

Resolution for the relief of J. C. McArthur, Sheriff of Santa Rosa county;

Was read the first time and ordered for a second reading on to-morrow.

Joint Resolution in relation to fractional sections on the State line;

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

Yeas—Mr. President, Messrs. Baker, Broward, Call, Dawkins, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McCall, McElvy, McQueen, Nicholson, Walker and Welch—17.

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 divide Duval County, and organize a new County to be called Clay County;

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

Yeas—Messrs. Baker, Broward, Call, Dell, Eubanks, Fisher, Hawes, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—14.

Nays—None.

So the bill passed—title as stated.

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

Joint Resolution relative to the construction of the Canal between Indian River and St. Johns River;

Was read the first time, and on motion of Mr. Call, 80 copies ordered to be printed.

A bill to be entitled An Act to incorporate a Bank in the City of Fernandina;

Was read the second time, and on motion of Mr. Call, referred to the Committee on Corporations.

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

—o—
TUESDAY, December 7th, 1858.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

The Journal of yesterday was read, amended and approved.

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

A bill to be entitled an Act for the relief and protection of persons engaged in the log and lumber business in this State;

A bill to be entitled An Act to divide Duval county, and organize a new county to be called Clay County;

A bill to be entitled an Act to define false swearing, and punishing the same;

A bill to be entitled an Act for the relief of William Lowe, Tax Assessor and Collector of Monroe county;

Joint resolution in relation to fractional sections on the State line;

An Act to legitimize Wm. Robert;

A bill to be entitled an Act to change the name of Antonia Wallace to Antonia Crespo;

A 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; and

A bill to be entitled An Act amending the charter of the City of Pensacola, for the purpose of extending the powers of the City to aid in the construction of the Alabama and Florida Railroad, in Florida.

Notice was given of intention to introduce the following bills, at some future day.

By Mr. Broward:

A bill to be entitled An Act to make it obligatory on the Judge of Probate and County Commissioners of the County of Duval, to hold only two sessions annually, for the transaction of County business, and to make an annual publication of their doings and disbursements of the County money arising from County Taxes.

By Mr. Call:

A bill to be entitled an Act regulating the order of calling the dockets, and trial of causes in the Circuit Courts of this State.

By Mr. McQueen:

A bill to be entitled An Act to authorize Wm. Hentz, a minor, of Gadsden County, to assume the management and control of his own Estate.

Pursuant to previous notice, the following bills were introduced and placed among the orders of the day.

By Mr. McCall:

A bill to be entitled An Act more fully defining the duties of Judges of Probate.

By Mr. Nicholson:

A bill to be entitled An Act providing for the incorporation of the Mexican Gulf Steamship, and Inland Trading & Navigation Companies, in Florida.

Mr. McElvy moved that Mr. Call of Nassau, be placed upon the

Committee on Corporations in the place of Mr. Browne of Monroe ;
Which motion was adopted.

Pursuant to previous notice, the following bills were introduced :

By Mr. McElvy :

An Act to define the manner of swearing Petit Jurors in this State.

By Mr. Fisher :

A bill to be entitled an Act to authorize the Mayor and Aldermen of the town of Milton to elect a public wiegher of cotton.

The following message was received from the House of Representatives and read :

HOUSE OF REPRESENTATIVES, }
Dec. 7th, 1858. }

HON. JOHN FINLAYSON,

President of the Senate :

Sir : The House of Representatives have passed the following bill :

A bill to be entitled an Act to divide the County of Duval, and organize a new County to be called Clay County.

Very Respectfully,

R. B. HILTON,

Clerk House Representatives.

The accompanying bill was ordered to be placed among the orders of the day.

The Committee on Judiciary made the following report :

The Committee on the Judiciary, to whom was referred the bill entitled an Act to authorize the Solicitors of the different Circuits in this State, to change the Venue in Criminal Cases, under certain circumstances

REPORT :

That they have considered the same, and are of the opinion that it conflicts with the Tenth Section of the First Article of the Constitution which secures to the accused a speedy and public trial, by an impartial Jury of the County, or District where the offence was committed. Your Committee do not understand the word "District" in the said clause, to mean a Judicial District composed of many Counties, but to be substantially synonymous with County ; and that the whole expression taken together secures to a party accused, a trial by a Jury selected indiscriminately from the section of country where the offence was committed. This difficulty might be obviated by an amendment to the bill, providing that in the cases specified in the bill, a Jury might be summoned from the body of the District, including as well the County where the offence was committed, as all other counties in the District. But your Committee are not prepar-

ed to recommend the entrusting of so large a discretion to the Solicitors of the different Circuits ; and if any such extraordinary step is necessary at any time, they would prefer that the order for summoning such Jury, should emanate from the Governor of the State, on the recommendation of the Judge of the Circuit Court.

Your Committee, therefore, report the bill back, and recommend that it do not pass.

GEO. W. CALL,

From Judiciary Committee.

Which was received, and the accompanying bill placed among the orders of the day ;

Also the following ;

The Committee on the Judiciary, to whom was referred the bill entitled "An Act to provide for the additional compensation of the several Judges of the Circuit Courts of this State"

REPORT :

That they have had the same under consideration, and approve of the principle of the bill. The compensation named, viz : \$3,000 per annum, will not procure more of the necessaries and conveniences of life than \$2,000 would have done at the date of the adoption of the Constitution. Your Committee, however, recommend the adoption of the following amendments, viz :

After the word Circuit, in the sixth line of the first section, insert the word "Supreme."

Also, add the following section, to be numbered

SECTION 3. *Be it further enacted*, That this law shall not go into effect until the Judges to be elected on the first Monday in October next, shall be commissioned and qualified.

Also, that Section 3 in the bill, be changed to Section 4 ; and that the title of the bill be changed by the insertion of the word "Supreme" before the word "Circuit."

Respectfully submitted,

GEO. W. CALL,

From Judiciary Committee.

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

The Committee on Engrossed bills made the following report :

REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Mr. President :

Sir : The Committee on Engrossed Bills beg leave to report the following bills as correctly engrossed :

A bill to be entitled an Act prescribing the manner of making returns of elections for Electors of President and Vice-President of the United States;

Joint Resolution for the relief of John H. Keadle, of Gadsden County;

A bill to be entitled an Act to make the Sheriffs of the Counties of Lafayette and Taylor *ex officio* Tax Assessors and Collectors in their respective Counties;

A bill to be entitled an Act to provide for the payment of the Volunteer Company of Capt. Hansford D. Dyches, and other Companies therein named;

A bill to be entitled an Act more definitely defining the boundary line between the Counties of Lafayette and Taylor;

A bill to be entitled an Act to improve the navigation of the Ocklawaha River;

A bill to be entitled an Act to repeal the first section of an Act to secure the better execution of the Patrol Laws.

Respectfully submitted,

THOMPSON B. LAMAR,

Chairman Committee on Engrossed Bills.

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

ORDERS OF THE DAY.

Resolution for the relief of J. C. McArthur, Sheriff of Santa Rosa county;

Came up on its second reading;

Mr. Dawkins presented the following substitute for said resolution, which was received, read a second time and ordered to be engrossed for a third on to-morrow, viz:

Resolved, That the Comptroller be authorized and required to audit the account of Mr. McArthur, and the Treasurer to pay the same when so audited and presented.

Joint resolution relative to the construction of the canal between Indian river and St. Johns river;

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 amend an Act regulating pilotage at the port of Fernandina, in the county of Nassau, and port of Cedar Key, county of Levy;

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

Yeas—Mr. President, Messrs. Broward, Call, Dawkins, Dell, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—17.

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 granting a charter for the Cowford Ferry at Jacksonville, Duval county, to William A. Young;

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

A bill to be entitled an Act for the relief of John H. Patterson, late sheriff of Madison County;

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

Yeas—Mr. President, Messrs. Broward, Call, Dawkins, Eubanks, Fisher, Hawes, Jones, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—14.

Nay—Mr. Dell—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 more fully defining the duties of Judges of Probate;

Was read the first time, and placed among the orders for a second reading on to-morrow.

A bill to be entitled an Act providing for the incorporation of the Mexican Gulf Steamship, and Inland Trading and Navigation Companies, in Florida;

Was read the first time, rule waived, read a second time by its title, and referred to the committee on Corporations.

An Act to define the manner of swearing Pettit Jurors in this State;

Was read the first time and ordered to be read a second time on to-morrow.

A bill to be entitled an Act to authorize the Mayor and Aldermen of the town of Milton to elect a public weigher of cotton;

Was read the first time, and ordered for a second reading on to-morrow.

On motion of Mr. Lamar, the rules were waived and standing Committees allowed to present reports.

The Committee on Internal Improvements made the following report:

The Committee on Internal Improvements to whom was referred a "resolution relative to the improvement of Suwanee River," have had the subject under consideration, and instructed me as chairman to make the following

REPORT:

That, waiving all question or expression of opinion as to the power of this Body over the Board of Internal Improvements, it is not in the opinion of the Committee, a wise or practicable policy to connect the clearing out and improvement of navigable streams with the drainage of the swamps and overflowed lands of this State, and it is therefore recommended that the resolution do not pass.

Respectfully submitted,

T. B. LAMAR, Chairman.

Which was received and the accompanying resolution 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 a resolution for the relief of B. F. Allen;

A resolution calling the attention of the General Government to the feasibility of laying a Telegraph wire between and from Bermuda and Fayal Islands, in the Atlantic Ocean, to the respective coasts of Europe and America, with a view of connecting the Southern States directly with Europe.

Respectfully submitted,

L. G. McELVY, Chairman.

On motion the rules were waived, and Mr. Baker allowed to introduce a resolution providing for the copying of the laws of the present session of the General Assembly;

Which was read the first time, and ordered for a second reading on to-morrow.

A bill to be entitled an Act to divide the County of Duval, and organize a new County to be called Clay County;

Was read the first time, rules waived, and read a second time by its title.

Mr. Call moved that the said bill be amended by striking out all after the enacting clause and inserting the Senate bill as passed;

Which amendment was adopted.

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

A bill to be entitled an Act to provide for the additional compensation of the several Judges of the Circuit Courts of this State;

Was read the second time.

Mr. Dell moved, that where "three thousand" occurs in the bill it be stricken out and "twenty-five hundred" inserted;

Which amendment was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an Act to authorize the Solicitors of the different Circuits in this State to change the venue in criminal cases under certain circumstances;

Was read the second time.

On motion of Mr. Baker, the bill was placed back upon its second reading and, placed among the orders of the day for to-morrow.

Resolution relative to the improvement of Suwanec River;

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

A bill to be entitled an Act more definitely defining the boundary line between the Counties of Lafayette and Taylor;

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

Yeas—Mr. President, Messrs. Baker, Broward, Call, Dell, Eubanks, Fisher, Hawes, Jones, McElvy, 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.

A bill to be entitled an Act to repeal the First Section of an Act to secure the better execution of the Patrol Laws;

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

Yeas—Mr. President, Messrs. Broward, Call, Dell, Fisher, Hawes, Keitt, McElvy, McQueen, and Nicholson—10.

Nays—Messrs. Baker, Eubanks, Jones, McCall and Welch—5.

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 improve the navigation of the Ocklawaha River;

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

Yeas—Messrs. Baker, Broward, Call, Eubanks, Fisher, Hawes, Keitt, McCall, McElvy, McQueen, Nicholson and Welch—12.

Nay—Mr. Lamar—1.

So said bill passed—title as stated.

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

A bill to provide for the payment of the Volunteer Companies of Captain Hansford D. Dyches, and other companies therein named;

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

Yeas—Mr. President, Messrs. Baker, Broward, Call, Dawkins, Eubanks, Fisher, Hawes, Jones, McQueen, Nicholson and Welch—12.

Nay—Mr. Dell—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 make the Sheriffs of the counties of Lafayette and Taylor *ex-officio* Tax Assessors and Collectors in their respective counties;

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

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

Nays—none.

So the bill passed—title as stated.

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

Resolution for the relief of John H. Keadle, of Gadsden county;

Was read a third time;

On motion of Mr. Dawkins, the bill was placed back upon its second reading, and referred to a select committee of three.

The President announced as such committee, Messrs. Dawkins, McElvy and Lamar.

A bill to be entitled An Act prescribing the manner of making returns of Elections of Electors for President and Vice-President of the United States;

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

Yeas—Mr. President, Messrs. Broward, Call, Dawkins, Dell, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McElvy, McQueen, Nicholson and Welch—15.

Nays—none.

So said bill passed—title as stated.

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

Mr. Dell introduced the following resolution:

Resolved, That the Governor be, and is hereby respectfully requested to furnish the Senate with a copy of all letters addressed to him as the Governor of the State by the Hon. D. L. Yulee, President of the Florida Railroad Company; and also, all letters addressed to him as President of the Board of Trustees of the Internal Improvement Fund, by the Hon. D. L. Yulee, President of the Florida Railroad Company.

Mr. Baker moved that said resolution be laid upon the table until to-morrow;

Upon which motion Messrs. Dell and McQueen called for the yeas and nays, which were as follows:

Yeas—Messrs. Baker, Dawkins, Fisher, Hawes, Jones, McElvy, Nicholson and Welch—8.

Nays—Messrs. Call, Dell, Eubanks, Keitt, Lamar, and McQueen—6.

So said motion was adopted, and the resolution placed among the orders for to-morrow.

The following Message from the House of Representatives was received and read:

HOUSE OF REPRESENTATIVES, }
Dec. 7th, 1858. }

HON. JOHN FINLAYSON,
President of the Senate:

Sir:—The House of Representatives have passed the following bill:

A bill to be entitled an Act to incorporate the town of Madison.
Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

The accompanying bill was read the first time, and ordered for a second reading on to-morrow.

Also, the following:

HOUSE OF REPRESENTATIVES, }
Dec. 7th, 1858. }

HON. JOHN FINLAYSON,
President of the Senate:

The House of Representatives have appointed Messrs. Smith, Barrett and Wiggins, a Committee on the part of the House, to confer with a similar Committee on the part of the Senate, "with regard to the disagreement on the part of the two Houses with regard to the bill for the division of Duval County."

Very Respectfully,
R. B. HILTON,

Clerk House Representatives.

Mr. Baker moved that a Committee of three be appointed to confer with the above named Committee.

The President announced as such Committee, Messrs. Baker, Broward and Dell.

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