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POLITICAL.

Proceedings of the Legislature.

SATURDAY, Dec. 16.

Mr. Marshall from the committee on the Military submitted a report on the report of the Board of Visitors of the State Military Academies recommending favorably the views of the Board, which was ordered for consideration on Monday next.

The Senate proceeded to the General Orders of the day and took up a bill to prevent the sale of intoxicating drinks by itinerant traders. The debate on this bill was deferred from Tuesday last, and the bill was before the Senate on a second reading. Mr. Marshall submitted an amendment to the second section so "that nothing therein contained shall effect such persons as are dealing in good faith under the laws." This amendment was advocated by Mr. Marshall, Brockman, and Moorman; and approved by Mr. Moses. The yeas and nays were demanded and the Senate agreed to the amendment, by yeas 19, nays 16. Mr. Carn now moved for the indefinite postponement of the whole bill, which was summarily disposed of by an affirmative vote without division.

The Special Order of the day for 2 o'clock P. M. being a bill to improve the present Free School System in this State, it was accordingly taken up. On reading the several sections of the bill, various amendments were offered, received and rejected: some fatal to the provisions of the bill, as was thought by some Senators. The merits of these several amendments were discussed by Messrs. Cannon, Carn, Allen, McAlley, Witherspoon, Townsend and Moorman, for two hours. On reading the ninth section, which provides for a superintendent with a salary of two thousand dollars, Mr. Allen addressed the Senate strongly opposing the amount of salary. Mr. Townsend replied, and moved that the sum of three thousand dollars be inserted instead of two thousand dollars. When Mr. Townsend resumed his seat, without further debate, Mr. Witherspoon moved, that the discussion of the bill be postponed to Monday next at 11 o'clock, which was so ordered.

HOUSE OF REP'S.—A call for the special order, viz: a bill to grant aid to the Savannah River Railroad Company was made.

A spirited discussion arose on the merits and demerits of the bill. The question "shall this bill be sent to the Senate," was ordered to be taken by yeas and noes. The bill was sent to the Senate by a vote of 88 to 24.

The bill of Mr. Tucker's to allow Magistrates jurisdiction over Trespass Cases, not exceeding twenty dollars damage, was then taken up. This bill allows Magistrates to call in three free holders, and with their aid to try such cases.

Mr. Thornwell moved to amend, by inserting "that the three freeholders be paid the same per diem, as is paid to Jurors." This amendment called out a spirited argument.

Mr. Thompson after a short, but sarcastic speech, moved to lay the bill on the table.

Mr. Tucker, call for the yeas and noes. The yeas were 61, noes 42. So the bill was laid on the table.

MONDAY, Dec. 18.

SENATE.—The special order of the day for 11 o'clock, being a bill to improve the Free School System of the State, was now taken up, and after several amendments were proposed and discussed, the further consideration of the bill was indefinitely postponed.

Mr. Chestnut submitted a resolution providing that the privileges of the floor of the Senate be extended to the Hon. Thos. F. Stockton; which was considered immediately and adopted.

The special order of the day for 1 o'clock, being a bill to authorize aid by the State to the Blue Ridge Railroad. A call of the Senate was had on motion of Mr. Mazyek, when only three members being absent, a further call was suspended. On reading the first section of the bill Mr. Dudley moved to strike out the words "Comptroller-General," and insert the words "Legislature," so that the section would read, "whenever satisfactory proof is produced to the Legislature," &c. Mr. Dudley sustained the merits of his amendment on the ground of his opposition to the power, which such legislation would place in the hands of that officer, and generally, that the members of the General Assembly were competent to decide for themselves. He was replied to by Mr. Porter, who took position on the general merits of the bill. Mr. Marshall, also, was against the amendment. Mr. Mazyek called for the yeas and nays, and the amendment was negatived, by yeas 16, nays 28.

Mr. Mazyek now moved to strike out all after the enacting clause, excepting the 8th, (which repeals "an act to incorporate the Blue Ridge Railroad Company in South Carolina," and insert a new bill altogether, which the mover related to the Senate as a transcript of an act passed by the State of Tennessee, with but slight variations. Without argument, the motion was made to lay the subject on the table. The yeas and nays were demanded, and were yeas 28, nays 16.

Mr. Mazyek moved further to amend the bill by an insertion of the words, "that no subscription by any corporation shall be deemed a subscription, unless such corporation shall be authorized by law to subscribe

to Railroads, &c.—The amendment was urged by Mr. Mazyek and opposed by Mr. Allen, and the question being called, the yeas and nays were demanded by Mr. Mazyek. Mr. Allen moved to lay the amendment on the table, and the yeas and nays being called, were yeas 25, nays 15—so the amendment was laid on the table.

Mr. Dudley offered an amendment to strike out the word "twenty" in the first section and insert "ten," so that portion of the section would read, "the first instalment to be payable after the expiration of ten years," so as to impose on the company, the commencement of the redemption of the loan to them, in ten years, instead of twenty years. Mr. Dudley supported his amendment in a short and appropriate speech, and the question being put by the President, the yeas and nays were demanded by Mr. Mazyek, were so ordered, and are yeas 12, nays 32—so the word twenty was not stricken out.

Mr. Mazyek moved further to amend by striking out the word "seven" in the seventh section and insert "six," so that interest on the bonds to be issued shall not exceed six per cent, which was not agreed to, by yeas 18, nays 26.

After various other amendments were offered and rejected, producing debate, in which Mr. Mazyek, Allen, Dudley and Porter participated, on motion of Mr. Witherspoon, the further consideration of the bill was deferred until half past 7 o'clock, P. M., and on the further motion of the same gentleman, the Senate took a recess until 7 o'clock.

After receiving the reports from several Committees and giving a second reading to several bills, which were ordered to the House of Representatives, the Senate resumed the consideration of the special order of the day, being a bill to authorize aid to the Blue Ridge Railroad. The bill was warmly contested by Mr. Mazyek and Mr. Dudley, by the several amendments which were severally submitted by them, and on each of which the yeas and nays were demanded by Mazyek, and were taken seven or eight times showing the majority in favor of the bill to be from ten to thirteen. The last amendment offered by Mr. Mazyek was to the effect that no person shall officiate as President and Directors of this Railroad Company, unless he shall possess in his own right stock to the amount of five thousand dollars. This amendment was opposed by Mr. Porter and advocated by Mr. Allen and Mr. Mazyek, and when the question of agreeing thereto was put, Mr. Mazyek demanded the yeas and nays, which being ordered, were taken, and are yeas 28, nays 16, so the amendment was agreed to.

The bill was now read through, and on the question of returning it to the House of Representatives, Mr. Cannon, from Spartanburg, took the floor in opposition to the whole bill, and gave his reasons, not expecting, however, to make any impression on Senators, believing the matter as settled in the mind of the majority; but he viewed the whole scheme as a precedent dangerous in its issue, and of exceedingly doubtful propriety, as well as speculative inconsistency. The Senate was addressed by Mr. Marshall and Mr. Preston in favor of the bill, and by Mr. Dudley warmly and strongly against it. A motion was made by Mr. Witherspoon for the previous question, which, however, was withdrawn, and on the question of agreeing to the bill and ordering it to the House of Representatives, the yeas and nays were demanded by Mr. Mazyek, and are yeas 26, nays 17, so the bill was agreed to and ordered to the House.

HOUSE OF REP'S.—A bill to increase the per diem of the members of the General Assembly was reported. [The bill increases the per diem to five dollars.] Ordered for consideration to-morrow.

Also a bill to authorize the Board of Commissioners of the Orphan Asylum in Charleston, to educate a certain number of youths, now in that institution, in the Military Academies of the State, etc., which was read the third time and passed with some amendments, proposed by the Senate.

Mr. Toomer offered an amendment giving an appropriation of five thousand dollars to the Charleston, Erskine, Furman, and Wofford Colleges.

Mr. Boylston moved to lay the amendment on the table; which motion was withdrawn for the purpose of giving members the privilege of discussing the merits and demerits of the amendment.

Mr. Boylston then moved to amend by inserting five thousand dollars for the Mount Zion College, at Wainwright. The amendment was accepted.

Mr. Pope moved to insert five thousand dollars for the Beaufort College; accepted.

Mr. W. B. Wilson moved to insert five thousand dollars for the Yorkville Female College; accepted.

Mr. Rice said that as the St. Mary's College at Columbia was a chartered one, he moved that five thousand dollars be given to the college.

Mr. McKnight moved that five thousand dollars be appropriated to give a Woman's College in Williamsburg. The amendment was adopted by an overwhelming majority.

Mr. Hampton moved for all amendments on the table.

Mr. Tucker called for

The House ordered the vote to be taken in that manner; the absentees were summoned, and the roll called. The vote was 101 yeas, 4 noes.

Mr. Tucker then moved that the amendment, giving \$5,000 to the Charleston, Erskine, Furman and Wofford Colleges, be added, as an additional section of the bill.

Mr. Boylston said that if the State was about to depart from her usual policy and extend aid to all the Colleges, which had, (happily for the State,) sprung up in different sections of the State, he saw no reason for making distinctions, and therefore he would amend by inserting \$5,000 for Mount Zion at Wainwright.

Mr. Tucker moved to lay the amendment to the amendment on the table.

Mr. Mullins moved to lay the amendment and the amendment to the amendment on the table.

Mr. Tucker called for the yeas and noes. The amendments were laid on the table by a vote of 80 to 19.

The reading of the bill was continued. On the motion made to increase the appropriation for the support of the transient poor of Charleston to \$7,000, quite a spicy debate sprang up.—The usual amount appropriated was \$4,500, while the estimates submitted by Mr. W. G. DeSaussure exhibited an expenditure of \$14,000, or more than \$10,000 more than the appropriation, which was borne by the city of Charleston.

Mr. Sullivan opposed the increase, and said the City of Charleston should support her own poor, that the report of the Comptroller General showed that there was no tax levied for the support of her poor.

Mr. Meminger said the gentleman was entirely mistaken; that Charleston did support her own poor; that he did not have the documents before him to show how much Charleston did spend annually for the support of her own poor, but the Orphan Asylum alone cost \$13,000, annually, which expense was borne by Charleston.

The amendment was adopted by a large majority.

The bill, after the addition of one or two other amendments, was sent to the Senate.

WEDNESDAY, Dec. 20.

SENATE.—A bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroads, Plankroads, and Canal Companies, and to confirm the subscriptions heretofore made by them, was taken up for a second reading. Various amendments were proposed by Mr. Mazyek, and opposed by Mr. Porter, and the passage of the bill was contested by Mr. Mazyek, throughout its whole reading, the yeas and nays being demanded by him on the eight several amendments which he offered. Mr. Bull moved the previous question, which was sustained by yeas 33, nays 6. The question was now put by the President, on agreeing to the bill and returning it to the House of Representatives, which was decided in the affirmative, by yeas 27, nays 8. So the bill was returned to the House of Representatives.

The Senate proceeded to the consideration of the special order of the day, which was a bill to establish certain roads, bridges and ferries. The reading of the bill progressed without opposition, until that portion which related to the re-charter of the bridge at Augusta, on the memorial of the City Council of Augusta. The question being one of great importance, as stated by the Senators severally, and as the whole matter may have to be supervised by the highest legal tribunals of the country, the action of the Senate is particularly reported. The bill came from the House with the following amendment:

"That the twenty-seventh section of an act entitled 'an act to establish certain roads, bridges and ferries, and to renew certain charters heretofore granted,' ratified the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-three, be and the same is hereby repealed; and the City Council of Augusta are hereby authorized and empowered to collect toll from all persons passing from either side of the bridge across the Savannah river at Hamburg and Augusta, with the express condition that the said City Council of Augusta shall collect no more or greater tolls than may be necessary to keep said bridge in repair and to rebuild the same in case of destruction, provided however, that this grant shall, at all times, be subject to amendment, modification or repeal by the Legislature."

Mr. Irby moved to strike out the section and gave his reasons at length and was supported by Mr. Mazyek and Mr. Dudley. He was opposed by Mr. Witherspoon and Mr. Marshall. The discussion was short, yet worthy of a better notice than my space will permit. On motion of Mr. Marshall the yeas and nays were taken, and the section was stricken out by yeas 24, nays 13; so this is the bridge at Augusta is not rechartered.

The bill being read through a second time, the same was returned to the House of Representatives.

The House of Representatives sent for concurrence a resolution, requiring the yeas and noes of both Houses to be taken in reference to all such resolutions, and that the same be immediately put in suit in all those cases in which the resolution requiring the yeas and noes of both Houses, to collate the testimony and all matters appertaining to the contested elections, before the committees on Privileges and Elections in both Houses and to publish the same. On the question of agreeing thereto, the Senate refused by a very strong vote.

A bill to amend the charter of the Bank of the State of South Carolina. (This bill gives the veto power to the President of the Mother Bank and its branches.) Mr. Hampton moved that the bill be rejected.

This motion caused quite a commotion in the House, and the absentees were forthwith summoned.

Mr. Hampton did not object to the provision in the bill giving the veto power to the President of the Mother Bank, but he did object to that power being given to the President of the Branches, and as it was not in order to move an amendment on the third reading of a bill, he therefore made the motion to reject the entire bill.

Mr. Campbell said that he voted for the bill at the second reading, but as the bill turns out to be a different one than he imagined, he would be compelled to vote against the passage of the bill.

The bill was passed by a large majority.

The debate on the bill to amend an act to prevent free negroes and other persons of color from entering into the State, was resumed, and included the slavery question, the abolitionists, the history of Mr. Hoar, the emissary from Massachusetts, Consul Mathews, and the British Government, being under much excitement.

Mr. B. F. Perry followed Mr. Wilson, and made a powerful effort in favor of the bill, which he denounced as a cruel and inhuman one, and a blot upon our statute books.

Mr. O'Brien renewed his motion to lay the motion to reconsider on the table. The House was summoned. A scene of confusion worse confounded presented itself, and the Speaker's gavel was in constant requisition.

The House ordered the vote to be taken by yeas and noes. The motion to lay the bill on the table was carried by a small vote.

Mr. Wagner offered a resolution giving to the Joint Committee appointed to examine the Bank of the State and its branches, the same per diem and mileage as the Members of the General Assembly now receive, for the term the said Committee are engaged in the discharge of their duties; adopted, before it was concluded.

Mr. Mullins moved an indefinite postponement of the bill. The House ordered the question to be taken by yeas and noes, when the cry of the speaker, "the clerk will call the roll," "Doorkeeper close the door," was given for the twentieth time this session. The motion to postpone indefinitely, was carried by a vote of 54 to 44.

Mr. McKnight moved that the vote just taken be reconsidered.

Mr. B. H. Wilson moved a call of the House. The House ordered the vote to be taken by yeas and noes. The motion was lost.

Mr. O'Brien moved that the motion to reconsider be laid on the table, but at the request of several members, withdrew the motion.

Mr. B. H. Wilson then advocated the passage of the bill at length, evidently laboring.

THURSDAY, Dec. 21.

Mr. Chestnut called up from the General Orders, the report of the special joint committee, to whom was referred various matters relating to the State Capitol. It will be remembered the committee made a very elaborate report, and concluded by offering the following resolutions, predicated on the facts, testimony and documents which had been presented to them.

1. Resolved, That the State proceed in the construction of a new State Capitol.

2. Resolved, That the State Capitol be so located that its centre will cover the apex of the hill on Richardson-street, directly in front of the site of the old State House; wings extending towards the east and west; fronting north, and having the southern portion on the same parallel with the northern limit of Senate street.

3. Resolved, That the plan adopted by the Commissioners of the New State Capitol be retained, supplying its deficiencies and making such modification therein, as may be rendered necessary by a change in position, and such as may seem fit to the Commissioners and Architect.

4. Resolved, That the entire cost of completely constructing the new State Capitol ought not to exceed one million of dollars, and that the Commissioners and Architect shall make all their estimates with reference to that sum as a limit.

5. Resolved, That a committee of three, one from the Senate and two from the House of Representatives, be appointed by the Legislature to sit during the recess of the Legislature to hear and determine all matters and things presented in the memorial of Charles McAlley, and in the petition of Joseph D. ... Georgia W. ...

6. Resolved, That the same be given by the contractor to the same faithful persons as the construction of the new State Capitol, be immediately put in suit in all those cases in which the resolution requiring the yeas and noes of both Houses, to collate the testimony and all matters appertaining to the contested elections, before the committees on Privileges and Elections in both Houses and to publish the same. On the question of agreeing thereto, the Senate refused by a very strong vote.

tioners, the said contracts have been violated.

Mr. Chestnut moved the resolutions from the Committee be considered separately.

Mr. McAlley moved as a substitute, the resolution submitted by him on Tuesday last, which is as follows:

Whereas, This Legislature has been unable to obtain a certain and reliable plan, and a full and particular estimate of the new State Capitol; and whereas it is of all importance, in the opinion of this Legislature, that the same should be had and approved before any further progress be made on said work; and whereas, also, from what has occurred in the attempt to build said Capitol, this Legislature can have no faith in any plan heretofore exhibited and acted upon; and whereas, also, a perfect plan and a full and particular estimate of said Capitol should be obtained before any further progress be made in said work, wherefore be it

Resolved, That the work on said Capitol be forthwith suspended.

2. That a commission of three persons be elected by this Legislature on joint ballot, whose duty it shall be to procure a perfect plan, and a full and particular estimate of said Capitol, and submit the same to this Legislature at its next sitting.

3. That, in the opinion of this Legislature, one-half million of dollars in addition to what has already been appropriated should be the full cost of said State Capitol complete in all its parts.

Mr. Drayton moved as a substitute for the preceding, a resolution providing that a Board of Commissioners, to consist of three persons, to be appointed by the General Assembly, the Chairman to reside in Columbia, to be the disbursing officers and that annual returns of the action of the Board be annually submitted.

Mr. Mazyek moved as a substitute for the whole a resolution that James Jones of Edgefield, Drayton Nance, of Newberry District, and Prof. McCay, of the South Carolina College, be appointed a board of Commissioners, to obtain plans and estimates, and report to the next General Assembly, and further, to obtain the services of a suitable architect, and in the mean time, all further proceedings in the erection of the new State Capitol be suspended.

Mr. Dudley submitted as an amendment to the resolution of Mr. Mazyek, that the Board of Commissioners contemplated in said resolution shall take such measures for the protection and preservation of the machinery and material now on hand, relating to the building of the new State Capitol, as shall seem to be best for the public interest.

These resolutions being read, Mr. Mazyek moved to strike out the 1st, 2d, 3d and 4th resolutions reported by the Committee, and substitute therefor the resolution submitted by him, as amended by the resolution of Mr. Dudley. This motion of Mr. Mazyek produced an animated and interesting debate, Messrs. Mazyek, Moses, Cannon, McAlley and Dudley supporting the motion, and Messrs. Chestnut and Drayton in opposition. On the question to strike out the yeas and nays were demanded, and so ordered, are yeas 13, nays 23, so the resolutions were not stricken out.

The question now was on the resolutions as reported by the Committee, which were separately considered. The 1st and 2d resolutions were agreed to. The third was amended, on motion of Mr. Dudley, by striking out the word Architect. The 4th was amended, on motion of Mr. McAlley, by striking out "one million," and inserting "five hundred thousand." The yeas and nays were demanded by Mr. Carn on this amendment, the mover voting in the affirmative. They were ordered and were yeas 18, nays 15. The 5th was amended, on motion of Mr. Dudley, by adding the words "and that they be permitted to send for persons and papers, and persons attending shall be allowed the same pay as members of the Legislature." The 6th was amended on motion of Mr. Chestnut, by adding the words, "except those persons who are now before the General Assembly, by memorial or petition, and the Solicitor of the Middle Circuit be requested to assist the Commissioners."

The resolutions submitted by Mr. Drayton, was now taken up—so much as required the Chairman of the committee to reside in Columbia, was stricken out on motion of Mr. Dudley, and further amended, on motion of Mr. McAlley, by providing as a salary for the Chairman of the Board, the sum of \$1,500 per annum, and the two others of which the Board shall consist the sum of \$5,000 each.

The report of the Joint Committee, with the resolutions as amended, and the amendment of Mr. Drayton being now before the Senate, the question was on agreeing to the same, which was decided in the affirmative without division.

Mr. Mazyek submitted the following resolutions:

Resolved, That it be referred to the Committee on Finance and Banks, to enquire into and report upon the propriety and expediency of providing by law, that the contingent accounts of such judicial districts, claims for post-mortem examinations, and all assessments on the judicial districts, in which such accounts and claims may accrue, and they have leave to submit a bill for that purpose by bill, or otherwise.

Resolved, That the same be given by the contractor to the same faithful persons as the construction of the new State Capitol, be immediately put in suit in all those cases in which the resolution requiring the yeas and noes of both Houses, to collate the testimony and all matters appertaining to the contested elections, before the committees on Privileges and Elections in both Houses and to publish the same.

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The Committee on Privileges and Elections, to whom was referred the matter of the contested election of E. H. Miller, Senator from Williamsburg, declared the said election to be invalid and recommended a writ of election do issue to supply the said vacancy, and the same Committee to whom had been referred the contested election for Edgefield District, reported that they examined the documents, evidence, and other matters to them submitted, but such was the mass of testimony before them, they could not decide at this session of the Legislature, and asked an extension of time to discharge the duties assigned them. The report was considered immediately and adopted.

The hour having arrived, eight o'clock, when by an exchange of messages between the two Houses, the acts which were passed were proposed to be ratified, the Speaker, officers and members of the House of Representatives attended in the Senate Chamber, when the said acts were duly ratified.

A message was received from the House of Representatives proposing the rescinding of the joint resolution to adjourn at 9 p. m., to the hour of 12 p. m., in which the Senate concurred.

The House of Representatives returned with its concurrence, the report of the Joint Committee on the new State Capitol and the resolutions as amended.

On motion the Senate adjourned sine die.

HOUSE OF REP'S.—Generals J. Schinierle, J. W. Harrison, H. K. Aiken, S. R. Chandler, W. J. Martin, the Adjutant and Inspector General, and other officers, were appointed as a Committee to examine into the Military system of this State, and to report at the next session what alterations should be made so as to remedy any defects, &c., &c.

The Senate report on the new State Capitol, was then taken up. The Senate had amended by striking out \$1,000,000, (the limited cost of the Capitol), and inserted \$500,000, besides the amount already appropriated.

This gave rise to an angry debate, and a scene of confusion, not often witnessed.

Motions to postpone indefinitely, "to lay on the table," &c., (diversified with calls for the yeas and noes) were made in rapid succession.

When Mr. J. B. Campbell rose to "trespass a very short time upon the House," cries of "question," "go on," "question," "sit down," "go on," were heard from many members, sung out in every key, from D below the ledger line, to B flat. "Full Stops" were made every two seconds by the Speaker's gavel, and the Doorkeeper made himself hoarse crying "hats off in the gallery," "sit down," &c. A "free fight" was on hand, and every member came to the conclusion that he would "pitch in," slightly.

Now and then single shots would be exchanged and the flushed brow and quivering lip told their effect.

After agreeing to "disagree," for more than two hours, the House agreed to the amendment of the Senate.

The Senate sent a message informing the House that that body had transacted its business, and was now ready to adjourn, sine die.

The Senate afterwards granted leave to the House to rescind the hour of adjournment.

The report of the special joint Committee on the new State Capitol, was again taken up.

Mr. W. G. DeSaussure moved to lay the report on the table, but afterwards withdrew it.

Mr. Boylston moved to adjourn the debate for twenty-five minutes, in order to take up the report of the Committee on Vacancies—agreed to.

The debate on that *retracta questio*, (the State Capitol), was then taken up.

As in the early part of the evening, the debate was stormy.

Amendment after amendment was offered and laid on the table, and every means used to avoid a direct vote being taken.

The House concurred in the report as amended by the Senate, and ordered it returned to the Senate.

The short time now before adjourning, was spent in agreeing to sundry reports.

At 12, p. m., the House adjourned sine die.

LIST OF ACTS PASSED BY THE LEGISLATURE OF SOUTH CAROLINA.

1. An act to authorize the Judges at Chambers to appoint Commissioners to value lands through which Railroads may pass.
2. An act to amend an act entitled an act to provide for the inspection of flour and other purposes.
3. An act to authorize the State to aid in the construction of the Charleston and Savannah Railroad Company.
4. An act to incorporate the Charleston Water Company, in the city of Charleston, State of South Carolina.
5. An act to incorporate the Columbia and Charlotte magnetic Telegraph Company.
6. An act to incorporate the ...
7. An act to incorporate the Columbia Machine Works.
8. An act to incorporate the society for the relief of indigent and superannuated ministers of the Presbyterian Church and their families.