

WEDNESDAY, January 10, 1855.

The Senate met pursuant to adjournment.

A quorum being present;

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

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

A Bill to be entitled An Act to prevent any Deduction on Cotton Bales;

A Bill to be entitled An Act to Incorporate the Tallahassee and Georgia Railroad Company;

House Bill to be entitled An Act for the Regulation of the Pilotage of the Bay and Harbor of Pensacola, with enclosed amendment; and

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 to amend an act relative to taking Depositions under Commission, have examined the same, and recommend its passage with the annexed amendment, by way of additional section, to be inserted between the Second and Fourth Sections. The amendment is deemed of value, as filling an omission heretofore existing in the law on the subject. When so amended, the Committee recommend the passage of the bill.

Respectfully submitted,

M. A. LONG,  
Chairman.

Which was 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 respectfully to report the following Bills as correctly engrossed:

A Bill to be entitled An Act to Incorporate a Bank in the City of Tallahassee;

A Bill to be entitled An Act to amend an act in relation to fraudulent loans of Goods and Chattels.

JAMES FILOR,  
Chairman.

Which was read, and the bills placed among the orders of the day.

On motion of Mr. Eppes, the vote taken yesterday on the passage of House Resolution in regard to pay of Agents for selecting Swamp Lands, was reconsidered, and the resolution placed among the orders of the day.

Mr. Hopkins from the Committee on Propositions and Grievances made the following report:

The Committee on Propositions and Grievances, to whom was referred the Memorial of Thomas E. Harvin, have had the said Harvin and one Strickland before them, and being satisfied of the correctness of the statement made by said witnesses, have instructed me, as their Chairman, to introduce the accompanying Bill, which your Committee recommend should pass.

EDWARD HOPKINS,  
Chairman.

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

Also the following:

The Committee on Propositions and Grievances have examined a bill to be entitled an Act for the relief of Cherry, a free woman of color. We find that she has ever been an inhabitant of this State; that she does not mix with negroes, and that the Bill simply requires that she may be permitted, with her son, to remain in the State as free persons, their freedom having been granted them by their owner.

E. HOPKINS, Chairman.

Which was read, and the Bill placed among the orders of the day.

Mr. Nicholson, from a Select Committee, made the following report:

The Committee to whom was referred so much of the Governor's Message as relates to the cession of West Florida to the State of Alabama, beg leave to

#### REPORT:

That while they properly appreciate the Joint Resolution of the General Assembly of the State of Alabama, approved February 15, 1854, they are of the opinion that an Act of such magnitude would be premature on the part of this General Assembly, without reference to the will of the people. We would therefore recommend that some suitable means be adopted, at some future period, for submitting the matter to the qualified electors of the State.

Your Committee would propose that no action be taken at the present time, but beg leave to lay the same over until the adjourned Session to be held on the 4th Monday in November next.

Respectfully submitted,

A. W. NICHOLSON,  
Chairman.

Which was read.

On motion, the rule was waived, and Mr. Criglar permitted to introduce, without previous notice, a Bill to be entitled an Act to amend an Act to incorporate the Town of Milton, in Santa Rosa County, approved 23d February, 1844;

Which was, on motion, laid on the table until the adjourned Session.

## ORDERS OF THE DAY.

House Bill to be entitled an Act Incorporating the Florida and Macon Railway Company;

Was read the third time and put upon its passage, upon which the vote was:

Yeas—Messrs. Bird, Cone, Duncan, Filor, Gillis, Hawes, Hopkins, Kilcrease, Nicholson, Provence and Tracy—11.

Nays—Messrs. Criglar, Eppes and Wynn—3.

Mr. Provence moved that a Committee of three be appointed by the President, to wait upon the Senators who were detained by sickness from attendance upon the Senate, and allow them to record their votes upon the Bill.

Which motion was adopted, and Messrs. Provence, Bird and Hopkins appointed said Committee, who, upon their return, reported the vote as follows:

Yeas—Mr. President and Mr. Brinson—2.

So said Bill passed—title as stated.

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

On motion the rule was waived, and Mr. Gillis moved that the Senator from Escambia, Mr. Nicholson, be excused from attendance on the Senate after to-day.

Which motion was adopted.

On motion of Mr. Long, the Senate was invited to attend the Funeral of Gen. John P. Duval, this day;

Which invitation was respectfully declined, on account of the press of business before the Senate.

Resolution in regard to payment of accounts of Messrs. Stewart and Duncan;

Was read the second time, the rule waived, read the third time and adopted.

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

House Bill to be entitled an Act for the preservation of Bridges;

Was read the third time and put upon its passage, upon which the vote was:

Yeas—Messrs. Bird, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, 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 to amend an Act entitled an Act to grant pre-emption rights to settlers on State Lands, approved December 31, 1852, with Senate amendments thereto, in which the House refused to concur;

Came up in order.

On motion of Mr. Provence to recede from the amendments thereto, the yeas and nays were called for by Messrs. Duncan and Hopkins, and were:

Yeas—Messrs. Bird, Cone, Eppes, Filor, Hawes, Kilcrease, Long, Provence and Wynn—9.

Nays—Messrs. Duncan, Criglar, Gillis, Hopkins and Nicholson—5.

So the Senate receded from their amendments.

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

House Bill to be entitled an Act to locate the Seminary of Learning to be established west of the Suwannee River in this State;

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

Yeas—Messrs. Hawes and Long—2.

Nays—Messrs. Bird, Cone, Criglar, Duncan, Eppes, Gillis, Hopkins, Kilcrease, Nicholson, Tracy and Wynn—11.

So the Bill was lost.

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

A Bill to be entitled an Act to amend the Militia Laws of this State;

Was read the second time and ordered to be read a third time on to-morrow.

House Bill to be entitled an Act to prevent persons from leaving fire at their camps;

Was read the second time, and on motion of Mr. Gillis, the Bill was indefinitely postponed.

House Bill to be entitled an Act to prevent non-residents of this State from hunting or killing any deer or other game within the limits of this State, and for other purposes;

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

Yeas—Messrs. Bird, Cone, Criglar, Duncan, Eppes, Filor, Gillis, Hawes, Long, Nicholson, Tracy and Wynn—12.

Nays—Mr. Hopkins—1.

So the Bill passed—title as stated.

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

House Bill to be entitled an Act to prevent the employment of Negroes as Pilots on the waters of St. Johns River;

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

House Bill to be entitled an Act to amend an Act entitled an Act to amend the Patrol Laws of this State;

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

House Resolution for the relief of L. C. Demilly ;

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

House Resolution asking that the New Orleans and Key West Mail Steamers be required to touch at St. Andrews ;

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

House Bill to be entitled an Act to amend the 4th Clause of the 3d Chapter of the 4th Division of the Laws in relation to Crimes and Misdemeanors ;

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

A Bill to be entitled an Act to amend an Act relative to taking depositions under Commission ;

Was read the second time.

Mr. Long offered the following additional Section :

SEC. 3. *Be it further enacted*, That all Commissioners in this State, for taking depositions, shall be and they are hereby authorized to administer oaths to any witnesses produced before them.

Which was adopted.

The Bill as amended was then ordered to be engrossed for a third reading on to-morrow.

Engrossed Bill to be entitled an Act to incorporate a Bank in the city of Tallahassee ;

Came up on its third reading.

On motion, the rule was waived, and Mr. Long permitted to offer the following special amendment :

Amend the 7th Section of the Bill by inserting in the 15th line, after the word "State," the following :

" *Provided, nevertheless*, That it shall become lawful for the Comptroller of this State to subscribe for one-fifth part of the Capital Stock of said Bank, to be paid for from the School Fund of said State, in the manner and form required of other subscribers, in the fifth Section of this Act."

Mr. Criglar offered the following amendment to said amendment ;

*Provided*, That the President and each Director and Stockholder be individually responsible for the whole amount of such School Fund so received.

Which was adopted.

Upon the adoption of the amendment as amended, the yeas and nays were called for by Messrs. Eppes and Nicholson, and were :

Yeas—Messrs. Bird, Criglar, Hawes, Kilcrease and Long—5.

Nays—Messrs. Cone, Duncan, Eppes, Gillis, Hopkins, Nicholson, Smith, Tracy and Wynn—9.

So the amendment was not adopted.

Upon the question of the passage of the Bill, the vote was :

Yeas—Messrs. Bird, Cone, Criglar, Duncan, Filor, Gillis, Hawes, Kilcrease, Long, Nicholson, Smith, Tracy and Wynn—13.

Nays—Messrs. Eppes and Hopkins—2.

So the bill passed—title as stated.

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

Engrossed Bill to be entitled an Act to amend an Act in relation to fraudulent loans of chattels ;

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

Yeas—Messrs. Bird, Criglar, Kilcrease and Long—4.

Nays—Messrs. Cone, Duncan, Eppes, Hawes, Hopkins, Nicholson, Smith, Tracy and Wynn—9.

So the Bill was lost.

A Bill to be entitled an Act for the relief of Cherry, a free woman of color ;

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

Yeas—Messrs. Bird, Duncan, Criglar, Eppes, Hawes, Hopkins, Kilcrease, Long, Smith, Tracy and Wynn—12.

Nays—Mr. Cone—1.

So the bill passed—title as stated.

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

House Resolution to pay Agents for selecting Swamp Lands, as amended by the Senate ;

Came up in order.

On motion of Mr. Eppes, the Senate re-considered the amendment as made on yesterday.

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

A Bill to be entitled an Act to repeal an Act for the relief of George W. Philips ;

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

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }  
January 10, 1855. }

*Hon. President of the Senate :*

STR:—The following Bills have passed the House, viz :

A Bill to be entitled an Act to alter and change the laws now in force in this State in reference to the limitation of actions ;

A Bill to be entitled an Act providing the manner of carrying up appeals from the Justices' Courts, and for other purposes ;

A Bill to be entitled an Act to extend the time for the enjoyment of Chartered privileges by the Columbus Bridge Company ;

A Bill to be entitled an Act to organize the County of Liberty ;

A Bill to be entitled an Act to provide for the expenses of Florida in the settlement of boundary with the State of Georgia; and Senate Bill to be entitled an Act to create a fifth Judicial Circuit in this State, with the enclosed amendments.

Very respectfully,

HUGH A. CORLEY,  
*Clerk House Representatives.*

Which was read and the Bills placed among the orders of the day. House Bill to be entitled an Act providing the mode and manner of carrying up appeals from the Courts of Justices' of the Peace, and for other purposes;

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.

House Bill to be entitled an Act to extend the time for the enjoyment of the Chartered privileges of the Columbus Bridge Company;

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

House Bill to be entitled an Act to organize the County of Liberty;

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

House Bill to be entitled an Act to provide for the expenses of Florida in the settlement of boundary with the State of Georgia;

Was read the first time, the rule waived, read the second time by its title, and on motion referred to the Committee on Claims and Accounts.

House Bill to be entitled an Act to alter and change the laws now of force in this State in reference to the limitation of actions;

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

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

A Bill to be entitled an Act to incorporate a Bank in the City of Tallahassee;

A Bill to be entitled an Act for the relief of Cherry, a free woman of color;

House Bill to be entitled an Act to prevent non-residents of this State from hunting or killing any deer or other game within the limits of this State, and for other purpose;

House Bill to be entitled an Act for the preservation of Bridges;

House Bill to be entitled an Act incorporating the Florida and Macon Railway Company;

Resolution in relation to payment of accounts of Henry J. Stewart and W. J. J. Duncan; and

House Resolution to pay Agents for selecting Swamp Lands.

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

THURSDAY, January 11, 1855.

The Senate met pursuant to adjournment.  
The Rev. Mr. Turner officiated as Chaplain.

A quorum being present;

On motion of Mr. Filor, the reading of yesterday's Journal was dispensed with.

Mr. Hopkins offered the following preamble and resolution:

WHEREAS, Much inconvenience is experienced by the Citizens of the Counties of Duval, Putnam and Alachua, in the State of Florida, residing on, and in the vicinity of the Bellamy Road, leading from the St. John's River, to Newnansville in the County of Alachua, for want of mail facilities: *And Whereas*, the rapidly growing and increasing population of those Counties between said points, call for the establishment of a Mail Route and Post Offices along said line: *And Whereas*, The speedy transmission of intelligence and communication is of the first importance to this, as well as other portions of the country; Therefore,

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That our Senators and Representative in Congress be, and hereby are requested to procure if possible, the establishment of a Mail Route between said points, and the establishment of Post Offices at Danielsville in the County of Putnam, and at the Sand Hills in the County of Alachua, and the transmission of semi-weekly Mails over said route, going and returning in two horse post coaches.

*Be it further resolved*, That a copy of this preamble and resolution, duly certified, be transmitted by his Excellency the Governor to our Senators and Representative in Congress.

Which was read the first time,

On motion, the rule was waived, read the second and third times by its title and adopted.

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

The following Message was received from his Excellency the Governor:

EXECUTIVE CHAMBER,  
Tallahassee, January 10, 1855. }

Hon. H. V. SNELL,

*President of the Senate:*

SIR:—I respectfully submit the following nominations for the advice and consent of the General Assembly:

For Adjutant and Inspector General, Caraway Smith;

For Pay Master General, Edward Houstoun.

JAMES E. BROOME.

Which was read, and the nominations therein contained were advised and consented to.

Also the following: