

Columbia Telescope;

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PROCEEDINGS Of the Legislature of the State of South Carolina.

SENATE. Saturday, Dec. 2, 1826.

The journal of yesterday being read, Mr. Williams, from the committee on internal improvement, made reports on the several petitions of J. Poindexter and J. M. Queen, John Rice and Charles Stewart, ordered for consideration on Monday next.

Mr. Benson, from the committee on pensions, made reports on the several petitions of James Gill, Francis Wylie, Jonathan Jones and George Durant; ordered for consideration on Monday next.

Mr. Griffin, from the committee on claims, made reports on the several petitions of Richard Jenkins, Samuel Fluit and Benjamin J. Smith; ordered for consideration on Monday next.

Mr. Seabrook, from the committee on agriculture, to whom was referred a resolution on that subject, reported a bill concerning the sales of articles sold by weight; which was read a first time, and ordered to a second reading on Monday next.

Mr. Davis, from the committee on roads, made a report on the report of the superintendent of public works, relative to the distribution of Mills' Atlas; a report on the petition of the commissioners of roads for St. James Goose creek; and a report on the petition of sundry inhabitants of Marion; all ordered for consideration on Monday next, also an unfavorable report on the petition of Wm. Boineau, which was considered and agreed to.

Mr. President submitted a communication from the governor, as president of the board of trustees of the South Carolina college, inviting the senate to attend the commencement in the college on Monday next; which invitation was accepted, and Messrs. Miller, Grimke and Huger, appointed a committee to arrange the procession to the college.

Mr. Miller, from the committee on the judiciary, submitted reports on the several petitions of John B. Miller; of sundry inhabitants of Darlington; as to repealing the law relating to the location of lands, and the petition of the Charleston bible society; ordered for consideration on Monday next.

On motion of Mr. Miller, the judiciary committee were discharged from the further consideration of the presentment from Chesterfield, full term, 1826; the petition from Cheraw, for the removal of the seat of the county of equity in said district; the petition from Marion, praying to be annexed to Marlborough; the petition of Samuel Maverick; and the petition of Hannah Delozier; and the same were ordered to lie on the table.

Petitions were presented as follows: by Mr. Patterson, from Y. L. Robinson, adm'r. of David Grafton, praying relief on a contract made with the board of public works; referred to the committee on internal improvement; by Mr. Griffin, from Jacob Swygart, adm'r. of Solomon Sligh, praying payment of a sum of money; referred to the committee on claims; by Mr. Hampton, from Jesse Debrahl, for permission to keep a billiard table at the Light-Wood-Kent springs during the vacation of college; referred to the committee on the college; by the same, from John M. Waring, praying to have a lot of land re-conveyed to him; referred to the committee on internal improvement; by the same, from A. L. Loomis, praying compensation for repairing a field piece; referred to the committee on claims.

Mr. Pope, from the committee on vacant offices, reported a vacancy in that of tax collector for the parish of St. Helena; ordered to lie on the table.

The memorial from Charleston for alteration of the charter and amendment of the law as to magistrates; was withdrawn from the committee on the judiciary, and referred to the senators from Charleston; and a message sent to the house of representatives, requesting a joint committee thereon.

On motion of Mr. Cattel, it was resolved, that the comptroller general be instructed to report to the senate whether he has, in his office, the portage bill book of the frigate South Carolina, or any other document relating to the claims against said vessel.

Mr. Seabrook, from the committee on agriculture, to whom were referred the petitions of the St. John's Collection, and South Carolina agricultural societies, relative to frauds in the measurement of grain, reported a bill to give to the city council of Charleston the power to regulate the measuring of grain sold within the limits of that corporation; which was read a first time, and ordered to a second reading on Monday next.

Mr. Clendenen presented the report of the commissioners of free schools for York; and Mr. Grayson that from St. Helena; referred to the committee on schools.

Mr. Clendenen presented the petition of Elizabeth Gilmore, praying for a pension; also the petition of Wm. Bobbit, with a similar prayer; both referred to the committee on pensions.

Mr. Sloan, from the joint committee on the petition of 2,000 inhabitants of Pendleton, praying a judicial division of said district, reported a bill to divide Pendleton district into two counties; which was read a first time, and ordered to a second reading on Monday next.

Pursuant to notice, Mr. Grimke introduced a bill to amend the law as to the power of a judge at Chambers; which was read a first time, and ordered to a second reading on Monday next.

Mr. Huger presented the petition of John L. Wilson, praying leave for his ward, Jehu Jones, to leave the state and to return; referred to Messrs. Huger, Cattel and Black.

Mr. Tart presented the petition of Henry Berry, adm'r. of Nathan Tart, late tax collector of Marion, praying that the successor of the said Nathan may be authorized to issue executions for poor tax uncollected by him; referred to the committee on finance.

Favorable reports on the several petitions of Dr. Haigood, Samuel Dunlap, David Morrow, James Harbison, Elizabeth M'Daniel, were agreed to, and ordered to be sent to the house of representatives; and unfavorable reports on the petitions of John Craig and Joel Hiott, was considered and agreed to.

Mr. Griffin submitted several resolutions, for purchasing law reports for the use of the legislative library, which was agreed to, and ordered to be sent to the house of representatives.

A resolution from the house of representatives, appointing managers of election for York district; was concurred in, and ordered to be returned to that house.

A resolution from that house, changing a place of election in Lexington, was referred to the committee on privileges and elections.

A resolution from the house of representatives, appointing commissioners of public buildings for Orange; a resolution appointing commissioners of free schools for Marion; and a resolution appointing the commissioners to approve of the securities of public officers for said district, were severally concurred in, and ordered to be returned to that house.

The house of representatives concurred in, and returned to senate, a resolution appointing commissioners of public buildings for York.

Mr. Evans, from the committee on public buildings, made a report on the petition of the apprentices library society of Charleston; a report on the petition of the commissioners of public buildings for Darlington; and a report on the presentments from Charleston; all ordered for consideration on Monday next.

Petitions were presented as follows: by Mr. Sloan, from James Orr, praying for certain escheated lands in Pendleton; by the same from Elias and John B. Earle, jr. for a grant of land purchased of the state, and paid for; both referred to the committee on the judiciary; by the same, from sundry inhabitants of Pendleton, praying for a branch bank at Hamburg; referred to the committee on banks; by Mr. Grimke, from John Mill, praying payment of an account; referred to the committee on accounts; by Mr. Grayson, from De Revere Beaubien, praying confirmation of title to certain real estate supposed to be escheated; referred to the committee on the judiciary; by Mr. Hampton, from Elias Marks, M. D. principal of the Columbia Female Academy, praying the aid of the legislature for that institution; referred to the committee on schools.

Mr. Graham gave notice, that, on Monday next, he would ask leave to introduce a bill for regulating elections throughout the state, and for other purposes.

A message was received from the house of representatives, informing that they had appointed the delegation from Charleston in their house, to meet the Charleston delegation in the senate, on the memorial from that city.

The committee on roads were discharged from further considering the petition from Sumter, praying for bridges over the lakes between Statesburgh and Columbia; and it was referred to the committee on internal improvement; as was also the petition of Henry T. Crumpton, heretofore referred to the committee on roads.

The bill to regulate the time and manner of issuing executions, &c. was taken up for a second reading, and referred to the committee on the judiciary.

Mr. H. Deas called up the report of the city treasurer of Charleston, of the fund for the support of the resident and transient poor; and it was, on his motion, referred to the committee on accounts.

Mr. M'Kibbin gave notice that he would, on Monday next, ask leave to bring in a bill, authorizing the sheriffs of this state to execute titles (under certain restrictions) for real estate, sold by their predecessors in office, and for other purposes.

Mr. Evans presented the petition of Wm. M'Mullen, praying compensation for a horse lost during the revolutionary war; referred to the committee on claims.

Mr. H. Deas submitted a resolution for the appointment of a committee to join such committee as the house of representatives may appoint, to examine into the affairs and situation of the principal bank and its branches; ordered to lie on the table.

The senate having voted with the house of representatives for tax collectors for York and St. Helena, the committee appointed to count the ballots; reported that Robert Davison was elected for York, and John A. Stewart for St. Helena.—Adjourned.

HOUSE OF REPRESENTATIVES. December 2, 1826.

The house met agreeably to adjournment. The speaker laid before the house a communication from the governor, as president of the board of trustees of the South Carolina College, inviting the members of the house of representa-

tives, to attend the commencement of that institution, on Monday next, at 10 o'clock, which was referred to a committee of arrangements, consisting of Messrs. Nixon, Moon and M'Cord.

The speaker laid also before the house a communication from the judges of the court of appeals, praying an appropriation of money to pay for books they have purchased, under an appropriation of funds from the sale of the maps of the state; referred to the judiciary committee.

The senate sent to the house the following reports for concurrence: a report of the committee on claims on the petition of capt. James Pennington, praying remuneration for repairs done to a gun carriage referred to the military committee; a report of the same committee on the petition of Wm. Hally, guardian, praying compensation for a negro executed; referred to the committee on claims; a report of the same committee on the petition of John Wagner, praying compensation for surgical operations; referred to the medical committee.

Mr. Caughman presented the petition of Jacob Swigert, administrator of Solomon Sligh, praying payment of a claim; referred to the committee on claims.

Mr. Elliott presented the petition of the commissioners of roads for York district, praying for the repeal of an act establishing a road in the said district; referred to the committee on roads.

Mr. Dargan presented the petition of sundry inhabitants of Darlington district, praying an appropriation to improve the navigation of Black creek; referred to the committee on internal improvement.

Mr. Barber presented the petition of Samuel Love, praying compensation for a negro executed; referred to the committee on claims.

Pursuant to notice Mr. Davis introduced a bill to alter the mode of electing tax collectors in the several districts in this state.

Mr. Gaillard presented a bill to compel owners of plantations to employ white persons thereon, and to explain an act, entitled an act, to provide for the more effectual performance of patrol duty; and Mr. Robinson a bill to prevent the necessity of so frequent renewals of final process; which were read a first time, and ordered for a second reading on Monday next.

Mr. Norris presented the petition of Elias Earle, and John B. Earle, jr. praying for a grant of lands purchased of the state; referred to the judiciary committee.

Mr. J. N. Whitner presented the petition of sundry inhabitants of Pendleton district, praying the establishment of a branch of the bank of the state at Hamburg; referred to the committee of ways and means.

Mr. Elliott presented the petition of the Dees Revere Beaubien, praying compensation for real property supposed to be escheated; referred to the judiciary committee.

Mr. Wm. N. Thompson submitted a resolution directing the judiciary committee to enquire into the propriety of altering the practice of the courts of law so as to prevent a person from suing the parties to a judgment in separate actions; and a resolution directing the same committee to enquire into the propriety of reducing sheriff's fees for detaining negroes.

Mr. James M. Smith presented the memorial of John Norton, praying payment of money on his contract for opening Wall's cut; the report of John D. Morgan, and James Kirk, commissioners for opening Wall's cut.

Mr. B. F. Whitner offered a resolution proposing to send a message to senate requesting that certain standing committees of the two Houses be formed into joint committees on the same subjects; which was laid on the table.

Mr. Cobb presented a memorial of the citizens of Greenville district, praying the establishment of a branch of the state bank at Hamburg; referred to the committee on ways and means.

The committee appointed to count the votes for Secretary of State, report that Robert Stark Esq. was duly elected to that office.

Pursuant to notice Mr. Barkley introduced a bill to alter and amend an act entitled an act to reduce all the acts and clauses of acts of the general assembly of this state relating to the powers and duties of the commissioners of roads into one act.

Mr. Dunlap pursuant to notice introduced a bill to alter and amend an act entitled an act to alter the manner of electing all district officers, and to give the power of electing the same to the people of their respective districts.

Mr. Holmes pursuant to notice introduced a bill to alter and amend an act entitled an act for the abolition of the rights of primogeniture, and for giving an equitable distribution of the real estates of intestates, and for other purposes therein mentioned; which were read a first time and ordered for a second reading on Monday next.

Mr. W. Thompson, jr. presented the petition of the commissioners of free schools for Greenville district, praying that the appropriation for free schools in that district, be disposed of to the establishment of one school at the poor house thereof.

Mr. Gregg from the judiciary committee, made reports on the following petitions: of Samuel Maverick, Reuben Stark, J. Bollinger, Jos. E. Shanklin and Goff R. Connel, as to the presentments of the grand jury of the districts of Kershaw and Barnwell.

Mr. Gregg from the same committee to whom was referred the petition of Margaret Dyer, introduced a bill to vest in Margaret Dyer so much of the estate of her late husband Wm. Dyer, as is escheated to the state; read a first time and ordered for a second reading on Monday next.

Mr. B. F. Dunkin from the committee on internal improvement, reported certain resolutions relative to procuring the sanction of Congress, to the convention made with Georgia by this state; ordered for consideration on Monday next.

The judiciary committee was on motion of Mr. Gregg, discharged from the further consideration of the petition of the South Carolina Bar Association, which was referred to the committee on ways and means; and that the same committee be discharged from the further consideration of the petition of James Johnson; and that the same be referred to the committee on claims; and also, from the further consideration of the memorial of the commissioners of the poor for Charleston neck; and be referred to the Charleston delegation.

Mr. Legare presented the memorial of Elias Marks M. D. Principal of the Columbia Female Academy, praying assistance; referred to the committee on education; and the petition of John L. Wilson, praying that his ward Jehu Jones, may have permission to leave the state and return; referred to the judiciary committee.

Mr. Elliot from the committee on incorporation, to whom was referred the petition of the inhabitants of Waterborough, reported a bill to incorporate the village of Waterborough, which

was read a first time and ordered for a second reading on Monday next.

Mr. J. N. Whitner from the special joint committee to whom was referred the petition of sundry inhabitants of Pendleton district, praying a judicial division of that district reported a bill to divide Pendleton district into two counties; read a first time and ordered for a second reading on Monday next; and that it be printed.

Pursuant to notice Mr. Butler introduced a bill to alter the law in relation to the action of Trover, and for other purposes; read a first time and ordered for a second reading on Monday next, and to be printed.

Mr. Pinckney from the committee on ways and means, made a report on the petition of Stephen Lacoste and a report on the petition of the Charleston Bridge Company, praying relief.

Mr. Carr from the committee on claims, made reports on the several petitions of P. G. Gourdin, David Murray, Agnes Smith, William M'Mullen and Summah Thatcher, which were ordered for consideration on Monday next.

The committee on claims were discharged from the further consideration of the petitions of Sarah Bell and Jonathan Jones, which were referred to the committee on pensions.

Mr. Barkley submitted a resolution appointing additional commissioners of public buildings for Fairfield district, which was agreed to and ordered to be sent for concurrence.

Mr. M'Cord gave notice that he will on Monday next ask leave to introduce a bill to prohibit negroes from planting cotton on their own account.

Mr. Legare submitted a resolution requiring the Comptroller General to report annually to the Legislature all persons concerned in the revenue of this state, making default in the execution of their offices.

Mr. Bookter presented the petition of Y. L. Robinson adm'r. of David Grafton, praying relief on a contract made with the Board of Public Works; referred to the committee on internal improvement.

Pursuant to notice Mr. Davis introduced a bill to incorporate the trustees of the Tabernacle College at Mount Ariel, in Abbeville district; read a first time and ordered for a second reading on Monday next.

The following bills were referred to the judiciary committee, viz: a bill re-issuing writs in certain cases, to advertise sale of property taken in execution in a public Gazette; a bill to give to the inhabitants of the city of Charleston, the election of the clerk and sheriff of the city court; a bill to amend an act entitled an act to give jurisdiction to the judges of the courts of ordinary throughout this state, to order the sale or division of real estate, not extending a certain value, and for other purposes; and a bill to extend the prison bounds on motion of Mr. James Gregg, ordered that a bill to establish and incorporate a bank in the town of Columbia be made the special order of the day for Tuesday next.

The house considered and agreed in favourable reports on the petitions of Peter Vaulst, the several petitions of Charles M. Thomas, John B. Bruce and Elias D. Law, securities of John McKee, Lyon Levy, William Carr, J. L. Pettigrew, Sisters of Charity, Diamond Hill, Library Society, Unity Lodge No. 55, Jabez B. Bull, and the same to the senate for concurrence.

The house considered and agreed to an unfavorable report on the petitions of Robert Caldwell and W. D. James.

Pursuant to notice Mr. R. D. Smith introduced a bill to alter the times and places for holding the courts of common pleas and general sessions of the south eastern circuit, which was read a first time and ordered for a second reading on Monday next.

The committee appointed to count out the votes for tax collectors for St. Helena and York district, reports that John A. Stewart was duly elected for St. Helena, and Robert Davison for York district. And then the house adjourned over to Monday.

SENATE, Monday, December 4, 1826.

The journal of Saturday's proceedings being read, Mr. Miller, from the special committee appointed to arrange the procession to the College, to attend the commencement of that institution, submitted a report thereon, which was agreed to by the senate.

Mr. Miller presented the petition of sundry inhabitants of Sumter, praying an appropriation to build a bridge; referred to the committee on internal improvement.

Mr. Griffin, from the committee on claims, made reports on the several petitions of John James and Agnis Smith; ordered for consideration to-morrow.

The senate then attended the commencement of the College; and having witnessed the exercises of that institution, they returned to the senate chamber, when

Mr. Richardson, pursuant to notice, introduced a bill to increase the number of justices of the quorum and of the peace, in different parts of this state; which was read a first time, and ordered to a second reading to-morrow.

Mr. Griffin, from the committee on claims, submitted a report on the petition of Wm. Hails; ordered for consideration to-morrow.

Mr. President submitted the report of the comptroller general, on the resolution enquiring of him as to the portage bill book, and other documentary claims against the frigate South-Carolina; ordered to lie on the table.

On motion of Mr. Glover, chairman of the committee on accounts, the petition of John Mill was withdrawn from that committee, and referred to the committee on the legislative library.

Mr. Joyner submitted the report of the commissioner of free schools for Prince William's parish for 1826; and Mr. Benson that from Greenville for the same year; both referred the committee on schools.

Mr. Glover, from the committee on accounts, made a report on the account of the expenditure of the transient poor fund for Georgetown; ordered for consideration to-morrow.

"A bill to amend the law as to the powers of judges at chambers," was taken up for a second reading, and referred to the committee on the judiciary; And,

"A bill for the better preservation of the court houses of this state," was taken up for

a second reading, and referred to the committee on public buildings.

"A bill concerning the sales of articles sold by weight," was read a second time, and ordered to be sent to the house of representatives—as was also

"A bill to give to the city council of Charleston the power to regulate the measuring of grain sold within the limits of that corporation."

Favorable reports on the several petitions of Samuel Flint and Richard Jenkins, were agreed to, and ordered to the house of representatives; and an unfavorable report on the petition of Benjamin J. Smith, was considered and agreed to.

A report of the committee on roads, for allowing to each board of commissioners of roads in this state, a map of the district, was considered and agreed to, and ordered to be sent to the house of representatives.

A favorable report on the petition from St. James, Goose creek, praying to be allowed to close up certain parts of the old road lying near the state road; and on the petition from Marion, for permission to discontinue a road, was agreed to, and ordered to be sent to the house of representatives. Adjourned.

HOUSE OF REPRESENTATIVES. December 4th 1826.

The house met agreeably to adjournment. Mr. Nixon from the committee to arrange with the committee of College, the order of procession to attend the commencement exercises, made a report which was agreed to.

The Speaker attended with the members of the house, and joined the procession to the College Chapel, and after the exercises returned to their chamber, and resumed the business of the house.

Mr. Davis then gave notice that on to-morrow he will ask leave to introduce a bill to prevent the unnecessary accumulation of debts.

The memorial of the Charleston chamber of commerce, which was presented on a preceding day was ordered to be printed.

Mr. Barbour presented the petition of John Blair, praying to be placed on the pension list; referred to the committee on pensions.

Pursuant to notice Mr. M'Cord introduced a bill to prohibit slaves from planting cotton for their private use; and Mr. Watkins a bill to alter and amend the line between the 34th and 35th regiments of the South Carolina Militia, and for other purposes, read the bills a first time and ordered to a second reading to-morrow.

Mr. Rubson gave notice that on to-morrow he will ask leave to introduce a bill to increase the jurisdiction of magistrates.

Mr. Carr gave notice that on to-morrow he will ask leave to introduce a bill to change the times for holding the courts of common pleas and general sessions for the districts of Williamsburg, Georgetown and Horry, and for other purposes therein mentioned; the following reports and resolutions were sent from sundry reports of the committee on pensions: the petition of Jas. Harbison and Elizabeth M'Daniel; referred to the committee on pensions; a report of the same committee on the petition of David Morrow; ordered to lie on the table; a report of the committee on claims on the petition of Dr. Haigood; referred to the medical committee; a report of the committee on roads &c. and was referred to the committee on roads; and a resolution to purchase for the Legislative Library certain law reports, was ordered to lie on the table.

The senate having concurred in, returned a resolution appointing commissioners of public buildings for Georgetown; a resolution appointing managers of elections for York district; and a resolution appointing commissioners of free schools; and commissioners to approve securities of public officers for Marion.

Mr. Carr from the committee on claims, made reports on the several petitions of James Stokes, Samuel Underwood, Thos. M'Kay, James Little, Charles Stone, Thos. J. Gantt, Wm. Sligh, Saul Hewitt, Joseph Sullivan, Wm. Hays, Jr. John H. Hugh and others, Charles M'Abon and J. T. Boyd, which were ordered for consideration to-morrow.

Mr. Davis presented the petition of Robert Leckie, praying payment of a balance due him for work done on Landsford canal.

Mr. Bookter presented the petition of Elias Daniel, praying a reconveyance of land on the Columbia canal; referred to the committee on internal improvement.

Mr. Irby from the committee on roads, made reports on the several petitions of sundry inhabitants of Colleton; of sundry inhabitants of Lancaster and York; of William Bonness, of Aaron Varus and Jacob Reutz; of Henry T. Crumpton of the officers of the third boat company of the tenth regiment South Carolina Militia; of Joshua S. Norman and, of sundry inhabitants of Pendleton district, which were ordered for consideration to-morrow.

On motion of Mr. Irby, ordered that the committee on roads be discharged from the further consideration of the petition of the commissioners of public buildings of Darlington district; and the petition of the stockholders of the Columbia Bridge Company and others; which were referred to the committee on internal improvement.

Mr. Gauss presented the petition of Adam Jardon sen. for a pension; referred to the committee on pensions.

Mr. M'Comb from the committee on pensions made reports of the several petitions of John Corley, Thomas Lowe, John Glasgow, Joel Hiott, William M'Garrity, James Banks, Elias Gibson, David Shockley, William Moley, and Francis Wylie.

Mr. Norris presented the petition of sundry inhabitants of Pendleton, praying that a gate on a certain highway may be removed; referred to the committee on roads.

On motion of Mr. Mintung, ordered that the House be discharged from the further consideration of the account of Dr. O'Bannon and that the same be referred to the medical committee.

Mr. Patterson presented the petition of John Chesnut praying that his ferry on the Wateree river may be re-chartered; referred to the committee on roads.

Mr. Mellard presented the petition of the citizens of St. James Goose creek, praying a repeal of the laws of 1778 relating to the Lutheran School fund; the petition of the vestry of St. James Goose creek, relative to the alteration of the will of the late Richard Ludman; reports the commissioners appointed to examine into the situation of the Lutheran School fund; which were referred