

House bill to be entitled, An act for the relief of Henry Christy and Theophilus Higginbotham;

Was read a second time, and on motion was referred to the Committee on Propositions and Grievances.

House bill to be entitled, An act to authorize Neil Monroe to establish a ferry across the Withlacoochee River;

Was read the second time, rule waived, read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Provence, Tracy and Wynn—15.

Nay—Mr. Kilcrease.—1.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to authorize Andrew J. Smiley, a minor, to assume the management of his own estate,

Was read the second time, rule waived, read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Provence, Tracy and Wynn—15.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled An act for the relief Watson W Leggett;

Was read the second time, the rule waived, read the third time, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Hawes, Hopkins, Kilcrease, Long, Myrick, Provence, Tracy and Wynn—12.

Nays—Messrs. Eppes, Filor, Gillis and Nicholson—4.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House Resolution to declare Manatee a Port of Delivery;

Was read the second time, the rule waived, the resolution read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Provence, Tracy and Wynn—16.

Nays—None.

So said resolution passed.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled, An act to authorize Jackson Lee, of Hamilton County, to assume the management of his own estate;

Was read the first time and ordered for a second reading on to-morrow.

House bill to be entitled, An act to legitimize Lucinda Read and to make her heir at law of William M. Read, of the County of Hamilton, Florida;

Was read the first time and ordered for a second reading on to-morrow.

An engrossed bill to be entitled An act to amend An act in relation to pilotage at the port of Key West;

Was read the third time, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Provence, Tracy and Wynn—15.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

An engrossed bill to be entitled An act to repeal the road tax of Santa Rosa County;

Was read the third time, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Tracy and Wynn—15.

Nays—none.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

An Engrossed Bill to be entitled, An Act to Incorporate the Tallahassee and Quincy Plank Road Company, was read the third time:

On motion of Mr. Long, said bill was laid upon the table for the present.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, December 12, 1854.

The Senate met pursuant to adjournment.

A quorum being present, the Journal of yesterday's proceedings was read and approved.

The following Bills and Resolutions, which had passed the Senate, were transmitted to the House of Representatives, viz:

House Bill to authorize Andrew J. Smiley, a minor, to assume the management of his own estate;

House Bill to authorize Neil Monroe to establish a Ferry across the Withlacoochee River;

A Bill to repeal the Road Tax of Santa Rosa County;

A Bill to amend An act in relation to Pilotage at the Port of Key West;

House Bill for the relief of Watson W. Leggett;

House Resolution to declare Manatee a Port of Delivery;

A Resolution in relation to the election of officers therein named;

A Resolution designating adjournment of the General Assembly.

Mr. Hawes gave notice, that he will on some future day ask leave to introduce a bill to be entitled An Act in relation to a road tax in the counties of Putnam and Marion.

Mr. Nicholson gave notice, that he will on some future day, ask leave to introduce a bill to incorporate the Perdido and Lagoon Canal Company.

Pursuant to previous notice, Mr. Eppes introduced a bill entitled An act to repeal section 4, of an act amendatory of an act entitled An act to establish and organize a Mayor's Court for the city of Apalachicola, approved January 5th, 1853;

Which was read the first time and ordered to be read a second time on to-morrow.

On motion, the rule was waived, and Mr. Eppes permitted to introduce without previous notice a bill to repeal An act entitled An act to amend the several acts concerning Licenses to retail spirituous liquors, approved January 8th, 1853;

Which was read the first time, the rule waived, and read the second time.

On motion of Mr. Provence, the Senate resolved itself into Committee of the Whole on said bill, Mr. Hopkins in the Chair.

After some time spent therein, the Committee rose, and by their Chairman reported the bill back to the Senate with amendments, and asked to be discharged from the further consideration of the same;

Which was received.

On motion, ordered that seventy-five copies of said bill as amended be printed for the use of the Senate.

On motion, the rule was waived, and Mr. Myrick permitted, without previous notice, to introduce a bill in relation to Common Law Proceedings.

Said bill was read the first time, the rule waived, read the second time by its title, and on motion referred to the Committee on the Judiciary.

On motion, the rule was waived, and Mr. Filor permitted, without previous notice, to introduce a bill to be entitled, An act in relation to the migration of free persons of color into the Port of Key West.

Said bill was read the first time, the rule waived, read the second and third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor,

Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Provence, Smith, Tracy and Wynn—16.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

Mr. Hawes presented a presentment of the Grand Jury of Putnam County in relation to the proposed Palatka and Micanopy Plank Road Company;

Which was read, and on motion laid upon the table.

Mr. Hawes presented a memorial from certain citizens of Orange County in relation to abridging the boundaries of said County;

Which was read, and on motion, laid upon the table.

The following message was received from his Excellency the Governor:

EXECUTIVE CHAMBER, }
December 9, 1854. }

To the Honorable H. V. SNELL,

President of the Senate:

SIR:—I respectfully nominate Jacob A. Garrard and Cyprian T. Jenkins as Notarys Public in and for the County of Hernando, and James A. Boyet and John E. Johnson as Auctioneers in and for the said County of Hernando.

JAMES E. BROOME.

Which was read, and the nominations therein named, confirmed by the Senate;

The following message was received from his Excellency the Governor:

EXECUTIVE CHAMBER, }
Tallahassee, December 9, 1854. }

To the Honorable H. V. SNELL,

President of the Senate:

SIR:—I nominate William P. Dewees for the office of Notary Public, in and for Duval County.

JAMES E. BROOME.

Which was read, and the nomination therein named, confirmed by the Senate.

Mr. Eppes, from the Committee on Revision of the Constitution, made the following report:

The Committee on Revision of the Constitution, to whom was referred so much of the Governor's Message as relates to that subject, have duly considered the suggestions of the Executive, and beg leave to

REPORT:

That in their opinion, the causes subsisting at the time of the adoption of our State Constitution for the exclusion from office

of any "President, Cashier or other officers of Banking Corporations," have ceased to exist, and are no longer of any vitality or importance; and whatever the wisdom, or how great the spirit of justice in which they were conceived, now that those causes have ceased, and the reasons disappeared, it would alike be unwise as unjust to partially disfranchise any persons not obnoxious for reasons of State or national policy. The dictates of freedom, and the policy of our Government, alike point to such a conclusion.

In their opinion, also, the clause in the 8th Section of the 6th Article of the Constitution, prohibiting any Governor of the State from being "eligible to election or appointment to any other or different station or office, or post of honor, or emolument under this State, or to the station of Senator or Representative in Congress of the United States, until one year after he shall have ceased to be such Governor," was ever the intimation of a groundless fear, and a useless requirement, without reason in its inception and useless to continue.

While, however, in these requirements, is to be witnessed the studious zeal and penetrating forecast of the founders of our Constitution, for the preservation at once of the liberty and purity of our Government in the qualification of its officials, yet they can but suggest that the reasons, as regards the two classes named, having ceased, justice and equality demand their repeal.

The Committee, however, cannot so readily perceive any cause for removing the Constitutional disability as to Judges, Justices, Chancellors and the Clergy.

Those high officials should, in their opinion, be alike removed from the influences of the world and all considerations, thoughts, feelings, tendencies or impressions derived therefrom. The parity at once of the Altar and the spotless ermine of the Bench, are better preserved by such a provision; and while they feel such denial is not intended as an abridgement of their several and individual rights, they can but say, they recognize in it a high compliment to their peculiar and deservedly respected and exalted stations.

The Committee also suggest, that no change be made from Biennial to Annual Sessions. The system is yet new, and scarcely tested; while the experience of other States demonstrates that a change of this kind, though at first apparently not so economical, yet in its progress and consummation becomes most so. They are willing to test the system fully, and unwilling to impose the great expense of "Annual Assemblages" upon the people.

In accordance with these views, the undersigned is instructed to report the following amendments to the Constitution, and recommend their adoption.

All of which is respectfully submitted.

T. J. EPPES,
Chairman.

Which was received and read, and the accompanying bill placed among the Orders of the Day.

Mr. Long, from the Judiciary Committee, made the following report:

The Judiciary Committee, to whom was referred "An act to amend an act relative to Crimes and Misdemeanors," having had, the same under consideration, have instructed the undersigned to

REPORT :

That the Committee have conferred with the author of the bill and learn that his object is to cause the laws now in force on the subject to be more effectually enforced in Monroe County. To this end, the undersigned is instructed to report the following bill in lieu of that referred, as better meeting the views of the Committee and of the author of the original bill.

Respectfully submitted.

M. A. LONG,

Chairman Judiciary Committee.

Which was received and read, and the bill placed among the Orders of the day.

Mr. Long, from the Judiciary Committee, made the following report:

The Judiciary Committee, to whom was referred "a bill to be entitled An Act to amend An Act in relation to the service necessary to be given by Sheriffs and other Officers," have carefully considered the same, and instruct the undersigned to report that said bill do not pass.

The Committee find that the existing law provides for the service of process by reading the same to the defendant, or delivering him a copy thereof, or leaving such copy at his usual place of abode, with some person of the family above the age of fifteen years. The committee are of opinion that it is against common right to hold a citizen to appear and defend or testify in any cause, in Courts of Justice, without due and proper notice, and that the provisions of the bill under consideration might and probably would justify the suing of citizens when innocently or temporarily absent from home.

If in any cases it is suspected that persons are in the habit of evading the process of law, either by "absconding or concealing themselves," the law at present fully provides for suing them by attachment. As the object of the service of process is to give notice to the party against whom it is issued, the committee are aware of no sound principle upon which it can be dispensed with. If the party is absent from his usual place of abode innocently, then it would seem just that the process should remain until his return, for the process posted on the door may be destroyed or removed before his return; and if the party be absent to evade the service of process, then his property is subject to attachment. So that the committee con-

clude that no sufficient reason exists for the proposed amendment of the law, and they fear that the passage of the bill before them would lead to mischievous abuse, and be used for purposes not contemplated by its author.

Respectfully submitted,
M. A. LONG,
Chairman Judiciary Committee.

Which was received and read, and the Bill placed among the Orders of the Day.

Mr. Filor from the Committee on Engrossed Bills made the following report:

The Committee on Engrossed Bills beg leave to report the following bills as correctly engrossed:

A bill to be entitled, An act to allow the Supreme and Circuit Courts to hold extra terms;

A bill to be entitled, An act in relation to Evidence;

A bill to be entitled, An act granting pre-emptions on Sixteenth Sections;

A bill to be entitled, An act for the Relief of John B. Anderson.
Respectfully submitted.

JAS. FILOR, Chairman.

Which was received and read, and said Engrossed Bills placed among the Orders of the Day.

Mr. Provence, from the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred a bill entitled "A Bill to incorporate the Palatka and Micanopy Plank Road Company," have had the same under consideration, and through me, their Chairman, ask leave to

REPORT:

That the 9th Section of said bill asks a subscription of fifteen thousand dollars from the Internal Improvement Fund. Your Committee have not been able to find a precedent of any appropriation to similar works, but on the contrary that such applications have been usually denied. Therefore your Committee regret that they cannot recommend the passage of the bill, with the above named Section. They, however, recommend its passage with the said 9th Section stricken out.

D. PROVENCE,

Chairman.

Which was received and read, and the report of the Committee concurred in, and the bill placed among the Orders of the Day.

Mr. Long, from the Committee on Enrolled Bills, made the following report:

The Committee on Enrolled Bills beg leave to

REPORT:

That they have examined "An act to empower John Richard

Bradford, a minor, to assume the management of his own estate," and find the same correctly enrolled.

Respectfully submitted,
M. A. LONG,
Chairman.

Which was read.

ORDERS OF THE DAY.

The subject of the contested election in the 12th Senatorial district, came up as the special order for to-day.

The substitute of Mr. Long was passed as the order of the Senate by the following vote:

Yeas—Messrs. Bird, Brinson, Cone, Hawes, Kilcrease, Long, Provence and Wynn—8.

Nays—Mr. President, Messrs. Gillis, Hopkins, Myrick, Nicholson and Tracy—6.

Ordered that his Excellency the Governor be informed of the vacancy.

A bill to be entitled, An act granting certain lands to the Palatka and Micanopy Plank Road Company;

Came up on its second reading.

On motion, the Senate resolved itself into a Committee for the consideration of said bill, Mr. Long in the Chair.

After some time spent therein, the Committee rose, and through their Chairman reported the bill back to the Senate, and asked leave to sit again;

Which was granted.

On motion of Mr. Hopkins, the bill was laid upon the table for the present, and seventy-five copies ordered to be printed for the use of the Senate.

A bill to authorize revenue officers to pay over poll tax, and for other purposes;

Was read the second time.

On motion it was referred to the Committee on Taxation and Revenue.

A bill for the relief of Judges of Probate and for other purposes;

Was read the second time.

On motion of Mr. Eppes, it was referred to the Committee on the Judiciary.

A bill to abolish the tax on certain property therein named;

Was read the second time.

On motion of Mr. Provence, it was referred to the Committee on Taxation and Revenue.

A bill to establish a Ferry at Brown's Ferry on the Chattahoochee river;

Was read the second time, the rule waived, read the third time, and upon the question of its passage, the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Smith, Tracy and Wynn—15.

Nays—Mr. Kilcrease—1.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to consolidate the office of Sheriff and Tax-Assessor and Collector of Jackson County ;

Was read the second time, the rule waived, read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith, Tracy and Wynn—17.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to authorize the drainage of Alachua Savannah ;

Was read the second time, and ordered to be engrossed for a third reading on to-morrow.

A resolution in relation to payment of the members of the board of Internal Improvement ;

Was read the second time, the rule waived, read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith, Tracy and Wynn—18.

Nays—None.

So said resolution passed.

Ordered to be certified to the House of Representatives.

A bill governing Judges of Probate in certain cases ;

Was read the second time, and ordered to be engrossed, for a third reading on to-morrow.

A bill to prevent Fraudulent Voting ;

Was read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith, Tracy and Wynn—17.

Nays—None.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to restore the force and operation of the general laws in this State, in relation to the migration of free persons of color ;

Was read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith, Tracy, and Wynn—17.

Nays—None.

So said bill passed, title as stated.

Ordered that the be same certified to the House of Representatives.

House bill to allow Jackson Lee, a minor, to manage his own estate ;

Was read the second time, the rule waived, read the third time and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith, Tracy and Wynn—17.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to legitimize Lucinda Read ;

Was read the second time, the rule waived, read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith and Tracy—15.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

An engrossed bill for the relief of John B. Anderson of Jackson County ;

Was read the third time, and upon the question of its passage, the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Providence, Smith and Tracy—16.

Nays—None.

So said bill passed, title as stated.

Ordered that the same be certified to the House of Representatives.

An Engrossed Bill granting pre-emptions on Sixteenth Sections ;

Was read the third time.

On motion, the rule was waived, and Mr. Cone moved to refer the said Bill to a Select Committee ;

Which motion prevailed, and Messrs. Cone, Kilcrease and Bird were appointed said Committee.

An Engrossed Bill to allow the Supreme and Circuit Courts to hold extra terms;

Was read the third time, and upon the question of its passage the vote was:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Provence, Smith and Tracy—16.

Nays—None.

So said bill passed—title as stated.

Ordered to be certified to the House of Representatives.

An Engrossed Bill in relation to Evidence;

Was read the third time, and upon the question of its passage the vote was;

Yeas—Messrs. Brinson, Cone, Eppes, Filor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Provence, Smith and Tracy—13.

Nays—Mr. President, Messrs. Bird and Kilcrease—3.

So said bill passed—title as stated.

Ordered to be certified to the House of Representatives.

A bill to incorporate the Palatka and Micanopy Plank Road Company;

Was read, the second time, and ordered to be engrossed for a third reading on to-morrow.

On motion, the rule was waived, and Mr. Eppes moved that the Judiciary Committee be instructed to inquire into the propriety of providing by law for appeals to the Circuit Courts of this State from orders or decisions of the respective Boards of County Commissioners of this State, and that said Committee report by bill or otherwise;

Which was adopted.

On motion, the Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, December 13, 1854.

The Senate met pursuant to adjournment.

The Rev. Mr. Turner officiated as Chaplain.

A quorum being present, the Journal of yesterday was read and approved.

The decision of the Senate, in relation to the contested Election from the 12th Senatorial District, was transmitted to his Excellency the Governor.

The following bills and resolution which had passed the Senate were transmitted to the House, viz:

House bill to be entitled, An Act to restore the force and operation of the general laws of this State, in relation to the migration of free persons of color into this State;

House bill to be entitled, An Act to authorize Jackson Lee, of Hamilton County, to assume the management of his own estate;

House Bill to be entitled, An Act to legitimatize Lucinda Read, and to make her the heir at law, of William M. Read, of the County of Hamilton, Florida;

A bill to be entitled, An Act in relation to Evidence;

A bill to be entitled, An Act for the relief of John B. Anderson;

A bill to be entitled, An Act to allow the Supreme and Circuit Courts, to hold extra terms;

A bill to establish a Ferry at Brown's Ferry, in Jackson County;

A bill to be entitled, An Act to prevent fraudulent voting;

A bill to be entitled, An Act amendatory of the several acts, in relation to the migration of free persons of color, into the Port of Key West;

A bill to consolidate the office of Sheriff and Tax Assessor and Collector, of Jackson County;

Resolution in relation to payment of the Board of Internal Improvements;

Pursuant to previous notice, Mr. Hawes introduced a bill to be entitled, An act in relation to a Road Tax in the Counties of Putnam and Marion;

Which bill was placed among the Orders of the Day.

On motion of Mr. Long, a bill to be entitled, An act to incorporate the Quincy and Tallahassee Plank Road Company, was taken from the table, and placed among the Orders of the Day.

The President presented a memorial from the citizens of Hillsborough County in regard to the License Tax on Retailers of Spirituous Liquors;

Which was read, and on motion, laid upon the table.

Mr. Filor, from the Committee on Engrossed Bills, made the following Report:

The Committee on Engrossed Bills have instructed the undersigned to report the following bills as correctly engrossed:

A bill to be entitled An act to create a fifth Judicial Circuit;

An act governing Judges of Probate in certain cases.

Respectfully submitted,

JAMES FILOR,

Chairman.

Which was received and read, and the Engrossed Bills placed among the Orders of the Day.

Mr. Long, from the Committee on the Judiciary, made the following Report:

The Judiciary Committee, to whom was referred a bill to be entitled "An act in relation to slaves and free persons of color," have had the same under consideration. The Committee fully approve of the object of the bill, as necessary to the proper subordination of that class of our population; but as the bill referred appears to have