr. HAYNE, the Senate, at 3:15 P. M., took a recess until 5:30 P. M.

RECESS.

The PRESIDENT resumed the chair at 5:30 P. M.

The roll was called, and a quorum answered to their names.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes. Read a first time, and ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

A Bill to organize townships, and define their powers and privileges, was taken up for a second reading.

On motion of Mr. CORBIN, the Bill was considered by Sections.

Mr. SWAILS moved to amend Section 13 by striking out, on the third line, between the words "Town Clerk" and "Selectmen" the word "and" and inserting the word "or;" also, to strike out the word "respectively."

The amendment was not agreed to.

Mr. HOYT moved to amend Section 34 by striking out, on the third line, the word "ten," and inserting "thirty."

The amendment was not agreed to.

Mr. HAYNE moved to amend Section 47 by striking out, on the third line, the word "ten," and inserting the word "fifteen."

The amendment was not agreed to.

Mr. SWAILS moved to amend Section 64 by striking out, in the third line, the word "Legislature" and inserting the words "General Assembly."

The amendment was not agreed to.

Mr. CORBIN moved to amend the Bill by incorporating the following as Section 64, and the succeeding numbers changed accordingly :

SECTION 64. The Selectmen shall each receive, for services performed under this Act, one dollar and fifty cents per day.

Town Clerks shall receive, for attendance on any town meeting, one dollar and fifty cents per day; and for making up records and recording all such

matters and things as by law he is required to record, the same fees as now allowed to a Register of Mesne Conveyance.

Highway surveyors shall receive fifteen cents per hour for time necessarily employed in discharging the duties required by this Act.

The amendment was agreed to.

On motion of Mr. CORBIN, the further consideration of the Bill was postponed until to-morrow.

Mr. CORBIN moved to take up, out of its order, No. 268.

Mr. HAYNE moved to amend by striking out "No. 268" and inserting "No. 260."

Mr. CORBIN withdrew the motion to take up No. 268.

Mr. SWAILS moved to amend the motion of the Senator from Marion by striking out "No. 268" and inserting "No. 247."

The amendment was agreed to.

A Bill to provide for the temporary organization of the Educational Department of the State was taken up for a second reading.

On motion of Mr. HAYNE, the Bill was considered by Sections.

Mr. ROSE moved to amend Section 7 by striking out, in the third line, the word "four" and substituting the word "two," so that it will read that "the School Commissioner shall receive two dollars a day."

Mr. WHITTEMORE moved to amend the amendment by striking out "two" and inserting "three."

The amendment was accepted by the Senator from York.

On motion of Mr. HAYNE, the amendment was indefinitely postponed.

Mr. OWENS moved to amend by striking out Section 8.

Mr. HAYNE moved to lay the motion to strike out on the table.

Mr. OWENS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Coghlan, Hoyt, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Swails, Whittemore and Wimbush.—14.

Nays—Messrs. Bieman, Leslie, Owens, Rose and Rodgers.—5.

So the motion to lay on the table was agreed to.

Mr. LESLIE moved to amend Section 9 by adding, after the word "law," the following : "that the assistants authorized to be employed by the Governor, as specified in Section 8 of this Act, shall take the enumeration specified in Section 6 of this Act."

Mr. WHITTEMORE moved to lay the amendment of the Senator from Barwell on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Coghlan, Hoyt, Hayes, Jillson, Maxwell, Nash, Rainey, Rutland, Randolph, Swails, Whittemore and Wimbush.—14.

Nays—Messrs. Bieman, Leslie, Owens, Rose and Rodgers.—5.

So the motion to lay the amendment on the table was agreed to.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate took up, out of its order, No. 260, being a Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts."

The Bill was read a second time.

On motion of Mr. CORBIN, Section 3 was amended to read as follows :

SECTION 3. Be it further enacted, That so much of an Act entitled "An Act to organize the Circuit Courts" inconsistent with this Act be, and the same is hereby, repealed.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. OWENS, the Senate adjourned at 8:10 P. M.

SATURDAY, SEPTEMBER 5, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

Mr. HOYT asked and obtained leave of absence for three days.

PETITIONS, &c.

Mr. ALLEN presented the petition of Jane T. Butler, praying to be relieved from the penalty of a double tax. Referred to the Committee on Finance.

Mr. CAIN presented the petition of the Grant Fire Engine Company, of Charleston, for an Act of incorporation. Referred to the Committee on Incorporations.

Mr. BIEMAN presented the petition of sundry citizens of Oconee County, praying permission to open a new road from Jocassee to Walhalla. Referred to the Committee on Roads, Bridges and Ferries.

Mr. BIEMAN also presented the petition of sundry citizens of Oconee County, praying for authority to open a new road between Walhalla and Oconee Station in said county. Referred to the Committee on Roads, Bridges and Ferries.

Mr. RAINEY presented the following communication, addressed to the Chairman of the Finance Committee of the Senate:

OFFICE OF THE ATTORNEY-GENERAL, September 5, 1868.

To the Chairman of the Finance Committee of the Senate.

SIR: Complaint having been made that a Bill entitled "A Bill to fix the amounts of the official bonds of certain county officers" had been delayed to the injury of the public for want of due engrossment in this office, I desire to state the facts as connected with the Bill in question.

The Bill having received two readings in the House of Representatives, was sent to this office to be engrossed for a third reading on the 3d instant. It was immediately engrossed and delivered to the Chairman on Engrossed Acts in the House of Representatives on the 4th instant. Since that time I have no official knowledge of the Bill.

As I am informed that blame has been publicly cast upon this office in regard to this Bill, I respectfully ask that this communication may be read to the Senate.

In no instance has any Bill failed to be engrossed at the earliest time possible with the force at my control.

Very respectfully,

Your obedient servant,

D. H. CHAMBERLAIN, Attorney-General.

REPORTS OF COMMITTEES.

Mr. LESLIE, from the Committee on Railroads, to whom was referred the Message of His Excellency the Governor relative to the Blue Ridge Railroad, reported back the same, accompanied by a Bill to authorize additional aid for the completion of the Blue Ridge Railroad, which was read a first time, ordered for consideration to-morrow, and to be printed.

Mr. JILLSON, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts."

On motion, the Rules were suspended, and the report considered immediately.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

NOTICES OF BILLS.

Mr. DICKSON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises and to invite capital to South Carolina.

BILLS INTRODUCED.

Mr. LESLIE, pursuant to notice, introduced

A Bill to vacate and set aside the judgments of civil Courts, and to stay proceedings upon the same in certain cases. Read a first time, ordered for consideration on Monday, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

The PRESIDENT announced the unfinished business to be a Bill to organize townships, and to define their powers and privileges.

On motion of Mr. CORBIN, the Bill was amended by the addition of the following Section, and numbered Section 67 :

SECTION 67. That so much of the 1st and 10th Sections of the Act entitled "An Act to define the jurisdiction of County Commissioners" as relates to roads, highways and bridges shall be construed as giving authority to County Commissioners to exercise all the powers herein given to towns or town officers over the same, when such towns or town officers cannot, or unreasonably neglect or refuse to, exercise such powers.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate took up, out of its order, No. 264, being a Bill to regulate the manner of drawing juries.

On motion, the Bill was considered by Sections.

On motion of Mr. CORBIN, Section 2 was amended in the fifth line by striking out the word "Special" before the word "Commissioners," and by inserting in the sixth line after the word "Commissioners" the words "County Auditors and Treasurers;" also, by inserting after the word "Banks," in the eleventh line, the words "editors of daily newspapers;" also, after the word "cashiers" the words "and tellers."

On motion of Mr. HOYT, Section 2 was further amended in the eleventh line by inserting after the words "and persons" the words "such officers and employees of railroads as are now exempt by law."

On motion of Mr. CORBIN, Section 4 was amended in the fourth, fifth and sixth lines so as to read as follows: "Which list shall not include not less than one for every ten voters, computing by the first registration after the passage of this Act, and hereafter in each year computing by the last registration."

Section 18 was amended in the seventh line by inserting before the words "the Court" the words "or time of holding."

On motion of Mr. CORBIN, the Bill was further amended by inserting the following as a substitute for the last Section :

SECTION 42. This Act shall take effect from and after the organization of the townships under the Act entitled "An Act to define the jurisdiction of County Commissioners;" and thereafter, all Acts or parts of Acts inconsistent with this Act, or supplied by it, shall be held to be repealed.

The Bill was then ordered to be engrossed for a third reading.

SPECIAL ORDER.

The PRESIDENT announced the Special Order for 1 P. M., a Bill providing for the assessment and taxation of property.

Mr. HAYNE moved to discharge the Special Order, and make it the Special Order for Monday, at 1 P. M.

The motion was not agreed to.

The Bill providing for the assessment and taxation of property was then taken up for a third reading.

Ninety-eight Sections were read

On motion of Mr. CAIN, the Senate adjourned at 3 P. M.

MONDAY, SEPTEMBER 7, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

Mr. MAXWELL asked and obtained an extension of the leave of absence of Mr. Donaldson, Senator from Chesterfield, for seven days, on account of sickness in his family.

The PRESIDENT laid before the Senate the following communication:

SENATE CHAMBER, COLUMBIA, September 6, 1868.

HON. LEMUEL BOOZER, *President of the Senate*

of the State of South Carolina.

SIR: I hereby resign my position as State Senator from Fairfield County.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. M. RUTLAND.

On motion of Mr. LESLIE, the resignation was accepted.

PETITIONS, &c.

Mr. CORBIN presented the petition of Mrs. R. E. Izard, of Newport, R. I., praying for a renewal of certain bonds and certificates destroyed by fire; also,

A petition of Jos. L. Tobias, attorney for Hugh Sissen, praying for renewal of certificates of stock.

The above were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WHITEMORE, from the Committee on Finance, to whom was referred the petition of James M. Allen in behalf of Mrs. Jane T. Butler, praying for the removal of a double tax, reported back the same, with a recommendation that the prayer of the petitioner be granted. Ordered for consideration to-morrow.

Mr. ARNIM, from the Committee on Public Buildings, to whom was referred a Bill from the House of Representatives to provide for the reorganization and government of the South Carolina Penitentiary, reported back the same, accompanied by a substitute.

On motion of Mr. LESLIE, the report of the Committee was laid on the table to be taken up in connection with the Senate Bill on the same subject.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State, reported back the same, with the recommendation that the same do pass, with the following amendments:

First. That Section 2 be stricken out. Your Committee is of the opinion that Section 30 of Article II of the Constitution does not require persons already admitted to practice in the Courts of the State to take the oath therein prescribed, but the same is required only of those who shall be hereafter admitted. Your Committee is further of opinion that right or privilege of practicing law heretofore granted to persons within the State ought to entitle them to practice in the Courts recently established.

Second. In the place of the sixth Section your Committee recommend the adoption of the following as a substitute:

SECTION 6. Attorney, solicitors and counsellors may be removed or suspended, and also in aggravated cases imprisoned, not exceeding twenty-four hours, by the several Courts in which they may have been admitted to practice, if in the presence of such Courts they are guilty of any disorderly conduct, causing an interruption of business or amounting to an open and

direct contempt of the Court, his authority or person; but subject to such removal they shall hold their office during life.

Mr. LESLIE, from the Committee on Contingent Expenses and Accounts, submitted the report of that Committee on a bill of Phineas F. Frazer for draping the Senate in mourning, recommending that the bill, amounting to \$20.50, be paid.

On motion, the report was considered immediately, agreed to, and the bill ordered to be paid.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following:

A Bill to define the jurisdiction and duties of County Commissioners; also,

A Bill to organize townships, and to define their powers and privileges.

The above Bills were ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, an Act to fix the amounts of the official bonds of certain county officers.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate House to assist in the ratification of the above Act.

NOTICES OF BILLS.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the election of Presidential Electors, and other purposes; also,

A Bill to provide for general elections.

BILLS INTRODUCED.

Mr. DICKSON, pursuant to notice, introduced

A Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises and to invite capital to South Carolina, which was read the first time, ordered for consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to regulate the practice of Circuit Courts in certain cases. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. CORBIN also asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to suppress insurrection or rebellion. Read a first time, ordered for consideration to-morrow, and to be printed.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to quiet rights vested under military orders.

The Bill was read a first time, ordered for consideration to-morrow, and to be printed. Also,

A Bill to fix the salary and define the duty of the Attorney-General of the State, which was read a first time, ordered for consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. HAYNE offered the following:

Resolved, That Tuesday, 15th instant, be fixed as the day of the final adjournment of this special session of the General Assembly; and that no Bill be introduced after this day (7th instant).

Ordered for consideration to-morrow.

Mr. HAYNE offered the following resolution:

Resolved, That Nos. 227, 228, 229, 230, 231, 232, 233, 234, 237, 239, 242, 252, 256, 259, 262, 266 and 267 be stricken from the Calendar of this special session, and be placed on the Calendar of unfinished business for the regular session of the General Assembly.

On motion of Mr. JILLSON, the Rules were suspended, and the resolution considered immediately.

Mr. SWAILS moved to amend by inserting Nos. 258 and 260, which was not seconded.

Mr. ALLEN moved to strike out from the resolution No. 266.

Mr. HAYNE moved to lay the motion of the Senator from Greenville on the table.

The motion to lay on the table was not agreed to.

The question was then taken on the motion to strike out No. 266 from the resolution, and decided in the affirmative.

Mr. SWAILS moved to amend the resolution by inserting No. 244, which was agreed to.

Mr. CORBIN moved to strike out No. 259.

Mr. HAYNE accepted the amendment.

Mr. LESLIE moved to insert in the resolution No. 246.

Mr. HAYNE moved to lay that motion on the table.

The motion was agreed to.

Mr. RANDOLPH moved to strike out of the resolution No. 252.

Mr. JILLSON moved to lay the resolution on the table, which was agreed to.

Mr. WHITTEMORE offered the following resolution :

Resolved, That the Rules whereby we adjourn to meet at 12 o'clock be suspended, so that when we adjourn we adjourn to meet at 9 o'clock to-morrow morning.

The Rules were suspended, the resolution considered immediately, and not agreed to.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The PRESIDENT announced the unfinished business on Saturday to be the first business in order.

A Bill providing for the assessment and taxation of property was taken up, the remaining Sections read, the Bill passed, the title changed to that of an Act, and ordered to be sent to the House of Representatives.

Mr. ARNIM moved to take up, out of its order, No. 256, being the report of the Committee on Incorporations on the Bill to repeal the charter of the town of Hamburg.

On motion, the motion of the Senator from Edgefield was laid on the table.

On motion of Mr. NASH, the Senate proceeded to the consideration of the report of the Committee on Public Lands on a Bill for the sale of the Columbia Canal.

On motion of Mr. NASH, the Bill was taken up and considered by Sections.

The Bill was ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the rules were suspended, and the following Bills were taken up, read a third time, passed, and ordered to be sent to the House of Representatives :

A Bill to regulate the manner of drawing juries ;

A Bill to organize townships, and to define their powers and privileges ;

A Bill to define the jurisdiction and duties of County Commissioners.

On motion of Mr. CORBIN, and by unanimous consent of the Senate, the Section was amended by the addition of the following : "and the same is unreasonably neglected or refused by the town or towns in which the highway is situated."

Mr. LESLIE moved to take up, out of its order, No. 271, being a Bill to authorize additional aid to the Blue Ridge Railroad.

Mr. WIMBUSH moved to amend by striking out "No. 271" and inserting "No. 246."

Mr. LESLIE withdrew the motion to take up No. 271.

Mr. CORBIN renewed the motion of the Senator from Barnwell.

The question was taken upon the motion to amend by taking up No. 246, being a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

On division of the Senate, the vote stood yeas, 14; nays, 5.

The Bill was then taken up for a second reading.

On motion of Mr. MAXWELL, the further consideration of the Bill was postponed, and made the Special Order for to-morrow, at 1 P. M.

On motion of Mr. CORBIN, the Senate adjourned at 3:45 P. M.

TUESDAY, SEPTEMBER 8, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The PRESIDENT laid before the Senate the following communication:

YORKVILLE, S. C., September 6, 1868.

To the Honorable the President and Members

of the Senate of South Carolina:

I decline to accept the office of Circuit Judge, to which I have been appointed by the General Assembly of this State. Sickness has prevented me from giving this notice at an earlier time.

G. W. WILLIAMS.

On motion of Mr. WHITTEMORE, the communication was laid on the table.

Mr. BUCK asked and obtained leave of absence for the remainder of the session, on account of important business.

PETITIONS, &c.

Mr. ARNIM presented the petition of A. Y. Lee praying for a charter for the noiseless traction engines on the highways and streets of the towns and cities of South Carolina. Referred to the Committee on Incorporations.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as

engrossed and ready for a third reading a Bill to authorize the sale of the Columbia Canal. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, an Act to determine and perpetuate the homestead.

A message was sent to the Speaker inviting him to attend in the Senate House to assist in the ratification of the above Act.

BILLS INTRODUCED.

Mr. LESLIE, pursuant to notice, introduced

A Bill providing for the next general election, and the manner of conducting the same, which was read the first time, ordered for consideration to-morrow, and to be printed; also,

A Bill to provide for the formation and proceeding of the Colleges of Electors, which was read a first time, ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. CORBIN the Senate took up for a third reading a Bill to provide for the revision and consolidation of the statute laws of the State.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. HAYNE moved to call up from the table the resolution relative to subjects on the Calendar.

The motion was subsequently withdrawn.

On motion of Mr. RANDOLPH, the Senate took up a Bill to establish a Board of Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands.

The report of the Committee on Public Lands, together with the substitute recommended by the Committee for the first Section of the Bill, was read.

Mr. RANDOLPH moved to postpone indefinitely the report of the Committee, and to take up the first Section of the Bill.

Mr. SWAILS moved the adoption of the substitute.

SPECIAL ORDER.

Mr. HAYNE called for the Special Order for 1 P. M., which was a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

Mr. RANDOLPH moved that the consideration of the Special Order be postponed until the disposal of the Bill under consideration.

The motion was not agreed to.

Mr. WHITTEMORE offered the following resolution :

Resolved, That the Chatham Railroad Bill be referred to the Committee on Railroads, and said Committee are hereby instructed and required to report back said Bill to the Senate within the space of three days from this date. Said Bill shall then be made the Special Order for the following day.

Mr. RANDOLPH moved to lay the resolution on the table, and on that question called for the yeas and nays.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Coghlan, Dickson, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rodgers, Swails, Wright and Wimbush.—14.

Nays—Messrs. Buck, Bieman, Corbin, Duncan, Leslie and Whittemore.—6.

So the resolution was laid on the table.

On motion of Mr. CORBIN, Section 5 was amended by striking out after the word "improvement," on the twenty-third line, the following :

But nothing herein contained shall be so construed as to hinder or delay the said company from taking possession and using any such land or right of way, whenever desired, before any action may have been taken for assessing the damages which may be sustained by any land owner by reason of the taking of such land or right of way as aforesaid.

On motion of Mr. CORBIN, Section 7 was amended by adding, at the end of the Section, the words "or at any place in the State where they may be found."

Mr. CORBIN moved that Section 8 be stricken out.

Mr. HAYNE moved that the motion to strike out be indefinitely postponed.

The motion was not agreed to.

The question was taken on the motion to strike out Section 8.

On division, the Senate voted yeas, 12 ; nays, 11.

So the motion to strike out was agreed to.

Mr. WRIGHT moved a reconsideration of the vote whereby Section 8 was stricken out.

Mr. CORBIN moved to lay the motion to reconsider on the table.

Mr. SWAILS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Buck, Bieman, Corbin, Dickson, Duncan, Leslie, Reid, Rodgers, Sims and Whittemore.—10.

Nays—Messrs. Arnim, Coghlan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—13.

So the motion to lay the motion to reconsider on the table was not agreed to.

The question recurred upon the motion to reconsider the vote whereby Section 8 was stricken out.

Mr. CORBIN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Coghlan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—13.

Nays—Messrs. Buck, Bieman, Corbin, Dickson, Duncan, Leslie, Reid, Rodgers, Sims and Whittemore.—10.

So the motion to reconsider was agreed to.

Mr. WHITTEMORE moved to amend by adding the following at the end of Section 8 :

Provided, That such land shall not be sold by said railroad company for more than five dollars per acre.

Mr. RANDOLPH moved to lay the amendment on the table.

Mr. CORBIN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Hayne, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—11.

Nays—Messrs. Arnim, Buck, Bieman, Corbin, Dickson, Duncan, Jillson, Leslie, Reid, Rodgers and Whittemore.—11.

The PRESIDENT voted in the affirmative.

So the amendment was laid on the table.

Mr. WHITTEMORE moved to amend by striking out the word " fifty," and inserting the words " two hundred," so that it will read " the said company shall have power to purchase, hold and convey land in this State to any amount, not exceeding two hundred thousand acres at any one time."

Mr. HAYNE moved to lay the amendment on the table.

Mr. WHITTEMORE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Buck, Coghlan, Duncan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Sims, Wright and Wimbush.—16.

Nays—Messrs. Bieman, Corbin, Dickson, Leslie, Reid, Rodgers and Whittemore.—7.

So the amendment was laid on the table.

Mr. SIMS moved to strike out the word " fifty" and insert the word " ten" before the word " thousand."

Mr. RANDOLPH moved to amend the amendment by striking out " ten" and inserting " twenty."

On division, the Senate voted yeas, 12; nays, 10.

So the amendment to the amendment was agreed to.

Mr. WHITTEMORE moved to amend by striking out the word "thousand" after the word "twenty."

Mr. RANDOLPH moved to lay the amendment on the table.

Mr. CORBIN called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Coghlan, Duncan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—13.

Nays—Messrs. Arnim, Buck, Corbin, Dickson, Leslie, Reid, Rodgers, Sims and Whittemore.—9.

So the amendment was laid on the table.

Mr. LESLIE moved to amend by adding the following:

Provided, That such land shall not be purchased or sold for speculative purposes, but for the construction of such roads, outbuildings, switches and turnouts.

Mr. RANDOLPH moved to lay the amendment of the Senator from Barnwell on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Arnim, Buck, Coghlan, Dickson, Duncan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails and Wright.—15.

Nays—Messrs. Bieman, Corbin, Leslie, Reid, Rodgers, Sims and Whittemore.—7.

So the amendment was laid on the table.

Mr. SIMS moved to amend Section 9 by inserting between the word "years" and "and" the words "at the Columbia end of the road, and that twenty miles thereof shall."

Mr. SWAILS moved that the amendment be laid on the table, which was agreed to.

Mr. WHITTEMORE moved to amend Section 9 by the addition of the following proviso:

Provided, That the gauge of the track shall conform to the width of the tracks of other railroads in the State of South Carolina.

Mr. HAYNE moved to lay the amendment on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Coghlan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails and Wright.—11.

Nays—Messrs. Arnim, Buck, Bieman, Corbin, Dickson, Duncan, Leslie, Reid, Rodgers, Sims and Whittemore.—11.

The PRESIDENT voted in the affirmative.

So the amendment was laid on the table.

Mr. SIMS moved to amend by adding the following to Section 9 : "That the grading shall be commenced simultaneously at Columbia and at Raleigh ; it to be carried on as nearly as practicable mile for mile in each State, until the grading is completed in the said States of South and North Carolina, and that the road."

The amendment was agreed to

Mr. LESLIE moved to amend by adding the following :

Provided, That all the provisions herein contained be strictly complied with : And provided, further, That said railroad corporation or assigns shall not, at any time or in any manner, make any distinction in carrying freight or passengers, or in its employees, on account of race, color, or previous condition.

Mr. RANDOLPH moved to lay the amendment on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Buck, Bieman, Coghlan, Dickson, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Reid, Rose, Rodgers, Swails, Sims and Wright.—18.

Nays—Messrs. Corbin and Whittemore.—2.

Mr. WHITTEMORE moved to amend by the addition of the following :

SECTION 11. That nothing in this Act contained shall prevent any corporation in South Carolina, now or hereafter to be created, from building a line of railroad to the same points and over the same route in this State : Provided, The work is commenced before the time to which this Bill limits the Chatham Railroad.

Mr. HAYNE moved to lay the amendment on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Buck, Coghlan, Dickson, Duncan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Sims and Wright.—15.

Nays—Messrs. Bieman, Corbin, Leslie, Rodgers and Whittemore.—5.

So the amendment was laid on the table.

The question was then taken "Shall the Bill be engrossed for a third reading?"

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Buck, Bieman, Coghlan, Dickson, Duncan, Hayne, Jillson,

Maxwell, Nash, Owens, Rainey, Randolph, Rose, Rodgers, Swails, Sims and Wright.—17.

Nays—Messrs. Corbin, Leslie and Whittemore.—3.

So the Bill was ordered to be engrossed for a third reading.

On motion of Mr. SWAILS, the Senate adjourned at 2:45 P. M.

WEDNESDAY, SEPTEMBER 9, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PETITIONS, &c.

Mr. WHITTEMORE presented the petition of the Commissioners of the Poor of Abbeville County, praying for an advance of \$1,500 to keep up the poor house of said county.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

Mr. RANDOLPH moved that the Rules be suspended, and the Bill be taken up for a third reading.

Objection being made to the suspension of the Rules, the Bill was ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders upon the Calendar.

The PRESIDENT announced the unfinished business to be a Bill to establish a Board of Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands.

On motion of Mr. WHITTEMORE, the consideration of the unfinished business was postponed, and a Bill to authorize additional aid to the Blue Ridge Railroad in South Carolina taken up for a second reading.

The Bill was considered by Sections.

On motion of Mr. LESLIE, Section 1 was verbally amended, at the commencement of the fourth line, by striking out the word "that;" and, in the ninth line, by changing the word "bond" to "bonded."

On motion of Mr. LESLIE, the Section was amended, in the twenty-fourth line, by inserting after the word "much" the words "of that sum."

Mr. LESLIE moved to add the following Section, which was agreed to :

SECTION 5. Be it further enacted, That all provisions of the charter of the Blue Ridge Railroad Company, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

The Bill was then ordered to be engrossed for a third reading.

Mr. SIMS moved to take up, for a second reading, No. 257, being a Bill to incorporate the Wateree and North Carolina Railroad Company.

Mr. RANDOLPH moved to amend by striking out No. 257 and substituting No. 253, being a Bill to establish a Board of Land Commissioners.

Mr. SIMS withdrew the motion to take up No. 257.

On motion of Mr. LESLIE, the Bill to establish a Board of Land Commissioners, &c., was referred to a Special Committee, consisting of Messrs. Whittemore, Corbin, Randolph, Nash and Rose, with instructions to report back the Bill to-morrow, and that it also be made the Special Order for 1 P. M. of the same day.

On motion of Mr. HAYNE, the Senate took up No. 263, being a Bill providing for the temporary appointment of Magistrates, and defining their powers and duties.

The Bill was considered by Sections.

On motion of Mr. LESLIE, Section 1 was amended to read as follows :

Until the organization of the Courts contemplated by Sections 21, 22 and 23 of Article IV of the Constitution, the Governor is hereby authorized, empowered and required to appoint a suitable number of fit and discreet persons in each county to act as Magistrates for such counties, and the practice in such Magistrates' Courts shall conform to the law as heretofore existing, so far as the same is not inconsistent with this Act.

On motion of Mr. WRIGHT, Section 1 was further amended by striking out the word "be" on the seventh line; also, by striking out "ed" from the word "commissioned;" also, by striking out the words "by the Governor" and inserting the word "the" before the word "commission."

Mr. LESLIE offered the following as a substitute for Section 2, which was agreed to :

SECTION 2. On receiving such commissions, and before entering upon the duties of their offices, such Magistrates shall take and subscribe before

the Clerk of the Court of their respective counties the oath required by Section 30, Article II, of the Constitution, and file the same in his office, unless in counties where such Clerks of Common Pleas may not be qualified according to law; and in such cases the said oath shall be administered by any officer authorized to administer oaths in the county where such Magistrates may be appointed; and such oaths so administered shall be filed in the office of the Secretary of State, and such Magistrates may immediately enter upon the discharge of their duties.

On motion of Mr. CORBIN, Section 3 was amended in the sixth line by striking out the word "only" and inserting the words "not exceeding fifty dollars."

On motion of Mr. HAYNE, the consideration of the Bill was suspended for the purpose of disposing of a Bill to enable the Chatham Railroad Company to extend their road to Columbia.

The Bill as amended on its second reading was then ordered to be returned to the House of Representatives for concurrence.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were duly ratified:

- An Act to fix the amounts of the official bonds of certain county officers;
- An Act to determine and perpetuate the homestead.

The Senate resumed the consideration of the General Orders.

The consideration of the Bill providing for the temporary appointment of Magistrates, and defining their powers and duties, was concluded, and the Bill ordered to be engrossed for a third reading.

Mr. RANDOLPH moved to take up No. 249, being a Bill to amend the charter of the Cheraw and Coalfields Railroad.

On motion of Mr. HAYNE, the motion to take up No. 249 was laid on the table.

The Senate proceeded to consider the report of the Committee on the Judiciary on a Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal.

The report was read, and the Bill taken up for consideration.

The Bill was read a second time, and considered by Sections.

On motion of Mr. CORBIN, Section 1 was amended in the second line by striking out the words "over which" and inserting the words "pending in;" also, by striking out the words "have original jurisdiction by" and inserting the words "and over which such Courts have original or appellate jurisdiction by."

On motion of Mr. WHITTEMORE, Section 1 was further amended by striking out on the third and fourth lines the word "judicial."

Mr. WHITTEMORE offered the following additional Section to the Bill, which was agreed to:

SECTION 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

On motion of Mr. CORBIN, the vote whereby Section 1 was agreed to was reconsidered, and the Section further amended by adding the following: "Provided, further, That reasonable notice of such application shall be given to the adverse party."

The Bill, as amended, was then ordered to be engrossed for a third reading.

Mr. JILLSON moved that the consideration of No. 227, being the report of the Committee on Finance on the petition of John Caldwell, be postponed until the next regular session.

On motion of Mr. WRIGHT, the motion of the Senator from Kershaw was laid on the table.

On motion of Mr. HAYNE, the Senate proceeded to the consideration of a Bill to organize the Supreme Court.

The Bill was taken up for a second reading, and considered by Sections.

Mr. WHITEMORE moved to amend Section 3 in the first line by striking out the words "elected and qualified" and inserting instead the words "shall qualify," and after the word "Constitution" on the second line to insert the words "on or before the first day of January, 1869, or the office be declared vacant."

Mr. NASH moved to amend the amendment by striking out the word "first" and inserting "twentieth."

The amendment was not agreed to.

Mr. NASH moved to lay the amendment of the Senator from Darlington on the table.

The motion to lay on the table was not agreed to.

Mr. WHITEMORE withdrew the original amendment, and moved to substitute the following: "Shall qualify within five months from the date of their election."

Mr. COGLAN moved to amend the amendment by striking out the word "five" before "months" and inserting "six."

The amendment was accepted by the Senator from Darlington.

Mr. SIMS moved to amend by striking out the word "six" before "months" and inserting the word "four."

Mr. LESLIE moved to strike out the words "six months" and substitute "thirty days."

Mr. SIMS withdrew the amendment to strike out "six" before the word "months" and insert the word "four."

A discussion ensued, participated in by Senators Whittemore, Nash, Hayne, Leslie, Wright and Randolph.

On motion of Mr. MAXWELL, the Senate adjourned at 3:50 P. M.

THURSDAY, SEPTEMBER 10, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives returned to the Senate, with concurrence, a joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County. Referred to the Committee on Enrolled Bills.

The House sent to the Senate,

A Bill to incorporate the Columbia Educational Society. Laid on the table. Also,

A Bill to incorporate the Ashley Fire Engine Company, of Charleston.

The Bill was read a first time, and, on motion of Mr. HAYNE, its further consideration postponed to the next regular session. Also,

A Bill to incorporate certain fire engine companies of Charleston.

On motion of Mr. LESLIE, the consideration of the Bill was ordered to be postponed to the next regular session. Also,

A Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina."

The Bill was read a first time, ordered for consideration to-morrow, and to be printed. Also,

A Bill to extend the time for county officers to qualify. Read a first time, and ordered for a second reading and consideration to-morrow.

REPORTS FROM COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading a Bill providing for the temporary appointment of Magistrates, and defining their powers and duties.

A Bill to provide for the temporary organization of the Educational Department of the State. Ordered for consideration to-morrow.

A Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal. Ordered for consideration to-morrow.

A Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

On motion of Mr. HAYNE, the Rules were suspended, and the Bill providing for the temporary appointment of Magistrates, and defining their powers and duties, taken up for a third reading.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. JILLSON, the Rules were further suspended, to take up the Bill to authorize additional aid to the Blue Ridge Railroad Company in South Carolina.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 10th instant, at 10 A. M., to-wit :

An Act to determine and perpetuate the homestead ;

An Act to fix the amounts of the official bonds of certain county officers.

Mr. WRIGHT, from the Committee on the Military, to whom was referred a resolution requesting the Committee to ascertain the number of stands of arms, batteries, and amount of other military equipments in possession of the State and at the disposal of the Governor, reported back the same, with the information that the Governor has no arms, batteries, or other military equipments at his command. Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to regulate attachments, which was read a first time, ordered for a second reading and consideration to morrow, and to be printed.

RESOLUTIONS.

Mr. SIMS offered the following resolution :

Resolved, That the President of the Senate appoint a Committee of five to report at the earliest business hour of the Senate to-morrow what business should be taken up and what postponed until the next session of the Legislature.

On motion of Mr. CORBIN, the Rules were suspended, and the resolution considered immediately.

On motion of Mr. SIMS, the resolution was referred to the Special Committee of five on subjects requiring immediate consideration.

Mr. WHITTEMORE offered the following resolution :

Resolved, That the Judiciary Committee be requested to draft a Bill which shall provide for the protection of all persons who are turned from their labor and deprived of their share of the crops, on account of their political faith, and punish such persons as shall wantonly invade or deny the rights of their employees.

On motion of Mr. JILLSON, the Rules were suspended, and the resolution considered immediately.

Mr. WRIGHT moved the adoption of the resolution.

The question was taken on agreeing to the resolution, and decided in the affirmative.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for 1 P. M. this day.

A Bill to establish a Board of Land Commissioners of Public Lands, to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands.

Mr. WHITTEMORE, from the Special Committee to whom the Bill was referred, with instructions, reported back the same, accompanied by a substitute.

Mr. WHITTEMORE moved to strike out all after the enacting clause of the original Bill, and to amend the title to conform to that of the substitute.

The substitute was read, and, on motion, its further consideration postponed till to-morrow, and ordered to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. RANDOLPH, the Senate took up for a third reading the Bill to authorize the sale of the Columbia Canal.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. ROSE moved to take up, out of its order, No. 235, being the report of the Committee on Public Buildings on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

Objection being made to the suspension of the Rules, the Bill was not taken up.

The Senate then proceeded to the consideration of the unfinished business, to-wit: A Bill to organize the Supreme Court.

The question recurred on the amendment of the Senator from Barnwell, to strike out of the amendment of the Senator from Darlington the words "five months" and insert "thirty days."

Mr. JILLSON moved to lay all the amendments on the table.

On division, the Senate voted yeas, 6; nays, 10.

So the motion to lay the amendments on the table was not agreed to.

The question was then taken on the motion to amend the amendment, by striking out "five months" and inserting "thirty days."

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Hoyt, Hayne, Jillson, Owens, Randolph, Rose and Sims.—7.

Nays—Messrs. Corbin, Cain, Coghlan, Dickson, Maxwell, Nash, Rainey, Reid, Rodgers, Wright and Whittemore.—11.

So the amendment to the amendment was not agreed to.

The question then recurred upon the amendment of the Senator from Darlington to insert the words "five months."

Mr. HAYNE moved to lay the amendment on the table, and, on that question, called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Hoyt, Hayne, Jillson, Owens, Randolph, Rose, Rodgers and Sims.—8.

Nays—Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Maxwell, Nash, Rainey, Reid, Wright, Whittemore and Wimbush.—12.

Mr. RANDOLPH moved that the amendment of the Senator from Darlington be indefinitely postponed.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Hoyt, Hayne, Jillson, Maxwell, Owens, Randolph, Rose and Rodgers.—8.

Nays—Messrs. Allen, Bieman, Corbin, Cain, Coghlan, Dickson, Leslie, Nash, Rainey, Reid, Sims, Wright, Whittemore and Wimbush.—14.

So the motion to indefinitely postpone was not agreed to.

Mr. HAYNE moved to amend the amendment by striking out "five," before the word "months," and inserting the word "three."

Mr. JILLSON moved to lay the amendment to the amendment on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Corbin, Hoyt, Hayne, Jillson, Owens, Randolph, Rose and Wimbush.—8.

Nays—Messrs. Allen, Cain, Coghlan, Dickson, Leslie, Maxwell, Nash, Rainey, Reid, Rodgers, Wright and Whittemore.—12.

So the motion to lay on the table was not agreed to.

Mr. JILLSON moved to amend the amendment by striking out the words "five months" and inserting the words "sixty days."

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Bieman, Hoyt, Hayne, Jillson, Owens, Randolph, Rose and Wimbush.—8.

Nays—Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Leslie, Maxwell, Nash, Rainey, Reid, Rodgers, Sims, Wright and Whittemore.—14.

So the amendment to the amendment was not agreed to.

The question recurred upon the amendment of the Senator from Darlington.

Mr. OWENS called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Allen, Bieman, Corbin, Cain, Coghlan, Dickson, Leslie, Maxwell, Nash, Rainey, Reid, Rodgers, Sims, Wright and Whittemore.—15.

Nays—Messrs. Hoyt, Hayne, Jillaon, Owens, Randolph, Rose and Wimbush.—7.

So the amendment was agreed to.

On motion of Mr. WHITTEMORE, Section 1 was further amended by striking out, on the third line, after the word "offices," the words "and their terms of office shall be deemed to have commenced from the date of their respective commissions;" also, on the first line, by inserting after the word "Constitution" the words "or the office be declared vacant by the Governor, and."

On motion of Mr. WHITTEMORE, Section 6 was amended by inserting after the word "power" the words "to administer oaths."

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate took up, out of its order, No. 275, being a Bill to regulate the practice of Circuit Courts.

The Bill was read a second time, and considered by Sections.

On motion of Mr. CORBIN, Section 8 was amended by adding the following proviso:

Provided, No more than thirty-one petit jurors or nineteen grand jurors shall be summoned to attend the Circuit Court at any one time, except by order of the Court.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. WRIGHT, the Senate took up, out of its order, No. 274, being the report of the Committee on the Judiciary on a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of the State.

The report was read, the Bill taken up for a second reading, and considered by Sections.

Mr. WHITEMORE moved that Section 2 be stricken out.

Mr. JILLSON moved to lay the motion to strike out on the table.

On division, the Senate voted yeas, 7; nays, 10.

So the motion to lay on the table was not agreed to.

The question was taken on striking out Section 2, and decided in the affirmative.

Mr. JILLSON moved to amend Section 3 by striking out of the first line the words "of good moral character."

The amendment was not agreed to.

On motion of Mr. WRIGHT, Section 4 was amended, in the second line, by striking out the word "one," before year, and inserting the word "two."

Mr. SWAILS moved to amend Section 7 by striking out of the second line the word "deceit," which was not agreed to.

Mr. SWAILS moved to amend Section 8 by striking out of the sixth line all after the word "Court," which was not agreed to.

Mr. SWAILS moved to strike out the entire Section, which was not agreed to.

Mr. COGHLAN moved to amend Section 9 by adding after the word "desires," in the second line, the words "provided that he pay the regular attorney's fee to the Commissioner of the Court."

The amendment was not agreed to.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. LESLIE, the Senate took up, out of its order, No. 256, being a Bill to provide for the submission of the question of location of the county seat of Barnwell.

The Bill was read a third time, and, by unanimous consent of the Senate, amended by striking out the words "County Commissioners" and inserting the words "Commissioners of Elections."

The Bill was then ordered to be sent to the House of Representatives.

Mr. LESLIE, from the Committee on Railroads, to whom was referred the House amendments to the Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and other uses of railways, and other works of internal improvement, reported back the same, with a recommendation that the Senate do not concur.

On motion of Mr. SWAILS, the Rules were suspended, and the report taken up for consideration.

On motion of Mr. NASH, the Senate adjourned at 3:40 P. M.

FRIDAY, SEPTEMBER 11, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WHITEMORE, the reading of the Journal of yesterday was dispensed with.

Mr. Lee, Messenger of the Senate, asked and obtained leave of absence for three days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 10, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully recedes from its amendment to a Bill to define the jurisdiction and to regulate the practice of Probate Courts.

Very respectfully, &c.,

F. J. MOSES, Jr.,

Speaker of the House of Representatives.

The House returned, with concurrence in Senate's amendments, a Bill to enable the Chatham Railroad Company to extend their road to Columbia, The Bill was taken up for a third reading.

Mr. JILLSON moved that the further consideration of the Bill be postponed, and that it be made the Special Order for Thursday next, at 1 P. M.

Mr. SIMS moved that the motion of the Senator from Kershaw be laid on the table.

Mr. COGHLAN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Bieman, Rodgers and Sims.—3.

Nays—Messrs. Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Rainey, Ried, Rose, Swails, Wright, Whitemore and Wimbush.—19.

So the motion to lay on the table was not agreed to.

The question recurred on the motion to postpone and make the Bill the Special Order for Thursday next, at 1 P. M.

Mr. COGHLAN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Leslie, Montgomery, Maxwell, Rainey, Rose, Swails, Wright, Whittemore and Wimbush.—18.

Nays—Messrs. Bieman, Reid, Rodgers and Sims.—4.

So the motion to postpone the consideration and make the Bill the Special Order for Thursday next, at 1 P. M., was agreed to.

The House sent to the Senate a joint resolution to provide for the publication of the Acts of the present session of the General Assembly, which was read a first time, and ordered for a second reading and consideration to-morrow.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of Joseph L. Tobias, attorney for Hugh Sisson, praying for renewal of certificates of stocks, reported back the same, and recommended the adoption of the following joint resolution :

Resolved, That the General Assembly direct that renewal or duplicate certificates of six per cent. stocks of the State of South Carolina, Nos. 6 and 17, redeemable in 1860, and Nos. 32, 111 and 113, redeemable in 1866, may be issued in the place of those lost and destroyed as set forth in the petition. Ordered for consideration to-morrow.

Mr. JILLSON, from the Special Committee on subjects requiring immediate consideration, submitted the following report :

That they have examined the Calendar of the Senate for September 11, and recommend that the following numbers on said Calendar do receive the earliest possible consideration of this Senate, to-wit : 229, 235, 236, 238, 240, 242, 244, 247, 249, 254, 255, 257, 258, 259, 260, 261, 263, 265, 267, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279 and 280.

Your Committee recommend that the further consideration of Nos. 227, 248, 250, 251, 252, 253, 262, 264 and 268 be indefinitely postponed.

They also recommend that the further consideration of the remaining numbers on the aforesaid Calendar be postponed until the regular session of the General Assembly.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, a joint resolution authorizing the issuing of a new warrant by the Comptroller-General to W. W. Woodward, late Sheriff of Barnwell County.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of assisting in the ratification of the above joint resolution.

The Speaker attended in the Senate House, when the joint resolution was duly ratified.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following Bills :

A Bill to organize the Supreme Court. Ordered for consideration to-morrow.

A Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State. Ordered for consideration to-morrow.

On motion, the Rules were suspended, and the report considered immediately.

On motion of Mr. WHITTEMORE, so much of the report as relates to subjects requiring immediate consideration was agreed to, and the consideration of the remainder of the report postponed until Thursday next.

NOTICES OF BILLS.

Mr. CORBIN asked leave to introduce, without previous notice,

A Bill to provide for the government of the South Carolina Penitentiary.

Objection being made to the suspension of the Rules, Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for the government of the South Carolina Penitentiary.

Mr. WHITTEMORE offered the following :

JOINT RESOLUTION.

Resolved, by the Senate and House of Representatives, That, as Ex-Governor Joseph R. Hawley, of Connecticut, is expected to be at Raleigh, N. C., to address the people of that city on the all-important issues of the day; and, as it would be agreeable to a large number of the citizens of South Carolina to listen to his stirring and eloquent appeals in behalf of the Union, a Committee of two from the Senate, and of such number from the House of Representatives as may be agreed upon by them, be appointed by the respective presiding officers of the same, to address him and invite him to visit Columbia, Charleston, and such other places as he may be able to, for the purpose of addressing the people of our State on the great questions of the day.

Resolved, That the said Committee be authorized to wait on Governor Hawley upon his arrival, and extend him the hospitalities of the city of Columbia, and arrange for his speaking while in the State.

On motion of Mr. HAYNE, the Rules were suspended, the resolution considered immediately, agreed to, and ordered to be sent to the House of Representatives.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

The PRESIDENT announced the consideration of the unfinished business, which was the report of the Senate Committee on Railroads on the amendments of the House to strike out the word "ten" on the ninth line, Section 1, of a Bill entitled "A Bill to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways, and other works of internal improvement," and insert the word "thirty," to be first in order.

Mr. CORBIN moved that the Senate concur in the amendments of the House of Representatives.

On division, the Senate voted yeas, 13; nays, 9.

So the motion to concur was agreed to, and a message ordered to be sent to the House accordingly.

On motion of Mr. JILLSON, the report of the Committee was ordered to lie on the table.

On motion of Mr. JILLSON, the Senate took up for a third reading a Bill to provide for the temporary organization of the Educational Department of the State.

The Bill was read a third time, passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

On motion of Mr. LESLIE, the Senate took up, out of its order on the Calendar, a Bill providing for the next general election, and the manner of conducting the same.

The Bill was taken up for a second reading, and considered by Sections.

On motion of Mr. LESLIE, Section 2 was amended by adding at the end of the Section the words "and if there be no such Clerk duly qualified by law, then in the office of the Secretary of State."

On motion of Mr. WHITTEMORE, the blank before the word days in the third line of Section 4 was filled by inserting the word "three."

Mr. CORBIN moved to amend in the third line by inserting after the word "days" the words "or so much thereof as may be necessary."

The amendment was not agreed to.

On motion of Mr. RANDOLPH, Section 4 was amended in the second line by striking out the word "reasonable" and inserting the words "ten days."

On motion of Mr. JILLSON, Section 4 was further amended by striking

out in the second line the word "thereof" and inserting the words "of such revision."

Mr. OWENS moved that Section 5 be stricken out.

Mr. RANDOLPH moved to amend by striking out the word "Managers" and inserting the word "Commissioners."

Mr. WRIGHT moved to amend Section 5 so as to read as follows :

"Each of the Boards of Managers are hereby authorized to appoint a clerk to assist them in whatever duties may be requisite, and such clerk shall take the oath of office hereinbefore mentioned before the Chairman of the Board of Managers for which he is appointed."

On motion of Mr. HAYNE, all the amendments were ordered to lie on the table.

Mr. HOYT moved to strike out the entire Section.

Mr. HAYNE moved to lay the motion to strike out the Section on the table.

The motion to lay on the table was agreed to.

Mr. LESLIE moved to amend the Bill by inserting the following after Section 7 :

SECTION 8. Representatives in the House of Representatives of the Congress of the United States shall be chosen at such election in the several Congressional Districts by the qualified electors therein.

SECTION 9. The State Constables and other peace officers of each county are hereby required to be present during the whole time that the polls are kept open, and until the election is completed ; and they shall prevent all interference with the Managers, and see that there is no interruption of good order. If there should be more than one polling place in any county, the State Constable of such county is hereby empowered and directed to make such assignment of his deputies and other peace officers to such other polling places as may, in his judgment, best subserve the purposes of quiet and order.

SECTION 10. All bar-rooms, saloons, and other places for the sale of liquors by retail, shall be closed during the progress of such elections and until six o'clock in the morning of the day thereafter ; and during the time aforesaid the sale of all intoxicating liquors is prohibited. Any person duly convicted before a competent Court of a violation of this Section shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment—such imprisonment not exceeding six months, in the discretion of the Court.

On motion of Mr. WHITTEMORE, Section 11 was amended in the fourth line by striking out the words "shall be delivered to the presiding

officer," and by striking out on the fifth line the words "the presiding officer aforesaid;" also, by changing the word "votes" in the first line to the word "voting," so that the Section shall read :

SECTION 8. The voting shall be by ballot, which shall contain, written or printed, or partly written and partly printed, the names of the persons voted for, and the offices to which such persons are intended to be chosen, and shall be so folded as to conceal the contents; and such ballots shall be deposited in a box to be constructed, kept and disposed of as hereinafter provided.

MESSAGE FROM THE GOVERNOR.

Message No. 8 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 11, 1868.

To the Honorable the President of the Senate :

I have this day approved the following Acts, viz. :

- 1st. An Act to determine and perpetuate the homestead.
- 2d. An Act to fix the amounts of the official bonds of certain county officers.

Very respectfully,

ROBERT K. SCOTT, Governor

On motion of Mr. CORBIN, the blank in the twelfth line was filled by inserting the words "State, Circuit and county officers."

On motion of Mr. LESLIE, Section 23 was amended by adding at the end of the Section the words "and if there be no such Clerk duly qualified according to law, then in the office of the Secretary of State."

On motion of Mr. LESLIE, Section 28 was amended at the end of the Section by adding "and if there be no such Clerk duly qualified according to law, then in the office of the Secretary of State."

Section 30 was amended by inserting in the second line, after the words "County Clerk," the words "or Secretary of State."

Section 32 was amended by filling the blank in the third line with the words "third Tuesday after the first Monday of November next."

Section 45 was amended in the third line, after the word "county," by inserting the words "if there be such Clerk duly qualified by law."

Section 47 was amended by filling the blank with the words "on the third Tuesday after the first Monday of November next."

On motion of Mr. LESLIE, the Senate, at 4 P. M., took a recess until 7 P. M.

RECESS.

The Senate re-assembled at 7:30 P. M., Hon. D. T. CORBIN, President *pro. tem.*, in the chair.

The roll was called, and a quorum answering to their names, the Senate resumed the consideration of the Bill providing for the next general election, and the manner of conducting the same.

Mr. WHITTEMORE moved a reconsideration of the vote whereby Section 12 was adopted.

The motion was agreed to.

On motion of Mr. WHITTEMORE, the following was inserted as a substitute for Section 12, and succeeding Sections numbered accordingly :

SECTION 12. There shall be one general ticket, on which shall be the names of the persons voted for as Representatives in Congress, and State, Circuit and county officers; and on another general ticket the names of the persons voted for as Electors of President and Vice-President, as hereinafter provided.

Section 13 was reconsidered and amended in the first line by striking out before the word "boxes" the word "three" and inserting the word "two;" also, by striking out, at the end of the Section, the third sub-division, and inserting after the word "Congress," in the second sub-division, the words "State, Circuit and county officers."

Section 28 was reconsidered and amended by adding to the end of the Section "within three days of the time of their first meeting as a Board of County Canvassers."

Section 33 was reconsidered and amended by adding at the end of the Section the words "for the purpose of canvassing the votes of all officers voted for at such election, except Electors of President and Vice-President."

On motion of Mr. WHITTEMORE, Section 44, which had been passed over, was taken up, read, and agreed to.

Section 47 was amended by inserting in the second line after the word "on" the words "the Wednesday next after the third Monday of November."

Section 52 was amended by filling the first blank with the word "two," the second blank with the word "four," the third blank with the word "two," and the fourth blank with the word "four."

Section 55 was amended by filling the blanks with the word "two."

Mr. HOYT offered the following as an additional Section :

SECTION 56. Copies of this Act shall be printed and furnished by the

proper authorities to every Board of Commissioners and Managers of Election in each county.

The amendment was not agreed to.

The Bill was then ordered to be engrossed for a third reading.

Mr. LESLIE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to regulate arrests and bail in certain cases.

On motion of Mr. LESLIE, the Senate adjourned at 8:45 P. M.

SATURDAY, SEPTEMBER 12, 1868.

The Senate assembled at 12-M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

On motion of Mr. SWAILS, the Journal was corrected on the sixth page by striking out from Section 10 the words "by retail," as ordered by the Senate on the second reading of the Bill providing for the next general election, and the manner of conducting the same.

Mr. SIMS asked and obtained leave of absence for three days, on account of important business.

Mr. WHITTEMORE asked and obtained leave of absence for three days.

Mr. ARNIM asked and obtained leave of absence for Mr. Bieman, Senator from Oconee, for six days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate, for concurrence, the following papers:

A resolution to extend to General J. R. Hawley, of Connecticut, now visiting Raleigh, N. C., an invitation to visit this General Assembly at his convenience. Ordered to lie on the table.

A Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State. Read a first time, ordered for a second reading and consideration on Monday, and to be printed.

A Bill to provide transportation for convicts discharged from the State

Penitentiary. Read a first time, and ordered for a second reading and consideration on Monday.

A Bill to punish discrimination in the treatment of prisoners by Jailers and Sheriffs. Read a first time, and ordered for a second reading and consideration on Monday.

A Bill to establish a public ferry in York County. Read a first time.

On motion of Mr. HAYNE, the second reading and consideration of the Bill was postponed to the next regular session.

A Bill to authorize the building of a bridge to connect the Islands of Wadmalaw and John. Read a first time, and ordered to lie on the table for the present.

PETITIONS, &c.

Mr. WHITTEMORE presented the petition of J. N. Corbett, Reading Clerk of the Senate, praying for increased compensation, in consequence of the protraction of the session beyond the time expected. Referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of J. N. Corbett, Reading Clerk, reported back the same, with a recommendation that the compensation of said Reading Clerk be five dollars a day during the session.

On motion of Mr. WHITTEMORE, the Rules were suspended, and the report considered immediately.

The question was taken on agreeing to the report, and decided in the affirmative.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred the petition of the Commissioners of the Poor of Abbeville County, praying for an advance of \$1,500 to keep up the poor house of said county, reported back the same, with a recommendation that the benevolent and generous hearted citizens of Abbeville County contribute to the necessities of their poor, until, by funds raised under the new system of taxation, they shall be relieved from want. Ordered for consideration on Monday.

Mr. WHITTEMORE, from the same Committee, to whom was referred the petition of Mrs R. E. Izard, of Newport, Rhode Island, praying for the renewal of certain bonds and certificates, destroyed by fire, reported back the same, accompanied by a joint resolution for the re-issue of bonds and certificates of stock to Rosetta E. Izard.

On motion of Mr. CORBIN, the report and resolution was ordered to lie on the table, and to be printed.

Mr RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following :

A Bill to remove the county seat of Beaufort County from the town of Gillisonville to the town of Beaufort ;

A Bill to regulate the practice of Circuit Courts in certain cases.

On motion of Mr. HAYNE, the Rules were suspended, the above Bills read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. RANDOLPH, from the Committee on Enrolled Acts, reported that the joint resolution authorizing the issuing of a new warrant by the Comptroller-General to W. W. Woodward, late Sheriff of Barnwell County, was presented to His Excellency the Governor for his approval on the 12th instant, at 10 A. M

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

Mr. LESLIE moved to take up, out of its order, a Bill providing for the formation of the Electoral Colleges, and for the election of Presidential Electors.

Mr. RANDOLPH moved to amend by taking up a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

The amendment was agreed to.

A Bill to protect all persons in the State in their civil rights was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. HOYT, the Senate took up the report of the Committee on Public Buildings on a Bill to provide for the appointment of a Board of Directors of the State Penitentiary.

The report was read, and the Bill taken up for consideration.

Mr. CORBIN moved to amend by striking out all after the enacting clause, and to insert, as a substitute, " A Bill to provide for the government of the South Carolina Penitentiary."

Mr. JILLSON moved to lay the report of the Committee on the table.

The motion was not agreed to.

Mr. SIMS moved that the reading of the Bill be postponed until Monday.

On motion of Mr. WRIGHT, the motion to postpone was laid on the table.

The substitute was then read.

Mr. JILLSON moved to lay the substitute on the table.

The motion to lay on the table was not agreed to.

On motion of Mr. CORBIN, the substitute was taken up and considered by Sections.

Mr. NASH moved to strike out Section 2.

On motion of Mr. HAYNE, the motion to strike out was laid on the table.

Mr. CORBIN moved that Section 2 be amended by adding, at the end of the Section, the words "unless sooner removed according to law."

Mr. NASH moved to lay the amendment on the table.

The motion to lay on the table was not agreed to.

The question was then taken upon agreeing to the amendment, and decided in the affirmative.

Mr. RANDOLPH moved to amend Section 3 by striking out the word "twenty" before the words "thousand dollars" and inserting the word "ten."

Mr. HOYT moved to amend the amendment by striking out the word "twenty" and inserting the word "thirty."

The amendment was not agreed to.

The question recurred upon the motion to strike out "twenty" and insert "ten," and decided in the negative.

Mr. JILLSON moved to strike out "twenty" and insert the words "one hundred," so as to make the bonds "one hundred thousand dollars."

The amendment was not agreed to.

Mr. NASH moved to strike out "twenty" and insert "fifteen," which was not agreed to.

Mr. JILLSON moved to amend Section 4 by striking out all after the first line.

The motion was not agreed to.

Mr. SIMS moved to amend Section 13 by striking out the words "by and with the advice and consent of the Governor."

On motion of Mr. NASH, the motion to strike out was laid on the table.

On motion of Mr. CORBIN, the consideration of Section 13 was suspended.

Mr. HAYNE moved to amend Section 14, in the fifth line, by striking out the word "five" before "hundred" and inserting the word "three," so as to fix the salary of the Chaplain of the Penitentiary at three hundred dollars.

Mr. CAIN moved to lay the amendment on the table.

Mr. NASH called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Allen, Corbin, Cain, Dickson, Randolph, Rose and Whittemore.—7.

Nays—Messrs. Hoyt, Hayes, Hayne, Jillson, Maxwell, Nash, Rainey, Reid, Rodgers, Sims, Wright and Wimbush.—12.

So the amendment was laid on the table.

Mr. WHITTEMORE moved to amend by striking out "five" and inserting "four."

The amendment was laid on the table.

Mr. HAYNE withdrew the motion to strike out "five" and insert "three."

Mr. NASH renewed the motion, and on the question of agreeing to the amendment, called for the yeas and nays.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Hayes, Jillson, Nash, Owens, Reid and Rodgers.—6.

Nays—Messrs. Allen, Corbin, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayne, Maxwell, Rainey, Randolph, Rose, Swails, Sims, Wright, Whittemore and Wimbush —17.

So the amendment was not agreed to.

Mr. SIMS moved to amend by inserting after the word "Chaplain" the words "who may be furnished with quarters within or near the enclosure, whose duty it shall be, on every Sabbath, and as the rule will permit."

Mr. RANDOLPH moved to amend in the fourth line by inserting between the words "moral" and "and" the word "educational."

The amendment was not agreed to.

Mr. CORBIN moved to amend Section 15 by striking out the words "fifteen hundred" before "dollars" and inserting "two thousand."

Mr. HAYNE moved to amend by striking out "fifteen hundred" and inserting "twenty-five hundred."

The question was taken on the amendment of the Senator from Charleston, and decided in the affirmative.

On motion of Mr. CORBIN, Section 13 was taken up for consideration, and amended by inserting the following as the eighth sub-division of the Section :

SECTION 8. To suspend or remove, with the consent of the Governor, the Superintendent for oppression and misconduct in office. Such suspension or removal shall not take place without giving the Superintendent an opportunity to be heard in his defence.

The question was then taken on agreeing to the substitute, and decided in the affirmative.

On motion of Mr. WHITTEMORE, the title of the Bill was changed to that of "A Bill to provide for the government of the South Carolina Penitentiary."

The Bill was then ordered to be engrossed for a third reading.

Mr. SWAILS moved to reconsider the vote whereby the third reading of the Bill to enable the Chatham Railroad Company was postponed, and the Bill made the Special Order for Thursday next, at 1 P. M.

On motion of Mr. SWAILS, the Bill was taken up for a third reading.

Mr. WRIGHT asked the unanimous consent of the Senate to amend Section 9 by striking out the amendment added by the Senator from Lancaster.

The motion was afterwards withdrawn.

Mr. RANDOLPH moved that the Bill be recommitted, with instructions to strike out the amendment of the Senator from Lancaster.

Mr. HAYNE moved to lay the motion of the Senator from Orangeburg on the table.

Mr. SWAILS called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Corbin, Hoyt, Hayne, Leslie, Nash, Reid, Rose and Wimbush.—8.

Nays—Messrs. Arnim, Allen, Cain, Coghlan, Dickson, Duncan, Hayes, Jilison, Maxwell, Rainey, Randolph, Swails, Wright and Whittemore.—14.

On the question of agreeing to the motion to refer to the Committee on Railroads, with instructions to strike out from Section 9 the amendment of the Senator from Lancaster, Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Arnim, Allen, Cain, Coghlan, Duncan, Hoyt, Hayes, Jilison, Maxwell, Rainey, Randolph, Swails and Wright.—13.

Nays—Messrs. Corbin, Dickson, Hayne, Leslie, Nash, Owens, Reid, Rose, Whittemore and Wimbush.—10.

So the motion to refer was agreed to.

Mr. WHITTEMORE offered the following:

JOINT RESOLUTION.

Resolved, That in order to carry out the contract made betw the late Constitutional Convention and Denny & Perry, for printing the proceedings of said Convention, sixteen hundred dollars, or so much thereof as may be necessary, be, and is hereby, appropriated, out of any money not otherwise appropriated, for the purpose of finishing the said work.

Resolved, That the Governor and Treasurer of the State are hereby authorized and directed to see that the details of said contracts are complied with.

Resolved, That the contract shall be so altered as to require that the pamphlets, when completed, shall be delivered to the State Librarian, and that said officer is hereby directed to furnish, immediately upon the completion of the pamphlets, one copy each to the members of the late Constitutional Convention and to each of the members of the present General Assembly.

Mr. RANDOLPH moved to take up No. 262, being a resolution to fix the time of meetings of the Senate.

Mr. HAYNE moved to amend by taking up No. 257, being a Bill to provide for the transportation of convicts discharged from the State Penitentiary.

The motion was not seconded.

Mr. HAYNE moved a reconsideration of the vote whereby the Bill to provide for the government of the Penitentiary passed its second reading.

Mr. CORBIN moved to take up No. 260, being a Bill to suppress insurrection or rebellion.

Mr. SWAILS moved that the Senate adjourn.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Duncan, Hayes, Jilison, Leslie, Rainey, Reid, Rose, Swails and Whittemore.—11.

Nays—Messrs. Corbin, Cain, Coghlan, Hoyt, Hayne, Maxwell, Nash, Owens, Randolph, Wright and Wimbush.—11.

The PRESIDENT voted in the affirmative.

The Senate then adjourned at 8:40 P. M.

MONDAY, SEPTEMBER 14, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

Mr. MAXWELL asked and obtained leave of absence for the Senator from Chester for one day.

Mr. WRIGHT asked and obtained leave of absence for two days, on account of important business.

Mr. CAIN asked and obtained leave of absence for two days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 14, 1868.

To the Honorable the President and Members of the Senate.

GENTLEMEN: The House of Representatives respectfully requests the return of a Bill to prevent discrimination by persons carrying on business

under license on account of race, color, or previous condition. A substitute for said Bill, entitled "A Bill to protect all persons in this State in their civil rights, and furnish means of vindication," from your honorable body, is in possession of this House.

Very respectfully, &c ,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. CORBIN, a message was returned to the House of Representatives respectfully informing that body that the Senate have laid on the table the Bill entitled "A Bill to prevent discrimination between persons by those carrying on business under license on account of race, color, or previous condition."

The House also sent to the Senate a Bill to regulate elections, and to punish the abuses of the elective franchise.

The Bill was read a first time, and, on motion of Mr. HAYNE, ordered to lie on the table.

RESOLUTIONS.

Mr. JILLSON offered the following resolution, which was considered immediately, and agreed to :

Resolved, That after to-day, and until the close of this session, this Senate shall hold two daily sessions, to-wit : from 10 o'clock A. M. to 2 o'clock P. M., and meet again at 5 o'clock P. M., and adjourn at pleasure.

Mr. RANDOLPH offered the following resolution, which was read, and ordered for consideration to-morrow :

Resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in view of the advantages that will accrue to the State and to the Legislature from a closer relation with the great commercial and material centre of the State, and in view of the greater conveniences that may be provided for this General Assembly in its legislative capacity, as well as for the members thereof, His Excellency the Governor is hereby authorized to convene the ensuing regular session of the General Assembly in the city of Charleston, or to make such arrangements for its place of meeting as he may deem wise and proper.

REPORTS OF COMMITTEES.

Mr. ROSE, from the Committee on Railroads, to whom was referred, on the third reading, a Bill to enable the Chatham Railroad Company to extend

their road to Columbia, with instructions to strike out from Section 9 the words "that the grading shall be commenced simultaneously at Columbia and at Raleigh; it shall be carried on as nearly as practicable mile for mile in each State, until the grading is completed in the said States of South and North Carolina," reported back the same, with the Section amended as ordered, and a recommendation that the Bill do pass.

Mr. JILLSON moved that a message be sent to the House of Representatives asking permission of that body to amend the above Bill in the manner proposed by the Senate.

Mr. HAYNE moved to lay the motion of the Senator from Kershaw on the table.

Mr. CAIN called for the yeas and nays.

Mr. HAYNE withdrew the motion to lay on the table.

The question was then taken on the motion to send a message to the House, and decided in the affirmative.

A message was sent to the House accordingly.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, "An Act to close the operations of the Bank of the State of South Carolina."

A message was sent to the Speaker of the House of Representatives inviting him to attend, at his pleasure, in the Senate House to assist in the ratification of said Act.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate took up, out of its order, a Bill to organize the Supreme Court.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up, out of its order, a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

The Bill was read a third time, and, on motion of Mr. CORBIN, by unanimous consent of the Senate, amended by the addition of the following Section:

SECTION 8. No attorney, solicitor or counsellor shall be allowed to occupy more than two hours of the time of the Court in the argument of any cause, unless he shall first obtain the special permission of the Court to do so.

The Bill then passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. HOYT, the Senate took up, out of its order, a Bill to provide for the formation and proceedings of the Colleges of Electors.

The Bill was read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. WRIGHT, the Senate took up, out of its order, a Bill to regulate arrests and bail in civil actions.

The Bill was read a second time, and considered by Sections.

MESSAGE FROM THE GOVERNOR.

Message No. 9 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., September 14, 1868.

To the Honorable the President of the Senate :

I have this day approved the joint resolution authorizing the issuing of a new warrant by the Comptroller-General of South Carolina to W. W. Woodward, late Sheriff of Barnwell County, South Carolina.

Very respectfully,

ROBERT K. SCOTT, Governor

GENERAL ORDERS.

The Senate resumed the consideration of the Bill to regulate arrests and bail in civil actions.

The Bill received sundry verbal amendments, and was ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate took up, out of its order, a Bill to regulate attachments.

The Bill was read a second time, and considered by Sections.

On motion, Section 3 was amended by adding the following :

“It shall be the duty of the plaintiff procuring such warrant, within ten days after the issuing thereof, to cause the affidavits on which the same was granted to be filed in the office of the Justice of the Peace, Magistrate, or the Clerk of the Court of the county in which the action is to be tried.”

Section 16 was amended, on motion of Mr. CORBIN, by adding the following :

“And where there is more than one defendant, and the several property of either of the defendants has been seized by virtue of the order of attach-

ment, the defendant whose several property has been seized may apply to the officer who issued the attachment for relief under this Section."

Section 17 was, on motion of Mr. CORBIN, amended by adding the following :

And in all cases the defendant may move to discharge the attachment. And where there is more than one defendant, and the several property of either of the defendants has been seized by virtue of the order of attachment, the defendant whose several property has been seized may deliver to the Court or officer an undertaking, in accordance with the provisions of this Section, to the effect that he will, on demand, pay to the plaintiff the amount of judgment that may be recovered against such defendant. And all the provisions of this Section applicable to such undertaking shall be applied thereto.

On motion of Mr. CORBIN, the following was made an additional Section :

SECTION 20. Distress for non-payment of rent, as heretofore existing, is abolished. All Acts and part of Acts inconsistent with this Act are hereby repealed.

The Bill was then ordered to be engrossed for a third reading.

Mr. COGHLAN moved to take up, out of its order, a Bill to extend the time for county officers to qualify.

The motion was agreed to.

On motion of Mr. JILLSON, the consideration of the Bill was made the Special Order for to-morrow, at 11 A. M., and ordered to be printed.

REPORTS OF COMMITTEES.

On motion, the Senate departed from the consideration of the General Orders for the purpose of receiving a report.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading a Bill to provide for the government of the South Carolina Penitentiary.

On motion of Mr. HAYNE, the Rules were suspended, and the Bill taken up for a third reading.

The Bill was then read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. RANDOLPH, from the same Committee, reported as engrossed and ready for a third reading a Bill to regulate arrests and bail in civil actions. Ordered for consideration to-morrow.

Mr. RAINEY moved to take up, out of its order, a Bill to establish the

Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

On motion of Mr. JILLSON, the Senate, at 3 P. M., took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The roll was called, and a quorum answering to their names, the Senate proceeded to business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 14, 1868.

To the Honorable President and Members of the Senate.

GENTLEMEN : The House of Representatives respectfully accede to the request (contained in communication of this date) from your honorable body authorizing an amendment, on its third reading, to a Bill entitled "A Bill to enable the Chatham Railroad Company to extend their road to Columbia," the House of Representatives having reconsidered their action in passing said Bill to a third reading, and awaiting an answer to their message in reference to your further action.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The Bill to enable the Chatham Railroad Company to extend their road to Columbia was read the third time, Section 9 amended, the Bill passed, and ordered to be returned to the House of Representatives.

On motion of Mr. JILLSON, the Senate took up a Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

The Bill was read by its title, and ordered to be placed in the General Orders for to-morrow, and to be printed.

On motion of Mr. JILLSON, the Senate took up, out of its order, a Bill to suppress insurrection and rebellion.

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

On motion of Mr. ALLEN, the Bill to incorporate the Wateree and North Carolina Railroad Company was read by its title, and ordered to be placed in the General Orders for to-morrow, and to be printed.

On motion of Mr. SIMS, a Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite cap-

ital to South Carolina, was ordered to be printed and placed in the General Orders for to-morrow.

On motion of Mr. CORBIN, the Senate took up, out of its order, a Bill to fix the salary and define the duties of the Attorney-General of the State.

The Bill was taken up for a second reading, and considered by Sections.

Mr. NASH moved to amend Section 1 by striking out after the word "year" the words "and a sum not exceeding one thousand dollars annually for such clerical assistance as the business of his office may require."

The motion to amend was not agreed to.

The Bill was read through to and including Section 9.

On motion of Mr. RANDOLPH, the Senate adjourned at 6:45 P. M.

TUESDAY, SEPTEMBER 15, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by Rev. B. F. RANDOLPH.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

The PRESIDENT laid before the Senate the petition of the City Council of Charleston, praying for the repeal of the Act of the General Assembly, passed in 1838, prohibiting the excavation and building of cellars, &c.

The petition was read, and, on motion of Mr. CORBIN, referred to the Committee on the Judiciary.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a concurrent resolution instructing the State Printer to publish in a certain manner the permanent work of this special and the ensuing regular session of the General Assembly.

On motion of Mr. HAYNE, the resolution was referred to the Committee on Printing.

The House also sent to the Senate a Bill to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State. Laid on the table. Also,

A Bill to organize and govern the militia of the State of South Carolina. Read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading the following Bills :

A Bill to suppress insurrection and rebellion ;

A Bill to provide for the formation and proceedings of the Colleges of Electors.

On motion of Mr. HAYNE, the Rules were suspended, and the above Bills taken up for a third reading.

The Bills were read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following Acts :

An Act to punish persons who may attempt to hold office by authority of the late Provisional Government ;

An Act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina ;

An Act to remove the county seat of Beaufort County from Gillisonville to the town of Beaufort, S. C.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of ratifying the above Acts.

RESOLUTIONS.

Mr. ALLEN offered the following joint resolution, which was read a first time, ordered for a second reading and consideration to-morrow, and to be printed :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to appoint a Commissioner for and in behalf of the State to take charge of the State Works at Greenville in this State, and all notes and papers connected therewith.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. CORBIN, the following Bills were taken up, out of their order, read a third time, passed, and ordered to be sent to the House of Representatives :

A Bill to regulate arrests and bail in civil actions ;

A Bill to regulate attachments.

SPECIAL ORDER.

At 11 A. M. the PRESIDENT announced the hour for the consideration of the Special Order, which was a Bill to extend the time for county officers to qualify.

The Bill was read a second time, and considered by Sections.

On motion of Mr. RANDOLPH, Section 1 was amended, in the first line, by inserting the words "heretofore elected" between the words "officers" and "be."

Mr. ARNIM moved to strike out Section 2.

The motion was not agreed to.

On motion of Mr. ALLEN, the word "county," in the first line, before the word "officers," was stricken out.

On motion of Mr. CORBIN, Section 1 was further amended by adding, at the end of the Section, the words "and on failure to qualify within the above specified time, their respective offices shall be declared vacant by the Governor."

Mr. CORBIN moved to amend by striking out, in the third line of Section 2, the word "Comptroller" before the word "General" and substituting the word "Attorney."

On division, the Senate voted yeas, 12; nays, 7.

So the amendment was agreed to.

On motion of Mr. CORBIN, Section 3 was amended by inserting the following substitute :

SECTION 3. That all Acts and parts of Acts inconsistent with this Act are hereby suspended until after the first day of January next, except the Act organizing the Supreme Court.

On motion of Mr. HAYNE, the title of the Bill was amended by striking out the word "county" before the word "officers"

On motion of Mr. HAYNE, the Bill, as amended, was then ordered to be returned to the House of Representatives for the action of that body on the amendments of the Senate.

On motion of Mr. CORBIN, the Senate proceeded to the consideration of the unfinished business, which was a Bill to fix the salary and define the duties of the Attorney-General of the State.

The consideration of the Bill was resumed at Section 9, the remaining Sections read a second time, considered, and the Bill ordered to be engrossed for a third reading.

Mr. ALLEN moved to take up, out of its order, No. 253, being a Bill to incorporate the Wateree and North Carolina Railroad Company.

Mr. HAYNE moved to amend by striking out "253" and inserting

"235," being a report of the Committee on Finance on a Bill to regulate the pay of certain State officers.

The amendment was agreed to.

On motion of Mr. CORBIN, the Bill was laid upon the table for the present, and the report of the Committee taken up for consideration.

Mr. RANDOLPH moved to amend by striking out of the first line, after the word "Governor" and before the word "thousand," the word "five;" and inserting "four."

Mr. RAINEY moved to amend the amendment by striking out the words "four thousand" before "dollars" and inserting the words "thirty-five hundred."

The amendment to the amendment was accepted by the mover of the amendment.

The amendment was then agreed to.

On motion of Mr. RAINEY, so much of the report as related to the Attorney-General was stricken out.

Mr. HAYNE moved to amend, in the eleventh line, by striking out the words "three thousand" before the word "dollars" and inserting the words "twenty-five hundred."

Mr. ARNIM moved to amend the amendment by striking out the words "twenty-five" and inserting the word "fifteen."

Mr. RAINEY moved to lay the amendment, and the amendment to the amendment, on the table.

The motion to lay on the table was not agreed to.

The question was taken on the motion to strike out "three thousand" and insert "twenty-five hundred," and decided in the affirmative.

Mr. NASH moved to amend the twelfth line by striking out, after the word "Treasurer," the words "thirty-five hundred," and inserting "twenty-five hundred."

Mr. RAINEY moved to lay the motion to amend on the table.

On division, the Senate voted yeas, 12; nays, 5.

So the motion to amend was laid on the table.

Mr. CORBIN moved to amend by striking out the words "three thousand" and inserting "twenty-seven hundred."

On motion of Mr. RAINEY, the motion of the Senator from Charleston was indefinitely postponed.

Mr. NASH moved to strike out "three thousand five hundred" and insert "twenty-six hundred."

On motion of Mr. HAYNE, the amendment of the Senator from Richmond was laid on the table.

On motion of Mr. CORBIN, the words "which is to include the salary

of clerks for both the Comptroller-General and Treasurer" were stricken out.

On motion of Mr. CORBIN, the words "three thousand" after the word "Treasurer" were stricken out, and the word "twenty" inserted.

Mr. HAYNE moved to amend by inserting after the words "Treasurer, twenty-five hundred dollars," the words "Chief Clerk of the Treasury, eighteen hundred dollars."

Mr. CORBIN moved to amend the amendment by inserting after the word "Treasurer" the words "to be appointed with the approval of the Governor."

Mr. HAYNE accepted the amendment.

Mr. NASH moved to amend the amendment by striking out "eighteen hundred" and inserting "fifteen hundred."

Mr. RANDOLPH moved to amend the amendment by inserting "the salary of the Chief Clerk shall not exceed two thousand dollars."

Mr. HAYNE moved that the amendment of the Senator from Orangeburg be indefinitely postponed.

On division, the Senate voted yeas, 11; nays, 5.

So the amendment to the amendment was indefinitely postponed.

The question recurred on the motion to amend the amendment by striking out "eighteen hundred" and inserting "fifteen hundred."

Mr. CORBIN moved that the amendment to the amendment be indefinitely postponed.

Mr. NASH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Coghlan, Dickson, Duncan, Hoyt, Jillson, Maxwell, Rainey, Randolph and Rose.—11.

Nays—Messrs. Hayes, Hayne, Montgomery, Nash, Owens, Reid and Rodgers.—7.

So the motion to postpone indefinitely the amendment to the amendment was agreed to.

The question was then taken on the amendment offered by the Senator from Marion, and decided in the affirmative.

On motion of Mr. HAYNE, the words "Superintendent of Education, two thousand five hundred dollars" were stricken out.

Mr. RANDOLPH moved to amend the report by striking out after the words "Chief Justice" the words "four thousand" and inserting "thirty-five hundred."

Mr. COGHLAN moved to amend by inserting after the words "four thousand" the words "five hundred." Not seconded.

Mr. NASH moved to strike out "four thousand" and insert "thirty-six hundred."

Mr. HAYNE moved to lay the motion on the table.

Mr. NASH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Montgomery, Rainey and Rose.—11.

Nays—Messrs. Jillson, Maxwell, Nash, Owens, Randolph, Reid and Rodgers.—7.

So the amendment was laid on the table.

Mr. HOYT moved to amend in the sixteenth line by striking out the words "three thousand five hundred" and inserting the words "four thousand."

On motion of Mr. RAINEY, the motion of the Senator from Colleton was laid on the table.

Mr. NASH moved to amend by striking out "thirty-five hundred" and inserting "three thousand."

Mr. HAYNE moved to lay the motion on the table.

Mr. NASH called for the yeas and days, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Montgomery, Rainey, Randolph and Rose.—13.

Nays—Messrs. Maxwell, Nash, Owens, Reid and Rodgers.—5.

So the motion to amend was laid on the table.

Mr. OWENS moved to amend by striking out after the words "Solicitors each" the words "one thousand" and inserting the words "eight hundred."

The motion was not agreed to.

On motion of Mr. CORBIN, the clause relative to County Commissioners was stricken out.

Mr. OWENS moved to amend by striking out in the clause providing for County Auditor the words "one thousand."

On motion of Mr. HAYNE, the motion of the Senator from Laurens was laid on the table.

Mr. NASH moved to strike out "fifteen hundred" and insert "one thousand."

Pending the consideration of the motion to amend, the hour of 2 having arrived, the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a concurrent resolution requesting the Comptroller General to make a report of lands belonging to the State. Ordered for consideration to-morrow.

The consideration of the report of the Committee on Finance on the Bill to fix the salary and regulate the pay of certain officers was resumed.

REPORTS OF COMMITTEES.

On motion of Mr. RANDOLPH, the Rules were suspended for the purpose of receiving reports of Committees.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading a Bill to provide for the next general election, and the manner of conducting the same.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following :

An Act to provide for the assessment and taxation of property ;

An Act to provide for the temporary organization of the Educational Department of the State.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of assisting in the ratification of the above Acts.

On motion of Mr. HAYNE, the Rules were further suspended, and the Senate took up for a third reading the Bill providing for the next general election, and the manner of conducting the same.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

GENERAL ORDERS.

The Senate resumed the consideration of the report of the Committee on Finance on the Bill to fix the salary and regulate the pay of certain officers.

The question recurred on the motion to strike out from the clause relating to County Auditor "fifteen hundred" and insert "one thousand."

On motion of Mr. HAYNE, the motion to amend was laid on the table.

On motion of Mr. CORBIN, so much of the report as relates to the County Auditor was passed over.

On motion of Mr. HAYNE, so much of the report as relates to County Assessors was stricken out.

Mr. HAYNE moved to amend by striking out after the words "Engrossing Clerks shall receive" the words "the per diem of members of the General Assembly," and to substitute the words "shall receive five dollars per day while actually employed."

Mr. HAYNE subsequently withdrew his motion.

On motion of Mr. CORBIN, the report was recommitted to the Committee on Finance, with instructions to amend the accompanying Bill in accordance with the report as amended by the Senate.

Mr. RANDOLPH moved to take up, out of its order, No. 246, being a Bill to amend the charter of the Cheraw and Coalfields Railroad.

The motion was not agreed to.

Mr. HAYNE moved to take up No 277, being a Bill to provide transportation for convicts discharged from the State Penitentiary.

The motion was not agreed to.

On motion of Mr. RANDOLPH, the Senate took up, out of its order, a Bill to incorporate the Wateree and North Carolina Railroad Company.

The Bill was taken up, and read a second time.

Mr. RANDOLPH moved that the further consideration of the Bill be indefinitely postponed.

Mr. HAYNE moved to lay the Bill on the table.

Mr. CORBIN called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Coghlan, Hayes, Hayne, Jillson, Maxwell, Owens, Rainey, Randolph, Reid, Rose and Rodgers.—11.

Nays—Messrs. Arnim, Allen, Corbin, Dickson, Duncan, Hoyt, Montgomery and Nash.—8.

So the motion to lay the Bill on the table was agreed to.

On motion of Mr. HAYNE, the Senate took up, out of its order, the Bill to provide transportation for convicts discharged from the State Penitentiary.

On motion of Mr. CORBIN, Section 1 was amended by inserting after the word "with" the words "a suit of common clothes, if deemed necessary, and," so as to read "it shall be the duty of the Superintendent to furnish such convicts with a suit of common clothes, if deemed necessary, and."

Section 2 was amended by inserting after the word "transportation" the words "and clothes."

The Bill, as amended on the second reading, was ordered to be returned to the House of Representatives for the action of that body on the amendments of the Senate.

Mr. CORBIN moved to take up for a third reading a Bill authorizing the leasing of the Saluda Turnpike.

The Bill was read a second time.

Pending the question of the passage of the Bill, the Speaker of the House of Representatives attended in the Senate chamber, when the following Acts were ratified :

An Act to remove the county seat of Beaufort County from Gillisonville to the town of Beaufort ;

An Act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina ;

An Act to punish persons who may attempt to hold office by authority of the late provisional Government ;

An Act to provide for the temporary organization of the Educational Department of the State ;

An Act to close the operations of the Bank of the State of South Carolina ;

An Act providing for the assessment and taxation of property.

On motion of Mr. ROSE, the Senate adjourned at 7:10 P. M.

WEDNESDAY, SEPTEMBER 16, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

The Chaplain of the Senate asked and obtained leave of absence for two days.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with concurrence in the amendments of the Senate, a Bill to extend the time for officers to qualify.

The Bill was read a third time, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House also returned to the Senate, with amendments, a Bill providing for the temporary appointment of Magistrates, and to define their powers and duties.

On motion of Mr. CORBIN, the Bill, as amended by the House, was referred to the Committee on the Judiciary.

The House sent to the Senate a joint resolution to allow mileage to W. J. Mixson.

Mr. LESLIE moved that the consideration of the resolution be indefinitely postponed, and on the question of agreeing to the motion, called for the yeas and nays :

Yeas—Messrs. Allen, Duncan, Hoyt, Hayes, Leslie, Nash, Rose and Pedgders.—8.

Nays—Messrs. Arnim, Corbin, Coghlan, Dickson, Maxwell, Owens, Rainey, Randolph, Wright and Wimbush.—10.

So the motion to postpone indefinitely was not agreed to, and the resolution was ordered for a second reading and consideration to-morrow.

The House also returned, with concurrence in the amendments of the Senate, a Bill to provide transportation for convicts discharged from the State Penitentiary.

The Bill was read a third time.

On the question of agreeing to the passage of the Bill, Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Corbin, Coghlan, Dickson, Duncan, Hoyt, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Wright and Wimbush.—17.

Nays—Messrs. Hayes, Leslie, Reid and Sims.—4.

So the Bill was passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

Mr. LESLIE moved that so much of the vote whereby the consideration of the second and third sub-divisions of the report of the Special Committee on the subjects requiring immediate consideration was postponed to Thursday next be rescinded.

Mr. ROSE moved to lay the motion to rescind on the table.

On division, the Senate voted yeas, 8 ; nays, 9.

So the motion to lay on the table was not agreed to.

Mr. RANDOLPH moved that the motion of the Senator from Barnwell be indefinitely postponed.

On division, the Senate voted yeas, 12 ; nays, 6.

So the motion to indefinitely postpone was agreed to.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 16th instant, at 10 A. M., to-wit :

An Act to provide for the assessment and taxation of property ;

An Act to provide for the temporary organization of the Educational Department of the State ;

An Act to punish persons who may attempt to hold office by authority of the late Provisional Government of South Carolina ;

An Act to authorize additional aid to the Blue Ridge Railroad Company in South Carolina ;

An Act to remove the county seat of Beaufort County from Gillisonville to Beaufort ;

An Act to close the operations of the Bank of the State of South Carolina.

NOTICES OF BILLS.

Mr. CORBIN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to provide for quarantine service at Georgetown, Charleston and Hilton Head.

Mr. RANDOLPH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

A Bill to alter and amend the charter of the town of Orangeburg.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

The PRESIDENT announced the unfinished business to be first in order, which was a Bill authorizing the leasing of the Saluda Turnpike, and directing the disposition of the rental money of the same.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. WRIGHT moved to take up, out of its order, a Bill to organize and govern the militia of the State of South Carolina, that it be read by its title, and referred to the Committee on the Judiciary.

The PRESIDENT decided the motion to refer before the second reading of the Bill out of order.

On motion of Mr. JILLSON, the Bill was made the Special Order for 11 A. M. to-morrow.

On motion of Mr. CORBIN, the Senate took up, out of its order, a Bill to quiet rights vested under military orders.

The Bill was taken up for a second reading, and considered by Sections.

Mr. CORBIN moved to amend Section 1st by adding the following :

General Orders No. 28, from Headquarters Second Military District, dated Charleston, S. C., February 27, A. D. 1868, are hereby affirmed and re-enacted.

Mr. LESLIE moved to amend the amendment by striking out all after paragraph 3 of General Orders No. 28.

The amendment to the amendment was not agreed to.

The question was then taken on agreeing to the amendment offered by the Senator from Charleston, and decided in the affirmative.

On motion of Mr. WRIGHT, Section 3 was amended by inserting in the last line between the the words "be" and "elected" the words "appointed or."

The Bill, as amended, was ordered to be engrossed for a third reading.

On motion of Mr. RODGERS, the Senate took up, out of its order, for a second reading, a Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

Mr. WRIGHT moved to take up, out of its order, a Bill to vacate and set aside the judgments of civil Courts, and to stay proceedings upon the same in certain cases.

The Bill was read a second time.

Mr. WRIGHT moved that the further consideration of the Bill be indefinitely postponed.

During the discussion of the question, which was participated in by Senators Leslie and Wright, the hour of 2 having arrived, the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The consideration of the Bill to set aside and vacate the judgments of civil Courts, and to stay proceedings upon the same in certain cases, was resumed.

The question recurred on the motion of the Senator from Beaufort to postpone indefinitely the further consideration of the Bill.

Mr. CORBIN moved that the Bill be referred to the Committee on the Judiciary.

The motion was agreed to.

On motion of Mr. HAYNE, the Senate took up, out of its order, the report of the Committee on Incorporations on the Bill to repeal the charter of the town of Hauburg.

The report of the Committee was read and agreed to.

On motion, a message was sent to the House of Representatives respectfully asking that body to grant leave to the Senate to amend the Bill by striking out Section 2.

Mr. RANDOLPH moved to take up, out of its order, a Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows:

Yeas—Messrs. Arnim, Cain, Coghlan, Dickson, Donaldson, Hayne, Jillson, Nash, Rainey, Randolph, Swails, Wright and Wimbush.—13.

Nays—Messrs. Allen, Corbin, Hoyt, Leslie, Reid, Rose and Rodgers.—7.

So the motion to take up the Bill was agreed to.

The Bill was read a second time.

Mr. LESLIE moved that the further consideration of the Bill be postponed to the next regular session.

On division, the Senate voted yeas, 6 ; nays, 17.

So the motion to postpone to the next regular session was not agreed to.

On motion of Mr. RANDOLPH, the consideration of the Bill was postponed, and made the Special Order for to-morrow, at 11 A. M.

On motion of Mr. RANDOLPH, the Senate suspended the consideration of the General Orders for the purpose of receiving the report of a Standing Committee.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported the following Bills as engrossed and ready for a third reading :

A Bill to fix the salary and define the duties of the Attorney-General of the State ;

A Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes ;

A Bill to quiet rights vested under military orders.

The above Bills were ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. CORBIN, the Senate took up, out of its order, a Bill to amend an Act entitled " An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina."

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

On motion of Mr. ALLEN, the Senate took up, out of its order, a joint resolution to authorize the appointment of a Commissioner to take charge of the State Works at Greenville.

The resolution was read a second time, considered, and ordered to be engrossed for a third reading.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

A concurrent resolution relative to adjournment of the General Assembly on the 24th instant. Read and ordered for consideration to-morrow. Also,

A Bill to authorize a lease of the State Road running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain,

to the County of Henderson, in the State of North Carolina. Read a first time, ordered for a second reading to-morrow, and to be printed.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. HOYT, the Senate took up, out of its order, a Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina.

The Bill was read a second time, and, on motion of Mr. WRIGHT, was referred to the Committee on Finance.

On motion of Mr. CORBIN, the Senate took up a Bill to determine the manner of disposing of lands purchased by the State.

Pending the consideration of the Bill, the Senate, on motion of Mr. OWENS, adjourned at 7 P. M.

THURSDAY, SEPTEMBER 17, 1868.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

On motion of Mr. CORBIN, the Bill was laid on the table.

The House returned to the Senate, with amendments, a Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary.

Mr. WRIGHT moved that the Senate concur in the amendments of the House of Representatives

Mr. LESLIE moved to amend by striking out the motion to concur, and that a message be sent to the House informing that body that the Senate do not concur.

SPECIAL ORDER.

Mr. SWAILS called for the Special Order, which was a Bill to organize and govern the militia of the State of South Carolina.

On motion of Mr. HAYNE, the consideration of the Special Order was suspended until the Bill then under consideration by the Senate was disposed of.

The question recurred upon concurring in the amendments of the House to the Bill to provide for the accommodation of the General Assembly, the Executive and the Judiciary.

Mr LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Mr. Cain.—1.

Nays—Messrs. Arnim, Allen, Coghlan, Dickson, Donaldson, Hoyt, Hayes, Jillson, Leslie, Maxwell, Rainey, Randolph, Reid, Rose, Rodgers, Swails, Sims and Wimbush.—18.

So the Senate refused to concur in the amendment, and a message was ordered to be sent to the House of Representatives accordingly.

The House sent to the Senate a Bill to establish the office of County Treasurer.

The Bill was read a first time.

On motion of Mr. HAYNE, the Rules were suspended, and the Bill referred to the Committee on Finance.

The House returned to the Senate, with amendments, a Bill to authorize the sale of the Columbia Canal.

Mr. LESLIE moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

Mr. NASH moved to lay the motion of the Senator from Barnwell on the table.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Dickson, Hoyt, Jillson, Maxwell, Nash, Owens, Randolph, Wright and Wimbush.—9.

Nays—Messrs. Arnim, Allen, Cain, Coghlan, Duncan, Leslie, Reid, Rose, Rodgers, Swails and Sims.—11.

So the motion to lay on the table was not agreed to.

The question recurred on the motion to postpone until the next regular session.

Mr. NASH called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Coghlan, Dickson, Duncan, Leslie, Reid, Rose, Rodgers and Sims.—10.

Nays—Messrs. Cain, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Swails and Wimbush.—10.

The PRESIDENT voted in the negative.

So the motion to postpone to the next regular session was not agreed to.

The question was then taken on the motion that the Senate concur in the amendments of the House of Representatives, and decided in the affirmative.

The Bill was then ordered to be returned to the House of Representatives, with a message that the Senate concur in the amendments of that body.

The House returned to the Senate, with amendments, a Bill to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal.

Mr. WRIGHT moved that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to, and a message ordered to be sent to the House accordingly.

On motion of Mr. WRIGHT, the Bill to organize and govern the militia of the State of South Carolina was referred to the Committee on the Military.

REPORTS OF COMMITTEES.

Mr. RAINEY, from the Committee on Finance, to whom was recommit-
ted a Bill entitled "A Bill to fix the pay of certain officers," with instruc-
tions to report amendments, reported back the same, amended in accordance
with the instructions of the Senate. Ordered for consideration to-morrow,
and to be printed.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as
engrossed and ready for a third reading the following:

A joint resolution authorizing the Governor to appoint a Commissioner to
take charge of the State Works at Greenville;

A Bill to amend an Act entitled "An Act to authorize a loan to redeem
the obligations known as Bills Receivable of the State of South Carolina."

On motion of Mr. WRIGHT, the Rules were suspended, and the above
taken up for a third reading.

The joint resolution authorizing the Governor to appoint a Commissioner
to take charge of the State Works at Greenville was read a third time,
passed, and ordered to be sent to the House of Representatives.

A Bill to amend an Act entitled "An Act to authorize a loan to redeem
the obligations known as Bills Receivable of the State of South Carolina"
was read a third time.

On the question of agreeing to the passage of the Bill, the yeas and nays
were ordered, and are as follows:

Yeas—Messrs. Arnim, Allen, Corbin, Cain, Coghlan, Dickson, Donald-
son, Foster, Hoyt, Hayes, Hayne, Jillson, Nash, Rainey, Reid, Rodgers,
Rose, Swails, Wright, Whittemore and Wimbush.—21.

Nays—Messrs. Leslie, Owens and Sims.—3.

So the Bill was passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following :

An Act to extend the time for officers to qualify ;

An Act to provide transportation for convicts discharged from the State Penitentiary ;

An Act to enable the Chatham Railroad Company to extend their road to Columbia ;

An Act to incorporate the Wando Mining and Manufacturing Company.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House to assist in the ratification of the above Acts.

Mr. CAIN, from the Committee on Printing, to whom was referred a resolution relative to instructions to the Printer as to the manner of publishing the permanent work of the General Assembly, reported back the same, with a recommendation that the resolution do lie upon the table, and accompanied by a joint resolution to provide for the public printing, which the Committee recommend as a substitute. Ordered for consideration tomorrow, and to be printed.

RESOLUTIONS.

Mr. WHITTEMORE offered the following resolution, which was considered immediately, and agreed to :

Resolved, That a Committee of three on the part of the Senate be appointed to confer with a Committee of the House for the purpose of agreeing upon and reporting such Bills as are of the utmost importance, and necessary to be passed by this special session of the General Assembly, with a view to effect the earliest possible adjournment, and that this Committee be allowed to sit during the present morning session, and be instructed to report before its close the result of their conference.

In accordance with the above resolution, Messrs. Whittemore, Corbin and Wright were appointed a Committee on the part of the Senate.

Mr. JILLSON offered the following resolution, and moved that it be considered immediately :

Resolved, That for the remainder of this session, no member shall speak more than once on any one subject on the same day, nor more than ten minutes at any one time, without leave of the Senate.

Objection being made, the resolution was ordered for consideration tomorrow.

On motion of Mr. CORBIN, the Senate reconsidered its action on the above resolution, which was taken up, considered, and agreed to.

SPECIAL ORDER.

The PRESIDENT announced the Special Order, which was a Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

The consideration of the Bill was resumed at Section 2.

On motion of Mr. DONALDSON, the several Acts of previous sessions of the General Assembly relative to the charter and incorporation of the Cheraw and Coalfields Railroad were read.

Mr. ROSE moved that the further consideration of the Bill be postponed until the next regular session.

Mr. MAXWELL moved that the motion to postpone be laid on the table.

Mr. SIMS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Corbin, Cain, Coghlan, Dickson, Donaldson, Duncan, Foster, Hayes, Hayne, Jillson, Maxwell, Nash, Rainey, Randolph, Reid, Rodgers, Swails, Sims, Wright, Whittemore and Wimbush.—22.

Nays—Messrs. Hoyt, Leslie, Owens and Rose.—4.

So the motion to lay the motion to postpone on the table was agreed to.

MESSAGE FROM THE GOVERNOR.

Message No. 10 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., September 16, 1868.

To the Honorable the President of the Senate :

I have this day approved the following Acts, viz.:

1. An Act to punish persons who may attempt to hold office by authority of the late Provisional Government.
2. An Act to close the operations of the Bank of the State of South Carolina.

Very respectfully,

ROBERT K. SCOTT, Governor.

SPECIAL ORDER.

The Senate resumed the consideration of the Special Order.

The question recurred on the adoption of Section 2 of the Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

Mr. LESLIE offered the following resolution :

Resolved, That the Comptroller-General be requested to inform the General Assembly as to the amount of bonds or stock transferred by that officer to the Cheraw and Coalfields Railroads, and that all further proceedings be suspended on this Bill until the Comptroller-General shall make his report.

The PRESIDENT decided the introduction of the resolution to be out of order.

Mr. LESLIE moved that Section 2 be stricken out.

Some discussion ensued, participated in by Senators Leslie, Hayne, Randolph and Donaldson.

On the question of striking out Section 2, Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Leslie and Rose.—2.

Nays—Messrs. Arnim, Allen, Corbin, Cain, Coghlan, Dickson, Donaldson, Duncan, Hayes, Hayne, Jillson, Maxwell, Owens, Rainey, Randolph, Reid, Rodgers, Swails, Sims, Wright, Whittemore and Wimbush.—22.

So the motion to strike out Section 2 was not agreed to.

Mr. LESLIE moved that Section 3 be stricken out.

On motion of Mr. SWAILS, the motion to strike out Section 3 was laid on the table.

Mr. HOYT moved to amend Section 4 by adding the following :

Provided, The said company commence the said railroad within one year, and complete the same within five years.

On motion of Mr. LESLIE, the amendment was laid on the table.

Mr. LESLIE moved that the enacting clause of the Bill be stricken out, and on the question of agreeing to the motion, called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Duncan, Leslie and Rose.—4.

Nays—Messrs. Allen, Cain, Coghlan, Dickson, Donaldson, Hoyt, Hayne, Jillson, Nash, Owens, Rainey, Randolph, Reid, Rodgers, Sims and Wimbush.—16.

So the motion to strike out the enacting clause of the Bill was not agreed to.

ACTS RATIFIED.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were ratified :

An Act to enable the Chatham Railroad Company to extend their road to Columbia ;

An Act to incorporate the Wando Mining and Manufacturing Company ;

An Act to provide transportation for convicts discharged from the State Penitentiary ;

An Act to extend the time for officers to qualify.

SPECIAL ORDER.

The Senate resumed the consideration of the Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

The question recurred on the passage of the Bill.

On motion of Mr. DONALDSON, the vote whereby Section 5 was agreed to was reconsidered, and the Section amended by striking out the words "to the North Carolina line."

The Bill, as amended, was then ordered to be returned to the House of Representatives for the action of that body on the amendments of the Senate.

REPORTS OF COMMITTEES.

On motion of Mr. WHITTEMORE, the Rules were suspended for the purpose of receiving a report.

Mr. WHITTEMORE, from the Committee of Conference relative to Bills necessary to be passed at the present session of the General Assembly, made the report of that Committee, which was read, ordered for consideration to-morrow, and to be printed.

On motion of Mr. CORBIN, the Senate took up for a third reading a Bill to fix the salary and determine the duties of the Attorney-General.

The Bill was read a third time, passed, and ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up, out of its order, a resolution (by Senator Randolph) relative to the Senator from Barnwell.

Mr. HAYNE moved to amend the resolution by inserting the words "President and" before the words "President *pro tempore*."

Pending the consideration of the motion of the Senator from Marion, the hour of 2 having arrived, the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The PRESIDENT announced the unfinished business first in order to be the consideration of the resolution relative to the Senator from Barnwell.

Mr. SWAILS moved that the resolution be referred to a Special Committee of five, with instructions to report to-morrow, at 12 M.

Mr. LESLIE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Cain, Coghlan, Dickson, Duncan, Hayes, Hayne, Jillson, Maxwell, Owens, Rainey, Reid, Rose, Swails, Wright and Whittemore.—19.

Nays—Messrs. Nash, Randolph, Rodgers and Wimbush.—4.

So the motion to refer the resolution to a Special Committee of five was agreed to.

Messrs. Swails, Corbin, Whittemore, Hayne and Randolph were appointed said Committee.

Mr. SWAILS asked to be excused from serving on the Committee.

On the question of agreeing to the request, the Senate refused to excuse the Senator from serving on the Committee.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 17, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives has adopted the report of the Committee on Privileges and Elections, of this House, recommending that a Bill to provide for the formation and proceedings of the Colleges of Electors, and a Bill providing for the next general election, and the manner of conducting the same, be returned to the Senate, as House Bills now before the Senate more fully provide for the accomplishment of the purposes indicated in these Bills, and as the House desires to economize time. The Bills referred to are returned herewith.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

The House also sent to the Senate, in connection with the above message, the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That a Joint Committee, consisting of three members of the House and _____ members of the Senate, be appointed to consider and report forthwith on the Bills now pending in relation to elections.

On motion of Mr. WHITTEMORE, the message and resolution, together with the Bills, were referred to the Committee on the Judiciary.

Mr. RANDOLPH moved to take up from the table a Bill to protect all persons in their civil rights, and furnish the means of their vindication.

The motion was not agreed to.

On motion of Mr. HAYNE, the Senate took up a Bill to supply temporary vacancies in the office of Governor.

On motion of Mr. CORBIN, Section 3 was amended by inserting after the word "elect" the words "a person duly qualified to fill."

On motion of Mr. WHITTEMORE, the Bill was amended by the addition of the following Section :

SECTION 4. Whenever a Governor shall be elected at such general election, as hereinbefore provided, he shall immediately enter upon the discharge of the duties of his office, and shall continue to so discharge such duties during the residue of the term.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. WHITTEMORE, the Senate took up a Bill to determine the manner of disposing of lands purchased by the State for taxes.

The Bill was read, considered by Sections, and ordered to be engrossed for a third reading.

Mr. CAIN moved to take up from the table a Bill to incorporate the Wateree and North Carolina Railroad.

On motion of Mr. HAYNE, the motion of the Senator from Charleston was laid on the table.

On motion of Mr. WHITTEMORE, the Senate took up the report of the Committee on Finance on a petition of the Western Union Telegraph Company, praying for relief from a double tax.

The report was agreed to, and the joint resolution recommended by the Committee read a first time, and ordered for a second reading and consideration to-morrow.

On motion of Mr. HAYNE, the Senate took up for a third reading a Bill to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes.

The Bill was read a third time, passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

On motion of Mr. CORBIN, a Bill to quiet rights vested under military orders was taken up for a third reading.

Section 1, on motion of Mr. CORBIN, and by unanimous consent of the Senate, was amended by adding the following :

The following General Orders, issued from Headquarters of Second Military District, at Charleston, South Carolina, are affirmed and re-enacted, to-wit: Paragraph 13 of General Orders No. 10, dated April 11, A. D. 1867, General Orders No. 139, dated December 3, A. D. 1867, and General Orders No. 28, dated February 27, A. D. 1868.

The Bill then passed, and was ordered to be sent to the House of Representatives.

On motion of Mr. RAINEY, a Bill to license pilots for Charleston bar and harbor, Stono River, &c., was taken up for a second reading.

The Bill was read a second time, and, on motion of Mr. WHITTEMORE, referred to the Committee on the Judiciary.

On motion of Mr. HAYNE, a Bill to authorize a lease of the State Road running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina, was taken up for a second reading.

The Bill was read a second time, and ordered to be engrossed for a third reading.

On motion of Mr. HAYNE, the Senate adjourned at 7 P. M.

FRIDAY, SEPTEMBER 18, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, and by unanimous consent of the Senate, the reading of the Journal of yesterday was dispensed with.

Mr. WHITTEMORE asked and obtained leave of absence for the remainder of the session.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following :

A Bill to provide for the filling of certain offices. Read a first time.

On motion of Mr. HAYNE, the Rules were suspended, and the Bill referred to the Committee on the Judiciary.

A Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.

The Bill was read a first time, and referred to the Committee on the Judiciary.

A Bill to protect laborers and persons working under contracts on shares of crops.

The Bill was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

The House returned, with concurrence in the amendments of the Senate, a Bill to amend the charter of the Cheraw and Coalfields Railroad Company.

The Bill was read a third time, passed, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 18, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully informs your honorable body that the House recedes from its amendment to a Bill to provide accommodation for the General Assembly, the Executive and Judiciary.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

Mr. WRIGHT moved to take up from the table a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

Mr. CORBIN moved to lay the motion of the Senator from Beaufort on the table.

Mr. WRIGHT called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Bieman, Corbin, Dickson, Duncan, Foster, Hayes, Leslie, Owens, Reid, Rose, Rodgers and Whittemore.—13.

Nays—Messrs. Allen, Coghlan, Donaldson, Hayne, Jillson, Montgomery Rainey, Randolph, Swails, Wright and Wimbush.—11.

So the motion to lay on the table was agreed to.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on Finance, to whom was referred a Bill to establish the office of County Treasurer, reported back the same, with a recommendation that the Bill be laid upon the table. Ordered for consideration to-morrow.

Mr. RANDOLPH, from the Committee on Engrossed Acts, reported as engrossed and ready for a third reading the following :

A Bill to determine the manner of disposing of lands purchased by the State for taxes ;

A Bill to supply temporary vacancies in the office of Governor.

On motion of Mr. HAYNE, the Rules were suspended, and the above Bills taken up for a third reading.

The Bills were then read a third time, passed, and ordered to be sent to the House of Representatives.

Mr. LESLIE asked to record his vote upon the passage of the Bill to determine the manner of disposing of lands purchased by the State for taxes, and voted "no."

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported the following Acts as enrolled, sealed, and ready for ratification :

An Act for the preservation of the State Capitol ;

An Act to organize the Supreme Court ;

An Act to amend an Act entitled " An Act to incorporate the Air Line Railroad Company in South Carolina ;"

An Act to extend the charter of Kinsler's Ferry ;

An Act to alter and amend an Act entitled " An Act to organize the Circuit Courts ;"

An Act to amend an Act entitled " An Act to authorize a loan to redeem the obligations known as Bills Receivable of South Carolina."

The Speaker of the House of Representatives attended in the Senate House, when the above Acts were duly ratified.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 17th instant, at 1 P. M., to-wit :

An Act to extend the time for officers to qualify ;

An Act to provide transportation for convicts discharged from the State Penitentiary ;

An Act to enable the Chatham Railroad Company to extend their road to Columbia ;

An Act to incorporate the Wando Mining and Manufacturing Company.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill for the temporary appointment of Magistrates, and to define their powers and duties, as amended by the House of Representatives, reported back the same, with a recommendation that the Senate do concur with the amendments of the House, and ask permission of that body to further amend the Bill by striking out the word " fifty," in the fifth and sixth lines, and inserting instead thereof the word " ninety-nine;" and also, by inserting before the last Section additional Sections reported by the Committee, and numbered 5, 6, 7; 8, 9, 10, 11 and 12. Ordered for consideration to-morrow, and to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 18, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully concurs in the proposition of

your honorable body to unite in Joint Assembly on Monday next, (September 21,) at 12 M., to go into an election for a Circuit Judge, to supply the vacancy created by the refusal of the Hon. G. W. Williams to qualify.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

RESOLUTIONS.

Mr. HAYES offered the following resolution, which was considered immediately, and agreed to :

Resolved, That a message be sent to the House of Representatives, proposing to that body to go into an election on Monday next, at 12 o'clock M., for a Circuit Judge, to supply the vacancy created by the refusal of Hon. G. W. Williams to qualify.

A message was sent to the House of Representatives accordingly.

Mr. WRIGHT offered the following resolution :

Resolved, That the Senate send a message to the House of Representatives, informing that body what disposition they have made of the Bill known as the Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication.

The PRESIDENT decided the resolution to be out of order.

Mr. WRIGHT offered the following resolution :

Resolved, That a Committee of two be appointed by the President to proceed at once to the House of Representatives and ascertain the condition of the Bill known as a Bill to protect all persons in the State in their civil rights, and furnish the means of their vindication, and report to this Senate.

Mr. WRIGHT moved that the Rules be suspended, and the resolution considered immediately.

Objections being made, the resolution was ordered for consideration tomorrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate took up for a third reading a Bill to authorize a leasing of the State Road running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina.

The Bill was read a third time, passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

On motion of Mr. WHITTEMORE, the Senate took up for consideration the report of the Committee of Conference appointed by the Senate and House of Representatives to consider what Bills are necessary to be passed at this special session of the General Assembly.

A joint resolution to provide for the publication of the Acts of the General Assembly was read, and, on motion of Mr. CORBIN, made the Special Order for to-morrow, at 11 A. M., and ordered to be printed.

A joint resolution relative to the publication of the proceedings of the late Constitutional Convention was read a second time, considered, and ordered to be engrossed for a third reading.

A joint resolution to appoint a Commission to inquire into the assets and liabilities of the Bank of the State of South Carolina was read a second time, amended, and ordered to be engrossed for a third reading.

SPECIAL ORDER.

The hour for the Special Order having arrived, the Senate proceeded to the consideration of the report of the Special Committee to whom was referred the resolution and charges relative to the Senator from Barnwell.

Mr. SWAILS, on behalf of the Special Committee, submitted the following preamble and resolution as a substitute, and recommended its passage :

Whereas he, Charles P. Leslie, Senator from Barnwell County, was, on the 29th day of August, A. D. 1868, guilty of contempt toward the Senate, by wilful disobedience of its orders ; and whereas the said Charles P. Leslie, Senator from Barnwell County, was, on the 17th day of September, A. D. 1868, in its presence, guilty of contempt toward the Senate, by disorderly and contumacious behavior ; therefore,

Resolved, That the said Charles P. Leslie, Senator from Barnwell County, be, and he is hereby, reprimanded and expelled from the Senate, and his seat declared vacant.

S. A. SWAILS, Chairman.

H. E. HAYNE, Secretary.

B. F. WHITTEMORE,

D. T. CORBIN,

B. F. RANDOLPH.

Mr. LESLIE moved that the report be recommitted to the Committee, with instructions to state specifically the contemptuous language charged against the Senator from Barnwell.

Mr. DONALDSON moved that the Rules be suspended, and that the report be taken up for consideration.

Objections being made, the report was ordered for consideration to-morrow, and to be printed.

Mr. LESLIE gave notice that he will ask that the report of the Committee be made specific, and that the Senate be furnished with the original report.

On motion of Mr. MONTGOMERY, it was

Resolved, That the Clerk furnish the Senator from Barnwell with a copy of the report of the Special Committee.

On motion of Mr. RANDOLPH, the report was made the Special Order for to-morrow, at half-past 10 A. M.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate proceeded regularly with the consideration of the Orders on the Calendar.

The following were postponed to the next regular session :

Report of the Committee on Finance on the petition of John Caldwell ;

Report of the same Committee on joint resolution authorizing the State Treasurer to issue to the executor of the estate of Maria Brisbane renewal of six per cent. State stock ;

Report of the same Committee on a Bill for the conversion of State securities ;

Report of the Committee on Incorporations on a Bill to incorporate the Lake Swamp Navigation Company ;

Report of the Committee on Incorporations on a Bill to incorporate the Union Star Fire Engine Company ;

Report of the same Committee on a Bill to incorporate the Sumter Fire Engine Company ;

Report of Committee on Finance on joint resolution to relieve W. P. Gill of a penalty ;

Bill (by Mr. Wright) to incorporate the Mission Presbyterian Church, in the city of Charleston ;

Bill (from Committee on Incorporations) to incorporate the Promptitude Fire Engine Company, of Charleston ;

Bill (by Mr. Bieman) to regulate distillation of spirituous liquors ;

Report of Special Committee of five on Rules of the Senate ;

Report of Committee on Education on a resolution relative to disloyal organizations, &c. ;

Resolution (by Mr. Randolph) relative to violation of law.

On motion of Mr. RANDOLPH, the consideration of the General Orders was suspended for the purpose of introducing a resolution.

Mr. RANDOLPH offered the following resolution, and moved that it be considered immediately :

Resolved, by the Senate, the House of Representatives concurring, That a Committee consisting of three from the House and two from the Senate be appointed to inquire into the frauds, if any, perpetrated by the Commission appointed by the late Constitutional Convention to inquire into the assets and liabilities of the State, and that they be authorized to send for persons and papers, and that they report at this session of the Legislature.

Objection being made to a suspension of the Rules, the resolution was ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate resumed the consideration of the General Orders on the Calendar.

A Bill to incorporate the Longshoremen's Protective Union Association was read a third time, passed, and ordered to be sent to the House of Representatives.

The report of the Committee on Elections on report of the House Committee was taken up for consideration and agreed to.

The report of the Committee on Elections to inquire into the vacancy in the Senate from Abbeville County was considered and agreed to.

On motion of Mr. HAYNE, the consideration of the General Orders was suspended for the purpose of introducing a resolution.

Mr. HAYNE offered the following :

Resolved, That the President of the Senate be authorized to issue a writ of election for a Senator from the County of Fairfield, to fill the vacancy occasioned by the resignation of Hon. J. M. Rutland.

Objection being made to the immediate consideration of the resolution, it was ordered for consideration to-morrow.

The consideration of the General Orders was resumed.

A Bill to renew the charter of Island Ford Ferry was read a second time, considered, and ordered to be engrossed for a third reading.

The report of Committee on Finance on the report of the Commission appointed to inquire into the liabilities and assets of the State was taken up for consideration.

On motion of Mr. RANDOLPH, the further consideration of the report was postponed, and made the Special Order for 5 P. M. this day.

BILLS INTRODUCED.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to make additional appropriations for the payment of the mileage

of members, salaries of subordinate officers, and the expenses of the General Assembly, and for the payment of the salaries of the State officers

The Bill was read a first time, ordered for a second reading and consideration to-morrow, and to be printed.

On motion of Mr. ARNIM, the Senate, at 1:45 P. M., took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Senate proceeded to the consideration of the report of the Committee on Finance on the report of the Commission appointed to inquire into the liabilities and assets of the State.

Mr. ARNIM moved that the further consideration of the report be postponed until the next regular session.

The motion was subsequently withdrawn.

Mr. RANDOLPH moved that the report of the Committee be adopted.

Mr. HAYNE renewed the motion to postpone to the next regular session, which was subsequently withdrawn.

On motion of Mr. LESLIE, so much of the report as relates to the appointment of a Commission by the Governor was stricken out.

The question recurred upon the motion of the Senator from Grangeburg, that the report be adopted.

Mr. CORBIN moved to amend the motion by striking out the word "adopted" and inserting the words "received as information."

Mr. RANDOLPH moved as an amendment that the report be referred to the Governor, and that he be requested to take such steps as may be necessary to place the General Assembly in possession of the fullest information on the subject.

On motion of Mr. ALLEN, the further consideration of the report was postponed to the next regular session of the General Assembly.

Mr. ARNIM offered the following resolutions :

Resolved, That the Commissioners appointed by the Constitutional Convention to examine into the condition and assets of the State are hereby discharged.

Resolved, That the said Commissioners transmit to this General Assembly by its next regular session a specified report of expenses.

The resolutions were afterwards withdrawn.

Mr. LESLIE offered the following :

Resolved, That the Senate, having been informed that some of the members of the Commission appointed to examine into the assets of the State have not received any compensation for their labor, while others have been paid in part, if not in full, recommend that the Board of Commissioners be requested to make out the amount of their bills, severally, up to the time of the actual finishing of the work of examination of the said assets of the State, showing all amounts received on account, which voucher shall be sworn before a proper Magistrate.

Mr. RANDOLPH moved that the resolution be laid on the table.

The motion was not agreed to.

The question was then taken on agreeing to the resolution of the Senator from Barnwell, and decided in the affirmative.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a resolution from the House of Representatives to appoint a Joint Committee on Bills relative to elections, reported back the same, with a recommendation that the Senate do concur in the resolution, and that the members of said Committee on the part of the Senate consist of two members of the Senate.

On motion of Mr. CORBIN, the Rules were suspended, and the report considered immediately.

The report was agreed to, and Messrs. Corbin and Wright appointed a Committee on the part of the Senate.

Mr. RAINEY, from the Committee on Finance, to whom was recommended a Bill to fix the salary and regulate the pay of certain officers, reported back the same, with a recommendation that all after the enacting clause of the Bill be stricken out, and the amendments reported by the Committee be adopted as a substitute.

Mr. DONALDSON moved that the Bill be recommitted to the Committee on Finance, with instructions to amend by increasing the salary of the State Treasurer to three thousand dollars.

Mr. HAYNE moved to lay the motion of the Senator from Chesterfield on the table, and on that motion called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Biemau, Corbin, Duncan, Hayes, Hayne, Nash, Reid, Rose, Rodgers and Swails.—11.

Nays—Messrs. Arniun, Ceghlan, Dickson, Donaldson, Hoyt, Jillson, Leslie, Maxwell, Owens, Rainey, Randolph, Wright and Wimbush.—13.

So the motion to lay on the table was not agreed to.

Mr. CORBIN moved that the motion to recommit be indefinitely postponed.

Mr. HAYNE called for the yeas and nays.

Mr. RAINEY moved that the Senate adjourn.

On division, the Senate voted yeas, 12; nays, 8.

The Senate adjourned at 7:10 P. M.

SATURDAY, SEPTEMBER 19, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendments, a Bill to define the jurisdiction and duties of County Commissioners. Referred to the Committee on the Judiciary.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 18, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully accede to the request (contained in message of September 16) from your honorable body authorizing an amendment (by striking out Section 2) on its third reading to a Bill to a Bill to repeal the charter of the town of Hamburg, the House of Representatives having reconsidered their action in passing said Bill to a third reading, and await an answer to their message in reference to your further action.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The Bill having received three readings in the Senate, the question was taken upon its passage, decided in the affirmative, the title changed to that of an Act, and the Bill ordered to be returned to the House of Representatives.

**JOURNAL OF THE SENATE,
REPORTS OF COMMITTEES.**

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to repeal an Act entitled "An Act to prohibit the digging of cellars in future within the limits of towns on the seaboard," reported back the same with a recommendation that the Bill do pass. Ordered for consideration on Monday.

Mr. CORBIN, from the same Committee, to whom was referred a Bill to provide for the filling of certain offices, reported back the same, with a recommendation that all after the enacting clause be stricken out, the title changed to "A Bill to supply temporary vacancies in the office of Governor, and for other purposes," and the Senate Bill of that title inserted. Ordered for consideration on Monday.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following Acts, to-wit :

An Act to authorize a lease of the State Road running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina;

An Act to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes;

An Act to amend the charter of the Cheraw and Coalfields Railroad Company;

An Act to define the jurisdiction and regulate the practice of Probate Courts.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of assisting in the ratification of the above Acts.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported that the following Acts having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 18th instant, at 2 P. M., to-wit :

An Act to organize the Supreme Court;

An Act for the preservation of the State Capitol;

An Act to extend the charter of Kinsler's Ferry;

An Act to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina;"

An Act to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable."

Mr. RANDOLPH also reported as engrossed, and ready for a third reading, the following :

A joint resolution to inquire into the liabilities and assets of the Bank of the State of South Carolina;

A Bill to renew the charter of the ferry over the Saluda River known as Island Ford Ferry, in the County of Newberry.

The above were ordered for consideration on Monday.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to amend an Act entitled "An Act to provide for the inspection of flour." Read a first time, ordered for a second reading and consideration on Monday, and to be printed.

Mr. CORBIN also asked and obtained leave to introduce the following joint resolution :

Whereas John G. Itgen, of the city of Charleston, did, during the year 1867, erect a wooden building on the north side of Tradd street, on made land, near the water, in the city of Charleston; and whereas the erection of said building was in violation of the provisions of an Act entitled "An Act for the rebuilding of the city of Charleston," passed June 1, A. D. 1838, as amended by an Act entitled "An Act to amend the laws in relation to the erection of wooden buildings in the city of Charleston," passed December 21, A. D. 1856; and whereas the said building was erected by the permission of the City Council of Charleston, and under a misapprehension of the proper construction of the aforesaid Acts; therefore,

Resolved, by the Senate, the House of Representatives concurring, That the premises upon which the said wooden building has been erected by the said John G. Itgen be, and the same are hereby, exempted from the effect of the aforesaid Acts, and the said John G. Itgen is hereby indemnified against all fines and penalties for the violation of the same.

The resolution was read a first time, and ordered for a second reading and consideration on Monday, and to be printed.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for 10:30 A. M. this day, which was the report of the Special Committee of five on a resolution and charges preferred against the Senator from Barnwell.

The report and resolutions were read.

Mr. SWAILS, on behalf of the Committee, presented the following specifications :

Specification 1st—Contempt of the President *pro tempore*.

In this that the said Charles P. Leslie, when notified and summoned to the Senate House by one of the officers of that body, did refuse to comply

with said order or summons by remaining absent from the Senate House. This on the 29th day of August, 1868.

Specification 21—Contempt of President and Senate.

In this that the said Charles P. Leslie, when ruled out of order by the President, did make use of the following contemptuous language, to-wit: "You may gag me, and rush things through as you please; you will be sorry for it;" thereby intimating that the President was attempting to silence him in an arbitrary way, when such was not the case. And, also, when the President was about to put the question whether the said Senator should be allowed to proceed, the said Senator said he would not ask this Senate (composed of such men as it is) for leave, and did continue his remarks. This on the 17th day of September, 1868, in the Senate House.

Mr. DONALDSON moved that the following words be stricken from the report: "and expelled from the Senate, and his seat declared vacant," so that the resolution will read:

Resolved, That the said Charles P. Leslie, Senator from Barnwell County, be, and he is hereby, reprimanded.

Mr. RANDOLPH moved to lay the motion of the Senator from Chesterfield on the table.

Mr. CORBIN desired the President to rule as to whether the Senator from Barnwell, upon whose case the question then before the Senate for consideration had arisen, was entitled to speak, except by consent of the Senate.

The PRESIDENT decided that the question must be stated, when the Senator could be heard, and then withdraw.

Mr. RANDOLPH moved that the Senator from Barnwell be heard in his defence.

Mr. SIMS moved that the Rules in such case be suspended, and that the Senator from Barnwell be permitted to remain in the Senate during the discussion of the report and resolution.

Objections being made to the suspension of the Rules, Mr. SIMS withdrew the motion.

The PRESIDENT decided the amendment of the Senator from Chesterfield at the preliminary stage of the proceedings to be out of order.

Mr. Leslie was then heard in his defence, and withdrew from the Senate.

The question then recurred on the amendment offered by the Senator from Chesterfield to strike out of the resolution the words "and expelled from the Senate, and his seat declared vacant."

Mr. WIMBUSH moved to lay the motion of the Senator from Chesterfield on the table.

The motion was subsequently withdrawn.

Mr. SWAILS moved that the amendment be indefinitely postponed.

Mr. SIMS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Coghlan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—14.

Nays—Messrs. Arnim, Bieman, Cain, Dickson, Donaldson, Duncan, Foster, Hoyt, Hayes, Montgomery, Reid, Rodgers and Sims.—13.

So the motion to postpone indefinitely the motion of the Senator from Chesterfield was agreed to.

On motion of Mr. CORBIN, the report was amended by striking out the word "Whereas" where it occurred and inserting the words "Resolved, That."

The question was then put on agreeing to the first resolution, as follows :

Resolved, That Charles P. Leslie, Senator from Barnwell County, was, on the 29th day of August, A. D. 1868, guilty of contempt toward the Senate by wilful disobedience of its orders.

Mr. DONALDSON moved that the officer ordered to summon the Senator from Barnwell be brought before the Senate to testify.

The PRESIDENT decided that motion to be out of order.

After some discussion, participated in by Senators Donaldson, Swails, Randolph, Cain, Corbin and Coghlan, the question was taken upon the resolutions separately.

On the question of agreeing to the first resolution, the yeas and nays were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Coghlan, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—15.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Hoyt, Hayes, Montgomery, Reid, Rodgers and Sims.—11.

So the first resolution was agreed to.

The second resolution was read as follows :

Resolved, That the said Charles P. Leslie, Senator from Barnwell County, was, on the 17th day of September, A. D. 1868, in its presence, guilty of contempt toward the Senate, by disorderly and contumacious behavior.

On the question of agreeing to the above resolution, Mr. OWENS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Corbin, Cain, Coghlan, Hoyt, Hayes, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—17.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Montgomery, Reid, Rodgers and Sims.—9.

Mr. DONALDSON moved to amend the report by striking out the third resolution, and inserting the following as a substitute :

Resolved, That the said Charles P. Leslie, Senator from Barnwell County, be publicly censured.

Mr. SWAILS moved that the resolution offered by the Senator from Chesterfield be indefinitely postponed.

Mr. DONALDSON called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Corbin, Cain, Coghlan, Hayes, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—17.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Hoyt, Montgomery, Reid, Rodgers and Sims.—10.

So the motion to postpone indefinitely was agreed to.

The question recurred upon agreeing to the third resolution.

Mr. ROSE called for the yeas and nays.

On motion of Mr. WRIGHT, a call of the Senate was ordered, and a messenger sent for absent members.

The question being put on agreeing to the third resolution, the yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Corbin, Cain, Coghlan, Hayes, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—17.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Hoyt, Montgomery, Reid, Rodgers and Sims.—10.

Two-thirds of the Senate not having voted in the affirmative, the resolution was declared rejected.

Mr. CORBIN offered the following resolution :

Resolved, That the said Charles P. Leslie, Senator from Barnwell County, be, and he is hereby, reprimanded and suspended from his seat in the Senate for the remainder of the session.

Pending the consideration of the resolution, the hour of 2 having arrived the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The House returned to the Senate, with amendments, a Bill to provide for the government of the South Carolina Penitentiary.

Mr. DONALDSON moved that the Senate concur in the amendments of the House of Representatives. .

The question was taken upon concurring in the amendments, and decided in the negative.

A message was sent to the House of Representatives informing that body that the Senate respectfully refused to concur in the amendments of the House.

On motion of Mr. CORBIN, the unfinished business pending at the hour of adjournment was postponed, and made the Special Order for Monday next, at 11 A. M.

On motion of Mr. WRIGHT, the Senate took up for consideration the resolution relative to a Bill to protect all persons in their civil rights, and furnish the means of their vindication.

On motion of Mr. WRIGHT, a message was sent to the House of Representatives informing that body that the Senate had laid on the table a Bill entitled "A Bill to protect all persons in their civil rights, and furnish the means of their vindication."

BILLS INTRODUCED.

Mr. CORBIN, pursuant to notice, introduced

A Bill to establish a quarantine at Georgetown, Charleston and Hilton Head.

The Bill was read a first time, and ordered for a second reading and consideration on Monday.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders

On motion of Mr. HAYNE, the unfinished business pending at the hour of adjournment yesterday was taken up for consideration, which was a Bill to fix the salary and regulate the pay of certain officers.

Mr. ARNIM moved to amend by striking out after the words "County Auditors each" the words "one thousand dollars, except Charleston County, which shall be," so that it will read "County Auditors each, one thousand five hundred dollars."

On motion of Mr. HAYNE, the amendment was laid on the table.

The Bill was then ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate took up, out of its order, the report of the Committee on the Judiciary on a Bill providing for the appointment of Magistrates, and to define their powers and duties.

The report of the Committee was agreed to, and a message sent to the House of Representatives informing that body that the Senate concurs in amendments of the House, and respectfully asks leave to further amend the Bill in certain particulars recommended by the Committee on the Judiciary on the part of the Senate.

On motion of Mr. RAINEY, the Senate took up for a second reading a Bill to make appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of salaries of the State officers.

Pending the consideration of the motion of Mr. SWAILS, to recommit the Bill, with instructions to strike out all from the word "but" on the sixth line to the word "and" on the eleventh line, the Senate, on motion of Mr. ARNIM, adjourned at 7:10 P. M.

MONDAY, SEPTEMBER 21, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of Saturday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 19, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully informs your honorable body that they recede from their amendment to a Bill to provide for the government of the South Carolina Penitentiary.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker House of Representatives.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 19, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully invites your honorable body to unite in Joint Assembly on Monday next, September 21, immediately after

the election of a Judge for the seventh Circuit, to elect a Register of Mesne Conveyance for Charleston County.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker House of Representatives.

On motion of Mr. ARNIM, a message of concurrence was returned.

The House also sent to the Senate a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

The Bill was read a first time, and, on motion of Mr. RANDOLPH, laid on the table.

On motion of Mr. WRIGHT, a message was sent to the House of Representatives respectfully asking that body to inform the Senate what action had been taken in the House on a Bill from the Senate entitled "A Bill to provide for the revision and consolidation of the statute laws of the State."

The House also sent to the Senate the following :

A Bill to make additional appropriations for the payment of the per diem and mileage of members, the salaries of subordinate officers, and other expenses of the General Assembly, and for payment of the salaries of State officers. Read a first time, ordered for consideration to-morrow, and to be printed.

A Bill to provide for the election of officers of incorporated cities and towns in the State of South Carolina. Read a first time, ordered for consideration to-morrow, and to be printed.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 21, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully informs your honorable body (in response to message of this date) that the Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina, received from Senate, was referred to the Committee on the Judiciary of this House, and has not yet been reported on.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

On motion of Mr. CORBIN, the Bill from the House to provide for the revision and codification of the statute laws of the State of South Carolina was referred to the Committee on the Judiciary.

RESOLUTIONS.

Mr. WRIGHT offered the following resolution :

Resolved, That a message be sent to the House of Representatives respectfully asking the permission of that body to delay the joint session of the Senate and House, fixed for 12 o'clock M. this day, for the purpose of electing a Circuit Judge for the sixth Circuit, till Wednesday, September 23, 1868, at 5 P. M.

The resolution was considered immediately, agreed to, and a message sent to the House of Representatives accordingly.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 21, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully concurs in the request (contained in message of this date) of your honorable body for the postponement of the Joint Assembly (fixed for this day, 12 M.,) until Wednesday next, September 23, 1868, at 5 o'clock P. M.

Very respectfully, &c..

F. J. MOSES, JR.,

Speaker of the House of Representatives.

SPECIAL ORDER.

The Senate, at 10:30 A. M., proceeded to the consideration of the Special Order, which was a resolution by the Senator from Charleston (Mr. Corbin) relative to the suspension of the Senator from Barnwell.

Mr. CORBIN withdrew the resolution to permit the Senator from Colleton to make a motion.

Mr. HOYT moved that the vote whereby the resolution to expel the Senator from Barnwell was declared rejected on Saturday last be reconsidered.

On motion of Mr. RANDOLPH, a call of the Senate was ordered, and the Messenger sent for absent members.

On motion of Mr. SWAILS, further proceedings upon the call of the Senate was dispensed with.

The question recurred upon the motion of the Senator from Colleton to reconsider the vote whereby the resolution to expel the Senator from Barnwell was declared rejected on Saturday last.

On the question of agreeing to the motion, Mr. ROSE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnin, Allen Corbin, Coghlan, Hoyt, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—16.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Hayes, Montgomery, Reid, Rodgers and Sims.—10.

So the motion to reconsider was agreed to.

On motion of Mr. CORBIN, the third resolution of the specification was laid on the table.

On motion of Mr. CORBIN, the Senate took up for consideration the resolution made the Special Order for 10:30 A. M. this day.

The resolution was read, and, on motion of Mr. CORBIN, amended to read as follows :

Therefore, resolved, That the said Charles P. Leslie, Senator from Barnwell County, be, and he is hereby, reprimanded, and suspended from his seat in the Senate for six months.

Some discussion ensued, participated in by Senators Corbin, Donaldson, Randolph and Rainey.

The question recurred upon agreeing to the resolution as amended.

Mr. ARNIM moved to amend by striking out the words "six months" and inserting "eight days."

On motion of Mr. MAXWELL, the amendment offered by the Senator from Edgefield was indefinitely postponed.

Upon the question of agreeing to the resolution, Mr. ROSE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Corbin, Coghlan, Hoyt, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Swails, Wright and Wimbush.—16.

Nays—Messrs. Bieman, Dickson, Donaldson, Duncan, Foster, Hayes, Montgomery, Reid, Rodgers and Sims.—10.

So the resolution was adopted.

On motion of Mr. RANDOLPH, it was

Resolved, That the Clerk furnish the Senator from Barnwell with a certified copy of the resolution adopted by the Senate.

Mr. SIMS gave notice that he desired to enter on the Journal of the Senate a protest against the action of the Senate on Saturday last and to-day in the case of the Senator from Brnwell.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading a Bill to fix the salary and regulate the pay of certain officers.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as enrolled, sealed, and ready for ratification, the following :

An Act to empower Circuit Judges to change the venue for the trial of actions, civil and criminal ;

An Act to authorize the sale of the Columbia Canal ;

An Act to provide for the accommodation of the General Assembly, the Executive and the Judiciary.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of assisting in the ratification of the above Acts.

The Speaker of the House attended in the Senate House, when the following Acts were duly ratified :

An Act to authorize a lease of the State Road running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina ;

An Act to define the jurisdiction and to regulate the practice of Probate Courts ;

An Act to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes ;

An Act to amend the charter of the Cheraw and Coalfields Railroad Company ;

An Act to provide for the accommodation of the General Assembly, the Executive and the Judiciary ;

An Act to authorize the sale of the Columbia Canal ;

An Act to empower the Circuit Judges to change the venue for the trial of actions, civil and criminal.

MESSAGE FROM THE GOVERNOR.

Message No. 11 from His Excellency the Governor was announced and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., September 19, 1868.

To the Honorable the President of the Senate.

SIR : I have this day approved the following Acts, viz. :

1st. An Act to alter and amend an Act entitled " An Act to organize the Circuit Courts."

2d. An Act for the preservation of the State Capitol.

3d. An Act to extend the charter of Kinsler's Ferry.

Very respectfully,

ROBERT K. SCOTT, Governor.

On motion of Mr. WRIGHT, the Rules were suspended, the following taken up, read a third time, passed, and ordered to be sent to the House of Representatives :

- A Bill to fix the salary and regulate the pay of certain officers ;
- A Bill to renew the charter of the ferry over the Saluda River known as Island Ford, in the County of Newberry ;
- A joint resolution to inquire into the liabilities and assets of the Bank of the State of South Carolina.

SPECIAL ORDER.

At 1 P. M., the PRESIDENT announced the hour for the consideration of the Special Order, which was a joint resolution to provide for the publication of the Acts of the present session of the General Assembly.

On motion of Mr. CORBIN, and by unanimous consent of the Senate, the resolution was amended to read as follows:

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney-General and Secretary of State be, and they are hereby authorized to provide for the publication, in such newspapers of the State as they may deem advisable, of the Acts and resolutions of the present session of the General Assembly; and they are further authorized to cause the same to be published in the usual pamphlet form for general distribution throughout the State. That the Treasurer is hereby authorized to pay all accounts duly audited by the Attorney-General and Secretary of State out of any funds appropriated for the payment of the expenses of the General Assembly.

The resolution as amended was then passed, and ordered to be returned to the House of Representatives.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. WRIGHT, the Senate took up, out of its order, a Bill to establish quarantine at Georgetown, Charleston and Hilton Head.

The Bill was taken up for a second reading, and considered by Sections.

Pending the consideration of Section 30, the hour of 2 P. M. having arrived, the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

The Senate resumed the consideration of the Bill to establish quarantine at Georgetown, Charleston and Hilton Head.

On motion of Mr. CORBIN, Section 29 was amended by adding the

words: "There shall be one health officer at the port of Georgetown, one at Charleston, and one at Hilton Head."

Mr. ARNIM moved to amend Section 30 by striking out the word "twelve" before the word "hundred" and inserting the word "eight."

The amendment was subsequently withdrawn.

The Bill, as amended, was then ordered to be engrossed for a third reading.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill from the House of Representatives entitled "A Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina," reported back the same, with sundry amendments. Ordered for consideration to-morrow, and to be printed.

GENERAL ORDERS.

On motion of Mr. ARNIM, the Senate took up, out of its order, a concurrent resolution from the House relative to the adjournment of the General Assembly on Thursday, the 24th instant.

Mr. JILLSON moved that the further consideration of the resolution be postponed, and that it be made the Special Order for to-morrow, at 11 A. M.

The motion was not agreed to.

The question was taken on agreeing to the resolution, which was decided in the affirmative.

The resolution was then ordered to be returned to the House of Representatives.

RESOLUTIONS.

The Senate departed from the consideration of the General Orders for the purpose of permitting the introduction of a resolution.

Mr. CORBIN offered the following resolution:

Resolved, by the Senate, the House of Representatives concurring, That a Joint Committee, consisting of two from the Senate and three from the House of Representatives, be appointed to confer upon the unfinished business of both Houses during the remainder of the session.

The resolution was considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. CORBIN, the Senate took up for a second reading a

Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

On motion of Mr. CORBIN, the Senate took up for a second reading a Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State.

The Bill was read a second time, and, on motion of Mr. RAINEY, referred to the Committee on Finance.

On motion of Mr. CORBIN, the Senate took up for a second reading a joint resolution for the relief of John G. Itgen.

The resolution was read a second time, considered, and ordered to be engrossed for a third reading.

On motion of Mr. HOYT, the Senate took up for a second reading a Bill to amend an Act entitled "An Act to provide for the inspection of flour."

The Bill was read a second time, and considered by Sections.

Mr. JILLSON moved that the Bill be laid on the table, which was not agreed to.

On the question of ordering the Bill to be engrossed for a third reading, a division was made, and the Senate voted yeas, 11; nays, 8.

So the Bill was ordered to be engrossed for a third reading.

On motion of Mr. WRIGHT, the Senate took up for a second reading a joint resolution to allow mileage to W. J. Mixson.

The resolution was read, and, on motion of Mr. HAYNE, its further consideration was postponed until the next regular session.

On motion of Mr. JILLSON, the Senate took up the joint resolution to provide for the public printing.

The resolution was read, its further consideration postponed, and made the Special Order for to-morrow, at 11 A. M.

On motion of Mr. HAYNE, the Senate took up for a second reading a Bill to protect laborers and persons working under contract on shares of crops.

The Bill was read a second time, and considered by Sections.

Mr. RANDOLPH moved to amend Section 1 by striking out in the second and third lines the words "executed before a Justice of the Peace or Magistrate and."

The amendment was not agreed to.

On motion of Mr. WRIGHT, Section 1 was amended by striking out on the fourth and fifth lines the words "and shall be filed in the office of the Clerk of Court in the county where the lands are located or where the labor is required to be performed."

Pending the consideration of Section 1, the Senate, on motion of Mr. ARNIM, adjourned at 7:06 P. M.

TUESDAY, SEPTEMBER 22, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

REPORTS OF COMMITTEES.

Mr. RANDOLPH, from the Committee on Enrolled Acts, reported that the following Acts, having been duly enrolled, sealed and ratified, were presented to His Excellency the Governor for his approval on the 21st instant, at 2 P. M., to-wit :

An Act to authorize a lease of the State Road running from the County of Greenville in the State of South Carolina, across the Saluda Mountain, to the County of Henderson, in the State of North Carolina ;

An Act to define the jurisdiction and to regulate the practice of Probate Courts ;

An Act to establish the Counties of Pickens and Oconee as Judicial Districts, and for other purposes ;

An Act to amend the charter of the Cheraw and Coalfields Railroad Company ;

An Act to provide for the accommodation of the General Assembly, the Executive and the Judiciary ;

An Act to authorize the sale of the Columbia Canal ;

An Act to empower Circuit Judges to change the venue for the trial of actions, both civil and criminal.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred the Bill, as amended by the House, entitled " A Bill to define the jurisdiction and duties of County Commissioners," reported back the same, with sundry amendments.

Mr. CORBIN, from the Joint Committee of the Senate and House of Representatives, to whom was referred the Bills relating to elections, submitted the following report :

The Joint Committee of the Senate and House of Representatives, to whom was referred the Bills relating to elections, have considered the same, and recommend that the Senate Bill, entitled " A Bill providing for the next general election, and the manner of conducting the same," do pass, with the following amendments, viz. :

1st. After the first sentence in the first Section insert "said Commissioners are authorized to increase or diminish the number of polling places in their respective counties within their discretion."

2d. Make the following the eleventh Section of the Bill:

SECTION 11. If any company or corporation who have obtained, or may hereafter obtain, a charter from the Legislature of this State for the benefit of such company or corporation, shall discharge, or threaten to discharge, from employment in such business, any operative or employee, at, before or after any election, for or on account of his political opinion, or for voting or attempting to vote as he or they may desire, said charter shall be deemed and taken to be forfeited, and shall have no legal or binding force at any time thereafter, but shall be utterly null and void; and the person discharged may have an action of trespass to recover damages for his losses therein sustained against said company or corporation; and should any agent or clerk in the employment of such company or corporation discharge, or threaten to discharge, any employee on account of his political opinion, or for voting or attempting to vote as he or they may desire, if said agent or clerk is not immediately dismissed when said company or corporation becomes possessed of such information, said company or corporation shall be held responsible for the same, and be liable to the penalties hereinafore prescribed.

The Committee also recommend that the House do concur with the Senate Bill entitled "A Bill providing for the formation and proceedings of the Colleges of Electors."

Mr. RAINEY, from the Committee on Finance, to whom was referred a Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State, reported back the same, with a recommendation that the Bill do pass.

On motion of Mr. RAINEY, the Rules were suspended, the Bill read a second time, considered, and ordered to be engrossed for a third reading.

Mr. RANDOLPH, from the Committee on Enrolled Bills, reported as duly enrolled, sealed, and ready for ratification, the following Acts:

An Act to quiet rights vested under military orders;

An Act to suppress insurrection and rebellion;

An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement;

An Act to fix the salary and define the duties of the Attorney General of the State;

A joint resolution to provide for the publication of the Acts of the present session of the General Assembly.

A message was sent to the Speaker of the House of Representatives in-

viting him to attend in the Senate House for the purpose of assisting in the ratification of the above Acts.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders of the Day.

Mr. HAYNE moved that the vote whereby the concurrent resolution from the House of Representatives relative to adjournment of the General Assembly on Thursday, 24th instant, was adopted, be reconsidered.

Mr. ARNIM moved to lay the motion to reconsider on the table.

The motion to lay on the table was not agreed to.

Mr. HAYNE moved that a message be sent to the House of Representatives asking permission of that body to rescind the concurrent resolution whereby the Senate agreed to adjourn on Thursday next, 24 instant.

The motion was laid on the table.

The Senate then proceeded to the consideration of the unfinished business, which was a Bill to protect laborers and persons working under contract on shares of crops.

Mr. RANDOLPH moved to amend Section 1 by striking out from the commencement of the Section to the word "contracts" inclusive, and inserting the following:

When persons engaged in husbandry propose to hire laborers, or make contracts by virtue of which a portion of the crop shall be given for labor, the parties who propose to employ on the one part, and those purporting to hire or contract on the other part, may appear before a Justice of the Peace or Magistrate, who shall execute the contract as agreed upon by both parties.

Mr. SIMS moved to amend Section 1 by inserting on the third line after the word "Magistrate" the words "in the presence of one of each party."

SPECIAL ORDER.

Mr. JILLSON called for the Special Order, which was a joint resolution to provide for the public printing.

Mr. MAXWELL moved that the consideration of the Special Order be suspended until the Senate dispose of the Bill under consideration.

Mr. JILLSON moved to lay the motion of the Senator from Marlboro on the table.

On division, the Senate voted yeas, 9; nays, 10.

So the motion to lay on the table was not agreed to.

The question recurred on the motion of the Senator from Marlboro.

On division, the Senate voted yeas, 8; nays, 10.

So the motion to suspend the consideration of the Special Order was not agreed to.

On motion of Mr. CORBIN, the Senate departed from the consideration of the Special Order to take up the Bills on the Calendar ready for a third reading.

A Bill to establish quarantine at Georgetown, Charleston and Hilton Head was read a third time, and ordered to be sent to the House of Representatives.

A Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard was read a third time, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

A Bill to amend an Act entitled "An Act to provide for the inspection of flour" was read a third time, and ordered to be sent to the House of Representatives.

A joint resolution for the relief of John G. Itgen was read a third time, and ordered to be sent to the House of Representatives.

A joint resolution to relieve the Western Union Telegraph Company of a double tax was read a third time, and ordered to be sent to the House of Representatives.

The report of the Committee on Finance on a Bill to establish the office of County Treasurer was taken up for consideration.

The report was read, and in accordance with the recommendation of the Committee, the Bill laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully concur in the request (contained in message of September 19) of your honorable body for leave to further amend a Bill to provide for the temporary appointment of Magistrates, and to define their powers and duties.

The Bill, with report of Senate Committee on Judiciary, is herewith returned.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives

The Bill to provide for the temporary appointment of Magistrates, and to

define their powers and duties, was taken up, read a third time, and ordered to be sent to the House of Representatives.

The House also returned to the Senate a Bill to repeal the charter of the town of Hamburg.

The Bill was read a third time, passed, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House sent to the Senate a Bill to authorize the Governor to release certain convicts. Read a first time, and ordered for consideration to-morrow.

A Bill to provide assistance for the transient sick poor in the various cities and towns of this State. Read a first time, and ordered for a second reading and consideration to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully informs your honorable body that Messrs. Tomlinson, Elliott and Lomax have been appointed the Committee on the part of the House under a resolution for the appointment of a Joint Committee on unfinished business.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

A message was returned to the House informing that body that in accordance with the joint resolution adopted for the appointment of a Joint Committee on unfinished business, Messrs. Corbin and Rainey had been appointed a Committee on the part of the Senate.

MESSAGES FROM THE GOVERNOR.

Messages Nos. 12 and 13 from His Excellency the Governor were announced and presented to the Senate by Mr. John Heart, Private Secretary. Message No. 12 was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., September 21, 1868.

To the Honorable the President of the Senate.

SIR: I have this day approved the following Acts, viz. :

1. An Act to organize the Supreme Court.

2. An Act to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina."

Very respectfully,

ROBERT K. SCOTT, Governor.

Message No. 13 was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, S. C., September 22, 1868.

To the Honorable the President of the Senate.

SIR : I have this day approved the following Acts, viz. :

1. An Act to provide for the accommodation of the General Assembly, the Executive and the Judiciary.
2. An Act to empower Circuit Judges to change the venue for the trial of actions, civil and criminal.
3. An Act to define the jurisdiction and to regulate the practice of Probate Courts.
4. An Act to authorize the sale of the Columbia Canal.

Very respectfully,

ROBERT K. SCOTT, Governor.

GENERAL ORDERS.

The report of the Committee on the Judiciary on a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina was taken up for consideration.

The report was agreed to, the Bill amended as recommended by the Committee, and ordered to be returned to the House of Representatives.

The report of the Committee on the Judiciary on a Bill to define the jurisdiction and duties of County Commissioners was taken up for consideration.

The report was agreed to, and a message sent to the House of Representatives informing that body of the non-concurrence of the Senate, with sundry amendments, to the Bill made by the House.

On motion of Mr. RAINEY, the Senate took up for a second reading a Bill to make additional appropriations for the payment of the per diem and mileage of members, salaries of subordinate officers, and other expenses of the General Assembly, and for the payment of salaries of the State officers.

The Bill was read a second time, and considered by Sections.

On motion of Mr. RAINEY, Section 1 was amended, in the sixth line, by striking out the words "or members."

The Bill, as amended, was ordered to be returned to the House of Representatives.

SPECIAL ORDER.

On motion of Mr. CORBIN, the Senate resumed the consideration of the Special Order, which was the joint resolution to provide for the public printing. Read a second time.

On motion of Mr. ROSE, Section 5 was stricken out.

The resolution was then ordered to be engrossed for a third reading.

Mr. HAYNE moved to take up the resolution relative to the election of a Senator from Fairfield.

On motion of Mr. HAYNE, the resolution was ordered to lie on the table.

Mr. CORBIN offered the following resolution, which was considered immediately, and agreed to :

Resolved, That the resignation of the Hon. J. M. Rutland, Senator from Fairfield County, be, and the same is hereby, accepted.

On motion of Mr. JILLSON, the Senate took up the report of the Committee on the Judiciary on a Bill to provide for the filling of certain offices.

The report was read, and, on motion of Mr. HAYNE, a message sent to the House of Representatives inquiring what disposition had been made by that body of a Bill from the Senate entitled "A Bill to supply temporary vacancies in the office of Governor, and for other purposes."

A Bill to authorize the building of a bridge to connect the Islands of Wadmalaw and Johns was taken up for a second reading.

Mr. HAYNE moved that the further consideration of the Bill be postponed until the next regular session of the General Assembly.

Mr. JILLSON moved to lay the motion to postpone on the table, which was not agreed to.

The question was then taken on the motion to postpone, and, on division, the Senate voted yeas, 10 ; nays, 6.

So the motion to postpone the Bill until the regular session was agreed to.

On motion of Mr. HAYNE, the consideration of the following was postponed to the next regular session :

Report of the Committee on Finance on the petition of Jane Butler ;

Report of the Committee on Finance on a petition of Joseph L. Tobias.

Mr. RANDOLPH asked and obtained leave to withdraw a resolution relative to the appointment of a Committee to inquire into certain charges preferred against the Commission to inquire into the liabilities and assets of the State.

A joint resolution relative to the publication of the proceedings of the late Constitutional Convention was read a third time, and ordered to be sent to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up a resolution authorizing the Governor to convene the General Assembly, at its regular session, in Charleston.

Mr. HAYNE moved to lay the resolution on the table.

Mr. JILLSON moved that the further consideration of the resolution be postponed, and that it be made the Special Order for to-morrow, at 11 A. M.

On the question of agreeing to the motion to lay on the table, Mr. HAYNE called for the yeas and nays.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Pending the yeas and nays on the above resolution, the House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 19, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully refuses to concur in the amendment (by your honorable body) to Section 1 of a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

RESOLUTIONS.

Mr. NASH offered the following resolution :

Resolved, That a message be sent to the House of Representatives requesting that body to go into an election on Wednesday evening, the 23d instaut, immediately after the election for Judge of the sixth Circuit, for a Keeper of the State House and State Librarian.

Ordered for consideration to-morrow.

The hour of 2 having arrived, the Senate took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

Mr. MAXWELL asked and obtained leave of absence for the Senator from Orangeburg for two days.

The Senate proceeded to the consideration of the message from the House of Representatives refusing to concur in the amendments of the Senate to a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

Mr. ARNIM moved that the Senate insist on its amendments, which was agreed to.

Mr. HAYES moved that a Committee of Conference on the part of the Senate be appointed to meet a similar Committee on the part of the House in relation to the matters of disagreement.

The motion was agreed to, and a message sent to the House of Representatives asking that a Committee be appointed on the part of that body to confer with a Committee appointed on the part of the Senate to confer on matters of disagreement.

In accordance with the above motion, Messrs. Corbin, Arnim and Hayes were appointed a Committee of Conference on the part of the Senate.

The House also sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully recedes from its amendments (in Sections 24 and 33) of a Bill to define the jurisdiction and duties of County Commissioners, but respectfully insists upon its amendment to Section 29.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker House of Representatives.

On motion of Mr. CORBIN, a message was sent to the House of Representatives insisting upon the amendment of the Senate, and asking that a Committee of Conference be appointed on the part of that body.

Messrs. Hayne, Foster and Owens were appointed the Committee on the part of the Senate.

REPORTS OF COMMITTEES.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to license pilots for Charleston bar and harbor, Stono River, &c., reported back the same, with two additional Sections, and a recommendation that the Bill, as amended, do pass.

On motion of Mr. ARNIM, the Rules were suspended, and the report considered immediately.

The Bill was taken up, the amendments considered, agreed to, and the Bill ordered to be returned to the House of Representatives.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully invites your honorable body to unite in Joint Assembly on Wednesday next, September 23, to go into an election for nine (9) persons to fill the vacancies in the Regency of the Lunatic Asylum of South Carolina, said election to be entered into as soon as the other elections which have been agreed upon are gotten through with.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. CORBIN, a message was ordered to be sent to the House of Representatives informing that body that the Senate respectfully declines to accede to the proposition to enter into an election for nine persons to fill the vacancies in the Regency of the Lunatic Asylum of South Carolina.

The House sent the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully invites your honorable body to unite in Joint Assembly on Wednesday, September 23, to go into an election for twenty persons to fill the vacancies in the Board of Trustees of the South Carolina University—said election to be entered into as soon as the other elections which have been agreed upon (for same day) are gotten through with.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

On motion of Mr. JILLSON, a message was sent to the House informing that body that the Senate respectfully declines to enter into an election for twenty persons to fill the vacancies in the Board of Trustees of the South Carolina University.

The House also sent the following messages :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully informs your honorable body that in accordance with message of this date the following named have

been appointed on the part of this House as Committee of Conference on a Bill entitled "A Bill to define the jurisdiction and duties of County Commissioners," viz : Messrs. Jackson, Wilder, Stoeber, Ezekiel and Boswell.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 22, 1868.

To the Honorable President and Members of the Senate :

The House of Representatives respectfully informs your honorable body that in accordance with a message of this date the following named have been appointed on the part of this House as Committee of Conference on a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina, viz : Messrs. Elliott, Bosemon, Smalls, Jenks and Purvis.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House of Representatives.

The House sent to the Senate the following concurrent resolution :

Resolved, by the House of Representatives, the Senate concurring, That the Attorney-General of the State shall receive as compensation for his services during the time from his induction into office to the day on which the Act defining his duties and fixing his compensation shall become a law, the same per diem and mileage as is allowed to members of the General Assembly : Provided, That he shall receive from the State no other compensation for his services during that time.

The resolution was read, considered immediately, agreed to, and ordered to be returned to the House of Representatives.

GENERAL ORDERS.

On motion of Mr. HAYNE, the Senate resumed the consideration of the unfinished business, which was a concurrent resolution authorizing the Governor to convene the General Assembly at its regular session in the city of Charleston.

The question recurred on the motion of Mr. Hayne to lay the resolution on the table.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Hayne, Nash, Rainey and Reid.—6.

Nays—Messrs. Bieman, Corbin, Coghlan, Dickson, Donaldson, Duncan, Hoyt, Hayes, Jillson, Montgomery, Maxwell, Owens, Rodgers, Wright and Wimbush.—15.

So the motion to lay on the table was not agreed to.

Mr. HAYNE moved that the consideration of the resolution be indefinitely postponed.

Mr. JILLSON moved to lay the motion to postpone on the table.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Coghlan, Dickson, Donaldson, Duncan, Hoyt, Hayes, Jillson, Montgomery, Maxwell, Owens, Wright and Wimbush.—16.

Nays—Messrs. Hayne, Nash, Rainey, Reid and Rodgers.—5.

So the motion to postpone indefinitely the resolution was laid on the table.

Mr. NASH moved that the further consideration of the resolution be postponed until the regular session.

On motion of Mr. HOYT, the motion to postpone to the next regular session was laid on the table.

Mr. HAYNE moved to strike out the words "city of Charleston."

Mr. CORBIN moved to lay the motion to strike out the "city of Charleston" on the table.

Mr. HAYNE called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Coghlan, Dickson, Donaldson, Duncan, Hoyt, Hayes, Jillson, Maxwell, Owens, Wright and Wimbush.—15.

Nays—Messrs. Hayne, Montgomery, Nash, Rainey, Reid and Rodgers.—6.

So the motion to strike out the words "city of Charleston" was laid on the table.

Mr. RAINEY moved to insert after the word "authorize" the words "if he deems it necessary."

The amendment was not agreed to.

Upon the question of agreeing to the resolution, Mr. OWENS called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Arnim, Allen, Bieman, Corbin, Coghlan, Dickson, Donaldson, Duncan, Hoyt, Hayes, Jillson, Wright and Wimbush.—13.

Nays—Messrs. Hayne, Montgomery, Maxwell, Nash, Owens, Rainey, Reid and Rodgers.—8.

So the resolution was agreed to, and ordered to be sent to the House of Representatives.

Mr. ARNIM moved that the Senate do adjourn.

The yeas and nays were ordered, and are as follows :

Yeas—Messrs. Armin, Allen, Bieman, Coghlan, Duncan, Hoyt, Hayes, Montgomery, Reid, Rodgers and Wimbush.—11.

Nays—Messrs. Corbin, Dickson, Donaldson, Hayne, Jillson, Maxwell, Owens, Rainey and Wright.—9.

The Senate adjourned at 7 P. M.

WEDNESDAY, SEPTEMBER 23, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ALLEN, the reading of the Journal of yesterday was dispensed with.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Enrolled Acts, reported the following Acts enrolled, sealed, and ready for ratification :

An Act to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State ;

An Act to determine the manner of disposing of lands purchased by the State for taxes ;

An Act to provide for the government of the South Carolina Penitentiary ;

An Act to repeal "An Act to prohibit the digging of cellars in future within the limits of towns on the seaboard ;"

An Act to repeal the charter of the town of Hamburg.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate chamber for the purpose of ratifying the above Acts.

The Speaker of the House of Representatives attended in the Senate House, when the above Acts were duly ratified.

Mr. SIMS, on behalf of sundry Senators, presented the following protest, which was ordered to be entered on the Journal :

We, the undersigned, in virtue of the privilege conferred by the Constitution, and in the discharge of our duty to the country, do make this our protest against the action of the Senate in its vote suspending Hon. Charles P. Leslie, Senator from Barnwell County, from the exercise of his office :

1st. Because the said Senator has already been tried and acquitted. The Senate, by its Committee specially appointed, preferred charges against the said Senator, placed him formally upon his trial, and after full discussion, rejected the resolution by which he was to be expelled from this body. During the progress of that trial, on several distinct occasions before the vote was taken, the Senate refused to modify the resolution of expulsion by the substitution of a milder punishment, and after the trial had ended and the resolution rejected, it could not be reopened by substitution, at the motion of an individual member, of another and an entirely independent proposition. While the report and resolutions of the Committee were before the Senate for consideration, it may have been within the power of the Senate to amend, although even then it must be doubtful whether such resolutions, formally served upon the Senator as notice of what he had to defend, for what he was to be tried, and how he was to be punished, could be, in fairness to him, essentially altered in any particular. But after the trial has closed, after the resolution, which the Senate, during the progress of the trial, repeatedly refused to modify, has been rejected, it seems to the undersigned to be dangerous as a precedent and unjust in itself to allow another resolution upon the same subject, which is in fact placing the Senator upon his trial a second time for the same offence.

2d. Because the undersigned deny the right of the Senate to suspend a Senator from his duties. The right, for sufficient cause, to expel is clear. But he must either be a Senator or he must not be a Senator. If the vote of expulsion fails, he is still a Senator, and it is not only his right, but that of his constituency, that he shall not in any manner be abridged or restricted in the duties which he discharges as their representative. Again, the suspension of a Senator is not his punishment, but that of his constituency. If expelled, and his seat declared vacant, they have the right and are afforded the opportunity to select another and more fitting representative; but if suspended, they are, for the period of his suspension, excluded from representation; an exclusion entirely unjust to them, as they have in no way provoked it—a direct violation of their highest and most valuable prerogative, and utterly inconsistent with the sacred principles of popular government.

The undersigned are aware that the Senate possesses the right to arrest one of its members and place him in the custody of the Sergeant-at-Arms, and that, so far, this is suspension. But it is clear to common sense that this power is only intended to meet cases of sudden and violent disorder when ordinary means fail, and reason and parliamentary experience prove that such arrest is never prolonged beyond the few hours necessary to check and end the temporary disorder. They cannot consent that such a power shall be so extended as to endanger the independence of Senators, and violate the rights of constituencies.

3d. Because the vote by which this resolution of suspension has been passed was a majority, and not a two-thirds vote. They consider, that although the Constitution is silent on this point, the same analogy applies, and that correct reasoning requires that it shall take the same vote to suspend as to expel a Senator. The punishments are equally grave in their effect upon the rights and character of the individual Senator; and if there be a difference, the suspension is more injurious to the interests of the constituency than the expulsion.

4th. Because without in the least attempting to defend or even discuss the offences against the dignity and decorum of the Senate, with which the Senator is charged, the undersigned feel that this precedent is most dangerous; that the power of expulsion or suspension, if such power exists, is one to which a representative body, containing the representatives of majority and minority interests, should never resort, except under the extremest necessity; that it is a weapon scarcely ever safely to be trusted to a majority where the passions of men are excited by party strife, and that it is better in free popular government that widest liberty, even license of speech, shall be permitted in public debate, than that any interest or any party, or even any representative, shall be prevented from saying what they think the country ought to hear. The undersigned are convinced that if the action and character of this Senate, collectively and individually, deserve the confidence of the people, they may safely disregard denunciation, whether from within or from without; but if they have not and do not deserve this confidence, then any effort to silence by the force of majorities the men who denounce them will only provoke greater and juster popular indignation.

R. W. SIMS, Senator from Lancaster.

JOEL FOSTER, Senator from Spartanburg.

E. S. J. HAYES, Senator from Lexington.

T. A. RODGERS, Senator from Pickens.

J. H. REID, Senator from Anderson.

D. BIEMAN, Senator from Oconee.

Mr. CORBIN, from the Committee of Conference of both Houses on the matters of disagreement to the Bill to provide for the revision and consolidation of the statute laws of the State, reported that the Committee had met, were unable to agree, and the Committee on the part of the Senate recommend that the Senate do insist upon its amendment to the Bill.

On motion, the Rules were suspended, the report considered immediately, and agreed to.

Mr. HAYNE, from the Committee of Conference of both Houses on the matters of disagreement to the Bill to define the jurisdiction and duties of County Commissioners, reported that the Committee had met and agreed

that the House of Representatives recede from its amendment of four dollars a day, and agreed to three dollars, as fixed by the Senate amendment, and that the Senate agree to the amendment of the House in the sixth amendment of the manuscript Bill.

The Rules were suspended, the report agreed to, and a message, with the Bill, sent to the House of Representatives accordingly.

Mr. JILLSON, from the Committee on Enrolled Acts, reported that the following Acts, having been ratified, were presented to His Excellency the Governor on Wednesday, September 23, 1868, at 12:15 o'clock P. M., to-wit :

An Act to declare the manner by which the lands, or the right of way over the lands, of persons and corporations may be taken for the construction and uses of railways and other works of internal improvement ;

An Act to fix the salary and define the duties of the Attorney-General of the State ;

An Act to quiet rights vested under military orders ;

A joint resolution to provide for the publication of the Acts of the present session of the General Assembly ;

An Act to suppress insurrection and rebellion ;

An Act to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State ;

An Act to determine the manner of disposing of lands purchased by the State for taxes ;

An Act to provide for the government of the South Carolina Penitentiary ;

An Act to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard ;

An Act to repeal the charter of the town of Hamburg.

Mr. RAINEY, from the Committee on Finance, to whom was referred a Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises and to invite capital to South Carolina, reported back the same, with a recommendation that the blanks in Section 6, second line, be filled with "fifteen hundred dollars," and the blank in the fourth line be filled with "one thousand dollars," and that the Bill thus amended do pass. Ordered for consideration to-morrow.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate a Bill to provide for the payment of the mileage and per diem of the members and of the employees of the General Assembly of South Carolina.

The Bill having received three readings in the Senate and three readings in the House of Representatives, its title was changed to that of an Act, and referred to the Committee on Enrolled Bills.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 23, 1868.

To the Honorable the President of the Senate :

The House of Representatives respectfully requests your honorable body to appoint a Committee of Free Conference to meet a like Committee (of five) on the part of this House to adjust differences relative to a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina, and await your action in the matter.

Very respectfully, &c.,

F. J. MOSES, JR.,
Speaker of the House Representatives.

On motion of Mr. CORBIN, a message was sent to the House of Representatives informing that body that the Senate respectfully accedes to the request to appoint a Committee of Free Conference to adjust differences relative to a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina.

In accordance with the above, Messrs. Rose, Sims and Jillson were appointed Committee on the part of the Senate.

The House returned, with non-concurrence, the concurrent resolution authorizing the Governor to convene the next regular session of the General Assembly at Charleston.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

A Bill to make additional appropriations for the payment of the per diem and mileage of members, the salaries of subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of State officers was taken up.

The Bill was read a third time, passed, and referred to the Committee on Enrolled Bills.

On motion of Mr. HAYNE, the Senate resumed the consideration of a Bill to protect laborers and persons working under contracts on shares of crops.

The question was taken on the amendment proposed by the Senator from Orangeburg to Section 1.

The amendment was laid on the table.

The Bill was read a second time, and after sundry amendments by Messrs. Wright, Rose, Sims, Nash, Rainey, Jillson and Hayne, the Bill, as amended, was ordered to be returned to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up for a second reading a Bill to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina.

The Bill was considered by Sections.

Pending the question on agreeing to Section 1, the Senate departed from the consideration of General Orders to permit the introduction of a resolution.

RESOLUTIONS.

Mr. JILLSON introduced the following concurrent resolution :

Resolved, by the Senate, the House of Representatives concurring, That the action by which the concurrent resolution fixing the adjournment of the present session of the General Assembly on the 24th instant be, and the same is hereby, rescinded.

Ordered for consideration to-morrow.

On motion of Mr. ROSE, the Senate, at 1 P. M., took a recess until 5 P. M.

RECESS.

The PRESIDENT resumed the chair at 5 P. M.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Enrolled Acts, reported the following Acts as enrolled, sealed, and ready for ratification :

An Act to regulate attachments ;

An Act to provide for the payment of the mileage and per diem of the members, and for the payment of the employees of the General Assembly ;

An Act to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and the payment of the salaries of the State officers ;

A joint resolution to authorize the appointment of a Commissioner to take charge of the property known as the State Works, in the town of Greenville, in this State.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House to assist in the ratification of the above Acts.

MESSAGE FROM THE GOVERNOR.

Message No. 14 from His Excellency the Governor was announced, and presented to the Senate by Mr. John Heart, Private Secretary.

The Message was read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 23, 1868.

To the Honorable the President of the Senate.

SIR: I have this day approved the following Acts, viz.:

1st. An Act to regulate the admission of persons to practice as attorneys, solicitors and counsellors in the Courts of this State.

2d. An Act to quiet rights vested under military orders.

3d. An Act to declare the manner by which the lands, or the right of way over the lands, of persons or corporations may be taken for the construction and uses of railways and other works of internal improvement.

4th. An Act to fix the salary and define the duties of the Attorney-General of the State.

5th. An Act to suppress insurrection and rebellion.

6th. An Act to determine the manner of disposing of lands purchased by the State for taxes.

Very respectfully,

ROBERT K. SCOTT, Governor.

On motion of Mr. CORBIN, the letter of Hon. G. W. Williams, declining the office of Circuit Judge for the sixth Circuit, was accepted.

JOINT ASSEMBLY.

Pursuant to previous arrangement, the Senate, at 5:30 P. M., proceeded to the hall of the House of Representatives, and united with that body in the election, *viva voce*, of a Circuit Judge for the sixth Circuit of the State of South Carolina.

President BOOZER took the chair.

Mr. CORBIN nominated Mr. James P. Moore, of Greenville.

Mr. WIMBUSH nominated Mr. William M. Thomas, of Greenville.

Mr. COGILAN nominated Mr. J. J. Wright, of Beaufort.

Mr. Wright's name was withdrawn.

The Joint Assembly then proceeded to a

FIRST BALLOT.

SENATE.

Those who voted for Mr. William M. Thomas are :

Messrs. Cain, Duncan, Hoyt, Montgomery and Wimbush.—5.

Those who voted for Mr. James P. Moore are :

Messrs. Bieman, Corbin, Donaldson, Foster, Hayes, Jillson, Rose and Sims.—8.

Those who voted for Mr. James M. Langston are :
 Messrs. Maxwell, Rainey and Swails.—3.
 Mr. Coghlan voted for Mr. J. J. Wright.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. W. M. Thomas are :

Messrs. Berry, Burton, John Boston, Joseph Boston, L. Cain, Cooke, Dusenberry, Farr, Gardner, Hayes, Humphries, Holliman, Henderson, Harris, D. J. J. Johnson, G. Johnson, Jacobs, B. James, H. James, Lang, Wm. McKinlay, Mickey, McDaniels, Mobley, Nuckles, Perrin, Prendegrass, Rush, Stolbrand, A. Smith, Saunders, Smiley, Scott, B. A. Thompson, Thomas and White.—36.

Those who voted for Mr. J. P. Moore are :

Messrs. Collins, Duvall, Grant, Keith, Moore, Stewart, Stoerber and Shrewsbury.—8.

Those who voted for Mr. J. J. Wright are :

Messrs. Brown, Goodson, H. Johnson, S. Johnson, Mayer and S. B. Thompson.—6.

Those who voted for Mr. J. M. Langston are :

Messrs. Gray, C. D. Hayne and Ransier.—3.

Those who voted for Mr. W. J. Whipper are :

Messrs. Driffle and Wright.—2.

Those who voted for Mr. A. J. Ransier are :

Messrs. Mays and Mead.—2.

Mr. DeMars voted for Mr. B. F. Perry.

Mr. Dennis voted for Mr. F. L. Cardozo.

Mr. Crews voted for Mr. J. M. Runion.

Mr. Chestnut voted for Mr. W. H. W. Gray.

Mr. Jervey voted for Mr. H. W. Purvis.

Mr. Wilder voted for Mr. C. D. Melton.

Mr. W. J. McKinlay voted for Mr. T. J. Coghlan.

Mr. Richardson voted for Mr. J. Prendegrass.

Mr. Purvis voted for Mr. S. Saunders.

Mr. Nash voted for Mr. J. K. Jillson.

Mr. McIntyre voted for Mr. W. J. McKinlay.

Mr. W. M. Thomas received.....	42
Mr. James P. Moore.....	16
Mr. J. J. Wright.....	7
Mr. J. M. Langston.....	7
Mr. A. J. Ransier.....	2
Mr. W. J. Whipper.....	1
Mr. J. M. Runion.....	1

Mr. F. L. Cardozo.....	1
Mr. B. F. Perry.....	1
Mr. H. W. Purvis.....	1
Mr. W. J. McKinlay.....	1
Mr. T. J. Coghlan.....	1
Mr. J. K. Jillson.....	1
Mr. S. Saunders.....	1
Mr. C. D. Melton.....	1
Mr. J. Prendergrass.....	1
Mr. W. H. W. Gray.....	1
<hr/>	
Whole number of votes given.....	85
Necessary to a choice.....	43

No candidate having received the majority of votes given, the Joint Assembly proceeded to a second ballot.

Mr. WRIGHT nominated Mr. J. M. Langston.

Mr. MAXWELL withdrew the name of Mr. Langston.

SENATE.

Those who voted for Mr. William M. Thomas are:

Messrs. Arnim, Cain, Duncan, Hoyt, Montgomery, Nash and Rose.—7.

Those who voted for Mr. James P. Moore are:

Messrs. Bioman, Corbin, Donaldson and Rodgers.—4.

Those who voted for Mr. James M. Langston are:

Messrs. Coghlan and Wright.—2.

Those who voted for Mr. H. Sparnick are:

Messrs. Hayes and Sims.—2.

Mr. Hayne voted for Mr. Julian A. Selby.

Mr. Swails voted for Mr. R. B. Elliott.

HOUSE OF REPRESENTATIVES.

Those who voted for Mr. W. M. Thomas are:

Messrs. Burton, John Boston, L. Cain, Cooke, Collins, Chestnut, Crews, Driffler, Farr, Gardner, Grant, Humphries, Holliman, Henderson, Harris, D. J. J. Johnson, S. Johnson, G. Johnson, Jacobs, B. James, Wm. McKinlay, W. J. McKinlay, Mickcy, McIntyre, Mobley, Mays, Nuckles, Perrin, Prendergrass, Ransier, Richardson, Root, Rush, Rivers, Stolbrand, Smalls, Saunders, Scott, B. A. Thompson, S. B. Thompson, Thomas and Wilder.—42.

Those who voted for Mr. J. P. Moore are:

Messrs. Berry, Duvall, DeMars, Keith, Littlejohn, Moore, Stewart, Stoeber and R. M. Smith.—9.

Those who voted for Mr. B. A. Bosemon are :

Messrs. Brown, Nash and Pettengill.—3.

Those who voted for Mr. W. J. Whipper are :

Messrs. Jervey and Wright.—2.

Those who voted for Mr. John M. Langston are :

Messrs. Dennis, C. D. Hayne and Mayer.—3.

Those who voted for Mr. J. J. Wright are :

Messrs. Goodson and Mead.—2.

Mr. Purvis voted for Mr. John A. Chestnut.

Mr. Shrewsbury voted for Mr. A. E. Cohen.

Mr. Elliott voted for Mr. S. A. Swails.

Mr. White voted for Mr. C. M. Wilder.

Mr. W. M. Thomas received.....	50
Mr. J. P. Moore.....	13
Mr. J. M. Langston.....	6
Mr. W. J. Whipper.....	2
Mr. J. J. Wright	2
Mr. Henry Sparnick.....	2
Mr. Julian A. Selby.....	1
Mr. A. E. Cohen.....	1
Mr. C. M. Wilder.....	1
Mr. J. A. Chestnut	1
Mr. S. A. Swails.....	1
Mr. B. A. Bosemon	1
Mr. R. B. Elliott	1
Whole number of votes given	82
Necessary to a choice.....	42

The PRESIDENT declared that Mr. W. M. Thomas, having received a majority of the whole number of votes given, was duly elected Judge of the sixth Circuit of the State of South Carolina.

The Senate returned to the Senate House at 6:30 P. M.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 23, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully informs your honorable body

that the following named members of the House have been appointed the Committee on the part of the House as a Committee of Free Conference, relative to a Bill to provide for the revision and consolidation of the statute laws of the State, viz.: Messrs. Neagle, W. J. McKinlay, G. Lee, Whipper and Ransier.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The House sent to the Senate, amended, a Bill to establish quarantine at Georgetown, Charleston and Hilton Head.

On motion of Mr. CORBIN, the amendments of the House were concurred in, and a message accordingly, with the Bill, returned to the House of Representatives.

The House also sent to the Senate, with amendments, a joint resolution to appoint a Commission to inquire into the assets and liabilities of the Bank of the State of South Carolina.

On motion of Mr. CORBIN, the amendments of the House were concurred in, and a message, with the resolution, returned accordingly.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders.

On motion of Mr. HAYNE, the Senate resumed the consideration of a Bill to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina.

The Bill was read a second time, amended, and ordered to be returned to the House of Representatives.

On motion of Mr. HAYNE, the Senate took up a Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State.

The Bill was read a third time.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to amend the Bill by adding after the word "Treasurer" the words "and Auditor."

A message was sent to the House of Representatives asking permission of that body to amend the Bill as agreed to by the Senate.

On motion of Mr. JILLSON, the Senate took up for a third reading a joint resolution to provide for the public printing.

The resolution was read a third time, passed, and ordered to be sent to the House of Representatives.

REPORTS OF COMMITTEES.

Mr. ALLEN, from the Committee on Contingent Expenses and Accounts,

reported sundry bills, with a recommendation that they be paid. Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. CORBIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

A Bill to authorize the Governor to leave the State under certain circumstances.

The Bill was read a first time, and ordered for a second reading and consideration to-morrow.

RESOLUTIONS.

Mr. MAXWELL offered the following concurrent resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives :

Resolved, by the Senate, the House of Representatives concurring, That 500 copies, or such number as may be necessary, of the Act providing for the next general election, and the manner of conducting the same, be printed and forwarded to the Commissioners of Elections for each county by the Secretary of State.

On motion of Mr. JILLSON, the Senate adjourned at 7:15 P. M.

THURSDAY, SEPTEMBER 24, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. ARNIM, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate a concurrent resolution rescinding the resolution agreed upon to adjourn on Thursday, the 24th instant, and fixing the day of adjournment on Saturday, the 26th instant, at 12 M.

On motion, the resolution was concurred in, and ordered to be returned to the House of Representatives.

The House returned to the Senate, amended, a Bill to regulate the manner of drawing juries.

The amendments were concurred in, and the Bill ordered to be returned to the House of Representatives.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 23, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully concur in the request of your honorable body to amend a (House) Bill to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State by adding, after the word "Treasurer," the words "and Auditor."

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

The Bill was passed, the title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House returned to the Senate the following :

A joint resolution indemnifying John G. Itgen from all fines and penalties ;

An Act to amend an Act entitled " An Act to provide for the inspection of flour."

The above having received three readings in the Senate, and three in the House of Representatives, were referred to the Committee on Enrolled Acts.

The House returned to the Senate, with amendments, a Bill to regulate the practice of the Circuit Courts in certain cases.

On motion of Mr. CORBIN, the amendments were concurred in, and the Bill ordered to be returned to the House of Representatives.

The House also sent, with concurrence in Senate's amendments, a Bill to license pilots for Charleston bar and harbor, Stono River, &c.

The Bill was passed, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House returned to the Senate, with amendments, a Bill providing for the next general election, and the manner of conducting the same.

On motion of Mr. SWAILS, the amendments were concurred in, and the Bill returned, with a message informing the House of the action of the Senate.

The House also returned, with concurrence in Senate's amendments, a Bill to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina.

The Bill was read a third time, passed, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

The House returned, with concurrence in Senate's amendments, a Bill to protect laborers and persons working under contracts on shares of crops.

The Bill was read a third time, and, on motion of Mr. WRIGHT, referred to the Committee on the Judiciary.

The House also sent to the Senate a Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon.

The Bill was read the first time, and, on motion of Mr. WRIGHT, referred to the Committee on the Judiciary.

PETITIONS, &c.

Mr. SIMS presented the petition of the Catawba Indians, praying for an appropriation, and that Mr. James Morrow be appointed agent. Referred to the Special Committee on the Catawba Indians.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Enrolled Acts of the Senate, reported as enrolled, sealed, and ready for ratification, the following :

An Act entitled "An Act to provide for the temporary appointment of Magistrates, and to define their powers and duties ;"

An Act to supply temporary vacancies in the office of Governor.

A message was sent to the Speaker of the House of Representatives inviting him to attend in the Senate House for the purpose of assisting in the ratification of the above Acts.

Mr. WRIGHT, from the Committee on the Military, to whom was referred a Bill to organize and govern the militia of the State of South Carolina, reported back the same, with a recommendation that the Bill do pass. Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to authorize the Governor to release certain convicts was taken up.

On motion of Mr. CORBIN, the Bill was laid on the table.

A Bill to provide assistance for the transient sick poor in the various cities and towns of this State was taken up.

Mr. HAYNE moved that the further consideration of the Bill be postponed until the next regular session.

Mr. SWAILS moved to lay the motion to postpone on the table.

On division, the Senate voted yeas, 9; nays, 12.

So the motion to lay on the table the motion to postpone was not agreed to.

The question recurred upon agreeing to the motion to postpone the Bill to the next regular session.

Mr. HAYNE withdrew the motion.

Mr. RAINEY moved to amend Section 1 by fixing an appropriation of three thousand dollars for the transient sick poor of Charleston, one thousand dollars to Beaufort, and one thousand dollars to Georgetown for the same object.

On motion of Mr. HAYNE, the amendment was laid on the table.

Mr. SIMS moved to strike out the word "twenty" before "thousand," and insert the word "five."

Mr. COGHLAN moved to lay the amendment on the table.

On division, the Senate voted yeas, 10; nays, 8.

So the amendment was laid on the table.

Mr. CORBIN moved to strike out the words "twenty-five" before the word "thousand" and insert the word "fifteen."

Mr. SIMS moved to amend the amendment by striking out "fifteen" and inserting "ten."

Mr. COGHLAN moved to lay the amendment to the amendment on the table.

The motion was agreed to.

The question recurred upon the amendment of the Senator from Charleston, and decided in the affirmative.

Mr. SIMS offered the following amendment:

That three thousand dollars be given for this purpose to the city of Charleston, fifteen hundred to Georgetown, fifteen hundred to Beaufort, one thousand to Columbia, and eight thousand to be equally distributed among the different counties of the State.

Upon the question of agreeing to the above amendment, a division was made, and the Senate voted yeas, 10; nays, 11.

So the amendment was not agreed to.

The Bill, as amended, was ordered to be returned to the House of Representatives.

A Bill to punish discrimination in the treatment of prisoners by Jailers and Sheriffs was taken up for a second reading.

The Bill was read a second time, considered by Sections, and ordered to be engrossed for a third reading.

A Bill to authorize the Governor to leave the State under certain circumstances was read a second time, considered, and ordered to be engrossed for a third reading.

Mr. NASH asked and obtained leave to withdraw from the Calendar a resolution relative to the election of the Keeper of the State House and Grounds and Librarian.

The report of the Committee on Contingent Accounts on sundry bills amounting to three thousand and fifty-six dollars and thirty-nine cents was taken up for consideration, and the report agreed to.

The Speaker of the House of Representatives attended in the Senate House, when the following Acts were ratified :

An Act to regulate attachments ;

An Act to provide for the payment of the mileage and per diem of the members, and of the employees of the General Assembly ;

An Act to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of State officers ;

A joint resolution to authorize the appointment of a Commissioner to take charge of the property known as the State Works in the town of Greenville in this State ;

An Act to provide for the temporary appointment of Magistrates, and to define their powers and duties ;

An Act to supply temporary vacancies in the office of Governor.

The PRESIDENT laid before the Senate the following communication :

COLUMBIA, S. C., September 19, 1868.

To the Honorable the Senate of South Carolina :

It now becomes my duty to sever my connection with your honorable body, which has entered upon the important work of legislation under the new Constitution, by which equal political power is enjoyed by all the people of South Carolina. As you have done, thus far, I have tried to do, that which all were sent here to do, the work of an impartial legislator.

It may be that our acts will not be universally applauded, but the consciousness of having endeavored to be just and practical in our labor, will be greater satisfaction than the fulsome praise of a populace.

Other duties compel me to take my leave and vacate my place among you, and trusting all will be well in your future deliberations, I tender herewith my resignation as Senator from Darlington County, to take effect after the 19th instant.

B. F. WHITTEMORE.

On motion of Mr. HAYNE, the resignation was accepted.

REPORTS OF COMMITTEES.

Mr. ROSE, from the Committee of Conference on a Bill to provide for the revision and consolidation of the statute laws of the State of South Carolina,

reported that the Committee had met, were unable to agree, and asked to be discharged from the further consideration of the Bill.

The report was agreed to.

Mr. JILLSON, from the Committee on Enrolled Acts, reported that the following Acts having been duly ratified, were presented to His Excellency the Governor on Thursday, September 24, at 50 minutes past 1 o'clock P. M. :

An Act to regulate attachments ;

An Act to provide for the payment of the mileage and per diem of the members, and of the employees of the General Assembly ;

An Act to make additional appropriations for the payment of the per diem and mileage of the members, the salaries of the subordinate officers, and other expenses of the General Assembly, and for the payment of the salaries of State officers.

A joint resolution to authorize the appointment of a Commissioner to take charge of the property known as the State Works in the town of Greenville in this State ;

An Act to provide for the temporary appointment of Magistrates, and to define their powers and duties ;

An Act to supply temporary vacancies in the office of Governor.

The hour of 2 P. M. having arrived, the Senate took a recess until 5 P. M.

RECESS.

The Senate reassembled at 5 P. M., Hon. D. T. CORBIN, President *pro tem.*, in the chair.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with amendments, a Bill to fix the salary and regulate the pay of certain officers.

On motion of Mr. ARNIM, the amendments were concurred in, and the Bill ordered to be returned to the House of Representatives.

The House also returned, with concurrence in amendments of the Senate, a Bill to provide assistance for the transient sick poor in the various cities and towns of this State. Ordered to be engrossed for a third reading to-morrow

The House sent to the Senate a resolution relative to the publication of three thousand copies of the Act providing for the next general election, and the manner of conducting the same.

On motion of Mr. JILLSON, the resolution was amended by striking out the word "three" before the word "thousand" and inserting the word "one."

The resolution as amended was agreed to, and ordered to be sent to the House of Representatives.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

Mr. WRIGHT moved that the Rule requiring that reports of Committees lie over one day be suspended, and that the Senate take up for consideration the report of the Committee on the Military on a Bill to organize and govern the militia of the State of South Carolina.

Objection being made, the report was not taken up.

The report of Committee on a Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprise, and to invite capital to South Carolina, was taken up for consideration.

Mr. ARNIM moved that the further consideration of the Bill be postponed until the next regular session.

On motion of Mr. JILSON, the motion to postpone was laid on the table.

Mr. WRIGHT moved that the third Section be stricken out.

The motion was not agreed to.

Section 6 was amended by filling the blank in the second line with the words "fifteen hundred," and in the fourth line with the words "five hundred," and in the fifth line by striking out the word "day" and inserting "annum."

The Bill, as amended, was then ordered to be engrossed for a third reading.

On motion of Mr. ALLEN, the Senate adjourned at 7:30 P. M.

FRIDAY, SEPTEMBER 25, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

Prayer by the Chaplain.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

The PRESIDENT laid before the Senate the following communication :

COLUMBIA, S. C., September 25, 1868.

HON. LEMUEL BOOZER, *President of the Senate.*

SIR: Some weeks since the Joint Assembly of the State of South Carolina did me the honor, with great unanimity, to elect me Circuit Judge of the first Circuit.

I appreciate highly the honor conferred, and am profoundly grateful for the expression of confidence which the election gave; but, sir, proud and grateful as I am for the election, I am obliged to decline the office, and I beg herewith, through you, to communicate my declination to the Senate.

The salary of the office has, since my election, been fixed at so low a sum that I am unable to accept it.

I am, very respectfully,

Your obedient servant,

D. T. CORBIN.

On motion of Mr. ALLEN, the resignation was accepted

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following:

A concurrent resolution for the payment of eighty-three dollars, contingent expenses in the work of engrossing during the present session.

The resolution was concurred in, and ordered to be returned to the House of Representatives.

A concurrent resolution relative to the furniture and other property of the General Assembly.

On motion of Mr. NASH, the resolution was laid on the table.

A concurrent resolution defining the manner in which the balance due the Public Printer, on account of work when finished, shall be paid.

The resolution was concurred in, and ordered to be returned to the House of Representatives.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,

COLUMBIA, September 25, 1868.

To the Honorable President and Members of the Senate:

The House of Representatives respectfully invites your honorable body to unite in Joint Assembly with the House this day (25th instant) at 6 o'clock P. M., to enter into an election for a Judge for the first Circuit, (to supply vacancy occasioned by the resignation of Hon. D. T. Corbin.) Also, to elect a Register of Mesne Conveyance for Charleston County.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker House of Representatives.

Mr. HOYT moved that a message of non-concurrence be returned.

The motion was not seconded.

Mr. JILLSON moved that a message of concurrence be returned.

Mr. NASH moved to amend as follows :

That a message of concurrence be returned in so much of the message of the House as relates to the election of a Judge for the first Circuit, and of non-concurrence in so much as relates to the election of a Register of Mesne Conveyance.

The amendment was agreed to.

A message was returned accordingly.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Engrossed Bills, reported as engrossed and ready for a third reading the following Bills :

A Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina ;

A Bill to authorize the Governor to leave the State under certain circumstances ;

A Bill to punish discrimination in the treatment of prisoners by Jailers and Sheriffs.

On motion of Mr. JILLSON, the Rules were suspended, and the Bills taken up for a third reading.

The two first named Bills were read a third time, passed, and ordered to be sent to the House of Representatives.

The Bill to punish discrimination in the treatment of prisoners by Jailers and Sheriffs was read a third time, its title changed to that of an Act, and ordered to be returned to the House of Representatives.

Mr. JILLSON, from the Committee on Enrolled Acts, reported the following as enrolled, sealed, and ready for ratification :

An Act to punish discrimination in the treatment of prisoners by Jailers and Sheriffs ;

An Act to provide for the formation and proceedings of the Colleges of Electors ;

An Act to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina ;

An Act to amend an Act entitled " An Act to provide for the inspection of flour ;"

An Act to license pilots for Charleston bay and harbor, Stono River, &c. ;

An Act to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State ;

Joint resolution to provide for the public printing ;

Joint resolution indemnifying John G. Itgen from all fines and penalties:
 Joint resolution to inquire into the liabilities and assets of the Bank of the State.

The Speaker of the House of Representatives attended in the Senate House, when the above Acts were duly ratified.

Mr. CORBIN, from the Committee on the Judiciary, to whom was referred a Bill to provide a lien on buildings and lands to parties furnishing labor and materials thereon, reported that the Committee had considered the same, so far as the limited time since its reference would permit, but not sufficiently to enable them to recommend the passage of the Bill. On account of the difficulty and importance of the subject, and the want of sufficient time to consider it, the Committee recommend that the Bill do lie upon the table.

On motion of Mr. WRIGHT, the report was agreed to, and the Bill laid upon the table.

Mr. CORBIN, from the same Committee, to whom was referred a Bill to protect laborers and persons working under contracts, reported back the same, with a recommendation that the Bill do lie on the table.

The report was agreed to, and the Bill ordered to lie on the table.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar.

A Bill to organize and govern the militia of South Carolina.

Mr. ARNIM moved that the further consideration of the Bill be postponed to the next regular session.

On motion of Mr. JILLSON, the motion to postpone to the regular session was laid on the table.

On motion of Mr. JILLSON, the Bill was laid on the table.

On motion of Mr. HAYNE, the Senate, at 11:30 A. M., took a recess until 12:30 P. M.

RECESS.

The Senate was called to order at 12:30 P. M.

The PRESIDENT announced that the Clerk had brought to the attention of the Chair that the seat of certain Senators had not yet been drawn, owing to the absence of those Senators at the time of drawing, and under the provisions of the Constitution, it became necessary to complete the drawing at the first session of the General Assembly.

The remaining ballots were placed in a hat, and the following counties called:

Abbeville, Chesterfield, Clarendon and Spartanburg.

Hon. R. J. DONALDSON, Senator from Chesterfield, appeared and drew a first class ballot.

Mr. CORBIN offered the following resolution, which was agreed to:

Whereas the Senators from Clarendon, Spartanburg and Abbeville are absent, and unable to complete the drawing under the resolution of the Senate of July , 1868, determining the class to which representation they shall be assigned; therefore,

Resolved, That the Clerk of the Senate draw, in accordance with the aforesaid resolution, the lots of said Senators.

In accordance with the above, the Clerk proceeded to draw the ballots, and the result was announced by the PRESIDENT as follows:

Clarendon, first class.

Spartanburg, second class.

Abbeville, first class.

On motion of Mr. DONALDSON, the Reading Clerk was granted leave of absence for the remainder of the session.

On motion of Mr. DONALDSON, the Senate took a recess until 5 P. M.

RECESS.

The Senate was called to order at 5:30 P. M.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House of Representatives sent to the Senate a concurrent resolution requiring the Governor to notify all railroad companies whose bonds are guaranteed or endorsed by the State that unless provision is made by them to pay interest due and past due by November next, legal proceedings will be instituted against them.

On motion of Mr. WRIGHT, the resolution was concurred in, and ordered to be returned to the House of Representatives.

RESOLUTIONS.

Mr. CAIN offered the following resolution:

Resolved, by the Senate, the House of Representatives concurring, That the election of Circuit Judge for the first Circuit, fixed by joint resolution for 6 o'clock P. M. this day, be postponed till the next regular session of the General Assembly.

The resolution was agreed to, and a message sent accordingly.

REPORTS OF COMMITTEES.

Mr. JILLSON, from the Committee on Enrolled Acts, reported that the following Acts having been ratified, were presented to His Excellency the Governor for his approval on Friday, September 25, at 1 P. M. :

An Act to prevent discrimination in the treatment of prisoners by Jailers and Sheriffs ;

An Act to provide for the formation and proceedings of the Colleges of Electors ;

An Act to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina ;

An Act to amend an Act entitled " An Act to provide for the inspection of flour ; "

An Act to license pilots for Charleston bar and harbor, Stono River, &c.

An Act to meet contingent expenses in the offices of the Comptroller-General and Treasurer of the State ;

Joint resolution to provide for the public printing ;

Joint resolution indemnifying John G. Itgen from all fines and penalties ;

Joint resolution to inquire into the liabilities and assets of the Bank of the State.

The PRESIDENT brought to the attention of the Senate the question of the pay of the Senator from Barnwell, and desired instruction as to whether the pay should be made for the full term or up to the time of suspension.

Mr. WRIGHT moved that the Senator be paid his per diem up to the time of suspension.

Mr. DONALDSON moved to amend by striking out " up to the time of suspension " and inserting " up to the end of the session. "

After some discussion, participated in by Messrs. Wright, Donaldson and Nash, the question was taken on agreeing to the amendment, and decided in the negative.

The question recurred upon agreeing to the motion of the Senator from Beaufort.

Mr. DONALDSON called for the yeas and nays, which were ordered, and are as follows :

Yeas—Messrs. Allen, Bieman, Corbin, Cain, Coghlan, Dickson, Duncan, Hoyt, Hayes, Hayne, Jillson, Maxwell, Nash, Owens, Rainey, Randolph, Rose, Wright and Wimbush.—19.

Nays—Messrs. Donaldson, Foster and Montgomery.—3.

So the motion to draw the pay bill to the time of suspension was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, September 25, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully concur in the request of your honorable body for leave to rescind the order made to-day to enter into an election for a Judge for the first Circuit, at 6 o'clock P. M., and that the election be postponed until the next regular session.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

Mr. OWENS offered the following resolution, which was considered immediately, agreed to, and ordered to be sent to the House :

Be it resolved, by the Senate, the House of Representatives concurring, That the Governor be, and he is hereby, requested to inquire and ascertain whether any of the marble or other property of the State, purchased for building the new State House, has been improperly disposed of or removed, and to take such measures in the premises as shall be judged by him necessary to protect the interests of the State.

Mr. CORBIN offered the following resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives :

Resolved, by the Senate, the House of Representatives concurring, That the Governor be requested to take such action as may be necessary to have the more important towns in the State garrisoned by United States troops, that peace and order may be preserved and the rights of the people may be protected.

PETITIONS.

Mr. RANDOLPH presented the petition of the County Commissioners of Orangeburg County, praying for an appropriation to build a court house for that county.

On motion of Mr. CAIN, the Senate adjourned at 6:30 P. M.

SATURDAY, SEPTEMBER 26, 1868.

The Senate assembled at 10 A. M., and was called to order by the PRESIDENT.

The roll was called, and a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

The Clerk read the Journal of yesterday.

RESOLUTIONS.

Mr. CORBIN offered the following resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, by the Senate, the House of Representatives concurring, That James M. Allen, member of the Senate, and ——— members of the House of Representatives, be, and they are hereby, appointed a Joint Committee under Section 5 of the Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers," passed at this special session of the General Assembly.

Mr. JILLSON offered the following resolution, which was considered immediately, agreed to, and ordered to be sent to the House of Representatives for concurrence :

Be it resolved, by the Senate, the House of Representatives concurring, That the pay certificates for the contingent expenses of the Senate and the House of Representatives shall be made out as follows: For the Senate, by the Clerk of the Senate, and signed by the President of the Senate; for the House of Representatives, by the Sergeant-at-Arms of the House of Representatives, and signed by the Speaker of the House of Representatives. Said certificates shall be paid by the Treasurer of the State in Bills Receivable of the State, to the value of United States currency at current rates of exchange.

On motion, a message was sent to the House of Representatives informing that body that in pursuance of a joint resolution adopted by both Houses for the appointment of a Joint Committee, consisting of two members of the House of Representatives and one member of the Senate, to inquire into the liabilities and assets of the Bank of the State, Mr. D. T. Corbin had been appointed a Committee on the part of the Senate.

Mr. ALLEN, from the Committee on Contingent Expenses and Accounts, submitted the report of that Committee on the accounts of J. W. Denny, for printing and stationery, amounting to \$245 55, with a recommendation that the amount be paid.

The Rules were suspended, the report considered immediately, and agreed to.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence, as amended, a resolution requiring the Governor to have the more important towns of the State garrisoned with United States troops.

On motion of Mr. CORBIN, a message was returned to the House refusing to concur in the amendment of that body.

The House also returned to the Senate, with concurrence, as amended by that body, a resolution relative to the marble or other property of the State purchased for the building of the new State House.

On motion of Mr. CORBIN, a message was returned to the House asking leave of that body to amend the amendment of the House by striking out the word "authorized" and inserting the word "requested."

The House also returned to the Senate, with concurrence, a resolution relative to the appointment of the Joint Committee under Section 5 of the Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers," passed at this special session of the General Assembly, having appointed Messrs. W. J. McKinlay and A. J. Ransier Committee on the part of the House.

The House sent the following messages to the Senate :

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 26, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully concurs in the request of your honorable body to amend the amendment of this House to the resolution relative to the marble of the new State House by striking out "authorized" and inserting "requested."

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., September 26, 1868.

To the Honorable the President and Members of the Senate :

The House of Representatives respectfully recedes from its amendment to the concurrent resolution requiring the Governor to have the more important towns in the State garrisoned by United States troops, &c.

Very respectfully, &c.,

F. J. MOSES, JR.,

Speaker of the House of Representatives.

Mr. JILLSON, from the Committee on Enrolled Acts, reported the following Acts as enrolled, sealed, and ready for ratification :

An Act to authorize the Governor to leave the State under certain circumstances ;

An Act to fix the salaries and regulate the pay of certain officers ;

An Act to define the jurisdiction and duties of County Commissioners ;

An Act to declare the roads leading from Gervais street, in the city of Columbia, to Kinsler's Ferry, and from Kinsler's Ferry to the State Road on the western side of the Congaree River, public highways ;

An Act to establish quarantine at Georgetown, Charleston and Hilton Head ;

An Act providing for the next general election, and the manner of conducting the same :

An Act to regulate the practice of the Circuit Courts in certain cases ;

An Act to provide for the formation and proceedings of the Colleges of Electors ;

An Act to amend an Act entitled " An Act to provide for the inspection of flour ;"

An Act to renew the charter of the ferry over the Saluda River known as Island Ford Ferry, in the County of Newberry ;

An Act to organize townships, and to define their powers and privileges ;

An Act to regulate arrests and bail in civil actions ;

An Act to regulate the manner of drawing juries ;

An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State ;

Joint resolution to carry out the contract made between the late Constitutional Convention and Denny & Perry for printing the proceedings of said Convention ;

Joint resolution to inquire into the liabilities and assets of the Bank of the State ;

Joint resolution indemnifying John G. Itgen from all fines and penalties.

The Speaker of the House of Representatives attended in the Senate House, when the above Acts were duly ratified.

MESSAGE FROM THE GOVERNOR.

Message No. 15 from His Excellency the Governor was received, and read as follows :

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, September 26, 1868.

To the Honorable the President of the Senate.

SIR : I have this day approved the following Acts and joint resolutions, viz.:

1st. An Act to amend an Act entitled " An Act to provide for the inspection of flour."

2d. An Act to renew the charter of the ferry over the Saluda River known as Island Ford Ferry, in the County of Newberry.

3d. An Act to organize townships, and to define their powers and privileges.

4th. An Act to authorize the Governor to leave the State under certain circumstances.

5th. An Act providing for the next general election, and the manner of conducting the same.

6th. An Act to regulate the practice of the Circuit Courts in certain cases.

7th. An Act to provide for the formation and proceedings of the Colleges of Electors.

8th. An Act to fix the salaries and regulate the pay of certain officers.

9th. An Act to declare the roads leading from Gervais street, in the city of Columbia to Kinsler's Ferry, and from Kinsler's Ferry to the State Road, on the western side of the Congaree River, public highways.

10th. An Act to establish quarantine at Georgetown, Charleston and Hilton Head.

11th. An Act to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises, and to invite capital to South Carolina for the development of the resources of the State.

12th. An Act to regulate the manner of drawing juries.

13th. An Act to regulate arrests and bail in civil actions.

14th. Joint resolution to carry out the contract made between the late Constitutional Convention and Denny & Perry for the publication of the proceedings of said Convention.

15th. Joint resolution indemnifying John G. Itgen from all fines and penalties.

Very respectfully,

ROBERT K. SCOTT, Governor.

Mr. JILLSON, from the Committee on Enrolled Acts, reported as enrolled, and ready for ratification, a joint resolution to provide for the public printing.

The above resolution was ratified, and ordered to be sent to His Excellency the Governor for his approval.

On motion of Mr. CORBIN, the Clerk was directed to proceed to the House of Representatives and inform that body that the Senate had disposed of the business before it, and was now ready to adjourn *sine die*.

The Clerk of the House of Representatives appeared and informed the Senate that the House had disposed of the business before it, and was ready to adjourn *sine die*.

On motion of Mr. CORBIN, Mr. COGHLAN took the chair.

Mr. CORBIN offered the following resolution, which was unanimously adopted :

Resolved, That the thanks of the Senate be returned to the Hon. Lemuel Boozer, for the able and impartial manner in which he has presided over the deliberations of the Senate.

The PRESIDENT resumed the chair, and after returning his grateful thanks, announced the Senate adjourned *sine die*.

INDEX
 TO THE
JOURNAL OF THE SENATE
 OF THE
STATE OF SOUTH CAROLINA,
 BEING THE
SPECIAL SESSION OF 1868.

A.

Address of Hon. D. T. Corbin on taking the chair.....	5
Adams, Rev. E. J., elected Chaplain.....	7
Amendment to Constitution of United States adopted.....	10, 11
Address of Hon. J. M. Rutland on taking the chair.....	111
Arthur, Thos. S., political disabilities of.....	131, 146, 158
Anderson, Wm. H., political disabilities of.....	131, 146, 158
Arnim, F., added to Committee on Contingent Expenses.....	172
Aiken, Hon. Wm., invited to a seat on the floor.....	195
Allen, Hon. James M., appointed on Joint Committee.....	406

B.

Blank of 30th Section, Article 2, State Constitution filled.....	8
Brooks, Mat., elected Assistant Doorkeeper.....	7
Bristow, Alexander E., petition for relief.....	49, 63, 64
Boliver, George, petition of.....	50
Bailey, J. C., account of.....	53
Bank of the State Report of.....	59
Banks, Bros. & Co., account of.....	181
Berry, M. H., account of.....	191, 253
Boozer, Hon. Lemuel, elected Judge of Fifth Circuit.....	236
Butler, Jane T., petition of.....	281, 285

Introduced by	Title of.	Notice of.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Corbin.	Bill to organize the Circuit Courts....	15	21	28	71	138, 140, 150, 201, 202, 206	205	230
Mr. Corbin.	Bill validating the laws of the Provisional Government of South Carolina..	15	29	51				
Mr. Corbin.	Bill to determine and perpetuate the homestead	21	21	29	71	146, 153, 166, 171, 290, 300	297	310
Mr. Hayne.	Bill for the completion of the State House.....	25	28					
Mr. Wright.	Bill for the punishment of persons improperly converting the public funds.....	26	28			84		
Mr. Randolph	Bill to enable laborers who work under contract or otherwise to recover pay for their labor when such pay is due.....	26	51			65, 70, 158, 159, 193		
Mr. Cain.	Bill to amend an Act entitled "An Act to amend the criminal law," passed on the 19th day of December, 1865..	26	148			159		
Mr. Corbin.	Bill to regulate appeals and writs of error to the Supreme Court.....	26	51	54	71	201, 206	205	210

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified.	Approved.
Mr. Corbin.	Bill to organize the Supreme Court.....	26	61	70	86	80, 146, 153, 165		
Mr. Hayes.	Bill to incorporate Citizens' Savings Bank of South Carolina	51	57	117		91, 107, 163, 192, 221		
Mr. Hayes.	Bill to provide for the appointment of Tax Collectors in this State.....	51	74	186		82, 163, 189, 242, 261		
Mr. Allen.	Bill to validate all ordinances passed by the late Constitutional Convention	53	61					
Mr. Wright.	Bill to continue in force the General and Special Orders of Military Commanders issued during the existence of the Provisional Government of South Carolina	54	61			83		
Mr. Randolph.	Bill enabling minor children and persons heretofore known as "free persons of color" to recover all property, and in specie or United States currency the value of all bonds, deposits or moneys that may have been convert-							

INDEX TO THE SENATE JOURNAL.

Introduced by	Title.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
	ed without their consent into Confederate bonds or moneys	57	197			222		
Mr. Jilison.	Bill accepting the benefits of an Act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and the mechanic arts.....	57	61	65	162, 163		179	
Mr. Corbin.	Bill to amend an Act entitled "An Act to incorporate the Air Line Railroad Company in South Carolina."	61	65	141	158	81, 127, 135, 147, 256	345	375
Mr. Jilison.	Bill to provide for the election of the Board of Directors of the the State Penitentiary.....	61	65			81		
Mr. Randolph.	Bill to enforce the 39th Section of Article 2 of the Constitution prohibiting distinction in any case on account of race, color or previous condition..	61						
Mr. Corbin.	Bill to define the jurisdiction and duties of County Commissioners.....	62	200	263	288	214, 224, 264, 286, 355, 370, 375, 386, 384		407

Introduced by	Title.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.	
Mr. Corbin.	Bill to define the jurisdiction and regulate the practice of the Probate Courts.....	62	65	109	124	81, 117, 120, 262, 278, 356	366	375	
Mr. Corbin.	Bill to define the powers and duties of Justices of the Peace.....	62							
Mr. Corbin.	Bill to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of railways and other works of internal improvements.....	62	84	118	157	140, 150, 223, 304, 308, 371	371	388	
Mr. Randolph.	Bill to establish a Board of Land Commissioners to define their powers and duties, and to authorize the issue of bonds or stock for the purchasing of lands	62	74	117	347	82, 87, 135, 144, 164, 165, 166, 182, 209, 220, 227, 295, 296, 301, 337	345, 347, 385	382	388
Mr. Montgomery.	Bill to incorporate the Langley Manufacturing Company of Edgefield County...	62	63			70, 80, 124		179	
Mr. Rutland.	Bill to fix the amounts of official bonds of								

Introduced by	Title.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
	State Treasurer and other county officers and to impose penalties for embezzlements.....	63	63	75	86	70, 74, 80, 124, 147, 159 160, 161, 170		
Mr. Allen.	Bill to protect the property of married women from the debts contracted by their husbands, and to secure their separate estate in the same.....	64						
Mr. Randolph.	Bill secure the payment of laborers and mechanics when employers fail or refuse to pay them.	71	143					
Mr. Maxwell.	Bill to regulate the punishment of larceny in certain cases.....	73	108			118, 132, 144		
Mr. Jillson.	Bill to renew the charter of the Independent Fire Engine Cowpany of Camden.	73	79	90	157	85, 107, 109, 150.		
Mr. Montgomery.	Bill to subject agricultural lands to taxation within the corporate limits of incorporated towns and cities, and to fix three rates of taxation within the same.....	73	90			110, 133.		

INDEX TO THE SENATE JOURNAL.

Introduced by	Title of.	Notice	First Reading.	Second Reading.	Third Reading	Other Pro-ceedings.	Ratified.	Approved.
Mr. Arnim.	Bill for the preserva- tion of the State Capitol.....	79	80	85	150	129, 132, 356	348	366
Mr. Arnim.	Bill to provide for the accommodation of the General Assem- bly, the Executive and the Judiciary..	79	80	85	150	130, 132, 337 338, 370.	366	375
Mr. Coghlan.	Bill to change the time of collecting taxes in the several Counties of the State.....	80						
Mr. Wright.	Bill providing for the punishment of em- bezzlement of pub- lic money or prop- erty.....	74	80			133, 149.		
Mr. Corbin.	Bill to regulate the manner of keeping and disbursing funds by certain officers...	74	74	110	137	82, 129, 130, 172, 190, 199 213, 218.	213	220
Mr. Leslie.	Bill to re-enact certain Acts lending the name and credit of the State to the Greenville and Co- lumbia Railroad, and to validate the action of said Com- pany thereunder....		79			85, 86, 191, 192, 220.		
Mr. Corbin.	Bill to quiet rights vested under Mili- tary Orders.....		83	119	121	91, 146.		

INDEX TO THE SENATE JOURNAL.

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Corbin.	Bill to determine the manner of settling and determining obligations contracted in Confederate currency	84						
Mr. Corbin.	Bill to determine and set out dower	84	90	110	135	127.		
Mr. Randolph.	Bill to amend an Act entitled "An Act prescribing the mode of electing Clerks, Sheriffs and Ordinaries."	90	117	123		133.		
Mr. Rainey.	Bill to incorporate the Columbia Educational Society.....	90	108	129	150	122, 132, 149		
Mr. Montgomery.	Bill to incorporate the Home Insurance Company of Charleston		107	125	260	154, 176, 184 192, 208, 213		
Mr. Rainey.	Bill to incorporate the the United Fire Engine Company of Charleston	108	126	131	187	126, 170.		
Mr. Wright.	Bill to establish a State Police force in the State.....	108	113	134	138	120, 127, 196 213, 217, 218	213	220
Mr. Leslie.	Bill to require the Comptroller-General to issue a duplicate warrant to W. W. Woodward, late Sheriff of Barnwell County.....	108						

INDEX TO THE SENATE JOURNAL.

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Wright.	Bill to fix the salaries and regulate the pay of certain officers in the State.	113	117	124		132, 138, 144 218, 261, 268 327, 328 329, 330, 331 339, 354, 355 361, 365, 336	407	409
Mr. Montgomery.	Bill to incorporate Neptune Fire Engine Company, of Greenville.....		120	124	135	127		
Mr. Montgomery.	Bill to incorporate Palmetto Fire Engine Company, of Greenville.		120	124	135	127		
Mr. Randolph	Bill to punish persons who may attempt to hold office by authority of the late Provisional Government.....		123	148	181	128, 133, 145 154, 325, 333	332	341
Mr. Cain.	Bill to incorporate the Wando Fertilizing Company.....		128	150	185	137, 138, 162 271, 340, 348	343	
Mr. Nash.	Bill to define the law of contract for hire.....	128	143		158			
Mr. Allen.	Bill to re-establish certain ferries, alter the location of roads and for other purposes.		132			149		

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified.	Approved.
Mr. Hayne.	Bill to repeal an Act passed by the General Assembly of South Carolina at the regular session of 1866 for the encouragement and protection of European immigration, and for the appointment of a Commissioner and Agents, and for other purposes therein expressed.....	133	147			158		
Mr. Allen.	Bill to define and to punish offences against the public peace.....	138	148			158		
Mr. Montgomery.	Bill to incorporate the Longshoremen's Protective Union Association, of Charleston.....			138	185	150, 157, 165 189, 199, 213		
Mr. Wright.	Bill to close the operations of the Bank of the State of South Carolina.....	143	159	202	260	181, 191, 204 205, 217, 257 320, 333	332	341
Mr. Swails.	Bill to extend the provisions of an Act entitled "An Act for the relief of the Charleston and Savannah Railroad Company.".....	143	148	182	198	158, 163, 189		

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Nash.	Bill to authorize the sale of the Columbia Canal.....	148	170	288	301	186, 190, 290 338, 339, 366 370	366	375
Mr. Jillson.	Bill to provide for the temporary organization of the Educational Department of the State.....		154	175		176, 220		
Mr. Hayes.	Bill to recharter Curton's Ferry, in Lancaster County.		156	181	198	189		
Mr. Montgomery.	Bill to incorporate the Lake Swamp Navigation Company, of Horry County.....	156	176			187, 191		
Mr. Arnim.	Bill to regulate and determine the powers and duties of County Commissioners.....	156	185			193, 212		
Mr. Arnim.	Bill to regulate and determine the powers and duties of County Assessors...	156	185			193		
Mr. Arnim.	Bill to regulate and determine the powers and duties of County Treasurers..	156						
Mr. Arnim.	Bill to regulate and determine the powers and duties of County Auditors....	156						

Introduc'd by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified.	Approved.
Mr. Jillson.	Bill to provide for the appointment of a Board of Directors of the State Penitentiary	156	173	314	322	187, 190, 199 208, 214, 215 217, 253, 315 316, 318, 360 361, 385	382	
Mr. Wright.	Bill to provide for the conversion of State securities and for other purposes	156	165			18, 51, 191		
Mr. Wright.	Bill to empower Circuit Judges to change venue for trial of actions both civil and criminal.....	156	165	297		18, 51, 190 299, 365, 370	366	375
Mr. Leslie.	Bill to re-establish Tucker's Ferry over the Edisto River		168	186	261	189		
Mr. Leslie.	Bill to change the location of a portion of the Rutherfordton Road in the County of Greenville		168	186	261			
Mr. Leslie.	Bill authorizing the leasing of the Saluda Turnpike and directing the disposition of the rental money of the same.		169	220	334	195, 216, 219 224, 331		
Mr. Leslie.	Bill to re-establish Wright's Ferry over the Catawba River.....		169	186	261	189		

Introduc'd by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Hayes.	Bill to extend the charter of Kinsler's Ferry		169	187	261	189, 356	368	366
Mr. Hayes.	Bill to declare the roads leading from Gervais street in the city of Columbia to Kinsler's Ferry, and from Kinsler's Ferry to the State Road on the western side of the Congaree River public highways....		169	187	261	189	408	409
Mr. Leslie.	Bill to determine and fix the amount of bonds of State and County officers.....	171						
Mr. Cain.	Bill to fix the amounts of bonds of County officers	171	173	225	253	187, 190, 208 222, 226, 300	297	310
Mr. Jillson.	Bill to enable the Chatham Railroad Company to extend their Road to Columbia	181	197			261		
Mr. Jillson.	Bill to amend the charter of the Cheraw and Coalfields Railroad Company.	181	197	336		261, 335, 341 342, 343, 356		
Mr. Maxwell.	Bill to provide for the payment of the per diem and mileage of the members of the General Assembly... ..		185	197	222	193, 196, 198 199, 385, 387		

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified.	Approved.
Mr. Montgomery.	Bill for the protection and relief of those who are now and have been since the first day of January, 1866, policy holders in the Underwriters' Agency, of the city of New York, and other corrupt and fraudulent fire insurance companies doing business through agencies in this State.....	193						
Mr. Leslie.	Bill to provide for the submission of the question of a change of location of the county seat of Barnwell County to the voters of said county.....	156	196	262	304	266		
Mr. Leslie.	Bill to provide for the revision and consolidation of the statute laws of the State.....	209	218	265	290	263, 265, 267 268, 269, 277		
Mr. Wright.	Bill to incorporate the Mission Presbyterian Church, of the city of Charleston	218	225					
Mr. Corbin.	Bill to organize townships and to define their powers and privileges.....	218	267	279	288	280, 283, 286	408	409

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Leslie.	Bill entitled "A Registry Bill for South Carolina".....	218						
Mr. Leslie.	Bill to regulate the practice in Justices' Courts.....	218						
Mr. Corbin.	Bill to regulate the manner of drawing Juries.....	218	272	283	288	284	408	409
Mr. Montgomery.	Bill to incorporate the Promptitude Fire Engine Company of Charleston.....		224					
Mr. Whittemore.	Bill to supply vacancies in the office of Governor.....	225	252	345	347	361, 376		
Mr. Corbin.	Bill to regulate the formation of corporations.....	225						
Mr. Corbin.	Bill to protect all persons in the State in their civil rights and furnish the means of vindication.....		229	265	314	254, 255, 256 260, 269, 270 272, 273, 274 275, 276, 278 344, 347		
Mr. Corbin.	Bill to provide a Chief Clerk for the Treasurer of the State.....		229					
Mr. Bieman.	Bill to regulate the distillation of spiritous liquors.....		229					

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified.	Approved.
Mr. Dickson.	Bill to charter the Camden and Charlotte Railroad Company.....	242						
Mr. Rodgers.	Bill to grant charters to certain parties in South Carolina to build a railroad from Columbia to Camden, from Camden to Cheraw, and from Cheraw to the State line	252						
Mr. Corbin.	Bill to alter and amend an Act entitled "An Act to organize the Circuit Courts."....		266	281	282		348	366
Mr. Hayne.	Bill to provide transportation for convicts discharged from the State Penitentiary		267	331	333	318, 340, 348	343	
Mr. Dickson.	Bill to incorporate the Wateree and North Carolina Railroad Company		267	331		323, 345		
Mr. Allen.	Bill to renew the charter of Island Ford Ferry.....		272	352		357, 366, 367	408	409
Mr. Leslie.	Bill providing for the temporary appointment of Magistrates and defining their powers and duties..		272	296	373	297, 298, 299 332, 348		397

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Leslie.	Bill providing for the election and defining the powers and duties of Justices of the Peace, and for regulating the practice in Justices' Courts		272					
Mr. Rutland.	Bill to extend the time of filing declarations and to vacate judgments and decrees in certain cases.....		272					
Mr. Leslie.	Bill to provide for the election of Presidential Electors and other purposes.....	286						
Mr. Leslie.	Bill providing for the next general election and the manner of conducting the same	286	290	308	330	309, 310, 311, 312, 386	408	409
Mr. Corbin.	Bill to organize the Supreme Court.....		278	298	320	301, 302, 303, 307, 356	348	374
Mr. Leslie.	Bill to authorize additional aid for the completion of the Blue Railroad.....		282	295	300	288, 296, 299, 325, 333	332	
Mr. Dickson.	Bill to establish a Bureau of Agricultural Statistics for the encouragement of industrial enterprises and to invite capital to South Carolina...	282	286	337	401	323, 385	408	409

Introduced by	Title of.	Notice	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.	Approved.
Mr. Leslie.	Bill to vacate and set aside the judgments of civil Courts and to stay proceedings upon the same in certain cases.....		283	335				
Mr. Corbin.	Bill to regulate the practice of Circuit Courts in certain cases		286			314	408	409
Mr. Corbin.	Bill to suppress insurrection or rebellion.		286	323	325	371, 385	371	388
Mr. Corbin.	Bill to quiet rights vested under military orders.....		286	334	345	335, 336, 346, 371, 385	371	388
Mr. Corbin.	Bill to fix the salary and define the duty of the Attorney-General of the State		286	324	343	326, 336, 371, 385	371	388
Mr. Corbin.	Bill to regulate attachments.....		300	321	325	322, 387		
Mr. Corbin.	Bill to amend an Act entitled "An Act to provide for the inspection of flour."		357	369	373	401, 404	408	409
Mr. Leslie.	Bill to provide for the formation and proceedings of the Colleges of Electors...		290	321	325	401, 404	408	409
Mr. Corbin.	Bill to provide for the government of the South Carolina Penitentiary	307				314, 322, 360, 385	382	

Introduced by	Title of.	Notice.	First Reading.	Second Reading.	Third Reading.	Other Pro-ceedings.	Ratified. Approved.	
Mr. Leslie.	Bill to regulate arrests and bail in civil actions.....	312	312	321	326	322	408	409
Special Com- mittee of five on Bill to establish Board of Land Com- missioners.	Bill to determine the manner of disposing of lands purchased by the State for taxes.....		301	337	347	345, 367, 385,	382	388
Mr. Corbin.	Bill to establish a quarantine at Georgetown, Charleston and Hilton Head.....	334	361	367	373	368, 392	408	409
Mr. Randolph.	Bill to alter and amend the charter of the town of Orangeburg.....	334						
Mr. Whitte- more.	Bill to make addi- tional appropria- tions for the pay- ment of the mileage of members, salaries of subordinate offi- cers, and the ex- penses of the Gene- ral Assembly.....		352	362	386	387		
Mr. Corbin.	Bill to authorize the Governor to leave the State under cer- tain circumstances.				401	407	408	409

Bills from the House of Representatives.

Title of.	First reading.	Second reading.	Third reading.	Other Proceedings.	Ratified.
Bill to remove the county seat of Beaufort County from Gillisonville to the town of Beaufort.....	77	85	314	140, 197, 264, 325, 333	331
Bill to incorporate the Cheraw Hook and Ladder Company.	106	119	125	122, 154	179
Bill to authorize and empower the Governor to effect a loan in behalf of the State of one hundred and twenty-five thousand dollars.....	111	120	125	122, 143, 147	
Bill to provide Private Secretary for the Governor.....	116	144	158	132, 147	
Bill to make appropriations for the payment of the expenses of the present session of the General Assembly, and to meet certain deficiencies in the appropriation for the fiscal year commencing on 1st October, 1867, made by General Orders No. 139, dated at Charleston, December 3, 1867.....	121	175	185	128, 155, 180, 201, 202, 206	205
Bill to alter and amend the charter of the city of Charleston, and for other purposes therein mentioned.....	136	176	190	141, 150, 154, 177, 178, 194, 227, 241	230
*Bill to declare vacant certain offices.....	137	139	149	140, 147	187 188

*Title changed to an Act regulating the tenure of certain offices and appointments thereto, and for other purposes.

Bills from the House of Representatives.

Title of.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.
Bill to provide for the recording of certificates of sale issued to purchasers of lands sold under direction and authority of the United States Direct Tax Commissioners in Beaufort County.....	138	175	187	150, 154, 180, 201 206	205
Bill to incorporate the Union Star Fire Engine Company.	166			186, 202	
Bill to provide for a public administrator	166			186	
Bill to incorporate Sumter Fire Engine Company.....	166			186	
Bill to regulate the admission of persons to practice as attorneys, solicitors and counselors in the Courts of the State	166	304	320	303, 385, 388	282
Bill relative to a building in the city of Charleston, the property of J. G. Itgen.....	172			186, 192, 285, 307,	
Bill authorizing the executor of the last will of Juliana Izard to pay over the proceeds of the real estate of the said Juliana Izard.....	172			192	
Bill providing for the assessment and taxation of property.....	194	254	288	195, 221, 222, 223, 225, 227, 228, 242, 248, 251, 253, 277, 284, 288, 330, 333	332
Bill to prevent discrimination be-					

Bills from the House of Representatives.

Title of.	First Reading.	Second Reading.	Third Reading.	Other Proceedings.	Ratified.
between persons by those carrying on business.....	196			208, 210, 214, 215 216, 248, 254, 318	
Bill to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina.....	211	222	224	224, 229	229
Bill to authorize a State loan to pay the interest on the public debt.....	212	221	224	222, 224	230
Bill to repeal the charter of the town of Hamburg.....	21	260	374	264, 266, 335, 385	382
Bill to provide for the reorganization of the South Carolina Penitentiary.....	258			264, 265, 278	
Bill to provide for the temporary organization of the Educational Department of the State.....	258	280	308	258, 281, 330, 333	332
Bill to enable the Chatham Railroad Company to extend their road to Columbia.....	259	289	323	218, 288, 290, 291 292, 293, 294, 295 297, 305, 306, 316 317, 319, 320, 348	343
Bill to license pilots for Charleston bar and harbor, Stono River, &c.....	259	346		378, 401, 404	401
Bill to fix the amounts of the official bonds of certain county officers.....	259			264	
Bill to establish Justices' Courts..	259			265	

Bills from the House of Representatives.

Title of.	First reading.	Second reading.	Third reading.	Other Proceedings.	Ratified.
Bill to amend the charter of the Cheraw and Coalfields Railroad Company.....	259	336	347	264, 336, 341, 342, 343, 356, 370	366
Bill to provide for the election by the State of Electors of President and Vice-President of the United States, and to fix the time for the election of members of Congress.....	271				
Bill to incorporate the Columbia Educational Society.....				299	
Bill to incorporate Ashley Fire Engine Company, of Charleston.....				299	
Bill to incorporate certain fire engine companies of Charleston.....				299	
Bill to amend an Act entitled "An Act to authorize a loan to redeem the obligations known as Bills Receivable of the State of South Carolina."	299	336	339	340, 356	368
Bill to extend the time for county officers to qualify	299	326	332	322, 340, 348	343
Bill to meet contingent expenses in the office of the Comptroller-General and Treasurer of the State.....	312	371	392	369, 401, 404	401
Bill to provide transportation for					

Bills from the House of Representatives.

Title of.	First reading.	Second reading.	Third reading.	Other Proceedings.	Ratified.
convicts discharged from the State Penitentiary.....	313				
Bill to prevent discrimination in the treatment of prisoners by Jailers and Sheriffs.....	313	315	401	401, 404	401
Bill to establish a public ferry in York County.....	313				
Bill to authorize the building of a bridge to connect the Islands of Wadmalaw and John....	313			313, 376	
Bill to regulate elections and to punish the abuse of the elective franchise.....	319				
Bill to establish the counties of Pickens and Oconee as Judicial Districts.....	323	335	345	323, 356, 370	366
Bill to organize and govern the militia of the State of South Carolina.....	324			334, 337, 339, 402	
Bill to authorize a lease of the State Road, running from the County of Greenville, in the State of South Carolina, across the Saluda Mountain to the County of Henderson, in State of North Carolina...	337	346	349	356, 370	366
Bill to protect all persons in their civil rights, and furnish the means of their vindication...	337			337, 344, 347, 361	
Bill to establish office of County Treasurer.....	338			347, 373	

Bills from the House of Representatives.

Title of.	First reading.	Second reading.	Third reading.	Other Proceedings.	Ratified.
Bill to provide for the filling of certain offices.....	346			356, 376	
Bill to repeal an Act to prohibit the digging of cellars in future within the limits of towns on the seaboard.....	346	369	373	356, 385	382
Bill to protect laborers and persons working under contracts on shares of crops.....	346	386		369, 372, 402	
Bill to provide for the revision and consolidation of the statute laws of the State of Carolina.....	363	375		380, 368, 375, 377, 378, 380	
Bill to make additional appropriations for the payment of the per diem and mileage of members, the salaries of subordinate officers, and other expenses of the General Assembly, and for payment of the salaries of State officers.	363	375	386	387	387
Bill to provide for the election of officers of incorporated cities and towns in the State of South Carolina.....	363	392		387, 401, 404	
Bill to provide assistance for the transient sick poor in the various cities and towns of this State.....	374				
Bill to provide a lien on buildings and lands to parties furnishing labor and material thereon	395			402	
Bill to authorize the Governor to release certain convicts.....				395	

C.

Corbin, Hon. D. T., elected President *pro tem.*..... 3
 Cain, Rev. R. H., opens proceedings with prayer..... 4
 Corbin, Hon. D. T., elected President *pro tem.* during absence of
 President..... 5
 Corbett, J. N., elected Reading Clerk. 7
 Committee of nine to nominate officers..... 6.
 to notify House of organization of Senate..... 7
 to wait upon the Governor..... 8
 to wait upon Provisional Governor Orr..... 8
 to ascertain location of State Library..... 9
 Class of Senators..... 10
 Communication from Governor Orr..... 12
 Committee on Printing appointed..... 13
 Committees standing announced..... 13, 14
 Committee on Rules for the Senate..... 16
 to notify House of action of the Senate relative to inaugu-
 ration..... 18
 Committee appointed to wait on the Governor..... 19
 Committee relative to disfranchised persons elected to office..... 26
 Committee on Political Disabilities..... 28
 Committee to wait on Hon. L. Boozer..... 29
 Committee Joint to consider Seal of State..... 30
 to wait on President Constitutional Convention..... 31
 to notify House of Representatives of Senate vote for
 United States Senator..... 36
 Cooke, Thompson H., petition to remove political disabilities..... 49
 Cadets, Republican, petition of..... 50
 Commissioners of Williamsburg County petition of..... 52
 Committee on Roads, Bridges and Ferries. 55
 Citizens of Charleston, petitions of..... 65, 107, 103, 186
 Cowes, Dr. Elliott, account of..... 66
 Camden Independent Fire Engine Company..... 22 73
 Caziarc, Louis V., A. D. C., communication..... 69
 Clawson, W. J., petition of..... 73, 84, 91. 131
 Committee of five on subjects requiring immediate consideration.... 83
 Citizens of Beaufort County, petition of..... 87
 Oconee County, petition of..... 111. 281
 Cooper, Juno R., and other citizens of Horry County, petitions of..... 111
 Camp, P. G., political disabilities of..... 116, 128, 137
 Committee on Enrolled Bills..... 123

Citizens of Yorkville, petition of.....	126, 172
Rock Hill, petitions of.....	126
Catawba Indians, petition of.....	126
Committee on Catawba Indians.....	126
Company, United Fire Engine Company.....	126
Committee appointed on Joint Rules.....	129
Clark, Tobias F., petition of.....	131, 138
• Cureton, John Samuel, petition of.....	131, 156
City Council of Charleston, memorials of.....	145, 324
Committee to determine upon State Seal..	146
Craig, Hugh, political disabilities of.....	146, 158
Culpeper, D. J. F., account of.....	167
Caldwell, John, petition of.....	172, 190
Committee (Joint) to determine most important business.....	180
Company, Promptitude Fire Engine, petition of.....	212, 224
Corbin, Hon. D. T., elected Judge of First Circuit.....	231
Communication of Citizens of Barnwell.....	276, 277
Chamberlain, D. H., Attorney-General, communication from.....	282
Commissioners of the Poor of Abbeville County, petition of.....	295, 313
Corbett, J. N., petition for increased compensation.....	313
Corbin, Hon. D. T., declines office Judge of First Circuit.....	400
Commissioners, Orangeburg County, petition of.....	405
Corbin, Hon. D. T., appointed on Committee to inquire into the liabilities and assets of the Bank of the State of South Carolina	406

D.

Denny, J. W., elected Printer.....	24
Dudley, Thos. E., claim of	27
Donaldson, R. J., vote on Constitutional Amendment.....	29
Dickson, Hon. E. E., when qualified.....	37
Dupont, Dr. Chas. E., account of	50
Duncan, Thos. J., account of.....	67
Dudley, James, account of.....	111
Douglas, Daniel, account of.....	146
Denny, J. W., accounts of.....	170, 17, 51, 191, 206, 209, 253, 406

E.

Election of United States Senators... 37, 38, 39, 40, 41, 42, 43, 44, 45	46, 47, 48
Election of Justices of Supreme Court	92, 93, 94, 95, 96, 97, 98
	99, 100, 101, 102, 103, 104

Easterling, Wm. A. and others, petition of.....	87
Enloe, John G., petition of.....	111, 127, 137
Election of Judge for Sixth Circuit.....	388

F.

Fleming, Julius J., account of.....	67
Foster, Joel, added to Committee on Contingent Expenses.....	172
Free Schools, Kershaw.....	271-
Frazer, Phineas F., account of.....	286

G.

Green, John T., disabilities of.....	27, 31
Green, Dr. F. L., account of.....	52, 106
Geiger, Dr. W. P., account of.....	56
Green, Charles, account of.....	73
Goodlett, S. D., petition of.....	84, 91, 131, 146, 158, 169, 187, 195
Grisham, W. S., report of.....	111
Gill, W. P., petition of.....	167, 173, 196, 202
Green, Hon John T., elected Judge of Third Circuit.....	233
Grant Fire Engine Company, petition of.....	281

H.

Herald, Winnsboro and Fairfield, account of.....	50
Hayne, H. E., added to Committee on the Military.....	58
Hill, Wm., petition of.....	59, 67, 81, 87
Hobbs, Mrs. A. C., petition of.....	62, 107, 118, 128, 132, 143, 192 197, 261
Hoyt, W. R., added to Committee on Public Buildings.....	64
Hightower, John F., petition of.....	66, 122, 132
Hammett, H. P., communication from.....	76
Heriot, R. L., petition of.....	87, 108, 118
Hayes, E. S. J., added to Committee on Education.....	87
Hoge, S. L., elected Associate Justice.....	104
Heyward, T. S., petition of.....	130, 181
Heriot, Dr. H. F., account of.....	131
Hayne, H. E., appointed on Committee to determine most important business.....	180

I.

Invitation to Senate to join in the inauguration of the Governor elect	17-
Inauguration of the Governor elect.....	19

Inauguration of the Lieutenant-Governor elect.....	32
Itgen, Jno. G., petition of.....	142, 173, 187
Jillson, J. K., appointed on Committee to determine Great Seal.....	146
Izard, Mrs. R. E., petition of.....	285, 213
Joint Assembly, vote for United States Senator....	37, 38, 39, 40, 41
	42, 43, 44, 45, 46, 47, 48
vote for Justices.....	92, 99
Jordan, Dr. R. H., account of.....	131
Joint Assembly, vote for Circuit Judges... 230, 231, 232, 233, 234, 235	
	236, 237, 238, 239, 240
vote for Judge for Sixth Circuit.....	388, 389, 390, 391

K.

Kennedy, A. W., accounts of.....	50
Kerr, Wm. M., political disabilities of.....	121, 127, 137
Kinsler, Wm., Kinsler, Ed., Kinsler, H. O., petition of....	131, 161

L.

Lee, Samuel, elected Messenger.....	7
Livingston, Edward, disabilities of.....	32, 107, 108
Langley, Wm. C., petition of.....	53
Ledger, Lancaster, account of.....	106, 118
Leslie, Hon. C. P., appointed on Joint Committee to determine most important business.....	180
Lee, A. M., petition for a charter.....	289
Leslie, Hon. C. P., pay certificates of.....	404

Mc.

McColl, D. D., petition of.....	81
McColl, Jno. L., account of.....	49
McColl, P., account of.....	49
Calder, G., account of.....	49
McCants, Thos. J., account of.....	67
McCaslin, A. L., political disabilities of.....	116, 128, 137
McIver, Henry, disabilities of.....	146, 158
McDaniel, W. A., account of.....	206

M.

Mackey, A. G., President of Convention.....	8
Moody, James, elected Messenger.....	7

Messages of the Governor...	21, 57, 159, 209, 219, 242, 310, 321, 341 347, 366, 374, 375, 387
Maurice, S. W., claim of.....	27, 63
Messages from House of Representatives.....	37, 65, 77, 123, 136, 188 194, 202, 225, 277, 305, 318, 323, 344, 348, 355, 362, 363, 364 373, 374, 377, 378, 379, 380, 386, 391, 404, 407, 400
Miller, J. M., account of.....	49
Mount, W. N., disabilities of.....	50
Molony, M. F., petition of.....	49
Moses, F. J., Sr., elected Chief Justice.....	97
Moody, Thos. C., account of.....	99
Mellet, Dr. R. S., account of.....	106
Myers, Frank, political disabilities of.....	131, 146, 158, 160, 187, 195
Montgomery, Dr. R. G., account of.....	131
Meade, Major-General Geo G., communication of..	183
Moses, L. J., communication of.....	183, 184

N.

Neptune Fire Engine Company of Greenville.....	78, 112, 120
Nicholson, W. M., petition of.....	223, 241

O.

Oath administered to President <i>pro tem</i>	4
Senators	4
Organization of Senate.....	4, 5, 6
Oath administered to Mr. Reid.....	6
to the Governor.....	19
to Lieutenant-Governor	33
Orr, Hon. James L., invited to a seat....	66
Orr, Hon. James L., elected Judge of Eighth Circuit.....	240

P.

Protest against admission of Mr. Reid.....	6
Mr. Foster.....	251
Pate, Henry, claim of..	31
Protest against admission of Mr. R. M. Sims.....	77
Palmetto Eire Engine Company of Greenville.....	78
Porteous, John F., petition of.....	84, 91, 112
Paysinger, T. M., account of.....	116
Platt, Hon. Zephaniah, elected Judge of Second Circuit.....	232
Protest of Senators against action of Senate in reference to Senator Leslie	384

RESOLUTIONS.

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Hayes.	To appoint Committee on Credentials	4
Mr. Whittemore.	To appoint Clerk <i>pro tem</i>	4
Mr. Wright.	To appoint Committee to nominate officers	6
Mr. Hayne.	Rules for government of Senate....	6
Mr. Whittemore.	To admit reporters of the press.....	6
Mr. Rose.	To adopt report of Committee of nine.....	7
Mr. Leslie.	To appoint Committee of three to notify House that Senate had organized	7
Mr. Whittemore.	Invitation to Governor Orr to communicate to Senate.....	8
Mr. Leslie.	Senators to select seats by lot.....	8
Mr. Rutland.	President <i>pro tem</i> . to appoint Standing Committees.....	9
Mr. Arnim.	That Senators draw for seats.....	9
Mr. Randolph.	To appoint Committee to ascertain location of State Library.....	9
Mr. Whittemore.	Division of Senate.....	9, 10
Mr. Whittemore.	To ratify amendment to Constitution of United States.....	11, 147
Mr. Cain.	To appoint Committee on Printing..	13
Mr. Hayne.	State officers and others invited to seats on the floor.....	15
Mr. Hayes.	Roll of Senators to be prepared and printed	15

INTRODUCED BY	CHARACTER OF.	ACTION
Mr. Cain.	To appoint Committee of five to investigate and report upon action of certain Senators on Constitutional Amendment.....	15
Mr. Nash.	Relative to the State Solicitors.....	15
Mr. Randolph.	Relative to offices held by persons disfranchised.....	15, 16
Mr. Corbin.	To refer Message of Governor Orr to appropriate Committees.....	16
Mr. Arnim.	To appoint Committee of five on Rules for the Senate.....	16, 88, 110
Mr. Randolph.	Relative to publication of daily proceedings.....	16
Mr. Cain.	To inquire as to a more suitable place of meeting for General Assembly.....	16
Mr. Leslie.	Committee on temporary printing discharged.....	16, 17
Mr. Arnim.	To abolish Board of Commissioners of Election created by Convention.....	17
Mr. Whittemore.	To join in the inauguration of the Governor elect.....	18
Mr. Montgomery.	To appoint Committee of three to notify House of action of Senate.....	18
Mr. Wright.	To appoint a Committee of three to wait upon the Governor.....	19
Mr. Whittemore.	To authorize the Judiciary Committee to employ a Clerk.....	20
Mr. Leslie.	Relative to Board of Election created by Constitutional Convention.....	20

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Wimbush.	To reduce bonds of certain officers..	20
Mr. Leslie.	To remove political disabilities of Mr. W. J. Mixson.....	21, 22
Mr. Whittemore.	Requiring Boards of Commissioners of Pickens and Oconee Dis- tricts to report.....	22
Mr. Wright.	To remove political disabilities.....	22, 28
Mr. Jillson.	To employ a Stenographic Report- er	24
Mr. Rainey.	Notice of joint resolution.....	25
Mr. Montgomery.	To refer Message of the Governor to appropriate Committees.....	25
Mr. Leslie.	Relative to persons disfranchised and elected to office.....	25
Mr. Cain.	To appoint a Committee to inquire into the murder of Hon. S. G. W. Dill.....	26
Mr. Whittemore.	To appoint a Committee on Political Disabilities.....	27
Mr. Allen.	Relative to election of United States Senator	27
Mr. Montgomery.	To appoint Joint Committee of Ar- rangements for election of United States Senator.....	27
Mr. Whittemore.	To appoint a Committee to an- nounce result of ballot for United States Senator to House of Representatives.....	27
Mr. Rainey.	Joint resolution relative to Board of Commissioners to inquire into the liabilities and assets of the State.	28

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Hoyt.	To print two thousand copies of Message of Governor.....	28
Mr. Donaldson.	To remove political disabilities of H. Melver and Hugh Craig, Jr	28, 146
Mr. Rainey.	To appoint a Committee to wait on Hon. L. Boozer, Lieutenant-Governor.....	29
Mr. Hoyt.	To appoint a Committee to examine tariff of railroads.....	29
Mr. Whittemore.	To authorize the Clerk to employ two pages.. ..	30
Mr. Wright.	Resolutions to be in form prescribed by the Constitution.....	30
Mr. Whittemore.	To ballot for United States Senator.	30
Mr. Allen.	To appoint a Committee to wait on President of the Constitutional Convention.....	31
Mr. Wimbush.	To remove the political disabilities of Ed. Livingston.....	32
Mr. Jillson.	To bring in absentees.....	33
Mr. Whittemore.	To appoint a Committee to notify House of Representatives of Senate vote for United States Senator.....	36
Mr. Sims.	To authorize Comptroller-General to issue duplicate warrant to W. W. Woodward	49, 180, 187, 189, 193, 197, 261, 299, 306, 307, 314
Mr. Rutland.	To appoint a Committee on subject of reducing bonds of State Treasurer and other officers...	50
Mr. Hoyt.	To appoint a Committee to proceed to Greenville	50

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Allen.	To appoint Committee on Roads, Bridges and Ferries.	52
Mr. Randolph.	To recommit the bill validating the laws of the Provisional Government	54
Mr. Randolph.	To fill the vacancy for Abbeville County	55
Mr. Randolph.	Committee on Incorporations to inquire as to the propriety of alteration of charters	56
Mr. Montgomery.	Rescinding joint resolution of General Assembly of 1836.....	56, 60
Mr. Randolph.	To add an additional member to the Military Committee.....	58
Mr. Hayne.	Requesting a report of the Surveyor-General	64
Mr. Rutland.	To add two members to Committee on Public Buildings.....	64
Mr. Hayes.	To add one member to Committee on Claims.....	65
Mr. Rainey.	To request statement from S. L. Leaphart, Ex-Comptroller-General, of transactions of his Department	67, 81
Mr. Jillson.	To authorize Committee on Finance to make arrangements for full report of proceedings of Senate.	68, 81
Mr. Jillson.	To appoint Special Committee of five to consult with the Governor on subjects requiring immediate consideration.....	68, 81
Mr. Randolph.	To authorize Committee on Finance to fix compensation of officers of the Senate.....	68, 81

INTRODUCED BY	CHARACTER OF	ACTION.
Mr. Randolph.	To request President Constitutional Convention to furnish copy of an Ordinance	68, 81
— Mr. Allen.	To instruct Committee on Railroads to confer with the President of Greenville and Columbia Railroad.. ..	68
Mr. Montgomery.	To refer it to the Committee on Incorporations to report on policy of General Incorporation Act...	68, 82
Mr Leslie.	Messengers of the Senate to deliver to the Governor a copy of each day's proceedings.....	69, 82
Mr. Leslie.	Requesting the return of a certain concurrent resolution.....	69
Mr. Nash.	Checks, drafts or warrants to be countersigned by the Governor.	73
— Mr. Corbin.	To return thanks to the President of the Greenville and Columbia Railroad Company.....	76
Mr. Randolph.	To appoint a Committee on Enrolled Bills.....	78, 85, 109, 121
— Mr. Montgomery.	Relative to a free railroad law.	69, 82
Mr. Jillson.	Joint resolution to appropriate one thousand dollars to Mrs. Dill...	85, 90, 110, 140
Mr. Hayne.	In relation to the bar-room adjoining Senate chamber.....	86, 91, 92
Mr. Hayne.	In relation to the per diem of Senators absent without leave.....	88, 89
Mr. Arnim.	Senators absent without leave.....	89, 110, 113, 114
Mr. Hayes.	To repeal order of General Canby relative to Town Council of Laurensville.....	89, 110, 115, 123

INTRODUCED BY	CHARACTER OF	ACTION.
Mr. Coghlan.	To extend time of County officers to qualify.....	89
Mr. Wright.	In relation to the bar-room nuisance.	91
Mr. Cain.	To appoint Joint Committee to ascertain amount of land in the State for taxes.....	108, 118
Mr. Randolph.	In relation to a Janitor.....	109, 115
Mr. Jillson.	Relative to Senators absent without leave.....	112, 114
Mr. Cain.	To fill offices with persons friendly to the State Government.....	112, 133, 149
Mr. Randolph.	To postpone consideration of report on petition of Board of Commissioners of Williamsburg....	115
Mr. Rainey.	To relieve Mrs. Hobbs of a double tax.	132, 192, 261
Mr. Leslie.	Joint resolution to appoint Commissioners to codify the laws.....	140, 150, 151, 157, 182, 208, 209
Mr. Sims.	Clerks to furnish copies of Calendar and Journal to members of both Houses.....	152, 195
Mr. Whittemore.	Requesting report of Theodore Stark of moneys expended.....	152
Mr. Whittemore.	Clerk ordered to prepare pay roll of members and officers.....	152, 163, 164
Mr. Wright.	Fixing pay of two Solicitors, employed by the Attorney-General.....	152, 163
Mr. Whittemore.	To inquire into the competency of Clerks employed by Solicitors..	162, 185, 195
Mr. Whittemore.	To authorize the Solicitors to employ Clerks.....	162, 195

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Whittemore.	State Superintendent of Education to prescribe list of text books to be used in public schools...	167, 184
Mr. Whittemore.	In relation to institutions of learning in the State supported wholly or in part by funds furnished by the State.....	167, 184, 192
Mr. Whittemore.	To appoint Special Committee of five on disloyal organizations, &c	168, 186, 218, 219, 242
Mr. Hayne.	To appoint a Joint Committee of two to investigate cause of imprisonment of convicts.....	168
Mr. Rose.	To add two additional members to Committee on Contingent Expenses and Accounts.....	172
Mr. Sims.	To renew lost certificate of stock to W. W. Woodward.....	180, 187, 189, 193, 197, 261, 299, 306, 307, 314, 321
Mr. Jillson.	To postpone consideration of all further petitions for the removal of political disabilities to the next regular session....	184, 196
Mr. Rutland.	Requesting Committee on the Judiciary to report on the resolution fixing the time of election of Circuit Judges.....	187
Mr. Arnim.	To make poor houses in the State industrial institutions.....	191, 198
Mr. Leslie.	Relative to the reading of Bills.....	197
Mr. Randolph.	Standing Committees required to report on Bills within five days from time of reference	200, 260
Mr. Randolph.	Committee on Military Affairs to ascertain stands of arms, batteries, &c., in possession of State.	200, 261, 300

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Corbin.	To appoint Joint Committee to inquire into liabilities and assets of the Bank of the State of South Carolina.....	200, 201, 350, 356, 366, 367, 392, 402, 404, 408, 409
Mr. Randolph.	Requiring a report from the Commission appointed by the Convention to inquire into the liabilities and financial condition of the State.....	201, 229
Mr. Randolph.	Relative to vacancy from Abbeville County.....	212, 252, 352
Mr. Corbin.	To instruct Committee on Elections to inquire and report whether vacancy exists for Abbeville County.....	213, 252, 352
Mr. Whittemore.	Bills, Reports and Resolutions numbered on the upper margin....	217
Mr. Whittemore.	Call of yeas and nays upon the third reading of loan Bills.....	221
Mr. Whittemore.	Relative to the pay and per diem of members and officers.....	251, 256, 262, 266, 269
Mr. Jillson.	To elect a Sergeant-at-Arms.....	259
Mr. Randolph.	Relative to necessary legislation to preserve the public peace.....	259
Mr. Randolph.	Relative to Senator Leslie.....	260, 343, 344, 350, 351, 357, 358, 359, 360, 364, 365
Mr. Leslie.	Relative to the reading of Bills....	271
Mr. Randolph.	To hold two sessions a day.....	278
Mr. Hayne.	To fix Tuesday, 15th September, for adjournment of General Assembly	287
Mr. Hayne.	Business to be postponed to regular session.....	287

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Whittemore.	To change hour of meeting and adjournment	288
Mr. Whittemore.	To refer Chatham Railroad Bill to Committee on Railroads.....	291
Mr. Sims.	To appoint Committee of five to ascertain what business necessary to take up at present session...	300
Mr. Whittemore.	To request Judiciary Committee to draw a Bill for the protection of laborers.....	301
Mr. Whittemore.	Invitation to Ex-Governor Hawley, of Conn., to visit Columbia....	307, 308
Mr. Whittemore.	In relation to the publication of the proceedings of the late Constitutional Convention.....	317, 350, 376, 408, 409
Mr. Jillson.	Relative to two sessions a day.....	319
Mr. Randolph.	To authorize the Governor to convene the General Assembly in Charleston	319, 377, 380, 381, 386
Mr. Allen.	To authorize the Governor to appoint a Commissioner to take charge of State Works at Greenville.....	325, 336, 339, 387 397
Mr. Whittemore.	Relative to a Committee of Conference on Bills of importance and adjournment	340
Mr. Jillson.	Limiting the members as to time of speaking	340, 341
Mr. Hayes.	To elect a Circuit Judge, <i>viz</i> Geo. W. Williams, declined.....	349
Mr. Wright.	To appoint a Committee of two to ascertain condition of Bill to protect all persons in their civil rights, &c.....	349, 361

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Randolph.	To investigate action of Commission to inquire into the liabilities and assets of the State.....	350, 352, 376
Mr. Corbin.	To appoint a Committee on Unfinished Business.	368, 374
Mr. Hayne.	To issue writ of election to fill vacancy in the Senate from Fairfield.	352, 376
Mr. Arnim.	Relative to report of expenses by Commissioners to examine into the financial condition of the State	353
Mr. Leslie.	In relation to compensation of the Board of Commissioners to examine financial condition of the State	353, 354
Mr. Corbin.	To relieve John G. Itgen.....	357, 369, 373, 402 404, 408, 409
Mr. Wright.	To postpone the election of Circuit Judge.....	363
Mr. Corbin.	To suspend Senator Leslie.....	360, 364, 365
Mr. Randolph.	To furnish Senator Leslie with a certified copy of resolution of suspension	365
Mr. Corbin.	Relative to the resignation of Hon. J. M. Rutland.....	376
Mr. Nash.	To elect a Keeper of State House and Librarian.	377
Mr. Jillson.	To rescind resolution to adjourn on the 24th September.....	387
Mr. Maxwell.	To print five hundred copies of Act providing for the next general election and the manner of conducting the same.....	393

INTRODUCED BY	CHARACTER OF.	ACTION.
Mr. Cain.	To postpone election of Circuit Judge, for first Circuit, to regular session.....	403
Mr. Owens.	In relation to property purchased for the new State House.....	405, 407
Mr. Corbin.	To garrison important towns in the State with United States troops.	405, 406
Mr. Corbin.	Relative to Joint Committee under an Act to regulate the manner of keeping funds, &c.	406
Mr. Jilison.	Relative to the pay certificates for contingent expenses.....	406
Mr. Corbin.	Resolution of thanks to Hon. L. Booser. President of Senate...	410

R.

Resolutions from the House of Representatives :

To remove the political disabilities of Geo. Buist, W. J. Mixson...	49
To empower the Attorney-General to employ Engrossing Clerks... two legal gentlemen.	49
Appointment of J. W. Denny Printer.....	55
To relieve A. E. Bristow.....	49, 62
To fix a day for the election of Chief Justice and Associate Jus- tices	72
To request the Commission appointed by the Constitutional Con- vention to examine into the liabilities and assets of the State to make a report.....	72, 117
Calling for reports from S. L. Leaphart, retiring Comptroller- General.....	72, 121, 135
To remove political disabilities of N. G. W. Walker.....	72
C. B. Farmer.....	72, 82
Joint resolutions authorizing Commissioners of Pickens and Oco- nee Counties to complete work assigned them.....	72
To remove the political disabilities of J. F. Porteous.....	77, 84
S. D. Goodlett.....	77
R. L. Heriot.....	87
To appoint three persons to represent the interest of the State in the Spartanburg and Union Railroad Company..	106, 127, 135
Relative to application for removal of political disabilities... petition of A. L. McCaslin.	116, 128 116
For appointment of Committee of Conference on Joint Rules.....	116
To inquire into amount of lands in possession of State...116,	122, 129 124, 130 162, 185
To furnish a house for the Governor...120 121, 129, 132, 149, 150 155, 181, 216, 227, 229, 230, 242	
To investigate causes of a disturbance, August 1, 1868..125, 126,	151
To invite Major General Geo. G. Meade to visit the General As- sembly	137
To appoint a Joint Committee to determine upon a Great Seal... 145	
In relation to reducing expenses of printing.....	146
In relation to the election of eight Circuit Judges.....	151
pay of two Solicitors.....	159 170
employment by Attorney-General of Clerk for Solicitors.....	166, 169
death of Hon. Thaddeus Stevens.....	167
Joint Resolution in relation to certificate of State stock belonging to Mrs. Maria Brisbane..	160, 190

Resolutions from the House of Representatives :

To appoint Joint Committee on important business.....	180
To defray necessary expenses for fitting up a building for General Assembly	195
To relieve W. P. Gill of a penalty	196
To suspend the introduction of Bills and Joint Resolutions.....	259
In relation to reports from certain State officers.....	271
To provide for the publication of the Acts.....	306, 350, 367, 385
To extend General J. R. Hawley, of Connecticut, an invitation to visit the General Assembly.....	312
In relation to the printing of proceedings of the General Assembly	324, 369, 371, 372, 376, 392, 401, 404, 409
Requesting Comptroller-General to report lands belonging to the State.....	330
To allow mileage to W. J. Mixson.....	332, 369
Relative to adjournment of General Assembly.....	336, 366, 372
Relative to Election Bills of both Houses.....	344, 354
Relative to compensation of Attorney-General	380
Relative to furniture and other property of General Assembly.....	400
Relative to payment of eighty-three dollars current expenses.....	400
Relative to pay of Public Printer.....	400
Relative to interest due the State by railroad companies.....	403
Rutland, J. M., in the chair.....	29, 102
appointed on Committee to determine most important business.....	180
Roper, B., petition of.....	31
Robertson, T. J., elected United States Senator.....	38
Rose, W. E., added to Committee on Public Buildings.....	64
Reid, J. H., added to Committee on Claims	65
Radcliffe, T. W., account of.....	66
Report of Commission on liabilities of the State.....	217
Report of Commissioners of Ocouee County.....	52, 91
Pickens County.....	52, 91
Rules, Joint.....	173, 174, 175, 191
Reynolds, L. C., account of.....	206
Rutland, Hon. J. M., elected Judge of Fourth Circuit.....	235
Railroad Company, Greenville and Columbia, memorial of.....	67
Savannah and Charleston, memorial of.....	143
Blue Ridge, Message of the Governor... ..	242
Rutland, Hon. J. M., resignation of seat in the Senate.....	284
Report of Committee on Vacant Offices (House) in relation to a vacancy in the the Board of County Commissioners of Horry County.....	213
	223, 241

Reports of Committees of Senate.**Reports of Committee on Claims :**

On account of J. C. Bailey.....	63
Joseph Walker.....	63
Benjamin Roper.....	63
A. W. Kennedy.....	63
B. H. Knight.....	63
S. W. Maurice.....	63
On petition of M. F. Molony	63
Discharged from further considera-	
tion of.....	69
On petition of W. P. Gill.....	173
W. W. Woodward.....	180, 187, 189

Reports of Committee on Elections :

On vacancy of County Commissioners, Horry.....	241
in Senate from Abbeville.....	252, 352

Reports of Committee on Finance :

On compensation of officers of Senate.....	88, 109, 113, 114
On Commission to examine financial condition of the State.....	107
	117, 352
On petition of Mrs. M. A. C. Hobbs	107, 118, 128, 132
reports from S. L. Leaphart.....	127, 135
Bill to fix salaries of certain officers.....	144, 218, 354
petition of T. S. Heyward.....	154, 181
Bill to make appropriations.....	155
pay of Solicitors.....	163, 170
petition citizens of Charleston.....	163
Bill to appoint Tax Collectors.....	163
Clerk of Solicitors.....	169
Bill to regulate the keeping of funds	190
petition of Jno. Caldwell.....	190
On renewal of certificates State stock to Executors of Maria Brisbane.....	190
On Bill to fix official bonds County Officers.....	190
for conversion of State securities.....	191
to close operations Bank of State.....	191
to provide payment of mileage and per diem.....	196
petition of J. M. Wilder.....	196
report of Theodore Stark.....	207
Bill providing assessment and taxation of property.....	207
investigation of affairs of Bank of State.....	207
petition of Wm. M. Nicholson.....	241
of Western Union Telegraph Company.....	271

Reports of Committees of Senate.

Reports of Committee on Finance :

On report of Commission on liabilities and assets of State.....	277
petition of Mrs. Jane T. Butler.....	285
Jos. L. Tobias	306
Bill to establish office County Treasurer.....	347
Bill to establish Bureau Agricultural Statistics.....	385

Reports of Judiciary Committee of Senate :

On employment of Engrossing Clerks and Solicitors.....	53
election of Justices of Supreme Court.....	79
petition of James Thompson.....	83, 91
reports of Commissioners of Oconee and Pickens Counties	84, 91
Roads, Bridges and Ferries.....	168
petition of John G. Itgen.....	173, 187
of citizens of Barnwell.....	196
codification of Statute Laws.....	218

Reports of Special Committees of Senate :

Committee of nine to nominate officers.....	7
on Credentials.....	8, 14, 36
to wait on Governor Orr	12
on State Library.....	14
to wait on Governor elect.....	17
of arrangements for inauguration.....	18, 19
on political disabilities .. .	53, 58, 67, 77, 81, 84, 91
107, 118, 127, 128, 130, 131, 136, 140, 169, 187,	196
on inauguration of Hon. L. Boozer.....	31

Reports of Committee on Incorporations :

On petition of Wm. C. Langley and others.....	63
of Camden Fire Engine Company.....	79
of A. L. Tobias and others.....	107
of Porter Smith and other	120
of F. Rhames and others... ..	224

Reports of Committee on Public Buildings :

On completion of State House.....	78, 85
petition of Commissioners of Williamsburg County	107
Governor's residence.	112, 120, 132, 149, 155, 181

Reports of Committee on Railroads :

On memorial of Greenville and Columbia Railroad Company....	79
of Charleston and Savannah Railroad Company....	163
	181

Reports of Committees on Public Lands :

On vacant lands belonging to the State.....	84, 91, 162, 185
On Bill to establish Board of Land Commissioners.....	87

Reports of Special Committee on Rules of Senate:.....88, 115, 122, 212

Report of Committee on Contingent Expenses and Accounts :

On accounts of J. W. Denny..... 170, 191

 Banks & Brothers..... 181

 M. H. Berry..... 191

 P. F. Frazee..... 286

 Various accounts 392

Reports of Committee on Education.....122, 129, 154, 184, 242

Reports of Committee on Military127, 300

Reports of Committee on Roads, Bridges and Ferries :

On petition of J. W. S. Tucker and others121, 128, 132, 149, 156, 169, 186, 271

Reports of Committee on Printing.....23, 24, 209, 340

Reports of other Special Committees :

Of Conference on Joint Rules.....173, 174, 175, 192, 229

Committee on Printing.....209, 340

 (Special) of five on Rules for governing the Senate.....212, 241

 On Elections..... 241, 252, 352

 On subjects requiring immediate consideration..... 306

 On Bills of importance and adjournment..... 340, 343

 (Special) in relation to Senator Leslie.....344, 350, 351

 357, 358, 359, 360

 Of Conference on Bills relating to elections.....370, 371

 Of Conference on Bill to define jurisdiction and duties of County Commissioners.....378, 384, 385

 Of Conference on Bill to provide for the revision and consolidation of Statute Laws of the State.....378, 384, 386, 395

S.

Senate, when convened..... 3

Senators, qualified.....4, 5, 914

Senate, notified of organization of House of Representatives..... 12

Senators, seats when drawn.....10, 402, 403

Sawyer, F. A , elected United States Senator..... 48

Statement, relative to printing..... 59

Society, South Carolina..... 66

Smith, A. E., political disabilities of.....116, 128, 137

Stuckey, T. W., petition of..... 151

Stark, Theodore, report of..... 189

Stewart, Burrell J., political disabilities..... 200

Sims, Hon. R. M., protest, notice of.....	365
Senators, protest against action of Senate on suspension of Senator Leslie.....	382
Senate, adjournment of.....	410

T.

Thomas, Adam, elected Doorkeeper.....	7
Templeton, Dr. W. L., account of.....	31
Thompson, James, petition of.....	50, 91
Tucker, J. W. S., petition of.....	87, 121, 132
Timmons, W. B., account of.....	143
Treadwell, Wm. R., disabilities of.....	146, 158, 169, 187, 195
Telegraph Company, Western Union, petition of.....	266, 345
Tobias, Joseph L., petition of.....	285
Thomas, Hon. W. M., elected Judge of Sixth Circuit.....	391

V.

Vote on Constitutional Amendment.....	12
Vote for United States Senator.....	33, 34, 35, 36
Vote for Circuit Judges.....	230, 231, 232, 233, 234, 235, 236 237, 239; 240
Vernon, Hon. T. O. P., elected Judge of Seventh Circuit.....	238

W.

Woodruff, J., appointed Clerk <i>pro tem</i>	4
elected Clerk of Senate.....	6
Whittemore, B. F., in the chair.....	4
Weldon, R. F., petition of.....	52, 122, 132
Walker, Joseph F., account of.....	53
Walker, Thomas P., petition of.....	56, 67, 81
Wright, J. L., Jr., petition of..	56, 132
Wilder, J. M., account of.....	56, 161
petition of.....	196, 263
Whittemore, B. F., communication of.....	83
Willard, A. J., elected Associate Justice.....	102
Whittemore, B. F., appointed on Committee to determine State Seal..	146
Woodward, W. W., renewal of lost certificate.....	49, 180, 187, 189 193, 196
White, Thomas G., petition of.....	212, 271
Williams, Hon. G. W., elected Judge of Sixth Circuit.....	237
Wright, Hon. J. J., of Beaufort, in the chair.....	257
Williams, Hon. G. W., declination of office..	289, 388
Whittemore, Hon. B. F., resignation..	397

REPORTS AND RESOLUTIONS.

The Committee on the Judiciary, to whom was referred the report of the Special Commissioners appointed under an ordinance entitled "An Ordinance to divide Pickens District into two Election and Judicial Districts," to select a proper site and locate and erect a court house and jail for Oconee District, passed by the late Constitutional Convention, on the 29th day of January, A. D. 1868, beg leave to report :

That they have considered the same, and recommend that the same be received as information, and that it be printed.

Your Committee, judging from the report itself, commend the Special Commission for the manner in which they have thus far discharged their duties.

No other or further legislation relative to the matter they have in hand appears necessary at the present time.

All of which is respectfully submitted.

D. T. CORBIN, Chairman.

*To the Honorable the Senate and House of Representatives
of the State of South Carolina :*

The Special Commissioners appointed by the Constitutional Convention of the State of South Carolina to select a site and locate the public buildings for Oconee County, a new county formed by the division of Pickens District into two counties, beg leave to submit the following report of their action in the premises :

By the terms of the Ordinance we were authorized to locate the public buildings in the town of Walhalla, if sufficient means could be raised to erect them.

All the funds necessary to the erection of said buildings having been fully guaranteed by responsible parties, citizens of the town, by their bond duly executed and delivered, we have made the location in Walhalla.

Said bond obliges the obligors to provide ample temporary arrangements for holding the Courts and safe-keeping of all prisoners until the completion of the court house and jail, which are to be finished in twelve months, without cost to the State or county.

We are prepared to state positively that necessary arrangements will be made for holding Court at Walhalla at any time needed.

Further, that acting in connection with the Commissioners for Pickens County, under and by the authority conferred upon the two Boards, we sold the entire interest (one-half) of Oconee County in the public buildings, office, furniture, &c., to the Pickens Commissioners, for the sum of one thousand dollars, with a reservation of one set of the iron steps to the old court house, which sum of one thousand dollars and the steps are to be turned over by us to the parties in Walhalla, to be used by them in erecting the new buildings.

In further consideration of the interest of the public, as well as the town of Walhalla, the parties obliging themselves to build the public buildings, &c., have deeded to the State of South Carolina, to be sold or used by us, one hundred acres of land in the town of Walhalla, which, after reserving a sufficiency for public use, will be laid off into lots of convenient size and sold to the highest bidder, on the 6th day of August next, on the following terms, to-wit: One-fourth cash, balance in three equal instalments of three, six and nine months, the proceeds of which sale, after deducting expenses of advertising, surveying, &c., to be turned over to the obligors, to be used by them in erecting the public buildings, the object of this arrangement being to put a number of valuable town lots on the market, and thus enable persons from a distance to buy and settle in the town, which may be of great value to the place, and cannot possibly affect the public interest, as the parties to the bond are fully responsible, and are, as before stated, bound to complete all the buildings without cost to the public.

Respectfully submitted,

WESLEY PITCHFORD, Chairman.

W. E. HOLCOMBE, Secretary and Treasurer.

The Committee on the Judiciary, to whom was referred the report of the Special Commissioners appointed under an Ordinance entitled "An Ordinance to divide Pickens District into two Election and Judicial Districts," to select a proper site and locate and erect a court house and jail for Pickens District, passed by the late Constitutional Convention, on the 29th day of January, A. D. 1868, beg leave to report :

That they have considered the same, and recommend that the same be received as information, and that it be printed.

Your Committee, judging from the report itself, commend the Special Commission for the manner in which they have thus far discharged their duties.

No other or further legislation relative to the matter they have in hand appears necessary at the present time.

All of which is respectfully submitted.

D. T. CORBIN, Chairman.

*To the Honorable Senate and House of Representatives
of the State of South Carolina :*

The undersigned, Special Commissioners for Pickens County beg leave most respectfully to report :

That by an Ordinance of the Convention, adopted on the 29th day of January, in the year of our Lord one thousand eight hundred and sixty-eight, Pickens District was divided into two counties, and James Lewis, James H. Ambler, Reese Bowen, William T. Field and J. E. Hagood were appointed Special Commissioners for Pickens County, and were authorized to select a proper site, locate a new court house town, and to purchase lands in the name of the State of South Carolina ; and the Commissioners, acting under said authority vested in them, selected a proper site and located a court house town in a beautiful location, and accessible, and as near the centre of the county as practicable, and purchased lands in the name of the State of South Carolina, and the titles have been executed for the same. The Commissioners purchased a tract of one hundred and fifty acres of land from E. H. Griffin, James Ferguson, W. B. Allgood and W. G. Blassingame, for which the Commissioners paid the sum of five dollars per acre ; and of that amount E. H. Griffin donated to the State forty acres, James Ferguson eight acres, W. B. Allgood seven acres, W. G. Blassingame twelve acres, and the remaining eighty-four acres the Commissioners paid the sum of five dollars per acre for, making total costs of the land four hundred and twenty dollars ; and had the same surveyed and laid out into one hundred and two lots of various sizes of half acre to four acre lots, reserving a sufficient quantity for the erection of the public buildings and public spring lot ; and after having advertised the same for sixty days by publication in the various papers, and by hand bills, proceeded to sell the lots to the highest bidder, on the 25th day of June last. Thirty-nine lots were sold by the Commissioners for the sum of three thousand six hundred and thirty dollars ; one-third cash, balance in two equal instalments of ninety days and six months, with interest from date. Sixty-two lots remain unsold, which the Commissioners propose not to sell until after the erection of the court house and jail.

The Commissioners beg leave further to report, that the two Boards, acting together, were authorized by said Ordinance to sell the present court house and jail, and public property, and divide the proceeds equally between

them, in pursuance of which we purchased from the Commissioners for Oconee County their entire interest for the sum of one thousand dollars, they reserving one set of the iron steps, and have let out by contract to responsible contractors the pulling down, removal and putting up of the court house and jail at the new county site; and the Commissioners will endeavor to have the court house and jail ready for the Fall Term of the Court, or, failing to have them completed, will make the necessary temporary arrangements for holding the Courts.

All of which is most respectfully submitted.

JAMES LEWIS, Chairman.

J. E. HAGOOD, Secretary and Treasurer.

The Committee for Conference on Joint Rules having had the matter under consideration, recommend the adoption of the following Rules:

RULE 1.

Every Bill shall receive three readings, on three several days, in the House in which it originates, before it be sent to the other House.

RULE 2.

All messages between the two Houses must be in writing, and numbered in regular sequence for each session, except that messages announcing the organization of either House or its readiness to adjourn pursuant to joint resolution may be communicated orally by the Clerk in person.

RULE 3.

When the two Houses meet for any purpose the President of the Senate shall preside and discharge the duties of the Joint Assembly.

RULE 4.

Questions of disagreement between the two Houses shall be referred to Committees of Conference, as follows: If the disagreement be upon a resolution or report adopted by one House and sent to the other House for consideration, and it be proposed to amend such resolution or report, the House in possession of the paper will send a message to the other House containing the amendment proposed. If that House disagree to such amendment, it will return a message accordingly. If the House proposing the amendment still desire to urge it, it will send a message to the other House insisting upon its amendment, and asking that a Committee for conference may be appointed, at the same time naming its own Committee of Conference.

This will be granted as of course. The Joint Committee will meet and exchange views, in writing or orally, as they may deem proper. If the Committees cannot agree upon any plan of settlement, or if their report be not concurred in by both Houses, a Committee of Free Conference will be appointed, on the request of either House. Such Committees shall always consist of persons who were not on the first Committee. If the Committee of Free Conference fail to agree upon any plan of settlement, or if their report be not concurred in by both Houses, the proposition to amend is lost.

RULE 5.

When a Bill or resolution or any other matter which shall have passed in one House is rejected in the other, notice thereof shall be given to that House in which the same shall have passed.

RULE 6.

Each House shall transmit to the other all papers upon which any Bill or resolution or report sent to it for its consideration shall have passed.

RULE 7.

Every Bill which shall have had three readings in each House, and shall have passed, shall be engrossed and be signed in the Senate House by the President of the Senate and the Speaker of the House of Representatives, at such time as they may appoint, during the session of the Senate. The Bill or Act thus signed shall be presented to the Governor by the hands of the Clerk of that House in which it shall have originated, and such Clerk shall endorse thereon the day and hour of such presentation. The Speaker of the House may attend in the Senate House for the purpose of ratifying engrossed Acts or Bills, unaccompanied by the House.

The Committee on Finance, to whom was referred the report of "the Board of Commissioners," authorized by an Ordinance passed by the Constitutional Convention, "to examine into the condition of the assets of the State," have considered the same, and recommend :

That so far as the report relates to the Citadel and grounds at Charleston, the State House and grounds, the building and land on Arsenal Hill in Columbia, the water power and land in the same city, in the vicinity of the Penitentiary, the whole be referred to the next regular session of the General Assembly.

That the property at Greenville, comprising "several brick and wooden

structures of considerable value," be put in charge of James M. Allen and Wilson Cooke, of Greenville, to be by them rented, if possible, to the best advantage; also that instructions or authority be given them by the General Assembly to negotiate a sale of the same; said negotiation to be subject to the approval of the Governor.

As the purchase of this property (in accordance with an Act of the General Assembly, passed in 1865) by Messrs. T. J. Elford, J. W. Stokes and W. P. Hammett was not considered safe, (as the validity of the title was questionable, the property being used during the war for Confederate purposes,) the gentlemen decided not to go into the business for which it was purchased, and it is now impossible for them to do so. They ask to be relieved from their obligation in the premises, and desire the State to take back the property. The Committee approve of their request and advise the State to accede to the same.

As the State is an endorser upon the bonds of several railroads to an aggregate amount of \$4,060,788.61, and complaints are made concerning the management of some; and as the State holds stocks in several railroad companies to the amount of \$2,754,600, all of which demand careful and complete investigation, that the assets and liabilities may be more generally understood and computed, therefore, it is recommended that a Board of Examiners be appointed by the Governor to look more closely into the affairs of such railroads as have received the aid of the State and for which the State is under heavy contingent liability, with the view of discovering all imperfections in their management as well as to secure the State from loss; such Board of Examiners to report to the next regular session of the General Assembly.

In 1861, after the Act of Secession had passed, the State loaned its name and credit to the Greenville and Columbia Railroad Company in the re-adjustment of their debt to the amount of \$900,000, guaranteeing the bonds of the company for the same, all of which was in aid of the rebellion against the United States; and as Section 4 of the fourteenth Article of Amendment to the Constitution of the United States declares: "Neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States; but all such debts, obligations and claims shall be held illegal and void;" and as the General Assembly has adopted the said 14th Article of Amendment to the Constitution of the United States, and as a sufficient number of States have ratified the same to make it a law, therefore, it is recommended that the State of South Carolina treat these bonds, given in aid of "insurrection and rebellion against the United States," now amounting to over \$1,000,000, according to the terms of the Amendment to the Constitution, viz., as *illegal and void*.

There are notes now due to the amount of twelve thousand and five dollars and sixty cents for property of the State sold to sundry persons, the most of whom are in Greenville or Columbia. These notes are in the hands of the Commissioners, and some are of questionable worth. It is believed, however, that more than one-half of the aggregate amount can be collected at once.

Besides these notes there are about fifteen hundred dollars charged on the bill of sale of State property not yet accounted for by the late State agent, Mr. J. R. Smith; other small amounts claimed to have been paid have not been credited at the State Treasury.

The Committee recommend that the Governor be authorized to employ Hon. James M. Allen, of Greenville, to collect and settle the foregoing notes and accounts in behalf of the State, and pay the same into the Treasury of the State.

The Committee on Finance having been informed that some of the members of the Commission appointed to examine into the assets of the State have not received any compensation for their labor, while others have been paid in part, if not in full, recommend that the Board of Commissioners be requested to make out the amount of their bills, severally, up to the time of the actual finishing of the work of examination of the said assets of the State, showing all amounts received on account, which voucher shall be sworn to before a proper Magistrate; all balance due said Commissioners to be paid out of such funds as may have been reserved for the purpose, or such funds as may be created for contingent expenses; and that the services of said Commission be declared at an end, and they discharged from further duty.

B. F. WHITTEMORE, Chairman.

COMMITTEE ROOM, September 4, 1868.

SENATE CHAMBER, COLUMBIA, S. C., July 10, 1868.

The Committee on Printing, to whom was referred the subject of printing, respectfully report that they have had the same under consideration, and, after receiving several estimates, have agreed on the lowest, which is that of Mr. J. W. Denny, who agrees to do the printing on the following terms and conditions:

Daily Journals, Calendars and other current work, at \$2.75 per page of 1,705 ems of "long primer type."

Bills, 6 by 11 inches, of 2,170 ems of "pica type," at \$3 per page.

So much of the permanent work as includes the Journals, reports and resolutions, 1,000 copies, at \$3.48 per page of 1,705 ems of "long primer type," to be stitched and bound together in good paper covers.

So much of the permanent work as includes the Acts, 1,000 copies, at \$4.36 per page, to be stitched and bound together in good paper covers.

Rule and figure work, double the foregoing rates are to be allowed per page of 1,705 ems.

The entire work will be printed on good paper and executed in a work-maulike manner.

The Committee recommend that the above estimate be accepted, and present the following :

Resolved, by the Senate and House of Representatives, That the estimate of J. W. Denny be accepted, and that he be constituted Public Printer for this and the ensuing sessions of the General Assembly for this term.

All of which is respectfully submitted.

R. H. CAIN,
JAMES M. ALLEN
W. R. HOYT,
C. P. LESLIE,
H. BUCK.

The Committee on Public Printing, to whom was referred a concurrent resolution instructing the Printer to publish the permanent work for this and the ensuing sessions of the General Assembly, &c., beg leave to report :

That they have given the same due consideration, and after making proper inquiry, and submitting the propositions to various practical printers, find that the resolution is utterly impracticable ; and, therefore, do recommend that said concurrent resolution do lie upon the table.

The Committee beg leave to submit the accompanying joint resolution (as a substitute) to provide for the public printing :

Be it resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the law governing the printing for the General Assembly, and for the Executive and other departments of the State Government, shall be as follows :

1. That the Laws, Journals, Bills, Reports and Resolutions shall be printed in such manner as to conform to the work printed for the session of the General Assembly of 1886, viz. : The Journals, Reports and Resolutions shall be printed in long primer type, each page to contain one thousand seven hundred and five (1,705) ems. Bills to be six by eleven inches in dimension, and to contain two thousand one hundred and seventy (2,170) ems of pica type. The Acts or laws to be printed with side notes, in such type and size of page as the former Legislatures of this State.

2. The printing for the Executive and other departments of the State Government shall be done under the direction of the several State officers by whom the work is required, and under such contract or contracts as shall be made by the Comptroller-General.

3. After the permanent work of this session is commenced, the Printer shall be paid on account such sums as shall be agreed upon by the Governor and the Treasurer of the State, not exceeding seven-eighths ($\frac{7}{8}$) of the amount which may be due at the time of such payment.

4. When the work shall be completed and ready for delivery, the Treasurer of the State, before paying the account of the Printer in full, shall submit the entire work to a competent, practical printer, who shall measure said work, and if the work has been done in conformity to the contract and the foregoing rules, it shall be delivered to the Treasurer of the State, who shall have authority, with the advice and consent of the Governor, to pay the balance due to the Printer.

5. Each General Assembly, at its first session, shall elect a Public Printer.

R. H. CAIN,

Chairman Printing Committee in Senate.

SEPTEMBER 16, 1868.

The Special Committee on removal of Political Disabilities, to whom was recommitted a report made by them on the joint resolution recommending the removal of the political disabilities of M. R. Treadwell, Frank Myers and Spartan D. Goodlett, which advised the concurrence of the Senate with the House resolution in the removal of the same, having received information which fastens upon the said Frank Myers accusations of the most infamous nature, do therefore recommend the non-concurrence of the Senate in the removal of his disabilities.

As before, the committee advise the concurrence of the Senate in the removal of the disabilities of M. R. Treadwell, and that so much as relates to Spartan D. Goodlett be struck from the resolution, as special action has already been taken in his case.

B. F. WHITTEMORE, Chairman.

The Committee on Claims, in view of the present depleted condition of the State Treasury, and believing that the session of the General Assembly now sitting should confine its action to such matters of legislation as are absolutely required, and to none other, respectfully ask to be discharged

from the further consideration of all claims which propose to draw upon the Treasury at present.

The Committee do not intend by this course of procedure to disparage the merits of any claim now before it, but simply to postpone the consideration thereof until the meeting of the General Assembly in regular session in November next.

E. S. J. HAYES, Chairman.

IN THE SENATE, August 17, 1868.

Resolved, That the Attorney-General be requested to inquire into the competency of the clerks now employed by the Solicitors of the General Assembly, and report the result of his examination, with a view of securing the services of the most expert clerical force in this department of duty

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 18, 1868.

Resolved, That the House do concur.

Ordered, To be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 11, 1868.

Whereas the Convention, by an Ordinance adopted on the 16th day of March, 1868, provided that the General Assembly elected under the provisions of the said Convention should assemble at Columbia on the 12th day of May, 1868 ;

And whereas the proper officers of the Provisional Government of the State were to make suitable arrangements for the accommodation of the General Assembly and for the defraying of the necessary expenses of the same ;

And whereas an appropriation of two thousand five hundred dollars, from any moneys in the Treasury of the State of South Carolina not otherwise appropriated, was made ;

And whereas, on May 2d, 1868, the Provisional Government obeyed the the General Orders of the Commander of the Second Military District, which assigned the duty of executing the foregoing provisions to Theodore Stark, State House Keeper and Legislative Librarian ;

And whereas there is in the hands of the Treasurer an unexpended balance of the said sum (of two thousand five hundred dollars) amounting to or nearly one thousand dollars ; therefore,

Resolved, by the Senate, the House of Representatives concurring, That Theodore Stark be, and he is hereby, required to report to the General Assembly, at his earliest practicable opportunity, the amount expended by him of said appropriation, and the items for which the same was expended of said unexpended appropriation.

Resolved, That the Senate agree to the report.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 18, 1868.

Resolved, That the House do concur.

Ordered, To be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 12, 1868.

Resolved, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Solicitors of the General Assembly be authorized to employ one clerk, whose duties shall be such as the said Solicitors may prescribe, and whose compensation shall not exceed the compensation of the Engrossing Clerks of the General Assembly.

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 18, 1868.

Resolved, That the House do concur.

Ordered, To be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, August 11, 1868.

Resolved, by the Senate, the House of Representatives concurring, That the Clerks of the same be required to furnish daily to the members of both Houses of the General Assembly, during the session, a copy each of the Calender of the day and the Journal of the preceding day of their respective Houses.

Resolved, That the Senate agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, August 18, 1868.

Resolved, That the House do concur.

Ordered, To be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 18, 1868.

The Special Committee of five, to whom was referred the petitions of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg, S. C., praying the General Assembly to recommend to the Congress of the United States the removal of the political disabilities of the petitioners, beg leave to report the following resolution :

Resolved, by the Senate, the House of Representatives concurring, That the General Assembly of the State of South Carolina do petition the United States Congress to remove the political disabilities of Thompson H. Cooke, George Boliver and William N. Mount, of Orangeburg, S. C.

Resolved, That the Senate do agree to the report.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 24, 1868.

Resolved, That the House do concur in the resolution.

Ordered, That it be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, July 21, 1868.

Whereas the General Assembly of 1836, by joint resolution, provided that the Legislature will not in future grant any new charter, Act of incorporation, or any extension of a charter previously granted, unless the applicant or applicants for the same shall have first given notice of three months prior to making application for such new charter, Act of incorporation, or extension thereof; therefore, be it

Resolved, by the Senate and House of Representatives, That the joint resolution of 1836 so providing be, and the same is hereby, suspended during the session of this General Assembly.

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, July 23, 1868.

Resolved, That the House concur in the resolution.

Ordered, That it be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 26, 1868.

Resolved, by the Senate, the House of Representatives concurring, That the Governor be, and he is hereby, requested to inquire and ascertain whether any of the marble or other property of the State, purchased for building the new State House, has been improperly disposed of or removed, and to take such measures in the premises as shall be judged by him necessary to protect the interests of the State.

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

IN THE HOUSE OF REPRESENTATIVES, September 26, 1868.

Resolved, That the House do concur in the resolution.

Ordered, To be returned to the Senate.

By order :

A. O. JONES, C. H. R.

IN THE SENATE, September 26, 1868.

Resolved, by the Senate, the House of Representatives concurring, That the Governor be requested to take such action as may be necessary to have the more important towns in the State garrisoned by United States troops, that peace and order may be preserved and the rights of the people may be protected.

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence.

By order :

J. WOODRUFF, C. S.

—

IN THE HOUSE OF REPRESENTATIVES, September 26, 1868

Resolved, That the House do concur in the resolution.

Ordered, That it be returned to the Senate.

By order :

A. O. JONES, C. H. R.

—

IN THE SENATE, September 26, 1868.

Resolved, by the Senate, the House of Representatives concurring, That James M. Allen, member of the Senate, and ———, members of the House of Representatives, be, and they are hereby, appointed a Joint Committee under Section 5 of the Act entitled "An Act to regulate the manner of keeping and disbursing funds by certain officers," passed at this special session of the General Assembly.

Resolved, That the Senate do agree to the resolution.

Ordered, That it be sent to the House of Representatives for concurrence

By order :

J. WOODRUFF, C. S.

—

IN THE HOUSE OF REPRESENTATIVES, September 26, 1868.

Resolved, That the House do concur in the resolution.

Ordered, That it be returned to the Senate.

By order :

A. O. JONES, C. H. R.

MEMBERS OF THE SENATE.

- Abbeville County—Valentine Young.*
- Anderson County—J. H. Reid.
- Barnwell County—C. P. Leslie.
- Beaufort County—Jonathan J. Wright.
- Charleston County—D. T. Corbin, Richard H. Cain.
- Colleton County—William R. Hoyt.
- Clarendon County—Elias E. Dickson.
- Chester County—Lucius Wimbush.
- Chesterfield County—R. J. Donaldson.
- Darlington County—B. F. Whittemore.†
- Edgefield County—Frank Arnim.
- Fairfield County—James M. Rutland.†
- Georgetown County—Joseph H. Rainey.
- Greenville County—James M. Allen.
- Horry County—H. Buck.
- Kershaw County—Justus K. Jillson.
- Lancaster County—R. M. Sims.
- Laurens County—Young J. P. Owens.
- Lexington County—E. S. J. Hayes.
- Marion County—H. E. Hayne.
- Marlboro County—Henry J. Maxwell.
- Newberry County—Charles W. Montgomery.
- Oconee County—D. Bieman.
- Orangeburg County—Benjamin F. Randolph.‡
- Pickens County—T. A. Rodgers.
- Richland County—William B. Nash.
- Spartanburg County—Joel Foster.
- Sumter County—T. J. Coghlan.
- Union County—Hiram W. Duncan.
- Williamsburg County—Stephen A. Swails.
- York County—W. E. Rose.

* Never qualified. † Resigned. ‡ Deceased.