

On motion, Mr. Myrick was excused from further attendance on the Senate after to-night.

On motion, the Senate adjourned until 9 o'clock to-morrow morning.

SATURDAY, December 15, 1855.

The Senate met pursuant to adjournment.

A quorum being present,

The Rev. Mr. Turner officiated as Chaplain.

The reading of the Journal was dispensed with.

MOTIONS.

On motion of Mr. Tracy, the Senator from Walton was excused from further attendance on the Senate.

PETITIONS.

The following petition was received :

[The petition was not furnished us by the Secretary of the Senate.

—PRINTER.]

Which was read and referred to a Select Committee consisting of Messrs. Perry, Bird and Kilcrease.

The following Message was received from his Excellency the Governor :

EXECUTIVE CHAMBER, }
December 14th, 1855. }

HON. H. V. SNELL,

President of the Senate :

SIR :—I respectfully return without my approval a "Resolution relative to the claims of Captain's Jannigan and Devall," &c.

The accounts of these parties are understood to be on file in the Comptrollers Office, and to have been registered by that officer.—The Resolution under consideration instructs the Comptroller peremptorily to audit and allow these accounts. I respectfully submit, that as we hope to get this money refunded at some future day by the General Government, it would be better to *authorize* the Comptroller to take testimony on the subject of these services, and settle for them on such evidence as will give us reason to hope that we shall be repaid. I respectfully request the reconsideration of the resolution.

Very respectfully,

JAMES E. BROOME.

Which was read, and upon the question shall this Resolution be passed over the veto of the Governor the vote was :

Yeas—Mr. President, Messrs. Bird and Hawes.

Nays—Messrs. Cone, Duncan, Eppes, Hopkins, Kilcrease, Long, Perry and Tracy—8.

So said Resolution was not passed over the veto of the Governor.

The following message was also received from the Governor :

EXECUTIVE CHAMBER, }
December 14, 1855. }

Hon. H. V. Snell,

President of the Senate :

SIR—I respectfully return, without my approval, a "Preamble and Resolution for the relief of John J. Williams of Leon county."

The resolution provides for refunding to John J. Williams the sum of one hundred and sixteen dollars and 38 cents, which it alleges was paid by him upon an unjust and improper assessment of taxes. I have not been able to concur in the opinion here expressed. The late Mr. Thompson was appointed, some seven or eight years since, by the Judge of Probate of Leon county, guardian of the estate of his daughter, Miss Eliza Thompson. He entered into bond, with two good and sufficient sureties, in the penalty of one hundred thousand dollars, and soon thereafter filed his account as such guardian, showing that he had received for his ward a large estate, which he reported as at interest. On each succeeding year during his lifetime he filed his account, charging himself with the collection of the interest upon the whole amount. A portion of this estate he loaned out and the residue he retained at interest himself. The estate, however, was not the less at interest because retained by the guardian. The collection was acknowledged regularly, and the amount passed annually to the credit of his ward. From a misapprehension of the law, Mr. Thompson reported to the Tax Assessor only so much of this money at interest as was loaned to other persons, and the resolution under consideration proposes to refund as improperly collected so much of the tax as was assessed upon the amount kept by the guardian. The law provides that "upon all money loaned at interest a tax of twenty-two cents on every hundred dollars so loaned or kept at interest" shall be levied, &c. The State taxes money at interest, because it is property and should bear its due proportion of the burdens of government. It is a matter of entire indifference whether a guardian loans out the money of his ward or keeps it himself at interest. In either case, the State is entitled to the tax. So far from the case under consideration being

one which requires that the powers of the County Commissioners should be controlled by legislative action, it is believed that the estate is indebted on account of similar imperfect assessments for a number of years past. In suggesting this opinion, I desire to exculpate Mr. Thompson from all intentional error in the matter. Where he was known none would suspect him.

For the reasons here assigned I respectfully recommend the reconsideration of the bill.

Yrs., &c.

JAMES E. BROOME.

Which was read, and, upon the question shall this resolution be passed over the veto of the Governor, the vote was :

Yeas—Mr. Hawes—1.

Nays—Mr. President, Messrs. Bird, Cone, Duncan, Eppes, Hopkins, Kilcrease, Long, Perry and Tracy—10.

So said resolution, not having received the requisite constitutional majority, was not passed.

On motion, the rule was waived and Mr. Long allowed to make the following

REPORT:

The Committee on Enrolled Bills have examined and find correctly enrolled

An Act making appropriations for the expenses of the State Government for the fiscal year 1856.

The Committee on Enrolled Bills have examined and find correctly enrolled

An Act to incorporate the town of New Port, county of Wakulla, State of Florida.

The Committee on Enrolled Bills have examined and find correctly enrolled

An Act to amend An Act relative to taking depositions under commission.

Resolution to obtain the sense of the people of West Florida in regard to annexation to Alabama.

An Act to provide for the payment of the expenses of the adjourned session of the General Assembly.

Resolution in relation to buoys on the bar of St. Andrews Bay.

M. A. LONG,

Chairman of Committee on Enrolled Bills.

Which was received, read and concurred in.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
December 15, 1855. }

Hon. President of the Senate :

SIR—The House has concurred in the report of the Committee of Conference relative to the disagreement of the two Houses upon resolution relative to copying the laws of the adjourned session of this General Assembly.

The House has adopted enclosed resolution asking the Board of Trustees of the Internal Improvement Fund to report to the next General Assembly.

Very respectfully,
HUGH A. CORLEY,
Clk House Reps.

Which was read. Also the following :

HOUSE OF REPRESENTATIVES, }
December 14, 1855. }

Hon. President of the Senate :

SIR : The House has concurred in Senate amendments to a bill to be entitled An Act to organize the county of Liberty.

Very respectfully,
HUGH A. CORLEY,
Clk House Reps.

Which was read.

On motion of Mr. Perry, the rule was waived and he allowed to make the following

REPORT :

[The Secretary has neglected furnishing us with the report which should be inserted here. PRINTER.]

Which was read and the resolution accompanying the report placed among the orders of the day.

ORDERS OF THE DAY.

Resolution relative to the copying the laws of the adjourned session of the General Assembly was read, together with the report of the Joint Committee of Conference, and said report was concurred in.

A bill to be entitled An Act in relation to a road tax in Putnam

county was read, with House amendment thereto, and, on motion, the amendment was concurred in.

Ordered to be so certified to the House of Representatives.

Resolution relative to Board of Trustees of the Internal Improvement Fund was read and the following offered and adopted in lieu thereof:

[The resolution was not furnished us by the Secretary.—PRINTER.]

Ordered to be certified to the House of Representatives.

Resolution relative to petition of D. Province, was read and adopted.

Mr, Hopkins offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to the Hon. H. V. Snell, for the able and impartial manner in which he has presided over its deliberations during the present Session.

Resolved further, That the thanks of the Senate are due to the Secretary and other officers, for the faithful discharge of their duties during the present Session.

Which was read and adopted.

The following Message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
December 14, 1855. }

Hon. President of the Senate:

SIR:—The House has rejected Senate Resolution in relation to Duval County.

The House has adopted the following Resolutions, viz :

Senate Resolution requesting the Governor of the State to furnish arms and equipments to the company of cavalry at Micanopy.

Senate Resolution relative to the distribution of the Laws and Journals of the present Session.

Senate Resolution authorizing the Governor to turn over fifty carbines and accoutrements to the Loring Guards.

Senate Resolution for the relief of Hon. Joel Porter ; and

Senate Resolution for the relief of Hugh A. Corley.

Very respectfully,

HUGH A. CORLEY,

Clerk House of Representatives.

Which was read and Senate Resolutions ordered to be enrolled. On motion, the Senate took a recess until 12 o'clock.

12 o'clock, M.

The Senate resumed its Session.

The following Bills and Resolutions having passed both Houses of the General Assembly and having been signed by the presiding officers thereof, were transmitted to his Excellency the Governor for his approval, viz :

An Act to amend An Act in relation to taking depositions under commission.

An Act to provide for the payment of the expenses of the adjourned Session of the General Assembly.

An Act making appropriation for the expenses of the State Government for the fiscal year 1856, and for other purposes.

Resolution to obtain the sense of the people of West Florida in regard to annexation to Alabama.

Resolution in relation to Buoys on the Bar of St. Andrews Bay.

The following Message was received from his Excellency the Governor :

EXECUTIVE CHAMBER, }
December 15th, 1855. }

HON. H. V. SNELL

President of the Senate :

SIR:—I have approved and signed the following Bill.

“An Act making appropriations for the expenses of the State Government for the fiscal year 1856, and for other purposes.”

Respectfully,

JAMES E. BROOME.

Which was read.

Also the following :

EXECUTIVE CHAMBER, }
December 15, 1855. }

HON. H. V. SNELL

President of the Senate :

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

For the County of Hillsborough.—Wm. S. Spencer, and M. L. Shannahan, Auctioneers.

For the County of Duval.—John McDumot, Measurer and Inspector of Lumber ; H. H. Philips, Auctioneer.

For Alachua County.—John T. McIntosh, Auctioneer.
 For St. Johns County.—Alonzo A. Bravo, Auctioneer.
 For Columbia County.—Thomas D. Dexter, Nath. A. Jameson,
 Archibald Rhodes, Auctioneers.
 Leon County.—John F. Broome, Robert Heir, Cotton Weighers.
 Jefferson County.—Daniel T. Lingo, Auctioneer.
 Jackson County.—William C. Bryan, Auctioneer.
 Franklin County.—John B. Jones, Cotton Weigher.
 For the County of Escambia.—Geo. H. Oneal, Robert J. Sweet-
 man, Chester P. Knapp, Daniel Saint, F. B. Bobce, A. W. Nichol-
 son, Auctioneers.

Respectfully,

JAMES E. BROOME.

Which was read, and the nominations advised and consented to.
 Also the following :

EXECUTIVE CHAMBER, }
 December 15th, 1855. }

Hon. H. V. Snell.

President of the Senate :

SIR—I have approved and signed the following bills and resolu-
 tions :

An Act to authorize restitution by the State to plaintiffs in error or
 appellants who have reversed or may reverse judgments rendered in
 favor of the State.

An Act to amend the Act regulating common law proceedings.

An Act to incorporate the Lagoon and Perdido Canal Company.

An Act to authorize the sale of sixteenth sections in Escambia
 county.

An Act to incorporate a Bank in the city of Tallahassee.

An Act in relation to Constables in the county of Hamilton.

Resolution relative to the confirmation by the General Govern-
 ment of titles to certain lands to this State.

An Act to authorize the drainage of Lake Orange, situated in the
 counties of Marion and Alachua.

An Act to authorize County Commissioners to extend charters to
 bridges and ferries.

An Act for the relief of George Combs, of Columbia county, in
 this State.

An Act in relation to hunting in this State by citizens of other
 States.

An Act to amend the laws of this State, now in force, relative to
 the partition of real estate.

An Act to facilitate the construction of the various lines of rail-
 road provided for by the Act entitled An Act to provide for and en-
 courage a liberal system of internal improvement in this State, ap-
 proved January 6th, 1855.

An Act to repeal An Act entitled An Act to establish the rates of
 wharfage, dockage and storage in the city of Key West, county of
 Monroe.

Resolution for the relief of M. D. Papy.

An Act to establish an uniform rate of commissions throughout the
 State upon wrecked or disabled vessels or cargoes.

An Act for the relief of Dr. R. H. Shaffer.

An Act to change the name of certain persons therein mentioned.

Very respectfully,

JAMES E. BROOME.

Which was read.

The following Message was received from the House of Repre-
 sentatives :

HOUSE OF REPRESENTATIVES, }
 December 18th, 1855. }

Hon. President of the Senate :

SIR:—The House has concurred in Senate substitute to House
 Resolution instructing the Trustees of the Internal Improvement Fund
 to report to the General Assembly.

Very respectfully

HUGH A. CORLEY,

Clerk House of Representatives.

Messrs. Parsons, Speer and Taylor, a committee from the House,
 informed the Senate that the House will be ready to adjourn at 1
 o'clock, to-day.

Messrs. Tracy, Eppes and Perry, were appointed a committee on
 the part of the Senate, to wait upon his Excellency the Governor and
 ask if he had any further communication to make ; also to inform him
 that the Senate will be ready to adjourn to-day at 1 o'clock.

The Committee returned and reported that they had waited on
 his Excellency, who informed them, that if the Legislature sits until
 Monday he will have further communications to make, but that he
 has no other communication to make on to-day.

Mr. Tracy moved that the Senate adjourn *sine die* at one o'clock
 to-day, which was agreed to.

The Senate took a recess for twenty minutes.

The Senate resumed its session.

The following bill, having passed both Houses of the General

Assembly and having been signed by the presiding officers thereof, was forwarded to his Excellency, the Governor, for his approval viz :

An Act to incorporate the town of New Port, county of Wakulla, State of Florida.

The Joint Select Committee of Conference on the part of the Senate and House of Representatives, to whom was referred the resolution to copy the laws of this adjourned session, beg leave to report, that they have selected A. B. Campbell as a suitable person to perform that duty.

M. A. LONG,
Chairman S. Committee.

WM. S. DILWORTH,
Chairman of House.

The Senate then adjourned *sine die*.

APPENDIX.