

# WINNSBORO.

Saturday Morning, September 23, 1865

Deeming the proceedings of the Convention of our State, now holding its sessions in Columbia, of more importance to the public, we forbear giving any of our opinions on things in general. This will be overlooked too when we inform our friends that we are sick; too unwell to attend to the ordinary business of our office. Read the proceedings, they are interesting.

## Special Correspondence.

COLUMBIA, 21st Sept., 1865.

DEAR NEWS: On Tuesday the Convention agreed to the appointment of a Committee to divide the State into four Congressional Districts. This Committee has not reported, but we understand it will recommend making Abbeville, Newberry, Fairfield, Edgefield, Lexington, Richland and Orangeburg one of the divisions.

Two different Committees reported, one an Ordinance, the other a Constitutional clause, abolishing slavery. Mr. Riox moved a substitute for both reports which was adopted. This is a clause which reads as follows:

"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."

The italics are my own, to show the distinction taken. By this clause the State does not itself abolish slavery.

On Wednesday the Parish system was abolished, with only eight votes in the negative; so that this system falls by the vote of the Parish men themselves.

## SPECIAL.

### Communicated.

EDITOR NEWS: As a matter of interest to some of your readers, and as showing the true vote of Fairfield and the interest felt by its people in the late election for members of Convention, I transmit the following list of boxes not received in time to be counted, and therefore not included in the official report:

	DIARSON,	RIOX,	ROBERTSON,	ALSTON,	Voices,
Menticello,	51	17	56	—	37
Ridgeway,	14	12	7	—	8
Buckhead,	15	13	6	11	—
Not reported,	80	42	69	11	45
Official report,	215	219	181	98	17
	80	42	69	11	45
True result,	295	261	250	109	62

## Alabama Convention.

MONTGOMERY, Ala., Sept. 12, 1865. The Alabama State Convention convened at 12 M. to-day and organized. Ninety two delegates were present.

### TEMPORARY OFFICERS.

Robert M. Patten, of Louderdale, was elected temporary chairman, and A. B. Chittler, Secretary pro tem.

### THE MEMBERS SWORN IN.

Governor Parsons administered the oath proclaimed by President Johnson, and declared the members of the Convention duly authorized to make a permanent organization.

### PERMANENT OFFICERS.

Ex-Governor Benjamin Fitzpatrick, formerly a Senator in the United States Congress, and President pro tem, of the Senate of the Thirty-fifth Congress was nominated for President of the Convention, and elected by acclamation. After several ballots Mr. Osborne was elected Clerk by one majority. W. W. Stevens was elected Assistant Secretary.

### THE POLITICAL COMPLEXION OF THE MEMBERS.

No business was transacted to-day by the Convention. It is comprised of some of the first men in the State, and all appear anxious to do everything possible to get back into the Union at the earliest moment practicable. A majority of the Convention claim to be original Union men and to have opposed secession from the first.

MONTGOMERY, ALA., Sept. 15.—A test vote was taken this morning in the Convention, deciding by fifty-eight to thirty-four, against the repudiation of the Confederate States debt.

[From the Columbia Phoenix]

## Proceedings

OF THE

# STATE CONVENTION.

FRIDAY, SEPTEMBER 16, 1865.

### [CONCLUDED.]

Mr. McGowan introduced the following resolution; which was referred to the committee on the Legislative Department:

#### QUALIFICATIONS OF VOTERS.

In an election to be made by the people of the State, or of a District thereof, every voter shall have the following qualifications, viz:

He shall be a free white man, who has attained to the age of twenty-one years, and is not a yanper, a non-commissioned officer or private soldier of the army of the United States. He shall have been a citizen of the United States and of this State for at least two years next preceding the day of election, and shall have resided during that time in this State, and during the last six months thereof in the District in which he offers to vote; or in lieu of said six months' residence, shall have been legally seized and possessed for at least six months next preceding the day of election of a freehold in lands worth at least five hundred dollars.

Every person shall be considered a white person who has of Caucasian blood seven-eighths or more.

The Legislature shall provide for the decision of questions of caste, and of all questions concerning the right of suffrage; and may guard against frauds and usurpations of the right of suffrage, by requiring a registry of voters and by other suitable means; and may impose disqualifications to vote in punishment for crime or for blameable illiteracy.

Also introduced the following resolution; which was referred to the Committee on the Amendments to the Constitution:

The emancipation of slaves having actually taken place, slavery shall not hereafter be re-established in this State.

Also introduced the following resolution; which was referred to the Committee on the Legislative Department:

No person shall be subject, for the same offence, to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property, without due process of law.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

Also introduced the following resolution; which was referred to the committee on the Judiciary Department:

All laws now of force in this State, not repugnant to this constitution, shall continue of force until they may be altered or repealed by the Legislature, or shall respectively expire by their own limitation. The term laws here used, shall embrace all Acts of the Legislature, whether passed before or since the twentieth day of December, A. D. 1860. All Acts, Ordinances, and parts of Acts or Ordinances, whose duration was limited to the "continuance of the war between the United States and the Confederate States," by that or any equivalent form of expression, and all regulations which contemplated the existence of such a war, shall be considered to have expired on the tenth day of May, A. D. 1865.

All proceedings, legislative, executive, judicial, ministerial or official, all acts of officers or agents, all contracts entered into, instruments of writing executed and matters transacted, before or since the twentieth day of December, A. D. 1860, which were legal and valid under the *de facto* Government, whether State, Confederate or Federal, which subsisted in this State at the times when they respectively were had, done, entered into, executed or transacted, shall in all cases and questions that may be hereafter presented for adjudication, be held to have been legal and valid.

All officers and appointees, in this State, now in office, shall continue in office until their terms of office respectively expire, or they be superseded according to the provisions of this constitution.

Mr. Conner introduced the following resolution:

Resolved, That this Convention will restrict itself to such action as is essential to restore the State to her former position in the Federal Union; to such remodeling of the State Constitution as is necessary to adapt it to the charges growing out of the Emancipation Proclamation, and to restore it with those modifications to its condition prior to the Act of Secession; and to such proceedings as are necessary to call into

existence the State Government, with the powers exercised by it prior to the Ordinance of Secession.

Mr. Tillman moved to lay the resolution on the table. And the question being put, "Will the Convention agree thereto?" it passed in the affirmative. Yeas, 53; Nays, 52.

Mr. Tillman introduced the following resolutions; which were referred to the committee on amendments to the constitution:

Resolved, That the following clause shall be incorporated in the Constitution of this State:

That every charter or act of incorporation which may be hereafter granted or renewed, and every amendment of existing charters or acts of incorporation which may be hereafter granted by the General Assembly of this State, shall at all times, be subject to repeal, alteration or amendment, by the General Assembly.

Resolved, That the constitution of this State should be altered or amended, so that:

1st. There shall be thirty-one election Districts,\* formed by constituting each Judicial District an Election District with the same boundaries and the same names, except the Judicial District of Charleston which shall be divided into two Election Districts by consolidating the Parishes of St. Phillip and St. Michael into one Election District, to be called "the City of Charleston," and by consolidating the remaining Parishes of said Judicial District into another election District, to be called "the Election District of Charleston."

2d. The number of Senators shall be thirty-one, to wit: one Senator for each Election District; and the number of Representatives shall be one hundred and twenty-four. The basis of representation in the House shall be a joint one of taxation and white population as now provided, by law, and Representatives shall be apportioned among the several election Districts, as heretofore provided, that each Election District shall always have at least one Representative; and provided also, that no Election District shall ever be allowed, at any future apportionment, more than twelve Representatives.

On motion of Mr. Orr, the convention proceeded to the consideration of Message No. 1 of the Governor, which had been made the Special Order of the day, for this day, at one o'clock p. m.

Mr. Orr introduced the following resolutions; which were agreed to:

Resolved, That so much of the message of his Excellency Governor Perry, as relates to the abolition of slavery in this State, to the Treasury Department, and to the offices of Secretary of State and Surveyor General, be referred to the "committee on the General Articles of the Constitution."

Resolved, That so much as relates to the basis of representation in the Senate, the Parish System, the matter of suffrage, to voting *viva voce* in elections by the Legislature, and to the election of members of the Legislature at an early day, be referred to the "committee on Legislative Department of the Constitution."

Resolved, That so much as relates to the election of Governor by the people, to the appointment of District officers by the Governor, and to the office of Lieutenant Governor, be referred to the "committee on the Executive Department of the constitution."

Resolved, That so much as relates to the election of Presidential Electors by the Legislature and to the Legislative, Executive and Judicial Acts of the State since its secession, be referred to the "committee on Ordinances and Resolutions."

Resolved, That so much as relates to the sitting of the Court of Appeals exclusively in Columbia, be referred to the "committee on the Judicial Department of the constitution."

Resolved, And that so much as relates to defraying the expenses of the convention, be referred to the "committee on Ways and Means."

Mr. Melton introduced the following resolution, the consideration of which was postponed until Monday next:

Resolved, That the constitution of South Carolina, adopted April 8, 1861, be made the special order of the day for Monday next, at one o'clock p. m., and that all proposed ordinances or resolutions involving alterations or amendments thereto, be printed, appending to each the name of the mover.

Mr. Macbeth introduced the following resolution; which was referred to the committee on amendments to the Constitution:

Resolved, That the constitution of this State shall be amended, so that all taxes hereafter levied shall be levied on the actual value of the property.

committee on the Legislative Department.

Every free white man, of the age of twenty-one years, (paupers, non-commissioned officers and privates in the army and navy of the United States excepted,) being a citizen of the United States, or a foreigner who had declared his intention of becoming a citizen of the United States, according to law, and having resided therein two years immediately previous to the day of election, and six months in the election District where he offers to vote and has his home and residence, shall have a right to vote at elections in this State. Nor shall temporary absence, being less than six months, with intention to return, debar or impair the right of a voter in this State.

Mr. Melton introduced the following resolutions; which were agreed to:

Resolved, That the engraving committee be authorized to employ one or more clerks, as may be found necessary.

Mr. Wagener introduced the following resolution; which was referred to the committee on amendments to the constitution:

Resolved, That the State should by all means foster and promote internal improvements, arts and mechanical industry, and should never make laws to restrain her Legislative bodies from affording aid and encouragement to the same.

On motion of Mr. Thompson, the convention adjourned at fifteen minutes past four o'clock, p. m.

JOHN T. SLOAN,

Clerk of the Convention.

SATURDAY, SEPTEMBER 16, 1865.

Mr. Boyce presented the credentials of the delegate from the Parish of St. Helena, which, on motion of Mr. Boyce was referred to a Special committee of three.

Mr. Moses; from the committee on the Judicial Department, made a report on so much of the governor's message as relates to the sittings of the Court of Appeals; which was ordered to be laid on the table and to be printed.

Mr. Bolling offered the following resolution; which was ordered to be laid on the table:

Resolved, That a committee of Twelve, composed of two from each congressional district, be appointed by the President of this convention, to inquire and report to this convention what number of Representatives it will be proper, according to the present law of the United States, that this State shall tender to the approaching Congress of the United States.

Mr. Dawkins, from the committee on Ordinances and Resolutions, made a report on a resolution to restore political relations with the State.

Mr. Frost, introduced the following resolution; which was referred to the committee on Ordinances and resolutions:

Resolved, That the Provisional Government be authorized and requested to appoint or agent to proceed to Washington, and remain there, whose duty it shall be to represent, with the President and the departments, the interests of the State, and give aid to the citizens of the State in advancing with the proper authorities the relief that may be sought in applications for pardon and for the restitution of their real and personal property.

Mr. Macbeth introduced the following resolution; which was referred to the committee on the Judiciary Department:

Resolved, That hereafter colored persons and negroes shall be permitted to testify in all the courts of this State in all cases where the rights of persons, or of property of such persons, may be concerned.

Mr. Hammond introduced the following resolutions; which were referred to the committee on Ordinances and resolutions:

Inasmuch as a fundamental difference of opinion in reference to the character, powers and policy of the government of the United States and of the State Governments, which existed in the Convention which framed the Constitution, and after more than three-quarters of a century of political contest, resulted in a bloody and exhausting war; and, whereas, when a people draw the sword, appealing to the last and highest tribunal known to man, they should abide by its decisions in good faith; and, whereas, it is neither wise nor politic in the people of the South to continue any longer a contest in which they have been twice defeated—once by political majorities and once by the sword; therefore, we, the people of South Carolina, in Convention assembled, accept, as the results of the war, the principles embraced in the following resolutions, and will sustain them fully and faithfully as a national policy.

1. Resolved, That the Union is the first and paramount consideration of the American people.

2. Resolved, That sovereignty, a unit absolute and indivisible, which, in all nations, must exist somewhere, resides in the American people, and its authorized representative within the limits of the organic law—the constitution—is the federal government.

Resolved, That it is an incontrovertible fact that slavery has ceased to exist through the exercise of the military power of the federal government, and that any attempt by us to revive it would be impolitic, unwise, and, not only futile but disastrous.

4. Resolved, That it is the true policy of the American people to confine the General Government strictly within the limits of the constitution, and to acknowledge the inalienable right of each State to regulate its own affairs in its own way.

5. Resolved, That the late war was not one of an oppressed people against tyranny, but arose from an apprehension, on the part of the weaker section, of oppression and tyranny in the future, and was carried on under an honest conviction, co-existent among statesmen in every part of the country, with the adoption of the constitution itself, that a State had the reserved right to revoke the powers it had delegated to the General Government, whenever, in the judgment of such State, there might be danger that those powers would be used to its disadvantage. The war, therefore, not having been strictly in the nature of a rebellion or insurrection; we most respectfully suggest to his Excellency, the President, the justice and wisdom of not enforcing the pains and penalties affixed to those crimes by the laws of the United States.

6. Resolved, That we endorse the acts of President Johnson's administration, and will cordially support its wise and patriotic efforts to restore to the whole country the blessings of peace.

Mr. Dudley, from the committee on amendments to the constitution, made a report.

Mr. Smart introduced the following resolutions, which were referred to the committee on Ordinances and Resolutions:

Resolved, That we earnestly recommend to the citizens of this State the immediate formation, in each district, of a force of citizen militia, to act in concert with the United States troops, as a general police for the District in which they are raised, to the end that order and civil authority may be restored and enforced.

Resolved, 2. That the forces thus raised shall, as soon as their organization is completed, report through the proper channel to the officer commanding the United States troops garrisoning their District, and be subject to his order and direction.

Resolved, 3. That his Excellency, the Governor, be requested to prescribe such organization and adopt such measures as in his judgment shall be necessary to carry out the above, and to urge on the United States authorities the acceptance of such organization in lieu of the colored garrisons now on duty.

Mr. Lesesne, from the committee on the Judiciary Department, made a report on

An Ordinance to declare in present force the constitution and laws heretofore in force in this State, and the acts, official, public and private, done, and the appointments and elections made under authority of the same; also on sundry resolutions on the same subject; which was ordered for consideration on Monday next.

Mr. F. W. Pickens introduced the following sections to the Bill of Rights which was referred to the committee on amendments to the constitution:

The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed within this State to all mankind; Provided, that the liberty of conscience, thereby declared shall not be construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the State.

The rights, privileges, immunities and estates, both of civil and religious societies, and of corporate bodies, shall remain as if the Constitution of this State had not been altered or amended.

CONSTITUTION OF SOUTH CAROLINA. We, the Delegates of the People of the State of South Carolina, in General Convention met, do ordain, and establish this Constitution for its government.

### ARTICLE I.

#### DECLARATION OF RIGHTS.

Sec. 1. All power is inherent in the

[See First Page.]