

ses specified, and such funds should not be misapplied or diverted from the objects to which they have already been appropriated.

Upon the question of the adoption of the substitute, the yeas and nays were called for by Messrs. Baker and Walker ;

The vote was :

Yeas—Mr. President, Messrs. Baker, Eubanks, Fisher, Hawes, Keitt, McElvy, McQueen, Nicholson, Walker and Welch—11.

Nays—Messrs. Call, Dell, Eppes and Lamar—4.

So the substitute was adopted.

Mr. McElvy moved to strike out the 3d section ;

Upon which motion the yeas and nays were called for by Messrs. Call and Walker ;

The vote was :

Yeas—Mr. President, Messrs. Baker, Eubanks, Fisher, Keitt, McElvy, McQueen, Nicholson, Walker and Welch—10.

Nays—Messrs. Call, Dell, Eppes, Hawes and Lamar—6.

So the motion was adopted.

The resolution as amended, was read a third time and put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Call, Dell, Eppes, Eubanks, Hawes, Keitt, Lamar, McElvy, McQueen, Nicholson and Walker—12.

Nays—Messrs. Baker, Fisher and Welch—3.

So the resolution passed—title as stated.

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

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

—o—
FRIDAY, January 7, 1859.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

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

The rules were waived, and Mr. McQueen allowed to introduce without previous notice,

A bill to be entitled an Act to authorize John McClamma to establish a Ferry across the Suwanee river at Troy ;

Which was placed among the orders of the day.

On motion of Mr. Dell, the Senator from Hernando was excused from attendance on the Senate, after Tuesday next.

Mr. Hawes made the following report :

The Committee on Taxation and Revenue to whom was referred a resolution requiring the Trustees to reimburse the State Treasury certain moneys, have had the same under consideration, and ask leave to

REPORT :

That as this resolution is simply a declaration of opinion on the part of the Legislature as to the justness of the claim therein presented, the Committee recommend the passage of the same.

G. E. HAWES, Chairman.

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

Mr. Baker made the following report :

The Special Committee to whom was referred the petition of the citizens of Sumter county, respectfully

REPORT :

1st. That as there seems still to be a conflict between the citizens of said county, as to the location of the Court House and county site of said county, and as there appears to be three parties, severally in favor of Adamsville, the Centre of the County, and Sumterville ; therefore, your Committee deem it best to refer the matter back to the people, to be decided by them by their suffrages.

2d. That as the place of holding Courts since the organization of the county, has been at or near Adamsville, and as there is at no other place in the county a Court-House completed ; therefore, your committee are of opinion, until the Court-House and county site is definitely located, the Courts of said county should be held at the same place as heretofore, until changed by law and vote of the people, and at the same times.

3d. Your Committee, therefore, recommend the passage of the bill now before the Senate as to the subject matter of said petition.

All of which is respectfully submitted,

J. McROBERT BAKER,
Chairman Special Committee.

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

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES,
January 6, 1859.

HON. JOHN FINLAYSON,
President of the Senate:

SIR: The House of Representative have passed the following bill and resolution:

A bill to be entitled an Act to incorporate the city of Atseena Otie;

Resolution asking Congress for an appropriation for the erection of a Custom House and Marine Hospital at Jacksonville.

Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

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

ORDERS OF THE DAY.

A bill to be entitled an Act to repeal an Act entitled an Act to repeal the 5th section of an Act to organize the county of Sumter, approved January 8, 1853, approved 27th December, 1856.

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

A bill to be entitled an Act to repeal the 3d section of the 6th article of the Constitution of the State of Florida;

Was read a second time, and on a motion to have it engrossed for a third reading on to-morrow, the yeas and nays were called for by Messrs. Baker and McElvy;

Upon which the vote was:

Yeas—Messrs. Call, Dell, Eppes, Fisher, Hawes, Jones, Keitt, Lamar, McQueen and Nicholson—10.

Nays—Mr. President, Messrs. Baker, Eubanks, McElvy, Walker and Welch—6.

So the motion to engross was carried.

A bill to be entitled an Act to incorporate the New Port and Gulf Railroad Company;

Was read a third time;

Mr. Lamar offered the following amendment, add the following additional section:

SEC. 18. *Be it further enacted*, That nothing in this Act shall be so construed as to prejudice any rights which the Tallahassee Railroad Company derive from their charter or from the "Act to provide for and encourage a liberal system of Internal Improvements in this State," approved January 6, 1855; nor shall this Road hereby chartered, be so construed as to prejudice any legal or constitutional rights of the Road hereby chartered.

Mr. Baker offered the following amendment to the amendment offered by Mr. Lamar:

Strike out the words "road hereby chartered," and insert the words "section of this bill;"

Which was accepted.

The bill as amended, was then put upon its passage, upon which the vote was:

Yeas—Mr President, Messrs. Baker, Call, Dell, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Walker and Welch—15.

Nays—none.

So the bill passed—title as stated.

Ordered that the same be engrossed as amended, and its passage certified to the House of Representatives.

The following bills were read a second time and ordered to be engrossed for a third reading on to-morrow, viz:

A bill to be entitled an Act to amend the attachment laws in this State;

A bill to be entitled an Act to amend the eighth section of the sixth article of the Constitution of the State of Florida;

A bill to be entitled an Act to amend an Act regulating the sale of real estate by executors and administrators.

On motion of Mr. Dell, a committee of three was appointed, consisting of Messrs. Dell, Call and McQueen, to request of the House the use of all papers in its possession concerning the division of the county of Alachua.

The following bills were read the first time, and ordered for a second reading on to-morrow:

House bill to be entitled an Act to divide the county of Alachua and organize a new county to be called Butler county;

House bill to be entitled an Act to incorporate the City of Atseena Otie;

House bill to be entitled an Act to change the names of Lemuel Shaw, George Shaw, Thomas G. Shaw, Uriah Shaw, Francis W. Shaw, Rebecca Shaw, and Wm. J. Shaw;

House bill to be entitled an Act in relation to quarantine for the Town of Jacksonville;

House bill to be entitled an Act to fix and define the boundary line between Duval and Nassau counties;

House bill to be entitled an Act to authorize Samuel H. Chisolm to assume the management of his own estate;

House Resolution asking Congress for a grant of land;

House Resolution asking aid to improve the navigation of the Choctawhatchie river;

House Resolution asking Congress an appropriation for the erec-

tion of a Custom-House and Marine Hospital at Jacksonville ; and

A bill to be entitled an Act concerning Sheriffs and Coroners.

The following bills were read a second time, and ordered to be read a third time on to-morrow :

House bill to be entitled an Act to amend an Act to incorporate the Town of Jacksonville ;

House resolution relative to draining Main Savanna, in Brevard county ;

House resolution requiring the Trustees to reimburse the State Treasury certain moneys ;

A bill allowing two Judges of the Supreme Court to hold a court in the absence of the third Judge ;

Mr. McElvy moved its indefinite postponement ;

Which motion was lost.

It was then read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Hawes presented a letter with accompanying documents from Dr. A. S. Baldwin, relative to the Senatorial election of the sixteenth Senatorial District ;

Which was read.

Mr. Call moved that A. S. Baldwin be sworn in as Senator from the sixteenth Senatorial District ;

Which motion was adopted, and he was accordingly sworn in by T. J. Eppes, Notary Public.

The rules were waived, and Standing Committies allowed to make reports :

Mr. Keitt made the following report :

The Select Committee to whom was referred a bill to be entitled an Act to amend an Act entitled an Act relative to associations organized to construct lines of telegraph, approved Dec. 27th, 1856, have had the same under consideration, and finding the bill objectionable, herewith report a substitute and recommend its passage.

W. J. KEITT,

Chairman Select Committee.

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

Mr. McElvy made the following report :

The Committee on Enrolled bills report as correctly enrolled the following bill and resolutions :

A bill to declare O'Neal Spring, in Washington county, navigable ;

Resolution relative to the improvement of the Suwanee river ;

Resolution relative to the boundary line between the States of Florida and Georgia.

Respectfully submitted,

L. G. McELVY,
Chairman.

Resolution relative to the further introduction of bills ;

Was laid upon the table until the 11th January.

A bill to be entitled an Act to amend an Act, approved January 1, 1857, entitled an Act to locate the Seminary of Learning to be established west of the Suwanee ;

Was read a second time, and laid upon the table.

House bill to be entitled an Act to amend the charter of the city of Tampa ;

Was placed back upon its second reading, and referred to the Committee on Corporations.

An Act granting to the Alabama and Florida Railroad Company alternate sections of the swamp and overflowed lands ;

Was read a second time ;

Mr. Lamar moved to adopt the amendments recommended by the Internal Improvement Committee ;

Upon which motion the yeas and nays were called for by Messrs. Eppes and Baker ;

The vote was :

Yeas—Mr. President, Messrs. Call, Eubanks, Hawes, Jones, Keitt, Lamar and McQueen—8.

Nays—Messrs. Baker, Eppes, Fisher, McElvy, Nicholson, Walker and Welch—7.

So the amendment was adopted.

Ordered that the bill be engrossed as amended for a third reading on to-morrow.

An Act providing for the appointment of Port Wardens at Fernandina and Cedar Key ;

Was read the first time, rules waived, read a second time by its title, and ordered to be engrossed for a third reading on to-morrow.

The rules were waived, and motions allowed to be in order.

Mr. Keitt moved, that Mr. Baldwin, the Senator from the 16th Senatorial District be substituted upon all the standing committees of the Senate in the place of Mr. Broward, where his name appears on said committees ;

Which was adopted.

A bill to be entitled an Act to amend an Act relative to associations to construct lines of Telegraph, approved December 27, 1856 ;

Was read a second time, and 80 copies of the same ordered to be printed for the use of the Senate.

The rules were waived, and Mr. Dell allowed to introduce without previous notice,

An Act for the relief of William Crawford, a Lunatic, confined in the Lunatic Asylum of South Carolina ;

Was read the first time, rules waived, read a second time, and ordered to be engrossed for a third reading on to-morrow.

The rules were waived, and the following message from the House of Representatives read :

HOUSE OF REPRESENTATIVES, }
January 7, 1859. }

HON. JOHN FINLAYSON,
President of the Senate :

SIR : In obedience to an order of the House of Representatives, I transmit the enclosed petitions and memorials in relation to the formation of a new County out of Alachua.

Very Respectfully,
R. B. HILTON,
Clerk House Representatives.

House bill to be entitled an Act to authorize John J. McMillan to establish two ferries across the Suwanee river, and one across the Santa Fee River, at the place where said river enters the Suwanee ;
Was read a third time and put upon its passage, upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Call, Dell, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—16.

Nays—none.

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 confer upon the Justices of the Supreme Court of the State of Florida, authority to issue writs of *habeas corpus*, &c ;

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

Yeas—Mr. President, Messrs. Baker, Call, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—15.

Nays—none.

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 to authorize John McClamma to establish a Ferry across the Suwanee river, at Troy ;

On motion of Mr. Dell, the rules were waived, and the bill read first, second and third times by its title, and put upon its passage, upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Call, Dell, Eppes, Eubanks, Fisher, Hawes, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—15.

Nays—none.

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 those Counties which have subscribed for, or may hereafter subscribe for stock in the several Railroads in this State ;

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

Yeas—Mr. President, Messrs. Baker, Call, Dell, Eppes, Fisher, Jones, Keitt, Nicholson and Walker—10.

Nays—Messrs. Eubanks, Hawes, Lamar, McElvy McQueen and Welch—6.

So said bill passed—title as stated.

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

House bill to entitled an Act to authorize the Governor to appoint officers, in certain cases ;

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

Yeas—none.

Nays—Mr. President, Messrs. Baker Call, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—15.

So the bill was lost.

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

House bill to be entitled an Act amendatory of the Act of 1845, concerning roads and highways ;

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

Yeas—Mr. President, Messrs. Baker, Call, Fisher, Hawes and Jones—6.

Nays—Messrs. Dell, Eppes, Eubanks, Keitt, Lamar McElvy, McQueen, Nicholson, Walker and Welch—10.

So the bill was lost.

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

House bill to be entitled an Act to allow Solicitors' fees in certain cases ;

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

Yeas—Mr. President, Messrs. Call, Hawes, McElvy and Welch—5.

Nays—Messrs. Dell, Eppes, Eubanks, Fisher, Jones, Keitt, Lamar, McQueen, Nicholson and Walker—10.

So the bill was lost.

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

Mr. Baker moved that the rules be waived to allow him to make a motion ;

Which was adopted.

Mr. Baker moved that eighty copies of the bill as to the Court House and county site of Sumter county be printed ;

Which motion was carried.

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

—o—
SATURDAY, January 8, 1859.

Senate met pursuant to adjournment.

A quorum present.

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

The rules were waived, and the following bill and resolution introduced without previous notice :

By Mr. Baldwin :

A bill to be entitled an Act for the relief of the heirs of Elizabeth Dean, late of Duval County ;

By Mr. Welch :

Joint resolution declaring Shoal river in Walton County, a navigable stream ;

Which bill and resolution were placed among the orders of the day.

Mr. McElvy made the following report :

The Committee on Enrolled Bills, beg leave to report as correctly enrolled

A bill to amend an Act to incorporate the city of Apalachicola, approved February 2, 1838, and for other purposes.

Respectfully submitted,

L. G. McELVY,
Chairman.

Mr Hawes made the following report :

The Committee on Taxation and Revenue to whom was referred a bill to be entitled an Act for the relief of Calvin Nobles, of Levy County, ask leave to

REPORT:

That from representations made to the Committee, it appears that

the case of the said Calvin Nobles is one which appeals to the humanity of the Legislature, and is exactly parallel to one already favorably considered ; the Committee therefore recommend the passage of the bill.

G. E. HAWES, Chairman.

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

Mr. Nicholson made the following report :

The Committee on Engrossed Bills, beg leave to report the following bills as being properly engrossed, viz :

A bill to be entitled an Act to amend the 8th section of the 6th article of the Constitution of the State of Florida ;

A bill to be entitled an Act to amend the attachment laws of this State ;

A bill to be entitled an Act to repeal the third section of the sixth article of the Constitution of the State of Florida ;

An Act granting to the Alabama and Florida Railroad Company alternate sections of the swamp and overflowed lands ;

An Act for the relief of William Crawford, a lunatic, confined in the Lunatic Asylum of South Carolina ;

A bill to be entitled an Act allowing two Judges of the Supreme Court, to hold a court in the absence of the third Judge ;

A bill to be entitled an Act to amend an Act regulating the sale of real estate by executors and administrators ;

An Act providing for the appointment Port Wardens at Fernandina and Cedar Keys.

Respectfully submitted,

A. W. NICHOLSON,

Acting Chairman Committee on Engrossed Bills.

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

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 7th, 1859. }

HON JOHN FINLAYSON,

President of the Senate :

SIR: The House of Representatives have passed the following bill, viz :

A bill to be entitled an Act for the relief of Thomas C. Ellis ;

A bill to be entitled an Act to authorize John H. Bryan to establish a ferry across the Suwanee river ;

A bill to be entitled an Act to authorize Walter Lloyd Bond, a minor, to assume the management of his own estate ;

Senate resolution relative to the drainage of the swamp and overflowed lands on the Ocklawaha river ;