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L. C.

# CONSTITUTION

OF THE

# STATE OF <sup>✓</sup>SOUTH CAROLINA

AND THE

## ORDINANCES, REPORTS AND RESOLUTIONS

ADOPTED BY THE

## CONVENTION OF THE PEOPLE,

HELD IN COLUMBIA, S. C., SEPTEMBER, 1865.

25.7



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1866.

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# CONSTITUTION.

*We, the people of the State of South Carolina, by our Delegates in Convention met, do ordain and establish this Constitution for the Government of the said State:*

A. D. 1865.

## ARTICLE I.

SECTION 1. The Legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.

Legislative authority.

SECTION 2. The House of Representatives shall be composed of members chosen by ballot, every second year, by the citizens of this State, qualified as in this Constitution is provided.

Representatives, how and when chosen.

SECTION 3. Each Judicial District in the State shall constitute one Election District, except Charleston District, which shall be divided into two Election Districts; one consisting of the late Parishes of St. Philip and St. Michael, to be designated the Election District of Charleston; the other consisting of all that part of the Judicial District which is without the limits of the said Parishes, to be known as the Election District of Berkeley.

Election Districts.

SECTION 4. The boundaries of the several Judicial and Election Districts shall remain as they are now established.

Boundaries.

SECTION 5. The House of Representatives shall consist of one hundred and twenty-four members, to be apportioned among the several Election Districts of the State, according to the number of white inhabitants contained in each, and the amount of all taxes raised by the General Assembly, whether direct or indirect, or of whatever species, paid in each, deducting therefrom all taxes paid on account of property held in any other District, and adding thereto all taxes elsewhere paid on account of property held in such District. An enumeration of the white inhabitants, for this purpose, was made in the year one thousand eight hundred and fifty-nine, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed; and Representatives shall be assigned to the different Districts in the above-mentioned proportion, by Act of the General Assembly at the session immediately succeeding every enumeration: *Provided*, That until the apportionment, which shall be made upon the next enumeration, shall take effect, the representation of the several Election Districts, as herein constituted, shall continue as assigned at the last apportionment, each District which has been heretofore divided into smaller Districts, known as Parishes, having the aggregate number of Representatives which the Parishes heretofore embraced within its limits have had since that apportionment, the Representative to which the Parish

Proportion of members of House of Representatives.

Enumeration of white inhabitants—when made.

Provided as to

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of All Saints has been heretofore entitled, being, during this interval, assigned to Horry Election District.

Governor to have made.

SECTION 6. If the enumeration herein directed shall not be made in the course of the year appointed for the purpose, it shall be the duty of the Governor to have it effected as soon thereafter as shall be practicable.

Apportionment of Representatives.

SECTION 7. In assigning Representatives to the several Districts, the General Assembly shall allow one Representative for every sixty-second part of the whole number of white inhabitants in the State, and one Representative, also, for every sixty-second part of the whole taxes raised by the General Assembly. There shall be further allowed one Representative for such fractions of the sixty-second part of the white inhabitants, and of the sixty-second part of the taxes as, when added together, form a unit.

Taxes on property, how laid.

SECTION 8. All taxes upon property, real or personal, shall be laid upon the actual value of the property taxed, as the same shall be ascertained by an assessment made for the purpose of laying such tax. In the first apportionment which shall be made under this Constitution, the amount of taxes shall be estimated from the average of the two years next preceding such apportionment; but in every subsequent apportionment, from the average of the ten years then next preceding.

Each Election District shall have at least one Representative.

SECTION 9. If, in the apportionment of Representatives, any Election District shall appear not to be entitled, from its population and its taxes, to a Representative, such Election District shall nevertheless send one Representative; and if there be still a deficiency of the number of Representatives required by section fifth, such deficiency shall be supplied by assigning Representatives to those Election Districts having the largest surplus fractions, whether those fractions consist of a combination of population and taxes, or of population or taxes separately, until the number of one hundred and twenty-four members be made up: *Provided, however,* That not more than twelve Representatives shall, in any apportionment, be assigned to any one Election District.

Proviso.

Apportionment, when to take effect.

SECTION 10. No apportionment of Representatives shall be construed to take effect, in any manner, until the general election which shall succeed such apportionment.

Senate, how composed.

SECTION 11. The Senate shall be composed of one member from each Election District, except the Election District of Charleston, to which shall be allowed two Senators.

Senate divided into two classes, how.

SECTION 12. Upon the meeting of the first General Assembly which shall be chosen under the provisions of this Constitution, the Senators shall be divided, by lot, into two classes; the seats of the Senators of the one class to be vacated at the expiration of two years after the Monday following the general election, and of those of the other class at the expiration of four years; and the number of these classes shall be so proportioned that one-half of the whole number of Senators may, as nearly as possible, continue to be chosen thereafter every second year.

Qualification of members of House of Representatives.

SECTION 13. No person shall be eligible to, or take or retain, a seat in the House of Representatives, unless he is a free white man, who hath attained the age of twenty-one years, hath been a citizen and resident of this State three years next preceding the day of election, and hath been for the last six months of this time, and shall continue, a resident of the District which he is to represent.

Qualification of members of the Senate.

SECTION 14. No person shall be eligible to, or take or retain, a seat in the Senate, unless he is a free white man, who hath attained the age of thirty years, hath been a citizen and resident of this State five years next preceding the day of election, and hath been, for the last six months of this time, and shall continue to be, a resident of the District which he is to represent.

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SECTION 15. Senators and members of the House of Representatives shall be chosen at a general election on the third Wednesday in October in the present year, and on the same day in every second year thereafter, in such manner and for such terms of office as are herein directed. They shall meet on the fourth Monday in November, annually, at Columbia, (which shall remain the seat of Government, until otherwise determined by the concurrence of two-thirds of both branches of the whole representation,) unless the casualties of war or contagious disorders shall render it unsafe to meet there; in either of which cases, the Governor, or Commander-in-Chief, for the time being, may, by proclamation, appoint a more secure and convenient place of meeting.

Members of the General Assembly, how chosen and when. Where and when to meet.

SECTION 16. The terms of office of the Senators and Representatives chosen at a general election shall begin on the Monday following such election.

Terms of office.

SECTION 17. Each House shall judge of the elections, returns and qualifications of its own members; and a majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as may be provided by law.

Number of members to do business.

SECTION 18. Each House shall choose its own officers, determine its rules of proceeding, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

Each House to determine its rules of proceeding.

SECTION 19. Each House may punish, by imprisonment, during its sitting, any person, not a member, who shall be guilty of disrespect to the House by any disorderly or contemptuous behavior in its presence; or who, during the time of its sitting, shall threaten harm to body or estate of any member for anything said or done in either House, or who shall assault any of them therefor, or who shall assault or arrest any witness or other person ordered to attend the House, in his going thereto, or returning therefrom, or who shall rescue any person arrested by order of the House.

Power of each House to punish for contempt, etc.

SECTION 20. The members of both Houses shall be protected in their persons and estates during their attendance on, going to, and returning from, the General Assembly, and ten days previous to the sitting, and ten days after the adjournment thereof. But these privileges shall not be extended so as to protect any member who shall be charged with treason, felony or breach of the peace.

Privileges of members and their estates.

SECTION 21. Bills for raising a revenue shall originate in the House of Representatives, but may be altered, amended or rejected by the Senate; and all other bills may originate in either House, and may be amended, altered or rejected by the other.

Revenue Bills, etc.

SECTION 22. Every Act or Resolution having the force of law shall relate to but one subject, and that shall be expressed in the title.

Acts having force of law.

SECTION 23. 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 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.

Bills to have the force of law.

SECTION 24. No money shall be drawn out of the Public Treasury but by the legislative authority of the State.

Money—how drawn.

SECTION 25. In all elections by the General Assembly, or either House thereof, the members shall vote "*viva voce*," and their votes, thus given, shall be entered upon the journals of the House to which they respectively belong.

All voting to be *viva voce*.

SECTION 26. The members of the General Assembly, who shall meet

**A. D. 1865.** under this Constitution, shall be entitled to receive out of the Public Treasury, for their expenses during their attendance on, going to, and returning from, the General Assembly, five dollars for each day's attendance, and twenty cents for every mile of the ordinary route of travel between the residence of the member and the capital or other place of sitting of the General Assembly, both going and returning; and the same may be increased or diminished by law, if circumstances shall require; but no alteration shall be made to take effect during the existence of the General Assembly which shall make such alteration.

**Alteration.** **SECTION 27.** Neither House, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the Assembly shall be at the time sitting.

**Who shall not be eligible to a seat in the General Assembly.** **SECTION 28.** No person shall be eligible to a seat in the General Assembly whilst he holds any office of profit or trust under this State, the United States of America, or any of them, or under any other power, except officers in the Militia, army or navy of this State, Magistrates, or Justices of Inferior Courts, while such Justices receive no salaries; nor shall any contractor of the army or navy of this State, the United States of America, or any of them, or the agents of such contractor, be eligible to a seat in either House. And if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat.

**Vacancies—how filled.** **SECTION 29.** If any Election District shall neglect to choose a member or members on the day of election, or if any person chosen a member of either House shall refuse to qualify and take his seat, or shall resign, die, depart the State, accept any disqualifying office, or become otherwise disqualified to hold his seat, a writ of election shall be issued by the President of the Senate, or Speaker of the House of Representatives, as the case may be, for the purpose of filling the vacancy thereby occasioned, for the remainder of the term for which the person so refusing to qualify, resigning, dying, departing the State, or becoming disqualified, was elected to serve, or the defaulting Election District ought to have chosen a member or members.

**Clergymen excluded.** **SECTION 30.** And whereas the ministers of the Gospel are, by their profession, dedicated to the service of God and the cure of souls, and ought not to be diverted from the great duties of their functions; therefore, no minister of the Gospel, or public preacher of any religious persuasion, whilst he continues in the exercise of his pastoral functions, shall be eligible to the office of Governor, Lieutenant-Governor, or to a seat in the Senate or House of Representatives.

## ARTICLE II.

**Executive authority.** **SECTION 1.** The Executive authority of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of South Carolina.

**Governor—term of office, how chosen.** **SECTION 2.** The Governor shall be elected by the electors duly qualified to vote for members of the House of Representatives, and shall hold his office for four years, and until his successor shall be chosen and qualified; but the same person shall not be Governor for two consecutive terms.

**Qualification of Governor.** **SECTION 3.** No person shall be eligible to the office of Governor, unless he hath attained the age of thirty years, and hath been a citizen and resident of this State for the ten years next preceding the day of election. And no person shall hold the office of Governor, and any other office or commission, civil or military, (except in the Militia,) under this State or the United States, or any of them, or any other power, at one and the same time.

**SECTION 4.** The returns of every election of Governor shall be sealed up

by the Managers of Elections in their respective Districts, and transmitted, by a messenger chosen by them, 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; during the first week of which session the Speaker shall open and publish them in the presence of both Houses of the General Assembly. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, the General Assembly shall, during the same session, in the House of Representatives, choose one of them Governor *viva voce*. Contested elections for Governor shall be determined by the General Assembly in such manner as shall be prescribed by law.

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Election of Governor.

Contested elections.

SECTION 5. 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 *ex officio* be President of the Senate.

Lieutenant-Governor, how chosen.

SECTION 6. The Lieutenant-Governor, acting as President of the Senate, shall have no vote, unless the Senate be equally divided.

No vote, unless Senate be divided.

SECTION 7. The Senate shall choose a President *pro tempore* to act in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor.

Senate, President of *pro tempore*.

SECTION 8. A member of the Senate, or of the House of Representatives, being chosen, and acting as Governor or Lieutenant-Governor, shall thereupon vacate his seat, and another person shall be elected in his stead.

Member of General Assembly as Governor, etc.

SECTION 9. In case of the impeachment of the Governor, or his removal from office, death, resignation, disqualification, disability, or removal from the State, the Lieutenant-Governor shall succeed to his office; and in case of the impeachment of the Lieutenant-Governor, or his removal from office, death, resignation, disqualification, disability, or removal from the State, the President *pro tempore* of the Senate shall succeed to his office; and when the offices of the Governor, Lieutenant-Governor and President *pro tempore* of the Senate shall become vacant in the recess of the Senate, the Secretary of State, for the time being, shall, by proclamation, convene the Senate, that a President *pro tempore* may be chosen to exercise the office of Governor for the unexpired term.

Governor—vacancy of, how filled.  
President *pro tem.* of Senate as Governor.

SECTION 10. The Governor shall be Commander-in-Chief of the Army and Navy of this State, and of the Militia, except when they shall be called into the actual service of the United States.

Commander-in-Chief of army and navy.

SECTION 11. He shall have power to grant reprieves and pardons after conviction, (except in cases of impeachment,) in such manner, on such terms and under such restrictions as he shall think proper, and he shall have power to remit fines and forfeitures, unless otherwise directed by law. It shall be his duty to report to the General Assembly at the next regular session thereafter all pardons granted by him, with a full statement of each case and the reasons moving him thereunto.

Governor may grant reprieves, etc.

SECTION 12. He shall take care that the laws be faithfully executed in mercy.

Executive laws in mercy.

SECTION 13. The Governor and Lieutenant-Governor shall, at stated times, receive for their services a compensation which shall be neither increased nor diminished during the period for which they shall have been elected.

Pay of Governor and Lieutenant-Governor.

SECTION 14. All officers in the Executive Department, when required by the Governor, shall give him information in writing upon any subject relating to the duties of their respective offices.

Executive officers, duties of.

SECTION 15. The Governor shall, from time to time, give to the General Assembly information of the condition of the State, and recommend to their consideration such measures as he shall judge necessary or expedient.

Governor to give information to General Assembly.

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General Assembly, Governor may convene, etc. Commissions.

SECTION 16. He may, on extraordinary occasions, convene the General Assembly, and should either House remain without a quorum for three days, or in case of disagreement between the two Houses with respect to the time of adjournment, may adjourn them to such time as he shall think proper, not beyond the fourth Monday of November then next ensuing.

SECTION 17. He shall commission all officers of the State.

Managers of Elections, duties of.

SECTION 18. It shall be the duty of the Managers of Elections of this State, at the first general election under this Constitution, and at each alternate general election thereafter, to hold an election for Governor and Lieutenant-Governor.

Governor to take oath of office.

SECTION 19. The Governor and the Lieutenant-Governor, before entering upon the duties of their respective offices, shall, in the presence of the General Assembly, take the oath of office prescribed in this Constitution.

Residence of Governor.

SECTION 20. The Governor shall reside, during the sitting of the General Assembly, at the place where its session may be held; and the General Assembly may, by law, require him to reside at the Capital of the State.

Bills before becoming law shall be presented to Governor for approval.

SECTION 21. Every Bill which shall have passed the General Assembly, shall, before it become a law, be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration a majority of the whole representation of that House shall agree to pass the Bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by a majority of the whole representation of that other House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the Governor within two days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it. And, that time may always be allowed the Governor to consider Bills passed by the General Assembly, neither House shall read any Bill on the last day of its session, except such Bills as have been returned by the Governor as herein provided.

### ARTICLE III.

Judiciary Courts of Law and Equity.

SECTION 1. The judicial power shall be vested in such Superior and Inferior Courts of Law and Equity as the General Assembly shall, from time to time, direct and establish. The Judges of the Superior Courts shall be elected by the General Assembly, shall hold their offices during good behavior, and shall, at stated times, receive a compensation for their services, which shall neither be increased nor diminished during their continuance in office; but they shall receive no fees or perquisites of office, nor hold any other office of profit or trust under this State, the United States of America, or any of them, or any other power. The General Assembly shall, as soon as possible, establish for each District in the State an Inferior Court or Courts, to be styled "The District Court," the Judge whereof shall be resident in the District while in office, shall be elected by the General Assembly for four years, and shall be re-eligible, which Court shall have jurisdiction of all civil causes wherein one or both of the parties are persons of color, and of all criminal cases wherein the accused is a person of color; and the General Assembly is empowered to extend the jurisdiction of the said Court to other subjects.

District Courts, Judges of.

Courts of Appeal.

SECTION 2. The Judges shall meet and sit at Columbia, at such time as the General Assembly may by Act prescribe, for the purpose of hearing and determining all motions for new trials and in arrest of judgment, and such points of law as may be submitted to them, and the General Assem-

bly may by Act appoint such other places for such meeting as in their discretion may seem fit.

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SECTION 3. The style of all processes shall be "The State of South Carolina." All prosecutions shall be carried on in the name and by the authority of the State of South Carolina, and conclude, "against the peace and dignity of the same."

Style of process.

ARTICLE IV.

SECTION 1. In all elections to be made by the people of this State, or of any part thereof, for civil or political offices, every person shall be entitled to vote who has the following qualifications, to wit: He shall be a free white man, who has attained the age of twenty-one years, and is not a pauper, nor a non-commissioned officer or private soldier of the army, nor a seaman or marine of the navy of the United States. He shall, for the two years next preceding the day of election, have been a citizen of this State; or, for the same period, an emigrant from Europe, who has declared his intention to become a citizen of the United States, according to the Constitution and Laws of the United States. He shall have resided in this State for at least two years next preceding the day of election, and, for the last six months of that time, in the District in which he offers to vote: *Provided, however,* That the General Assembly may, by requiring a registry of voters, or other suitable legislation, guard against frauds in elections and usurpations of the right of suffrage; may impose disqualification to vote as a punishment for crime, and may prescribe additional qualifications for voters in municipal elections.

Qualifications of voters in all elections made by the

ARTICLE V.

SECTION 1. All persons who shall be elected or appointed to any office of profit or trust, before entering on the execution thereof, shall take (besides special oaths, not repugnant to this Constitution, prescribed by the General Assembly,) the following oath: "I do swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State, and that of the United States. So help me God."

Oath of office.

ARTICLE VI.

SECTION 1. The House of Representatives shall have the sole power of impeaching, but no impeachment shall be made, unless with the concurrence of two-thirds of the House of Representatives.

House of Representatives shall impeach.

SECTION 2. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present.

Senate shall try impeachments.

SECTION 3. The Governor, Lieutenant-Governor, and all civil officers, shall be liable to impeachment for high crimes and misdemeanors, for any misbehavior in office, for corruption in procuring office, or for any act which shall degrade their official character. But judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of honor, trust or profit under this State. The party convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

Who liable to impeachment, punishment if convicted.



A. D. 1865. SECTION 4. All civil officers, whose authority is limited to a single Judicial District, a single Election District, or part of either, shall be appointed, hold their office, be removed from office, and, in addition to liability of civil officers. be punished for official misconduct, in such manner as the General Assembly, previous to their appointment, may provide.

When civil offices may be declared vacant. SECTION 5. If any civil officer shall become disabled from discharging the duties of his office, by reason of any permanent bodily or mental infirmity, his office may be declared to be vacant, by joint resolution, agreed to by two-thirds of the whole representation in each House of the General Assembly: *Provided*, That such resolution shall contain the grounds for the proposed removal, and, before it shall pass either House, a copy of it shall be served on the officer, and a hearing be allowed him.

## ARTICLE VII.

Treasurer and Secretary of State. SECTION 1. The Treasurer and the Secretary of State shall be elected by the General Assembly in the House of Representatives, shall hold their offices for four years, and shall not be eligible for the next succeeding term.

Other officers. SECTION 2. All other officers shall be appointed as they hitherto have been, until otherwise directed by law; but the same person shall not hold the office of Sheriff for two consecutive terms.

Commissions—style of. SECTION 3. All commissions shall be in the name and by the authority of the State of South Carolina, be sealed with the seal of the State, and be signed by the Governor.

## ARTICLE VIII.

Laws to continue of force, unless altered. SECTION 1. All laws of force in this State at the adoption of this Constitution, and not repugnant hereto, shall so continue until altered or repealed by the General Assembly, except where they are temporary, in which case they shall expire at the times respectively limited for their duration, if not continued by Act of the General Assembly.

## ARTICLE IX.

Declaration of rights. SECTION 1. All power is originally vested in the people, and all free Governments are founded on their authority, and are instituted for their peace, safety and happiness.

SECTION 2. No person shall be taken, or imprisoned, or disseized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner deprived of his life, liberty or property, but by due process of law; nor shall any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, ever be passed by the General Assembly.

SECTION 3. The military shall be subordinate to the civil power.

SECTION 4. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety requires it.

SECTION 5. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

SECTION 6. The General Assembly shall not grant any title of nobility, or hereditary distinction, nor create any office the appointment to which shall be for any longer time than during good behavior.

SECTION 7. The trial by jury, as heretofore used in this State, and the liberty of the press, shall be forever inviolably preserved. But the General Assembly shall have power to determine the number of persons who shall constitute the jury in the Inferior and District Courts.

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SECTION 8. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall be allowed, within this State, to all mankind: *Provided*, That the liberty of conscience hereby declared shall not be construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

SECTION 9. The rights, privileges, immunities and estates of both civil and religious societies and of corporate bodies shall remain as if the Constitution of this State had not been altered or amended.

SECTION 10. The rights of primogeniture shall not be re-established, and there shall not fail to be some legislative provision for the equitable distribution of the estates of intestates.

SECTION 11. The slaves in South Carolina having been emancipated by the action of the United States authorities, neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall ever be re-established in this State.

ARTICLE X.

SECTION 1. The General Assembly, whenever a tax is laid upon land, shall, at the same time, impose a capitation tax, which shall not be less upon each poll than one-fourth of the tax laid upon each hundred dollars' worth of the assessed value of the land taxed; excepting, however, from the operation of such capitation tax all such classes of persons, as from disability or otherwise, ought, in the judgment of the General Assembly, to be exempted.

Capitation tax shall be laid, and how.

ARTICLE XI.

SECTION 1. The business of the Treasury shall be conducted by one Treasurer, who shall hold his office and reside at the seat of Government.

Treasury—how conducted

SECTION 2. The Secretary of State shall hold his office and reside at the seat of Government.

Secretary of State, office of.

ARTICLE XII.

SECTION 1. No Convention of the people shall be called, unless by the concurrence of two-thirds of the whole representation in each House of the General Assembly.

Convention, power to call.

SECTION 2. No part of this Constitution shall be altered, unless a Bill to alter the same shall have been read on three several days in the House of Representatives, and on three several days in the Senate, and agreed to, at the second and third reading, by two-thirds of the whole representation in each House of the General Assembly; neither shall any alteration take effect, until the Bill, so agreed to, shall be published for three months previous to a new election for members of the House of Representatives; and the alteration proposed by the preceeding General Assembly shall be agreed to by the new General Assembly, in their first session, by the concurrence of two-thirds of the whole representation in each House, after the same shall have been read on three several days in each; then and not otherwise the same shall become a part of the Constitution.

Constitution—how altered.

Done in Convention at Columbia, in the State of South Carolina, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention.

Attest: JOHN T. SLOAN,  
Clerk of the Convention.

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ADOPTED SEPTEMBER, 1865.

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PROCLAMATIONS

OF

HIS EXCELLENCY B. F. PERRY,

PROVISIONAL GOVERNOR OF SOUTH CAROLINA,

AND OF

HIS EXCELLENCY ANDREW JOHNSON,

PRESIDENT OF THE UNITED STATES.

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## OFFICIAL---DEPARTMENT OF STATE.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

### A PROCLAMATION.

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Whereas, The fourth section of the fourth Article of the Constitution of the United States declares that the United States shall guarantee to every State in the Union a republican form of government, and shall protect each of them against invasion and domestic violence : And, whereas, The President of the United States is, by the Constitution, made Commander-in-Chief of the army and navy, as well as chief civil executive officer of the United States, and is bound by solemn oath faithfully to execute the office of President of the United States, and to take care that the laws be faithfully executed : And, whereas, The rebellion which has been waged by a portion of the people of the United States against the properly constituted authorities of the Government thereof, in the most violent and revolting form, but whose organized and armed forces have now been almost entirely overcome, has, in its revolutionary progress, deprived the people of the State of South Carolina of all civil government : And, whereas, It becomes necessary and proper to carry out and enforce the obligations of the United States to the people of South Carolina in securing them in the enjoyment of a republican form of government :

Now, therefore, in obedience to the high and solemn duties imposed upon me by the Constitution of the United States, and for the purpose of enabling the loyal people of said State to organize a State Government, whereby justice may be established, domestic tranquility insured, and loyal citizens protected in all their rights of life, liberty and property, I, Andrew Johnson, President of the United States, and Commander-in-Chief of the Army and Navy of the United States, do hereby appoint Benjamin F. Perry, of South Carolina, Provisional Governor of the State of South Carolina, whose duty it shall be, at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a Convention, composed of delegates to be chosen by that portion of the people of said State who are loyal to the United States, and no others, for the purpose of altering or amending the Constitution thereof ; and with authority to exercise, within the limits of said State, all the powers necessary and proper to enable such loyal people of the State of South Carolina to restore said State to its Constitutional relations to the Federal Government, and to present such a republican form of State Government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection and domestic violence : Provided, That in any election that may hereafter be held for choosing delegates to any State Convention as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such Convention, unless he shall have previously

taken and subscribed the oath of amnesty, as set forth in the President's Proclamation of May 29th, A. D. 1865, and is a voter qualified as prescribed by the Constitution and Laws of the State of South Carolina in force immediately before the seventeenth (17th) day of November, A. D. 1860, the date of the so-called Ordinance of Secession; and the said Convention, when convened, or the Legislature that may be thereafter assembled, will prescribe the qualification of electors, and the eligibility of persons to hold office under the Constitution and Laws of the State, a power the people of the several States composing the Federal Union have rightfully exercised from the origin of the Government to the present time.

And I do hereby direct—

1st. That the military commander of the department, and all officers and persons in the military and naval service, aid and assist the said Provisional Governor in carrying into effect this Proclamation, and they are enjoined to abstain from, in any way, hindering, impeding or discouraging the loyal people from the organization of a State Government as herein authorized.

2d. That the Secretary of State proceed to put in force all laws of the United States, the administration whereof belongs to the State Department, applicable to the geographical limits aforesaid.

3d. That the Secretary of the Treasury proceed to nominate for appointment assessors of taxes, and collectors of customs and internal revenue, and such other officers of the Treasury Department as are authorized by law, and put in execution the Revenue Laws of the United States within the geographical limits aforesaid. In making appointments, the preference shall be given to qualified loyal persons residing within the Districts where their respective duties are to be performed. But if suitable residents of the Districts shall not be found, then persons residing in other States or Districts shall be appointed.

4th. That the Postmaster-General proceed to establish post offices and post routes, and put into execution the Postal Laws of the United States within the said State, giving to loyal residents the preference of appointment; but if suitable residents are not found, then to appoint agents, &c., from other States.

5th. That the District Judge for the Judicial District in which South Carolina is included proceed to hold Courts within said State, in accordance with the provisions of the Act of Congress. The Attorney-General will instruct the proper officers to libel and bring to judgment, confiscation and sale, property subject to confiscation, and enforce the administration of justice within said State in all matters within the cognizance and jurisdiction of the Federal Courts.

6th. That the Secretary of the Navy take possession of all public property belonging to the Navy Department within said geographical limits, and put in operation all Acts of Congress in relation to naval affairs having application to the said State.

7th. That the Secretary of the Interior put in force the laws relating to the Interior Department applicable to the geographical limits aforesaid.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this thirtieth day of June, in the [SEAL] year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the eighty-ninth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.

BY THE PROVISIONAL GOVERNOR OF THE STATE OF SOUTH CAROLINA.

## A PROCLAMATION.

---

Whereas, His Excellency President Johnson has issued his Proclamation, appointing me (Benjamin F. Perry) Provisional Governor in and for the State of South Carolina, with power to prescribe such rules and regulations as may be necessary and proper for convening a Convention of the State, composed of delegates to be chosen by that portion of the people of said State who are loyal to the United States, for the purpose of altering or amending the Constitution thereof; and with authority to exercise within the limits of the State all the powers necessary and proper to enable such loyal people to restore said State to its constitutional relations to the Federal Government, and to present such a Republican form of State Government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection and domestic violence:

Now, therefore, in obedience to the Proclamation of his Excellency Andrew Johnson, President of the United States, I, Benjamin F. Perry, Provisional Governor of the State of South Carolina, for the purpose of organizing a Provisional Government in South Carolina, reforming the State Constitution and restoring civil authority in said State, under the Constitution and Laws of the United States, do hereby proclaim and declare that all civil officers in South Carolina, who were in office when the civil government of the State was suspended, in May last, (except those arrested or under prosecution for treason,) shall, on taking the oath of allegiance prescribed in the President's Amnesty Proclamation of the 29th day of May, 1865, resume the duties of their offices and continue to discharge them under the Provisional Government till further appointments are made.

And I do further proclaim, declare and make known, that it is the duty of all loyal citizens of the State of South Carolina to promptly go forward and take the oath of allegiance to the United States, before some Magistrate or military officer of the Federal Government, who may be qualified for administering oaths; and such are hereby authorized to give certified copies thereof to the persons respectively by whom they were made. And such Magistrates or officers are hereby required to transmit the originals of such oaths, at as early a day as may be convenient, to the Department of State, in the city of Washington, D. C.

And I do further proclaim, declare and make known, that the Managers of Elections throughout the State of South Carolina will hold an election for members of a State Convention, at their respective precincts, on the first Monday in September next, according to the laws of South Carolina in force before the secession of the State; and that each Election District in the State shall elect as many members of the Convention as the said District has members of the House of Representatives—the basis of representation being population and taxation. This will give one hundred and



twenty-four members to the Convention—a number sufficiently large to represent every portion of the State most fully.

Every loyal citizen who has taken the Amnesty oath, and not within the excepted classes in the President's Proclamation, will be entitled to vote, provided he was a legal voter under the Constitution as it stood prior to the secession of South Carolina. And all who are within the excepted classes must take the oath and apply for a pardon, in order to entitle them to vote or become members of the Convention.

The members of the Convention thus elected on the first Monday in September next, are hereby required to convene in the city of Columbia, on Wednesday, the 13th day of September, 1865, for the purpose of altering and amending the present Constitution of South Carolina, or remodeling and making a new one, which will conform to the great changes which have taken place in the State, and be more in accordance with Republican principles and equality of representation.

And I do further proclaim and make known, that the Constitution and all laws of force in South Carolina prior to the secession of the State, are hereby made of force under the Provisional Government, except wherein they may conflict with the provisions of this Proclamation. And the Judges and Chancellors of the State are hereby required to exercise all the powers and perform all the duties which appertain to their respective offices, and especially in criminal cases. It will be expected of the Federal military authorities now in South Carolina to lend their authority to the civil officers of the Provisional Government, for the purpose of enforcing the laws and preserving the peace and good order of the State.

And I do further command and enjoin all good and lawful citizens of the State to unite in enforcing the laws and bringing to justice all disorderly persons, all plunderers, robbers and marauders, all vagrants and idle persons who are wandering about without employment or any visible means of supporting themselves.

It is also expected that all former owners of freed persons will be kind to them, and not turn off the children or aged to perish; and the freed men and women are earnestly enjoined to make contracts, just and fair, for remaining with their former owner.

In order to facilitate as much as possible the application for pardons under the excepted sections of the President's Amnesty Proclamation, it is stated for information that all applications must be by petition, stating the exception, and accompanied with the oath prescribed. This petition must be first approved by the Provisional Governor, and then forwarded to the President. The headquarters of the Provisional Governor will be at Greenville, where all communications to him must be addressed.

The newspapers of this State will publish this Proclamation till the election for members of the Convention.

In testimony whereof, I have hereunto set my hand and seal. Done [L. S.] at the town of Greenville, this twentieth day of July, in the year of our Lord one thousand eight hundred and sixty-five, and of the independence of the United States the ninetyeth.

B. F. PERRY.

By the Provisional Governor:  
WILLIAM H. PERRY, Private Secretary.

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**CREDENTIALS**  
OF THE  
**MEMBERS OF THE CONVENTION**  
OF THE  
STATE OF SOUTH CAROLINA,  
SEPTEMBER, 1865.

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## CREDENTIALS.

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### STATE OF SOUTH CAROLINA, ABBEVILLE DISTRICT.

We, the undersigned, Managers of Elections for Abbeville District, certify that at an election held on Monday, the 4th of September, 1865, ordered by his Excellency B. F. Perry, Provisional Governor of South Carolina, for a Convention, Judge D. L. Wardlaw was duly elected one of the five Members to said Convention from Abbeville District.

M. MCGEE,  
ROBT. BROWNLEE,  
J. F. KELLER,  
W. SMITH,  
JAS. CLARK,  
J. S. CHIPLEY,  
DAVID HANNAH,  
A. C. HAWTHORNE,  
G. HODGES,  
W. O. PARSLEY,  
JAMES TAGGART,  
JNO. C. CHILES,  
M. OSBORNE,  
J. A. HUNTER,  
J. A. McCORD.

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### STATE OF SOUTH CAROLINA, ABBEVILLE DISTRICT.

We, the undersigned, Managers of Elections for Abbeville District, certify that, at an election held on Monday, the 4th of September, 1865, ordered by his Excellency B. F. Perry, Provisional Governor of South Carolina, for a Convention, Samuel McGowan was duly elected one of the five Members to said Convention from Abbeville District.

P. S. GUILLEBEAU,  
J. J. DEVLIN,  
M. MCGEE,  
ROBT. BROWNLEE,  
J. F. KELLER,  
W. SMITH,  
JAS. CLARK,  
J. S. CHIPLEY,  
DAVID HANNAH,  
A. C. HAWTHORN,  
G. HADYLE,  
W. O. PARSLEY,  
JAMES TAGGART,  
JNO. C. CHILES,  
M. OSBORNE,  
J. A. HUNTER,  
J. A. McCORD.

STATE OF SOUTH CAROLINA,  
ABBEVILLE DISTRICT.

We, the undersigned, Managers of Elections for Abbeville District, certify that at an election held on Monday, the 4th of September, 1865, ordered by his Excellency B. F. Perry, Provisional Governor of South Carolina, for a Convention, Thomas Thomson was duly elected one of the five Members to said Convention from Abbeville District.

P. S. GUILLEBEAU,  
J. J. DEVLIN,  
M. MCGEE,  
ROBT. BROWNLEE,  
J. F. KELLER,  
W. SMITH,  
JAS. CLARK,  
J. S. CHIPLEY,  
DAVID HANNAH,  
A. C. HAWTHORNE,  
G. HODGE,  
W. C. PARSLEY,  
JAMES TAGGART,  
JNO. C. CHILES,  
M. OSBORNE,  
J. A. HUNTER,  
J. A. McCORD.

STATE OF SOUTH CAROLINA,  
ABBEVILLE DISTRICT.

We, the undersigned, Managers of Elections for Abbeville District, certify that at an election held on Monday, the 4th of September, 1865, ordered by his Excellency B. F. Perry, Provisional Governor of South Carolina, for a Convention, Dr. John W. Hearst was duly elected one of the five Members of said Convention from Abbeville District.

P. S. GUILLEBEAU,  
J. J. DEVLIN,  
M. MCGEE,  
ROBT. BROWNLEE,  
J. F. KELLER,  
W. SMITH,  
JAS. CLARK,  
J. S. CHIPLEY,  
DAVID HANNAH,  
A. C. HAWTHORNE,  
G. HODGE,  
W. O. PARSLEY,  
JAMES TAGGART,  
JNO. C. CHILES,  
M. OSBORNE,  
J. A. HUNTER,  
J. A. McCORD.

STATE OF SOUTH CAROLINA,  
ABBEVILLE DISTRICT.

We, the undersigned, Managers of Elections for Abbeville District, certify that at an election held on Monday, the 4th of September, 1865,

ordered by his Excellency B. F. Perry, Provisional Governor of South Carolina, for a Convention, W. Augustus Lee was duly elected one of the five Members to said Convention from Abbeville District.

P. S. GUILLEBEAU,  
 J. J. DEVLIN,  
 ROBT. BROWNLEE,  
 JAS. CLARK,  
 M. MCGEE,  
 J. F. KELLER,  
 W. SMITH,  
 J. S. CHIPLEY,  
 DAVID HANNAH,  
 A. C. HAWTHORNE,  
 G. HODGES,  
 W. O. PARSLEY,  
 JAMES TAGGART,  
 JNO. C. CHILES,  
 M. OSBORNE,  
 J. A. HUNTER,  
 J. A. McCORD.

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STATE OF SOUTH CAROLINA,  
 PRINCE GEORGE, WINYAH, September 5, 1865.

We, the undersigned, Managers of the election held September 4, 1865, at the different precincts in this Parish, do hereby certify that the following named gentlemen, Benjamin F. Dunkin, Richard Dozier and B. C. Fishburne, received a majority of the votes cast for Delegates to the State Convention, and are duly elected.

R. O. BUSH,  
 B. M. GRIER,  
 R. W. SHACKELFORD,  
 V. RICHARDSON,  
 JOHN CRIBB.

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OFFICE CLERK COURT COMMON PLEAS AND GENERAL SESSIONS,  
 GEORGETOWN, S. C., September 5, 1865.

I do hereby certify that the above is a true and correct copy of election returns (for Delegates to the State Convention) deposited in this office.

PAUL TAMPLET, C. C. P.

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STATE OF SOUTH CAROLINA,  
 CHRIST CHURCH PARISH, September 4, 1865.

We certify that Richard T. Morrison received all the votes cast at the election held this day, and is therefore the Delegate elect to represent this Parish in the State Convention.

HENRY S. TEW,  
 DAVID R. WILLIAMS,  
 SAMUEL B. BLACKWELL,  
 Managers of Elections.

STATE OF SOUTH CAROLINA,  
ANDERSON DISTRICT.

We, the Managers of Elections for Anderson District, do hereby certify that in conformity with the Proclamation of his Excellency Benjamin F. Perry, Provisional Governor of said State, we opened the polls at the respective boxes in Anderson District on Monday, the 4th inst., to elect four Delegates to a Convention of the people of South Carolina, to assemble at the city of Columbia on the 13th inst.; that we have this day met at the Court House to count the votes and declare the election, and upon counting the votes, we hereby certify James L. Orr, John Wilson, Alexander Evins and Wm. S. Pickens received the greatest number of votes, and are duly elected Delegates to represent said District in said Convention.

Given under our hands and seals, this 5th day of September, 1865.

J. Y. FRETWELL,  
KENON BREEZEAL,  
A. S. McCLINTON,  
W. J. SIMPSON,  
REID GAMBRILL,  
J. B. SIMPSON,  
W. HARPER.  
R. O. CEBROD,  
JOHN WAKEFIELD,  
J. B. LEWIS,  
J. H. TELFORD,  
A. TODD,  
M. PALMER,  
G. L. McGEE,  
J. J. ACKER,  
R. W. REEVES,  
J. A. HALL,  
CHARLES HAYNE,  
J. W. SHERARD,  
DAVID S. TAYLOR,  
R. N. WRIGHT,  
F. M. GLENN,  
R. DUGAN,  
P. H. ANDERSON,  
J. J. SHORLEY,  
W. A. McFALL.

STATE OF SOUTH CAROLINA,  
RICHLAND DISTRICT, September 5, 1865.

We, the Managers of Elections for Richland District, do hereby certify that in conformity with the Proclamation of his Excellency B. F. Perry, Provisional Governor of said State, we opened the polls, at the respective boxes in Richland District, on Monday, the 4th inst., to elect four Delegates to a Convention of the people of South Carolina, to assemble at the city of Columbia on the 13th inst.; that we have this day met to count the votes and declare the election, and upon counting the votes we hereby certify that Wade Hampton, F. W. McMaster, A. R. Taylor and William Wallace received the greatest number of votes and are duly elected.

Given under our hands and seals this 5th day of September, 1865.

J. C. JANNEY, Chairman.

STATE OF SOUTH CAROLINA,  
LAURENS DISTRICT.

In pursuance of the Proclamation of Benjamin F. Perry, Provisional Governor of the State aforesaid, ordering an election to be held for Members of the State Convention, on the first Monday in September, 1865, we, the undersigned, Managers of Elections in and for the District aforesaid, respectfully certify that we have held said election, on the day aforesaid, and met at the Court House of said District this day, counted the votes, and find the result as follows: C. P. Sullivan received 512 votes; Wm. Miller, Jr., 420 votes; W. A. Moore, 415 votes; and B. W. Ball, 407 votes.

The four above named having received the greatest number of votes, are duly elected Members of said Convention, to represent the District of Laurens.

Given under our hands this fifteenth day of September, one thousand eight hundred and sixty-five.

HENRY O'NEALL,  
F. G. FULLER,  
B. C. DUNLAP,  
Z. C. GARRETT,  
JAMES M. POWER,  
E. M. COOPER,  
J. R. TODD,  
JOHN T. DUNCAN,  
MAT. McRARY,  
D. H. A. MASON,  
M. B. MITTS,  
JOEL F. SMITH,  
W. T. SMITH,  
L. P. DAVENPORT,  
B. F. SHAW,  
R. W. ALLISON,  
LEM. G. WILLIAMS,  
L. R. BROOKS,  
J. R. SCENTZER,  
R. McDANIEL,  
J. M. FRANKS,  
WM. PHILSON,  
A. R. YOUNG,  
JNO. WATSON,  
WM. T. FINLEY,  
E. W. WADE,  
JNO. G. WILLIAMS.

STATE OF SOUTH CAROLINA,  
BERKELEY DISTRICT, September 5, 1865.

We do hereby certify that John G. Gaillard has been unanimously elected to represent the Parish of St. John, Berkeley, in the Convention of the State of South Carolina, to be convened in Columbia, on Wednesday, the 13th day of September, by order of Governor Perry.

ALEX. M. PORCHER,  
T. ALEX. BROUGHTON,  
J. DuBOISE PORCHER,  
JOS. P. CAIN,  
EUGENE M. GAILLARD,  
Managers of Elections.

STATE OF SOUTH CAROLINA,  
NEWBERRY DISTRICT.

The undersigned, Managers of Elections for the District of Newberry, South Carolina, hereby certify that on Monday, the 4th day of September, instant, we held an election in pursuance of the Proclamation of Honorable B. F. Berry, Provisional Governor of South Carolina, in accordance with the laws of the said State, for three Delegates to the State Convention, to assemble on Wednesday, the 13th instant, and that, on this day, Tuesday, 5th instant, we assembled at Newberry Court House, when it was ascertained that the following votes were cast: For E. P. Lake, 297 votes; for Henry Sumner, 213 votes; for Robert Stewart, 191 votes; for James H. Williams, 164 votes; for E. S. Keitt, 142 votes. Whereupon, E. P. Lake, Henry Sumner and Robert Stewart, having received the highest number of votes polled, were declared duly elected Delegates to represent the District of Newberry in the State Convention aforesaid.

We further certify that no returns were received from the following precincts, the polls not having been opened thereat, as we are informed, and believe, to wit: Jalapa, Stoney Batter and Dominick's.

Given under our hands at Newberry Court House, South Carolina, this 5th day of September, Anno Domini 1865.

J. A. GANNON,  
R. S. LYLES,  
J. F. SIMS,  
LEVI LONGSHORE,  
THOS. ELLISON,  
A. Y. W. GLYMPH,  
JAS. W. WILLIAMS,  
M. F. WORKMAN,  
JOHN G. HOUSEAL,  
L. B. MOFFETT,  
MICHAEL WERTS.  
HENRY GALLMAN,  
SILAS JOHNSTON,  
T. B. KENNERLY,  
E. S. SLIGH.

STATE OF SOUTH CAROLINA,  
MARLBORO DISTRICT.

*To his Excellency B. F. PERRY, Governor of the State of South Carolina:*

We, the Managers of Elections for Marlboro District, do hereby certify that in obedience to the Proclamation of your Excellency, we proceeded to hold an election for two Delegates to represent the District of Marlboro in the Convention, which has been ordered by your Excellency to be held for the purpose, and on counting the votes we found that Thomas C. Weatherly and C. W. Dudley were elected.

GEO. DUDLEY,  
W. A. DUPRE,  
JOHN A. HODGES,  
PHILIP ODOM,  
JESSE BETHEA,  
A. CALHOUN,  
C. T. McRAE,  
WM. A. CROSLAND,  
W. MURCHISON.



STATE OF SOUTH CAROLINA,  
LEXINGTON DISTRICT.

We, the undersigned, Managers of Elections for Lexington District, do hereby certify that, in obedience to the Proclamation of his Excellency Benjamin F. Perry, Provisional Governor of the State aforesaid, we held an election on Monday, the 4th day of September, instant, for two Members to represent Lexington District in the Convention of the said State, and on this day, to wit, Wednesday, the 6th day of the same month, have counted the votes given at said election, and find the following to be the result, to wit: Colonel L. Boozer received 299 votes; John Fox received 196 votes; Simeon Corley received 91 votes; E. S. J. Hayes, received 53 votes; Scattering, 31 votes. We therefore certify that Colonel L. Boozer and John Fox are duly elected Members to represent Lexington District in said Convention. Witness our hands this 6th day of September, 1865.

D. J. FRIDEL,  
J. A. HENDRIX,  
W. A. HOOK,  
W. E. SAWYER,  
DAVID NUNNAMAKER,  
CHARLES HUTTO,  
J. P. SMITH,  
W. L. WILLIAMSON,  
JAS. SEIGLER,  
L. BOLAND,  
JOHN W. SEOTENBURG,  
DAVID DERRICK,  
J. LEAPHART,  
A. STEEDMAN,  
DANIEL P. HONEIHE.

STATE OF SOUTH CAROLINA,  
SUMTER DISTRICT, September 5, 1865.

We certify that, at an election held at the various precincts in the Election District of Sumter, on Monday, the 4th instant, in conformity to the Proclamation of Governor Perry, for three Delegates to the State Convention for the said District of Sumter, on counting and comparing the votes this day, at this place, it appears that Franklin J. Moses received 425 votes; John N. Frierson received 366 votes; and Thomas M. Muldrow received 265 votes; other scattering votes were found in the boxes. We further certify that the said Franklin J. Moses, John N. Frierson and Thomas M. Muldrow, having respectively received the highest number of votes, we return and declare them duly elected.

T. D. FRIERSON,  
J. M. JENNINGS,  
W. J. CROSSWELL,  
LEONARD BROWN,  
THOS. H. OSTEEN,  
W. E. MILLS,  
J. W. STUCKEY,  
JOHN J. SHAW,  
J. R. KENDRICK,  
H. E. L. PEEBLES,  
H. L. WILSON,  
Managers of Elections.

STATE OF SOUTH CAROLINA,  
LANCASTER DISTRICT.

The undersigned, Managers of Elections for Lancaster District, in the State of South Carolina, do hereby certify, under their hands and seals, that in pursuance of the Proclamation of his Excellency B. F. Perry, Provisional Governor of the State, they held, on the 4th day of September, 1865, at their respective precincts in said District, an election for two Members to represent Lancaster District in a Convention of the people of the State, to assemble in the city of Columbia, on the 13th of said month. The polls at all the boxes in said District were opened, except at the Stover box, which, as far as the undersigned are informed, was through negligence not opened at all; and after meeting at the Court House on this evening, the 5th of September, and counting out the votes, we have ascertained that in said election there were three hundred and sixty-three votes polled throughout the District, and that Robert M. Sims, being the highest candidate, received 264 votes, and James L. Reed, being the next highest, received 250 votes, and William A. Moore, the only other candidate, received 156 votes. We therefore declare Robert M. Sims and James L. Reed duly elected to represent Lancaster District in said Convention.

Given under our hands and seals, at Lancaster Court House, this 5th day of September, A. D. 1865.

F. D. GREEN,  
G. T. WADE,  
H. H. DUNCAN,  
GARRET SIMS,  
JOHN TAYLOR,  
JAMES DELANEY,  
WILLIAM FAIR,  
J. R. WELSH,  
R. E. ALLISON,  
W. M. ADAMS.

STATE OF SOUTH CAROLINA,  
WILLIAMSBURG DISTRICT.

We, the undersigned, Managers of Elections for the District of Williamsburg, in the State aforesaid, do hereby certify that we have, on Monday, the 4th day of September inst., opened the polls at our several respective election precincts and held an election for two Delegates, to represent the District of Williamsburg in the State Convention, to be held or convened at Columbia, on the 13th day of September inst., and that we met at the Court House at Kingstree on this 6th day of September inst., and counted the votes cast in the said election, and that Dr. Joseph A. James received 114 votes; Edward J. Porter, 84; Col. Wm. Cooper, 57; P. C. Dozier, 23; Dr. James G. Staggers, 3; James W. Keels, 1; William F. Rodgers, 1. We therefore declare that the said Dr. Joseph A. James and said Edward J. Porter are duly elected Delegates to represent Williamsburg District in the said Convention.

Given under our hands this 6th day of September, A. D. 1865.

S. E. GRAHAM,  
E. B. NEWELL,  
D. M. DUKE,  
C. LESESNE,  
TAYLOR EADDY,  
J. M. FULTON.

STATE OF SOUTH CAROLINA,  
CHARLESTON, September 4, 1865.

At an election held this day for Members of the Convention, the annexed named gentlemen having received the highest number of votes, are hereby declared duly elected Delegates to the said Convention: O. A. Andrews, James Conner, P. J. Coogan, E. Frost, P. C. Gaillard, W. H. Gilliland, H. Gourdin, W. S. Henery, A. Huger, H. D. Lesesne, P. N. Lynch, Charles Macbeth, W. M. Martin, F. Melchers, William Ravenel, James Rose, John Schnierle, C. H. Simonton, J. A. Wagener, G. W. Williams.

CHARLES LOVE,  
H. W. SCHRODER,  
CHAS. T. K. ROGERS,  
P. P. LOCKE,  
EDW. C. THARIN,  
J. H. SYMMES,  
THOMAS AIMAR,  
J. L. PATTERSON,  
THOS. ALLASON,  
CHAS. W. BINGLEY,  
JNO. D. MILLER,  
W. P. RUSSELL,  
JOS. A. TORLAY,  
P. C. GUENY,  
D. C. GIBSON,  
EDWD. C. KECKELEY,  
Managers of Elections.

STATE OF SOUTH CAROLINA,  
CHESTER DISTRICT.

We, the Managers of Elections for Chester District, State of South Carolina, certify that, in obedience to the Proclamation of his Excellency B. F. Perry, Provisional Governor of the State aforesaid, we held an election at Chester Court House and the other precincts in said District, on Monday, the 4th day of September, instant, for three Delegates to the State Convention, to meet in Columbia on the 13th day of September, instant; and that, at said election, the following gentlemen received the following number of votes, viz: James Hemphill received 210 votes; Dr. A. P. Wylie received 200 votes; and C. D. Melton received 172 votes; which being the highest number of votes cast, we hereby declare the said James Hemphill, A. P. Wylie and C. D. Melton to be duly elected as Delegates to the said State Convention. Witness our hands this 5th day of September, 1865:

W. A. LEWIS,  
T. M. GRAHAM,  
JAMES W. KEE,  
J. Y. MILLS,  
JOHN SMITH,  
JAS. BOYD,  
JESSE WILLIAMS,  
JAMES G. LOWRY,  
S. McCALL,  
A. GIBSON,  
W. H. CASTLES.

STATE OF SOUTH CAROLINA,  
YORK DISTRICT, September 5, 1865.

We, the undersigned, Managers of Elections for York District, hereby certify that, in obedience to the order of B. F. Perry, Provisional Governor of South Carolina, an election was held on Monday, 4th September, instant, at the election precincts, for four Delegates to the State Convention, to assemble at Columbia on the 13th instant. We met at Yorkville on this day and compared the results, when it appeared that Robert A. Ross received 460 votes; William C. Beatty, 382 votes; William C. Black, 308 votes; Colonel Cad. Jones, 303 votes; William J. Avery, 262 votes; A. S. Wallace, 248 votes; J. T. Lowry, 176 votes; J. N. McElwee, 153 votes. We therefore declare the said R. A. Ross, William C. Beatty, William C. Black, and Cad. Jones duly elected. Witness our hands:

A. E. HUTCHISON,  
J. P. MOORE,  
J. M. SMANN,  
J. R. WALLACE,  
S. L. ADAMS,  
W. P. WYLIE,  
SAMUEL ANDERSON,  
J. C. PHILLIPS,  
NASA RIGGLINS,  
E. G. BYERS,  
J. B. LOWRY,  
W. H. CARROLL,  
J. HERNDON,  
J. ED. JEFFEREYS,  
C. G. WEBBER,  
R. GARRISON.

STATE OF SOUTH CAROLINA,  
GREENVILLE DISTRICT.

We, the undersigned, Managers of Elections for Greenville District and State aforesaid, do hereby certify that we held an election for Members for the State Convention, on the 4th day of September, 1865, and that the following named persons received the highest votes, viz: H. H. Perry, T. C. Bolling, James P. Boyce and J. P. Latimer. Therefore we pronounce them elected to said Convention.

J. HARRISON,  
M. B. FOWLER,  
W. W. ROBERTSON,  
J. S. HAMMOND,  
HENRY GROSS,  
A. W. PEDON,  
P. N. ACKER,  
DANIEL FOWLER,  
B. R. JOHNSON,  
GEORGE S. GREEN,  
ELIJAH FARMER,  
JOHN ABNER SMITH,  
H. GOOD,  
A. LOVE,  
W. H. GOODLETT,  
C. C. MONTGOMERY,  
WM. A. MOONEY,  
N. AUSTIN,  
HAMLIN BEATTIE.

STATE OF SOUTH CAROLINA,  
DARLINGTON C. H., September 5, 1865.

The undersigned, Managers of Elections for Darlington District, hereby certify that, at an election held on the 4th September, instant, for three Members to a Convention of the people, to be held in Columbia on the 13th instant, David C. Milling received 560 votes; J. H. Norwood, 459 votes; J. E. Byrd, 452 votes; and F. F. Warley, 175 votes. The three first mentioned candidates having received the highest number of votes polled, are hereby declared elected.

J. A. PETTIGREW,  
W. W. MOORE,  
JAMES P. WILSON,  
J. E. GOODE,  
J. W. PARROTT,  
J. M. BROWN,  
J. C. GARNER,  
H. B. WHITE,  
S. W. MORRIS,  
J. W. WOODHAM,  
M. BYRD,  
G. A. NORWOOD,  
JOHN WRIGHT,  
A. S. ROGERS,

STATE OF SOUTH CAROLINA,  
FAIRFIELD DISTRICT, September 5, 1865.

We, the undersigned, Managers of Elections for Fairfield District, do hereby certify that at an election held on the 4th day of September, 1865, for three Members to represent said District in a Convention to be holden in Columbia on the 13th day of September, 1865, in pursuance of the Proclamation of his Excellency Governor B. F. Perry, upon counting the votes cast we found that Messrs. Jas. H. Rion, John Bratton and Wm. R. Robertson received the highest number of votes cast. We therefore declare Messrs. J. H. Rion, John Bratton and W. R. Robertson duly elected as Members to said Convention from Fairfield District.

J. S. STEWART,  
JOSEPH LANTAN,  
JOHN BOYD,  
D. G. HOLLIS,  
JOHN SIMONTON,  
G. W. COLEMAN,  
N. B. HOLLEY,  
W. P. BROWN,  
J. BOOKMAN.

STATE OF SOUTH CAROLINA,  
ALL SAINTS' PARISH, September 5, 1865.

This is to certify that, after due notice, an election was held, and, after counting the votes, U. A. DeLettre is hereby declared elected as the Delegate to the Convention for this Parish, by a majority of 27 votes.

THOMAS KING,  
B. HUCKS,  
Managers of Elections.

STATE OF SOUTH CAROLINA,  
ST. BARTHOLOMEW'S PARISH.

This certifies that in pursuance of a Proclamation of his Excellency B. F. Perry, Provisional Governor of the State, an election was held at the different places of election in the Parish aforesaid, on Monday, the 4th day of September, A. D. 1865, for three Delegates to the State Convention to be convened at Columbia, on Wednesday, the 13th of September, 1865, and that on Tuesday, the 5th of September, the Managers of Elections being assembled at the Court House in Walterboro, counted over the votes so taken, and found that two hundred and seventy-three (273) votes had been polled for Alexander B. Stephens; two hundred and thirty-four (234) votes for Hugo G. Sheridan, two hundred and thirty-two (232) votes for Archibald Campbell; one hundred and seventy-eight (178) votes for John W. Burbidge; one hundred and sixty-seven (167) votes for Budd G. Price; and ninety-seven (97) votes for Benjamin Stokes; and thereupon they declared the said A. B. Stephens, H. G. Sheridan and Arch. Campbell duly elected Delegates to the said Convention.

WM. C. P. CAMPBELL,  
Chairman of the Board of Managers.

Witness: W. H. BELLINGER.

STATE OF SOUTH CAROLINA,  
PICKENS DISTRICT, September 5, 1865.

The undersigned, Managers of Elections for the State and District aforesaid, do hereby certify that an election was held at the respective precincts opposite our names, and the following persons were duly elected to represent this District in the Convention to be held in Columbia, on the 13th instant, in obedience to the Proclamation of his Excellency Governor B. F. Perry, viz: Edmund Herndon, Leander B. Johnson, Alexander Bryce, Sr., and James L. Boyd.

Hurricane—L. N. Robins, Allen Riggins, John Stewart.  
Muddy Spring—E. H. Cox, John F. Miller, David Sanders.  
Center—J. B. Sanders, J. A. Simmons, N. P. Cole.  
Fair Play—B. P. Sloan, P. J. Dean, A. S. Stribling.  
Salubrity—M. T. Smith, W. S. Williams, Thos. G. Boggs.  
Pickensville—Calvin Odle, E. W. Clyde, J. L. Howard.  
Wolf Creek—A. C. Hughes, W. B. Allgood, J. R. Durham.  
Walhalla—J. W. F. Thomson, A. W. Thompson, J. J. Ansel.  
Gainer—J. V. Philpot, J. C. Thompson, E. Smith.  
Tunnel Hill—Wm. Rowland, A. J. Rendley, S. G. Herndon.  
Trap—B. F. Morgan, H. D. Hunt, G. W. Latham.  
Pickens Court House—Joseph Burnett, J. J. Morton, J. S. Wickliffe.

STATE OF SOUTH CAROLINA,  
ST. PAUL'S PARISH, September 5, 1865.

We do hereby certify that at an election held on the 4th inst., for a Delegate to the Convention to be held on the 13th inst., at Columbia, Isaac M. Dwight was duly elected for the Parish of St. Paul.

B. E. KIDDELL,  
JAMES PERRY,  
JOSEPH TUCKER,  
Managers of Elections.

STATE OF SOUTH CAROLINA,  
BARNWELL DISTRICT.

By virtue of a Proclamation of his Excellency B. F. Perry, Provisional Governor of the said State, an election for four Members to represent the said District in a Convention to be convened in Columbia, on the 13th day of September, instant, was held. The polls were opened on Monday and the votes counted. On Wednesday, the Managers convened at the Court House and aggregated the votes, when it was found that A. P. Aldrich received 228 votes; J. J. Brabham, 189; J. G. W. Duncan, 135; J. M. Whetstone, 75.

The above named gentlemen having received the highest number of votes were declared duly elected, and in testimony thereof we have given to them this return of election under our hands and seals, this 6th day of September, A. D. 1865.

HAMPTON BRABHAM,  
ALEX. O'B. BAILEY,  
T. H. KIRKLAND,  
F. C. AYER,  
R. C. McMILON,  
A. BUIST,  
B. F. BROWN,  
LEW. F. HEST.

Managers of Elections.

STATE OF SOUTH CAROLINA,  
UNION DISTRICT, September 5, 1865.

The undersigned, Managers of Elections for Union District, in the State aforesaid, do hereby certify that we held an election at our respective precincts, on Monday, the 4th instant, for Members to the State Convention recently called by his Excellency Governor Perry; that said election resulted as follows: W. H. Wallace, T. N. Dawkins and W. J. Keenan. The gentlemen above-named, having received a majority of the votes, are declared duly elected.

NATHAN HAWKINS,  
J. S. SIMS, Jr.,  
ROBT. V. HARRIS,  
D. D. GOING,  
WM. R. A. THOMAS,  
F. W. EISON,  
P. P. HAMILTON,  
T. N. KELLY,  
H. P. McKISSICK,  
C. GIBBS.

STATE OF SOUTH CAROLINA,  
St. PETER'S PARISH, September 6, 1865.

We, the undersigned, Managers of an election held in St. Peter's Parish for a Delegate to the State Convention, after counting the votes taken at the polls that were opened, do declare Henry C. Smart duly elected.

GEORGE W. SMITH,  
B. THOMSON,  
R. H. JOHNSTON.

STATE OF SOUTH CAROLINA,  
CHESTERFIELD DISTRICT.

We, the undersigned, Managers of Elections for Chesterfield District, having held an election on the 4th September, 1865, for Delegates to a Convention to be held in this State on the 13th September, 1865, do declare that Henry McIver received 154 votes, and John A. Inglis received 148 votes, being a majority of all the votes given. We therefore declare the said persons duly elected.

T. W. ROBESON,  
JOHN ELLIS,  
M. P. McNAIR,  
JAS. C. CHAPMAN,  
D. MATHESON,  
DANIEL WADSWORTH,  
THOS. H. WATSON,  
MICHAEL WATSON,  
JAS. P. HARRALL,  
D. B. McARN.

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STATE OF SOUTH CAROLINA,  
HORRY DISTRICT.

We, the Managers of Elections for the State and District aforesaid, in obedience to the Proclamation of his Excellency Governor Perry, did, on the first Monday in September, A. D. 1865, open the polls and held an election for a Member to the State Convention, to meet in Columbia on the 13th inst., and we do hereby certify and declare that Joel B. Skipper, Sr., received a majority of 60 votes over all opposition. We therefore declare him duly elected.

Witness our hands, at Conwayboro, September 5, 1865.

THOMAS VAUGHT,  
EDWIN C. JAMES,  
J. S. ELLIOTT,  
J. H. NORMAN.

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STATE OF SOUTH CAROLINA,  
MARION DISTRICT, September 6, 1865.

We, the undersigned, Managers of Elections for Marion District, do hereby certify that we have held the election for Delegates to the State Convention called by Governor B. F. Perry, in accordance with the Proclamation of said Governor, and according to law; and that, on counting the votes cast, we find that A. Q. McDuffie, William T. Wilson and R. H. Reaves are duly elected.

THOS. M. MUNNERLYN,  
A. CARMICHAEL,  
JOS. R. N. TENHET,  
W. C. McMILLAN,  
J. E. McKNIGHT,  
H. G. FLADGER,  
E. E. GREGG,  
J. N. STEVENSON,  
G. A. McINTYRE.



STATE OF SOUTH CAROLINA,  
CAMDEN, September 5, 1865.

We, the undersigned, Managers of Elections for Kershaw District, do certify that Col. A. D. Goodwyn and Major L. W. R. Blair were duly elected Members to the State Convention, to be held in the city of Columbia, on the 13th September, 1865.

C. A. McDONALD,  
W. D. ANDERSON,  
F. J. OAKS,  
JESSE TRUSDEL,  
FREDERICK BOWEN,  
J. H. VAUGHN,  
B. T. McCOY.

STATE OF SOUTH CAROLINA,  
CLARENDON DISTRICT, September 6, 1865.

We, the Managers of Elections for Clarendon District, hereby certify that James McCauley received a majority of the votes for the State Convention, and we declare him duly elected.

J. S. McFADDIN,  
J. C. STRANGE,  
JOHN J. CONYERS,  
JOHN O. MARTIN,  
R. M. HARVIN,  
HENRY KELLEY,  
WM. THEO. LESESNE.

STATE OF SOUTH CAROLINA,  
CLARENDON DISTRICT, September 6, 1865.

We, the Managers of Elections for Clarendon District, hereby certify that J. P. Richardson received a majority of the votes for the State Convention, and we declare him duly elected.

J. S. McFADDIN,  
J. C. STRANGE,  
JOHN J. CONYERS,  
JOHN O. MARTIN,  
R. M. HARVIN,  
HENRY KELLEY,  
WM. THEO. LESESNE.

STATE OF SOUTH CAROLINA,  
ST. JAMES', GOOSE CREEK, PARISH,  
SUMMEVILLE POLLS, September 8, 1865.

We, the undersigned, Managers of Election for one Member for the State Convention, do hereby certify that we held said election on Monday, September 4th, 1865. On counting the votes we found that Dr. W. Moultrie Brailsford having received twenty-seven (27) votes, he was declared duly elected, and therefore is entitled to his seat in the State Convention.

J. W. PRESCOTT,  
C. VOSE,  
L. E. STOPPELBEIN.

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TO THE

## CREDENTIALS OF MEMBERS OF THE CONVENTION.

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REPORTS  
OF THE  
VARIOUS STANDING COMMITTEES  
OF THE  
SOUTH CAROLINA CONVENTION,  
SEPTEMBER, 1865.

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## SPECIAL COMMITTEES.

IN THE CONVENTION, September 15, 1865.

The Special Committee, to whom was referred the matter of the election of a Delegate to this Convention from the Parish of St. Luke, ask leave respectfully to report: That they have given a careful consideration to the same, and find the following to be the facts:

The Parish comprises four election precincts, three of them on the main, to wit: Grahamville, Gillisonville and Fording Island Road, and one on Hilton Head Island, and is entitled to one Delegate in this Convention.

On Monday, the 4th instant, the polls were opened at Grahamville, Gillisonville and Fording Island Road, by the legally constituted Managers for those precincts, the vacancies having been filled by special appointments made in writing by the Senator and Representative lately representing the Parish in the Legislature, as directed by Governor Perry's Proclamation of the 23d of August. These Managers assembled at the place designated by law for the counting of votes in the Parish, on Thursday, the 7th instant, being the day fixed by law, and there counted the votes and declared the election. Seventy-six votes appear to have been polled at these three precincts, of which Mr. Leroy F. Youmans received seventy-five. A certificate of election was thereupon furnished to Mr. Youmans, which he presents and claims the seat.

On Hilton Head Island an election was also held on Monday, the 4th instant. This island, ordinarily polling ten or fifteen votes, and never known to exceed twenty, has been largely peopled since its occupation by the Federal army in November, 1861, by persons chiefly from the Northern States, who have brought their families with them, and have established themselves in various occupations and modes of business. These people appear to have earnestly desired to participate in the choice of a Delegate to this Convention, and, as your Committee believe, in good faith and with a proper purpose, believing themselves to be qualified voters. Being advised, after inquiry, that there was not on the island any of the legally constituted Managers for the island poll, and having failed in their efforts to reach the late Senator and Representative of the Parish, to procure a special appointment, they resorted to the expedient of appointing Managers by a public meeting. The Managers so appointed held the election and conducted it, so far as your Committee can learn, in close conformity with the existing regulations. The voters were only those who had been residents on the island for the two years preceding the election, and who had indicated a purpose of permanent residence, by bringing their families and establishing themselves in civil employments. They had also taken the Amnesty Oath. The Managers, acting on information which they had reason to think reliable, as to the proper day and place for counting the

votes, went to the proper place on the main, but on the day preceding the day fixed by law for the general assembling of the Managers; and there, ignorant of the fact that they were assembled in advance of the proper time, and doubtful as to whether the polls had been opened at any other precincts, they proceeded to count their poll and declare the election. At this poll eighty-two votes appear to have been cast, all of which were for Mr. David McGregor, to whom a certificate of election was furnished by these Managers. This certificate Mr. McGregor presents, and claims that he is entitled to the seat.

To the regularity of the election at the polls on the main no exception is taken by Mr. McGregor. He only claims that he has received a majority of the votes polled in the Parish, and that the irregularities, if any, which have attended his election, are not such as to vitiate it.

On the other hand, it is objected by Mr. Youmans: 1. That the voters at the Hilton Head poll were not qualified voters according to the law of the State, because not citizens in the proper and legal acceptation of the term; and 2. That the poll was managed by persons unauthorized to hold the election, and was not counted and reported to the General Board of Managers on the day fixed by law for that purpose.

Your Committee have not been, and cannot be, without much delay, furnished with the information necessary to determine the facts involved in the first exception; and as there is, in their judgment, enough in the second exception to determine the question, they have confined their attention to that alone.

By the Proclamation of the President of the United States, the Provisional Governor of this State was authorized to call this Convention, and for that purpose to establish such "rules and regulations" as were necessary. In pursuance of this authority, Governor Perry, by Proclamation, ordered the "Managers of Elections throughout the State" to hold the elections and to conduct the same "according to the laws of South Carolina in force before the secession of the State." Managers of Elections are, in this State, recognized State officers, holding their appointments directly from the General Assembly, and liable to penalties for neglect or misconduct; and it will not be questioned that, in using the term, Governor Perry had reference to the Managers regularly appointed by the General Assembly. By a subsequent Proclamation, of August 23d, Governor Perry directs that in cases where there are no Managers of Elections, the members of the Legislature from the Election District shall appoint suitable persons.

These were the "regulations" established by the Governor for the conduct of the elections to this Convention, and it is, in the judgment of your Committee, a sufficient exception to the Hilton Head poll, that it was not managed in conformity to these regulations and to the law of the State. The Managers were unauthorized to act as such, having been appointed neither by the General Assembly nor by the Representatives of the Parish; and in their management have failed to conform to that law of the State which required that they should meet the other Managers at the time and place fixed by law, for the purpose of counting the votes and declaring the election, after an exhibition of the results of the balloting at the several precincts. It would open a door for much fraud and unfairness, if so great an irregularity should be countenanced as the meeting of the Managers of a single precinct, in advance of the day fixed by law for the general meeting, and the counting of the votes and declaring the election with reference alone to the votes at such poll; and equally mischievous would be the irregularity of permitting polls to be managed by unauthorized persons, who are in no manner amenable to law for their conduct. Strict adherence in these particulars to the election laws your Committee think of the highest

importance ; nor can such strictness, under any circumstances, work prejudicially or harshly. Persons interested have only need to make timely efforts to procure the appointment of proper Managers for their poll, or, failing in this, to go to some adjacent precinct, where such Managers may be found.

Your Committee are, for these reasons, of the opinion that the certificate presented by Mr. McGregor, based as it is alone upon the vote at the Hilton Head poll, cannot be recognized by this Convention. They have been very favorably impressed, and think it proper so to state, by his candor and unobtrusive deportment, and equally impressed by the evidences of good faith and propriety of purpose which have characterized the efforts of his constituency to obtain a representation in this body.

They respectfully recommend the adoption of the following resolutions:

*Resolved*, That this Convention recognizes Mr. Leroy F. Youmans as the duly elected Delegate from the Parish of St. Luke, and that he is permitted to sign the roll and take his seat in this Convention.

*Resolved*, That a pay-bill shall issue to Mr. David McGregor for such allowance, including two days' attendance on the Convention, as may be due him according to the rule of compensation to be fixed by the Convention.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 14, 1865.

The Special Committee, to whom was referred the credentials of Mr. James G. Thompson, the applicant for a seat in this Convention from St. Helena Parish, beg leave most respectfully to report : That after as careful and thorough an examination as, under the circumstances, they are able to make, they find the following to be the facts of the case :

The voters of St. Helena Parish, on seeing the Proclamation of the Provisional Governor calling a Convention of the people of the State of South Carolina, were desirous of being represented in that Convention. On inquiry, they found that none of the legally appointed Managers of Election were in the Parish; that in fact no election had been held in that Parish since 1861, it having, during that year, fallen within the lines of the United States army, and continued so during the war. They thereupon addressed a communication to the Provisional Governor, stating the facts and asking him to appoint Managers of Election; he declined doing so, and referred them to the members of the Legislature from that Parish, as the proper persons to appoint such Managers. They then tried to find out who were members of the State Legislature from the Parish of St. Helena, but could not find them, and your Committee are not aware that there were any. As a last recourse, a meeting of the voters of the Parish was called on the 29th August, 1865. At this meeting they proceeded to ballot for Managers of Election, and the following named persons were elected, as appears from the minutes of the meeting, viz: John Conant, Elisha Coddling, and John Hunn. Elisha Coddling having declined to serve, John Heacock was substituted for him. On the 4th day of September, the day appointed, the Managers so elected proceeded to hold an election for a Delegate to this Convention. It appears that there are two election precincts in St. Helena Parish, one at Beaufort and the other on St. Helena Island. These

Managers opened the polls at the usual place in Beaufort; they also carried the box to the other precinct, but no voters appeared at this second precinct. The result of the election was that Mr. James G. Thompson received thirty-three votes, and Mr. H. G. Judd received five votes. They then gave Mr. James G. Thompson a certificate of election, and with this certificate he now presents himself, claiming a seat in this Convention.

It appears to your Committee that the election was conducted fairly; that the Managers, though irregularly appointed, were sworn before they entered upon the discharge of their duties; that none were allowed to vote but those who were duly qualified as electors under the Constitution of the State, by having been residents of the State for two years, and of the Election District six months previous to the election; and that they were also required to show that they had complied with the provisions of the Proclamation of the Provisional Governor, by having taken the Amnesty Oath. It appears that the voters of St. Helena Parish had endeavored in every possible way to have Managers appointed in a regular manner, but failed; and that the present applicant was elected in good faith by *bona fide* citizens of the State of South Carolina.

In view of these facts, your Committee respectfully recommend that Mr. James G. Thompson be allowed to enroll his name and take his seat as a Member of this Convention.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.



## COMMITTEE OF WAYS AND MEANS.

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IN THE CONVENTION, September 26, 1865.

The Committee of Ways and Means, to which was referred so much of the Governor's Message as respects providing for the expenses of the Convention, and also the resolutions of the Convention respecting the pay and mileage of Members and the compensation of Officers of the Convention, respectfully report: That they have considered the subjects referred to them. They find that there are no funds in the State Treasury, and that the State is without present means of providing for its expenditure. It is therefore necessary to make special provision to meet the expenses of this body. Your Committee have ascertained that there are certain funds in the possession of the President and Directors of the Bank of the State of South Carolina, and they propose to procure the temporary use of said funds, or of so much thereof as may be necessary to meet those expenses. These funds cannot be definitely appropriated to such purpose, and must be restored at the earliest period. Your Committee report herewith an Ordinance to authorize the said President and Directors to advance said funds to the use of the Convention, and requiring the General Assembly to refund the same. The Committee further report that the arrangement made by them provides for the expenses of a session of fifteen days, which will consist of the following items: The pay and mileage of Members, the salaries of the Clerk, Messenger and Door-keeper of the Convention. Your Committee recommend that the salary of the Clerk, according to a resolution adopted by the Convention, shall be the same as was the salary of the Clerk of the House of Representatives in 1860; and that the salaries of the Messenger and Door-keeper shall be fixed at one-half of the sum paid in 1860 to similar officers of the House of Representatives, at the regular session. This, your Committee understand, will be satisfactory to those officers. Pay and mileage of the Attorney-General and Solicitors attending the Convention, by order of the Governor, to be the same as that of Members of the Convention; pay to the Keeper of the State House, to be the same as that allowed to the Messenger of the Convention; the Engrossing Clerk, the same per diem and mileage as that of a Member; the cost of printing to be paid to the Printer of the Convention, according to the report of the Committee on Printing, to which must be added some incidental expenses which cannot be specified. The Governor having been authorized to advance the sum of five hundred dollars to a Special Messenger to be sent to Washington, your Committee recommend that said sum be included in the amount for which provision will be made under the Ordinance reported. The Committee further recommend that the various expenditures above referred to be settled for with currency of the United States. But as an advance in gold coin will be required in order to procure the necessary amount of currency, the Ordinance reported

provides for the restoration to the Bank of the coin so advanced, without diminution, or cost to the institution. The Committee further recommend that the funds raised be deposited in the Bank of the State of South Carolina, that the sum of five hundred dollars be subject to the draft of the Governor, and that the balance be subject to the order or drafts of the President of this Convention.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

The Committee of Ways and Means, to which was referred the contingent account of Theodore Stark, report: That they have examined the same, and find it correct, it being for articles purchased for the use of the Convention. They recommend that it be paid. Total, three hundred and thirty-nine dollars and forty cents.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.

## COMMITTEE ON PRINTING.

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IN THE CONVENTION, September 20, 1865.

The Committee on Printing, to whom was assigned the duty of procuring such printing to be done as shall be required by the Convention, and superintending the proper execution of the same, beg leave to report: That they have discharged the duty assigned them; that after due notice to such parties as were supposed capable of doing the work, they have received proposals, only, from Mr. Julian A. Selby, of this city. He proposes to do the printing of the Convention at the following rates: "One hundred and fifty copies of the daily Journal, Reports, Resolutions, &c., (the temporary work, as it is termed,) at three dollars per printed page; the size of the page to be six-and-a-half by four inches, the paper to be of the first quality. Five hundred copies of the daily Journal, continued and paged, embracing the entire proceedings of the Convention, (termed the "permanent work,") at five dollars per page; the whole to be stitched together, and the paper used to be of the best quality, and the entire work to be executed in a neat manner."

Your Committee, believing that Mr. Selby is prepared to do the work as stated, and that the terms are sufficiently reasonable, recommend the adoption of the following resolutions:

*Resolved*, That Mr. Julian A. Selby be appointed Printer to the Convention during its present session, and that he be paid according to the rates above stated.

*Resolved*, That the accounts of the Printer of this Convention shall be audited by the State Auditor, allowing him the rates above designated; and that the said accounts, when so audited, shall be paid by such mode as this Convention shall prescribe.

*Resolved*, That immediately after the Convention shall have terminated its present session, the several Ordinances, Reports and Resolutions adopted by it, together with the Journal of its proceedings, be printed in pamphlet form, and that five hundred copies be struck off for the use of the Convention, to be disposed of under the direction of the President.

*Resolved*, That the Convention do agree to the report and resolutions.

By order:

JOHN T. SLOAN, C. C.

## COMMITTEE ON ORDINANCES AND RESOLUTIONS.

IN THE CONVENTION, September 26, 1865.

The Committee on Ordinances and Resolutions, to which was referred a resolution to examine into the effect of the section of the Constitution requiring a six months residence in the District as a qualification for a member of the General Assembly, and those who have been obliged by the casualties of war to remain from their Districts, ask leave to report: The question submitted to the Committee is whether those persons who have been obliged by the casualties of war to remove from their Districts will be disqualified from taking and holding seats as members of the General Assembly, not having actually resided therein for six months previous to the election.

Where one has an established domicile, a temporary absence, from necessity or choice, does not change it. There must be an actual removal, with an intention to change.

No such case as the one referred to in the resolution has arisen, and probably may not; but if it does, each branch of the General Assembly are made the judges of the qualifications of the members of their respective bodies, and to them it may safely be confided. They therefore ask to be discharged from the further consideration of the subject.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 19, 1865.

The Committee on Ordinances and Resolutions, to which was referred certain resolutions in reference to the General Assembly of this State giving its consent without delay, after assembling, to the amendment proposed by Congress to the Constitution of the United States, prohibiting the existence of slavery, &c., ask leave respectfully to report: The proposed amendment to the Constitution of the United States in relation to slavery is not properly before this Convention. It is true, as a condition precedent to the restoration of our rights in the Union, it is required that slavery be abolished. To that extent we acquiesce. We admit that slavery is abolished, and are ready to ordain that involuntary servitude shall not hereafter exist; but beyond that, it is not the legitimate province of this Convention to go.

The Constitution of the United States provides the manner in which amendments thereto are to be made, to wit: by referring them either to the Legislatures of the several States, or Conventions thereof. The Congress proposing the amendment referred to have elected the mode of referring it to the State Legislatures.

It is not desirable that this Convention should indicate what course the Legislature should pursue. We have done what we considered our duty required, and would leave to the Legislature the consideration of the proposed amendment, not doubting that they will promptly and in good faith faithfully discharge their duty.

We therefore recommend that they do not pass.

*Resolved*, That the Convention do agree to the report.

By order:

JOHN T. SLOAN, C. C.

IN CONVENTION, September 20, 1865.

The Committee on Ordinances and Resolutions, to which was referred a resolution in relation to the Electors of President and Vice-President of the United States, respectfully recommend that the same do pass and that a copy thereof be furnished by the Clerk of this House to his Excellency B. F. Perry, Provisional Governor of this State.

*Resolved*, That the election of Electors of President and Vice-President of the United States should be made by the people of the State entitled to exercise the right of suffrage, and that the Provisional Governor be respectfully requested to communicate this resolution to the next Legislature.

*Resolved*, That the Convention do agree to the report and resolution.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 18, 1865.

The Committee on Ordinances and Resolutions, to whom was referred resolutions in regard to the appointment of an agent to proceed to the city of Washington, for the purpose of ascertaining from the President the condition of the lands called "abandoned lands," and also, of giving aid to citizens of this State in their applications for pardon, beg leave to report: That they have carefully considered the same, and recommend for the adoption of the Convention the following resolutions:

1. *Resolved*, That the Provisional Governor is hereby authorized and empowered to appoint a competent agent to Washington, to ascertain from the President what is the condition of the lands called "abandoned lands" in this State, and how long it will be before owners of such lands will be restored to the possession of their property. And to act as the agent of citizens of this State in their applications to the President of the United States for pardons, and for the restitution of their real and personal property; and also, as agent of the Provisional Governor of this State in all matters which he may desire to bring through such agent before the President or other officers of the United States Government.

2. *Resolved*, That it shall be the duty of the aforesaid agent to report, fully, all his proceedings, and all the information he may obtain in regard to matters entrusted to his charge, to the Provisional Governor of the

State ; in order that the same may be laid by him before the Legislature at its first session.

3. *Resolved*, That the Provisional Governor is hereby authorized to advance five hundred dollars to the aforesaid agent, from any funds which he may be able to command, for the purpose of defraying the expenses of said agent, and report the same to the Legislature as a charge against the State.

*Resolved*, That the Convention do agree to the resolutions.

By order:

JOHN T. SLOAN, C. C.

## RESOLUTIONS.

IN THE CONVENTION, September 26, 1865.

*Resolved*, That the Clerk of this Convention be charged with the supervision of the printing of the Journal, Reports, Resolutions and Ordinances, adopted by this Convention, in permanent form; that he prepare and have printed with the same a complete index; and that he be also charged with the distribution of the same, under the direction of the President; that he also shall prepare, and have substantially bound, a correct manuscript copy of the Journal, to be deposited in the Secretary of State's office.

*Resolved*, That the Clerk be paid for said services, and for services as Clerk of the Convention, the same salary as was paid the Clerk of the House of Representatives in 1860.

*Resolved*, That the Convention do agree to the resolutions.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 25, 1865.

*Resolved*, That a Commission, consisting of two persons, be appointed by his Excellency the Provisional Governor, to prepare and report to the next Legislature what laws will be necessary and proper in consequence of the alterations made in the fundamental law, and especially to prepare and submit a Code for the regulation of labor, and the protection and government of the colored population of the State; and that the Legislature fix the compensation of said Commissioners.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 16, 1865.

*Resolved*, That the Engrossing Committee be authorized to employ one or more Clerks, as may be found necessary.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

IN THE CONVENTION, September 15, 1865.

*Resolved*, That Ordinances adopted by this Convention shall be engrossed and then ratified, by being signed by the President and Clerk.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That the Hon. D. L. Wardlaw, the Hon. Alfred Huger, and the Hon. T. N. Dawkins, be a Committee to present to his Excellency the President of the United States the memorial of this Convention in behalf of the Hon. Jefferson Davis and A. H. Stephens, and of the Hon. A. G. Magrath and George A. Trenholm, and that the expenses of said Committee be defrayed out of the funds raised under the Ordinances of this Convention.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That a pay-bill do issue to Mr. John D. Alexander for the sum of thirty dollars, in compensation for his services in engrossing the Constitution of the State of South Carolina.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That the sum of two hundred dollars be appropriated as compensation for the use of the building in which the meetings of the Convention have been held.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That the General Assembly be requested to have the Constitution of the State adopted by this Convention, together with the several Ordinances and Resolutions passed, published with the Acts and Resolutions of the General Assembly, at its next session.



*Resolved*, That the Clerk of the Convention communicate this resolution to the General Assembly, at an early day of its session.

*Resolved*, That the Convention do agree to the resolutions.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That the Keeper of the State House take charge of the various articles procured for the use of the Convention, which have not been consumed, and hold them subject for the use of the General Assembly.

*Resolved*, That the Convention do agree to the resolutions.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, By the Delegates of the People of South Carolina, in Convention assembled, that we endorse the administration of President Johnson; that we cordially approve the mode of pacification proposed by him, and that we will co-operate with him in the wise measures he has inaugurated for securing peace and prosperity for the whole Union.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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IN THE CONVENTION, September 27, 1865.

*Resolved*, That the acknowledgments of the Convention are hereby cordially rendered to the Hon. D. L. Wardlaw, for the ability, dignity and elegance which he has exhibited in discharging the important and delicate duties of the Chair.

*Resolved*, That the Convention do agree to the resolution.

By order:

JOHN T. SLOAN, C. C.

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ORDINANCES

OF THE

CONVENTION OF THE PEOPLE

OF THE

STATE OF SOUTH CAROLINA,

SEPTEMBER, 1865.

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## ORDINANCES.

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### THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five, and thence continued, by divers adjournments, to the twenty-seventh day of the same month and year.

### AN ORDINANCE TO PROVIDE FOR THE FIRST ENSUING ELECTION OF GOVERNOR AND LIEUTENANT-GOVERNOR, AND FOR MEMBERS OF THE FIRST ENSUING GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA.

I. *We, the People of the State of South Carolina, by our Delegates in Convention met, do ordain,* That on the third Wednesday in October next, elections shall be held for the offices of Governor and Lieutenant-Governor of the State of South Carolina, and for Members of the Senate and House of Representatives of the General Assembly of the State.

II. That the Managers of Elections throughout the State shall give public notice of such elections, and on the day indicated shall open separate polls at their respective precincts for each of the said elections, and shall conduct the same, in all respects, in accordance with the laws and usages of this State. In case there be no regularly appointed Managers at any precinct, said elections shall be held and conducted by Managers for that purpose specially appointed by a majority of the persons who are now the Delegates of this Convention from the District in which such precinct lies, and vacancies among the Managers shall be in like manner filled.

III. In the elections to the General Assembly, the Districts of Beaufort, Colleton, Orangeburg and Berkeley shall each elect one Senator, and on general ticket as many Members of the House of Representatives as were assigned by the last apportionment to the several Parishes comprised in each. The District of Georgetown shall elect one Senator and three Representatives. The District of Horry shall elect one Senator and two Representatives. The Election District of Charleston shall elect two Senators and twenty Representatives; and all other Districts shall elect each one Senator and as many Representatives as were assigned to each by the last apportionment.

IV. That immediately after closing the polls, the Managers shall count the votes polled, and after making returns thereof, showing the number of votes polled for each person, shall certify the same under their hands, and appoint one of their number to carry such returns, with a list of the voters, and report the same to the general meeting of the Managers of the District; which general meeting shall be held at the Court House of the District on the day following the election; except that the Managers for the

Election District of Berkeley shall hold their general meeting at the city of Charleston, on the second day following the election, at 2 o'clock P. M. And the Managers, when so assembled in general meeting, shall, after ascertaining the result of the several returns, proceed to declare the election of Members of the General Assembly, and shall furnish certificates, under their hands, of such elections to the persons entitled thereto.

V. That the Members so elected shall meet in General Assembly, in special session, at Columbia, on Wednesday, the twenty-fifth day of October next.

VI. That the Managers, when so assembled in general meeting, shall make separate returns of the results of the ballotings for Governor and Lieutenant-Governor, shall certify the same to the Secretary of State, under their hands, and shall forward to him such returns, each in a separate sealed envelope, appropriately endorsed, by a Messenger to be by them appointed for that purpose, who shall be by them sworn to deliver and shall deliver the same, with the seals unbroken, to the Secretary of State, at Columbia, on or before the fourth Monday of November next.

VII. That the Secretary of State shall, at such time as they may be required of him, deliver said returns to the Speaker of the House of Representatives, who shall, during the first week of the regular session, open and announce the said returns, declare the election, and order the entering of the same on the Journal of the House.

VIII. That the Messengers shall be entitled to receive out of the Treasury of the State a compensation equal to five dollars per diem, and twenty cents per mile going to and returning from Columbia—the number of days and miles to be ascertained by the Secretary of State, who shall certify pay-bills therefor.

IX. That the Clerk of the Convention shall order the immediate printing of one thousand copies of this Ordinance, and forthwith distribute the same to the Managers of Elections throughout the State.

Done at Columbia, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention.

Attest : JOHN T. SLOAN,  
Clerk of the Convention.

#### THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five, and thence continued, by divers adjournments, to the twenty-seventh day of the same month and year.

#### AN ORDINANCE TO DECLARE IN FORCE THE CONSTITUTION AND LAWS HERETOFORE IN FORCE IN THIS STATE, AND THE ACTS, OFFICIAL, PUBLIC AND PRIVATE DONE, AND APPOINTMENTS AND ELECTIONS MADE UNDER AUTHORITY OF THE SAME.

I. *We, the People of the State of South Carolina, by our Delegates in Convention met, do ordain*, That the Constitution of this State, as ordained and established by the People in Convention, at Charleston, on the eighth day of April, in the year of our Lord one thousand eight hundred and sixty-one, is in force, except as amended or altered by this Convention.

II. That all laws, orders, resolutions and rules, ascertaining the rights of persons, natural or artificial, or regulating proceedings in the Courts of Law or of Equity, which were of force in this State on the nineteenth day of December, in the year of our Lord one thousand eight hundred and sixty, are now in force, and shall so continue until altered, modified, repealed or avoided by proper State authority, except in so far as the same or any of them have or has been, since that time, so altered, modified, repealed or avoided.

III. That all Acts and Resolutions of the General Assembly of this State, which have been passed, adopted or ratified, since the nineteenth day of December, in the year of our Lord one thousand eight hundred and sixty aforesaid, are now in force, and shall so continue until altered, modified, repealed or avoided by proper State authority, except such as have expired by their own limitation, or by reason of the cessation of the causes which occasioned their enactment; not, however, including within this exception the Act of Assembly prohibiting the collection of debts, usually known as the Stay Law. *Provided, however,* That all laws, resolutions, orders or rules, embraced within the terms of this and preceding sections, which recognize the existence of slavery and regulate the relations of master and slave, and define and enforce the rights and duties growing thereout, or create and punish offences against such rights or against the public policy of the State in reference to slavery, have become of no further or future force or effect, by reason of the extinction of slavery.

IV. That all official acts in the Executive and other Departments of the Government of this State, judicial proceedings, rules of Court, sales, conveyances, contracts, obligations, instruments of writing and transactions affecting rights of person or property, had, made, executed or incurred, since the nineteenth day of December, in the year of our Lord one thousand eight hundred and sixty, have, and shall continue to have, in all respects, the same force, effect and validity, as if the same had been made, executed or incurred during a time of peace, and as if the Ordinance of Secession had not been passed: *Provided,* That in every action arising on any contract, whether under seal or parole, written or oral, made between the first day of January, in the year of our Lord one thousand eight hundred and sixty-two, and the fifteenth day of May, in the year of our Lord one thousand eight hundred and sixty-five, it shall be lawful for either party to the action to introduce testimony showing the true value and real character of the consideration of such contract at the time it was made, so that regard being had to the particular circumstances of each case, such verdict or decree may be rendered as will effect substantial justice between the parties: *And provided further,* That all prosecutions now pending under any Act or Acts of the General Assembly, passed to aid or assist in the war against the United States, shall be discontinued.

V. The General Assembly of this State is hereby forever prohibited from passing any law imposing civil disabilities, forfeiture of property, or of other rights, or punishment of any kind, on any citizen or resident of this State, or person owning property herein, for the relation of such citizen, resident or person to, or his or her conduct in reference to the late secession of this State from the Federal Union, or the war which grew out of the same, or for any participation, aid, counsel or assistance therein.

VI. The Judges of the several Courts in this State, and other judicial officers, the Attorney-General and Solicitors, President and Directors of the Bank of the State of South Carolina, the Secretary of State, Commissioners of the Treasury, Surveyor-General, and all District and other officers who derive their authority from or under the Executive, Legislative or Judicial Departments, who were holding and exercising office before and on the twenty-sixth day of April last, or had before that day been elected

thereto, are, in the regard of the State, (except where vacancies have since occurred, or may occur by reason of death, expiration of term, or otherwise, under the laws of the State,) still holding their respective offices, and are entitled to hold and exercise the same by the original tenure thereof, for the residue of the terms for which they were severally elected or appointed: *Provided, however,* That every person so holding office has heretofore taken and subscribed, or shall, before the first day of December next, take and subscribe before some officer properly authorized to administer the same, the oath prescribed and required in the Proclamation of his Excellency Andrew Johnson, President of the United States, of the twenty-ninth day of May last, commonly called the "Amnesty Proclamation;" and upon failure to comply with the requirements of this proviso, the office of such person shall be thereupon vacant, and shall be filled in the manner provided by law in cases of vacancy otherwise occurring.

Done at Columbia, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention.

Attest: JOHN T. SLOAN,  
Clerk of the Convention.

#### THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five, and thence continued, by divers adjournments, to the twenty-seventh day of the same month and year.

#### AN ORDINANCE TO PROVIDE FOR THE EXPENSES OF THE CONVENTION.

I. *We, the People of the State of South Carolina, by our Delegates in Convention met, do ordain,* That the President and Directors of the Bank of the State of South Carolina be, and they are, hereby authorized to advance to the use of the State from any funds now in their possession and under their control, a sum not exceeding thirteen thousand dollars in gold coin; and the faith and credit of the State are hereby pledged for the repayment of the said sum in gold coin, to the said President and Directors. And the said sum so advanced shall be subject to the order of this Convention. That the General Assembly of this State shall, at its next session, provide for the repayment of the said sum of thirteen thousand dollars in gold coin, with interest, to the said President and Directors of the Bank of the State of South Carolina. That for the sum or sums to be advanced under this Ordinance, a certificate or certificates shall be issued, signed by the President of this Convention, in the form following, that is to say: "The State of South Carolina. Be it known that there is due from the State of South Carolina to the President and Directors of the Bank of the State of South Carolina, the sum of \_\_\_\_\_ in gold coin, to be paid to the said President and Directors, with interest from the date hereof, within six months from the date of this certificate; the said sum having been advanced to the use of the State, under an Ordinance of the Convention of the People of the State, convened at Columbia on the thirteenth day of September, in the year of our Lord one thousand eight hundred and



sixty-five. Done at Columbia, this —— day of ——, in the year of our Lord one thousand eight hundred and sixty-five." Which certificate or certificates so executed shall be binding upon the State, and payable out of its Treasury.

Done at Columbia, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention,

Attest: JOHN T. SLOAN,  
Clerk of the Convention.

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THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five, and thence continued, by divers adjournments, to the nineteenth day of September, in the same year.

AN ORDINANCE TO REPEAL THE ORDINANCE OF SECESSION.

I. *We, the People of the State of South Carolina, by our Delegates in Convention met, do ordain,* That the Ordinance adopted by us in Convention on the twentieth day of December, in the year of our Lord one thousand eight hundred and sixty, entitled an "Ordinance to dissolve the Union between the State of South Carolina and other States united with her, under the compact entitled 'The Constitution of the United States of America,'" is hereby repealed.

Done at Columbia, the nineteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention.

Attest: JOHN T. SLOAN,  
Clerk of the Convention.

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THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden at Columbia, on the thirteenth day of September, in the year of our Lord one thousand eight hundred and sixty-five, and thence continued, by divers adjournments, to the twenty-seventh day of the same month and year.

AN ORDINANCE TO DIVIDE THE STATE INTO FOUR CONGRESSIONAL DISTRICTS.

I. *We, the People of the State of South Carolina, by our Delegates in Convention met, do ordain,* That the State of South Carolina shall be, and the same is, hereby divided into four Congressional Districts, as follows, namely: First Congressional District, to be composed of the Judicial Districts of Lancaster, Chesterfield, Marlborough, Darlington, Marion,

Horry, Georgetown, Williamsburg, Sumter, Clarendon and Kershaw; Second Congressional District, to be composed of the Judicial Districts of Charleston, Colleton, Beaufort and Barnwell; Third Congressional District, to be composed of the Judicial Districts of Orangeburg, Edgefield, Abbeville, Lexington, Newberry, Richland and Fairfield; and the Fourth Congressional District, to be composed of the Judicial Districts of Anderson, Pickens, Greenville, Laurens, Spartanburg, Union, York and Chester.

II. That until the next apportionment be made by the Congress of the United States, each of the said Congressional Districts shall be entitled to elect one Member to represent this State in the Congress of the United States.

Done at Columbia, the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and sixty-five.

D. L. WARDLAW,  
President of the Convention.

Attest: JOHN T. SLOAN,  
Clerk of the Convention.

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