

EDGEFIELD ADVERTISER.

A Democratic Journal, Devoted to the South and Southern Rights, Politics, Latest News, Literature, Morality, Temperance, Agriculture, &c.

"We will cling to the Pillars of the Temple of our Liberties, and if it must fall, we will Perish amidst the Ruins."

W. F. DURISOE & SON, Proprietors. EDGEFIELD, S. C., DECEMBER 12, 1855. VOL. XX.—NO. 48.

THE EDGEFIELD ADVERTISER,
is published every Wednesday morning by
W. F. DURISOE & SON.

TERMS:
Two Dollars per Year, if paid in advance—Two Dollars and Fifty Cents if not paid before the expiration of the year. All subscriptions not distinctly limited as to the time of advertising, will be considered as made for an indefinite period, and will be continued until all arrears are paid, or at the option of the Publisher. Subscriptions from other States must invariably be accompanied with the cash.

Advertisements will be conspicuously inserted at 75 cents per Square (12 lines or less) for the first insertion, and 50 cents for each subsequent insertion. When only published Monthly or Quarterly \$1 per square will be charged. All advertisements not having the desired number of insertions, marked on the margin, will be continued until notified and charged accordingly.

Those desiring to advertise by the year can do so on liberal terms. It being distinctly understood that contracts for yearly advertising are confined to the immediate, legitimate business of the firm or individual contracting. Transient Advertisements must be paid for in advance.

For announcing a Candidate, Three Dollars, in advance.

For Advertising Extraordinary, Two Dollars, to be paid by the Magistrate advertising.

PROSPECTUS OF THE SOUTHERN LIGHT.

A RELIGIOUS JOURNAL,
EDITED BY
E. L. WHATLEY.

INDEPENDENT IN EVERYTHING—NEUTRAL IN NOTHING, AND SET FOR THE DEFENSE OF WHATEVER WILL STAND THE TEST OF REASON, SCIENCE AND THE HOLY SCRIPTURES.

"Prove all things, hold fast that which is good."
Terms, \$2.00 per annum, in advance.
W. F. DURISOE & SON, PUBLISHERS,
EDGEFIELD, S. C., U. S. C.

Open to all of Every Name.
For the defence and advocacy of their principles, claiming only the right to judge of the suitability of all articles for insertion, and to make such criticism on them as may be deemed expedient.

In this undertaking we have the satisfaction of announcing that several gentlemen of eminent ability and attainments have kindly engaged to render us occasional assistance.

The Journal will contain FORTY PAGES of reading matter, and such advertisements as our friends may favor with, and no inconsistency with the character of the work, and at the end of the year a neat volume of 480 pages, suitable for binding in cloth form.

With regard to the mechanical execution of the work we deem the announcement, that this will be under the direction of the Messrs. DURISOE, a sufficient guarantee for its faithful and tasteful performance—and without further words, encouraged by the expressions of good will and promises of substantial aid from many friends, we throw the matter before the people with an assurance of every effort to render satisfaction for the support that may be extended to us, and respectfully ask them to let the "LIGHT" shine.

Our terms of subscription are Two Dollars per year, in advance, on receipt of the first number. Ministers of the Gospel, of every denomination, who will send us their names, and the terms will be supplied with one copy each, on application.

A list for the signatures of all who wish to encourage the work, may be found at the Post Office, and also at the "Advertiser" Office.

Contributions of letters, communications, &c., addressed to E. L. WHATLEY, Editor and Proprietor, Edgefield, S. C., Oct. 10th, 1855.

Humorous Reading.

A TOUGH WITNESS.
PROSECUTING ATTORNEY.—Mr. Parks state if you please whether you have ever known the defendant to follow any profession?
"He's been a professor ever since I've known him."
"Professor of what?"
"Of religion."
"You don't understand me, Mr. Parks, What does he do?"
"Generally, what he pleases."
"Tell the Jury, Mr. Parks, what the defendant follows."
"Gentlemen of the Jury, the defendant follows the crowd when they go in to drink."
"Mr. Parks, this kind of prevarication will not do here. Now state how this defendant supports himself?"
"I saw him last night support himself against a lamp post."
"May it please your honor, this witness has shown a disposition to trifle with the court."
Judge.—"Mr. Parks, state if you know any thing about it, what the defendant's occupation is."
"Occupation, did you say?"
"Occupation, yes, what is his occupation?"
"If I ain't mistaken, he occupies a garret somewhere in town."
"That's all Mr. Parks."
Cross-Examined.—"Mr. Parks, I understood you to say that the defendant is a professor of religion. Does his practice correspond with his profession?"
"I never heard of any correspondence or letters passing between them."
"You said something about this propensity for drinking. Does he drink hard?"
"No, I think he drinks as easy as any man I ever saw."
"One more question, Mr. Parks. You have known the defendant a long time; what are his habits in love or otherwise?"
"The one he's got on now, I think, is rather tight under the arms, and too short wadded for the fashion."
"You can take your seat, Mr. Parks."
PROSECUTOR.—"Come up, you first class lack of vagabonds in geography and logic," cried Larry O'Rourke, the Irish schoolmaster. George gave a description of the air and show yer larnin'."
"Yes sir. The earth is a globe filled with mod, filth, tadpoles and Shanghai."
"Right. What are its products?"
"Why, gin, Nebraska bills, busted banks and shipstoppers."
"Where is America?"
"All over creation—it is the paradise where our old father Adam, the first filibuster, was turned out on."
"Who was Adam's wife?"
"Why, Mrs. Adams, I reckon, and she was born in old Ireland."
"Ay, indeed she was, Smart boy—you'll be a man before your mother, sure. Go up to the head."
As Ishmael having accidentally broken a pane of glass in—street, was making the best of his way out of sight; but the proprietor stole a march on him, and having seized him by the collar exclaimed—
"You broke my window; fellow, did you not?"
"To be sure I did," said Pat, "and did you not see me running home for money to pay for it?"

BOOTS AND SHOES,
OPPOSITE MARKET HALL,
BROAD STREET, AUGUSTA, GA.
CLARK & ROYAL
Are receiving their full Stock of
BOOTS, SHOES, TRUNKS, VALISES,
CARPET BAGS, &c., &c.

Our Stock will comprise all the most fashionable articles, and those that can be recommended for durability. Also, a large and superior lot of

Negro Brogans,
Men's Rip Brogans and Women's Leather Boots.

We feel confident that we can show one of the BEST ASSORTED Stock of Goods that has ever been in our City, and request our customers and friends to give us a call before purchasing.

Aug 29 3m 33

FURNITURE AND CHAIR WARE ROOMS.

WE would call the attention of the public to our NEW and WELL SELECTED Stock of **GABRIEL FURNITURE,**
At the old stand,
UNDER THE AUGUSTA HOTEL, BROAD STREET,
Where we are prepared to supply all orders in our line, at **Reduced Prices,** and **UNPARALLELED QUALITY.**
We would invite purchasers to call before buying elsewhere, for we WARRANT a

Large Deduction from Old Prices.
HENRY & SKINNER.
AUGUSTA, SEPT. 7, 1855.

* P. S.—Having made arrangements for our Fall Supplies with the "Excelsior Manufacturing" of New York, it enables us to sell at unprecedented low rates.
H. & S.
Augusta, Sept 7 6m 85

BOOTS AND SHOES.
THE Subscriber having located permanently in the Store next door to Mr. R. H. SULLIVAN, is prepared to make to order fine

BOOTS AND SHOES.
At the shortest notice, and of the very BEST MATERIAL.

He hopes by faithful work and close attention to business to be able to please all who may favor him with their patronage.

He refers to Mr. S. F. GOODE, who is my guardian, in all matters of business.
HERRINGMAN KEMP.
July 18 17

Choice Poetry.

TAKE IT EASY.
Take it easy! Life, at longest,
But a lengthen'd shadow is;
And the brave as well as strongest,
Dare not call to-morrow his!
Take it easy—for to-day
All your plans of wisdom lay.

Take it easy! Done with fretting;
Meet your neighbor with a smile;
From the rising sun to setting,
Live the present all the while.
Take it easy! Every row
Make in reference to "now."

Take it easy! What is hidden,
Or a wrong—or seemeth so—
Leave it, as a thing forbidden,
Out of which a curse may grow!
Take it easy! Never pry
Into what will cause a sigh.

Take it easy! Daily turning
To the monitor within;
On its altar, always burning,
Keep the increase free from sin!
Take it easy! Never fear
While you keep a conscience clear!

Take it easy! Ever leaning
To the side of truth and right;
Happiness from virtue glowing—
Fear of mind from wisdom bright!
Take it easy! For at best,
Life is but a sorry jest.

THE UNGUARDED MOMENT.
Yes, my lips to-night have spoken
Words I said they should not speak;
And I would not recall them—
Would I had not been so weak.
Oh! that one unguarded moment!
"Were it mine to live again,
All the strength of its temptation
Would appear to me in vain.

True, my lips have only uttered
What is ever in my heart;
I am happy when beside him,
Wretched when he is apart;
Though I listen to his praises
Always longer than I should;
Yet my heart can never bear them
Half so open as it would.

And I would not, could not, pain him,
Would not for the world offend;
I would have him know I like him
As a brother, as a friend;
But I meant to keep one secret
In my bosom always hid,
For I never, meant to tell him
That I loved him—but I did.

NOT HALF WAY TO THE BOTTOM.
A gentleman riding down a steep hill, and fearing the foot of it was unaccounted, called out to a crowd who was ditching, and asked him if it was hard at the bottom. "Ay," answered the countryman, "it is hard enough at the bottom, I warrant you." But in a half a dozen steps the horse sunk up to the saddle-girths, which the gentleman whip, spur and swear. "Why, thou rascal!" said he "didst thou not tell me it was hard at the bottom?" "Ay," replied the fellow, "but you are not half way to the bottom yet."

PINS EXTRACTED FROM THE STOMACH OF A FEMALE.
Dr. E. P. Fearing, of Nantucket, Mass., has taken from the stomach, abdomen and left side of a patient named Jane James, sixty two needles, and it is probable, it is said, that quite a number remain to be removed. They were swallowed twelve years ago, when the patient was deranged, and imagined herself a pincushion!

To be sold, a threshing-machine, in good working order; has birch, cane, and strap barrets; warranted to whip a school of fifty boys in twenty minutes, discharging their offences into literary, moral and impertinent. Offered with because the owner has flogged all his school away, and his sons are too big to beat. Apply at the College of Preceptors.

"JOHN," said a gentleman to his apprentice as he was about saving home to be absent for a while, "I would like you to please while I am gone." "Thank you sir," innocently replied John, "but I had rather sleep with the boys."

MOVEMENTS OF THE INDIANS.
A correspondent writing to the Oregon Times, from the Dalles, Oct. 15th, says:—We have had nothing authentic from the Yakimas, since Major Haller's return, more than the Indians report of the battle. They report the whites only to have killed seven Indians, and wounded one. The second chief was killed—a Pauloseo Indian. There is no doubt but they are determined to fight. They are gaining strength every day—I think their numbers have increased to about 2000. Indians are leaving this place almost every day to join the Yakimas. Major Raines moves his forces from this place towards the north side of the Columbia, ten miles below this place. He is going to erect a military fort and establish a general depot there.

REVOLUTIONARY SYMPTOMS IN ENGLAND.
Gaillardet, the able correspondent of the Courier des Etats Unis, writes thus in allusion to the recent demonstration in Hyde Park, London:—"The English cabinet is thrown into great consternation by the scenes recently enacted in Hyde Park, where many and able speakers were delivered in opposition to the aristocracy and to capital."
"These are dangerous symptoms."
"The English cabinet have also been violently assailed by the radicals, for the expulsion of the political refugees from the Isle of Jersey." The Daily News denounces the measure as a gross violation of the laws of British hospitality, and indignantly exclaims, "let the French alliance perish a thousand times rather than sacrifice so holy a principle." Oh! England, how art thou fallen—dictated by thy quondam special constable—Washington Sentinel.

* There is nothing so delicate as a man's moral character, and nothing which it is his interest so much to preserve pure.

Proceedings of the Legislature.

SENATE.
MONDAY, December 3, 1855.
The Senate met at 9 o'clock, A. M. pursuant to adjournment of Saturday, and was called to order.
Mr. Moses from the committee on the judiciary made the following report:
Upon a communication from S. E. Richardson, law reporter of the State, accompanied by three volumes of his law reports, that they had examined the same and recommend that they be received as a testimony of the proper discharge of his duties.
Upon a bill to limit jurisdiction of magistrates in small and mean causes in their respective beats, that it be passed with amendments.
Upon a bill to enable planters and farmers to prove contracts made by them in the sale of their own products, that it be passed.
Upon a bill to provide for hearing appeals from the courts of law and equity in Colleton district at Columbia instead of Charleston, that it be passed.
Upon a bill to alter the sitting of the courts of equity in the second district, that it be passed.
Upon a bill concerning district estates, that it be passed with amendments.
Mr. Marshall, from the committee on military and pensions, made the following report:
Upon the petition of Sarah McClure for arrears of pensions, that she be put upon the pension roll from the first of March 1843, and receive arrears of pensions at the rate of thirty dollars per annum.

RESOLUTIONS.
Mr. Mordecai submitted the following resolutions and asked their immediate consideration.
Resolved, That the sum of ten thousand dollars be and the same is hereby appropriated for the purpose of purchasing and improving a site for a Lazaretto and erecting the necessary buildings and wharves at such places as the City Council of Charleston may deem fit, and that the sum of money shall be placed in the treasury subject to the order of the said City Council.
Resolved, That it shall be the duty of the City Council of Charleston to account to the legislature for the amount expended under the provisions of the foregoing resolution.
On motion of Mr. Allen the further consideration of the resolution was postponed till tomorrow.
On motion of Mr. Townsend, chairman of the committee on the college, education and religion, at 10 o'clock.
The Senate took a recess for the purpose of attending the commencement exercises of the South Carolina College, pursuant to the invitation of His Excellency the Governor. At 25 minutes to 3, the Senate returned to their chamber.
Mr. Mayock presented the petition of the Aiken Building Association, praying to be incorporated: referred to the committee on incorporations.
The President presented to the Senate the following reports, which were read and referred to the committee on finance and banks:
The annual private report of the bank of the State of South Carolina.
The report of the bank of the State of South Carolina, in reply to a resolution of the Senate, passed at the last session, respecting the sinking fund.
The report of the bank of the State of South Carolina, in reply to a resolution of the Senate, passed at the last session, respecting losses sustained by the bank.
Mr. Carn, from the committee on commerce, manufactures and the mechanic arts, made the following report:
Upon the memorial of the City Council of Charleston, a bill providing more effective enactments against the offence of kidnapping seamen; which was read the first time, ordered to a second reading, and ordered to be printed.
Mr. Carn offered the following resolution:
Resolved, That this General Assembly will adjourn sine die on Wednesday the 19th instant, at four o'clock p. m. precisely.
Ordered for consideration to-morrow.
On motion of Mr. Shuler, at three o'clock, p. m.,
The Senate adjourned.

HOUSE OF REPRESENTATIVES.
The House met pursuant to adjournment at twelve o'clock m. The Clerk called the roll, and a quorum being present the speaker took the chair, and the journal of yesterday was read.
By Mr. Tillman. The Memorial of sundry citizens of Edgefield and Barnwell praying the division of these judicial districts; referred to the committee on the judiciary.
By Mr. Williams. The petition of sundry citizens of York district that leave be granted to H. H. Thomson to erect gates on a public road; referred to the committee on roads, bridges, and ferries.
Leave was granted to Mr. Lowry to withdraw from the files of the House the petitions of sundry citizens of Chesterfield District, praying for the amendment of the militia laws.
On motion of Mr. Sullivan, the House then joined the procession in front of the capitol in order to attend the commencement exercises of the South Carolina College.
AFTERNOON SESSION.
At half past two the House having resumed its session, the speaker laid before the body the report of the Solicitor of the middle circuit, which was referred to the committee on district officers and their offices.
Mr. Mitchell from the committee on the judiciary, to which was referred a bill to repeal the proviso to the first section of the act entitled an act relating to a survey of the coast of South Carolina under the authority of the United States.
Also, the petition and counter petition of citizens of Clarendon District, as to the separation from Sumter District, and a bill to establish Clarendon County as a separate judicial district, made reports thereon, which were ordered for consideration to-morrow.
Mr. Bryan, from the military committee, to whom had been referred the petition of sundry citizens of James Island, reported a bill to disband the James Island Band company, which was read the first time, and ordered to the second reading.
Mr. Read, from the committee on the colored population, to whom had been referred the memorial of the Agricultural Society of St. Paul's parish, reported back the same with a bill to amend an act to provide more effectually against the offence of harboring negro or other slaves; read the first time and ordered to be read the second time to-morrow.
By Mr. Tucker. The petition of the Intendant and Wardens of Spartanburg and the Commissioners of Public Buildings of Spartanburg District, praying an appropriation for a new Court House; referred to the committee on public buildings.
By Mr. Harrington. The petition of Jacob Punnell, praying to be placed on the pension roll; referred to the committee on pensions.
By Mr. Graham. The petition of the Aiken Building Association praying incorporation: referred to the committee on incorporations.
By Mr. Rice. The petition of citizens of Marion and York districts for leave to H. J. Thompson to erect gates across Howell Ferry; referred

to the committee on roads, bridges and ferries.
The Speaker laid before the House the private report of the President and Directors of the Bank of the State of South Carolina; ordered to lie on the table.
By Mr. Harrison. A bill to extend the time for opening the books to secure a charter to the Western Bank of South Carolina at Anderson; read the first time and ordered to be read the second time to-morrow.
Mr. Hammond introduced the following resolution:
Resolved, That it be referred to the committee of ways and means to report upon the expediency of allowing to the owners of slaves who are hereafter executed for criminal offenses the full value of such slaves.
The resolution was immediately considered and adopted.
Mr. McKenzie introduced the following resolution:
Resolved, That it be referred to the committee on the colored population, to inquire into the propriety of imposing the same capitation tax on the Egyptians and Indians, as is now imposed on all free persons of color, mulattoes, mestizos, and that they may report by bill or otherwise.
The resolution was immediately considered and agreed to.
On motion of Mr. DeSaussure, it was ordered that when the House adjourns, it shall be adjourned to meet to-morrow at twelve o'clock.
On motion of Mr. DeSaussure the House adjourned at five minutes to four o'clock.

SENATE.
TUESDAY, Dec. 4, 1855.
The Senate met at 11 a. m. pursuant to adjournment. The Clerk read the Journal of the proceedings of yesterday.
The President laid before the Senate a communication from a portion of the managers of elections for the election district of Prince Williams contesting the seat of the sitting member, on motion of Mr. DeLoach, was referred to the Committee on Claims.
Also the report of the Solicitor of the Western Circuit on District Officers and Offices; which was referred to the Committee on the Judiciary.
Mr. Drayton, from the Committee on Agriculture and Internal Improvements, to which had been committed a bill to supersede land fences by erecting gates, submitted a report recommending a substitute for the bill to authorize the erection of gates on roads not public highways; which was ordered for consideration to-morrow, and the bill recommended by the Committee received the first reading, and ordered for a second reading to-morrow.
The Senate proceeded to the Special Order of the day.
Resolutions (by the Senator from Barnwell) in relation to a substitute for the act to amend the laws relating to the Commissioners of Public Buildings, the same Committee asked and were discharged from the further consideration of the petition of J. and A. Chapman; leaving pending on the table the petitions referred to the Committee on Public Buildings. The same Committee asked and were discharged from the further consideration of the petition of John E. McDonald, praying to be released from the payment of a certain debt due by him to the State.
Mr. Sullivan, from the Committee on Education, reported favorably by bill on the petition of the Commissioners of Free Schools for St. Philip's and St. Michael's, praying to be authorized to sell and convey a certain tract of land; read the first time and ordered for a second reading to-morrow.
Mr. A. S. Wallace, from the Committee on Pensions, reported favorably on the petition of Jacob Presonal, praying that his name might be placed on the pension roll. The committee recommended that the sum of ninety-six dollars be paid to the said Jacob Presnal, in two equal instalments, in order to allow him to perfect his claim against the United States; ordered for consideration to-morrow.
Mr. Hearst, from the Medical Committee, reported on the accounts of Dr. Elbert Brand, Dr. J. H. Strain and Blair. Ordered for consideration to-morrow.
Pursuant to notice, Mr. Wilkes introduced a bill to alter and amend the attachment laws of this State. Read the first time, and referred to the Committee on the Judiciary.
The Special Order, viz: certain resolutions by Mr. Mitchell concerning a separate Court of Appeals, was then called up.
Mr. Sullivan argued the necessity of the changes proposed, and considered this question as being one of the greatest importance; that after twenty years experience as a lawyer he was prepared to say unhesitatingly that the present judiciary system of South Carolina was totally inadequate for the administration of justice in such manner as was intended by the Constitution. Mr. Sullivan argued with much force and ability in favor of a separate Court of Appeals.
He was followed by Mr. B. F. Perry, who said he did not rise to make a speech. He would have not said one word upon the question had it not been asserted that this measure was a Charleston measure, and that it was necessary for the preservation of the State.
But, Mr. President, no constitutional change is practicable; we cannot alter the Constitution while two parties and two sections exist as at present, and, as practical men, when we cannot get the best, we must be satisfied with the next best. We are not now prepared to cast a vote on the election directly to the people, and the same difficulty will exist while one-third of this Legislature is against any disruption of the old system. The only plan I can conceive as likely to reach the present exigency is that presented in my bill, and that is likely to accomplish all that we can effect at this time. In proposing this, sir, I do not feel entitled to claim the credit of the measure, but I think it meets the present emergency of the case. The provision of the bill is simply that the Representatives elected at the recent election, fresh from the people, shall meet on a certain day at the Capitol, and cast the vote of the State *via voce*. This is to some extent a departure from our mode, but it does not depart from our principle, while it prescribes duties for agents it does not interfere with the preservation of individual right; as to individual votes, it only requires that their vote should be known that it may be understood how far they have responded to the confidence of constituents.
Certain things in this bill commend themselves to the people—a large portion of the people will be satisfied. We have been often told, and there is some weight in the objection, that the election of a separate Court of Appeals, is not chosen in reference to this election, and the constitutional objection to the Governor's called session is also to be considered. By this bill the compromises of the Constitution are adhered to, while it does what lessens the power of the parishes. It still preserves principles in the State, and preserves the weight and power of the electors. When members from parishes see the necessity of movement in this matter, and it is agreeable to themselves, and a system can be adopted preserving the compromises, sectional difficulties will be prevented. When there are two great parties, one claiming the general system for its unity, the other for the protection of the minority, this seems likely to prevent both—to preserve unity and prevent a dangerous struggle. I think, Mr. President, that gentlemen may meet on this bill as suitable to the exigencies of the time. With these few remarks, I submit the bill, reserving to myself the right of a reply should I deem it necessary.
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By Mr. Harrison. A bill to extend the time for opening the books to secure a charter to the Western Bank of South Carolina at Anderson; read the first time and ordered to be read the second time to-morrow.
Mr. Hammond introduced the following resolution:
Resolved, That it be referred to the committee of ways and means to report upon the expediency of allowing to the owners of slaves who are hereafter executed for criminal offenses the full value of such slaves.
The resolution was immediately considered and adopted.
Mr. McKenzie introduced the following resolution:
Resolved, That it be referred to the committee on the colored population, to inquire into the propriety of imposing the same capitation tax on the Egyptians and Indians, as is now imposed on all free persons of color, mulattoes, mestizos, and that they may report by bill or otherwise.
The resolution was immediately considered and agreed to.
On motion of Mr. DeSaussure, it was ordered that when the House adjourns, it shall be adjourned to meet to-morrow at twelve o'clock.
On motion of Mr. DeSaussure the House adjourned at five minutes to four o'clock.

SENATE.
TUESDAY, Dec. 4, 1855.
The Senate met at 11 a. m. pursuant to adjournment. The Clerk read the Journal of the proceedings of yesterday.
The President laid before the Senate a communication from a portion of the managers of elections for the election district of Prince Williams contesting the seat of the sitting member, on motion of Mr. DeLoach, was referred to the Committee on Claims.
Also the report of the Solicitor of the Western Circuit on District Officers and Offices; which was referred to the Committee on the Judiciary.
Mr. Drayton, from the Committee on Agriculture and Internal Improvements, to which had been committed a bill to supersede land fences by erecting gates, submitted a report recommending a substitute for the bill to authorize the erection of gates on roads not public highways; which was ordered for consideration to-morrow, and the bill recommended by the Committee received the first reading, and ordered for a second reading to-morrow.
The Senate proceeded to the Special Order of the day.
Resolutions (by the Senator from Barnwell) in relation to a substitute for the act to amend the laws relating to the Commissioners of Public Buildings, the same Committee asked and were discharged from the further consideration of the petition of J. and A. Chapman; leaving pending on the table the petitions referred to the Committee on Public Buildings. The same Committee asked and were discharged from the further consideration of the petition of John E. McDonald, praying to be released from the payment of a certain debt due by him to the State.
Mr. Sullivan, from the Committee on Education, reported favorably by bill on the petition of the Commissioners of Free Schools for St. Philip's and St. Michael's, praying to be authorized to sell and convey a certain tract of land; read the first time and ordered for a second reading to-morrow.
Mr. A. S. Wallace, from the Committee on Pensions, reported favorably on the petition of Jacob Presonal, praying that his name might be placed on the pension roll. The committee recommended that the sum of ninety-six dollars be paid to the said Jacob Presnal, in two equal instalments, in order to allow him to perfect his claim against the United States; ordered for consideration to-morrow.
Mr. Hearst, from the Medical Committee, reported on the accounts of Dr. Elbert Brand, Dr. J. H. Strain and Blair. Ordered for consideration to-morrow.
Pursuant to notice, Mr. Wilkes introduced a bill to alter and amend the attachment laws of this State. Read the first time, and referred to the Committee on the Judiciary.
The Special Order, viz: certain resolutions by Mr. Mitchell concerning a separate Court of Appeals, was then called up.
Mr. Sullivan argued the necessity of the changes proposed, and considered this question as being one of the greatest importance; that after twenty years experience as a lawyer he was prepared to say unhesitatingly that the present judiciary system of South Carolina was totally inadequate for the administration of justice in such manner as was intended by the Constitution. Mr. Sullivan argued with much force and ability in favor of a separate Court of Appeals.
He was followed by Mr. B. F. Perry, who said he did not rise to make a speech. He would have not said one word upon the question had it not been asserted that this measure was a Charleston measure, and that it was necessary for the preservation of the State.
But, Mr. President, no constitutional change is practicable; we cannot alter the Constitution while two parties and two sections exist as at present, and, as practical men, when we cannot get the best, we must be satisfied with the next best. We are not now prepared to cast a vote on the election directly to the people, and the same difficulty will exist while one-third of this Legislature is against any disruption of the old system. The only plan I can conceive as likely to reach the present exigency is that presented in my bill, and that is likely to accomplish all that we can effect at this time. In proposing this, sir, I do not feel entitled to claim the credit of the measure, but I think it meets the present emergency of the case. The provision of the bill is simply that the Representatives elected at the recent election, fresh from the people, shall meet on a certain day at the Capitol, and cast the vote of the State *via voce*. This is to some extent a departure from our mode, but it does not depart from our principle, while it prescribes duties for agents it does not interfere with the preservation of individual right; as to individual votes, it only requires that their vote should be known that it may be understood how far they have responded to the confidence of constituents.
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