

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.

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 a third time and put upon its passage;

Upon which the vote was:

Yeas—Mr. President, Messrs. Call, Dawkins, Duncan, Eppes, Eubanks, Fisher, Hawes, Keitt, Lamar, McElvy, 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.

The following bills were read the first time and placed among the orders of the day:

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

Preamble and resolutions in relation to Isaac Welch and others;

Resolution asking for a Mail Route, &c.;

A 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 in this State.

A bill to be entitled an Act appointing Prosecuting Attorneys for the State in certain cases, and to amend an Act, approved Dec 11, 1855, entitled an Act to change the mode of compensation to the several Solicitors and Prosecuting Attorneys in this State;

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

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

Was read a third time and put upon its passage;

Upon which the vote was:

Yeas—Mr. President, Messrs. Call, Duncan, Eppes, Eubanks, Fisher, Hawes, Keitt, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—14.

Nays—none.

So the resolution passed—title as stated.

Ordered that the same be certified to the House of Representatives. On motion, the rules were waived, and Mr. Eubanks gave notice that he would on some future day, introduce

A bill to be entitled an Act to amend an Act entitled an Act to establish the *ad valorem* system of Taxation.

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

THURSDAY, December 23rd, 1858.

The Senate met pursuant to adjournment.

A quorum not being present, a call of the Senate was ordered, and the Sergeant-at-arms sent after the absent members.

It being found that a quorum was present, the call was suspended, and the Senate proceeded to business.

The Journal of yesterday was read and approved.

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

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

By Mr. Eubanks:

A bill to be entitled an Act to amend an Act entitled an Act to establish the *ad valorem* system of taxation, approved December 15, 1855.

By Mr. McCall:

A bill to be entitled an Act to authorize A. J. T. Wright to establish a Ferry at Clay Landing.

On motion of Mr. Baker, the vote taken upon the House bill to be entitled an Act to divide the county of Duval and organize a new county to be called Clay county, on yesterday, was reconsidered;

The House amendments to said bill were adopted, and the bill placed among the orders of the day.

Mr. Call presented a petition from a number of the citizens of Nassau county, asking for the division of said county;

Which was read and referred to a committee of three consisting of Messrs. Call, Eppes and McQueen.

Mr. Baker introduced

A resolution in relation to an examination of the Books, &c., of the Board of Trustees of the Internal Improvement Fund;

Mr. Call offered the following amendment:

*Resolved further*, That the journal of the proceedings of the said Trustees, and all certificates and other important documents which

have not heretofore been published, be reported by the said committee for publication ;

Which was accepted, and the resolution placed among the orders of the day, and 80 copies of the same ordered to be printed.

Mr. Nicholson presented the petition of J. C. Crosby, late Sheriff of Escambia county ;

Which was referred to a Select Committee, consisting of Messrs. Nicholson, Dell and Eppes.

Mr. Keitt introduced

A resolution calling upon the Attorney General for information concerning the Florida Railroad Company ;

Upon the passage of the resolution, the yeas and nays were called for, by Messrs. Call and Baker ;

Which were as follows :

Yeas—Mr. President, Messrs. Call, Dell, Duncan and Keitt—5.

Nays—Messrs. Baker, Eppes, Eubanks, Fisher, McCall, McElvy, Nicholson, Walker and Welch—9.

So said resolution was lost.

Mr. Baker introduced

A joint resolution as to the report of the joint committee of the Senate and House of Representatives, as to the Governor's Message, &c. ;

Mr. Keitt moved that the resolution do lie on the table ;

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

Which were as follows :

Yeas—Messrs. Dell, Keitt, McQueen and Nicholson—4.

Nays—Mr. President, Messrs. Baker, Call, Duncan, Eppes, Eubanks, Fisher, Lamar, McCall, McElvy, Walker and Welch—12.

So said motion was lost.

Mr. Dell moved its indefinite postponement ;

Upon which motion the yeas and nays were called for, by Messrs. McCall and Baker ;

Which were as follows :

Yeas—Messrs. Dell, Keitt and McQueen—3.

Nays—Mr. President, Messrs. Baker, Call, Duncan, Eppes, Eubanks, Fisher, Lamar, McCall, McElvy, Nicholson, Walker and Welch—13.

So said motion was lost.

On motion of Mr. Baker, the bill was put upon its passage ;

Upon which the vote was :

Yeas—Mr. President, Messrs. Baker, Call, Dell, Duncan, Eppes, Eubanks, Fisher, Keitt, Lamar, McCall, McElvy, McQueen, Nicholson, Walker and Welch—16.

Nays—none.

So said resolution passed—title as stated.

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

On motion, it was ordered that 80 copies of the same be printed for the use of the Senate.

The Committee on the Revision of the Constitution made the following report :

The Committee on Revision of the Constitution to whom was referred the bill entitled an Act to amend article third, section 14 and 23 of the constitution of the State of Florida, and article 5th, 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, have considered the same, and recommend its passage.

GEO. W. CALL,

Chairman Committee on Revision Constitution.

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

The Committee on Schools and Colleges made the following report :

The Committee on Schools and Colleges to whom was referred the bill to be entitled an Act to amend an Act to establish common schools, and to repeal certain Acts in relation thereto, approved January 1st, 1853,

#### REPORT :

They have had the same under consideration, and recommend that it pass. The law affixes a penalty for the Tax Assessors to refuse to take the census of the children between the ages of 5 and 18 years, and prescribes that they shall receive five cents per head for said service, but it does not prescribe who shall pay it. This bill remedies that evil complained of by the Assessors.

All of which is respectfully submitted,

J. McR. BAKER,

Chairman Committee on Schools and Colleges.

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, the following bill and resolution :

A bill 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 ; also

Resolution in relation to a light-house on St. Martins' Reef.  
Respectfully submitted,

L. G. McELVY,  
Chairman.

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:

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 concerning foreign bank agencies;

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

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

Respectfully submitted,

THOMPSON B. LAMAR,

Chairman Committee on Engrossed Bills.

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

The Committee on Internal Improvements made the following report:

*Mr. President:*

SIR: The Committee to whom was referred a bill to be entitled an Act to incorporate a company to facilitate the construction and equipment of a Railroad from the St. Johns River to St. Augustine, under the style of the St. Johns Railway Company, beg leave to

#### REPORT:

That they have had the same under consideration, and recommend its passage.

Respectfully submitted,

T. B. LAMAR,

Chairman Committee on Internal Improvements.

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

The Committee on Claims and Accounts made the following report:

The Committee on Claims and Accounts, to whom was referred the Resolution of the House of Representatives, for the relief of the securities of Robert Clark, beg leave to

#### REPORT:

That they learn that the resolution was reported to the House of

Representatives by one of its Committees, accompanied by a statement of facts to the effect that Robert Clark who had been elected Sheriff of Monroe county, qualified and gave the bond upon which suit has been instituted; that, two years thereafter, he was again elected and executed a new bond, with other securities, which was approved by the Solicitor and deposited in the office of the Clerk of the Circuit Court, but which was not forwarded to the proper office at Tallahassee; that, consequently no new Commission was issued, but said Clark continued to act under the old commission, without the knowledge and consent of his original securities; that said Clark was a third time elected, and still failed to qualify under the new election, but continued to act under his first commission. The securities were not apprized of these circumstances in time to protect themselves against the probable consequences to them. All they ask, as your Committee are informed, is to be released from all claim against them for the acts of the said Clark, after his second election, and his giving his second bond. They do not deny their responsibility for such default as may have been committed during the period which their bond was given, and was intended to cover; and your Committee refer to said report of the Committee of the House of Representatives, as further explanation of the subject, and recommend that the resolution be passed by the Senate.

Respectfully submitted,

J. W. McQUEEN,  
Chairman.

Also the following:

The Committee on Claims and Accounts to whom was referred a bill entitled an Act for the relief of Alexander Douglas, and others therein mentioned, have had the same under consideration, and your committee have been informed, and believe that the said Alexander Douglas, and others therein mentioned, have received the sum of two hundred dollars as a reward for the arrest of said Leonard Singleterry, and in their opinion the State is not in duty bound to make any further allowance, and therefore, report that the bill do not pass.

Respectfully submitted,

J. W. McQUEEN, Chairman.

Also the following:

The Committee on Claims and Accounts to whom was referred an account for the relief of Columbus R. Alexander, beg leave to

#### REPORT:

That they have been advised that the services for which an allowance is proposed to be made by the bill have been actually ren-

dered, but they are not apprized of the particular circumstances connected with the claim; supposing, however, that the Comptroller will require all the evidence necessary to establish the amounts which may be claimed, they recommend that the bill be passed.

Respectfully submitted,

J. W. McQUEEN,  
Chairman.

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

The Committee on Propositions and Grievances made the following report:

The Committee to whom was referred Resolution for the relief of Wm. Bassett, have had the same under consideration, and, believing as we do that an Act of liberality should not be withheld from a source of so much necessity would, therefore, recommend the passage of the enclosed resolution.

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

HOUSE OF REPRESENTATIVES, }  
December 22d, 1858. }

HON. JOHN FINLAYSON,  
President of the Senate:

Sir: The House of Representatives have rejected the following Senate bills:

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

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

A bill to be entitled an Act defining the indecent exposure of the person at or near any chartered ferry a misdemeanor, and punishing the same; and

A bill to be entitled an Act making copies of the Spanish Archieves evidence in certain cases.

The House has passed the following bills:

A bill to be entitled an Act for the relief of Dr. T. B. Todd; also Senate bill to be entitled an Act to change the name of the county site of Columbia county, from Alligator to Lake City.

Very respectfully,

R. B. HILTON,  
Clerk House Representatives.

Which was read, and the House bills placed among the orders of the day, and the Senate bills passed without amendment, ordered to be enrolled.

## ORDERS OF THE DAY.

Preamble and Resolution in relation to Isaac Welch, and others; Was read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. McQueen moved the reconsideration of the vote taken on the final passage of the bill entitled an Act to amend an Act to organize the Supreme Court;

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

Upon which the vote was:

Yeas—Mr. President, Messrs. Call, Duncan, Eppes, McQueen and Nicholson—6.

Nays—Messrs. Dell, Eubanks, Fisher, Keitt, Lamar, McElvy, Walker and Welch—8.

So the motion was lost.

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

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

Yeas—Mr. President, Messrs. Call, Dell, Duncan, Eubanks, Fisher, Lamar, McElvy, McQueen, Nicholson, Walker and Welch—12.

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 the existing laws in relation to criminal prosecutions in this State;

Was read a second time and referred to a Select Committee, consisting of Messrs. Duncan, Call and Fisher.

Resolution for the relief of William Bassett;

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

House Resolution asking for a mail route, &c.;

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

A 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 in this State;

Was read a second time, and 80 copies of the same ordered to be printed.

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

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

Yeas—Messrs. Call, Dell, Fisher, Keitt and Walker—5.

Nays—Mr. President, Messrs. Eppes, Eubanks, Lamar, McElvy, McQueen and Nicholson—7.

So said bill was lost.

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

House bill to be entitled an Act to remove in part, obstructions to commerce at Key West;

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

Yeas—Mr. President, Messrs. Call, Duncan, Eppes, Eubanks, Keitt, Lamar, McElvy, McQueen and Nicholson—10.

Nay—Mr. Fisher—1.

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 amend an Act to allow owners or commanders of boats to peddle on the Choctawhatchie River, approved January 8, 1853;

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

Yeas—Mr. President, Messrs. Baker, Call, Dell, Duncan, Eppes, Eubanks, Fisher, Keitt, Lamar, McElvy, McQueen, Nicholson and Walker—14.

Nays—None.

So said bill passed—title as stated.

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

House resolution asking that the Apalachicola Arsenal be made an Arsenal of construction;

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

Yeas—Mr. President, Messrs. Call, Dell, Eubanks, Fisher, Lamar, McElvy, McQueen, Walker and Welch—10.

Nays—Messrs. Duncan and Nicholson—2.

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 making appropriations to purchase books for the Judicial Library;

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

Yeas—Messrs. Eppes, Eubanks, Keitt and Nicholson—4.

Nays—Mr. President, Messrs. Call, Dell, Duncan, Fisher, Lamar, McElvy, McQueen and Walker—9.

So said bill was lost.

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

FRIDAY, December 24th, 1858.

Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

The reading of the journal of yesterday was dispensed with.

The Committee on Engrossed Bills made the following report:

*Mr. President:*

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

A bill to be entitled an Act amending an Act relative to suffering a slave to trade as free, passed 10th, February, 1852;

A bill to be entitled 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;

A bill to be entitled an Act in addition to and amendatory of the several Acts concerning Pleading and Practice in Civil and Criminal cases;

A bill to be entitled an Act to authorize Silas Jernigan to establish a ferry across Black water River, in the Town of Milton;

Preamble and Resolution in relation to Isaac Welch, and others; Resolution for the relief of William Bassett.

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 Internal Improvements made the following reports:

*Mr. President:*

Sir: The Committee to whom was referred 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 Peninsula Railroad Company, beg leave to

REPORT:

That they have had the same under consideration, and a majority