

MONDAY, December 20th, 1858.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

The Journal of Thursday was read.

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

By Mr. Eppes :

A bill to entitled an Act to incorporate the Gulf City and Interior Railroad Company.

By Mr. Hawes :

A bill to be entitled an Act in relation to the pay of State's Attorneys.

By Mr. Call :

A bill to be entitled an Act to organize the county of Amelia; and

A bill to be entitled an Act governing county commissioners of Nassau county in certain cases.

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

By Mr. Nicholson :

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

A bill to be entitled an Act more fully defining the duties of Tax Assessors and Collectors for the city of Pensacola.

A committee from the House appeared and requested of the Senate the return of a bill to be entitled an Act to provide for the payment of costs by plaintiff in certain cases.

On motion, a Committee of three was appointed, consisting of Messrs. Welch, Dell and Call to inform the House that said bill was before the Committee on Enrolled bills.

Mr. Nicholson presented the petition of John K. Michell with a bill to be entitled an Act for the protection of certain property holders in Pensacola.

The Committee appointed to inform the House that a bill to be entitled an Act to provide for the payment of costs by plaintiffs in certain cases, was before the Committee on Enrolled bills, reported that they had performed that duty and were discharged.

Mr. Dawkins introduced a resolution asking of the Governor information concerning the Pensacola and Georgia Railroad Company, and for other purposes ;

Which was placed among the orders of the day.

A Committee from the House appeared and requested of the Sen-

ate that a bill to be entitled an Act to provide for the payment of costs by plaintiffs in certain cases, be obtained from the Committee on Enrolled bills, and transmitted to the House of Representatives.

The Committee on Engrossed bills made the following :

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 amendatory of the existing acts as to Garnishment in this State ; and

A bill to be entitled an Act to declare O'Neal's Spring, in Washington county, navigable.

Respectfully submitted,

THOMPSON B. LAMAR,

Chairman of Committee on Engrossed Bills.

Which was read, and the accompanying bills 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 define false swearing, and punishing the same.

Respectfully submitted,

L. G. McELVY,

Chairman Committee on Enrolled Bills.

Which was read, and the bill ordered to be transmitted to the Governor.

The Committee on Corporations, made the following report :

The Committee on Corporations, to whom was referred the bill entitled an Act providing a charter for the city of Fernandina, have instructed the undersigned to

REPORT :

That there is nothing in said charter inconsistent with the Constitution of the State, or conflicting with the rights of persons not citizens of Fernandina, that the charter has the approval of those interested, and they, therefore, recommend its passage.

Respectfully submitted,

J. McR. BAKER,

Chairman Committee on Corporations.

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

The Committee on Executive Department made the following report :

The Committee on the Executive Department, to whom was re-

ferred the petition of G. R. Fairbanks, D. S. Walker, James T. Archer, and others, referring to the condition of the Judicial Library of the State, beg leave to

REPORT:

That, in considering the subject, and the facts and suggestions contained in said petition, they have been impressed with the necessity of supplying such additional works and reports to the Library as are considered essential to the due administration of the laws, and the proper adjudication of the rights and interests of the citizens of the State.

It appears by said petition, that many reports essential to the Judge and Lawyer are wanting to the Library, and, in the opinion of your Committee, no part of the public funds can be more judiciously employed than in securing facilities for the more just and proper action on the part of the Courts.

Your Committee recommend that a small annual appropriation be made, which, in their opinion, would accomplish the object, and at the same time be little felt. For that purpose, a bill accompanies this report.

W. J. KEITT,
Chairman.

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

On motion, a Committee of three was appointed, consisting of Messrs. Dell, Welch and Baker, to procure and return to the House a bill to be entitled an Act to provide for the payment of costs by plaintiffs, in certain cases.

The rules were waived, and Mr. Nicholson allowed to make a motion.

Mr. Nicholson moved that the Secretary be requested to return to Dr. A. S. Baldwin, certain maps, &c., which was introduced by him as evidence before the Committee on Elections.

Which was adopted.

On motion, the rules were waived, and Mr. Baker allowed without previous notice, to introduce the following bills, viz:

A bill to be entitled an Act in relation to Judges of Probate;

A bill to be entitled an Act to authorize the Circuit Courts of this State to change the names of persons residing therein; and

A bill to be entitled an Act to amend the laws of this State relating to Divorce.

The following reports from the Select Committee were received and read, and the accompanying bills placed among the orders of the day:

The Select Committee, to whom was referred the Act to legalize the Will of Christian Spillman, of Santa Rosa county, have had the same under consideration, and instruct me to report as follows, viz:

Your Committee from the evidence believe that said Will was made in good faith, and for the purposes therein set forth. The Testator seems not to have been aware that more than *one* witness was required, and the abrogating of the Will upon that account would be doing injustice to the intention of the Testator, and also, to the rights of the Legatees.

We, therefore, recommend that the bill do pass.

GEO. D. FISHER,
Chairman Select Committee.

Also, the following:

The Select Committee to whom was referred the bill entitled an Act to amend an Act to amend an Act to authorize the business of Banking.

REPORT:

That they have examined said bill, and recommend the following words to be added to the 3rd Section: "Provided that nothing herein contained shall prevent the Comptroller from dispensing with said affidavit when he is otherwise satisfied of the value of said bonds, or from requiring other evidence than the said affidavit when he is not satisfied that the same exhibits the true market value of said bonds.

GEO. W. CALL, Chairman.

Also, the following:

The Committee to whom was referred the bill to be entitled an Act to regulate foreign Bank agencies,

REPORT:

That the object of the bill is to prevent the drain of specie from the local Banks of the State, through the foreign agencies which would inevitably be the case unless these agencies are required to pay specie, and thus put upon an equal footing with the local Banks.

An apprehension of this result has hitherto prevented the establishment of banks among ourselves, and left our currency to be supplied entirely by the banks of the neighboring States, who annually derive from this currency a profit of over one hundred thousand dollars, and yet are wholly irresponsible to our laws, and may or may not redeem their notes in specie on presentation.

On account of the large amount of capital required for the transaction of business in Apalachicola, most of whose produce comes from the States of Georgia and Alabama, it has not been deemed

advisable to apply the provisions of this bill to that place, and an additional section has therefore been added to that effect. With this addition your committee recommend that the bill do pass.

GEO. W. CALL,
Chairman Select Committee.

On motion, the rules were waived, and the Committee on Propositions and Grievancies allowed to make a report :

The Committee on Propositions and Grievances, to whom was referred a bill to be entitled an Act to provide for the payment of Constables' Fees for summoning Juries of Inquests, and attendance on same, and ask leaf to

REPORT:

That, under the existing laws of this State, Constables may be called upon and forced under penalty to attend Coroner's inquests, summon juries, &c., but the statute does not provide for a just compensation for such services. Your Committee, therefore, recommend the passage of the bill with the following amendment: Strike out the words "two dollars per day," and insert in lieu thereof the words "one dollar and twenty-five cents per day."

D. C. DAWKINS,
Chm'n Com. on Propositions and Grievances.

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

The following message was received and read :

HOUSE OF REPRESENTATIVES, }
December, 16, 1858. }

HON. JOHN FINLAYSON,
President of the Senate:

SIR: Senate bill to be entitled an Act more fully defining the duties of Judges of Probate has been rejected by the House of Representatives

Senate 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, has passed the House of Representatives, amended by adding the following:

SEC. 3. *Be it further enacted*, That the provisions of this Act shall be applicable to the County of Sumter.

And changing the title of the bill so as to make it read:

A bill to be entitled an Act giving to the Judges of Probate of Santa Rosa and Sumter counties the powers of a Justice of the Peace, in certain cases.

The House of Representatives have likewise passed the following bills:

Senate bill to be entitled an Act to amend an Act regulating Pilotage at the port of Fernandina in the County of Nassau, and the port of Cedar Key, County of Levy;

House bill to be entitled an Act to amend the Road Laws as far as relates to Santa Rosa County.

Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
December 18, 1858. }

HON. JOHN FINLAYSON,
President of the Senate:

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

Senate bill to be entitled an Act to repeal an Act entitled an Act to restore the force and operation of the General laws of this State in relation to the migration of free persons of color into this State, and to revive an Act entitled an Act explanatory of the several Acts in relation to the migration of free persons of color into this State, in the port and Bay of Apalachicola, and for other purposes;

Senate bill to be entitled an Act for the relief of Nathan Norton, of Putnam County;

House bill to be entitled an Act to secure the fees of Circuit Court Clerks in certain cases;

House bill to be entitled an Act for the relief of Columbus R. Alexander;

House bill to be entitled an Act to amend an Act to secure the payment of Magistrates' and officers' fees in criminal prosecutions not now provided for by law;

House bill to be entitled an Act explanatory of an Act to organize the County of Volusia, approved December 29, 1854;

House bill to be entitled an Act to regulate the rates of pilotage at the port of St. Marks.

Very Respectfully,

R. B. HILTON,
Clerk House Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
December 15th, 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 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 Railroad Company.

Very Respectfully,

R. B. HILTON,

Clerk House Representatives.

Ordered that the House bills be placed among the orders of the day, and the Senate bills passed by the House be enrolled.

A letter of the Rev. D. McNeill Turner, President of the State Seminary, inviting the Senate to visit that institution on Thursday next, was read ;

On motion of Mr Keitt, the invitation was accepted.

In accordance with the request therein made to appoint a Committee to attend the examination, the Committee on Schools and Colleges with the addition of Mr. McElvy, was appointed for that purpose.

ORDERS OF THE DAY.

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

A bill to be entitled an Act to amend an Act entitled an Act to establish Common Schools and to repeal certain acts in relation thereto, approved 1st January, 1853 ;

A bill to be entitled an Act making appropriations to purchase books for the Judicial Library ;

A bill to be entitled an Act to authorize the Circuit Court of this State to change the names of persons residing therein ;

A bill to be entitled an Act in relation to Judges of Probate ;

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

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

House bill to be entitled 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 Peninsular Railroad company ;

House bill to be entitled an Act to regulate the rates of pilotage at the port of St. Marks ;

House bill to be entitled an Act to amend the road laws so far as relates to Santa Rosa county ;

House bill to be entitled an Act to amend an Act to secure the payment of magistrates and other officers fees in criminal prosecutions not now provided for by law ;

House bill to be entitled an Act for the relief of Columbus R. Alexander ;

House bill to be entitled an Act to secure the fees of Circuit Court Clerks in certain cases ;

House bill to be entitled an Act for the relief of Tido L. Lottman of Santa Rosa county ;

House resolution asking Congress to make an appropriation to keep in repair the old Spanish Fort at St. Augustine, known as Fort Marion ;

A bill to be entitled an Act to authorize Wm. Cannon to establish a Ferry across the Suwanee river ; and

A bill to be entitled an Act to amend article third, sections 14 and 20, of the Constitution of the State of Florida, and article fifth, section 16, of the Constitution of the State of Florida, so as to give the election of Secretary of State, State Treasurer, Comptroller of Public Accounts and of Attorney General of the State to the people.

The rules were waived, and Mr. Eppes allowed to make a motion. On motion of Mr. Eppes, the Senator from Jackson was excused from attendance on the Senate for 10 days after Thursday next.

The rules were waived, and Mr. Keitt allowed to make a motion. On motion of Mr. Keitt, the Senator from Santa Rosa was excused from attendance on the Senate for 8 days from Thursday next.

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 for the protection of public property ;

A bill to be entitled an Act providing a charter for the City of Fernandina ;

A bill to be entitled an Act to legalize the Will of Christian Spillman, of Santa Rosa county ;

A bill to be entitled an Act concerning foreign Bank agencies.

A bill to be entitled an Act more fully defining the duties of Tax Assessors and Collectors for the city of Pensacola ;

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

On motion of Mr. Nicholson, the petition presented by John K. Michell, together with the accompanying documents, was referred to the Judiciary committee.

A bill to be entitled an Act to amend an Act to amend an Act to authorize the business of Banking ;

Was read a second time. The amendments recommended by the select Committee were adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an Act to declare O'Neal's Spring in Washington county, navigable ;

Was passed over informally.

A bill to be entitled an Act to provide for the payment of Consta-

bles' fees for summoning juries of inquest, and attendance on the same ;

Was read a second time.

The amendments recommended by the Committee on Propositions and Grievances were adopted, and the bill ordered to be engrossed as amended, for a third reading on to-morrow.

On motion, the rules were waived to allow Mr. Baker to introduce a petition from the citizens of Sumter county ;

Which was read, and referred to a select Committee, consisting of Messrs. Baker, Eubanks and Dawkins.

A bill to be entitled an Act to incorporate a company to be called the Alachua & Columbia Railroad Company ;

Which was read, 80 copies of the same ordered to be printed, and the bill referred to the Committee on Corporations.

Resolution asking of the Governor information concerning the Pensacola & Georgia Railroad Company, and for other purposes ;

Was read the first time, rules waived, read second time by its title, and referred to a special Committee of three, consisting of Messrs. Dawkins, Call and Eppes.

House bill to be entitled an Act explanatory of an Act to organize the county of Volusia, approved Dec. 29, 1854 ;

Was read the first time, rules waived, read a second time by its title, and referred to a select Committee of three, consisting of Messrs. Baker, Lamar and Call.

A bill to be entitled an Act to repeal an Act to prevent slaves from hiring their own time, and for other purposes, approved 27th Dec., 1856 ;

Was read a third time, and put upon its passage ;

Upon which the vote was :

Yeas—Messrs. Fisher and Hawes—2.

Nays—Mr. President, Messrs. Baker, Call, Dawkins, Duncan, Eppes, Eubanks, Keitt, Lamar, McQueen, Nicholson, Walker and Welch—13.

So said bill was lost.

A bill to be entitled an Act amendatory of the existing Acts as to garnishment in this State ;

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

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

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 repeal an Act to regulate and define the duties of County Commissioners of Calhoun county ;

Was read the first time, the 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, Call, Dawkins, Dell, Duncan, Eppes, Fisher, Hawes, Keitt, Lamar, McElvy, 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.

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

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TUESDAY, December 21st, 1858.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

The Journal of yesterday was read and approved.

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

By Mr. Fisher :

A bill to be entitled an Act to repeal section 24, of an Act entitled an Act to provide for and encourage a liberal system of Internal Improvements in this State.

By Mr. Baker :

A bill to be entitled an Act for the relief of Gen. Benjamin Hopkins ;

A bill to be entitled an Act to consolidate the offices of Sheriff and Tax Assessor and Collector in the County of Sumter.

By Mr. Duncan :

A bill to be entitled an Act to amend the existing laws in relation to criminal prosecutions in this State.

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

By Mr. Eppes :

A bill to be entitled an Act to incorporate the Gulf City and Interior Railroad Company ; and