

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

of said Committee instruct the undersigned, Chairman of said Committee, to recommend its passage.

Respectfully submitted,
T. B. LAMAR, Chairman.
L. G. McELVY,
JOHN EUBANKS.

The undersigned, a minority of said Committee, beg leave to dissent from so much of the foregoing report as recommend the passage of said bill without amendment. In his opinion, the bill should be amended by adding the following section :

SEC. 19. *Be it further enacted*, That the provisions of this Act shall not be so construed as to prejudice the chartered rights of any other company.

Respectfully submitted,
T. B. LAMAR, Chairman
Committee on Internal Improvements.

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

The Committee on Corporations made the following report :

The Committee on Corporations, to whom was referred a bill to be entitled an Act to incorporate a Bank in the city of Fernandina, having had the same under consideration, have instructed the undersigned to

REPORT :

1st. That said bill has been suspended for some time in the hands of the Committee at the request of its friends; that we find that notice of said application has been duly advertised as required by law.

2d. We find that the second article of the first section provides that "the capital stock of said Bank shall not exceed one million of dollars," &c. In the second section, (second page printed bill) it is provided that the books shall be kept open until their sum of one hundred thousand dollars is subscribed," when "the books shall be closed," &c. In the third section it is said the shares of stock in said Bank shall be paid in as follow : *Ten dollars* on each and every share at the time of subscription, and the remaining ninety dollars at such time, &c., "within one year from the election of said Board of Directors." It will be seen by the above that from the ostensible or allowed capital stock of one million dollars, the same is permitted to be reduced to one hundred thousand, and that amount again decimated and the bank allowed to go into operation with an actual cash and specie capital of only (\$10,000) ten thousand dollars, which amount would, in the opinion of your committee, be entirely inadequate.

Your committee therefore, recommend that in the third section of said act the word "ten" be stricken out and the words "twenty-five" inserted instead thereof, and the word "ninety" be stricken out and the words "seventy-five" be inserted in lieu thereof. This would give the bank a cash specie basis of \$25,000 which your committee deem sufficiently small.

3d. Your committee, in accordance with the amended General Banking law, and in accordance with the recommendation of the Executive of this State, recommend also, the following amendments :

In the tenth article of the first section, second page printed bill, 40th line, after the words "the stockholders of said bank" insert the words "who are such at the time, or who may have been stockholders within twelve months next preceding the time," and in the 41st line, same article, after the word "dissolve" add the words "or fails or suspends."

With these amendments, your committee recommend that said bill do pass.

Respectfully submitted,
J. McR. BAKER,
Chairman Committee on Corporations.

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

The following report was received from the Select Committee :

The Committee to whom was referred a bill to be entitled an Act to amend the existing laws in relation to Criminal Prosecutions in this State, have had the same under consideration, and beg leave to report said bill back to the Senate and be discharged from the further consideration of the same.

W. J. J. DUNCAN.

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 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;

Was read a second time, and ordered for a third reading on tomorrow.

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;

Came up on its second reading.

Mr. Keitt moved that the Senate go into a Committee of the Whole for the consideration of said bill;

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

The vote was:

Yeas—Messrs. Call, Dell, Hawes, Keitt and McQueen—5.

Nays—Mr. President, Messrs. Duncan, Eppes, Eubanks, Fisher, Jones, McCall, McElvy, Nicholson, Walker and Welch—11.

So said motion was lost.

Mr. Keitt moved that said bill be laid upon the table;

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

The vote was:

Yeas—Messrs. Dell, Hawes and Keitt—3.

Nays—Mr. President, Messrs. Baker, Call, Duncan, Eppes, Eubanks, Fisher, Jones, McCall, McElvy, McQueen, Nicholson, Walker and Welch—14.

So said motion was lost.

Mr. Dell moved its postponement to the 8th January;

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

Upon which the vote was:

Yea—Mr. Dell—1.

Nays—Mr. President, Messrs. Baker, Call, Duncan, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, McCall, McElvy, McQueen, Nicholson, Walker and Welch—16.

So said motion was lost.

Upon the question of the adoption of the amendment recommended by the minority of the Internal Improvement Committee;

The yeas and nays were called for, by Messrs. McCall and Dell;

Upon which the vote was:

Yeas—Messrs. Call, Dell, Hawes, Keitt, Lamar and McQueen—6.

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

So the amendment recommended was lost.

Mr. McCall moved that the rules be waived in order to read the bill a third time and put it upon its passage;

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

The vote was:

Yeas—Messrs. Baker, Duncan, Eppes, Eubanks, Fisher, Jones, Lamar, McCall, McElvy, Nicholson, Walker and Welch—12.

Nays—Mr. President, Messrs. Call, Dell, Hawes, Keitt and McQueen—6.

So the motion not having received the requisite majority was lost.

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

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

Yeas—Mr. President, Messrs. Call, Lamar and McElvy—4.

Nays—Messrs. Baker, Dell, Duncan, Eppes, Eubanks, Fisher, Hawes, Jones, Keitt, McCall, Nicholson, Walker and Welch—13.

So said bill was lost.

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

Mr. McQueen moved to reconsider the vote taken on yesterday, on a bill to be entitled an Act to regulate the rates of pilotage at the port of St. Marks;

Which motion was adopted;

The vote was:

Yeas—Messrs. Baker, Duncan, Eppes, Fisher, Jones, McCall, Walker and Welch—8.

Nays—Mr. President, Messrs. Call, Eubanks, Hawes, Keitt, Lamar, McElvy, McQueen and Nicholson—9.

So the bill was lost.

The rules were waived, and Standing Committees allowed to make reports.

The Committee on Enrolled Bills made the following report:

The Committee on Enrolled bills, report as correctly enrolled the following bill, viz:

A bill to be entitled an Act to change the name of the county site of Columbia County from Alligator to Lake City.

Respectfully submitted,

L. G. McELVY, Chairman.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
December 23, 1858. }

HON. JOHN FINLAYSON,

President of the Senate:

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

A bill to be entitled an Act to authorize Alexander Grissman to establish a ferry across the Suwannee River;

A bill to be entitled an Act to establish a ferry across the Suwannee River;

A bill to be entitled an Act to authorize H. E. Osteen to establish a ferry across the St. Johns River;

A bill to be entitled an Act relative to the offices of Sheriff and Circuit Court Clerk in the County of St. Johns;

A bill to be entitled an Act for the charter of a ferry across the Suwannee River, at the lower Suwannee Spring;

A bill to provide for the issuing *scire facius* on forfeited recognisances;

A bill to be entitled an Act in relation to collection in Justices Courts in the State of Florida;

A bill to be entitled an Act to authorize John H. Baker to build a toll bridge across Withlacoochie River, at or near Belville on said River;

A bill to be entitled an Act to empower John W. O'Neal, of Madison County to assume the management of his own estate;

Senate bill to be entitled an Act to authorize Richard M. White, to contract and be contracted with;

A bill to be entitled Act to provide for recording the marks and brands of cattle shipped from the Counties of Manatee and Hillsborough;

Resolution asking Congress to make an appropriation to build a light-house at the mouth of the Manatee River, South Florida;

A bill to be entitled an Act in relation to the School Fund in the County of St. Johns.

Very Respectfully,

R. B. HILTON,

Clerk House Representatives.

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

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;

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

Yeas—Mr. President, Messrs. Call, Dell, Duncan, Eubanks, Fisher, Hawes, Jones, Keitt, Lamar, McCall, McQueen, Nicholson and Walker—14.

Nays—Messrs. Baker, Eppes and McCall—3.

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

Came up on its second reading;

Mr. Lamar moved its indefinite postponement;

Upon which motion, the yeas and nays were called for, by Messrs. Duncan and Keitt;

Upon which the vote was:

Yeas—Messrs. Call, Dell, Eppes, Jones, Keitt, Lamar and McQueen—7.

Nays—Mr. President, Messrs. Baker, Duncan, Eubanks, Hawes and Nicholson—6.

So said bill was indefinitely postponed.

A bill to be entitled an Act to incorporate a Bank in the city of Fernandina;

Was read a second time, the amendments recommended by the committee adopted, and ordered to be engrossed for a third reading on to-morrow.

Preamble and Resolution in relation to Isaac Welch and others;

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, Hawes, Jones, Keitt, Lamar, McQueen and Nicholson—13.

Nays—none.

So the Resolution passed—titled as stated.

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

Resolution for the relief of William Bassett;

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

Yeas—Messrs. Dell, Duncan, Hawes, Jones, McQueen, Nicholson and Welch—7.

Nays—Mr. President, Messrs. Call, Eppes, Eubanks, Keitt and Lamar—6.

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 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;

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

Yeas—Mr. President, Messrs. Baker, Duncan, Eppes, Eubanks, Hawes, Jones, Keitt, Lamar, McQueen, Nicholson and Welch—12.

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 amending an Act relative to suffering a slave to trade as free, passed February 10th, 1832;

Was read a third time and put upon its passage;

Upon which the vote was:

Yeas—Mr. President, Messrs. Duncan, Eppes, Hawes, Jones and Welch—6.

Nays—Messrs. Baker, Call, Dell, Eubanks, Keitt, Lamar, McQueen and Nicholson—8.

So said bill was lost.

An Act to authorize Silas Jernigan to establish a ferry across Black Water River, in the town of Milton;

Was read a third time and put upon its passage;

Upon which the vote was:

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

Nays—Messrs. Baker, Call, Eubanks, Hawes, Jones, Keitt, Lamar and Welch—8.

So said bill was lost.

On motion, the Senate do adjourn until Monday, 10 o'clock, A. M.;

Mr. Baker moved to amend by adjourning until to-morrow morning, 10 o'clock;

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

Upon which the vote was:

Yeas—Mr. President, Messrs. Hawes, Jones, Nicholson and Welch—5

Nays—Messrs. Baker, Call, Dell, Duncan, Eppes, Eubanks, Keitt, Lamar and McQueen—9.

So said motion was lost.

On motion, the Senate do adjourn until to-morrow morning, 10 o'clock;

Upon which motion, the yeas and nays were called for, by Messrs. Dell and Keitt;

Upon which the vote was:

Yeas—Messrs. Baker, Call, Dell, Duncan, Eubanks, Keitt, Lamar, McQueen and Welch—9.

Nays—Mr. President, Messrs. Eppes, Hawes, Jones and Nicholson—5.

Whereupon, the Senate adjourned until to-morrow 10 o'clock, A. M.

SATURDAY, December 25th, 1858.

The Senate met pursuant to adjournment.

Mr. Dell was called to the Chair.

No quorum being present,

On motion of Mr. Keitt, the Sergeant-at-Arms was sent after the absent members.

Mr. Nicholson moved that the Senate adjourn until Monday, 11 o'clock, A. M.;

Upon which the yeas and nays were called for by Messrs. Keitt and Hawes;

Which were as follows:

Yeas—Messrs. Baker, Duncan, Hawes, Jones, Nicholson and Welch—6.

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

So the Senate adjourned until Monday, 11 o'clock, A. M.

MONDAY, December, 27th, 1858.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. Dubose officiated as Chaplain.

The Journals of Friday and Saturday were read, amended and approved.

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

By Mr. Eppes:

An Act in relation to dower; and

A bill to be entitled an Act to amend the several Acts in force in this State in relation to proceedings in criminal cases.

By Mr. Keitt:

A bill to be entitled an Act to amend an Act regulating the sale of real estate by Executors and Administrators.

Mr. Keitt made the following report:

The Committee on the Executive Department to whom was referred the Resolution relative to the drainage of the swamp and overflowed lands on the Oclawaha River,

REPORT:

That the Oclawaha River is one of the most important streams in the State; that along its banks are many of the most valuable lands in the State, which require very little expense and labor to bring them immediately into market; that these lands are almost exclusively swamp lands, and were granted by Congress for the express purpose of facilitating their drainage; that the State in accepting this grant, is both in honor and in law bound to carry out the purpose of Congress, and that obligation was not intended to be lessen-