

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.

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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;

And have rejected Senate bill to be entitled an Act to authorize the several Judges of the Circuit Courts of the State to hold extra terms, whenever in their opinion the public interest may require the same.

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

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

ORDERS OF THE DAY.

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

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

House bill to be entitled an Act for the relief of Calvin Nobles, of Levy County;

Was read a second time;

Mr. Dell offered the following amendments:

Strike out the words "and such other Counties of East Florida as are adjoining the same." Also in the preamble, strike out the word "several" and insert in lieu thereof the word "Levy."

Which amendments were adopted.

The bill as amended was then read a third time, and put upon its passage, upon which the vote was:

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eppes, Eubanks, Hawes, Jones, Keitt, McElvy, McQueen, Nicholson, Waler Welch—15.—

Nay—Mr. Fisher—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 to amend the attachment laws in this State;

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

Yeas—Messrs. Baldwin, Call, Dell, Hawes, Jones, McQueen, Nicholson and Walker—8.

Nays—Mr. President, Messrs. Baker, Eppes, Eubanks, Fisher, Keitt, Lamar, McElvy and Welch—9.

So the bill was lost.

A bill to be entitled an Act for the relief of Wm. Crawford, a lunatic, confined in the lunatic assylum of South Carolina;

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

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

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 to amend an Act regulating the sale of real estate by executors and administrators;

Was read a third time and put upon its passage;

Upon which the vote was:

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, 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 providing for the appointment of Port Wardens at Fernandina and Cedar Key;

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

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

Nays—none.

So said bill passed—title as stated.

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

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

On motion of Mr. Dell, the Senators from Gadsden and Wakulla were excused from attendance on the Senate until Thursday next.

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

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eppes, Eubanks, Hawes, Jones, Keitt, McQueen, Nicholson, Walker and Welch—14.

Nay—Mr. Fisher—1.

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 repeal the third section of the sixth article of the Constitution of the State of Florida ;

Was read a third time.

Mr. Baker offered the following amendment : insert after the words "after the third section of the sixth article" the words "and also the tenth section of the sixth article."

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

The vote was :

Yeas—Messrs. Baker, Eubanks and Fisher—3.

Nays—Mr. President, Messrs. Baldwin, Call, Dell, Eppes, Hawes, Jones, Keitt, McQueen, Walker and Welch—11.

So the amendment was lost.

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

Yeas—Mr. President, Messrs. Baldwin, Call, Dell, Eppes, Hawes, Keitt and McQueen—8.

Nays—Messrs. Baker, Dawkins, Eubanks, Fisher, Jones, Walker and Welch—7.

So the bill was lost.

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

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Dell, Eppes, Eubanks, Hawes, Jones, Keitt, McQueen, Nicholson, Walker and Welch—15.

Nay—Mr. Fisher—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 allowing two Judges of the Supreme Court to hold a Court in the absence of the third Judge ;

Was read a third time and put upon its passage ;

Upon which the vote was :

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

Nay—Mr. Dell—1.

So said bill passed—title as stated.

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

House resolution requiring the Trustees to re-imburse the State Treasury certain monies ;

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Dell,

Eppes, Fisher, Hawes, Jones, Keitt, McQueen, Nicholson, Walker and Welch—15.

Nays—none.

So the resolution passed—title as stated.

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

The rules were waived, and Mr. Baker allowed to introduce without the required previous notice,

A bill to be entitled an Act to increase the salaries of Secretary of State, State Treasurer and Comptroller's Clerk ;

Which was placed among the orders of the day.

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

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eppes, Hawes, Jones, Keitt, McQueen, Nicholson and Welch—12.

Nays—Messrs. Fisher and Walker—2.

So said resolution passed—title as stated.

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

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

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

House resolution asking Congress an appropriation for the erection of a Custom House and Marine Hospital, at Jacksonville ;

Was read the first time, rule waived and read a second time.

Mr. Eppes offered the following amendments :

Add the following additional section :

Be it further resolved, That our Senators and Member be instructed to urge an appropriation from Congress, for the erection of a Custom House, Court House, and Marine Hospital at the City of Apalachicola, in Franklin county ; also, amend the title by adding the following words, "and in the City of Apalachicola, in Franklin county."

Which were adopted ;

The rules waived, the bill read a third time and put upon its passage ;

Upon which the vote was :

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

Nays—none.

So the Resolution passed—title as stated.

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

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

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eubanks, Fisher, Hawes, Jones, Keitt, McQueen, Nicholson and Welch—13.

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 divide the county of Alachua and organize a new county to be called Butler county ;

Was read a second time, and on motion of Mr. Dell, indefinitely postponed.

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

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

Resolution asking aid to improve the navigation of the Choctaw-hatchie river ;

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

Yeas—Mr. President, Messrs. Baker, Call, Dell, Fisher, Hawes, Jones, Keitt, McQueen, Nicholson and Welch—11.

Nay—Mr. Eubanks—1.

So the bill passed—title as stated.

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

An Act concerning Sheriffs and Coroners ;

Was read a second time, and referred to the Committee on the Judiciary.

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

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eppes, Fisher, Hawes, Jones, Keitt, McQueen, Nicholson 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 for the relief of Thomas C. Ellis ;

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Eubanks, Fisher, Hawes, Jones, Keitt, McQueen, Nicholson and Welch—13.

Nay—Mr. Eppes—1.

So the bill passed—title as stated.

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

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

Mr. Dell moved that Messrs. Call, Nicholson and Baker, be appointed a Committee to act with a similar Committee from the House to prepare a bill making appropriation for the expenses of the State government for the fiscal year 1858, and other purposes ;

Mr. Call offered the following amendment :

Strike out the word "Call" and insert "Dell" in lieu thereof ;

Which amendment with the original was adopted.

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

A bill to be entitled an Act to increase the pay of members of the General Assembly of this State.

On motion of Mr. Baker, A. H. Brownell, Messenger of the Senate was excused from attendance on the Senate after Monday next.

The following bills were read a second time, and ordered for a third reading on Monday :

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

House Resolution asking Congress to grant one acre of land in Fort Brooke, Tampa Bay, Florida, for a post office and custom house ;

House bill to be entitled an Act to authorize Samuel H. Chisholm, a minor, of Jackson county, to assume the management of his own estate ;

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

A bill to be entitled an act to increase the pay of members of the General Assembly of this State ;

Was read the first and second times, and ordered to lay over until Monday.

The following bills were read the first time, and placed among the orders for a second reading on Monday :

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

A bill to be entitled an Act to increase the salaries of Secretary of State, State Treasurer and Comptroller's Clerk ;

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

Joint resolution declaring Shoal river in Walton county, a navigable stream:

On motion, the Senate adjourned until 11 o'clock, Monday morning.

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MONDAY, January 10, 1859.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

On motion of Mr. Keitt, the reading of Saturday's Journal was dispensed with.

The rules were waived, and the following bills introduced without previous notice, and placed among the orders of the day :

By Mr. Call :

A bill to be entitled an Act in relation to the different lines of Railroad encouraged by the Act approved Jan. 6, 1856.

By Mr. Keitt :

A bill in relation to county commissioners.

By Mr. Dawkins :

A bill to be entitled an Act more fully defining the duties of executors, administrators, guardians and Judges of Probate.

Mr. Welch moved that the vote on the bill to be entitled an Act amendatory of the Act of 1845, concerning roads and highways, be reconsidered, and that a committee of three be appointed to ask of the House the return of the said bill ;

Which motion was adopted, and the President announced as such committee, Messrs. Welch, Call and Lamar.

On motion of Mr. Call, the rules were waived, and the vote taken on an Act to provide for the charter of the City of Fernandina reconsidered, and the same placed among the orders of the day to come up on its second reading to-day.

The Committee on Engrossed Bills made the following report :

Mr. President :

SIR :—The Committee on Engrossed bill beg leave to report the following bill as correctly engrossed :

A bill to be entitled an Act to repeal an Act entitled an Act to repeal the fifth section of an Act entitled an Act to organize the coun-

ty of Sumter, approved January 8, 1853, approved December, 27, 1856.

Respectfully submitted,

ISAAC WELCH,

acting Chairman Committee on Engrossed Bills:

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

Mr. McQueen made the following report :

The committee on Claims and Accounts, to whom was referred the resolution for the relief of Benjamin Hopkins, ask leave to

REPORT :

That they have had the same under consideration, and find in the Acts of 1852 and '53, a joint resolution of the General Assembly authorizing the payment of one hundred and fifty dollars per month to Benj. Hopkins while in actual service, and find also in Gov. Brown's message to the General Assembly of the same session, that Gen. Hopkins was called into the service as the special agent of the State, and had not more than forty men in the service at any time ; and we are informed and believe that the compensation allowed to special agents called into the service of the State, since the date that Gen. Hopkins' term expired, has been fixed at three dollars per day, with other actual and necessary expenses, by the Governors of this State, while Gen. Hopkins received for the same kind of service, five dollars per day. Your committee are further of the opinion that to allow Gen. Hopkins the pay of Major General, would be adopting a precedent for all persons who have been called into the service of the State, or who may hereafter be called in as special agent, to be entitled to the same pay that the said Gen. Hopkins would receive, which in the opinion of your committee would be detrimental to the best interests of the State. Your committee are of the opinion that Gen. Hopkins has received full compensation for the services rendered ; they therefore recommend that the resolution do not pass.

Respectfully submitted,

J. W. McQUEEN,
Chairman.

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

Also the following :

The committee on Claims and Accounts, to whom was referred a bill to be entitled an Act for the relief of Dr. S. B. Todd, ask leave to