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JOURNAL

OF THE

SENATE OF SOUTH CAROLINA:

BEING THE

SESSIONS OF 1861.



COLUMBIA, S. C.:

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JOURNAL

OF THE

Senate of the State of South Carolina,

FOR

THE CALLED SESSION OF NOVEMBER, 1861.

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JOURNAL

OF THE

SENATE OF THE STATE OF SOUTH CAROLINA.

AT THE CALLED SESSION OF NOVEMBER, 1861.

MONDAY, NOVEMBER 4, 1861.

At 7 o'clock, P. M., this day, the Senate, pursuant to the Proclamation of his Excellency the Governor, convened in the Senate Chamber, at the Capitol, in Columbia.

In the absence of the Clerk, Mr. MOSES called the roll of the Senate, and it appearing that a quorum being present, the PRESIDENT took the Chair, and the following Senators answered to their names :

Hon. W. D. Porter, <i>President</i> ,	St. Philip's and St. Michael's.
" J. Duncan Allen,	Barnwell.
" Charles Alston, Jr.,	All Saints'.
" M. T. Appleby,	St. George's, Dorchester.
" S. W. Barker,	St. John's, Berkeley.
" Robert Beaty,	Union.
" J. W. Blakeney,	Chesterfield.
" A. Hamilton Boykin,	Kershaw.
" C. R. Boyle,	St. Paul's.
" Gabriel Cannon,	Spartanburg.
" A. C. Garlington,	Newberry.
" John C. Hope,	Lexington.
" Charles Irby,	Marlboro'.
" G. D. Keitt,	Orange.
" A. Mazyek,	St. James', Santee.
" R. G. McCaw,	York.
" J. C. McKewn,	St. James', Goose Creek.
" S. J. Montgomery,	Williamsburg.
" James E. DeLoach,	Prince William's.

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Hon. F. J. Moses,	Sumter.
“ E. G. Palmer,	Fairfield.
“ S. W. Palmer,	St. Stephen's.
“ Elam Sharpe,	Pickens.
“ T. Edwin Ware,	Greenville.
“ Tillman Watson,	Edgefield.

The CLERK then read the following Proclamation :

STATE OF SOUTH CAROLINA.

EXECUTIVE DEPARTMENT, July 6, 1861.

According to an Act of the Confederate Congress, entitled “An Act to put into operation the Government under the Permanent Constitution of the Confederate States of America,” it is required that each State shall vote, on the first Wednesday in November next, for President and Vice President of the Confederate States, which officers are to be inaugurated on the twenty-second of February next; and

Whereas the existing law of the State provides that Electors for President and Vice President shall be appointed by the Legislature; and whereas the Legislature of this State will not be in regular session at the time prescribed by the aforesaid Act, for appointment of Electors :

Therefore, be it known that I, F. W. PICKENS, Governor in and over the State of South Carolina, by virtue of the power vested in me by the Constitution, authorizing the Governor, on extraordinary occasions, to convene the General Assembly, do issue this, my proclamation, calling upon and requesting the Senators and the members of the House of Representatives to convene in Columbia on the first Monday in November next ensuing, that they may be present in the House of Representatives, on the said first Wednesday in November, to appoint Electors of President and Vice President of the Confederate States of America, in conformity with the Act of the Confederate Congress aforesaid.

As the permanent Government is to be organized, an election will be required of two Senators from this State; and, also, in all probability, considering the peculiar state of the country, other important matters will be acted on at the same session of the Legislature.

Given under my hand, and the seal of the State aforesaid, at Columbia, this, the sixth day of July, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-sixth year of the Independence of the State of South Carolina.

F. W. PICKENS.

ISAAC H. MEANS, Secretary of State.

The PRESIDENT laid before the Senate the following letter from the Clerk, Mr. W. E. MARTIN :

• CHARLESTON, November 4, 1861.

To the Honorable the President and Members of the Senate :

I have ventured to consider the extraordinary condition of our affairs on the coast, and the obligations upon me as the commander of a regiment raised especially for its defence, one-third of which is in camp, as sufficient to justify me in availing myself of leave of absence from the Senate, granted by the President. My duties will be performed by one familiar with them, and I am sure they will be well performed.

I received a letter from the Messenger of the Senate, Mr. A. D. GAILLARD, requesting me to ask leave of absence on account of his being in service, and his place being supplied by a competent substitute: and through the President of the Senate, I beg leave to do so.

I have the honor to be,

Your obedient servant,

WM. E. MARTIN.

Leave of absence was granted to the Clerk and the Messenger.

On motion of Mr. MOSES, leave of absence was granted to Mr. FICKLING, the Senator from St. Luke's, during the extra session.

On motion of Mr. MOSES, a message was sent to the House of Representatives, informing that body that the Senate had met and was ready to proceed with the business of the General Assembly.

On motion of Mr. MOSES, a Committee of two was appointed to inform his Excellency the Governor that the Senate had met, and was ready to proceed to business.

On motion of Mr. MOSES, the reading of the Journal of the proceedings of the last day of the last session was dispensed with.

The PRESIDENT laid before the Senate the following letters, which, on motion of Mr. MAZYCK, were ordered to lie on the table :

Cole's Island, October 8, 1861.

To the HON. W. D. PORTER :

DEAR SIR: I hereby tender you my resignation as Senator from the Election District of St. Matthew's.

Very respectfully,

O. M. DANTZLER.

Cole's Island, September 11, 1861.

DEAR SIR: I hereby notify you that I hold a commission in the Confederate States Army, and my seat in the Senate is consequently vacated.

Very respectfully,

O. M. DANTZLER.

Hon. W. D. PORTER, Charleston.

Headquarters Hampton Legion, October 8, 1861.

Hon. W. D. PORTER, *President of the Senate:*

SIR: As my duties as an officer of the army may render it impossible for me to discharge those of State Senator, I beg to tender my resignation as Senator from Richland District.

I have the honor to be,

Very respectfully,

Your obedient servant,

WADE HAMPTON.

On motion of Mr. HOPE, the following resolution was adopted:

Resolved, That a Committee of One from each Congressional District be appointed, to nominate Electors of President and Vice President of the Confederate States of America, and that a message be sent to the House of Representatives proposing to that body the appointment of a similar Committee; and, also, that said election be held on Wednesday, at 12 o'clock, M.

The PRESIDENT, under the above resolution, appointed the following Committee:

Messrs. J. C. Hope, Charles Alston, Jr., S. W. Barker, J. Duncan Allen, T. Edwin Ware, and E. G. Palmer.

Mr. MAZYCK offered the following resolution; which was made the Special Order for Tuesday, at half-past 12 o'clock:

Resolved, That a member of this House does not vacate his seat by accepting or exercising an office, with or without pay, in any body of volunteers for the military service of the State, or the Confederate States, not being a part of the regular army of the Confederate States.

Mr. MOSES, from the Committee appointed to wait on the Governor, reported that his Excellency would communicate, in writing, to the Senate, at 1 o'clock, P. M., to-morrow.

On motion of Mr. MOSES, the following Preamble and Resolutions were unanimously adopted :

Whereas, since the last session of the Senate, death, ever busy, and striking at shining marks, has called from the sphere of human existence, in the vigor of his energy and usefulness, the Hon. RICHARD I. MANNING, Senator from Clarendon; and whereas it is meet and proper that one so distinguished among his associates for the possession of every virtue that in life gave him a claim to the regard and admiration of his fellow-man, should be remembered in death, and receive from his survivors some manifestation of the high and distinguished estimate in which he was held, be it

Resolved, That the death of the late Richard I. Manning deeply impresses the Senate with the loss which it has sustained, and the void it has made in this body. A pure patriot; a sound statesman; a beloved husband, father, son and brother; one in every relation of life well worthy the example of us all, has been gathered to his fathers.

Resolved, That in token of our regard and admiration for him while living, and our grief for his death, we will wear the usual badge of mourning for the session.

Resolved, That in evidence of our condolence with his bereaved family, a copy of the foregoing Preamble and Resolutions be forwarded to them, and that this action of the Senate be published in the public prints.

On motion of the Mr. ALLEN, the Senate adjourned at 9 minutes before 8 o'clock, P. M.

TUESDAY, NOVEMBER 5, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATORS:

Hon. H. D. Lesesne,	St Philip's and St. Michael's,
“ F. J. Sessions,	Kingston,
“ W. R. Johnson,	Marion,

Appeared in their seats in the Senate Chamber.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 4, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully begs leave to inform the Senate that, pursuant to the proclamation of his Excellency the Governor, they have met, and are ready to proceed with the business of the session of the General Assembly.

By order of the House,

JAMES SIMONS, *Speaker.*

At half-past 12 o'clock the Senate proceeded to the consideration of the

SPECIAL ORDER,

The resolution of Mr. MAZYCK, respecting the vacating of seats of members by accepting military offices in the Confederate service.

The consideration was suspended, when Message No. 1, of his Excellency the Governor, was read from the Clerk's desk.

MESSAGE NO. 1.

Gentlemen of the Senate and House of Representatives:

You have been called together for the purpose of appointing Electors for President and Vice President of these Confederate States, which has to be done on the first Wednesday in this month.

In addition to this, I desire to call your attention to the present state of our military organization. From the pressing emergency of the war, so many troops have been called into active service that the remainder of our population, fit for military duty, is left in a state of comparative disorganization.

Under the late Act of eighteen hundred and sixty, volunteer regiments were formed out of the old militia battalions, and, in many parts of the State the officers of beat companies, battalions, and regiments, have entered the new volunteer organizations, and have been mustered into Confederate service.

Under this Act of eighteen hundred and sixty, eleven full regiments have been formed for twelve months. The Convention also raised one regiment for six months. Under Confederate authority, a full and most efficient legion has, likewise, been mustered into service. Under special requisition from the President of the Confederate States, two regiments were raised for and during the war. Eleven of these regiments are now in Virginia (one other having served its time and been disbanded), and three on our own sea-coast—in all, fifteen. I have, also, recently mustered into Confederate service, by special requisition from the President, four more

full regiments, for and during the war, with four cavalry and two light artillery companies. We have, moreover, a regiment of infantry and a battalion of regular enlisted forces. These will make an aggregate of something more than nineteen thousand men now in actual service. Besides this, I have the troops of the city of Charleston, with a force of more than three thousand effective men, placed on a war footing, and held as a reserve, armed and equipped, ready for any emergency. We have, in addition, twenty-one companies of cavalry and mounted men in the sea-coast Parishes of Charleston, Beaufort, Colleton, and Georgetown, held ready for immediate service. These were first raised under special resolutions of the Convention, and are limited to ten days after the adjournment of the regular session of the Legislature. I suggest that you make the organization more permanent.

I authorized an independent brigade in the eastern Districts, towards the coast, of guerilla formation, furnishing their own arms, and prepared to act in the most efficient manner, and well acquainted with the peculiar conformation of that portion of the country. This was set on foot by an experienced and energetic officer, and will embrace, perhaps, some three thousand men. I recommend it to your early attention, and think it might be confirmed as a legal organization, at least for and during the war. The country is peculiar, and requires a native local force of that kind to give efficiency to its defence, and this is on a plan least expensive to the State. These remarks are also applicable to the twenty-one mounted companies of the sea-coast.

I recommend that there be immediately a new military organization throughout the State, and I suppose that new regimental lines will have to be made in parts of the country. I would urge that all field officers be appointed by the Legislature, or by the Governor, with the advice and consent of the Senate.

The Fourth Brigade of the Second Division might properly remain as it is, as far as Charleston is concerned. Their organization has not been so much deranged by their officers and men volunteering, and being mustered into new and other service.

It is essential that the Legislature shall take this whole matter up as soon as possible, and give efficiency and stability to a general system, calculated to bring all the reserves of the State into immediate organization.

There is great pressure upon our resources at present; but, if possible, I would recommend that the State should raise, arm and equip, two regiments, with four cavalry companies, and two companies of light artillery, exclusively for State purposes. I would suggest that the selection of all officers for the same, at least as high as second lieutenants, inclusive, shall

be confined to graduates of our State Military Academy. If these two State regiments are raised, four hundred thousand dollars will be required to arm and sustain them, unless there should be no necessity to call them into active field service.

It is of great importance that our regular enlisted troops shall be reenlisted for the war. They are now only for twelve months, and we cannot dispense with their important services in our coast garrisons. Besides, the experience of their thorough-bred officers is invaluable, and ought to be secured permanently. True, they have been received into Confederate service, but to reenlist the men will require bounties, and the Confederate Government may not provide for it in time. I therefore recommend that ample provision be made, in advance, for this.

Most of our volunteer regiments, now in Virginia, are only for twelve months, and I suggest that provision be made to secure, if possible, their continuance in service for three years, or for the war. The brave and gallant manner in which they have served the country, together with the experience of their able officers, makes it of the highest importance that you should adopt some system to secure the certain continuance of their services, in advance, before their time expires.

The Confederate Government has imposed a direct tax of fifty cents upon every hundred dollars' worth of certain property, specified in the Act, to be assessed at its "actual marketable value." Those who own such property, amounting to less than five hundred dollars, are exempt from this tax, and this will exempt a large amount in the aggregate. They have, also, allowed each State, if it thinks proper, to pay its own quota, as a State. By so doing, ten per cent. is to be deducted.

I recommend that the State provide for the payment of the same, and that one half of it be paid by taxes imposed for that purpose, and that the other half be raised by State bonds or stocks, to be issued upon such terms as your wisdom may suggest. By thus dividing the amount, it will enable our citizens to pay the other half, and the bonds will be a relief, under present pressure, to that extent.

I call your attention to this now, because the assessment will have to be made in a short time, and it requires your immediate attention, although, if the State assumes the payment, it is not actually to be made until April.

The Legislature passed some appropriations to meet the exigencies of a war that, at the time, many did not anticipate would be so extensive as it has turned out to be.

I have been able to sustain the State, through a period of great difficulty, and under extraordinary demands for expenditures, such as have never been experienced before, and yet I have not gone, in amount, beyond what was

strictly allowed. If we had received back the expenditures we have incurred in the common cause, and which the Confederate Congress provided for by an Act of great liberality, passed expressly for our benefit, I should now be able to present you with a balance.

The cash expenditures, through the Treasury Department, are one million eight hundred and eighty-nine thousand three hundred and seventy-one dollars and seventeen cents (\$1,889,371 17). For advances made, I have had accounts and vouchers presented, and the State has been refunded, from the Confederate Government, six hundred and eighty-six thousand seven hundred and seventy-four dollars (\$686,774). This would leave one million two hundred and two thousand five hundred and ninety-seven dollars and seventy-one cents (\$1,202,597 71). This does not include that portion of small arms and ordnance which the State had purchased and provided herself with some years since. As yet, we have furnished all the troops that have been raised, and sent out of the State, or in service in the State, with our own arms. I have made no estimate or charge for these arms, furnished for Confederate service. Accounts and vouchers for advances made to the Confederate Government have been presented, but they are not yet audited. I have every reason to believe they will be as soon as the Government shall be relieved from the great pressure as to more immediate and important business.

The Legislature provided, as one of the means to meet the appropriations, the issue of bonds at seven per cent., limited in amount to six hundred and seventy-five thousand dollars. Of this only three hundred and seventy-five thousand have been issued. They also authorized bonds to be issued to provide for the sea-coast police, to the amount of one hundred and fifty thousand dollars. These have not been issued, either. This would leave four hundred and fifty thousand dollars of bonds authorized but not issued. I recommend that this amount be immediately changed into stocks, to be issued and sold in such form as to suit purchasers, and upon such terms as to insure available means as soon as possible. The Bank of the State has acted promptly and patriotically in making advances to the State, and these advances ought to be secured in some tangible form.

I have necessarily directed some expenditures, under the peculiar circumstances, for which there was no express authority by law, but which I trust you will sanction.

After the excessive sufferings of our brave troops in Virginia, I directed, on the eighth of August last, twenty thousand dollars to be deposited in a bank in Richmond, for the relief of the sick and wounded. I also put into the hands of the colonels of the two first regiments I sent to Virginia, two thousand dollars each, for any extra necessities that might be required for their regiments.

I also deposited in the hands of the Quartermaster of General Bonham's staff five thousand dollars, for immediate wants. I was called on, under sudden and extraordinary circumstances, to send troops to Virginia, and, as there was then no general organization of any kind, I thought it right that those whom I sent out of the State should not suffer for anything. I also sent on twenty thousand dollars to pay our first regiment of volunteers, in Richmond. In all these matters, I trust to receive your direct sanction.

I refer you to the report of the Secretary of the Treasury, which will give you all details in full, and in such a lucid form as may be easily understood.

I take this occasion to recommend that you abolish the Treasuries of the Upper and Lower Divisions, making one Treasury and one office. This will simplify all State accounts very much, and enable you to give system to the whole. No local interests ought to be consulted in such an organization of our Treasury. This will require the action of two successive Legislatures.

I also urgently recommend that there shall be a change in your system of taxation. The artificial value given to lands below or above a certain line run through the State, originated in a condition of things, at the period of eighteen hundred and eight, which no longer exists. There ought to be a true and just valuation of land made, no matter where it may be located. The tax on what is denominated town property is liable to objection, and should be modified. The true system is, to raise as little as possible from active productive labor, and impose taxes upon accumulated capital and evidences of luxury.

In this State, the system has been, to raise far the larger portion from productive labor. If this were changed, and a wise system adopted, one-third more could be raised, and really be felt less. It would greatly increase the resources of the State, and at this period, when all taxes will be felt deeply, you cannot too soon devote your serious attention to this subject.

From the 20th of December last until the 9th of February, this State acted alone. She was entirely separate and independent. During this period we incurred heavy expenditures. In taking Castle Pinckney, Fort Moultrie, and the late United States Arsenal, we acquired large supplies of heavy ordinance, arms, and munitions of war. As we took the responsibility of acting alone, and of risking all, we were fairly entitled to all we acquired. For the heavy expenditures we thus incurred, up to the 8th of February, I have, as yet, presented no claim or account against the Confederate Government. Our Convention transferred, by ordinance, all these public works and forts, with their armament, and so forth, to the common Government. By every principle of public law, we are entitled to

the expenses incurred during that period, and I doubt not but, when presented, the claim will be recognized.

Circumstances placed us in the van in this march to independence. We claim no exclusive merit, but, under severe censure, and the most trying circumstances, we only endeavored to do our duty, faithfully and bravely. Events have since vindicated the wisdom and patriotism of our course, and I confidently appeal to the future, with the proud consciousness that posterity will exultingly point to every page of history, as tablets on whose marble surface shall be engraved the record of our honor unstained, and of our integrity without a blemish.

Soon after the 8th of February, the Confederate Provisional Government was formed, and, by the authority of our Convention, we yielded our separate and independent action, and assumed the obligations of the Confederate compact.

The regular constitutional Government, under that compact, is now to be inaugurated on the twenty-second day of February, and I respectfully recommend that you give it your loyal and faithful support, by all the constitutional means at your command.

The sea-coast police has been the cause of much interest and exertion in the first of the year, and I refer you to the report of the Secretary of the Interior for all the details in relation to its administration in the last few months. This will show the activity and care that has been exercised in that department. I submit that the funds deposited to the credit of that department be now appropriated to any branch of the public service you may deem proper. The jurisdiction now assumed by the Confederate Government may relieve us, before long, from any further duties in relation to that branch of public service, although we must, of course, be ready to aid and assist, by all means in our power, any efforts on the part of our common Government to protect our coast.

The Legislature authorized the issue of bonds, to the amount of one hundred and fifty thousand dollars, for this special purpose. I did not use these bonds at all, except to hypothecate them with the President of the Bank of the State, as collateral, on account of advances made by the Bank. I in like manner used the power given me to direct the Bank to issue receivable paper, not to exceed two hundred thousand dollars.

The report of the Adjutant and Inspector General will give you accurate information of all matters pertaining to the military. This office has been one of great labor, requiring a high degree of bureau talent and information, at this peculiar juncture in our affairs. I think, in every respect, what he has done will be satisfactory.

The College has been seriously interrupted by the condition of affairs in the country, and the young men, who were full of patriotism and zeal,

could not be restrained from entering into active service. It is now, however, in full operation, with a very respectable number of students. I fondly hope that no circumstances will be allowed to interfere permanently with the exercises of this noble institution. I believe it is the only institution of the kind entirely endowed by the State, and managed by public authority, in the confederated States. There are, apparently, many objections to the peculiar organization of such an institution; but when we look to the practical results, and the large public benefit it confers, we must be constrained to yield all such objections. Through a public institution, controlled by the Government, we are enabled to educate our young men with high feelings of public devotion to the country, and bind them with stronger and more exclusive ties of first allegiance to the State. It is this institution which, by dispensing education equally through the commonwealth, has done more to make us a united and a loyal people, than any other single cause. Any State, with common judgment, can develop the wealth and physical resources of a people, but it is not every State that can produce an heroic and intellectual race of men. Public schools and literary institutions, nobly and generously endowed, where virtue, truth and patriotism are taught as the cardinal doctrines of life—without which life itself is not worth preserving—can alone produce a manly race and brave men as indigenous to the soil. A large State, with vast resources, may present to the world a teeming population, but this does not constitute a great State. A cultivated and intellectual people, whose public institutions train them to think boldly and freely, and who have the heroic daring to do their duty faithfully to themselves and the world, furnish all those qualities which command the admiration and respect of mankind. We should, therefore, spend freely on anything calculated to elevate the moral and intellectual culture of our people.

The Military Academy has, at this important period, furnished us young men of thorough military education and training, who have been of good service. The Cadets of the Citadel Academy, in Charleston, under immediate command of the scientific officer then at the head of that institution, were the first corps I directed to occupy a new battery on the channel, with positive orders to open the fire. At this battery they nobly did their duty, in conjunction with the Vigilant Rifles, German Riflemen, and Zouave Cadets. On the 9th day of January last, they drew the lanyard of the very first cannon that was ever fired into a vessel bearing the flag of the old Union, and triumphantly drove her back, filled, as she was, with armed men to invade our soil, and sailing under special orders from the Lieutenant-General of the United States, marked by attendant circumstances of treachery and duplicity. It was this cannon which opened upon the "Star of the

West." that called a half-million of freemen to arms in this our second war of independence.

In several points of view, these Military Academies have fully vindicated the wisdom of those who founded them, and I now recommend that they be united into one institution, and that the appropriation be increased, so as to enlarge its usefulness.

When the institution is united, it should be located at the most suitable place. I would suggest that, perhaps, the most appropriate place for it would be Sullivan's Island. With this view, I would recommend that the State procure the retrocession of Fort Moultrie for the purpose of connecting it with the academy, to be used as a post for drill and exercise in heavy artillery and practical gunnery.

Since Fort Sumter has been put in complete order, with all the guns for the first time mounted, it entirely commands, not only the harbor of Charleston and its entrance, but Fort Moultrie, and therefore the possession of this latter fortress is not at all essential to the Confederate Government.

With the State Military Academy located on Sullivan's Island, Fort Moultrie could be kept in repair and thorough order by the cadets, and thus save an annual expense to the Confederate Government, and besides, it would add much to the practical knowledge of the cadets. No expense should deter us from placing this academy on the highest footing.

We ought to enlarge its usefulness, by admitting cadets from other States, except, of course, those who may be beneficiaries. By enlarging the capacity of this institution, we not only secure that science and training so essential in all modern warfare, but so absolutely necessary to give a small State the capacity to defend itself from the strong and powerful. In the present situation of our country, the State that gives her people the highest military education will be most deeply felt in all the struggles that must inevitably arise in the future.

I trust the Institution for the education of the Deaf and Dumb will continue to receive your bounty and care. The Lunatic Asylum, I hope, will ever remain a noble monument of your constant and munificent benevolence.

The issue of the six per cent. bonds, authorized to carry on the State House, was limited to their being sold at not less than ninety-five cents in the dollar. As the sale could not be effected at this rate, I gave notice to the superintendent to suspend all further work. He represented that some work was essential to preserve the fine quarry from injury by freshets, and it was done. Some work on the finer marble has also been continued—on an arrangement made by the superintendent with the Bank, and at the risk, I believe, of the contractors themselves. All other work has been suspended. It is a building fashioned on a very superior model, and will compare favorably, as to style, with almost any work, and the material is all of the best

kind. Although it has been commenced on a scale much beyond our limited means, yet everything ought to be immediately provided to preserve it from the weather at present. I suggest that it ought to be permanently covered, and this can be done now at a cost of about one hundred and thirty thousand dollars. The contractors would take the bonds ordered to be issued at six per cent., even if below the ninety-five cents, and receive them in payment. If so, it might be directed to the amount necessary to cover the building, provided the contract for the same should not be increased in amount to meet any depressed value of the bonds.

In eighteen hundred and fifty-four, seventeen thousand five hundred and fourteen dollars and ninety-five cents were received from the United States Government, as due South Carolina on account of distribution from sale of public lands. I recommend that it be passed to the credit of the Treasury, and appropriated. There are also one thousand six hundred and fifty dollars, balance from an appropriation to the widows and orphans of the Palmetto Regiment. This should be immediately passed to the credit of the Treasury.

There are many of our citizens, and some of them of large fortunes, now residing out of the State. At this period, when the services, in some form, of every son of South Carolina may be absolutely necessary, I submit to you the propriety of calling them home, and it is for your wisdom to annex the conditions you may think proper to such a call.

It is a source of great satisfaction to me to draw your attention to the fact that all classes of our people, without exception, have been loyal and devoted to the State in this her day of trial, and amongst them I would particularly say that the free people of color have done their duty, also. At an important time last spring, when the whole of our population were intensely excited, from Columbia, and Charleston, and elsewhere, they formally offered their services to me, to act in any capacity in which they might serve their State. They were, in many instances, employed. I trust the day is far distant when this State will refuse to extend her guardian protection to this unfortunate and helpless class of our people.

There is a remnant of the Catawba Indians in our State, and I feel assured that they will receive your usual care and attention.

Many benevolent and kind citizens of our State have, with great energy and devotion to the sick and wounded of our soldiers in Virginia, established hospitals in their own way, which have been a great relief to our suffering men in a distant country. I recommend that every aid and facility, consistent with the public means, may be extended to them in their patriotic and Christian exertions. I have transmitted, through the Aid Society in Charleston, four thousand dollars to the St. Charles Hospital in Richmond, and trust it will meet your sanction. Whether anything like a State Hospital should be established there, as permanent, is for your judgment to

decide. I doubt the propriety of systematically interfering with the regular provision made for all such things by the common Government, and under strict army regulations. But in extraordinary vicissitudes of sickness, or after great battles, these establishments might be, as they have been, of incalculable service.

In addition to the difficulties that war always brings upon a country, we labor at this time under stringent pressure, from the sale of all productions for exportation being suspended. Our banks are banks both of discount and circulation, and practically, they hold the only circulating medium. They suspended the redemption of their bills issued. The Legislature legalized that suspension. Then, if their issues are contracted, and circulation withdrawn, the difficulty of paying debts and meeting taxation becomes greatly increased. It would seem that under such circumstances, where the Legislature have interposed to relieve the banks from the obligation to pay their notes, some course ought to be adopted, if consistent with safe precedent, to protect the people also from the temporary difficulties by which we are surrounded. All tampering, of any kind, with produce by Government, in any shape or form, is generally unwise and unjust. If anything of the kind is ever to be done, let it be done by the State Governments, rather than by the General or Confederate Government, for all power, not expressly granted, is reserved to the States. The exercise, by the Confederate Government, of any power not expressly granted, is not only without authority, but, on so vital a point, it is dangerous, as calculated, if habitually acted upon, to affect deeply the distribution of wealth, and the interests of productive labor. If anything is done, it should be done by the States, and I suggest that, perhaps, as we have a State institution, it might be used to advance on produce one-half of its value, upon receipts for the same being deposited, with a view to give a lien, to secure the amount advanced first, to the exclusion of all other claims. Public policy will require that you should continue to legalize the suspension of the banks. This continuation might be made upon certain conditions resting upon similar advances to be made from all the banks.

As our soldiers are nobly serving their country, and at a great distance from home, some stay of execution or levy upon their property should be directed by law. Everything of this kind must be done with great caution, so as not to be made a precedent. There is no power so dangerous, and generally so unjust, as for any Government to interfere, in the slightest degree, with contracts, and if ever done, it ought to be limited to absolute necessity. Integrity, faith, and stern justice are qualities more essential in Governments than even amongst individuals, because of their wide spread influence.

On the 17th of December, the day after I was inaugurated, I sent a confidential agent to the President of the United States, demanding possession of Fort Sumter, upon conditions somewhat the same as those upon which I understood the United States Arsenal had been previously allowed to be placed under a State guard. One of my objects was, to ascertain, in the most authentic manner, the real intention of the President in relation to the occupation of the forts in our harbor, and to shape my own course accordingly. A copy of this letter, with accompanying explanations of the agent, I sent to Washington, together with a communication from a distinguished citizen, appointed, as I have since been informed, by my predecessor, to remain at Washington, as confidential representative of the State, are herewith transmitted, for your information of all details. The day on which my letter was presented to the President, I was telegraphed by high and responsible representatives from this State, to withdraw it, on account of an understanding, that had been recognized, that there should be no interference with the status of the forts in any way, until Commissioners from this State should be appointed to proceed to Washington, and represent the State fully on all points at issue, connected with the forts and public property.

On the 18th of December I went to Charleston, and immediately ordered a very responsible officer, with a detachment, to arm and equip a guard boat, with specific orders to prevent, if possible, any movement of troops from Fort Moultrie to Fort Sumter, and if such a thing was attempted, to forbid it, and, if persevered in, to resist it by force, and then immediately to take Fort Sumter at all hazards. At that time there was but a small guard in this fortress, and it was in no condition for defence.

On the 20th of December, the President of the United States sent General Cushing, a distinguished citizen of Massachusetts, to me, with a letter, a copy of which is herewith transmitted. I had but a short interview with him, and told him I would return no reply to the President's letter, except to say, very candidly, that there was no hope for the Union, and that, as far as I was concerned, I intended to maintain the separate independence of South Carolina, and from this purpose, neither temptation nor danger should, for a moment, deter me. He said that he could not say what changes circumstances might produce, but when he left Washington, there was then no intention whatever to change the status of the forts in our harbor in any way.

Notwithstanding the distinct pledge of honorable faith, made previous to this, and then this renewal of it, the commandant of Fort Moultrie, on the night of the 26th of December, moved all his forces from Fort Moultrie to Fort Sumter, with his munitions of war, after first spiking the guns, cutting down the flag-staff, and burning the gun-carriages.

This fortress was the well known key to the harbor, and the move was intended to hold us in subjugation, and enable the garrison to be reinforced, with a view to hold the post permanently. This move was a violation of all manly faith, and could be looked upon in no other light than an open act of hostility. They still possessed Castle Pinckney, with guns bearing directly upon the city. This is a fortress originally intended to protect the inner harbor.

I immediately, on the morning after they had moved from Fort Moultrie, ordered select forces to take Castle Pinckney, at all hazards, and gave a similar order to occupy Sullivan's Island, and to proceed cautiously, after examination as to mines, and take Fort Moultrie. These orders were executed the same day.

I had, on the evening of the 20th of December, requested the Commissioner sent to our Convention from Alabama, to give the Governor of that State official notice that I intended to take the forts, if there was any attempt to change their status, and to request that he would act in like manner as to the forts in Mobile harbor. I made the same communication to the Commissioner from Mississippi, as to my intention, and I would have done the same to the representatives of any other sister State, if they had been here.

After I occupied these forts, I consulted engineers, and immediately commenced the batteries on the channel, to endeavor to prevent supplies or reinforcements, and also ordered a detachment to take possession of Fort Johnson, and prevent all communication from the garrison in Fort Sumter. Copies of the general orders, connected with all these movements, I herewith transmit for your information, with other papers, which will give the reasons by which I was influenced at the time.

On the 9th day of January, I ordered a plan to be agreed upon by our engineers, and reported to me, for the most certain and scientific mode of reducing the fortress, and upon that plan the batteries were erected which finally did reduce it. Copies of this plan, and the orders, are also transmitted.

I had issued orders to prevent, if possible, all reinforcements or supplies, and, if necessary, to fire on any vessel that might attempt to enter the harbor. On the 9th of January, a large vessel, bearing two hundred and fifty United States troops, with arms and supplies of all sorts, was fired into and driven back. A few days before this, a telegram from a member of the Cabinet at Washington was shown to me, asserting that no such vessel would be sent, and a great effort was made to induce me to suspend the order to fire. Major Anderson demanded a disavowal of the act, accompanied with a positive threat, that, if not disavowed by me, he would open fire upon any vessel with our flag in the harbor. I avowed the act: he retracted his

threat, and asked time to consult his Government. After his suggestion on that point, I sent to Washington our highest law officer in the State, a gentleman of eminent standing and worth, in order to act in the fairest and most liberal spirit. This correspondence has all been published, and shows the imbecility and duplicity by which our opponents conducted the issues then presented.

After President Lincoln was inaugurated, he sent, in the latter part of March, a confidential agent, Mr. Fox, who was introduced by a gallant officer of our navy. He said he desired to visit Fort Sumter, and that his objects were "entirely pacific." Upon the guarantee of the officer introducing him, Captain Hartstene, he was permitted to visit Major Anderson, in company with Captain Hartstene, expressly upon the pledge of "pacific purposes." Notwithstanding this, he actually reported a plan for the reinforcement of the garrison by force, which was adopted. Major Anderson protested against it. I enclose with this a copy of papers, to be used under your wise discretion, which will place these facts beyond controversy.

In a very few days after, another confidential agent, Colonel Lamon, was sent by the President, who informed me that he had come to try and arrange for the removal of the garrison, and, when he returned from the fort, asked if a war vessel could not be allowed to remove them. I replied, that no war vessel could be allowed to enter the harbor on any terms. He said he believed Major Anderson preferred an ordinary steamer, and I agreed that the garrison might be thus removed. He said he hoped to return in a very few days for that purpose. Then, on the 8th of April, Mr. Chew, an official in the State Department, was sent, in company with Lieutenant Talbot, and read to me a paper, which the President of the United States, he said, had directed him to read to me, in relation to sending in supplies to the fort. He gave me no information as to anything, but only read the paper, and said he was not even directed to ask my reply. I sent for General Beauregard, as the commanding General on the part of the Confederate Government, and had the paper again read in his presence. A copy of this paper is herewith transmitted. It bears upon its face an utter want of manliness and straight-forward conduct. I give this minute statement of facts, because they are deeply important to a thorough understanding of the true origin of this fierce and malignant war, which practically commenced in the capture of Fort Sumter, on the 13th of April last. Its effects will be deeply felt throughout the world, and it is due to our sister States that they shall know the part which we were forced to act in its origin.

Every step in the commencement of this terrible conflict has been marked by deception and duplicity on the part of our enemies. By so doing, they have inaugurated events well calculated to produce not only a

profound impression upon our own country, but upon the destiny of American civilization; and we have every reason to be deeply grateful, as a Christian people, to a superintending Providence, for the direction given, thus far, to these events. The whole rise and growth of these States of North America, has been the most rapid and gigantic ever before exhibited amongst the nations of the earth. Under institutions the most popular and captivating to the enthusiastic mind, we had made such developement of strength and power, in little more than three-quarters of century, as seemed to overshadow most modern governments.

In theory, the distribution of all power appeared to rest upon principles of equality and justice; and if the Government had been honestly and wisely administered, it was the noblest system ever created for rational men. But man was, as he ever has been, selfish and ambitious, and, under the guide of those passions, the whole system became thoroughly perverted from its original designs.

It was a Confederated Republic, with powers expressly granted by States, and defined under a limited compact or constitution, and never was, in any sense, a simple democracy, with a majority of people to govern. It was this profound fallacy as to a democracy, originated by designing demagogues or superficial thinkers, which, within the last thirty years, radically changed the whole nature of the Government.

In the Northern States, they had no division of classes or castes that were openly acknowledged as the fundamental law of society, and, as a natural consequence, the only division was between capitalists and laborers. The former, to act more efficiently in the struggle for ascendancy, became organized under the style and title of corporations, in every shape and form, from the smallest to the highest matters. This was done in order to give associated wealth more and more absolute power over labor. This was their political slavery. After they had thus mastered the labor of the North, they engaged in a struggle to master the Federal Government, and, through it, to make the labor of the South also tributary to their power and wealth. To bring their numbers to bear in a consolidated democracy, was essential to their designs. They then called in that fanatical element of their ignorant classes, through which the designing and the wary could make them subservient to their ultimate designs.

In the South, it was the reverse of this. There were ranks and there were castes acknowledged in the fundamental law of our society, and this was the division between master and slave.

The white race was a privileged race of rank and political power. It was not a division between capitalists and laborers, for here capitalists owned laborers, and were, therefore, interested in the profits of daily labor. In fact, they were themselves, to all intents and purposes, laborers as well as capi-

talists. Hence it was, we wanted no increase in the power of government over productive labor, nor did we need associated wealth, in the form of corporations, to subjugate the labor of the country, for we had, as individuals, all that power already.

Under such fundamental differences as these, the preservation of separate States in the form of a Republic, with a limited compact, was the very law of our existence, and the perversion to a simple democracy of mere numbers, was our political death. The most corrupt of all governments, if extensive enough to embrace different interests, is a simple democracy of numbers. It necessarily soon runs into practical anarchy, and thence into a military despotism, as protection from the horrors of anarchy. Now that the Northern States are forced to organize to themselves, this career, to them, is as certain as destiny itself, and is inherent in their very organization.

Under these circumstances, if we fail to grow wise from the lessons of experience, and allow any considerations to weaken the federative action of our system, and increase the tendency to a simple democracy of numbers, we, too, will soon sink into the same ruin, where an unrestrained military government will raise its strong and mighty structure, beneath whose shadow the very boundaries of the States will be lost and forgotten amid the scattered fragments of a broken and dismembered empire.

There is not the slightest danger of our being subjugated by the North. Those who conceived such an idea had but little knowledge as to the elements of real power. They are vastly defective in all those qualities necessary for effective military organization, particularly for purposes of invasion, while the institutions of the South train our people to individual self-reliance, and to police regulations with disciplined order. There are no agricultural people so essentially military in their early training as are the slave-holding race of the South.

Wherever slaves exist, with the distinctive marks of a separate race, it is a privilege and rank to be free. Under these circumstances, you may exterminate the dominant race, but you can never permanently subjugate it. When the lower strata of society is occupied by an inferior race, who make no pretension to political equality or power, the entire ruling race can be brought into active service for all purposes of defence, without drawing materially from the productive field labor necessary to afford support.

Although we have actually called into military service the largest force, in proportion to our population, known in modern times, yet the provision crops of all kinds, in these Confederate States, never were equalled by what has this year been garnered for our use. The reverse of this is the case in all States where there is no fundamental division of classes. Where all are theoretically equal, those who follow the lower pursuits of society

must be conciliated, and when they are pressed into large armies, they not only create a heavy expense to be supplied by capitalists, but they also leave a vacuum in productive labor that deranges the internal relations between capital and labor, and this is more deeply felt than even the direct expense for their support.

With us, to a great extent, every freeman's home is but a privileged castle, with armed men ready to go forth to the field for defence and for honor, while laborers on the soil remain, to gather and garner up the produce of the earth.

True, war is a great calamity, but if this war shall end, as there is every prospect that it will do, by making us not only politically independent of our most deadly enemies, but commercially independent also, and, at the same time, shall develop our own artisan skill and mechanical labor, so as to place us entirely beyond their subsidy hereafter, then, indeed, will it prove, in the end, a public blessing.

We will be left free to develop our own civilization, and show, where there is an inferior caste in society, and the higher and privileged race governs, that a constitutional republic of States may be established upon conservative principles identified with all the great ends of truth, justice and stability. But if we fail in this, then there is no hope for a government of States. The only advance, in substance, which we have made over the government of our English ancestors, was the substitution of the municipal government of States, representing permanent local interests and territory, instead of great landed proprietors and hereditary rulers. This government of States was destroyed by the Northern people, who, without the conservative division of castes, which we have, endeavored to make the government a simple democracy of numbers. This ended, as all such governments must inevitably end, in corruption, usurpation and revolution. As far as the Northern States are concerned, their Government is hopelessly gone, and if we fail, with all our conservative elements to save us, then, indeed, there will be no hope for an independent and free republic on this continent, and the public mind will despondingly turn to the stronger and more fixed forms of the old world.

In this point of view, I most respectfully urge that you increase the power and dignity of the State, through all her administrative offices, and adhere firmly to all the conservative principles of our Constitution.

Clouds and darkness may rest upon our beloved country, but if we are true to ourselves, and just to others, looking with confiding faith up to that Providence who presides over the destinies of men and of governments, we will surely triumph, and come out of our trials a wiser and a better people.

F. W. PICKENS.

On motion of Mr. GARLINGTON, the Message, with accompanying documents, was made the Special Order for to-morrow, at a quarter before 12 o'clock, and the usual number of copies of the Message were ordered to be printed.

On motion of Mr. E. G. PALMER, it was

Ordered, That when the Senate adjourns, it stand adjourned to meet to-morrow at 10 o'clock, A. M.

The Senate resumed the consideration of the Special Order, pending which,

On motion of Mr. E. G. PALMER, the subject was postponed until to-morrow at half-past 10 o'clock, and the same was made the Special Order for that hour.

Mr. LESESNE gave notice that on to-morrow, or on some subsequent day, he would ask leave to introduce

A Bill authorizing the formation of a Battalion of Light Infantry in the 4th Brigade S. C. M., to be called the Washington Light Infantry.

Mr. BLAKENEY gave notice that on to-morrow, or on some subsequent day, he would ask leave to introduce

A Bill to extend relief to Debtors, and to prevent the sacrifice of property at public sales.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 4, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives begs leave respectfully to inform your honorable body that they concur in the following Resolution: "That a Committee of one from each Congressional District be appointed to nominate Electors of President and Vice President of the Confederate States of America, and that a message be sent to the House of Representatives, proposing to that body the appointment of a similar Committee; and also that said election be held on Wednesday, 12 o'clock, M.;" and has appointed Messrs. Duryea, Cook, O'Bryan, Anderson, Blackwell, and Jones, a Committee to act with the Senate Committee.

By order of the House,

JAMES SIMONS, *Speaker*.

On motion of Mr. GARLINGTON, the Senate adjourned at 25 minutes to 3 o'clock, P. M.

WEDNESDAY, NOVEMBER 6, 1861.

The Senate met at 10 o'clock, A. M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

Mr. E. C. WHALEY, the member elect from St. John's Colleton, appeared at the Clerk's desk, was qualified, and took his seat.

On motion of Mr. MOSES, so much of the resolution as requires the usual number of the Governor's Message to be printed, was stricken out, and it was ordered that two thousand copies of the Message, with the report of the Secretary of the Treasury, be printed.

Mr. GARLINGTON offered the following resolution, which was ordered for consideration to-morrow :

Resolved, That the 14th Rule of the Senate be so altered as to entitle the Committee therein called the "Committee on Foreign Affairs," the "Committee on Confederate Relations."

On motion of Mr. GARLINGTON, so much of the Special Order as relates to the documents accompanying the Message of his Excellency the Governor, was discharged.

On motion of Mr. GARLINGTON, the following resolution was adopted :

Resolved, That the documents accompanying the Message No. 1, of his Excellency the Governor, except the report of the Secretary of the Treasury, be referred to a Special Committee of Three, and that they report those which in their judgment should be printed.

Under the above resolution, Messrs. Garlington, Moses, and Lesesne were appointed the Committee.

On motion of Mr. MAZYCK, the resolution offered by him, respecting members vacating their seats who had joined the Confederate service, was referred to a Special Committee of Five, with leave to sit during the vacation, and to report at the next regular session.

Messrs. Mazyck, Moses, E. G. Palmer, Garlington, and Harrison, were appointed the Committee.

Mr. HOPE, from the Committee appointed to nominate Electors for President and Vice President, made a report :

The Joint Committees, appointed by both branches of the Legislature to nominate two Electors for the State at large, and one Elector for each Congressional District, to cast the vote of the State for President and Vice President of the Confederate States of America, ask leave to report the following nominations :

For the State at Large—HENRY C. YOUNG, WM. H. TRESMOTT.

For First Congressional District—R. F. W. ALSTON.

For Second Congressional District—Dr. JOHN S. PALMER.

For Third Congressional District—J. DUNCAN ALLEN.

For Fourth Congressional District—JOHN C. HOPE.

For Fifth Congressional District—T. EDWIN WARE.

For Sixth Congressional District—FRANKLIN J. MOSES, Sr.

The following resolution was received from the House of Representatives :

Resolved, That in view of so many of the citizens of Horry District being in the service of the State, and of the Confederate States, it is inexpedient for any Court of General Sessions and Common Pleas to be holden in said District during the present Fall Term of said Court.

Which was concurred in, and was ordered to be returned to the House of Representatives.

Mr. MAZYCK presented a petition from John Jenkins, contesting the seat of Mr. E. C. Whaley, which was referred to the Committee on Privileges and Elections, with power to send for persons and papers, and to report at the next session.

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

Resolved, That a writ of election issue to fill the vacancy occasioned by the death of the late Senator from Clarendon, the Hon. Richard I. Manning, for his unexpired term, the election to take place on the twenty-first day of November, instant.

On motion of Mr. MAZYCK, the following resolution was adopted, and was ordered to be sent to the House of Representatives for concurrence :

Resolved, That this General Assembly will adjourn, *sine die*, this day, at 4 o'clock, P. M.

On motion of Mr. E. G. PALMER, the following resolution was adopted, and was ordered to be sent to the House of Representatives for concurrence :

Resolved, That the President of the Bank of the State of South Carolina be authorized and requested to advance fifty thousand dollars to the service of the State, and that the same be subject to the draft of the Governor.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 6, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution in relation to the advance by the Bank of the State, sent to this House for concurrence, by substituting for the words "Bank of the State," "the several Banks of the State," and for "fifty thousand dollars," "three hundred thousand dollars."

By order of the House,

JAMES SIMONS, *Speaker*.

On motion of Mr. E. G. PALMER, leave was granted to amend, and a message was sent to the House of Representatives accordingly.

The House of Representatives sent to the Senate the following Bills, which were passed, and were ordered to be returned to the House of Representatives for concurrence :

A Bill to incorporate the York Gas Light Company ;

A Bill to alter and amend the second section of "An Act to alter and amend the law in relation to fish sluices on the Catawba and Wateree Rivers, and for other purposes ;"

A Bill to require the Circuit Judges to send up, with their reports to the Appeal Court, the notes of evidence taken on the trial.

The House of Representatives sent to the Senate,

A Bill to require the Commissioner in Equity and Ordinary for Sumter District to transfer to the Commissioner in Equity and Ordinary for Clarendon District all records in their offices pertaining to the latter District.

Which was referred to the Committee on the Judiciary, with leave to report at the next regular session.

Mr. ALLEN offered the following resolution, which, on motion of Mr. GARLINGTON, was ordered to *lie on the table* :

Resolved, That the Message of his Excellency, so far as it relates to raising three hundred thousand dollars, be referred to the Committee on Finance and Banks, of each House, and so much as relates to a thorough re-organization of the militia, be referred to a Special Committee, to be appointed in both cases by joint action of both Houses, and that these Joint Committees be required to sit during the recess between this session and the

constitutional meeting of our General Assembly, and are hereby instructed to report at an early day in the first week of the approaching assemblage of the Legislature.

At 12 o'clock, M., the Senate proceeded to the House of Representatives, and joined that House in balloting for Electors for President and Vice President of the Confederate States of America.

Messrs. Alston and Appleby were appointed the Committee, on the part of the Senate, to count the ballots.

The Committee appointed to count the ballots for Electors for President and Vice President, made the following report :

The Committee appointed to count the votes for Electors of President and Vice President of the Confederate States of America, ask leave to report :

For Electors for the State at Large—

WM. H. TRECOTT.....	106
H. C. YOUNG.....	111
W. D. PORTER.....	1
M. C. MORDECAI.....	1
First Congressional District—R. F. W. ALSTON.....	111
Second Congressional District—JOHN S. PALMER.....	111
Third Congressional District—J. D. ALLEN.....	113
Fourth Congressional District—JOHN C. HOPE.....	105
Fifth Congressional District—T. EDWIN WARE.....	116
Sixth Congressional District—F. J. MOSES.....	114

Also, for—

J. I. MIDDLETON.....	2
J. E. CAREW.....	2
A. P. ALDRICH.....	2
WM. FORT.....	3
A. C. GARLINGTON.....	2
W. S. LYLES.....	1

Message No. 2, from his Excellency the Governor, was read from the Clerk's desk :

MESSAGE NO. 2.

HEADQUARTERS, November 6, 1861.

Gentlemen of the Senate and House of Representatives :

I desire to say, distinctly, it is necessary that you shall provide, immediately, for available funds, to the amount, at least, of three hundred thousand dollars, in some shape or form.

I have recommended that you change the law, authorizing the issue of Bonds at seven per cent., to the issue of Stock, in such amounts as may suit purchasers. If this was done, it might be relief for the present. Perhaps, instead of this, a loan might be authorized, on certain conditions.

I consider it necessary to the safety of the State, under the circumstances by which we are surrounded, that you shall provide some plan by which I may be enabled, certainly, to secure the services of our regular enlisted Battalion of Artillery, for and during the war; and also of our regular enlisted Regiment of Infantry. The safety of our Coast Batteries may be endangered, unless some step is taken to secure this force in advance.

I also consider it absolutely necessary that you shall provide for the immediate organization of the Militia and the Reserve forces of the State. I earnestly call your immediate attention to these matters, and trust that no considerations will induce you to adjourn before you have put the State in condition to preserve her honor and faith, and to enable those in authority to place her military organization on the strongest footing.

In the midst of revolution and great changes, there are high duties devolving on the Legislature, that may be as important as any that may be required in the field.

F. W. PICKENS.

On motion of Mr. GARLINGTON two hundred copies were ordered to be printed.

At twenty-five minutes past 2 o'clock, the Senate took a recess until half-past 3.

RECESS.

At half-past 3 o'clock the PRESIDENT took the Chair, and the Senate resumed business.

The following resolution was received from the House of Representatives, and was ordered to lie on the table :

Resolved, That his Excellency the Governor be authorized to appoint the field officers of any regiment or battalion that may be called into the service of the State, until the first of January.

Mr. GARLINGTON offered the following resolutions, which were agreed to, and leave was granted to report at the next session :

Resolved, That the Message No. 1, of his Excellency the Governor, be referred as follows :

1. That so much thereof as relates to the Military Academy, the Militia, and the Military Organizations of the State, be referred to the Committee on the Military and Pensions.

2. That so much as relates to Finances and Banks, to the Direct Tax of the Confederate Government, to the distribution of the sales of Public Lands, to the issue of Bonds and Stocks for military purposes, to Expenditures in behalf of Volunteers in Virginia, to the change in the system of Taxation, to the Appropriations on account of the Sea-Coast Police, and all other Expenditures for military purposes; to the Appropriations for the Widows and Orphans of the Palmetto Regiment, to the Catawba Indians, and to the Consolidation of the Offices of the Treasurer of the Upper and Lower Division, be referred to the Committee on Finance and Banks.

3. That so much as relates to the South Carolina College, be referred to the Committee on the College, Education and Religion.

4. That so much as relates to the Lunatic Asylum, the Institution for the education of the Deaf and Dumb, and Expenditures made for Hospitals for sick and wounded Soldiers in Virginia, be referred to the Committee on the Lunatic Asylum and Medical Accounts.

5. That so much as relates to the new State House, be referred to the Committee on the New State Capitol.

6. That so much as relates to the stay of Execution and Levy on the property of soldiers in the service of the country, be referred to the Committee on the Judiciary.

7. That so much as relates to the calling home of citizens of this State from abroad, be referred to the Committee on Foreign Affairs.

The following resolution was received from the House of Representatives :

Resolved, That a Joint Committee, consisting of three members of each branch of this General Assembly, be appointed, to confer with the Presidents and Directors of the Railroad companies within this State, as to the expediency and practicability of reducing their tariff of prices, during the existing war, on the transportation of provisions, munitions of war, and State troops, making a uniform tariff of rates throughout the State, and of affording additional facilities for the transportation of such articles and troops, and to recommend to this Legislature the enactment of such regula-

tions for the government of said roads during the existing war, as will be best suited to the exigencies of the times and the wants of the people.

That the said Committee have leave to report, by Bill or otherwise, as early as practicable, and to sit during the session.

That a message be sent to the Senate, asking their concurrence in the foregoing resolution, and the appointment of the Committee on their behalf.

On motion of Mr. E. G. PALMER, a message was sent to the House of Representatives asking leave to strike out the word "session," and insert "recess."

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 6, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs the Senate that leave is granted by the House that your honorable body amend the resolution in relation to the Committee to confer with the Presidents and Directors of the Railroad Companies, so as to allow them to sit during the recess of the Legislature.

By order of the House,

JAMES SIMONS, *Speaker.*

The resolution, as amended, was agreed to, and was returned to the House of Representatives.

The Senate appointed Messrs. Mazyck, E. G. Palmer, and Cannon, the Committee, on their part.

The House of Representatives sent to the Senate the following resolution :

Resolved, That the presiding officer of each branch of the General Assembly do issue to the Clerks of their respective Houses a pay bill for the sum of one hundred and twelve dollars, and to each of the officers of each House, and Librarian, also the Clerks of the Solicitors, a pay bill for the same pay and mileage as are allowed to the members of the General Assembly; the same to be compensation for the services of each of said officers during the present extra session.

On motion of Mr. MOSES, a message was sent to the House of Representatives, asking leave to strike out the words "one hundred and twelve," and insert "fifty," before the word "dollars."

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 6, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives grants leave to the Senate to amend the resolution of the House, in relation to the pay of officers, by inserting the word " fifty," in lieu of " one hundred and twelve," and by inserting, after the word Librarian, the words " Clerks of the Solicitors."

By order of the House,

JAMES SIMONS, *Speaker.*

The resolution, as amended, was agreed to, and was ordered to be returned to the House of Representatives.

The following resolutions were received from the House of Representatives :

Resolved, That the business of the present session be taken up at the regular session at the stage at which the same shall be left upon the adjournment, and that the Committees to whom the Messages of the Governor have been referred, have leave to sit during the recess.

Resolved, That his Excellency the Governor be authorized to use a sum of money, not exceeding twenty thousand dollars, to re-enlist the regular Battalion of Artillery now in our fortresses; also, the regular Infantry, for three years, or during the war.

Which were agreed to, and were ordered to be returned to the House of Representatives.

Mr. GARLINGTON offered the following resolution, which was agreed to, and was ordered to be sent to the House of Representatives for concurrence :

Resolved, That the Governor, in the event of the invasion of the State, or if, in his judgment, the State shall be in imminent danger of invasion, before the meeting of this General Assembly, be authorized to call for companies of volunteers, and organize them into Battalions and Regiments, in such manner as in his judgment may be most expedient for the defence of the State.

The following message was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 5, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives asks leave respectfully to inform your honorable body that they have elected Mr. J. H. Hudson Reading Clerk of the House of Representatives.

By order of the House,

JAMES SIMONS, *Speaker.*

A message was sent to the House of Representatives, delivered orally by the Clerk, informing that body that the Senate had disposed of the business before it, and was now ready to adjourn the present session of the General Assembly, *sine die*.

A similar message was received from the House of Representatives.

On motion of Mr. MOSES, the Senate adjourned, *sine die*, at 4 o'clock, P. M.

JOURNAL

OF THE

Senate of the State of South Carolina,

FOR

THE ANNUAL SESSION OF 1861.

1880

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

JOURNAL

OF THE

SENATE OF THE STATE OF SOUTH CAROLINA.

MONDAY, NOVEMBER 25, 1861.

THE GENERAL ASSEMBLY of the State of South Carolina, begun and holden at Columbia, the twenty-fifth day of November, in the year of our Lord one thousand eight hundred and sixty-one, being the fourth Monday in November, the day fixed by the Constitution for the meeting of the General Assembly—

At 7, P. M., pursuant to the order of the Senate, the Senators assembled in the Senate Chamber, in the Capitol, at Columbia.

The Hon. W. D. PORTER, Senator from St. Philip's and St. Michael's, and President of the Senate, took the Chair, and the roll having been called by the Clerk, the following Senators, from the following Election Districts, answered to their names, viz :

Hon. W. D. Porter, <i>President</i> ,	St. Philip's and St. Michael's.
“ J. Duncan Allen,	Barnwell.
“ M. T. Appleby,	St. George's, Dorchester.
“ S. W. Barker,	St. John's, Berkeley.
“ Robert Beaty,	Union.
“ A. Hamilton Boykin,	Kershaw.
“ Gabriel Cannon,	Spartanburg.
“ F. W. Fickling,	St. Luke's.
“ I. K. Furman,	St. Thomas' and St. Dennis'.
“ A. C. Garlington,	Newberry.
“ N. Heyward,	St. Bartholomew's.
“ John C. Hope,	Lexington.
“ Henry D. Lesesne,	St. Philip's and St. Michaels'.

Hon. A. Mazyek,	St. James', Santee.
" Samuel McAliley,	Chester.
" R. G. McCaw,	York.
" J. C. McKewn,	St. James', Goose Creek.
" F. J. Moses,	Sumter.
" E. G. Palmer,	Fairfield.
" S. W. Palmer,	St. Stephen's.
" Elam Sharpe,	Pickens.
" T. Edwin Ware,	Greenville.

A quorum not being present, the calling of the roll was discontinued.

On motion of Mr. GARLINGTON, the Senate adjourned at half-past 7 o'clock, to meet to-morrow at 12, M.

TUESDAY, NOVEMBER 26, 1861.

The Senate met at 12, M., pursuant to adjournment.

On motion of Mr. CANNON, the reading of the Journal of the last day of the called session was dispensed with.

ADDITIONAL SENATORS.

The following Senators appeared in their seats in the Senate Chamber :

Hon. J. W. Blakeney,	Chesterfield.
" R. L. Hart,	Darlington.
" Charles Irby,	Marlboro'.
" F. J. Sessions,	Kingston.

On motion of Mr. MOSES, a message was sent to the House of Representatives, informing that House that the Senate had met, and a quorum of Senators being present, was ready to proceed to business.

Mr. MOSES also introduced the following resolution, which was considered immediately, and was agreed to :

Resolved, That a Committee of Two be appointed to wait upon the Governor, and inform his Excellency that the Senate has met, and is ready to receive any communication he may make.

Whereupon the PRESIDENT announced the following gentlemen of the Committee: Messrs. Moses and Boykin.

Hon. E. J. ARTHUR, Senator elect from Richland, then appeared at the Clerk's Desk and presented his certificates of election. The oaths were administered, and the Senator took his seat.

Mr. ALLEN gave notice that he will to-morrow ask leave to introduce A Bill to aid in the construction of the Barnwell Railroad.

Mr. BOYKIN presented the return of the Commissioners of Free Schools for Kershaw District for the year 1861, which was referred to the Committee on the College, Education and Religion.

Mr. ALLEN presented the petition of Mrs. Martha McGraw, widow of John McGraw, a pensioner of the State of South Carolina; which was referred to the Committee on Military and Pensions, and was ordered to be printed.

Mr. GARLINGTON submitted the presentment of the Grand Jury of Newberry District, relative to the passage of a stay law; which was referred to the Committee on the Judiciary.

Mr. WARE submitted the presentment of the Grand Jury of Abbeville District: so much of which as refers to the Confederate Tax was referred to the Committee on Finance and Banks; and so much as refers to a stay law, to the Committee on the Judiciary.

Mr. MOSES, from the Committee appointed to wait on his Excellency the Governor, reported that they had performed that duty, and that his Excellency would communicate to the Senate forthwith.

Message No. 1, from his Excellency the Governor, was read from the Clerk's desk.

MESSAGE NO. 1.

Gentlemen of the Senate and House of Representatives:

It has been so short a time since I communicated to you my views on the general interests of the State, that I now most respectfully urge your immediate consideration of the measures which I then recommended.

The first measure of great importance is the thorough reorganization of all the reserve military forces of the State. Under the general resolution passed at your recent extra session, I have endeavored to raise battalions and regiments, by offering to commission the field officers if they mustered companies into immediate service, as the emergency was pressing. The Legislature adjourned soon after meeting, without doing anything more definite, and I acted, as I supposed, for the best. But I now desire your confirmation of the same, and urge that a general system be adopted by which to regulate my conduct hereafter. The old militia system has been entirely

deranged by the officers, in most instances, having accepted service in other organizations, and I recommend that field officers in all the regiments and battalions of the State be forthwith appointed, in order to effect as speedy an organization as possible. I would except from this the fourth brigade of the second division, at least as far as the City of Charleston is concerned, because that portion of our militia has been preserved, and is now in a high state of drill and thorough organization.

Since your extra session, our State has been invaded by a powerful and thoroughly armed fleet, carrying the heaviest guns. The channel through which they entered is two miles and a half wide, and is the deepest on the Southern coast. In the earth-works that had been erected, they were resisted by brave and heroic men, but such batteries were not calculated to resist a bombardment of four hundred guns. They were constructed to turn marauding parties embracing a limited number of vessels.

To make the defence of such a harbor perfect, large floating batteries or gun-boats, bearing guns of the heaviest calibre, are essential. The region that the military possession of Port Royal gives the enemy control over, will embrace about six thousand negroes, and, perhaps, four thousand bales of cotton. Most of this will be burnt. A true and patriotic people will burn their productions and property rather than it shall fall into the hands of their infamous invaders. These islands are surrounded by arms of the sea, and were occupied by highly refined and intelligent proprietors. They are so various and detached that they are easily invaded by an enemy who have power on the ocean, but, as far as military position is involved, their possession brings the enemy but very little nearer to any permanent invasion of the State. Our sea-coast has been possessed, heretofore, by threatening foes in our first revolution, and then again in eighteen hundred and thirteen, and yet, notwithstanding we were much weaker than at present, the haughty and defiant spirit of our people repelled them from the interior, and there was not an hour or a moment, in our darkest days, when there was the slightest fear as to any permanent conquest of our State.

During the days of our first war for independence, South Carolina had to contend with a powerful foreign foe in front, and with fierce and terrible savage tribes from the rear, while, at the same time, she had the bloody and revengeful tory around the very hearth-stones of our homes, yet she never faltered in her onward and daring course. From her sea-coast to her mountains there is scarcely the distance of a Sabbath-day's journey from one battle-field to another, but where the bones of our ancestors now lie to mark out the *via sacra* along which their descendants may march again to independence. We are now a united people. From the highest to the lowest there is one universal, stern, fixed resolve, to make the State a vast

mausoleum for the bones of freemen, rather than hold it as an inheritance for living bondsmen.

The high-toned and intelligent people of our islands, who have been so deeply harassed, deserve our warmest sympathy, and I earnestly urge that everything shall be immediately done, within your proper jurisdiction, that can be, to give them all the aid possible. I recommend that in certain Districts or Parishes of the State, that may be designated, Provost Marshals shall be appointed, who will take command of the overseers on all plantations in the District or Parish, and organize a system of local police, with strict accountability. These Marshals should have power to administer oaths, and hold summary jurisdiction over all slaves and suspected persons who may be passing, without ostensible occupation or responsible papers; and, upon proper affidavits, all such should be committed to the military or civil authorities, whenever the Marshal may think it necessary. He should put himself in communication, also, with the commandant of the nearest military post, and might have authority to call on all such to aid him in his police supervision within his District or Parish. In most instances, the owners of slaves are in the ranks, defending the country, and they cannot, therefore, exercise the ordinary jurisdiction with their overseers. The duty of the Marshal should be to give that protection to slaves which is necessary, on account of the absence of their masters. In many portions of the country, all the Magistrates are also in the army, and the power to administer oaths and have summary jurisdiction is necessary.

The patrol system has likewise been deranged by the breaking up of the Beat Companies, and the proper organization of all overseers, under Provost Marshals, for specified districts of the country, would provide a substitute for the present. The Marshals may not be paid, but agents or assistants might be; and let the chiefs be selected from men of independence and long high standing. If any measure is to be adopted in relation to this matter, it ought to be done as soon as possible, for on the islands of our sea-coast there is, at present, much confusion, and great necessity for a strong police in some shape or form.

Our Nautical School, patronized by the State, has rendered active and useful service at various times, in our harbor and on the coast; and as we are now to build up a Navy in the South, their training and skill will be of great advantage. I assigned to them the Petrel, a vessel eminently suited to be made a School Ship. I hope this will meet with your approbation, and that the School will be particularly cared for under the management of its efficient superintendents. Papers, showing its efficiency, are herewith transmitted, for your information.

The authority given me by the Convention to appoint a Council, terminates with this session of the Legislature. I respectfully urge that, with

the complicated and increased business of this office, it is impossible for me to attend to all duties required of me. In this pressing emergency, for the present, I request that I may continue at least a Secretary of the Treasury, to superintend the management in the details of raising the funds and disbursing them, and also that I shall be allowed a special Secretary, to be in constant attendance, with a competent salary. The increased business and my constant engagements make these arrangements absolutely necessary.

At the recent extra session I was authorized to raise three hundred thousand dollars. The Banks very patriotically made the proper arrangement. But I urge upon you the adoption of measures to place our resources upon the most permanent and fixed basis. For the proper support of every thing connected with the military wants of the State, at least fifteen hundred thousand dollars will be required for the year. An estimate of details is herewith submitted for the examination of your committees at as early a moment as possible.

I also desire that you will provide some satisfactory arrangement to indemnify the Bank of the State for its advances. Connected with this subject, and a proper system of taxation, I most respectfully call your attention to the points urged in my recent Message at the extra session.

If the State assumes the payment of her quota of the Confederate War Tax, it will be for your wisdom to devise the ways and means. The provisions of that Act seem to require that it shall be done by the first of December. If the State assumes the payment, it will thereby save ten per cent. on the amount of our quota.

Justice requires that a stay of execution or levy should be directed by law on all debts that may be due by our patriotic troops in all branches of service. I earnestly call your attention again to this subject. If there is any pure and disinterested service to the country, rendered from patriotic devotion alone, it comes from the ranks of our loyal and true soldiers. Perhaps, for the present, all civil process ought to be suspended, even before judgment is obtained.

We should take the earliest steps to secure the manufacture of small arms, cannon and powder in our own State. We have iron in Spartanburg and York, peculiarly suited, by its adhesive qualities, for cannon. There are but two places in the whole country equal to it, one in New Jersey and one on the Cumberland River, in Tennessee. Many of our best cannon were cast there in eighteen hundred and fourteen, and I have recent information that induces me to believe the owners are prepared to cast them again. In eighteen hundred and fourteen there was a large rifle factory in Greenville District. There are now in Pickens District two powder-mills, operating only on a small scale, for want of material, and perhaps, proper encouragement. I hope there may be some steps taken to encourage all

these works, by authorizing liberal contracts, and by placing at my disposal such means as you may think advisable. The State should also give encouragement to raising and manufacturing wool enough for our necessary wants. The slopes and spurs of our mountain region are eminently suited for all these purposes, and the attention of our people cannot be turned too soon to the development of all our internal and domestic resources. There are very few sections of country better suited to manufactures of all kinds than the rolling and upper part of this State.

Individuals are taught by reading and reflection, but a whole people are only taught by great events. Under a free Government, necessity or interest alone can force a country to develop its resources. Driven to assert our separate independence by wrongs and insults that no people could bear without degradation, we will find, in the progress of events, new channels of prosperity opened, and new sources of enterprise and industry discovered, which will make our country what Providence intended it to be—with its balmy climate—not only independent, but equal, in every particular, to the freest and bravest amongst the free and the brave of this earth.

These confederated States embrace an area equal to Europe, with rivers more vast and mighty, and with a mountain range, if not so high, yet the noblest and broadest that stretch through any country. The mineral resources of this range in coal, iron, copper, gold, and (if we embrace Missouri) lead, are such as of themselves alone make the basis of a powerful empire. Then, if we include the productions of cotton, rice, tobacco, sugar, wheat, and Indian corn, when fully developed, the imagination has never yet gone beyond the resources of these States, now rising, with giant proportions, to stand an equal amongst the nations of the world, after strangling the serpents that encircled the cradle of our infancy. For the arrogant and supercilious race of the North to wage a war for the permanent subjugation of such a country, and then their attempt to clothe ten millions of freemen in the livery of bondage, only shows that the gods first make mad those whom they intend to destroy. In the former ages of the world, the sabre, with brutal numbers, was the arbiter of empire; and the ferocity of Northern hordes overpowered and subjugated the more civilized and refined portions of the earth. But since the invention of artillery, with gun-powder, which gives a few the capacity to defend themselves against the many, no brave and united people have ever been conquered. If a foreign foe has ever conquered them, it has been by rivalships and divisions amongst themselves. It is only in this way that any free and brave people can ever be enslaved by invaders. Let every man, high and low, come to the altar of his country, and sacrifice upon it every unhallowed and selfish aspiration or thought, and, laying their hands upon that altar, swear allegiance to the country, and nothing but the country, and that it shall forever be free.

Let this be done, and the country is free, beyond the reach of any earthly power to thwart our destiny or balk our onward march to independence. The God of Battles will guide us. Let no man falter or doubt. The sword of the brave and the free will flash and gleam, as it has ever done, high in triumph over the perilous ridge of victory. We may have a dreary waste to serve our pilgrimage in, but the promised land is before us, and if we look with steadfast faith to a superintending Providence, our inheritance in it is as fixed and certain as the star of fate itself.

F. W. PICKENS.

Which was made the special order for to morrow, at 12, M.

Mr. HOPE presented the return of the Commissioners of Free Schools for Lexington District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. MOSES presented a resolution as to the necessity and propriety of providing for the support of the families of volunteers in military service; which was referred to the Committee on Finance and Banks; also,

The return of the Commissioners of Free Schools for Claremont or Sumter District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. McCRAW presented the return of the Commissioners of Free Schools for York District, for the year 1861; which was referred to the Committee on the College, Education and Religion; also,

The presentment of the Grand Jury of York District, for Fall Term, 1861, relative to the amendment of the law in relation to Dogs and Sheep; which was referred to the Committee on the Judiciary.

Mr. BEATY submitted so much of the presentment of the Grand Jury of Union District, for Fall Term, 1861, as relates to a stay law and the high prices demanded for provisions; which was referred to the Committee on the Judiciary.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, November 26, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that a quorum of this House is present, and that they are now ready to proceed to business.

By order of the House,

JAMES SIMONS, *Speaker.*

Mr. LESESNE presented the account of McCarter & Dawson for the eleventh volume of Richardson's Equity Reports; which was referred to the Committee on Claims and Grievances; also,

The petition of the Elmore Mutual Insurance Company, praying that some provision be made for the payment of the interest past due on the bonds of the Charleston and Savannah Railroad Company, the Spartanburg and Union Railroad Company, and the Laurens Railroad Company, guaranteed by the State; which was referred to the Committee on Finance and Banks; also,

The petition of the Trustees of the Marine School of Charleston, for a continuance of aid; which was referred to the Committee on Finance and Banks; also,

The petition of McCarter & Dawson for an extension of time on their contract for the republication of the South Carolina Law and Equity Reports; which was referred to the Committee on the Judiciary.

Leave of absence was granted by the Senate to the Senator from Laurens, on account of being on military duty.

Also, for the same reason, to the Clerk and Messenger of the Senate, upon their agreeing to supply their places with substitutes.

Mr. MOSES presented the report of the Committee on the Judiciary on A Bill to require the Commissioner in Equity for Sumter District to transfer to the Commissioner in Equity and Ordinary for Clarendon District all records in their offices pertaining to the latter District; which was ordered for consideration to-morrow.

Mr. E. G. PALMER presented the return of the Commissioners of Free Schools for Fairfield District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. WARE presented the report of the Committee on Accounts and Vacant Offices, announcing the following offices vacant:

Adjutant and Inspector General for the State;
 Register in Equity for Charleston District;
 Register of Mesne Conveyance for Charleston District;
 Commissioner in Equity for Anderson District;
 Commissioner in Equity for Beaufort District;
 Commissioner in Equity for Barnwell District;
 Commissioner in Equity for Chesterfield District;
 Commissioner in Equity for Chester District;
 Commissioner in Equity for Darlington District;
 Commissioner in Equity for Clarendon District;
 Commissioner in Equity for Lancaster District;
 Commissioner in Equity for Marion District;
 Commissioner in Equity for Orangeburg District;
 Commissioner in Equity for Spartanburg District.

On motion of Mr. MAZYCK, a message was sent to the House of Representatives, asking that body to unite with the Senate, at 1, P. M., on Wednesday, in a joint ballot for Master and Commissioners in Equity, and immediately thereafter, for Register of Mesne Conveyance, and immediately thereafter, for Register in Equity.

Pursuant to notice, and with leave of the Senate, Mr. BLAKENEY introduced

A Bill to extend relief to debtors, and to prevent the sacrifice of property at public sale; which received the first reading, was referred to the Committee on the Judiciary, and was ordered to be printed.

Mr. ARTHUR presented a petition of Jacob Levin and others, praying a charter for the Hebrew Benevolent Society of Columbia; which was referred to the Committee on Incorporations and Engrossed Acts.

The following messages were received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, November 26, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks the Senate to unite with this House, to-day, at 2 o'clock, P. M., in an election for Adjutant and Inspector General.

By order of the House,

JAMES SIMONS, *Speaker.*

IN THE HOUSE OF REPRESENTATIVES, November 26, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks the Senate to unite with that body, to-morrow, at 2 o'clock, P. M., in balloting for the following officers, viz: Commissioners in Equity for Lancaster District, for Spartanburg District, Marion District, Darlington District, for Chesterfield, Clarendon, Barnwell, Chester, Anderson, Orangeburg and Beaufort Districts; also, for Master in Equity for Charleston, for Register in Equity and Register of Mesne Conveyance for Charleston District.

By order of the House,

JAMES SIMONS, *Speaker.*

Which were ordered to *lie on the table.*

Mr. CHARLES IRBY gave notice that he will to-morrow ask leave to introduce

A Bill to provide relief for the families of soldiers in service.

Mr. SHARPE presented the petition of Magistrate for Pickens District; which was referred to the Committee on Accounts and Vacant Offices; also,

The petition of J. Overton Lewis and others, relative to a Stay Law; which was referred to the Committee on the Judiciary.

Mr. LESESNE offered the following resolution :

Resolved, That a committee of Three be appointed to make arrangements for having the daily Sessions of the Senate opened with prayer by a Minister of Religion.

Which was ordered for immediate consideration, and was agreed to, and the following gentlemen were appointed the Committee : Messrs. Lesesne, Cannon, and Sharpe.

Leave was granted by the Senate to Mr. SHARPE to withdraw from the files of the Treasury Office of the Upper Division the following contingent accounts, viz :

Account of Wm. Evatt, Constable.....	\$2 14
“ “ Elijah Deaton, Constable.....	15 00
“ “ L. Rogers, Magistrate.....	9 89
“ “ W. R. Durham, Constable.....	6 14
“ “ W. M. Turner, Constable.....	14 00
“ “ A. B. Bowden, Magistrate.....	18 93

The following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 26, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives concurs in the proposition of your body to go into an election to-morrow, at 1 o'clock P. M., for the following officers, viz : Master in Equity for Charleston District, Commissioners in Equity for Beaufort, Barnwell, Chesterfield, Chester, Darlington, Clarendon, Lancaster, Marion, Orangeburg and Spartanburg Districts, and immediately thereafter for Register of Mesne Conveyance for Charleston District, and immediately after the last named for Register in Equity for Charleston District.

By order of the House,

JAMES SIMONS, *Speaker*.

Mr. CANNON presented the report of the Commissioners of Free Schools for Spartanburg District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

On motion of Mr. MOSES, the Senate adjourned at twenty-five minutes to 2 o'clock, P. M.

WEDNESDAY, NOVEMBER 27, 1861.

The Senate met at 12, M., pursuant to adjournment.

In accordance with the resolution of the Senate, the session was opened with prayer by Rev. Mr. Boyd.

The Clerk read the Journal of the proceedings of yesterday.

The PRESIDENT announced that Mr. Arthur is added to the following Committees :

The Committee on the Judiciary ;

The Committee on Military and Pensions ; and

The Committee on the New State House.

Mr. GARLINGTON offered the following resolutions, referring to Message No. 1, of his Excellency the Governor ; which were ordered for immediate consideration, and were agreed to :

Resolved, 1. That so much of the Message No. 1, of his Excellency the Governor, as relates to the reorganization of the Militia ; to sea-coast defences ; to the Nautical School ; to the manufacture of small arms, cannon and powder ; to the appointment of Provost Marshals, and to the patrol system and the organization of a local police, be referred to the Committee on Military and Pensions.

2. That so much as relates to the finances of the State ; the indemnification of the Bank of the State for its advances, and the Confederate War Tax, be referred to the Committee on Finance and Banks.

3. That so much as relates to the stay of executions and the suspension of civil process ; to the continuance in office of the member of the Executive Council to whom were assigned the duties of the Secretary of the Treasury, and the appointment of a special Secretary to the Governor, be referred to the Committee on the Judiciary.

4. That so much as relates to the encouragement of wool growing in this State, be referred to the Committee on Agriculture and Internal Improvements.

Mr. GARLINGTON gave notice that he will to-morrow ask leave to introduce

A Bill to prevent forestalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use.

Mr. MOSES presented the petition of Benjamin F. Landrum, in relation to a conditional grant of land in the District of Edgefield ; which was referred to the Committee on the Judiciary.

Mr. WARE presented the return of the Board of Commissioners of Free Schools for Greenville District, for 1861; which was referred to the Committee on the College, Education and Religion.

Mr. HOPE offered the following resolution:

Resolved, That extortion in trade in the actual necessaries of life is a proper subject upon which to legislate, and that the Committee on the Judiciary be instructed to inquire into the necessity and expediency of taking some action to arrest the unreasonable speculations now prevailing, and that they report by Bill or otherwise.

Which was ordered for immediate consideration, and was agreed to, and was referred to the Committee on the Judiciary.

Mr. BARNES presented the return of the Commissioners of Free Schools for Lancaster District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. BARNES also submitted the presentment of the Grand Jury of Lancaster District, Fall Term, 1861; which was referred to the Committee on the Judiciary.

Mr. McKEWN presented the petition of the Commissioners of the Poor of Georgetown District for the usual appropriation for the transient poor for 1861; also, account current of the Treasurer of the Commissioners of Poor for transient poor of Georgetown District, for 1861; which was referred to the Committee on Finance and Banks.

Mr. LESESNE presented the memorial and petition of the Medical College of the State of South Carolina, praying leave to use, for other purposes pertaining to the Institution, a part of the fund appropriated by the State for enlarging the Museum; which was referred to the Committee on Finance and Banks.

Mr. MAZYCK presented the return of the Commissioners of Free Schools for the Parish of St. James', Santee, for 1861; which was referred to the Committee on the College, Education and Religion.

Mr. MAZYCK offered the following resolution:

Resolved, That the Board of Visitors of the State Military Schools be, and they are hereby, requested and instructed to put at the disposal of General G. T. Beauregard, two Cadetships in the same, as to which the regulation that "no pupil shall be received who is a non-resident of the State" shall be dispensed with.

Which was referred to the Committee on the Military and Pensions.

Mr. ARTHUR presented the petition of A. W. Leland, to be refunded a tax illegally collected; which was referred to the Committee on Finance and Banks.

Mr. ARTHUR also gave notice that he will to-morrow ask leave to introduce

A Bill to amend the Militia Laws of the State, so as to exempt Ministers of the Gospel from extraordinary militia duty, except in certain cases.

Mr. HEYWARD offered the following resolution, which was referred to the Committee on Finance and Banks :

Resolved, That it be referred to the Committee on Finance and Banks to inquire and report as to the expediency of defraying, out of the Treasury, the expenses of citizens living on the sea-coast, not able to bear them themselves, in transporting their families and goods into the interior, in consequence of the invasion by the enemy.

Mr. GARLINGTON called for the following resolution, which he had presented at the called Session :

Resolved, That the 14th Rule of the Senate be so altered as to entitle the Committee therein called the "Committee on Foreign Affairs," the "Committee on Confederate Relations."

Which was adopted.

Mr. BLAKENEY presented the petition of the Cheraw Bridge Company for a renewal of charter; which was referred to the Committee on Incorporations and Engrossed Acts.

Leave of absence was granted by the Senate to the Senator from Lancaster, from and after to-day, until Thursday next.

At 1, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, to ballot for Master in Equity for Charleston District, and Commissioners in Equity for Lancaster, Marion, Beaufort, Spartanburg, Darlington, Chesterfield, Clarendon, Barnwell, Chester, Anderson and Orangeburg Districts.

Messrs. Barker and Barnes were appointed the Committee on the part of Senate to count the ballots.

Pursuant to notice, and with leave of the Senate, Mr. ALLEN introduced

A Bill to aid in the construction of the Barnwell Railroad; which received the first reading, and was referred to the Committee on Finance and Banks, and was ordered to be printed.

Pursuant to notice, and with leave of the Senate, Mr. IRBY introduced

A Bill to provide for the families of soldiers in service; which was read the first time, and was referred to the Committee on Finance and Banks, and was ordered to be printed.

Mr. IRBY submitted the presentment of the Grand Jury of Marlborough District, Fall Term, 1861; which was referred to the Committee on the Judiciary.

Mr. SESSIONS presented the Free School return for Kingston Parish, for the years 1860 and 1861; which was referred to the Committee on the College, Education and Religion.

Mr. LESENE presented the memorial of the Sullivan's Island Steamboat Company, and others, citizens of the city of Charleston and Sullivan's Island, praying that their Ferry rights be not interfered with, especially by the Mount Pleasant Ferry Company; which was referred to the Committee on Roads and Buildings.

Mr. ALLEN presented the report of the Commissioners of Free Schools for Barnwell District, for the years 1860 and 1861; which was referred to the Committee on the College, Education and Religion.

The House of Representatives returned to the Senate the following papers:

An Act to require the Circuit Judges to send, with their reports to the Appeal Court, the notes of evidence taken on the trial;

An Act to alter and amend the second section of an Act, entitled "An Act to alter and amend the law in relation to Fish Sluices on the Catawba and Wateree rivers, and for other purposes;"

An Act to incorporate the York Gas Light Company; which were referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives sent to the Senate

A resolution to excuse J. B. Perry, Engrossing Solicitor, from attendance during the session, which was ordered for immediate consideration, was concurred in, and was returned to the House of Representatives.

Pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in balloting for Register of Mesne Conveyance for Charleston District.

Messrs. Beaty and Blakeney were appointed the Committee on the part of the Senate to count the ballots.

Mr. BLAKENEY presented the return of the Commissioners of Free Schools for Chesterfield District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. BARKER, from the Committee appointed to count the ballots for Master in Equity for Charleston District, and certain Commissioners in Equity, submitted the following report:

The Committee to count the votes for Master in Equity in Charleston District, and certain Commissioners in Equity, report the following persons as duly elected to their respective offices:

James W. Gray, Master in Equity, Charleston District ;
 James H. Witherspoon, Commissioner in Equity, Lancaster District ;
 C. D. Evans, Commissioner in Equity, Marion District ;
 R. J. Davant, Commissioner in Equity, Beaufort District ;
 T. Stobo Farrow, Commissioner in Equity, Spartanburg District ;
 B. W. Edwards, Commissioner in Equity, Darlington District ;
 J. C. Craig, Commissioner in Equity, Chesterfield District ;
 Theo. S. Coogler, Commissioner in Equity, Clarendon District ;
 James Patterson, Commissioner in Equity, Barnwell District ;
 Giles J. Patterson, Commissioner in Equity, Chester District ;
 A. O. Norris, Commissioner in Equity, Anderson District ;
 V. D. V. Jamison, Commissioner in Equity, Orangeburg District.

Whereupon the Chair declared the gentlemen named duly elected accordingly.

Pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in balloting for Register in Equity for Charleston District.

Messrs. Boyle and Cannon were appointed the Committee on the part of the Senate to count the ballots.

Mr. BLAKENEY, from the Committee appointed to count the ballots for Register of Mesne Conveyance for Charleston District, asked leave to report that Henry Trescott had received seventy-four votes, and there being no opposition, he was therefore declared by the Chair duly elected accordingly.

On motion of Mr. GARLINGTON, the General Orders of to-day were made the General Orders of the Calendar of to-morrow.

On motion of Mr. McKEWN, a message was sent to the House of Representatives, asking that body to unite with the Senate at 1, P. M., on Thursday, in a ballot for Adjutant and Inspector General of the State.

Mr. LESESNE presented the account of Dr. T. R. Aldrich, for *post mortem* examination ; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

On motion of Mr. GARLINGTON, the Senate adjourned at a quarter past 2, P. M.

THURSDAY, NOVEMBER 28, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Shand.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATOR :

Mr. S. J. MONTGOMERY, Senator from Williamsburg District, appeared in his place in the Senate Chamber.

Hon. John. L. Manning, Senator elect from Clarendon, then appeared at the Clerk's desk, and presented his certificates of election. The oaths were administered, and the Senator took his seat.

Mr. CANNON, from the Committee appointed to count the ballots for Register in Equity, asked leave to report, that Thomas J. Gantt had received all the votes cast.

He was therefore declared by the PRESIDENT to be duly elected accordingly.

Mr. MARSHALL presented the report of the Committee on Military and Pensions, on a resolution authorizing the Board of Visitors of the State Military Academies to place two Cadetships at the disposal of Gen. Beauregard; which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The PRESIDENT announced to the Senate that Mr. W. D. Martin had been appointed a substitute in the place of the Clerk.

Which appointment was confirmed by the Senate, and a message was sent to the House of Representatives, announcing the fact accordingly.

The following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 27, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully informs your body that it concurs in the message of the Senate proposing to go into an election of Adjutant and Inspector General to-morrow, at 1 o'clock, P. M.

By order of the House,

JAMES SIMONS, *Speaker.*

Mr. ALLEN presented the petition of Wm. Peronneau Finley, Chairman of the Board of Trustees of the Aiken Public School, praying an Act of incorporation; which was referred to the Committee on Incorporations, and was ordered to be printed.

Mr. MARSHALL presented the petition of Thos. W. Gantt and wife, praying to be refunded a double tax; which was referred to the Committee on Finance and Banks.

Mr. MAZYCK presented the petition of the Mount Pleasant Ferry Company, praying an extension of their charter; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. MAZYCK also gave notice that he will to-morrow ask leave to introduce

A Bill to extend the Charter of the Mount Pleasant Ferry Company.

Mr. HEYWARD presented the Return of the Commissioners of Free Schools for St. Bartholomew's Parish; which was referred to the Committee on the College, Education and Religion.

Mr. FURMAN presented the account of Dr. R. J. Muirhead, for *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. ARTHUR presented the account of Dr. T. J. Goodwyn, for medical services rendered prisoners in jail; which was referred to the Committee on Claims and Grievances; also,

The claim of W. W. Purse, for work done in the Senate Chamber for 1861; which was referred to the Committee on Claims and Grievances.

Pursuant to notice, and with leave of the Senate, Mr. ARTHUR introduced

A Bill to amend the Militia Laws of this State, so as to exempt regular officiating Clergymen from extraordinary militia duty, except in certain cases; which received the first reading, and was referred to the Committee on Military and Pensions.

Mr. GARLINGTON gave notice that he will to-morrow ask leave to introduce

A Bill to prescribe the manner of calling for volunteers, and to provide for their organization, and to alter and amend an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the militia of this State into one Act, and to alter and amend the same," ratified the seventeenth day of December, in the year of our Lord one thousand eight hundred and forty-one.

Mr. HOPE offered the following resolution:

Resolved, That the Clerks of the Courts of the several Judicial Districts of this State be authorized and required to furnish a copy of the Acts and Resolutions of the General Assembly, annually, hereafter, to each member of the Boards of Commissioners of Roads, of Free Schools, and of the Poor, in the respective Districts.

Which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Mr. E. G. PALMER gave notice that he will to-morrow ask leave to introduce

A Bill to authorize Trustees to invest funds in Bonds of the Confederate States.

Mr. McALILEY submitted the Annual Report of the Commissioner of the New State House, for the year 1861; which was referred to the Committee on the New State House, and was ordered to be printed.

Mr. HARRISON presented the Return of the Board of Commissioners of Free Schools for Anderson District, for the year 1861; which was referred to the Committee on the College, Education and Religion; also,

The account of A. O. Norris & Co., for Public Printing; which was referred to the Committee on Claims and Grievances.

Mr. HARRISON also submitted the presentment of the Grand Jury for Anderson District, Spring Term, 1861:

So much of which as relates to the Poll Tax, was referred to the Committee on Privileges and Elections; and

So much as relates to the practice of treating by Candidates for public favor, was referred to the Committee on the Judiciary.

Also, the presentment of the Grand Jury for Anderson District, Fall Term, 1861.

So much of which as relates to the recommendation of a Poll Tax, was referred to the Committee on Finance and Banks; and

So much of which as relates to the passage of a Stay Law, during the existence of our present difficulties, was referred to the Committee on the Judiciary.

Mr. LESESNE presented the petition of sundry Magistrates and Constables of Charleston, praying interest on an amount due them by the State; which was referred to the Committee on the Judiciary; also,

The account of A. J. Burke, for printing Writs of Election for the Senate; which was referred to the Committee on Claims and Grievances.

Mr. LESESNE presented the petition of John B. Fraser, G. W. Spence, and W. A. Skrine, praying an Act of Incorporation as a Masonic Association; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. WATSON presented the petition of James M. Richardson, praying that the name of James Madison Redman be changed to James Madison Richardson, and the right of legitimacy conferred on him; which was referred to the Committee on the Judiciary; also,

The petition of D. Williams, to be refunded \$10 30, the amount due on jury ticket; which was referred to the Committee on Finance and Banks; also,

The petition of sundry persons, for the opening of a new road in Edgefield District; which was referred to the Committee on Roads and Buildings.

Mr. IRBY presented the return of the Commissioners of Free Schools for Marlboro' District, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. SHARPE presented the return of the Commissioners of Free Schools for Pickens District; which was referred to the Committee on the College, Education and Religion.

Mr. HART presented the account of the Southern Confederation, for public printing; which was referred to the Committee on Claims and Grievances; also,

The account of the Darlington Southerner, for public printing, which was referred to the Committee on Claims and Grievances; also,

The petition of citizens of Darlington District, against the establishment of a new road; which was referred to the Committee on Roads and Buildings; also,

The account of A. J. Rugg, for public printing; which was referred to the Committee on Claims and Grievances.

The Senate proceeded to the consideration of the

GENERAL ORDERS OF THE DAY.

The unfavorable report of the Committee on Finance and Banks, on

A Bill to repeal the Usury Laws within the city of Charleston, was agreed to.

The petition of the mechanics and others, citizens of Cheraw, praying for the passage of a law prohibiting free negroes and persons of color from carrying on mechanical pursuits, and for other purposes, was, on motion of Mr. MOSES, ordered to *lie on the table*.

The petition of citizens of Marion for—and of Williamsburg, against—fencing their lands in Lynch Creek Swamp, was referred to the Committee on the Judiciary.

The report of a Committee on the Judiciary, on a resolution of the House, in relation to the printing of the Journal and Ordinances of the Convention, was, on motion of Mr. MOSES, ordered to lie on the table.

A Bill to make the Surveyor General and his Deputies Magistrates *ex officio*, received the first reading, and was referred to the Committee on the Judiciary.

A Bill to authorize the formation of a Volunteer Company of Light Artillery, and to incorporate the same, by the name of the Waccamaw Light Artillery, received the first reading, and was ordered to be printed.

A Bill to alter the time of holding the election for Ordinary of Anderson District, received the first reading, and was referred to the Committee on the Judiciary.

A Bill to incorporate the Palmetto Lyceum of Charleston, received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

The report of the Committee on the Judiciary, on the report of the Commissioner of the Code, was, on motion of Mr. MOSES, ordered to *lie on the table*.

At 1, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in a ballot for Adjutant and Inspector General of the State.

Messrs. DeLoach and Fickling were appointed the Committee on the part of the Senate to count the ballots.

A Bill to provide for the appointment and duties of officers connected with the customs, and for other purposes, was, on motion of Mr. MOSES, ordered to *lie on the table*.

The report of the Committee of Privileges and Elections, on a resolution as to the right of voting in more than one election district at the same general election, was, on motion of Mr. MOSES, passed over.

The report of the Committee on the Judiciary, on a Bill to require the Commissioners in Equity for Sumter District to transfer to the Commissioners in Equity and Ordinary for Clarendon District, all records in their offices pertaining to the latter District, was, on motion of Mr. MOSES, ordered to *lie on the table*.

The General Orders, with the exception of the papers passed over, were disposed of.

On motion of Mr. LESESNE, a message was sent to the House of Representatives, proposing to that body to unite with the Senate at 1, P. M., in a joint ballot to fill the vacancy on the Bench of the Appeal Court, caused by the death of Hon. F. H. Wardlaw.

Mr. MAZYCK moved that the message do lie on the table; which question was ordered to be decided by a division of the Senate, and the motion being lost, the message was sent to the House of Representatives.

On motion of Mr. MOSES, the report of the Committee on Privileges and Elections, on resolutions as to the right of voting in more than one election district at the same general election, was called for.

Mr. MAZYCK moved an adjournment of the Senate, which motion was lost.

On motion of Mr. MOSES, the report of the Committee on Privileges and Elections, on a resolution as to the right of voting in more than one election district at the same general election, was ordered to lie on the table.

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

A Bill to Equalize the System of Taxation, by establishing a uniform "ad valorem" duty on all property recognized as such by the laws of this State.

Mr. DELOACH, from the Committee appointed to count the ballots for Adjutant and Inspector General, asked leave to report, that S. R. Gist had received a majority of all the votes cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

On motion of Mr. MAZYCK, the Senate adjourned at five minutes to 2, P. M.

FRIDAY, NOVEMBER 29, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Mullally.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATOR :

Hon. CHAS. ALSTON, Jr., Senator from All Saints', appeared in his place in the Senate Chamber.

The following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, November 28, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs the Senate that it concurs in the proposition to fill the vacancy in the Appeal Court, occasioned by the death of Hon. F. H. Wardlaw, by an election to-morrow, at 1 o'clock, P. M.

By order of the House,

JAMES SIMONS, *Speaker.*

The House of Representatives sent to the Senate the following resolutions, which were ordered for immediate consideration, were concurred in, and were ordered to be returned to the House of Representatives :

Resolved, That the General Assembly of South Carolina, in grateful recognition of the distinguished services of General G. T. Beauregard in the cause of Southern independence, hereby tender to him the privilege of sending two pupils, to be educated at the Military Schools of this State. And the Board of Visitors are hereby authorized and requested to receive the pupils appointed under this resolution, without reference to the rule that excludes non-residents of the State.

Resolved, That His Excellency the Governor be requested to communicate the foregoing resolution to General Beauregard.

The House of Representatives sent to the Senate the following resolution :

Resolved, That it is the sense of this General Assembly that the pay of the private soldiers in the service of the Confederate States should be increased to at least fifteen dollars per month.

Resolved, That a copy of this resolution be enclosed to the Representatives of South Carolina in the Provisional Congress of the Confederate States.

Which was referred to the Committee on Finance and Banks.

Mr. McALILEY presented the petition of J. L. Harris, executor, and others, praying payment of Coupons on Bonds on Spartanburg and Union Railroad Company guaranteed by the State ; which was referred to the Committee on Finance and Banks ; also,

The report of the Committee on Finance and Banks on

A Bill to aid in the construction of the Barnwell Railroad ; which was ordered for consideration to-morrow ;

On the petition of the Trustees of the Marine School of Charleston, for a continuance of aid ;

On the petition of the Commissioners of the Poor of Georgetown District, for the usual appropriation for transient poor ;

On the memorial and petition of the Medical College of the State of South Carolina, praying leave to use, for other purposes pertaining to the Institution, a part of the fund appropriated by the State for enlarging the Museum ; which were ordered for consideration to-morrow.

Mr. McALILEY also presented the following resolutions, in relation to destroying crops of cotton and rice :

Resolved, That it is the opinion of this Legislature that those planters of the South who have destroyed their crops of cotton or rice, in preference to allowing them to fall into the hands of the invaders of our State, deserve the thanks and commendation of the community.

Resolved, further, That it is the opinion of this Legislature, that any of our planters of the South who permit their crops of cotton or rice to fall into the hands of the enemy, in preference to destroying the same, when in their power to do so, richly deserve the reprehension of their fellow-citizens, and should not be compensated by the Government for any losses so sustained.

Which were ordered for consideration to-morrow.

Mr. MOSES presented the petition of F. D. Richardson, for a return of taxes improperly exacted; which was referred to the Committee on Finance and Banks.

The Committee on the Judiciary was discharged from the further consideration of the presentment of the Grand Jury of York District, for the Fall Term of 1861; and it was referred to the Committee on Agriculture and Internal Improvements.

Mr. LESESNE presented the petition of sundry Magistrates and Constables of Charleston District, praying interest on an amount due them by the State; which was referred to the Committee on Finance and Banks.

Mr. MOSES presented the report of the Committee on the Judiciary on A Bill to alter the time of holding the election for Ordinary of Anderson District; which was ordered for consideration to-morrow.

The report of the same Committee, on

A Bill to make the Surveyor General and his Deputies Magistrates *ex officio*.

The Bill was ordered to lie on the table, and the report was ordered for consideration to-morrow.

Mr. MAZYCK gave notice that he will to-morrow ask leave to introduce

A Bill to repeal the third section of an Act entitled "An Act for Regulating and Fixing the Salaries of Several Officers, and for other purposes therein mentioned," passed the 27th day of March, 1787; also,

A Bill to continue certain Military Commissions.

Pursuant to notice, and with leave of the Senate, Mr. MAZYCK introduced

A Bill to extend the charter of the Mount Pleasant Ferry Company; which received the first reading, and was referred to the Committee on Roads and Buildings.

Mr. WARE submitted the presentment of the Grand Jury of Greenville District, Fall Term, 1861; which was referred to the Committee on the Judiciary.

Mr. MANNING presented the return of the Commissioners of Free Schools for Clarendon District, for 1861; which was referred to the Committee on the College, Education and Religion; also,

The presentment of the Grand Jury of Clarendon District; which was referred to the Committee on the Judiciary.

Mr. HEYWARD presented the petition of sundry citizens of St. Bartholomew's Parish, praying the passage of a Stay Law; which was referred to the Committee on the Judiciary.

Mr. FURMAN presented the memorial of Orange Lodge, No. 14, Ancient Free Masons, praying for an Act of Incorporation; which was referred to the Committee on Incorporations and Engrossed Acts.

Mr. ARTHUR gave notice that he will to-morrow ask leave to introduce

A Bill to extend an Act entitled an Act to postpone the operation of the third section of an Act entitled "An Act for the suspension of certain sections of certain Acts, and for other purposes," ratified on the first day of December, in the year eighteen hundred and fifty-seven.

Mr. ARTHUR also presented the report of the Regents of the Lunatic Asylum, which was referred to the Committee on the Lunatic Asylum and Medical Accounts, and three hundred copies were ordered to be printed; also,

The report of the Judiciary Committee on so much of Message No. 1 of his Excellency the Governor as relates to the employment of a special private Secretary; which was ordered for consideration to-morrow.

Pursuant to notice, and with leave of the Senate, Mr. E. G. PALMER introduced

A Bill to authorize Trustees to invest funds in Bonds of the Confederate States; which received the first reading, and was referred to the Committee on the Judiciary.

Mr. MOSES presented 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 Banks.

Mr. GARLINGTON presented the Free School Returns of Laurens District, for 1861; which was referred to the Committee on the College, Education and Religion; also,

The Return of the Commissioners of Free Schools for Newberry District, for 1861; which was referred to the Committee on the College, Education and Religion.

Mr. HOPE presented the following resolution:

Resolved, That a Committee of one from each Congressional District be appointed to nominate suitable persons for Directors of the Bank of the

State of South Carolina, and that a message be sent to the House of Representatives, asking that body to appoint a similar Committee, to act jointly with the Committee of the Senate in making such nomination.

Which was considered immediately, and was agreed to.

Messrs. Hope, Hart, Furman, Appleby, Beaty and McCaw, were appointed the Committee on the part of the Senate, and a message was sent to the House of Representatives, asking the appointment of a similar Committee.

The PRESIDENT laid before the Senate a communication from Mr. Richardson, accompanied by the 11th volume of the South Carolina Equity Reports; which was referred to the Committee on the Judiciary.

Leave of absence, from and after to-day, was granted by the Senate to the Senator from Marion, on account of illness in his family.

At 1 o'clock, P. M., in accordance with orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that body in a ballot for Associate Judge of the Appeal Court.

Messrs. Furman and Garlington were appointed the Committee on the part of the Senate to count the ballots.

Pursuant to notice, and with leave of the Senate, Mr. GARLINGTON introduced

A Bill to prevent forestalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use; which was referred to the Committee on the Judiciary.

The PRESIDENT announced that Mr. Manning is added to the following Committees:

The Committee on the Military and Pensions;

The Committee on Commerce, Manufactures, and the Mechanic Arts;

The Committee on the College, Education and Religion.

Mr. McKEWN presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on the petition of Dr. R. J. Muirhead, praying compensation for *post mortem* examination; which was ordered for consideration to-morrow.

The Senate proceeded to the

GENERAL ORDER OF THE DAY.

A Bill to authorize the formation of a Volunteer Company of Light Artillery, and to incorporate the same, by the name of the Waccamaw Light Artillery, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The General Order was disposed of.

Mr. E. G. PALMER offered the following resolutions; which were ordered for immediate consideration, were agreed to, and were ordered to be sent to the House of Representatives for concurrence :

Resolved, That this General Assembly has full confidence in the ability, integrity and patriotism of Jefferson Davis, President of the Confederate States of America, and in the wisdom and statesmanship of his administration.

Resolved, That it is the sense of this General Assembly that the administration of President Davis be entitled to the earnest and vigorous support of the good people of this Commonwealth.

On motion of Mr. MOSES, the Senate adjourned at a quarter to 2, P. M.

SATURDAY, NOVEMBER 30, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Breaker.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATOR :

Hon. E. C. WHALEY, Senator from St. John's, Colleton, appeared in his place in the Senate Chamber.

The PRESIDENT announced that Mr. Whaley is added to the following Committees :

The Committee on Agriculture and Internal Improvements ;

The Committee on the Lunatic Asylum and Medical Accounts ;

The Committee on Accounts and Vacant Offices.

Mr. MARSHALL presented the unfavorable report of the Committee on the Military and Pensions,

On the House resolution in relation to the increase of pay of soldiers ; also,

The favorable report of the same Committee,

On the petition of Martha McGraw, praying arrearage of pension ; which were ordered for consideration on Monday next.

Mr. CANNON presented the petition of sundry citizens of Spartanburg District, praying Legislative relief from the heartless extortion of speculators in the necessaries of life; which was referred to the Committee on the Judiciary.

The Committee on Roads and Buildings was discharged from the further consideration of the following papers:

A Bill to extend the charter of the Mount Pleasant Ferry Company; The memorial of the Sullivan's Island Steamboat Company, and of the citizens of the City of Charleston and Sullivan's Island, praying that their ferry rights be not interfered with, especially by the Mount Pleasant Ferry Company; and they were referred to the Committee on Incorporations and Engrossed Acts.

Mr. FURMAN, from the Committee appointed to count the ballots for Associate Judge of the Appeal Court, asked leave to report, that B. F. Dunkin had received a majority of all the votes cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On the petition of Thomas W. Gantt and wife, praying to be refunded a double tax;

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris, executor, and others, praying the payment of coupons of certain Bonds guaranteed by the State;

On the petition of A. W. Leland, to be refunded a Tax illegally collected; which were ordered for consideration on Monday next.

Mr. ARTHUR presented the petition of the Commissioners of Public Buildings for Richland District, praying aid in the building of a new Court House; which was referred to the Committee on Roads and Buildings; also,

The accounts of E. R. Stokes, for binding done for the Legislature; which were referred to the Committee on Claims and Grievances; also,

The petitions of J. H. Thornwell and John B. Adger, praying to be refunded a tax illegally exacted of them; which were referred to the Committee on Finance and Banks.

Leave was granted to the Senator from Abbeville to withdraw from the files of the Senate the petition of Thomas W. Gantt and wife, praying to be refunded a double tax; and the report of the Committee on Finance and Banks on the same petition was ordered to *lie on the table*.

Mr. MOSES offered a resolution of inquiry as to legislation to afford aid by the Banks, by discounts on endorsed paper secured by lien on produce which was ordered for immediate consideration, and was agreed to.

Pursuant to notice, and with leave of the Senate, Mr. ARTHUR introduced

A Bill to extend an Act entitled "An Act to postpone the operation of the third section of an Act entitled 'An Act for the suspension of certain sections of certain Acts, and for other purposes,' ratified on the 21st day of December, in the year 1857, and for other purposes;" which was referred to the Committee on Finance and Banks.

Mr. MAZYCK gave notice that on Monday next he will ask leave to introduce

A Bill to authorize the South Carolina Railroad Company to issue receivable Notes.

Pursuant to notice, and with leave of the Senate, Mr. MAZYCK also introduced

A Bill to continue certain military commissions; which received the first reading, and was referred to the Committee on the Military and Pensions; also,

A Bill to repeal the third section of an Act entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned;" which received the first reading, and was referred to the Committee on the Judiciary.

Mr. WARE presented the petition of Dr. A. B. Crook, of Greenville, upon the subject of sheep and dogs; which was referred to the Committee on Agriculture and Internal Improvements.

Mr. ALSTON presented the return of the Commissioners of Free Schools for All Saints' Parish, for 1861; which was referred to the Committee on the College, Education and Religion.

Mr. KEITT presented the counter petition of sundry citizens of Orangeburg District, against the opening of a new road; which was referred to the Committee on Roads and Buildings.

Mr. MONTGOMERY presented the return of the Commissioners of Free Schools for Williamsburg District, for 1861; which was referred to the Committee on the College, Education and Religion.

The House of Representatives sent to the Senate the following resolutions:

Resolved, unanimously, That this General Assembly has full confidence in the ability, integrity, and patriotism of Jefferson Davis, President of the Confederate States of America, and in the wisdom and statesmanship of his administration.

Resolved, unanimously, That it is the sense of this General Assembly that the Administration of President Davis is entitled to the earnest and vigorous support of the good people of the Commonwealth.

Which were taken up for immediate consideration, and were ordered to lie on the table; also,

The report of the Committee of Ways and Means,

On the petition of a Committee of the Trustees of the Marine School of Charleston, asking a continuance of the appropriation for the support of that Institution; also,

The report of the same Committee,

On so much of his Excellency the Governor's Message No. 1, to the Legislature, at the extra session, as refers to Banks and loans on Cotton; which were referred to the Committee on Finance and Banks.

Mr. LESENE gave notice that on Monday next, or on some subsequent day, he will ask leave to introduce

A Bill to amend the charter of the Union Light Infantry Charitable Society and Company.

Mr. MOSES presented the report of the Joint Committee to examine the Bank of the State of South Carolina; which was ordered for immediate consideration, and was agreed to.

Mr. APPLEBY presented the report of the Committee on the Lunatic Asylum and Medical Accounts, to whom was referred the accounts of Dr. T. R. Aldrich, for a *post mortem* examination; which was ordered for consideration on Monday next.

The Senate proceeded to the

GENERAL ORDER OF THE DAY.

The report of the Committee on Finance and Banks.

A Bill to aid in the construction of the Barnwell Railroad, was passed over.

The report of the same Committee,

On the petition of the Trustees of the Marine School of Charleston, for a continuance of aid, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the same Committee,

On the petition of the Commissioners of the Poor of Georgetown District for the usual appropriation for the transient poor, was agreed to.

The report of the same Committee,

On the memorial and petition of the Medical College of the State of South Carolina, praying leave to use, for other purposes pertaining to the Institution, a part of the fund appropriated by the State for enlarging the Museum, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The resolution in relation to destroying crops of cotton and rice, was passed over.

The report of the Committee on the Judiciary,

On a Bill to alter the time of holding the election of Ordinary for Anderson District, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the same Committee,

On a Bill to make the Surveyor General and his deputies Magistrates *ex officio*, was ordered to *lie on the table*.

The report of the same Committee,

On so much of the Message of his Excellency the Governor, as relates to the employment of a special Private Secretary, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the petition of Dr. R. J. Muirhead, praying compensation for *post mortem* examinations, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The General Orders were disposed of.

Mr. MAZYCK moved that a message be sent to the House of Representatives, proposing to that body to unite with the Senate at 1 o'clock, P. M., on Tuesday next, in a joint ballot for one Senator for the Confederate States Congress.

Mr. MARSHALL moved to amend the message, by striking out the word *one*, and inserting *two*; which motion was lost.

The question then recurring upon the original motion, it was decided affirmatively, and a message was sent to the House of Representatives accordingly.

Leave of absence was granted by the Senate to the Senator from Pickens, from Monday to Friday next, on account of engagement in military duties; also,

To the Senator from Newberry, from to-day until Tuesday next.

Mr. MARSHALL presented the report of the Senate Committee appointed to examine the Branch Bank of the State at Abbeville; which was agreed to.

Mr. WARE, from the Committee on Accounts and Vacant Offices, asked leave to report

That the office of Solicitor of the Eastern Circuit becomes vacant at this term of the Legislature.

On motion of Mr. CANNON, the Senate adjourned at twenty minutes past 1, P. M.

MONDAY, DECEMBER 2, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Hort.

The Clerk read the Journal of the proceedings of Saturday.

ADDITIONAL SENATORS :

Hon. OLIN M. DANTZLER, from St. Matthew's; Hon. W. D. SIMPSON, from Laurens, appeared in their seats in the Senate Chamber.

Mr. S. W. PALMER presented the return of the Commissioners of Free Schools for St. Stephen's Parish, for the year 1861.

Mr. BEATY presented the return of the Commissioners of Free Schools for Union District.

Mr. FURMAN presented the return of the Commissioners of Free Schools for Christ Church Parish, for 1861; which was referred to the Committee on the College, Education and Religion.

Mr. ARTHUR presented the account of Dr. J. H. Boatwright, for *post mortem* examination; which was referred to the Committee on the Lunatic Asylum and Medical Accounts; also,

The account of Dr. A. N. Talley, for medical services rendered prisoners in jail; which was referred to the same Committee; also,

The petition of the City Council of Columbia, to be refunded money paid for the State; which was referred to the Committee on the Military and Pensions.

Mr. LESESNE presented the report of the Blue Ridge Railroad Company; also,

The Abstract of Transient Poor supported or relieved by the City Council of Charleston for the year 1860-'61; also,

Of expenditures on account of the poor; which were referred to the Committee on Finance and Banks.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE also introduced

A Bill to amend the charter of the Union Light Infantry Charitable Society and Company; which was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate the resolution introduced by Mr. E. G. PALMER, relative to President Davis, in which it had concurred.

The House of Representatives also sent to the Senate the following messages :

IN THE HOUSE OF REPRESENTATIVES, NOV. 29, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs the Senate that it concurs in the message of the Senate, asking the House to appoint a Committee of one from each Congressional District in the State, to nominate suitable persons for Directors of the Bank of the State of South Carolina, to act with a similar Committee appointed by the Senate; and further informs your honorable body that the following persons have been appointed a Committee to act with the Committee appointed by the Senate: Messrs. Alrich, C. B. Sarvis, Simons Lucas, Jr., S. J. Craig, B. F. Bates, and John L. Miller.

By order of the House,

JAMES SIMONS, *Speaker.*

IN THE HOUSE OF REPRESENTATIVES, NOVEMBER 30, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs the Senate that the House concurs in the proposition of your body to go into an election for one Senator to represent the State in the Congress of the Confederate States, on Tuesday next, at 1 o'clock, P. M.

By order of the House,

JAMES SIMONS, *Speaker.*

Also, the following message, which was ordered for immediate consideration, and was concurred in :

IN THE HOUSE OF REPRESENTATIVES, NOVEMBER 30, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully proposes to your body to unite with them on Tuesday next, at 1½ o'clock, P. M., in balloting for a second Confederate States Senator.

By order of the House,

JAMES SIMONS, *Speaker.*

Also, the following resolutions, which were ordered for immediate consideration were concurred in, and were ordered to be returned to the House of Representatives.

1. *Resolved, unanimously,* That the thanks of this General Assembly are eminently due, and are hereby tendered, to Brigadier General N. G. Evans,

—a gallant son of South Carolina—for the brilliant and decisive victory won by the brave troops under his command at Leesburg.

2. *Resolved*, That the Governor be instructed to procure a gold medal, with suitable devices, and cause the same to be presented, in the name of the State of South Carolina, as a testimonial of the high appreciation, by his native State, of his gallant conduct and distinguished services upon that memorable occasion.

Also, the following preamble and resolutions, which were concurred in, and were ordered to be returned to the House of Representatives :

The battle of Manassas, which vindicated and sustained the character of our Southern people for valor, and of their leaders for military capacity, however glorious, in a national point of view, have been its results, has left some recollections upon which we of South Carolina cannot dwell without the most painful emotions.

Not the least mournful of these memories is that connected with the death of General BARNARD ELLIOTT BEE.

But the gloom of grief is even here relieved by the halo of glory which marked the close of his mortal career. The cypress wreath which Carolina weaves for her fallen son, is thickly interwoven with the laurel leaves of victory. He fell in the very hour of triumph, after having long held at bay five times as many of the enemy as he numbered in his own gallant command. His mortal wound brought with it, to his noble mind, no despondent thoughts, and having spent the day of life gallantly as a soldier, he met his night of death, if not with welcome—for he had every motive to live—at least with noble resignation, and exclaimed, almost with his last breath, that he died happily, inasmuch as he died in the arms of victory. It was a noble sentiment—the sentiment of a patriot and hero, who merged self in his country—of a soldier, to whom honor was dearer and more cherished than life.

General BEE was a native of South Carolina, and having received his military education at West Point, was commissioned in the army of the late United States. During the war with Mexico, where he first fleshed his maiden sword, he was twice breveted for his gallantry, and at its close, was presented by the Legislature of this State with a sword, as a token of the high appreciation entertained of his meritorious conduct.

When our people were driven, by unconstitutional interference with their chartered rights, and by the threatened overthrow and desolation of their institutions and homes, to take up arms in defence of all that was dear to them, he was not slow to show himself a true son of a true mother, and, having united his destinies with those of his native State, he received a commission in her army, and went forth valiantly to do battle in her behalf.

His first and his last blow was struck on the bloody plains of Manassas—that Marathon of the South—where brave hearts and strong hands were enabled to stay the onward progress of a hostile army, and where the successful resistance of Southern troops to a horde of Northern vandals and mercenaries, brought with it not only a glorious victory for the present, but a prestige of victory for all time to come.

When, in the very thickest of the fight, he exclaimed to his devoted troops, "There, men, stands General Jackson, like a stone wall," (whence the brigade of that heroic Virginian has since received the appellation of the "Stone Wall Brigade") he expressed, in reference to one portion of our army, what might well be said of the whole; for against the impetuosity of an enemy flushed with the false hope a speedy triumph to be derived from superior numbers and all the advantages of well trained and perfectly equipped troops, the soldiers of the South stood between the incursions of their oppressors and their native soil like a wall of adamant, which could only be penetrated by its entire demolition.

Here it was, in the defence of this important position, that our gallant countryman fell—fell for Carolina, which he loved so well—fell at the very moment when, though his life might have been the most useful to his country, his death was most glorious to himself.

Carolina, who has educated her sons in the intensest filial devotion to herself, and who has taught them in every struggle to know her, and her alone, to do and to die for her cause, and to give to her, in no stinted measure, their first and their last love—Carolina, thus loved, and thus loving, while ready to exclaim, with the patriot of old, that when she sent her sons to battle she knew that they were mortal, cannot and will never forget to give them, if they live, the meed of a brave mother's applause, and if they die, the tribute of a gentle mother's gratitude.

Resolved, unanimously, That the Legislature of South Carolina has learned with the deepest emotions of regret, the annunciation of the death of General BARNARD ELLIOTT BEE, who fell on the 21st day of July, 1861, at the battle of Manassas, but that their sorrow for his loss is tempered with their gratulation that he fell after the display of heroism and daring almost unexampled, as should a brave soldier and noble spirit in the service of his country on the field of battle and in the hour of victory.

Resolved, unanimously, That a copy of the foregoing preamble and resolution be transmitted, by the Clerks of the respective Houses, to the widow of the deceased, as evidence of the deep regard and admiration of the State of South Carolina for the lamented and distinguished dead.

Mr. APPLEBY presented the report of the Commissioners of Free Schools for St. George's, Dorchester, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. MARSHALL presented the report of the Board of Visitors of the South Carolina Military Academy; which was referred to the Committee on Military and Pensions, and was ordered to be printed.

Mr. FICKLING presented the following resolution:

Resolved, That the Hon. Alexander Mazyck, and the Hon. H. D. Lesesne, be added to the Committee on Privileges and Elections of the Senate.

Which was ordered for immediate consideration, and was agreed to.

Mr. MARSHALL gave notice that he will to-morrow ask leave to introduce

A Bill to protect the persons and property of volunteers who are now in, or may hereafter be in, the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support.

Mr. ALSTON presented the following resolution; which was ordered for immediate consideration, and was referred to the Committee on Military and Pensions:

Resolved, That the Governor be authorized and empowered to accept the services of the Pee Dee Legion—a volunteer corps raised within the limits of the 4th Military Division—for the defence of the State against invasion, and to organize and equip the same in accordance with the provisions of an Act ratified the 17th day of December, 1860, entitled “An Act to provide an Armed Military Force:” *Provided*, That the said Legion shall consist of at least two full Regiments of Infantry, four Troops of Cavalry, and two Batteries of Field Artillery, of four guns each; the Cavalry and Artillery each to constitute a Battalion, and to be commanded by a Major: *Provided*, also, that the officers, non-commissioned officers and privates comprising said Legion signify their readiness to muster into the service of the Confederate States for the defence of the State of South Carolina, under the provision of an Act of Congress passed at Richmond on the 21st day of August, 1861, entitled “An Act to provide for local defence and special service.”

Mr. FICKLING gave notice that he will to-morrow ask leave to introduce

A Bill to provide for the appropriation of money for the support of Free Schools in Districts and Parishes which have made no returns, under certain restrictions.

Mr. MAZYCK offered the following resolution, which was referred to the Committee on the College, Education and Religion :

Resolved, That the drafts of Commissioners of Free Schools, who may not have made returns to the Legislature during the present session, shall be paid by the Treasurer, notwithstanding such default: *Provided*, Such returns shall be rendered to the Comptroller General at any time before the first day of July next.

Pursuant to notice, and with leave of the Senate, Mr. MAZYCK introduced

A Bill to authorize the South Carolina Railroad Company to issue receivable notes ; which received the first reading, and was referred to the Committee on Finance and Banks.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The unfavorable report of the Committee on Military and Pensions, on the House resolution in relation to the increase of pay of soldiers, was agreed to.

The report of the same Committee, on the petition of Martha McGraw, praying arrearages of pension, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris, Executor, and others, praying payment of coupons of certain bonds guaranteed by the State ; also,

On the petition of A. W. Leland, to be refunded a tax illegally collected, were passed over.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. T. R. Aldrich, was agreed to ; and

The Senate granted leave to Mr. LESESNE to withdraw the account.

The report of the Committee on Finance and Banks, on

A Bill to aid in the construction of the Barnwell Railroad ; also,

The resolution in relation to destroying crops of cotton and rice, was passed over.

The General Orders, with the exception of the papers passed over, were disposed of.

Mr. LESESNE moved that the report of the Blue Ridge Railroad Company be printed, and referred to the Committee on Finance and Banks, which was agreed to.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the account of McCarter and Dawson, for 62 copies of the 11th volume of Richardson's Equity Reports.

On the account of W. W. Purse, for work done in the Senate Chamber in 1861.

On the account of A. O. Norris & Co., for public printing.

On the account of A. J. Burke, for printing Writs of Election for the Senate; which were ordered for consideration to-morrow.

On motion of Mr. SESSIONS, the Senate adjourned at 1, P. M.

TUESDAY, DECEMBER 3, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Martin.

The Clerk read the Journal of the proceedings of yesterday.

ADDITIONAL SENATORS :

Hon. W. IZARD BULL, Senator from St. Andrew's, and Hon. THOS. M. WAGNER, Senator from Christ Church, appeared in their places in the Senate Chamber.

The House of Representatives sent to the Senate

A Bill to alter the time of holding the election for Ordinary of Anderson District; which received the third reading, and it was

Resolved, That the Bill do pass, that the title thereof be changed, that it be called an Act.

Ordered, That it be returned to the House of Representatives.

The House of Representatives also sent to the Senate

A resolution relating to the payment of postage; which was ordered for immediate consideration, was agreed to, and ordered to be returned to the House of Representatives; also,

The report of the Committee on Claims,

On the account of McCarter & Dawson, for printing; also,

On the account of W. W. Purse, for work done in the Representatives Hall in 1861; also,

On the accounts of Dr. John G. Williams, for services rendered in the examination of a pauper lunatic; also,

On the account of Dr. John Lake, for services in the examination of a pauper lunatic; also,

On the account of Dr. Jno. G. Williams, for services rendered in the examination of Henry Goleman, a pauper lunatic; which were referred to the Committee on Claims and Grievances; also,

The report of the Committee of Roads, Bridges and Ferries,

On the petition of the citizens of York District, praying for a new road from Joseph McCosh's residence to Gaffney's Ferry, on Broad River; also,

On the petition of Elijah Timmerman, praying damages for a new road run through his land, and report of Commissioners thereon; also,

On the claim of J. R. Todd, for damages to land by running a new road; which were referred to the Committee on Roads and Buildings.

The report of the Committee of Ways and Means,

On the petition of the Elmore Mutual Insurance Company, in relation to the non-payment of interest on bonds issued by certain Railroad Companies, under the guarantee of the State; which was referred to the Committee on Finance and Banks.

The report of the Committee on Claims.

On the account of E. J. McDaniel, proprietor of the Chester Standard, for advertising;

On the account of the Commissioners appointed to assess the value of lands in Pickens District, of Andrew Wilson and John Swafford, taken for public use;

On the account of the Charleston Courier, for public printing;

On the account of A. J. Burke, for printing writs of election;

On the account of E. R. Stokes, for binding;

Which were referred to the Committee on Claims and Grievances.

Mr. MOSES presented a resolution that, for the remainder of the session, the Committees of both Houses on the Military should act as a Joint Committee in all matters touching the Military and State Defences; which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence; also,

The report of the Committee on the Judiciary,

On a Bill to authorize Trustees to invest funds in Bonds of the Confederate States; which was ordered for consideration to-morrow; also,

The report of the same Committee,

On various presentments and petitions in relation to stay of sales under legal process; which was ordered for consideration to-morrow, and the Bill and report were ordered to be printed.

Mr. HOPE presented the report of the Special Joint Committee to nominate a President and Directors of the Bank of the State of South Carolina; which was ordered to be printed, as follows:

The Special Joint Committee, to whom it was referred to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, ask leave to report, that they have made the following nominations:

For President:

CHARLES M. FURMAN.

For Directors:

1. CHARLES J. COLCOCK,
2. A. E. DOTTERER,
3. E. W. MARSHALL,
4. P. C. GAILLARD.

Pursuant to notice, and with leave of the Senate, Mr. GARLINGTON introduced

A Bill to prescribe the manner of calling for Volunteers, and to provide for their organization, and to alter and amend the Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State into one Act, and to alter and amend the same; which was referred to the Committee on Military and Pensions, and was ordered to be printed.

Mr. MARSHALL presented the report of the Committee on Military and Pensions, on so much of the Governor's Message as refers to the appointment of Provost Marshals; which was ordered for consideration to-morrow; also,

The report of the same Committee,

On a Bill to continue certain Military Commissions, was ordered for consideration to-morrow.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on

A Bill to authorize the South Carolina Railroad Company to issue receivable notes; which was ordered for consideration to-morrow, and to be printed.

Mr. CANNON presented the petition of Dr. R. E. Cleveland, for medical services rendered the State; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. MOSES presented the report of the Committee on the Judiciary, on the communication of J. S. G. Richardson, Esq., with the 11th volume of his Equity Reports; which was ordered for consideration to-morrow.

Mr. SIMPSON presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill to amend the charter of the Union Light Infantry Charitable Society and Company ; also,

The report of the same Committee,

On a Bill to incorporate the Palmetto Lyceum of Charleston ; which were ordered for consideration to-morrow.

Mr. McKEWN presented the report of the Vestry of St. James', Goose Creek, on the Ludlam School Fund ; which was referred to the Committee on the College, Education and Religion.

Mr. WATSON presented the return of Free Schools for Edgefield District, for 1861 ; which was referred to the Committee on the College, Education and Religion.

Mr. WHALEY presented the following resolution :

Resolved, That it be referred to the Committee on Finance and Banks, to inquire and report what measures are necessary in relation to the taxes of those citizens of the State who are exiles from their homes, and whose property is partially or entirely in the possession of our enemies.

Which was ordered for immediate consideration, and agreed to.

Mr. WARE presented the following resolution :

Resolved, That a Committee, consisting of one member from each Congressional District, be appointed by the President of the Senate, to nominate suitable persons for Trustees of the South Carolina College, and that a message be sent to the House of Representatives, asking that body to appoint a similar Committee, to co-operate with the Committee of the Senate.

Which was agreed to, and a message was sent to the House of Representatives accordingly.

Mr. WARE, from the Committee on Accounts and Vacant Offices, asked leave to report that the Board of Trustees of the South Carolina College is vacant ; also,

That the office of Register in Equity for Charleston District is vacant, on account of the death of the late Thomas J. Gantt.

On motion of Mr. LESESNE, the report of the Military Committee, in relation to the appointment of Provost Marshals, was ordered to be printed.

Mr. LESESNE presented the report of the Commissioners of Free Schools for the Parish of St. Philip's and St. Michael's ; which was referred to the Committee on the College, Education and Religion.

On motion of Mr. McKEWN, a message was sent to the House of Representatives, proposing to that body to unite with the Senate in a ballot for

Register in Equity for Charleston District, at 2 o'clock, P. M., to-morrow.

The House of Representatives sent to the Senate the following message; which was ordered to *lie on the table*.

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks the Senate to unite with that body to-morrow, at 1½ o'clock, P. M., in balloting for the office of Register in Equity for Charleston District.

By order of the House,

JAMES SIMONS, *Speaker*.

The House of Representatives sent to the Senate the following message; which was concurred on:

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks the Senate to unite with that body on Wednesday next, at 1½ o'clock, P. M., in balloting for the office of Comptroller General.

By order of the House,

JAMES SIMONS, *Speaker*.

On motion of Mr. MAZYCK, a message was sent to the House of Representatives, requesting that body to postpone the ballot for second Confederate States Senator until 2 o'clock.

Mr. ALSTON presented the following resolution:

Resolved, That the action of his Excellency the Governor, in the organization of the Pee Dee Legion, meets with the sanction and approval of this General Assembly.

Which was referred to the Committee on the Military and Pensions.

The PRESIDENT announced the following gentlemen as the Committee to nominate suitable persons for Trustees of the South Carolina College: Messrs. Ware, Montgomery, S. W. Palmer, Heyward, Watson, and McCaw.

At 1 o'clock, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that body in a ballot for one Confederate States Senator.

Messrs. Harrison and Hart were appointed the Committee on the part of the Senate to count the ballots.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled An Act to provide a patrol and military guard for the city of Charleston, and for other purposes; which received the first reading, and was referred to the Committee on the Military and Pensions.

Pursuant to notice, and with leave of the Senate, Mr. FICKLING introduced

A Bill to suspend the ninth section of an Act entitled "An Act to raise supplies for the year one thousand eight hundred and twenty-three;" which was referred to the Committee on Finance and Banks.

The following message of concurrence was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives concurs in the message of your body, fixing the time of balloting for a second Confederate States Senator at 2 o'clock, P. M., to-day, instead of 1½ o'clock, P. M., as formerly agreed upon.

By order of the House,

JAMES SIMONS, *Speaker.*

The Senate then proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris, Executor, and others, praying payment of coupons of certain bonds guaranteed by the State; also,

On the petition of A. W. Leland, to be refunded a tax illegally collected; also,

On a Bill to aid in the construction of the Barnwell Railroad; were passed over.

The General Orders were suspended.

Mr. HARRISON, from the Committee appointed to count the ballots for Confederate States Senator, asked leave to report that, 66 votes being necessary for a choice and no one of the candidates having received that number, there was, consequently, no election.

The House of Representatives sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks the Senate to rescind the message fixing 2 o'clock, P. M., to-day, for a ballot for a second Confederate

States Senator, and to unite with the House in a joint ballot for two Confederate States Senators at the hour aforesaid,

By order of the House,

JAMES SIMONS, *Speaker*.

Which was ordered to *lie on the table*.

At 2 o'clock, P. M., the Senate proceeded to the Hall of the House of Representatives, and again joined that body in a second ballot for Confederate States Senator.

Messrs. Heyward and Hope were appointed the Committee on the part of the Senate to count the ballots.

The General Orders were resumed.

The Senate granted leave to Mr. McAliley to withdraw the resolutions in relation to destroying crops of cotton and rice.

The General Orders were again suspended.

The House of Representatives sent to the Senate the following messages of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives concurs in the resolution of the Senate, making the Committees on the Military of the two Houses of this Legislature a joint Committee during the remainder of the Session.

By order of the House,

JAMES SIMONS, *Speaker*.

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives concurs in the message of the Senate, proposing to go into an election to-morrow, at 2 o'clock, P. M., for Register in Equity for Charleston District.

By order of the House,

JAMES SIMONS, *Speaker*.

Mr. MAZYCK moved that the Senate do now adjourn ; which motion was lost.

The General Orders were resumed,

The report of the Committee on Claims and Grievances,

On the account of McCarter & Dawson, for 62 copies of the 11th volume of Richardson's Equity Reports ; also,

On the account of W. W. Purse, for work done in the Senate Chamber in 1861 ; also,

On the account of A. O. Norris & Co., for public printing ; also,

On the account of A. J. Burke, for printing writs of election for the Senate, were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

Mr. GARLINGTON presented the following resolution; which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence :

Resolved, That the losses sustained by the planters of this State, who have sacrificed their property by committing it to the flames rather than it should fall into the hands of our invaders, entitle them to the warmest sympathy of the people of this State, and that their conduct has exhibited a noble spirit of patriotism, which reflects the highest honor upon them, and upon our beloved State.

Pursuant to notice, and with leave of the Senate, Mr. MARSHALL introduced

A Bill to protect the persons and property of volunteers who are now in, or may hereafter be in, the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support; which received the first reading, and was referred to the Committee on Military and Pensions.

Mr. HOPE, from the Committee appointed to count the ballots for Confederate States Senator, asked leave to report, that no one of the candidates had received a majority of all the votes cast, and that consequently there was no election.

On motion of Mr. CANNON, a message was sent to the House of Representatives, proposing to that body to go into a ballot forthwith for two Confederate States Senators.

The following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives concurs in the message of the Senate, proposing forthwith to go into an election for two Confederate States Senators.

By order of the House,

JAMES SIMONS, *Speaker*.

Whereupon the Senate proceeded to the Hall of the House of Representatives, and joined that House in a ballot for two Confederate States Senators.

Messrs. Irby and Johnson were appointed the Committee on the part of the Senate to count the ballots.

On motion of Mr. MAZYCK, the Senate adjourned at half-past 3 o'clock, P. M.

WEDNESDAY, DECEMBER 4, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Gamewell.

The Clerk read the Journal of the proceedings of yesterday.

Message No. 2, from his Excellency the Governor, was read, and, on motion of Mr. McKEWN, was passed over.

Mr. IRBY, from the Committee appointed to count the ballots for two Senators to the Confederate States Congress, asked leave to report, that R. W. Barnwell and J. L. Orr had received a majority of all the votes cast.

They were, therefore, declared by the PRESIDENT duly elected accordingly.

Mr. CANNON presented the report of the Committee on Roads and Buildings,

On the report of the Committee on Roads, Bridges and Ferries, of the House, on the claim of J. R. Todd, for damages to land by running a new Road; which was ordered for consideration to-morrow; also,

The report of the same Committee on the report of the Committee on Roads, Bridges and Ferries of the House of Representatives,

On the petition of citizens of York District, praying the opening of a new road from the residence of Joseph McCosh to Gaffney's Ferry, on Broad River; which was ordered for consideration to-morrow.

Mr. MARSHALL presented the return of the Commissioners of Free Schools of Abbeville District, for 1861; which was referred to the Committee on the College, Education and Religion; also,

The report of the Committee on Military and Pensions,

On a Bill to protect the persons and property of volunteers against vexatious law suits and executions, and to give aid to such of their families as require support; which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. GARLINGTON, Message No. 2. of his Excellency the Governor, was taken up; and the Message and report were referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. APPLEBY presented the report of the Solicitor of the Southern Circuit; which was referred to the Committee on the Judiciary.

Mr. HART presented the return of the Board of Commissioners of Free Schools for the District of Darlington, for 1861; also,

The memorial of citizens of Darlington District, praying the passage of a Stay Law; which was referred to the Committee on the Judiciary; also,

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. A. N. Talley, was ordered for consideration to-morrow.

Mr. ALSTON presented the return of the Commissioners of Free Schools for the Parish of Prince George, Winyaw, for the year 1861; which was referred to the Committee on the College, Education and Religion.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris, Executor, and others, praying payment of coupons of certain Bonds guaranteed by the State, was passed over.

Mr. ARTHUR moved that the report of the same Committee,

On the petition of A. W. Leland, do lie on the table, which motion was lost; and on the question of agreeing to the report, it was decided affirmatively, and the report was ordered to be sent to the House of Representatives for concurrence.

The report of the same Committee,

On a Bill to aid in the construction of the Barnwell Railroad, was passed over.

A Bill to authorize Trustees to invest funds in Bonds of the Confederate States, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

On motion of Mr. MAZYCK, the report of the Committee on the Judiciary,

On the various presentments and petitions in relation to stay of sales under legal process, was placed in the General Orders of to-morrow.

The following Bills received the second reading, were agreed to, and were ordered to be sent to the House of Representatives:

A Bill to continue certain military commissions, and

A Bill to authorize the South Carolina Railroad Company to issue receivable notes.

At half-past 1, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in a ballot for Comptroller General.

Messrs. Manning and Marshall were appointed the Committee on the part of the Senate to count the ballots.

The report of the Committee on the Judiciary,

On the communication of J. S. G. Richardson, Esq., with the 11th volume of his Equity Reports, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

A Bill to amend the charter of the Union Light Infantry Charitable Society and Company; also,

A Bill to incorporate the Palmetto Lyceum of Charleston, received the second reading, were agreed to, and were ordered to be sent to the House of Representatives.

The report of the Committee on Military and Pensions,

On so much of the Governor's Message as refers to the appointment of Provost Marshals, was passed over.

The General Orders were disposed of.

Mr. LESESNE gave notice that he will to-morrow ask leave to introduce

A Bill to provide more efficient police regulations for the Districts on the sea-board.

Mr. LESESNE also presented the petition of the City Council of Charleston, in relation to insane negroes and colored persons in that city; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. WATSON presented the petition of sundry citizens of Edgefield District, praying that Elijah Timmerman be not paid damages for land used by the Commissioners of Roads; which was referred to the Committee on Roads and Buildings.

At 2 o'clock, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in a ballot for Register in Equity of Charleston District.

On motion of Mr. DELOACH, the Senate adjourned at ten minutes past 2 o'clock, P. M.

THURSDAY, DECEMBER 5, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Pringle.

The Clerk read the Journal of the proceedings of yesterday.

Mr. MAZYCK presented the memorial of the City Council of Charleston, praying that authority be granted to them to issue notes or bills to an amount not to exceed three hundred thousand dollars; which was referred to the Committee on Finance and Banks.

Mr. MAZYCK, from the Committee appointed to count the ballots for Register in Equity for Charleston District, asked leave to report, that James L. Gantt had received a majority of all the votes cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

Mr. DELOACH presented the return of the Commissioners of Free Schools for Prince William's Parish, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. ARTHUR presented the petition of John A. Kay, late Assistant Architect of the New State Capitol, praying the suspension of a certain suit against him in the name of the State, or to be allowed to set up a discount in said suit for money due him by the State; which was referred to the Committee on the New State House.

Mr. MOSES presented the petition of Dr. M. Jas. Moore, for *post mortem* examinations; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. MOSES submitted the presentment of the Grand Jury for Sumter District, Fall Term, 1861:

So much thereof as relates to a stay law, monopoly of the necessaries of life, and owning of slaves by free negroes, was referred to the Committee on the Judiciary.

Mr. BOYKIN presented the report of the Solicitor of the Northern Circuit, on District Officers and their Offices; which was referred to the Committee on the Judiciary.

Mr. MANNING, from the Committee appointed to count the ballots for Comptroller General, asked leave to report, that James A. Black had received a majority of all the votes cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

Mr. ALLEN presented the report of the Solicitor of the Middle Circuit on the condition of the offices of Clerk, Sheriff, Ordinary, and Commissioner in Equity for the several Districts within the Middle Circuit; which was referred to the Committee on the Judiciary; also.

The report of the Solicitor of the Western Circuit, on District Officers and their Offices ; which was referred to the same Committee.

Mr. MARSHALL presented the report of the Committee on the Military and Pensions,

On the House Bill to amend an Act entitled An Act to provide a Patrol and Military Guard for the city of Charleston, and for other purposes ; which was ordered for consideration to-morrow.

Mr. McALILEY presented the Annual Report of the Commissioners of the Deaf, Dumb and Blind ; which was referred to the Committee on the College, Education, and Religion.

Mr. FURMAN presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. R. E. Cleveland, for medical services rendered the State ; which was ordered for consideration to-morrow.

Mr. BARKER presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. J. H. Boatwright, for *post mortem* examinations ; which was ordered for immediate consideration. The report was ordered *to lie on the table*, and leave was granted by the Senate to Mr. ARTHUR to withdraw the account.

Mr. HARRISON presented the petition of sundry citizens of Anderson District, praying relief by legislation from extortioners and speculators in articles of prime necessity ; which was referred to the Committee on the Judiciary.

Mr. WARE presented the report of the Committee on Accounts and Vacant Offices, on certain contingent accounts ; which was ordered for consideration to-morrow ; also,

The report of the same Committee, as to vacancy of office of the Treasurer of the Lower Division.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE introduced

A Bill to provide more efficient police regulations for the Districts on the sea-coast ; which received the first reading, was referred to the Committee on the Judiciary, and was ordered to be printed.

The House of Representatives sent to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 3, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs your Body that the House concurs in your message, informing that body that the Senate has appointed a Committee of one from each Congressional District, to nominate suitable persons to act as Trustees of the South Carolina College, and re-

questing a similar Committee to be appointed by the House, to act as a Joint Committee with the one aforesaid, and has appointed the following persons to act on said Committee, viz :

Messrs. Simons Lucas, Jr., J. H. Sereven, J. N. Lipscomb, J. S. Wilson, B. F. Whitner and W. L. T. Prince.

By order of the House,

JAMES SIMONS, *Speaker*.

The House of Representatives also returned to the Senate the following resolution, in which it had concurred :

Resolved, That the losses sustained by the planters of this State, who have sacrificed their property by committing it to the flames rather than it should fall into the hands of our invaders, entitle them to the warmest sympathy of the people of this State, and that their conduct has exhibited a noble spirit of patriotism, which reflects the highest honor upon our beloved State.

The House of Representatives sent to the Senate

A Bill to amend and suspend certain portions of the Militia Law of this State; which received the first reading, and was referred to the Committee on Military and Pensions.

Mr. PALMER presented the report of the Committee on Agriculture and Internal Improvements, on the petition of Dr. A. B. Crook, and the presentment of the Grand Jury of York District, on the subject of sheep and dogs; which was ordered for consideration to-morrow.

Mr. HOPE presented the following resolution, which was agreed to :

Whereas, in the present condition of our finances, it is desirable to know the liabilities of the State in all the departments of its operations, among which is the new State Capitol, involving contracts with individual citizens and copartnerships, some of which may be alien enemies; therefore,

Resolved, That it be required of the Committee on the New State Capitol to ascertain whether any of the contractors for work or material on the New State House have become foreigners to the Confederate Government of America, or alien enemies, since the date of their contracts, and whether any moneys are due them, and if any, what are the amounts, and report to the Senate at as early a day as practicable.

Mr. APPLEBY presented the petition of the town Council of Summer-ville, for increase of tax to meet the expense of the town; which was referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. I. Harris, Executor, and others, praying payment of coupons of certain bonds guaranteed by the State, was, on motion of Mr. McALILEY, re-committed.

The following papers were passed over :

The report of the Committee on Finance and Banks, on

A Bill to aid in the construction of the Barnwell Railroad.

The report of the Committee on the Judiciary, on various presentments and petitions, in relation to stay of sales under legal process ; and

The report of the Committee on Military and Pensions, on so much of the Governor's Message as refers to the appointment of Provost Marshals.

The report of the House Committee on Roads, Bridges and Ferries,

On the claim of J. R. Todd, for damages to land, was concurred in, and was returned to the House of Representatives.

The report of the Committee on Roads and Buildings, recommending concurrence with certain proviso in the report of the House Committee of Roads, Bridges and Ferries,

On the petition of citizens of York District, praying the opening of a new Road from the residence of Joseph McCosh to Gaffney's Ferry, on Broad River, being before the Senate, a message was sent to the House of Representatives, asking leave to insert the words : "Provided that consent of land owners, without damages, be obtained."

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. A. N. Talley, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Military and Pensions,

On a Bill to protect the persons and property of volunteers against vexatious law suits and executions, and to give aid to such of their families as require support, was passed over.

The General Orders, with the exception of the papers passed over, were disposed of.

Mr. McCRAW presented the petition of sundry citizens of York for the passage of an Act authorizing those using neighborhood roads or private paths, to use dirt, timber and stone, for the repair of said paths ; also,

The counter petition of citizens of York District, against the passage of an Act granting leave to use dirt, stone, or timber for the repair of private paths or neighborhood roads ; which were referred to the Committee on Roads and Buildings.

Mr. WARE presented the petition of citizens of Greenville District, in relation to extortioners; which was referred to the Committee on the Judiciary; also,

The petition of Dr. Crook, in relation to whiskey and grain; also,

The petition of Dr. Crook, in relation to salt; which were referred to the Committee on Agriculture and Internal Improvements.

On motion of Mr. E. G. PALMER, the Senate adjourned at half-past 1 o'clock, P. M.

FRIDAY, DECEMBER 6, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by Rev. Mr. Boyd.

Mr. MARSHALL presented the report of the Committee on Military and Pensions, on the House Bill to amend and suspend certain portions of the Militia Laws of this State; which was made the Special Order for 1 o'clock, P. M.

Mr. MARSHALL, from the Committee on Military and Pensions, reported

A Bill to amend an Act entitled "An Act creating a military establishment for the State of South Carolina, and for other purposes;" which received the first reading, and was ordered for a second reading to-morrow, and to be printed.

Mr. WARE, from the Special Joint Committee appointed on the part of the Senate to nominate a Board of Trustees for the South Carolina College, asked leave to report the following names to constitute said Board:

T. N. Dawkins, B. F. Perry, J. L. Middleton, J. H. Means, W. F. DeSaussure, R. W. Barnwell, J. S. Preston, C. G. Memminger, T. C. Perrin, J. H. Thornwell, R. F. W. Alston, Thomas Smith, James Chesnut, Jr., F. J. Moses, J. L. Petigru, J. L. Manning, Samuel McAliley, A. P. Calhoun, James Farrow, Wade Hampton.

Which was ordered to be printed, and to be laid on the table of members.

Mr. MOSES presented the report of the Committee on the Judiciary, on the petition of McFarther & Dawson, for extension of time on their contract for the re-publication of the South Carolina Law and Equity Reports; which was ordered for consideration to-morrow.

Mr. WARE presented the following resolution :

Resolved, That a Message be sent to the House of Representatives, asking that body to join this, in an election for a Board of Trustees of the South Carolina College, to-morrow, at 1 o'clock; and immediately thereafter for Solicitor of the Eastern Circuit; and immediately thereafter for Treasurer of the Lower Division; which was ordered for immediate consideration, was agreed to, and a message was sent accordingly :

Mr. ARTHUR presented the petition of Thomas B. Clarkson, for himself, and for the estate of William Clarkson, deceased, praying to be refunded a tax illegally collected; which was referred to the Committee on Finance and Banks; also,

The account of Dr. Wm. C. Freeman, for a *post mortem* examination; and

The account of Dr. J. H. Boatwright, for a *post mortem* examination; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

Mr. FURMAN presented the return of the Commissioners of Free Schools for the Parishes of St. Thomas and St. Dennis, for the year 1861; which was referred to the Committee on the College, Education and Religion.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris, and others, praying payment of coupons of certain Bonds guaranteed by the State; which was ordered for consideration to-morrow,

Mr. McALILEY; from the Committee on Finance and Banks, reported

A Bill to authorize the City Council of Charleston to issue and put in circulation notes receivable in payment of taxes or dues to the City; which received the first reading, and was ordered for a second reading to-morrow.

Mr. McALILEY also presented the report of the Committee on Finance and Banks,

On a Bill to suspend the 9th section of an Act entitled "An Act to raise supplies for the year 1823; which was ordered for consideration to-morrow.

Mr. CANNON presented the petition of sundry citizens of Spartanburg District, praying that, in view of the present state of the country, the great waste of corn by distilling be prohibited during the present war; which was referred to the Committee on the Judiciary.

Mr. HARRISON presented the report of the Committee on Claims and Grievances, on the report of the Committee on Claims, of the House,

On the account of E. R. Stokes, for binding ;

On the account of A. J. Burke, for printing writs of election for the House of Representatives ;

On the account of the Charleston Courier, for public printing.

On the report of the Commissioners appointed to assess the value of lands in Pickens District belonging to Andrew Wilson and John Swafford.

On the account of E. J. McDaniel, proprietor of the Chester Standard, for public printing.

On the account of Dr. John G. Williams, for services rendered in the examination of a pauper lunatic ; also,

On the account of Dr. John Lake, for services rendered in the examination of a pauper lunatic ; also,

On the account of Dr. John G. Williams, for services rendered in the examination of a pauper lunatic ; also,

On the account of W. W. Purse, for work done in the Representatives' Hall in 1861 ; all of which were ordered for consideration to-morrow.

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, December 5, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives grants leave to the Senate to amend the report of the Committee on Roads, Bridges and Ferries of the House, by adding the following proviso, to wit: "that consent of land owners, without damages, be obtained."

By order of the House,

JAMES SIMONS, *Speaker.*

Whereupon the report of the House Committee on Roads, Bridges and Ferries, on the petition of citizens of York District, praying for a new Road from Joseph McCosh's residence to Gaffney's Ferry, on Broad River, was taken up, and the proviso added. The report was then agreed to, and was ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate the following message, which was ordered to *lie on the table :*

IN THE HOUSE OF REPRESENTATIVES, December 5, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks the Senate to unite with that body to-morrow, at 1 o'clock, P. M., in a ballot for Solicitor of the Eastern Circuit.

By order of the House,

JAMES SIMONS, *Speaker.*

Mr. BOYKIN presented the report of the Solicitor of the Eastern Circuit on District Officers and their Offices; which was referred to the Committee on the Judiciary.

The House of Representatives sent to the Senate the following resolutions, which were ordered for consideration to-morrow:

Resolved, That in the opinion of this Legislature, the construction of the Cheraw and Coalfields Railroad is an enterprise which should be speedily and energetically prosecuted.

Resolved, That the Treasurer of the Upper Division do pay to Mrs. Ann G. Wardlaw, the widow of the late F. H. Wardlaw, one of the Associate Judges of the Appeal Court of the State, the balance of his salary for eighteen hundred and sixty-one.

Mr. FICKLING moved to consider the resolution as to the Cheraw and Coalfields, Railroad; which motion was lost.

At 1 o'clock P. M., the Senate proceeded to the

SPECIAL ORDER FOR THIS HOUR.

A Bill to amend and suspend certain portions of the Militia Law of this State received the second reading, and was ordered to be sent to the House of Representatives.

Mr. ALLEN gave notice that he will ask leave, on the third reading of the Bill, to amend the eighth section, by writing the words "Brigade and Division" after the word "Regiments."

Mr. MARSHALL also gave notice of a resolution, on the third reading, to suspend the 26th Rule of the Senate, so far as it may relate to the Bill to amend and suspend certain portions of the Militia Laws of this State.

The PRESIDENT presented the Annual Private Report of the President of the Bank of the State, indebtedness and liabilities of Officers and Directors of the Bank and its Branches; which was ordered to lie on the Clerk's desk for the inspection of Senators.

A communication from his Excellency the Governor was received and read, in relation to certain missing documents; which was referred to the Special Committee charged with the Executive Documents.

On motion of Mr. McKEWN, the Senate adjourned at five minutes to 4 o'clock, P. M.

SATURDAY, DECEMBER 7, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Walker.

The PRESIDENT laid before the Senate, the following communication :

To the President, and other members of the

Senate of the State of South Carolina :

GENTLEMEN: I beg leave to signify my acceptance of the office of Associate Justice of the Court of Appeals, to which you have been pleased to elect me ; and at the same time, to express my high sense of this renewed evidence of confidence on the part of the Legislature.

With great respect, gentlemen,

Your obedient servant,

BENJ. F. DUNKIN.

GEORGETOWN, December 2, 1861.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a Bill to repeal the third section of an Act entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned ; also,

On a Bill to provide more efficient police regulations for the Districts on the sea-board ; which were ordered for consideration on Monday next.

The PRESIDENT laid before the Senate the Comptroller General's report On the Contingent Accounts of the Lower Division ; which was referred to the Committee on Accounts and Vacant Offices.

Mr. FURMAN, from the Committee on the Lunatic Asylum and Medical Accounts, reported

A Bill to enable the City Council of Charleston to make provision for the insane paupers within the limits of the City ; which received the first reading, and was ordered for a second reading on Monday next ; also,

A Bill to incorporate the Palmetto Lyceum, of Charleston, received the third reading, and it was

Resolved, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

Ordered, That it be returned to the House of Representatives.

A Bill to amend an Act entitled "An Act to raise supplies for the year commencing in October, one thousand eight hundred and sixty, and for other purposes," received the first reading, and was referred to the Committee on Finance and Banks.

A Bill to authorize the formation of a volunteer company of Light Artillery, and to incorporate the same, by the name of the Waccamaw Light Artillery," received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, That it be sent to the House of Representatives.

A Bill to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain funds to the payment of debt, and to other purposes, received the first reading, and was referred to the Committee on the College, Education and Religion.

The following resolutions of thanks to the defenders of Forts Walker and Beauregard, were ordered for consideration on Monday next, and to be printed:

Resolved, That the thanks of the General Assembly are due to the defenders of Forts Walker and Beauregard, for the courageous tenacity with which they held their respective posts for more than four hours, in the tremendous conflict of the 7th November, against the overwhelming fire of the enemy.

Resolved, That in the stern devotion to their country exhibited on that day, by both her adopted and her native citizen soldiery, South Carolina sees that the ancient spirit of her people still exists—the glory of her past, the prestige of her future, renown.

Resolved, That a copy of these resolutions be forwarded by the Clerks of both Houses to Brigadier General T. F. Drayton, with the request that he extend them to the officers and soldiers under his command, whose bravery signalized their devotion to duty and their country.

The report of the Committee of Ways and Means,

On so much of Message No. 1, of his Excellency the Governor, to the Legislature (at the extra session) as refers to expenditures for the Volunteers in Virginia, and the pay of the first Regiment of Volunteers, was referred to the Committee on Finance and Banks.

The report of the Committee on the Judiciary,

On the petition of certain persons summoned as Jurors, at Lexington, Fall Term, 1861, praying compensation, was referred to the Committee on the Judiciary.

The report of the Committee of Ways and Means,

On the petition of J. Steckley and T. H. Smith, asking to be refunded taxes illegally collected from them, was referred to the Committee on Finance and Banks.

The report of the same Committee,

On the report of the Joint Committee appointed to examine the Bank of the State of South Carolina, was also referred to the Committee on Finance and Banks.

A Bill to prescribe the manner of calling for volunteers, and to provide for the organization, and to alter and amend the Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the militia of this State into one Act, and to alter and amend the same," in pursuance to the recommendation of the Military Committee, was ordered to *lie on the table*.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks, on

A Bill to aid in the construction of the Barnwell Railroad, was passed over.

The report of the Committee on the Judiciary, on various presentments and petitions in relation to stay of sales under legal process, was, on motion of Mr. MOSES, made the Special Order for Tuesday, at 1 o'clock, P. M.

The report of the Committee on Military and Pensions,

On so much of the Governor's Message as refers to the appointment of Provost Marshals, was, on motion of Mr. MAZYCK, placed in the General Orders of Monday.

Mr. MAZYCK moved to postpone the consideration of

A Bill to protect the persons and property of volunteers against vexatious law suits and executions, and to give aid to such of their families as require support; which motion was lost, and the Bill was on the second reading; when

The House of Representatives sent to the Senate the following message; which was ordered to *lie on the table*:

IN THE HOUSE OF REPRESENTATIVES, December 7, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully concurs in so much of your message "proposing to go into an election for Solicitor of the Eastern Circuit, Treasurer of the Lower Division, and Trustees of the South Carolina College, to-day, at 1 o'clock, P. M.," as relates to the joint ballot for Solicitor of the Eastern Circuit.

By order of the House,

JAMES SIMONS, *Speaker*.

On motion of Mr. MARSHALL, Chairman of the Military Committee, the bill was referred to the Committee on the Judiciary.

On motion of Mr. LESESNE, the General Orders were suspended.

Mr. LESESNE offered the following resolutions; which were ordered for immediate consideration:

Resolved, That his Excellency the Governor be requested to communicate to the Senate (if in his judgment it be not incompatible with the public interest) the state of our military preparation to repel the invasion of our State, the number of effective forces now in the field for that purpose, and the number of arms at his disposal, and whether any, and what reinforcements are expected from our sister States, or from the Government at Richmond.

Resolved, That such communication be made to the Senate in secret session, if his Excellency deem it advisable.

Which were agreed to, and a copy of the resolutions were enclosed by the Clerk to his Excellency the Governor.

Mr. ALLEN offered the following resolution; which was ordered for consideration on Monday next:

Resolved, That his Excellency the Governor be requested to adjourn the camp of instruction and recruiting at this place, to the section of country embraced by the Savannah and Charleston Railroad, so that the soldiery may be located where there is a necessity for their presence.

Mr. ALLEN presented the petition of Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax; which was referred to the Committee on Finance and Banks.

Mr. CANNON presented the report of the Committee on Roads and Buildings, on the petition of sundry citizens of York District, praying for the passage of an Act authorizing those using neighborhood roads or private paths, to use dirt, timber, and stone for the repair of said paths; also,

A counter petition on the same subject; which were ordered for consideration on Monday next.

Mr. LESESNE presented the memorial of the several Building and Loan Associations in the City of Charleston, praying to be allowed to suspend their calls for monthly instalments; which was referred to the Committee on the Judiciary.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On the petition of the Mount Pleasant Ferry Company, together with a counter memorial upon the same subject; and likewise

A Bill upon the same subject; which were ordered for consideration on Monday next.

The General Orders were resumed.

A Bill to amend an Act entitled "An Act to provide a Patrol and Military Guard for the City of Charleston, and for other purposes," was agreed to, and ordered to be returned to the House of Representatives.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. R. E. Cleveland, for medical services rendered the State, was agreed to, and ordered to be sent to the House of Representatives for concurrence; and the Senate granted leave to Mr. CANNON to withdraw the account.

The report of the Committee on Accounts and Vacant Offices, on certain contingent accounts, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the Committee on Agriculture and Internal Improvements,

On the petition of Dr. A. B. Crook, and the presentment of the Grand Jury of York District, on the subject of sheep and dogs, was agreed to.

A Bill to amend an Act entitled "An Act creating a Military establishment for the State of South Carolina, and for other purposes," was, on motion of Mr. MAZYCK, placed in the General Orders of Monday.

The report of the Committee on the Judiciary,

On the petition of McCarter and Dawson, for extension of time on their contract for the re-publication of the South Carolina Law and Equity Reports, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Finance and Banks,

On the petition of the Elmore Mutual Insurance Company, and of J. L. Harris and others, praying payment of Coupons of certain Bonds guaranteed by the State, was placed in the Calendar of Monday; also.

A Bill to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes or dues to the city.

The report of the House Committee of Claims on the following papers, was agreed to, and they were ordered to be returned to the House of Representatives.

On the account of E. R. Stokes, for binding.

On the account of A. J. Burke, for printing writs of election for the House of Representatives.

On the account of the Charleston Courier, for public printing.

On the report of the Commissioners appointed to assess the value of lands in Pickens District, belonging to Andrew Wilson and John Swafford.

On the account of E. J. McDaniel, proprietor of the Chester Standard, for public printing.

On the account of Dr. John G. Williams, for services rendered in the examination of a pauper lunatic.

On the account of Dr. John Lake, for services rendered in the examination of a pauper lunatic.

On the account of W. W. Purse, for work done in the Representatives Hall.

On the account of Dr. John G. Williams, for services rendered in the examination of a pauper lunatic.

The resolution as to the Cheraw and Coalfields Railroad, was ordered to be placed in the General Orders of Monday.

The resolution to pay Mrs. Ann G. Wardlaw a certain sum of money, was concurred in, and ordered to be returned to the House of Representatives.

The General Orders were disposed of.

Mr ARTHUR presented the account of Peter B. Glass & Co., for stationery furnished the Senate; which was referred to the Committee on Claims and Grievances.

Mr. E. G. PALMER presented the report of the Special Committee of the Senate, in relation to members of this body who hold office in the military service of the State, or of the Confederate States; which was ordered for consideration on Monday, and to be printed.

Leave of absence was granted by the Senate to the Senator from Newberry, from and after to-day, until Tuesday next.

Mr. MAZYCK moved that the Senate take a recess until 7 o'clock.

Mr. ALLEN moved to lay the motion upon the table, which was agreed to.

Mr. MARSHALL offered the following resolution:

Resolved, That the twenty-sixth rule of the Senate be suspended, so as to permit the amendment of the Bill on the third reading; which was agreed to, and the rule was suspended accordingly.

Mr. WARE, from the Committee on Accounts and Vacant Offices, asked leave to report a vacancy on the Chancery Bench, occasioned by the promotion of the Hon. Benj. F. Dunkin.

Mr. ALLEN withdrew his resolution to lay the motion to take a recess upon the table.

The question then recurred upon taking a recess, which was decided affirmatively.

The Senate suspended business until 7 o'clock, P. M.

RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

Mr. CANNON asked to reconsider the report of the Committee on the Lunatic Asylum and Medical accounts,

On the account of Dr. R. E. Cleveland, for medical services rendered the State; which was agreed to, and the accounts were then recommitted.

The House of Representatives sent to the Senate,

A Bill to Amend and Suspend certain portions of the Militia and Patrol Laws of this State, which was upon the third reading in the Senate, when

Mr. HOPE moved to amend, by inserting the words, "under eighteen years of age," after the word "student," in the first section.

Mr. E. G. PALMER moved to lay the amendment on the table; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Appleby, Arthur, Barker, Blakeney, Dantzler, Fickling, Furman, Garlington, Harrison, Irby, Lesesne, Manning, Mazyek, Montgomery, E. G. Palmer, S. W. Palmer, Roberds, and Ware.

Those who voted in the negative, are

Messrs. Beaty, Cannon, Hope, Moses, Sessions, and Watson.

In the affirmative, 21.

In the negative, 6.

The amendment was therefore ordered to *lie on the table*.

Mr. ALLEN moved to strike out the word "and" in the 13th line, first section, of printed bill, and insert after the word "Regiments," "Brigades, and Divisions," so as to read, "Battalions, Regiments, Brigades and Divisions;" which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Allen, Appleby, Beaty, Cannon, Dantzler, Garlington, Harrison, Hope, Lesesne, McKewn, Roberds, Ware, and Watson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Alston, Arthur, Barker, Blakeney, Fickling, Furman, Irby, Manning, Mazyek, Montgomery, Moses, E. G. Palmer, S. W. Palmer, and Sessions.

In the affirmative, 13.

In the negative, 15.

The amendment was therefore not agreed to.

A message was sent to the House of Representatives, asking that House to amend "A Bill to Amend and Suspend certain portions of the Militia and Patrol Laws of this State," by striking out, in the 6th line, 6th section, after the word "within," the words "and at any time within ;"

Also, before "Battalion," in the third line, 10th section, strike out "or," and after the word "Battalions," insert, "or Squadrons ;" and the following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, December 7, 1861.

Mr. President, and Gentlemen of the Senate :

This House respectfully grants leave to the Senate to amend a Bill to Amend and Suspend certain portions of the Militia and Patrol Laws of this State, by striking out, in the 6th line, 6th section, after the words " within," the words, " and at any time within ;" also, before Battalion, in 3d line, 10th section, strike out "or," and after the word "Battalion," insert " or Squadron."

By order of the House,

JAMES SIMONS, *Speaker.*

The Bill received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, That it be returned to the House of Representatives.

Mr. MOSES offered the following resolution :

Resolved, That on the ratification of the Act "to Amend and Suspend certain portions of the Militia and Patrol Laws of this State," five hundred copies thereof be printed for the use of the Senate.

At half-past 9 o'clock, P. M., on motion of Mr. MOSES, the Senate suspended business until 10 o'clock, P. M.

RECESS.

At the hour to which business had been suspended, the PRESIDENT resumed the Chair.

Mr. WARE, from the Committee on Incorporations and Engrossed Acts, to whom was referred "An Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State," asked leave to report that said Act had been engrossed, and was ready for ratification.

On motion of Mr. MOSES, a message was sent to the House of Representatives, inviting that House to attend in the Senate Chamber forthwith, for the purpose of ratifying the Act, and the following message of concurrence was received :

IN THE HOUSE OF REPRESENTATIVES, December 7, 1861.

Mr President, and Gentlemen of the Senate :

The House of Representatives concurs in the message of the Senate, asking that body to join the Senate forthwith in the ratification of " An Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State."

By order of the House,

JAMES SIMONS, *Speaker.*

At a quarter past 11, P. M., the Speaker and members of the House of Representatives entered the Senate Chamber, and " An Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State" was duly ratified, in the presence of the members of the General Assembly.

At twenty minutes past 11 o'clock, P. M., on motion of Mr. E. G. PALMER, the Senate adjourned.

MONDAY, DECEMBER 9, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of Saturday.

The Session was opened with prayer by Rev. Mr. Taylor.

Mr. ARTHUR presented the report of the Treasurer of the Board of Trustees of the South Carolina College for 1860 and 1861; which was referred to the Committee on the College, Education and Religion; also,

The report of the Committee on Military and Pensions,

On a Bill to amend the Militia Laws of this State, so as to exempt regular officiating Clergymen from extraordinary militia duty, except in certain cases.

Mr. MOSES presented the report of the Committee on the Judiciary, on the report of the same Committee of the House,

On the petition of certain persons, summoned as Jurors, at Lexington, Fall Term, 1861, praying compensation; both of which were ordered for consideration to-morrow.

Mr. HARRISON presented the following resolution; which was ordered for immediate consideration, and was agreed to:

Resolved, That the Committee on Agriculture and Internal Improvements be instructed to report upon the expediency of encouraging the manufacture of salt on the sea-board of this State, by an appropriation of two thousand dollars to each responsible Company who may engage in such manufacture, the whole appropriation not to exceed ten thousand dollars.

Mr. HARRISON presented the petition of sundry citizens of Anderson District, on the subject of salt and other articles of prime necessity; which was referred to the Committee on Agriculture and Internal Improvements.

Mr. APPLEBY presented the following resolution:

Resolved, That the Legislature do adjourn its present session on Friday next, 13th inst., at 4 o'clock, P. M., *sine die*.

Which was ordered for consideration to-morrow.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the account of J. M. Brown, proprietor of the Darlington Southerner, for public printing; also,

The report of the same Committee, on the account of A. J. Ruggs, for public printing, and

On the account of Dr. T. J. Goodwyn, for medical services rendered prisoners in jail; which were ordered for consideration to-morrow.

Mr. McALILEY presented the report of the Commissioners of Free Schools for Chester District, A. D., 1860-1; which was referred to the Committee on the College, Education and Religion.

Mr. APPLEBY presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the accounts of Dr. M. J. Moore, for *post mortem* examination; which was laid on the table, and the Senate granted leave to Mr. MOSES to withdraw the account.

Mr. APPLEBY presented the petition of sundry citizens of St. George's Dorchester, asking the grant of a new road; which was referred to the Committee on Roads and Buildings.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following resolutions in relation to the Banks of this State, were referred to the Committee on Finance and Banks :

1. *Resolved*, That the Banks of South Carolina, having within the past year afforded timely and important assistance to the State, and to the Confederate Government, deserve the thanks of this General Assembly, in their liberal and patriotic course, amidst the difficulties and embarrassments of the present great struggle for independence and existence.

2. *Resolved*, That to the extent of their abilities, all the Banks in the State are hereby requested to relieve the necessities of planters, by discounts on satisfactory securities.

3. *Resolved*, That a copy of these resolutions be sent by the Clerks of the two Houses to the President of each Bank in the State.

The following, in relation to the German Battalion of Artillery, was referred to the Committee on Military and Pensions.

Whereas, It is due to the adopted citizens of South Carolina, to make the most public acknowledgement of their loyalty to the State of their adoption, and to put on record the acts of constancy and courage by which their fidelity and devotion have been signalized, that the fame of their meritorious conduct may be transmitted as an honorable heritage to their posterity ; therefore,

Resolved, That the General Assembly of South Carolina have heard with sentiments of profound admiration the conspicuous gallantry displayed by the German Battalion of Artillery in the defence of Fort Walker, and hereby tender to their brave Commander, Col. John A. Wagener, and to the troops composing the battalion, the thanks of the General Assembly for their gallant efforts to protect the State from invasion.

The following resolution was concurred in, and ordered to be returned to the House of Representatives :

Resolved, That five hundred copies of the Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State be forthwith published, and that one hundred thereof be placed at the disposal of the Adjutant General.

The report of the Committee on the State House and Grounds, On the petition of John A. Kay, was referred to the Committee on the New State House.

The report of the Medical Committee,

On the account of Dr. J. O. Hagood, for attendance on prisoners in jail, was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on Claims,

On the account of the Lancaster Ledger, for public printing, was referred to the Committee on Claims and Grievances.

A Bill to confer the rights of legitimacy on a certain child of Mary Mullinax, received the first reading, and was referred to the Committee on the Judiciary.

A Bill to provide more efficient police regulations for the Districts on the sea-board, received the first reading, and was referred to the Committee on the Judiciary, and was ordered to be printed.

The following Bills received the first reading, and were referred to the Committee on Finance and Banks :

A Bill to aid in the construction of the Barnwell Railroad ;

A Bill to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad ;"

A Bill to authorize the several Banks in the State to deal in stocks and other securities of the Confederate States of America.

Mr. BARKER presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. J. H. Boatwright, for *post mortem* examination ; which was ordered for consideration to-morrow.

Mr. McKEWN presented the report of the Commissioners of Free Schools for the Parish of St. James', Goose Creek, 1861 ; which was referred to the Committee on the College, Education and Religion.

On motion of Mr. MAZYCK, a message was sent to the House of Representatives, proposing to that House to go into a ballot for Chancellor, to-morrow, at half-past 12 o'clock.

*The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The Report of the Committee on Finance and Banks,

On a Bill to aid in the construction of the Barnwell Railroad, was passed over.

The reports of the Committee on Military and Pensions,

On so much of the Governor's Message as refers to the appointment of Provost Marshals, and the report of the Committee on the Judiciary,

On a Bill to provide more efficient Police regulations for the Districts on the sea-board, were made the Special Order for to-morrow, at 2, P. M.

A Bill to amend an Act entitled "An Act creating a Military Establishment for the State of South Carolina, and for other purposes;" received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

The report of the Committee on Finance and Banks, on the petition of the Elmore Mutual Insurance Company, and of J. L. Harris and others, praying payment of coupons of certain bonds guaranteed by the State, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill to authorize the City Council of Charleston to issue and put into circulation notes receivable in taxes or dues to the City, received the second reading, and upon the question of agreeing to the Bill,

The yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Barker, Bull, Cannon, DeLoach Fickling, Hope, Lesesne, Mazyck. McAliley, McKewn, E. G. Palmer, S. W. Palmer, and Ware.

Those who voted in the negative, are

Messrs. Arthur, Beaty, Blakeney, Harrison, Irby, Manning, Moses, Roberds, Sessions, and Watson.

In the affirmative, 14.

In the negative, 10.

The Bill was therefore agreed to, and was ordered to be sent to the House of Representatives.

The report of the Committee on the Judiciary,

On a Bill to repeal the third section of an Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned, was ordered for consideration to-morrow.

The unfavorable report of the Committee on the Judiciary,

On the petition of sundry citizens of Spartanburg District, praying that, in view of the present state of the country, the great waste of corn by distilling be prohibited during the present war, was agreed to.

The General Orders were suspended, and

Mr. LESESNE gave notice that he will to-morrow ask leave to introduce

A Bill to constitute the First Regiment of Charleston Reserves a part of the Fourth Brigade of Infantry, South Carolina Militia.

A Bill to enable the City Council of Charleston to make provision for the insane paupers within the limits of the city, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The resolutions of thanks to the defenders of forts Walker and Beauregard, were taken up for consideration. The first resolution was agreed to; and,

On motion of Mr. FICKLING, a message was sent to the House of Representatives, proposing to that body to strike out the second and third resolutions.

The report of the Committee on Roads and Buildings (recommending non-legislation),

On the petition of sundry citizens of York District, praying for the passage of an Act authorizing those using neighborhood roads, or private paths, to use dirt, timber and stone for the repair of said paths; also,

The report of the same Committee,

On a counter petition on the same subject, was agreed to.

The report (recommending non-legislation) of the Committee on Incorporations and Engrossed Acts,

On the petition of the Mount Pleasant Ferry Company, with a counter memorial upon the same, and likewise a Bill on the same subject, was agreed to.

The resolution as to the Cheraw and Coalfields Railroad, was ordered to *lie on the table*.

The report of the Special Committee of the Senate, in relation to members of this body who hold office in the military service of the State, or of the Confederate States, was, on motion of Mr. MOSES, placed in the General Orders of to-morrow.

The General Orders were dispensed of.

On motion of Mr. MAZYCK, the Senate adjourned at 10 minutes to 3, P. M.

TUESDAY, DECEMBER 10, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Breaker.

The Clerk read the Journal of the proceedings of yesterday.

Mr. MOSES presented the report of the Committee on the Judiciary, on A Bill to protect the persons and property of volunteers who are now in,

or may hereafter be in, the service of their country, against vexatious law suits and executions, and to grant aid to such of their families as may require support; which was ordered for consideration to-morrow, and to be printed.

Mr. MOSES, from the Committee on the Judiciary, reported

A Bill to authorize certain Building and Loan Associations to suspend the call for monthly instalments; which received the first reading, and was ordered for a second reading to-morrow.

Mr. LESESNE presented the report of the Commissioner of the Code; which was referred to the Committee on the Judiciary.

Pursuant to notice, and with leave of the Senate, Mr. LESESNE also introduced

A Bill to constitute the First Regiment of the Charleston Reserves a part of the Fourth Brigade of Infantry, South Carolina Militia; which received the first reading, and was referred to the Committee on Military and Pensions.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on the following papers:

On a Bill, from the House, "to aid in the construction of the Barnwell Railroad;"

On a Bill, from the House, to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad;"

On the report of the House Committee of Ways and Means, on so much of the Message No. 1, of his Excellency the Governor, to the Legislature, at the extra session, as relates to the issue of Bonds and Stocks for military purposes;

On a Bill, from the House, to authorize the several Banks in this State to deal in Stocks and other securities of the Confederate States of America;

On the report of the House Committee of Ways and Means, on so much of Message No. 1, of his Excellency the Governor, to the Legislature, at the extra session, as refers to the expenditures for the volunteers in Virginia, and the pay of the First Regiment of Volunteers;

On the report of the same Committee,

On the petition of J. Steckley and T. H. Smith, asking to be refunded taxes illegally collected from them.

On the petition of Mrs. Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax; which were ordered for consideration to-morrow.

Mr. McALILEY, also presented the report of the Committee on Finance and Banks,

On the petition of F. D. Richardson, for a return of taxes improperly exacted.

On the petition of Thomas B. Clarkson, for himself and for the estate of Wm. Clarkson, deceased, praying to be refunded a tax illegally collected.

On the petition of Darling Williams, to be paid the amount of a Jury ticket lost; which were ordered for consideration to-morrow.

Mr. BARKER presented the report of the Committee on the College, Education and Religion,

On a Bill, from the House of Representatives, "to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain funds to the payment of debt, and to other purposes;" which was ordered for consideration to-morrow.

Mr. FURMAN presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. R. E. Cleveland, for services rendered prisoners in jail, and for a *post mortem* examination; which was ordered for consideration to-morrow.

Mr. BARKER presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee of the House,

On the account of Drs. Hill and Davis, for a *post mortem* examination; which was ordered for consideration to-morrow.

The House of Representatives sent to the Senate,

The report of the Committee on the Military, on a resolution in relation to a change of uniform for militia officers; which was referred to the Committee on Military and Pensions; also,

A Bill to authorize the Banks to extend their loans to the people; which received the first reading, and was referred to the Committee on Finance and Banks.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Finance and Banks,

On a Bill to aid in the construction of the Barnwell Railroad, was, on motion of Mr. McALILEY, placed in the General Orders of to-morrow.

The House of Representatives sent to the Senate the following message, which was concurred in:

IN THE HOUSE OF REPRESENTATIVES, Dec. 10, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully proposes to your body to unite with the House forthwith in a joint ballot for Treasurer of the Lower Di-

vision; and immediately thereafter for Solicitor of the Eastern Circuit; and immediately thereafter for Trustees of the South Carolina College.

By order of the House,

JAMES SIMONS, *Speaker*.

A Bill to repeal the third section of an Act entitled "An Act for regulating and fixing the salaries of several officers, and for other purposes therein mentioned," received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

The Senate granted leave to Mr. ALLEN to withdraw the resolution requesting the Governor to adjourn the camp of instruction and recruiting near Columbia.

The unfavorable report of the Committee on the Military and Pensions, On a Bill to amend the Militia Laws of this State, so as to exempt regular officiating clergymen from extraordinary militia duty, except in certain cases, was agreed to.

The report of the Judiciary Committee of the House, On the petition of certain persons summoned as Jurors, at Lexington, Fall Term, 1861, praying compensation, was concurred in, and was ordered to be returned to the House of Representatives.

The resolution relative to the adjournment of the Legislature on Friday next, was ordered to *lie on the table*.

The following papers were agreed to, and were ordered to be sent to the House of Representatives for concurrence:

The report of the Committee on Claims and Grievances, On the account of J. M. Brown, proprietor of the Darlington Southerner, for public printing;

The report of the same Committee,

On the account of A. J. Rugg, for public printing;

The report of the same Committee,

On the account of Dr. T. J. Goodwyn, for medical services rendered prisoners in jail; and

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. J. H. Boatwright, for a *post mortem* examination.

The General Orders were suspended; and, at ten minutes past 1, P. M., the Senate, pursuant to orders previously made, proceeded to the Hall of the House of Representatives, and joined that House in a ballot for Treasurer of the Lower Division.

Messrs. Moses and E. G. Palmer were appointed the Committee on the part of the Senate to count the ballots; and immediately thereafter, for Solicitor of the Eastern Circuit; Messrs. S. W. Palmer and Sessions were

appointed the Committee to count the ballots ; and immediately thereafter, for Trustees of the South Carolina College ; Messrs. Simpson and Wagner were appointed the Committee to count the ballots.

Mr. MOSES, from the Committee on the part of the Senate to count the ballots for Treasurer of the Lower Division, asked leave to report that William Laval had received all the votes cast.

He was, therefore, declared by the PRÉSIDENT duly elected accordingly.

Message No. 3, of his Excellency the Governor, was received and read ; and, on motion of Mr. GARLINGTON, the Message and accompanying documents were made the Special Order for to-morrow, at 1, P. M.

SPECIAL ORDER FOR 1, P. M.

The Senate proceeded to the Special Order for this hour,

The report of the Committee on the Judiciary, on various Presentments and Petitions in relation to stay of sales under legal process.

Mr. LESESNE moved to lay the report, the Bill, and the amendment on the table ; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Barker, Boykin, Fickling, Lesesne, McCaw, Mazyck, and S. W. Palmer.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Appleby, Arthur, Barnes, Beaty, Blakeney, Cannon, Dantzler, DeLoach, Furman, Garlington, Harrison, Heyward, Hope, Irby, Keitt, Manning, McAliley, McKewn, Montgomery, Moses, E. G. Palmer, Roberds, Sessions, Simpson, Ware, and Watson.

In the affirmative, 7.

In the negative, 28.

The motion to lay on the table was consequently not agreed to.

On motion of Mr. MAZYCK, the report, the Bill, and the amendment, were made the Special Order for to-morrow, at half-past 1 o'clock, P. M.

Mr. SIMPSON, from the Committee appointed to count the ballots for Trustees of the South Carolina College, asked leave to report that the following gentlemen had received a majority of all the votes cast :

T. N. Dawkins, B. F. Perry, J. I. Middleton, J. H. Means, W. F. DeSaussure, R. W. Barnwell, J. S. Preston, C. G. Memminger, T. C. Perin, J. H. Thornwell, R. F. W. Alston, Thomas Smith, James Chesnut, Jr., F. J. Moses, J. L. Petigru, J. L. Manning, Samuel McAliley, A. P. Calhoun, James Farrow, Wade Hampton.

They were, therefore, declared by the PRESIDENT duly elected accordingly.

Mr. S. W. PALMER, from the Committee appointed to count the ballots for Solicitor of the Eastern Circuit, asked leave to report that H. Melver had received all the votes cast.

He was, therefore, declared by the PRESIDENT duly elected accordingly. On motion of Mr. MAZYCK, the Senate adjourned at 4 o'clock, P. M.

WEDNESDAY, DECEMBER 11, 1861.

The Senate met at 12, M., pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Shand.

The Clerk read the Journal of the proceedings of yesterday.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following resolution was concurred in, and was ordered to be returned to the House of Representatives:

Whereas, Since the last session of this General Assembly it has pleased the Almighty Disposer of events to remove, from his position of earthly usefulness and honor, to the scenes of another existence, an able public functionary, in the person of Chancellor Francis Hugh Wardlaw, whose profound knowledge of the law, and high order of intellect, attracted the admiration of the just and learned throughout the State,

Resolved, That the Legislature of South Carolina has received, with the most profound emotions of sorrow, the intelligence of the death of that great man and most learned Judicial Magistrate.

A Bill to amend an Act entitled "An Act to provide a Patrol and Military guard for the City of Charleston, and for other purposes," having been amended by the House, on the third reading, was referred to the Committee on Military and Pensions.

An Act to authorize the formation of a Volunteer Company of Light Artillery, and to incorporate the same, by the name of the Waccamaw Light Artillery, was referred to the Committee on Incorporations and Engrossed Acts.

A Bill to provide for the payment, by the State, of the tax of the Confederate States, and for the collection of the same from the tax payers in this State, received the first reading, and was referred to the Committee on Finance and Banks.

A Bill to incorporate the Florence and Fayetteville Railroad Company, received the first reading and was referred to the Committee on Incorporations and Engrossed Acts.

Mr. McKEWN presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On Message No. 2, of his Excellency the Governor; which was ordered for consideration to-morrow.

The Senate granted leave of absence to the Senator from Laurens District, from and after to-day, for the remainder of the session; also,

To the Senator from Orange, from and after to-day, for the remainder of the session, on account of military duty.

Mr. LESESNE presented the petition of the Charleston Zouave Cadets, for a charter; also,

The petition of the Sunday School Union, praying an Act of Incorporation; which were referred to the Committee on Incorporations and Engrossed Acts.

Mr. GARLINGTON presented the report of the Committee on the Judiciary,

On a Bill to prevent forestalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use; which was ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee of the Senate,

On Agriculture and Internal Improvements,

On the petition of Dr. A. B. Crook, in relation to whisky and grain; which was ordered for consideration to-morrow.

Mr. MOSES presented the report of the Committee on the Judiciary

On the reports of the Solicitors of the Northern, Middle, Western, Southern and Eastern Circuits, on District officers and their offices; which was ordered for consideration to-morrow.

Mr. MONTGOMERY presented the petition of the Town Council of Georgetown, to grant said corporation the privilege of issuing Bills of denominations from five cents to one dollar; which was referred to the Committee on Finance and Banks.

Mr. HOPE presented the following resolution:

Resolved, That it is the opinion of this General Assembly, that it is inexpedient for the cotton planter to raise another full crop of this staple whilst the blockade continues, and that in view of the extensive supplies

which will be needed in the various articles of food for the Infantry and Cavalry of the army, it is recommended to the producers of the country to devote their attention mainly to the production of provisions, to meet the public demands, and it is further believed that such products will command remunerating prices.

Which was referred to the Committee on Agriculture and Internal Improvements.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The following papers were placed in the General Orders of to-morrow :

The report of the Committee on Finance and Banks,

On the Senate Bill to aid in the construction of the Barnwell Railroad ; also,

On the House Bill on the same subject.

The report of the Special Committee of the Senate, in relation to members of this body who hold office in the military service of this State or of the Confederate States ; and

The report of the Committee on the Judiciary,

On a Bill to protect the persons and property of volunteers, who now are, or may hereafter be, in the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support.

A Bill to authorize certain Building and Loan Associations to suspend the call for monthly instalments, received the second reading, was agreed to, and was ordered to the House of Representatives.

The report of the Committee on Finance and Banks,

On a Bill (from the House) to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad," was placed in the General Orders of to-morrow.

The report of the same Committee,

On the report of the Committee of Ways and Means, on so much of the Message No. 1, of his Excellency the Governor, at the extra session, as relates to the issue of bonds and stocks for military purposes, was, on motion of Mr. McALILEY, recommitted.

The unfavorable report of the same Committee,

On a Bill (from the House) to authorize the several Banks in this State to deal in stocks and other securities of the Confederate States, was agreed to, and the Bill was consequently rejected.

The report of the same Committee,

On the report of the Committee of Ways and Means, on so much of Message No. 1, of his Excellency the Governor, to the Legislature, at the extra session, as refers to the expenditures for the volunteers in Virginia, and the pay of the First Regiment of Volunteers, was, on motion of Mr. ALLEN, made the Special Order for to-morrow, at 1 o'clock, P. M.

The unfavorable report of the same Committee,

On the report of the Committee of Ways and Means, on the petition of J. Steckley and T. H. Smith, asking to be refunded taxes illegally collected from them, was agreed to.

The report of the same Committee,

On the petition of Mrs. Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax ;

On the petition of F. D. Richardson, for a return of taxes improperly exacted ; and,

On the petition of Thomas B. Clarkson, for himself, and for the estate of William Clarkson, deceased, praying to be refunded a tax illegally collected, were placed in the General Orders of to-morrow.

The report of the same Committee,

On the petition of Darling Williams, to be paid the amount of a Jury ticket lost, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

A Bill to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain funds to the payment of debt, and to other purposes, received the second reading, was agreed to, and was ordered to the House of Representatives.

The General Orders were suspended, and the Senate proceeded to the

SPECIAL ORDER FOR 1 O'CLOCK, P. M.

Message No. 3, of his Excellency the Governor, and the accompanying documents,

On motion of Mr. GARLINGTON, was referred to the Committee on Confederate Relations.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. R. E. Cleveland, for services rendered prisoners in jail, and for *post mortem* examination, was agreed to, and was ordered to the House of Representatives for concurrence.

The report of the Medical Committee, of the House, on the account of Drs. Hill and Davis, for a *post mortem* examination, was concurred in, and ordered to be returned to the House of Representatives.

The General Orders were resumed.

Mr. WARE presented the report of the Committee on Accounts and Vacant Offices,

On the Contingent Accounts of the Lower Division.

The reading of the report was dispensed with, and the report ordered to lie on the Clerk's desk, for the inspection of Senators.

The Committee on Agriculture and Internal Improvements reported

A Bill to encourage the manufacture of Salt within this State; which received the first reading, and was ordered for a second reading to-morrow, and to be printed.

On motion of Mr. LESESNE, the Special Order of yesterday, for 2, P. M., was discharged, and made the Special Order for to-morrow, at half-past 1, P. M.

SPECIAL ORDER FOR HALF-PAST 1, P. M.

The Senate proceeded to the Special Order for this hour.

The report of the Committee on the Judiciary,

On various presentments and petitions, in relation to stay of sales under legal process.

The report of the Committee,

On a Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales, was taken up for consideration.

The Committee asked leave to amend the original Bill by substituting

A Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales.

Mr. MAZYCK asked leave to amend the Bill proposed by the Committee, by adding the following section :

SEC. 5. No party defendant to any judgment or decree, shall be entitled to the benefit of this Act, who shall not have paid all the interest accrued on the debt for which such judgment or decree was obtained.

Mr. GARLINGTON moved to lay both the amendment proposed by the Committee, and that of Mr. MAZYCK, on the table.

Which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Allen, Appleby, Barnes, Beaty, Blakeney, Bull, Cannon, Dantzer, DeLoach, Furman, Garlington, Harrison, Heyward, Hope, Irby, Keitt, Lesesne, Manning, Mazyck, McAliley, McCaw, McKewn, Montgomery, S. W. Palmer, Rhett, Sessions and Watson.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Arthur, Barker, Boykin, Moses, E. G. Palmer, Roberds, Ware and Whaley.

In the affirmative, 27.

In the negative, 10.

The amendments were therefore ordered to *lie on the table*.

On motion of Mr. ALLEN, the subject was recommitted to the Judiciary Committee.

The House of Representatives sent to the Senate

A Bill in reference to the suspension of specie payments by the Banks of this State, and for other purposes; which received the first reading, and was referred to the Committee on Finance and Banks.

On motion of Mr. CANNON, the Senate adjourned at a quarter-past 3 o'clock, P. M.

THURSDAY, DECEMBER 12, 1861.

The Senate met at 12. M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Martin.

Mr. MOSES presented the petition of Richard Williams and wife, and others, praying compensation for land escheated and granted by the State; which was referred to the Committee on the Judiciary; also,

The report of the Committee on the Judiciary,

On a Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales; which was, on motion of Mr. E. G. PALMER, made the Special Order for to-day, at a quarter-past 1 o'clock, P. M.

Mr. ROBERDS presented the petition of sundry inhabitants of Beaufort and Barnwell Districts, praying that the property of B. P. O. Cohen, a free man of color, deceased, be vested in his widow and children; which was referred to the Committee on the Judiciary.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill to incorporate the Florence and Fayetteville Railroad Company; also,

The report of the same Committee on the memorial of "Orange Lodge No. 14, Ancient Free Masons," praying an Act of Incorporation; which were ordered for consideration to-morrow.

Message No. 4, from his Excellency the Governor, was received and read, and the message and accompanying documents were referred to the Committee on Military and Pensions.

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

A Bill to provide for the better government of slaves.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On the petition of the Town Council of Georgetown, praying leave to issue bills of denominations less than one dollar ; also,

The report of the same Committee,

On a Bill, from the House, "to amend an Act entitled an Act to raise supplies for the year commencing October, A. D. 1861, and for other purposes ;" also.

The report of the same Committee,

On a Bill, from the House, in reference to the suspension of specie payments by the banks of this State, and for other purposes ;" which were ordered for consideration to-morrow.

The House of Representatives sent to the Senate the report of the Committee on Confederate Relations.

On the statement of property destroyed by orders of Confederate officers ; which was referred to the Committee on Confederate Relations.

Mr. MANNING presented the report of the Committee on Military and Pensions,

On the report of the Board of Visitors of the South Carolina Military Academy ; which was ordered for consideration to-morrow.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The unfavorable report of the Committee on Finance and Banks,

On the House Bill to aid in the construction of the Barnwell Railroad, was ordered to *lie on the table*, and the Bill was taken up for a second reading.

Mr. McALILEY moved that the bill do *lie on the table* ; which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Appleby, Barker, Blakeney, Boykin, Cannon, DeLoach, Mazyek, McAliley, E. G. Palmer, S. W. Palmer and Sessions.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Alston, Arthur, Bull, Dantzer, Fickling, Furman, Garlington, Harrison, Heyward, Hope, Irby, Manning, McCaw, McKewn, Montgomery, Moses, Rhett, Roberds, Sharpe, Ware, Watson, and Whaley.

In the affirmative, 11.

In the negative, 24.

The motion to *lay on the table*, was consequently not agreed to.

Upon the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Arthur, Barnes, Bull, Dantzler, Fickling, Garlington, Harrison, Hope, Irby, Manning, McCaw, McKewn, Montgomery, Moses, Rhett, Roberds, Sharpe, Watson, and Whaley.

Those who voted in the negative, are

Messrs. Appleby, Barker, Beaty, Blakeney, Boykin, Cannon, DeLoach, Mazyek, McAliley, E. G. Palmer, S. W. Palmer, and Ware.

In the affirmative, 22.

In the negative, 12.

The Bill was consequently agreed to, and ordered to the House of Representatives.

The General Orders were suspended.

On motion of Mr. MOSES, the Special Order for 1 o'clock, P. M., was temporarily deferred.

The Special Order for a quarter-past 1 o'clock, P. M., was discharged, and made the Special Order for to-day, at 2 o'clock, P. M.

And the Special Order for half-past 1 o'clock, was made the Special Order for half-past 1 o'clock, P. M., to-morrow.

The Senate then proceeded to the consideration of the

SPECIAL ORDER FOR 1 O'CLOCK, P. M.

The report of the Committee of Ways and Means,

On so much of Message No. 1, of his Excellency the Governor, to the Legislature (at the extra session) as refers to the expenditures for the volunteers in Virginia, and the pay of the first regiment of volunteers, was concurred in, and was ordered to be returned to the House of Representatives.

Mr. MAZYCK presented the report of the Trustees of the Roper Hospital; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The Committee on Military and Pensions was discharged from the consideration of the following resolution in reference to the Pee Dee Legion.

Resolved, That the action of His Excellency the Governor, in the organization of the Pee Dee Legion, meets with the sanction and approbation of this General Assembly.

Mr. HARRISON presented the report of the Committee on Military and Pensions,

On the report of the Committee on the Military of the House, in relation to a change of uniform for Militia officers; also,

The reports of the same Committee,

On "a Bill to constitute the First Regiment of Charleston Reserves, a part of the Fourth Brigade of Infantry South Carolina Militia;" and

On a Bill to amend an Act entitled "An Act to provide a Patrol and Military guard for the city of Charleston, and for other purposes," with an amendment adopted by the House of Representatives on the third reading of the said Bill; which were ordered for consideration to-morrow.

The report of the Special Committee of the Senate in relation to members of this body who hold office in the military service of this State or of the Confederate States.

The report of the Committee on the Judiciary,

On a Bill to protect the persons and property of volunteers, who now are, or may hereafter be, in the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support; and

The report on the Committee on Finance and Banks,

On a Bill (from the House) to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad;" were ordered for consideration to-morrow.

The unfavorable report of the same Committee,

On the petition of Mrs. Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax, was agreed to.

The report of the Committee on Finance and Banks,

On the petition of F. D. Richardson, for a return of taxes improperly exacted.

The report of the same Committee,

On the petition of Thos. B. Clarkson, for himself, and for the estate of Wm. Clarkson, deceased, praying to be refunded a tax illegally collected, were ordered to *lie on the table*, and

Mr. ARTHUR presented the following resolution; which was agreed to, and was ordered to be sent to the House of Representatives for concurrence:

Resolved, That the subject matter of the petitions of F. D. Richardson and of Thos. B. Clarkson, deceased, for himself, and for the estate of William Clarkson, praying to be refunded a tax illegally collected, be referred, for adjustment, to the Comptroller General of this State; and that the Comp-

troller give notice to the Tax Collector of Sumter District to furnish such proof as he may think proper in support of his assessment.

The Senate proceeded to the

SPECIAL ORDER OF THE DAY FOR 2, P. M.

The report of the Committee on the Judiciary,

On a Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales.

On motion of Mr. MOSES, the Senate, at 20 minutes past 3 o'clock, P. M., suspended business until 7 o'clock, P. M.

RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

Mr. MOSES offered the following preamble and resolution; which was ordered for immediate consideration, and was agreed to, and ordered to the House of Representatives for concurrence,

Whereas, The members of this House have heard with feelings of deep emotion, of the severe conflagration which has lately raged in the cherished metropolis of the State,

Resolved, That a Committee of three be appointed, to act jointly with a like Committee of the House, to inquire and report if there is necessity for provision of immediate relief by the State.

Pursuant to notice, and with leave of the Senate, Mr. ALLEN introduced.

A Bill to equalize the system of Taxation, by establishing a uniform *ad valorem* duty on all property recognized as such by the laws of this State; which received the first reading, and was referred to the Committee on Finance and Banks, and ordered to be printed.

A Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales, being before the Senate on the second reading,

Mr. RHETT moved to strike out the words, "mesne or," in the first section; which amendment was agreed to.

Mr. MAZYCK offered the following amendment to the fifth section:

That no debtor against whom mesne or final process has been or may be issued, and who shall not have paid all the interest accrued on the debt for the collection of which such process has been or may be issued, shall be entitled to the benefit of this Act.

And upon the question of agreeing to the amendment, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Messrs. Alston, Appleby, Barker, Boykin, Fickling, Furman, Heyward, Mazyek, S. W. Palmer, Roberds, Ware, Watson, and Whaley.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Arthur, Barnes, Beaty, Blakeney, Cannon, Dantzler, DeLoach, Garlington, Harrison, Hope, Irby, Manning, McAliley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, Rhett, Sessions, and Sharpe.

In the affirmative, 13.

In the negative, 23.

The amendment was therefore not agreed to.

Upon the question of agreeing to the Bill, the yeas and nays were also ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Messrs. Allen, Appleby, Barnes, Beaty, Blakeney, Cannon, Dantzler, DeLoach, Garlington, Harrison, Heyward, Hope, Irby, Manning, McAliley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, Roberds, Sessions, Sharpe, Ware and Watson.

Those who voted in the negative, are

Hon. W. D. PORTER, President ; Messrs. Alston, Arthur, Barker, Boykin, Bull, Fickling, Lesesne, Mazyek, S. W. Palmer, Rhett and Whaley.

In the affirmative, 25.

In the negative, 12.

The Bill was consequently agreed to, and was ordered to be sent to the House of Representatives.

The House of Representatives returned to the Senate the following preamble and resolution, in which it had concurred :

Whereas, The members of this House have heard, with feelings of deep emotion, of the severe conflagration which has lately raged in the cherished metropolis of the State.

Resolved, That a Committee of three be appointed to act jointly with a like Committee of the House, to inquire and report if there is necessity of provision for immediate relief by the State.

The House of Representatives also sent to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 12, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully informs the Senate that it concurs in the resolution of that body appointing a Committee of Inquiry in relation to the great calamity which has befallen the city of Charleston, and requesting the appointment of a similar Committee by the House of Representatives ; and has appointed the following Committee to act jointly with the Committee from the Senate, viz : Messrs. Aldrich, Treuholm and Mullins.

By order of the House,

JAMES SIMONS, *Speaker.*

The PRESIDENT announced Messrs. Moses, Lesesne and Manning, the Committee on the part of the Senate to inquire and report if there is necessity of provision for immediate relief by the State.

On motion of Mr. HOPE, the Senate adjourned at twenty minutes to 9 o'clock, P. M.

FRIDAY, DECEMBER 13, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Wannamaker.

Mr. CANNON presented the following resolution :

Resolved, That it be referred to the Committee on Commerce, Manufactures, and the Mechanic Arts, to inquire and report as to the propriety and expediency of granting State aid for the purpose of procuring a supply of salt, either by manufacture or otherwise; and to make such deposits or distribution as will enable the citizens of all parts of the State to procure a supply for their own consumption, on such terms and conditions as only to cover cost and transportation.

Which was ordered for immediate consideration, and was agreed to.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following resolution, which had been concurred in :

Resolved, That the subject matter of the petitions of F. D. Richardson and of Thomas B. Clarkson, for himself, and for the estate of William Clarkson, deceased praying to be refunded a tax illegally collected, be referred for adjustment to the Comptroller General of this State; and that the Comptroller General give notice to the Tax Collector of Sumter District to furnish such proof as he may think proper in support of his assessment.

The following resolution, which was ordered for immediate consideration, was concurred in, and ordered to be returned to the House of Representatives :

Resolved, That his Excellency the Governor be, and he is hereby, authorized to employ a Special Secretary, at a salary of fifteen hundred dollars per annum, and to allow a compensation of fifteen hundred dollars for the past year to the person who performed the duties of Special Secretary for that period.

Also, the following resolution, which was referred to the Committee on the Judiciary :

Resolved, That in the opinion of this General Assembly, it is inexpedient, at the present time, to go into an election to fill the vacancy in the Chancery Bench, occasioned by the election of the Hon. B. F. Dunkin; and that it be referred to the Committee on the Judiciary to arrange and report to this House such re-arrangement of the Circuits as will enable the present Chancellors to attend to the business of the Court.}

The report of the Committee on Ways and Means,

On the petition of Rev. A. W. Leland, praying to be refunded a tax illegally collected; which was referred to the Committee on Finance and Banks.

The report of the Committee on the Judiciary,

On the petition of McCarter & Dawson, for extension of time on their contract for the re-publication of the South Carolina Law and Equity Reports; which was concurred in.

The report of the Committee on the Judiciary,

On a resolution concerning the removal of public records and prisoners; which was referred to the Committee on the Judiciary.

A Bill to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain funds to the payment of debt, and to other purposes; which received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act, and returned to the House of Representatives.

JOURNAL OF THE SENATE,

On motion of Mr. MOSES, the confirmation of the minutes of yesterday's Journal was postponed until to-morrow.

Message No. 5 of his Excellency the Governor, was read, and referred to the Special Committee to inquire and report provision of relief by the State to the citizens of Charleston who had suffered from the late conflagration.

MESSAGE NO. 5.

Gentlemen of the Senate and House of Representatives :

A great calamity has befallen our State, in the destruction of an extensive and wealthy portion of Charleston by a disastrous fire, and I take this earliest opportunity to call your immediate attention to the relief, for the present, of the poor and the destitute who may be sufferers. The fire broke out in a work-shop near Hasel street, and swept with terrific fury, night before last, during a storm of wind, from between Hasel street and East Bay, direct through the centre of the city, towards the west and south-west, across Market, Meeting and Broad streets, to near Savage street. It is to be hoped that it may not be as extensive as was at first supposed. But it is bad enough.

In the commencement of this great struggle with our malignant and bitter enemies, the cities of the South have acted a noble and patriotic part. They were the first to move, and notwithstanding the loss of their trade, commerce and wealth, they never, for a moment, hesitated to stand by their country's honor, and pledge their existence for their country's independence. Amongst them, our own city, consecrated and hallowed in the recollections of the past by all that is dear and glorious in South Carolina, has stood first amongst the foremost in patriotic and heroic bearing. The laborer, the mechanic, the artisan, the merchant, the professional man, the clergy, the rich and the poor, have all struggled together as a band of brothers, and no city upon the face of the earth, in any fierce and dangerous contest, has ever presented a more cordial, devoted and united population than Charleston has done. She was the first to move, the first to suffer, and the first to triumph. Her citizen soldiers, with one voice, at the very first tap of the drum, marched to dangers that were new, and to a conflict that was untried. It was in her harbor, from Fort Moultrie, in 1776, that our State cannon announced to the world, even before the old Union was formed, our separate independence, and it was in her harbor, again, that the Phoenix of a new Union rose from the burning ashes of the old.

Under such circumstances, I trust that every son of South Carolina will sympathize with her in this deep calamity, and feel it to be his pleasure, as it is his duty, to step forward to aid and comfort the poor and the afflicted

who may feel the desolating effects of this terrible blow. Your wisdom will suggest the means of assistance that may be within your proper and legitimate power. Being cut off, as they are, by blockade, and the profits of daily business and occupation being suspended by the war that is now raging at their very gates, they present a case for your action entirely out of the usual and customary state of things in days of peace. I have sent a regiment of soldiers from the camp near this place, to give assistance. I have also ordered the Commissary General to give out such rations or supplies of food as may be necessary to prevent want, for the present, and I will cordially co-operate in any measure you may deem just and proper.

F. W. PICKENS.

Pursuant to notice, and with leave of the Senate, Mr. MANNING introduced

A Bill to provide for the better government of slaves; which was referred to the Committee on the Judiciary.

Mr. McKEWN presented the Report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee of the House,

On the account of Dr. J. O. Hagood, for services rendered prisoner in jail; which was ordered for consideration to-morrow.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the account of the Southern Confederation, for public printing, and

On the account of P. B. Glass & Co., for stationery furnished Senate Chamber; which were ordered for consideration to-morrow; also,

The report of the same Committee,

On the report of the Committee on Claims, of the House,

On the account of the Lancaster Ledger for public printing, and

The report of the Committee on Military and Pensions,

On "a resolution (of the House of Representatives) complimentary to the German Battalion in the defence of Fort Walker;" which were ordered for consideration to-morrow.

Mr. FICKLING presented the return of the Commissioners of Free Schools for St. Luke's Parish; which was referred to the Committee on the College, Education and Religion.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Special Committee of the Senate in relation to members of this body who hold office in the military service of this State or of the Confederate States; and

The report of the Committee on the Judiciary,

On a Bill to protect the persons and property of volunteers, who now are, or may hereafter be, in the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support, were placed on the General Orders of Monday.

The report of the Committee on Finance and Banks,

On a Bill (from the House) to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad," was ordered to lie on the table; and,

The Bill having received the second reading, upon the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Alston, Barnes, Blake-ney, Harrison, Heyward, Irby, Manning, McCaw, Montgomery, Moses, E. G. Palmer, and Sessions.

Those who voted in the negative, are

Messrs. Appleby, Arthur, Barker, Beaty, Boykin, Cannon, Dantzler, Lesesne, Mazyck, McAliley, McKewn, S. W. Palmer, Sharpe, Ware, and Watson.

In the affirmative, 14.

In the negative, 15.

The bill was, consequently, rejected.

On motion of Mr. ARTHUR, the vote was reconsidered, and upon the question of agreeing to the Bill, the yeas and nays were again ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Alston, Arthur, Barnes, Blakeney, Dantzler, Fickling, Furman, Garlington, Harrison, Heyward, Irby, Lesesne, Manning McCaw, Montgomery, Moses, E. G. Palmer, Rhett, Sessions, Sharpe, and Whaley.

Those who voted in the negative, are

Messrs. Appleby, Barker, Beaty, Boykin, Cannon, DeLoach, Hope, Mazyck, McAliley, McKewn, S. W. Palmer, Ware, and Watson.

In the affirmative, 23.

In the negative, 13.

The bill was consequently agreed to, and ordered to the House of Representatives.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On Message No. 2, of his Excellency the Governor, was passed over.

SPECIAL ORDER OF THE DAY FOR HALF-PAST 1, P. M.

The Senate proceeded to the consideration of the Special Order for this hour,

The report of the Committee on Military and Pensions,

On so much of the Governor's Message as refers to the appointment of Provost Marshals; and

The report of the Committee on the Judiciary,

On a Bill to provide more efficient police regulations for the Districts on the sea-board.

The Special Order was discharged; and, on motion of Mr. MOSES, was made the Special Order for to-morrow, at half-past 1, P. M.

Mr. MOSES gave notice that he will to-morrow ask leave to introduce

A Bill to amend the law as to the election of officers in the South Carolina College.

The General Orders were resumed.

The report of the Committee on the Judiciary,

On a Bill to prevent forestalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use, was placed in the General Orders of to-morrow, and ordered to be printed.

The report of the Committee on Agriculture and Internal Improvements,

On the petition of Dr. A. B. Crook, in relation to whiskey and grain; and

The report of the Committee on the Judiciary,

On the reports of the Solicitors of the Northern, Middle, Western and Eastern Circuits, on District officers and their offices, were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

A Bill to encourage the manufacture of salt in this State, received the second reading, was agreed to, and was ordered to the House of Representatives.

The report of the Military Committee of the House, in relation to change of Uniform for militia officers, was concurred in, and was ordered to be returned to the House of Representatives.

A Bill to incorporate the Florence and Fayetteville Railroad Company, received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The unfavorable report of the Committee on Incorporations and Engrossed Acts,

On the memorial of Orange Lodge, No. 14, Ancient Free Masons, praying an Act of incorporation, was agreed to.

A Bill to amend an Act entitled an Act to provide a Patrol and Military Guard for the City of Charleston, and for other purposes, received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, That it be returned to the House of Representatives.

The unfavorable report of the Committee on Finance and Banks,

On the petition of the Town Council of Georgetown, praying leave to issue bills of a denomination less than one dollar, was agreed to.

The report of the same Committee,

On a Bill (from the House) to amend an Act entitled an Act to raise supplies for the year commencing October, A. D., 1861, and for other purposes, was placed in the General Orders of to-morrow.

The report of the same Committee,

On a Bill in reference to the suspension of specie payments by the Banks of this State, and for other purposes, was ordered for consideration to-morrow, and to be printed.

The report of the Committee on Military and Pensions,

On the report of the Board of Visitors of the South Carolina Military Academy, was ordered for consideration to-morrow.

A Bill to constitute the First Regiment Charleston Reserves a part of the Fourth Brigade South Carolina Militia, received the second reading, was agreed to, and was ordered to the House of Representatives.

The General Orders were disposed of.

Mr. DANTZLER offered the following resolution, which was ordered for consideration to-morrow :

Resolved, That the Clerk of the Senate be instructed to have all printed Bills, Resolutions and Reports numbered, so as to correspond with the numbers on the Calendar.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a Bill, from the House, to provide more efficient Police regulations for the Districts on the sea-board; which was made the Special Order for to-morrow, at 1½, P. M., and the Bill and amendments were ordered to be printed.

The House of Representatives sent to the Senate

A Bill to authorize the issue of stock to the amount of one million eight hundred thousand dollars for the military defence of the State, and for other purposes, which received the first reading, and was referred to the Committee on Finance and Banks.

On motion of Mr. HOPE, a message was ordered to be sent to the House of Representatives, proposing to that body to unite with Senate in a joint ballot for President and four Directors of the Bank of the State, to-morrow, at half-past 12 o'clock, P. M.

Mr. E. G. PALMER presented the report of the Committee on Agriculture and Internal improvements,

On a resolution in relation to the inexpediency of cotton planters planting a full crop of cotton the ensuing year; which was ordered for consideration to-morrow.

Mr. CANNON presented the report of the Committee on Roads and Buildings,

On the report of the Committee on Roads, Bridges and Ferries, of the House,

On the petition of Elijah Timmerman, praying damages for a new road through his lands, and the report of the Commissioners thereon; also,

A counter petition on the same subject; which was ordered for consideration to-morrow.

On motion of Mr. McCAW, the Senate adjourned at twenty minutes past 3 o'clock, P. M.

SATURDAY, DECEMBER 14, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Dr. Howe.

Mr. MOSES presented the report of the Joint Committee

On the resolution as to the relief for the sufferers by the late fire in Charleston; which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Pursuant to notice, and with leave of the Senate, Mr. MOSES also introduced

A Bill to amend the law as to the election of officers in the South Carolina College; which received the first reading, and was referred to the Committee on the College, Education and Religion.

The House of Representatives sent to the Senate the following message; which was concurred in:

IN THE HOUSE OF REPRESENTATIVES, December 13, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully requests your body to unite with it on to-morrow, at 12½ o'clock, P. M., in a ballot for President and four Directors of the Bank of the State of South Carolina.

By order of the House,

JAMES SIMONS, *Speaker.*

The House of Representatives also sent to the Senate the following message of concurrence:

IN THE HOUSE OF REPRESENTATIVES, December 13, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives concurs in the proposition of the Senate, to go into an election for President and four Directors for the Bank of the State of South Carolina, to-morrow, at half-past 12 o'clock, P. M.

By order of the House,

JAMES SIMONS, *Speaker.*

At half-past 12 o'clock, P. M., the Senate, pursuant to orders previously made, proceeded to the Hall of the House of Representatives, and joined that House in an election for President and four Directors of the Bank of the State of South Carolina.

Messrs. Ware and Whaley were appointed the Committee, on the part of the Senate, to count the ballots.

Mr. MOSES presented the following resolutions which were ordered for immediate consideration, and were agreed to:

Resolved, That hereafter all amendments of Bills or Resolutions, offered to the Senate in writing, and the action of the Senate thereon, whether the yeas and nays are taken or not, be entered on the Journal kept by the Clerk, so that the minutes may be a complete transcript of the transactions of the body.

Resolved, That the minutes of Thursday last be amended, so that the amendment offered by the Senator from St. Helena, to strike out the words "mesne or," in the first section of the Bill "to extend relief to debtors, and prevent the sacrifice of property at public sales," and the action of the Senate thereon, may appear in the Journal.

Mr. BARKER presented the report of the Committee on the College, Education and Religion, on the Annual Report of the Commissioners of the Deaf, Dumb and Blind ; also,

The report of the same Committee,

On the report of the Treasurer of the Board of Trustees of the South Carolina College for 1860 and 1861 ; which were ordered for consideration on Monday.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On various petitions and memorials to incorporate certain Associations and Companies, and for other purposes ; also,

The report of the same Committee,

On various memorials and petitions, asking the incorporation of certain Religious and Charitable Societies, and Societies for the Advancement of Education, and to renew and amend the charters of others heretofore granted ; which were ordered for consideration on Monday.

The Senate granted leave to Mr. WARE to call up the report of the Committee on Accounts and Vacant Offices, on the report of the Comptroller General, and to insert the account of P. M. Pepper, Constable.

Mr. BOYKIN presented the following resolutions :

Resolved, That the Governor be, and he is hereby, authorized to appoint a person who shall be charged with the duty of disbursing the fund appropriated for the military defence of the State ; and that it shall be the duty of the person appointed to this office to countersign all orders for the payment of money out of the said fund, to take vouchers for the same, and keep a proper account of all transactions arising therefrom.

Resolved, That a salary of fifteen hundred dollars be allowed to the person appointed to the discharge of the foregoing duties ; and that fifteen hundred dollars be further appropriated for the compensation of the person or persons who discharged the same duties during the past year ; which were referred to the Committee on the Judiciary.

Mr. ARTHUR presented the report of the Committee on Military and Pensions,

On the petition of the City Council of Columbia, to be refunded money paid for the State ; which was ordered for consideration on Monday.

Mr. ARTHUR also gave notice that he will, on Monday, ask leave to introduce

A Bill to incorporate a Mutual Insurance Company in the City of Columbia.

Mr. ARTHUR also presented

The account of Dr. A. N. Talley, for medical services rendered to prisoners in jail; which was referred to the Committee on the Lunatic Asylum and Medical Accounts.

The House of Representatives sent to the Senate

The report of the Joint Committee

On the resolution in relation to the sufferers by the late fire in Charleston; which was ordered to lie on the table.

The House of Representatives sent to the Senate the following message of concurrence:

IN THE HOUSE OF REPRESENTATIVES, December 14, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully grants leave to the Senate, to amend certain resolutions of thanks to the defenders of Forts Walker and Beauregard, in the conflict on the 7th ultimo, by striking out the second and third resolutions.

By order of the House,

JAMES SIMONS, *Speaker.*

The following resolution was then concurred in, and was ordered to be returned to the House of Representatives:

Resolved, That the thanks of the General Assembly are due to the defenders of Forts Walker and Beauregard, for the courageous tenacity with which they held their respective posts, for more than four hours, in the tremendous conflict of the 7th November, against the overwhelming fire of the enemy.

Mr. GARLINGTON presented the report of the Committee on Confederate Relations,

On the Governor's Message and accompanying documents; and

On the report of the Committee of the House of Representatives, in relation to property destroyed by orders of Confederate officers, recommending concurrence in the House report; which was ordered for consideration on Monday.

Mr. McALILEY presented the report of the Committee on Finance and Banks,

On a Bill to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax payers in this State; which was ordered for consideration on Monday.

The House of Representatives sent to the Senate

A Bill to enable volunteers in the military service to exercise the right of suffrage; which received the first reading, and was referred to the Committee on Privileges and Elections; also,

A Bill to make appropriations for the year commencing in October one thousand eight hundred and sixty-one; which received the first reading, and was referred to the Committee on Finance and Banks.

Mr. MOSES presented the following resolution:

Resolved, That a Committee of Two be appointed by the Senate to confer with a similar Committee to be appointed by the House, for the purpose of recommending a day for the adjournment, *sine die*, of the present session.

The PRESIDENT announced Messrs. Moses and DeLoach the Committee on the part of the Senate, and a message was sent to the House of Representatives asking the appointment of a similar Committee.

The House of Representatives sent to the Senate

A Bill to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad;" which received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act, and that it be sent to the House of Representatives.

On motion of Mr. MOSES, the Special Order for half-past 1 o'clock, P. M., was discharged, and made the Special Order for to-day, at half-past 2 o'clock, P. M.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On Message No. 2, of his Excellency the Governor, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on the Judiciary,

On a Bill to prevent forestalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use, was passed over.

The report of the Committee on Finance and Banks,

On a Bill, from the House, to amend an Act entitled "An Act to raise supplies for the year commencing October, A. D. 1861, and for other purposes," received the second reading, and was agreed to, and ordered to be sent to the House of Representatives.

The report of the same Committee,

On a Bill in reference to the suspension of specie payments by the banks of the State, and for other purposes, was passed over.

The report of the Committee on the Military and Pensions,

On the report of the Board of Visitors of the South Carolina Military Academy, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The General Orders were suspended ; and

Mr. MOSES introduced the following resolution ; which was ordered for immediate consideration, and was agreed to :

Resolved, That it be referred to the Committee on the Military and Pensions, to inquire and report the number of Pay and State Cadets in the State Military School, including those lately appointed, and whether some change in the system cannot be made, by which a larger number of State Cadets can be admitted.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee of the House,

On the account of Dr. J. O. Hagood, for services rendered prisoners in jail, was taken up for consideration, and a message was sent to the House of Representatives, asking to amend the House report.

The report of the Committee on Claims and Grievances,

On the account of the Southern Confederation, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the same Committee, on the account of P. B. Glass & Co., for stationery furnished the Senate Chamber, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on Claims, of the House

On the account of the Lancaster Ledger, for public printing ; also,

The resolutions from the House, complimentary to the German Battalion of Artillery in the defence of Fort Walker, were concurred in, and were ordered to be returned to the House of Representatives.

The unfavorable report of the Committee on Roads and Buildings, on the report of the Committee on Roads, Bridges and Ferries, of the House,

On the petition of Elijah Timmerman, praying damages for a new road through his lands, and the report of the Commissioners thereon ; also,

A counter petition on the same subject ; was agreed to.

On motion of Mr. E. G. PALMER, the report of the Committee on Agriculture and Internal Improvements,

On a resolution in relation to the inexpediency of cotton planters planting a full crop of cotton the ensuing year, was ordered to *lie on the table*.

And the Senate granted leave to Mr. HOPE to withdraw the resolution.

The Senate granted leave to Mr. DANTZLER to strike out all after the word resolved, in the resolution in relation to the manner of printing the Bills, Resolutions and Reports of the Senate, and to insert the following :

That no Bills or Resolutions introduced in the Senate, shall be printed until they are reported on by the Committee to whom referred, except by special vote of the Senate, or except a limited number ordered by the Committee for their own use, and that the Clerk be instructed to number all Bills, Resolutions and Reports, in accordance with the Calendar, with the name of the person or committee introducing them, and that whenever any Bill, &c., is taken up, but not passed on, and is ordered to be placed on the Calendar for the next day, then the Clerk shall place the regular and real number of Bills, &c., so ordered on the Calendar.

The resolution, as amended, was then agreed to.

The General Orders, with the exception of the papers passed over, were disposed of.

Mr. WARE, from the Committee on the part of the Senate to count the ballots for President and four Directors of the Bank of the State of South Carolina, asked leave to report, that the following gentlemen had received a majority of all the votes cast :

For President—C. M. Furman.

For Directors—P. C. Gaillard, E. W. Marshall, C. J. Colcock, and H. E. Dotterer.

They were therefore declared, by the PRESIDENT, duly elected accordingly.

SPECIAL ORDER FOR HALF-PAST 2 O'CLOCK, P. M.

The Senate proceeded to the Special Order for this hour.

The report of the Committee on Military and Pensions,

On so much of the Governor's Message as refers to the appointment of Provost Marshals, and

The report of the Committee on the Judiciary,

On a Bill to provide more efficient Police Regulations for the Districts on the sea-board ; and

A Bill on the same subject, from the House of Representatives.

The House Bill was taken up for consideration, and the other papers were ordered to *lie on the table*.

On motion of Mr. MAZYCK, the Senate, at 4 o'clock, P. M., suspended business until 7 o'clock, P. M.

RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The reading of the House Bill to provide more efficient police regulations for the Districts on the sea-board, was resumed.

On motion of Mr. McALILEY, the reading of the Bill was suspended, and

A Bill, from the House of Representatives, to raise supplies for the year commencing in October, one thousand eight hundred and sixty-one, received the first reading, and was referred to the Committee on Finance and Banks.

On motion of Mr. McALILEY, the report of the Committee on Finance and Banks,

On a Bill to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the taxpayers in this State, was ordered to be printed.

The following message of concurrence was received from the House of Representatives :

IN THE HOUSE OF REPRESENTATIVES, December 14, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully concurs in the message of the Senate, asking the appointment of a Committee of two by this House, to confer with a similar Committee appointed by the Senate, to recommend a suitable day for the adjournment of this General Assembly, *sine die*; and has appointed Messrs. Read and Trenholm the Committee so to confer with Senate's Committee.

By order of the House,

JAMES SIMONS, *Speaker*.

Also, the following :

IN THE HOUSE OF REPRESENTATIVES, December 14, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives grants leave to the Senate to amend the report of the Medical Committee of the House on the account of J. O. Haggood, by striking out all after the word "paid," and substituting the following: "fifty dollars, the amount of his account;" so that the report will read, "That he be paid fifty dollars, the amount of his account."

By order of the House,

JAMES SIMONS, *Speaker*.

Whereupon the report of the Medical Committee of the House, on the account of Dr. J. O. Hagood, for attendance on prisoner in jail, was concurred in, and ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate,

A Bill to aid in the construction of the Barnwell Railroad; which received the third reading, and upon the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Arthur, Barnes, Blakeney, Fickling, Garlington, Harrison, Heyward Hope, Manning, McCaw, McKewn, Montgomery, Moses, Rhett, Roberds, Sharpe, and Whaley.

Those who voted in the negative, are

Messrs. Barker, Boykin, Cannon, DeLoach, Mazyek, McAliley, E. G. Palmer, S. W. Palmer, Sessions, and Ware.

In the affirmative, 20.

In the negative, 10.

The Bill was consequently agreed to, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act, and that it be returned to the House of Representatives.

Mr. APPLEBY having asked to record his vote upon the question of agreeing to the Bill to aid in the construction of the Barnwell Railroad, leave was granted by the Senate, and upon the Clerk's calling his name, that gentleman voted in the negative.

The reading of the Bill to provide more efficient police regulations for the Districts on the sea-board, was resumed.

Mr. ALLEN moved to amend, by striking out the word "two," before "dollars," in the 6th line of the 7th section, and to insert "one;" which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Allen, Appleby, Beaty, Cannon, Hope, McAliley, McCaw, McKewn, Montgomery, Moses, Sharpe, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Alston, Arthur, Barker, Barnes, Blakeney, Boykin, DeLoach, Fickling, Garlington, Harrison, Heyward, Manning, Mazyek, E. G. Palmer, S. W. Palmer, Rhett, Roberds, Sessions, and Whaley.

In the affirmative, 12.

In the negative, 20.

The amendment was consequently not agreed to.

Mr. FICKLING moved to amend the eighth section, by striking out all after the words "shall be," to the words "and the Provost Marshal of each District," and inserting "obtained from the public Treasury of the State;" which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Allen, Appleby, DeLoach, Fickling, E. G. Palmer, and Whaley.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Alston, Arthur, Barker, Barnes, Beaty, Blakeney, Boykin, Cannon, Garlington, Harrison, Heyward, Hope, Manning, Mazyck, McAliley, McCaw, McKewn, Montgomery, Moses, S. W. Palmer, Rhett, Roberds, Sessions, Sharpe, and Ware.

In the affirmative, 6.

In the negative, 26.

The amendment was consequently not agreed to.

The reading of the Bill having been concluded, upon the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Alston, Arthur, Barker, Barnes, Blakeney, Boykin, DeLoach, Fickling, Garlington, Heyward, Manning, Mazyck, McKewn, Montgomery, E. G. Palmer, S. W. Palmer, Rhett, Roberds, Ware, and Whaley.

Those who voted in the negative, are

Messrs. Allen, Beaty, Cannon, Harrison, Hope, McAliley, McCaw, Moses, Sessions, and Sharpe.

In the affirmative, 21.

In the negative, 10.

The Bill was consequently agreed to, and ordered to be sent to the House of Representatives.

Mr. ALSTON offered the following preamble and resolution, which was ordered for consideration on Monday :

Whereas, The Congress of the Confederate States, in response to the earnest and prompt message of the President, has appropriated the sum of two hundred and fifty thousand dollars, as an advance on account of any claim of the State of South Carolina upon the Confederate States, and that the sum be paid to such persons as may be authorized by the Legislature of South Carolina to receive the same; therefore,

Resolved, That the General Assembly of South Carolina hereby authorizes the Governor to appoint such person as he may deem fit, to receive the sum

appropriated by the Congress of the Confederate States, to be appropriated or disposed of as the General Assembly shall thereafter direct.

On motion of Mr. MAZYCK, the Senate adjourned at five minutes past 10 o'clock, P. M.

MONDAY, DECEMBER 16, 1861.

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of Saturday.

The session was opened with prayer by Rev. Mr. Pringle.

ADDITIONAL SENATOR:

Hon. W. R. JOHNSON, Senator from Marion, appeared in his place in the Senate Chamber.

Mr. BLAKENEY presented the following resolution:

Resolved, That Gen. N. G. Evans be invited to a seat on the floor of the Senate, and that a Committee be appointed to inform him of the same.

Which was ordered for immediate consideration, and agreed to, and Messrs. Blakeney, Sessions, and Montgomery were appointed the Committee.

Mr. APPLEBY presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. Wm. C. Freeman, for a *post mortem* examination; which was ordered for consideration to-morrow.

The Senate granted leave of absence to the Senator from St. Peter's Parish from and after Wednesday, for the remainder of the session.

Pursuant to notice, and with leave of the Senate, Mr. ARTHUR introduced,

A Bill to incorporate the Mutual Fire Insurance Company of Columbia; which received the first reading, and was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate the following papers, in which it had concurred:

The report of the Committee on Military and Pensions,

On the petition of Martha McGraw, praying arrearages of pension; also,

The report of the Joint Committee

On the resolution as to relief to the sufferers by the late fire in Charleston.

The House of Representatives also sent to the Senate the following papers :

The report of the Committee on Claims,

On the account of Dr. Edward B. Smith, for the examination of a lunatic; which was referred to the Committee on the Lunatic Asylum and Medical Accounts; also,

The report of the same Committee,

On the account of A. G. Fink, for public printing;

On the account of Hayden & Whilden, for \$45;

On the account of E. R. Stokes, for book binding;

On the account of E. J. McDaniel, for public printing; and,

On the account of R. S. Desports, Administrator, for public printing; which were severally referred to the Committee on Claims and Grievances.

A Bill to suspend certain Acts providing for a Code of the Statute Laws of South Carolina, received the first reading, and was referred to the Committee on the Judiciary.

A Bill to amend an Act entitled "An Act to incorporate the Cheraw and Coalfields Railroad Company in South Carolina," ratified on the 21st day of December, A. D. 1857, and for other purposes, received the first reading and was referred to the Committee on Incorporations and Engrossed Acts.

A Bill to incorporate the Florence and Fayetteville Railroad Company received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act, and returned to the House of Representatives.

Message No. 6, of his Excellency the Governor, was received and read, and, on motion of Mr. ALLEN, was made the Special Order for to-morrow, at 1 o'clock, P. M.

MESSAGE NO. 6.

STATE OF SOUTH CAROLINA, EXECUTIVE DEPARTMENT, }
December 16th, 1861. }

Gentlemen of the Senate and House of Representatives:

I herewith transmit a communication from his Excellency Governor Brown, of Georgia. It shows that the Legislature of our sister State has appropriated one hundred thousand dollars for the relief of the sufferers in Charleston by the recent fire. The gratitude and thanks of the State are

due for this noble act of munificence on the part of our sister State. Our people will feel it deeply, and it will add another link to the bright chain which binds the two States together in one common destiny. Such acts belong only to a manly and brave people.

I here take occasion to say, that on the tenth day of last January, the day after the *Star of the West* was fired into from our batteries, there was not a place in all Georgia, that was near to the telegraph, but what sent to me its offers, by hundreds, for an immediate march to Charleston. It touched my heart deeply, for I felt that the haughty spirit of a free and heroic people had filled, as with electric fluid, her whole air, from the snowy crest of her rugged mountains, even to the orange groves that bloom over her sunny plains, stretching to the far southern border. I felt that we were safe, and that we must be free, for in every Georgian's heart I felt a brother's beat, and in every Georgian's hand there was the grasp of the gleaming blade for a brother's wrongs.

In the early history of our colonies, when Georgia was weak, we sent our troops to act with the illustrious Oglethorpe in defending his country from the Spaniards on one side, and to drive back the savages on the other. Some of our men accompanied him even in his expedition against Saint Augustine. And in our first war for independence we sent a regiment to the siege of Savannah, which was nearly annihilated in the attack. And after Augusta had been in possession of our enemies for near three years, we sent an efficient force to the siege, which aided in reducing that city to our possession. We also sent a force to join her commanders over Savannah River, above Petersburg, and the joint forces fought together the celebrated battle of Kettle Creek, which rescued that portion of Georgia from the Tories. So, too, her commanders and forces were with ours in the upper country, more or less, throughout the Revolution. Georgia was the first State, after the adoption of the Federal Constitution, that demanded an amendment to that instrument, limiting the power of the Central Government, by preventing a State from being sued. In eighteen hundred and twenty-four she gave us the first real practical lesson in State rights, and, under her able and patriotic statesmen of that day, defied the assuming power of the Federal Government. She, on that occasion, through her intrepid Troupe, announced the memorable words: "The argument is exhausted, and we will stand to our arms."

And in the late bloody battles of Virginia, no troops have shown more daring courage in every position than have the Georgians. Whether in the remote mountain gorges of Western Virginia, or on the banks of the Potomac, her sons have fought everywhere with a recklessness and brave soldiery that has never been surpassed by any people. She suffered more terrible losses on the plains of Manassas than any other State.

Nearly two of her gallant regiments were literally cut to pieces, and although her immortal Bartow fell at their head, yet it was with the flag of his country as his winding sheet, and the shout of defiance and victory as the last note that touched the warrior's ear as he sank into the tomb of his glory.

Under all these circumstances, it is peculiarly grateful to us to receive this new evidence of her cordial sympathy with us. We are one and the same people—in climate, soil and productions—in all the great interests and duties of life we are one and the same, and, under the blessings of Providence, I trust that no events will occur to separate us through all time to come.

F. W. PICKENS.

The Senate proceeded to the

GENERAL ORDERS OF THE DAY.

The report of the Special Committee of the Senate, in relation to members of this body who hold office in the Military service of the State or of the Confederate States, was passed over.

The General Orders were suspended; and

Mr. MOSES presented the report of the Committee on the Judiciary,

On the report of the Judiciary Committee of the House, on a resolution concerning the removal of the public records and prisoners; and,

On a Bill to provide for the better government of slaves; which were ordered for consideration to-morrow.

Mr. MOSES also presented the report of the same Committee,

On a Bill to confer the rights of legitimacy on a certain child of Mary Mullinax; which was ordered for consideration to-morrow, and to be printed; and

On the resolution in relation to the inexpediency of filling the vacancy on the Chancery Bench, occasioned by the election of the Hon B. F. Dunkin to the Appeal Bench; which was ordered for consideration to-morrow.

The Committee on the Judiciary, reported

A Bill to authorize the Governor to appoint a Secretary of the Treasury; which received the first reading, and was ordered for a second reading to-morrow.

Message No. 7, of His Excellency the Governor, was received and read, and on motion of Mr. GARLINGTON, referred to the Committee on Confederate Relations, and ordered to be printed.

MESSAGE NO. 7.

STATE OF SOUTH CAROLINA, EXECUTIVE OFFICE, }
 December 16, 1861. }

Gentlemen of the Senate and House of Representatives :

I have received the accompanying communication from his Excellency the Governor of Tennessee, with a request to lay it before you :

There is no doubt that there would be great propriety in recommending our people to plant as largely of grain as possible in the coming year, but I doubt very much the wisdom or policy of any Government ever interfering, with positive authority, to direct the labor of the people. Common sense and common interest are, as a general rule, the best guides to all agricultural labors. We are at a great turning point in our history, and it is an obvious necessity that the people of the Confederate States, in their present separate independence, must enlarge their cultivation and production of wool, wheat, Indian corn, and the grasses. They would thus not only add to our resources, but greatly beautify and improve our country.

The public mind has, in some degree, over-estimated the essential importance of our cotton to England and France, in supposing that, if deprived of it, they would be forced to interfere in this contest with our enemies. They will be governed solely by their interests, and great, undoubtedly, as their manufacturing and commercial embarrassment would be from being cut off from our cotton, yet they will calculate if they will lose more from that than they would from a war with the United States, which might place their rich and immense commerce at the mercy of Northern privateers, under the guide of a lawless and abandoned Government.

Another consideration is also forcing itself upon the English mind, and that is, the hope that, even if their manufacturers of cotton, and those dependent upon its trade, should be involved in present embarrassment and probable ruin, yet it may result in forcing up new sources of supply for the raw material from their own dominions in the East, and finally relieving them from such absolute dependence upon us hereafter. This may prove delusive, but at present it has its weight in preventing their Government from taking any decided steps to open our ports, which might lead to a war that would place their commerce at the mercy of privateers from every disaffected nation. Nations seldom pursue any policy, except such as mere interest dictates. The progressive power and rather leveling principles of the United States have, for the last twenty-five years, seriously disturbed the apprehension, and interfered with the views, of England and France as to this Continent, and they will both be disposed now not to interfere in any positive manner, as to opening our ports and trade, until both parties

and sections are so far exhausted in their finances and resources as to enable them, when they do interfere, to be felt as *quasi* Protectorates.

Under these circumstances, it might be very important to us, if peace should be concluded, or trade freely opened, that we should hold a large supply of cotton on hand, so as to secure the continued monopoly of the market in Europe, and, by having a large supply, to break down immediately any new sources of supply that may have been forced up from other countries under the artificial stimulus given to its production by blockade and war measures.

F. W. PICKENS.

[COPY.]

JOINT RESOLUTION

TO TAKE STEPS TO OPEN THE PORTS OF THE SOUTH TO THE COMMERCE OF THE WORLD.

Resolved, by the General Assembly of the State of Tennessee, That as the sense of this Legislature, the following propositions are submitted for the consideration of the planters of the South, and all others whom it may concern :

First, That the present cotton crop of the Southern States is, to at least two of the leading powers of Europe, *a national necessity.*

Second, That, as under present circumstances, it seems improbable that this crop can be disposed of, the planting of another will place two crops on hand for sale at once.

Third, That the purchase of these two crops by the European powers, above referred to, will give them a supply for two years, so that at any time, when about to purchase the third crop, and having one year's stock to run upon, and the planter being unable to hold his third crop until they are compelled to buy, they will have it in their power to dictate the price and terms of sale.

Fourth, That on the other hand, the European powers, before mentioned, having exhausted their present supply, and another crop not being raised when those powers come into the market to buy, as they *must* and *will*, if we adopt this policy, the planters holding the great staple, which is a necessity to them, they will not only be compelled to buy, but also to pay a remunerative price.

Fifth, The armies of the South cannot subsist on cotton, but must have bread and meat, and while the interest of the cotton planter calls to him to plant no more cotton than will supply the home consumption, patriotism imperatively demands that his whole force should be turned into channels

in which he can contribute to the wants and wastes of a war of which none can predict the end.

Sixth, That the vital interests herein involved may be submitted to the enlightened judgment of the South, the Governor of this State is requested to forward, forthwith, a copy of these resolutions to the President of the Confederate States, who is herein requested to submit them to Congress, and also the several Governors of the Confederate States, who are herein requested to submit them to their respective Legislatures when convened.

(Signed) EDWIN A. KEEBLE,
Speaker of the House of Representatives.

(Signed) EDWARD S. CHEATHAM,
Speaker of the Senate.

(Adopted November 30th, 1861.)

The General Orders were resumed.

Mr. MAZYCK moved that the report of the Special Committee of the Senate in relation to members of this body who hold office in the military service of the State, or of the Confederate States, be indefinitely postponed; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Alston, Appleby, Barker, Blakeney, Boykin, Bull, DeLoach, Fickling, Furman, Garlington, Irby, Lesesne, Mazyck, McKewn, S. W. Palmer, Rhett, Watson, and Whaley.

Those who voted in the negative, are

Messrs. Allen, Arthur, Beaty, Cannon, Harrison, Heyward, Hope, McAliley, Montgomery, Moses, E. G. Palmer, Roberds, Sessions, and Ware.

In the affirmative, 19.

In the negative, 14.

The report was therefore ordered to be indefinitely postponed.

Mr. MOSES presented the report of the Special Committee of the two Houses,

On the subject of appointing a suitable day for the adjournment of this General Assembly; which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Mr. HARRISON presented the following resolution:

Resolved, That it be referred to a Special Joint Committee of six from each House—one being taken from each Congressional District—to inquire and report upon the expediency and the means of providing employment for the slaves on the sea-board, whom it may be necessary to remove from the plantations in consequence of the invasion of the enemy.

Which was ordered for immediate consideration, was agreed to, and was ordered to be sent to the House of Representatives.

Messrs. Harrison, Moses, McAliley, Blakeney, Lesesne, Allen and Garlington, were appointed the Committee on the part of the Senate.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on the following papers, which were ordered for consideration to-morrow.

On the petition of Rev. A. W. Leland, praying to be refunded a tax illegally collected ;

On the petition of the Rev. J. H. Thornwell and John B. Adger, praying to be refunded a tax illegally exacted of them ;

On resolution in relation to the Banks of the State ;

On an abstract of Transient Poor supported or relieved by the City Council of Charleston, for the years 1860 and 1861 ; also, of expenditures on account of the poor ;

On so much of his Excellency the Governor's Message, No. 1, to the Legislature, at the extra session, as refers to Banks and loans on cotton ;

On the petition of a Committee of the Trustees of the Marine School of Charleston, asking a continuance of the appropriation for the support of that institution ;

On the report of the Joint Committee appointed to examine the Bank of the State of South Carolina ;

On the report of the President and Directors of the Blue Ridge Railroad Company ;

On a Bill to equalize the system of taxation, by establishing a uniform "*ad valorem*" duty on all property recognized as such by the laws of this State ;

On a Bill to extend an Act entitled An Act to postpone the operation of the 3d section of an Act entitled An Act for the suspension of certain sections of certain Acts, and for other purposes, ratified on the 21st day of December, in the year of our Lord 1857, and for other purposes ;

On a Bill to provide relief for the families of soldiers in service ; and

On a Bill to authorize the Banks to extend their loans to the people of this State ; which were ordered for consideration to-morrow.

Mr. McALILEY, also presented the report of the same Committee, on

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one ; and,

On a Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty one.

The former of which was made the Special Order, for to-day, at a quarter-past 7, P. M., and the latter the Special Order immediately thereafter ; also,

The report of the same Committee, on

A Bill to authorize the issue of stock, to the amount of one million eight hundred thousand dollars, for the military defence of the State, and for other purposes; which was ordered for consideration to-morrow.

Mr. CANNON presented the report of the Committee on Roads and Buildings,

On the petition of citizens of Darlington District, against the establishment of a new road; which was ordered for consideration to-morrow.

Mr. LESESNE presented the memorial of sundry citizens of Charleston, praying a charter for a new Insurance and Trust Company; which was referred to the Committee on Incorporations and Engrossed Acts,

Mr. ARTHUR presented the report of the Committee on the New State House,

On the petition of John A. Kay, praying the suspension of a certain suit at law against him in the name of the State, or to be allowed to set up discount in said suit, for moneys due him by the State; which was ordered for consideration to-morrow.

At five minutes past 3, P. M., the Senate, on motion of Mr. HOPE suspended business until 7, P. M.

RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The following message, which was ordered to *lie on the table* until called for :

IN THE HOUSE OF REPRESENTATIVES, Dec. 16, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives has adopted the following resolution :

Resolved, That it be referred to a Special Committee of three members to inquire and report upon the expediency and the means of providing employment for the slaves on the sea-board, whom it may be necessary to remove from the plantations, in consequence of the invasion of the enemy; and that a message be sent to the Senate, asking the appointment of a similar Committee to act with the Committee of this House on the subject."

The following members have been appointed a Committee of three by this House: Messrs. Boylston, Whaley and Kirk.

By order of the House,

JAMES SIMONS, *Speaker*.

The following resolution, which was ordered for consideration to-morrow :

Resolved, That a Commission, to consist of five planters, be appointed by the Governor, whose duty it shall be to ascertain the character and value of property which has been, or may be, destroyed by the enemy, or by order of State or Confederate authority, or by the voluntary action of owners, to prevent its falling into the enemy's possession during the existing war, and to report to the Legislature at the next session thereof.

The report of the Special Joint Committee of the two Houses,

On the subject of appointing a suitable day for the adjournment of the General Assembly ; which was concurred in, and ordered to be returned to the House of Representatives.

A Bill to amend, as to certain persons, the 28th section of an Act ratified December eighteenth, eighteen hundred and forty, entitled "An Act to ascertain and define the powers, duties and liabilities, of Masters, Commissioners, and Registers in Equity, and to provide for the organization and regulation of their respective offices;" which received the first reading, and was referred to the Committee on the Judiciary.

A Bill to amend an Act entitled "An Act to raise supplies for the year commencing in October, one thousand eight hundred and sixty and for other purposes;" which received the third reading, and it was

Resolved, That the Bill do pass ; that the title thereof be changed ; that it be called an Act, and returned to the House of Representatives.

A Bill to encourage the manufacture of salt within this State ; which received the third reading, and it was

Resolved, That the Bill do pass ; that the title thereof be changed ; that it be called and an Act, and sent to the House of Representatives.

Mr. MOSES gave notice, that he will to-morrow ask leave to introduce

A Bill to afford relief to the families of soldiers.

At a quarter-past 7 o'clock, P. M., the Senate proceeded to the consideration of

THE SPECIAL ORDER FOR THIS HOUR.

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one.

The Bill being before the Senate, on the second reading, Mr. ARTHUR asked leave to amend the Bill, by inserting the words, "also one hundred dollars for error in appropriation of last year," after the word "dollar," in the 5th line of the 6th section ; which amendment was agreed to.

Mr. MOSES moved to insert the following amendment to the 9th section; which was agreed to:

For James L. Petigru, Esq., for salary for the year eighteen hundred and sixty-two, as Commissioner to make a Code of the Statute Law of South Carolina, five thousand dollars; and, also, for the services of one assistant, two thousand dollars, to be paid to him as directed by "An Act further to provide for a Code of the Statute Law of South Carolina, ratified on the nineteenth day of December, eighteen hundred and fifty-nine."

Mr. McALILEY also moved the following amendment to the same section:

After the words "That the Treasurer of the Lower Division be, and he is hereby, authorized and instructed," to insert: To pay the interest due on Bonds of several Railroad Companies guaranteed by the State, thirty thousand dollars, if so much be necessary: *Provided*, No such interest shall be paid on Bonds owned by citizens of the United States, or other alien enemies, at any time since the twenty-first day of May last;

Which amendment was agreed to.

The reading of the Bill having been concluded, it was agreed to, and ordered to be sent to the House of Representatives.

Mr. McALILEY presented the following resolution:

Resolved, That the 26th rule of the Senate be suspended, in order to amend, on the third reading,

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one; which was ordered for consideration to-morrow.

On motion of Mr. HARRISON, the Senate adjourned at ten minutes past 10 o'clock, P. M.

TUESDAY, DECEMBER 17, 1861,

The Senate met at 12, M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Dr. Thornwell.

The House of Representatives sent to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 17, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully concurs in the resolutions adopted by Senate, proposing the appointment of a Special Joint Committee of six, one from each Congressional District, to inquire and report upon the expediency and means of finding employment for the slaves on the seaboard, whom it may be necessary to remove from the plantations in consequence of the invasion by the enemy ; and on the part of the House, the following Committee has been appointed, to act with Senate's Committee, viz : Messrs. Boylston, Whaley, Aldrich, Macfarlan, Lipscomb, and Hoke.

By order of the House,

JAMES SIMONS, *Speaker.*

Also, the following message :

IN THE HOUSE OF REPRESENTATIVES, December 17, 1861.

Mr. President and Gentlemen of the Senate :

The following resolutions, reported by the Committee of Ways and Means, have been adopted by the House of Representatives :

Resolved, That the aid heretofore granted to the Marine School of Charleston be continued, to the amount of six thousand dollars.

Resolved, That a message be sent to the Senate, asking leave of that body to amend the report of the Committee on Finance and Banks, by striking out "five," and inserting, in lieu thereof, "six."

By order of the House,

JAMES SIMONS, *Speaker.*

A message, granting leave to amend, was returned accordingly.

Mr. MOSES presented the report of the Committee on the Judiciary,

On "A Bill to suspend certain Acts providing for a Code of the Statute Law of South Carolina ;" also,

The report of the same Committee,

On "A Bill to amend the 28th section of an Act, ratified December 18, 1840, entitled An Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices; which were ordered for consideration to-morrow.

Mr. LESESNE presented the petition of Samuel Y. Tupper and others, praying a charter for a new insurance company in the City of Charleston; also,

The petition of William McBurney and others, praying a charter for a new insurance company in the City of Charleston, to be called the "Planters and Merchants Insurance Company;" which were referred to the Committee on Incorporations and Engrossed Acts.

Mr. BARKER presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on the report of the Committee on Claims, of the House.

On the account of Dr. Edward B. Smith; also,

The report of the Committee on the College, Education and Religion.

On a Bill to amend the law as to the election of officers in the South Carolina College; which were ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill to amend an Act entitled "An Act to incorporate the Cheraw and Coalfields Railroad Company in South Carolina," ratified on the 21st day of December, A. D. 1857, and for other purposes; also,

The report of the Committee, on the College, Education and Religion,

On a Bill to incorporate the Mutual Insurance Company of Columbia; which were ordered for consideration to-morrow.

Mr. FURMAN presented the report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. A. N. Talley, for services rendered prisoners in jail; which was ordered for consideration to-morrow.

Mr. E. G. PALMER presented the report of the Special Committee of the Senate on certain rooms in the New State Capitol, as to their fitness for the reception of public documents; which was ordered for consideration to-morrow.

On motion of Mr. ARTHUR,

A Bill to incorporate the Mutual Insurance Company of Columbia, was taken up for a second reading, and the reading having been concluded, it was agreed to, and ordered to be sent to the House of Representatives.

The House of Representatives sent to the Senate the following Bills, which received the first reading, and were referred as follows:

A Bill to grant immunity to free persons of color who shall return to this State, from certain penalties now provided by law, was referred to the Committee on the Judiciary.

A Bill to regulate the reports of Railroad Companies, and for other purposes; and.

A Bill to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others, were referred to the Committee on Incorporations and Engrossed Acts.

A Bill to sanction the issue of small notes made by the Bank of the State of South Carolina, and to authorize further issues of the same, was referred to the Committee on Finance and Banks.

A Bill to incorporate certain Religious and Charitable Societies, and Societies for the advancement of education, and to renew the charters of others heretofore granted, was referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives returned to the Senate, with its concurrence, the following papers:

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the petition of Dr. R. J. Muirhead, praying compensation for *post mortem* examination; and,

The report of the Committee on Commerce and Manufactures, on so much of the Governor's Message as relates to the manufacture of cannon, small arms, and gunpowder, and the raising and manufacture of wool within the State, recommending a liberal patronage of home establishments.

The House of Representatives sent to the Senate for concurrence,

The report of the Committee on Public Buildings, on the petition of the Commissioners of Public Buildings for Richland District, praying an appropriation for a new Court House; which was referred to the Committee on Roads and Buildings.

The report of the Committee on Accounts, on a resolution instructing the Treasurer of the Lower Division to pay over a former appropriation to Thos. C. Moody; which was referred to the Committee on Accounts and Vacant Offices.

The report of the Committee of Ways and Means, on the petition of Rev. J. H. Thornwell and Rev. J. B. Adger, asking to be refunded taxes illegally collected; which was referred to the Committee on Finance and Banks.

A Bill to raise supplies for the year commencing in October one thousand eight hundred and sixty-one, being before the Senate on the second reading,

Mr. ALLEN moved to strike out all after the enacting clause, and to substitute in place thereof, the following amendment:

SEC. 1. *Be it enacted by the Senate and House of Representatives, now met and sitting in General Assembly, and by the authority of the same,* That the taxes of this State shall hereafter be imposed with reference to the actual value of property; and for the purpose of ascertaining the value of all property hereinafter declared subject to taxation, it shall be the duty of the several Tax Collectors of the State, in their respective Tax Districts, to make an assessment of the value of all such property, which assessment shall be made with reference to the actual value of the same, on the first day of January last preceding any such assessment.

SEC. 2. That said assessment shall include all lands, with the improvements thereon, (except churches, academies and colleges, and the lots on which they are situated,) all village, town and city lots, with the improvements thereon, if any; all mills and factories, with their machinery; all slaves; live stock of all kinds; carriages and all other vehicles for pleasure; omnibuses, and other vehicles kept for hire or for the transportation of passengers; wagons, carts and drays; all household furniture, including silver plate and ware; all merchandise and stocks in trade, of whatsoever kind; all gold and silver watches; all wines and liquors, distilled, fermented or malt, of whatsoever name; all stocks and bonds, whether of the State, of the Confederate States, of Banks, Insurance or Railroad Companies, or of public or private corporations, or companies of any kind; all rolling stock of railroads; all money in hand; all notes, mortgages, or other investments of money at interest; all salaries and incomes of office, including office fees, whether of officers of the State or of the Confederate States, of private, public or municipal corporations and companies; of professors, teachers, and other officers of colleges, schools, seminaries, academies, or other institutions of learning, civil, religious or military; all incomes of professional occupations, whether of law, medicine, civil engineering, architecture, or dentistry; all salaries of editors; all salaries and wages of clerks, salesmen, or other persons in the employment of another at stated wages; of overseers, superintendents and agents; all book hawkers on the cars; auctioneers, and peddlers of all kinds; all salaries, incomes or fees, of artisans, mechanics, or master workmen, when the same amount to the sum of _____ per annum; as also all other species and kinds of property, real and personal, other than the unmanufactured products of the farm, owned or possessed by any citizen of this State, for himself, or in trust for another, and on all incomes, of whatsoever name or kind.

SEC. 3. That the several Tax Collectors are hereby required to meet the tax-payers on at least two days, in each Beat Company, and at such other convenient places as may be appointed, after due publication of the same, for the purpose of receiving returns and making assessments; and it shall

be the duty of the tax-payers to meet their respective Collectors at such times and places, and furnish, upon oath or affirmation, to said Collector, schedules of their respective property, herein subjected to taxation; and the said Collector, upon completing the assessments aforesaid, which shall not be later than the tenth day of March, in any year, shall forthwith forward to the Comptroller General a schedule, showing the aggregate value of the taxable property in their respective Districts, and shall also file, in the office of the Clerk of the Court, a schedule of the names of the tax-payers resident in each Judicial District, with the sums assessed against each upon which a tax is to be collected.

SEC. 4. That it shall be the duty of the Comptroller General, upon receiving the assessments hereinbefore provided for, to aggregate the same, and ascertain the per centage thereon which it will be necessary to collect to meet the expenditures of the fiscal year; and upon ascertaining the same, forthwith to order the Collectors of the State to collect the said per centage on the assessments of their respective Districts, and return the same to the Treasury, as now required by law.

SEC. 5. That if any tax-payer shall be dissatisfied with the assessment made of his property by the Collector, he may appeal, and the matter shall then be referred by the Collector to a Board, consisting of the Clerk of the Court, the Commissioner in Equity, and the Ordinary of the Judicial District, who are hereby authorized to hear and determine such appeals, and whose decree shall be final. And it shall be the duty of such Board, or a majority of them, to assemble promptly at the office of the Clerk of the Court, on notice of such appeal, and to hear and determine the same; and for their services in this behalf, the said Board shall be entitled to a fee of dollars on each case of appeal, to be collected by the Tax Collector from the party appealing, and paid over to the said Board.

SEC. 6. That for default of duty in any matters required by this Act, the Tax Collectors and tax-payers shall be liable to the same penalties as heretofore provided by law for such case of default, and shall, besides, be subject to indictment as for a misdemeanor, and punished in the discretion of the Court.

Upon the question of agreeing to the amendment, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Appleby, Arthur, Blakeney, DeLoach, Fickling, Garlington, Harrison, Irby, Lesesne, McKewn, Moses, Roberds, and Sharpe.

Those who voted in the negative, are

Messrs. Alston, Barker, Barnes, Beaty, Boykin, Cannon, Dantzler, Furman, Heyward, Hope, Johnson, Mazyck, McAliley, McCaw, Montgomery, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, Watson, and Whaley.

In the affirmative, 15.

In the negative, 22.

The amendment was consequently not agreed to.

Mr. RHETT moved to amend the first section by inserting the words "and such other land as shall have been abandoned by the owners in consequence of the action of the military authorities," before the words "shall be exempt," which amendment was agreed to.

Mr. HARRISON moved to strike out the words "Fifty dollars on each still used for the distillation of spirituous liquors," in the amendment made by the Senate at the close of the first section, and to insert in its place "Twenty cents per gallon on all spirituous liquors made or vended in this State;" which amendment was not agreed to.

The reading of the bill having been concluded, it was agreed to, and was ordered to be returned to the House of Representatives.

SPECIAL ORDER FOR 1, P. M.

The Senate proceeded to the consideration of the Special Order for this hour, Message No. 6, of his Excellency the Governor.

Mr. ALLEN presented the following preamble and resolutions, which were ordered for consideration to-morrow:

That whereas The General Assembly of the State of Georgia have, through his Excellency, Gov., Joseph E. Brown, donated to the sufferers by the recent fire in the city of Charleston the sum of one hundred thousand dollars, and that, under all the circumstances and conditions of things now existing, this act of extraordinary sympathy for, and munificence towards, the distressed people of our beloved metropolis, overwhelmed as they are now by the ravages of a conflagration of great severity and extent, therefore be it

Resolved, That this Legislature, entertaining the most grateful appreciation of this demonstration of the good people of our noble, gallant and patriotic sister State of Georgia, do hereby tender to them, through their chivalric Governor, Joseph E. Brown, the profoundest acknowledgements of our gratitude and admiration, for this well-timed and generous expression of solicitude for our welfare.

Resolved, That the Clerks of both Houses of this General Assembly be instructed to procure the flag and coat of-arms of the State of Georgia, and to place them over the presiding Chairs of each branch of this Capitol.

Resolved, That the Commissioner of the New State Capitol be instructed to place the coat-of-arms and the escutcheon of the State of Georgia over the door of the Executive Chamber thereof, "*in perpetuum rei*," as a testimony of our regard for their great munificence and philanthropy.

Resolved, That a copy of these resolutions be forwarded to his Excellency Governor Joseph E. Brown, with the request that he lay them before the Legislature.

On motion of Mr MOSES, leave of absence was granted by the Senate to Senator from St. Andrew's Parish, from and after to-morrow, for the remainder of the session.

Leave of absence was granted by the Senate to the Senator from Pickens, from and after to-day for the remainder of the session, on account of military duty; also,

To the Senator from Christ Church, from and after to-day, for the remainder of the session.

Mr. BULL presented the report of the Committee on the Legislative Library; which was ordered for consideration to-morrow.

Mr. MOSES moved that the Senate now proceed to the consideration of the General Orders, and the same was ordered.

On motion of Mr. MOSES, the Senate then, at 3 o'clock, P. M., suspended business until 7 o'clock, P. M.

RECESS.

At 7, P. M., the President resumed the Chair, and the Senate proceeded to the consideration of the

GENERAL ORDERS OF THE DAY.

A Bill to protect the persons and property of volunteers who are now in, or may hereafter be in, the service of their country, against vexatious lawsuits and executions, and to grant aid to such of their families as may require support, was before the Senate on the second reading; all after the enacting clause was stricken out, and the amendment of the Committee on the Judiciary substituted; and the title of the bill changed so as to read, "A Bill to afford aid to the families of soldiers."

It was moved to strike out the word "twenty" in the second section, before the words "per centum on the General State Tax," and to insert "fifty," which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Arthur, Barker, Barnes, Beaty, Blakeney, DeLoach, Garlington, Heyward, McAliley, Montgomery, Moses, Sessions, and Whaley.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Allen, Appleby, Boykin, Bull, Cannon, Dantzler, Hope, Irby, Johnson, Lesesne, Mazyek, McCaw, McKewn, E. G. Palmer, S. W. Palmer, Rhett, Roberds, and Ware.

In the affirmative, 13.

In the negative, 19.

The motion was therefore lost, and the word not stricken out.

Mr. MOSES moved to add the following amendments as additional sections:

SEC. 7. And said Boards shall make returns of their receipts and expenditures to the Court of Common Pleas of their respective Districts, at the fall term thereof, and shall be liable to the same penalties for default or neglect of duty as the other District Boards are now liable according to law.

SEC. 8. That each of the said Boards shall consist of not more than ten nor less than five persons, to be appointed by joint resolution of the General Assembly, to continue in office for one year.

Which amendments were agreed to, and the reading having been concluded, the Bill was agreed to, and ordered to be sent to the House of Representatives.

A Bill in reference to the suspension of specie payments by the Banks of this State, and for other purposes, received the second reading, was agreed to, and ordered to be returned to the House of Representatives.

A Bill to prevent fore-stalling and extortion in the sales of provisions and necessary articles of consumption, and to authorize their seizure for public use, received the second reading, and

Mr. RHETT moved that the Bill do lie on the table, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Arthur, Barker, Blake-ney, Boykin, DeLoach, Johnson, Lesesne, Mazyek, McAliley, Moses, S. W. Palmer, Rhett, and Ware.

Those who voted in the negative, are

Messrs. Appleby, Beaty, Cannon, Dantzler, Garlington, Harrison, Heyward, Hope, Irby, McCaw, McKewn, Montgomery and Sessions.

In the affirmative, 15.

In the negative, 18.

The Bill was consequently ordered to lie on the table.

On motion of Mr. MAZYCK, the General Orders were suspended, and the following Bills, from the House of Representatives, received the first

reading, and were referred to the Committee on Incorporations and Engrossed Acts.

A Bill to incorporate the Insurance and Trust Company of Charleston, and the Calhoun Insurance Company.

A Bill to incorporate the Carolina Insurance Company, and

A Bill to incorporate the Trezholm Mutual Insurance Company.

The House of Representatives sent to the Senate,

A Bill for re-building the city of Charleston, after the recent conflagration; which received the first reading, and was referred to the Committee on Finance and Banks.

The Special Joint Committee, on a resolution of inquiry upon the expediency and means of providing employment for the slaves on the seaboard, whom it may be necessary to remove, in consequence of the invasion of the enemy, reported

A Bill to provide for the security of the property, of the citizens of the State; which received the first reading, and was made the Special Order for to-morrow, at half-past 1 o'clock, P. M., and was ordered to be printed.

The Senate granted leave of absence to the Senator from Prince Williams from and after Friday next, for the remainder of the session.

On motion of Mr. McKEWN, it was

Ordered, That when the Senate adjourns, it shall stand adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. HARRISON, the Senate adjourned at 11 o'clock, P. M.

WEDNESDAY, DECEMBER 18, 1861.

The Senate met at 11. A. M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Taylor.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill to incorporate the "Insurance and Trust Company of Charleston," and the Calhoun Insurance Company; also,

The report of the same Committee,

On a Bill to incorporate the Carolina Insurance Company; and,

On a Bill to incorporate the Trenholm Mutual Insurance Company; which were ordered for consideration to-morrow.

Mr. ARTHUR presented the account of Evans & Cogwell, for stationery, &c., furnished the Senate; also,

The contingent account of State House Keeper, for 1861; which were referred to the Committee on Claims and Grievances.

Mr. MOSES presented the report of the Committee on the Judiciary,

On the petition of Richard Williams and wife, and others, praying compensation for land escheated by the State, and

On a Bill to grant immunity to free persons of color who shall return to this State, from certain penalties now provided by law; which were ordered for consideration to-morrow.

The Committee on Incorporations and Engrossed Acts, reported

A Bill to charter the Planters' and Merchants' Insurance Company; which received the first reading, and was ordered for a second reading to-morrow.

Mr. ALSTON presented the report of the Committee on Military and Pensions,

On a resolution of inquiry as to the number of Pay and State Cadets in the Military School, and in relation to a change of system, by means of which a larger number of State Cadets could be admitted; which was ordered for consideration to-morrow.

The House of Representatives sent to the Senate,

A resolution appointing Hon. W. G. DeSaussure, Secretary of the Treasury, as Agent of the State, to receive the sum of two hundred and fifty thousand dollars, appropriated by Congress; which was ordered for immediate consideration, was concurred in, and ordered to be returned to the House of Representatives; also,

The report of the Committee on Confederate Relations,

On Message No. 6. of his Excellency the Governor, with the accompanying documents, communicating the action of the Legislature of the State of Georgia, appropriating one hundred thousand dollars for the relief of the sufferers in Charleston in the recent fire; which was referred to the Special Committee on Message No. 6. of his Excellency the Governor.

The House of Representatives returned to the Senate, with its concurrence, the following papers:

The petition of the Trustees of the Marine School of Charleston, for a continuance of aid.

The report of the Special Joint Committee of the two Houses,

On the subject of appointing a suitable day for the adjournment of the General Assembly.

Mr. McALLEY presented the report of the Committee on Finance and Banks,

On a Bill to re-build the city of Charleston ; which was ordered for consideration to-morrow ; also,

The report of the Committee on the New State House,

On the Annual Report of the Commissioner and Architect ; which was ordered for consideration to-morrow. and to be printed.

The report of the Committee on Finance and Banks,

On the petitions of the Rev. J. H. Thornwell and Rev. J. B. Adger, asking to be refunded taxes illegally collected ; and

The report of the same Committee,

On a Bill to sanction the issue of small notes made by the Bank of the State of South Carolina, and to authorize further issues of the same, were ordered for consideration to-morrow.

The Senate proceeded to the consideration of the

GENERAL ORDERS OF THE DAY.

The report of the Committee on the College, Education and Religion,

On the Annual Report of the Commissioners of the Deaf, Dumb and Blind, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The report of the same Committee,

On the report of the Treasurer of the South Carolina College, for 1860 and 1861, was agreed to.

On motion of Mr. WARE, the report of the Committee on Incorporations and Engrossed Acts,

On various memorials and petitions, asking the incorporation of certain religious and charitable societies, and societies for the advancement of education, and to renew and amend the charters of others heretofore granted ; and

The report of the same Committee,

On various petitions and memorials to incorporate certain associations and companies, and for other purposes, were recommitted to the Committee.

The report of the Committee on Military and Pensions,

On the petition of the City Council of Columbia, to be refunded money paid for the State, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The Report of the Committee on Confederate Relations,

On the Governor's Message and accompanying documents ; and

The report of the Committee of the House of Representatives,

In relation to property destroyed by orders of Confederate officers, were passed over.

A Bill to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax payers in this State, being before the Senate on the second reading,

Mr. MAZYCK proposed the following amendments: At the end of the first section, to add the words "or such other day as may be appointed by authority of the Confederate States; which amendment was agreed to; also,

To add the following amendment at the close of the Bill:

SEC. 1. Whenever any person, company or corporation shall, at the request of the owner of any property subject to the said tax, or his or her agent, attorney, trustee or guardian, pay the same for such owner, or lend or advance the money required to pay the same, and the tax shall be therewith actually paid, the person, company or corporation making such payment, loan or advance, shall have the same lien on the property on which the tax is paid for the repayment of the sum so paid, or advanced, or lent, with lawful interest thereon, that the State would have for the tax if the same were not paid; which said lien shall continue and be effective for two years, unless the sums so paid, lent or advanced be sooner repaid, and the receipt of the Tax Collector, with the acknowledgement of the owner of the property, his or her agent, attorney, trustee or guardian, endorsed thereon, and attested by the Tax Collector, shall be sufficient evidence of such lien, and shall authorize the holder thereof, at any time within _____ years from the time of such payment, loan or advance, to require the Tax Collector to issue his warrant, directing the Sheriff to levy the money so paid, advanced or lent, with interest thereon, out of the said property.

SEC. 2. For the purpose of facilitating the payment and collection of the said tax, the President and Directors of the Bank of the State of South Carolina shall lend to the owners of property subject to the same, upon the application of such owners, or their agents, attorneys, trustees, or guardians, the money required for paying the said tax, and shall have the same lien as aforesaid to secure the repayment of such loans; and the said loans shall be repaid by quarterly instalments of one-tenth of the original amount of the respective loans, which shall be applied, first, to the interest accrued at the time of paying any such instalment; and the said lien shall continue and be effective until the respective loans are fully repaid; and whenever two instalments of any such loan shall be in arrear or unpaid, the said President and Directors shall be authorized to require the Tax Collector to issue his warrant for levying the whole amount of such loan out of the property subject to the tax: *Provided*, That the said President and Directors, after having made such loans as aforesaid, to the amount of _____ hundred

thousand dollars, shall not be bound to make any further such loans, unless they think proper so to do.

SEC. 3. It shall be lawful for the said President and Directors to issue notes or certificates, which shall be receivable for the sums therein expressed, in payment of all taxes and other dues to the State, and also in payment of all debts due to the said Bank, and shall not be in the form of promises to pay, but shall purport that they will be received in payments to the State and the said Bank as aforesaid, and shall be signed by such person or persons as the said President and Directors may designate or appoint for that purpose: *Provided*, That the amount of such notes or certificates so to be issued shall not exceed the amount of loans which may be made by the said Banks for the payment of the said tax, in pursuance of the provisions of this Act.

The reading of the Bill was then suspended, in order that the amendment might be printed.

The resolution in relation to the appointment of proper persons to receive the sum appropriated by Congress to be placed at the disposal of the State of South Carolina, was, on motion of Mr. E. G. PALMER, ordered to *lie on the table*.

On motion of Mr. HARRISON, the Special Order for half-past 1, P. M., was discharged, and made the Special Order for to-day, at a quarter-past 7, P. M.

The report of the Judiciary Committee, of the House, on a resolution concerning the removal of public records and prisoners, was concurred in, and ordered to be returned to the House of Representatives.

The PRESIDENT laid before the Senate the following communication; which was passed over:

*To the Honorable the President and Senate
of the State of South Carolina:*

GENTLEMEN: In addition to my report to the Adjutant General, transmitted to you with the Executive Documents, I beg leave to add the following recommendation:

The presence of the enemy within our borders, and the large accession of troops in our army admonish us of the necessity of extensive hospital preparation for the aid and comfort of the latter.

The present local arrangements of the Confederate hospitals are entirely inadequate, and I respectfully urge that an immediate organization be made of a State Hospital, at Columbia. It is the most eligible position—away from the excitement of the camps—where several railroads meet—and is about the same distance from Charleston as Manassa from Richmond, where

the general and other Confederate hospitals are located. I feel it my duty to call your attention to this important matter, which should be immediately attended to.

I need scarcely remind you of the sad neglect of early preparation by the Confederate Government, of necessary hospitals, which has been so lamentably felt in the neighborhood of our armies.

Respectfully,

R. W. GIBBES, M. D.,

Surgeon General of South Carolina.

The unfavorable report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. Wm. C. Freeman, for a *post mortem* examination, was agreed to.

The report of the Committee on the Judiciary,

On a Bill to provide for the better government of slaves, was passed over.

The report of the Committee on the Judiciary,

On the resolution in relation to the inexpediency of filling the vacancy on the Chancery Bench, occasioned by the election of the Hon. B. F. Dunkin to the Appeal Bench, being before the Senate,

Mr. MOSES proposed to add the following amendment to the resolution recommended by the Committee: "and that the clerks do communicate a copy of the resolution, when passed, to the Chief Justice;" which was agreed to.

The report, as amended, was then agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The unfavorable report of the Committee on Finance and Banks,

On the petition of Rev. A. W. Leland, praying to be refunded a tax illegally collected, was agreed to.

A Bill to authorize the Governor to appoint a Secretary of the Treasury, having been read,

Mr. MAZYCK moved to strike out all after the enacting clause, and to insert the following:

That the Treasurer of the Lower Division shall be charged with the duty of disbursing the fund appropriated for the military defence of the State, and to countersign all orders for the payment of money out of the said fund, to take vouchers for the same, and keep a proper account of all his transactions, subject to the supervision and control of the Governor. And the said Treasurer, in consideration of such service, shall receive, annually, the sum of five hundred dollars in addition to his present salary.

Mr. MOSES moved to lay the amendment on the table, which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Alston, Arthur, Blakeney, Boykin, Fickling, Garlington, Harrison, Heyward, Irby, Johnson, Lesesne, McAliley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, and Watson.

Those who voted in the negative, are

Messrs. Allen, Appleby, Beaty, Cannon, Dantzler, DeLoach, Furman, Hope, and Mazyek.

In the affirmative, 23.

In the negative, 9.

The amendment was therefore ordered to *lie on the table*.

Upon the question of agreeing to the Bill, it was decided affirmatively, and it was ordered to be sent to the House of Representatives.

The report of the Committee on the Judiciary,

On a Bill to confer the rights of legitimacy on a certain child of Mary Mullinax, was passed over.

The unfavorable report of the Committee on Finance and Banks,

On the petition of Rev. J. H. Thornwell and J. B. Adger, praying to be refunded a tax illegally exacted of them, was agreed to.

On motion of Mr. McALILEY, the Senate, at five minutes to 3, P. M., suspended business until 7, P. M.

RECESS.

At 7, P. M. the PRESIDENT resumed the Chair, and the Senate proceeded with business.

Mr. BLAKENEY presented the following resolution, which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, That Thomas E. Powe, John F. Matheson and Thomas C. Law be appointed proxies of the State, of whom one or more shall be, and is hereby, authorized and empowered to represent the stock owned by the State in the Cheraw and Darlington Railroad Company, at all meetings of the said Company during the year commencing with the day of the final adjournment of the General Assembly at the present session.

On motion of Mr. E. G. PALMER, the Special Order for a quarter-past 7, was temporarily postponed.

On motion of Mr. LESESNE, the following Bills were taken up for a second reading, and the reading having been concluded, they were agreed to, and ordered to be returned to the House of Representatives.

A Bill to incorporate the Insurance and Trust Company of Charleston, and the Calhoun Insurance Company.

A Bill to incorporate the Trenholm Mutual Insurance Company.

A Bill to regulate the reports of Railroad Companies, and for other purposes; and

A Bill to incorporate the Carolina Insurance Company.

The House of Representatives sent to the Senate

A Bill to incorporate the Mutual Fire Insurance Company of Columbia; which, having been amended on the third reading, was referred to the Committee on Incorporations and Engrossed Acts.

On motion of Mr. LESESNE, the Senate reconsidered the vote on

A Bill to incorporate the Insurance and Trust Company, and the following amendment to the 32d section was adopted:

SEC. 32. The Board of Directors are hereby empowered to call in the remaining instalments on the shares of the capital stock, in such sums and at such times as they may deem advisable, provided two weeks' notice be given of each call. And the said instalments shall be payable in the same manner as hereinbefore provided as to the first instalment of five dollars.

Also, on

A Bill to incorporate the Carolina Insurance Company; and the following amendment to the 16th section was adopted:

And the said instalments shall be payable in the same manner as hereinbefore provided as to the first instalment of five dollars.

The Bills, as amended, were then agreed to, and were ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate,

A Bill to charter a Cotton Planters' Loan Association; which received the first reading, and was referred to the Committee on Finance and Banks.

A Bill to suspend the collection of debts, the Statute of Limitations, and notice of protest; which received the first reading, and was referred to the Committee on the Judiciary.

The House of Representatives sent to the Senate,

The report of the Comptroller General on the Contingent Accounts of the Upper Division.

The reading of the report was dispensed with, and it was ordered to lie on the table for the inspection of Senators.

A Bill to incorporate the Mutual Insurance Company of Columbia, received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, That it be returned to the House of Representatives.

On motion of Mr. MOSES, the Special Order for quarter-past 7 o'clock, P. M., was again deferred.

The Senate resumed the consideration of the General Orders.

On motion of Mr. MOSES, the report of the Committee on the Judiciary,

On a Bill to confer the rights of legitimacy on a certain child of Mary Mullinax, was ordered to *lie on the table*. The Bill was taken up for a second reading, and the reading having been concluded, the Bill was agreed to, and was ordered to be returned to the House of Representatives.

The resolutions in relation to the Banks of the State, were concurred in, and ordered to be returned to the House of Representatives.

The report of the Committee on Finance and Banks, on an abstract of Transient Poor supported or relieved by the City Council of Charleston for the years of 1860 and 1861; also, of expenditures on account of the Poor, was agreed to.

The report of the Committee of Ways and Means, on the report of the Joint Committee appointed to examine the Bank of the State of South Carolina, was concurred in, and ordered to be returned to the House of Representatives.

The report of the Committee on Finance and Banks, on the report of the President and Directors of the Blue Ridge Railroad Company, was agreed to.

The report of the Committee of Ways and Means, on the petition of a Committee of the Trustees of the Marine School of Charleston, asking a continuance of the appropriation for the support of that institution, was concurred in, and ordered to be returned to the House of Representatives.

The report of the same Committee, on so much of his Excellency the Governor's Message No. 1, to the Legislature, at the extra session, as refers to Banks and loans on cotton, was concurred in, and ordered to be returned to the House of Representatives.

A Bill to extend an Act entitled an Act to postpone the operation of the third section of an Act for the suspension of certain sections of certain Acts, and for other purposes, ratified on the 21st day of December, A. D. 1857, and for other purposes, received the second reading, was agreed to, and ordered to be returned to the House of Representatives.

A Bill to provide relief for the families of soldiers in service, and

A Bill to authorize the Banks to extend their loans to the people of this State, were ordered to *lie on the table*.

A Bill to authorize the issue of Stock to the amount of one million eight hundred thousand dollars, for the Military Defence of the State, and for other purposes, received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

The Committee on Roads and Buildings was discharged from the further consideration of the petition of citizens of Darlington District, against the establishment of a new road.

The report of the Committee on the New State House on the petition of John A. Kay, praying the suspension of a certain suit at law against him in the name of the State, or to be allowed to set up a discount in said suit, for moneys due him by the State, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

A resolution to appoint a Commissioner to ascertain the character and value of certain property destroyed under certain circumstances, was agreed to, and was ordered to be sent to the House of Representatives.

A resolution to suspend the 26th Rule of the Senate, was agreed to.

A Bill to suspend certain Acts providing for a Code of the Statute Law of South Carolina, was ordered to lie on the table.

The unfavorable report of the Committee on the Judiciary, on a Bill to amend the 28th section of an Act ratified December 18, 1840, entitled an Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners, and Registers in Equity, and to provide for the organization and regulation of their respective offices, was agreed to.

The report of the Committee on Claims, of the House, on the account of Dr. Edward B. Smith, was concurred in, and ordered to be returned to the House of Representatives.

A Bill to amend the law as to the election of officers in the South Carolina College, received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

A Bill to amend an Act entitled an Act to incorporate the Cheraw and Coalfields Railroad Company in South Carolina, ratified on the 21st day of December, A. D. 1857, and for other purposes, received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. A. N. Talley, for services rendered prisoners in jail, was agreed to, and was ordered to be sent to the House of Representatives.

The report of the Special Committee of the Senate,

On certain rooms in the New State Capitol, as to their fitness for the reception of public documents, was ordered to *lie on the table*.

A resolution (of Mr. ALLEN) in relation to the donation of the State of Georgia to the sufferers from the late conflagration in Charleston, was referred to the Special Committee on that subject, and was ordered to be printed.

The report of the Committee on the Legislative Library, was ordered for consideration to-morrow.

On motion of Mr. E. G. PALMER, it was

Ordered, That when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 11 o'clock, A. M.

On motion of Mr. HARRISON, the Special Order for a quarter-past 7 o'clock, P. M., was discharged, and made the Special Order for 1 o'clock, P. M., to-morrow.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the account of Evans & Cogswell, for stationery furnished the Senate for 1861; also,

The report of the same Committee,

On the report of the Committee on Claims, of the House,

On the account of E. J. McDaniel, for public printing;

On the account of Hayden & Whilden;

On the account of R. S. Desportes, for public printing;

On the account of E. R. Stokes, for book binding for the State; and,

On the account of A. G. Fink, for public printing; which were ordered for consideration to-morrow.

The Committee on Claims and Grievances was discharged from the further consideration of

The account of E. R. Stokes, for binding done for the Legislature.

Mr. WARE called for the report of the Comptroller General,

On the Contingent Accounts of the Lower Division, and it was agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. BLAKENEY, leave of absence was granted by the Senate to the Senator from Darlington District, from and after to-day, for the remainder of the session.

On motion of Mr. E. G. PALMER, leave of absence was granted to the Senator from St. Matthew's, for the remainder of the session, on account of military duty.

On motion of Mr. E. G. PALMER, the Senate adjourned at three minutes to 10 o'clock, P. M.

THURSDAY, DECEMBER 19, 1861.

The Senate met at 11, A. M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Walker.

The House of Representatives sent to the Senate the following Bills; which received the first reading, and were referred as follows :

A Bill to authorize Luey Andrews and William Jackson, free persons of color, to select their owners and go into slavery; and

A Bill to alter and amend an Act entitled "An Act to regulate the fees of Sheriffs, Magistrates and Constables, and certain fees of Clerks, were referred to the Committee on the Judiciary.

A Bill to establish certain Roads, Bridges and Ferries, and to renew and amend certain charters heretofore granted, was referred to the Committee on Roads and Buildings.

A Bill to regulate the elections of members of the Legislature and others within the Parishes of St. Philip's and St. Michael's, was referred to the Committee on Privileges and Elections.

A Bill to afford aid in the construction of the Cheraw and Coalfields Railroad Company, was referred to the Committee on Finance and Banks.

The House of Representatives sent to the Senate,

A Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales; which, having been amended by the House on the second reading, was referred to the Committee on the Judiciary.

The House of Representatives also sent to the Senate,

A Bill to provide more efficient police regulations for the Districts on the sea-board; which, having been amended by the House on the second reading, was referred to the Committee on the Judiciary; also.

A Bill to establish the boundary line between the Districts of Clarendon and Williamsburg; which received the first reading, and was referred to the Committee on the Judiciary.

A Bill to authorize Trustees to invest funds in bonds of the Confederate States; and

A Bill to amend an Act entitled "An Act creating a military establishment for the State of South Carolina, and for other purposes, received the third reading, and it was

Resolved, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

Ordered, That they be sent to the House of Representatives.

The House of Representatives sent to the Senate,

The report of the Committee on Claims,

On the account of S. M. Boykin, R. K. Rutledge, and W. F. Ervin, surveyors; which was referred to the Committee on Claims and Grievances; also,

The general report of the Committee on Privileges and Elections, as to places of holding elections, and managers of elections; which was referred to the Committee on Privileges and Elections.

Mr. CANNON presented the report of the Committee on Roads and Buildings,

On the report of the Committee on Public Buildings, of the House,

On the petition of the Commissioners of Richland District, praying an appropriation for a new Court House; also,

A petition on the same subject; which were ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee on Accounts and Vacant Offices,

On a report, from the House Committee, on the account of John C. Moody, assignee.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on

A Bill, from the House, to charter a Cotton Planters' Loan Association; which was ordered for consideration to-morrow, and to be printed.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the account of the Keeper of the State House, for contingent expenses for 1861; which was placed in the General Orders of the day.

The Senate proceeded to the consideration of the

GENERAL ORDERS OF THE DAY.

The report of the Committee on Confederate Relations, on statement of property destroyed by order of Confederate officers, was concurred in, and ordered to be returned to the House of Representatives.

The reading of

A Bill to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax-payers in this State, was resumed.

The following amendment, proposed by Mr. MAZYCK, was before the Senate for consideration :

SEC. 1. Whenever any person, company or corporation shall, at the request of the owner of any property subject to the said tax, or his or her agent, at-

torney, trustee or guardian, pay the same for such owner, or lend or advance the money required to pay the same, and the tax shall be therewith actually paid, the person, company or corporation making such payment, loan or advance, shall have the same lien on the property on which the tax is paid for the repayment of the sum so paid, or advanced, or lent, with lawful interest thereon, that the State would have for the tax if the same were not paid; which said lien shall continue and be effective for two years, unless the sums so paid, lent or advanced be sooner repaid, and the receipt of the Tax Collector, with the acknowledgement of the owner of the property, his or her agent, attorney, trustee or guardian, endorsed thereon, and attested by the Tax Collector, shall be sufficient evidence of such lien, and shall authorize the holder thereof, at any time within _____ years from the time of such payment, loan or advance to require the Tax Collector to issue his warrant, directing the Sheriff to levy the money so paid, advanced or lent, with interest thereon, out of the said property.

SEC. 2. For the purpose of facilitating the payment and collection of the said tax, the President and Directors of the Bank of the State of South Carolina shall lend to the owners of property subject to the same, upon the application of such owners, or their agents, attorneys, trustees, or guardians, the money required for paying the said tax, and shall have the same lien as aforesaid to secure the repayment of such loans; and the said loans shall be repaid by quarterly instalments of one-tenth of the original amount of the respective loans, which shall be applied, first, to the interest accrued at the time of paying any such instalment; and the said lien shall continue and be effective until the respective loans are fully repaid; and whenever two instalments of any such loan shall be in arrear or unpaid, the said President and Directors shall be authorized to require the Tax Collector to issue his warrant for levying the whole amount of such loan out of the property subject to the tax: *Provided*, That the said President and Directors, after having made such loans as aforesaid, to the amount of _____ hundred thousand dollars, shall not be bound to make any further such loans, unless they think proper so to do.

SEC. 3. It shall be lawful for the said President and Directors to issue notes or certificates, which shall be receivable for the sums therein expressed, in payment of all taxes and other dues to the State, and also in payment of all debts due to the said Bank, and shall not be in the form of promises to pay, but shall purport that they will be received in payments to the State and the said Bank as aforesaid, and shall be signed by such person or persons as the said President and Directors may designate or appoint for that purpose: *Provided*, That the amount of such notes or certificates so to be issued shall not exceed the amount of loans which may be made by the said

Banks for the payment of the said tax, in pursuance of the provisions of this Act.

The first and third sections were agreed to, and

Mr. ALLEN moved to lay the second section on the table; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Appleby, Arthur, Blakeney, Cannon, Fickling, Furman, Garlington, Harrison, Heyward, Moses, Rhett, Ware, and Whaley.

Those who voted in the negative, are

Messrs. Barker, Barnes, Beaty, Boykin, Hope, Irby, Johnson, Lesesue, Mazyck, McAiley, McCaw, McKewn, Montgomery, E. G. Palmer, S. W. Palmer, and Sessions.

In the affirmative, 16.

In the negative, 16.

The motion to lay on the table was consequently not agreed to.

The question then recurring upon agreeing to the section, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barker, Barnes, Beaty, Boykin, Hope, Irby, Johnson, Lesesue, Mazyck, McAiley, McCaw, McKewn, Montgomery, E. G. Palmer, S. W. Palmer, and Sessions.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Arthur, Blakeney, Cannon, Fickling, Furman, Garlington, Cannon, Heyward, Moses, Rhett, Ware, and Whaley.

In the affirmative, 16.

In the negative, 15.

The amendment was consequently agreed to.

The reading having been concluded, the Bill was agreed to, and was ordered to be returned to the House of Representatives.

On motion of Mr. HARRISON, the Senate proceeded to the consideration of the

SPECIAL ORDER FOR 1 O'CLOCK, P. M.

A Bill to provide for the security of the property of the citizens of this State.

Mr. MAZYCK moved that the Bill be indefinitely postponed, and while the question was pending,

At five minutes to 3, P. M., on motion of Mr. HARRISON, the Senate suspended business until 7, P. M.

RECESS.

At 7, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

Mr. McALILEY presented the report of the Committee on Finance and Banks, on

A Bill, from the House, to aid in the construction of the Cheraw and Coalfields Railroad Company; which was ordered for consideration to-morrow.

Mr. WARE presented the report of the Committee on Accounts and Vacant Offices, on the report of the Committee on Accounts, of the House, on the report of the Comptroller General on the contingent accounts of the Upper Division; and a message was sent to the House of Representatives, asking leave to amend the House report, in relation to the account of Levy Cassady, Magistrate, of Chesterfield District, and to restore the account of R. E. House, (acting coroner,) of Richland District, whose account had been rejected for want of certificates since obtained.

Mr. WARE also presented the report of the Committee on Incorporations and Engrossed Acts, on

A Bill and report from the House of Representatives, to incorporate the Southern Express Company,

And the report of the same Committee, on a Bill, from the House of Representatives, entitled

A Bill to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew and amend the charters of others heretofore granted; which were ordered to be placed in the General Orders of the day

Mr. MOSES presented the report of the Committee on the Judiciary, on a Bill to authorize Lucy Andrews and William Jackson, free persons of color, to select their owners and go into slavery.

On a Bill to alter and amend an Act to regulate the fees of Sheriffs, Magistrates, and Constables, and fees of Clerks; and

On a Bill to suspend the collection of debts, the Statute of Limitations, and notice of protest; which were placed in the General Orders of the day.

Mr. FICKLING presented the report of the Committee on Privileges and Elections, on a Bill, from the House of Representatives, to enable volunteers in the military service to exercise the right of suffrage; which was placed in the General Orders of the day.

Mr. MOSES presented the report of the Committee on the Judiciary, on certain amendments made by the House to the Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales; which was placed in the General Orders of the day

The Senate resumed the consideration of

A Bill to provide for the security of the property of the citizens of this State.

Mr. RHETT offered the following amendments; which were agreed to:

Insert the words "stocks or" after the word "issue," in second line of first section; strike out "four" and insert "two," in the third line of first section; and strike out "six" and insert "seven," in the fourth line of first section; and strike out all after the first section, and insert the following amendment:

And that the Bank of the State of South Carolina be charged with the sale of said stocks or bonds, and when sold the proceeds of said stocks or bonds shall be deposited in said Bank, to be appropriated as hereinafter provided.

SEC. 2. That whenever satisfactory proof shall be made to the Board of Directors of said Bank, that any slaveholder has been or may be compelled to remove his or her property from his or her plantation, on account of the invasion of the public enemy, and is unable to provide the means of their removal or support until they can be permanently employed, said Board are authorized to lend to such person such amount of said funds as they may deem necessary for the removal or support of said slaves for the time being, distributing said funds as equally among the applicants as may be practicable, and taking such security therefor as they may deem advisable.

The reading having been concluded, upon the question of agreeing to the Bill, as amended, the yeas and nays were ordered to be taken, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President, Messrs. Alston, Arthur, Barker, Blake-
ney, Boykin, Fickling, Garlington, Harrison, Heyward, Irby, Johnson,
Lesesne, McAliley, McKewn, Montgomery, Moses, E. G. Palmer, S. W.
Palmer, Rhett, Sessions, Ware, and Whaley.

Those who voted in the negative, are

Messrs. Allen, Appleby, Barnes, Beaty, Cannon, Hope, Mazyek, and
McCaw.

In the affirmative, 23.

In the negative, 8.

The Bill was consequently agreed to, and ordered to be sent to the House of Representatives.

The Special Committee on the Executive Documents, to whom was referred certain documents accompanying the Message No. 1, of the Governor,

at the called session, were discharged from the further consideration of the same.

Mr. FICKLING presented the report of the Committee on Privileges and Elections,

On a Bill, from the House of Representatives, to regulate elections of members of the Legislature, and others, within the Parishes of St. Philip and St. Michael; also,

The report of the same Committee, on the presentments the Grand Jury of Anderson, spring term, 1861; which were placed in the General Orders of the day.

The House of Representatives sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 19, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives with pleasure accedes to the request of the Senate, that the report of the Committee on the Judiciary on a "resolution in relation to filling the vacancy on the Chancery Bench, occasioned by the election of the Hon. B. F. Dunkin to the Appeal Bench," be temporarily returned to the Senate, for the purpose of making a verbal alteration in the same. And the paper is accordingly temporarily returned.

By order of the House,

JAMES SIMONS, *Speaker.*

The report was amended and returned to the House of Representatives.

The House of Representatives sent to the Senate the following papers:

The report of the Medical Committee.

On the account of Dr. E. R. Calhoun, for *post mortem* examination; also,

On the report of the Medical Society of South Carolina, relative to the fund of the Roper Hospital; and,

On the accounts of Dr. S. Chatburn Brown, for *post mortem* examinations; which were referred to the Committee on the Lunatic Asylum and Medical Accounts.

The report of the Committee on Education,

On the report of the Trustees of the estate of Dr. De La Howe, for 1861; which was referred to the Committee on the College, Education and Religion.

The report of the Special Committee, consisting of the York and Lancaster Delegations,

On the report of John R. Patton, Agent of the Catawba Indians; which was referred to the York and Lancaster Delegations.

The resolution to apply \$15,000 to re-enlisting and recruiting State forces; which was referred to the Committee on Military and Pensions.

The report of the Committee on Claims,

On the account of R. W. Gibbes, for advertising and binding; which was referred to the Committee on Claims and Grievances.

Report of the Committee of Ways and Means,

On the account of the transient poor of Georgetown District;

On the return of the transient poor of the city of Charleston;

On a resolution to refund a double tax to Emmet Seibels;

On the petition of F. D. Richardson, praying to be refunded a tax improperly exacted;

On the petition of C. G. Stephens, asking to be refunded a double tax;

On the petition of M. B. Earle, a citizen of Greenville, praying to be refunded a double tax;

On the petition of W. H. Swinton, Administrator of John M. Righton, to be paid a balance of salary; and

On so much of Message No. 1, of his Excellency the Governor, as relates to indemnifying the Bank of the State for its advances; which were referred to the Committee on Finance and Banks.

The report of the Committee on Claims,

On the account of Gilbert & Darr, proprietors of the Sumter Watchman, for public printing;

On the petition of sundry Magistrates and Constables of Charleston District, praying interest on an amount due them by the State;

On the petition of F. W. Moore;

On the petition of Newton Bramblet;

On the account of Thaddeus C. Andrews, for public printing;

On the account of the Yorkville Enquirer, for public printing;

On the account of the Charleston Mercury, for public printing;

On the account of A. S. Douglas, for public printing; which were referred to the Committee on Claims and Grievances.

On the petition of John A. Wagener, Colonel of the First Regiment of Artillery, S. C. M., praying that sums be granted to privates F. Ficken and John Klee, of the German Artillery, disabled at the battle of Port Royal; which were referred to the Committee on Military and Pensions.

The House of Representatives returned to the Senate the following papers;

A Bill to amend the law as to the election of officers in the South Carolina College.

A Bill to suspend the ninth section of an Act entitled "An Act to raise supplies for the year one thousand eight hundred and twenty-three."

A Bill to authorize certain Building and Loan Associations to suspend the call for monthly instalments.

A Bill to amend the charter of the Union Light Infantry Charitable Society and Company ; which received the third reading, and it was

Resolved, that the Bills do pass ; that the titles thereof, be changed ; that they be called Acts.

Ordered, that they be sent to the House of Representatives.

The House of Representatives sent to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 19, 1861.

Mr. President, and Gentlemen of the Senate :

House of Representatives grants leave to the Senate to amend the report of the Committee on Accounts, of the House, on the report of the Comptroller General on the contingent accounts of the Upper Division, in the following particulars :

For Chesterfield District :

Add to amount allowed by House Committee, viz :.....	\$26 72
The sum of.....	40 00
	—————\$66 72

which was a mistake. in subtracting an item not allowed from the original amount.

For Richland District :

Restore the account of R. E. House, (acting as Coroner).....\$8 50
 which account was rejected for want of certificate, since obtained.

By order of the House.

JAMES SIMONS, *Speaker.*

Whereupon the report, as amended, was concurred in, and ordered to be returned to the House of Representatives.

The House of Representatives also sent to the Senate the following papers :

Resolutions in relation to the death of soldiers ; which were referred to the Committee on the Military and Pensions :

Carolina mourns for her dead ! Like the Spartan mother, she sent her sons to battle, with the sacred injunction, to return with or on their shields. Nobly have they obeyed her mandate. They have fallen like men and heroes, "with their feet to the foe." The lessons of '76 have not been lost on the sons of revolutionary sires. The glorious deeds of Chepultepec and Churubusco, or in the olden time, of Eutaw and King's Mountain, are not unsurpassed by the chivalric heroism and valor displayed on the bloody

field of Manassas. From the mountain to the sea-board, they have answered to her calls. The insolent foe has been met. They have pursued the vandal, even to the throne of his master. The sons of South Carolina have sprinkled upon the baptismal altar of our young Confederacy sacrificial blood, and have sealed a solemn devotion with their lives. The prophecies of the sage of Fort Hill have been fulfilled near the tomb of Washington.

Be it resolved, That South Carolina, mourning, as she does, her fallen, yet the poignancy of her grief is softened by the consciousness of the fact, that they have died in obedience to her laws. With the Roman mother she can say, "These are my jewels."

Resolved, That this General Assembly sympathizes most sincerely with those who have given to the sacred cause of liberty the father, the husband the brother. South Carolina will ever cherish their memories—will never cease to regard their filial devotion with a mother's gratitude.

The report of the Committee on Claims,

On the account of P. B. Glass & Co., for stationery; which was referred to the Committee on Claims and Grievances.

The report of the Committee on the Military,

On so much of the Governor's Message, No. 1, as relates to the assignment of the Petrel, a vessel owned by the State, to the Trustees of the Marine School, to be used as a school ship; which was referred to the Committee on Commerce, Manufactures and the Mechanic Arts.

The report of the Committee on Claims,

On the account of P. B. Glass, for stationery furnished the State; which was referred to the Committee on Claims and Grievances.

The House of Representatives returned, with its concurrence, the following resolution:

Resolved, That Thomas E. Powe, John F. Matheson and Thomas C. Law be appointed proxies of the State, of whom one or more shall be, and is hereby, authorized and empowered to represent the stock owned by the State in the Cheraw and Darlington Railroad Company, at all meetings of the said Company during the year commencing with the day of the final adjournment of the General Assembly at the present session.

Mr. WARE presented the report of the Committee on Incorporations and Engrossed Acts,

On a Bill, from the House of Representatives, entitled a Bill to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others; which was placed in the General Orders of the day.

The Senate resumed the consideration of the General Orders.

A Bill to provide for the better government of slaves, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

The report of the Committee on the Legislative Library was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

The report of the Committee on the Judiciary,

On the petition of Richard Williams and wife, and others, praying compensation for land escheated by the State, was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

A Bill to grant immunity to free persons of color who shall return to the State, from certain penalties now provided by law, on the second reading was amended, so as to read:

A Bill to exempt free persons of color who shall return to the State, from certain penalties now provided by law; and the reading having been concluded, the Bill, as amended, was agreed to, and was ordered to the House of Representatives.

A Bill for rebuilding the city of Charleston being before the Senate on the second reading,

Mr. E. G. PALMER moved to amend the first section by striking out the following proviso:

“Provided, Not less than par;”

Which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Alston, Blakeney, Furman, Garlington, Heyward, Lesesne, McAiley, Moses, E. G. Palmer, S. W. Palmer, Rhett, Ware, Watson, and Whaley.

Those who voted in the negative, are

Messrs. Barker, Barnes, Boykin Cannon, Harrison, Hope, Irby, Johnson, Mazyck, McCaw, McKewn, Montgomery, and Sessions.

In the affirmative, 15.

In the negative, 13.

The amendment was therefore agreed to, and the proviso stricken out.

Mr. MOSES moved to amend the second section, by inserting, after the clause “one thousand eight hundred and sixty-one,” the following: “In which mortgage, should the applicant be married, a renunciation of dower by the wife shall be made, according to law;” which was adopted.

Mr. GARLINGTON moved that the Bill be indefinitely postponed; which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barnes, Blakeney, Cannon, Garlington, Hope, Irby, Johnson, Mazyck, McCaw, Montgomery, Sessions, Ware, and Watson.

Those who voted in the negative, are

Hon. W. D. PORTER, President, Messrs. Alston, Boykin, Fickling, Furman, Harrison, Heyward, Lesesne, McAliley, McKewn, Moses, E. G. Palmer, S. W. Palmer, Rhett, and Whaley.

In the affirmative, 13.

In the negative, 15.

The motion to postpone indefinitely was consequently lost.

The reading having been concluded, upon the question of agreeing to the Bill, as amended, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Alston, Boykin, Fickling, Furman, Harrison, Heyward, Lesesne, McAliley, McKewn, Moses, E. G. Palmer, S. W. Palmer, Rhett, and Whaley.

Those who voted in the negative, are

Messrs. Barnes, Blakeney, Cannon, Garlington, Hope, Irby, Johnson, Mazyck, McCaw, Montgomery, Sessions, Ware, and Watson.

In the affirmative, 15.

In the negative, 13.

The Bill was consequently agreed to, and was ordered to be sent to the House of Representatives.

On motion of Mr. E. G. PALMER, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 11, A. M.

On motion of Mr. MAZYCK, the Senate adjourned at a quarter-past 10, P. M.

FRIDAY, DECEMBER 20, 1861.

The Senate met at 11, A. M., pursuant to adjournment.

The Clerk read the Journal of the proceedings of yesterday.

The session was opened with prayer by the Rev. Mr. Mullally.

The Senate granted leave to Messrs. Allen and Beaty to record their votes on a Bill for rebuilding the City of Charleston; and, upon the Clerk

calling their names, Mr. Allen voted in the affirmative, and Mr. Beaty in the negative.

Mr. CANNON presented the following resolution :

Resolved, That Wm. S. Lyles, David Goudelock, and A. H. Kirby, be, and they are hereby, appointed proxies on the part of the State of South Carolina, to represent the Stock of the State in all the conventions of Stockholders in the Spartanburg and Union Railroad Company, and that a majority of the proxies above named be authorized to cast the vote of the State; and, in case of two of the proxies being absent, the one present shall cast the vote of the State.

Which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

On motion of Mr. MOSES, a message was sent to the House of Representatives, requesting that body to unite with Senate at 1, P. M., in an election for Codifier of the Statute Laws.

Mr. CANNON presented the report of the Committee on Roads and Buildings, on

A Bill, from the House, to establish certain Roads, Bridges and Ferries, and to renew and amend certain charters heretofore granted.

Mr. McCRAW presented the report of the Special Committee, consisting of the York and Lancaster Delegations, on the report of the House Committee, on the report of John R. Patton, Indian Agent.

Mr. MOSES presented the report of the Special Committee of the Senate, on the report of the Committee on Confederate Relations, of the House,

On Message No. 6, of the Governor, and on the resolution submitted to the Senate in relation to the same subject matter; also,

The report of the Committee on the Judiciary,

On the petition of sundry inhabitants of Beaufort and Barnwell Districts, praying that the property of B. P. O. Cohen, a free man of color, deceased, be vested in his widow and children.

Mr. BARKER presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee, of the House,

On the report of the Medical Society of South Carolina, relative to the fund of the Roper Hospital.

Mr. FICKLING presented the report of the Committee on Privileges and Elections, of the Senate.

On the general report of the Committee on Privileges and Elections, of the House of Representatives,

As to places of holding elections, and managers of elections; which were placed in the General Orders of the day.

Mr. McALILEY presented the report of the Committee on Finance and Banks.

On the report of the Committee of Ways and Means.

On the account of the transient poor of Georgetown District;

On the petition of F. D. Richardson, praying to be refunded a tax improperly exacted;

On a resolution to refund a double tax to Emmet Seibels;

On the report of the Committee of Ways and Means,

On the petition of C. G. Stephens, asking to be refunded a double tax;

On the petition of W. H. Swinton, Administrator of John M. Righton, to be paid a balance of salary;

On the petition of M. B. Earle, a citizen of Greenville, praying to be refunded a double tax;

On so much of Message No. 1, of his Excellency the Governor, as relates to indemnifying the Bank of the State for its advances;

On the return of the Transient Poor of the City of Charleston; which were placed in the General Orders of the day.

Mr. HARRISON presented the report of the Committee on Claims and Grievances, on the report of the Committee on Claims, of the House,

On the account of P. B. Glass, for stationery furnished the State;

On the accounts of S. M. Boykin, R. K. Rutledge, and W. F. Ervin, Surveyors.

On the account of A. S. Douglass, for public printing;

On the petition of Newton Bramblett, for services rendered as a special Constable;

On the account of Thaddeus C. Andrews, for public printing;

On the account of the Yorkville Enquirer, for public printing;

On the account of P. B. Glass & Co., for public printing;

On the account of the Charleston Mercury, for public printing;

On the account of R. W. Gibbes, for public printing and binding;

On the claim of F. W. Moore, for services rendered the State as a special Constable;

On the account of Gilbert & Darr, proprietors of the Sumter Watchman, for public printing; which were placed in the General Orders of the day.

Mr. JOHNSON presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee of the House,

On the account of Dr. E. R. Calhoun, for a *post mortem* examination.

Mr. McKEWN presented the report of the Committee on the Lunatic Asylum and Medical Accounts,

On the report of the Medical Committee, of the House,

On the account of Dr. S. Chatburn, for *post mortem* examination.

Mr. BARKER presented the report of the Committee on the College, Education and Religion,

On the report of the Committee on Education, of the House,

On the report of the Trustees of the Estate of Dr. De La Howe, for 1861; which were placed in the General Orders of the day.

The House of Representatives sent to the Senate the following papers, with its concurrence :

The report of the Committee on Claims and Grievances,

On the account of McCarter & Dawson, for sixty-two copies of the 11th volume Richardson's Equity Reports.

On the account of Dr. T. J. Goodwyn, for medical services rendered prisoners in jail;

On the account of A. J. Ruggs, for Public Printing;

On the account of J. M. Brown, proprietor of the Darlington Southerner, for Public Printing;

On the account of A. J. Burke, for printing writs of election for Senate;

On the account of W. W. Purse, for work done on the Senate Chamber, 1861;

On the account of A. O. Norris & Co., for Public Printing;

On the account of P. B. Glass & Co., for stationery furnished Senate Chamber;

On the account of the Southern Confederation, for Public Printing.

Report of the Committee on Finance and Banks, on the petition of Darling Williams, to be paid the amount of a jury ticket lost.

The report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of Dr. R. E. Cleveland for services rendered prisoners in jail, and for *post mortem* examination.

On the account of Dr. J. H. Boatwright for *post mortem* examinations.

The report of the Committee on the Judiciary, on the reports of the Solicitors of the Northern, Middle, Western and Eastern Circuits, on District officers and their offices.

The report of the Committee on Accounts and Vacant Offices,

On certain contingent accounts.

Leave of absence was granted by the Senate to the Senator from St. Philip's and St. Michael's, from and after to-day, at 3, P. M.

The House of Representatives returned to the Senate the following Acts :

An Act to amend the charter of the Union Light Infantry Charitable Society and Company;

An Act to suspend the ninth section of an Act entitled "An Act to raise supplies for the year one thousand eight hundred and twenty-three;"

An Act to authorize Trustees to invest funds in Bonds of the Confederate States;

An Act to authorize certain Building and Loan Associations to suspend the call for monthly instalments;

An Act to amend an Act entitled "An Act creating a Military Establishment for the State of South Carolina, and for other purposes;" and

An Act to amend the law as to the election of officers in the South Carolina College; which were referred to the Committee on Incorporations and Engrossed Acts.

The House of Representatives also sent to the Senate,

A Bill to grant exemption to certain free persons of color, who shall return to this State, from penalties now provided by law; which received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, That it be returned to the House of Representatives.

Also,

The report of the Committee on Claims,

On the account of Isaac Means, for work done in the office of the Secretary of State; which was ordered to lie on the table.

The report of the same Committee,

On the account of Hammet & Machen, proprietors of the Clarendon Banner, for advertising; which was passed over.

The House of Representatives returned to the Senate the following message of concurrence:

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully concurs in the proposition of the Senate to go into an election at 1 o'clock, P. M., this day, for Codifier of the Laws of this State.

By order of the House,

JAMES SIMONS, *Speaker*.

Mr. WARE called for the report of the Committee on Accounts and Vacant Offices,

On the report of the House Committee on the report of the Comptroller General of the Upper Division; and a message was sent to the House of

Representatives, asking leave to amend the House report, by inserting the account of Henry Hancock, late Sheriff of Lancaster District.

Mr. GARLINGTON presented the report of the Committee on Confederate Relations,

On the joint resolutions of the Legislature of Tennessee, and the message of his Excellency the Governor, laying them before the Senate; which was ordered to be placed in the General Orders of the day.

The House of Representatives sent to the Senate the following message of concurrence:

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives grants leave to Senate to amend the report of House Committee on Accounts, by adding:

<i>For Lancaster District</i> —Henry Hancock, late Sheriff.....	\$158 55
Not allowed.....	79 33
	<hr/>
	\$79 22

By order of the House,

JAMES SIMONS, *Speaker.*

Whereupon the report of the House Committee on Accounts,

On the report of the Comptroller General on the contingent accounts of the Upper Division was concurred in, and ordered to be returned to the House of Representatives.

A Bill to provide more efficient police regulations for the Districts on the sea-board, was before the Senate on the third reading, when, at 1, P. M., pursuant to orders previously made, the Senate proceeded to the Hall of the House of Representatives, and joined that House in a ballot for Codifier of the Statute Laws.

Messrs. Allen and Alston were appointed the Committee on the part of the Senate to count the ballots.

The reading of the Bill was resumed.

On motion of Mr. ALSTON, a message was sent to the House of Representatives, asking leave to restore the words "and Horry," in first section, which had been stricken out by the House of Representatives on the second reading.

It was moved that a message be sent to the House of Representatives asking leave to amend the 2d section by striking out the words "to prescribe offences."

On motion of Mr. RHETT, a call of the Senate was ordered, and the following Senators answered to their names:

Messrs. Allen, Alston, Arthur, Barker, Barnes, Beaty, Blakeney, Boykin, Cannon, Fickling, Furman, Garlington, Harrison, Heyward, Hope, Irby, Johnson, Lesesne, Manning, Mazyck, McAiley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, Watson and Whaley.

The further calling of the roll was then suspended.

Upon the question of sending the message, the yeas and nays were ordered to be taken, and are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Arthur, Blakeney, Boykin, Cannon, Garlington, Harrison, Hope, Johnson, Lesesne, Manning, Mazyck, McAiley, McCaw, McKewn, Montgomery, Moses, and Watson.

Those who voted in the negative, are

Messrs. Appleby, Barker, Barnes, Beaty, Furman, Heyward, Irby, E. G. Palmer, S. W. Palmer, Rhett, Sessions, and Ware.

In the affirmative, 19.

In the negative, 12.

The message proposing to amend, was therefore ordered to be sent.

A message was also sent to the House of Representatives, asking further to amend the bill, by striking out in the 6th section the words, "order of a judge at Chambers, or in;" also in the same section the words, "at the next term of the Court of General Sessions within said District;" and also asking leave to insist that the 8th section be retained in the Bill.

The further reading of the Bill was temporarily suspended; and

Mr. ALLEN, from the Committee appointed to count the votes for Codifier of the Statute Laws, asked leave to report that James I. Petigru had received a majority of all the votes cast.

He was therefore declared by the PRESIDENT duly elected accordingly.

On motion of Mr. GARLINGTON, a Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales, was taken up for a third reading, and the reading having been concluded, upon the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Appleby, Barnes, Beaty, Blakeney, Cannon, Furman, Garlington, Harrison, Heyward, Hope, Irby, Johnson, Manning, McAiley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, Sessions, Ware, and Watson.

Those who voted in the negative, are

Messrs. Alston, Arthur, Barker, Boykin, Fickling, Lesesne, Mazyck, S. W. Palmer, Rhett, and Whaley.

In the affirmative, 24.

In the negative, 10.

The Bill was consequently agreed to, and ordered to be sent to the House of Representatives.

The Senate granted leave to the undersigned Senators to insert the following protest on the Journal:

The undersigned respectfully ask leave of the Senate to enter on the Journal their reasons for voting against "A Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales," which are as follows, namely:

1. That the main provisions of the Bill are in violation of the first clause of the eighth Section of the first Article of the Constitution of the Confederate States, which declares that "no State shall pass any law impairing the obligation of contracts;" and also of the second Section of the ninth Article of the Constitution of this State, which declares that "no law impairing the obligation of contracts shall ever be passed by the Legislature of this State." Because, in their judgment, "the obligation of contracts," which the Legislature is forbidden to impair by any law, means their legal obligation, since no human Legislature could impair their *moral* obligation. But the legal obligation of contracts consists in their being enforceable by legal process, and, therefore, a law which should altogether take away the legal remedies for the enforcement of contracts, would destroy their legal obligation. If, then, the legal obligation of contracts be extinguished by wholly abolishing the remedies for their enforcement, the temporary suspension or withholding of those remedies must necessarily impair the legal obligation of contracts. If the remedies may be temporarily withheld, the period of their suspension may be indefinitely extended, and the legal obligation of contracts thus practically destroyed.

2. That even if such legislation were not expressly forbidden by the Constitution, it is inconsistent with the faithful discharge of that great obligation which the possession of sovereign power imposes on every government, to enforce justice among those who are subject to its authority—an obligation which is distinctly and solemnly recognized in the language of Magna Carta, "*Nulli vendemus, nulli ne jabimus, aut differemus rectum aut justitiam.*"

3. That the natural and necessary effect of such a measure must be to weaken the foundations of credit, and thereby to add another fruitful source of embarrassment and distress to the many privations and difficulties of the times.

4. That there is no evidence that the condition of the country requires such legislation, or that it is desired by the public at large, or even by those

who are themselves debtors. Nor does it appear that there is any degree of rigor in the exaction of debts which requires to be checked or repressed by the interposition of the Legislature. On the contrary, there seems to be a general disposition on the part of creditors to practice the utmost forbearance and indulgence towards their debtors, and if any instances of a different spirit should exhibit themselves, they may be safely left to the restraining influence of public opinion.

A. MAZYCK,
HENRY D. LESESNE,
S. W. BARKER,
A. H. BOYKIN,
W. IZARD BULL,
F. W. FICKLING,
CHARLES ALSTON, JR.,
S. W. PALMER,
EDWARD C. WHALEY.

Mr. HARRISON presented the report of the Committee on Claims and Grievances,

On the report of the Committee on Claims, of the House, on the petition of sundry Magistrates and Constables of Charleston District, praying interest on amounts due them; which was ordered to be placed in the General Orders of the day.

The Committee on Claims and Grievances was discharged from the further consideration of the report of the Committee on Claims, of the House,

On the account of McCarter & Dawson, for printing Equity Reports, and the House report was ordered to *lie on the table*.

On motion of Mr. MAZYCK, at a quarter-past 3 o'clock, P. M., the Senate suspended business until 7, P. M.

RECESS.

At 7 o'clock, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded, with business.

Mr. HARRISON called for the report of the Committee on Claims and Grievances,

On the account of Evans & Cogswell, for stationery furnished the Senate for 1861; and,

On the account of the keeper of the State House, for contingent expenses for 1861; which were agreed to, and were ordered to be sent to the House of Representatives for concurrence.

A Bill to provide for the payment of the War Tax of the Confederate States, and for the collection of the same from the tax-payers in this State,

having been amended by the House, on the third reading, was referred to the Committee on Finance and Banks.

Mr. MOSES presented the report of the Committee on the Judiciary,

On a resolution as to indexing reports and resolutions; which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives.

A Bill to charter a Cotton Planters' Loan Association being before the Senate, on the second reading.

Mr. CANNON moved to insert the following proviso at the end of the second section :

Provided, That no company shall be formed after the removal of the blockade.

Mr. MAZYCK moved to lay the Bill and amendment on the table, which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Messrs. Alston, Barker, Blakeney, Boykin, Fickling, Furman, Irby, Mazyck, and McAliley.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Allen, Appleby, Arthur, Barnes, Beaty, Cannon, Garlington, Harrison, Heyward, Hope, Johnson, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, and Watson.

In the affirmative, 9.

In the negative, 21.

The motion to lay the Bill and amendment on the table was consequently not agreed to.

The question then recurring upon Mr. CANNON'S amendment, it was agreed to.

Mr. MAZYCK offered the following amendment: To insert, after "cotton," in the the first Section, "rice, wheat, corn, turpentine, shingles, and bricks."

Mr. E. G. PALMER moved to lay the amendment on the table, which question was ordered to be decided by yeas and nays, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Appleby, Arthur, Barnes, Beaty, Cannon, Garlington, Harrison, Heyward, Hope, Irby, Johnson, McAliley, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, and Watson.

These who voted in the negative, are

Messrs. Alston, Barker, Blakeney, Boykin, Fickling, Furman, Mazyek, and Whaley.

In the affirmative, 23.

In the negative, 8.

The amendment was therefore ordered to *lie on the table*.

On the question of agreeing to the Bill, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Appleby, Barnes, Beaty, Cannon, Garlington, Hope, Johnson, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Sessions, Ware, and Watson.

Those who voted in the negative, are

Messrs. Alston, Arthur, Barker, Blakeney, Boykin, Fickling, Furman, Harrison, Heyward, Irby, Mazyek, McAliley, Rhett, and Whaley.

In the affirmative, 18.

In the negative, 14.

The Bill was consequently agreed to, and ordered to be returned to the House of Representatives.

A Bill to provide for the payment by the State of the War Tax of the Confederate States, and for other purposes, being before the Senate, on the third reading, on the question of agreeing to the House amendment, striking out the third section, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President ; Messrs. Allen, Alston, Appleby, Arthur, Beaty, Blakeney, Fickling, Furman, Garlington, Harrison, Hope, McAliley, McKewn, Montgomery, Moses, and Ware.

Those who voted in the negative, are

Messrs. Barker, Barnes, Boykin, Cannon, Irby, Johnson, Mazyek, McCaw, E. G. Palmer, S. W. Palmer, Sessions, Watson, and Whaley.

In the affirmative, 17.

In the negative, 13.

The amendment was therefore agreed to.

A message was also sent to the House of Representatives, asking to amend the Bill in the following particulars, to wit : In sixth section, by restoring " first January," " three," " first February ;" the eighth section, by restoring, in third line, the word " five ;" in the fourth line, the word " five ;" and, in the sixth line, the words " not exceed one ;" and also to restore the fourth section.

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one, having been amended by the

House, on the third reading, was referred to the Committee on Finance and Banks.

Mr. CANNON called up the resolution to suspend the 33d rule of the Senate ; which was agreed to.

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution of that body in relation to rescinding the resolution of adjournment, previously agreed on by both Houses, and fixing Monday the 23d inst., at 4 o'clock, P. M., by causing the resolution to read, "on Saturday, the 21st inst., at 12 o'clock, midnight," instead of "on Monday, the 23d inst., at 4 o'clock, P. M."

By order of the House,

JAMES SIMONS, *Speaker.*

Mr. E. G. PALMER presented the following resolution, which was agreed to :

Resolved, That a message be sent to the House of Representatives, requesting the appointment of a Committee of Two, from the House, to confer with a like Committee of the Senate, in relation to the propriety of rescinding the resolution fixing the hour of adjournment to-morrow, at 12 o'clock, M.

Messrs. Cannon and E. G. Palmer were appointed the Committee on the part of the Senate.

Mr. McALILEY called for the report of the Committee on the New State House,

On the Annual Report of the Commissioner and Architect ; which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

A Bill to regulate elections of members of the Legislature and others, within the Parishes of St. Philip and St. Michael, received the second reading, was agreed to, and ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully concurs in the resolution of the Senate, appointing a Committee of two, and requesting the appointment of a like Committee by this House, to confer together in relation to the propriety of rescinding the resolution fixing the hour of adjournment of this General Assembly to-morrow, at 12 o'clock, M.

Messrs. R. B. Boylston and W. C. Black have been accordingly appointed a Committee, on the part of the House, to confer with the Committee from the Senate.

By order of the House,

JAMES SIMONS, *Speaker.*

The House of Representatives also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks leave of the Senate to amend the report of the Committee on the Lunatic Asylum and Medical Accounts, of the Senate, on the account of Dr. A. N. Talley, for services rendered prisoners in jail, by striking out "ninety-six dollars," and inserting "forty-eight dollars," so that it read, that he be paid "forty-eight dollars."

By order of the House,

JAMES SIMONS, *Speaker.*

A message of concurrence was returned.

Message No. 8, of his Excellency the Governor, was received and read, and the Message and accompanying documents were referred to the Committee on Confederate Relations.

MESSAGE NO. 8.

STATE OF SOUTH CAROLINA, EXECUTIVE OFFICE, }
December 20, 1861. }

Gentlemen of the Senate and House of Representatives:

I herewith transmit certain resolutions passed by the Legislature of Georgia, together with the accompanying letter from his Excellency Governor Brown.

Upon the subject matter of these resolutions, I take it for granted there is not a dissenting voice in the Legislature of South Carolina, and that we will pledge all the resources of the State, together with our lives

and fortunes, to stand by our sister State in maintaining their principles to the letter.

F. W. PICKENS.

[COPY.]

EXECUTIVE DEPARTMENT, MILLEDGVILLE, GEORGIA, }
December 16, 1861. }

His Excellency, F. W. Pickens :

SIR: I have the honor to transmit herewith a copy of the joint resolutions recently adopted by the General Assembly of Georgia. The Legislature has not directed me to forward them, but I do so, under the conviction that you will be pleased to learn the action of Georgia on the important subject to which they relate.

Very respectfully,

[Signed]

JOSEPH E. BROWN.

[COPY.]

JOINT RESOLUTIONS

OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA, PASSED AT ITS LATE SESSION.

Resolved, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That it is the sense of this General Assembly that the separation of those States now forming the Confederate States of America from the United States, is, and ought to be, final and irrevocable, and that Georgia will, under no circumstances, entertain any proposition, from any quarter, which may have for its object a restoration or reconstruction of the late Union, on any terms or conditions whatever.

Resolved, That the war which the United States are waging upon the Confederate States should be met, on our part, with the utmost vigor and energy, until our independence and nationality are unconditionally acknowledged by the United States.

Resolved, That Georgia pledges herself to her sister States of the Confederacy that she will stand by them throughout the struggle; she will contribute all the means which her resources will supply, so far as the same may be necessary, to the support of the common cause, and will not consent

to lay down arms until peace is established on the basis of the foregoing resolutions.

[Signed] WARREN AKIN,
Speaker of the House of Representatives.
 L. CARRINGTON,
Clerk of the House of Representatives.
 JOHN BILLUPS,
President of the Senate.
 JAMES M. MOBLEY,
Secretary of the Senate.

Approved December 11, 1861.

[Signed] JOSEPH E. BROWN, *Governor.*

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives asks leave of the Senate to amend the first section of a " Bill to extend relief to debtors, and to prevent the sacrifice of property at public sales," by adding, after the words " except in cases provided for in the second section of this Act," the following words : " and except process for military fines."

By order of the House,

JAMES SIMONS, *Speaker.*

And a message of concurrence was returned accordingly.

Leave of absence was granted by the Senate to the Senator from Newberry, from and after to-morrow, for the remainder of the session.

A Bill to incorporate the Southern Express Company, received the second reading, was agreed to, and ordered to be sent to the House of Representatives.

The House of Representatives sent to the Senate the following message, and a message of concurrence was returned :

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution of the Senate on the subject of the distribution of the Acts and Resolutions of the General Assembly, by striking out all after the words " annually hereafter to," for the purpose of inserting the following : " to the Chairman, and one copy to the Secretary, of each of the Boards of

Commissioners of Roads, of Free Schools, and of the Poor, in their respective Districts."

By order of the House,

JAMES SIMONS, *Speaker*,

Mr. E. G. PALMER presented the report of the Committee of Conference, in relation to the adjournment of the Legislature; and on the question of agreeing to the report, the yeas and nays were ordered to be taken, and they are as follows :

Those who voted in the affirmative, are

Hon. W. D. PORTER, President; Messrs. Allen, Arthur, Boykin, Cannon, Fickling, Garlington, Harrison, McAliley, McCaw, Montgomery, Moses, E. G. Palmer, S. W. Palmer, and Rhett.

Those who voted in the negative, are

Messrs. Alston, Barker, Blakeney, Furman, Hope, Irby, McKewn, Sessions, Ware, and Watson.

On motion of Mr. McALILEY, a call of the Senate was ordered, when the following gentlemen answered to their names :

Messrs. Allen, Alston, Appleby, Barker, Blakeney, Boykin, Cannon, Fickling, Furman, Garlington, Harrison, Irby, Johnson, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, and Whaley.

No further action on the call was taken by the Senate, and the calling of the roll was suspended.

In the affirmative, 15.

In the negative, 10.

The report was consequently agreed to, and ordered to be sent to the House of Representatives for concurrence.

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, Dec. 20, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully grants leave to the Senate to restore to the " Bill to provide more efficient police regulations for the Districts on the sea-board," the word " Horry," in the first section; also, to strike out from the second section, after the words " free persons of color," the words, " to prescribe offences " The House refuses to grant leave to Senate to strike out from the sixth section the words " orders of a Judge at Chambers. or in," " at the next term of the Court of General Sessions within said District;" also, refuses to restore the eighth section, viz. : " That the Deputy Marshals shall be entitled to compensation at the rate of three dollars per day, while engaged on duty. And all moneys necessary to carry the

provisions of this Act into effect, in each District, shall be raised by an assessment upon the general tax of such District; and the Tax Collectors of each of said Districts are hereby required to assess and collect annually from the tax-paying citizens of his or their Districts, such sums as the Police Courts hereby established shall direct, and the Provost Marshal of each District shall render an account annually of his receipts and expenditures to the Treasurer of the Lower Division."

By order of the House,

JAMES, SIMONS, *Speaker.*

A message was then sent by the Senate to the House of Representatives, insisting on striking out, in the sixth section of a Bill to provide more efficient police regulations for the Districts on the sea-board, the words, "order of a Judge at Chambers, or in," "at the next term of the Court of General Sessions within said District."

Also, insisting on restoring the eighth section, viz.:

"That the Deputy Marshals shall be entitled to compensation at the rate of three dollars per day while engaged on duty. And all moneys necessary to carry the provisions of this Act into effect, in each District, shall be raised by an assessment upon the general tax of such District; and the Tax Collectors of each of said Districts are hereby required to assess and collect, annually, from the tax-paying citizens of his or their District, such sums as the Police Courts hereby established shall direct; and the Provost Marshal of each District shall render an account, annually, of his receipts and expenditures to the Treasurer of the Lower Division;"

And asking the appointment of a Committee of Conference, in reference to the matter in controversy, on the part of the House, to meet the Senate Committee, consisting of Messrs. Rhett and Arthur.

Whereupon the House of Representatives returned the following message:

IN THE HOUSE OF REPRESENTATIVES, Dec. 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully insists on refusing to grant leave to the Senate to amend a Bill to provide more efficient police regulations for the Districts on the sea-board, by striking out, from the sixth section, the words, "order of a Judge at Chambers, or in," "at the next term of the Court of General Sessions within said District;" also, insists on refusing to restore the eighth section, which reads as follows: "That the Deputy Marshal shall be entitled to compensation at the rate of three dollars per day while engaged on duty. And all moneys necessary to carry the provisions of this Act into effect, in each District, shall be raised by an assess-

ment upon the general tax of such District; and the Tax Collectors of each of said Districts are hereby required to assess and collect annually from the tax paying citizens of his or their Districts such sums as the Police Courts hereby established shall direct; and the Provost Marshal of each District shall render an account, annually, of his receipts and expenditures to the Treasurer of the Lower Division." The House respectfully concurs in the request to appoint a Committee of Conference in reference to the matter in controversy, and has appointed, on the part of the House, Messrs. Read and Duryea, to confer with Senate's Committee.

By order of the House,

JAMES SIMONS, *Speaker.*

On motion of Mr. MOSES, a call of the Senate was ordered, when the following gentlemen answered to their names:

Messrs. Alston, Barker, Blakeney, Boykin, Cannon, Harrison, Irby, Johnson, McAliley, McCaw, McKewn, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, and Ware.

There not being a quorum present, business was suspended.

Mr. McKEWN moved that the Senators be summoned, and the same was ordered.

Mr. MOSES moved that the Senate do now adjourn, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Garlington, McAliley, and Moses.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Appleby, Barker, Blakeney, Boykin, Cannon, Fickling, Furman, Harrison, Irby, Johnson, McKewn, Montgomery, E. G. Palmer, S. W. Palmer, Rhett, Sessions, Ware, and Whaley.

In the affirmative, 3.

In the negative, 21.

The motion to adjourn was consequently not agreed to.

On motion of Mr. MOSES, it was ordered that when the Senate adjourns, it shall stand adjourned to meet to-morrow, at 9 o'clock, A. M.

It was then moved that the Senate do now adjourn, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Barker, Boykin, Cannon, Harrison, Hope, Montgomery, Moses, Sessions, Ware, and Whaley.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Allen, Alston, Fickling, Furman, Irby, Johnson, McAliley, McKewn, E. G. Palmer, S. W. Palmer, and Rhett.

In the affirmative, 10.

In the negative, 12.

The Senate, therefore, refused to adjourn.

On motion of Mr. CANNON,

A Bill to establish certain Roads, Bridges and Ferries, and to renew and amend certain charters heretofore granted, was called for, and it received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

Mr. WARE called for a Bill to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted, which received the second reading, was agreed to, and was ordered to be returned to the House of Representatives.

The Senate Bill on the same subject was ordered to *lie on the table*; also,

A Bill to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others, and for other purposes; which received the second reading, was agreed to, and ordered to be returned to the House of Representatives, and the Senate Bill was ordered to *lie on the table*.

A Bill to enable volunteers in the military service to exercise the right of suffrage, also received the first reading, was agreed to, and was ordered to be returned to the House of Representatives.

A Bill to charter the Planters' and Merchants' Insurance Company, received the second reading, was agreed to, and was ordered to be sent to the House of Representatives.

Mr. MOSES moved to lay a Bill to alter and amend an Act entitled an Act to regulate the fees of Sheriffs, Magistrates and Constables, and certain fees of Clerks, on the table, which question was ordered to be decided by yeas and nays, and they are as follows:

Those who voted in the affirmative, are

Messrs. Allen, Alston, Barker, Cannon, Hope, McKewn, and Ware.

Those who voted in the negative, are

Hon. W. D. PORTER, President; Messrs. Boykin, Fickling, Furman, Harrison, Irby, Johnson, McAliley, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Sessions, and Whaley.

The motion to lay on the table was consequently not agreed to.

There not being a quorum present,

On motion of Mr. MOSES, the Senate adjourned at half-past 2, A. M.

SATURDAY, DECEMBER 21, 1861.

The Senate met at 9, A. M., pursuant to adjournment.

The reading of the Journal was dispensed with.

Mr. APPLEBY presented the report of the Committee on Commerce, Manufactures, and the Mechanic Arts, on so much of the Governor's Message as relates to the manufacture of cannon, small arms, and gunpowder, and the raising and manufacture of wool, within the State, which was ordered for immediate consideration, was agreed to, and ordered to be sent to the House of Representatives for concurrence.

The House of Representatives returned to the Senate,

An Act to incorporate the Mutual Fire Insurance Company of Columbia.

The House of Representatives sent to the Senate,

A Bill to incorporate the Carolina Insurance Company, which received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, that it be returned to the House of Representatives.

The House of Representatives also sent to the Senate,

A Bill to incorporate the Trenholm Mutual Insurance Company, which received the third reading, and it was

Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, that it be returned to the House of Representatives.

The House of Representatives also sent to the Senate,

A Bill to incorporate the Insurance and Trust Company of Charleston, and the Calhoun Insurance Company, which received the third reading, and it was

Resolved, that the Bill do pass; that the title thereof be changed; that it be called an Act.

Ordered, that it be returned to the House of Representatives.

Leave of absence was granted by the Senate to the Senator from St. George's, Dorchester, from and after to-day.

The House of Representatives returned to the Senate,

An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales; also,

An Act to encourage the manufacture of Salt within this State; which were referred to the Committee on Incorporations and Engrossed Acts.

The Senate proceeded to the consideration of the

GENERAL ORDERS OF THE DAY.

The report of the Committee on the Military and Pensions,

On a resolution of inquiry as to the number of Pay and State Cadets in the Military School, and relative to a change of system in said school, was agreed to.

The unfavorable report of the Committee on Finance and Banks,

On the petition of Rev. J. H. Thornwell and J. B. Adger, praying to be refunded a tax illegally collected, was agreed to.

A Bill to sanction the issue of small notes by the Bank of the State of South Carolina, and to authorize further issues of the same, was ordered to *lie on the table*.

The report of the Committee on the Judiciary,

On a Bill to authorize Lucy Andrews and William Jackson, free persons of color, to select their owners and go into slavery, was agreed to, and the Bill was indefinitely postponed.

A Bill to suspend the collection of debts, the Statute of Limitations, and notice of protest, was ordered to *lie on the table*.

The report of the Committee on Privileges and Elections,

On the presentment of the Grand Jury of Anderson, Spring Term, 1861, recommending non-legislation, was agreed to.

A Bill to establish the Boundary Line between the Districts of Clarendon and Williamsburg, was ordered to *lie on the table*.

The unfavorable report of the Committee on Finance and Banks,

On a Bill to aid in the construction of the Cheraw and Coalfields Railroad Company, was agreed to.

The report of the Committee of Ways and Means, of the House,

On the transient poor of Georgetown, was ordered to *lie on the table*.

The report of the Committee on Privileges and Elections, of the House,

As to places of holding elections and managers of election, was agreed to, and ordered to be returned to the House of Representatives.

The report of the Committee on Confederate Relations,

On the joint resolution of the Legislature of Tennessee, and the Message of his Excellency the Governor, laying them before the Senate, was agreed to.

The General Orders were disposed of.

The House of Representatives sent to the Senate the report of the Committee on Offices and Officers,

On a resolution on the subject of Acts and Resolutions now in force as to holding inquests.

A message was sent by the Senate asking leave to amend the report, and The House of Representatives returned to the Senate the following message of concurrence :

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully grants leave to the Senate to amend the report of the Committee of the House, on Offices and Officers, in relation to Acts and Resolutions now of force with regard to holding inquests, by adding the following :

Resolved, That every account hereafter presented for *post mortem* examination, in addition to the certificate now required by law, shall also have appended thereto a detailed statement of such examination, containing the cause of death, and circumstances and symptoms attending the case.—*A. A. 1857, p. 425.*

Resolved, also, That no such account shall be paid unless it shall plainly appear from such statement that a *post mortem* examination was really necessary to ascertain the cause of death.

Resolved, That it shall not hereafter be deemed necessary for a coroner, in cases of inquest, to call to his assistance a physician to make a *post mortem* examination, except in cases where the attendant circumstances lead to a just suspicion of violence, poison, or some foul play, and that, in all cases, when a physician is called in, the coroner himself shall be liable for the fee.

By order of the House,

JAMES SIMONS, *Speaker.*

The report, as amended, was then concurred in, and returned to the House of Representatives.

The Committee on the Judiciary was discharged from the further consideration

Of the petition of Benjamin F. Landrum, in relation to a conditional grant of land in the District of Edgefield, and

Of the petition of James M. Richardson, as to a change of name, and other matters, and the petitions were withdrawn.

The following Bills were read the third time :

A Bill to afford aid to the families of soldiers ; and

A Bill to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes, or dues to the city.

Resolved, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

Ordered, That they be sent to the House of Representatives.

The House of Representatives sent to the Senate the following message, and a message of concurrence was returned:

IN THE HOUSE OF REPRESENTATIVES, December 20, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks leave of the Senate to amend the report of the Committee on the Lunatic Asylum and Medical Accounts, of the Senate,

On Message No. 2, of his Excellency the Governor, by striking out the following words: "The Committee recommend that three hundred (300) copies of these reports be printed, and furnished members of the General Assembly.

By order of the House,

JAMES SIMONS, *Speaker*.

On motion of Mr. CANNON, a message was sent to the House of Representatives, asking leave to amend the Bill to raise supplies for the year commencing in October, one thousand eight hundred and sixty-one, by inserting the following: "Two thousand two hundred and fifty dollars, if so much be necessary, for the balance of the salary of the late F. H. Wardlaw, one of the Associate Judges of the Appeal Court, for the year eighteen hundred and sixty-one, to be paid to his widow, Mrs. Ann G. Wardlaw, by the Treasurer of the Upper Division."

"For arrearages for work on the New State Capitol, and for carrying on the work for the ensuing year, (\$49,000) forty-nine thousand dollars, if so much be necessary."

The House of Representatives returned to the Senate,

The report of the Comptroller General, on the contingent accounts of the Lower Division; which was ordered to be placed in the Treasury.

The following message was received from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate:

The House grants leave to the Senate to amend the "Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one, by adding the following words: "Two thousand two hundred and fifty dollars, if so much be necessary, for the balance of the

salary of the late F. H. Wardlaw, one of the Associate Judges of the Appeal Court, for the year eighteen hundred and sixty-one, to be paid to his widow, Mrs. Ann G. Wardlaw, by the Treasurer of the Upper Division." But refuses to grant the following: "For arrearages for work on the New State House Capitol, and for carrying on the work for the ensuing year, forty-nine thousand dollars, if so much be necessary."

By order of the House,

JAMES SIMONS, *Speaker*.

A message was sent to the House of Representatives, insisting on asking leave to amend the Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty, in the following particulars: 1st. To strike out, from the eighth section, the words, "for the support of the transient poor of Georgetown, eight hundred dollars, to be expended by the Commissioners of the Poor of Winyaw, to be accounted for by them to the Legislature. 2d. To retain in said Bill the following words: "To pay the interest due on Bonds of several Railroad Companies guaranteed by the State, thirty thousand dollars, if so much be necessary: *Provided*, Such interest be paid on Bonds owned by citizens of the United States, or other alien enemies, at any time since the twenty-first day of May last."

Senate appointed Messrs. McAliley and Arthur a Committee of Conference, and asked the appointment of a similar Committee by the House.

The House of Representatives returned the following message:

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr President, and Gentlemen of the Senate:

The House of Representatives respectfully insists upon refusing leave to your body to amend "A Bill to make appropriations for the year commencing in October, one thousand eight hundred and sixty-one," by striking out, from eighth section, these words: "For the support of the transient poor of Georgetown, eight hundred dollars, to be expended by the Commissioners of Winyaw, to be accounted for by them to the Legislature." 2d. Also, to retain in said Bill the following words: "To pay the interest due on Bonds of several Railroad Companies guaranteed by the State, thirty thousand dollars, if so much be necessary: *Provided*, Such interest be paid on Bonds owned by citizens of the United States, or other alien enemies, at any time since the twenty-first day of May last."

House agrees to Conference, and has appointed Messrs. Trenholm and Coffin a Committee for that purpose.

By order of the House,

JAMES SIMONS, *Speaker*.

Also, the following message, and Messrs. McAliley and Hope were appointed the Committee of Conference, on the part of the Senate :

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully insists upon refusing the Senate leave to amend " A Bill to provide the payment, by the State, of the War Tax of the Confederate States, and for the collection of the same from the tax-payers of the State, in the following particulars, to wit: In sixth section, to insert, " first," " January," " three," " first," " February;" in eighth section, to restore, in third line, the word " five;" in the fourth line the word " two;" in the fifth line the word " five;" and in the sixth line the words, " not exceed one;" also, to restore the fourth section, viz: " That each Tax Collector shall execute his Bond, with three good sureties, to be approved and deposited as Bonds of Tax Collectors are now required by law, in a sum twice the amount of the General Tax for his Election District for the year one thousand eight hundred and sixty-one, which said Bonds shall be executed and deposited with the proper officer on or before the first day of April next. And in case any Tax Collector shall fail to execute his Bond, in the manner aforesaid, by the time aforesaid, the Governor is hereby authorized and required to appoint a Collector in the place of the Tax Collector so making default; and the person so appointed shall execute his Bond in three times the amount of the General Tax of his Collection District for the year last preceding his appointment, with three good sureties, to be approved and lodged in the proper office, as now required by law, of Tax Collectors, within two weeks after the date of his appointment, and before he enters upon the duties of his office."

Messrs. Trenholm and W. C. Black have been appointed a Committee on the part of the House, to confer with the Committee appointed by the Senate, to adjust the matters in controversy.

By order of the House,

JAMES SIMONS, *Speaker.*

The House of Representatives sent to the Senate

The report of the Committee on Education, on the annual returns of the Commissioners of Free Schools for the year 1861; which was referred to the Committee on the College, Education and Religion.

The House of Representatives sent to the Senate the following papers, which were concurred in, and were ordered to be returned to the House of Representatives :

The report of the Committee on Offices and Officers,

St. Peter's Parish, appointing certain officers therein named;

The report of the Committee of Ways and Means,

On so much of Message No. 1, of his Excellency the Governor, as relates to indemnifying the Bank of the State for its advances ;

On the petition of C. G. Stephens, asking to be refunded a double tax ;

On a resolution to refund a double tax to Emmet Seibels ;

On the petition of M. B. Earle, a citizen of Greenville, praying to be refunded a double tax :

On the petition of F. D. Richardson, praying to be refunded a double tax improperly exacted ;

On the return of the transient poor of the City of Charleston ;

On the petition of W. H. Swinton, administrator of John M. Righton, to be paid a balance of salary ;

On so much of his Excellency the Governor's Message, No. 1, to the Legislature, at the extra session, as refers to Banks and loans on cotton ;

On the petition of the Committee of the Trustees of the Marine School of Charleston, asking a continuance of the appropriation for the support of that institution ;

The report of the Committee on the Military,

On a letter on establishing army hospitals, from R. W. Gibbes, M. D., Surgeon General, South Carolina Militia ;

On so much of the Governor's Message, No. 1, as relates to the assignment of the Petrel, a vessel owned by the State, to the Trustees of the Marine School, to be used as a school ship ;

The report of the Committee on Public Buildings,

On the petition of the Commissioners of Public Buildings for Richland District, praying an appropriation for a new Court House ;

The report of the Committee on Education,

On the report of the Trustees of the estate of Dr. De LaHowe, for 1861 ;

The report of the Medical Committee,

On the account of Dr. E. R. Calhoun for *post mortem* examination ;

On the report of the Medical Society of South Carolina, relative to the fund of the Roper Hospital ;

On the account of Dr. S. Chatburn Brown, for *post mortem* examination ;

The report of the Committee on Claims,

On the petition of sundry magistrates and constables of Charleston District, praying interest on accounts due them by the State ;

On the petition of F. W. Moore ;

On the petition of Newton Bramblett ;

On the account of Gilbert & Darr, proprietors of the Sumter Watchman, for public printing ;

On the account of the Yorkville Enquirer, for public printing ;

On the account of A. S. Douglass, for public printing ;

On the account of Thaddeus C. Andrews, for public printing ;
 On the account of P. B. Glass, for stationery ;
 On the account of the Charleston Mercury, for public printing ;
 On the account of P. B. Glass, for stationery furnished the State ;
 On the account of S. M. Boykin, R. K. Rutledge, and W. F. Ervin,
 surveyors ;

On the account of A. G. Fink, for public printing ;
 On the account of the administrator of R. S. Desportes, for public
 printing ;

On the account of E. J. McDaniel, for public printing ;
 On the account of E. R. Stokes, for book-binding ;
 On the account of Hayden & Whilden ;
 On the account of R. W. Gibbes, for advertising and binding ;
 The report of the Committee on Accounts,

On a resolution instructing the Treasurer of the Lower Division to pay
 over a former appropriation to Thomas C. Moody.

The report of the Special Committee, consisting of the York and Lancaster
 Delegations,

On the report of John A. Patton, Agent of the Catawba Indians ;
 On a resolution to relieve J. Bennet Bissel from a double tax execution.
 The report of the Committee on Confederate Relations,
 On so much of Message No. 8, of his Excellency the Governor, as re-
 lates to resolutions from the State of Georgia ;

The report of the Committee on the Judiciary,
 On a resolution of inquiry as to the legality of a tax on dogs ;
 On a resolution to appoint a Commissioner to devise a system of taxation ;
 On a resolution forbidding the pressing of cases now standing on the
 dockets of the Courts of Common Pleas, the Circuit Courts of Equity, or
 the Appeal Court, or which may be placed there during the year 1862 ;

On a resolution instructing the Treasurer of the Upper Division to pay to
 A. Thomasson, Constable, the sum of twelve dollars and sixty cents.

The House of Representatives returned to the Senate the following
 papers, with its concurrence :

Report of the Committee on Claims and Grievances,
 On the account of the Keeper of the State House, for contingent ex-
 penses for 1861 ;

Report of the Committee on Claims and Grievances,
 On the account of Evans & Cogswell, for stationery furnished the Senate
 for 1861 ;

Report of the Committee on the New State House,
 On the Annual Reports of the Commissioner and Architect ;

On the petition of John A. Kay, praying the suspension of a certain suit at law against him, in the name of the State, or to be allowed to set up a discount in said suit for moneys due him by the State ;

Report of the Committee on Military and Pensions,

On the petition of the City Council of Columbia, to be refunded money paid for the State ;

Joint resolution in relation to the voting of citizens of St. Helena Parish ;

Report of the Committee on the Judiciary,

On a resolution in relation to the inexperience of filling the vacancy on the Chancery Bench occasioned by the election of the Hon. B. H. Dunkin to the Appeal Bench ;

Report of the Committee on the Lunatic Asylum and Medical Accounts, On Message No. 2, of his Excellency the Governor ;

Report of the Committee on the Judiciary,

On a resolution as to indexing Reports and Resolutions ;

Report of the Committee of Conference,

On the subject of rescinding the joint resolution on the matter of adjournment ;

Report of the Committee on the Judiciary,

On the petition of Richard Williams and wife, and others, praying compensation for land escheated by the State ;

Report of the Committee on the College, Education and Religion,

On the Annual Report of the Commissioners of the Deaf, Dumb, and Blind ;

Report of the Committee on the Legislative Library,

On a resolution, ordering that the Clerks of the Courts of the several Judicial Districts of this State be authorized and required to furnish a copy of the Acts and Resolutions of the General Assembly, annually, hereafter, to the Chairman, and one copy to the Secretary, of each of the Boards of Commissioners of Roads, of Free Schools, and of the Poor, in their respective Districts.

The report of the Committee on the Lunatic Asylum and Medical Accounts,

On the account of Dr. A. N. Talley, for services rendered to prisoners in jail.

Resolved, That Wm. S. Lyles, Davis Goudelock, and A. H. Kirby, be, and they are hereby, appointed Proxies, on the part of the State of South Carolina, to represent the stock of the State in all the Conventions of stockholders in the Spartanburg and Union Railroad Company, and that a majority of the Proxies above named be authorized to cast the vote of the

State; and in case of two Proxies being absent, the one present shall cast the vote of the State.

Mr. ARTHUR presented the following resolution, which was agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, That the President and Directors of the Bank of the State of South Carolina be requested to advance for the State, upon the bonds or stocks heretofore authorized to be issued for such purpose, the sum of forty-nine thousand dollars, if so much be necessary, to meet the sums recommended by the General Assembly for the New State House.

The following resolution was agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, That when the Board of Managers of Elections for the Parishes of St. Philip's and St. Michael's shall fix the boundaries of the Election Precincts of Wards Nos. 3 and 4, as provided for by law, it shall be lawful for the voters residing in those wards to vote at the poll situated within the precinct wherein such voters reside, and at no other place.

The following Bills were read the third time :

Resolved, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

Ordered, That they be returned to the House of Representatives.

An Act to provide more efficient police regulations for the Districts on the sea-board;

An Act to authorize the issue of stock to the amount of one million eight hundred thousand dollars, for the military defence of the State, and for other purposes;

An Act to incorporate the Southern Express Company;

An Act in reference to the suspension of specie payments by the Banks of this State, and for other purposes;

An Act to confer the rights of legitimacy on a certain child of Mary Mullinax;

An Act to amend an Act entitled "An Act to incorporate the Cheraw and Coalfields Railroad Company in South Carolina," ratified on the 21st day of December, A. D. 1857, and for other purposes;

An Act to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others;

An Act to charter a Cotton Planters' Loan Association;

An Act for rebuilding the City of Charleston, after the recent conflagration ;

An Act to regulate elections of Members of the Legislature and others, within the Parishes of St. Philip's and St. Michael's ;

An Act to establish certain Roads, Bridges and Ferries, and to renew and amend certain charters heretofore granted ;

An Act to make appropriations for the year commencing in October, A. D. 1861 ;

An Act to provide for the payment, by the State of South Carolina, of the War Tax of the Confederate States, and for the collection of the same from the tax-payers in this State ;

An Act to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted ;

An Act to raise supplies for the year commencing in October, one thousand eight hundred and sixty-one ;

An Act to regulate the reports of Railroad Companies, and for other purposes ;

An Act to enable volunteers in the service of the State to exercise the right of suffrage.

On motion of Mr. MOSES, at half-past 2, P. M., the Senate suspended business until 5, P. M.

RECESS.

At 5, P. M., the PRESIDENT resumed the Chair, and the Senate proceeded with business.

The House of Representatives returned to the Senate,

An Act to afford aid to the families of soldiers ; and,

An Act to authorize the City Council of Charleston to issue, and put in circulation, notes receivable in taxes or dues to the city.

The House of Representatives sent to the Senate the following message, and a message of concurrence was returned :

IN THE HOUSE OF REPRESENTATIVES, Dec. 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to restore the text of a "Bill to authorize the City Council of Charleston to issue, and put in circulation, notes receivable in taxes or dues to the city," in these particulars, viz., by restoring these words: "and such small bills as the City Council may direct." Also, to restore these words: "Provided, That the amount of bills under the denomination of one dollar shall, at all

times, be equal to one-third the amount issued by said City Council under this Act."

By order of the House,

JAMES SIMONS, *Speaker*.

The following papers were concurred in, and ordered to be returned to the House of Representatives :

A resolution to apply fifteen thousand dollars to re-enlisting and recruiting the State forces ;

A resolution in relation to the death of soldiers.

The report of the Committee on Claims,

On the petition of John A. Wagener, Colonel of the First Regiment of Artillery, S. C. M., praying that sums be granted to privates F. Ficken and John Klee, of the German Artillery, disabled at the battle of Port Royal.

The following message was received from the House of Representatives, and a message was returned, granting leave to amend :

IN THE HOUSE OF REPRESENTATIVES, Dec. 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution sanctioning the issue of small notes by the Bank of the State, by adding thereto, "and authorizes the future issue of the same."

By order of the House,

JAMES SIMONS, *Speaker*.

The report of the Committee on the Judiciary,

On a resolution of inquiry, as to the legality of a tax on dogs, was concurred in, and ordered to be returned to the House of Representatives ;

Also, the general report of the Committee on Privileges and Elections, of the House, as to places of holding elections, and Managers of Elections, was concurred in, and returned to the House of Representatives.

Mr. GARLINGTON offered the following resolution :

Resolved, That the Governor be, and is hereby, authorized to appoint an agent to present and adjust the claims which this State has against the Confederate Government for and on account of the expense which it has incurred in the common defence of the Confederate States against the United States, from the 20th of December, 1860.

Which was agreed to, and was ordered to be sent to the House of Representatives for concurrence.

Mr. MOSES presented the report of the Special Committee of the Senate, on the report of the Committee on Confederate Relations, of the House,

On Message No. 6, of his Excellency the Governor, in relation to the donation of the State of Georgia; which was agreed to, and ordered to be sent to the House of Representatives for concurrence; and,

The House report and the resolutions of Mr. Allen were ordered to *lie on the table*.

Whereupon, the House of Representatives returned to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully asks leave of Senate to amend the report of the Special Committee of Senate on the subject of the Georgia donation, by striking out the report and resolutions, and inserting the preamble and resolutions heretofore sent by the House to the Senate on the same subject, and to strike out the residue of the report of Senate.

By order of the House,

JAMES SIMONS, *Speaker*.

And a message of concurrence was returned.

The resolutions were then concurred in, and ordered to be returned to the House of Representatives.

The House of Representatives sent to the Senate the following resolution, which was ordered for immediate consideration, and was not agreed to:

Resolved, That the Banks of this State be authorized to deal in stocks and other securities of the Confederate States.

The House of Representatives sent to the Senate,

A resolution to appoint Commissioners under the Act entitled an Act to afford aid to the families of soldiers; which was concurred in, and ordered to be returned to the House of Representatives.

Mr. MOSES presented the following resolution, which was agreed to, and ordered to be sent to the House of Representatives for concurrence:

Resolved, That the sum of forty dollars be paid to Samuel Waddell, for his services as Assistant Messenger, in addition to any contract he may have made with the regular Messenger, now absent on leave, and that the House be respectfully requested to concur.

The House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution in relation to asking the Bank of the State to advance forty-nine thousand dollars for payments on New State House, by adding the following :

Resolved, That no part of the said appropriation shall be expended, or shall be payable, for salaries of any Assistant Architect or Draftsman in the office or employment of the Architect and Superintendent of the New State House, nor for any other Assistants, whose services are not absolutely required in the prosecution of the work on the present reduced scale.

By order of the House,

JAMES SIMONS, *Speaker*.

And a message of concurrence was returned.

Mr. MOSES presented the following resolution, which was agreed to, and ordered to be sent to the House of Representatives for concurrence :

Resolved, That this Legislature sanctions the issue of small notes by the Bank of the State, heretofore made.

Mr. ARTHUR presented the following resolutions :

Resolved, That, in the judgment of this General Assembly, it is inexpedient for the Judges of the Courts of Law, in this State, during the present year, to call, hear, and determine any cases, on any of the dockets, except in the sessions, without the consent of parties thereto, unless the present war in which we are now engaged shall end before the Spring or Fall Term of said Courts.

Resolved, That a copy of this resolution be communicated to the Judges of the Courts of Law by the Clerk.

Which was agreed to, and was ordered to be sent to the House of Representatives.

Whereupon the House of Representatives sent to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully asks leave of the Senate to amend the resolution in relation to the inexpediency of hearing causes in

the Courts, by striking out, in the first resolution, the word "present," between "the" and "year," and inserting "ensuing," so as to read, "during the ensuing year."

By order of the House,

JAMES SIMONS, *Speaker.*

And a message of concurrence was returned to the House of Representatives.

The House of Representatives returned to the Senate, with its concurrence, the following papers :

A resolution sanctioning the issue of small bills by the Bank of the State ;

A resolution requesting the Bank of the State to advance, for the State, upon the Bonds or Stocks heretofore authorized to be issued for such purpose, the sum of forty-nine thousand dollars, for the New State House ;

A resolution in relation to the inexpediency of the Judges of the Courts of Law, in this State, during the ensuing year, calling, hearing, or determining any case, on any of the dockets, except in the sessions ;

A resolution for compensation of Samuel Waddell ;

A resolution in relation to the Boards of Managers for the Parishes of St. Philip's and St. Michael's.

On motion of Mr. ARTHUR, the President of the Senate retired from the Chair, and the Hon. F. J. Moses was called to preside.

Mr. ARTHUR offered the following resolution, which was unanimously agreed to :

Resolved, That the thanks of the Senate be returned to the Hon. W. D. PORTER, for the able, dignified and impartial manner in which he has discharged the onerous duties of his position as Presiding Officer of this body.

On the resumption of the Chair by the PRESIDENT, Mr. Moses communicated to him the resolution which had been adopted by the Senate,

Whereupon the PRESIDENT replied as follows :

SENATORS : I thank you for this mark of approbation. No one, that has not occupied high official position, can realize how grateful it is to receive from those who have charged you with important and delicate responsibilities, a free and unsolicited approval of your conduct. The duties of the Chair are often embarrassing, and the enforcement of rules of order seems sometimes to bear unkindly on individual members. But it is manifest from this unanimous testimonial, as well as from your uniform and undeviating courtesy of manner towards me, that you have appreciated my desire to do

only what is right. I cannot hope to have been always free from error, but you have generously chosen to forget all that. Your kindness sinks deeply into my heart; and, in return, I beg to assure you that there is not one gentleman upon this floor towards whom I do not cherish the warmest and kindest feelings of regard.

This General Assembly has a proud record, and it will be remembered hereafter with gratitude. It marks a great epoch in our history. It stands in that history between the living and the dead—between the dead old Federal Union and the living new Confederate Republic of America. You may be said to have officially inaugurated this great revolution. With a unanimity which was really wonderful, you called into existence a Convention of the people, charging the delegates thereto *to consider the perils to which the State was exposed in the Federal Union, and to take care that the Commonwealth received no detriment.* That call was the turning point of the revolution, for the action of the Convention was a foregone conclusion. The popular heart was in the movement, and gave impulse to the action both of the Legislature and the Convention. As Representatives, you have faithfully discharged the great trusts devolved upon you; and when our liberties shall have been secured, and the history of the times shall have been written, the part you have played in the great drama will be a heritage of which your children may be proud.

Again I thank you for your kindness. My best wishes attend you all. May the light of a happy household, and the joys of a merry Christmas, welcome each one of you to his home.

The House of Representatives sent to the Senate the report of the Committee on the Military,

On a letter from R. W. Gibbes, M. D., Surgeon General of the South Carolina Militia, on establishing army hospitals; which was ordered for immediate consideration, and a message was sent to the House of Representatives, asking to amend the report by striking out the words, "to urge upon the Confederate authorities the propriety of establishing," and to insert in lieu thereof the words, "to establish."

The House of Representatives returned to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully refuses to grant leave to Senate to amend the resolution of the House in relation to the establishment of hospitals, by striking out the words "to urge upon the Confederate authorities the propriety of establishing," and to insert, in lieu thereof, the words

“to establish,” so that it shall read, “is hereby requested to establish army hospitals,” &c.

By order of the House,

JAMES SIMONS, *Speaker*.

The Senate then sent a message, refusing to grant leave, and asked the appointment of a Committee of Conference, to meet the Senate Committee, consisting of Messrs. McAliley, Rhett, and Moses.

The House of Representatives returned the following message :

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully insists upon refusing Senate leave to amend the resolution in relation to an army hospital, by striking out “to urge upon the Confederate authorities the propriety of establishing,” and inserting, in lieu thereof, “to establish.”

House consents to a conference, and has appointed Messrs. Aldrich, Lipscomb, Boylston, and Bates, a Committee to act with Senate Committee.

By order of the House,

JAMES SIMONS, *Speaker*.

Mr. WARE, from the Committee on Incorporations and Engrossed Acts, asked leave to report that the Acts passed at this session of the Legislature were engrossed, and ready for ratification.

Mr. McALILEY, from the Committee of Conference, on the report of the House Committee, on the letter of R. W. Gibbes, Surgeon General, in relation to the establishment of army hospitals, made a report, and the House report, as amended, was then concurred in, and ordered to be returned to the House of Representatives.

On motion of Mr. WARE, a message was sent to the House of Representatives, inviting that body to attend forthwith in the Senate Chamber, for the purpose of ratifying the Acts.

Whereupon the House of Representatives returned to the Senate the following message :

IN THE HOUSE OF REPRESENTATIVES, Dec. 21, 1861.

Mr. President, and Gentlemen of the Senate :

The House of Representatives respectfully accepts the invitation of the Senate, to attend forthwith in the Senate Chamber, to ratify the Acts passed at the present session of this General Assembly.

By order of the House,

JAMES SIMONS, *Speaker*.

The Speaker and members of the House of Representatives, attended by the officers of the House and Senate, entered the Senate Chamber, when the following Acts were duly ratified :

ACTS ORIGINATING IN THE SENATE.

An Act to alter the time of holding the election for Ordinary of Anderson District ;

An Act to amend the charter of the Union Light Infantry Charitable Society and Company ;

An Act to authorize Trustees to invest funds in bonds of the Confederate States ;

An Act to amend an Act entitled " An Act creating a military establishment for the State of South Carolina, and for other purposes ;

An Act to amend the law as to the election of officers of the South Carolina College ;

An Act to authorize certain building and loan associations to suspend the call for monthly instalments ;

An Act to suspend the ninth section of an Act entitled " An Act to raise supplies for the year one thousand eight hundred and twenty-three." "

An Act to authorize the formation of a Volunteer Company of Light Artillery, and to incorporate the same, by the name of the " Waccamaw Light Artillery ;

An Act to alter and amend the second section of an Act entitled " An Act to alter and amend the law in relation to Fish Sluices on the Catawba and Wateree Rivers, and for other purposes." "

An Act to incorporate the York Gas-Light Company ;

An Act to require the Circuit Judges to send, with their reports to the Appeal Court, the notes of evidence taken on the trial ;

An Act to encourage the manufacture of salt within this State ;

An Act to incorporate the Mutual Fire Insurance Company of Columbia ;

An Act to extend relief to debtors, and to prevent the sacrifice of property at public sales ;

An Act to afford aid to the families of soldiers ;

An Act to authorize the City Council of Charleston to issue and put in circulation notes receivable in taxes, or dues to the city.

ACTS ORIGINATING IN THE HOUSE OF REPRESENTATIVES.

An Act to amend and suspend certain portions of the Militia and Patrol Laws of this State ;

An Act to incorporate the Palmetto Lyceum of Charleston ;

An Act to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain funds to the payment of debt, and for other purposes ;

An Act to amend an Act entitled " An Act to provide a Patrol and Military Guard for the City of Charleston, and for other purposes ;"

An Act to incorporate the Florence and Fayetteville Railroad Company ;

An Act to amend an Act entitled " An Act to aid in the construction of the Georgetown Railroad ;"

An Act to aid in the construction of the Barnwell Railroad ;

An Act to amend an Act entitled " An Act to raise supplies for the year commencing in October, one thousand eight hundred and sixty," and for other purposes ;

An Act to incorporate the Trenholm Mutual Insurance Company ;

An Act in reference to the suspension of specie payments by the Banks of this State, and for other purposes ;

An Act to confer the rights of legitimacy on a certain child of Mary Mullinax ;

An Act to regulate the reports of the Railroad Companies, and for other purposes ;

An Act to authorize the issue of Stock to the amount of one million eight hundred thousand dollars, for the defence of the State, and for other purposes ;

An Act to amend an Act entitled " An Act to incorporate the Cheraw and Coal Fields Railroad Company in South Carolina," ratified on the 21st day of December, A. D. 1857, and for other purposes ;

An Act to incorporate the Carolina Insurance Company ;

An Act to grant exemption to certain free persons of color, who shall return to this State, from penalties provided by law ;

An Act to incorporate the Insurance and Trust Company of Charleston, and the Calhoun Insurance Company ;

An Act for re-building the City of Charleston after the recent conflagration ;

An Act to incorporate certain religious and charitable societies, and societies for the advancement of education, and to renew and amend the charters of others heretofore granted ;

An Act to incorporate the Southern Express Company ;

An Act to provide more efficient police regulations for the Districts on the sea-board ;

An Act to charter a Cotton Planters' Loan Association ;

An Act to incorporate certain societies, associations, and companies, and to renew and amend the charters of others ;

An Act to enable volunteers in the military service to exercise the right of suffrage;

An Act to raise supplies for the year commencing in October, one thousand eight hundred and sixty-one.

An Act to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax-payers of this State;

An Act to establish certain roads, bridges and ferries, and to renew and amend certain charters heretofore granted;

An Act to regulate the election of members of the Legislature, and others, within the Parishes of St. Philip and St. Michael.

The House of Representatives sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES, December 21, 1861.

Mr. President, and Gentlemen of the Senate:

The House of Representatives respectfully informs Senate that it has discharged its business, and is now ready to adjourn, *sine die*.

By order of the House,

JAMES SIMONS, *Speaker*.

A similar message was immediately thereafter sent by the Senate to the House of Representatives.

The PRESIDENT, at 12 o'clock, midnight, in pursuance of orders previously made, on this, Saturday, the 21st day of December, 1861, adjourned the Senate, *sine die*.

I N D E X

TO THE

JOURNAL OF THE SENATE,

FOR THE

CALLED SESSION OF NOVEMBER, 1861.

B.

BILLS ORIGINATING IN THE HOUSE, WHICH PASSED, BUT WERE NOT
RATIFIED UNTIL THE REGULAR SESSION.

	PAGE
A Bill to incorporate the York Gas-Light Company.....	29
A Bill to alter and amend the second section of an Act to alter and amend the Law in relation to Fish Sluices on the Catawba and Wateree Rivers, and for other purposes.....	29
A Bill to require the Circuit Judges to send up, with their reports to the Appeal Court, the notes of evidence taken on the trial...	29
A Bill to require the Commissioner in Equity and Ordinary for Sumter District to transfer to the Commissioner in Equity and Ordinary for Clarendon District, all records in their offices per- taining to the latter District. Referred to the Committee on the Judiciary, with leave to report at the next regular session...	29

C.

COMMITTEES, SPECIAL.

Informing the Governor of the convening of the Senate.....	7
To report on Documents accompanying Message No. 1 of his Ex- cellency the Governor.....	27

	PAGE
Respecting members vacating their seats in the Senate by entering the Confederate service.....	27
To confer with the Presidents and Directors of the Railroads in this State, in relation to a reduction of tariffs during the existing war.....	33
Clerk of Senate (Wm. E. Martin), letter from.....	7
Leave of absence granted to.....	7

D.

Dantzler, Hon. O. M., letter of resignation of.....	7
---	---

G.

Governor, proclamation of.....	6
Messages at extra session—No. 1.....	10
Referred.....	32
No. 2.....	31

H.

Hudson, J. H., elected Reading Clerk of the House of Representatives,	35
Hampton, Hon. Wade, letter of resignation of.....	8

J.

Jenkins, John, petition of, contesting seat of E. C. Whaley.....	28
--	----

M.

Messenger of the Senate (A. D. Gaillard), leave of absence granted to,	7
--	---

P.

President and Vice President of the Confederate States.	
Proclamation of the Governor, convening the General Assembly to appoint Electors for.....	7
Nomination of Electors for.....	28
Electors for, elected.....	30

R.

RESOLUTIONS INTRODUCED IN THE SENATE.

	PAGE
By Mr. Hope, relative to the appointment of a Committee to nominate Electors of President and Vice President of the Confederate States of America.....	8
Mr. Mazyek, relative to members of the General Assembly accepting offices in the Military service of the State.....	8
Mr. Moses, relative to the death of Hon. Richard I. Manning.....	9
Mr. Garlington, changing the name of the Committee on Foreign Affairs to that of Confederate Relations.....	27
Mr. Garlington, authorizing the Governor to call for Companies of Volunteers, and organize them into Battalions and Regiments.....	34
Mr. Garlington, appointing a Committee to report those Documents accompanying Message No. 1 of the Governor which should be printed... ..	27
Mr. Lesesne, relative to the issue of Writs of Election to fill the vacancy caused by the death of Hon. R. I. Manning.....	28
Mr. Mazyek, relative to the adjournment of the General Assembly,	28
Mr. E. G. Palmer, authorizing the Bank of the State of South Carolina to advance \$50,000 to the service of the State.....	29
Mr. Allen, referring so much of Message No. 1 of the Governor as relates to the raising of \$300,000 to the Committee on Finance and Banks, and so much as relates to the Reorganization of the Militia, to a Special Committee.....	29
Mr. Garlington, referring different portions of the Governor's Message to appropriate Committees.....	32

RESOLUTIONS FROM THE HOUSE OF REPRESENTATIVES.

Relative to the inexpediency of Courts of General Sessions and Common Pleas sitting in Horry District.....	28
Authorizing the Governor to appoint the Field Officers of any Regiment or Battalion that may be called into State service until the first of January next.....	31
Relative to the appointment of a Joint Committee to confer with the Presidents and Directors of the Railroad Companies of this State as to the expediency of reducing their tariffs of prices during the present War.....	32

	PAGE
Providing Compensation for the Officers of the General Assembly, the Librarian, Clerks and Solicitors, for the Extra Session.....	33
Relative to the continuation of business from the Extra to the Reg- ular Session.....	34
Authorizing the Governor to re-enlist the Battalions of Artillery in our Fortresses, and also the Regular Infantry.....	34
S.	
Senate, called Session of.....	5
Adjournment of.....	35
W.	
Whaley, E. C., Senator elect from St. John's, Colleton, qualification of.	27

INDEX

TO THE

JOURNAL OF THE SENATE,

FOR THE

REGULAR SESSION OF NOVEMBER, 1861.

A.

	PAGE
Arthur, Hon. E. J., Senator elect from Richland, qualification of.....	41
Adjutant and Inspector General, S. R. Gist elected.....	60
Associate Judge of the Appeal Court, B. F. Dunkin elected.....	66
Anderson District, petition of citizens of, praying relief by legislation from extortioners and speculators.....	88

B.

Bowden, A. B., Magistrate, account of, withdrawn.....	49
Burke, A. J., account of, for printing Writs of Election.....	57
Building and Loan Associations, in the City of Charleston, Memorial of, praying to be allowed to suspend their calls for Monthly In- stalments.....	68
Barnwell District, petition of sundry citizens of, that the property of B. P. O. Cohen, a free man of color, be vested in his widow and children.....	118
Bank of the State of South Carolina. Report of President and Directors of.....	63
Annual Private Report of President and Directors of.....	94
President and Directors of, elected.....	137

BILLS.

BILLS ORIGINATING IN THE SENATE—WHICH PASSED.

	PAGE
An Act to alter the time of holding the election for Ordinary of Anderson District.....	76
An Act to amend the charter of the Union Light Infantry Charitable Society and Company.....	70, 86, 179, 185
An Act to authorize Trustees to invest funds in Bonds of the Confederate States.....	63, 85, 171, 186
An Act to amend an Act entitled "An Act creating a Military Establishment for the State of South Carolina, and for other purposes".....	91, 99, 107, 171, 186
An Act to amend the Law as to the Election of Officers of the South Carolina College.....	131, 169, 178, 186
An Act to authorize certain Building and Loan Associations to suspend the call for Monthly Instalments.....	109, 115, 178, 186
An Act to suspend the ninth section of an Act entitled "An Act to Raise Supplies for the year one thousand eight hundred and twenty-three.....	81, 178, 186
An Act to alter and amend the second section of "An Act to alter and amend the Law in relation to Fish Sluices on the Catawba and Wateree Rivers, and for other purposes".....	53
An Act to authorize the formation of a Volunteer Company of Light Artillery, and to incorporate the same, by the name of the "Waccamaw Light Artillery".....	59, 64, 96, 113
An Act to incorporate the York Gas-Light Company.....	53
An Act to require the Circuit Judges to send, with their reports to the Appeal Court, the notes of evidence taken on the trial.....	53
An Act to encourage the manufacture of Salt within this State,	117, 129, 150, 202
An Act to incorporate the Mutual Fire Insurance Company of Columbia.....	141, 153, 168, 201
An Act to extend relief to Debtors, and to prevent the sacrifice of Property at public sales.....	48, 123, 188, 201
An Act to afford Aid to the Families of Soldiers.....	83, 97, 208, 211
An Act to authorize the City Council of Charleston to issue and put in circulation Notes receivable in Taxes or dues to the City,	92, 107, 203, 211
An Act to provide for the payment by the State of the War Tax of the Confederate States, and for the collection of the same from the tax-payers of this State.....	114, 174, 211

- An Act to establish certain Roads, Bridges and Ferries, and to renew and amend certain Charters heretofore granted...171, 200, 211
- An Act to regulate the election of Members of the Legislature and others within the Parishes of St. Philip and St. Michael,
171, 202, 211
- An Act to amend an Act entitled "An Act to aid in the construction of the Georgetown Railroad".....106, 128, 135

BILLS ORIGINATING IN THE HOUSE OF REPRESENTATIVES—WHICH PASSED

- An Act to amend and suspend certain portions of the Militia and Patrol Laws of this State.....89, 94, 103
- An Act to incorporate the Palmetto Lyceum of Charleston.....59, 86, 95
- An Act to authorize the Board of Trustees and Faculty of the Medical College of South Carolina to apply certain Funds to the payment of Debt, and for other purposes.....96, 116, 125
- An Act to amend an Act entitled "An Act to provide a Patrol and Military Guard for the City of Charleston, and for other purposes".....81, 99, 130
- An Act to incorporate the Florence and Fayetteville Railroad Company.....114, 129, 142
- An Act to aid in the construction of the Barnwell Railroad,
106, 119, 139
- An Act to amend an Act entitled "An Act to Raise Supplies for the year commencing in October, one thousand eight hundred and sixty," and for other purposes.....96, 135, 150
- An Act to incorporate the Trenholm Mutual Insurance Company,
160, 167, 201
- An Act in reference to the suspension of Specie Payments by the Banks of this State, and for other purposes.....118, 159, 210
- An Act to confer the rights of legitimacy on a certain child of Mary Mulliaax.....106, 168, 210
- An Act to regulate the Reports of the Railroad Companies, and for other purposes.....154, 167, 211
- An Act to authorize the issue of Stock, to the amount of one million eight hundred thousand dollars, for the Defence of the State, and for other purposes.....130, 169, 210
- An Act to amend an Act entitled "An Act to incorporate the Cheraw and Coal Fields Railroad Company in South Carolina," ratified on the 21st day of December, A. D. 1857, and for other purposes.....142, 169, 210
- An Act to incorporate the Carolina Insurance Company.....160, 167, 201

- An Act to grant Exemption to certain Free Persons of color who shall return to this State, from penalties provided by law, 154, 181, 186
- An Act to incorporate the Insurance and Trust Company of Charleston, and the Calhoun Insurance Company.....160, 167, 201
- An Act for rebuilding the City of Charleston after the recent Conflagration.....160, 182, 210
- An Act to incorporate certain Religious and Charitable Societies, and Societies for the Advancement of Education, and to renew and amend the Charters of others, heretofore granted...154, 200, 211
- An Act to incorporate the Southern Express Company.....196, 210
- An Act to provide more efficient Police Regulations for the Districts on the Sea-Board.....106, 140, 210
- An Act to charter a Cotton Planters' Loan Association.....167, 192, 210
- An Act to incorporate certain Societies, Associations, and Companies, and to renew and amend the Charters of others, 154, 200, 210
- An Act to enable Volunteers in the Military Service to exercise the Right of Suffrage.....135, 200, 211
- An Act to Raise Supplies for the year commencing in October, one thousand eight hundred and sixty-one.....138, 154, 211
- An Act to Make Appropriation: for the year commencing in October, one thousand eight hundred and sixty one.....135, 150, 211

BILLS ORIGINATING IN THE SENATE—NOT PASSED.

- A Bill to provide for the Security of the Property of the Citizens of the State.....160, 176
- A Bill to charter the Planters' and Merchants' Insurance Company, 161, 200
- A Bill to Equalize the System of Taxation, by establishing a uniform *ad valorem* duty on all property recognized as such by the laws of this State..... 122
- A Bill to provide for the better Government of Slaves.....127, 181
- A Bill to authorize the Governor to appoint a Secretary of the Treasury.....144, 166
- A Bill to authorize the South Carolina Railroad Company to issue Receivable Notes.....75, 86
- A Bill to prescribe the manner of calling for Volunteers, and to provide for their organization, and to alter and amend "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State into one Act, and to alter and amend the same"....:78, 97

	PAGE
A Bill to provide more efficient Police Regulations for the Districts on the Sea-Coast.....	88, 137
A Bill to provide for the appointment and duties of Officers connected with the Customs, and for other purposes.....	59
A Bill to require the Commissioner in Equity for Sumter District to transfer to the Commissioner in Equity for Clarendon District all Records in their possession pertaining to the latter District.....	59
A Bill to extend the Charter of the Mount Pleasant Ferry Company.....	66
A Bill to prevent Forestalling and Extortion in the sale of Provisions and necessary articles of consumption.....	64, 159
A Bill to extend an Act entitled "An Act to postpone the operation of the third section of an Act entitled 'An Act for the suspension of certain sections of certain Acts, and for other purposes,' ratified on the 21st day of December, in the year 1857," and for other purposes.....	67, 168
A Bill to continue certain Military Commissions.....	67, 85
A Bill to repeal the third section of an Act entitled "An Act for regulating and fixing the Salaries of several Officers," and for other purposes therein mentioned.....	67, 110
A Bill to aid in the construction of the Barnwell Railroad.....	52, 119
A Bill to provide for the Families of Soldiers in service.....	52, 169
A Bill to amend the Militia Laws of this State, so as to exempt regular officiating Clergymen from Extraordinary Militia Duty, except in certain cases.....	56, 111
A Bill to make the Surveyor General and his Deputies Magistrates <i>ex officio</i>	58, 62, 69

BILLS ORIGINATING IN THE HOUSE OF REPRESENTATIVES—NOT PASSED.

A Bill to amend, as to certain persons, the 28th section of an Act ratified December 18th, 1840, entitled "An Act to ascertain and define the powers, duties, and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices".....	150, 169
A Bill to sanction the issue of Small Notes made by the Bank of the State of South Carolina, and to authorize further issues of the same.....	154, 202
A Bill to require the Commissioner in Equity for Sumter District to transfer to the Commissioner in Equity and Ordinary for	

Clarendon District all Records in their offices pertaining to the latter District.....47, 59

A Bill to authorize the several Banks in the State to deal in Stocks and other Securities of the Confederate States of America, 106, 115

A Bill to establish the Boundary Line between the Districts of Clarendon and Williamsburg.....171, 202

A Bill to suspend the Collection of Debts, the Statute of Limitations, and Notice of Protest.....167, 202

A Bill to authorize the Banks to extend their Loans to the People of this State..... 169

A Bill to suspend certain Acts providing for a Code of the Statute Laws of South Carolina.....142, 169

A Bill to afford Aid in the construction of the Cheraw and Coal Fields Railroad Company.....171, 202

A Bill to alter and amend an Act entitled "An Act to regulate the Fees of Sheriffs, Magistrates and Constables, and certain Fees of Clerks 171

C.

Clerk of Senate, leave of absence granted to..... 47

Commissioners of the Poor for Georgetown District, petition of 51
 Account current
 of Treasurer..... 51

Commissioners in Equity, for various Districts, elected..... 54

Commissioners of Public Buildings of Richland District, petition of, for aid in building Court-House..... 66

Crook, Dr. A. B., petition of, upon the subject of Sheep and Dogs.... 67

City Council of Columbia, petition of, to be refunded money paid for the State..... 70
 of Charleston, abstract of Transient Poor supported by... 70
 Expenditures on account of the
 Poor..... 70
 Petition of, relative to Insane Negroes..... 86
 Memorial of, praying authority to issue
 Notes and Bills 87

Clarkson, Thos. B., petition of, praying to be refunded a Tax illegally collected 92

Cleveland, Dr. R. E., account of, for medical services rendered the State..... 78

	PAGE
Commissioners of the Deaf, Dumb and Blind, Annual Report of.....	88
Comptroller General, James A. Black elected.....	87
Report of, on Contingent Accounts of the Lower Division.....	95, 170, 204
Contingent Accounts of the Upper Division.....	169, 179
Crook, Dr. A. B., petition of, in relation to Grain; also, to Salt.....	91
Codifier of the Statute Law, James L. Petigru elected.....	188
College, South Carolina, report of Treasurer of Board of Trustees of...	103
Commissioner of the Code, report of.....	109
Charleston Zouave Cadets, petition of, for Charter.....	114

COMMITTEES, SPECIAL.

To inform the Governor that the Senate had met, and was ready for any communication.....	41
To make arrangements for opening Daily Sessions of Senate with Prayer.....	49
To nominate Directors of the Bank of the State of South Carolina ..	64
To nominate suitable persons for Trustees of the South Carolina Col- lege.....	80
To inquire and report if there is necessity of provision by the State for the sufferers from the fire in Charleston.....	124
To recommend a suitable day for adjournment.....	135
On certain Rooms in the New State Capitol, as to their fitness for the reception of public documents.....	153

D.

Deaton, Elijah, Constable, account of, withdrawn.....	49
Durham, W. R., " " "	49
Darlington District, petition of citizens of, against the establishment of a new road.....	58, 85
Dunkin, Hon. B. F., communication from.....	95

DISCHARGED COMMITTEES.

COMMITTEE ON THE JUDICIARY.

From presentments of the Grand Jury of York.....	62
From petition of Benj. F. Landrum, in relation to a conditional grant of land in the District of Edgefield.....	203
From petition of James M. Richardson, as to change of name, and other matters.....	203

MILITARY AND PENSIONS.

	Pages
From resolution in reference to the Pee Dee Legion.....	120

ROADS AND BUILDINGS.

From a Bill to extend the Charter of the Mount Pleasant Ferry Company.....	66
From memorial of Sullivan's Island Steamboat Company, praying that their rights be not interfered with.....	66
From petition of citizens of Darlington District, against the establishment of a new road.....	169

CLAIMS AND GRIEVANCES.

From the account of E. R. Stokes, for Binding done for the Legislature.....	170
From report of House Committee on Claims, on the account of McCarter & Dawson, for printing Equity Reports.....	190

SPECIAL COMMITTEE CHARGED WITH EXECUTIVE DOCUMENTS.

From certain Documents accompanying Message No. 1 of the Governor, at the Extra Session.....	176
--	-----

E.

Evatt, Wm., account of, withdrawn.....	49
Edgefield District, petition of sundry citizens of:	
For opening a new road	58
That Elijah Timmerman be not paid damages for land used by Commissioners of Roads.....	86
Evans & Cogswell, account of, for Stationery furnished the Senate.....	161

F.

FREE SCHOOL RETURNS.

Kershaw.....	41
Lexington.....	46
Claremont, or Sumter	46
York.....	46
Fairfield	47
Spartanburg.....	49
Greenville.....	51
Lancaster.....	51

	PAGE
St. James', Santee.....	51
Kingston Parish.....	53
Barnwell.....	53
Chesterfield	53
St. Bartholomew's.....	56
Anderson.....	57
Marlboro'.....	58
Pickens.....	58
Clarendon.....	63
Laurens	63
Newberry.....	63
All Saints'.....	67
Williamsburg.....	67
St. Stephen's.....	70
Union.....	70
Christ Church.....	70
St. George's, Dorchester.....	74
Edgefield	79
St. Philip's and St. Michael's.....	79
Abbeville.....	84
Darlington.....	85
Prince George, Winyah.....	85
Prince William's.....	87
St. Thomas' and St. Dennis'.....	92
Chester.....	104
St. James', Goose Creek.....	106
St. Luke's.....	127

G.

Governor, Messages at Regular Session :

No. 1.....	41
No. 2, read	84
referred.....	85
No. 3, read	112
referred.....	116
No. 4, read and referred.....	118
No. 5, read	126
No. 6, read	142
No. 7, read and referred.....	145
No. 8, read and referred.....	194

	PAGE
Gantt, Thos. W., petition of, to be refunded a tax.....	56
Account of, withdrawn.....	66
Goodwyn, Dr. T. J., account of, for services rendered prisoners in jail,	56
Greenville District, petition of citizens of, in relation to extortioners..	91
Glass, Peter B. & Co., account of, for stationery.....	100
Georgetown, petition of Town Council of, to be allowed to issue Bills of denominations from five cents to one dollar.....	114

H.

Hebrew Benevolent Society of Columbia, petition of, for Charter.....	48
Harris, J. L., executor, praying payment of Coupons on Bonds.....	61

I.

INCORPORATIONS, PETITIONS RELATIVE TO.

Hebrew Benevolent Society of Columbia.....	48
Cheraw Bridge Company.....	52
Aiken Public School.....	55
Mount Pleasant Ferry Company.....	55
Masonic Association.....	57
Orange Lodge, No. 14.....	63
Charleston Zouave Cadets.....	114
Insurance and Trust Company of Charleston.....	149
Planters' and Merchants' Insurance Company.....	153
Insurance Company, Elmore Mutual, petition of.....	47

K.

Kay, John A., late Assistant Architect of New State Capitol, petition of, praying suspension of suit against him.....	87
--	----

L.

Lewis, J. Overton, petition of.....	49
Landrum, Benj. F. petition of.....	50
Leland, A. W., to be refunded tax.....	51
Lunatic Asylum, report of Regents of.....	63

M.

	PAGE
McGraw, Mrs. Martha, petition of.....	41
McCarter & Dawson, petition of, for extension of time on contract.....	47
account of, for eleventh volume of Equity Re- ports.....	46
Marine School of Charleston, petition of, for continuance of aid....	47, 161
Messenger of Senate, leave of absence granted to.....	47
Magistrate, of Pickens District, petition of.....	48
Medical College of South Carolina, memorial and petition of	51
Master in Equity, elected.....	54
Manning, Hon. John L., Senator, qualification of.....	55
Appointed to certain Committees	64
Martin, W. D., appointed substitute for Clerk of Senate.....	55
Magistrates and Constables of Charleston District, petition of, for in- terest on an amount due them by the State.....	57, 62
Marion, petition of citizens of, for fencing lands in Lynch's Creek Swamp.....	58
Military Academy, report of Board of Visitors of.....	74
McBurney, William, petition of, for Charter for a new Insurance Com- pany in Charleston, to be called the Planters' and Merchants' Insurance Company... ..	153

O.

Orangeburg District, petition of citizens of, against opening road.....	67
---	----

P.

POST MORTEM EXAMINATIONS, ACCOUNTS FOR.

PRESENTED IN THE SENATE.

Dr. R. J. Muirhead.....	56
Dr. J. H. Boatwright.....	70, 92
Dr. M. Jas. Moore.....	87
Dr. Wm. C. Freeman	92
Purse, W. W., account of, for work done in Senate Chamber.....	56
Pepper, P. M., Constable, account of, inserted in report of Comptroller General.....	133

PRESENTMENTS OF GRAND JURY.

	PAGE
Newberry.....	41
Abbeville.....	41
York.....	46
Union.....	46
Lancaster.....	51
Marlboro'.....	53
Greenville.....	62
Clarendon.....	63
Sunter.....	87
President of the Senate, Hon. W. D. Porter, remarks of.....	215

PUBLIC PRINTING, ACCOUNTS FOR.

A. O. Norris & Co.....	57
A. J. Burke.....	57
Southern Confederation.....	58
Darlington Southerner.....	58
A. J. Rugg.....	58
Protest, against a Bill to Extend Relief to Debtors, and to Prevent the Sacrifice of Property at Public Sales.....	188

R.

RESOLUTIONS INTRODUCED IN THE SENATE.

By Mr. Moses, informing the Governor of readiness of Senate to receive any communication.....	40
Mr. Moses, for providing for families of Volunteers in Military service.....	46
Mr. Lesesne, for opening daily sessions of Senate with Prayer.....	49
Mr. Garlington, referring the several parts of Message No. 1 of the Governor to appropriate Committees.....	50
Mr. Heyward, in relation to bearing the expenses of transportation of indigent persons on the sea-coast.....	52
Mr. Garlington, changing the name of the Committee on Foreign Affairs to that of Confederate Relations.....	52
Mr. Hope, relative to extortion in trade.....	51
Mr. Mazyck, putting Cadetships at the disposal of General G. T. Beauregard.....	51

By Mr. Hope, authorizing the Clerks of the Courts of the several Judicial Districts of this State to furnish a copy of the Acts and Resolutions of the General Assembly to each member of the Boards of Commissioners of Roads, of Free Schools, and of the Poor, in their respective Districts.....	56
Mr. McAliley, relative to destroying crops of Cotton and Rice, 62, 68, 75,	82
Mr. Hope, appointing a Committee to nominate Directors of the Bank of the State of South Carolina.....	63
Mr. E. G. Palmer, complimentary to President Davis.....	65, 70
Mr. Moses, inquiring as to legislation to afford aid by the Banks, by discounts on endorsed paper, secured by lien on produce...	66
Mr. Fickling, adding Hons. Alex. Mazyek and H. D. Lesesne to the Committee on Privileges and Elections.....	74
Mr. Alston, authorizing the Governor to accept the services of the Pee Dee Legion	74
Mr. Mazyek, authorizing the Treasurer to pay the drafts of Commissioners of Free Schools who have not made returns.....	75
Mr. Moses, for uniting the Military Committees of the two Houses in the discussion of all matters relating to the Military Defences of the State, for the remainder of the Session.....	77
Mr. Whaley, in relation to the taxes of those citizens of the State who are exiled from their homes.....	79
Mr. Ware, appointing a Committee to nominate suitable persons for Trustees of the South Carolina College.....	79
Mr. Alston, sanctioning the action of the Governor in the organization of the Pee Dee Legion.....	80
Mr. Garlington, relative to the planters who had destroyed their crops to prevent their falling into the hands of the enemy, 88,	89
Mr. Hope, requiring the Committee on the New State Capitol to ascertain whether any of the workmen employed on said building have become foreigners or alien enemies to the Confederate Government since the date of their contracts, &c....	89
Mr. Lesesne, requesting the Governor to communicate, in secret session, the state of our military preparations	98
Mr. Allen, requesting the Governor to remove the Camp of Instruction at Columbia to the section of country embraced by the Savannah Railroad.....	98, 111
Mr. Marshall, suspending the 26th Rule of the Senate.....	100

	PAGE
By Mr. Moses, ordering five hundred copies of "An Act to amend and suspend certain portions of the Militia and Patrol Laws of this State" to be printed.....	102
Mr. Harrison, relative to the manufacture of Salt on the sea-board.....	104
Mr. Appleby, relative to the adjournment of the Legislature, 104,	111
Mr. Hope, relative to the inexpediency of raising full crops of Cotton.....	114
Mr. Arthur, referring the petitions of F. D. Richardson and Thos. B. Clarkson for adjustment to the Comptroller General...122,	125
Mr. Moses, relative to the appointment of a Committee to inquire and report if there be necessity for providing for the relief of the sufferers from the fire in Charleston.....122,	123
Mr. Cannon, as to the propriety and expediency of granting State aid for procuring a supply of Salt.....	124
Mr. Dantzler, relative to the numbering of Bills, Reports and Resolutions, by the Clerk.....130,	137
Mr. Moses, requiring all amendments of Bills or Resolutions offered in writing to be entered on the Journal; and amending the Minutes of the 14th of December.....	132
Mr. Boykin, relative to the appointment of a person for disbursing the Funds appropriated for the Military Defence of the State.....	133
Mr. Moses, appointing a Committee of two to confer with a similar Committee of the House, recommending a suitable day for adjournment.....	135
Mr. Moses, inquiring into the number of Pay and State Cadets in the State Military Schools, and relative to a change of system in said Schools.....	136
Mr. Alston, authorizing the Governor to appoint such person as he may deem fit, to receive the sum appropriated by Congress for the relief of Charleston.....140,	164
Mr. Blakeney, inviting General Evans to a seat on the floor of the Senate.....	141
Mr. Harrison, referring it to a Special Joint Committee to inquire and report upon the expediency and means of providing employment for the slaves on the sea-board.....	147
Mr. McAliley, suspending the 26th Rule of the Senate.....151,	169
Mr. Allen, complimentary to the State of Georgia.....157,	170

	PAGE
By Mr. Blakeney, appointing Thomas E. Powe and Thomas C. Law Proxies to represent the Stock of the State in the Cheraw and Darlington Railroad Company.....	180
Mr. Cannon, appointing Wm. S. Lyles, David Goudelock, and A. H. Kirby, Proxies to represent the Stock of the State in the Spartanburg and Union Railroad Company.....	183, 209
Mr. Cannon, suspending the 33d Rule of the Senate.....	193
Mr. E. G. Palmer, appointing a Committee of Conference in relation to the propriety of rescinding the resolution fixing the hour of adjournment on the 21st at 12 o'clock, M....	193
Mr. Arthur, requesting the Bank of the State to advance \$49,000 for the New State House.....	210, 215
Mr. Garlington, authorizing the Governor to appoint an agent to present and adjust the claims of this State against the Confederate States.....	212
Mr. Moses, compensating Samuel Waddell for services as Assistant Messenger.....	213, 215
Mr. Moses, sanctioning the issue of Small Notes by the Bank of the State, heretofore made.....	214, 215
Mr. Arthur, relative to calling and determining of cases in the Courts of Law in this State during the ensuing year.....	214, 215
— — — — —, relative to the Board of Managers for the Parishes of St. Philip and St. Michael, fixing the limits of Wards in the City of Charleston, and requiring voters to vote within such precincts.....	214, 215
Mr. Arthur, returning the thanks of the Senate to Hon. W. D. Porter.....	215

RESOLUTIONS FROM THE HOUSE OF REPRESENTATIVES.

Excusing J. B. Perry, Engrossing Solicitor, from attendance during the Session.....	53
Extending to General G. T. Beauregard the privilege of sending two pupils to the State Military Schools.....	60
Increasing the pay of private soldiers in the service of the Confederate States.....	61
Complimentary to President Davis.....	67
Of thanks to General N. G. Evans.....	70
In memory of General B. E. Bee.....	72
Relative to the payment of postage.....	76
Relative to the construction of the Cheraw and Coal Fields Railroad.....	108

	PAGE
Instructing the Treasurer of the Upper Division to pay to Mrs. Ann G. Wardlaw the balance of the salary of the late F. H. Wardlaw, one of the Associate Judges of the Appeal Court.....	100
Relative to the defenders of forts Beauregard and Walker.....	134
Relative to the Banks of the State.....	168
Relative to printing five hundred copies of the Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State.....	105
Relative to the death of Hon. Francis H. Wardlaw.....	113
Authorizing the Governor to employ a Special Secretary.....	125
Relative to the inexpediency, at the present time, of supplying the vacancy on the Chancery Bench occasioned by the election of Hon. B. F. Dunkin to the Appeal Bench.....	125
Relative to the German Battalion of Artillery in the defence of Fort Walker.....	105, 136
Appointing a Committee to ascertain the character and value of property destroyed in this State, and that may hereafter be destroyed, by the enemy or otherwise.....	150, 169
Appointing Hon. W. G. DeSaussure, Secretary of the Treasury, Agent of the State to receive the sum of two hundred and fifty thousand dollars, appropriated by Congress.....	161
Applying \$15,000 to enlisting and recruiting State forces.....	178, 212
Relative to the death of Soldiers.....	179, 212
Relative to indexing the Reports and Resolutions of the General Assembly.....	209
Relative to J. Bennett Bissel.....	208
Authorizing the Banks of this State to deal in Stocks and other Securities of the Confederate States.....	213
Appointing Commissioners under the Act entitled "An Act to afford Aid to the Families of Soldiers".....	213
Joint Resolutions of the Legislature of Tennessee, in relation to opening the Ports of the South to the Commerce of the World	146
Joint Resolutions of the General Assembly of the State of Georgia, passed at the late session, pledging the State of Georgia to stand by her sister States in the present struggle.....	195
Railroad, Blue Ridge, report of.....	70, 75
Rogers, Magistrate, account of, withdrawn.....	49
Richardson, James Madison, petition of, for change of name.....	57
Register of Mesne Conveyance, for Charleston District, elected.....	54
Register in Equity " " " ".....	55, 87

	PAGE
Richardson, F. D., petition of, praying return of taxes improperly ex- acted	62
Roper Hospital, report of Trustees of.....	120

REPORTS OF COMMITTEES OF THE SENATE.

ACCOUNTS AND VACANT OFFICES.

Announcing certain offices vacant.....	47
Announcing the office of Solicitor of the Eastern Circuit vacant.....	69
Announcing the Board of Trustees of the South Carolina College vacant.....	79
Announcing the office of Register in Equity for Charleston District vacant.....	79
On certain Contingent Accounts.....	88, 99
As to vacancy of the office of Treasurer of the Lower Division.....	88
Announcing a vacancy on the Chancery Bench	100
On the Contingent Accounts of the Lower Division.....	117

AGRICULTURE AND INTERNAL IMPROVEMENTS.

On the petition of Dr. A. B. Crook, on the subject of sheep and dogs.....	89, 99
Relative to whiskey and grain,	114, 129
On a resolution in relation to the inexpediency of cotton planters planting a full crop of cotton the ensuing year.	131, 136

CLAIMS AND GRIEVANCES.

On the account of McCarter & Dawson, for 11th volume of Equity Reports.....	76, 82, 185
On the account of W. W. Purse, for work done in the Senate Cham- ber.....	76, 82, 185
On the account of A. O. Norris & Co., for public printing.....	76, 82, 185
A. J. Burke, for printing Writs of Election,	76, 77, 83, 185
E. J. McDaniel, proprietor of Chester Standard,	77
On the report of the Commissioners to assess the value of lands in Pickens District.....	77
On the account of the Charleston Courier, for public printing.....	77
E. R. Stokes, for book-binding.....	77
J. M. Brown, Darlington Southerner, for public printing.....	104, 111, 185

	PAGE
On the account of A. J. Rugg, for public printing.....	104, 111, 185
Dr. T. J. Goodwyn, for medical services rendered prisoners in jail.....	111, 185
Southern Confederation, for public printing,	127, 136, 185
P. B. Glass & Co., for stationery furnished the Senate.....	127, 136, 185
Evans & Cogswell, for stationery furnished the Senate.....	170, 190, 208
Keeper of the State House, for contingent expenses for 1861.....	190, 208

COLLEGE, EDUCATION AND RELIGION.

On the Annual report of the Commissioners of the Deaf, Dumb and Blind.....	133, 162, 209
On the report of the Treasurer of the Board of Trustees of the South Carolina College for 1860 and 1861.....	133, 162

COMMERCE AND MANUFACTURES.

On so much of the Governor's Message as relates to the manufacture of cannon, small arms, gunpowder, &c.....	154, 201
--	----------

CONFEDERATE RELATIONS.

On the Governor's Message and accompanying documents.....	134
On the Joint Resolution of the Legislature of Tennessee.....	187, 202
On so much of Message No. 8 of his Excellency the Governor as relates to the Resolutions from the State of Georgia.....	208

FINANCE AND BANKS.

On petition of mechanics and others, citizens of Cheraw, against negroes and free persons of color carrying on mechanical pursuits.....	58
On petition of Trustees of the Marine School of Charleston, for continuance of aid.....	61, 68
On petition of Commissioners of the Poor of Georgetown District, for the usual appropriation for the poor.....	61, 68
On memorial and petition of the Medical College of the State of South Carolina.....	61, 68
On petition of Thomas W. Gantt and wife, to be refunded a tax....	66
On petition of the Elmore Mutual Insurance Company, praying payment of coupons of certain bonds.....	66, 75, 81, 85, 90, 92, 99

	PAGE
On petition of F. D. Richardson, for taxes improperly exacted...	109, 121
On petition of Thomas B. Clarkson, to be refunded a tax illegally collected.	110, 121
On petition of Darling Williams, to be paid the amount of a Jury Ticket lost.....	110, 185
On petition of the Town Council of Georgetown, praying leave to issue Bills of a less denomination than One Dollar.....	119, 130
On petition of Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax.....	121
On petition of Rev. A. W. Leland, to be refunded a tax illegally collected.....	66, 75, 81, 85, 148, 165
On petition of Rev. J. H. Thornwell and Rev. J. B. Adger, on the same subject.....	148, 166
On resolutions in relation to the Banks of the State.....	148, 168
On abstract of Transient Poor supported or relieved by the City Council of Charleston for the years 1860 and 1861.....	148, 168
On so much of Message No. 1 of the Governor, at the extra session, as refers to the Banks and Loans on Cotton	148
On petition of a Committee of the Trustees of the Marine School of Charleston, for continuance of aid.....	148

FINANCE AND BANKS.

On report of the Joint Committee to examine the Bank of the State of South Carolina.....	148
On report of the President and Directors of the Blue Ridge Railroad Company.....	148, 168

INCORPORATIONS AND ENGROSSED ACTS.

On a Bill to amend the charter of the Union Light Infantry Charitable Society and Company.....	79
On a Bill to incorporate the Palmetto Lyceum of Charleston.....	79
On petition of the Mount Pleasant Ferry Company, and counter memorial and Bill on the same subject.....	98, 108
On an Act to Amend and Suspend certain portions of the Militia and Patrol Laws of this State.....	102
On memorial of Orange Lodge, No. 14, Ancient Free Masons, praying an Act of Incorporation.....	118, 129
On various petitions and memorials to incorporate certain Associations and Companies, and for other purposes.....	133

	PAGE
On various memorials and petitions, asking the incorporation of certain Religious and Charitable Societies, and Societies for the Advancement of Education, and to renew and amend the charters of others, heretofore granted.....	133
Reporting Acts of present session ready for ratification.....	217

JUDICIARY.

On House resolution in relation to printing the Journal and Ordinances of the Convention.....	58
On report of the Commissioner of the Code.....	59
On so much of Message No. 1 of the Governor as relates to the employment of a Special Private Secretary.....	63, 69
On various presentments and petitions in relation to the stay of sales and legal process.....	77, 112
On communication of J. S. G. Richardson, with 11th volume Equity Reports.....	78, 86
On petition of McCarter & Dawson, for extension of time on their contract for the republication of the South Carolina Law and Equity Reports.....	91, 99, 125
On a Bill to repeal the third section of An Act for regulating the Salaries of several Officers, and for other purposes therein mentioned.....	95, 107
On petition of certain persons summoned as Jurors at Lexington, Fall Term, 1861, praying compensation.....	96
On petition of sundry citizens of Spartanburg District, praying that the waste of corn by distilling be prohibited.....	106
On resolution in relation to the inexpediency of filling the vacancy on the Chancery Bench occasioned by the election of Hon. B. F. Dunkin to the Appeal Bench.....	144, 177, 209
On the petition of Richard Williams and wife, and others, praying compensation for land escheated by the State.....	161, 165, 181, 209
On the petition of sundry inhabitants of Beaufort and Barnwell Districts, praying that the property of B. P. O. Cohen be vested in his widow and children.....	183
On the reports of the Solicitors of the Northern, Middle, Western Southern, and Eastern Circuits, on District Officers and their Offices.....	114, 129, 185
On resolution as to Indexing Reports and Resolutions.....	191, 209

LEGISLATIVE LIBRARY.

	PAGE
Report of Committee on.....	158, 181
On resolution ordering Clerks of Courts to furnish a copy of the Acts and Resolutions of the General Assembly to the Chairman and Secretary of each of the Boards of Commissioners of Roads, of Free Schools, and of the Poor.....	209

LUNATIC ASYLUM AND MEDICAL ACCOUNTS.

On account of Dr. R. J. Muirhead, for <i>post mortem</i> examination,	64, 79, 154
T. R. Aldrich, for <i>post mortem</i> examination...	68, 75
A. N. Talley, " " " "	85, 90
J. H. Boatwright " " " "	88, 111, 185
M. James Moore " " " "	104
R. E. Cleveland, for medical services rendered the State.....	88, 99, 101
" " " " for services rendered prisoners in jail, and for <i>post mortem</i> examination,	110, 116, 185
On Message No. 2 of the Governor.....	114, 135, 209
On account of Dr. Wm. C. Freeman, for <i>post mortem</i> examination,	141, 165
Edward B. Smith.....	153
Dr. A. N. Talley, for services rendered prisoners in jail.....	153, 169, 209

MILITARY AND PENSIONS.

Relative to placing two Cadetships at the disposal of General Beauregard	55
Relative to increase of pay of soldiers	65, 75
On petition of Martha McGraw, praying arrearage of pension,	65, 75, 141
On so much of the Governor's Message as refers to the appointment of Provost Marshals.....	78, 137
On the report of the Board of Visitors of the South Carolina Military Academy.....	119, 136
On the petition of the City Council of Columbia, to be refunded money paid for the State.....	133, 162, 209

- On a resolution relative to the number of Pay and State Cadets in the Military Schools, and in relation to a change of system, 161, 201

NEW STATE HOUSE.

- On the petition of John A. Kay, praying the suspension of a certain suit against him in the name of the State.....149, 169, 209
On the Annual Report of the Commissioner and Architect, 162, 193, 208

PRIVILEGES AND ELECTIONS.

- On a resolution as to the right of voting in more than one Election District at the same time.....59, 60
On the Presentment of the Grand Jury of Anderson, Spring Term, 177, 202
General Report of Committee, as to places of holding Elections, and Managers of Elections.....172, 183, 202, 212

ROADS AND BUILDINGS.

- On the petition of sundry citizens of York District, praying for the passage of an Act authorizing those using neighborhood roads to use stone, dirt, timber, &c., for their repair; also, counter petition on the same subject.....98, 108
On the petition of citizens of Darlington District, against the establishment of a new road..... 149

REPORTS OF COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

ACCOUNTS.

- On a resolution instructing the Treasurer of the Lower Division to pay over a former appropriation to Thomas C. Moody..... 154
On the account of John C. Moody, Assignee.....172, 208
On the report of the Comptroller General, on the Contingent Accounts of the Upper Division.....175, 187

CLAIMS.

- On the account of McCarter & Dawson, for printing..... 76
W. W. Purse, for work done in the Representatives' Hall.....77, 93, 96
Dr. John G. Williams, for services rendered in the examination of a pauper lunatic, 77, 93, 99

	PAGE
On the account of Dr. John Lake, for examination of pauper lunatic	
77, 93,	99
E. R. Stokes, for book-binding...	93, 99, 142, 170, 208
A. J. Burke, for printing Writs of Election...	93, 99
Charleston Courier, for printing.....	93, 99
On the report of the Committee to assess the value of lands in Pickens District.....	93, 99
On the account of E. J. McDaniel, for public printing,	
93, 99, 142, 170,	208
Lancaster Ledger, " "	106, 136
Dr. Edward B. Smith, for examination of pauper lunatic.....	142, 169
A. G. Fink, for public printing	142, 170, 208
Hayden & Whilden, for \$45.....	142, 170, 208
R. S. Desportes, Administrator, for public printing.....	142, 170, 207
S. M. Boykin, R. K. Rutledge and W. F. Ervin, Surveyors.....	172, 184, 208
R. W. Gibbes, for advertising and binding,	
178, 184,	208
Gilbert & Darr, for public printing.....	178, 184, 207
On the petition of sundry Magistrates and Constables of Charleston District.....	178, 190, 207
F. W. Moore.....	178, 184, 207
Newton Bramblett.....	178, 184, 207
On the account of Thaddeus C. Andrews, for public printing,	
178, 184,	208
Yorkville Enquirer, for public printing,	178, 184, 207
Charleston Mercury, " " 178, 184,	208
A. S. Douglass, " " 178, 184,	207
On the petition of John A. Wagener, praying that sums be granted to privates F. Ficken and John Klee.....	178, 212
On the account of P. B. Glass & Co., for stationery.....	180, 184, 208
P. B. Glass, for stationery furnished the State,	
180,	208
Isaac H. Means, for work done in the office of the Secretary of State	186
Hammet & Machen, for advertising.....	186
On the petition of sundry Magistrates and Constables of Charleston District.....	190, 207

CONFEDERATE RELATIONS.

	PAGE
On the statement of property destroyed by order of Confederate Officers.....	119, 172
On Message No. 6 of his Excellency the Governor, with the accompanying documents, communicating the action of the Legislature of the State of Georgia, appropriating one hundred thousand dollars for the relief of the Charleston sufferers.....	161, 213

EDUCATION.

On the report of the Trustees of the estate of Dr. De La Howe for 1861.....	177, 185, 207
On the annual returns of the Commissioners of Free Schools for the year 1861.....	206

SPECIAL COMMITTEE OF YORK AND LANCASTER DELEGATIONS.

On the report of John R. Patton, Agent of the Catawba Indians,	177, 183, 208
On a resolution to relieve J. Bennet Bissel from a double tax execution.....	208

JUDICIARY.

On the petition of certain persons summoned as Jurors at Lexington, Fall Term, 1861.....	104
On a resolution concerning removal of the public records and prisoners.....	144
On a resolution of inquiry, as to the legality of a tax on dogs...208,	212
On a resolution to appoint a Commission to devise a system of taxation.....	208
On a resolution forbidding the pressing of cases now standing on the dockets of the Courts of Common Pleas, &c.....	208
On a resolution instructing the Treasurer of the Upper Division to pay to A. Thomasson, Constable, the sum of \$12 60.....	208

MEDICAL COMMITTEE.

On the account of Dr. J. O. Hagood, for attendance on prisoners in jail.....	106, 127, 139
Drs. Hill & Davis, for <i>post mortem</i> examination,	110, 116
On the account of Dr. E. R. Calhoun, for <i>post mortem</i> examination,	177, 184, 207
Dr. S. Chatburn Brown, " " " " " "	177, 185, 207

	PAGE
On the report of the Medical Society of South Carolina, relative to the fund of the Roper Hospital.....	177, 183, 207

MILITARY.

On a resolution in relation to a change of uniform for militia officers,	110, 121, 129
On so much of Message No. 1 of the Governor as relates to the assignment of the Petrel, a vessel owned by the State, to the Trustees of the Marine School.....	180, 207
On a letter on establishing army hospitals, from R. W. Gibbes, Surgeon General S. C. M.....	207
On a joint resolution in relation to the voting of citizens of St. Helena Parish.....	209, 217

OFFICES AND OFFICERS.

On a resolution as to Acts and Resolutions now in force as to holding Inquests.....	203
Of St. Peter's Parish, appointing certain officers therein named.....	206

PUBLIC BUILDINGS.

On the petition of the Commissioners of Public Buildings for Richmond District, praying an appropriation for new Court House,	154, 207
---	----------

ROADS, BRIDGES AND FERRIES.

On the petition of citizens of York District, for a new road,	77, 84, 92, 93
On the petition of Elijah Timmerman, for damages for a new road through his land, and counter petition on same subject.....	77, 136
On the claim of J. R. Todd, for damages for a new road through his land.....	77, 84, 90

STATE HOUSE AND GROUNDS.

On the petition of John A. Kay.....	103
-------------------------------------	-----

WAYS AND MEANS.

On the petition of the Trustees of the Marine School of Charleston, for continuance of aid.....	63
On so much of Message No. 1 of the Governor, at the extra session, as refers to banks and loans on cotton.....	68, 103

	PAGE
On the petition of the Elmore Mutual Insurance Company, in relation to the non-payment of interest on bonds issued by certain Railroad Companies.....	77
On the petition of J. Steckley and T. H. Smith, asking to be refunded taxes illegally collected.....	97, 109, 116
On the report of the Joint Committee appointed to examine the Bank of the State of South Carolina.....	97, 168
On so much of Message No. 1 of his excellency the Governor, at the extra session, as refers to the expenditures for the Volunteers in Virginia, and the pay of the First Regiment of Volunteers.....	96, 109, 120
On the petition of Sarah E. Stone, of Spartanburg District, praying to be refunded a double tax.....	109
On so much of Message No. 1 of the Governor, at the extra session, as relates to the issue of bonds and stocks for military purposes,	115
On the petition of Darling Williams, to be paid the amount of a Jury Ticket lost.....	116
On the petition of Rev. A. W. Leland, praying to be refunded a tax illegally collected.....	125
On the petition of Rev. J. H. Thornwell and Rev. J. B. Adger, asking to be refunded a tax illegally collected.....	154
On the petition of a Committee of the Trustees of the Marine School of Charleston, asking continuance of appropriation...168,	207
On the account of the Transient Poor of Georgetown District,	178, 184, 202
On the return of the Transient Poor of the City of Charleston,	178, 184, 207
On a resolution to refund a double tax to Emmet Seibels..	178, 184, 207
On the petition of F. D. Richardson, to be refunded a tax improperly exacted.....	178, 184, 207
C. G. Stephens, asking to be refunded a double tax.....	178, 184, 207
M. B. Earle, praying to be refunded a double tax,	178, 184, 207
On the petition of W. H. Swinton, Administrator of John M. Rih- ton, to be paid a balance of salary	178, 184, 208
On so much of Message No. 1 of the Governor as relates to indemnifying the Bank of the State for its advances.....	178, 184, 207

REPORTS OF SPECIAL COMMITTEES OF SENATE.

	PAGE
To examine the Branch Bank of the State, at Abbeville.....	69
To nominate suitable persons for President and Directors of the Bank of the State of South Carolina.....	78
To nominate a Board of Trustees for the South Carolina College.....	91
In relation to members of the Senate who hold military offices...100,	147
To recommend a suitable day for adjournment.....	147
On certain rooms in the New State Capitol, as to their fitness for the reception of public documents.....	153
Report of Committee of Conference, in relation to the adjournment of the Legislature.....	197, 209

REPORTS OF JOINT COMMITTEES.

To examine the Bank of the State of South Carolina.....	68
On a resolution as to relief for the sufferers by the late fire in Charleston.....	131, 134, 142
To inquire and report upon the expediency and the means of provid- ing employment for the slaves on the sea-board.....	160
On the subject of appointing a suitable day for the adjournment of the General Assembly.....	147, 150, 161

S.

Senate, regular session of.....	39
Call of.....	187, 199
Sullivan's Island Steamboat Company, memorial of.....	53
State House, New, Annual Report of Commissioner of.....	57
St. Bartholomew's Parish, petition of citizens of, for Stay Law.....	63
Spartanburg District, petition of citizens of, praying relief from the extortion of speculators.....	66
Stokes, E. R., account of, for book-binding done for the Legislature....	66
St. James', Goose Creek, report of Vestry of, on the Ludlam School Fund.....	79
Senators, Confederate States, ballots for.....	81, 83
Elected.....	84
Solicitors, reports of, on District Officers and their Offices :	
Southern Circuit.....	85
Middle ".....	87
Eastern ".....	94

	Page
Western Circuit.....	87
Northern "	87
Summerville, petition of Town Council of, for an increase of taxes, to meet the expenses of the Town.....	89
Spartanburg District, petition of citizens of, that the waste of corn by distilling be prohibited.....	92
Stone, Sarah E., petition of, to be refunded a double tax.	98
St. George's, Dorchester, petition of sundry citizens of, asking the grant of a new road.....	104
Solicitor of the Eastern Circuit, H. McIver elected.....	113
Surgeon General, R. W. Gibbes, communication from.....	165

T.

Turner, Constable, account of, withdrawn.....	49
Thornwell, J. H., and Adger, J. B., petition of, to be refunded taxes illegally exacted.....	66
Talley, Dr. A. N., account of, for medical services rendered prisoners in jail.....	70, 134
Treasurer of the Lower Division, Wm. Laval elected	112
Tupper, Samuel Y., and others, petition of, praying for a charter for a new Insurance Company in the City of Charleston.....	153

W.

Williams, D., petition of, to be refunded the amount of a Jury Ticket due him.....	58
Whaley, E. C., added to certain Committees	65
Williams, Richard, petition of, for compensation for land escheated by the State	118

Y.

York District, petition of citizens of, praying the passage of an Act authorizing the use of dirt, timber, &c., for repairing neighborhood roads.....	90
Counter petition on the same subject.....	90





