GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT,

Gentlemen of the Senate and House of Representatives: Your annual assembling at the seat of gov ernment has heretofore been the occasion of congratulation by the Executive, upon the continued happiness, prosperity and improve-ment of the commonwealth. I regret that no such greeting can be extended to you on the present occasion. We no longer hear the clash of arms, nor the tread of hostile armies, and our people have escaped the scourge of that terrible disease, which revels in the shocking carnival of death. Whilst the general health has not been good, the virulence and malignity of disease have been mitigated, and a comparatively small fatality has visited the sick room. For these blessings, our thanks are due the great Ruler of the Universe. In the depths of humiliation and contrition, let us invoke Him to avert the evils that are upon us—to stay the hand of our persecutors, to turn away the wrath, and bring to nought the counsels of those who would oppress and destroy us, and to restore to us the happiness and prosperity of former

years.

The toil of the husbandman has brought him a scanty return from his fields—the grain erop is alarmingly small—the cotton crop in many portions of the State will not suffice to furnish the means of supplying provisions—our population, white and colored, are abandoning their old homes and country, and are emigrating to strange places, where they can find bread. With the loss of laber our farms must dilapidate, our fields remain untilled, our granaries continue empty, and our progress in developing he resources of the State must be arrested. The failure of the earth to make a generous return to the toil of the husbandman, causes the goods of the merchant to rest unsold on his shelves and keeps the tool of the mechanic idle-the learning of the professional man useless. The political condition of the country-the intolerance of our conquerors—the proscription to which we are subjected, by those who should be our loving brothers, and who wield the destinies of this great nation-these evils intimidate capital, paralyze enterprise, disorganize labor, and destroy hope and confidence. The enormous tax on cotton discourages production, and aggravates the financial embarrass-ment of the people.

Never, therefore, in the history of the State, bas a Legislature assembled under less favorable auspices, to provide for the wants of an impoverished and disheartened constit-

But these extraordinary embarrassments must be met with wisdom, patience and courage, with energy and hope, and a manly resolve to subdue and overcome them. We must keep our population here—we must provide for their present necessities—we must stimulate our white population to go earnestly to work, and let them see that labor is honorable and idleness reprehensible. Entering a new year with this fixed determination, our fields will be better cultivated, and staple crops will be more abcadant, and the financial embarrassments of the people will, in the Criminal Law Mondants imposed for the beautiful to people will, in the Criminal Law Mondants imposed for the beautiful to people will, in the Criminal Law Mondants imposed for the beautiful to people will, in the Criminal Law Mondants imposed for the beautiful to people will, in the Criminal Law Mondants imposed for the beautiful to people will, in the Criminal Law Mondants imposed for the beautiful to people will be a second to the people will be a second t by consequence, be greatly relieved. Let us cherish hope and practice such industry as shall merit the filfilment of these anticipa-

I therefore proceed to make such recommendations as will, in my judgment, promote the interest of our common constituency.

The third Article of the Constitution of this State, in the third paragraph of the first Section, directs that "the General Assembly shall, as soon as possible, establish, for each District in the State, an inferior Court or Courts, to be styled "the District Court" the Judge whereof shall be resident in the District, while in office; shall be elected by

ceny. Punishment by the lash is so degrading, that it should be imposed upon the the General Assembly for four years, and most incorrigible offenders alone. A convict, shall be re-eligible-which Court shall have who serves out his term of imprisonment in jurisdiction of all causes wherein one or both the Penitentiary, even for an infamous offence, of the parties are persons of color, and of all may reform; but one who has been whipped criminal cases, wherein the accused is a perat the public whipping post, must be overson of color; and the General Assembly is whelmed with such a sense of shame and degempowered to extend the jurisdiction of the radation, that he cannot command moral said Court to other subjects." It is unforcourage sufficient to enable him even to make tunate that this clause was inserted in the an effort at reformation. Constitution. The first paragraph of the Section declares, that "the judicial power tention, specially, to the gross neglect of duty, shall be vested in such superior and inferior on the part of some of the Sheriffs and Jail Courts of Law and Equity as the General ors in this State, in allowing prisoners to es-Assembly shall, from time to time, direct and cape from their custody. Unofficial informaestablish;" and this is sufficiently comprehen tion has been received at this office, that sive to authorize the establishment of any innearly seventy prisoners have escaped from ferior Court which the wisdom of the Genethe jails of this State since their custody was ral Assembly may determine, whether it be a turned over by the military to the civil au-Police, District, County or Magistrate's Court. thorities. Some of these criminals were un-Here, the largest discretion is given to you; der sentence of death, many were charged and such tribunals may be established as exwith the highest crimes against society. perience or necessity may dictate; but the Every effort to enforce the Criminal Law clause already quoted requires the General Assembly to "establish District Courts," and and suppress crime, must be unavailing, un less the custodians of prisoners who have been arrested and confined in jail act with more these Courts must be continued until the Constitution is amended in the prescribed manner, or the instrument itself will be violated. nounces the most rigorous punishment against In order that the largest discretion may be Sheriffs and Jailors for voluntary or negligent allowed the General Assembly, in devising escapes, and it is found wholly inadequate to arrest the growing evil. It is difficult to sat isfy a Grand Jury that their friend, whom the best judiciary system to meet our wants in the recently changed relations of society, I recommend that the present General Assemthey have aided to elect Sheriff, or his agent, bly provide for an amendment of the Constithe Jailor, would permit a prisoner to escape tution, by striking out the third paragraph in the Article afcresaid. The next General Assembly can consummate the amendment, and then, the Legislature will be left, with unrestricted discretion, to establish such superior sentment of the Commissioners of Public and inferior Courts as, to them, shall seen meet. Whilst this amendment is being conto make the jail secure, and hence the public summated, the District Courts may be put fully into operation, and one year's experidictment is found, it is traversed, and when the ence will, probably, decide whether they are defendant is finally brought to trial, positive adapted to the wants and meet the necessi proof cannot be offered that the escape was ties of the public. If they should be found impracticable, inefficient, or too expensive, acquitted. The General Assembly, since 1839 they may be abrogated, and some better syshas been almost annually passing laws, to en tem may be instituted. We are thrown upon force the performance by Sheriffs of their novel times, and all our legislation to meet our new situation is purely experimental. It duty in civil and criminal matters, and the would be wise to discard and repeal the end is as far as when legislation on this sub-legis on of each preceding session, because ject commenced. There is but one means of effecting a cure for this chronic disease-it it i. d to work smoothly or give entire satisis to provide by law for the summary removal faction. When deficiencies are discovered, of a Sheriff, either through the judicial or remedy them, by amendment or modification. remedy them, by amendment or modification. No human wisdom is equal to the task of giv.

No human wisdom is equal to the task of giv.

for willful and persistent neglect of duty, or ing a perfect system of Courts and Laws. for misfeasance or malfeasance in executing when an ancient system must be revolution his office. The laws now provide for the re ized, to correspond with radical changes in moval of a Sheriff from office, on conviction social, domestic, industrial and political relations. After one year's fair experiment, it may be found that the District Court is the

desideratum. The Act of the last session, "to amend the Act establishing District Courts," requires essential and material amendments, to reduce its expenses and secure its efficient operation. The boundary of its jurisdiction should be more distinctly defined. The services of a Grand Jury, as part of the criminal law. His long experience on the Bench, and his acknowledged ability, will of its machinery, should be dispensed with; the authority conferred on the District Judge, to examine and dismiss frivolous cases, renders the existence of such a body unnecessary. There is a well-defined distinction between misdemeanors and crime. It is only when the prisoner is charged with crime, that he is entitled to be tried on presentment missioners to take acknowledgment of deeds," found by a Grand Jury. Petty largeny and other petly felonies, may be declared, by statute, to be misdemeanors; and defendants, missioners to take acknowledgment of deeds," in the several State: and Territories, "to be used and recorded in this State;" the Commissioners to continue in office curing his in all misdemeanors, may be tried without presentment or true bill found by a Grand

pleasure. The duties of these officers, taking the acknowledgment or proof of any Jury. The venire for the Petit Jury should | deed, mortgage, or other conveyance of any the reduced to eighteen. In the District Court, lands, tenements or hereditaments, in this it would be seldom that two pannels would State, or of any contract, letter of attorney,

be required; and the Cturt, on such occa- or any other writing under seal," are very im-

people, and, as the law stands, it cannot be reformed at an expense of less than eighty thousand dollars per annum. The modifica-tion suggested would reduce the expenses to one-third of that sum, for both superior and inferior Courts. The expense, to the Treasury, of Juries might be dispensed with entirely, by taxing a Jury fee in every case tried. All traverses and imparlances should be abdefaulter should be annulled.

rogated in the District Court; and all indict-

ments, recognizances and other papers, in the

Superior Court, not disposed of, and in which

jurisdiction is given to the District Court,

should be transferred to the District, and

made valid, as if originally returned to that Court. The District Boards should be re-

quired to make their annual returns to the

District Judge; and it should be made the

duty of the latter to examine the same, and

to enforce the law against them for misfea-

sance, malfeasance, or neglect of duty. When

the District Judge is interested in any case, civil or criminal, of which his Court has cog-

nizance, it should be transferred to the Superior Court for trial. The Court should be

invested with exclusive jurisdiction, in cases

over one hundred dollars, only where the con-

tract, express or implied, between the em

ployer and employee, is for agricultural labor. The law now provides that a prosecutor, who

institutes a frivolous or groundless prosecu-

tion, may be adjudged to pay the costs of

such prosecution. This is an ample safe;

guard against groundless prosecutions; and

the law should be so amended, that the party making complaint before a Magistrate should

be granted a warrant, upon his own recognizance, to prosecute, without requiring secu-

rity. To require security to prosecute, is to deny justice to the poor, the ignorant, the

dependent and the friendless. These are the

classes that it is the peculiar province of the

law to protect; those who have wealth and

friends, can readily secure the protection of

Doubts have arisen whether the Superior

Courts of Law can take cognizance of any offence committed by a person of color, under the clause in the third Article of the Cousti-

tution, which declares that the District Court

shall have jurisdiction of all cases in which a person of color is interested, or to which he

is a party. The Civil Rights Act, passed by

the Congress of the United States, which

must be respected and obeyed until pro-

nounced unconstitutional by the Supreme

Court of the United States, gives the person

of color the same rights in all the Courts,

State as well as Federal, as are enjoyed by

the white race; and so long as white persons

are triable only in the Superior Courts for

felony, the same privilege must be accorded

to persons of color, notwithstanding the sup-

posed prohibition in the State Constitution

as the Constitution of the United States, and

the laws passed in conformity thereto, is the

supreme law of the land. If the Civil Rights

Act should hereafter be declared unconstitu-

tional by the Supreme Court, or should it be

repealed by Congress, the question under the

State Constitution might then be full of em-

CREMINAL LAW.

rape, should be punished by death. The

numerous catalogue of felonies punishable by

death, some with and others without the

benefit of clergy, should be abridged, and

confinement at hard labor in the Penitentiary

be substituted, in most cases. The extreme

penalty attaching to many of these felonies

is revolting to humanity, and juries not un-frequently fail to find real offenders guilty,

because the punishment is made, by its enor-

mity, disproportionate to the offence. It

should be left discretionary with the Judges

in the Superior and District Courts to punish

by imprisonment at hard labor in the Peni-

tentiary, or by whipping, in all cases of lar-

I feel it incumbent on me to call your at-

vigilance and fidelity. The existing law pro-

-their good will toward the delinquent lead-

ing them to be readily satisfied that the es-

cape resulted from the insecurity of the jail.

It is even more difficult to secure the pre-

Buildings for their neglect of duty, in failing

suffer without a remedy. When a bill of in-

voluntary or negligent, and the defendant is

before a Jury; but it is believed that they

have not been enforced in a single case, since

officers should have been removed?

1839. Is it not notorious that some of these

Judge Wardlaw has devoted much time in

on, defining the duties and jurisdiction of

District Courts, and embracing the subjects

of the domestic relations, and a codification

secure a respectful consideration of his labors.

COMMISSIONERS TO TAKE ACKNOWLEDGMENT OF

The Acts of the General Assembly confer

upon the Governor authority to appoint " Com-

- DEEDS, &C .- NOTARIES PUBLIC.

proparing a Bill which will be submitted to

invested with grave official duties. The Seccharacter of a Notary Public, and he can

tary of State, an impression of his official scal on wax and paper, with his autograph, within sixty days, or his appointment should

CONGRESSIONAL LLECTIONS.

The last Congressional election in this State was held pursuant to a resolution of the General Assembly, and there is now no provision of law for holding future elections. Although our Representatives last elected, have not been permitted by the Congress of the United States to occupy their seats, it is the duty of the General Assembly to provide, by general statute, for the holding of general elections for each succeeding Congress. The convenience of the people would indicate that these elections should be ordered biennially, on the day that members of the General Assembly are chosen, to wit: The third Wednesday in October, of each odd year. Representatives to Congress would then take their seats the following December, coming fresh from the people, and represent popular sentiment on public questions of the day, with more cer-tainty than if elected as heretofore, the October year preceding the meeting of Congress. If an extra session of Congress should be called before the day fixed for the election, the Governor might be authorized to order, y proclamation, the elections at an earlier ay, and thus secure the representation of the State at such extra session.

JURISDICTION REMITTED BY THE MILITARY TO THE CIVIL AUTHORITIES.

The Acts passed at the late extra session were transmitted to the Military Commandant of the Department of the Carolinas, at Chareston, and on the first day of October last, General Orders, he remitted all cases in which the inhabitants of this State were conerned, civil and criminal, to the civil authorities. If equal and exact justice is meted out to all the inhabitants of the State by ourts and juries-if the freedmen received hat protection of person and property which he laws now guarantee them, we will not again be adjudged by Provost Courts and ilitary Commissions, and we will vindicate before the world, our high sense of moral right, by enforcing impartial justice, whether he suitor be humble or exalted.

Experience will demonstrate the wisdom of your enactment authorizing negroes to testi-ly in all cases. It takes away the impunity

The result of the experiment at the late Fall Term of the Courts has been entirely satisfactory, and most of the freedmen who have been called to the witness stand, have manifested a highly creditable desire to tell the truth. The extension of the privilege has had a salutary influence in encouraging and elevating their moral sense. Many of them appreciate their obligation to society, and readily assist in bringing to punishment evil-doers of their own color. They are invaluable to the productive resources of the State, and if their labor be lost by removal to other sections, it will convert thousands of acres of productive land into a dreary wilderness. For this reason, I have felt it to be my duty to discourage their migration. The short crops of the present year should stimulate the planter and farmer to renewed energy and enterprise. He will, however, find his lands of little value, if he cannot command labor to cultivate them. If the negro remain here, his labor must be made sufficiently remunerative to subsist and clothe him comfortably. Schools must be established to educate his children, and churches built for

his moral training.

The experiment of free labor, whilst it has not been entirely satisfactory, is far from proving a failure. Where the blacks have been adequately compensated and kindly treated, they have generally labored faithfully Suddenly relieved from the controlling will of others, and exempted from the compulsory labor which had, through life, been exacted from them, they have performed, during the present year, an amount of voluntary labor which may well excite surprise. The indolence of some, and the improvidence of many, will doubtless cause them to undergo much suffering before they are educated fully to the necessity of constant and untiring labor, and proper thrift and economy.

Humanity and sound policy unite in dethe infirm and the helpless, and I therefore respectfully recommend the passage of an Act making it incumbent on the Commissioners of the Poor to provide suitable buildings at the various District Poor Houses for their accommodation and to subaist them.

The Regents of the Lunatic Asylum have visely and humanely made provision for the reception and treatment of insane colored patients, and the Commissioners of the Poor n the several Districts should be required to make the same provision for their support in the Asylum as now exists for white pauper pileptic may be well taken care of at the District Poor House.

THE FINANCES OF THE STATE, TAXES AND THE for each Election District.

BANK OF THE STATE. The taxes levied under the Act of December, 1865, amount to four hundred and nine-

Freedmen's returns unpaid, (principally capitation tax)..... Jury tickets deposited by Tax-Collectors....

Tax executions issued and in hands of Sheriffs and balances due in hands of Collec-

have been double taxed. The statement of their statement herewith. he Comptroller-General is herewith transmitted for your information. The entire revenue received into the Treas- and Bonds of the Fire Loan-the principal

Treasurer, on appropria-

ance, on the 31st of October last of

there was in National cur-

requiring every person appointed or to be appointed a Commissioner, to forward, within he held on 31st October. The undrawn apand three hundred and eighteen thousand one appointed a Commissioner, to forward, within he held on 31st October. The undrawn ap-ninety days, to the Secretary of State, an im-propriations, and such additional appropria-hundred and fifty-nine dollars and twenty-five pr ssibn of his official seal, on wax and on tions as may be made at the present session, cents (\$318,159.25,) in 1870. paper, together with his autograph; and upon | must be paid, principally, in Bills Receivable, his failure to do so, the appointment of each until the taxes for the fiscal year, commencing the let of October last, shall be paid | 000) already provided for by Act of 21st Notaries Public are, likewise, appointed into the Treasury, which payments should be and commissioned by the Governor, and are required to be made by the Collectors as early as June next. If the General Assembly retars of State alone, can certify the official re-enacts the clause in the .Tax Bill of the

> should not be at par with the latter. The Comptroller-General estimates the appropriations for the present year at three hundred and two thousand seven handred and ten prepare the State to meet the principal of dollars, which sum will be increased, if the debt as it falls due. If the interest is recommendation hereinafter made, to provide | reomarly paid on the debt, one hundred thoufor the payment of the public debt, should be adopted by you. The payment of taxes is, at all times, one rous to the public, but is peculiarly oppressive to the people at the present time. The ordinary expenses of government beginning manually according, according to the interest annually according, according to the principal being further increased by the investment of the interest annually according, ernment, however, must be met, and the faith and credit of the State maintained untarnished, and taxation is the only resource left

us. The burthen should be rendered as light as possible, by the most rigid economy in making appropriations, and by requiring a strict accountability from all public function-aries. Material changes in the subject mat-ters of taxation and modifications in the rates are requisite to render taxation less oppressive. Assessors should be required to make new assessments of the value of lands, and town and city lots. The Capitation Tax is onerous, and is not proportioned to the general scale of taxation; it should be reduced at least one-half, and the employer should be held liable for every poll in his service on 1st March next. A general system of licenses to lawyers, doctors, dentists, millers, cotton pickeries for toll, merchants, shop keepers, trades men, auctioners, livery stable keepers, hotels and eating houses, non-resident merchants and drummers, and others should be introduced. Taxes should be imposed on also upon all articles of luxury, embracing jewelry, gold and silver plate, and watches, carriages, buggies, all horses not used for agricultural purposes, plauos, playing cards, etc., upon the capital stock of all incorporated companies, including railroads not exempted by law from taxation, legacies, distributive shares in intestate estates, pistols, bowieknifes, patent medicines, and the gross profits of brokers, factors and banking corporations. The taxes heretofore imposed on express, telegraph, gas-light and insurance companies may be very materially increased as these companies are realizing large profits on their

several investments. All public officers who, by law, have a seal, should be required to affix a stamp, in value from fifty cents to two dollars, regulated by their value or importance, on all papers where the seal is used, the party processing the pa-per being required to reimburse the officer

salaries and incomes exceeding five hundred missioners of the Penitentiary "to select

A Tax Bill embracing these new features would raise a sum abundantly sufficient to | They have performed the duty of selecting meet all the current wants of the State, and and procuring the site, and have ordered the correspondence between Colonel Aiken and provide for the gradual redemption of the work on the cells to commence. I submit to myself is herewith communicated. public debt. The payment of taxes thus you herewith their report, together with the leyied would fall principally upon the wealthy plans, estimates and drawings of the entire and those whose employments yield them establishment, prepared by Capt. T. B. Lee, at the extra session, to determine the defiready cash, and would occasion comparatively the Engineer and Architect. The site is

little inconvenience to the tax-payer. has been paid by the Bank of the State of South Carolina, but its loss of assets, growing out of the war, together with its large out standing circulation, preclud s the possibility of relying further upon it, and the debt, Railroad at a point one-half a mile from the principal and interest, must be met by taxation. additional clerk, can pay out, in fature, all hing through the canal will furnish all the claims from his own counter; and I recommotive power that will be needed for many mend that an appropriation be made to meet | years. Its accessibility from every part of the salary of such clerk, and that the Bank the State by railroad, and the facilities there-

the general banking law of Congress, of so heavy a tax on the circulation of all other Granite, in inexhaustible quantities can be than National Banks, make it manifest that procured, if not within the walls, certainly the Bank of the State of South Carolina can | within a stone's throw of them, without any never resume business; and I recommend cost of transportation. Its location, within that its charter be revoked or declared for- the city limits, will allow the number of feited, and its books, papers and assets put in guards to be reduced greatly below the force the hands of Commissioners for as early liquidation as may be practicable.

The Tax-Collectors have heretofore been elected for the Election Districts in which they reside. Since the abrogation of the Parish system, the former legislation has not been changed, and Collectors are still elected by the voters within the former Parish lines. Beaufort, constituting now, but a single Elecneeding that we should provide for the aged, tion District, still has four Tax-Collectors; and Berkeley Election District has eight Tax-Collectors. The reason for a Tax-Collector in each Parish ceasing to exist, the law should he so modified as to elect one for each Election District. The additional numbers require an increase of the books to be furnished by the Treasurer, and a larger number of returns. The commissions are insufficient to induce business men to accept of these small places; in one of the Parishes, the Collector's commissions are less than fifteen dollars; and in another, (St. John's Colleton,) no collections have been made, because no one, within

THE PUBLIC DEBT.

The Comptroller-General and Treasurer, pursuant to the requirement of the Act of teen thousand six hundred and sixty-eight | 21st September last, prepared and forwarded follars and seventy-one cents, (\$419,668.71.) me a statement showing the aggregate amount There has been paid into the Treasury, three of the principal and interest, calculated up to hundred and twenty-seven thousand seven July 1, 1867, on the stocks and bonds past andred and thirty-seven dollars and twenty- due, which the Act provided for funding, a \$327,737.25. copy of which is herewith communicated; and Collectors commissions...... 32,869 96 my proclamation has been issued, calling on these bond holders to fund their demands. conformatly to the Act. A contract has been made to have the bonds printed, and it is the 10th December, when the funding may be commenced. The amount reported as due, on the 1st day of July, 1867, by the Comptroller and Treasurer, is one million two hundred and ten thousand eight hundred and two Total......\$419,668 71 dollars and eighty-five cents, (\$1,210,802.85.) This estimate does not include executions | Provision must be made, at the present sesssued by the Tax Collectors, against persons sion, to pay the semi-annual interest on this who have failed to make returns, and who sum on the 1st of January, 1868: I transmit

There was no provision made by the Act to fund the interest now due on the Stocks ury from Taxes, Bills Receivable registered of the former redeemable in 1870, and the and carried to cash and other minor sources latter in 1868. The interest due on the 1st dollars and fifty five cents (\$68,220.55) and I cumulate up to the 1st January, 1869.

The whole amount of the public debt, princinal and interest, of this State, not including the debts contracted for, or on account of the

The remainder of the debt, (not including three hundred and ten thousand dollars (\$310,-September last, authorizing its funding) is redeemable from 1875 to 1890.

last yes, requiring that all taxes shall be securities will consent to fund it,) up to the to complete and successful operation, and the character of a Notary Futile, and the character of a Notary Futile, and continues the authority hoped the State will be in a condition to hoped the State wi gold or silver, National currency, or 1st day of January, 1868, by which time it is it falls due, is herewith communicated.

It is, however, eminently proper that some financial scheme should be now adopted to provided for, und the Trustees will, doubtwill accuma ate the sum of three millions eight hundred and ninety-nine thousand three hundred and twelve dollars, which will be nearly adequate to the payment of the entire debt then due, and I recommend that proper legislation be adopted at the present session

to inaugurate this scheme. Under the Act of September 21st, already referred to, provision was made to fund the interest on stocks issued under authority of the Act of 1863, to continue the construction of the new State House. The whole amount issued was twenty four thousand eight hundred and twenty dollars (\$24,820.) The issue was not made until some time during the year 1864, when there was a heavy depreciation of the currency, and when labor and materials were in a corresponding degree apwere issued in 1862, under authority of the Act of 1861, when labor and material had appreciated very little. In my Proclamation I excepted these two issues from immediate funding until the General Assembly met and determined whether these stocks should be scaled to the real value received by the State for them when issued. The Convention adopted a rule for the government of transactions between individuals during this time which was just and honest, and no reason is perceived why the same rule should not be applied in transactions between the State and

its creditors. If the General Assembly should determine to scale these stocks of either or both issues, a commission must be appointed to fix the rates, and the interest can be then computed accordingly. Should the General Assembly take no action upon this subject during the present session, the funding will be executed in conformity to the provisions of the Act

the late extra session, to establish a Penitentiary, I appointed Messrs. William Gregg, of And lastly, a tax should be levied on all and Archibald Cameron, of Charleston, Comand procure a site and to erect a suitable temporary enclosure and temporary cells." within the corporate limits of the city of Co-· Heretofore, the interest on the public debt | humbia-a plateau of several acres of level surface, with a bold bluff on the canal, rising some sixty feet above the level of the river. A track less than half a mile, nearly at grade, will connect the building with the Greenville, depots of the South Carolina and Greenville The Treasurer, with the assistance of an and Columbia Railroad. The water now ranbe discontinued as the fiscal agent of the by afforded for the transportation of prisoners, provisions and 'materials, and for ship-The loss of assets, and the imposition, by ping the supplies manufactured, make it a most admirable and advantageous location. which would be requisite for the safe-keep-ing of the prisoners in remote localities where the population is sparse. It is believed by the Architect and Engineer baving the work in charge that cells may be in readiness by the first of January to receive convicts. The Engineer and Architect estimates the appropriation needed for the rayid and successful prosecution of the work for the next

year at forty-five thousand dollars. . I directed the Commissioners who were or-dered to sell the buildings, machinery, &c., of the State Works at Greenville, to reserve of the State. The members of the firm are such machinery as might be usefully employ- enterprising and trustworthy, and, if such a ed in the manufacture of wood and iron in the Penitentiary, when fully in operation. The reservation was made, and there will be in the future only a trifling outlay needed for machinery to operate most tranches of manufactures of wood and iron.

THE LAND SCRIP FOR THE AGRICULTURAL AND

In obedience to the resolution of the General Assembly, passed at the special session, patients in that Institution: The idiotic and my knowledge, would accept the office. I I appointed John S. Richardson, Esq., Agent recommend that the law be so modified as to provide for the election of one Tax-Collector selling the land scrip to which this State was entitled under the Act of Congress, establishing Agricultural and Mechanical Colleges. He was furnished with a certified copy of the resolution, duly authenticated, and filed it in the Department of the Interior. From a communication addressed to me by the Hon. O. H. Browning, Secretary of the Interior, a copy of which is herewith communicated, it will be seen that he declines to issue the scrip until the Legislature accepts, by Act, the donation in conformity to the provisions of the law of the Congress of the United States, making the grant. No time should be lost in securing this munificient donation to the cause of education and agreed that they shall be delivered here by science, and I recommend that an Act be passed for that purpose. This step will certainly be accepted as a compliance with all the requirements of the Congressional law. In some of the Northern States, the fund thus raised has been used in establishing schools for teaching the branches required by Act of Congress, in existing Colleges and Universities; and if this policy should commend itself to your approval, the agricultural and mechanical features of the College may be engrafted on the University of South Carolina, and save the State all expense for lands and buildings required to be furnished by it. The buildings of the University are commodious enough to accommodate all students that may desire to matriculate, and the lands adjacent to and owned by the College will furnish sufficient land for an experimental farm. It is very important, if the donation be accepted, that such legislation shall be adopted at the present session, as will make it available, independently of, or in conjunction with, the University.

THE SOUTH CAROLINA UNIVERSITY Was organized early in January last, and

of other States, to prosecute their studies in these professions, would willingly avail themselves of the opportunity, if offered, of pursuing them here. With one Professor of Law, sale, for the head of each family. Most of these professions, would willingly avail themselves of the opportunity, if offered, of pursuing them here. With one Professor of Law, and two Professors in the Medical School, in conjunction with the Professor of Chemistry already there, these schools could be put inhope might then be reasonably entertained that the number of students would be largely increased. The Board of Trustees, for reasons which were, doubtless, satisfactory to of Modern Languages. This important branch of modern education should not longer go uness, fill the vacant chair at their annual meeting in December. The Institution; as organized during the present year, though by law an "University," has been practically noth-ing more than the College revived. No new branches have been taught, and so long as provision is not made for teaching the modern languages, and for organizing Medical and Law Schools, so long will the youth of the State seek other institutions, where these, studies may be prosecuted. Until the University can be made to merit the patronage of the State, by enlarged facilities for acquiring in knowledge escience, languages, and the learned professions, its friends cannot expect to command a general public patronage to

ly forty members. This makes it a very unbody. Its numbers destroy all sense of individual responsibility in the management of the affairs of the University. Nearly one-half of the Board are Trustees ex officio, and, with rare exceptions, these ex officio members constitute, by reason of official engagements which call them to Columbia in May and December, the majority who attend its session. It was found nearly impossible to secure the attendance of a quorum (one-half of the Board,) and you provided by law, at the last session, that nine should constitute a quorum in a Board of thirty nine members. A smaller body would realize more fully their responsibility to the State for the proper management of its principal educational institution. I therefore recommend that the Board be reduced to seven members, and appointed in such manner as the General Assembly, in its wisdom, may

THE PURCHASE OF CORN. Pursuant to the resolution of 21st September last, passed by the General Assembly, I appointed Colonel D. Wyatt Aiken Agent of the State to make purchases of corn. Having satisfied himself fully that the double restriction imposed in the resolution rendered it impossible to effect purchases, he declined the appointment. I concurred fully in his conclusion, that the double restriction rendered the whole scheme nugatory, and I have Pursuant to the provisions of the Act of not, therefore, appointed another Agent. The resolution required that three hundred thousand dollars of bonds should purchase and Edgefield, William R. Robertson, of Fairfield, deliver in the State three hundred thousand bushels of coin. It is reasonably certain that the bonds could not have been sold for more than seventy cents to the dollar, and corn could not be purchased, in any market, and delivered, at one dollar per bushel. The

> The grain crop of the State has been gathered, and you are better prepared now, than ciency, and what will be needed to supply the absolute wants of the poor. When you have fixed the amount, the grave question arises, how are you to supply the funds to purchase it? The feverish and unsettled condition of public affairs has not tended to appreciate the credit of the Southern States; and if the purchase of a large amount of bruadstuffs, for distribution among the poor, is to be effected by the sale of State bonds, it can only be accomplished at a ruinous discount. The question is earnestly commended to your gravest

> deliberation. The firm of Browne & Schirmer, grain merchants of Charleston and Columbia, have made a proposition to furnish corn, and have requested me to lay it before you. They pro pose that, if the State shall advance to them twenty-five thousand dollars, which they will give approved security to refund, they wil engage to furnish sixty thousand bushels of corn per month, to be sold at actual cost, with transportation and two-and-one half per cent. commissions added, to the citizens of the State; invoices to be submitted to commissioners, and the corn to be subject to inspection by the commissioners or by an agent. If a larger amount should be needed monthly, that larger amount will be furnished, upon condition that the State make a pro rata increase of the loan. The money loaned is to be returned as soon as the contract terminates. It is proposed by these gentlemen to establish depots for the sale of the corn in Charlescontract is awarded them, they will doubtless fulfill its stipulations with fidelity. If the necessities of the State should require the importation of one million of bushels, to supply the wants of those who must buy and are able to pay, the saving to the people of the State, by such an arrangement, would not fall short of two hundred thousand dollars, I have been informed that a proposition of the same sort will be submitted to you by A. M. Riker, a grain merchant of Charleston who can furnish you with satisfactory testimonials of integrity and business capacity. These plans for supplying with corn the whole population, including the Boards of Commissioners of the Poor, who will be compelled to provide for a large number of indi-gent persons, at a profit of only two-and-ahalf per cent. to the contractor, on cost and expenses, are commended to your favorable

THE PECUNIARY DISTRESS OF THE PEOPLE OF The short crops of grain and cotton causes the indebtedness of the people to press heavi-ly on them. This state of things imposes on main such as a liberal and generous victor every generous creditor the duty of making as liberal compromises with his debtors as he can admit without pecuniary ruin. If he has and every organized body of soldiers in opbeen fortunate in escaping the general wreck, he should cheerfully lend a helping hand to his less fortunate neighbor who is still struggling in a sea of debt. Legislation consistent with the constitution and the general interest of the community may be adopted, which will greatly relieve the public. I reiterate my recommendation made at the extra session, that imprisonment for debt be abolished, except in cases of fraud, and when a debtor is about removing his person or property without the limits of the State, that the insolvent laws be so extended that a debtor may, by petition, on giving three months' notice to all his creditors, require them to come in and prove their demands, and upon his surrendering his entire effects for their benefit, that they be perpetually barred from ever again proceeding against him in the Courts of this State, and that in all cases where a defendant is sued and makes no defence to

Persons in sui juris can now compromise change the organic law of the several States. with their debtors, and often find it to their interest to do so, but such as occupy a fidu-

sions, could be employed with other business not requiring the aid of a Jury. The Jury duty now exacted will be very onerous on the people, and, as the law stands, it cannot be requires further amendment, by providing for Medical and Law Schools as a part of the demands they hold against debtors, taking general system of University education. Ma- care to guard against fraud or ill faith on their

the States have made much more liberal and guarding the families of unfortunate and improvident debtors against being cast out upon the world, houseless and breadless. The decisions of some of the State Courts have affirmed the constitutional power of their Legdent debts. It is not by any means clear that you are precluded from enacting such a law. either by precedent, reason, justice, or the Constitution

Agreeably to the resolution of the 21st September last, passed by the General As-sembly, a circular was issued by me, "direc-ted to each of the Tax-Collectors of the State, requiring them to furnish me with a list of the names of all citizens in their respective Districts who were permanently disaoled in the State or Contederate service during the late war; particularly specifying those who have been deprived of their limbs and stating in each case whether it be an arm or leg, or both." The information thus ac-quired the Governor was requested to furnish to the General Assembly at the next regular session. Returns have been received from the Tax-Collectors, with the exception of those of Abbeville, Barnwell, Chester, Chesterfield, Clarendon, Kershaw, Lexington, Marion and Union, and the Parishes of St George' Dorchester, St. Helena, St. James' Goose Creek, St. James' Santue, St. John', Berkeley, St. John's Colleton, and St. Ste-

The Districts and names reported have been alphabetically arranged, and are herewith transmitted for your information. The number reported, so far, as having lost legs, is one hundred and sixty-seven; one hundred and eighty have lost arms; one hundred and seventy are otherwise permanently disabled. The printing of the Journals of the extra session, together with the joint resolutions then passed, could not be completed until within the past week, and my attention was not called to your resolution of the 15th September, "directing the Governor to invite proposals and specimens of artificial legs." Proposals have not been invited; I am, therefore, not prepared to report "the name of that manufacturer who will present the best

and cheapest models, with the price thereof." COVERING THE STATE HOUSE.

In conformity to your resolution of the 19th of September last, advertisements were pub-lished inviting proposals for "estimates of the cost of covering the new State House, and of fitting up therein a sufficient number of rooms or the use of the General Assembly, and its officers, upon the most economical plan. Bids have been received from three builders. They will be laid before the Committees of the two Houses charged with the subject, gether with their respective plans, spe tects represent that the building, in its present condition, will rapidly deteriorate, and I recommend that an appropriation be made to carry out the purposes of your resolution.

GENERAL INCORPORATION ACT.

I respectfully renew my form ir recommendations, that a general Incorporation Act be passed. Capital should be invited into the State by every legitimate means, and ready facilities for organizing chartered companies. where it may be concentrated for enterprises too large for individual effort, would promote the end, and are greatly needed. Such an Act would save much of the time which the General Assembly is now compelled to devote to granting charters, and would reduce, very materially, the annual cost of printing Bills and Acts of incorporation.

I communicate herewith the report of Dr. Parker, Superintendent and Physician of the Asylum. You will learn from it that there are now in the institution 143 patients, of whom 56 are paying and 87 are charity pa-tients. The latter list will soon be increased materially by transfer from the former, arising from the inability of present paying patients to raise funds further to support themselves. The institution is admirably managed in all its departments, and I commend it to your

. THE DEAF AND DUMB AND THE BLIND. The Commissioners of the Asylum for the Deaf and Dumb and the Blind, at Cedar Springs, in Spartanburg District, met in June last, and made the necessary arrangements for putting the schools into operation, under the supervision of Messrs. Henderson and Walker. The boarding-house and schools were cpened carly in November, and they have now resumed their long suspended functions under the most favorable auspices. The schools are rapidly filling up, and promise to reach, at an early day, the maximum number heretofore attained. The reports of the Commissioners and Superintendents will be soon transmitted to you. I beg to commend this noble and humane charity to your fostering

CONGRESS.

I transmit herewith a consummeation from the Hon: Wm. H. Seward, ering the Constitutional amendment propo of to the several States of the Union, by the Congress of the United States. History furnishes few examples of a people who have been required to concede more to the will of their conquerors than the people of the South. Every concession we have made, however, so far from touching the magnanimity or generosity of the victors, has sharpened their malice and

intensified their revenge.

In the surrender of our last organized army of the late Confederate Government, Generals Johnson and Sherman, each representing the military power and authority of his respective Government, agreed upon certain terms of capitulation. While exacting would concede to a fallen foe. They were accepted in good faith by the Southern people, position to the laws of the United States were in a few days dispersed. Scarcely had the fact of the capitulation been made public. however, before it was announced that the terms were repudiated by the Executive authority of the United States, and a proclamation was issued, offering amnesty, with numerous excepted classes, to those who had participated in the war. These classes also acquiesced, and conforming to the requirements of the Chief Executive generally, made application for pardon. Then followed Military Governors and the military occupation of the country, under which the rights of the citizen were regulated by no known rules, and he was tried and punished by no known laws. This condition of things was also acquiesced in with remarkable ratience. Provisional Governors were then appointed, whose functions were performed jointly with the military commanders, and conventions the action, no costs shall be taxed against him. | called by these Governors were assembled to