

House bill to be entitled an act to provide the mode and manner of giving notice in actions of ejections:

Was read the second time, rules waived, read the third time by its title and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Brokaw, Call, Chain, Dawkins, Jones, Magbee, McQueen, Simkins and Watlington—11.

Nays—none.

So said bill passed—title as stated.

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

House resolution relative to the employment of Edward Powell in the Militia service of this State;

Was read the first time and ordered for a second reading on Monday next.

A bill to be entitled an act to establish a salary and abolish fees of the office of the Secretary of state;

Was read the first time, rules waived, read the second time by its title and referred to the committee on the Executive Department.

House bill to be entitled an act for the better preservation of the State Judicial Library;

Was read the second time.

Mr. Call moved to strike out the second and fourth sections;

Which was adopted.

On motion the rules were waived, the bill read the third time by its title and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Brokaw, Call, Chain, Dawkins, Jones, Magbee, McQueen, Simkins and Watlington—12.

Nays—None.

So said bill passed—title as stated.

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

On motion, a committee of three, consisting of Messrs. Magbee, Simkins and Abercrombie, were appointed to wait upon the House and inform that body that the Senate had refused to re-consider the vote on the passage of a bill to be entitled an act to authorize James Addison to construct a dam across the Ocklockonee river for the purpose of erecting a Mill, with instructions to return said bill to the House.

House bill to be entitled an act to provide for the security of the citizens of this State transacting business with foreign corporations;

Was read the second time, and on motion of Mr. Call, was indefinitely postponed.

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

On motion the Senate adjourned until half-past 10 o'clock Monday morning.

MONDAY, February 11th, 1861.

The Senate met pursuant to adjournment.

A quorum present.

On motion the reading of Saturday's journal was dispensed with, amended and approved.

Mr. Dawkins moved that the resolution to provide for the appointment of a Major-General in the army of Florida be taken up and placed among the orders of the day;

Which was agreed to.

The rules being waived, Mr. Chain introduced without previous notice the following bill:

A bill to be entitled an act to prevent the collection of debts in certain cases from debtors in this State;

Which was read the first time, rules waived, read the second time by its title, and placed among the orders of the day for to-day.

The rules being waived, Mr. Call introduced without previous notice the following bill:

A bill to be entitled an act supplemental to the act providing for an issue of Treasury notes;

Which was read the first time, rules waived, read the second time by its title, and placed among the orders of the day.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,)
Tallahassee, Feb. 11, 1861. }

HON. T. J. EPPES,

President of the Senate:

SIR: I respectfully recommend the following nominations for the advice and consent of the General Assembly, viz:

Franklin County.

Port Wardens at Apalachicola:

Edward Williams, Francis Pike, Frederick N. Fuller, Robert. D. Munn, Henry Swain B. L. Turner, John Coupe.

Cotton Weighers :

Thomas Matthews, Reuben L. Harrison, William D. McClay, Simon K. Bull, J. J. Flanders, Geo. L. Brockenbrough,

Commissioners of Pilotage :

Joseph L. Dunham, Benj. Edison, James J. Griffin, James P. Penn, Joseph Atkins.

Escambia County.

Port Wardens :

John Campbell, Chas G. Barclay, Wm. H. Baker, James W. Hall, Walter L. Cozens.

Auctioneer.—Joseph Sierra, Jr.

Keeper of Spanish Archives.—F. De La Rua.

Gadsden County.

Auctioneer.—John A. Bissell.

Very Respectfully,

M. S. PERRY.

Which was read, and on motion, the nominations therein contained advised and consented to.

The following communication was received from the Board of Trustees of the Internal Improvement Fund :

BOARD OF TRUSTEES INT. IMP. FUND, }
Tallahassee, Feb. 8, 1861. }

HON. T. J. EPPES:

President of the Senate :

SIR: I am instructed by the Trustees of the Internal Improvement Fund to communicate to both Houses of the General Assembly the following preamble and resolution adopted by them at a meeting held this morning, viz :

WHEREAS, L. D. Stickney, in behalf of himself and his associates, has represented to this Board the great ultimate advantage that would result to the State and to the fund under the supervision of the Trustees, by a grant of land in the Southern peninsular of this State, for the cultivation of tropical productions by actual settlers; and, Whereas, the region of country in which the grant is desired, is now unpopulated, but would soon be filled by an industrious and thrifty population, if the enterprize in view should prove a success; and, Whereas, the Board being sensible of the great benefits likely to result by the proposed grant, but being doubtful of their power without authority from the General Assembly, and it being supposed that some of the land to be located may not fall within the grant made to the Trustees; Therefore

Resolved, That this Board do recommend to the General Assembly the passage of an Act granting to L. D. Stickney and his associates, a Township of land lying South of latitude 27 deg. 30 min., and authorize the Trustees to convey title to such of the land to be

located as shall fall within the grant to the Trustees; the land granted to be located within one year, and all sections not actually settled within four years from the time of location, to revert to the State or to the Trust Fund.

Unanimously adopted by the Trustees.

Very respectfully,

F. L. VILLEPIGUE,
Secretary Board of Trustees.

Which was read.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
February 11th, 1861. }

HON. T. J. EPPES,

President of the Senate :

SIR: The House has passed the following bills, viz :

A Senate bill to be entitled an act to authorize the issue of bonds to the extent of one million dollars by the Commonwealth of Florida, with sundry House amendments; and

A bill to be entitled an act to vest the several Circuit Courts of this State hereinafter named, with the powers which were possessed by the late District Courts of the United States, and for other purposes.

Respectfully,

A. J. PEELER,
Clerk House of Representatives.

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

Mr. Brokaw presented a petition of A. L. Woodward, of Tallahassee;

Which was read and referred to the committee on Propositions and Grievances.

Mr. Call introduced the following resolution :

Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened. That A. L. Woodward Depository of the late United States, be and he is hereby authorized to pay a draft for seventy-five dollars (number 716,) in favor of Dr. William L. Jones, drawn by said late United States Government.

Which was read the first time, rules waived, read the second and third times by its title and put upon its passage;

The vote was :

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Brokaw, Call, Chain, Dawkins, Jones, McQueen, Rogers, Simkins and Watlington—12.

Nays—none.

So the resolution passed title as stated:
Ordered that the same be certified to the House of Representatives.

A committee from the House appeared at the bar and informed the Senate that they had been appointed on the part of the House to act with a similar committee on the part of the Senate for the purpose of drafting a general appropriation bill.

On motion of Mr. Dawkins, a similar committee on the part of the Senate, consisting of Messrs. Dawkins, Simkins and Abercrombie was appointed to act with said committee on the part of the House, and to inform the House of the same.

The committee after a short absence returned and reported that they had informed the House of their appointment.

Mr. Simkin's offered a resolution relative to the employment of Henry Douglass in the military service of the State;

Which was placed among the orders of the day to come up immediately after a resolution relative to the employment of Edward Powell in the military service of the State.

Mr. Simkins from the committee on Enrolled Bills made the following report:

The committee on Enrolled Bills beg leave to report the following bills as correctly enrolled:

A bill to be entitled an act to prevent breaches of trust by Telegraph Operators;

A bill to be entitled an act for the relief of Donald Cameron, Justice of the Peace for Leon County;

A bill to be entitled an act to amend an act to provide for writs of error in criminal cases;

A bill to be entitled an act to Incorporate the Marine and Fire Insurance Company at Pensacola;

A bill to be entitled an act to relieve the town of Milton of the limits of fifty per cent. in taxation within the corporate limits of said town and for other purposes;

A bill to authorize the County Commissioners of Hillsborough county to borrow money;

A bill to be entitled an act requiring railroad companies to maintain proper cattle guards and railroad crossings;

A bill to be entitled an act to authorize Joseph H. Rowe, Wm. J. Keyser and other owners of wharf property at Milton in Santa Rosa County, to establish and charge rates of wharfage;

A bill to be entitled an act for the relief of Edward M. West, Justice of the Peace of Leon county;

A bill to be entitled an act to improve the navigation of Chipola river and other purposes;

A bill to be entitled an act to improve the navigation of Weekiver creek and Clay Spring run, and reclaim the swamp and overflowed lands on said streams;

A bill to be entitled an act for the relief of M. D. Papy and others;

A bill to be entitled an act for the relief of James McCormick;

A bill to be entitled an act governing the County Commissioners of Nassau county in certain cases;

A bill to be entitled an act to amend an act requiring licenses to be taken out by persons and subjects not hitherto taxed, approved January 12, 1849;

A bill to be entitled an act supplemental to an act to establish the Merchants and Planters Bank of Pensacola;

Resolution for the relief of A. B. Noyes and others; and

A resolution relative to adjournment of the Legislature.

Respectfully submitted,

E. C. SIMKINS.

Chairman.

Which were read.

Mr. McQueen from the committee on Engrossed Bills made the following report:

The committee on Engrossed Bills beg leave to report the following bills and resolution as correctly engrossed:

A bill to be entitled an act to increase the taxes;

A bill to be entitled an act providing for the issue of Treasury notes; and

A resolution in relation to military laws.

Respectfully submitted,

JAS. W. McQUEEN,

Of the committee.

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

Mr. Chain from the committee on the Executive Department made the following report:

The Standing committee on the Executive Department, to whom was referred a bill to be entitled an act to establish a salary and abolish fees of the office of the Secretary of State, have had the same under consideration and instructed me to

REPORT

The accompanying amendments, and ask the same be adopted: The object of the bill is what its title purports it to be, simply to do away with the perquisites of office of Secretary of State, and to give that officer a competent salary for his services. This your committee regards as being not only proper and right, but highly creditable.

table to the State in sustaining the dignity of the office, and thereby to do away with the humiliating and picayune business of such an honorable office, therefore, your committee recommend the passage of the bill.

JOHN CHAIN,
Chairman.

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

Mr. Magbee from 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 the Lake City and Blount Ferry Railroad Company, also a bill to be entitled an act to incorporate the Alachua County Railroad Company, have had the same under consideration and instruct me to report said bills back to the Senate without amendment and recommend that they do pass.

JAMES T. MAGBEE,
Chairman.

Which was received and read, and on motion, the bill placed among the orders of the day to come up on its third reading.

ORDERS OF THE DAY.

A bill to be entitled an act providing for the issue of Treasury notes;

Was read the third time.

Mr. Chain offered the following amendment at the end of the twelfth line of section six:

In the twelfth line of the sixth section, after the word "operations," insert "or which may be in operation within the next twelve months from and after the passage of this act;"

Which was adopted.

The bill as amended, was then put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Call, Dawkins, Jones, Magbee, McQueen, Rogers and Simkins—8.

Nays—Messrs. Abercrombie, Baldwin, Brokaw, Chain and Watlington—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 supplemental to an act providing for the issue of Treasury notes;

Was taken up, read the third time and put upon its passage:

The vote was:

Yeas—Mr. President, Messrs. Call, Finlayson, Jones, McQueen, Rogers and Simkins—7.

Nays—Messrs. Abercrombie, Baldwin, Brokaw, Chain, Dawkins and Magbee—3.

So said bill passed—title as stated.

On motion, a committee consisting of Messrs. Rogers, Dawkins and Finlayson, were appointed to certify the passage of the same to the House, together with a bill to be entitled an act providing for the issue of Treasury notes, substitute to a House bill to be entitled an act to provide for a circulating medium in the State of Florida;

Which committee retired and after a short absence returned and reported that they had performed that duty and were discharged.

The following message was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT, }
Tallahassee, February 11, 1861. }

Hon. T. J. EPPES,

President of the Senate:

SIR—I respectfully recommend the following nominations for the advice and consent of the General Assembly:

Monroe County:

Auctioneers—Alexander Gatterson, William H. Ward.

Very respectfully,

M. S. PERRY.

Which was read, and on motion the nominations therein contained were advised and consented to.

The rules being waived, Mr. Magbee from a select committee made the following report:

A majority of the select committee to whom was referred a bill to be entitled an act encouraging the cultivation of tropical fruits,

REPORT

That they have had the same under consideration and find that said bill proposes to grant thirty-six sections of six hundred and forty acres, each, amounting to twenty-three thousand and forty acres of land, to Messrs. D. W. F. Besbee, L. D. Stickney and A. T. Howe, "to encourage" the introduction in this State of useful tropical exotics and the cultivation thereof. While your committee are willing to encourage the enterprise of the above named gentlemen, they cannot lose sight of our Florida soldiery, by whose toil the land in question was gained. By the act of secession all the lands that was claimed by the General Government has enured to the State, and it is proper and right that we should deal as justly with our soldiery in donating these lands to them for military services performed on the

soil, as the late United States, which has never failed to grant land warrants to those soldiers and to pay them for horses lost in service. We feel it more sensibly to be our duty to look out for the interest of those volunteers when we know that the land upon which the general Government based its donations to them has fallen to the State, and that these soldiers must be provided for out of the lands acquired by secession or forever lose this part of their pay, which by precedent was holden out to them as a part of their pay, when they joined the service. Your committee also believe that by making these grants the State will encourage the settling up of the unsettled part of the peninsula of Florida and will furnish an armed occupancy on the soil to protect those engaged in raising tropical plants; they therefore recommend that a certain portion of lands be given any one, a head of a family who will settle, reside and cultivate lands South of a certain line to be designated. They therefore offer a bill which contains provisions to meet the ends of said bill, to-wit: A bill to be entitled an act granting land warrants to the volunteers of Florida and to provide for the payment for lost horses while in public service, and for other purposes, as a substitute for the bill under consideration, and recommend said substitute be adopted for the bill under consideration and recommend that the same do pass.

JAMES T. MAGBEE,
E. C. SIMKINS.

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

The committee appointed on Saturday to return to the House a bill to be entitled an act authorizing James Addison to construct a dam across the Ocklockonee river for the purpose of erecting a mill, reported that they had performed that duty and were discharged.

A committee from the House appeared at the bar and informed the Senate that they had been appointed to inform the Senate that the House had passed a bill to be entitled an act regulating the duties of Registers and Receivers of Public Lands in this State, and for other purposes, and to ask the Senate to take immediate action on the same.

Which was received and on motion the bill placed first among the orders of the day.

A committee from the House appeared at the bar and informed the Senate that they had been appointed to return to the Senate Senate bill to be entitled an act providing for carrying the mails, which had passed the House with amendments, and to ask the concurrence of the Senate in said amendments.

Which was received and bill placed among the orders of the day. House bill to be entitled an act regulating the duties of Registers and Receivers of Public Lands in this State, and for other purposes;

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

Mr. Call offered a bill to be entitled an act to abolish United States Receivers of Public monies, as a substitute for said bill;

Which was adopted, and ordered to be engrossed for a third reading, to come up when the committee on engrossed bills report the same.

A committee from the House appeared at the bar and informed the Senate that they had been appointed to certify to the Senate the passage of a bill to be entitled an act to amend the 22nd section of the act to provide for and encourage a liberal system of Internal Improvements in this State, approved January 6th, 1855.

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

A bill to be entitled an act to increase the taxes;

Was read the third time.

Mr. Chain moved that it be put back upon its second reading;

Which was agreed to.

Mr. Chain then moved to amend the bill by adding the following additional sections:

SEC. 5. *Be it further enacted*, That nothing in the act entitled an act to establish the ad valorem system of taxation, approved December 15, 1855, shall be so construed as that where any one who has loaned money at interest and taken a note or obligation for the same, that if he gives the same in under the head of notes and obligations, he shall be required to give the same in under the head of money at interest or in possession, and the heading of the Tax Assessors books shall be so headed as to say, "money at interest or in possession not otherwise given in and taxed," and "all notes and obligations of whatever character," the amount of which is not otherwise given in and taxed; nor shall there be any thing in said act to be so construed as to require any one to give in any taxable property or objects of taxation by the provisions of said act, any other property or objects of taxation than that which he owns and has at the time he gives in his taxes to the Assessor; nor shall said act be so construed as to require notes or obligations not due to be given in for taxation.

SEC. 6. *Be it further enacted*, That there shall be exempt from taxation, one hundred dollars worth, if so much there be, of the household and kitchen furniture of every family, or of whatever less than one hundred dollars worth there may be.

SEC. 7. *Be it further enacted*, That whereas there has arisen doubts as to whether or no that improvements upon the public lands are taxable, therefore, it is hereby declared that owners of the improvement upon public lands shall be required to give the valuation thereof in as taxable property, and to pay the taxes therefor as other tax-

able property and objects of taxation are given in and paid for under the laws of this State in force on the subject of taxation.

On motion the amendment was put by sections.

The fifth section was adopted.

Upon the adoption of the sixth section the yeas and nays were called by Messrs. Chain and Abercrombie :

The vote was :

Yeas—Mr. President; Messrs. Abercrombie, Chain, Dawkins, Ingram, Jones, Rogers and Watlington—8.

Nays—Messrs. Baldwin, Brokaw, Call, Finlayson, Magbee, McQueen and Simkins—7.

So the sixth section was adopted.

The seventh section was then adopted.

Mr. Chain then moved to further amend the bill by striking out the first section ;

Upon which the yeas and nays were called for by Messrs. Magbee and Chain ;

The vote was ;

Yeas—Messrs. Abercrombie, Brokaw, Chain, Finlayson, Ingram, Magbee, McQueen and Watlington—8.

Nays—Mr. President, Messrs. Baldwin, Call, Dawkins, Jones, Rogers and Simkins—7.

So the amendment was adopted.

Mr. Call moved the indefinite postponement of the bill ;

Upon which the yeas and nays were called for by Messrs. Magbee and Chain ;

The vote was :

Yeas—Messrs. Call, Dawkins, Jones and McQueen—4.

Nays—Mr. President, Messrs. Baldwin, Brokaw, Chain, Finlayson, Ingram, Rogers, Simkins and Watlington—9.

So the motion was lost.

Mr. Rogers offered the following to fill the place of the first section just stricken out :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That there shall be assessed and collected for the current year of 1861 and thereafter until otherwise provided by law, there shall be levied a tax of twenty cents on the every hundred dollars worth of the actual cost valuation of all descriptions of property now subject to taxation.

Upon which the yeas and nays were called for by Messrs. Magbee and Chain :

The vote was :

Yeas—Messrs. Baldwin, Call, Dawkins, Jones, Rogers and Simkins—6.

Nays—Mr. President, Messrs. Abercrombie, Brokaw, Chain, Finlayson, Ingram, Magbee, McQueen and Watlington—9.

So the motion was lost.

Mr. Dawkins offered the following additional section :

Be it further enacted, That no person owning taxable property in this State shall hereafter be required to return his, her, or their household kitchen furniture whenever they shall testify on oath to the Tax Collector that he, she or they does not own or possess more than fifty dollars worth of such household.

Which was adopted.

Mr. Ingram moved the indefinite postponement of the bill ;

Upon which the yeas and nays were called for by Messrs. Magbee and Ingram ;

The vote was :

Yeas—Messrs. Brokaw, Call, Finlayson, Ingram, Jones, Magbee, McQueen and Rogers—8.

Nays—Mr. President, Messrs. Abercrombie, Baldwin, Chain, Dawkins, Simkins and Watlington—7.

So the bill was indefinitely postponed.

The rules being waived. Mr. Baldwin from a select committee made the following report :

The undersigned, members of a Select committee, to whom was referred a bill to be entitled an act requiring certain statements to be made by the several banks of this State to the Governor and Comptroller, have had the same under examination and ask leave to

REPORT

That the bill seems to be a meritorious one, and just such as is required at this time, when the General Assembly have given charters to numerous banks in this State, which are shortly to go into operation, so that the people, amongst whom this money will be offered for circulation, may know and fully understand the character and condition of those institutions which ask their confidence and aid. And the requirements of this bill are such, that the friends and officers of no bank can consistently make any objection and to if these institutions are to be conducted on safe, honest and honorable principles, such as the people require to secure them against loss in case of their extending their confidence and patronage to them. And should there be any objection to such wholesome requirements as offered by this bill, made by the friends or officers of these institutions, then additional evidence is offered of the necessity for the General Assembly to pass it and provide the necessary guards to the community against a rotten system of banks, of which this State has heretofore had too sad an experience to risk a repetition of it.

Therefore your committee recommend the passage of the bill under consideration.

Respectfully submitted,
A. S. BALDWIN,
D. C. DAWKINS.

Which report was received and read and bill placed among the orders of the day.

Mr. Call from the same committee made the following minority report:

The undersigned from the committee to whom was referred the act requiring certain statements to be made by the several banks of this State to the Governor and Comptroller

REPORT

That the objects of the bill are meritorious and commends itself to the forcible consideration of the Senate. The bill however, so far as it has any reference to chartered banks is a palpable violation of vested rights.

Four charters have passed the Senate during this session:

The Mechanics and Planters Bank of Pensacola.

The Bank of Tallahassee.

The Bank of Commerce at Fernandina.

The Commercial Bank of Lake City.

They all contain the following sections:

SEC. 14. *Be it further enacted*, That the President of this bank shall in the first week in October, in each and every year transmit to the General Assembly a full statement of the condition of the bank, exhibiting the amount of capital, notes in circulation, debt due other banks, and to what banks, deposits and all other particulars necessary to explain the debit side of the account, also specie on hand, notes of other banks, other funds specially enumerated, debts due from other banks and what banks, bills of exchange, debts on bonds and notes discounted, specifying in one item the amount due from stockholders, and in another the amount due from Directors—not, however, using any person's name in either case—and amount of real estate.

SEC. 15. *Be it further enacted*, That if any President, Director, Cashier, Clerk, or other officer of the aforesaid bank, shall knowingly, willingly and with intent to deceive, make or cause to be made or connive at making any false return, statement or exhibit of the condition of the bank, either to the Treasury of the State, to the Legislature, to the Board of Directors, or to the Stockholders, or to any other person or persons that may be authorized by the Legislature or by the stockholders to receive the same, such President, Director,

Cashier, Clerk or other officer, and all persons aiding or abetting in such deception or false return, shall be liable to be indicted as for a misdemeanor in the Circuit Courts, and upon conviction shall be fined at the discretion of the Court, and imprisoned not exceeding one year.

It is manifest, that so long as any of these banks furnish the statements prescribed by their charters, which vary only in details from those enumerated by this bill, and would probably furnish equally satisfactory evidence of the condition of the bank, the Legislature cannot lawfully authorize the Governor to appoint a receiver for their assets, and even if they could, it would perhaps, be more equitable to punish the officers criminally for their neglect, than to punish the innocent and defrauded stockholders by depriving them of their charters, while the real criminals (the defaulting officers escape unwhipped of justice).

The provisions of this bill are also substantially incorporated into the general banking law, under which it is further provided by the twenty-ninth section, that the Comptroller shall prepare such forms and instructions as are necessary to carry them out, if the Comptroller would inclose a copy of his instructions and forms to the chartered banks as well as to the banks organized under the general law, it is not doubted that they would cheerfully confirm in making their returns to the forms prescribed by him, and thus secure without unconstitutional legislation the sole objects of this bill, therefore recommend that the bill do not pass.

GEO. W. CALL,
Chairman.

Which report was received and read and bill placed among the orders of the day.

On motion the rules were waived and Mr. Dawkins from the committee on Internal Improvements made the following report:

A majority of the committee on Internal Improvements, to whom was referred a bill to be entitled an act in regard to Telegraph companies, recommend the passage of the same with the addition of the following proviso, viz: *Provided*, That such company shall commence operations within two years, and complete the same in five years from the commencement thereof.

Respectfully submitted,
D. C. DAWKINS,
Chairman.

Mr. Call from the same committee made the following minority report:

The undersigned, from the committee on Internal Improvements to whom was referred an act in regard to telegraph Companies,

REPORT

The same is, in his opinion, a violation of the 24th section of the first article of the Constitution, which declares that "monopolies are contrary to the genius of a free people, and ought not to be allowed."

GEO. W. CALL

Which reports were received and read and bill placed among the orders of the day.

A bill to be entitled an act to provide for carrying the mails was returned to the Senate as having passed the House with amendments;

Was taken up;

On motion of Mr. Call the Senate refused to concur in the House amendments.

Mr. Baldwin moved that a committee of three be appointed to confer with a similar committee on the part of the House as a committee of conference, relative to the House amendments;

Which was lost.

Mr. Call moved that the refusal of the Senate to concur in the House amendments be certified to the House;

Which was agreed to.

Resolution in relation to military laws;

Was read a third time and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Brokaw, Call, Chair, Jones and Simkins—7.

Nays—Messrs. Baldwin, Dawkins, Ingram and McQueen—4.

So said resolution passed—title as stated.

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

On motion the Senate took a recess until half-past three o'clock, P. M.

HALF-PAST THREE O'CLOCK, P. M.

The Senate resumed its session.

A quorum present.

The orders of the day were resumed.

A bill to be entitled an act to establish a salary and abolish fees of the Secretary of State;

Was read the second time.

Mr. Ingram moved that the bill be indefinitely postponed;

Upon which the yeas and nays were called;

The vote was:

Yeas—Mr. President, Messrs. Baldwin, Dawkins, Finlayson, Ingram, Jones, McQueen and Rogers—8.

Nays—Messrs. Abercrombie, Brokaw, Call, Chain, Magbee, Simkins and Watlington—7.

So the bill was indefinitely postponed.

Mr. Ingram from the committee on Engrossed bills made the following report:

The committee on Engrossed bills beg leave to report the following bill as correctly engrossed, viz:

A bill to be entitled an act to abolish the offices of United States Receivers of Public monies and Register of Public Lands.

Very respectfully,

TILLMAN INGRAM,

Chm'n Com. on Engrossed bills.

Which was read, and the bill, in pursuance of a motion adopted this morning, put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Brokaw, Call, Chain, Dawkins, Finlayson, Ingram, Jones, Magbee, McQueen, Rogers and Watlington—14.

Nay—Mr. Simkins—1.

So said bill passed—title as stated.

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

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES. }
February, 11, 1861. }

Hon. T. J. EPPES,

President of the Senate:

SIR: The House has passed the following bills, viz:

Senate bill to be entitled an act to change the name of Catharine A. Joiner;

Senate bill to be entitled an act relative to the Common School Fund of Washington and Holmes counties; and

Senate bill to be entitled an act to encourage the formation of mounted and cavalry companies in this State for military service.

Very respectfully,

A. J. PEELER,

Clerk House Rep.

Which was read and the bills ordered to be enrolled.

House bill to be entitled an act to incorporate the Alachua Railroad Company;

Was read the third time and put upon its passage;

The vote was :

Yeas—Mr. President, Messrs. Baldwin, Brokaw, Call, Chain, Dawkins, Finlayson, Ingram, Jones, Magbee, McQueen, Rogers Simkins and Watlington—14.

Nays—none.

So said bill passed—title as stated.

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

On motion of Mr. Dawkins, the rules were waived, and House bill to be entitled an act for the relief of Clinton Thigpin was taken up, read the second time, rules waived, read the third time by its title and put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Prokaw, Call, Chain, Dawkins, Finlayson Jones, Magbee, McQueen, Rogers, Simkins and Watlington—14.

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 reorganizing the military forces of this State.

Was read the third time ;

Mr. Dawkins moved to pass the bill over informally ;

Upon which the yeas and nays were called for by Messrs. Eppes and Dawkins :

The vote was :

Yeas—Messrs. Abercrombie, Baldwin, Chain, Dawkins, Jones, Magbee and Watlington—7.

Nays—Mr. President, Messrs. Brokaw, Call, Ingram, McQueen, Rogers and Simkins—7.

So the motion was lost.

Mr. Rogers moved to amend by striking out in the 22nd section, "January 6th, 1847," and inserting "December 27th, 1845 ;"

Which was adopted.

Mr. Chain offered the following amendment :

Sec. Be it further enacted, That nothing in this act shall be so construed as to prevent or inhibit the Governor from ordering out any number of troops, for the protection and defence of the Forts, or other point or points in the State, against an actual or threatened invasion of any foreign power, or for the purpose of protecting the interest of the State, and the peace and security of the people of the State, against insurrection or the like, which he in his judgment may deem necessary and proper under the circumstances of the case ; nor shall there be anything so construed in this act as to prevent or inhibit the Governor from conferring the appointment of a Major Gen-

eral on any person, be him a citizen of Florida or of any other State, or of one who was an officer in the army of the late United States, but who has resigned his office therein and tendered his services to the Governor of this State, so that the best military skill and talent may be obtained for the office of such Major-General.

Mr. Call offered the following as a substitute for Mr. Chain's amendment :

Be it further enacted, That nothing in this act shall be so construed as to deprive the Governor of any power by him possessed previous to the passage of the same, and not herein expressly taken away, nor as conferring upon the Governor any power not herein expressly conferred.

Mr. Call moved that the bill and amendments lay on the table until to-morrow ;

Which was agreed to.

House bill to be entitled an act to incorporate the Lake City and Blount Ferry Railroad Company ;

Was read the third time and put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Abercrombie, Brokaw, Call, Chain, Dawkins, Finlayson, Ingram, Jones, Magbee, McQueen, Rogers, Simkins and Watlington—14.

Nay—Mr. Baldwin—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 entitled an act to regulate the Pilotage at the Port of St. Johns ;

Was read the third time and put upon its passage ;

The vote was :

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Brokaw, Call, Chain, Dawkins, Finlayson, Ingram, Jones, McQueen, Rogers, and Simkins—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 authorize the appointment of Steve-dores, &c. ;

Was read the second time and referred to a select committee consisting of Messrs. Baldwin, Abercrombie and Simkins.

House bill to be entitled an act to amend the laws of this State with regard to malicious mischief ;

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

House resolution relative to the employment of Edward Powell in the military service of the State;

Was read the second time and referred to the committee on the Militia.

Resolution relative to the employment of Henry Douglass in the military service of the State;

Was read the second time and referred to the committee on the Militia.

House bill to be entitled an act to prohibit negroes or others than white men from being employed as samplers of cotton;

Was read the second time;

Mr. Eppes moved its indefinite postponement;

Upon which the yeas and nays were called for by Messrs. Dawkins and Eppes;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Finlayson, Ingram, McQueen and Simkins—8.

Nays—Messrs. Abercrombie, Baldwin, Dawkins and Rogers—4.

So the bill was indefinitely postponed.

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

House bill to be entitled an act to provide for the payment of contractors surveying public lands in this State;

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

House bill to be entitled an act to amend the attachment laws now in force in this State;

Was read the second time, and on motion of Mr. Call was indefinitely postponed.

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

House bill to be entitled an act to amend the act of 1851 providing for the establishment of two Seminaries of Learning;

Was read the second time and referred to the committee on Schools and Colleges.

House resolution to provide for the appointment of a Major-General in the army of Florida.

Was read the second time.

Mr. Rogers moved its indefinite postponement;

Upon which the yeas and nays were called for by Messrs. Magbee and Ingram;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Ingram and Rogers—5.

Nays—Messrs. Abercrombie, Baldwin, Chain, Dawkins, Finlayson, Magbee, McQueen, Simkins and Watlington—9.

So the motion was lost.

Mr. Call moved that the bill be referred to the committee on the Militia;

Upon which the yeas and nays were called for by Messrs. Magbee and Ingram;

The vote was:

Yeas—Mr. President, Messrs. Call, Ingram and Rogers—4.

Nays—Messrs. Abercrombie, Baldwin, Brokaw, Chain, Dawkins, Finlayson, Magbee, McQueen, Simkins and Watlington—10.

So the motion was lost.

Mr. Call offered the following amendment:

Strike out "Major" and insert "Brigadier," and add at the end of the resolution the words "who shall be the Brigadier General provided by the 4th section of the "act to re-organize" the military forces of this State."

Upon the adoption of which the yeas and nays were called for by Messrs. Rogers and Chain;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Finlayson, Ingram, McQueen, Rogers and Simkins—8.

Nays—Messrs. Abercrombie, Baldwin, Chain, Dawkins, Magbee and Watlington—6.

So the amendment was adopted.

Mr. Simkins moved that the rules be waived to allow him to make a motion to put the resolution on its passage.

Upon which the yeas and nays were called for by Messrs. Chain and Rogers;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Finlayson, Ingram, McQueen, Rogers and Simkins—8.

Nays—Messrs. Abercrombie, Baldwin, Chain, Dawkins, Magbee and Watlington—6.

So the Senate refused to waive the rules:

The resolution was then ordered for a third reading to-morrow as amended.

House bill to be entitled an act to clean out and improve the navigation of Yellow river in West Florida;

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

A bill to be entitled an act to create an efficient Military force for the State of Florida;

Was read the second time and referred to the committee on the Militia.

House bill to be entitled an act to vest the several Circuit Courts of this State, hereinafter named, with the powers which were pos-

passed by the late District Courts of the United States, and for other purposes;

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

A bill to be entitled an act to prevent the collection of debts in certain cases from debtors in this State;

Was read the third time and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Baldwin, Call, Chain, Ingram, Magbee, McQueen, Rogers and Simkins—10.

Nays—Messrs. Brokaw and Watlington—2.

So said bill passed—title as stated.

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

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

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TUESDAY, February 12th, 1861.

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. DuBose officiated as Chaplain.

On motion the reading of yesterday's journal was dispensed with, amended and approved.

Mr. Chain moved that the vote indefinitely postponing a bill to be entitled an act to prohibit negroes or others than white men from being employed as samplers of cotton be reconsidered;

Which was lost.

Mr. Magbee moved that a committee of three be appointed to wait upon the House and request the return to the Senate of a bill to be entitled an act to prevent the collection of debts in certain cases from debtors in this State;

Which was lost.

Mr. Simkins from the committee on Enrolled Bills made the following report:

The committee on Enrolled Bills beg leave to report the following bills as correctly enrolled:

A bill to be entitled an act to change the name of Catherine A. Joyner;

A bill to be entitled an act relative to the Common School Fund of Washington and Holmes county; and

A bill to be entitled an act to encourage the formation of mounted and cavalry companies in this State for military service.

Respectfully submitted,

E. C. SIMKINS,

Chairman Com. on Enrolled Bills.

Which was received and read.

A committee appeared at the bar and informed the Senate that the House had refused to concur in Senate amendments to a bill to be entitled an act to authorize the issue of Treasury notes, and to request the Senate to appoint a similar committee to act as a committee of conference with the committee on the part of the House, for the consideration of said bill and amendments.

On motion, Messrs. Magbee, Dawkins and Call were appointed said committee on the part of the Senate.

ORDERS OF THE DAY.

A bill to be entitled an act reorganizing the military forces of this State;

Was read the third time.

The question then recurred upon the adoption of the substitute offered by Mr. Call to the amendment offered by Mr. Chain on yesterday;

Upon which the yeas and nays were called for by Messrs. Chain and Call;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, McQueen, and Rogers—5.

Nays—Messrs. Abercrombie, Chain, Dawkins, Jones, Magbee, Simkins and Watlington—7.

So the substitute was lost.

The question then recurred upon the adoption of the amendment offered by Mr. Chain;

Upon which the yeas and nays were called for by Messrs. Chain and Call;

The vote was:

Yeas—Messrs. Abercrombie, Chain, Dawkins, Jones, Magbee and Watlington—6.

Nays—Mr. President, Messrs. Brokaw, Call, McQueen, Rogers and Simkins—6.

So the amendment was lost.

The bill was then put upon its passage;