

WEDNESDAY, December 8th, 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 which had been passed by the Senate, were transmitted to the House:

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;

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 prescribing the manner of making returns of elections for Electors of President and Vice President of the United States;

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 the better to secure the execution of the Patrol laws; and

House bill to be entitled an Act for the relief of John H. Patterson, late Sheriff of Madison county.

On motion of Mr. Lamar, a Committee of three was appointed, consisting of Messrs. Lamar, Call and Dell, to request of the House of Representatives the return of a bill to be entitled an Act to amend an Act approved December 22, 1854, entitled an Act to amend an Act to provide for the payment of Jurors and State Witnesses, approved January 8th, 1848.

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

By Mr. Fisher:

A bill to be entitled an Act to authorize Silas Jernigan to establish a Ferry on Black Water River, in the town of Milton.

By Mr. Call:

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

By Mr. Hawes:

A bill to be entitled an Act for the relief of Nathan Norton, of Putnam county.

By Mr. McCall:

A bill to be entitled an Act to incorporate the City of Alligator. The following report was received and read, and the accompanying bill placed among the orders of the day:

The Select Committee to whom was referred the "Act to amend an Act to amend to an Act to authorize the business of banking;"

REPORT:

That they have duly considered the same, and recommend its passage. The law as it now stands makes the private property of the stockholders liable for all the debts of any Bank organized under the Act. The first and second sections of the bill under consideration, extends this responsibility for a period of six months after any stockholder shall have ceased to hold his stock, and provides for a notice of transfer of stock to be filed in the Clerk's office of the proper county, thus effectually guarding against the transfer of stock by responsible men to irresponsible ones, and enabling all bill-holders to ascertain at any time who are responsible to them.

The third section of the bill simply provides for the mode of ascertaining the market value of any securities which may be tendered to the Comptroller as a banking basis; the present law devolves this duty upon the Comptroller without pointing out the character and quantity of evidence which would justify him in determining the question. The committee the more cheerfully recommend the passage of this bill from the belief that it will both facilitate the organizations of Banks among ourselves, and strengthen the sureties and safeguards, which should be thrown round every description of paper currency.

All of which is respectfully submitted.

GEO. W. CALL,
Chairman Select Committee.

The following report was received from 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 to provide for the additional compensation of the several Judges of the Circuit Courts of this State;

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

Resolution relative to the improvement of Suwanee River.

Respectfully submitted,

ISAAC WELCH,
From Committee on Engrossed Bills.

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

The committee appointed to request of the House of Representatives, the return of a bill to be entitled an Act to amend an Act, approved, Dec. 22, 1854, entitled an Act to provide for the payment of Jurors and State Witnesses, approved, Jan, 8th, 1848, reported that they had performed that duty, and were discharged.

Mr. McElvy moved that the Judiciary Committee be instructed to report a general fee bill for all judicial officers in this State, at an early day, provided in their opinion, additional legislation may be necessary.

Which was adopted.

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

HOUSE OF REPRESENTATIVES, }
December 8, 1858. }

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 Alexander Douglas, and others therein mentioned,

Very respectfully,

R. B. HILTON,
Clerk House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
December 8, 1858, }

HON JOHN FINLAYSON,
President of the Senate :

SIR: The following bill passed by the Senate has been indefinitely postponed by the House of Representatives, viz :

A bill to be entitled an Act to amend Section one, Clause two, of the attachment law of this State, approved Feb. 15, 1834.

Very respectfully,

R. B. HILTON,
Clerk House Representatives.

The following report from the Judiciary Committee was received and read, and the accompanying bill placed among the orders of the day :

The undersigned from the Committee on 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 of criminal cases under certain circumstances, begs leave to report the following bill

as amended, to concur with the opinion of the majority of said Committee as a substitute for the same.

J. McR. BAKER,
of Judiciary Committee.

ORDERS OF THE DAY.

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

Came up on its third reading, and was 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 providing for the copying of the laws of the present session ;

Came up on its second reading.

Mr. Baker offered the following amendment :

“That all after the word ‘receive’ be stricken out, and the words ‘one hundred dollars for his services,’ be inserted.”

Which amendment was adopted.

It was then ordered that said resolution, as amended, be engrossed for a third reading on to-morrow.

A bill to be entitled an Act to define the manner of swearing petit Jurors in this State ;

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

The following bills were read a second time and laid upon the table, viz :

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 ;

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

A bill to be entitled an Act granting a charter for the Cowford Ferry, at Jacksonville, Duval County, to Wm. A Young ;

Came up on its third reading.

Mr. Baker asked the unanimous consent of the Senate to offer the following amendment :

Be it further enacted, That nothing in the foregoing Act shall be so construed as to prevent any person or persons from crossing, in their own private conveyance, *free of charge*, themselves or any

other person or persons, or any species of property whatever, at said Ferry.

Which amendment was adopted.

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

Yeas—Mr. President, Messrs. Baker, Broward, Call, Dawkins, Dell, Eubanks, Jones, Keitt, McElvy Nicholson and Welch—12.

Nay—Mr. Fisher—1.

So the bill, as amended, passed—title as stated.

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

A bill to be entitled an Act to incorporate the town of Madison; Was read the second time, and referred to the Committee on Corporations.

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

Came up on its second reading.

Mr. Call offered the following amendment, viz :

After the word Circuit, in the 6th line of the 1st 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 ;"

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

A bill to be entitled an Act to amend an Act to amend an Act to authorize the business of banking in this State ;

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

On motion, the rules were waived, and Mr. Call allowed to present the following report from the Judiciary Committee :

The Judiciary Committee, to whom was referred a bill to be entitled an Act defining the jurisdiction of the Circuit Court in certain cases,

REPORT :

That as there is a doubt about the constitutionality of the Act as drawn; they therefore recommend the adoption of the following amendment, viz :

Strike out all of the first Section after the word Act, in the 4th line of first Section, and insert whenever the plaintiff in any action

in the Circuit Court recovers less than fifty dollars, (except in actions arising *ex delicto* or where the amount of the original demand is reduced by a plea of off-set) then the said plaintiffs shall not recover any costs against the defendant, but shall pay the whole cost of the suit. And as amended, recommend the passage of the bill.

GEO. W. CALL,

From Judiciary Committee.

Which was received.

The accompanying bill was read a second time, the amendments recommended by the Judiciary Committee adopted, and ordered to be engrossed as amended for a third reading on to-morrow.

The following bills were read the first time and placed among the orders for to-morrow, viz :

A bill to be entitled an Act to fix definitely Constable sale days in this State ;

A bill to be entitled an Act to incorporate the city of Alligator, Florida ;

A bill to be entitled an Act for the relief of Nathan Norton, of Putnam county ;

A bill to be entitled an Act to regulate the order of calling the Dockets, and trial of causes in the Circuit Courts of this State ;

A bill to be entitled an Act to authorize Silas Jernigan to establish a Ferry on Black Water River, in the town of Milton ;

A bill to be entitled an Act for the relief of Alexander Douglas, and others therein named ;

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 ;

Came up on its second reading ;

Mr. Baker offered the following amendment.

After the words "such event" in Sec. 1, insert the "Court may upon motion of." Strike out the words "may upon motion," and insert "made." Insert "and" before the word "upon." After the word "upon," insert "the presentation of proper evidence to be submitted to the Court," in lieu of "his statement in writing, to be filed with the papers of the case."

Which amendment was adopted, and the bill laid upon the table until to-morrow.

Resolution relative to the improvement of the Suwanee River; Came up on its third reading, and was put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Baker, Broward, Call, Eubanks, Hawes, Keitt, McQueen, Nicholson and Welch.—10.

Nays—Messrs. Dawkins, Jones and Lamar—3.

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;

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, 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.

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

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THURSDAY, December 9th, 1858.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubosc officiated as chaplain.

The Journal of yesterday was read, amended and approved.

The following bill and resolutions which had been passed by the Senate, were transmitted to the House, viz:

House bill to be entitled an Act granting a charter for the Cowford Ferry, at Jacksonville, Duval county, to Wm. A. Young, as amended;

Resolution for the relief of J. C. McArthur;

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

Resolution relative to the improvement of Suwanee river.

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

By Mr. Fisher:

A bill to be entitled an Act to change the times of holding the Circuit Courts for the Western Judicial Circuit;

A bill to be entitled an Act giving to the Judge of Probate of Santa Rosa county, the powers of a Justice of the Peace in certain cases.

By Mr. Hawes:

A bill to be entitled an Act to repeal an Act entitled an Act to

prevent slaves from hiring their own time, and for other purposes, approved Dec. 23d, 1856.

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

By Mr. Dawkins:

A bill to be entitled an Act to change the time of giving in, assessing taxes, and for other purposes.

By Mr. Jones:

A bill to be entitled an Act to declare Oncal's Spring, in Washington County, navigable to its head.

By Mr. Eppes:

A bill to be entitled an Act to amend an Act entitled "an Act to organize the Supreme Court of the State of Florida, approved January 11, 1851.

Mr. Eppes offered the petition of the citizens of Apalachicola, in reference to the migration of free persons of color into the port of Apalachicola, with an accompanying bill;

Which was read, and upon motion of Mr. Eppes, referred to a Select Committee of three to examine the same, and to report thereon by bill or otherwise.

The President announced Messrs. Eppes, Hawes and Nicholson such Committee.

Mr. Fisher offered

A resolution requesting our Senators and members in Congress to use their best endeavors to procure the appointment of an Inspector of Customs at the town of Milton, in West Florida;

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

Mr. Eppes presented the petition of certain citizens of Apalachicola, in the county of Franklin, in reference to lines of Telegraph, and asking an amendment to the general laws of the State on the subject;

Which was received and read, and

On motion of Mr. Eppes, referred to the Standing Committee on Corporations.

The Committee on Engrossed Bills made the following report:

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 defining the jurisdiction of Circuit Courts, in certain cases;

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

A bill to be entitled an Act to define the manner of swearing Petit Jurors in this State;