TERMS OF SUBSCRIPTION.

ONE YEAR.....$2 00
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THE WEEKLY CLARION.

VOLUME XLIII. JACKSON, MISSISSIPPI, WEDNESDAY, MARCH 10, 1880. NUMBER 10.

TERMS OF ADVERTISING:

SPACE.	1W.	2W.	3W.	4W.	3M.	6 M.	1 Yr.
One inch	1 00	2 00	3 00	4 00	9 00	15 00	20 00
Two in.	2 00	3 00	4 00	6 00	12 00	20 00	30 00
Three in.	3 00	5 00	7 00	9 00	15 00	23 00	40 00
Four in.	4 00	6 00	9 00	12 00	20 00	30 00	50 00
Five in.	5 00	7 00	12 00	15 00	20 00	30 00	70 00

☞ Special, or local notices, 20 cents per line each insertion.

MISSISSIPPI LEGISLATURE.

SENATE.

FORTY-EIGHTH DAY.

MONDAY, March 1st, 1880.

Senate met pursuant to adjournment, Lieutenant-Governor Sims in the chair.

Leave of absence granted to Messrs. Anderson, Griffin and Jarnagin.

Leave of Absence was granted to the Sergeant-at-Arms, on account of sickness.

Mr. Bills presented a petition from the citizens of Corinth, praying for a prohibitory liquor law.

Mr. King offered the following, which was adopted:

Resolved, That the President of the Senate be requested, when the House messages and bills are taken up, to bring forward the bills of the most general importance first.

On motion of Mr. Gibbs the Senate agreed to the conference asked for by the House on the disagreeing votes of the two houses on Chapters 20, 77 and 57 of new Code.

The following Senators were appointed on part of Senate:

On Chapter 20: Messrs. King, Singleton and Gilbert; on Chapter 77: Messrs. Reynolds, Brown and J. P. Carter; on Chapter 57, Messrs. Gibbs, FitzGerald and Bills.

DISPOSITION OF BILLS.

Mr. Cowan called up the bill "to amend an act to appoint an agent to investigate funds and collect revenues due the State," etc., was amended and passed.

An act to make an appropriation for the erection of a fire-proof building in the city of Jackson, or contiguous thereto, for an Asylum for the Blind. The Finance Committee had reported against the bill.

Mr. Stewart, Chairman of the Committee on Humane and Benevolent Institutions, took the floor and advocated the passage of the bill. He said there was no question as to the duty of the State to care for and protect this class of unfortunates. He then read from the estimate of the House Committee on Ways and Means, to show the ability of the State to make this appropriation without hampering its financial condition.

Mr. J. P. Carter, Chairman of Finance Committee, replied to Mr. Stewart and explained the reason governing the action of his Committee.

Mr. Bills said that the present Legislature had been so reckless, or liberal, he would term it, in its appropriations, that he thought the appropriation for this building should be deferred until the next session of the Legislature, when he would be glad to see a $25,000 building erected.

Mr. West said the difficulty could be solved, and the State saved from expense by giving the Governor a mansion for that purpose, as it was not used by the Governor anyway. Or, a fire-proof building could be erected very economically by using the convict labor of the State in manufacturing the brick and constructing the building. He favored, however, getting rid of the Governor's mansion.

Mr. Cowan said he could not understand the purpose of collecting taxes, unless it was to use them in defraying the expenses of the State Government, and taking care of its unfortunate, afflicted citizens. He said the appropriation was the most necessary one before the Legislature. The blind were the most afflicted of all the unfortunates in the care of the State, and it was absolutely necessary that a fire-proof building should be erected for their use. If a fire should occur in the present dilapidated frame structure, the chances were that the unfortunate inmates would not be able to escape, and many of their lives would be sacrificed. He was opposed to locking the doors of the Treasury against these poor unfortunates. The present Legislature had appropriated thousands of dollars for educational institutions; but as far as he was concerned, he would prefer that his children should do without education during the next two years, than that these blind people should be subjected to danger and not comfortably housed and cared for. They were more entitled to the consideration and consideration of the State than any other class, and he would cheerfully vote for the appropriation, and hoped that the bill would pass.

The previous question was ordered on the passage of the bill.

An amendment, offered by Mr. Stewart, was adopted, by a vote of 16 to 11.

The bill was then passed by the following vote:

YEAS—Messrs. Cowan, Criglor, Dalton, FitzGerald, Hamilton, Jackson, Johnson, Longino, Lowrance, Magee, Reynolds, Singleton, Stewart and West.—14.

NAYS.—Messrs. Bills, Brown, Carter 1st District, Carter 9th District, Cooper, Gibbs, Gilbert, Humphries, King, Ratliff, Rogers, Vance and Walker.—13.

ABSENT.—Messrs. Anderson, Birchett, Brenham, Bridges, Gayles, Griffin, Jarnagin Peery, Perkins and Wilcox.—10.

A motion to reconsider the vote passing the bill was carried.

A motion to indefinitely postpone the bill was lost.

A motion to reconsider the vote whereby the bill passed to its third reading was carried.

On motion of Mr. Bills, the bill was then referred to the Committee on Humane and Benevolent Institutions.

Chapter 7, An act in relation to fees of certain officers, was taken up, together with report of Conference Committee. The report was adopted.

Senate Joint Resolution in relation to inhuman treatment of convicts, was taken up amended.

Mr. Singleton opposed the resolution. He said he was informed that indications pointed to the defeat of the Penitentiary bill by the House, and that this would terminate the lease system, under which this treatment was alleged to have occurred.

Mr. Reynolds opposed the resolution, because there was already an officer of the State whose duty it was to look after the treatment of the convicts.

On motion of Mr. Gibbs, the resolution was tabled subject to call.

An act for the relief of H. C. Powers, former sheriff of Oktibbeha county. Amended, and passed by a vote of 17 to 10.

An act in relation to roads in Warren county, was referred to a special committee of three: Messrs. Cowan, Bills and Longino.

HOUSE BILLS.—An act to provide for the enumeration of the whole number of inhabitants and of the qualified electors in this State. The rules were suspended, and the bill passed by a vote of 24 to 3.

A large number of House bills were read twice and referred to appropriate committees.

The Senate adjourned till 8 p. m.

HOUSE.

FORTY-EIGHTH DAY.

MONDAY, March 1, 1880.

House met pursuant to adjournment, Mr. Speaker Johns in the chair. Prayer by Rev. Dr. Hunter. Present 88; absent 32—Messrs. Andrews, Buffkin, Bufford, Buford, Burnett, Carter, Chamblizs, Christmas, Currie, Davis, Featherston, Fortson, Gibson, Gilmer Glass, Hence, Hollingsworth, Hunter, Madison, Mellen, Montgomery, Myers, Rainey, Robertson, Russell, Seal, Selby, Spears, Torrey, of Jefferson, Wood, and Wright.

The Governor returned with his approval, the following House bills:

No. 192, to compensate C. M. Brooke, for services rendered on behalf of the State; No. 401, for the relief of the Mobile and North-Western Railroad Company; No. 229, to incorporate the Greenville Cemetery Company; No. 228, making an appropriation for the City Hospital of Vicksburg; No. 152, for the relief of J. W. Pierson, of Choctaw county; No. 79, to incorporate the Featherston Guards, of Holly Springs; No. 111, to incorporate McComb City; No. 161, to incorporate the Merchant's Bank, of Meridian; and without his approval H. B. No. 265, to amend the charter of the city of Vicksburg, and provide a more efficient means of collecting the revenue of the city, together with his objections thereto.

DAY OF ADJOURNMENT.

Mr. Love called from table Senate resolution providing for adjournment March 31.

Mr. Buchanan moved to insert 6th instead of 31.

Mr. Hill moved to insert 5th.

Mr. Chamberlain moved to postpone consideration until Wednesday next. Lost.

Mr. Wilson moved to postpone until Tuesday morning, 10 o'clock. Lost.

Mr. Harrison moved to table the resolution. Lost.

Mr. Love moved to amend Senate resolution by substituting 6th of March, at 4 o'clock P. M.

Mr. Martin moved to insert 10th. Lost.

Mr. Field moved to insert 9th. Lost.

The question being taken on Mr. Love's motion, to insert Saturday, 6th March, at 4 o'clock P. M., it was adopted by the following vote:

YEAS—Messrs. Anderson, Applewhite, Bailey, Billingslea, Bowman, Burdine, Byrd, Cameron, Carroll, Clark, Coleman, Cratin, Day, Drane, Eaton, Fields, Ford, Hardin, Harkreader, Harris, Hicks, Huddleston, Hunter, Hurt, Kearney, Lamkin, Lewis of Perry, Love, Lyle, Marett, Matheson, McInnis, McNeil, Mitchell, Moore, Morris, Murphy, Nabors, Noland, Pollard, Ramsey, Rees, Rogers, Ross, Seabrook, Seward, Shields, Stamper, Stephens of Yalobusha, Stevens of Calhoun, Sykes, Tankersley, Taylor of Benton, Taylor of Lee, Walker, Welborn and Williamson.—56.

NAYS—Messrs. Buchanan, Bynum, Chamberlain, Cooper, Downs, Ervin, Field of Lowndes Gunn, Harrison, Hill, Howry, King, Leslie, Lewis of Claiborne, Martin, McGee of Clarke, McWillie, Norrell, Rees, Somerville, Talbert, Tennison, Torrey of Sunflower, Watson, Wilson and Wolff.—26.

Mr. Applewhite moved to reconsider the vote whereby the resolution was adopted, and table the motion to reconsider, thereby preventing any further consideration of the question.

The motion to table was lost by the following vote:

YEAS—Messrs. Anderson, Applewhite, Bailey, Billinslea, Bowman, Coleman, Day, Drane, Fields, Hardin, Harkreader, Huddleston, Hunter, Hurt, Love, Matheson, McInnis, McNeil, Murphy, Noland, Pollard, Ramsey, Ross, Seward, Shields, Stamper, Stephens, of Yalobusha, Stevens, of Calhoun, Taylor, of Benton, Weatherly.—29.

NAYS—Messrs. Buchanan, Burdine, Bynum, Chamberlain, Clark, Cooper, Cratin, Downs, Eaton, Ervin, Field, of Lowndes, Ford, Gunn, Harris, Harrison, Hicks, Hill, Howry, Kearney, King, Lamkin, Leslie, Lewis, of Claiborne, Malett, Martin, McGee, of Clarke, McLaurin, of Rankin, McWillie, Morris, Mullins, Nabors, Nelson, Norrel, Rees, Rogers, Seabrook, Somerville, Sykes, Talbert, Tankersley, Taylor, of Lee, Tennisson, Torrey, of Sunflower, Walker, Watson, Welborn, Williams, Wilson, Wolf.—59.

Mr. Harrison moved to postpone the motion till Wednesday night. Lost, and the House refused to consider the vote.

Mr. Walker offered the following resolution, which was adopted:

Resolved, That the House hold three sessions each day, beginning at 9:30 A. M., 3:30 P. M., and 7:30 P. M., commencing to-day.

The special order for the day, S. B. No. 165, to require the employment of convicts on works of internal improvement, and provide for the support of the Penitentiary without loss to the State, was taken up.

Mr. Buchanan offered an amendment providing for a Board of Commissioners, consisting of the Governor and four citizens, whose duty it shall be to receive new propositions, and lease the penitentiary to the highest and best bidder.

The amendment further provides for the erection of new buildings and the putting up of new machinery; also, that no prisoner whose time extends over 10 years shall be allowed outside of the prison walls—any violation of said provisions by the lessees to be punished by fine; that the convicts shall not be employed in the manufacture or repairing of articles for sale at retail, such as are manufactured by the local mechanics, nor shall work at any mechanical pursuits outside of the prison walls, except upon the construction of works of internal improvements.

Mr. Buchanan, at some length, supported his amendment. If the lease system is to be continued, he wanted the State to have the benefit of any better bids that might be made. The State should get all that can be realized from it. If county convicts can be leased out at 40 cents per day, he could not understand why the value of State convicts should be rated at $1 10 per month. By a proper system of leasing the State ought to realize $25,000 per annum. The bill now before the House may be the fairest thing in the world, but you never can satisfy the people that any one individual should have a monopoly of convict labor.

Mr. Howry declared his opposition to the Senate bill, which he charged to be a bill of abominations. He favored Mr. Buchanan's amendment, because it gave all an equal chance to bid for the convict labor. Senate bill was nothing more or less than a contract between the legislature and the present lessees. Let the business be opened to the State; let us not be exclusive. He criticised the bill in several particulars, especially the facility for escapes afforded under the present system. Men sent to the penitentiary for heinous crimes, are again loose upon society. The railroads proposed to be built wanted this labor, and were willing to pay reasonably for it; there is now a disposition to go forward in the matter of internal improvements; farming pays better for convicts than when the present contract with the lessees was made.

Mr. Bailey declared his intention to vote for the Senate bill. He referred to the discussions in the Legislature of 1876; that Mr. Hamilton made the best bid, but that he had proposed improvements, and that under the lease by him, the State had been saved a vast expenditure of money. He referred to the heavy cost of operating the Penitentiary by the State, and felt satisfied that the best interests of the State would be promoted by continuing the present lease. The bill now before the House came with the endorsement of the Senate, first having been carefully scrutinized by the appropriate committee of that body.

Mr. Martin read at some length and with great earnestness, against the whole leasing system.

Mr. Walker regretted that the Code Committee had not been able to settle this vexed question for the Legislature. We are prepared to say that there is only one man, or one set of men, that can operate the Penitentiary without cost to the State? He did not think the House was ready to assent to such a proposition. He favored the amendment offered by Mr. Buchanan, because it gave all who wanted this labor an opportunity to bid for it.

Mr. Lewis, of Claiborne, said he had given this subject a patient consideration. As a member of the Legislature in another State, and as a member of the Penitentiary Committee of this House, in 1875, he was somewhat familiar with the question. He reviewed the history of the lease to Messrs. Young & Co., Lyle, Dunmavet, and A. R. Richardson, and the Penitentiary has never seen the day when it was a self-sustaining institution until Hamilton and Co. took it. Mr. Richardson got a bonus of $18,000 a year during the time he had it. The objection to working the convicts on plantations, he conceded, but all the bills submitted were open to that objection. Seven railroads were now projected, and this convict labor could be utilized, under the Senate bill, in the building of these roads. He referred to the experience of Northern and Eastern States, and held that they were nearly all being forced into the leasing system. The bill now before the House had passed the approval of the Committees of both bodies. The State will lose nothing by re-leasing the Penitentiary to Jones S. Hamilton & Co. The State was now indebted to Messrs. Hamilton & Co., the sum of $26,000; extend the lease, and that debt is cancelled. He would rejoice if true economy could be subserved as the present capacity of the Penitentiary would be equal to the care, within the walls, of all who should be sent there, but until this can be realized, he proposed to take Hobson's choice, and would vote for the Senate bill.

Mr. McLaurin, while complimenting the present lessee upon the faithful execution of his contract, and as a gentleman of expansive views as to internal improvements and diversifying the industries of the State, he could not, as a business proposition, vote for the Senate bill. The lessee seemed to be anxious for an extension of their lease, which fact shows that the State can incur no risk in inviting proposals for this convict labor. He referred to the general dissatisfaction throughout the State against the present lease, and if the lease is to be contained six years, the dissatisfaction would be intense.

Mr. Sykes said it was not prudent or becoming that the Legislature should legislate into the hands of one man or a set of men, a matter of so much importance. The Senate bill was in the shape of a close corporation, and was wrong in principle. The Legislature of 1876 did not place the penitentiary in the hands of Jones S. Hamilton & Co., but that Legislature did what Mr. Buchanan's amendment now proposes, to let out the penitentiary to the highest and best bidders. He referred to the peculiar condition of things in 1876, and contrasted the same with the more prosperous and settled condition of things at present.

Mr. Spears was opposed to the leasing system, in the abstract, and stated how, under the operation of that system, the sentence of the court would not be carried out either in letter or in spirit. But while opposed to that system, he must accept the most practical plan submitted for the management of the penitentiary. He favored the Senate bill, which amply guarded the interests of the State—a system which had been tried and was successful.

Mr. Lyle was opposed to the leasing system, on principle, but if that plan is to be continued, he held that all should have an opportunity of availing themselves of whatever advantage there may be in it. He urged objections to the Senate bill, preferring the bill proposed by the Code Committee, but would support the amendment offered by Mr. Buchanan.

Mr. McWillie called attention to several inaccuracies into which gentlemen had fallen in discussing this question. In stating that the State only got $1 10 per month, the expenses borne by the lessees should be considered; transportation, clothing, guarding, medical attention, etc. These were ample offsets—the $1 10 being the net amount realized by the State. For the debt of $26,000 now due to Hamilton & Co., the State would have substantial buildings and other improvements as equivalent. This matter had been agitated for months, and if other men of enterprise and capital wanted the Penitentiary, why had they not applied for it? When Hamilton & Co. took the lease, there was a general prediction that they would be swamped by it.

Mr. Harrison favored Mr. Buchanan's substitute. If the leasing system is to be continued, let due advertisement be made. The Senate bill excluded any opportunity for bidding.

Mr. Williams said that he was a member of the House during Governor Brown's administration, when the Penitentiary question was then fully discussed. It was then considered a small sized elephant—a white one, if you please—it was now a massive black one, with a small white stripe. The Senate bill was more in accord with his view than any other that had been proposed. Hamilton & Co., had reflected credit upon themselves, and conferred benefits upon the State. They had worked out results which few men could have achieved. The great question heretofore has been to relieve the State from expense in the management of this institution, but now that Messrs. Hamilton & Co., may have made something for themselves, we hear of numerous others who are willing to relieve the State of this burthen. Why have they not come forward and put their propositions in practical and substantial shape.

Mr. Watson referred to the remarks of Messrs. McWillie and Williams, that if others wanted the lease, they should be here to submit their propositions. He did not suppose that parties interested imagined that the Legislature was sitting here as a Board of Supervisors, to make contracts for the hiring out of convicts. He thought there had been great anxiety developed to take care of the black elephant referred by the gentleman from Grenada; and although Messrs. Hamilton & Co. may be the only ones of sufficient capacity and sense to manage it, he was willing that others should have an opportunity to make a trial. If they failed, the State would be secure in the ample bond required.

Mr. Shields moved the previous question, but subsequently withdrew the motion.

Mr. Noland moved to refer the bill and amendment to a special committee of five.

Mr. Bailey moved to table the motion to refer; carried.

Mr. Spears moved to table the amendment offered by Mr. Buchanan; and Mr. Buchanan during the five minutes allowed him under the rule, again urged the adoption of his amendment.

The question was then taken on the motion to table the amendment, and was decided in the negative, by the following vote:

YEAS—Messrs. Applewhite, Atwood, Bailey, Billingslea, Bowman, Bufford, Byrd, Chamberlain, Chambliss Clark, Cratin, Davis, Field, of Lowndes, Fields, Ford, Harkreader, Lamkin, Lewis, of Claiborne, Lewis, of Perry, Martin, McGehee, of Wilkinson, McLaurin, of Rankin, McNeil, McWillie, Mitchell, Moore, Murphy, Nelson, Norrell, Rogers, Spears, Stephens, of Yalobusha, Talbert, Taylor, of Benton, Torrey, of Jefferson, Torrey, of Sunflower, Weatherly, Welborn, Williams, Wilson, Wolf.—39.

NAYS—Messrs. Anderson, Buchanan, Bynum, Cameron, Carroll, Coleman, Cooper, Day, Downs, Drane, Eaton, Ervin, Gunn, Hardin, Harris, Harrison, Hick-, Hill, Howry, Huddleston, Hunter, Hurt, Kearney, King, Leslie, Love, Lyle, Marett, Matheson, McGee, of Clarke, McInnis, Morris, Mullins, Nabors, Noland, Norrell, Pollard, Ramsey, Rees, Ross, Seabrook Seward, Shields, Somerville, Stamper, Stevens, of Calhoun, Sykes, Tankersley, Taylor, of Lee, Tennisson, Walker, Watson.—52.

Mr. Spears moved to postpone the consideration of the bill and amendment until tomorrow morning at 10 o'clock.

Mr. Martin favored the postponement. There was too much involved to consider the bill and amendments hastily. The amendments should be printed so that every member could have an opportunity of examining them. He moved that 200 copies of the amendment be printed. Motion lost by a vote of 39 to 41.

Mr. McLaurin, of Rankin, moved that the House take a recess until half past three o'clock. Lost by a vote of 43 to 45.

Mr. Lewis of Claiborne, offered the following amendments:

Amend, as additional section:

Be it further enacted, That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, to pay the outgoing lessees of the Penitentiary the amount ascertained to be due them, as required by their contract and the law of 1876 authorizing the lease of the Penitentiary.

Mr. Howry moved to table the amendment.

Mr. Lewis made the point of order that the amendment could only be considered in Committee of the Whole. The Speaker overruled the point, and Mr. Lewis appealed from the decision. Upon a call of yeas and nays, the Chair was sustained by a vote of 77 to 7.

Mr. Spears moved to take recess until half past three o'clock. Lost, by a vote of 37 to 52.

The question recurring on the motion of Mr. Howry to table the amendment offered by Mr. Lewis, it was decided in the affirmative.

Mr. McLaurin moved that the House take a recess until half-past three o'clock. Carried by a vote of 51 to 41.

AFTERNOON SESSION.

House met at 3:30 o'clock, and resumed the consideration of the Penitiary bill.

Mr. McLaurin offered the following amendment. Amend the amendment by striking out all that relates to the public work; and further amend, by allowing private individuals to have an equal opportunity to compete with corporations.

Mr. McLaurin did not think that railroads, navigation companies or levee boards should have a preference over private citizens. He thought the State could get better terms in leasing the Penitentiary by not restricting the hire of convicts to public works at the limited sum of fifty dollars per month.

Mr. Shields moved to table the amendment. He thought that one thing had been generally agreed upon—that convicts should not be permitted to work on private farms, if it were possible to place them on public works.

Mr. McLaurin remarked that there was no way in which convicts could be worked, that they would not compete with free labor. He insisted that the interests of the State would be subserved by the adoption of his amendment.

The amendment was tabled by a vote of 49 to 8.

Mr. Buchanan's substitute was then considered by sections.

The first section having been read, Mr. Martin opposed the section.

The Penitentiary was established in 1836, and had cost the State, to 1840, the sum of $500,000; and to June, 1876, had cost the State $800,000; and if interest were added to the several appropriations, the aggregate not would be about $1,700,000. He referred to the loss sustained by Mr. Hamilton before he could obtain control of the convicts, under his contract with the State, and thought it not only just to him, but for the interest of the State that the recommendation be adopted. The expenses to the lessees of operating the Penitentiary amounted to $78,180, so that there was no big bonanza in it. Mr. Hamilton's proposition was liberal. The amount now due him, some $26,000 would be paid in work. The objection to working the convicts on plantations, he conceded, but all the bills submitted were open to that objection. Seven railroads were now projected, and this convict labor could be utilized, under the Senate bill, in the building of these roads. He referred to the experience of Northern and Eastern States, and held that they were nearly all being forced into the leasing system. The bill now before the House had passed the approval of the Committees of both bodies. The State will lose nothing by re-leasing the Penitentiary to Jones S. Hamilton & Co. The State was now indebted to Messrs. Hamilton & Co., the sum of $26,000; extend the lease, and that debt is cancelled. He would rejoice if true economy could be subserved as the present capacity of the Penitentiary would be equal to the care, within the walls, of all who should be sent there, but until this can be realized, he proposed to take Hobson's choice, and would vote for the Senate bill.

Mr. McLaurin, while complimenting the present lessee upon the faithful execution of his contract, and as a gentleman of expansive views as to internal improvements and diversifying the industries of the State, he could not, as a business proposition, vote for the Senate bill. The lessee seemed to be anxious for an extension of their lease, which fact shows that the State can incur no risk in inviting proposals for this convict labor. He referred to the general dissatisfaction throughout the State against the present lease, and if the lease is to be contained six years, the dissatisfaction would be intense.

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Mr. Lyle was opposed to the leasing system, on principle, but if that plan is to be continued, he held that all should have an opportunity of availing themselves of whatever advantage there may be in it. He urged objections to the Senate bill, preferring the bill proposed by the Code Committee, but would support the amendment offered by Mr. Buchanan.

Mr. McWillie called attention to several inaccuracies into which gentlemen had fallen in discussing this question. In stating that the State only got $1 10 per month, the expenses borne by the lessees should be considered; transportation, clothing, guarding, medical attention, etc. These were ample offsets—the $1 10 being the net amount realized by the State. For the debt of $26,000 now due to Hamilton & Co., the State would have substantial buildings and other improvements as equivalent. This matter had been agitated for months, and if other men of enterprise and capital wanted the Penitentiary, why had they not applied for it? When Hamilton & Co. took the lease, there was a general prediction that they would be swamped by it.

Mr. Harrison favored Mr. Buchanan's substitute. If the leasing system is to be continued, let due advertisement be made. The Senate bill excluded any opportunity for bidding.

Mr. Williams said that he was a member of the House during Governor Brown's administration, when the Penitentiary question was then fully discussed. It was then considered a small sized elephant—a white one, if you please—it was now a massive black one, with a small white stripe. The Senate bill was more in accord with his view than any other that had been proposed. Hamilton & Co., had reflected credit upon themselves, and conferred benefits upon the State. They had worked out results which few men could have achieved. The great question heretofore has been to relieve the State from expense in the management of this institution, but now that Messrs. Hamilton & Co., may have made something for themselves, we hear of numerous others who are willing to relieve the State of this burthen. Why have they not come forward and put their propositions in practical and substantial shape.

Mr. Watson referred to the remarks of Messrs. McWillie and Williams, that if others wanted the lease, they should be here to submit their propositions. He did not suppose that parties interested imagined that the Legislature was sitting here as a Board of Supervisors, to make contracts for the hiring out of convicts. He thought there had been great anxiety developed to take care of the black elephant referred by the gentleman from Grenada; and although Messrs. Hamilton & Co. may be the only ones of sufficient capacity and sense to manage it, he was willing that others should have an opportunity to make a trial. If they failed, the State would be secure in the ample bond required.

Mr. Shields moved the previous question, but subsequently withdrew the motion.

Mr. Noland moved to refer the bill and amendment to a special committee of five.

Mr. Bailey moved to table the motion to refer; carried.

Mr. Spears moved to table the amendment offered by Mr. Buchanan; and Mr. Buchanan during the five minutes allowed him under the rule, again urged the adoption of his amendment.

The question was then taken on the motion to table the amendment, and was decided in the negative, by the following vote:

YEAS—Messrs. Applewhite, Atwood, Bailey, Billingslea, Bowman, Bufford, Byrd, Chamberlain, Chambliss Clark, Cratin, Davis, Field, of Lowndes, Fields, Ford, Harkreader, Lamkin, Lewis, of Claiborne, Lewis, of Perry, Martin, McGee, of Clarke, McLaurin, of Rankin, McNeil, McWillie, Mitchell, Moore, Murphy, Nelson, Norrell, Rogers, Spears, Stephens, of Yalobusha, Talbert, Taylor, of Benton, Torrey, of Jefferson, Torrey, of Sunflower, Weatherly, Welborn, Williams, Wilson, Wolf.—38.

Mr. Watson moved the adoption of the first section of Mr. Buchanan's substitute, and on that moved the previous question. Ruled out of order.

Mr. McLaurin moved that the House resolve itself into Committee of the Whole. Lost.

Mr. Spears moved to adjourn. Lost.

The second and remaining sections of Mr. Buchanan's substitute were then read.

Mr. Spears moved to make the bond of lessees ten million dollars.

On motion of Mr. Howry the amendment was tabled.

Mr. Chamberlain offered the following:

Strike out $20,000, and insert: not exceeding $50,000. (Referring to machinery, etc.)

On motion of Mr. Hurt, the amendment was tabled.

Mr. Seabrook moved to amend by striking out "fifty dollars," and insert "one hundred and fifty dollars," as the price that may be paid the lessees for convicts.

Mr. Love moved to amend by striking out $150 00, and insert $100 00.

Mr. McLaurin favored Mr. Seabrook's amendment, and Mr. Love urged the adoption of the amendment offered by him.

Mr. Wilson opposed the amendment offered by Mr. Seabrook. Planters, or other individuals, might possibly be able to pay such a price for convicts, but corporations, or works of internal improvement, that the State should foster, would not be able to compete for this convict labor. He thought fifty dollars was high enough.

Mr. Shields hoped that neither amendment would be adopted, as the effect of their adoption would be to deprive railroads and other public works of convict labor. If either amendment were adopted, he should vote for the Senate bill.

Mr. Love withdrew his amendment.

On motion of Mr. Buchanan, the amendment offered by Mr. Seabrook was tabled by the following vote:

YEAS—Messrs. Anderson, Atwood, Bailey, Billingslea, Bowman, Buchanan, Cameron, Carroll, Coleman, Cooper, Day, Downs, Drane, Eaton, Ervin, Gunn, Hardin, Harris, Harrison, Hill, Howry, Huddleston, Hunter, Hurt, King, Lewis of Claiborne, Lewis, of Perry, Love, Lyle, Marett, Matherson, McGee, of Clark, McInnis, McWillie, Mitchell, Moore, Morris, Mullins, Nabors, Noland, Ramsey, Rees, Rogers, Shields, Sommerville, Stamper, Stevens, of Calhoun, Sykes, Tankersley, Taylor of Lee, Tennisson, Torrey, of Jefferson, Walker, Watson.—52.

NAYS.—Messrs. Applewhite, Bufford, Byrd, Davis, Hurt, McLaurin, of Rankin, Murphy, Nelson, Seabrook, Spears, Stephens, of Yalobusha, Talbert and Taylor, of Benton.—15.

Mr. Lewis moved to reconsider the vote just taken, which motion, on motion of Mr. Love, was tabled.

Mr. Seabrook moved to amend by inserting $100 00 for $50 00.

Mr. Hicks moved to table. Carried—45 to 15.

Mr. Seabrook moved to insert $90 00 for $50 00. Tabled.

Mr. Spears moved to amend: If from any cause whatever, the Board of Commissioners of Public Works in the case may be, fail to lease out the Penitentiary convicts, according to the terms of this act, that they be empowered and instructed to continue the present lease according to the terms of Senate Bill No. 165.

Mr. Spears urged the passage of the amendment.

Mr. Noland concurred, and deprecated what he considered the undue haste which had been displayed by a majority of the House in considering this important measure.

Mr. Somerville replied that the first vote taken this morning indicated an overwhelming sentiment in favor of Mr. Buchanan's substitute, and yet the majority had patiently submitted to the tedious speeches filibustering that had been resorted to by the minority. He moved to table the amendment offered by Mr. Spears, and on that moved the previous question. The amendment was tabled.

Mr. Lewis moved to amend by striking out "turnpike and county roads."

Mr. Harrison expressed the opinion that before the expiration of the proposed extension of lease there would be two thousand convicts, and if no interest could be found that they could all be employed on roads. He hoped that turnpikes, etc., would be retained in the bill.

The amendment offered by Mr. Lewis was lost.

Mr. Buchanan moved to amend by striking out all after the enacting clause in the Senate bill, and substituting the amendment offered by him.

Mr. Applewhite moved to adjourn, which was lost on a call of yeas and nays—49 to 21.

At Mr. Martin's moved a recess until half-past seven o'clock to-night, which was lost, on a call of yeas and nays—46 to 21.

Mr. Love moved the adoption of Mr. Buchanan's amendment, and on that moved the previous question. The vote on the motion developed the fact that there were only fifty-six members present—many having retired during the last vote taken; whereupon on motion of Mr. Hill, a call of the House was ordered and the Sergeant-at-Arms directed to go after absentees. The roll was then called, and a quorum (63) responding, the further call was suspendid.

The main question was then put—the motion by Mr. Love to adopt Mr. Buchanan's amendment, and the amendment was adopted by a vote of 49 to 6.

The question was then taken on considering the bill engrossed and reading the third time, and the bill was read the thirdtime.

Mr. Martin moved to recommit the bill. Mr. Watson moved to table the motion to recommit, which was decided in the affirmative, on a call of yeas and nays—50 to 15.

Mr. Martin, at 7 o'clock, moved to adjourn, which was lost, the vote negative, on a call of yeas and nays—18 to 52.

Mr. Love moved the previous question on the passage of Mr. Buchanan's substitute, and the main question having been ordered, the bill was passed by a decided majority—the yeas and nays not being called.

The House then adjourned until half-past nine o'clock to-morrow morning.

SENATE.

FORTY-EIGHTH DAY.

NIGHT SESSION.

MONDAY, March 1, 1880.

Senate met at 8 o'clock, Lieut-Gov. Sims in the chair. Present 24; absent 18.

H. B. No. 162, to amend the laws of pleading in certain cases, was passed.

Mr. Walker offered a resolution authorizing the Secretary of the Senate to employ such additional assistance as may be necessary to enable the Senate to keep up the business of the Senate, which was adopted.

H. B. No. 341, to reduce the corporate limits of the town of Pontotoc, was passed.

H. B. No. 211, to amend an act to encourage the breeding of good stock in this State, was indefinitely postponed.

H. B. No. 128, to encourage the publication of a supplemental digest of the Supreme Court reports of this State, was passed by the following vote:

YEAS—Messrs. Bills, J. P. Carter, Cowan, Crigler, Dalton, FitzGerald, Gibbs, Gibert, Hamilton, Humphries, Lowrance, Reynolds, Singleton, Stewart, Vance, Walker and Wilcox.—17.

NAYS—Messrs. Brown, A. R. Carter, Cooper, Gayles, Jackson, Johnson, King, Magee, Ratliff, Rogers and West—11.

ABSENT AND NOT VOTING—8.

H. B. No. 30, to repeal sections 3, 4 and 5 of an act to amend the law regulating the admission of paupers into and their discharge from the State Lunatic Asylum, was passed.

H. B. No. 3, to amend an act to repeal section 391 of the Code of 1871, in relation to contested elections, was passed.

House joint resolution of relief in relation to the adoptable children of certain counties, was passed.

H. B. No. 306, to prevent the sale of intoxicating liquors within two miles of Gray's Institute, in DeSoto county, was passed.

H. B. No. 207, to incorporate the Presbyterian Church at Canton, was passed.

H. B. No. 243, to amend the charter of the town of Tupelo, Lee county, was passed.

H. B. No. 329, to extend the limitations of an act to incorporate the Hillsborough and Tombigbee Plank-road Company; was passed.

H. B. No. 305, to repeal an act to incorporate the Huntington Camp Ground Association, was passed.

H. B. No. 149, for the relief of M. Rogers, was passed.

H. B. No. 331, to incorporate the Tibbee Creek Bridge Company, was passed.

H. B. No. 312, to incorporate the town of Utica, Hinds county; was passed.

H. B. No. 334, for the relief of Dr. J. H. Hayes, of Marshall county; was tabled subject to call.

H. B. No. 272, for the relief of P. H. Hunter, of Hinds county, was passed.

H. B. No. 235, to amend an act to incorporate the town of Greenwood, was passed.

H. B. No. 162, to amend an act to create an additional Justice of the Peace in Leake county, was passed.

H. B. No. 341, to authorize the Board of Supervisors of Lafayette county, to sell certain lands, was passed.

H. B. No. 310, to authorize the Clerk of the Circuit Court of Harrison county to employ a competent person to perform the duties of stenographer for the Circuit Court of said county, was passed.

H. B. No. 134, to regulate the salary of the Superintendent of Education of Sunflower county, was indefinitely postponed.

H. B. No. 100, to regulate the pay of the Superintendent of Education of Lafayette county, was indefinitely postponed.

H. B. No. 332, to incorporate the town of Sidon, Leflore county, was passed.

H. B. No. 6, to incorporate the Yazoo Railroad Company, was passed.

At 10:15 o'clock, on motion of Mr. Bills, the Senate adjourned.

NOTE—During the discussion in the Senate on yesterday on the question of erecting a new building for the Blind, Senator West said that he favored using the Governor's Mansion for that purpose, because it was not a desirable residence, and he supposed the Governor would prefer to live elsewhere. We erroneously credited him with saying that the "Mansion is not occupied."

SENATE.

FORTY-NINTH DAY.

TUESDAY, March 2, 1880.

Senate met pursuant to adjournment. Lieutenant-Governor Sims in the Chair. Present 29; absent 8—Messrs. Birchett, Brenham Bridges, Griffin, Jarnagin, Peery, Perkins and Singleton.

Mr. Johnson presented petition of sundry citizens of Baldwyn against legislation on whisky traffic, which was referred to Committee on Education.

The Senate agreed to the Committee of conference requested by the House on S. B. No. 166, to facilitate the construction of the Greenville, Columbus and Birmingham Railroad, and the Chair appointed as Committee on part of the Senate, Messrs. J. P. Carter, Cooper and Longino.

THE CODE.

The Senate considered in Committee of the Whole, Mr. Lowrance in the Chair, Chapters of the Code; and after some time spent therein reported back the Chapters.

Chapter 3, in relation to registration of persons entitled to vote, was considered, and the following amendment was adopted:

Strike out all that part of the Chapter on Registration that permits the members of the Board of Supervisors to register voters.

Messrs. Gibbs and FitzGerald offered amendments, which were adopted, and the chapter as amended, was adopted.

Chapter 4, in relation to elections, was adop