The New Constitution.

our Delegates in Convention, met, do ordain and establish this Constitution, for the government of the said State:

ARTICLE 1. SECTION 1. The Legislative authority of this State hall be vested in a General Assembly, which shall onsist of a Senate and a House of Representatives. SECTION 2. The House of Representatives shall be composed of members, chosen by ballot, every seand year, by the citizens of this State qualified as in

this Constitution is provided. SECTION 3. Each Judicial District in the State shall constitute one Election District, except Charleston District, which shall be divided into two Election Districts-one consisting of the late Parishes of St. Phil. ip's and St. Michael's, to be designated the Election District of Charleston, the other consisting of all that part of the Judical District which is without the limits of the said Parishes, to be known as the Election District of Berkley.

SECTION 4. The boundaries of the sev al Judirai and Election Districts shall remain as they are now

established. Section 5. The House of Representatives shall cons .: of one hundred and twenty-four members, to be aprelated among the several Election Districts of the ate according to the number of white inhabitants contained in each, and the amount of all taxes raised las in General Assembly, whether direct or indirect. of whatever species, paid in each, deducting therefrom all caxes paid on account of property held in any ther bi-triet, and adding thereto all taxes elsewhere parlion account of property held in such District .-An engageration of the white inhabitants, for this was made in the year one thousand eight and fifty-nine, and shall be made in course of ery tend, year thereafter, in such manner as shall by how, directed, and Representatives shall be asof to the different Districts in the above mentionarchertion by Act of the General Assembly at the on namediately succeeding every enumeration and That until the apportionment which shall made aponthe next enumeration shall take effect, e representation of the several Election Districts, as herein constituted, shall continue as assigned at the lest apportionment; each District which has been Percepture divided into smaller Districts, known as Parishes, having the aggregate number of Representatives which the Parishes, heretofore embraced witha its limits, have had since that apportionment, the Representative to which the Parish of all Saints has heretoloreentified being; during the interval, as of to Horry Election District.

perion 6. If the enumeration herein directed not be made in the course of the year appointed the said disqualifying offices, he shall vacate his seat. e purpose, it shall be the duty of the Governor · it effected as soon thereafter as shall be prac-

TON 7. In assigning Representatives to the Discreets, the General Assembly shall allow Januaris, and of the sixty-second part of the taxes,

and small be add upon the actual value of the proper-

Sporter 9. If in the apportionment of Representhe same Election District shall appear not to be culot from its population and its taxes, to a Rep-Constitue, such Election District, shall never-theless ad as Representative, and if there be still a deficien of the number of Representatives required by secpartitle, such deficiency shall be supplied by a ssign, a. Representatives to those Election District havingthe larger surplus fractions; whether these fractions easted a combination of population and taxes, or population, or taxes separately, until the number on hundred and twenty-four members be made

dille constructed to take effect, in any manner, un hegen ral election which shall succeed such ap-

The Senate shall be composed of one der from each Election District, except the Elecdistrict of Charleston, to which shall be allowed

Shellon it. Upon the meeting of the first Genetes in by which shall be chosen under the prois et this Constitution, the Senators shall be diby lot, inch two classes; the seats of the Senaof one class to be vacated at the expiration of Possafer the Monday following the general elecsul of those of the other class at the exparation a the reafter every second year.

FIGN 14. No person shall be elgible to, or take, tion, a seat in the House of Representatives, unhe is a free white man who hath attained the age such manner as shall be prescribed by law. and your years, bath been a citizen and resident Ich he is to represent.

NETTON 11. No person shall be elighible to, or take; ite man, who hath attained the age of thirty years, the Senate be equally divided ath been a citizen and a resident of this State five ntique to be, a resident of the District which he is

SECTION 15. Senators and Members of the House Representatives shall be chosen at a general elecon on the third Wednesday in October, in the presa year, and on the same day in every second year Freatter, in such manner and for such terms of office remain the seat of Government until otherwise

out place of meeting. "In on the Monday following such election. President pro tempore may be chosen to exercise the 160 17. Each House shall judge of the elec- office of Governor for the unexpired term. feturus and qualifications of its own members;

to day, and may be authorized to compel the actual service of the United States. such penalties as may be provided by law.

al time for the same cause.

shall be guilty of disrespect to the House by any sons moving him thereunto. of during the time of its sitting shall threaten faithfully executed in mercy. Thing thereto or returning therefrom; or who have been elected.

Section 20. The members of both Houses shall be protected in their persons and estates during their attendance on, going to, and returning from the Gen-We, the People of the State of South Carolina, by eral Assembly, and ten days previous to the sitting and ten days after the adjournment thereof. But these privileges shall not be extended so as to protect any member who shall be charged with treason, felony or breach of the peace.

Section 21. Bills for raising a revenue shall originate in the House of Representatives, but may be altered, amended or rejected by the Senate, and all other Bills may originate in either House, and may be amended, altered or rejected by the other.

Section 23. Every Act or Resolution having the force of law zhall relate to but one subject, and that shall be expressed in the title.

ECTION 23. No Bill shall have the force of law until it shall have been read three times, and on three several days in each House, has had the seai of the State affixed to it, and has been signed in the Senate House by the President of the Senate and the Speaker of the House of Representatives.

SECTION 24. No money shall be drawn out of the Public Treasury but by the legislative authority of the

SECTION 25. In all elections by the General Assembly, or either House thereof, the members shall vote viva voce, and their votes thus given shall be entered upon the Journal of the House to which they respectively belong.

SECTION 26. The members of the General Assembly, who shall meet under this Constitution, shall be entitled to receive out of the public treasury, for their expenses during their attendance on, going to and returning from the General Assembly, five dollars for each day's attendance, and twenty cents for every mile of the ordinary route of travel between the residence of the member and the capital, or other place of sitting of the General Assembly, both going and returning . and the same may be increased or diminished by law, if circumstances shall require; but no alteration shall be made to take effect during the existence of the General Assembly which shall make such alteration.

SECTION 27. Neither House, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the Assembly shall be at the time sitting.

SECTION 28. No person shall be eligible to a seat in the General Assembly whilst he holds any office of profit or trust under this State, the United States of America, or any of them, or under any other power, except officers of the militia, army or navy of this State, Magistrates or Justices of Inferior Courts, in which such Justices receive no salaries; nor shall any contractor of the army or navy of this State, the United States of America, or any of them, or the agents of such contractor, be eligible to a seat in either House. And if any member shall except or exercise any of

SECTION 29. If any Election District shall neglect to choose a member, or members, on the day of election, or if any person chosen a member of either House should refuse to quality and take his seat, or shall resign, die, depart the State, accept any disqualifying Representative for every sixty-second part of the office, or become otherwise disqualified to hold his seat. number of white inhabitants in the State; and a writ of election shall be issued by the President of Representative, also for every sixty-second part the Senate or Speaker of the House of Representatives, the whole taxes raised by the General Assembly. as the case may be, for the purpose of filling the vahere shall be further allowed one Representative for cancy thereby occasioned for the remainder of the term the fractions of the sixty second part of the white for which the person so refusing to qualify, resigning, dying, departing the State, or becoming disqualified. was elected to serve, or the defaulting Election District ought to have chosen a member or members.

SECTION 30. And whereas the Ministers of the Gos. their as the same shall be ascertained by an as- pel, are, by their profession, dedicated to the service sment made for the purpose of laying such tax. In of God and the cure of souls, and ought not to be die hast appertionment which shall be made under verted from the great duties of their function, thereis Constitution, the amount of taxes shall be esti- fore no Minister of the Gospel or Public Preacher of to throw the average of the two years next proceed, any religious persuasion, whilst he continues in the ing such apportionment; but in every subsequent exercise of his pastoral functions, shall be eligible to spectionment from the average of the ten years the office of Covernor, Lieutenant Governor, or to a seat in the Schafe &r House of Representatives.

ARTICLE II.

SECTION 1. The Executive authority of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of South Carolina. SECTION 2. The Governor shall be elected by the electors duly qualified to vote for members of the House of Representative's, and shall hold his office for four years, and until his successor shall be chosen and qualified: but the same person shall not be Governor for two consecutive terms.

SECTION 3. No person shall be eligible to the of-Provided, however, That not more than twelve fice of Governor unless he hath attained the age of presentatives shall in any apportionment be as. thirty years; and hath been a citizen and Fesident of this State for the ten years next preceeding the day SECTOR 19. No apportionment of Representatives of election: And no person shall hold the office of Governor and any other office or commission, civil or military (except in the militia), under this State or the United States, or any of them, or any other pow er, at one and the same time.

SECTION 4. The returns of every election of Governor shall be sealed up by the Managers of Elections in their respective Districts and transmitted by a messenger thosen by them to the seaf of Government, directed to the Secretary of State, who shall deliver them to the Speaker of the House of Representatives at the next ensuing session of the General Assembly: during the first week of which session the Speaker shall open and publish them in the presente of both Houses of the General Assembly. The person hevar years; and the number of these classes shall be ling the highest number of votes shall be Governor, respectioned that one half of the whole number of but if two or more shall be equal and highest in votes, acors, may as nearly as possible, continue to be the General Assembly shall, during the same session, in the House of Representatives, chose one of them Governor viva roce. Contested elections for Governor shall be determined by the General Assembly, in

SECTION 5. A Lieutenant-Governor shall be chosen this State three years next preceeding the day of at the same time, in the same manner, continue in tion and hath been for the last six months of office for the same period, and be possessed of the stime, and shall continue, a resident of the District same qualifications as the Governor, and shall ex officto be President of the Schate.

SECTION 6. The Lieutenant-Governor, acting as President of the Senate, unless he is a free President of the Senate, shall have no vote, unless

SECTION 7. The Senate shall chose a President ears next preceeding the day of election; and hath pro tempore to act in the absence of the Lieutenanton for the last six months of this time, and shall Governor, or when he shall exercise the office of Gov-

SECTION S. A member of the Senate or of the House of Representatives being chosen and acting as Governor or Lieutenant-Governor, shall thereupon vacate his seat, and another person shall be elected

SECTION 9. In case of the impeachment of the Govare herein directed. They shall meet on the fourth ernor, or his removal from effice, death, resignation, anday in November, annually, at Columbia, (which disqualification, disability, or removal from the State, the Lieutenant Governor shall succeed to his office; ranined by the concurrence of two-thirds of both and in case of the impeachment of the Lieutenantanches of the whole representation,) unless the cas- Governor, or his removal from office, death, resignation, disqualification, disability, or removal from the safe to meet there; in either of which case the State, the President pro tempore of the Senate shall Cried of Commander-in-Chief for the time being succeed to his office; and when the office of Governor, by proclamation, appoint a more secure and con- Lieutenant-Governor, and President pro tempore of the Senate shall become vacant in the recess of the The terms of office of the Senators Senate, the Secretary of State, for the time being, Representatives, chosen at a general election shall, by proclamation, convene the Senate, that a

SECTION 19. The Governor shall be commanderand of the army and navy of this State, and of business, but a smaller number may adjourn the militia, except when they shall be called into the

stree of absent members in such manner and Section 11. He shall have power to grant reprieves and pardons after conviction (except in cases Tion 18. Each Mouse shall choose its own offi- of impeachment), in such manner, on such terms, and termine its rules of proceeding, punish its under such restrictions as he shall think proper; and ors for disorderly behaviour, and, with the con- he shall have power to remit fines and forfeitures, ac of two thirds, expel a member, but not a unless otherwise directed by law. It shall be his duty to report to the General Assembly at the next They is. Each House may punish by imprison- regular session thereafter, all pardons granted by during its sitting, any person not a member, him, with a full statement of each case and the rea-

rderly or contemptuous behaviour in its presence | SECTION 12. He shall take care that the laws be

to body or estate of any member for anything | SECTION 13. The Governor and Lieutenant-Govor done in either House, or who shall assault any ernor shall, at stated times, receive for their services da therefor; or who shall assault or arrest any a compensation which shall be neither increased or or other person ordered to attend the House, diminished during the period for which they shall

the many person arrested by order of the Houses | Section 14. All officers in the Executive Depart-

information in writing upon any subject relating to four years, and shall not be eligible for the next suc the duties of their respective offices.

consideration such measures as he shall judge neces- Sheriff for two consecutive terms. sary or expedient.

convene the General Assembly, and should either be sealed with the seal of the State, and be signed by House remain without a quorum for three days, or in case of disagreement between the two Houses with respect to the time of adjournment, may adjourn them to such time as he shall think proper, not beyond the fourth Monday of November then next ensuing. SECTION 17. He shall commission all officers of the

Elections of this State, at the first general election un- General Assembly. der this Constitution, and at each alternate general election thereafter, to Hold an election for Governor and Lieutenant-Governor.

SECTION 19. The Governor and the Lieutenant-Governor before entering upon the duties of their and happiness. respective offices, shall ih the presence of the General Assembly take the Oath of Office prescribed in this Constitution.

by law, require him to reside at the Capital of the be passed by the General Assembly.

SECTION 21. Every Bill which shall have passed the the civil power. General Assembly shall, before it become a law, be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to re-consider it. If after such re-consid-House shall agree to pass the Bill, it shall be sent, together with the objections, to the other House, by for a longer time than during good behavior. which it shall likewise be re-considered; and if approved by a majority of the whole representation of that other House, it shall become a law. But in all such cases the votes of both Houses shall be determin- shall have power to determine the number of persons ed by year and nays, and the names of the persons who shall constitute the jury in the Inferior and Disvoting for and against the Bill shall be entered on the triet Courts. Journal of each liouse respectively. If any Bill shall Assembly. Neither House shall read any Bill on the inconsistent with the peace and safety of the State. last day of its session, except such Bills as have been returned by the Governor as herein provided.

ARTICLE III. SECTION 1: The Judicial power shall be vested in such Superior and Inferior Courts of Law and Equity as the General Assembly shall from time to time direct and establish. The Judges of the Superior Courts shall be elected by the General Assembly, shall hold their offices during good behavior, and shall, at stated times, receive a compensation for their services, which shall neither be increased nor diminished during their continuance in office; but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust under this State, the United States of America, or any of them, or any other power. The General Assembly shall, as soon as possible, establish for each District in the State an Inferior Court or Courts to be styled "The District Court," the Judge whereof shall be resident in the District while in office, shall be elected by the General Assembly for four years, and hall be re-eligible, which Court shall have jurisdiction of all givil causes wherein one or both of the parties are persons of color, and of all criminal cases wherein the accused is a person of color; and the General Assembly is empowered to extend the jurisdistion of the said Court to other subjects.

SECTION 2. The Judges shall meet and sit at Columbia at such time as the General Assembly may by | and reside at the seat of Government. Act prescribe, for the purpose of hearing and deter mining all motions for new trials and in arrest of judgment, and Buch points of law as may be submitted to them; and the General Assembly may by Act appoint such other places for such meeting as in their | called, unless by the concurrence of two thirds of the discretion may seem fit.

SECTION 3. The style of all processes shall be "The Assembly, State of South Carolina." All prosecutions shall be carried on in the name and by the authority of the State of South Carolina, and conclude "against the peace and dignity of the same."

ARTICLE IV.

In all elections to be made by the people of this State, or any part thereof, for civil or political offices, very person shall be entitled to vote who has the following qualifications, to wit: He shall be a free white man, who has attained the age of twenty-one years, and is not a pauper, nor a non-commissioned officer or private soldier of the army, nor a seaman or a marine of the navy of the United States. He shall for two years next preceeding the day of election have been a citizen of this State, or for the same period, an emigrant from Europe, who has declared his intention to become a citizen of the United States according to the Constitution and laws of the United States. He shall Done in Convention at Columbia, in the State of have resided in this State fer at least two years next preceding the day of election, and for the last six months of that time in the District in which he offers to vote: Provided, however, That the General-Assembly may, by requiring a registry of votes, or other suitable legislation guard against frauds in elections and dsurpations of the right of suffrage, impose disqualifications to vote as a punishment for crime. Important Letter from the Late Presand may prescribe additional qualification for voters in municipal elections:

ARTICAL V.

All persons who shall be elected or appointed to any office of prefit or trust, before entering on the execution thereof, shall take (besides special oaths not repugnant to this Constitution, prescribed by the battle of the Wilderness. The letter, which is General Assembly,) the following oath:

"I do swear (or affirm) that I am daly qualified according to the Constitution of this State to exercise the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, rnd preserve, protect and defend the Constitution of this State, and that of the United States. So help me God!"

ARTICAL VI.

have the sole power of impeaching; but no impeach- known that it was his intention to grant; without ment shall be made unless with the concurrence of any exception, a general pardon. two-thirds of the House of Representatives.

SECTION 2: All impeachments shall be tried by the Senate. When sitting for that purpose, the Senate shall be or oath or affirmation, and no person shall be convicted without the concurrence of two thirds of the

SECTION 3. The Governor, Lieutenant-Governor, This certainly was not Mr. Lincoln's plan and all civit officers shall be liable to impeachment for whose intentions all parties should sacredly obhigh crimes and misdemeanors, for any misbehaviour | serve. in office, for corruption in procuring office, or for day act which shall degrade their official charactor. But judgment in such cases shall not extend any further than to removal from office, and disqualification to hold any office, of honor, trust or profit, under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment

according to law. SECTION 4. All civil officers whose authority is lim. ited to a single Judical District, a single Election District, or part of either, shall be, appointed, hold their office, be removed from office, and in addition to liabilty to inspeachment, may be punished for efficial misprevious to their appointment, may provide.

from discharging fire duties of his office, by reason of ... How to better the condition of the colored any permanent bodily or menfal infirmity, his office race has long been a study which has attracted may be declared to be vacant, by joint resolution, my serious and careful attention; hence I think agreed to by two thirds of the whole representation in I am clear and decided, as to what course I shall each House if the General Assembly. Provided, That pursue in the premises, regarding it a religious such resolution shall contain the grounds for the pro- duty, as the nation's guardian of these people, posed removal, and before it shall pass either House, a who have so heroically vindicated their manhood copy of it shall be served on the officer, and a hearing on the battle field, where, in assisting to save

be allowed him.

State shall be elected by the General Assembly in the | fearlessly defended;

ment, when required by the Governor, shall give him House of Representatives; shall hold their offices for

ceeding term. SECTION 15. The Governor shall from time to SECTION 2. All other officers shall be appointed as time give to the General Assembly, information of they hitherto have been, until otherwise directed by the condition of the State and recommend to their law; but the same person shall not hold the office of

SECTION 5. All commissions shall be in the name SECTION 16. He may, on extraordinary occasions, and by the authority of the State of South Carolina,

ARTICLE VIII. All laws of force in this State, at the adoption of this Constitution, and not repugnant thereto, shall so continue, until altered or repealed by the General Assembly, except where they are temporary, in which case they shall expire the times respectively limit-SECTION 18. It shall be the duty of the Managers of ed for their duration, if not continued by Act of the

> ARTICLE IX. SECTION 1. All power is originally vested in the people, and all free Governments are founded on their authority, and are instituted for their peace, safety

SECTION 2. No person shall be taken, or imprisoned, or disseized of his freehold, libertles of privileges, or outlawed or exiled, or in any manner depriv SECTION 20. The Governor shall reside during the ed of his life, liberty or property, but by due process sitting of the General Assembly at the place where its of law, nor shall any bill of attainder, ex post facto sessions may be held and the General Assembly may, law, or law impairing the obligation of contracts, ever

SECTION 3. The military shall be subordinate to

SECTION 4. The privilege of the writ of Habcas Corpus shall not be suspended, unless when, in case of rebellion or invasion, the public safety requires it. Section 5. Excessive bail shall not be required nor cruel punishments inflicted.

SECTION 6. The General Assembly shall not grant eration a majority of the whole representation of that any title of nobility, or hereditary distinction, nor create any office, the appointment to which shall be

> SECTION 7. The trial by jury as heretofore used in this State and the liberty of the press, shall be forever inviolably prserved. But the General Assembly

SECTION 8. The free exercise and entoyment of renot be returned by the Governor within two days ligious profession and worship, without discrimina-(Sundays excepted) after it shall have been presented | tion or preference, shall be allowed, within this State to him, the same shall be a law in like manner as if he to all mankind: Provided, That the liberty of conhad signed it. And that time may always be allowed sejetice hereby declared shall not be so constructed as the Governor to consider Bills passed by the General to excuse acts of licentiousness, of justify practices SECTION 9. The rights, privileges, immunities and estates, of both civil and religious societies, and of corporate bodies; shall remain as if the Constitution

of this State had not been altered or amended, SECTION 10. The rights of primo queniture shall not be re established, and there shall not fail to be some legislative provision for the equitable distribufion of the estate of intestates.

SECTION 11. The slaves in South Carolina having been emancipated by the action of the United States authorities, neither slavery nor involuntary servitude except as a punishment for crime, whereof the party shall have been duly convicted, shall ever be re-established in this State.

ARTICLE X. SECTION 1. The General Assembly whenever a tax is laid upon land, shall, at the same time, impose a capitation tax, which shall not be less upon each poll than one-fourth of the tax laid upon each hundred dollars worth of the assessed value of the land taxed; excepting, however, from the operation of such capitation tax all such classes of persons, as from disability or otherwise, ought, in the judgement of the Geueral Assembly, to be exempted.

TETICLE XI. Section 1. The business of the Treasury shall be conducted by one Treasurer, who shall hold his office SECTION 2. The Secretary of the State shall hold

his office and reside at the seat of Government. ARTICLE XII. SECTION 1. No Convention of the People Shall be

whole representation in both branches of the General SECTION 2. No part of this Constitution shall be altered, unless a Bill to alter the same shall have been read on three several days, in the House of Representatives, and on three several days in the Senate, and agreed to, at the second and third readings, by twothirds of the whole representation in each House of the General Assembly; neither shall any alteration take effect until the Bill, so agreed to, shall be published three months previous to a new election for members of the House of Representatives; and if the alteration proposed by the preceeding General Assembly shall be agreed to by the new General Assembly in their first session, by the concurrence of two-thirds of the whole representation in each House, after the same shall have been read on three several llavs in each, then, and not otherwise, the same shall become a part of the Constitution.

South Carolina, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred ond sixty-five.

President of the Convention: JOHN T. SLOAN, Clerk of the Convention.

ident Lincoln.

[From the Southern Advocate of Sept. 18.] The following extract, which has just been published, is from the late President Lincoln's letter to General Wadsworth, who fell in the of a private character, is to be sent to General Wadsworth's family.

It shows that Mr. Lincoln, who desifed the bestowal of the elective franchise upon the blacks, was, also, at an early day, in favor of granting universal amnests, which, for some strange and undecountable reason, is still withheld from the South, nothwithstanding it is

His wishes, in this particular, the American people cannot afford to disregard. Congress will, no doubt, exact the fight of suffrage for the blacks: Why universal amnesty should be withheld until that time, we are unable to see.

The following is the extract referred to, in which Mr. Lincoln says :-

You desire to know, in the event of our complete success in the field-the same being followed by a loyal and cheerful submission on the part of the South-if universal amnesty should not be accompanied with universal suffrage.

"Now, since you know my private inclinations as to what terms should be granted to the South, in the contingency mentioned, I will here add that if our success should thus be realized, followed by such desired results. I cannot see if universal amnesty is granted, how, under the conduct in such manner as the General Assembly, circumstances, I can avoid exacting in return universal suffrage, or at least, suffrage on the

SECTION 5. If any civil officer shall become disabled | basis of intelligence and military service. the life of the republic, they have demonstrated in blood their right to the ballot, which is but SECTION 1. The Treasurer and the Secretary of the human protection of the flag they have so

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hesitate what antidote to employ for the distressing and dangerous affections of the pulmonary organs that are incl dent to our climate, While many inferior remedies thrust upon the community have failed and been discarded, this has gained friends by every trial, conferred benefits on the afflicted they can never forget, and produced cure too nu merous and too remarkable to be forgotto. We can only assure the public, that its quality is care

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