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LEGISLATURE OF SOUTH CAROLINA. EXTRA SESSION.

Friday, November 9, 1860.

SENATE.

The Senate met at noon, and the journal of yesterday was read and approved. The hour of half-past twelve having arrived, the special order (the resolutions of Senator Lesesne) were called up.

Senator Lesesne—These resolutions, Mr. President, express what, after reflection, I regard as the true policy of this State in the present emergency. Now, however, I have little hope of their adoption. I am satisfied that the Convention will be called unconditionally; and to promote that unity of action, which is so important, it is my intention to vote for the bill. I now move to lay my resolutions on the table.

The resolutions were accordingly laid upon the table.

The resolutions of Senator Harrison, in relation to Federal Relations, were next taken up.

Senator Harrison rose to advocate their passage. He thought it due to the other Southern States that the opportunity should be offered them to co-operate with South Carolina in the secession movement. We should exhaust every possible means of securing their assistance before we take the step alone. The indications of co-operation were now far more auspicious than in 1852. Would it then be inappropriate to wait four, five or six weeks, in order to give notice to our Southern sisters? In the meantime, we need not be idle. We could go ahead with our preparations for resistance. The resolutions did not call for delay. They meant action—but prudent and deliberate action. He thought that the Convention should not be called at too early a day, or with too much precipitation.

Senators Wilson, of Prince George, and Mazyek, of St. James, offered amendments to the resolutions and discussed their merits.

Senators Cannon, of Spartanburg, Hope, of Lexington, and McAliley, of Chester, expressed themselves in favor of deferring the day for the Convention as long as possible, in order to lay the issue more fully before the people.

Senator Moses, of Sumter, was willing, when the bill came up, to fill the blank as to the time, with any day that should be most agreeable to the other Senators. He was for conciliation, but he was opposed to all resolutions. He wanted the bill to go forth untrammelled by anything of the sort, and therefore moved that all the resolutions and amendments be laid upon the table. This motion was carried.

Senator Garlington, of Newberry, said he was instructed by the Senate on Federal Relations to report a bill calling a Convention. He moved that the blanks be filled, the first with the words "Second Monday in January, 1861, the second with the Tuesday after the first Monday in January, 1861, so that the bill will read as follows:

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 a Convention of the people of the State of South Carolina is hereby ordained to be assembled, in the city of Columbia, on the second Monday in the year of our Lord one thousand eight hundred and sixty-one, for the purpose of taking into consideration the dangers incident to the position of the State in the Federal Union, established by the Constitution of the United States, and the measures which may be necessary and proper for providing against the same; and, therefore, to take care that the Commonwealth of South Carolina shall suffer no detriment.*

2. *That on the Tuesday after the first Monday of 1861 the Managers of Elections for the several Districts in this State, shall, after giving public notice, as in cases of elections for members of the Legislature, open the polls and hold elections in their respective Districts for delegates to the said Convention, in all respects in the same manner and form and at the same places as elections are now conducted for members of the Legislature. And all persons who are qualified and entitled by the Constitution and laws of this State to vote for members of the Legislature, shall be qualified and entitled to vote for said delegates to said Convention; and in case of any vacancy occurring by death, resignation or removal from the State, or refusal to serve of any person elected a delegate to said Convention, the presiding officer of the said Convention shall issue his writ authorizing and requiring the Managers of Elections in the Election Districts in which such vacancy may have occurred, after giving due notice thereof, to open a poll and hold an election to fill*

such vacancy as in cases of the election of members of the Legislature.

3. *That each Election District throughout the State shall be entitled to elect and send to the said Convention a number of delegates equal to the whole number of Senators and Representatives which such District is now entitled to send to the Legislature; and the delegates to the said Convention shall be entitled to the same freedom of arrest in going to, returning from, and whilst in attendance on said Convention, as is extended to the members of the Legislature.*

4. *That all free white male citizens of this State, of the age of twenty-one years and upwards, shall be eligible to a seat in the said Convention.*

5. *That his Excellency the Governor be and is hereby requested, forthwith after the passage of this Act, to communicate an authentic copy of the same to the Executive of each of the slaveholding States of this Union, and to urge upon them, in such mode and manner as he may deem best, the desire of the State of South Carolina that the said slaveholding States should concert and co-operate with her in providing for the future safety, welfare and independence of the South.*

The amendments were agreed to, and the vote recurring on the bill, as amended, it passed, with the following vote: Yeas, 44; noes, 1.

The House resolutions in reference to a day of Fasting and Prayer, were referred to the Committee on Education.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES.

The House came to order at 12 o'clock, p. m., and after Prayer by the Rev. Mr. Spain, the journal of yesterday was read and adopted.

On motion of Mr. Mullins, a message was sent to the Senate informing that body that the House had completed its organization by the election of a Reading Clerk and Messenger.

Mr. Coffin, from the Special Committee on the resolution in relation to a day of Fasting, Humiliation and Prayer, reported an amended resolution, recommending that, in view of the solemn crisis in the affairs of the country, the 21st of November be set apart for that purpose—which was adopted.

Mr. Winsmith offered resolutions, which were ordered to be printed and made the special order for to-morrow at 1 o'clock.

Mr. Lucas, from the Committee on the Military, to whom were referred the bill to arm the State, reported the same back with several amendments, and with the recommendation that it do pass. The time fixed for the meeting of the Convention is the 1st of January next. The bill was ordered for consideration to-morrow.

Mr. Lucas, also from the Committee on the Military, to whom was referred the resolutions in regard to the amount of money to be appropriated for the defence of the State, reported that the Committee recommended the appropriation of \$400,000 for that purpose; when the report was accepted and the Committee discharged.

Mr. Mullins then introduced his bill, of which notice was given yesterday, postponing the operation of the 3d section of an Act entitled "An Act for the suspension of certain acts ratified 21st day of December, 1857"—postponing the election of the Directors of the Bank of South Carolina until the 1st day of January, 1862; which was read once and referred.

Mr. Trenholm amended his resolutions in several particulars.

Mr. Gray recounted the wrongs endured by the South from the foundation of the Government, and the boast of Black Republicans to re-organize the Supreme Court, which they would be able to accomplish, since they had control of the Legislative and Judicial departments of the Government. Was the South tamely to submit? Were their mothers and their sisters to be subjected to servile insurrections, and all the horrors of civil war? It was too late for co-operation; but there were two ways of dissolving the Union: First, by revolution under a form of Government, and by individual revolution.

He preferred the latter, because it was justified before the world; it was the doctrine advocated by Calhoun and McDuffie, and recognized by DeToqueville. Prudence declared for speedy action, to arm, and to own a revolution was but successful civil war. He hoped that South Carolina would now throw off the odious government and seek protection under the Palmetto flag, the axis of our rights and palladium of our liberty. He therefore could not vote for the resolutions, because he believed they would prevent speedy secession.

Mr. McGowan had hoped that the resolution would pass without a dissenting voice. South Carolina was long ago sat-

isfied with causes for dissolution, but remained in the Union, not because the causes were not sufficient, but to arrange with her Southern sisters the day and the manner of going out; and co-operation had been her policy for ten years. He referred to the past action of the Legislature, and the sending a Commissioner to Virginia. The South had everything to unite her, and it would be the height of madness not to unite. In the history of Greece that awful chapter in the Peloponnesian war admonished them to unite; as did the history of Poland, modern Italy and Central America. All declared, united you stand, divided you would fall. He would abide the decision of the Convention.

Mr. Mullins opposed the co-operation of South Carolina. He had found that that policy a total failure. A Commissioner, sent to Virginia, whose soil had been invaded, and her citizens murdered, to tender our sympathies, and invite her to take the lead in the formation of a Southern Confederacy, was received, personally, with respect, but he was coldly informed they could not join South Carolina in defending her own rights. As for Virginia, no indignities could be inflicted upon her that would drive her to leadership in defence of Southern rights. The indication was that if we waited for Virginia to lead, the institution of slavery would be abandoned, State sovereignty abandoned, and the rights of the South lost, and South Carolina oppressed as India was by the East India Company. He felt the importance of action. When we had declared to the world that this Union was broken, and only waiting a constitutional form to complete secession, then, if it be desired, send a Commissioner to Georgia, and her sister States, inviting co-operation. He had no objection to this, for they could do it with dignity and self-respect. What policy would his friend pursue if Georgia declined to act?

Mr. McGowan did not indicate any policy. His policy was to go on *patri passu* in sending a message; to call a Convention of the people to say what South Carolina should do.

Mr. Mullins said, if the gentleman is willing to risk all with them, it was an unwise policy to send a Commissioner anywhere, before South Carolina acted herself. The first act was to announce our own policy, and that policy should be separate action. After that, we could with dignity solicit the concurrence of others. The members of Congress could gain nothing by delay.

Mr. Farrow, for the purpose of having the resolutions printed, moved their postponement till 1 o'clock to-morrow.

Mr. Green moved to lay them on the table, because he did not believe they reflected the feeling and sentiments of the body.

Mr. Screven called the yeas and nays. Mr. Green then withdrew his motion, and the resolutions were postponed.

The Speaker laid before the body a bill from the Senate providing for calling a Convention, which was referred to the Committee on Federal Relations.

Mr. Simonton gave notice of a bill to provide a police in relation to persons coming from States hostile to slavery; after which the House adjourned.

Saturday, November 10.

SENATE.

The Senate met at 12 o'clock, and the journal of yesterday's proceedings was read and approved.

Senator Marshall, of Abbeville, from the Committee on Military and Pensions, to whom was referred so much of the Governor's Message, No. 1, as relates to the formation of volunteers, and also Senate Resolutions on the same subject, asked leave to report by bill.

On motion of Senator Marshall, the bill was made the special order for Monday, at half past twelve o'clock.

The President. The following communication has been laid before the Chair:

COLUMBIA, November 10, 1860.
The Honorable President and Members of the Senate:

I herewith resign the appointment of United States Senator from South Carolina.

JAMES CHESNUT, jr.
[The reading of the resignation was followed by an outburst of applause, which was, however, promptly checked by the President.]

Leave of absence for Senators Harrison of Anderson, and Sharpe of Pickens, was asked and granted.

The resolutions in relation to the resignations of Federal officers, made the Special Order for to-day, were taken up and informally laid over.

Senator Rhett, of St. Helena, from the Committee on College, Education and Religion, to whom were referred House resolutions in reference to a day of Fasting, Humiliation and Prayer, reported that

they had the same under consideration and recommended concurrence. And the resolutions were accordingly concurred in.

Senator Marshall.—Mr. President, I give notice that on Monday next I will ask leave to introduce a bill to arm the State.

A bill from the House, in relation to suspending certain sections of a certain Act in relation to Banks, passed December 21st, 1857, was read and referred to the Committee on Finance and Banks, and ordered to be printed.

Senator Rhett.—I give notice that on Monday next I shall move to suspend the thirty-second Rule of the Senate.

[The rule reads as follows: "No bill shall be read a third time on the day fixed for the adjournment of the Senate."]

On motion of Senator Cannon, of Spartanburg, the Senate then took a recess until 7 o'clock, p. m.

NIGHT SESSION.

The Senate reassembled at 7 o'clock. There was an evident disposition to dispatch business as soon as possible.

Senator Lesesne laid before the Senate the resolutions of the Mass Meeting held at Charleston Friday night, which was read and referred to the Committee on Federal Relations.

The bill to call a Convention of the people of this State, returned from House of Representatives with amendments, was then taken up.

The first amendment, proposing to change the day of the Convention meeting from the second Monday in January, 1861, to the seventeenth day of December, 1860, was read.

Senators Cannon, Palmer, Hope, Dantzler and McCaw, successively announced their intention to vote for the bill as amended.

Senator Rhett said that they had now arrived at the end of the great legislative struggle. He thanked his God that he had lived to see it. This was a great day. It was to witness the beginning of a movement which was to shake this continent to its very centre. The revolution was now in its cradle, and he was proud that it had been reserved for our noble little State to be its author. He felt that we were about to lay the foundation of a republic which would be in its destiny great, glorious and happy, for us and our posterity.

The amendment was then agreed to, and the other amendments were separately read and concurred in.

The bill, as amended, was then read and put upon its passage.

The bill was passed by the unanimous vote of all present, as follows:

Yeas.—Senators Duncan, Alston, jr., Appleby, Barker, Barnes, Beatty, Blakoney, Boykin, Boyle, Bryan, Bull, Cannon, Dantzler, DeLoach, Pickling, Furman, Garlington, Hart, Heyward, Hope, Irby, Johnson, Keitt, Lesesne, Manning, Marshall, Mazyek, McCaw, McKewen, Montgomery, Moses, E. G. Palmer, S. W. Palmer, Rhett, Roberds, Sessions, Simpson, Wagner, Ware, Watson, Wilson, and the President.

Nays.—None.

The following Senators were absent when the vote was taken: Messrs. McAliley, Hampton, Harrison and Sharpe.

The vote having been announced, it was ordered that the bill should be called an Act, and returned to the House of Representatives.

Senator Moses. And now, sir, that we may not mar the effect of what we have so well and so unanimously done to-night, I move that the Senate do now adjourn.

The question being put, it was decided in the affirmative. So the Senate adjourned until Monday next at 12 m.

HOUSE OF REPRESENTATIVES.

The House met at noon, and after prayer by the Rev. Mr. Martin, the journal of yesterday was read and approved.

The Speaker laid before the House the following communication:

COLUMBIA, Nov. 10, 1860.
To the Honorable the Speaker, and the Members of the House of Representatives.

I herewith resign the appointment of United States Senator from South Carolina.

JAMES CHESNUT, jr.
Mr. W. G. DeSaussure, from the Committee on Ways and Means, reported back a bill to postpone the 3d section of an act entitled an act for the suspension of certain sections of a certain act, ratified Dec. 21, 1857, with several amendments, and recommended its passage.

The question being on the amendments—

Mr. Winsmith said he believed the object of the bill to be the suspension of specie payments by the banks, and therefore desired that its consideration should be postponed, and that it should be printed.

Mr. Yeadon explained that the bill would only suspend that portion of the law which prohibited the Banks from issu-

ing notes to a greater amount than three times their specie on hand.

Mr. W. G. DeSaussure also explained the provisions of the bill and the amendments. They suspended that section of the act of 1857 which required the Banks to have one third of gold and silver in its vaults for the two-thirds in circulation, and that portion of the act of '52 which forbids the banks paying out the bills of other banks. It was a wise measure in these revolutionary times, and, therefore, the Committee had reported it with singular unanimity.

Mr. Thompson hoped the gentleman would withdraw his opposition. If the House delayed to print the bill it would not be passed for some time.

Mr. Mullins desired to place the banks in a position to relieve the citizens of any embarrassments which the action of the State might possibly bring upon them. The measure before them would inspire confidence, and would tend to prevent a suspension.

Mr. Pope concurred in the desire to have the bill postponed and printed.

Mr. Coffin had received letters from the heads of banks urging this action. His business was with selling the produce of the State, and 1857, when the banks were trying to maintain specie payments, the result was that the value of the agricultural products was greatly depreciated. When the banks were relieved from the penalty placed upon them the value of these products was greatly increased. The banks were now again endeavoring to keep up specie payments, and relief was absolutely necessary.

Mr. Pope had some conversation with a member of the Committee, and, upon his representation, did not think the operation of the bill would be disastrous in any way, and, therefore, he would vote for it.

Mr. Cunningham, not understanding the bill, was desirous to delay; but the bill being again explained by Mr. Trenholm, he withdrew his objection, when the bill was read a second time and sent to the Senate.

Mr. Simonton then introduced his bill to provide a police for persons coming from States hostile to the institutions of the South; which was read a first time and referred to the Committee on the Judiciary.

[It provides that every white male resident of States where slavery is prohibited, shall within twenty-four hours after their arrival in this State, if it is their intention to remain three days or longer, report their arrival to a magistrate, in writing, setting forth the States from which they come, their names, occupations, their residences, and their objects, and fixing penalties for all cases of non-compliance.]

Mr. William Whaley.—I hold in my hand a resolution which I suppose will meet a cordial response from every member of this House. It is as follows:

Resolved, That the resignation of Hon. James Chesnut, as one of the Senators from the State of South Carolina, be accepted; and that what, under other circumstances, would be regarded as a matter of regret, is now recognized as an act of loyalty and devotion to the sovereignty of the State of South Carolina.

The resolution was adopted unanimously.

Mr. Aldrich, from the Committee on Federal Relations, to whom was referred the Senate bill for calling a Convention, of the people, reported the same back with amendments providing that the election shall take place on the 6th of December next, and that the convention shall meet on the 17th of the same month, and with the recommendation that it do pass.

The question being on the amendments.

Mr. Black said he was willing to go for the Convention and with the State, but he was unwilling to make the change in the time for the election of delegates and the meeting of the Convention. He preferred the Senate bill, for it afforded those who represented the back Districts time to go before their constituents and inform them of the necessity of the step they were about to take. If they had not that time, he was afraid they would send delegates opposed to going out of the Union. He represented a District that had never been behind in the defence of their country, and they would not be behind now, if they were properly informed. He would therefore move that the vote be taken by yeas and nays.

Mr. Thompson regretted exceedingly that his young friends were in such hot haste. In 1851 he had the good or bad fortune to go with those who were opposed to separate State action, but he gave that vote with more pain than any vote he ever gave in his life, because he knew that a large majority of his fellow citizens did not go with him. If they showed any great advantage to be gained by haste, old as he was, he would endeavor to keep up with his young friends. If they wanted

to defeat the measure, they would carry this position, but if they wanted to carry it through, as he trusted in God they would, they should not adopt these amendments. Wherever principle led him he would go, regardless of outside pressure. He would sooner vote for a resolution declaring South Carolina out of the Union, than for these amendments. He trusted therefore they would be rescued from these hasty proceedings.

At this point, one o'clock having arrived.

Mr. Winsmith called up the following resolutions, which he had introduced yesterday, and which were made the special order for this hour:

Resolved, That this General Assembly is satisfied that Abraham Lincoln has already been elected President of the United States, and that said election has been based upon principles of an open and avowed hostility to the social organization and peculiar interests of the slaveholding States of this Confederacy.

Resolved, That it is the sense of this General Assembly that South Carolina is now ready to dissolve her connection with the Government of the United States, and earnestly desires, and hereby solicits, the co-operation of her sister slaveholding States in such movement.

Resolved, That the Governor be requested forthwith to forward a copy of the foregoing resolutions to the Governor of each of the slaveholding States of this Confederacy, with the request that it may be submitted to their respective Legislatures.

Mr. Winsmith said these resolutions demanded the immediate action of the body, for it was important that they should, at the earliest possible moment, announce to their sister Southern States what their purposes and opinions are. If South Carolina was ready to dissolve this Union, what man upon the floor would vote no to the resolutions? For himself, he was ready, and had been ready for years, and had waited only until somebody else got ready. If they passed these resolutions it would not embarrass the action of the Legislature, or the Convention, in the course which they might see proper to take hereafter. He was opposed to sending Commissioners to the other States, for the experience of South Carolina had not been very satisfactory in that particular.

Mr. Buist moved that the House be discharged from the further consideration of the resolutions, and that they be made the special order for two o'clock; pending which,

Mr. Trenholm moved to amend to motion by making them the special order for two o'clock; pending which,

Mr. Cunningham moved that they be laid on the table; which latter motion was agreed to.

Mr. Trenholm's resolutions in relation to the calling of a Convention, and the sending of a Commissioner to Georgia, were then called up; when

Mr. Trenholm moved that the House be discharged from their further consideration to-day, and that they be made the special order for Monday at one o'clock; pending which,

Mr. Cunningham moved that they be laid on the table; which motion did not prevail.

The motion of Mr. Trenholm was then agreed to.

Mr. Buist, with the indulgence of the House, then offered the following resolutions, which were adopted at a public meeting at Charleston on Friday night:

Whereas, It is now certain that Mr. Lincoln has been elected President of the United States; and, *whereas*, That election determines the fact that the powers of this Government have passed into the hands of a section implacably hostile to our interests and our institutions; we, citizens of Charleston, deeming it our privilege to express to the General Assembly of this State, in session now, our hopes and wishes upon this emergency, and deeming a call of a Convention to consider of secession, a measure evidently demanded by the exigencies of the occasion:

Be it further resolved, That it be urged upon the General Assembly to promptly call a Convention of the people of this State, to meet at the earliest possible moment, and sever our connection with the present Government.

Resolved, 2d. That copies of the foregoing Resolutions be sent by telegraph to our Senators and Representatives in that Assembly, with the request to place them before their respective Houses.

The resolutions having been read, were referred to the Committee on Federal Relations.

The House then resumed the consideration of the report of the Committee on Federal Relations on the bill calling for a Convention.

(CONTINUED ON FOURTH PAGE.)