

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

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

Yeas—Mr. President, Messrs. Baldwin, Call, Dawkins, Fisher, Hawes, Jones, Keitt, Lamar, McQueen and Welch—11.

Nay—Mr. Dell—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 for the relief of Otis Fairbanks ;

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Call, Dawkins, Dell, Hawes, Keitt, Lamar, McQueen and Welch—9.

Nays—Messrs. Baldwin, Fisher and Jones—3.

So said bill passed—title as stated.

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

The rules were waived, and Mr. Baldwin allowed to introduce a motion to re-consider the vote on the

House bill to be entitled an Act to provide for the consolidation of the statutes and the compilation of a code of laws of this State ;

Upon which motion the yeas and nays were called for by Messrs. Dawkins and Fisher ;

The vote was :

Yeas—Mr. President, Messrs. Baldwin, Dawkins, Fisher, Nicholson and Welch—6.

Nays—Messrs. Call, Dell, Hawes, Jones, Keitt, Lamar and McQueen—7.

So the motion was lost.

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

—o—
THRSUDAY, January 13, 1859.

Senate met pursuant to adjournment.

On a call of the roll, a quorum being found not present the Sergeant-at-Arms and Door-keeper were sent after the absent members.

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

The President announced that there was a quorum present.

A committee from the House appeared and requested the return of a bill to be entitled an Act granting to the Alabama and Florida Railroad Company alternate sections of the Swamp and overflowed lands.

On motion of Mr. Dell, the resolution relative to the farther reception of bills from the House, passed by the Senate upon yesterday, was rescinded.

On motion of Mr. Dell, the Senate joint resolution relative to adjournment, was taken from the table and placed first among the orders of the day.

The following message from the Governor was received and read :

EXECUTIVE CHAMBER, }
Tallahassee January 12, 1859. }

HON. JOHN FINLAYSON,

President of the Senate :

Sir : I herewith return in compliance with the resolution of the Senate, an Act explanatory of an Act to organize the county of Volusia, approved Dec. 29, 1854 ; and I also return an Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Apalachicola, approved Feb. 2, 1838, and for other purposes—the same having been transmitted to me without the signatures of the President of the Senate, and Speaker of the House of Representatives.

Very Respectfully,

M. S. PERRY.

On motion of Mr. Dell, the accompanying Act explanatory of an Act to organize the county of Volusia, approved Dec. 29, 1854 ;

Was placed back upon its second reading.

The following message with the accompanying documents was received from the Governor :

EXECUTIVE DEPARTMENT, }
Tallahassee, January 13, 1859. }

HON JOHN FINLAYSON,

President of the Senate :

Sir : I have the honor to submit to you a communication from Hon. G. T. YELVERTON, Commissioner of the State of Alabama, and also a copy of the joint resolutions of said State requesting the State of Florida to cede to the State of Alabama that portion of the State of Florida, west of the Apalachicola and Chattahoochee rivers.

Mr. YELVERTON has presented in due form, his credentials to me, and is here awaiting such action as the Legislature may take in the premises.

I feel that courtesy to our sister State, requires that I should submit the communication and resolutions to the General Assembly for

such action as in its wisdom it may think proper to take in the premises.

Very Respectfully,

M. S. PERRY.

[COPY.]

Joint resolutions in regard to the cession of West Florida.

SECTION 1. *Be it Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened,* That the State of Alabama proposes to the State of Florida that the said State of Florida shall cede to the State of Alabama all that portion of Florida lying West of the Chattahoochee and Apalachicola rivers so that when Congress gives the proper sanction to said cession, the said portion of Florida shall be a part of the said State of Alabama.

SEC. 2. *And be it further Resolved,* That the Governor of this State be empowered, and he is hereby authorized to appoint a commissioner to wait on the Governor of Florida, and the Legislature of said State at its next regular session, and lay before them copies of these resolutions.

Approved February 8, 1858.

[COPY.]

TALLAHASSEE, Fla., }
January 11, 1859. }

His Excellency M. S. PERRY,
Governor of the State of Florida:

I have had the honor to present to your Excellency my credentials as Commissioner appointed by his Excellency the Governor of the State of Alabama, under and by virtue of certain Joint Resolutions of the Legislature thereof, as also, to lay before your Excellency a copy of said resolutions upon the subject of the cession of West Florida.

By the first of these Joint Resolutions, it will be seen that the State of Alabama makes the proposition to the State of Florida, to cede to Alabama that portion of the State of Florida lying West of the Chattahoochee and Apalachicola rivers, known as West Florida; and by the second of said Joint Resolutions the office of Commissioner is created, whose duty it is to lay before the Governor and Legislature of Florida a copy of said Joint Resolutions. Having thus as the Commissioner aforesaid, presented the question to your Excellency the Governor of the State of Florida, I respectfully ask that such communication be made by your Excellency to the Legislature of the State of Florida now in session, as may be deemed proper to present the question.

And, as the Commissioner of the State of Alabama, I would also

earnestly and most respectfully ask the attention and *action* of your State to the question at as early a day as may be convenient.

I have the honor to be, most respectfully,

Your Excellency's most ob't. servant,

G. Y. YELVERTON.

Which message, with the accompanying documents were read.

Mr. Baldwin made the following report:

The Select Committee to whom was referred a bill to be entitled an Act to equitably divide the taxes collected in Duval and Clay Counties for County purposes,

REPORT:

That they have examined the bill and recommend its passage.

A. S. BALDWIN, 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 correctly engrossed:

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

An Act more fully defining the duties of Executors, Administrators, Guardians and Judges of Probate;

Resolution for the relief of E. E. Blackburn;

A bill to be entitled an Act to change the name of the town of Jasper to that of Sevilla;

An Act to define the liability of Endorser of promisory notes and other instrument, and to place them on the same footing with securities;

A bill to be entitled an Act to change name of Sintha Jane Burdock to Sintha Jane Willis;

An Act concerning Sheriffs and Coroners;

Joint resolution allowing the claim of Captain Hughey;

An Act to amend the laws of this State relating to Divorce;

A bill to be entitled an Act regulating Constable sales in the Counties of Jackson, Washington, Holmes, Santa Rosa and Walton;

Joint resolution allowing claims of the persons named.

Respectfully submitted,

A. W. NICHOLSON,

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

Mr. Welch made the following report:

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

Resolution for the relief of Benjamin Hopkins;

Resolution requesting the establishment of one or more Land Offices in East Florida.

Respectfully submitted,
ISAAC WELCH,

Acting Chairman Committee on Engrossed Bills.

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

Mr. McQueen made the following report:

The Committee on Claims and Accounts to whom has been referred a resolution for the relief of J. C. Crosby, ask leave to

REPORT :

That they have had the same under consideration and find from the evidence presented to them that the claim is a meritorious one, and although they believe as a general principle, the payment of such claims would be a bad one for the General Assembly to adopt, yet in this case, were a band of robbers have been broken up at a sacrifice of time and money as has been shown to the satisfaction of the Committee. Your Committee therefore, recommend the passage of the following resolution:

Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Comptroller of Public Accounts be, and he is hereby authorized and required to audit the claims of J. C. Crosby, late Sheriff of Escambia County for services rendered and expenses paid by him in apprehending and committing to jail certain negro thieves in Escambia County: *Provided,* The said J. C. Crosby present to said Comptroller full and satisfactory vouchers and receipts and full evidence of the facts of such expenses in said claim.

Respectfully submitted,
J. W. McQUEEN,
Chairman.

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

Mr. Baldwin made the following report:

The Internal Improvement Committee to whom was referred a bill to be entitled an Act in relation to the different lines of Railroads encouraged by the Act, approved January 6, 1855,

REPORT :

That they have examined the same and recommend its passage with the following amendment:

After said bill add "provided however, that any Railroad Company which may avail itself of the benefits of this Act shall still be

bound to carry out all the provisions of the Internal Improvement Act, approved January 6, 1855, in all other respects.

A. S. BBALDWIN,
of Committee.

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

The following message was received from the House of Representatives and read, and the accompanying bills placed among the orders of the day:

HOUSE OF REPRESENTATIVES, }
January 12, 1859, }

HON. JOHN FINLAYSON,
President of the Senate ;

SIR :—The House of Representatives have passed the following bills :

Senate 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 of this State ;

Amended in its title so as to read :

"An Act for the relief of certain counties in this State ;

Senate bill to be entitled an Act to provide for the appointment of Port Wardens at the ports of Fernandina and Cedar Key ;

House bill to be entitled an Act to permit free persons of African descent to select their own masters and to become slaves ;

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

House bill to be entitled an Act to amend an Act to incorporate the Pensacola & Georgia Railroad ;

House bill to be entitled an Act more effectually to protect our citizens residing on State lands along the State line ;

Resolution asking Congress to establish a new Collection District, to be called the District of Tampa ;

House bill to be entitled an Act to suspend in part the laws prohibiting intercourse with the Indians ;

House bill to be entitled an Act to amend an Act in relation to making returns of elections to the Secretary of State ; and

Have rejected Senate bill to be entitled an Act granting to the Alabama & Florida Railroad Company alternate sections of the swamp and overflowed lands.

Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

Also the following :

HOUSE OF REPRESENTATIVES,
January 13, 1859.

HON. JOHN FINLAYSON:

President of the Senate:

SIR: The House have appointed a Committee consisting of Messrs. Kenan, Davidson, Pope, Manning and Barrett to act with a similar Committee on the part of the Senate to agree upon a day for the adjournment of the General Assembly.

Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

Which was received and read.

Mr. Hawes made the following report:

The Select Committee to whom was referred a bill to be entitled an Act the better to define the boundary lines of Putnam County, beg leave to

REPORT:

That they have had the same under consideration and recommend its passage with the following amendments:

Strike out the word "Dunper" wherever it occurs and substitute the word "Dunns;" also strike out all of the words between the the words "said road on the southern side," and the words "to the St. Johns river."

G. E. HAWES, Chairman.

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

ORDERS OF THE DAY.

House bill to be entitled an Act to amend an Act to incorporate the Pensacola and Georgia Railroad Company;

Was read a first and second time by its title (the rules having been waived) and referred to a Select Committee, consisting of Messrs. Eppes, Baldwin Lamar, Keitt and Nicholson.

Joint Resolution for adjournment;

Was adopted, and a Committee of conference appointed to confer with the similar Committee on the part of the House relative to adjournment *sine die*;

Which Committee consisted of Messrs. Call, McQueen, Eppes, Baker and Keitt.

Resolution for the relief of Benjamin Hopkins:

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Fisher, Hawes, Nicholson and Welch—9.

Nays—Messrs. Dell, Eppes, Keitt and McQueen—4.

So said resolution passed—title as stated.

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

A bill to be entitled an Act regulating Constables' sales in the counties of Jackson, Washington, Holmes, Santa Rosa and Walton; Was read a third time and put upon its passage;

Upon which the vote was:

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

Nays—none.

So said bill passed—title as stated.

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

Resolution for the relief of Elias E. Blackburn;

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, Keitt, Lamar, Nicholson and Welch—13.

Nays—none.

So the resolution passed—title as stated.

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

Joint resolution allowing the claim of Capt. Hughey;

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Fisher, Hawes, Lamar, Nicholson and Welch—10.

Nays—Messrs. Dell and McQueen—2.

So said resolution passed—title as stated.

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

The rules being waived, Mr. Call made the following report:

The committee to whom was referred the bill entitled an Act regulating the times of holding the Courts in the Eastern Judicial Circuit, recommend the accompanying substitute.

GEO. W. CALL,
Chairman.

Which was read, and the accompanying substitute adopted.

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Dell, Eppes, Fisher, Hawes, Keitt, McQueen, Nicholson and Welch—14.

Nays—none.

So the bill passed—title as stated.

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

Mr. Baker introduced (the rules being waived)

A joint resolution for the relief of Spencer F. Thomas ;

Which was placed among the orders of the day.

Also, to introduce the following resolution :

Be it resolved by the Senate of the State of Florida, That all subsequent action of the Senate, as to the bill to be entitled an Act to organize the county of Volusia, after the final vote upon the third reading of the same, and the vote re-considering said bill together with all subsequent action as to said bill, be and the same are hereby rescinded ;

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

Joint resolution allowing claims of the persons named ;

Was passed over informally.

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

Was read a third time ;

Mr. Call offered the following amendment :

Add the following additional section :

“ And if the majority of said voters are in favor of the said annexation, the authorities of Alabama be and they are hereby authorized to take possession of said West Florida without further legislation.”

Mr. Baker offered the following amendment to the amendment which was accepted :

Add the following words :

“The said Western section of the State thereafter being precluded from any further participation in the benefits accruing to the State from the lands donated by Congress, or otherwise held by the State in Middle or East Florida.

Upon the adoption of the amendment, the yeas and nays were called for by Messrs. Eppes and Fisher :

The vote was :

Yeas—Messrs. Baker, Baldwin, Call, Dawkins, Dell, Hawes, Keitt, and McQueen—8.

Nays—Mr. President, Messrs. Eppes, Fisher, Lamar, Nicholson and Welch—6.

So the amendment was lost—it being the third reading of the bill and a vote of three-fourths being necessary to its adoption ;

The bill was then put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Dawkins, Dell, Eppes, Fisher, Hawes, Keitt, Lamar, McQueen, Nicholson and Welch—13.

Nay—Mr. Call—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 more fully defining the duties of Executors, Administrators, Guardians and Judges of Probate ;

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

Yeas—Messrs. Baldwin, Call, Dawkins and Welch—4.

Nays—Mr. President, Messrs. Dell, Eppes, Hawes, Keitt, McQueen and Nicholson—7.

So the bill was lost.

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

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

Yeas—Mr. President, Messrs. Baldwin, Call, Dawkins, Eppes, Hawes, Keitt, McQueen, Nicholson, Walker and Welch—11.

Nays—none.

So the bill passed—title as stated.

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

On motion the Senate took a recess until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate resumed its session.

On a call of the roll it being found that a quorum was not present, the Sergeant-at-Arms was sent after the absent members.

The President announced that there was a quorum present.

A committee from the House appeared and requested that the Senate resolution relative to adjournment which was lost in the House, be returned to that body, and Messrs. Call, Baldwin and Dell were appointed a committee to return said resolution to the House.

The following message was received from the Governor :

EXECUTIVE CHAMBER, }
Tallahassee, January 12, 1859. }

Hon JOHN FINLAYSON,
President of the Senate :

Sir : I have approved and signed the following bills, viz :

An Act to amend section 1, clause 2 of the attachment laws of this State, approved Feb. 15, 1834 ;

An Act to amend an Act entitled an Act for preventing and avoiding fraudulent conveyances, approved Jan. 28, 1823 ;

An Act to amend an Act entitled an Act to amend the several Acts concerning licenses to retail spiritous liquors, approved Jan. 8, 1853 ;

An Act to incorporate a company to construct a Railroad from a point on the Florida Railroad in East Florida, to Tampa Bay, under the style of the Florida Peninsula Railroad Company ;

Preamble and Resolution in relation to Isaac Welch and others ;

An Act to consolidate the offices of Sheriff and of Tax Assessor and Collector, and of Judge of Probate and Clerk of the Circuit Court in the county of Wakulla ;

An Act to authorize Wm. Cannon to establish a ferry across the Suwanee river ;

An Act for the relief of Columbus R. Alexander ;

An Act for the recording the marks and brands of cattle shipped from the counties of Manatee and Hillsborough ;

An Act to establish a ferry across the Suwanee river ;

An Act more definitely to establish the limits and boundaries of Monroe and Manatee counties ;

Resolution relative to the improvement of the Suwanee river ;

An Act to empower John W. O'Neal, a minor, of Madison county, to assume the management of his own estate ;

An Act in relation to the School Fund in the county of St. Johns ;

Resolution asking Congress to make Florida a Supervising Inspectors District, and for other purposes ;

An Act permanently to locate the county site of Lafayette county ;

Resolution asking Congress an appropriation for the erection and building of a light-house at the mouth of the Manatee river, in South Florida ;

An Act for the charter of a bridge across the Suwanee river at the place now known as the lower Suwanee Springs ;

An Act to authorize John H. Baker to build a toll bridge across Withlacooche river at or near Bellville on said river ;

An Act to authorize H. E. Osteen to establish a ferry across St. Johns river ;

An Act governing the County Commissioners of Nassau county in certain cases ;

An Act for the relief of Jesse M. Willis, Tax Assessor and Collector of Marion county ;

Resolution for the relief of the securities of Robert Clark ;

Resolution asking for a mail route ;

Resolution in relation to an examination of the books of the Internal Improvement Fund ;

An Act to authorize Louisa A. Summerlin, of Leon county, a mi-

nor, to assume the management of her own estate, and to contract and be contracted with ;

An Act relative to the offices of Sheriff and Circuit Court Clerk, in the county of Holmes ;

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

An Act to authorize Alexander Grissman to establish a Ferry across the Suwanee river ;

An Act to declare O'Neal's Spring, in Washington county, navigable.

Very Respectfully,

M. S. PERRY.

The orders of the day were resumed.

A bill to be entitled an Act more effectually to protect our citizens residing on the State land along the State line ;

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. Baldwin, Call, Dawkins, Dell, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—12.

Nays—none.

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 third time and put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Dawkins, Dell, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—13.

Nays—None.

So the bill passed—title as stated.

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

An Act to define the liability of endorsers of promissory notes and other instruments, and to place them on the same footing with securities ;

Was read a third time and put upon its passage ;

Upon which the vote was :

Yeas—Messrs Baldwin, Call, Dawkins, Eppes, Hawes, Lamar, Nicholson and Welch—8.

Nays—Mr. President, Messrs. Dell, McQueen and Walker—4.

So said bill passed—title as stated.

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

Resolution requesting the establishment of one or more Land Offices in East Florida ;

Was read a third time and put upon its passage ;

The vote was:

Yeas—Messrs. Baker, Call, Hawes, Nicholson and Walker—5.

Nays—Mr. President, Messrs. Baldwin, Dell, Eppes, Lamar, McQueen and Welch—7.

So the resolution was lost.

Mr. Call asked that the rules be waived in order to allow him to make a motion;

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

The vote was:

Yeas—Mr. President, Messrs. Baldwin, Call, Dell, Lamar, McQueen and Walker—7.

Nays—Messrs. Baker, Dawkins, Eppes, Hawes, Nicholson and Welch—6.

So the Senate refused to waive the rule.

Mr. Eppes moved to adjourn until Saturday morning, 10 o'clock;

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

The vote was:

Yeas—Messrs. Dawkins, Eppes and Hawes—3.

Nays—Mr. President, Messrs. Baker, Baldwin, Call, Dell, Lamar, McQueen, Nicholson, Walker and Welch—10.

So the motion was lost.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 13th, 1859. }

HON. JOHN FINLAYSON,

President of the Senate:

Sir:—The House of Representatives have passed a bill to be entitled an Act concerning the Agencies of Banks of other States, located in this State.

Very respectfully,

R. B. HILTON,

Clerk House of Representatives.

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

A bill to be entitled an Act to change the name of Sintha Jane Burdock to Sintha Jane Willis;

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, Lamar, McQueen, Nicholson, Walker and Welch—11.

Nay—Mr. Dawkins—1.

So the bill passed—title as stated.

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

House Resolution asking Congress to establish a new Collection District to be called the District of Tampa;

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

Yeas—Mr. President, Messrs. Baker, Baldwin, Call, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—11.

Nay—Mr. Dell—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 to equitably divide the taxes collected in Duval and Clay Counties for County purposes;

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

Yeas—Mr. President, Messrs. Baker, Call, Dell, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—11.

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 change the name of the town of Jasper to that of Sevilla;

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

Yeas—Mr. President, Messrs. Baldwin, Dell, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—10.

Nay—Mr. Dell—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 to amend an Act in relation to making returns of elections to the Secretary of State;

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

Yeas—Mr. President, Messrs. Baker and Baldwin—3.

Nays—Messrs. Call, Dell, Eppes, Hawes, Lamar, McQueen, Nicholson, Walker and Welch—9.

So the bill was lost.

Mr. Eppes moved that the Senate adjourn until half-past 10 o'clock, to-morrow morning;

The yeas and nays were called for by Messrs. Call and Walker;

Upon which the vote was:

Yeas—Messrs. Baker, Baldwin, Dell, Eppes, Hawes, McQueen and Welch—7.

Nays—Mr. President, Messrs. Call, Lamar, Nicholson and Walker—5.

So the Senate adjourned until to-morrow morning, half-past 10 o'clock.

—o—

FRIDAY, January 14, 1859.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

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

On motion of Mr. Lamar, a bill to be entitled an Act concerning the agencies of Banks of other States located in this State, was placed first among the orders of the day.

Mr. Eppes introduced the following resolution :

Resolved by the Senate, That the printer to this House be, and he is hereby required to mail to the address of each Senator his *pro rata* share of the number of copies of the evidence in the matter of the Florida Railroad, ordered to be printed, so soon as the same shall be ready for mailing and distribution; for which service together with the amount of postage prepaid thereon, shall be added to his bill for printing and allowed by the Comptroller.

Which was read and adopted.

Mr. McQueen made the following report :

The Committee on Claims and Accounts to whom was referred a bill to be entitled an Act for the relief of James M. Smith, Sheriff of Gadsden County, make the following

REPORT :

That the Committee have been informed and believe that the claim of said Smith for services rendered and money paid out in arresting, guarding and obtaining medical and surgical aid for the prisoner in his charge should have been paid by the agent from the State of Mississippi, to whom said prisoner was delivered, and who was present with the said James M. Smith, and assisted in arresting him, and who carried him back to the State where he committed the offence. Your committee are willing that the State should pay all just claims

that may be presented against her. But the question arises whether the said Sheriff of Gadsden county did not neglect his rights by delivering over the prisoner to the agent, without his first paying all necessary expenses incurred. We are of the opinion he did, and having come to these conclusions recommend the bill do not pass.

Respectfully submitted,

J. W. McQUEEN,
Chairman.

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

Also, the following :

The committee on Claims and Accounts to whom has been referred a bill to be entitled an Act for the relief of Josiah Gates and other persons therein named, citizens of Manatee county,

REPORT :

That they have had the same under consideration, and are informed that Josiah Gates and others did perform said service which those on the muster roll with Lieut. John Addison performed, and should be entitled to the same pay, and they recommend the bill do pass.

Respectfully submitted,

J. W. McQUEEN,
Chairman.

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

The Committee on Enrolled bills made the following report :

The Committee on Enrolled bills report as correctly enrolled,

An Act to amend the 8th section of the 6th article of the State of Florida; and

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

Respectfully submitted,

L. G. McELVY,

The following message from the House of Representatives was received and read, and the accompanying bills placed among the orders of the day :

HOUSE OF REPRESENTATIVES, }
January 13, 1859, }

HON. JOHN FINLAYSON,

President of the Senate :

Sir :—The House of Representatives have passed the following bills and resolution :

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