JOURNAL OF THE SENATE

OF THE

STATE OF SOUTH CAROLINA.

REGULAR SESSION,

COMMENCING TUESDAY, NOVEMBER 28, 1876.

COLUMBIA, S. C.: 
REPUBLICAN PRINTING COMPANY, STATE PRINTERS.
1876.
The General Assembly of the State of South Carolina begun and helden at Columbia on the fourth Tuesday of November, being the twenty-eighth day of the month.

Pursuant to the provisions of the Constitution, the members of the Senate assembled this day in the State House, in the city of Columbia.

At 12 M. Hon. R. H. GLEAVES, Lieutenant Governor and President of the Senate, called the Senate to order.

The Clerk called the roll by Counties.

PRESENT:

From the County of Abbeville,
Hon. J. C. MAXWELL.

From the County of Aiken,
Hon. A. P. BUTLER.

From the County of Anderson,
Hon. JOHN R. COCHRAN.

From the County of Barnwell,
Hon. JONES M. WILLIAMS.
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From the County of Beaufort,
Hon. Samuel Green.

From the County of Charleston,
Hon. S. E. Gaillard,
Hon. William N. Taft.

From the County of Clarendon,
Hon. J. D. Warley.

From the County of Chester,

From the County of Chesterfield,
Hon. W. A. Evans.

From the County of Colleton,
Hon. William F. Myers.

From the County of Darlington,
Hon. B. F. Whittemore.

From the County of Edgefield,
Hon. M. W. Gary.

From the County of Fairfield,
Hon. I. Bird.

From the County of Georgetown,
Hon. Bruce H. Williams.

From the County of Greenville,
Hon. S. S. Crittenden.

From the County of Horry,
Hon. William L. Buck.

From the County of Kershaw,
Hon. F. Carter.
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From the County of Lancaster,
Hon. F. A. CLINTON.

From the County of Laurens,
Hon. R. P. TODD.

From the County of Lexington,
Hon. H. A. MEETZE.

From the County of Marion,
Hon. R. G. HOWARD.

From the County of Marlboro,
Hon. H. J. MAXWELL.

From the County of Newberry,
Hon. H. C. CORWIN.

From the County of Orangeburg,
Hon. S. L. DUNCAN.

From the County of Oconee,
Hon. J. W. LIVINGSTON.

From the County of Pickens,
Hon. R. E. BOWEN.

From the County of Richland,
Hon. WILLIAM B. NASH.

From the County of Spartanburg,
Hon. GABRIEL CANNON.

From the County of Sumter,
Hon. WILLIAM E. JOHNSTON.

From the County of Union,
Hon. T. B. JETER.
The following recently elected Senators appeared at the President's desk, presented their credentials, the oath was administered by the President, and they took their seats:

Aiken—Hon. A. P. BUTLER.
Burnwell—Hon. JONES M. WILLIAMS.
Beaufort—Hon. SAMUEL GREEN.
Charleston—Hon. WM. N. TAFT.
Fairfield—Hon. ISRAEL BIRD.
Georgetown—Hon. BRUCE H. WILLIAMS.
Greenville—Hon. S. S. CRITTENDEN.
Horry—Hon. WILLIAM L. BUCK.
Lexington—Hon. H. A. MEETZE.
Marion—Hon. R. G. HOWARD.
Newberry—Hon. H. C. CORWIN.
Orangeburg—Hon. S. L. DUNCAN.
Oconee—Hon. J. W. LIVINGSTON.
Spartanburg—Hon. GABRIEL CANNON.
York—Hon. I. D. WITHERSPOON.

The President announced that he had issued a writ of election to fill the vacancy occasioned by the death of Hon. J. Hollinshead, late Senator from Abbeville County.

Hon. J. C. MAXWELL presented his credentials.

Mr. SWAILS rose to a point of order, which was that the returns and all matters connected with the election held pursuant to the writ of the President should be presented and decided by the Senate before the admission of the claimant to a seat.

The President ruled the point of order well taken, and that the oath could not be administered until the returns were made to the Senate in accordance with the writ issued to fill the vacancy.

Hon. M. W. GARY, of Edgefield, presented a certified copy of the election returns of the Board of Canvassers of Edgefield County, showing the number of votes said to be cast at the late election; also a certificate of membership in the Senate from the Supreme Court of the State of South Carolina, sealed and signed by Albert M. Boozer, Clerk of the Supreme Court of South Carolina.
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Hon. R. P. TODD presented a certificate of membership in the Senate from the Supreme Court of the State of South Carolina, sealed and signed by Albert M. Boozer, Clerk of the Supreme Court of South Carolina.

The PRESIDENT ruled that the returns and certificates, together with all matters connected therewith, should be submitted for the decision of the Senate before the oath was administered and the claimants admitted to seats in the Senate.

Mr. JETER moved that Hon. M. W. Gary and Hon. R. P. Todd be heard upon the matter.

The PRESIDENT announced a quorum present, and that the first business in order was the election of officers to complete the organization of the Senate.

Prayer was offered by Rev. P. W. Jefferson.

The Senate proceeded to the election of President pro tem., to serve in the absence of the Lieutenant Governor.

Mr. TAFT nominated Hon. S. A. Swails, of Williamsburg.

Mr. CRITTENDEN nominated Hon. T. B. Jeter, of Union.

Those who voted for Hon. S. A. Swails are:


Those who voted for Hon. T. B. Jeter are:


The PRESIDENT declared Hon. S. A. Swails, having received a majority of the whole number of votes given, duly elected President pro tem. of the Senate.

Mr. JETER renewed the motion that Hon. M. W. Gary and Hon. R. P. Todd be heard upon the subject of their admission to seats in the Senate.

The PRESIDENT ruled the motion out of order pending the proper organization of the Senate by the election of officers.

The Senate proceeded to the election of Clerk.

Mr. WHITTEMORE nominated Mr. Josephus Woodruff, of Charleston.

Mr. EVANS nominated Mr. T. Stobo Farrow, of Spartauburg.

Those who voted for Mr. Woodruff are:


Those who voted for Mr. T. Stobo Farrow are:

The PRESIDENT declared Mr. Josephus Woodruff, having received a majority of the whole number of votes given, duly elected Clerk of the Senate.

The Senate proceeded to the election of Reading Clerk.

Mr. MAXWELL nominated Mr. Robert A. Sisson, of Barnwell.

Mr. CRITTENDEN nominated Mr. Richard Cathcart, of Columbia.

Those who voted for Mr. Sisson are:


Those who voted for Mr. Cathcart are:


The PRESIDENT declared Mr. Robert A. Sisson, having received a majority of the whole number of votes given, duly elected Reading Clerk of the Senate.

The Senate proceeded to the election of Sergeant-at-Arms.

Mr. WARLEY nominated Mr. J. E. Green, of Columbia.

Mr. BOWEN nominated Mr. R. A. Willis, of Colleton.

Those who voted for Mr. Green are:


Those who voted for Mr. Willis are:


The PRESIDENT declared Mr. J. E. Green, having received a majority of the votes given, duly elected Sergeant-at-Arms of the Senate.

The PRESIDENT announced Mr. John A. Barre, of Richland, appointed Assistant Clerk of the Senate, in accordance with Act of the General Assembly relating to said officer.

The PRESIDENT also announced Mr. Adam Thomas and Mr. Hal. Williams appointed Doorkeepers of the Senate.

The oath of office was then administered by the PRESIDENT to the officers select and appointed.

On motion of Mr. WHITTEMORE, it was

Resolved, That a message be sent to the House of Representatives, informing that body that the Senate had met, a quorum was present, and ready to proceed with the business of the General Assembly.

A message was sent accordingly.
On motion of Mr. WHITTEMORE, it was

Resolved, That a Committee of three on the part of the Senate be appointed to act with a similar Committee on the part of the House, to wait on His Excellency the Governor, and inform him that the General Assembly is organized, and ready to receive any communication he may be pleased to make.

Messrs. Whittemore, Cannon and Green were appointed said Committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE House OF REPRESENTATIVES,
COLUMBIA, S. C., November 28, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that it has met, a quorum is present, is duly organized, and ready to proceed to business. Hon. E. W. M. Mackey has been elected Speaker, and A. O. Jones, Esq., elected Clerk.

Very respectfully, &c.,

E. W. M. MACKEY,
Speaker House of Representatives.

Mr. WHITTEMORE introduced the following resolution:

Resolved, That the following be made the Standing Committees of the Senate:

Committee on Agriculture.
W. A. Evans, Chairman.
J. D. Warley, Israel Byrd, S. E. Gaillard, H. A. Meetze.

Committee on Claims.
S. Green, Chairman.

Committee on Commerce and Manufactures.
J. R. Cochran, Chairman.
Israel Byrd, W. L. Buck, I. D. Witherspoon, Bruce H. Williams.

Committee on Charitable Institutions.
Bruce H. Williams, Chairman.
W. F. Myers, A. P. Butler, S. E. Gaillard, R. E. Bowen.
Committee on Education.
H. J. Maxwell, Chairman.

Committee on Engrossed Bills.
W. F. Myers, Chairman.
S. E. Gaillard, F. A. Clinton.

Committee on Enrolled Bills.
W. N. Taft, Chairman.
S. Green, H. A. Meetze.

Committee on the Judiciary.
B. F. Whittemore, Chairman.

Committee on Incorporations.
H. C. Corwin, Chairman.
W. E. Johnston, S. L. Duncan, W. L. Buck, Jones M. Williams.

Committee on Finance.
W. B. Nash, Chairman.

Committee on the Military.
W. N. Taft, Chairman.

Committee on Mines and Mining.
H. J. Maxwell, Chairman.
J. R. Cochran, S. E. Gaillard, S. Green, F. A. Clinton, R. E. Bowen, T. B. Jeter.

Committee on Printing.
W. F. Myers, Chairman.
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Committee on Privileges and Elections.
B. F. Whittemore, Chairman.

Committee on Public Buildings.
S. Green, Chairman.
S. L. Duncan, Israel Byrd, Frank Carter, R. E. Bowen.

Committee on Public Lands.
Frank Carter, Chairman.
S. Green, Gabriel Cannon, W. L. Buck, Jones M. Williams.

Committee on the Penitentiary.
H. C. Corwin, Chairman.
H. J. Maxwell, S. Green, S. E. Gaillard, Jones M. Williams.

Committee on Roads, Bridges and Ferries.
S. L. Duncan, Chairman.

Committee on Legislative Library.
J. D. Warley, Chairman,

Committee on Railroads.
S. A. Swails, Chairman.

Committee on Retrenchments.
J. D. Warley, Chairman.
F. A. Clinton, Bruce Williams, Gabriel Cannon, S. S. Crittenden.

Committee on Contingent Accounts.
F. A. Clinton, Chairman.

Committee on County Officers and Offices.
J. D. Warley, Chairman.
W. F. Myers, W. L. Buck, Gabriel Cannon, J. R. Cochran, H. A. Meetze, Jones M. Williams.
On motion of Mr. WHITTEMORE, the Senate proceeded to the election, 

viva voce, of the Chairmen of the respective Committees named in the list submitted, with the following result:


The Senate proceeded to the consideration of the other members of the Committee named in the list.

On motion of Mr. COCHRAN, the name of J. R. Cochran was stricken from the Committee on Mines and Mining, and the name of J. W. Livingston, Senator from Oconee, inserted in lieu thereof.

Mr. GAILLARD asked and obtained leave to withdraw his name from the Committee on Claims.

On motion of Mr. CRITTENDEN, the name of Mr. I. D. Witherspoon, Senator from York, was inserted in lieu thereof.

Mr. MYERS asked and obtained leave to withdraw his name from the Committee on Charitable Institutions.

On motion of Mr. WHITTEMORE, the names of T. B. Jeter, Senator from Union, and J. W. Livingston, Senator from Oconee, were added to the Committee on Education.

On motion of Mr. MAXWELL, the name of Mr. Bruce H. Williams, Senator from Georgetown, was added to the Committee on Education.

Mr. CLINTON asked and obtained leave to withdraw his name from the Committee on Engrossed Bills.

On motion of Mr. COCHRAN, the name of Mr. S. S. Crittenden, Senator from Greenville, was added to the Committee on Engrossed Bills, in lieu of Mr. Clinton.

Mr. CARTER asked and obtained leave to withdraw his name from the Committee on Finance.

On motion of Mr. NASH, the name of Mr. H. A. Meetze, Senator from Lexington, was inserted in lieu of Mr. Carter.

Mr. DUNCAN asked and obtained leave to withdraw his name from the Committee on Printing.
On motion of Mr. MAXWELL, the name of Mr. R. G. Howard, Senator from Marion, was inserted in lieu of Mr. Duncan.

On motion of Mr. JONES M. WILLIAMS, the names of Mr. A. P. Butler and Mr. John R. Cochran were added to the Committee on the State Penitentiary.

Mr. JOHNSTON asked and obtained leave to withdraw his name from the Committee on Roads, Bridges and Ferries.

On motion of Mr. WHITTEMORE, the name of Mr. J. W. Livingston was inserted in lieu thereof.

Mr. BIRD asked and obtained leave to withdraw his name from the Committee on Contingent Accounts.

On motion of Mr. CANNON, the name of Mr. I. D. Witherspoon was inserted in lieu thereof.

Mr. MYERS asked and obtained leave to withdraw his name from the Committee on County Offices and Officers.

On motion of Mr. WHITTEMORE, the name of Mr. Israel Bird was inserted in lieu thereof.

On motion of Mr. WITHERSPOON, the name of Mr. W. L. Buck, Senator from Horry, was inserted in lieu of the name of Mr. I. D. Witherspoon, as member of the Committee on Medical Affairs.

On the question of agreeing to the election of the other members of the Committees on the list, as amended,

The yeas and nays were taken, and resulted as follows:


MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., NOVEMBER 28, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Palmer, Myers, Vanderpool, Ferriter and Reed have been appointed Committee on the part of the House to join Committee appointed on the part of your honorable body to wait upon His Excellency the Governor and inform him that the General Assembly has met, is organized, and ready to receive any communication he may be pleased to make.

Very respectfully, &c.,
E. W. M. MACKEY,
Speaker House of Representatives.
Mr. CANNON moved a reconsideration of the vote whereby the Senate agreed to the appointment of a Committee to wait on His Excellency the Governor and inform him that the General Assembly was organized and ready to receive any communication he may be pleased to make.

Objection being made, Mr. CANNON asked to be excused from serving on the Committee, which was granted.

The PRESIDENT announced Hon. S. A. Swails member of said Committee, in lieu of Mr. Cannon.

Mr. BOWEN desired to give notice, on behalf of himself and others, that he would enter a protest against the adoption of the resolution relative to the organization of the General Assembly.

At 2:15 P. M., on motion of Mr. MAXWELL, the Senate took a recess for ten minutes.

RECESS.

At 2:25 P. M. the PRESIDENT resumed the chair.

Mr. WHITTEMORE, from the Special Committee appointed to wait on His Excellency the Governor and inform him that the General Assembly had organized and would be pleased to receive any communication he might be pleased to make, reported that the Committee had discharged the duty assigned them, and that His Excellency informed the Committee that he had no communication to make at present, but would do so at a future time.

Mr. BOWEN moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Pickens,

Mr. MYERS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to adjourn.

Mr. NASH presented the protest of Mr. E. P. Stoney, a citizen and candidate from the County of Aiken, against the admission of Hon. A. P. Butler to a seat in the Senate, which was referred to the Committee on Privileges and Elections.

Hon. S. A. SWAILS, President pro tem., took the chair.

Mr. JETER moved that the Senate adjourn.
WEDNESDAY, NOVEMBER 29, 1876.

On the question of agreeing to the motion of the Senator from Union, Mr. MAXWELL called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So, at 2:50 P.M., the Senate adjourned.

WEDNESDAY, NOVEMBER 29, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. A. W. Cummings.

On motion of Mr. WARLEY, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent resolution relative to the canvass of votes of Governor and Lieutenant Governor.

Mr. SWAILS moved that the Senate concur.

After debate, participated in by Messrs. Jeter, Crittenden, Corwin, Meetze, Taft, Cannon, Nash,

Mr. NASH moved to amend the resolution, in the second paragraph, by striking out the words, "and upon any such question there shall be no debate in either house."

After further debate, participated in by Messrs. Green, Crittenden, Corwin,

The question was taken on agreeing to the amendment proposed by the Senator from Richland, and decided in the affirmative.

Mr. TAFT moved that the resolution be further amended by striking out of paragraph 1 the words and figures "Wednesday, November 29," and inserting in lieu thereof the words and figures "Friday, December 1."
Mr. JETER moved that the further consideration of the resolution be postponed, and made the Special Order for Friday, December 1, 1876, at 12:15 P. M.

On the question of agreeing to the motion of the Senator from Union, Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


**Nays.**—Messrs. Bird, Carter, Clinton, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker, Warley, B. H. Williams, Whittemore.—16.

So the Senate refused to postpone the further consideration of the resolution.

On the question of agreeing to the amendment proposed by the Senator from Charleston, Mr. TAFT called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the amendment was agreed to.

On the question of agreeing to the resolution, as amended, Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was agreed to, and ordered to be returned to the House of Representatives.

Mr. JETER gave notice, for himself and others, that he would present, to be entered on the Journal, a protest against the passage of the above resolution.

PETITIONS, MEMORIALS, &c.

Mr. MEETZE presented a paper, signed William H. Wallace, Speaker, and John T. Sloan, Sr., Clerk, relative to the organization of a House of Representatives in Carolina Hall, in this city.
The PRESIDENT ruled the paper out of order, and that it could not be received unless ordered by a vote of the Senate.

Mr. MEETZE appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair be sustained as the judgment of the Senate?"

The yeas and nays were taken, and resulted as follows:


So the decision of the Chair was sustained.

Mr. SWAILS presented the protest of Hon. Y. J. P. Owens against the admission of Hon. R. P. Todd to a seat in the Senate; which was referred to the Committee on Privileges and Elections.

**NOTICES OF BILLS.**

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill relative to the inauguration of Governor and Lieutenant Governor of South Carolina.

**RESOLUTIONS.**

Mr. COCHRAN introduced the following resolutions:

Whereas there exists grave doubts in the minds of many Senators as to the fact of a legal quorum existing in the House of Representatives as reported to this body yesterday; and

Whereas the determination of this question is of the highest importance to our future proceedings;

Resolved, That a Committee of four be appointed by the President or the Senate, composed of equal numbers from each of the two political parties, to enquire into this fact and report as speedily as possible to the Senate all the facts necessary to settle this question.

Whereas in the platform of the Republican party specific pledges to amend the Constitution of South Carolina were made; therefore, be it

Resolved, That a Special Committee of five be appointed by the President of the Senate to prepare and report said amendments as soon as practicable.

Ordered for consideration on Friday next.

Mr. SWAILS introduced the following resolution:
Resolved, That all papers relating to protest or contest of seats of members of the Senate be referred to the Committee on Privileges and Elections.

Ordered for consideration on Friday next.
Mr. GREEN introduced the following resolution:

Resolved, That when this Senate adjourns, it stand adjourned to meet on Tuesday next.

Ordered for consideration on Friday next.
Mr. BOWEN entered the following protest, to be entered on the Journal:

In accordance with notice given yesterday, we, the undersigned Senators of the State of South Carolina, beg leave to place upon record this our solemn protest against all proceedings by this body, which, in any degree, recognize the legality of a body calling itself the House of Representatives of South Carolina, over which E. W. M. Mackey claims to preside as Speaker, and which met on the 28th instant, and claimed to organize in the Hall of Representatives. The Constitution of South Carolina makes each House the judge of the "election returns, and qualifications of its own members." The Supreme Court of this State has, by formal judgment, decided that members from the Counties of Edgefield and Laurens, who received the highest number of votes, were entitled to seats. These members have been refused admission to the Hall, and all participation in its organization by the armed soldiers of the United States, who barred with bayonets the door of the Hall of Representatives, and acted as judges of the "election returns and qualifications of its members."

We have seen armed forces of the United States overriding the plain declaration of the Constitution of the State. We have witnessed the solemn mockery of the corporal of the guard reviewing and reversing the judgment of the highest Court. We have seen the spectacle, humiliating in the last degree to every right-minded American, of the Halls of Legislature occupied at the hour of midnight, and holding them against the ingress of the law-making power; and this at a time of the profoundest peace, and when not a single act of violence furnished the slightest pretext for the usurpation. We have seen the still more humiliating spectacle of United States troops having been placed under the immediate control, and receiving orders from, a citizen, without authority, and a partisan of the present Administration. We have seen this citizen assuming absolute control over the Capitol of a Commonwealth, and admitting through the lines of armed sentinels his own partisans, upon his own edict or writ-
ten pass from another citizen who was selected by his partisans to organize a House of Representatives. We have seen this body of partisans thus admitted, claiming to organize the House, but without a quorum, in violation of law, in defiance of the Supreme Court and under the protection of the United States troops.

We, therefore, enter this our protest against any recognition of the said body pretending to be the House of Representatives of the State of South Carolina, and for the following reasons:

First. The said body having organized without a constitutional quorum, there being but fifty nine members present, as shown by its own journal, whereas a majority of the entire representation is requisite to a quorum, to wit: Sixty-three members, as set forth in the Journals of the House during the past eight years, and as confirmed by the immemorial practice of legislative bodies in every American State; and we do further allege, on our responsibility as Senators, that the said body is still without a constitutional quorum, and therefore wanting in the organic character of the House of Representatives of South Carolina, and ought not to be recognized as such.

Second. That said resolution was adopted by the Senate before any announcement was made of an organization by any House of Representatives.

Third. That in fact, and in truth, no legal and effectual organization of a House of Representatives was at that time made.

Fourth. That the body of men claiming to be a House of Representatives, and from which the announcement of said organization came, has not and cannot organize, by reason of the non-existence of a quorum.

Fifth. We further and finally protest against the adoption of the said resolution, for this reason: That we have since received official notification of the organization of the House of Representatives, now sitting in Carolina Hall, where a quorum of legally constituted members does exist, and of which body Hon. William H. Wallace has been elected Speaker, and John T. Sloan, Clerk.

G. CANNON,
T. B. JETER,
W. A. EVANS,
R. E. BOWEN,
A. P. BUTLER,
J. M. WILLIAMS,
S. S. CRITTENDEN,
W. L. BUCK,
H. A. MEETZE,
R. G. HOWARD,
J. W. LIVINGSTON,
I. D. WITHERSPOON.
Mr. COCHRAN entered the following protest, to be entered on the Journal:

As Senator I do solemnly protest against any further communication with the House of Representatives, sitting in the other end of this building, until it be ascertained whether or not the said body is composed of a lawful quorum, as well as the causes preventing the same.

On motion of Mr. WHITTEMORE, at 2:30 P. M., the Senate adjourned until Friday, December 1, at 12 M.

FRIDAY, DECEMBER 1, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. A. W. Cummings.

On motion of Mr. MYERS, the reading of the Journal of Wednesday was dispensed with.

Mr. WHITTEMORE moved that the Senate take a recess until 1:45 P. M.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate, at 12:25 P. M., took a recess until 1:45 P. M.

RECESS.

At 1:45 P. M. the PRESIDENT resumed the chair.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent resolution to discharge the Special Order for this day, at 2 P. M., until 2 P. M. to-morrow.
SATURDAY, DECEMBER 2, 1876.

On motion of Mr. MYERS, the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

PETITIONS, &c.

Mr. SWAILS presented the petition and protest of Hon. L. Cain, relative to the admission of Hon. M. W. Gary to a seat in the Senate; which was referred to the Committee on Privileges and Elections.

On motion of Mr. WHITTEMORE, at 1:50 P. M., the Senate adjourned.

SATURDAY, DECEMBER 2, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. MAXWELL, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,
Concurrent resolution to discharge the Special Order for this day at 2 P. M., (Joint Convention,) and make it the Special Order for Monday, December 4, 1876, at 2 P. M.

On motion of Mr. JOHNSTON, the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

Mr. JETER presented the following protest, to be entered on the Journal:

According to previous notice given in open Senate, we, Senators of South Carolina, make this our protest to the adoption of the resolution inviting the Senate to be present at the counting of the votes for Governor and Lieutenant Governor, which emanated from a body presided over by E. W. M. Mackey, Esq., pretending to be the House of Representatives, for the following reasons, viz.:

The Constitution of South Carolina, Article XI, Section 7, says: "The House of Representatives shall consist of one hundred and twenty-four members;" and in Section 14 of same Article a quorum to do busi-
ness is defined to be "a majority of each House," which, in the House of Representatives, is sixty-three. There not having been that number in the body presided over by E. W. M. Mackey, Esq., according to its own Journals, when he was sworn in, it was not the House of Representatives of the State of South Carolina, and being illegal in its fundamental organization, cannot become legal by any subsequent act, but, to become a part of the House of Representatives, must dissolve and begin de novo.

THOMAS B. JETER,
A. P. BUTLER,
I. D. WITHERSPOON,
JONES M. WILLIAMS,
R. E. BOWEN,
R. G. HOWARD,
W. A. EVANS,
G. CANNON,
J. W. LIVINGSTON,
W. L. BUCK,
S. S. CRITTENDEN,
HENRY A. MEETZE.

On motion of Mr. WHITTEMORE, at 12:10 P. M., the Senate adjourned.

MONDAY, DECEMBER 4, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. B. H. WILLIAMS.

On motion of Mr. WARLEY, the reading of the Journal of Saturday was dispensed with.

Mr. WHITTEMORE moved that the Senate take a recess until 1:30 P. M.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:
MONDAY, DECEMBER 4, 1876.


So, at 12:15 P. M., the Senate took a recess until 1:30 P. M.

RECESS.

At 1:30 P. M. the PRESIDENT resumed the chair.

PETITIONS.

The PRESIDENT laid before the Senate Report of the Attorney General, Hon. William Stone, of cases argued, tried or conducted by him since May 1, 1876, at the time of his entrance upon the duties of the office; which was ordered to be printed and copies laid on the desks of Senators.

Mr. Swails presented the protest of T. N. Tolbert against the admission of Hon. J. C. Maxwell to a seat in the Senate; which was referred to the Committee on Privileges and Elections.

BILLS INTRODUCED.

Mr. Whittemore, pursuant to notice, introduced Bill relative to the inauguration of the Governor and Lieutenant Governor of the State of South Carolina.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. Corwin moved that the Senate adjourn.

On the question of agreeing to the motion of the Senator from Newberry,

Mr. Taft called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So, at 1:50 P. M., the Senate adjourned.
JOURNAL OF THE SENATE,

TUESDAY, DECEMBER 5, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. B. F. Porter, of Abbeville.

On motion of Mr. DUNCAN, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate

Concurrent resolution to discharge the Special Order for Monday, December 4, 1876, at 2 P. M., and make it the Special Order for Tuesday, December 5, 1876, at 2 P. M.

Mr. MYERS moved that the Senate concur.

On the question of agreeing to the motion of the Senator from Colleton,

Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

PETITIONS, &c.

Mr. CRITTENDEN presented the report of the County Board of Canvassers of Abbeville County of the votes cast at the election for Senator of Abbeville County to fill the unexpired term of Hon. J. Hollinshead, deceased.

Mr. CRITTENDEN moved that the oath of office be administered to Hon. J. C. Maxwell, Senator elect from Abbeville County, as shown by the report, and that he be admitted to his seat in the Senate.

After debate, participated in by Messrs. Swails, Crittenden, Meetze, Jeter, Livingston, Taft,

Mr. TAFT moved that the matter under consideration be referred to the Committee on Privileges and Elections.
TUESDAY, DECEMBER 5, 1876.

On the question of agreeing to the motion of the Senator from Charleston,

Mr. CRITTENDEN called for the yea and nay. The yeas and nay were taken, and resulted as follows:


So the President voted in the affirmative.

So the report was referred to the Committee on Privileges and Elections.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Resolution (by Mr. Cochran) that a Committee of four be appointed to inquire as to the fact of a legal quorum existing in the House of Representatives.

Mr. TAFT moved that the further consideration of the resolution be postponed, and made the Special Order for Thursday, December 7, 1876, at 1 P.M.

On the question of agreeing to the motion of the Senator from Charleston,

Mr. SWAILS called for the yea and nays.

The yeas and nays were taken, and resulted as follows:


So the further consideration of the resolution was postponed, and made the Special Order for Thursday next, at 1 P.M.

Resolution (by Mr. Cochran) that a Special Committee of five be appointed to prepare and report sundry amendments to the State Constitution.

On motion of Mr. WHITTEMORE, the resolution was agreed to.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 1 from His Excellency the Governor was presented to the Senate by Mr. Charles Babbitt, Private Secretary.
The PRESIDENT announced that the Message related to Executive business.

GENERAL ORDERS.

The Senate resumed the consideration of General Orders, to wit:
Resolution (by Mr. Swails) to refer to the Committee on Privileges and Elections all papers relating to protest or contest in the Senate.
Mr. JETER moved that the further consideration of the resolution be postponed, and made the Special Order for Thursday, December 7, 1876, at 1:15 P. M.
Pending the consideration of the motion of the Senator from Union.
The PRESIDENT announced the hour arrived for the Special Order.

JOINT CONVENTION.

The Senate, at 1 P. M., proceeded to the hall of the House of Representatives.
The Speaker, Hon. E. W. M. MACKEY, announced that, agreeably to concurrent resolution, the two houses had assembled in Joint Convention for the purpose of hearing read the returns of the election for Governor and Lieutenant Governor of the State of South Carolina.
The Clerk read, for the information of the Joint Convention, Section 4, Article III of the State Constitution.
The Clerk also read the following resolution:
Resolved by the House of Representatives, the Senate concurring, That the Senate and House of Representatives shall assemble in the hall of the House of Representatives, at 2 o’clock P. M., Friday, December 1, and the Speaker of the House of Representatives shall be their presiding officer. One teller shall be appointed on the part of the Senate, and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the Speaker of the House of Representatives, the returns of the election of Governor and Lieutenant Governor; and said tellers, having read the same in the presence and hearing of the two Houses thus assembled, shall make a list of the votes as they appear from said returns, and the Speaker shall publish the same in the presence of the two Houses; and the votes having been counted, the result of the same shall be delivered to the Speaker of the House of Representatives, who shall thereupon announce the state of the vote and the names of the persons, if any, elected; which announcement shall be deemed a sufficient declaration of the persons elected Governor and Lieutenant Governor; and, together with a list of the votes, shall be entered on the Journals of both Houses.
If upon the reading of any such returns in the presence of both
houses, any question shall arise in regard to counting the votes therein certified, the same having been stated by the presiding officer, the Senate shall thereupon withdraw, and said question shall be submitted to that body for its decision; and the Speaker of the House of Representatives shall, in like manner, submit said question to the House of Representatives for its decision; and no question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurrent votes of the two houses, which, being obtained, the two houses shall immediately reassemble, and the presiding officer shall then announce the decision of the question submitted; and any other question pertinent to the object for which the two Houses are assembled may be submitted and determined in like manner.

Such joint meeting shall not be dissolved until the votes for Governor and Lieutenant Governor are all counted and the result declared, and no recess shall be taken unless a question shall have arisen in regard to counting any of such votes, in which case it shall be competent for either house, acting separately, in the manner hereinafore provided, to direct a recess not beyond the next day, at the hour of one o’clock P. M.

The SPEAKER, in accordance with the above resolution, appointed Messrs. Ferriter, of Sumter, and Miller, of Beaufort, tellers on the part of the House of Representatives.

The PRESIDENT of the Senate appointed Hon. W. F. Myers teller on the part of the Senate.

The returns were read by the SPEAKER, as follows:

**ABBEVILLE COUNTY.**

| Whole number of votes for Governor | 7,521 |
| Wade Hampton received | 3,852 |
| D. H. Chamberlain received | 3,669 |
| Whole number of votes for Lieutenant Governor | 7,522 |
| W. D. Simpson received | 3,825 |
| R. H. Gleaves received | 3,697 |

**AIKEN COUNTY.**

| Whole number of votes for Governor | 5,716 |
| Wade Hampton received | 3,221 |
| D. H. Chamberlain received | 2,495 |
| Whole number of votes for Lieutenant Governor | 5,709 |
| W. D. Simpson received | 3,212 |
| R. H. Gleaves received | 2,497 |
ANDERSON COUNTY.

Whole number of votes for Governor .................................... 5,279
Wade Hampton received.................................................. 4,155
D. H. Chamberlain received........................................... 1,124

Whole number of votes for Lieutenant Governor ..................... 5,292
W. D. Simpson received................................................ 4,129
R. H. Gleaves received................................................ 1,163

BARNWELL COUNTY.

Whole number of votes for Governor .................................... 6,738
Wade Hampton received.................................................. 3,956
D. H. Chamberlain received............................................. 2,778
R. B. Elliott received................................................... 1
F. J. Moses, Sr., received.............................................. 1

Whole number of votes for Lieutenant Governor .................... 6,738
W. D. Simpson received................................................ 3,942
R. H. Gleaves received................................................ 2,794

BEAUFORT COUNTY.

Whole number of votes for Governor .................................... 9,879
Wade Hampton received.................................................. 2,274
D. H. Chamberlain received............................................. 7,604
W. J. Whipper received................................................... 1

Whole number of votes for Lieutenant Governor ..................... 9,886
W. D. Simpson received................................................ 2,243
R. H. Gleaves received................................................ 7,643

CHARLESTON COUNTY.

Whole number of votes for Governor ................................... 23,841
Wade Hampton received.................................................. 8,809
D. H. Chamberlain received............................................. 15,032

Whole number of votes for Lieutenant Governor .................... 23,853
W. D. Simpson received................................................ 8,781
R. H. Gleaves received................................................ 15,072

CHESTER COUNTY.

Whole number of votes for Governor .................................... 4,409
Wade Hampton received.................................................. 2,005
D. H. Chamberlain received............................................. 2,404

Whole number of votes for Lieutenant Governor ..................... 4,412
W. D. Simpson received................................................ 1,982
R. H. Gleaves received................................................ 2,430
CHESTERFIELD COUNTY.

Whole number of votes for Governor........................................ 2,616
Wade Hampton received...................................................... 1,631
D. H. Chamberlain received................................................ 985

Whole number of votes for Lieutenant Governor....................... 2,614
W. D. Simpson received..................................................... 1,624
R. H. Gleaves received.................................................... 990

CLARENDON COUNTY.

Whole number of votes for Governor....................................... 3,317
Wade Hampton received...................................................... 1,436
D. H. Chamberlain received................................................ 1,881

Whole number of votes for Lieutenant Governor....................... 3,316
W. D. Simpson received..................................................... 1,426
R. H. Gleaves received.................................................... 1,890

COLLETON COUNTY.

Whole number of votes for Governor..................................... 7,147
Wade Hampton received...................................................... 2,984
D. H. Chamberlain received................................................ 4,163

Whole number of votes for Lieutenant Governor....................... 7,145
W. D. Simpson received..................................................... 2,922
R. H. Gleaves received.................................................... 4,223

DARLINGTON COUNTY.

Whole number of votes for Governor..................................... 6,259
Wade Hampton received...................................................... 2,752
D. H. Chamberlain received................................................ 3,507

Whole number of votes for Lieutenant Governor....................... 6,260
W. D. Simpson received..................................................... 2,746
R. H. Gleaves received.................................................... 3,514

The SPEAKER commenced to read the returns from Edgefield County.

Mr. THOMAS, of Newberry, rose and objected to the counting of the votes of Edgefield County for Governor and Lieutenant Governor, the House having already declared that no legal election had been held in said County.

The Senate retired to the Senate Chamber for consultation.

Hon. S. A. SWAILLS, President pro tem., took the chair.

The PRESIDENT announced that, the two houses sitting in Joint
Convention, objection was made to the counting of the votes of Edgefield County for Governor and Lieutenant Governor.

Mr. DUNCAN moved that the objection be sustained.

On the question of agreeing to the motion of the Senator from Orangeburg,

Mr. CRITTENDEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

**Yeas**—Messrs. Bird, Carter, Clifton, Corwin, Duncan, Gaillard, Green, Johnston, Maxwell, Myers, Swails, Taft, Walker, Warley, B. H. Williams, Whittemore—16.


So the objection was sustained, and a message sent to the House of Representatives accordingly.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 5, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that it has refused to count the vote of Edgefield County for Governor and Lieutenant Governor.

Very respectfully, &c.

E. W. M. MACKEY,
Speaker House of Representatives.

The President declared that, both Houses having sustained the objection, the vote of Edgefield County would not be read or included in the statement of election for Governor and Lieutenant Governor.

The Senate returned to the hall of the House of Representatives.

The SPEAKER resumed the reading of the returns for the election of Governor and Lieutenant Governor.

FAIRFIELD COUNTY.

Whole number of votes for Governor................................. 4,991
Wade Hampton received.................................................. 2,159
D. H. Chamberlain received.............................................. 2,832

Whole number of votes for Lieutenant Governor.................. 5,003
W. D. Simpson received.................................................. 2,132
R. H. Gleaves received.................................................. 2,871
TUESDAY, DECEMBER 5, 1876.  

**GEORGETOWN COUNTY.**

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<tr>
<td>Whole number of votes for Lieutenant Governor</td>
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**GREENVILLE COUNTY.**

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**HORRY COUNTY.**

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**KERSHAW COUNTY.**

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**LANCASTER COUNTY.**

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<td>Whole number of votes for Lieutenant Governor</td>
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<td>W. D. Simpson received</td>
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<td>R. H. Gleaves received</td>
<td>1,244</td>
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</table>

Upon the announcement of Laurens County,
Mr. THOMAS, of Newberry, rose and objected to the counting of the votes of Laurens County for Governor and Lieutenant Governor, as the House of Representatives had declared that no legal election was held in said County.

At 2:30 P. M. the Senate retired to the Senate Chamber for consultation.

The PRESIDENT stated that whilst in Joint Convention objection was made to the counting of the votes for Laurens County, for Governor and Lieutenant Governor, and the Senate had returned to its Chamber to decide whether the objection should be sustained.

Mr. WHITTEMORE moved that the objection be sustained.

After debate, participated in by Messrs. Bowen, Swails, Livingston, Cannon, Crittenden, Witherspoon, Meetze, J. M. Williams, Nash, Taft, Jeter,

Mr. JETER rose and requested that the motion of the Senator from Darlington be reduced to writing.

The PRESIDENT ruled that the matter under consideration being connected with the Special Order of the two houses, no resolution growing out of said Special Order would be subject to the Rule requiring all resolutions to lie over one day for consideration.

Mr. JETER appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair be sustained as the judgment of the Senate?"

The yeas and nays were taken, and resulted as follows:


So the decision of the Chair was sustained.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES.
COLUMBIA, S. C., December 5, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that it sustains the objection raised to the counting of the vote of Laurens County for Governor and Lieutenant Governor.

Very respectfully, &c.,

E. W. M. MACKEY,
Speaker House of Representatives.
Mr. MEETZE moved that the Senate take a recess until 12 M. tomorrow.

On the question of agreeing to the motion of the Senator from Lexington,

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to take a recess.

On the question, "Will the Senate sustain the objection to the counting of the votes of Laurens County for Governor and Lieutenant Governor?"

Mr. WHITTEMORE called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


The PRESIDENT declared that, both houses having sustained the objection, the vote of Laurens County would not be included in the statement of the election for Governor and Lieutenant Governor.

The Senate returned to the hall of the House of Representatives.

The SPEAKER resumed the reading of the returns of election for Governor and Lieutenant Governor, as follows:

LEXINGTON COUNTY.

Whole number of votes for Governor................................................. 3,385
Wade Hampton received................................................................. 2,129
D. H. Chamberlain received......................................................... 1,256

Whole number of votes for Lieutenant Governor.............................. 3,380
W. D. Simpson received................................................................. 2,110
R. H. Gleaves received................................................................. 1,270

MARION COUNTY.

Whole number of votes for Governor................................................. 5,641
Wade Hampton received................................................................. 3,149
D. H. Chamberlain received............................................................. 2,492
Whole number of votes for Lieutenant Governor .................................. 5,639
  W. D. Simpson received .......................................................... 3,147
  R. H. Gleaves received .......................................................... 2,492

MARLBORO COUNTY.

Whole number of votes for Governor ............................................. 3,553
  Wade Hampton received .......................................................... 1,945
  D. H. Chamberlain received ...................................................... 1,608
Whole number of votes for Lieutenant Governor ............................... 3,549
  W. D. Simpson received .......................................................... 1,941
  R. H. Gleaves received .......................................................... 1,608

NEWBERRY COUNTY.

Whole number of votes for Governor ............................................. 4,957
  Wade Hampton received .......................................................... 2,196
  D. H. Chamberlain received ...................................................... 2,761
Whole number of votes for Lieutenant Governor ................................ 4,958
  W. D. Simpson received .......................................................... 2,160
  R. H. Gleaves received .......................................................... 2,798

OCONEE COUNTY.

Whole number of votes for Governor ............................................. 2,607
  Wade Hampton received .......................................................... 2,083
  D. H. Chamberlain received ...................................................... 524
Whole number of votes for Lieutenant Governor ................................ 2,588
  W. D. Simpson received .......................................................... 2,068
  R. H. Gleaves received .......................................................... 520

ORANGEBURG COUNTY.

Whole number of votes for Governor ............................................. 7,340
  Wade Hampton received .......................................................... 2,870
  D. H. Chamberlain received ...................................................... 4,469
  T. C. Dunn received ................................................................. 1
Whole number of votes for Lieutenant Governor ................................ 7,338
  W. D. Simpson received .......................................................... 2,840
  R. H. Gleaves received .......................................................... 4,498

PICKENS COUNTY.

Whole number of votes for Governor ............................................. 2,408
  Wade Hampton received .......................................................... 2,002
  D. H. Chamberlain received ...................................................... 406
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<th>County</th>
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Whole number of votes for Lieutenant Governor ...................... 4,199
  W. D. Simpson received ............................................. 1,754
  R. H. Gleaves received ............................................. 2,445

York County.

Whole number of votes for Governor .................................... 5,680
  Wade Hampton received .............................................. 3,233
  D. H. Chamberlain received ........................................ 2,447
Whole number of votes for Lieutenant Governor ...................... 5,671
  W. D. Simpson received ............................................. 3,223
  R. H. Gleaves received ............................................. 2,448

The SPEAKER announced the result, as follows:

For Governor.

D. H. Chamberlain received ........................................ 86,216
  Wade Hampton received ............................................ 83,071

Majority for D. H. Chamberlain ....................................... 3,145

For Lieutenant Governor.

R. H. Gleaves received .............................................. 86,620
  W. D. Simpson received ............................................ 82,521

Majority for R. H. Gleaves ........................................... 4,099

The SPEAKER declared Hon. D. H. Chamberlain, having received a majority of the whole number of votes cast, duly elected Governor of the State of South Carolina for the ensuing two years.

The SPEAKER declared Hon. R. H. Gleaves, having received a majority of the whole number of votes cast, duly elected Lieutenant Governor of the State of South Carolina for the ensuing two years.

At 5:15 P. M., the Senate returned to the Senate Chamber.

Message from the House of Representatives.

The House sent to the Senate the following message:

In the House of Representatives, Columbia, S. C., December 5, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Thomas, Ferriter and Ford have been appointed
Committee on the part of the House, to join such Committee as may be appointed on the part of your honorable body to wait upon the Governor elect, Hon. D. H. Chamberlain, and inquire when it will suit his convenience to qualify as Governor of the State of South Carolina.

Very respectfully, &c.,

E. W. M. MACKEY,
Speaker House of Representatives.

Mr. WHITTEMORE moved that the Senate concur.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


Messrs. Whittemore, Maxwell, Nash, were appointed Committee on the part of the Senate, and a message sent to the House of Representatives accordingly.

GENERAL ORDERS.

The Senate resumed the consideration of General orders, to wit:

Bill (by Mr. Whittemore) relative to inauguration of Governor and Lieutenant Governor.

On motion of Mr. WHITTEMORE, the Bill was read by its title and referred to the Committee on the Judiciary.

Mr. BOWEN gave notice, for himself and others, that he will present, to be entered on the Journal, a protest against the entire proceedings of the Senate this day, had in connection with the counting of the votes for Governor and Lieutenant Governor.

On motion of Mr. WHITTEMORE, at 5:30 P. M., the Senate adjourned.
The Senate assembled at 12 M., and was called to order by the
PRESIDENT.
The roll was called, and, a quorum answering to their names, the
PRESIDENT announced the Senate ready to proceed to business.
Prayer by Rev. A. W. Cummings.
On motion of Mr. B. H. WILLIAMS, the reading of the Journal of
yesterday was dispensed with.
The PRESIDENT announced Messrs. Cochran, Whittemore, Swails,
Meetze, Taft, Special Committee to prepare and report certain amend-
ments to the Constitution of the State of South Carolina.

PETITIONS, &c.

Mr. JETER presented notice of protest and contest by James N.
Lipscomb, a citizen of Newberry, to the admission of Hon. H. C. Corwin
to a seat in the Senate; which was referred to the Committee on Privi-
leges and Elections.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to
whom was referred a Bill relative to the inauguration of Governor and
Lieutenant Governor, reported back the same, with the recommendation
that the Bill do pass, amended as follows: Insert after the words “ad-
ministered to him by,” in both Sections, the words “the Chief Justice of
the Supreme Court, or one of the Associate Justices; and should either of
the Justices of the Supreme Court be absent, or refuse to administer such
oath, then it shall be administered to him by any other officer authorized
by law to administer oaths.”
Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. B. H. WILLIAMS gave notice that he will on to-morrow, or
some subsequent day, ask leave to introduce
Bill to authorize the County Commissioners of Georgetown County
to levy a special tax to pay the past indebtedness of said County;
Bill to charter Yauhanna Ferry, in Georgetown County.
Mr. WHITTEMORE gave notice that he will on to-morrow, or some
subsequent day, ask leave to introduce
Bill to repeal the lien law or the law relative to agricultural sup-
plies.
WEDNESDAY, DECEMBER 6, 1876.

BILLS INTRODUCED.

Mr. COCHRAN, pursuant to notice, introduced
 Bill to prohibit the service of State officers upon Boards, Commissions and public Committees;
 Joint Resolution to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls.

The above Bill and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. WHITTEMORE introduced the following resolution:

Whereas the term for which Hon. T. J. Robertson was elected to represent the State of South Carolina in the Senate of the United States will expire on the fourth of March, 1877; and whereas it is necessary, by law, to proceed to an election of an United States Senator on the second Tuesday after the meeting and organization of the General Assembly of this State; and whereas Tuesday, the 12th instant, is the second Tuesday after the meeting and organization of the same; therefore,

Resolved, That the Senate do, at 12 o'clock M., on Tuesday, the 12th instant, proceed to vote for a person to represent the State of South Carolina in the Senate of the United States for the term of six years commencing March 4th, 1877.

Ordered for consideration to-morrow.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the unfinished business, to-wit:
 Resolution (by Mr. Swails) to refer to the Committee on Privileges and Elections, all papers relating to protest or contest in the Senate.

The question recurred on agreeing to the motion of the Senator from Union that the further consideration of the resolution be postponed and made the Special Order for Thursday, at 1:15 P. M.

After debate, participated in by Messrs. Jeter, Swails, Taft,

The motion of the Senator from Union was withdrawn.

On the question of agreeing to the resolution,

Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bird, Carter, Clinton, Cochran, Corwin, Duncan,
Resolution (by Mr. Green) that when the Senate adjourns it stand adjourned to meet on Tuesday next.

On motion of Mr. GREEN, the resolution was ordered to lie on the table.

EXECUTIVE SESSION.

At 12:30 P. M., on motion of Mr. GREEN, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. WHITTEMORE, at 12:40 P. M., the Senate adjourned.

THURSDAY, DECEMBER 7, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WARLEY, the reading of the Journal of yesterday was dispensed with.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 2, from His Excellency the Governor, was announced and presented to the Senate by Mr. Charles Babbitt, Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent resolution to appoint a Special Joint Committee to investigate the Hamburg, Rouse's Bridge and Ellenton riots.
THURSDAY, DECEMBER 7, 1876.

On motion of Mr. SWAILS, the blank was filled with the word "three."

Mr. WHITTEMORE moved that the Senate concur.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. CRITTENDEN called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bird, Carter, Clinton, Cochran, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker; Warley, B. H. Williams, Whittemore.—17.


So the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

The House also sent to the Senate

Concurrent resolution that the two Houses meet in Joint Assembly this day, at 1 P.M., to attend the inauguration of D. H. Chamberlain, Governor elect.

Mr. WHITTEMORE moved that the Senate concur.

Pending debate, participated in by Messrs. Jeter, Witherspoon,
The President ruled that the matter under consideration was in the nature of a privileged question, and the hour fixed for the purpose indicated by the resolution having arrived further debate pending a decision of the Senate, was out of order.

Mr. JETER moved that the resolution be referred to a special Committee of three.

Mr. WHITTEMORE rose to a point of order, which was that the motion to concur took precedence.

The President ruled the point of order well taken.

On the question of concurrence in the resolution,

Mr. WHITTEMORE called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:


So the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

Mr. JETER gave notice, for himself and other Senators, that he
would present, to be entered on the Journal, a protest against the action of the Senate on the above resolution.

INAUGURATION OF THE GOVERNOR ELECT.

At 1 P. M. the Senate proceeded to the Hall of the House of Representatives, to attend the inauguration of Hon. D. H. Chamberlain, Governor elect.

The two houses, having met in Joint Assembly, it was called to order by Hon. S. A. SWAILS, President pro tem. of the Senate.

The PRESIDENT pro tem. announced that, pursuant to concurrent resolution, the Joint Assembly had met for the purpose of inaugurating Hon. D. H. Chamberlain, Governor elect, and requested the Special Joint Committee to inform that gentleman that the Joint Assembly was prepared to receive him.

The Governor elect, accompanied by the Special Committee appointed to wait upon His Excellency, was conducted to the Speaker's stand.

Hon. R. H. GLEAVES, President of the Senate, then introduced to the Joint Assembly His Excellency Hon. D. H. Chamberlain.

The oath of office was administered by B. I. Boone, Esq., Probate Judge of Richland County, to the Governor elect.

His Excellency D. H. Chamberlain, Governor, then delivered the following

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives:

I accept the office to which, by the voice of a majority of the people of this State, I have a second time been called, with a full knowledge of the grave responsibilities and difficulties by which it is now attended. No consideration, except the clearest convictions of duty, would be sufficient to induce me to accept this great trust under the circumstances which now surround us. I regard the present hour in South Carolina as a crisis at which no patriotic citizen should shrink from any post to which public duty may call him. In my sober judgment, our present struggle is in defense of the foundations of our government and institutions. If we fail now, our government—the government of South Carolina—will no longer rest on the consent of the governed, expressed by a free vote of a majority of our people. If our opponents triumph—I care not under what guise of legal forms—we shall witness the overthrow of free government in our State.

My chief personal anxiety, is that I may have the firmness and wisdom to act in a manner worthy of the great interests so largely committed to my keeping. My chief public care shall be to contribute my
utmost efforts to defend the rights, to guard the peace and to promote the welfare of all the people of our State.

The constant occupation of my time with other duties which I could not postpone, has prevented me from preparing the usual statements and recommendations respecting our public affairs. At the earliest practicable day, I will discharge this duty. Our greatest interest, our most commanding duty now, is to stand firmly, each in his appointed place, against the aggressions and allurements of our political opponents. Our position up to the present time, has been within the clear limits of our constitution and laws. Nothing but the cowardice or weakness or treachery of our own friends, can rob us of the victory. I state what facts show, what overwhelming evidence proves, when I say that if we yield now, we shall witness the consummation of a deliberate and cruel conspiracy on the part of the Democratic party of this State to overcome by brute force the political will of a majority of thirty thousand of the lawful voters of this State.

I have mourned over public abuses which have heretofore arisen here. I have, according to the measure of my ability, labored to make the conduct of our public affairs honest and honorable. But I stand appalled at the crimes against freedom, against public order, against good government, nay, against government itself, which our recent political experience here has presented. And I am the more appalled when I see the North, that portion of our country which is secure in its freedom and civil order, and the great political party which has controlled the Republic for sixteen years, divided in its sympathies and judgment upon such questions. It is written in blood on the pages of our recent national history, that no government can rest with safety upon the enforced slavery or degradation of a race. In the full blaze of that great example of retributive justice which swept away half a million of the best lives of our country, we see the American people divided by party lines upon the question of the disfranchisement and degradation of the same race whose physical freedom was purchased at such a cost. And, what is more astonishing still, there are Republicans who permit the errors which have attended the first efforts of this race in self-government to chill their sympathies so much that they stand coldly by and practically say that the peace of political servitude is better than the abuses and disquiet which newly acquired freedom has brought.

I denounce the conduct of the recent election, on the part of our political opponents in this State, as a vast, brutal outrage. Fraud, proscription, intimidation in all forms, violence, ranging through all its degrees, up to wanton murder, were its effective methods. The circumstances under which we have assembled to-day show us how nearly successful has been this great conspiracy. It is for us, in the face of all
danger, in the face of false or timid friends, in the face of open enemies, to show that we understand the cause in which we are engaged, and that no earthly sacrifice is too great to secure its triumph.

The gentleman who was my opponent for this office in the late election has recently declared, as I am credibly informed, that he held not only the peace of this city and State, but my life, in his hand. I do not doubt the truth of his statement. Neither the public peace nor the life of any man who now opposes the consummation of this policy of fraud and violence is safe from the assaults of those who have enforced that policy.

My life can easily be taken. I have held it, in the judgment of all my friends here, by a frail tenure for the last three months. But there is one thing no man in South Carolina can do, however powerful or desperate he may be, and that is to cause me to abate my hatred or cease my most vigorous resistance to this attempted overthrow and enslavement of a majority of the people of South Carolina. "Here I stand; I can do no otherwise: God be my helper." Wife and children, nearer to me than "are the ruddy drops that visit my sad heart"—all other considerations must give way before the solemn duty to resist the final success of that monstrous outrage under whose black shadow we are assembled to-day.

At 1:30 P.M., the Senate returned to the Senate Chamber.

Hon. R. H. GLEAVES, Lieutenant Governor elect, was conducted to the President's stand by the Special Committee appointed to wait upon the Governor and Lieutenant Governor elect.

Hon. S. A. SWAILS, President pro tem., introduced to the Senate Hon. R. H. Gleaves, Lieutenant Governor elect.

The oath of office was administered by B. I. Boone, Esq., Judge of Probate of Richland County, to the Lieutenant Governor elect.

Hon. R. H. GLEAVES addressed the Senate and said:

Senators:

I shall not detain the Senate with any extended remarks. Too much valuable time has already been lost, for the transaction of important public business. I endorse, in every particular, the sentiments expressed by his Excellency, Governor D. H. Chamberlain, in his inaugural address, delivered in the Hall of the House of Representatives this day. As the presiding officer of this body I shall endeavor at all times to act impartially, and to extend the same courtesy to every Senator on this floor. All that I ask is a return of kindness to myself in the same spirit.

The Senate is now ready to proceed to business.

NOTICES OF BILLS.

Mr. COCHRAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce
FRIDAY, DECEMBER 8, 1876.

Bill to reduce and regulate the pay of officers, attachees, clerks and laborers of the General Assembly, and to provide the manner of electing, appointing and paying the same.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced
Bill to repeal an Act entitled "An Act to secure advances for agricultural purposes."
The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,
Bill relative to the inauguation of the Governor and Lieutenant Governor of the State of South Carolina.
The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.
On motion of Mr. MYERS, at 1:35 P. M., the Senate adjourned.

FRIDAY, DECEMBER 8, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.
The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.
On motion of Mr. TAFT, the members of the Committee appointed by the United States House of Representatives to visit and investigate affairs in South Carolina, were invited to seats on the floor of the Senate.
On motion of Mr. CORWIN, the reading of the Journal of yesterday was dispensed with.
The Senator from Barnwell asked and obtained leave of absence until Tuesday next, on account of sickness in his family.
Mr. TAFT announced that in all votes in the Senate on any matter until Tuesday next he had agreed to pair with the Senator from Barnwell.
Mr. CORWIN moved that the oath of office be administered to Hon. M. W. Gary, and that he be admitted to a seat in the Senate as Senator elect from Edgefield County.
The PRESIDENT ruled the motion out of order, as the matter was now before the Committee on Privileges and Elections.
The House sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 7, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Holland, F. A. Palmer, Brown, Straker and Gaither have been appointed Committee on the part of the House, to join such Committee as may be appointed on the part of your honorable body, to investigate the Hamburg, Rouse's Bridge and Ellenton riots.

Very respectfully, &c.

E. W. M. MACKEY,
Speaker House of Representatives.

Messrs. Myers, Duncan, Corwin, were appointed Committee on the part of the Senate, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate,

Concurrent resolution for the appointment of a Special Joint Committee to confer with the Congressional Committee.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. MYERS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce:

1. Bill repealing the law empowering the City Council of Charleston to elect an Inspector General of timber and lumber;

2. Bill to better define the duties of the Board of Directors and Superintendent of the South Carolina Penitentiary.

Mr. NASH gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

3. Bill to amend the law in relation to the appointment of Engrossing and Enrolling Clerks in the office of the Secretary of State.

Mr. TAFT gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

4. Joint Resolution relative to the election of Circuit Judges.

BILLS INTRODUCED.

Mr. COCHRAN, pursuant to notice, introduced:

Bill to reduce and regulate the pay of officers, attachées, clerks and laborers of the General Assembly, and to provide the manner of electing, appointing and paying the same;
FRIDAY, DECEMBER 8, 1876.

Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes, relating to certain liens on crops;

Bill to require State officers to report promptly to the General Assembly.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. JETER introduced the following resolution:

Resolved by the Senate, That a Committee of five be appointed to ascertain and report by what authority, and for what reasons, is the capitol of this State held by armed United States soldiers and State constabulary; and why it is that citizens of the State are debarred entrance to the public offices and halls of legislation in the State House; and why it is that Senators of South Carolina are stopped by armed sentinels while passing between the Supreme Court room and the Senate Chamber and required to show passes; and, also, why Senators are required to show passes at the door of the Senate Chamber before entering; and to report further any other facts connected with the matter which they may think important for the consideration of the Senate.

Ordered for consideration to-morrow.

Mr. WHITTEMORE introduced the following resolution:

Resolved, That the Committee on Privileges and Elections, on the part of the Senate, be, and the same are hereby, authorized and directed to employ a stenographer, to take such testimony as may be necessary in the cases of contest which may come before said Committee during the present session.

Resolved, That the compensation for the said stenographer shall be provided for in the General Appropriation Bill, when it comes before the Senate for consideration.

Ordered for consideration to-morrow.

Mr. LIVINGSTON introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to regulate the clock in this Chamber by the time of the town clock of this city.

UNFINISHED BUSINESS.

The Senate resumed the consideration of Unfinished Business.

Resolution (by Mr. Cochran) that a Committee of four be appointed
to enquire as to the fact of a legal quorum existing in the House of Representatives.

On motion of Mr. COCHRAN, the resolution was ordered to lie on the table.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar, to wit:

Joint Resolution (by Mr. Cochran) to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls;

Bill (by Mr. Cochran) to prohibit the service of State officers upon Boards, Commissions and public Committees.

The above Bill and Joint Resolution were read by their titles, and referred to the Committee on the Judiciary.

Report (favorable, with amendments,) of Committee on the Judiciary on Bill relative to the inauguration of the Governor and Lieutenant Governor of the State of South Carolina.

On motion of Mr. MAXWELL, the report and Bill were laid on the table, and House Bill relative to the inauguration of Governor and Lieutenant Governor of South Carolina taken up for a second reading.

Mr. NASH moved that the further consideration of the Bill be indefinitely postponed.

After debate, participated in by Messrs. Nash, Crittenden, Jeter, Whittemore.

On the question of agreeing to the motion of the Senator from Richland,

Mr. NASH called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the further consideration of the Bill was indefinitely postponed.

Resolution (by Mr. Whittemore) to proceed to the election of United States Senator on Tuesday, December 12, 1876, at 12 M.

The question was taken on agreeing to the resolution, and decided in the affirmative.

Bill (by Mr. Whittemore) to repeal an Act entitled "An Act to secure advances for agricultural purposes."
The Bill was read by its title, and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

At 1 P.M., on motion of Mr. WHITTEMORE, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

Mr. JETER presented the following protest, to be entered on the Journal:

SENATE CHAMBER, December 7, 1876.

Relying upon the reasons given in our former protests against the legality and constitutionality of the body presided over by E. W. M. Mackey, Esq., we, members of the South Carolina Senate, in accordance with previous notice given, make this our protest to the action of the Senate, in the matter of counting and publishing the votes for Governor and Lieutenant Governor of the State of South Carolina, for the following reasons, viz.:

The duty of a Speaker of the House of Representatives of the State of South Carolina, in acting upon the returns of the votes for Governor and Lieutenant Governor, is simply ministerial in opening and publishing the result as appears by the "returns" delivered to him by the Secretary of State.

Section 4, Article III, of the Constitution of South Carolina says: "The returns of every election of Governor shall be sealed up by the Managers of election in their respective Counties, and transmitted by mail to the seat of Government, directed to the Secretary of State, who shall deliver them to the Speaker of the House of Representatives at the next ensuing session of the General Assembly." "The Speaker shall open and publish them in the presence of both Houses." "The person having the highest number of votes shall be Governor."

Section 5 provides that a Lieutenant Governor shall be chosen at the same time, and in the same manner.

Section 10 of Article VIII declares that "In all elections held by the people, under this Constitution, the person or persons who shall receive the highest number of votes shall be declared elected."

A majority of the Senate decided yesterday to throw out the vote of Edgefield County, without giving a single reason for their action, or introducing a fact or tittle of testimony. Why not throw out every County in the State that gave Wade Hampton and W. D. Simpson, Esqs., large majorities for Governor and Lieutenant Governor, respectively. There is no reason why it should not be done, if the action of the Senate yesterday was in accordance with the Constitution, law and justice.

What would be thought of any Court in a civilized country that would decide a cause in favor of one side without hearing a particle of testimony, or giving the opposite party notice, that he might introduce testimony, and be heard in his own cause. And yet the action of a majority of the Senate yesterday, in throwing out the count of the voters...
of Edgefield and Laurens Counties, was intended, as far as it could
determine, to deprive Wade Hampton and W. D. Simpson of the offices
to which they had been elected, as appeared from the returns received
by the Secretary of State.

The Constitution, having declared, explicitly, that the person receiving
the highest number of votes shall be declared elected Governor, provides
for contested elections. The last clause of Section 4, Article III, of the
Constitution reads thus: “Contested elections for Governor shall be
determined by the General Assembly in such manner as shall be pro-
vided by law.”

The General Assembly has “determined the manner” and pre-
scribed by law the mode of contesting the election of Governor, by the
passage of Section 25, Chapter VIII, of the Revised Statutes of South
Carolina, which reads as follows: “That in case of a contest of the
election of Governor, (if the General Assembly, by concurrent resolu-
tion, shall ascertain the same,) the Senate and House of Representat
ives shall each, separately, proceed to hear and determine the facts in the
case, so far as they deem necessary, and decide thereon who, according
to Section 10 of Article VIII of the Constitution, is entitled to be de-
clared elected.”

It is apparent that there must be two parties to a contest, and there
must be a declaration of the election before a contestant can be heard
by the General Assembly, which must first entertain the contest by a
concurrent resolution. Then each house is to hear and determine the
facts in the case, and decide not who is “declared elected,” but who is
entitled to be declared elected; and if the two branches of the General
Assembly agree, they, by concurrent resolution, declare who is duly
elected Governor. But yesterday the Senate, without hearing the facts
in the case, without notification to the party most interested, and without
any written specifications being submitted, proceeded as if in case of con-
test, and threw out the vote of the Counties named.

Believing that the whole proceeding in the premises is a great outrage
upon the Constitution and the laws of the State, we submit this our
solemn protest.

R. E. BOWEN,
G. CANNON,
W. A. EVANS,
S. S. CRITTENDEN,
I. D. WITHERSPOON,
HENRY A. MEETZE,
JONES M. WILLIAMS,
A. P. BUTLER,
J. W. LIVINGTON,
W. L. BUCK,
R. G. HOWARD,
THOS. B. JETER.

On motion of Mr. SWAILS, at 1:10 P. M., the Senate adjourned.
SATURDAY, DECEMBER 9, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

On motion of Mr. WARLEY, the reading of the Journal of yesterday was dispensed with.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Messages Nos. 3 and 4 from His Excellency the Governor were presented to the Senate by Mr. Charles Babbitt, Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

REPORT OF THE ATTORNEY GENERAL AS TO THE O'HANLON LANDS.

The PRESIDENT laid before the Senate the report of Hon. Wm. Stone, Attorney General, made under the provisions of a Joint Resolution, approved March 20, 1876, requiring the Attorney General to inquire into the title by which the State of South Carolina holds the plantation known as the "O'Hanlon lands," which was ordered to be printed, and copies laid on the desks of Senators.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Joint Resolution to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls, reported back the same, with the recommendation that the resolution do pass.

Ordered for consideration on Monday next.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

Bill to amend the General Statutes of South Carolina relative to elections and their results;

Bill regulating the manner of contesting elections.

Mr. COCHRAN gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

Bill to prohibit the making of profits out of public funds.
Mr. MYERS introduced the following resolution:

Resolved by the Senate, the House of Representatives concurring, that one thousand (1,000) copies of the Inaugural Address of His Excellency the Governor be printed for the use of members of the General Assembly.

Ordered for consideration on Monday next.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar, to wit:

Bill (by Mr. Cochran) to reduce the number and regulate the pay of officers, attachés, clerks and laborers of the General Assembly, and to provide the manner of electing, appointing and paying the same.

The above Bill was read by its title, and referred to the Committee on Retrenchments.

Bill (by Mr. Cochran) to require State officers to report promptly to the General Assembly;

Bill (by Mr. Cochran) to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes, relating to certain liens on crops.

The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Resolution (by Mr. Jeter) to appoint a Committee of five to investigate and report by what authority and for what reasons the doors of the State House, public offices and halls of legislation are guarded by United States troops and State constabulary.

On the question of agreeing to the resolution,

After debate, participated in by Messrs. Whittemore, Bowen, Cannon, Green, Johnston, Jeter, Swails,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was not agreed to.

Resolution (by Mr. Whittemore) that the Committee on Privileges and Elections of the Senate be authorized and directed to employ a stenographer.
After debate, participated in by Messrs. Crittenden, Whittemore, Cannon,

Mr. MYERS moved that the resolution be amended by inserting after the word "bill" the words "not to exceed ten dollars per day."

The question was taken on agreeing to the amendment, and decided in the affirmative.

On the question of agreeing to the resolution, as amended,

Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was agreed to.

Resolution (by Mr. Livingston) to instruct the Sergeant-at-Arms to regulate the Senate clock by the time of the town clock of the city.

On motion of Mr. MYERS, the resolution was ordered to lie on the table.

House concurrent resolution for the appointment of Special Joint Committee to confer with the Congressional Committee.

On motion of Mr. GAILLARD, the blank was filled with the word "four."

The question was then taken on agreeing to the resolution, and decided in the affirmative.

Messrs. Swails, Whittemore, Gaillard and Johnston were appointed Committee on the part of the Senate, and a message sent to the House of Representatives accordingly.

Mr. WHITTEMORE moved that Hon. John R. Cochran, Senator from Anderson, and Hon. I. D. Witherspoon, Senator from York, be added to the Committee on Retrenchments.

On the question of agreeing to the motion of the Senator from Darlington,

The yeas and nays were taken, and resulted as follows:


Nays—None.

So the motion was agreed to.

On motion of Mr. WARLEY, at 1 P. M., the Senate adjourned.
MONDAY, DECEMBER 11, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. A. W. Cummings.

On motion of Mr. WHITTEMORE, the reading of the Journal of Saturday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate
Concurrent resolution requesting the Attorney General to prepare an opinion as to the constitutionality of the election of Circuit Judges by the preceding General Assembly.

On motion of Mr. SWAILS, the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 11, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Thomas, Ferriter, Straker, F. A. Palmer and Keith have been appointed Committee on the part of the House to join Committee appointed on the part of your honorable body to confer with the Congressional Committee.

Very respectfully,

E. W. M. MACKEY,
Speaker House of Representatives.

The House also sent to the Senate,

Report and concurrent resolution to declare vacant the office of Chief Justice of the Supreme Court, and to elect a Chief Justice on Friday, December 15.

On motion of Mr. WHITTEMORE, the report and resolution were ordered for consideration to-morrow, and to be printed.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 5 from His Excellency the Governor was presented to the Senate by Mr. Charles J. Babbit, Private Secretary.
The PRESIDENT announced that the Message related to Executive business.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Bill to repeal Sections 55, 56 and 57, Title II, Chapter CXX, of the Revised Statutes, relating to certain liens on crops, reported back the same, with the recommendation that it do pass.

Ordered for consideration to-morrow.

Mr. MYERS, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,

Joint Resolution to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. WARLEY gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

Mr. COCHRAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to regulate the public printing of South Carolina.

BILLS INTRODUCED.

Mr. WHITTEMORE, pursuant to notice, introduced:

Bill regulating the manner of contesting elections;

Bill to amend Chapters VII, VIII, IX, X and XI, Title II, Part I, of the General Statutes of South Carolina, relative to elections and their results.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. B. H. WILLIAMS, pursuant to notice, introduced:

Bill to establish and charter Yauhanna Ferry, in Georgetown County;

Bill to authorize the County Commissioners of Georgetown to levy a special tax to pay the past indebtedness of said County.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. COCHRAN, pursuant to notice, introduced

Bill to prohibit the making of profits out of public funds.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. TAFT, pursuant to notice, introduced
Joint Resolution relative to the election of Circuit Judges.
The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. NASH introduced the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the General Assembly adjourn sine die, Friday, December 22, 1876.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Report (favorable) of Committee on the Judiciary on Joint Resolution to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls.

The report was read, and the Joint Resolution taken up for a second reading.

The Joint Resolution received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

Ordered, That it be engrossed for a third reading.

Mr. WITHERSPOON gave notice that on the third reading of the above Resolution he would propose sundry amendments thereto.

Resolution (by Mr. Myers) to print one thousand copies of the Inaugural Address of His Excellency the Governor for the use of the Senate.

The Senate proceeded to the consideration of the resolution.

After debate, participated in by Messrs. Jeter, Johnston, Nash, Green, Taft, Nash, Whittemore, Bowen,

On motion of Mr. NASH, the resolution was amended by striking out of line 1 the words, “House of Representatives concurring;” also, by striking out of lines 2 and 3 the words “General Assembly,” and inserting in lieu thereof the word “Senate.”

Mr. CRITTENDEN moved that the resolution be further amended by inserting between the words “Governor” and “be printed” the words “so-called and the reply of Wade Hampton thereto.”

After further debate, participated in by Messrs. Crittenden, Whittemore, Jeter, Green, Taft,

Mr. GREEN moved that the further consideration of the amendment proposed by the Senator from Greenville be indefinitely postponed.
MONDAY, DECEMBER 11, 1876.

On motion of Mr. CRITTENDEN, the amendment was amended by striking out the words "so-called," so that it should read, "and the reply of Wade Hampton thereto."

The motion of the Senator from Beaufort was withdrawn.

After further debate, participated in by Messrs. Nash, Livingston, Witherspoon, Taft,

The amendment of the Senator from Greenville was withdrawn.

On the question of agreeing to the resolution, Mr. MYERS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was agreed to.

The PRESIDENT laid before the Senate an invitation from the Faculty of the University of South Carolina to attend the Commencement exercises of that institution in the Library, Wednesday, December 13, 1876, at 10 A. M.

Mr. WHITTEMORE sent to the desk, and had read, the following COMMUNICATION:

**SENATE CHAMBER,**

**COLUMBIA, S. C., December 11, 1876.**

Governor D. H. CHAMBERLAIN:

Dear Sir—In debate to-day on the floor of the Senate, on printing your Inaugural Address, Mr. Crittenden, of Greenville, stated, that Governor Chamberlain told him that he (Whittemore) was the most corrupt man in the Legislature, and he wanted him to aid him (Chamberlain) to crush him (Whittemore) and the other corrupt leaders out, or words to this effect.

My desire is to know whether the above statement is true.

Yours truly,

B. F. WHITTEMORE.

Senator from Darlington County.

The above statement is not true.

D. H. CHAMBERLAIN.

On motion of Mr. SWAILS, it was

**Resolved, That when the Senateadjourns it stand adjourned to meet at 11:30 A. M. to-morrow.**

On motion of Mr. GREEN, at 4:35 P. M., the Senate adjourned.
TUESDAY, DECEMBER 12, 1876.

The Senate assembled at 11:30 A. M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. A. L. Culver.

On motion of Mr. JOHNSTON, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Bill (House) to provide for the better protection of the State House and State government against domestic violence.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The PRESIDENT laid before the Senate the following:

COMMUNICATION FROM THE ATTORNEY GENERAL.

EXECUTIVE DEPARTMENT,
Office of Attorney General,
Columbia, S. C., December 12, 1876.

To the Honorable the Senate and House of Representatives:

Gentlemen—I have the honor to acknowledge the receipt of a concurrent resolution of the General Assembly requesting me “to prepare a written opinion concerning the constitutionality of the elections held by the preceding General Assembly for Judges of the Circuit Courts of this State.”

The question involved in the resolution is now undergoing judicial enquiry in the Supreme Court of the State; and, in view of my official relations to that tribunal, any expression of my opinion in this matter, in advance of the judgment of the Court, of which I am an officer, would be of doubtful delicacy.

Under these circumstances, I ask to be relieved of the duty imposed on me by the terms of the resolution.

Very respectfully,
Your obedient servant,

ROBERT B. Elliott,
Attorney General, S. C.

The communication was received as information.

The Sergeant-at-Arms announced
MESSAGE FROM THE GOVERNOR.

Message No. 6 from His Excellency the Governor was presented to the Senate by Mr. C. J. Babbitt, Private Secretary.

The PRESIDENT announced that the Message related to Executive business.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Bill to require State officers to report promptly to the General Assembly, reported back the same, with the recommendation that the Bill do not pass.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. MYERS gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce Joint Resolution amending the Constitution relative to the holding of Courts of General Sessions.

BILLS INTRODUCED.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice:

Bill relative to the annual examination of the bonds of the various County officers;

Bill to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WARLEY, pursuant to notice, introduced Bill to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. COCHRAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to prohibit the unauthorized absence of certain officers from duty.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.
Mr. WARLEY introduced the following resolution:

Resolved, That the Clerk of the Senate is hereby requested to place all Bills and resolutions laid over from the last session upon the Calendar.

Ordered for consideration to-morrow.

Mr. WHITTEMORE introduced the following resolution:

Resolved, That the Committee on Privileges and Elections be, and they are hereby, authorized to inquire into the fact, whether any of the sitting members of the Senate are disqualified from holding seats in the Senate, under and by virtue of the provisions of Section 32, Article I, of the Constitution of South Carolina.

Ordered for consideration to-morrow.

Mr. JOHNSTON introduced the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the two Houses meet in Joint Assembly on Monday, December 18, 1876, at 1 P. M., for the purpose of entering into an election for an Associate Justice of the Supreme Court.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Joint Resolution to ratify the amendment to the Constitution of South Carolina, relative to the public school tax levy and a tax on polls.

The Joint Resolution received its third reading.

On motion of Mr. GAILLARD, the resolution was amended, in line three, paragraph four, of Section 5, by inserting after the words "South Carolina" the words "voting thereon."

On the question of agreeing to the resolution, the yeas and nays were taken, and resulted as follows:


So the resolution passed, and was ordered to be sent to the House of Representatives.
Joint Resolution (by Mr. Taft) relative to the election of Circuit Judges;

Bill (by Mr. Cochran) to prohibit the making of profits out of public funds;

Bill (by Mr. Whittemore) to amend Chapters VII, VIII, IX, X and XI, Title II, Part I, of the General Statutes of South Carolina, relative to elections and their results;

Bill (by Mr. Whittemore) regulating the manner of contesting elections.

The above Bills and Joint Resolution were read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. B. H. Williams) to establish and charter Yauhanna Ferry, in Georgetown County.

The Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Bill (by Mr. B. H. Williams) to authorize the County Commissioners of Georgetown County to levy a special tax to pay the past indebtedness of said County.

The Bill was read by its title, and referred to the Committee on Finance.

Report (favorable) of Committee on the Judiciary on Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the revised Statutes, relating to liens on crops.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. WHITTEMORE moved that Section 1 be amended by striking out the proviso in said Section, and inserting in lieu thereof the words, "Provided, That this Act shall take effect on and after December 31, 1877."

After debate, participated in by Messrs. Duncan, Whittemore,

The amendment proposed by the Senator from Darlington was withdrawn.

On the question of agreeing to the passage of the Bill to a third reading,

Pending debate, Mr. DUNCAN having the floor,

The President announced the hour arrived for the

SPECIAL ORDER FOR 12 M.

Vote for a person to represent the State of South Carolina in the Senate of the United States for the term of six years, commencing March 4, 1877.

The Senate proceeded to vote for a person to represent the State of
South Carolina in the Senate of the United States for the term of six years, commencing March 4, 1877.

Mr. SWAILS nominated Hon. D. T. Corbin.
Mr. TAFT nominated Hon. C. C. Bowen.
Mr. GREEN nominated Hon. Robert Smalls.
Mr. WARLEY nominated Hon. Robert B. Elliott.

On motion of Mr. MYERS, nominations closed, and the Senate proceeded to vote.

FIRST VOTE.

Those who voted for Hon. D. T. Corbin are:

Those who voted for Hon. R. B. Elliott are:

Those who voted for Hon. T. J. Robertson are:

Those who voted for Hon. M. W. Gary are:

Those who voted for Hon. M. C. Butler are:

Mr. Buck voted for Hon. W. D. Porter—1.
Mr. Crittenden voted for Hon. B. F. Perry—1.
Mr. Evans voted for Hon. Henry McIver—1.
Mr. Green voted for Hon. Robert Smalls—1.
Mr. Howard voted for Hon. W. W. Harlee—1.
Mr. Livingston voted for Hon. T. B. Jeter—1.
Mr. Taft voted for Hon. C. C. Bowen—1.

Whole number of Senators voting................................. 29

Necessary to a choice................................................ 16

The PRESIDENT declared that, no candidate having received a majority of the whole number of votes given, there was no election.

The Senate proceeded to a

SECOND VOTE.

Those who voted for Hon. D. T. Corbin are:

Those who voted for Hon. R. B. Elliott are:

Those who voted for Hon. T. J. Robertson are:
TUESDAY, DECEMBER 12, 1876.

Those who voted for Hon. M. W. Gary are:
Messrs. Howard, Meetze, Witherspoon—3.

Those who voted for Hon. M. C. Butler are:
Mr. Buck voted for Hon. Wm. D. Porter—1.
Mr. Crittenden voted for Hon. B. F. Perry—1.
Mr. Green voted for Hon. Robert Smalls—1.
Mr. Livingston voted for Hon. Wade Hampton—1.
Mr. Taft voted for Hon. C. C. Bowen—1.

Whole number of Senators voting.................................29
Necessary to a choice...............................................15

The PRESIDENT declared that, no candidate having received a majority of the whole number of votes given, there was no election.

The Senate proceeded to a

THIRD VOTE.

Those who voted for Hon. D. T. Corbin are:

Those who voted for Hon. M. W. Gary are:

Those who voted for Hon. R. B. Elliott are:
Those who voted for Hon. M. C. Butler are:
Mr. Cannon voted for Hon. T. J. Robertson—1.
Mr. Crittenden voted for Hon B. F. Perry—1.
Mr. Livingston voted for Hon. Wade Hampton—1.
Mr. Taft voted for Hon. C. C. Bowen—1.

Whole number of Senators voting.................................29
Necessary to a choice...............................................15

The PRESIDENT declared that, no candidate having received a majority of the whole number of votes given, there was no election.

The Senate proceeded to a

FOURTH VOTE.

Those who voted for Hon. D. T. Corbin are:

Those who voted for Hon. M. W. Gary are:
Those who voted for Hon. R. B. Elliott are:
Those who voted for Hon. M. C. Butler are:
Mr. Taft voted for Hon. C. C. Bowen.

Whole number of Senators voting................................. 29
Necessary to a choice................................................. 15

The PRESIDENT declared that, no candidate having received a majority of the whole number of votes given, there was no election.
The Senate proceeded to a

FIFTH VOTE.

Those who voted for Hon. D. T. Corbin are:
Those who voted for Hon. M. W. Gary are:

Whole number of Senators voting................................. 29
Necessary to a choice................................................. 15

The PRESIDENT declared that Hon. D. T. Corbin had received a majority of the whole number of votes given in the Senate.

Ordered, That it be entered on the Journal.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the Unfinished Business, to wit:

Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes, relating to liens on crops.

Hon. S. A. SWAILLS, President pro tem., took the chair.
The question recurred on agreeing to the passage of the Bill to a third reading.

Mr. DUNCAN moved that the further consideration of the Bill be indefinitely postponed.

After debate, participated in by Messrs. Duncan, Johnston, Nash,
On the question of agreeing to the motion of the Senator from Orangeburg,
Mr. WARLEY called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to indefinitely postpone the further consideration of the Bill.

The question was then taken on agreeing to the Bill, and decided in the affirmative.

**Ordered**, That it be engrossed for a third reading.

Resolution (by Mr. Nash) that the General Assembly adjourn sine die Friday, December 22, 1876.

Mr. MYERS moved that the resolution be ordered to lie on the table.

On the question of agreeing to the motion of the Senator from Colleton,

Mr. GREEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to lay the resolution on the table.

Mr. MYERS moved that the further consideration of the resolution be postponed, and made the Special Order for Saturday, December 16, 1876, at 1 P.M.

On the question of agreeing to the motion of the Senator from Colleton,

Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the motion of the Senator from Colleton was not agreed to.

On the question of agreeing to the resolution,

Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was agreed to.

Ordered, That it be sent to the House of Representatives.

Report and concurrent resolution (House) to declare vacant the office of Chief Justice of the Supreme Court, and to elect a Chief Justice on Friday, December 15.

On motion of Mr. Whittemore, the report and resolution were referred to the Committee on the Judiciary.

On motion of Mr. Green, it was

Resolved, That when the Senate adjourns, it adjourn to meet tomorrow at 11:30 A. M.

EXECUTIVE SESSION.

At 1:45 P. M., on motion of Mr. Myers, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. Myers, at 2 P. M., the Senate adjourned.

WEDNESDAY, DECEMBER 13, 1876.

The Senate assembled at 11:30 A. M., and was called to order by the President.

The roll was called, and, a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by Rev. B. H. Williams.

On motion of Mr. Warley, the reading of the Journal of yesterday was dispensed with.

Mr. Taft asked and obtained leave of absence for two days, and announced that in all votes of the Senate, until his return, he had paired with the Senator from Barnwell.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 7, from His Excellency the Governor, was presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.
The PRESIDENT announced that the Message related to Executive business.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Concurrent resolution that the Clerk of the Senate and Clerk of the House of Representatives be instructed to issue pay certificates to members for salary and mileage, and for officers and employees, according to amounts allowed by law.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. GREEN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill authorizing Robert Smalls to build a wharf and collect wharfage in the town of Beaufort.

Mr. DUNCAN gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Bill to regulate the appointment and salary of Trial Justices of Orangeburg County.

BILLS INTRODUCED.

Mr. CORWIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to extend the time for officers to qualify.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

Mr. COCHRAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice:

Bill to reduce the pay of jurors;

Bill to render officers of corporations personally responsible in certain cases;

Bill to regulate the appointment of County officers;

Bill to reduce the pay of County Commissioners and their clerks;

Joint Resolution proposing certain amendments to the State Constitution.

The above Bills and Joint Resolution received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. JOHNSTON introduced the following:

Whereas the time for adjournment is fixed for the 22d of this month; and
WHEREAS two important Bills and other matters are to be considered and acted upon by this General Assembly; therefore, be it

RESOLVED by the Senate, the House of Representatives concurring, That the General Assembly meet at thirty minutes past eleven o'clock every day until the day of adjournment.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Report (unfavorable) of Committee on the Judiciary on Bill to require State officers to report promptly to the General Assembly.

The question was taken on agreeing to the report, decided in the affirmative, and the Bill accordingly rejected.

Bill (by Mr. Whittemore) relative to the annual examination of the bonds of the various County officers;

Bill (by Mr. Whittemore) to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices;

Bill (House) to provide for the better protection of the State House and State government against domestic violence;

Bill (by Mr. Cochran) to prohibit the unauthorized absence of certain officers from duty.

The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. Warley) to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The Bill was read by its title, and referred to the Committee on Finance.

Resolution (by Mr. Warley) to place on the Calendar all Bills and resolutions laid over from the last session.

On motion of Mr. WARLEY, the resolution was ordered to lie on the table.

Resolution (by Mr. Whittemore) that the Committee on Privileges and Elections inquire as to disqualification of any sitting member holding a seat in the Senate.

Mr. WHITTEMORE asked and obtained leave to withdraw the resolution.

Resolution (by Mr. Johnston) that the two Houses meet in Joint Assembly, Monday, December 18, 1876, for the purpose of entering into an election for an Associate Justice of the Supreme Court.
On motion of Mr. SWAILS, the resolution was referred to the Committee on the Judiciary.

Mr. CRITTENDEN rose to a question of privilege, relative to certain misrepresentations in the Union-Herald as to his position on the resolution to print one thousand copies of the Inaugural Address, and stated that he withdrew the words “so called” in the amendment offered by him, assuming that D. H. Chamberlain was Governor de facto.

Mr. NASH rose to a question of privilege, and disclaimed the remarks attributed to him in the Union-Herald, relative to Hon. J. J. Wright.

The PRESIDENT announced the hour arrived for the

SPECIAL ORDER FOR 12 M.

Joint Assembly to hear read the Journals of Senate and House of Representatives, relative to the election of United States Senator.

The Senate proceeded to the Hall of the House of Representatives to unite with that body in Joint Assembly to hear read the Journals of proceedings of the Senate and House of Representatives relative to the election of United States Senator.

JOINT ASSEMBLY.

The two houses having met in Joint Assembly, it was called to order by Hon. R. H. GLEAVES, President of the Senate.

The PRESIDENT announced that, pursuant to Act of Congress, the two houses had now met in Joint Assembly for the purpose of hearing read so much of the Journals of both Houses as relates to the votes given in each House for a person to represent the State of South Carolina in the Senate of the United States, for the term of six years, commencing March 4, 1877.

The Clerk of the Senate read from the Senate Journal of Tuesday, December 12, 1876, so much of the proceedings of the Senate as related to the election of United States Senator.

The Clerk of the House of Representatives read from the Journal of Tuesday, December 12, 1876, so much of the proceedings of the House of Representatives as related to the election of United States Senator.

The PRESIDENT then declared Hon. D. T. Corbin, having received a majority of the whole number of votes given in each house of the General Assembly, duly elected Senator to represent the State of South Carolina in the Senate of the United States, for the term of six years, commencing March 4, 1877.

The PRESIDENT announced the Joint Assembly dissolved.

The Senate, at 12:15 P. M., returned to the Senate Chamber.
Mr. MAXWELL desired to record on the Journal that, had he been present, he would have voted for Hon. D. T. Corbin when the vote was taken for a person to represent the State of South Carolina in the Senate of the United States, for the term of six years, commencing March 4, 1877.

Mr. COCHRAN moved to take from the table Resolution that a Committee of four be appointed to inquire as to the fact of a legal quorum existing in the House of Representatives.

After debate, participated in by Messrs. Cochran, Johnston, Livingston, Swails, Nash,

On the question of agreeing to the motion of the Senator from Anderson,

Mr. SWAILS called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to take the resolution from the table.

On motion of Mr. JETER, at 12:35, P. M., the Senate adjourned.

THURSDAY, DECEMBER 14, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. C. W. Mossell.

On motion of Mr. B. H. WILLIAMS, the reading of the Journal of yesterday was dispensed with.

The Sergeant-at-Arms announced

MESSAGE FROM THE GOVERNOR.

Message No. 8, from His Excellency the Governor, was presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.

The PRESIDENT announced that the Message related to Executive business.
THURSDAY, DECEMBER 14, 1876.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with concurrence,
Concurrent resolution that the General Assembly adjourn sine die,
Friday, December 22, 1876.
The House sent to the Senate,
Bill to raise supplies for the fiscal year commencing November 1, 1876.
The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. DUNCAN, from the Committee on Roads, Bridges and Ferries, to whom was referred Bill to establish and charter Yauhanna Ferry, in Georgetown County, reported back the same, with the recommendation that the Bill do pass.
Ordered for consideration to-morrow.
Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred the following Bills, reported back the same, with the recommendation that the Bills do pass:
Bill to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices;
Bill relative to the examination of the bonds of the various County officers.
Ordered for consideration to-morrow.
Mr. MYERS, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,
Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes of South Carolina, relating to liens on crops.
Ordered for consideration to-morrow.
Mr. MYERS, from the Joint Committee on Printing, submitted the following report:

SENATE COMMITTEE ROOMS,
COLUMBIA, S. C., December 13, 1876.

The Committee on Printing of the Senate, and the Committee on Printing of the House of Representatives, met this day at 4 o'clock P. M., pursuant to the requirements of an Act entitled "An Act to regulate the public printing," approved March 17, 1874.
Your Committee find that due advertisement in the daily papers of Columbia and Charleston for proposals for the public printing was made by the Clerk of the Senate and Clerk of the House of Representatives, and that but two proposals were made, one by the Republican Printing Company, and the other by the Phoenix Publishing Company.
In compliance with Section 4 of said Act, your Committee opened said proposals, and, after examination and careful consideration, believing it to be to the best interests of the State to accept the proposal made by the Republican Printing Company, awarded the contract to said Company.

The Committee had in view not only the letter of the Act, but its intention, and regarded the acceptance of the proposal, and the award, as not only desirable in the interests of economy and reform, but as necessary to the faithful execution of the work, for which the Company is so well prepared, and to the prompt despatch of the public business.

The contract is herewith appended and awarded, as per proposal, to the Republican Printing Company, for the sum of thirty thousand dollars per annum for two years.

W. F. MYERS,
D. I. WALKER,
J. D. WARLEY,
W. E. JOHNSTON,

On the part of the Senate.

A. W. CURTIS,
JOSEPH ROBINSON,
R. D. GAITHER,
J. H. FERITER,
R. H. HUMBERT,
R. BRYAN,

On the part of the House of Representatives.

PROPOSALS FOR PUBLIC PRINTING.

COLUMBIA, S. C., December 7, 1876.

To the Committee on Printing of the Senate and House of Representatives:

The undersigned, on behalf of the Republican Printing Company, propose, for the sum of thirty thousand dollars a year, to execute for the term of two years the current and permanent printing of the General Assembly, as follows:

One hundred copies per day of the Senate Calendar; two hundred copies per day of the House Calendar; one hundred copies per day of the Senate Journal; two hundred and fifty copies per day of the House Journal; one hundred copies of Senate Bills and Joint Resolutions; two hundred copies of House Bills and Joint Resolutions; fifteen hundred copies of the Governor's Messages; two hundred copies each of the annual reports of the Treasurer, Attorney General, Secretary of State, Comptroller General, Adjutant General and Superintendent of Education; five hundred copies each of the reports of the various public institutions, such as Penitentiary, Lunatic Asylum and State Orphan House; twenty-
five hundred copies of the Acts and Joint Resolutions; five hundred copies of the Reports and Resolutions; five hundred copies of the Supreme Court Decisions, with the exclusive right to the State Printer to print and sell as many additional copies as he may deem fit, to furnish the paper for the same; together with such other printing as may be ordered by either branch of the General Assembly, such as special reports; also, the stitching and folding and binding of a sufficient number of the Journals, Reports, Resolutions and Acts of the General Assembly as may be necessary to furnish one copy each for the use of the members of the General Assembly, and for the State Librarian to make exchanges with other States.

We agree to make no discrimination on account of race or color in the employment of printers.

J. WOODRUFF,
A. O. JONES,
For the Republican Printing Company.

We agree to the above proposal, and award the contract at the amount specified therein, thirty thousand dollars a year, for the term of two years.

W. F. MYERS,
J. D. WARLEY,
W. E. JOHNSTON,
D. I. WALKER,
SAMUEL GREEN,
On the part of the Senate.

A. W. CURTIS,
R. H. HUMBERT.
J. H. FERITER,
R. D. GAITHER,
JOSEPH ROBINSON,
R. BRYAN,
On the part of the House of Representatives.

Received as information.

BILLS INTRODUCED.

Mr. GREEN, pursuant to notice, introduced Bill authorizing Robert Smalls to build a wharf in the town of Beaufort.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.
The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill (by Mr. Corwin) to extend the time for officers to qualify;
Bill (by Mr. Cochran) to render officers of corporations personally responsible in certain cases.

The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. Cochran) to regulate the appointment of County officers.

The Bill was read by its title, and referred to the Committee on County Offices and Officers.

Bill (by Mr. Cochran) to reduce the pay of County Commissioners and their Clerks;

Bill (by Mr. Cochran) to reduce the pay of jurors.

The above Bills were read by their titles, and referred to the Committee on Retrenchments.

House concurrent resolution that the Clerk of the Senate and Clerk of the House of Representatives be instructed to issue pay certificates to members for salary and mileage, and for officers and employees, according to amounts allowed by law.

On motion of Mr. GAILLARD, the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

Resolution (by Mr. Johnston) that the General Assembly meet daily at 11:30 A. M.

After debate, participated in by Messrs. Whittemore, Johnston, on motion of Mr. WHITTEMORE, the resolution was ordered to lie on the table.

Joint Resolution (by Mr. Cochran) proposing certain amendments to the State Constitution.

The Resolution was read by its title, and referred to the Special Committee appointed to consider and prepare certain amendments to the State Constitution.

EXECUTIVE SESSION.

At 12:25 P. M., on motion of Mr. GAILLARD, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. SWAILS, at 12:35 P. M., the Senate adjourned.
FRIDAY, DECEMBER 15, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. A. W. Cummings.

On motion of Mr. MAXWELL, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,

Bill to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate,

Joint Resolution relative to the election of Circuit Judges.

The Joint Resolution received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

PETITIONS, &c.

Mr. GREEN presented the claim of the Wall Street Journal, of New York, for advertising for three months the registration of the bonds of the State of South Carolina; which was referred to the Committee on Claims.

NOTICES OF BILLS.

Mr. WHITTEMORE gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce,

Bill to prevent and punish any person or persons for setting up or attempting to set up or maintaining a government of the State in opposition to the legitimate and lawful government of the State.

BILLS INTRODUCED.

Mr. CORWIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Joint Resolution to authorize and require the Comptroller General to return to Henry C. Corwin a certain Legislative pay certificate;

Joint Resolution to amend a Joint Resolution requiring past due school claims in Newberry County to be registered.
The above Joint Resolutions received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes of South Carolina, relating to liens on crops.

The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Bill (House) to raise supplies for the fiscal year commencing November 1, 1876.

The Bill was read by its title, and referred to the Committee on Finance.

Bill (by Mr. Green) authorizing Robt. Smalls to build a wharf in the town of Beaufort.

The Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Report (favorable) of Committee on Roads, Bridges and Ferries on Bill to establish and charter Yauhanna Ferry, in Georgetown County.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Report (favorable) of Committee on the Judiciary on Bill relative to annual examination of bonds of the various County officers.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendment,

Ordered, That it be engrossed for a third reading.

Mr. GREEN and others gave notice that on the third reading of the above Bill they will offer sundry amendments.

Report (favorable) of Committee on the Judiciary on Bill to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes, relative to examination of County offices.

The report was read, and the Bill taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendment,

Ordered, That it be engrossed for a third reading.

Mr. JETER sent to the desk and had read the following communication:
To the Honorable the Senators of South Carolina:

I have the honor of informing the Senators that yesterday, 14th December, instant, the election returns for Governor and Lieutenant Governor were opened and published by the honorable W. H. Wallace, Speaker of the House of Representatives, in the presence of the members of the House and Senators; that Wade Hampton having received a majority of the votes cast for Governor, and W. D. Simpson having received a majority of the votes cast for Lieutenant Governor, were declared duly elected to these offices respectively. That thereupon His Excellency Wade Hampton was inaugurated as Governor, and the oath of office was administered to him; and I was inaugurated as Lieutenant Governor—then and there taking the oath prescribed in the Constitution. Under the provisions of the Constitution I am ex officio President of the Senate, and am entitled to the privilege of presiding over that body when present. The law-making power of the State is, by virtue of the Constitution, vested in the General Assembly, to be composed of the Senate and a House of Representatives, organized according to its provisions.

The two Houses together compose the General Assembly, and each is an integral part thereof.

The Supreme Court of this State, the Court of last resort, has decided that the body over which the Hon. W. H. Wallace presides as Speaker is the constitutional House of Representatives, and consequently it must be a portion of the General Assembly. Such being the case, I respectfully submit that it is the duty of the Senators composing the Senate to unite with the House, and thus organize the General Assembly. Should this union take place and the Senate thus form a part of the General Assembly, the legislative power of the State will be in full action.

I respectfully announce to you that, as Lieutenant Governor, I am present in the city of Columbia, and am prepared to discharge the duties of your presiding officer, which devolve upon me under the provisions of the Constitution, and I hereby claim the right of taking my seat as President of the Senate.

With great respect, your obedient servant,

W. D. SIMPSON,
Lieutenant Governor and ex officio President of Senate.

On motion of Mr. SWAILS, the communication was referred to the Committee on the Judiciary, with instructions to report as early as practicable.

On motion of Mr. MAXWELL, at 12:50 P. M., the Senate adjourned.
SATURDAY, DECEMBER 16, 1876.

The Senate assembled at 12 M., and was called to order by Hon. S. A. SWAILS, President pro tem.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. C. W. Mossell.

On motion of Mr. B. H. WILLIAMS, the reading of the Journal of yesterday was dispensed with.

Mr. WALKER asked and obtained leave of absence, with the announcement that he had paired with the Senator from Marion.

Mr. HOWARD sent to the desk the following communication:

SENATE CHAMBER,
COLUMBIA, S. C., December 16, 1876.

Honorable S. A. SWAILS, President pro. tem. of the Senate:

SIR—I had intended visiting my home to-day, and for that purpose "paired" with the Senator from Chester, who is now absent from his seat.

I request that this communication be spread on the Journal, as my reason for not voting in the Senate.

R. G. HOWARD,
Senator from Marion.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate the following resolution:

Resolved by the House of Representatives, the Senate concurring, That the Governor be requested to communicate to the General Assembly a statement of the circumstances under which a commission as Circuit Judge was issued to T. H. Cooke in December, 1875.

Ordered for consideration on Monday next.

The House also sent to the Senate:

Bill (House) to regulate the appointment and salary of Trial Justices in the County of Barnwell;

Bill (House) to make appropriations to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1876.

The above Bills received their first reading, were ordered for a second reading and consideration on Monday next, and to be printed.

The Sergeant-at-Arms announced
MESSAGES FROM THE GOVERNOR.

Messages Nos. 9 and 10, from His Excellency the Governor, were presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

PETITIONS, &c.

Mr. CLINTON presented sundry contingent accounts of the Clerk and Sergeant-at-Arms of the Senate; which were referred to the Committee on Contingent Accounts and Expenses of the Senate.

REPORTS OF COMMITTEES.

Mr. GAILLARD, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading:

Bill to amend Section 37, Chapter XVI, Part I of Title V of the General Statutes of South Carolina, relative to examination of County offices;

Bill to establish and charter Yauhanna Ferry, in Georgetown County;

Joint Resolution to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate;

Joint Resolution to amend a Joint Resolution requiring past due claims in Newberry County to be registered;

Bill relative to the annual examination of the bonds of the various County officers.

Ordered for consideration on Monday next.

NOTICES OF BILLS.

Mr. TAFT gave notice that he will on Monday next, or some subsequent day, ask leave to introduce

Bill to amend an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same."

BILLS INTRODUCED.

Mr. COCHRAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to authorize County Commissioners to submit to the qualified electors of their several Counties a proposition to alter the fence laws, and to provide for effectuating the same.

The Bill received its first reading, was ordered for a second reading and consideration on Monday next, and to be printed.
Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice;
Bill relative to stenography and public printing;
Bill to amend an Act entitled “An Act to fix the salaries of certain public officers;”
Bill to prevent and punish any person or persons for setting up, or attempting to set up, or maintaining a government of the State in opposition to the legitimate and lawful government of the State.
The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.
Mr. CORWIN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,
Bill to ascertain the indebtedness of the County of Newberry, and to regulate the payment thereof.
The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. TAFT introduced the following resolution:
Resolved That a Committee of be appointed to cancel, by cutting the same, all bills of the Bank of the State now in the State Treasury.

On motion of Mr. TAFT, the Rule was suspended, and the resolution considered immediately.
On motion of Mr. WHITTEMORE, the resolution was amended by the addition of the words “and the said Committee shall report to the Senate the number and amount of said bills so cancelled.”
On motion of Mr. TAFT the resolution was further amended by filling the blank with the word “five.”
The question was then taken on agreeing to the resolution as amended, and decided in the affirmative.
Messrs. Taft, Cannon, Duncan, Johnston, Maxwell, were appointed said Committee.

Mr. B. H. WILLIAMS introduced the following resolution:

Whereas the Senate, at its present session, is without a Chaplain to perform the usual devotional service; therefore, be it
Resolved, That the Rev. C. W. Mossell be elected Chaplain of the Senate during its present session.

Mr. B. H. WILLIAMS moved that the Rule be suspended, and the resolution considered immediately.
Objection being made, the resolution was ordered for consideration on Monday next.
MONDAY, DECEMBER 18, 1876.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Joint Resolution (by Mr. Corwin) to amend a Joint Resolution requiring past due school claims in Newberry County to be registered;

Joint Resolution (by Mr. Corwin) to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate.

The above Resolutions received their second reading, and were considered as in Committee of the Whole.

There being no amendments,

Ordered, That they be engrossed for a third reading.

Bill (House) to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and the expenses incidental thereto.

The Bill was read by its title, and referred to the Committee on Finance.

Joint Resolution (House) relative to the election of Circuit Judges.

The resolution was read by its title, and referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

On motion of Mr. DUNCAN, at 12:30 P. M., the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. JETER, at 12:50 P. M., the Senate adjourned.

MONDAY, DECEMBER 18, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. C. W. Mossell.

On motion of Mr. DUNCAN, the reading of the Journal of Saturday was dispensed with.
The House sent to the Senate,
Concurrent resolution for the appointment of a Special Joint Committee to examine the books of the State Treasurer and Comptroller General.

On motion of Mr. MAXWELL, the resolution was concurred in.

Ordered, That it be returned to the House of Representatives.

Hon. W. B. Nash, Chairman of the Committee on Finance, was announced as member of said Committee, and a message sent to the House of Representatives accordingly.

The House also sent to the Senate,
Bill to prevent and punish any person or persons for setting up, or attempting to set up, or maintaining a government of the State in opposition to the legitimate and lawful government of the State.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

The House also sent to the Senate the following message:

IN THE HOUSE OF REPRESENTATIVES,
COLUMBIA, S. C., December 18, 1876.

Mr. President and Gentlemen of the Senate:

The House of Representatives respectfully informs your honorable body that Messrs. Johnston and Miller have been appointed Committee on the part of the House to join the Committee appointed on the part of your honorable body to examine books, &c., of the Treasurer and Comptroller General.

Very respectfully,
E. W. M. MACKEY,
Speaker House of Representatives.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Bill to extend the time for officers to qualify, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. DUNCAN, from the Committee on Roads, Bridges and Ferries, to whom was referred Bill to authorize Robert Smalls to build a wharf in the town of Beaufort, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Finance, to whom was referred Bill (House) to raise supplies for the fiscal year commencing November...
1, 1876, reported back the same, with the recommendation that the Bill do pass, amended as follows:

Strike out, in Section 1, all after “1876;” also, strike out the word and figure “one (1)” and insert the word and figure “two (2)” in lieu thereof.

In Section 2, on the first line, insert “two” in place of “one” (mill.)

Strike out, in the same Section, all after “1876.”

In Section 6, first line, insert “four” in place of “three” (mills.)

After Section 6 insert the following new Section as Section 7:

“That a tax of two mills upon the dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriation for the support and maintenance of the common schools for the fiscal year commencing November 1, 1876.”

In Section 8, on the seventh line, insert “one-half” in the place of “one” (mill.)

After the word “County,” on the tenth line in Section 8, add the following: “and one-half of one mill to be set apart and paid in like manner, pro rata, to persons holding audited claims against the County.”

Ordered for consideration to-morrow.

BILLS INTRODUCED.

Mr. TAFT asked and obtained the unanimous consent of the Senate to introduce, without previous notice:

Bill to amend an Act entitled “An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same;”

Bill to charter the Palmetto Phosphate River Mining Company.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

Mr. WHITTEMORE asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to repeal Section 147 of an Act entitled “An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same,” approved March 19, 1874.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. COCHRAN introduced the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the concurrent resolution whereby the General Assembly agreed
to adjourn *sine die* on Friday, the 22d instant, be, and the same is hereby rescinded.

Resolved further, That the General Assembly take a recess from Friday, the 22d instant, until Tuesday, the 20th day of February next, unless sooner convened by the proclamation of His Excellency the Governor.

Resolved further, That if the General Assembly shall be convened by His Excellency the Governor, prior to the time fixed for its reassembling under the terms of this concurrent resolution, it is hereby declared to be the sense of the General Assembly that the members hereof will be entitled to no other or further compensation for their services than that now provided by law, to wit: The salary of six hundred dollars per annum.

Ordered for consideration to-morrow.

Mr. SWAILS introduced the following resolution:

Whereas the following claims of E. M. Stoeber, viz.:

- F. A. Miles, House pay certificate, March 13, 1872.............$ 36 00
- Edwin Simmons, House pay certificate, March 14, 1874........ 295 75
- A. Watson, House pay certificate, March 14, 1874............. 102 75
- B. F. Thompson, House pay certificate, March 14, 1874........ 330 00
- Prince Brown, House pay certificate, March 14, 1874.......... 330 00
- Charles Simeou, Joint pay certificate, March 9, 1874.......... 300 00
- R. Hart, Joint pay certificate, March 9, 1874.................. 330 00
- R. M. Butler, Joint pay certificate, March 9, 1874.......... 300 00
- B. Z. Smith, Joint pay certificate, March 9, 1874............. 525 00
- E. J. Adams, State Treasurer's due bill...................... 199 41

Were in possession of the House of Representatives during the session of 1875-76 at the time the limitation to file claims before the Claim Commission expired; and

Whereas said claims could not be filed as required by law, in consequence of the House holding said claims, and the claimant being a resident of Marion County; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Claims Commission is hereby authorized and required to register, file and acknowledge the said claims as if they had been registered in time, as required by law.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of General Orders on the Calendar, to wit:
Bill to establish and charter Yauhanna Ferry, in Georgetown County;
Bill to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes, relative to examination of County offices;
Joint Resolution (by Mr. Corwin) to amend a Joint Resolution requiring past due school claims in Newberry County to be registered;
Joint Resolution (by Mr. Corwin) to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate.

The above Bills and Joint Resolutions received their third reading, passed;

Ordered, That they be sent to the House of Representatives.

Bill relative to the annual examination of the bonds of the various County officers.
The Bill received its third reading.
Mr. GREEN moved that the Bill be amended so that Section 2 be made Section 3, and the following inserted as Section 2:

"SECTION 2. That whenever any of the County officers in the several Counties of the State shall absent themselves from the State for a period of three months continuously, their office shall be deemed vacant; and the Governor shall forthwith proceed to fill said vacancy."

After debate, participated in by Messrs. Whittemore, Green,
The amendment proposed by the Senator from Beaufort was withdrawn.
The Bill then passed, and was ordered to be sent to the House of Representatives.

Bill (by Mr. Cochran) to authorize County Commissioners to submit to the qualified electors of their several Counties a proposition to alter the fence laws, and to provide for effectuating the same.
The Bill was read by its title, and referred to the Committee on Agriculture.

Bill (by Mr. Whittemore) to prevent and punish any person or persons for setting up, or attempting to set up, or maintaining, a government of the State, in opposition to the legitimate and lawful government of the State;

Bill (House) to regulate the appointment and salary of Trial Justices in and for the County of Barnwell.
The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. Whittemore) relative to stenography and printing.
The Bill was read by its title, and referred to the Committee on Printing.
Bill (by Mr. Whittemore) to amend an Act entitled "An Act to fix the salaries of certain public officers;"

Bill (by Mr. Corwin) to ascertain the indebtedness of the County of Newberry, and regulate the payment thereof;

Bill (House) to make appropriations to meet the ordinary expenses of the State government for the fiscal year commencing November 1, 1876.

The above Bills were read by their titles, and referred to the Committee on Finance.

Resolution (by Mr. B. H. Williams) that Rev. C. W. Mossell be elected Chaplain of the Senate during its present session.

On the question of agreeing to the resolution,

After debate, participated in by Messrs. Nash, Cochran, Maxwell,

Mr. Maxwell moved that the resolution be laid on the table.

On the question of agreeing to the motion of the Senator from Marlboro,

Mr. Cochran called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the resolution was ordered to lie on the table.

House concurrent resolution relative to the commission of T. H. Cooke, as Circuit Judge.

On motion of Mr. Swails, the resolution was referred to the Committee on the Judiciary.

On motion of Mr. Swails, at 1 P. M., the Senate adjourned.

TUESDAY, DECEMBER 19, 1876.

The Senate assembled at 12 M., and was called to order by the President.

The roll was called, and a quorum answering to their names, the President announced the Senate ready to proceed to business.

Prayer by Rev. C. W. Mossell.

On motion of Mr. Warley, the reading of the Journal of yesterday was dispensed with.
TUESDAY, DECEMBER 19, 1876.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House sent to the Senate,
Concurrent resolution requesting His Excellency the Governor to
arm, equip and station in Aiken County one hundred State Constables.
Ordered for consideration to-morrow.
The House also sent to the Senate,
Bill to amend an Act entitled "An Act to fix the salaries of certain
public officers."
The Bill received its first reading, was ordered for a second reading
and consideration to-morrow, and to be printed.
The Sergeant-at-Arms announced

MESSAGES FROM THE GOVERNOR.

Messages Nos. 11, 12, 13 and 14, from His Excellency the Governor,
were presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.
The President announced that the Messages related to Executive business.

REPORTS OF COMMITTEES.

Mr. Nash, from the Committee on Finance, to whom was referred
House Bill to make appropriations to meet the ordinary expenses of the
State government for the fiscal year commencing November 1, 1876,
reported back the same, with a recommendation that the Bill do pass,
with the following amendments, to wit:

After paragraph 16, line 3, add the following: "Five thousand of
which shall be paid out of the money derived from the Land Commiss
ion department."

On paragraph 3, Section 2, after "Asylum," insert "seven thousand
five hundred," in place of "five thousand."

On paragraph 6, Section 2, strike out, after the word "school," on the
first line, the words "ten thousand," and insert "seven thousand."

At the end of paragraph 5, Section 2, add the following: "Provided,
That the salary hereby appropriated to any professorship may, in case of
a vacancy, be expended by the Board of Trustees in the employment of
assistant teachers in the University."

Add the following to Section 2 as paragraph 8: "That the phosphate
royalty received within the fiscal year ending October 31, 1877, after the
payment of the executive and legislative supplies of fuel and stationery
for the said fiscal year, shall be applied exclusively to the appropria
tions of this Section pro rata."

On Section 3, line 2, strike out "thirty" and insert "fifteen."
On Section 7, line 8, strike out the balance of the Section after the word "thereof."

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Finance, to whom was referred House and Senate Bills to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto, reported back the same, with the recommendation that the House Bill do pass, and the Senate Bill be laid on the table.

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Finance, to whom was referred Bill to authorize and require the County Commissioners of Georgetown County to levy and collect a special tax for the purpose of paying the past indebtedness of the said County, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. NASH, from the Committee on Finance, to whom was referred Bill to ascertain the indebtedness of the County of Newberry, and regulate the payment thereof, reported back the same, with the recommendation that the Bill do pass.

Ordered for consideration to-morrow.

Mr. MYERS, from the Committee on Finance, to whom was referred Bill to extend the time for officers to qualify.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred House concurrent resolution in relation to the election and commission of T. H. Cooke, as Circuit Judge, reported back the same, with the recommendation that the Senate concur.

Ordered for consideration to-morrow.

NOTICES OF BILLS.

Mr. JOHNSTON gave notice that he will on to-morrow, or some subsequent day, ask leave to introduce

Joint Resolution to provide for the claims of certain school teachers.

BILLS INTRODUCED.

Mr. MYERS asked and obtained the unanimous consent of the Senate to introduce, without previous notice,

Bill to amend all Acts or parts of Acts relating to the charter of the town of Summerville.

The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.
TUESDAY, DECEMBER 19, 1876.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill (House) to prevent and punish any person or persons for setting up, or attempting to set up, or maintaining a government of the State in opposition to the legitimate and lawful government of the State;

Bill (by Mr. Whittemore) to repeal Section 147 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," approved March 19, 1874;

Bill (by Mr. Taft) to amend an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same;"

Bill (by Mr. Cochran) to regulate the sale of seed cotton, and to punish unlawful traffic in the same.

The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Bill (by Mr. Taft) to charter the Palmetto Phosphate River Mining Company.

The above Bill was read by its title, and referred to the Committee on Mines and Mining.

Concurrent resolution (by Mr. Cochran) providing for a recess of the General Assembly.

On the question of agreeing to the resolution,

Mr. SWAILS moved to amend the resolution by striking out the words and figures "Tuesday, 20th day of February next," and inserting in lieu thereof the words and figures "Tuesday, 26th day of December, 1876."

After debate, participated in by Messrs. Green, Swails,

Mr. MYERS moved, as an amendment to the amendment, to strike out the words and figures "Tuesday, 26th day of December, 1876," and insert in lieu thereof the words and figures "Wednesday, 3d day of January, 1877."

The amendment to the amendment was accepted.

Mr. JOHNSTON moved to amend the amendment by striking out the words and figures "Wednesday, 3d day of January, 1877," and inserting in lieu thereof the words and figures "Friday, January 12, 1877."

After debate, participated in by Messrs. Green, Swails, Johnston, Nash, Jeter, Cochran, Whittemore,

Hon. S. A. SWAILS, President pro tem., took the chair.

Mr. WHITTEMORE moved that the further consideration of the
resolution be postponed, and made the Special Order for to-morrow, at 1 P. M.

On the question of agreeing to the motion of the Senator from Darlington,

Mr. JOHNSTON called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the further consideration of the resolution was postponed, and made the Special Order for to-morrow, at 1 P. M.

Report (favorable) of Committee on Roads, Bridges and Ferries on Bill to authorize Robert Smalls to build a wharf in the town of Beaufort.

The report was read, the Bill received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

**Ordered**, That the Bill be engrossed for a third reading.

Report (favorable) of the Committee on the Judiciary on Bill to extend the time for officers to qualify.

The report was read, the Bill received its second reading, and was considered as in Committee of the Whole.

There being no amendments,

**Ordered**, That the Bill be engrossed for a third reading.

Concurrent resolution (by Mr. Swails) to authorize and require the Claim Commission to register and file claims.

The question was taken on agreeing to the resolution, and decided in the affirmative.

**Ordered**, That it be sent to the House of Representatives.

Mr. WHITTEMORE sent to the desk and had read an extract from the Columbia Register, relative to a statement of the destruction of the bills of the Bank of the State, which he disclaimed having made, and desired to say that he made no remark that indicated any individual of the former Committee had been benefited by the destruction of said bills.

Report (favorable) of Committee on Finance on Bill (House) to raise supplies for the fiscal year commencing November 1, 1876.

Mr. JETER moved that the further consideration of the Bill be postponed, and made the Special Order for to-morrow, at 1 P. M.

Mr. JOHNSTON, in opposition to the motion, desired the reasons of the Senator from Union.
WEDNESDAY, DECEMBER 20, 1876.

Mr. JETER stated that it was an important Bill, and he desired time for its examination.

On motion of Mr. JETER, the further consideration of the report and Bill was postponed, and made the Special Order for to-morrow, at 12:30 P. M.

Mr. JETER moved that Hon. M. W. Gary be heard on the question of admission to a seat in the Senate, and that the oath of office be administered to him as Senator elect from Edgefield County.

The PRESIDENT ruled the motion out of order, inasmuch as all matters relating to the seats of Senators from Abbeville, Edgefield and Laurens were now before the Committee on Privileges and Elections.

Mr. JETER appealed from the decision of the Chair.

After debate, participated in by Messrs. Jeter, Whittemore,

On the question "Shall the decision of the Chair be sustained as the judgment of the Senate?"

Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the decision of the Chair was sustained as the judgment of the Senate.

On motion of Mr. CANNON, Hon. H. A. Meetze was added to the Special Committee appointed to cancel the bills of the Bank of the State now in the State Treasury.

EXECUTIVE SESSION.

At 2 P. M., on motion of Mr. MYERS, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. GREEN, at 2:15 P. M., the Senate adjourned.

WEDNESDAY, DECEMBER 20, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.
Prayer by Rev. A. W. Cummings.
On motion of Mr. WARLEY, the reading of the Journal of yesterday was dispensed with.
Mr. MAXWELL sent to the desk and had read an anonymous communication containing threats of assassination, addressed to the Senator from Marlboro; which was replied to by the Senator.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned, with amendments, Bill to repeal Sections 55, 56 and 57, of Title IV, Chapter CXX, of the Revised Statutes.
Mr. MYERS moved that the Senate concur.
After debate, participated in by Messrs. Taft, Swails, Green,
On motion of Mr. SWAILS, the further consideration of the Bill and amendments was postponed, and made the Special Order for to-morrow, at 1 P. M.
Bill to ascertain the indebtedness of the County of Newberry and regulate the payment thereof;
Bill to amend an Act entitled "An Act to regulate the appointment and salary of Trial Justices in the city of Columbia."
The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.
The Sergeant-at-Arms announced

MESSAGES FROM THE GOVERNOR.

Messages Nos. 13, 14, 15, 16 and 17, from His Excellency the Governor, were presented to the Senate by Mr. Charles J. Babbit, Private Secretary.
The President announced that the Messages related to Executive business.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 12:30 P. M., to wit:
Report (favorable) of Committee on Finance on Bill (House) to raise supplies for the fiscal year commencing November 1, 1876.
The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.
The question was taken on agreeing to the amendment recommended by the Committee on Finance to Section 1, to wit:
Strike out the following proviso:
"Provided, That one-half of the balance of the phosphate royalty received within the fiscal year ending October 31, 1877, after paying for
the Executive and Legislative supplies of fuel and stationery for the fiscal year, shall be applied to the appropriations mentioned in this Section, pro rata," and decided in the affirmative.

On the question of agreeing to the amendment recommended by the Committee on Finance to Section 1, line 1, by striking out the word and figure "one (1)" and inserting in lieu thereof the word and figure "two (2),"

Mr. COCHRAN called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:


So the amendment was agreed to.
The question was taken on agreeing to the amendment to Section 2, recommended by the Committee on Finance, to wit:

Strike out the following proviso:

"Provided, That one-half of the balance of the phosphate royalty received within the fiscal year ending October 31, 1877, after paying for the Executive and Legislative supplies of fuel and stationery for the said fiscal year, shall be applied to the appropriations mentioned in this Section, pro rata," and decided in the affirmative.

Mr. NASH moved that Section 4 be amended by striking out the words and figures "one-fourth (½)" and inserting in lieu thereof the words and figures "one-eighth (¼);"

Mr. MYERS moved that the further consideration of the amendment proposed by the Senator from Richland be indefinitely postponed.
The amendment was subsequently withdrawn.

On the question of agreeing to the further amendment recommended by the Committee on Finance to Section 6, to wit:

In Section 6, first line, insert "four" in place of "three" (mills),

After debate, participated in by Messrs. Whittemore, Cochran, Nash, Mr. COCHRAN called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:


So the amendment was agreed to.
The question was taken on agreeing to the amendment recommended by the Committee on Finance, to wit:
After Section 6 insert the following new Section as Section 7:

"That a tax of two mills upon the dollar of the value of all taxable property in this State be, and the same is hereby, levied to meet appropriation for the support and maintenance of the common schools for the fiscal year commencing November 1, 1876," and decided in the affirmative.

On the question of agreeing to the further amendment recommended by the Committee on Finance, to wit:

In Section 8, on the seventh line, insert "one-half" in place of "one" (mill;) and after the word "County," on the tenth line in Section 8, add the following: "and one-half of one mill to be set apart and paid in like manner, pro rata, to persons holding audited claims against the County."

Mr. NASH asked and obtained leave on the part of the Committee to withdraw the amendment.

On motion of Mr. GAILLARD, Section 8 was amended, in line 10, by inserting after the word "County" the words and figures "and one-half (½) mill, to be used in paying other claimants pro rata."

On motion of Mr. GREEN, Section 8 was further amended by inserting after the words "pro rata" the words "and except the County of Beaufort, in which the County Commissioners shall levy four (4) mills, one mill of which, if so much be necessary, shall be set apart and paid by the County Treasurer in settlement of audited claims held by William Wilson, Sheriff of Beaufort County, for the fiscal year 1875-76."

On motion of Mr. DUNCAN, Section 8 was further amended by the addition of the words, "also except the County of Orangeburg, in which the County Commissioners shall levy three mills, one mill of which shall be devoted to the payment of past due indebtedness of said County."

On motion of Mr. WHITTEMORE, Section 9 was amended by the addition of the words, "and the State Treasurer shall publish in one or more of the newspapers published in the city of Charleston, a monthly statement of all the moneys received by him, and the amount paid, and to whom and on account of what appropriation paid, as well as the balance of moneys on hand."

On motion of Mr. MYERS, Section 9 was amended, in line two, by striking out the word "six" and inserting in lieu the word "seven."

Mr. TAFT moved that Section 11 be amended by inserting, in line five, after the word "Act," the words "also bills of the Bank of the State, which shall have been proved, stamped or found genuine, to the satisfaction of the Treasurers who are to receive the same."

Mr. GREEN moved that the further consideration of the amendment proposed by the Senator from Charleston be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Beaufort,
MR. COCHRAN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the further consideration of the amendment was indefinitely postponed.

On motion of Mr. WHITTEMORE, Section 11 was amended by the addition of the words, "also the State Treasurer's due bills given in lieu of certificates of members, officers and attachées of the General Assembly, issued during the session of 1875-76, as well as the certificates of the members, officers and attachées of the General Assembly issued for the session of 1875-76, now remaining unpaid."

There being no further amendments,

On the question of agreeing to the passage of the Bill, and ordering it to be engrossed,

Mr. BOWEN moved that the further consideration of the Bill be indefinitely postponed.

On the question of agreeing to the motion of the Senator from Pickens,

Mr. BOWEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the motion of the Senator from Pickens was not agreed to.

The Bill, as amended, then passed, and was ordered to be engrossed.

Mr. COCHRAN gave notice that on the third reading of the above Bill he will move to make sundry amendments.

REPORTS OF COMMITTEES.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Bill to amend an Act entitled "An Act to fix the salaries of certain public officers, approved March 25, 1876," reported back the same, with the recommendation that the Bill do not pass.

Ordered for consideration to-morrow.

Mr. WHITTEMORE, from the Committee on the Judiciary, to whom was referred Bill to repeal Section 147 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxa-
BILLS INTRODUCED.

Mr. COCHRAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice,
Bill to establish and regulate Justices Courts in and for the State of South Carolina, and to reduce all Acts and parts of Acts relative to the same into one Act, and to amend the same.
The Bill received its first reading, was ordered for a second reading and consideration to-morrow, and to be printed.

SPECIAL ORDER FOR 1 P. M.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:
Concurrent resolution (by Mr. Cochran) providing for a recess in the General Assembly.
The question recurred on agreeing to the amendment proposed by the Senator from Sumter, to strike out the words and figures "January 3, 1877" and insert in lieu thereof the words and figures "Friday, January 12, 1877."
Mr. GAILLARD moved that the resolution be ordered to lie on the table.
On the question of agreeing to the motion of the Senator from Charleston,
Mr. WHITTEMORE called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:
So the Senate refused to lay the resolution on the table.
Mr. GREEN moved that the further consideration of the resolution and amendments be indefinitely postponed.
On the question of agreeing to the motion of the Senator from Beaufort,
Mr. GREEN called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:
Yeas—Messrs. Bird, Butler, Carter, Clinton, Corwin, Crittenden, Duncan, Evans, Gaillard, Green, Howard, Jeter, Livingston, Maxwell,
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So the further consideration of the resolution and amendments was indefinitely postponed.

RESOLUTIONS.

Mr. NASH introduced the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the Committee appointed to make the annual examination of the office of the State Treasurer for the fiscal year ending October 31, 1876, be authorized to continue such examination after the adjournment of this General Assembly, and make their report to the President of the Senate and the Speaker of the House in time to have the same incorporated into the permanent Journals.

Ordered for consideration to-morrow.

Mr. WHITTEMORE introduced the following resolution:

Resolved, That the Commissioners appointed under the provisions of an Act entitled “An Act to provide for the settlement and payment of certain claims against the State,” approved December 24, 1875, be, and they are hereby, requested, at the earliest possible moment, to report to the Senate the aggregate amount of claims audited and allowed by them, and the “terms and conditions” upon which said claims were allowed, as well as the aggregate amount of claims disallowed and returned to the claimants. The words “terms and conditions” in this resolution are to be construed: the per centage allowed on the claims audited. The said Commissioners, in their report as required in this resolution, are further requested to give an abstract of the different classes of claims acted upon by them, whether allowed or disallowed, and the aggregate amount of each class.

Ordered for consideration to-morrow.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill to extend the time for officers to qualify.
The Bill received its third reading, passed, and was ordered to be sent to the House of Representatives.

Report, (favorable) of Committee on Finance on House Bill to make
appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

Mr. MYERS moved that Section 1 be amended by the addition of the words,

"For the payment of Electors for President and Vice President of the United States, in accordance with Section 21 of Chapter IX, Revised Statutes, the President of the Senate and Speaker of the House of Representatives be, and are hereby, authorized and directed to issue joint certificates to said Electors, to be paid out of the appropriation herein mentioned."

On the question of agreeing to the amendment proposed by the Senator from Colleton,

Mr. COCHRAN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

Yeas—Messrs. Bird, Carter, Clinton, Corwin, Duncan, Gaillard, Green, Johnston, Myers, Nash, B. H. Williams, Whittemore—12.


So the amendment was not agreed to.

Mr. GAILLARD moved that Section 1 be amended by inserting, in line 34, the names "James Brennan, A. S. Richardson, S. D. Kirk, Committee Clerks of the Senate."

After debate, participated in by Messrs. Whittemore, Nash, Taft, Gaillard, Warley, Walker, Green, Swails,

The question was taken on agreeing to the amendment, so far as related to the names "James Brennan, A. S. Richardson, Committee Clerks of the Senate," and decided in the affirmative.

On the question of agreeing to the amendment, to insert the name of "S. D. Kirk" as Committee Clerk of the Senate,

Mr. TAFT called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


So the Senate refused to agree to the amendment.

On motion of Mr. WHITTEMORE, Section 1 was further amended by inserting, at the end of line 38, the words, "for the pay of A. G.
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Thomas, stenographer to the Senate Committee on Privileges and Elections, ten dollars per day for each day actually employed.”

On motion of Mr. GREEN, Section 1 was further amended, in line 39, by inserting the name “Henry” before the name “Simmons.”

On motion of Mr. TAFT, Section 3 was amended, in line 10, by striking out the words “certificates of pay for;” also, in line 13, by striking out the word “fourth” and inserting the word “third.”

On motion of Mr. WHITTEMORE, Section 3 was further amended, by the addition of the words “and the same to be paid pro rata.”

There being no further amendments,

Ordered, That it be engrossed for a third reading.

Messrs. NASH, COCHRAN and others gave notice that on the third reading of the above Bill they will move to make sundry amendments.

Report (favorable, with amendments) of Committee on Finance on House Bill to make appropriation to meet the ordinary expenses of the State Government for the fiscal year commencing November 1, 1876.

The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

The question was taken on agreeing to the amendment to Section 1 recommended by the Committee on Finance, to wit: After paragraph 16, line 3, add the following: “Five thousand of which shall be paid out of the money derived from the Land Commission department,” and decided in the affirmative.

On motion of Mr. WHITTEMORE, said amendment was further amended by the addition of the words “the said sum to be paid on the warrants of the Comptroller General, on application of the Governor.”

On motion of Mr. NASH, Section 1 was further amended, in line 3, by striking out before the word “mills” the word “one,” and inserting in lieu thereof the word “two.”

The question was taken on agreeing to the amendments recommended by the Committee on Finance, to wit:

In paragraph 3, Section 2, after “Asylum,” insert “seven thousand five hundred” in place of “five thousand,” and in paragraph 6, Section 2, strike out, after the word “school,” on the first line, the words “ten thousand,” and insert “seven thousand five hundred.”

Also, at the end of paragraph 5, Section 2, add the following:

“Provided, That the salary hereby appropriated to any professorship may, in case of a vacancy, be expended by the Board of Trustees in the employment of assistant teachers in the University.”

Add the following to Section 2, paragraph 3:

“That the phosphate royalty received within the fiscal year ending October 31, 1877, after the payment of the executive and legislative
supplies of fuel and stationery for the said fiscal year, shall be applied, 
*pro rata*, exclusively to the appropriations of the three first paragraphs 
of Section 2.”

The amendment recommended by the Committee on Finance to Sec-
tion 3 was withdrawn.

Mr. JOHNSTON moved that Section 5 be amended by the addition 
of the following proviso:

“*Provided, That any* claims of school teachers for services rendered 
during the year 1876, being regularly certified, and remaining unpaid 
and still due, shall be paid out of the above appropriation, upon proper 
application.”

The question was taken on agreeing to the amendment recommended 
by the Committee on Finance, to strike out the words “*Provided, fur-
ther, That* the appropriations made under this Act shall be paid, *pro 
rata*, until it shall be ascertained that the levy and collections for said 
purposes are found to be sufficient to pay said appropriations in full,”
and decided in the affirmative.

There being no further amendments,

*Ordered, That* the Bill be engrossed for a third reading.

Messrs. NASH, COCHRAN, TAFT, and others, gave notice that on 
the third reading of the above Bill they will move to make sundry 
amendments.

Report (unfavorable) of Committee on Finance on Senate Bill to 
make appropriations for the payment of the salary and mileage of 
the members of the General Assembly, and the salaries of the subor-
dinate officers, and other expenses incidental thereto.

The question was taken on agreeing to the report, decided in the 
affirmative, and the Bill accordingly ordered to lie on the table.

Bill to amend all Acts and parts of Acts relating to the charter of 
the town of Summerville.

On motion of Mr. MYERS, the Bill was ordered to be placed on the 
Calendar of General Orders for to-morrow.

Bill (House) to amend an Act entitled “An Act to fix the sala-
ries of certain public officers.”

The Bill was read by its title, and referred to the Committee on the 
Judiciary.

On motion of Mr. COCHRAN, at 3:30 P. M., the Senate adjourned.
The Senate assembled at 12 M., and was called to order by the PRESIDENT.

The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.

Prayer by Rev. C. W. Mossell.

On motion of Mr. B. H. WILLIAMS, the reading of the Journal of yesterday was dispensed with.

Mr. TAFT asked and obtained leave of absence for the Senator from Charleston, (Mr. Gaillard,) with the announcement that the Senator had paired with the Senator from Chesterfield.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.

The House returned to the Senate, with concurrence,

Concurrent resolution to authorize and require the Claims Commission to register and file certain claims.

The House also returned, with amendments,

Bill to establish and charter Yauhanna Ferry, in Georgetown County, State of South Carolina.

On motion of Mr. B. H. WILLIAMS, the amendments were concurred in.

Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

The House also sent to the Senate:

Bill to regulate the appointment and salary of Trial Justices in and for the County of Abbeville;

Bill to amend all Acts or parts of Acts relating to the charter of the town of Summerville;

Bill to regulate the rates of toll of the Mount Pleasant and Sullivan's Island Ferry.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

REPORTS OF COMMITTEES.

Mr. CLINTON, from the Committee on Contingent Accounts, to whom was referred sundry contingent accounts against the Senate, reported back the same, with the recommendation that the accounts be paid.

Ordered for consideration to-morrow.

Mr. MYERS, from the Committee on Engrossed Bills, reported as duly and correctly engrossed, and ready for a third reading,
Bill authorizing Robert Smalls to build a wharf to deep water in the town of Beaufort.
Ordered for consideration to-morrow.

BILLs INTRODUCED.

Mr. COCHRAN asked and obtained the unanimous consent of the Senate to introduce, without previous notice, the following:
Bill to utilize the convict labor of the State, and to let out the same by contract;
Bill to provide for the election of County Treasurers and County Auditors;
Bill to reduce the pay of Commissioners and Managers of Elections and of their Clerks;
Bill to abolish the office of Jury Commissioner;
Bill to abolish the office of County School Commissioner, and to impose the duties of the said office upon the Chairman of the Board of County Commissioners;
Bill to require all school claims and claims for teachers' pay to be sworn to;
Bill to provide for and regulate the public printing of South Carolina;
Bill to prevent and punish unlawful combinations against the interests of the laboring classes of this State;
Bill to require the Boards of County Commissioners throughout the State to apportion the taxes annually raised for County purposes amongst the specific objects for which said taxes are levied.

The above Bills received their first reading, were ordered for a second reading and consideration to-morrow, and to be printed.

RESOLUTIONS.

Mr. B. H. WILLIAMS introduced the following resolution:

Resolved, That it is the sense of the honorable Senate of the State of South Carolina, now met and in session, that in consequence of the untoward condition of affairs, financial and political, now existing, that the Directors of the State Penitentiary should promptly assume the responsibility of making provision for the support of the convicts confined in the Penitentiary, irrespective of any law now in force; provided their action be within the scope of common humanity and reasonable management.

Ordered for consideration to-morrow.
Mr. MYERS introduced the following resolution:

Whereas the Special Joint Committee appointed under House resolution to investigate the Ellenton, Hamburg and Rouse's Bridge outrages, by reason of the detention of material witnesses in the United States Court, and before the Senate and House Congressional Investigating Committees now in session in the city of Columbia, and in view of the early adjournment of the General Assembly, and of the importance of a thorough and speedy investigation into the said outrages; therefore,

Resolved, That the said Committee are authorized and empowered to sit during the adjournment of the General Assembly and take testimony, and that they be empowered to send for persons and papers.

Resolved, further, That the said Committee be empowered to employ clerical services to facilitate the performance of the work assigned them.

Ordered for consideration to-morrow.

Mr. COCHRAN introduced the following resolution:

Resolved, That all Bills and other papers pertaining to the unfinished business of the Senate, now in the hands of the several Committees, be returned to the Clerk to file in his office.

Ordered for consideration to-morrow.

The Sergeant-at Arms announced

MESSAGES FROM THE GOVERNOR.

Messages Nos. 18, 19 and 20, from His Excellency the Governor, were presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill (House) to raise supplies for the fiscal year commencing November 1, 1876.

The Bill received its third reading.

On motion of Mr. MAXWELL, Section 8 was amended by the addition of the words "also, except the County of Marlboro, in which the County Commissioners are hereby directed to levy a tax of three mills, one mill of which shall be devoted to the payment of the past indebtedness of said County."

On motion of Mr. TAFT, Section 11 was amended by inserting, in line 5, after the word "Act," the words "bills of the Bank of the State of South Carolina proved, stamped and found genuine."
On motion of Mr. WALKER, Section 8 was further amended by the addition of the words "and except the County of Chester, in which the County Commissioners shall levy three mills, one-half mill of which shall be devoted to the payment of the past indebtedness of Chester County."

On the question of agreeing to the passage of the Bill, as amended, Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

**Yea**—Messrs. Bird, Clinton, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker, Warley, B. H. Williams, Whittemore—15.

**Nay**—Messrs. Bowen, Buck, Butler, Cannon, Cochran, Crittenden, Howard, Jeter, Livingston, Meetze, Witherspoon—11.

So the Bill passed, and was ordered to be returned to the House of Representatives, with amendments.

Mr. JETER gave notice, for himself and others, that he would present, to be entered on the Journal, a protest against the passage of the above Bill.

House Bill to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The Bill received its third reading.

Mr. NASH moved that Section 1 be amended by the addition of the words:

"For the payment of Electors for President and Vice President of the United States, in accordance with Section 21 of Chapter IX, Revised Statutes, the President of the Senate and Speaker of the House of Representatives be, and are hereby, authorized and directed to issue joint certificates to said Electors, to be paid out of the appropriation herein mentioned."

On the question of agreeing to the amendment proposed by the Senator from Richland,

Mr. COCHRAN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

**Yea**—Messrs. Bird, Clinton, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker, Warley, B. H. Williams, Whittemore—15.

**Nay**—Messrs. Bowen, Buck, Butler, Cannon, Cochran, Crittenden, Howard, Jeter, Livingston, Meetze, Witherspoon—11.

So the amendment was agreed to.

On the question of agreeing to the passage of the Bill, Mr. BOWEN called for the yeas and nays.
The yeas and nays were taken, and resulted as follows:

**Yeas**—Messrs. Bird, Clinton, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker, Warley, B. H. Williams, Whittmore—15.

**Nays**—Messrs. Bowen, Buck, Butler, Cannon, Cochran, Crittenden, Howard, Jeter, Livingston, Meetze, Witherspoon—11.

So the Bill passed, and was ordered to be returned to the House of Representatives, with amendments.

Mr. BOWEN gave notice, for himself and others, that he would present, to be entered on the Journal, a protest against the passage of the above Bill.

House Bill to make appropriation to meet the ordinary expenses of the State Government for the fiscal year commencing November 1, 1876.

The Bill received its third reading.

On motion of Mr. WHITTEMORE, Section 2 was amended, in line 13, by inserting after the word "dollars" the words, "to be paid on the warrant of the Comptroller General, upon the application of the Chairman and Secretary of the Board of Commissioners of the Deaf, Dumb and Blind."

On motion of Mr. TAFT, Section 8 was amended, in line 1, by inserting after the figure "4" the figure "5."

On the question of agreeing to the passage of the Bill, Mr. JETER called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:

**Yeas**—Messrs. Bird, Clinton, Corwin, Duncan, Green, Johnston, Maxwell, Myers, Nash, Swails, Taft, Walker, Warley, B. H. Williams, Whittmore—15.

**Nays**—Messrs. Bowen, Buck, Butler, Cannon, Cochran, Crittenden, Howard, Jeter, Livingston, Meetze, Witherspoon—11.

So the Bill passed, and was ordered to be returned to the House of Representatives, with amendments.

Report (without recommendation) on House Bill to amend an Act entitled "An Act to fix the salaries of certain public officers."

The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

**Ordered,** That the Bill be engrossed for a third reading.

Mr. COCHRAN gave notice that on the third reading of the above Bill he will move to make sundry amendments.

Bill to amend all Acts or parts of Acts relating to the charter of the town of Summerville.

The Bill was read by its title, and referred to the Committee on the Judiciary.
Report (favorable) of Committee on Finance on Bill to authorize the County Commissioners of Georgetown County to levy a special tax to pay the past indebtedness of said County.

The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

On motion of Mr. B. H. WILLIAMS, Section 1 was amended by striking out the words “for the fiscal year 1876, and annually thereafter.”

On motion of Mr. B. H. WILLIAMS, the Bill was further amended by inserting the following as Sections 4 and 5:

“SECTION 4. That immediately after the passage of this Act the Board of County Commissioners shall proceed to give thirty (30) days’ notice, through one or more newspapers published in the County, for the information of all persons holding joint claims against the said County, who shall present them to the said Board of County Commissioners within thirty (30) days thereafter; and if upon examination of said claims, the Board of County Commissioners aforesaid find that they, or any of them, are correctly certified to, they shall issue checks to the holders thereof; and upon warrant of the Board of County Commissioners, the County Treasurer shall pay pro rata all claims so presented, until the past due indebtedness of the County of Georgetown is fully paid.

“SECTION 5. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.”

There being no further amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. SWAILS gave notice that on the third reading of the above Bill he will move to make sundry amendments.

Report (favorable) of Committee on Finance on Bill to ascertain the indebtedness of Newberry County, and to regulate the payment thereof.

On motion of Mr. CORWIN, the report and Bill were ordered to lie on the table, and House Bill to ascertain the indebtedness of Newberry County, and regulate the payment thereof, taken up for a second reading.

The Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Concurrent resolution (House) requesting His Excellency the Governor to arm, equip and station in Aiken County 100 State Constables.

On motion of Mr. NASH, the resolution was referred to the Committee on the Military.

Report of the Judiciary Committee on concurrent resolution relative to the election of Hon. T. H. Cooke as Circuit Judge.
THURSDAY, DECEMBER 21, 1876.

On the question of agreeing to the report,

After debate, participated in by Messrs. Cochran, Whittemore, Nash, Maxwell, Taft, Green, Johnston,

On motion of Mr. TAFT, the further consideration of the report and resolution was indefinitely postponed.

Bill (House) to amend an Act entitled "An act to regulate the appointment and salary of Trial Justices in the city of Columbia."

The Bill was read by its title, and referred to the Committee on the Judiciary.

Report (favorable) of Committee on the Judiciary on Bill to repeal Section 147 of an Act entitled "An Act to reduce all Acts and parts of Acts providing for the assessment and taxation of property into one Act, and to amend the same," approved March 19, 1874.

The report was read, the Bill received its second reading, was considered as in Committee of the Whole, and by Sections.

There being no amendments,

Ordered, That the Bill be engrossed for a third reading.

Mr. TAFT gave notice that on the third reading of the above Bill he will move to make sundry amendments.

Report (unfavorable) of Committee on the Judiciary on Bill to amend an Act entitled "An Act to fix the salaries of certain public officers," approved March 25, 1876.

The question was taken on agreeing to the report, decided in the affirmative, and the Bill accordingly ordered to lie on the table.

Concurrent resolution (by Mr. Nash) to extend the time for the annual examination of the office of State Treasurer.

The question was taken on agreeing to the resolution, and decided in the affirmative.

Ordered, That it be sent to the House of Representatives.

Resolution (by Mr. Whittemore) to request the Commission on Claims to report.

The question was taken on agreeing to the resolution, and decided in the affirmative.

SPECIAL ORDER.

The Senate proceeded to the consideration of the Special Order for this day, at 1 P. M., to wit:

House amendments to Senate Bill to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Revised Statutes of South Carolina, relating to liens on crops.

Hon. S. A. SWAILS, President pro. tem., took the Chair.

On motion of Mr. MAXWELL, House amendments were concurred in.
Ordered, That the title of the Bill be changed to that of an Act, and that it be enrolled for ratification.

EXECUTIVE SESSION.

At 1:30 P. M., on motion of Mr. MAXWELL, the Senate went into Executive Session.
After the disposal of Executive business, the Senate returned to open session.
On motion of Mr. MAXWELL, at 2 P. M., the Senate adjourned.

FRIDAY, DECEMBER 22, 1876.

The Senate assembled at 12 M., and was called to order by the PRESIDENT.
The roll was called, and, a quorum answering to their names, the PRESIDENT announced the Senate ready to proceed to business.
Prayer by Rev. C. W. Mossell.
On motion of Mr. WARLEY, the reading of the Journal of yesterday was dispensed with.

PAPERS FROM THE HOUSE OF REPRESENTATIVES.
The House sent to the Senate,
Concurrent resolution relative to the annual reports of State and County officers.
The resolution was concurred in.
Ordered, That it be returned to the House of Representatives.
The House returned, with concurrence,
Concurrent resolution to extend the time for the annual examination of the office of the State Treasurer.
The House also sent to the Senate the following message:

In the House of Representatives,
Columbia, S. C., December 22, 1876.

Mr. President and Gentlemen of the Senate:
The House of Representatives respectfully informs your honorable body that the enacting words of a Senate Bill (13) relative to the annual examination of the bonds of the various County officers has been stricken out.

Very respectfully, &c.,
E. W. M. MACKEY,
Speaker House of Representatives.
FRIDAY, DECEMBER 22, 1876.

The Sergeant-at-Arms announced

MESSAGES FROM THE GOVERNOR.

Messages Nos. 21, 22, 23 and 24, from His Excellency the Governor, were presented to the Senate by Mr. C. J. Babbitt, Private Secretary.

The PRESIDENT announced that the Messages related to Executive business.

REPORTS OF COMMITTEES.

Mr. TAFT, from the Committee on the Military, to whom was referred House concurrent resolution requesting His Excellency the Governor to arm, equip and station in Aiken County one hundred State Constables, reported back the same, with a recommendation that the Senate do not concur.

On motion of Mr. MAXWELL, the Rule was suspended, the report considered immediately, agreed to, and a message sent to the House of Representatives accordingly.

Mr. TAFT, from the Committee on Enrolled Acts, reported as duly enrolled, sealed and ready for ratification:

An Act to extend the time for officers to qualify;

An Act to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices;

Joint Resolution to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate;

Joint Resolution to amend a Joint Resolution requiring past due school claims in Newberry County to be registered.

A message was sent to the Speaker of the House of Representatives, inviting him to attend in the Senate to assist in the ratification of the above Acts and Joint Resolutions.

Mr. MEETZE, on behalf of the Special Committee appointed to cancel the bills of the Bank of the State in the State Treasury, submitted the following report:

IN THE SENATE,
COLUMBIA, S. C., December 22, 1876.

The Special Committee, under a resolution of this body of December 16, 1876, "to cancel, by cutting the same, all bills of the Bank of the State now in the State Treasury," beg leave respectfully to submit the following report:

That in obedience to said resolution they repaired to the office of the State Treasurer, and upon an examination of these bills found that the Treasurer had already done what was contemplated by this resolution.
The bills are so cut and mutilated that, in the opinion of the Committee, they could never be used again.

As a matter of information, your Committee find in the Treasury bills amounting to five thousand two hundred and nineteen dollars ($5,219,) received June 4th, 1874, from General William Gurney, Treasurer of Charleston County, by mandamus ordered by John Graham in the case of J. Robb and Charles T. Lowndes, Trustees of John Fraser & Co.

They further find in the Treasury of these bills, the sum of fifty-six thousand and eleven dollars and seventy-five cents, ($56,011.75,) received for taxes, for the fiscal year ending 31st October, 1876, and the further sum of one thousand nine hundred and ninety-one dollars, ($1,991.61,) received for taxes for the present fiscal year, making in the aggregate of said bills received for taxes the sum of sixty-three thousand two hundred and twenty-nine dollars ($63,222.36).

On motion of Mr. TAFT, the Rule was suspended, the report considered immediately, agreed to, and the Committee discharged.

Mr. TAFT, from the Committee on Enrolled Acts, reported as duly and correctly enrolled, sealed and ready for ratification:

An Act to ascertain the indebtedness of the County of Newberry, and regulate the payment thereof;

An Act to establish and charter Yauhanna Ferry, in Georgetown County, State of South Carolina;

An Act to repeal Sections 55, 56 and 57, Title IV, Chapter CXX, of the Rev. Statutes of South Carolina, relating to liens on crops.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Bill (House) to amend an Act entitled "An Act to fix the salaries of certain public officers;"

Bill (House) to ascertain the indebtedness of the County of Newberry, and regulate the payment thereof.

The above Bills received their third reading, passed,

Ordered, That the titles thereof be changed to that of Acts, and that they be enrolled for ratification.

Bill (House) to amend all Acts or parts of Acts relating to the charter of the town of Summerville.

The Bill was read by its title, and referred to the Committee on Incorporations.

Bill (House) to regulate the appointment and salary of Trial Justices in and for the County of Abbeville;
FRIDAY, DECEMBER 22, 1876.

Bill (by Mr. Cochran) to prevent and punish unlawful combinations against the interests of the laboring classes of this State.

The above Bills were read by their titles, and referred to the Committee on the Judiciary.

Report (favorable) of Committee on Contingent Accounts on sundry accounts.

The question was taken on agreeing to the report, decided in the affirmative, and the accounts ordered to be paid.

Bill (by Mr. Cochran) to utilize the convict labor of this State, and to let out the same by contract.

The Bill was read by its title, and referred to the Committee on the State Penitentiary.

Bill (by Mr. Cochran) to provide for the election of County Treasurers and County Auditors.

The Bill was read by its title, and referred to the Committee on Privileges and Elections.

Bill (by Mr. Cochran) to reduce the pay of Commissioners and Managers of Election, and of their clerks.

The Bill was read by its title, and referred to the Committee on Retrenchments.

Bill (by Mr. Cochran) to abolish the office of Jury Commissioner;
Bill (by Mr. Cochran) to abolish the office of County School Commissioner, and to impose the duties of the said office upon the Chairman of the Board of County Commissioners.

The above Bills were read by their titles, and referred to the Committee on County Offices and Officers.

Bill (by Mr. Cochran) to require all school claims and claims for teachers to be sworn to.

The Bill was read by its title, and referred to the Committee on Education.

Bill (by Mr. Cochran) to provide for and regulate the public printing.

The Bill was read by its title, and referred to the Committee on Printing.

Bill (by Mr. Cochran) to require the Boards of County Commissioners throughout the State to apportion the taxes annually for County purposes amongst the specific objects for which said taxes are levied.

The Bill was read by its title, and referred to the Committee on Finance.

Bill (House) to regulate the rates of toll of the Mount Pleasant and Sullivan's Island Ferry.

The Bill was read by its title, and referred to the Committee on Roads, Bridges and Ferries.

Resolution (by Mr. B. H. Williams) that the Directors of the State Penitentiary assume the responsibility of making provision for the support of the convicts in said institution.
The question was taken on agreeing to the resolution, and decided in the affirmative.

Resolution (by Mr. Myers) that the Special Joint Committee on the Ellenton, Hamburg and Rouse's Bridge riots be allowed to sit during the recess.

On the question of agreeing to the resolution,

Mr. CRITTENDEN called for the yeas and nays.

The yeas and nays were taken, and resulted as follows:


**Nays**—Messrs. Bowen, Buck, Cannon, Carter, Cochran, Crittenden, Green, Howard, Jeter, Livingston, Meetze, Witherspoon—12.

The PRESIDENT voted in the affirmative.

So the resolution was agreed to.

Mr. JETER sent to the desk, to be read, a minority report of the Committee on Privileges and Elections, relative to the admission of Hon. M. W. Gary to a seat in the Senate.

Mr. SWAILS rose to a point of order, which was that no majority report in the case of Hon. M. W. Gary having been made to the Senate, a minority report was out of order.

The PRESIDENT ruled the point of order well taken.

Mr. JETER appealed from the decision of the Chair.

After debate, participated in by Messrs. Jeter, Swails, Witherspoon, Whittemore, Crittenden,

The appeal from the decision of the Chair was withdrawn.

Mr. JETER, on behalf of himself and the Senator from York, presented, to be entered on the Journal, the following protest:

The undersigned present, to be entered on the Journal, the following protest in the matter of Hon. M. W. Gary, Senator elect from Edgefield County:

1st. The constitutional provision provides that there can be no taxation without representation, and that each County in the State shall be represented in the Senate.

2d. At present Edgefield County is not represented in the Senate.

3d. The returns of the Managers of Election, as also the return of the County Canvassers, for Edgefield County show that M. W. Gary is the Senator elect from Edgefield.

4th. The return of the State Board of Canvassers, made and filed in the office of the Secretary of State, show the same fact; the said M. W. Gary having received 6,246 votes for said office, and Lawrence Cain, his competitor, having received 3,123 votes, giving to said M. W. Gary a majority of 3,123 votes.
5th. The power of this last named Board are simply ministerial. By their ministerial action, on file, the said M. W. Gary is the Senator elect, and the Board of State Canvassers and Secretary of State have no right to withhold the certificate of election to his seat.—Brightley’s Leading Cases, State vs. Steers, p. 300; People vs. Van Slyck, 4 Cow., p. 297; Morgan vs. Quackenbush, 22 Barb., p. 77; Thompson vs. Ewing, 1 Brewst., p. 77; State vs. Governor, 1 Dutch, 348.

The New York Statutes, under which some of these cases are decided, is similar to the Statutes in this State.

6th. The State Board of Canvassers is composed of members of the Executive Department of the State, and cannot be clothed with judicial power. To give them such powers would be unconstitutional.

7. Admitting, for the sake of argument, that the State Board has judicial power, it has never exercised them in this case, and it is now functus officio, and therefore cannot act further in the premises.

8. The said M. W. Gary, according to the Managers’ returns, and according to the returns of the County Canvassers, as also according to the certificate of the Supreme Court, and the certified return of the State Board of Canvassers, is entitled to his seat.

9. The practice, both State and national, is to allow the party having the numerical majority to take his seat, and for the contesting member to proceed to oust him by the regular process of law and parliamentary usage. Upon the proper issue made before the Senate the whole question comes up.—Commonwealth vs. McClosky, Brightley’s L. Cases, p. 196.

This was the course adopted by the United States Senate in the contest from New Jersey between Messrs. Stockton and Frelinghuysen.—Brightley’s L. C., p. 212.

In the case of the State vs. Walker, 5 Rich., p. 265, it is expressly decided that the “determination by the County Board is to stand as final and conclusive unless its force is impaired by the action of the State Board.”

The official returns of votes is to be taken as prima facie evidence of their legality.—Contested Elections in Congress, p. 254.

All votes recorded upon the poll lists should be presumed good, unless successfully impeached by evidence.—Idem, 267.

Believing that the action of the Committee in refusing to recommend the seating of the said M. W. Gary, as being against law and parliamentary usage, we hereby enter this our solemn protest against their illegal and unjust verdict.

All of which in respectfully submitted.

THOMAS B. JETER,
I. D. WITHERSPOON.
Messrs. CRITTENDEN and WITHERSPOON gave notice that they will present, to be entered on the Journal, their views, relative to the communication of Hon. W. D. Simpson, informing the Senate of his inauguration as Lieutenant Governor elect, and his readiness to enter upon his duties as President of the Senate ex officio, which had been referred to the Committee on the Judiciary, and not reported back to the Senate.

The Sergeant-at-Arms announced the Speaker of the House of Representatives.

RATIFICATION OF ACTS.

The Speaker of the House of Representatives attended in the Senate, when the following Acts and Joint Resolutions were duly ratified:

An Act to extend the time for officers to qualify;
Joint Resolution to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate;
Joint Resolution to amend a Joint Resolution requiring past due school claims in Newberry County to be registered;
An Act to raise supplies for the fiscal year commencing November 1, 1876;
An Act to make appropriation for the fiscal year commencing November 1, 1876;
An Act to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto;
An Act to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices;
An Act to amend an Act entitled "An Act to fix the salaries of certain public officers;"
An Act to repeal Sections 55, 56 and 57 of Title IV, Chapter CXX, of the Revised Statutes of South Carolina, relating to liens on crops;
An Act to establish and charter Yauhanna Ferry, in Georgetown County, State of South Carolina;
An Act to ascertain the indebtedness of the County of Newberry, and to regulate the payment thereof.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. A. O. Jones, Clerk of the House of Representatives, appeared, announced that the House had disposed of the business before it, and was now ready to adjourn sine die.
FRIDAY, DECEMBER 22, 1876.

EXECUTIVE SESSION.

At 2 P. M., on motion of Mr. CARTER, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

On motion of Mr. TAFT, at 2:15 P. M., the Senate took a recess until 3 P. M.

RECESS.

At 3 P. M. the PRESIDENT resumed the Chair.

The Sergeant-at-Arms announced

MESSAGES FROM THE GOVERNOR.

Messages Nos. 25 and 26, from His Excellency the Governor, were presented to the Senate by Mr. Charles J. Babbitt, Private Secretary.

The Messages were read as follows:

STATE OF SOUTH CAROLINA,
EXECUTIVE DEPARTMENT,
COLUMBIA, December 22, 1876.

Hon. R. H. GLEAVES, President of the Senate:

Sir—I have the honor to inform you that I have this day approved the following Acts and Joint Resolutions:

A[n] Act to amend Section 37, Chapter XVI, Part I, Title V, of the General Statutes of South Carolina, relative to examination of County offices;

A[n] Act to extend the time for officers to qualify;

Joint Resolution to authorize and require the Comptroller General to return to Henry C. Corwin a certain legislative pay certificate;

Joint Resolution to amend a Joint Resolution requiring past due school claims in Newberry County to be registered.

Very respectfully,

D. H. CHAMBERLAIN,
Governor, S. C.

STATE OF SOUTH CAROLINA,
EXECUTIVE CHAMBER,
COLUMBIA, December 22, 1876.

Hon. R. H. GLEAVES, President of the Senate:

Sir—I have the honor to inform you that I have this day approved the following Acts:

An Act to establish and charter Yauhanna Ferry in Georgetown County, State of South Carolina;
An Act to repeal Sections 55, 56 and 57 of Title IV, Chapter CXX, of the Revised Statutes of South Carolina, relating to liens on crops;

An Act to ascertain the indebtedness of the County of Newberry, and regulate the payment of the same.

Very respectfully,

D. H. CHAMBERLAIN,
Governor, S. C.

Messrs. JETER, BOWEN, WITHERSPOON, rose to a question of privilege, and desired to state that as they did not believe Hon. R. H. Gleaves legally and constitutionally elected Lieutenant Governor, and could not recognize him as such, they asked and obtained leave to return the pay certificates issued to them as Senators by him.

Mr. WITHERSPOON presented, to be entered on the Journal, the following protest:

To the Honorable the Senate of the State of South Carolina:

The undersigned, Senators of the State of South Carolina, earnestly protest against the exercise of the office of President of the Senate by the Hon. Richard H. Gleaves, whose term of office has expired. The Hon. William D. Simpson having been duly elected and declared Lieutenant Governor of this State, qualified as such on the 14th day of December instant, and then became the President of the Senate ex officio under the Constitution of this State.

We make this protest in order that the same may be entered on the Journal of the Senate.

I. D. WITHERSPOON,
T. B. JETER,
W. A. EVANS,
R. G. HOWARD,
R. E. BOWEN,
J. W. LIVINGSTON,
G. CANNON,
A. P. BUTLER,
S. S. CRITTENDEN,
H. A. MEETZE,
W. L. BUCK.

GENERAL ORDERS.

The Senate proceeded to the consideration of the General Orders on the Calendar, to wit:

Resolution (by Mr. Cochran) that all Bills and other papers relating to unfinished business be filed with the Clerk of the Senate.

The question was taken on agreeing to the resolution, and decided in the affirmative.
FRIDAY, DECEMBER 22, 1876. 117

EXECUTIVE SESSION.

At 3:45 P. M., on motion of Mr. MYERS, the Senate went into Executive Session.

After the disposal of Executive business, the Senate returned to open session.

Mr. BOWEN presented the following, to be entered on the Journal:

In accordance with notice given yesterday, we, the undersigned Senators of the State of South Carolina, hereby place upon record this our protest against the passage of a Bill to make appropriation for the payment of the salary and mileage of the members of the General Assembly, and the salaries of the subordinate officers and employees, and other expenses incidental thereto.

The law-making power of the State is, by virtue of the Constitution, vested in the General Assembly, to be composed of the Senate and a House of Representatives organized according to its provision. The two houses together compose the General Assembly. The Supreme Court of this State, the Court of last resort, has decided that the body over which the Hon. W. H. Wallace presides as Speaker is the constitutional House of Representatives, and consequently it must be a portion of the General Assembly. Section 21, Article II, of the Constitution, says: "No Bill shall have the force of law until it shall have been read three times, and on three several days, in each house, has had the great seal of the State affixed to it, and has been signed in the Senate House by the President of the Senate and the Speaker of the House of Representatives."

Section 22, Article II, of the Constitution, further says: "No money shall be drawn from the Treasury, but in pursuance of an appropriation made by law."

We submit that no body of men presided over by a private citizen, and with less than a constitutional quorum, can form any part of the General Assembly; consequently we protest against the action of the Senate in the pretended passage of the Bill referred to, and we give it as our opinion that it can never have the force of law.

R. E. BOWEN,
S. S. CRITTENDEN,
G. CANNON,
R. G. HOWARD,
J. W. LIVINGSTON,
W. A. EVANS,
HENRY A. MEETZE,
W. L. BUCK,
I. D. WITHERSPOON,
A. P. BUTLER,
THOS. B. JETER.
Mr. CRITTENDEN presented the following, to be entered on the Journal:

The undersigned, a member of the Judiciary Committee, to whom was referred a communication from Hon. W. D. Simpson, claiming and demanding, as the duly elected Lieutenant Governor of the State, his right, when present, to preside over the Senate, and announcing his presence and readiness to enter upon the discharge of that duty, requests leave to submit the following views in writing:

The following is the communication referred to:

COLUMBIA, S. C., December 15, 1876.

To the Honorable the Senators of South Carolina:

I have the honor of informing the Senators that yesterday, 14th December, instant, the election returns for Governor and Lieutenant Governor were opened and published by the Honorable W. H. Wallace, Speaker of the House of Representatives, in the presence of the members of the House and Senators; that Wade Hampton having received a majority of the votes cast for Governor, and W. D. Simpson having received a majority of the votes cast for Lieutenant Governor, were declared duly elected to these offices respectively. That thereupon His Excellency Wade Hampton was inaugurated as Governor, and the oath of office was administered to him; and I was inaugurated as Lieutenant Governor—then and there taking the oath prescribed in the Constitution. Under the provisions of the Constitution I am ex officio President of the Senate, and am entitled to the privilege of presiding over that body when present. The law-making power of the State is, by virtue of the Constitution, vested in the General Assembly, to be composed of the Senate and a House of Representatives, organized according to its provisions.

The two Houses together compose the General Assembly, and each is an integral part thereof.

The Supreme Court of this State, the Court of last resort, has decided that the body over which the Hon. W. H. Wallace presides as Speaker is the constitutional House of Representatives, and consequently it must be a portion of the General Assembly. Such being the case, I respectfully submit that it is the duty of the Senators composing the Senate to unite with the House, and thus organize the General Assembly. Should this union take place and the Senate thus form a part of the General Assembly, the legislative power of the State will be in full action.

I respectfully announce to you that, as Lieutenant Governor, I am present in the city of Columbia, and am prepared to discharge the duties of your presiding officer, which devolve upon me under the pro-
visions of the Constitution, and I hereby claim the right of taking my
seat as President of the Senate.

With great respect, your obedient servant,

W. D. SIMPSON,
Lieutenant Governor and ex officio President of Senate.

Mr. Simpson's demand is based upon his claim to having been legally
elected to the office of Lieutenant Governor at the recent general election on the 7th of November, ultimo, and to the fact of the declaration
of his having been elected to the said office having been legally made by
the proper authority to make such declaration, and his having taken the
oath of office prescribed by the Constitution.

In support of the conclusion to which I have arrived, that Hon. W.
D. Simpson has been duly and legally elected to the office of Lieutenant
Governor, and is thereby entitled under the Constitution of the State to
the right and privilege of presiding over the Senate, let the facts be can-
didly submitted:

1. Under the Constitution and laws an election for the offices of Gov-
ernor and Lieutenant Governor was held in all the Counties of the State
on Tuesday, the 7th day of November, ultimo.

2. Article III, Section 4, of the Constitution says: "The returns of
every election of Governor shall be sealed up by the managers of election
in their respective Counties and transmitted by mail to the seat of
Government, directed to the Secretary of State.

"The person having the highest number of votes shall be Governor.

"Contested elections for Governor shall be determined by the General As-
sembly in such manner as shall be prescribed by law."

Section 5 of the same Article says: "A Lieutenant Governor shall be
chosen at the same time, in the same manner, continue in office for the
same period, and be possessed of the same qualifications as the Governor,
and shall be ex officio President of the Senate."

In pursuance of the above provisions of the Constitution the votes of
each of the Counties of the State were transmitted to Hon. H. E. Hayne,
Secretary of State. They were afterwards by him handed to Mr. E. W.
M. Mackey, claiming to be Speaker of a body which assumed itself to
be the House of Representatives of South Carolina, but which was in no
wise the legal and constitutional House of Representatives, and which
has since been declared by the highest judicial tribunal of the State, the
Supreme Court, to be an illegal body, and the said E. W. M. Mackey to
be only a private citizen.

3. That the said E. W. M. Mackey, in total disregard of the require-
ments of the Constitution, did not “aggregate the votes of all the Coun-
ties in the State for the said offices respectively, and declare the result,”
which would have announced the election of Wade Hampton as Gover-
nor, and W. D. Simpson as Lieutenant Governor, but proceeded to an-
nounce the result by Counties, until the Counties of Edgefield and
Laurens, two Counties giving Democratic majorities, were reached, when
the entire votes of those Counties were arbitrarily and illegally thrown
out by the irregular and unlawful action of the unconstitutional body
over which he presided, and of a majority of the Senate.

4. The Constitution of the State, after directing that the votes of all the
Counties of the State, for the above named offices, shall be aggregated,
and the person receiving the highest number of votes for each office, re-
spectively, be declared elected, provides that “cases of contested elections
for Governor shall be determined by the General Assembly in such man-
ner as shall be prescribed by law.” What says the law? “In case of
protest or contest for the offices of Governor or Lieutenant Governor,
the two houses shall proceed to decide the question separately, each for
itself, whether or not the protest or contest, as the case may be, shall be
entertained; and the affirmative action of both houses is necessary to
entertain the proposition.” This plain requirement of the Constitution
was totally disregarded by the body claiming to be the House of Repre-
sentatives, and presided over by Mr. E. W. M. Mackey, and by the
majority of Senators acting with them.

5. In support of our assertion that the body presided over by Mr. E.
W. M. Mackey, and claiming to be the legal House of Representatives
of South Carolina, is an unlawful and irresponsible body, and in no wise
a constitutional House of Representatives, we beg leave to submit, in ad-
dition to the solemn decree of the Supreme Court of the State, the fol-
lowing facts with regard to its organization:

At the recent election held on the 7th day of November, it is shown
by the returns of the Boards of County Canvassers, a majority of each
of said Boards being composed of Republicans, that of the whole num-
ber of Representatives elected to the lower House of the General Assem-
bly sixty-four were Democrats and sixty were Republicans.

Owing to the unlawful action of the Board of State Canvassers, three
of whom were themselves candidates upon the Republican ticket, in
throwing out the votes of Edgefield and Laurens Counties, in disobe-
dience to the mandate of the Supreme Court of the State, and for which
they were severally incarcerated in the jail of Richland County for
contempt of its authority, no certificates of election were issued to the eight members from those Counties by the Secretary of State. These members, however, held certificates of membership in the House of Representatives from the Supreme Court of the State of South Carolina, sealed and signed by the Clerk of the Supreme Court of South Carolina. They also held certified copies of the returns of the Board of County Canvassers of their respective Counties showing their election.

On the fourth Tuesday in November, the 28th ultimo, the sixty-four Democratic members elect repaired to the State House to take part in the organization of the House of Representatives. At the door of the hall the members from Edgefield and Laurens were refused and debarred admittance by armed soldiers of the United States. A portion of their number being thus prevented from entering the hall, the sixty-four Democratic members, accompanied by one Republican member, proceeded to another hall in the city of Columbia, and organized, with a lawful quorum of sixty-five members, by the election of Hon. W. H. Wallace as Speaker, and John T. Sloan, Sr., as Clerk.

6. The body presided over by Mr. E. W. M. Mackey, and by virtue of which position he claimed and exercised the right to open and publish the returns of the late election for Governor and Lieutenant Governor, we further declare to be illegal on the ground of having organized with a less number than a legal quorum, or, according to their own journals, with fifty nine members, whereas a majority of the whole representation, to wit, sixty-three, is necessary to form a quorum. Article XI, Section 7, of the Constitution of South Carolina, says: "The House of Representatives shall consist of 124 members;" and Section 14 of the same Article defines a quorum to be "a majority of each House," which, in the House of Representatives, is sixty-three.

7. The Supreme Court of South Carolina, the tribunal of last resort, and composed entirely of Republicans, in the case of W. H. Wallace vs. H. E. Hayne and E. W. M. Mackey, has solemnly declared the body presided over by Hon. W. H. Wallace as Speaker, and of which John T. Sloan, Sr., is Clerk, to be the legal and constitutional House of Representatives of South Carolina, and, therefore, it is the legally authorized body before whom the returns of election of Governor and Lieutenant Governor are required to be opened, and Mr. Wallace, the lawful Speaker, to publish the result.

8. Certified copies of the returns of the recent election of Governor and Lieutenant Governor, under the seal of the Secretary of State, and certified copies of the same returns from the Boards of County Canvassers of each of the Counties of the State, were opened and published in the presence of the legal House of Representatives and a portion of the Senators by Hon. W. H. Wallace, Speaker of the House, on Thursday,
the 14th instant, and the election of Wade Hampton, as Governor, and W. D. Simpson as Lieutenant Governor, constitutionally declared.

For these reasons I believe Hon. W. D. Simpson to be the legal Lieutenant Governor of South Carolina, and the lawful President of the Senate.

S. S. CRITTENDEN,
Member of the Judiciary Committee.

Mr. COCHRAN presented the following, to be entered on the Journal:

As Senator from the County of Anderson, in the conscientious discharge of my duty, and to protect and preserve the Constitution and laws of this State, and the right of representation of the citizens from violation and infringement, I respectfully submit the following protest as my reasons for voting against the passage of the Bills levying a tax and appropriating the same, and in conformity with Section 26 of Article II of the Constitution, ask that the same be spread upon the Journal of the Senate:

1. Because, on the day fixed by the Constitution of the State for the General Assembly to meet and organize in the city of Columbia for a regular session, an armed force had surreptitiously taken possession, in the night time, of the State House, and armed sentinels were placed at the various doors of entrance, and persons, without authority of law, prevented duly elected members of the House of Representatives from two Counties in the State from entering the State House and the hall of the House of Representatives, and thus, intentionally and in fact, debarred many members from exercising their lawful privilege of participating in the election of officers and in the organization of said House. This delay and hinderance of the said members, and the time occupied in examining members' certificates, prevented, as I am credibly informed, other members from entering the House in time to prevent an illegal, unconstitutional and partizan organization of that body, contrary to the spirit and letter of the Constitution and to the laws of the land.

2. Because Article II of the Constitution expressly provides that the House of Representatives shall consist of 124 members, to be apportioned among the several Counties according to the number of inhabitants in each; and, by Section 14 of same Article, "a majority of each house shall constitute a quorum to do business," and when the members claiming to be the House of Representatives met and organized, said House did not have a majority of 124 members, only 59 members answering to their names, as is shown by the Journal of the proceedings on that day; nevertheless the said members arbitrarily proceeded to organize, without regard to the Constitution, and a majority of them have since
proceeded to pass the several Bills hereby protested against, without a legal quorum.

3. Because the said members, claiming to be a lawful House of Representatives, in order to obtain the requisite 63 members to form a legal and constitutional quorum, have (in my opinion) admitted persons who were not elected by the people, or qualified to serve as members, from several Counties where the duly elected members failed, for the reasons before related, to qualify; this being done in direct violation of, and contrary to, Section 29 of Article II of the Constitution.

4. Because the body passing the Bills protested against, and claiming to be the House of Representatives, have been virtually declared by the Supreme Court of the State to be an illegal and unconstitutional House of Representatives.

5. Because the exclusion of members of the Legislature from Laurens and Edgefield Counties by an armed force was, in my opinion, in direct violation of Section 34 of Article I of the Declaration of Rights of the State Constitution.

6. Because the presence of an armed force from day to day, without the expressed consent of the General Assembly, debarring the duly elected Representatives of the people, and citizens, from ingress to the halls of legislation, is in violation of Section 28, Article I of the Declaration of Rights of the State Constitution.

7. Because, by Section 27 of Article II of the State Constitution, "the doors of each house shall be open, except on such occasions as in the opinion of the House may require secrecy," when the fact is, that from day to day, a body of State Constabulary guarded each door, and refused admittance to the citizens of the State and to the representatives of the people.

8. Because the House of Representatives, in my opinion, is an illegal and unconstitutional body, therefore it follows that the Bills herein especially protested against have not originated or been read three times in the House of Representatives, as required by Sections 18 and 21 of Article II of the Constitution.

9. Because the Bills protested against will be presented for approval to a person who has been declared elected Governor of this State by an illegal House of Representatives, and his election determined by the General Assembly in palpable and open disregard of Section 4, Article III of the Constitution.

10. Because the fundamental principle of popular government, in spirit as well as in letter, recognizes the fact that there can be no taxation without representation. It is, in this case, violated by the absence from the lower House of the representatives of the people of more than
one-half of the Counties of the State, and the exclusion from the Senate of the representatives from three Counties.

11. Because, even if the House of Representatives was a legal and constitutional body, the taxes proposed are exorbitant, unjust and unreasonable, and the appropriations made are, in many cases, extravagant, uncalled for, and should not be levied and thus appropriated, in the present depressed condition of the State.

For these reasons, I enter my solemn protest against the passage of these Bills, and am all the more constrained to withhold my sanction from them, because I believe that, being without foundation of law, they must fail of the purpose for which they are designed, and so leave the maintenance of our educational, charitable and penal institutions wholly unprovided for; the government of the State without the ways and means of its sustenance; the Courts of justice closed, and therein and thereby invite a condition of anarchy and ruin which the people will be powerless, in the absence of constituted authority, to avert.

JOHN R. COCHRAN.

Mr. WHITTEMORE introduced the following resolution:

Resolved by the Senate, That a Committee of six, to consist of three from the Republicans, and three from the Democratic party, be appointed by the President of the Senate for the purpose of investigating the whole matter relative to the legal and constitutional organization of the two houses, known as the "Wallace" and "Mackey" House; the said Committee to commence the investigation within ten days.

The PRESIDENT declined to appoint, and desired that nominations for members of said Committee be made by the Senate.

Messrs. Whittemore, Swails, Taft, Jeter, Meetze, Witherspoon were nominated.

The Senate proceeded to vote.

Those who voted for the above named Committee are:


On motion of Mr. GREEN, at 5:30 P. M., the Senate, in accordance with concurrent resolution agreed to by both houses, adjourned sine die.

Mr. COCHRAN desired to be recorded on the Journal as voting in the negative on the above motion.
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to

JOURNAL OF THE SENATE,

REGULAR SESSION 1876-77.
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