THE CONVENTION DISCUSSES THE ARTICLE THEREON.

New and Important Provisi Carefully Beviewed -- What Was Sald and

COLUMBIA. Nov. 11.—Special

When the Convention passed off from the subject of lynching and lynchers, it proceeded to the consideration of the article on corporations. Section 1 was adopted, as follows:

Section 1. The term corporation as used in this article includes all associations and joint stock companies having powers and privileges not possessed by individuals or partnerships and excludes municipal corporation si

SECTION TWO. When section 2 was called up, Mr. Gage said that section 36 in the article on the legislative department sovered the same matter m uchmore fully and he moved to strike the section out. Mr. Johnstone said that this was the most important section in the whole you wish to reach the outside compaarticle

Considerable objection was made to

lows: Section 2. No charter of incorporaamended by special law except in the case of such charitable, penal or reformatory corporations as may be under the control of the State, or may be provided for in this Constitution; but the legislature shall provide by general laws for changing or amending existing charters and for the organization of all corporations hereafter to be created, and any such laws or negeral. tion shall be granted, changed or be created, and any such law so passed as well as all charters now existing or hereafter created, shall be subject to future repeal or alteration.

SECTION THREE.

When section B was taken up, Mr.
Haynsworth moved to strike out the
words "and telephone," Telephone
companies did not transmit messages.
Dr. Stokes moved to table the amendment, which the convention refused to

do.

Mr. Haynsworth's amendment was then adopted by a vote of 52 to 37.

Mr. Stokes then amended it by placing after the word "companies" on the third line the words "and other transmitting companies."

Benator Tillman moved to amend by adding at the end of the section the words "and taxation," Senator Tillman said they were not now getting any taxes from the Pullman carcompanies, and he wanted to reach it. His amendment was then adopted.

The whole section was then adopted, reading as follows:

Section 8. All railroads and canals shall be public highway, and all railroad, express, sleeping our cayal and other transportation companies and

corporation shall be permitted to make any contract relieving it from its com-mon law liability and taxation. Pending discussion of this amend-

ent, the Convention, on motion of Dr. Stokes, took a recess till 5:80, p.

At the afternoon session section was discussed at some length, but, on motion of Dr. Stokes, was passed over till to morrow.

Section 3 was then recurred to, and Stokes offered the following substitute, to be printed in the journal Sec. 8. All railroads and roadways canals and other waterways used i whole or in part by corporation for the transportation of persons or freight for hire and public highways, all railroad express, sleeping car, canal and other corporations engaged in transcorta-tion for hire and all telegraph and other coporations engaged in the busi-ness of transmitting intelligence for hire are common carriers on their re spective lines of business and are subject to liability and taxation as such. It shall be unlawful for any such corporation to make any contract relieving it of its common law liability.

Mr. Lee then sent up the following amendment thereto, which was also ordered to be printed in the journal:

Add "or permitting the same."
The section was then passed over til

SECTION FIVE was amended on motion of Dr. Stokes

and passed in the following shape: Sec. 5. No discrimination in charges or facilities for transportation for the same class of freight or passengers within this State for the transmission of intelligence, or coming from or go-ing to any other State, shall be made by any railroad or other transportation or transmission company between places or persons and no railroad or transportation company shall charge a higher rate per ton per mile to any station, landing or port in the State, for the transportation of any class of freight, than the said company or corfreight, than the said company or corporation charges on the same class of freight to any station or landing or port of this Blate. Persons and property transported over any railroad, or by any other transportation company or coporation, shall be delivered at any station, landing or port at charges on the transportation of persons and property of the same class, in the same direction, to any more distant station, landing or port. Excursion and commutation tickets may be issued at special rates.

SECTION SIX

was then called up, and Dr. Stokes of fered this aubstitute:

Sec. 6. Any railroad or any other transportation corporation, and any telegraph or other transmitting corporation organized under the laws of this State shall have the right to connect its roads or lines at the State line with those in other States, and shall have the right to intersect with or cross any other railroad, street railway, transportation road or transmitting line, and shall each receive and transport the freight, passingers, cars (loaded or empty), and measages delivered to it by another without delay or discrimination.

Section 9 was taken up and the word "special" was put in before the word "special" was put in the first line, on motion of Mr. Stanyarne Wilson.

Mr. Oliver offered the following to go at the end of the section:

The general assembly shall previde for the section of a State bank examiner, and define the duties and powers of such office. Said officer shall receive such compensation as may be fixed by law.

Mr. Oliver related the dangers of banking schemes being operated without such a provision. He made his

steering was adopted.

SECTION SEVEN

then adopted as follows:

6c. 7. No railroad or other transriation company, and no telegraph
other transmitting company, or the
secs, purchasers or managers of any

CAMDEN, KER

corporation, shall consolidate the

such corporation, shall consolidate the stock, property or franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control, any other railroad or other transportation company and as telegraph or other transmitting company owning or having under its control a parallel or competing line; and the question whether railroads or other transportation companies or telegraph or other transmitting companies are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury as in other civil causes.

SECTION EIGHT.

Section 8 was called up, and Mr. J. L. Glenn offered to amend by inserting after the word "State" on line six, the words "unless the railroad so operated or leased is owned by a corporation chartered by the laws of the State."

Mr. George Johnstone suggested that the State did not have sufficient banks to keep a "bank examiner" employed.

Mr. R. D. Lee wanted some further restrictions thrown around the office. The amendment was agreed to and the whole section was then adopted in the following shape:

Section 9. The general assembly shall have no power to grant any special charter for banking purposes under the general laws, with such privileges, powers and limitations not inconsistent with this Constitution as it may deem proper. The general assembly shall provide for the election of a State bank examiner, and define the duties and powers of such office. Said office shall receive such compensation as may be fixed by law.

erated or leased is owned by a corpora-tion chartered by the laws of the State."

Mr. W. B. Wilson then moved to table amendment, after stating his reasons therefor.

Mr. Glenn-My position is not as he would have you believe. If a corporation owning or leasing a railroad under the decisions of our courts that corporation can be sued and held are. corporation can be sued and held re-

Mr. Glenn-All judgments come be the motion and it was withdrawn by fore bonds and mortgages and I have no idea whatever of throwing those cases in the United States courts.

Mr. Johnstone—I would not for a

oment seek to throttle the railroads of this State, but I am opposed to them becoming the masters of our peo-

said that there were really only two constitutional principles involved in the whole article. One was the section embodying the statue of 1841. He wanted to know why they wanted to take the cases to the United States

Mr. Prince answered that it was to let a railroad get justice in a country where the jury was not influenced by the local plaintiff.

Mr. Johnstone said that the other day Mr. Paince was an earnest supporter of local self government.

Mr. Prince—In criminal matters, which are very different indeed.
Mr. Johnstone was heartily with the gentleman from York. They should not think that he was a vulgarian opponent to either corporations or capital. There was quite a tilt be-

tween Messrs. Johnstone and Prince about the United States courts.

Mr. W. B. Wilson once more spoke very earnestly on the same line. If they passed this matter they would prevent any such corporation coming in in the future. It will restore old charters and get them into line again
—make them comestic corporations.

Mr. D. R. Till nan—Suppose you do
not what is your medy. It seems
to me that if you get this coads back
to the line by this scheme, that is the

to do was to keep any road system from conding in in the future. Mr. Haynsworth made a few remarks and then Mr. Prince's motion to table the section was voted down. Mr. Glenn's amendment was then abled

Senator Tillman offered to amend by inserting after the word 'operated' said commissioners shall nave the vote against inserting after the words 'or is now be same powers and jurisdiction, perform stitute also the same duties and receive the same Mr. Bates asked

agreed to. The section was then adopted as fol-

lows: Section 8. The general assembly shall not grant to any foreign corporation or association a license to build operate or lease any railroad in this State; but in all cases where a railroad is to be built or operated or is now being operated in the State and the same shall be partly in this State and partly in another State, or in other States, the owners or projectors thereof shall first strike

become incorporated under the laws of this State; nor shall any foreign corporation or association lease or operate any railroad in this State unless the railroad so operated or leased is owned by a corporation chartered by the laws of this state, or purchase the same, or any interest therein. Consolidation of any railroad lines and corporations in this State with others shall be allowed only where the consolidated company shall become a domestic corporation of this state. No general or special law shall ever be passed for the benefit of any foreign corporation operating a railroad under an existing license of this state or unler any existing lease; and no grant of any right or privilege, and no ex-

made to any such foreign corporation except upon the condition that the owners or stockholders thereof shall lrst organize a corporation in this State under the laws thereof, and shall thereafter operate and manage the

banking schemes being operated without such a provision. He made his first speech before the convention and made a most favorable impression.

Dr. Smith of Barnwell thought the idea was a good one. His little town had lost \$11,000 in a wildcat scheme about which it could get no information.

Of any right he now has by the law of the land.

The general assembly may extend the remedies herein provided for to any other cases of employees.

Mr. Bagsdale said they could not mend matters by adopting provisions manifestly unjust. He was opposed to both the original and the sustitute.

Mr. George Johnstone suggested that the State did not have sufficient

as may be fixed by law.

as may be fixed by law.

SECTION TEN

Was slightly amended, and was passed in the following shape:

Sec. 10. Stock or bonds shall not be issued by any corporation save for labor done or money or property actually received or subscribed, and all ficticious increase of stock or indebtedness shall be void.

SECTION RIEVEN Section 11 was then called up, Dr. in the shoe Stokes explaining the meaning of the road coufe section, which he said was to allow to discharge minority representation in voting. This had been found in a good many that made constitutions. The section was adopte Mr. McCas

Mr. Prine

the house by There was

sides, Mr. Hende

ngineer was

conductor, t

attitude of the

sponsible, Mr. Wilson railroad liable

not protect hin

superior. Mr. J. L. GI with a few ame

class legislation Dr. Stokes w

corporations did

Mr. Glenn sa

as the employes to

Mr. Howell sand because he wanted

vote against the section

was strictly legislative a
Mr. Henderson asked on Bates as a
member of the committee, why he had
presented a report that he admitted to
be purely legislative in nearly all particulars

Mr. Stanyarne Wilson then argued

that it was simply to put the employ-es on the same plane as pusengers. Mr. D. S. Henderson noved to in-

in the following shape:
Sec. 11. The general assembly shall provide by law for the election of directors, trustees or managers of all corporations by the cumulative plan; that is to say, so that each stock-holder shall be allowed to cast, in per-Mr. Princ that it only corporations Dr. Stoke covered this in his opinion The substit son or by proxy, as many votes as the number of shares he owns multiplied by the number of directors, trustees or managers to be elected, the same to be cast for any one candidate or to be distributed among two or more candi

SECTION TWELVE Sec. 12. Corporations shall not en gage in any business except that spe-cifically authorized by their charter or necessarily incident thereto. SHOTION THIRTEEN

was adopted as reported by the committee as follows: Sec. 13. The general assembly shall with a few ame thing as the phinations, contracts and agreements inimical to the public welfare and to prevent abuses, unjust discrimination and employer, and extortion in all charges of transmatter would be porting and transmitting companies, and shall pass laws for the supervision and regulation of such companies, by commission or otherwise and shall previde adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their franchises.

SECTION FOURTEEN, Mr. Breazeale moved to strike out sec-Mr. Breazeale moved to strike out section 14. Lost yeas 54, nays 55.

Dr. Stokes offered some alight amendments, which being adopted the section passed in the following shape.

Section 14. A commission is hereby established, to be known as the railroad commission, which shall be composed of not less than recard to like the section recard to li

at the expiration of the terms of the present railroad commission, who are hereby continued in office for the terms for which they were elected, and until otherwise provided by law, the said commissioners shall have the pensation as are now conferred, cribed and allotted by law to the

kissing railroad commissioners. Pending the consideration of section he Convention, on motion of lamel, adjourned. SECTION FIFTEEN

COLUMBIA, Nov. 12.—Special: The Convention got promptly to work this morning resuming the considera definitely postpone the whole. Lost— yeas 52, nays 58. Mr. Henderson moved to strike out the article on coporations. The pending question was the moput section 15, which read as the last sentence to the substitute read

follows:
Section 15. Every employee of any corporation doing business in this State shall have the rights and reme-State shall have the rights and remedies for injury suffered by him from ment, which was done. the act or omission of such corporation or its employees as are allowed by law to other persons not employees.

to other persons not employees. And when deck he ensuses from any injury to an employee the legal or personal representative of such employee shall have the same rights and remedies as are allowed by law to such representative of other persons. Any contract tives of other persons. by any employee to waive the benefit of this section shall-be null

omissions of said corporations or its imployees as are allowed by law to following:

Mr. Stokes moved the addition of the following:

M from any injury legal or personal representative of the person injured ahall have the same rights and remedies as are allowed by rights and representatives of the other representatives of the same representative of th made by any em benefit of this sec

tion shall be null and void and this section shall not be construed to deof a corporation has by the law o

Mr. Bagsdale said they could not mend matters by adorpting provisions manifestly unjust. He was opposed to both the original and the sustitute. le was opposed d the sustitute



The Hand of the Diligent Shall Rule." COUNTY, S. C., TUESDAY, NOVEMBER 19,

should be left to the general assembly.

Mr. George Johnstone said he could give them the history of this act known as the "5 per cent. act." They had adopted this act because the radihadviduals in winds.

Mr. George Johnstone said he could from the history of this act trouble them the history of the sact sending them the history of the trouble them the history of the trouble trouble them the history of the trouble them the history of the trouble them the history of the trouble trouble them the history of the trouble trouble the trou of your land; almost invariably their scanty earnings are invested in these state superintendent of education, who take superintendent of education, who take state superintendent of education, who take superintendent of education, who take state superintendent of education and the stat

PUBLIC EDUCATION.

TERMS \$1.50 a Year in Advance

The existing county bo of commissioners of the several countheir resumed on Mr. Ragsdale's amendment to reduce the ties, or such officer or officers as may hereafter be vested with the same or constitutional tax, as reported by the committee from three mills to two. similar powers and duties shall levy Mr. Talbert favored the two-mill tax an annual tax of 3 mills on the dollar in a most earnest speech.
"Men are liable to make cheap taxes upon all the taxable property in their respective counties; which tax shall

one of these campaign issues. It aught be collected at the same time and by the same officers as the other taxes for not to be so fixed that any man can undermine the system of education. the same year, and shall be held in the county treasuries of the respective There is no telling who may come here in the future to legislate for you. counties to be apportioned among the There are always some people who kick up Harry about anything you do school districts of the counties in proportion to the respective number of pupils enrolled in the public schools and confuse matters perhaps, and they may mix up matters to a great extent. The rich men often have control over Sec. 8. The general assembly shall the poorer ones and may influence them not to issue special taxes. He make provision for the assessment and collection of an annual tax of \$1 on wanted to support 3 mills and would each male inhabitant in the State between the ages of 21 and 60 years who support 4 if anybody offered it. He was in the fight for the great masses. is able to perform ordinary manual labor, the proceeds of which tax shall For higher education there was approbe expended for school purposes in the several school districts in which it is back and tell them you have given the several school districts in which it is poor people the pitiful sum of 2 mills collected, and the general assembly they will justly protest against such a shall define the penalties, fines and condition. forfeitures to be imposed for the non-

He was questioned a little by Mr. Ragsdale and he replied to each ques-Mr. Howell's time was extended for

inafter required to be levied and collected, the general assembly shall 10 minutes and he, continuing, said that he wished to plead with the conlection of an additional tax of 1 mill vention for the on the dollar on all of the taxable education of the property of the State, which tax shall Mr. Gunter said as the only one on be levied, collected and paid into the

the committee who opposed the threemill tax, he felt it his duty to express are other taxes, and which tax shall be expended in public school educato the convention his reason. The people were crying out under excessive tion among the schools of the several counties of the State according to the taxation. In his county they were in favor of the two-mill tax if the white people could get the benefit of it. Was it right that the white people should pay the tax to educate the negro? If was not right. Cry after cry had been tem why don't you abolish the whole raised against fraud. They should put it at "not less than two mills," county system and let this apply to roads and bridges as well, and abolish and leave the rest to the people. They were proposing to put the liquor prof-Mr. Kennedy-I have no objection

to that. It was the law up to 68. Mr. Hutson-I think you have said that that system was a poor one. Mr. Kennedy-As to schools, it was a very good one as to everything else. Are you going to have one rule for higher education and another as to ommon schools.

Mr. Watson moved to table Mr. Kennedy's substitute. Motion adopted -yeas 90, nays 26. Pending the consideration of Mr. Patterson's substitute, the convention

payment of this tax.

Sec. 8. In addition to the taxes here

discretion of the State board of control

under such regulations as the general

Mr. Hutson-If you adopt that sys-

ssembly may prescribe.

the office of county treasurer.

adjourned. THE DEBATE CONTINUED. COLUMBIA, Nov. 14.—Special: The Convention lost no time in resuming lebate on the educational article.

Mr. Patterson's amendment to limit the additional levy which the Legislature should be authorized to make to one-half mill was adopted. Mr. Patterson then spoke in favor of his substitute. He reviewed the

He concluded: "I hope this con-

we do not increase this levy and raise more funds, I will be sorry for our people. They are not afraid of a raise. They are in favor of it, if it is necessa ry. Let us go forward and provide that all profits from the penitentiary; all fines, forteits, escheats, etc., should

its into this fund. A SUBSTITUTE,
Mr. Ira B. Jones offered a substitute requiring the General Assembly to au-

thorize and direct the proper officers of each county to levy the annual tax of three mills for the support of the Mr. Jones spoke in favor of

mendment. Senator Tillman spoke in opposi

Governor Evans resigning the chair temporarily to Vice-President Jones, spoke warmly and at length in favor of the Jones amendment. He thought a tax levy was strictly in the domain of legislation, and should be left to

the discretion of the Legislature.

Mr. Mitchell closed the debate on the Jones amendment, making a strong speech against it. vote was then taken on a motion to table the Jones amendment.

Yeas 82, nays 41. So the amendment leaving the school tax to the Legislature, was killed. Next came the motion to table Mr. Ragsdale's amendment. Yeas 76, nays

So the proposition to put the constitutional tax at two mills was also killed.

The Convention then adjourned. THE POLL TAX.

COLUMBIA, Nov. 15.—Special: The dession of the Convention today was consumed in discussing the poll tax. First came the proposition to make the tax two dollars. This was voted lown.

Then it was proposed to make the ligure \$1.50. This too was defeated. so the tax is to remain at one dolfar. Some discussion was also liad on

Beotion 17. The general a shall never remit the forfeiture franchise of any corporation chartered, nor alter nor amount or especial law for the benefit of corporation, except upon the tion that such corporation shall after hold its charter and fr atter hold its charter and fra subject to the provisions of this stitution; and the reception is corporation of any provision, such laws, or the taking of any or advantage from the same, an conclusively held an agreeme such corporation to hold its o and franchise under the provision this article.

his article. SECTION EIGHTEEN. This section fixed the liabilistockholders at the amount of shares. Mr. Stanyarne Wilson n to add "and five per cent. addition. Ira B. Jones thought the n Mr. Ragsdale then spoke. Why do the banks want to be relieved of the responsibility? It is a sound trust fund, and they ought to be liable for mething more than their stock. they get in a shaky condition the stockholders are the first who know anything about it. What consideration does the depositor receive for depositing his money? Very rarely anything. These stockholders are the owners of the bank, and if they take a man's money and lend it they should over for the present.

Dr. Timmerman-As a rule banks don't do business on the money of the depositors. They do it on the capital tock, and when we undertake to say that stockholders shall be responsible we virtually drive out banks. No man of sense would put his money in a bank if this prevailed. Mr. Stanyarne Wilson offered the

following as a substitute for the whole matter: Section 18. Debts of corporations shall be secured by such individual liability of the stockholders and other

means as may be prescribed by law. Mr. Wilson spoke in favor of his which was done.

Mr. Ragsdale said the substitute was substitute.

y law less objectionable than the original and should pass for that reason.

Mr. J. L. Glenn moved to strike out bank if this provision was in force.

Section sixteen was then taken up in the State. Every one would acand Mr. Stanyarne Wilson moved to knowledge that the establishment of strike out all after the world "article" local banks had been the means of do-

for section 15:
Section 15:
Section 15:
Any employee of any railroad corporation shall have the same rights and remedies from any injury suffered by him from the acts or omissions of said corporations or its employees as are allowed by law to other persons not employees, when the injury results from the acts or of the manufacture of t

Stokes moved to table the Wil batitute-which was done. here was then further debate, by rs. Henderson, Stokes, Johnstone e and Lee.

son's amendment on the table, but withdrew to allow Mr. W. B. Wilto speak.

Is Gage was just saying the questing had been beclouded by injecting it the matter of the probability of state banking system being rees. shed, when Dr. Stokes interrupted the previous question was then red, Mr. Johnstone first offering

ion 18. Every stockholder in CONTINUED ON PAGE FOUR.

SECTION THREE. hen section 3 was called up, erson offered the following subwhich was adopted: ection 3. The salaries of the State and county school officials and compensation of county treasurers for collecting and disbursing school moneys shall not be paid out of the school funds, but shall be otherwise provided

for by the general assembly. SECTION FOUR was, after a brief discussion, passe SECTION FIVE

was taken up, reading as follows: Section 5. The general assembly shall provide for a liberal system of free public schools for all children between the ages of 6 and 21 years, not mentally disabled, and for the division of counties into school districts. Mr. Ragsdale moved to strike out on lines 2 and 3 the words "not men-

tally disabled." Mr. Patterson thought the convention was on section 6 and he sent up a substitute which he withdrew. Mr. Ragsdale amendment was adopt-

Senator Tillman then offered mend by inserting after the words make provision for the levy and col-'school districts" on line 3, the words as nearly square as practicable, not to exceed 49, nor be less than 16 square miles in area; provided, that in cities of 10,000 inhabitants and over the State treasury in the same manner as limit shall not apply. Senator Tillman spoke in favor of he amendment.

There was further debate by Messrs. Rogers, Otts, Perritte, Smith, T. E. Johnson, Hamel and Woodward. Mr. Breazeale then offered the folowing amendment to the amendment. Provided: That school districts may

e established with a less area than 16 square miles in which there is located an incorporated city or town which has erected school buildings for free school purposes by the issuance of bonds, or by taxation, or by donation by citizens, thereof who may desire to The further consideration of section

was continued till the night session. SECTION SIX. This section, as reported, was then Mr. Mitchell, the chairman of the

committee, made a strong speech ex-

plaining the features of the plan em bodied in the section. He then, by permission, offered the section as mended by his committee, as follows: Sec. 6. The existing county boards of commissioners of the several counties; and the county school commis sioner hereafter be vested with the same or similar powers and duties, shall levy an annual tax of 3 mills on the dollar upon all taxable property n their respective counties; which tax shall be collected at the same time and by the same officers as the other taxes condition of the State's educational in for the same year and shall be held in terests and demanded that she should the county treasury of the respective go forward and not backward. He said counties and the county school comcounties and the county school com-missioner shall apportion the said mills for the common schools. fund among the school districts of his county in proportion to the respective number of pupils enrolled in the public schools and notify the trustees of the respective school districts thereof, who shall expend and disburse the stench in the nostrils of the State. If Smith moved to lay Mr. W. B

> Three trustees for each cool district shall be selected in such mann and for such terms as the general as embly may determine. There shall be assessed on all taxa-

same as the general assembly me di

ble polls in the State between the ages go into the public school fund. If we of 21 and 60 years an annual tax of \$1 cannot maintain our common schools cannot maintain our common schools on each poll, the proceeds of which I am willing to blot out the higher to pay the tax. It was finally fixed at tax shall be expended for school purschools. But I am willing to main-sixty years.