On motion, the rule waived, read a second and third time by its title, and, upon the question of its passage, the vote was,

YEAS—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor, Gillis, Hawes, Hopkins, Myrick, Nicholson, Perry, Smith and Tracy—14.

NAYS—Mr. Kilcrease—1.

The bill passed.

Title as stated.

Ordered to be certified to the House of Representatives.

House bill to be entitled An Act to authorize Nathaniel Bryant to establish a ferry across the Suwannee river,

Was read the first time, and,

On motion, read a second time by its title and ordered for a third reading on to-morrow.

A bill to be entitled An Act to change the name of Brinson Ellis to Brinson Rowe,

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

A bill to be entitled An Act to authorize William A. Moseley to establish a ferry across the Suwannee river at a place known as Moseley's Ferry,

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

The Senate then adjourned until to-morrow, 11 o'clock, A. M.

THURSDAY, December, 6th, 1855.

The Senate met pursuant to adjournment.

A quorum being present,

The Rev. Mr. Turner officiated as Chaplain.

On motion,

The rule was waived, and Mr. Cone allowed without previous notice, to introduce a bill to be entitled An Act for the relief of George Combs, a citizen of Columbia County, in this State,

Which was received and placed among the orders of the day for to-day.

On motion,

The rule was waived, and Mr. Smith allowed without previous notice, to introduce a bill to be entitled "An Act to incorporate the Town of New Port, in the County of Wakulla, State of Florida,"

Which was received and placed among the orders of the day for to-day.

Mr. Brinson from the Committee on Internal Improvement, made the following

REPORT:

The Committee on Internal Improvement, to whom was referred the bill entitled An Act to facilitate the construction of the various lines of railroad, provided for by the "Act to provide for and encourage a liberal system of Internal Improvement in this State," approved 6th January, 1855, report, that they have had the same under advisement, and the provisions of the bill appear to them just and reasonable.

Your committee are convinced that the construction of the various railroads will be materially facilitated by the passage of the act, without jeopardy to the interests of the State. The general law of the last session contained certain details and specifications to which all the companies are absolutely required to conform, which have since been decided by competent civil engineers, of approved skill, to be not only more expensive than others which could be adopted, but absolutely less desirable than others, which could be executed for less money.

The object of the present bill is to permit the companies to avail themselves of the best and cheapest method of constructing their several roads.

The second section provides that the duties heretofore performed by the State Engineer may be performed by any other competent Civil Engineer, to be approved by the trustees. Your Committee are informed that the duties devolved upon the State Engineer by the general law, if not so onerous as to be absolutely beyond the power of any one man to perform, yet would frequently cause great delay in the operations of one road waiting for the presence of the State Engineer, actually at the time engaged in the performance of his official duties in a distant part of the State.

The 3rd section permits the companies to draw bonds on the completion of the first ten miles, instead of twenty, as heretofore provided. Your Committee can perceive no good reason for refusing this permission, as it is desired and will evidently facilitate the operations of the company without at all jeopardizing the interests of the State.

Your Committee have added a 4th section to the bill as referred to them. It provides, in substance, that the Trustees of the Internal Improvement Fund, may lend money to the companies upon an hypothecation of their bonds, not exceeding seventy cents in the dollar; and also that any officer of this State having monies to invest

in State stocks, may invest in these bonds, with the approval of the Governor, at their market value.

The object of this section is to protect the companies, and, through them, the Internal Improvement Fund of the State from the combinations of the money brokers and the fluctuations of the money market, by giving a home market upon which the companies may fall back for temporary relief in case of any unusual circumstances, an object your Committee deem most desirable to obtain.

In conclusion, your Committee recommend the passage of the whole bill as now reported back by them, and cannot refrain from an expression of their gratification at the vigorous manner in which the work of internal improvement in this State has been pressed on since the passage of the general law, but ten months since—all of the companies being now fully organized, two of them already in progress of construction, and the others but waiting for the opening of their beds to commence. They sincerely believe that the result will shew, at no distant day, that the legislation of last winter was the dawning of a new era in the history of our State.

All of which is respectfully submitted.

WILLIAM A. BRINSON,
Chairman.

Which was received, read and concurred in, and the bill as amended ordered to be placed among the orders of the day for to-day.

Mr. Long from the Committee on enrolled bills, made the following

REPORT:

The Committee on Enrolled bills, have examined, and find correctly enrolled,

An Act to amend An Act incorporating the City of Apalachicola; also,

A Resolution in relation to the establishment of a Land Office in Santa Rosa County.

Respectfully submitted,
M. A. LONG, *Chairman,*
Committee on Enrolled bills.

Which report was received,

Mr. Brinson from the Committee on Internal Improvement, made the following

REPORT:

The Committee on Internal Improvement, to whom was referred

two petitions from sundry citizens of Duval county, praying for a repeal of so much of the "Act to provide for and encourage a liberal system of Internal Improvement in this State," passed January 6th, 1855, as enables the several counties through which Rail Roads may pass, and the several towns at or near which they may terminate, to subscribe for the stock of such Rail Roads, beg leave to report that they have carefully considered the prayer of the petitioners, and, while they have been much struck with the ingenuity of the argument advanced by the petitoners, yet they are constrained to report that it is more ingenious than well founded. The law is denounced by the petitioners as tyranical and unjust because "it confers upon an irresponsible majority of legal voters, having no permanent interest in the country, the power to impose a tax or burden which must in effect fall almost exclusively on the minority." The same argument applies with equal force to all Democratic and Republican institutions. It is in effect the great argument which is always urged as unanswerable by the advocates of monarchical and arristocratic Governments; whilst on the other hand, the advocates of Democratic and Republican institutions have ever held that a majority of legal voters were far more safe depositaries of power, and far less likely to abuse it, than the minority, however wealthy they may be. If the law under consideration authorised the majority to impose a tax on the minority, from the payment of which the majority were exempt, the case would be altered; but all experience has shown that the legal voter, however irresponsible he may be, is as jealous of his rights of property as the more wealthy citizen, and by no means likely to impose a burthen upon his wealthier neighbor which he must himself share in exact proportion to his means. To say that this law is liable to be abused "whenever designing men chose to employ it to accomplish their own sinister or selfish ends, is but to say, in direct terms, that the people are unfit to be trusted with the powers of self government, lest they fall into the hands of designing demegogues—a proposition which your Committee cannot endorse. The petitions under consideration represent the people as poor, much too poor to pay this tax. Of that they are themselves the best judges, and will doubtless determine according to the real facts. Should they come to a wrong conclusion, the fault is their own, not ours.

The petitioners further represent, that this law has a "direct tendency to drive away capital from a country where it is liable to be subjected to the unlimited and insatiable extortions of Rail Road projectors and legal voters." There might, perhaps, be something in this argument, if there was any place to be found where capital

was liable to *fewer extortions* than under the operations of this law; but when we see our sister States of the South, taxaing capital and property to a large amount to aid in the construction of roads and other improvements, we are constrained to ask *where* capital will go when driven away. Here each capitalist has a direct voice on the question—each county and town decides for itself; nor are they asked for a gift, but simply a subscription to an enterprise which all experience has shown will benefit the capitalist and the man of wealth to a far greater extent than the man of moderate means, though even this last will be repaid ten fold. Your Committee do not deny that there are many in every community who, while they are ever ready to seize upon every benefit or advantage which results from the development of the country, are always averse to contribute their quota to the improvements necessary to obtain this development. It is the object and aim of wise Legislators however to distribute the burthen in exact proportion to the benefit. Your Committee think that this has been done in the clause of the Act under consideration, but, whether this be so or not, they are unwilling to arrogate to themselves superior a wisdom to that of the people of each county in reference to their own local concerns; and they recommend to the petitioners to address their arguments to the people of the county whenever they are called on for a subscription. Should they succeed in convincing them, there will be no need of Legislative interposition. Your Committee have not deemed it necessary to discuss the question as to their *power* to grant the relief prayed for and repeal the obnoxious clause of the Act. The reasons assigned above are sufficient to convince them that the prayer of the petitioners ought not to be granted.

All of which is respectfully submitted,

WILLIAM A. BRINSON,
Chairman

On the question of concurrence in said report, Mr. Hopkins moved that the report of the committee be rejected, and the prayer of the petitioners granted,

Which motion, was overruled, and the report concured in, by the Senate.

Mr. Perry from the committee on corporations made the following

REPORT:

The Committee on Corporations, to whom was referred a bill to be entitled An Act to incorporate the town of Milton, in Santa Rosa county, approved 23d February, 1844, have had the same under consideration, and recommend the passage of the bill with the following amendment. After the words "That is to say," on the eighth line of the 2nd page, insert the following amendment:

"Commencing at the corners of sections 33 and 34 of township 2, North of range 28 West, and sections 3 and 4 of township 1, North of range 28 West; thence South along the section line dividing sections 3 and 4 and 9 and 10 to Pond Creek; thence following said creek down to its junction with Black Water river; thence a due East course, crossing Black Water river to a point 5 chains East on a line from the left branch of said river; thence following the meanderings of said river by courses parallel to and at a distance of 5 chains from said left bank Northerly to an intersection of the township line dividing townships 1 and 2 of range 28 North and West; thence West along said line to the point of beginning," in the county of Santa Rosa, &c.

Respectfully submitted,
M. S. PERRY,
Chairman.

Which report was concurred in, and the bill accompanying the same, ordered to be placed among the orders of the day for to-day.

The following message was received from the House of Representatives, viz:

HOUSE OF REPRESENTATIVES,
December 6th, 1855.

Hon. President of the Senate:

SIR:—The House has passed the following Bills and Resolutions, viz:

Senate bill to be entitled An Act granting the right of appeal from the Judges and orders of the Board of County Commissioners to the Circuit Court.

A bill to be entitled An Act to amend the election laws.

A bill to be entitled An Act authorizing certain persons to practice law in the courts of this State.

A bill to be entitled An Act authorizing Bennett J. Horne to build a Toll Bridge across the Withlacoochee River.

A bill to be entitled An Act for the benefit of John L. Tatum.

A bill to be entitled An Act for the election of a County Site in Orange county: and

Resolutions asking Congress to establish a new collection district,

to be called the district of Tampa, and for other purposes.

Very respectfully,
HUGH A. CORLEY,
Clerk House of Representatives.

Which was read-

Senate bill to be entitled An Act granting the right of appeal from the Judges and orkers of the of County Commissioners, to the Circuit Court, and ordered to be enrolled ; and

A bill to be entitled An Act to amend the elections laws ; and,

A bill to be entitled An Act authorizing certain persons to practice law in this State.

A bill to be entitled An Act authorizing Bennett J. Horne to build a Toll Bridge acorss Withlacoochee River.

A bill to be entitled An Act for the benefit of John L. Tatum.

A bill to be entitled An Act for the selection of a County site in Orauge County ; and,

Resolutions asking Congress to establish a Collection District, to be called the District of Tampa, and for other purposes.

Ordered to be placed among the orders of the day for to-day.

Also the following ;

HOUSE OF REPRESENTATIVES,
December 6, 1855.

Hon. President of the Senaje :

SIR :—The House has passed without amendment, Senate bill to be entitled An Act to incorporate a Bank in the City of Tallahassee.

Very Respectfully,
Hugh A. Corley,
Clerk Houee of Representatives.

And bill accompanying same, ordered to be enrolled.

ORDERS OF THE DAY.

House bill to be entitled An Act to prevent slaves in the City of St. Augustine, from hiring their own time,

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

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor, Grillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicholson, Perry, Smith, Tracey and Wynn—17.

Nays—None.

The bill passed title as stated.

Ordered to be certified to the House of Representatives.

House bill to be entitled An Act for the relief of certain persons therein named, came up on its third reading, and,

On motion, was referred to the Committee on the Judiciary.

House bill to be entitled An Act to authorize Nathaniel Bryan, to establish a Ferry across the Suwannee River,

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

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

Nays—Kilcrease—1.

The bill passed, title as stated,

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

A bill to be entitled An Act to change the name of Brinson Ellis, to Brinson Rowe.

Was read a second iime,

And on motion of Mr. Hopkins, amended as follows, "and also that the name of Leonora Euphemia Herbert be changed to that of Leonora Euphemia Fenimore," and that the title of said bill be amendend as follows :

"A bill to be entitled An Act to change the name of certain persons therein named,"

Which was agreed to.

Upon the question of engrossing said bill as amended,

The yeas and nays were called for by Merrss. Long and Hopkins, and were

Yeas—Mr. President, Messrs. Brinson, Cone, Gillis, Hawes, Hopkins, Myrick, Nicholson, Perry and Tracy—10.

Nays—Messrs. Bird, Criglar, Filor, Kilcrease, Long, Smith and Wynn—7.

So the bill was ordered to be engrossed as amended.

A bill to entitled An Act to authorize William A. Moseley to establish a Ferry across the Suwannee river,

Was read a second time,

And on motion, the rule was waived, read a third time by its title, and on the question of its passage the vote was :

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Fi-

lor, Gillis, Hawes, Hopkins, Long, Myrick, Nicholson, Perry, Smith, Tracey and Wynn—16.

Nays—Mr. Kilcrease—1.

So the bill passed, title as stated.

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

A bill to be entitled An Act for the relief of George Combs was read the first time, and,

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

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor, Gillis, Hawes, Hopkins, Kilcrease, Long, Myrick, Nicolson, Perry, Smith, Tracy and Wynn—17.

The bill passed, title as stated.

Ordered to be certified to the House of Representatives.

A bill to be entitled An Act to incorporate the town of New Port, county of Wakulla, State of Florida, came up on its first reading, and,

On motion, the rule was waived, read the first time by its title, and,

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

An Act to amend the 1st section of the 9th article of the Constitution of the State was read three several times as on its first reading, and ordered for a second reading on to-morrow.

A bill to be entitled An Act in relation to a road tax in Putnam county was read the first time and ordered for a second reading on to morrow.

A bill to be entitled An Act to facilitate the construction of the various lines of railroad provided for by the Act entitled An Act to provide for and encourage a liberal system of Internal Improvements in this State," approved 6th January, 1855, was read as amended, and,

On motion, laid on the table and made the order of the day for to-morrow.

On motion, the Senate took a recess until 3 o'clock, P. M.

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3 o'clock, P. M.

The Senate met pursuant to adjournment.

A quorum being present, the Senate proceeded to business.

A bill to be entitled An Act to amend An Act entitled An Act incorporating the town of Milton, in Santa Rosa county, was read a second time as amended, and ordered to be engrossed.

House bill to be entitled An Act to amend the election laws, was read the first, and,

On motion, the rule was waived, and read a second time by its title.

Mr. Long moved the indefinite postponement of said bill; upon which question the yeas and nays were called for by Messrs. Hopkins and Tracey, and were:

Yeas—Mr. President, Messrs. Bird, Brinson, Cone, Criglar, Filor, Hawes, Kilcrease, Long, Myrick, Perry and Wynn—12.

Nays—Messrs. Gillis, Hopkins, Nicholson, Smith and Tracey—5

Said bill was indefinitely postponed,

Ordered to be so certified to the House of Representatives.

House bill to be entitled An Act authorizing certain persons to practice law in this State,

Was read the first time, and placed among the orders of the day for to-morrow.

House bill to be entitled An act authorizing Bennett J. Horne to build a Toll-Bridge across the Withlacoochee River;

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

House bill entitled An Act for the relief of John L. Tatum,

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

A bill to be entitled An Act, for the election of a County Site in Orange County,,

Was read the first time and placed among the orders of the day for to-morrow.

Joint Resolution asking Congress to establish a new collection district, to be called the District of Tampa, and for orher purposes,

Was read and adopted.

The Senate then adjourned until to-morrow, 10, A. M.

FRIDAY, December 7th, 1855.

The Senate met pursuant to adjournment.

A quorum being present,

The Rev. Mr. Turner officiated as Chaplain.

On motion,

The rule was waived, and Mr. Hopkins allowed to introduce without previous notice, a bill to be entitled An Act regulating the county tax of Duval County,