

Was read the second time, and made the special order of the day for Wednesday next.

Mr. Lamar offered a resolution providing for copying the laws of this session of the General Assembly.

On motion, the rule was waived, the resolution read the second and third time by its title, and put upon its passage, upon which the vote was :

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Filor, Fisher, Hopkins, Hawes, Keitt, Lamar, Tracy and Welch—15.

Nays—None.

So the resolution passed—title as stated.

Ordered that the same be certified to the House of Representatives

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

3 O'CLOCK, P. M.

The Senate resumed its session.

A quorum present.

On motion, a call of the House was ordered, when the following gentlemen answered to their names :

Mr. President, Messrs. Brooks, Brinson, Duncan, Eppes, Eubanks, Filor, Fisher, Hopkins, Hawes, Keitt, Lamar and Welch.

On motion, the Senate adjourned until to-morrow morning, half-past nine o'clock.

TUESDAY, December 23, 1856.

The Senate met pursuant to adjournment.

A quorum present.

The reading of the Journal of yesterday's proceedings was dispensed with.

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 increasing the salary of the Governor's Private Secretary ;

A bill to be entitled an Act authorizing the business of Banking ;

A resolution relative to Captains Jernigan and Devall's accounts ;

A bill to be entitled an Act granting to the Alabama and Florida Railroad Company alternate sections of swamp and overflowed lands ;

House bill to be entitled an Act to repeal and annul the fourth

section of an Act entitled an Act authorizing a Road tax in Hernando county, approved December 14th, 1855 ;

House bill to be entitled an Act to authorize the sale of certain lands lying upon the Georgia line ;

House bill to be entitled an Act, empowering the Register to sell to Nathaniel Fowler a quarter section of land ;

House bill to be entitled an Act to authorize Elizabeth Bathlow to sell the real estate of the late Ephraim Guann, deceased, in Marion county ;

House bill to be entitled an Act to provide for the payment of the debts of the State ;

House resolution asking Congress to establish a Mail route ;

Resolution providing for copying the laws of this General Assembly ;

A bill to be entitled an Act for the better government of slaves in Monroe county.

The following bills which had passed both Houses and duly enrolled and signed by the presiding officers of the General Assembly, were transmitted to his Excellency the Governor for approval, viz :

A bill to be entitled an Act for the relief of Alexander Purviance, Absalom S. Smith, Ira S. Rouse and W. W. Burke ;

A bill to be entitled an Act to amend an Act entitled an Act to authorize Judges of Probate of the several counties in this State to appoint guardians for free negroes ;

A bill to be entitled an Act to prevent trading with free persons of color in this State ;

A bill to be entitled an Act to authorize Harrison Fairbanks to establish a ferry across the Ocklockonee river ;

A bill to be entitled an Act to change the name of Joshua Jesse Stafford to Joshua Jesse Sanford.

Mr. President presented the Petition of sundry citizens of Alachua county, on the subject of the location of the State Institution for the promotion of education at Micanopy ;

Which was read, and referred to the Committee on Schools and Colleges.

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

The Judiciary Committee to whom was referred a bill to be entitled an Act to amend the several Acts in relation to suits by attachment in the Circuit Courts, and before Justices of the Peace, in this State, beg leave to

REPORT:

That in their opinion the bill is very objectionable, and should not pass. The main feature of said bill is to allow attachment writs

against parties merely removing from one county to another in the State, and your Committee think such action would virtually contravene the policy, object and aim of the attachment laws of our State. The object of such laws is for the security of residents against non-residents, when property is being removed out of the jurisdiction of the State; or as against residents, when property is being fraudulently removed or secreted so as to avoid the payment of just debts. Whereas the bill referred, seeks to grant a like summary remedy against parties when removing from one county into another.

In the opinion of your Committee, such a provision is unnecessary; for as the property sought to be attached would still be under, and subject to the jurisdiction of our State Courts, no reason exists for any such extraordinary process. On the contrary, its action would result oppressively in many cases, by conferring the power upon litigious persons to harrass honest and bona fide residents of the State who might desire to remove from one point to another in its limits, and who, by such removal contravened no law, nor were guilty of any act showing a disposition to avoid the payment of their debts.—Your committee, therefore, recommend that said bill do not pass.

T. J. EPPES,

Chairman Judiciary Committee.

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

Also the following :

The Judiciary Committee to whom was referred a bill to be entitled an Act to provide for the maintenance, care and custody of lunatics or insane persons in this State, have had the same under consideration and instruct the undersigned to

REPORT :

That they approve the object of said bill, and recommend its passage. In the opinion of your committee, it is the true policy, and but an act of simple justice, for every State to make provision for the insane within her limits. Such legislation is based upon the true principles of government, and derived from its inherent powers; those principles being obedience from the subject, and protection from established authority. The bill referred, is the initiation of a system established in other States, and commends itself with peculiar potency from its spirit of equity and justice in seeking to provide for an unfortunate class of individuals; and actuated by the hope that such provision will eventually result in the permanent establishment of such a policy and regulation of the State, your committee would recommend the passage of said bill.

T. J. EPPES,

Chairman Judiciary Committee.

Which was read and the bill placed among the orders of the day. Also the following :

The Judiciary Committee to whom was referred a bill to be entitled an Act concerning limitation of actions, having duly considered the same, instruct the undersigned to report said bill back to the Senate and recommend its passage.

T. J. EPPES,

Chairman Judiciary Committee.

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

The Committee on Claims and Accounts, made the following report :

The Committee on Claims and Accounts, to whom was referred the bill for the relief of James N. Hendry, Sheriff of Hamilton county, beg leave to

REPORT :

That they have examined the same, and recommend the passage of the bill.

JNO. R. BROOKS,

Chairman Committee on Claims and Accounts.

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 for the relief of Nassau County;

A bill to amend an Act to organize the Supreme Court of the State of Florida.

Respectfully submitted.

T. B. LAMAR,

Chairman of Committee on Engrossed Bills.

ORDERS OF THE DAY.

House bill to be entitled an Act to amend the several Acts in relation to suits by attachment in the Circuit Courts, and before Justices of the Peace in this State;

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

Yeas—Mr. President, Messrs Brooks, Brinson, Duncan, Eubanks, Keitt, Tracy and Welch—8.

Nays—Messrs. Eppes, Fisher, Hawes, Lamar and McBride—5.
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 the Committee on Internal Improvement made the following report :

The Committee to whom was referred a bill to be entitled an Act granting to the city of Pensacola certain lands therein mentioned, beg leave to

REPORT :

That they have examined the same, and recommend that it do pass.

Respectfully submitted,
THOMPSON B. LAMAR,
 Ch'n Com. on Internal Improvements.

The rule being waived, Mr. McBride made the following report :
 The Committee on Petitions and Grievances to whom was referred the petition of M. H. Winburn, asking to be refunded the amount of his taxes, paid Tax Collector for 1855,

REPORT :

That they have had the same under consideration, and from the circumstances therein set forth, are of the opinion that his case was misunderstood and his taxes improperly assessed, by which he was compelled to pay an excess of one hundred and nine dollars and seventy five cents over his legal taxes. They therefore recommend the passage of the following bill :

Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Comptroller be authorized to audit and the Treasurer to pay the amount of one hundred and nine dollars and seventy five cents in favor of M. H. Winburn.

Respectfully submitted.

J. M. McBRIDE,
 Chairman.

Which was read and the bill placed among the orders of the day.
 House bill to be entitled an Act granting to the city of Pensacola certain lands therein mentioned ;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Fisher, Hawes, Keitt, Lamar, McBride, Tracy and Welch—14.

Nays—None.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.
 A bill to be entitled an Act concerning limitations of actions ;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Filor, Hawes, Keitt, Lamar, McBride, Tracy and Welch—14.

Nays—None.

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. Eppes allowed to make the following report :

The Judiciary Committee to whom was referred a bill to be entitled an Act to declare the mode and manner in which stock in any incorporate institution in this State shall be subject to execution and attachment, have instructed the undersigned to

REPORT :

That they see no reason for the passage of said bill, and believe its operation would result oppressively and injuriously upon the rights, privileges and property of the different incorporated companies of the State. Besides this, the subject matter of said bill is amply provided by law, and redress given and remedies secured by recourse in Chancery. For these reasons your Committee recommend that said bill do not pass.

Respectfully submitted,

T. J. EPPES,

Chairman Judiciary Committee.

Which was received and the bill placed among the orders of the day.

A bill to be entitled an Act for the relief of James N. Hendry ;

Came up on its second reading, on motion the rule was waived, and was read the third time by its title, and put upon its passage, upon which the vote was :

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Filor, Fisher, Hawes, Keitt, Lamar, McBride, Tracy and Welch—15.

Nays—None.

So the bill passed—title as stated.

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

On motion the rule was waived, and

The following report was received from the Committee on Judiciary :

The Judiciary Committee to whom was referred an Act to prevent unnecessary costs in suits at law, in this State, after consideration,

REPORT :

That the features of said bill commend themselves favorably to

your Committee. If its object can be accomplished, in lessening the expenses of suits in Courts, your Committee think a most desirable end would be attained. In their opinion, however, the bill should be amended to enable it to secure its object. With this view they would suggest the following amendments, viz: In the ninth line of section one, after the word "consolidation," insert "in cases where consolidation is practicable, and in accordance with the principles of law, and subject always to the discretion of the Court."

With this amendment, your Committee would recommend the passage of said bill.

Respectfully submitted,

T. J. EPPES,

Chairman Judiciary Committee.

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

House bill to be entitled an Act to provide for the maintenance, care and custody of lunatics, or insane persons, in this State;

Was read a second time, the rule waived, read the third time and put upon its passage, upon which the vote was:

Yeas—Messrs. Brooks, Bird, Eppes, Eubanks, Filor, Hawes, Keitt, Lamar, Tracy and Welch—10.

Nays—Mr. President, Messrs. Brinson, Duncan, Fisher and Mc. Bride—5.

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 Samuel A. Pearce to establish a ferry on Yellow river;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Filor, Fisher, Hawes, Keitt, Lamar, McBride, Tracy and Welch—14.

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 secure the better working of the roads;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Eppes, Fish-Hawes, Keitt, McBride, Tracy and Welch—11.

Nays—Messrs. Duncan, Eubanks and Lamar—3.

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 prevent unnecessary cost in suits at law in this State;

Was read a second time.

Mr. Eppes offered the following amendment to section one: In the ninth line, after the word "consideration," insert "in cases where consolidation is practicable, and in accordance with the principles of law, and subject always to the discretion of the Court;"

Which was adopted, and the bill ordered for to-morrow.

A bill to be entitled an Act to declare the mode and manner in which stock in any incorporated institution in this State be subjected to execution and attachment;

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

Yeas—Messrs. Brooks and Duncan.

Nays—Messrs. Bird, Brinson, Eppes, Eubanks, Filor, Fisher, Hawes, Keitt, Lamar, Tracy and Welch—11.

So the bill was lost.

House bill to be entitled an Act to repeal the fifth section of an Act entitled an Act to organize the County of Sumpter, approved January 8, 1856;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Filor, Hawes, Keitt, Tracy and Welch—12.

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 require the Register of State lands to have all the School Lands of Columbia, Marion, Levy, Hamilton, Hillsborough, Santa Rosa, Escambia, St. Johns, Alachua, Madison and Orange counties that have not been offered, appraised and offered;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Erinson, Duncan, Filor, Hawes, Keitt, Lamar, Tracy and Welch—11.

Nays—None.

So said bill passed—title as stated.

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

House resolution asking Congress to establish a mail route from Mellonville to Bay Port;

Came up on its third reading, and was put upon its passage, upon which the vote was:

Yeas—Messrs. Brooks, Bird, Brinson, Duncan, Eubanks, Filor, Hawes, Keitt, Tracy and Welch—10.

Nay—Mr. President—1.

So the Resolution passed.

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

House bill to be entitled an Act to authorize County Commissioners to extend charters to bridges and ferries;

Was read the second time, the rule waived, read a third time by its title, and put upon its passage, upon which the vote was:

Yeas—Messrs. Brooks, Bird, Duncan, Eubanks, Filor, Fisher, Hawes, McBride, Tracy and Welch—10.

Nays—Mr. President, Messrs. Brinson, Eppes, Keitt and Lamar—5.

So said bill passed—title as stated.

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

The following Message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
December 23, 1856. }

Hon. President of the Senate:

Sir—The House has passed the following bills, viz:

A bill to be entitled an Act relative to associations organized to construct lines of Telegraph;

A bill to be entitled an Act to amend the laws now in force relative to Common Schools;

A bill to be entitled an Act for the relief of Haley T. Blocker, Sheriff of Leon County;

A bill to be entitled an Act to define specially, the duties of the Board of County Commissioners of Monroe County;

A bill to be entitled an Act to secure the better execution of the patrol law;

A bill to be entitled an Act to provide for the location of the County Site of Orange County;

Senate bill to be entitled an Act to change the names of certain person therein named; and

Senate bill to be entitled an Act further to define the duties of the Board of Trustees of the Internal Improvement Fund.

The House has passed Senate bill to be entitled an Act to prevent slaves from hiring their own time, and for other purposes, with the following amendments, to-wit: strike out the words "or to hire himself or herself out" in the 7th and 8th lines, and the words "or hire

himself or herself out" in the 11th and 12th lines, in which amendments the concurrence of the Senate is respectfully requested.

Very Respectfully,

HUGH A. CORLEY,

Clerk of the House of Representatives.

Which was read.

On motion, the House amendment was concurred in, and the Senate bills which had passed the House were ordered to be engrossed.

Engrossed bill to be entitled an Act for the benefit of Nassau County;

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

Yeas—Mr. President, Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Filor Fisher, Hawes, Keitt, McBride, Tracy and Welch—13.

Nays—None.

So the bill passed—title as stated.

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

On motion, the rule was waived, and Mr. McBride allowed to introduce, without previous notice, a bill to be entitled an Act to regulate the rates of pilotage at the Port of St. Marks;

Which was read the first time, rule waived, read a second and third times by its title, and put upon its passage, upon which the vote was:

Yeas—Messrs. Duncan, Fisher, Hawes, McBride, Tracy and Welch—6.

Nays—Messrs. Brooks, Bird, Brinson, Filor and Keitt—5.

So said bill passed—title as stated.

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

A bill to be entitled an Act to amend an Act to organize the Supreme Court of the State of Florida;

Came up on its third reading, and put upon its passage, upon which the vote was:

Yeas—Messrs. Brooks, Bird, Eubanks, Filor, Hawes, Keitt and Welch—7.

Nays—Messrs. Duncan, Fisher, McBride and Tracy—4.

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 define specifically the duties of the Board of Commissioners of Monroe county;

Was read the first time and ordered for to-morrow.

House bill to be entitled an Act to secure the better execution of the patrol laws;

Was read a first time, the rule waived and read a second time and ordered for to-morrow.

House bill to be entitled an Act to amend the laws now in force relative to Common Schools ;

Was read the first time, the rule waived, read the second time, and referred to the Committee on Schools and Colleges.

House bill to be entitled an Act to provide for the location of the county site of Orange county ;

Was read the first time, the rule waived, read the second and third times by its title, and put upon its passage, upon which the vote was :

Yeas—Messrs. Brooks, Bird, Brinson, Duncan, Eppes, Eubanks, Fisher, Keitt, McBride, Tracy and Welch—11.

Nay—Mr. Hawes—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 relative to associations organized to construct lines of telegraph ;

Was read the first time, the rule waived, read a second time, and referred to the Committee on Corporations.

House bill to be entitled an Act to protect actual settlers and cultivators on State lands, in this State ;

Was read the first time, the rule waived, read the second time, and ordered for to-morrow.

House bill to be entitled an Act for the relief of Haley T. Blocker, Sheriff of Leon county ;

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

Mr. Brooks moved that the Senate do adjourn until to-morrow, 10 o'clock, A. M.

Upon the question of adjournment the yeas and nays were called for by Messrs. Dell and Eppes, and were :

Yeas—Messrs. Brooks, Bird, Eubanks, Filer, Fisher, Hawes, Keitt, Lamar, McBride, Tracy and Welch—11.

Nays—Mr. President, Messrs. Brinson, Duncan and Eppes—4.

So the motion prevailed, and the Senate adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, December 24, 1856.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Mr. Turner officiated as Chaplain.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

The following bills and resolution which had passed the Senate, have been transmitted to the House of Representatives, viz :

House bill to be entitled an Act to provide for the location of the county site of Orange county ;

A bill to be entitled an Act to amend an Act to organize the Supreme Court of the State of Florida ;

A bill to be entitled an Act to regulate the rates of pilotage at the port of St. Marks ;

A bill to be entitled an Act for the benefit of Nassau county ;

House bill to be entitled an Act to amend an Act to authorize County Commissioners to extend charters to bridges and ferries ;

House resolution asking Congress to establish a mail route from Mellonville to Bayport ;

House bill to be entitled an Act to require the Register of State Lands to have all the School Lands in Columbia, Marion, Levy, Hamilton, Hillsborough, Santa Rosa, Escambia, St. Johns, Alachua, Madison and Orange counties, that have not been offered for sale, appraised and offered ;

House bill to be entitled an Act to repeal the fifth section of an Act entitled an Act to organize the county of Sumter, approved January 8th, 1853 ;

House bill to be entitled an Act to secure the better working of roads ;

House bill to be entitled an Act to authorize Samuel A. Pearce to establish a ferry on Yellow river ; with the following amendment :

House bill to be entitled an Act to provide for the maintenance, care and custody of lunatics or insane persons in this State ;

A bill to be entitled an Act for the relief of James N. Hendry, Sheriff of Hamilton county ;

A bill to be entitled an Act concerning limitations of actions ;

House bill to be entitled an Act granting to the city of Pensacola certain lands therein mentioned ;

House bill to be entitled an Act to amend the several Acts in relation to suits by attachment in the Circuit Courts and before Justices of the Peace in this State.

The following message was received from his Excellency the Governor :

EXECUTIVE CHAMBER, }
Tallahassee, December 22, 1856. }

Hon. PHILIP DELL,

President of the Senate :

Sir—I have been engaged during the past year in a correspondence with his Excellency, the Governor of Georgia, on the subject of the boundary line between the respective States, and have until within a few days, entertained the hope that I should be able during your present session, to communicate to the General Assembly, the