

Mr. Myrick, from the Committee appointed on yesterday, to confer with the Printer elect for the Senate, made the following

REPORT:

The Committee appointed to contract with Mr. Allen, beg leave to report that they have attended to that duty, and that Mr. Allen, the Printer elect, will furnish the printing for the Senate upon the same rate that it is done for the House of Representatives.

Resp't., &c.,

JOHN T. MYRICK,
Chairman.

Which was received and concurred in.

ORDERS OF THE DAY.

A Bill to be entitled An Act making uniform the rate of interest in this State,

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

A Bill to be entitled An Act defining the duties of Sheriffs and other officers, collecting money under execution in this State,

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

On motion, the Senate then adjourned until to-morrow, 9 o'clock, A. M.

SATURDAY, December 1st, 1855.

The Senate met pursuant to adjournment.

A quorum being present, pursuant to previous notice, Mr. Hawes introduced a bill relating to certain election precincts in Putnam county, which was placed among the orders of the day.

On motion of Mr. Criglar,

A bill to be entitled An Act to amend An Act incorporating the town of Milton was taken from the table and placed among the orders of the day.

Mr. Hawes introduced the petition of W. B. Watkins and others, which was read, and,

On motion, ordered to be referred to the Committee on Propositions and Grievances.

Mr. Hopkins introduced the petition of certain citizens of this State upon the subject of internal improvement, which was received, and,

On motion, ordered to be referred to the Committee on Internal Improvements.

Mr. Criglar introduced the following resolution, which was read and adopted:

Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, that our Senators and Representatives be and they are hereby requested to procure the establishment of a Land Office in Santa Rosa county.

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

ORDERS OF THE DAY.

A bill to be entitled An Act to amend An Act incorporating the town of Milton was,

On motion, read a first and second time by its title and referred to the Committee on Corporations.

A bill in reference to certain election precincts in Putnam county was read the first time, and,

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

On motion of Mr. Hawes, referred to the Committee on Elections.

On motion, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, December 3, 1855.

The Senate met pursuant to adjournment.

A quorum being present, the Rev. Mr. Turner officiated as Chaplain.

The Journal of Saturday was read and approved.

Mr. Hawes gave notice that he would, on some future day, ask leave to introduce a bill to be entitled An Act authorizing Kirkland R. Duke to establish a Ferry across the St. John's river, at Fort Gates.

Mr. Perry gave notice that he would, on some future day, ask leave to introduce a bill to be entitled An Act to amend the 1st Section of the 9th article of the Constitution of this State.

Mr. Perry introduced the petition of the President and Secretary

of the East Florida Seminary, which was received and read, and on motion, referred to the Committee on Schools and Colleges,

On motion, the rule was waived, and Mr. Brinson allowed without previous notice, to introduce a bill to be entitled 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 encourage a liberal system of Internal Improvement in this State, approved January 6th, 1855, which was ordered to be placed among the orders of the day for to-day.

On motion, the rule was waived, and Mr. Filor introduced a bill to be entitled An Act to amend An Act entitled An Act in relation to Pilotage at the Port of Key West, which was placed among the orders of the day for to-day.

The Judiciary Committee to whom was referred the Bill to be entitled An Act to make uniform the rate of interest in this State, through their Chairman made the following

REPORT:

The Judiciary Committee, to whom was referred a bill to be entitled An Act to make uniform the rate of interest in this State, have considered the same, and instruct the undersigned to report that they recommend its passage. The bill referred to appearing to have been hastily and rather inartificially drawn, the committee, at the request of its author, have instructed the undersigned to re-draft the same, without changing the object or effect of the same in any respect.

Respectfully submitted,

M. A. LONG, *Chairman*
Judiciary Committee.

The same committee, to whom was referred the bills to be entitled An Act to establish Sale Days in this State, and for other purposes and a bill to be entitled An Act defining the duties of Sheriffs and other officers collecting money in this State under execution or other process, through their chairman made the following

REPORT.

The Judiciary Committee to whom was referred a bill to be entitled "An Act to establish Sale Days in this State, and for other purposes," and also a bill to be entitled An Act defining the duties of Sheriffs and other officers collecting money in this State, have considered these bills together as being to some extent connected in substance, and have instructed the undersigned to report as follows: The first named bill proposes to abolish what is commonly known as the stay law, by which property levied upon by execution may be

exempted from sale by replevy between the months of April and December. The Committee are of opinion that the reasons upon which the law originally rested, namely, the security of many and the absence from the State of many citizens during these months, have not entirely ceased to exist, and therefore they recommend that said bill do not pass.

The other bill referred to, in substance provides that sheriffs shall be required to levy all executions, and sell under said levy immediately after the same shall come to hand, under heavy penalties, and that when property shall have been replevied and the bond forfeited, that no second replevy shall be allowed, &c. The first of these provisions, the committee do not favor, and, while they favor the second, they find the bill so defectively expressed as to render it proper to redraft the same in that respect. Therefore the committee have instructed the undersigned to prepare a separate bill to be entitled "An Act declaratory of the law in relation to the replevy of property levied upon by execution," the passage of which they recommend. And, as the investigation of these bills have brought the attention of the Committee to the subject of Sheriffs and the existing remedies against them for wilfull delinquencies, and believing those remedies to be very defective, they have instructed the undersigned also to prepare a bill to be entitled "An Act allowing judgments by motion against Sheriffs for certain delinquencies," the passage of which they recommend.

All which is respectfully submitted.

M. A. LONG,
Chairman Judiciary Committee.

Which reports were received, read and concurred in, and the bills therein named ordered to be placed among the orders of the day for to-day.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
December 1st, 1855. }

Hon. President of the Senate:

SIR: Messrs. Galbraith, Parsons, Riviere, Thompson of Levy, Pope, Speer and Penn have been appointed a Committee on the part of the House to act with the Committee appointed on the part of the Senate upon the subject of census and apportionment.

Very respectfully,

HUGH A. CORLEY,
Clerk House Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
December 1st., 1855. }

Hon. President of the Senate,

SIR :—The following Bills and Resolutions have passed the Senate, viz :

A Bill to be entitled An Act in relation to assault with intent to commit Rape, and for other purposes.

Senate Bill to be entitled An Act to amend An Act incorporating the city of Apalachicola.

Senate Resolution in relation to the payment of the accounts of Henry J. Stewart and William J. J. Duncan.

Senate Preamble and Resolution asking the establishment of a mail route along the Bellamy Road, between the St. Johns River and Newnansville in the county of Alachua, and the transmission of semi-weekly mails over said Route, and

Senate resolution respecting appeals and writs of error from the District Courts of Florida to the Circuit Court of Georgia.

The House has rejected Senate bill to be entitled An Act to amend An Act now in force in relation to the partition of estates, real and personal.

The House has ordered the printing of 75 copies of a bill to be entitled An Act to incorporate a Bank in the City of Tallahassee.

Very respectfully,

HUGH A. CORLEY,

Clerk House Representatives.

House bill entitled An Act in relation to assaults with intent to commit Rape was ordered to be placed among the orders of the day for to day.

Senate bill to be entitled "An Act incorporating the city of Apalachicola," and Senate resolution in relation to the payment of Henry J. Stewart and Wm. J. J. Duncan, and Senate preamble and resolution asking the establishment of a mail route along the Bellamy road between the St. Johns river and Newnansville, and the transmission of semi-weekly mails over said road, and Senate resolution respecting appeals and writs of error from the District Courts of Florida to the Circuit Court of Georgia ordered to be enrolled.

The following message was received from his Excellency, the GOVERNOR, viz :

EXECUTIVE CHAMBER, }
Tallahassee, Nov. 30, 1855. }

Fellow-citizens of the Senate and

House of Representatives :

Under an interlocutory decree of the Supreme Court of the United

States, in the suit pending between this State and Georgia for the settlement of the boundary line, it became my duty, in June, 1854, to appoint a Commissioner and Surveyor, to meet a similar Commission on the part of the State of Georgia, for the purpose of procuring such information, making such surveys and running such lines as would enable the Court to decide understandingly. So far as Florida was concerned, the service required was for the benefit of the United States, as the proprietor of the land along the line, and it was expected that the expenses incurred by us would be refunded. I, therefore, selected as Surveyor B. F. Whitner, Jr., the same gentleman who had been appointed by the Government to survey the line between Florida and Alabama, and contracted with him that his net per diem should equal that made while engaged in that service. This enabled me to settle with him without difficulty, under the authority conferred upon me by An Act entitled "An Act to provide for the expenses of Florida in the settlement of boundary with the State of Georgia."

In regard to the Commissioner, Col. B. F. Whitner, I have not been so fortunate. He rendered valuable services, not only in actual examination and exploration, under circumstances of temperature, &c., which endangered health and life, but collected, at great inconvenience, a mass of testimony of rare value. His investigations were of the most laborious character. His report was one of signal ability, and I have reason to know is considered by the counsel in the case a valuable and important document. He was my own appointee, and without a contract, and I have, therefore, felt a delicacy in fixing a price upon his services. The State of Georgia paid her Commissioner, for the same service, two thousand dollars, and the United States paid their Commissioner, T. M. Randolph, for a far less perfect investigation, and at a much more favorable season of the year, over nineteen hundred dollars.

With these facts before me, I advanced to Col. Whitner fifteen hundred dollars on account of his services, and beg leave to refer the settlement of the matter back to the General Assembly, and respectfully recommend such a provision as may be deemed just to Col. Whitner and honorable to the State.

Your fellow-citizen,

JAMES E. BROOME.

On motion, said message was referred to the Committee on Claims and Accounts.

On motion of Mr. Long,

The rule was waived.

And, on motion,

Mr. Kilcrease was excused from attendance on the Senate until Wednesday next.

ORDERS OF THE DAY.

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 improvement in the State," approved January 6th, 1855, was read the first time, and,

On motion, 75 copies ordered to be printed.

A bill to be entitled An Act to amend An Act entitled An Act in relation to pilotage at the port of Key West.

On motion, the rule was waived, and said bill read a first and second time by its title and ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled An Act to make uniform the rate of interest in this State,

Was read the first time, and,

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

A bill to be entitled An Act declaratory of the law in relation to replevy of property levied upon by execution was read the first time, and, on motion, the rule waived and read a second time by its title, and order to be engrossed for a third reading on to-morrow.

A bill to be entitled An Act allowing judgments by motion against Sheriffs for certain delinquencies, was read the first time, and, on motion the rule was waived, read a second time by its title, and ordered to be engrossed for a third reading on to-morrow.

House bill to be entitled An Act in relation to assaults with intent to commit Rape, and for other purposes, was read the first time, the rule waived, read a second time by its title and, on motion, indefinitely postponed.

An Act defining the duties of Sheriffs and other officers collecting monies under execution or other process, and An Act to establish Sale Days monthly and for other purposes, were on motion laid upon the table.

On motion the rule was waived and a bill to be entitled 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 encourage a liberal system of Internal Improvement in this State" approved January 6th, 1855, was referred to the committee on Internal Improvements,

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

TUESDAY, December 4th, 1855.

The Senate met pursuant to adjournment.

A quorum being present,

The Rev. Mr. Turner officiated as Chaplain.

The journal of yesterday was read, corrected and adopted.

Mr. Brinson gave notice that he would, on to-morrow, introduce a bill to change the name of Brinson Ellis to Brinson Rowe.

Mr. Nicholson gave notice that, at some future day, he will introduce a bill entitled An Act to authorize County Commissioners to extend charters to ferries and bridges in the several counties in this State.

Mr. Duncan gave notice that he will, on some future day, ask leave to introduce a bill to be entitled An Act to change the name of Frances Amanda Vienna Oglesby to that of Frances Amanda Vienna Wheeler, and for other purposes.

Mr. Brinson gave notice that he will, on to-morrow, introduce a bill to authorize William A. Moseley to establish a ferry across Suwannee river.

Pursuant to previous notice, Mr. Hawes introduced a bill to be entitled An Act authorizing Kirkland R. Duke to establish a ferry across the St. Johns river at Fort Gates,

Which was placed among the orders of the day.

On motion of Mr. Smith, the bill to be entitled An Act relative to the claims of David P. Hogue, for services rendered the State, was taken from the table and placed among the orders of the day for today.

Mr. Hawes, from the Committee on Elections, made the following

REPORT:

The Committee on Elections, to whom was referred a bill in relation to certain election precincts in the county of Putnam, have instructed their Chairman to make the following report, viz :

That the bill under consideration, being in substance an amendment to An Act, approved December 14th, 1852, entitled "An Act to establish election precincts in the county of Putnam," your Committee respectfully recommend that the title to said bill be An Act amendatory to An Act entitled An Act to establish election precincts in the county of Putnam; that the word third in the first line of the first section be stricken out; and that, with these amendments, they respectfully recommend the passage of the bill.

G. E. HAWES,
Chairman.