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Columbia Telescope; PRINTED AND PUBLISHED EVERY TUESDAY BY D. S. SWIFT, Printer to the House of Representatives of South Carolina.

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PROCEEDINGS Of the Legislature of the State of South Carolina.

SENATE, Saturday, Dec. 16, 1870.

The Journal of yesterday being read, Mr. Williams, from the committee on internal improvement reported on the communication of the superintendent of public works, relative to an application from the commissioners of main roads of Charleston neck and on the petition of Chapman Levy; ordered for consideration on Monday next.

A report from the house of representatives, on the petition of Jesse Debruhl, was considered and disagreed to: a report on the memorial from the city of Charleston, praying for the regulating the hiring of slaves, &c. was ordered to lie on the table; and a report on the petition of Elisha Daniels, was concurred in, and ordered to be returned.

The following bills, from the house of representatives, were read a first time, and ordered to a second reading on Monday next, viz: a bill to require the commissioners appointed by an act passed on the 12th day of April, 1768, for building a church in the parish of St. James Bantee, and to dispose of the glebe or other tracts of land in the said parish, and their successors, to pay over the funds remaining in their hands, to the vestry of Wambau and Echaw churches; in the said parish; a bill to amend the quarantine regulations; and a bill to vest in the commissioners of the poor, certain powers heretofore exercised by the vestry and church wardens, and overseers of the poor.

The following bills were read a third time and passed, viz: a bill for the opening and rendering navigable Little river in Fairfield district; and a bill to vest certain eacheated property in certain persons therein mentioned: the bill respecting the estate of Richard Ludnam, was read a second time, and ordered to be sent to the house of representatives: the bill to alter the times for holding the courts of common pleas and general sessions of the south-eastern circuit, was taken up for a second reading, and committed to the delegations from Colleton, Beaufort and Barnwell: the bill to change the time of holding the courts of common pleas and general sessions for the districts of Williamsburgh, Georgetown and Horry, was read a second time, and ordered to be sent to the house of representatives, after adding to its title the words "and for holding the courts of equity on the second equity circuit a bill to establish a court of equity for Williamsburgh district, was read a first time, and ordered to a second reading, on Monday next.

The committee on claims were discharged from considering the petition of Wm. H. Capers, and it was referred to the committee on accounts; also that of T. T. Willson, and it was referred to the committee on the judiciary; also from that of Elizabeth Gilmore, and the same was referred to the committee on pensions.

Mr. Sloan obtained leave to withdraw the petition of Wm. Gist.

Mr. Halg, from the medical committee, on the memorial of the board at Columbia, reported, a bill to authorize the medical board of Columbia, to establish a medical school; which was read a first time, and ordered to a second reading on Monday next.

Resolutions from the house of representatives, changing places of elections and appointing an additional place and managers of elections in Newberry; and appointing managers of elections for Orange parish, were agreed to, and ordered to be returned to that house; as was also a resolution appointing an additional place of election in St. Peter's parish.

A report from the house of representatives, on the petition of Capt. Caldwell, was ordered to lie on the table; a report on the petition of Wm. Garret, was referred to the committee on roads; and a report on a resolution, respecting the purchase of 300 stand of arms, was referred to the military committee.

Mr. Ramsay, from the committee on banks, submitted a report on sundry petitions for the establishment of branches of the bank of the State of South Carolina at Hamburg and Cheraw; ordered to lie on the table; also a bill to establish and incorporate a bank in the town of Columbia; ordered to lie on the table.

Mr. Ramsay also from the same committee, reported on a bill to admit and incorporate private stockholders in the Bank of the State of South Carolina, which was, on motion of Mr. Hampton, taken up for a second reading; and progress having been made therein, Mr. Grimke offered the following amendment: And be it further enacted, that during the existence of the charter hereby enacted, the said corporation shall not be liable to taxation, nor shall individuals be liable to taxation on account of their interest in the institution. On the question to agree to the said amendment, the ayes and noes were called for and taken, and are as follows, viz:

AYES.—Messrs. Black, Cattell, Clendinen, Conner, Davis, H. Deas, J. S. Deas, Dodd, Dubose, Evans, Ervin, Flagg, Glover, Gray-

ham, Grayson, Grimke, Hampton, Halg, Huger, Joyner, Koger, Lehrs, Maner, Miller, Patterson, Pegas, Perry, Pope, Ramsay, Seabrook, Sloan, Verdier, Williams.—34. NOES.—Messrs. Benbow, Benson, Fearwell, Griffin, McKibbin, Richardson, Robinson, Swygert, Tart, Wilson.—10.

So the said amendment was agreed to; and the bill read through, and ordered to be sent to the house of representatives.

The report on contingent accounts against the lower division, was agreed to, and ordered to be sent to the house of representatives.

An unfavorable report on the petition of Absalom Hooper, was considered and agreed to; and reports from the house of representatives, on the several petitions of John Guest and others, Samuel Love, Hugh Cain, and John Wilbanks, were concurred in, and ordered to be returned to that house; as was also a report relative to Walls Cut.

A favorable report on the petition of Powell Carter, was agreed to, and ordered to be sent to the house of representatives.

The senate then took into consideration a favorable report on the petition from Georgetown district, praying the repeal of the act of 1827, establishing a separate board of commissioners for Lynchburg causeway; and on the question to agree to the said report, the ayes and noes were called for, and taken, and are as follows, viz:

AYES.—Messrs. Tart and Wilson.—2. NOES.—Hon. Jacob Bond I'On, President.—Messrs. Benbow, Benson, Cattell, Clendinen, H. Deas, J. S. Deas, Dodd, Dubose, Ervin, Fearwell, Glover, Graham, Grayson, Griffin, Grimke, Hampton, Halg, Huger, Joyner, Koger, Lehrs, Maner, Miller, Patterson, Perry, Richardson, Robinson, Seabrook, Swygert, Verdier, Williams.—32.

So the report was disagreed to, and the prayer of the petition rejected.

They then took into consideration a favorable report on the petition of the Charleston Bridge company, praying a remission of three years interest on their bond; and on the question to agree to the said report, the ayes and noes were called for and taken, and are as follows, viz:

AYES.—Hon. Jacob Bond I'On, President.—Messrs. Cattell, Clendinen, Davis, H. Deas, J. S. Deas, Graham, Grayson, Grimke, Hampton, Halg, Huger, Koger, Lehrs, Maner, Miller, Patterson, Seabrook, Williams.—19.

NOES.—Messrs. Benbow, Benson, Dodd, Dubose, Ervin, Fearwell, Glover, Griffin, Joyner, Perry, Richardson, Robinson, Sloan, Swygert, Tart, Verdier.—16.

So the same was agreed to, and ordered to be sent to the house of representatives.—Adjourned.

HOUSE OF REPRESENTATIVES.

December 16, 1870. The house met agreeably to adjournment. Wm. McGill a member from York elected in the place of W. Smith who had accepted a disqualifying office attended, was qualified and took his seat.

The senate having concurred in, returned reports on the petitions of John Corley, Reuben Bennett, Elisha Daniels, Margaret Farris, Martha Daniel, Jonathan Jones, John Gillespie, John B. Black ex'or. Mary Black, commissioners of free schools for St. James Goose creek, D. Brown, entirely inhabitants of Abbeville, praying for the reopening of a road, sundry inhabitants of Marion for the discontinuance of a road and of sundry inhabitants of Pendleton to have a gate across the road erected by Wm. Ledbetter removed; on the petitions of the grand jurors for Sumter district March term 1870, and October 1870, and on the report of the commissioners of public buildings for Lexington, and on the petition of sundry inhabitants of York respecting a road.

Resolutions appointing managers of elections for Abbeville, Claremont, Darlington and Union, were concurred in; by senate and returned.

The following bills were read a third time and passed; a bill to alter and define the line between the 34th and 35th regiments of S. C. Militia; a bill to increase the number of justices of the quorum and of the peace in different parts of this state; a bill to make the fraudulent and secret taking away cotton, corn, rice or other grain from the soil before severance, larceny; and 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.

The report of the committee on pensions of senate on the petition of James Parks was referred to the committee on pensions; the report from senate on the petition of John Mill was laid on the table.

The house concurred in, and returned the following resolutions from senate; a resolution appointing commissioners of Tobacco Inspection, for Hamburg; a resolution appointing a commissioner of the fish sales in the Salsuda; a resolution appointing a coroner for Horry; a resolution appointing A. Scherbarough, to approve securities, to be given in Marion district; and a resolution appointing managers of election for Orange parish.

The following bills from senate, were read a first time, and ordered for a second reading to-morrow.

A bill to enable the trustees of the late Dr. John Duda Howe, to sell the real estate, divided by him, for charitable purposes, and to purchase lands in a more central part of Abbeville district, in lieu thereof; and a bill to regulate the election of Sheriff throughout this state, in all cases where a vacancy may occur, by expiration of office.

The Speaker laid before the house, a report of the commissioners of free roads buildings, in Charleston; which was referred to the committee on public buildings; also a letter from Robert Mills, Esq. tendering a copy of his Statistics of this state, to the Legislature.

A resolution from senate, fixing the next meeting of the Legislature, on the 31. Monday in Nov. 1871, was laid on the table.

The house considered and agreed to resolutions, appointing managers of elections, for Greenville district, and St. Andrews Parish; a Coroner for Fairfield district; an Escheator for Laurens dist; and a Coroner, Escheator, and Commissioners of public buildings for Edgefield.

Charleston, made a report which was ordered for consideration on Monday next.

The house considered and agreed to an unfavorable report of the committee on internal improvement, on the petition of Richard Appleby.

The house concurred in a resolution on senate, as to the heirs of Benjamin Tait, and ordered the same to be returned.

A resolution proposing to appoint a reading clerk, to assist the Speaker, was laid on the table.

Mr. Colvin presented the petition of sundry citizens of Chester district; praying that letters may not retail spirits, only on their days of parade of their officers for whom they were appointed.

Mr. Gregg from the judiciary committee, made the following reports: a report on a bill, to require the Chancellors to pronounce their decrees, within a limited time; a report on a bill, to amend the several laws, so far as it regards the Winyaw fall-gate Society, in the election district of Prince George Winyaw; a report on the resolution in relation to the courts of equity; and reports on the petitions of the board of commissioners of public roads, for Darlington district, Thomas T. Willson, sundry inhabitants of Williamsburg district, for a court of equity, B. Elliott, and Thos. Hunt; which were severally ordered for consideration on Monday next.

The following reports were made, and ordered for consideration on Monday next.

A report of the special committee to whom was referred a bill, to reduce the fees of clerks, and sheriffs, in the several districts of this state; a report on the memorial of the commissioners of public buildings of Fairfield district, a report on the report of the commissioners of public buildings, for Charleston district, a report on the memorial of the Intendant, and Wardens of the town of Columbia; and on the resolutions of this house.

The house considered and agreed to a resolution, requiring the commissioners of public buildings, to ascertain whether any encroachments are made on the public lots, &c.

The following bills from senate, were read a third time, passed and returned to senate.

A bill for opening and rendering navigable, Little River, in Fairfield district; and a bill to vest certain eacheated property in certain persons therein mentioned.

Mr. W. Thompson, Jr. submitted a resolution, on the claim of John Hodges, for an assessment in his favour; which was referred to the committee on internal improvement.

Mr. Geo from the delegation of Darlington, Marlborough, and Chesterfield, on the petition of sundry inhabitants of Cheraw, and the presentment of the grand jury for Chesterfield district, praying for the removal of the court of Equity, to Cheraw, made a report; and H. L. Pinkney, on the committee on way and means, made a report, upon the report of the commissioners, in relation to the index to the grants, in the Secretary of States Office, in Charleston; which were severally ordered for consideration on Monday.

The report of the committee on incorporation, on a bill to incorporate the trustees, of Tabernacle College, at Mount Ararat in Abbeville district, being taken up for consideration, was laid on the table.

The house proceeded to give a second reading to a bill from the senate, entitled a bill, to incorporate certain societies, when on a motion to strike out the 4th clause, to incorporate the So. Carolina Jockey Club, the yeas and nays were called for, and were as follow:

YEAS.—Messrs. Allen, Bowers, Barkley, Bonner, Barber, J. A. Black, Blocker, Blasingame, Barksdale, Barton, Colvin, Cook, Cobb, Coughman, Craig, Dargatzis, Davis, J. Dugan, T. Dugan, Eaves, Ervin, Evans, Gaillard, Gause, John Gregg, James Gregg, Glenn, Griffin, Harris, Hunter, Lyde, Lawton, Mellard, Montgomery, Moon, M. Comb, McMillan, McCard, McGill, Norton, S. Pope, Patterson, Pox, Partridge, Preely, Rainey, Rice, Birkley, Stark, Smart, Wilson, T. Williams, Jr. Wardlaw.—52.

NAYS.—John B. O'Neill, Speaker. Messrs. Aiken, Axson, Adger, Allston, Ashe, A. Black, Barnwell, Butler, Brannon, Bookler, B. H. Brown, Cuthbert, Cordes, Carr, Cannon, DeBansure, Dargatzis, Davis, Duple, Dawkins, Duncan, Elliott, Ferguson, Gillison, Green, Gee, Gibson, Holmes, Hibbin, Irby, Jones, Key, Legare, Lamb, Long, Mintzing, Middleton, Mathews, Norman, Nixon, Norris, Pinkney, Richardson, S. Pope, Forcher, Rose, Reese, Robinson, Jas. M. Smith, T. Smith, Jr. Sims, Stevens, Tommer, W. Thompson, Jr. W. N. Thompson, Willington, Woodberry, T. J. Williams, B. F. Whitner, J. N. Whitner, Walker.—63.

The bill was then read through, and returned to senate.

While the above bill was under consideration, Mr. Legare, gave notice that on the third reading thereof, he would introduce a clause, to incorporate the mechanics association of Charleston.

ter, B. H. Brown, Barksdale, Barton, Cuthbert, Cordes, Carr, Cannon, Cox, Cook, Coughman, Craig, Duple, DeBansure, Dargatzis, Davis, Dugan, T. Dugan, Elliott, Eaves, Ervin, Evans, Ferguson, Gaillard, Gillison, J. Gregg, James Gregg, Geo. Glenn, Griffin, Hibbin, Harris, Hunter, Irby, Jones, Legare, Lamb, Long, Lawton, Mintzing, Middleton, Mathews, Mellard, Montgomery, Moon, McMillan, McCard, McGill, Norman, Nixon, Norton, Norris, Pinkney, Richardson, S. Pope, son, S. Pope, Patterson, Partridge, Precher, Presley, Rose, Rainey, Reese, Robinson, Simon, Struble, Scott, J. M. Smith, R. B. Smith, T. Smith, Jr. Singleton, Sims, Smart, Stevens, Tally, Tommer, Townsend, W. N. Thompson, Willington, Wilson, Woodberry, T. Williams, Jr. Wardlaw, B. F. Whitner, J. N. Whitner, Walker.—102.

NOES.—Messrs. Blasingame, Colvin, Cobb, Green, Gause, Gibson, Lyde, McComb, Rice, Stark.—10.

So the amendment was agreed to.

The house then considered and agreed to the report of the special committee of the house to whom had been referred so much of the governor's message, as relates to the codification of the statute and common law; recommending that two commissioners with a salary of \$2,500 each be appointed for one year, to arrange, and codify several titles of the statute law of this state, and ordered the same to be sent to the senate, for concurrence.

The report of the special committee of the senate, on the same subject, was disagreed to.

Read a first time, a bill from senate, entitled a bill, to admit and incorporate private stock holders in the Bank of the State of South Carolina; and a bill to regulate the time and manner of issuing executions, and of reviving judgments and decrees, and for other purposes; ordered that they be read a second time on Monday next.

A bill to increase the jurisdiction of magistrates, being taken up with the report of the judiciary committee thereon, was postponed till the 1st day of January next.

The house proceeded to give a 2nd reading to a bill, to raise supplies for the year 1871, the 7th clause, which imposes a tax of \$1000, on any person, keeping an office for the sale of lottery tickets, &c. being under consideration, it was moved to strike the word "one" for the purpose of inserting "five" so as to read a tax of five thousand dollars; and on this question to agree thereto, it was decided in the negative, by yeas and nays as follow:

AYES.—Messrs. Adger, Allen, Barkley, J. A. Black, Blasingame, Barksdale, Barton, Cuthbert, Colvin, Cordes, Cook, Cobb, Duple, DeBansure, Dargatzis, Davis, Duple, Eaves, Gause, J. Gregg, Glenn, Harris, Hunter, Legare, Lyde, Lawton, Moon, Montgomery, McCard, Norman, Preely, Rose, Rice, T. Smith, Jr. Singleton, Stark, Smart, Tommer, Townsend.—39.

NOES.—J. B. O'Neill, Esq. Messrs. Aiken, & Black, Bowers, Barber, Butler, Blocker, Brannon, Bookler, B. H. Brown, Carr, Cannon, Cox, Craig, Dargatzis, Dugan, J. Dugan, T. Dugan, Elliott, Ervin, Evans, Ferguson, Gaillard, Gre, Gibson, Glenn, Holmes, Hibbin, Irby, Lamb, Mintzing, Middleton, Mathews, Mellard, McComb, McMillan, McGill, Norris, Norton, Pinkney, S. Pope, Jr. S. Pope, Patterson, Reese, Robinson, Simons, Struble, Scott, J. M. Smith, R. B. Smith, Stevens, W. Thompson, Jr. W. N. Thompson, Willington, Wilson, Woodberry, T. Williams, Jr. Wardlaw, B. F. Whitner, J. N. Whitner.—60.

The bill was then read through, and sent to senate.—The house then adjourned.

SENATE.

Monday, December 18.

The Journal of yesterday having been read, Mr. Davis from the committee on roads, made reports on the several petitions of James Canneron, Thomas, P. Davis, and of sundry inhabitants of Barnwell, of Edgefield, of St. James, Goose creek, and of Colleton; all ordered for consideration to-morrow.

A bill from the house of representatives, to raise supplies for the year 1871, was read a first time, and ordered to a second reading to-morrow.

On motion of Mr. J. S. Deas, it was Resolved, That a committee of ——— be appointed, whose duty it shall be to inquire into the propriety and expediency of making such alterations in the duties of the office of the comptroller general as may be adapted to the more economical and better collection and disbursement of the revenues of this state, and to report the same at the next session.

Mr. Clendinen submitted a resolution appointing commissioners of public buildings, and a manager of elections for York; which was agreed to, and ordered to be sent to the house of representatives.

A resolution from the house of representatives, requiring the commissioners of public buildings to ascertain whether any encroachments are made on public lots, &c. which was concurred in, and ordered to be returned to that house.

A resolution from that house, on so much of the governor's message as relates to a codification of the laws, was ordered for consideration to-morrow.

Mr. Clendinen from the committee on schools, reported on the reports of the commissioners of free schools; ordered for consideration to-morrow.

Resolutions from the house of representatives, appointing a coroner for Fairfield, and a manager of elections for St. Andrew's parish, were severally concurred in, and ordered to be returned to that house; and resolutions from that house, appointing an escheator for Laurens, and a coroner, escheator, and commissioner of public buildings for Edgefield, were ordered for consideration to-morrow.

The house of representatives sent to senate, a report on so much of the governor's message as relates to the South Carolina College; referred to the committee on the college; also a report on the petition of Sarah Bell; referred to the committee on pensions; also a report on the petition of James King, and the counter petition of John Laroche; referred to the committee on roads; also, a report on the petition from Chesterfield, for the old court house to be given as a school house; referred to the committee on public buildings.

on the petition of A. L. Loomis, was concurred in, and ordered to be returned to that house.

A bill to change the time for holding the courts of common pleas and general sessions for the districts of Williamsburgh, Georgetown and Horry, was read a third time, and passed; as was also, a bill to incorporate certain societies.

A resolution, from the house of representatives, appointing managers of elections in Greenville, was concurred in, and ordered to be returned to that house.

Mr. Wilson submitted a resolution, requesting his excellency the governor to use his best exertions to recover and restore to the office of the secretary of state, the records and proceedings of the early history of this state, and to use such portion of the contingent fund under his control, as may be necessary to accomplish the same; which was agreed to, and ordered to be sent to the house of representatives.

Mr. Wilson submitted the report of the commissioners of free schools for Winyaw and Mr. Evans that for Fairfield; both referred to the committee on schools.

Mr. Miller submitted a resolution authorizing the commissioners of public buildings for Sumter to sell the old jail, and the lot whereon it stands, and to purchase a new and more eligible site; which was agreed to, and ordered to be sent to the house of representatives.

Mr. Grimke submitted a resolution as to delivering to the commissioners of roads, copies of Mills' district maps; ordered for consideration to-morrow.

A bill from the house of representatives, to alter and define the line between the 34th and 35th regiments of South Carolina Militia, was committed to the military committee.

Mr. President submitted the comptroller's report on the petition of N. G. Cleary; ordered to lie on the table.

Mr. President also submitted a communication from John L. Wilson, tendering his services, and those of Dr. Thomas Cooper, to codify, in part, the laws of the state; referred to Messrs. Miller, Grimke, and J. S. Deas.

A report from the house of representatives, on the petition of Capt. Caldwell, was concurred in, and ordered to be returned to that house.

An unfavorable report on a bill to alter the times for holding the courts of common pleas and general sessions of the south east circuit was considered and agreed to, and the bill rejected.

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

A favorable report on the petition of Rachel Godfrey and others, was agreed to, and ordered to be sent to the house of representatives.

A favorable report on the petition of Wm. A. Caldwell, was considered and disagreed to; as was also a report on the petition of Pond and Graham, allowing them the sum of four hundred dollars.

A report from the house of representatives on the several petitions of D. A. Ring, John Loggan, David Verner, Benj. Rowan, Robert West, Robert Lounnion, Andrew Hughes, William Hughes, John Hithouse, Wm. Millwee, and Joel Hiott, were concurred in, and ordered to be returned to that house.

A favorable report on the petition of Jos. Hardly, was agreed to, and ordered to be sent to the house of representatives.

Senate then took up for a second reading a bill to repeal all that part of an act, entitled, "an act to prohibit sheriffs and their deputies, under certain penalties, from purchasing executions lodged in their offices, and for other purposes therein mentioned," which exempts certain articles of property from levy and sale.

Mr. Miller moved the indefinite postponement of the same, and on the question to agree to the said motion, the ayes and noes were called for and taken, and are as follows: