

Was read a first time, and, on motion, the rule waived, read a second time by its title, and referred to the Committee on Public Lands.

On motion, the rule was waived, to allow Mr. Holland to introduce for Mr. Russell of Jefferson, the following bill:

A bill to be entitled an act to amend an act to provide for an additional issue of treasury notes.

Was read a first time, rule waived, read a second time and referred to the Committee on Taxation and Revenue.

The rule was waived, to allow Mr. Arnow to present the following:

That the Sergeant at-Arms be instructed to procure for the use of the Enrolling Clerk, an enrolling pen and tape to be used on bills;

The motion was lost.

The orders of the day being through with, on motion, the Senate adjourned until 10 o'clock Monday morning.

MONDAY, November 23d 1863.

The Senate met pursuant to adjournment.

•Mr. Russell, of Jefferson, in the chair.

The roll being called, the following Senators answered to their names:

Messrs. Arnow, Carter, Cater, Clary, Cooper, Hogue, Holland, Hopkins, Jones, King, Roper, Russell of Jefferson, Russell of 17th District and Scott—13.

A quorum present.

The journal of Saturday's proceedings was read, corrected and approved.

The President declared motions in order.

Mr. Cater gave notice, that, on some future day, he would introduce the following bill:

A bill to be entitled an act in relation to holding Probate Court in Santa Rosa county.

Mr. Norwood moved that the House amendment to the Senate bill authorizing Judges of the Circuit Courts, to appoint Sheriffs in certain cases, which passed the House on Saturday, be considered;

Which was adopted.

On motion of Mr. Norwood, the House amendment was not concurred in.

The memorial of F. Epps, President Board of Education, was presented by Mr. Hogue;

Which was read, and, on motion of Mr. Hogue, referred to the Committee on Schools and Colleges.

The following Committees made their reports:

The Committee on Public Lands, have had under their consideration, "A bill to be entitled an act to amend an act to prevent the entry of lands, occupied by soldiers or their families, during the continuance of the present war, and to regulate the entry and sales of Public Lands, approved December 13th, 1862," and recommend that the same do pass.

J. M. ARNOW, Chairman.

Which was read and received.

The Committee on Enrolled Bills have examined a resolution enrolled, entitled Resolution of thanks to our soldiers, and find the same correctly enrolled.

Respectfully submitted,

J. M. ARNOW, Chairman.

Which was read and received.

The Committee on the Judiciary, have had under consideration, House bill entitled An act to amend Ordinance No. 53, of the Convention, in relation to soldiers' voting; and recommend its passage.

D. P. HOGUE, Chairman.

Which was read and received.

The Committee on the Judiciary have duly considered a bill entitled An act in relation to Dower. It provides that it shall not be necessary in conveying real estate for the wife to relinquish her dower, or right of dower, and repeals all laws on the subject, now in force in this State. The Committee can see no reason for the change, and cannot, therefore, recommend the passage of the bill.

D. P. HOGUE, Chairman.

Which was read:

The Committee on the Judiciary have considered a resolution, entitled a resolution for the relief of Justices of Peace in Florida, and submit the following report:

By an act of the Confederate Congress approved April 21st, 1862, entitled "An act to exempt certain persons from enrollment for service in the army of the Confederate States," it was provided that the officers, judicial and executive of the Confederate and State Governments, "should be exempted from service." At least such was the substance of the provision. The act of October 11th, 1862, repealed the act of the 21st April, 1862, but expressly enacted that "the officers judicial and executive of the Confederate and State Governments" should be exempted from enrollment. By the Constitution of this State the judicial power of the State is vested both as to matters of law and equity in a Supreme Court, Courts of Chancery, Circuit Courts and Justices of the Peace. The Justices of the Peace, therefore, constitute a part of the State Judiciary. The

act of Congress of April 2d, 1863, enacts that "any officer, non-commissioned officer or private now in the military service of the Confederate States, who has been elected or appointed since entering said service, or who may be hereafter elected or appointed a Senator or Representative in Congress, or in any State Legislature, a Judge of the Circuit, District or Supreme Courts of law or equity in any State of the Confederacy, District Attorney, Clerk of any Court of Record, Sheriff, Ordinary, Judge of any Court of Probate, Collector of State taxes, not to exceed one from each county, or Parish Recorder, upon furnishing the Secretary of War with evidence of such election or appointment, if an officer, his resignation shall be promptly accepted, and if a non-commissioned officer or private he shall be honorably discharged by the Secretary of War." It is plain that this act only authorizes the discharge from the military services of the Confederate States of such persons as are there-mentioned who have been, or thereafter may be elected or appointed to the offices or positions therein specified. The office of Justice of the Peace is not mentioned, and therefore if a person in the military service should be elected a Justice of the Peace, such election would not entitle him to a discharge under this act. Before the passage of this act of April 2d, 1863, the persons mentioned in it were held bound by their contract with the Confederate Government, and not entitled to their discharge. Such was the decision of the courts in the cases brought before them. The only object of the act was to enable them to obtain directly from the War Department what they would not obtain from the courts. The act of May the 1st, 1863, repealed certain parts of the act of October 11, 1862, not necessary to be here particularly alluded to, but by the fourth section of said act of May 1st, 1863, it is enacted that "in addition to the State officers exempted by the act of October the 11th, 1862, there shall also be exempted all State officers whom the Governor of any State may claim to have exempted for the due administration of the government and laws thereof; but the exemption shall not continue in any State after the adjournment of the next regular session of its Legislature, unless such Legislature shall, by law, exempt them from military duty in the provisional army of the Confederate States.

The Governor in his Message says: "I have not deemed it necessary to a due administration of the State government to exempt any State officer not exempted by the fourth section of the act of Congress approved May 1st, 1863." The Governor could only claim to exempt "State officers," and this claim could rest only on the ground specified in the act. Now how far can the General Assembly go to exempt any officer for whom the Governor has not set up a claim of exemption? "This exemption," says the act, "shall not continue after the adjournment of the next session of the Legislature."

What exemption? Clearly the exemption claimed by the Governor. There could be a *continuance* of no other exemption. But the act goes on to say: "Unless such Legislature shall by law exempt them from military duty, &c." Exempt whom? Manifestly the State officers claimed by the Governor as exempts. There can be no other sound rational interpretation of the section of the act referred to. It bears upon its face this construction and no other. It follows, therefore, if the Governor has not claimed the exemption of any State officers such as are meant by the act, and on the grounds therein prescribed, that there are no such State officers for whom a continuance of exemption can be claimed by any act of the General Assembly. The Legislature has no right to exempt any persons other than those referred to in the fourth section of the act of May the 1st, 1863, and they, it has been shown, are such officers as the Governor has previously exempted. If it were otherwise, the State Legislature might pass a general exemption law, and thus come in conflict with the laws of Congress upon the subject. This, it is believed, the General Assembly is not disposed to do.

If, then, any persons were elected Justices of the Peace at the election in October last, who at that time were liable to be enrolled in the military service of the Confederate States, let them assert their claims to exemption by virtue of the Constitution of this State under the exemption act of Congress approved October 11th, 1862, which declares judicial officers not subject to such service. Let them go before the judicial tribunals of the country and assert their rights. The question whether they are subject to military service and consequently to enrollment under the conscript acts, is one for the consideration and determination of the Judicial Department of the Government, and not the Legislative branch.

There is another view of this matter derived from the phraseology of the act of May 1st 1863 which would seem to indicate that Justices of the Peace were not intended to be comprehended within the description of the State officers who by the fourth section were to be exempted by the Governor for the due administration of the government and laws. In fact it is conclusive. The language employed is: "In addition to the State officers exempted by the act of October the 11th, 1862," &c. Now we have seen that by the act last mentioned, Justices of the Peace being regarded judicial officers were exempted. It is plain, therefore, that the State officers referred to in the fourth section were not Justices of the Peace. The words, "In addition to &c.," could not be predicated of a class of officers who were already exempted, upon any sound or sensible rule of grammatical construction.

It is therefore recommended that said resolution do not pass.

D. P. HOGUE, Chairman.

The undersigned members of the Judiciary Committee of the Senate, beg leave to report that, while they agree with the conclusion arrived at by the Committee, they dissent from the positions of law, reported in said report by which they have arrived at their conclusion; and the undersigned does not agree with all of the principles laid down in said report, but agree to the conclusion and recommendation therein reported; but believe that the *special subject referred to them* is a Judicial question and belongs to the court.

D. P. HOLLAND,  
JESSE NORWOOD.

Which was read.

The Committee on Taxation and Revenue, to whom was referred a bill to be entitled an act amendatory of an act, providing for the additional sum of Treasury Notes, have had the same under advisement, and respectfully recommend that the bill do pass.

JAS. S. RUSSELL, Chairman.

Which was read.

Mr. Russell, of 17th District, from the Select Committee, to whom was referred a bill for the protection of cattle owners, in the counties of Levy, Lafayette, Taylor, Alachua, Wakulla and Duval, beg leave to

#### REPORT:

That they have had the same under advisement, and can perceive no necessity for the passage of the same, during the existing war; and they therefore recommend that said bill do not pass.

Respectfully submitted,  
THOS. T. RUSSELL, Chm'n.

Which was read.

The Committee to whom was referred the resolutions relating to the appointment of agents for soldiers' families for the counties of Santa Rosa and Escambia, have had the same under consideration, and, on inquiring, find that the object contemplated is the appointment of an agent recommended by the parties interested, under such circumstances as will save the agent from annoyance by either enrolling or impressing officers, when engaged in other States obtaining supplies for the families of those connected with the army and residing in the counties mentioned.

The Committee therefore recommend the passage of the resolutions.

D. P. HOLLAND, Chm'n Sen. Com.

Which was read.

The following communication was received from his Excellency, Gov. Milton:

EXECUTIVE COUNCIL,  
TALLAHASSEE, Nov. 23rd, 1863.

*Fellow Citizens of the Senate and  
House of Representatives:*

I have no reason to believe that any appeal has ever been made to the authorities or citizens of the State, to supply or aid in supplying subsistence to the armies in the Confederate service, or to sustain the Confederate Government by taxation or otherwise, that has not been promptly responded to. In proportion to her population, resources and means of transportation, no State has afforded a greater number of gallant men in military service; more grain, beef, syrup, sugar, wool, leather, &c., to maintain the Government, than has Florida; nor has any restraint by State authority been placed on the trade or exchange of commodities for the accommodation of citizens of other States. It is not claimed that Florida has done more than her duty to the Government and to her sister States, but she has performed that duty cheerfully, and with the noble spirit which should animate a brave and christian people. It is possible, that in some few instances, individuals may not have heeded the calls made upon them—calls made by those whom they did not believe authorized to purchase provisions for the Government—and for this there has been much reason. The press of this and other States, for the protection of credulous and worthy citizens, have made known the most shameful frauds, practiced by impostors, claiming to be officers or agents in Confederate service.

Now and then it has happened that gentlemen in the Confederate service, as officers, (and worthily so) have exceeded their authority, from a misapprehension of the orders of superior officers; and now and then it has occurred, that general orders have been issued which were not consistent with or justified by any act of Congress, and which orders having been enforced, proved to be unjust and oppressive.

It affords me much pleasure, however, to inform your honorable body, that the President of the Confederate States and the distinguished gentlemen, the heads of the different Departments, who compose his Cabinet, have consistently acknowledged the right of the States whenever their attention has been invited to interference with them; nevertheless, in a few instances, insurmountable obstacles have prevented a compliance with applications, the justice and propriety of which were not disputed; Nor has Florida any cause to complain of the distinguished officer who commands this Military Department—for none is entitled to more of her confidence and respect. But the multiplicity of important events of the war, pressing on each other with rapid succession, and endangering more important parts of the Confederacy, makes it necessary that Florida

should not exclusively depend upon the Confederate authorities for the civil, religious and political rights of her citizens, and that the State Government, whenever at all necessary, should be sufficient in itself to protect the rights of her citizens and shield them from oppression.

As the Executive of the State, I feel it my duty to invite your attention to matters of recent occurrence, which threaten to result disastrously to the welfare of the citizens and the peace and dignity of the State, if no preventive measures shall be promptly adopted and authority given, by suitable legislation, to prevent their recurrence.

Within the last few days, notices have been served upon many citizens of this and other counties of the State, of a like-character or similar to the following, viz:

“OFFICE DISTRICT COMMISSARY,  
SECOND DISTRICT, TALLAHASSEE, FLA.,  
November —, 1863.”

MR. G. D. CHAIRES:

Sir: The head of beeves and pounds of bacon which you now have on hand is needed for the use of the armies of the Confederate States. For this purpose I will pay you at the rate of schedule price per —.

If this price is not satisfactory to you, compensation for the property will be made according to the act of Congress passed for the regulation of impressments; and you are hereby notified, that, in pursuance of the provisions of said act, the Government requires you to hold said property subject to my order, and not to remove it until the business be concluded between us in terms of the law in such case made and provided.

This notice is intended to be applied to all bacon and beeves, any other article of subsistence required for the use of the army in your possession, giving marks, description of packages, and by whom owned, as in the event of your failure so to do, it will become my duty to make the forcible search and seizure authorized by law.

By order of Major A. B. Noyes, District Commissary.

Very respectfully, your ob't serv't,

A. S. ELKIN,  
Commissary Agent.”

Your attention is particularly called to the phraseology of these extraordinary and illegal notices. There is no legal authority to justify the issue and service of these extraordinary notices.— They are incompatible with the rights of the citizens and insulting to freemen who know their rights and have proved their loyalty to the Government established by them for the protection

of their rights. Could the ingenuity of man have framed an instrument more directly, absolutely and completely opposed to the plain, palpable and simple provisions of the 7th section of the act of Congress regulating impressments? The notice makes no exceptions, makes no reservations; all is to be held subject to the order of the military dictator, and on refusal, the party is to be subjected to a “forceable search and seizure,” authorized by no law, justified by no necessity, and which should be resisted at every and any sacrifice—even that of life itself.

The 7th section of the act of Congress regulating impressments is in these words, viz: “The property necessary for the support of the owner and his family, and to carry on his ordinary agricultural and mechanical business, to be ascertained by the appraisers, to be appointed as provided in the first section of this act, under oath, shall not be taken or impressed for the public use; and when the impressing officer and the owner cannot agree as to the quantity of property necessary, as aforesaid, then the decision of the said appraisers shall be binding on the officer and all other persons.” Can anything be plainer? Can language be more simple, more explicit? “The property necessary for the support of the owner and his family,” &c., &c., “shall not be taken or impressed for the public use,” says the act of Congress. “All bacon and beeves, any other article of subsistence required for the use of the army in your possession,” says the notice.

In the Quincy Dispatch of the 21st instant, the following appears:

“CIRCULAR.”

HEAD-QUARTERS,  
DEPARTMENT WEST FLORIDA,  
QUINCY, NOV. 20, 1863.

Commanders of posts are hereby instructed to give all the aid in their power to the Commissaries and their agents throughout this District in the impressment of subsistence stores. They will grant such details as may be required by the Commissaries or their agents in the procuring of subsistence, and will furnish a guard, whenever necessary, to protect any subsistence stores which may be seized for use of the Government. They will instruct their commands accordingly.

By command of

Brig. Gen. GARDNER.

S. S. CARLISLE, A. A. A. G.

Is there any law which authorizes an officer in the Commissary Department to employ a civil officer of the State, or to use a private citizen, in making impressments?—or is there any good

reason why a citizen, liable to conscription, who would be willing to be such an agent, should not be mustered into the military service of the Confederate States and placed in the ranks with a musket at his shoulder? Why should any citizen be clothed with military authority which would enable him to intrude himself into the sacred precincts of the family circle, and when reproved or repulsed for his intrusion, then, with an armed force at his back, to return and make unlawful searches and seizures?

Is there any act of Congress which can justify such extraordinary measures? Has Congress the constitutional right to authorize such proceedings? If nay, is it then to be considered as a right incidental to the military power of a Government, designed for the protection of civil liberty by the guarantees of a Constitution regarded as a compact between free, sovereign and independent States?

Congress cannot rightfully exercise any power not granted by the Constitution; nor should any Department of the Government be permitted to do so, without respectful complaint and, if need be, determined resistance. The Constitution should be respected and uncompromisingly maintained as the ark of our political and the Palladium of our religious, civil and personal liberties.

It is painful to me to believe, and to express the opinion, that there exists a necessity for the interposition of State authority to protect the rights, lives and liberty of the citizens against the military orders of Confederate officers for whom personally I entertain the kindest feelings and utmost respect. But I would be recreant to the high trust confided to me by the citizens of Florida, if I were to hesitate a moment in the defence of their rights, when I believe them in jeopardy.

Where is the propriety of any legislation on the part of your honorable body to provide for the support of the families of your brave fellow-citizens, who, while in arms to defend your rights, have entrusted their wives, children and aged mothers to the care and protection of the authorities of the State, and of you, their fellow-citizens, if you shall permit an order to be enforced which deprives them of the only means of support, when by suitable legislation, it may and should be prevented? If the order shall be enforced upon the notices given, how can the families of the soldiers—how can unfortunate citizens driven from their homes and dependent upon your hospitality—how can citizens not engaged in agricultural pursuits or in military service—be saved from starvation? Shall the planters of Florida “crook the pregnant hinges of the knee” to the military authorities for the humble privilege of saving, by the fruits of their own industry, the families of the soldiers and their unfortunate fellow-citizens from starvation?

May God forbid that any citizen of Florida who commands the respect and confidence of his fellow-citizens should be so lost to the genial influences of patriotism and christianity as ever to hesitate a moment to offer his last cent, and with it, if need be, his life, to sustain the Confederate authorities in appropriate efforts to supply the wants of the noble armies now struggling to achieve the independence of the Confederate States, and thus, by the only means, save the people from subjugation, utter ruin and final disgrace, or hesitate a moment to divide his last grain of corn or ounce of meat with the soldiers' family or any patriotic citizen driven penniless from home by the enemy! And may He, also, in the exercise of infinite mercy, forbid that any citizen of Florida should ever be so base and cowardly as to yield willingly to any Government, or to any usurpation of power, the means of depriving him *vi et armis* of the most sacred rights guaranteed by the Constitution and intrusted to worthy descendants of the “sires of the American revolution,” rather than to meet death without fear in their vindication.

I have unlimited confidence in the wisdom and integrity of the Confederate Government, when justly administered; but, at the same time, can only be sensible of its appropriate influence in the maintenance of the sovereignty of the States. Better that Florida should be a waste of flowers, enriched with the blood of her brave citizens, than to be inhabited by them as slaves or willing to be slaves.

I recommend to your honorable body to enact promptly a law which will protect the rights of the citizens and punish severely any person who may illegally interfere with them.

I have the honor to be, respectfully,

JOHN MILTON,  
Governor of Florida.

Which was read.

Mr. Holland moved that 300 copies of the special message be printed for general distribution, &c., and that it be referred to a select-committee of three, to report by bill or otherwise to the Senate, and that the House be requested to appoint a like committee to act as a joint select committee, to report by bill;

Which was adopted.

The chair appointed, as said committee, Messrs. Holland, Taylor and Cooper.

The rule was waived to allow Mr. Hogue to move that the President of the Senate be excused from attendance from Saturday last until this afternoon, three o'clock;

Which was adopted.

The rule was waived to allow Mr. Abercrombie to present, without previous notice, the following bill:

A bill to be entitled an act to protect the citizens of this State from oppression by persons claiming to act under authority from the Confederate Government.

Mr. Abercrombie moved that the rule be waived and the bill be read the first and second times by its title, and 100 copies printed, and that the bill be referred to the Joint and Select Committee on the Governor's message;

Which was adopted.

Mr. Holland presented the following resolution:

*Resolved by the Senate and House of Representatives in General Assembly convened,* That the resolution, fixing next Monday as the day for the adjournment of the General Assembly, be rescinded;

On motion, the resolution was ordered to be taken up on Friday next for consideration.

Mr. Hopkins moved that the Messenger of the Senate, Mr. Frier, be excused from attendance on the Senate until to-morrow on account of sickness;

Which was adopted.

Mr. Taylor presented the following resolution:

*Be it resolved by the Senate,* That the Governor of the State of Florida, ex-officio Chairman of the Board of Internal Improvements, be requested to furnish the Senate with all information in his possession in regard to the sequestration of railroad shares and the late sales thereof, and the removal of railroad iron from the State;

Which was adopted.

Mr. Hopkins presented the following resolution:

Resolution in relation to Richard E. Frier:

Which was placed among the orders of the day.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
November 23d, 1863. }

Hon. E. J. VANN,

President of the Senate:

SIR—The House has this day passed the following bill, viz:

A bill to be entitled an act to change the county line dividing the counties of Columbia and Suwannee.

Very respectfully,

THOS. B. BAREFOOT,

Clerk House of Rep.

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

#### ORDERS OF THE DAY.

A bill to be entitled an act to amend an act to prevent the entry

of lands occupied by soldiers and their families during the continuance of the present war, and to regulate the entry and sale of public lands, approved Dec. 13, 1862,

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

A bill to be entitled an act in relation to Dower,

Was read the second time, rule waived, read a third time by its title, and put upon its passage.

The vote was:

Yeas—Messrs. Abercrombie, Carter, Clary, King, Norwood and Smith—6.

Nays—Messrs. Arnow, Cater, Cooper, Hogue, Holland, Jones, Roper, Russell of Jefferson, Russell of 17th District, Scott and Taylor—11.

So the bill was lost.

A bill to be entitled an act authorizing an additional issue of Treasury Notes,

Was read a second time, rule waived, read a third time by its title and placed upon its passage.

The vote was:

Yeas—Messrs. Arnow, Carter, Cater, Clary, Cooper, Hogue, Holland, Jones, King, Norwood, Roper, Russell of Jefferson, Russell of 17th District, Scott, Smith and Taylor—16.

Nay—Mr. Abercrombie—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 for the relief of Justices of the Peace in the State of Florida,

Was read a second time, and, on motion, passed over informally, until to-morrow.

Resolution in relation to Richard E. Frier,

Was read a first time and placed among the orders of the day for to-morrow.

House bill to be entitled an act to change the county line dividing the counties of Columbia and Suwannee,

Was read a first time, and placed among the orders of the day for to-morrow.

Mr. Holland moved that the Senate take a recess until 5 o'clock, p. m.,

Which was lost.

Mr. Holland moved that the Senate take a recess until 4 o'clock,

p. m.,

Which was adopted.

4 O'CLOCK, P. M.

The Senate resumed its session.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Holland, Hopkins, Jones, King, Norwood, Roper, Russell of 17th District and Smith—15.

The orders of the day were resumed.

House bill to be entitled an act to amend Ordinance No. 53, of the Convention, relative to soldiers' voting.

Was read a second time, and, on motion, rule waived, read a third time and put on its passage.

The vote was;

Yeas—Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Holland, Hopkins, Jones, King, Norwood, Roper, Russell of Jefferson, Russell of 17th District, Scott and Smith—17.

Nays—None.

So the bill passed—title as stated.

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

On motion, the rule was waived, to allow the Joint Committee on soldiers' families, to make the following report:

*To the Senate and House of Representatives  
of the State of Florida:*

The undersigned, majority of the Joint and Select Committee appointed by the Senate and House of Representatives to report a bill providing for the ample support and maintenance of families of soldiers who require assistance, and those who died in battle, or who have died from disease, or who, by wounds or disease, are incapable of rendering military service, and that said bill provide for all indigent persons in this State, beg leave to

#### REPORT:

That, after much labor and careful investigation of the whole subject referred to them, they have prepared the bill annexed herewith. That they find that to guard the Treasury from furnishing aid to persons not contemplated by law, and to furnish the requisite assistance to those whom the law should provide for, that the bill prepared by them is absolutely necessary. The principle upon which it is drafted is, that all property in this State, or brought into this State, should furnish the necessary aid; that law is required not to reach him who will voluntarily give, but the avaricious, the penurious, the extortioner, the disaffected, the blockade and the estates in law and equity.

They annex to their report the amount of relief furnished to the several counties, and the number of persons relieved in each county, by the law passed at the last session. This will exhibit the necessity of a change required, and the recommendation of the Governor in his message.

Your committee has sent the bill prepared by them to the Senate from whence the resolution emanated, and they recommend its passage. They return the bills on this subject, referred to them, and recommend that they do not pass.

Your committee see no necessity for the passage of a special bill for Leon county, as the Committee Bill provides the same principle contained in the bill for Leon county.

Your committee recommend that 80 copies of said bill and annexed statement of report be printed for the use of the General Assembly.

All of which is respectfully submitted,

D. P. HOLLAND, Chm'n Sen. Com.

THOS. T. RUSSELL.

O. M. AVERY, Chm'n House Com.

WM. B. ROSS,

A. Y. HAMPTON.

Which was read.

Mr. Holland moved that 80 copies of the bill be printed for the use of the General Assembly;

Which was adopted.

Mr. Arnow presented the following minority report:

We, the undersigned of the select joint committee, appointed under the following resolution, to wit:

*Resolved,* That a committee of three be appointed by the Senate, and that the House of Representatives be requested to appoint a like committee, to act as a joint and select committee to report a bill providing for the ample support and maintenance of families of soldiers who require assistance, and those who died in battle, or who have died from disease, or who, by wounds or diseases, are incapable of rendering military service; and that said bill provide for the support of all indigent persons in this State; have had the same under consideration, and not being able to concur in the bill reported by the majority of said committee, offer as a substitute, the Senate bill upon the same subject which was referred to said committee, which is herewith respectfully submitted.

J. M. ARNOW,

J. D. CLARY.

From the Senate Committee.

Which was read.

Mr. Hogue moved that 80 copies of the bill presented by the minority, be printed for the use of the Senate;

Which was adopted.

House bill to be entitled an act, to provide for the protection of cattle owners in the counties of Levy, LaFayette, Taylor, Alachua, Wakulla and Duval,

Was read a second time,

Mr. Hopkins presented the following amendment;

Strike out all after the word owners in first section.

Mr. Norwood moved that the bill be indefinitely postponed.

The yeas and nays being called for by Mr. Taylor, the following was the vote:

Yeas—Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Hogue, Jones, King, Norwood, Roper, Russell of Jefferson, Russell of 17th District, Scott and Smith—15.

Nays—Mr. President, Messrs. Holland, Hopkins and Taylor—4.

So the bill was indefinitely postponed.

House bill to be entitled an act, to change the place of holding the Circuit Court for Putnam County,

Was read a second time, rule waived, read a third time by its title and put on its passage;

The following was the vote:

Yeas—Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Hogue, Holland, Hopkins, Jones, King, Norwood, Roper, Russell of Jefferson, Russell of 17th District, Scott, Smith and Taylor—19.

Nays—None.

So the bill passed—title as stated.

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

House Resolution relating to the appointment of Agents for soldiers families in the counties of Escambia and Santa Rosa,

Was read a second time, rule waived, read a third time by its title, and put upon its passage.

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Hogue, Holland, Hopkins, Jones, King, Norwood, Roper, Russell of Jefferson, Russell of 17th District, Scott, Smith and Taylor—19.

Nays—None.

So the resolution passed—title as stated.

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

On motion, the rule was waived to allow Mr. Arnow to present the following report:

Your committee, who were appointed to examine the accounts of ex-Gov. M. S. Perry, have had the same under consideration and recommend the passage of the following act, viz:

SECTION 1st. *Be it enacted by the Senate and House of Representa-*

*tatives of the State of Florida in General Assembly convened;* That the Comptroller is authorized and hereby required to settle with ex-Gov. Perry as follows:

Ex-Gov. M. S. Perry, to State of Florida,	Dr.
To bonds received from Comptroller,	\$100,000.00
To bonds received from Treasurer,	57,492.45
To cash received from Treasurer,	18,000.00
To cash rec'd from J. W. Pearson, disbursing agent,	12,000.00
To bonds received from Treasurer,	50,000.00
To cash received from Atkins & Dunham,	5,000.00
To cash received from Joseph Finegan,	5,000.00
To balance in hand from State Bank,	982.21
	\$248,474.66
Ex-Governor M. S. Perry,	Cr.
In account with the State of Florida,	
By receipt of Comptroller,	\$157,785.85
By bonds hypothecated with Joseph Finegan, Treasurer's voucher,	10,000.00
By bonds hypothecated with Atkins & Dunham, Attorney General's voucher,	10,000.00
By amount paid L'Engle, Quarter Master, for use of Second Florida Regiment, L'Engle's voucher,	300.00
By amount paid 1 trip to New York, 3 to Charleston, 2 to Savannah, on State business, Gov. certificate,	900.00
By bonds hypothecated in State Bank, Treasurer's voucher,	19,500.00
By bonds sent Jacob Cohen & Co., vouchers, Jacob Cohen & Co.'s receipt and account current,	63,000.00
	\$261,485.85
To amount of indebtedness forward,	248,474.66
	\$13,011.19

SEC. 2. *Be it further enacted,* That the Comptroller is authorized and required to draw his warrant on the Treasurer, and the Treasurer is authorized and required to pay, on presentation of the same, the sum of thirteen thousand and eleven 19-100 dollars to ex-Gov. M. S. Perry, in full of all accounts against the State.

Respectfully submitted,

JNO. SCOTT, Chairman Senate Committee,  
J. M. ARNOW,  
JAMES L. KING,  
SAMUEL R. SESSIONS, Chm'n House Com.  
J. C. GREELEY.

Which was read and bill ordered to be placed among the orders of the day for to-morrow.

A bill to be entitled an act authorizing publication to be made out of the State of sales by administrators and executors in certain cases,

Was read a second time, rule waived, read a third time by its title and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Hogue, Holland, Jones, King, Norwood, Roper and Russell of 17th District—13.

Nays—Messrs. Cooper, Hopkins, Russell, of Jefferson, Scott, Smith and Taylor—6.

So the bill passed—title as stated.

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

On motion, the rule was waived to allow Mr. Holland to make the following motion:

That the Sergeant-at-arms be requested to furnish the Governor with 25 copies of his Message to the General Assembly.

The orders of the day being through with, on motion, the Senate adjourned until 10 o'clock to-morrow morning.

#### TUESDAY, November 24, 1863.

The Senate met pursuant to adjournment.

The President in the chair.

The roll having been called the following Senators answered to their names:

Mr. President, Messrs. Abercrombie, Arnow, Carter, Cater, Clary, Cooper, Hogue, Hopkins, Jones, King, Norwood, Roper, Russell, of 17th District, Scott, Smith and Taylor—17.

A quorum present.

Prayer by Rev. Mr. Smith.

The Journal of yesterday was read, corrected and approved.

The President declared motions in order.

Mr. Arnow gave notice that at some future day he would introduce the following bills:

A bill to be entitled an act to amend an act entitled "An act relative to the assessment of taxes; also,

A bill to be entitled an act for the relief of W. S. Russell.

On motion, the rule was waived to allow Mr. Hogue to present the following bill:

A bill to be entitled an act to repeal so much of the act to amend the election laws of this State as regards the mode of voting and for other purposes, approved Dec. 8, 1862.

According to previous notice, Mr. Cater introduced the following bill:

A bill to be entitled an act in relation to holding Probate Court in Santa Rosa county;

Which was placed among the orders of the day.

Mr. Russell, of Jefferson, according to previous notice, presented the following:

A bill to be entitled an act to incorporate the Monticello and Northern Rail Road;

Which was placed among the orders of the day.

On motion, the rule was waived to allow Mr. Smith to move to reconsider House bill for the protection of cattle-owners in the counties of Levy, LaFayette, Taylor, Alachua, Wakulla, and Duval, which was indefinitely postponed yesterday;

Which was adopted.

On motion, the bill was placed back on its second reading.

Mr. Arnow presented the following amendment:

Strike out the county of Alachua;

Which was adopted.

On motion, the bill was read a third time and put upon its passage;

The vote was:

Yeas—Messrs. Carter, Cater, Clary, Hogue, Hopkins, Roper, Russell, of Jefferson, Smith and Taylor—10.

Nays—Mr. President, Messrs. Arnow, Cooper, Jones, King, Norwood, Russell, of 17th District and Scott—8.

So the bill was passed with amendment—title as stated.

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

The petitions of B. E. Wardlaw, and citizens of Madison county, were received and read.

On motion of Mr. Abercrombie, that portion of the first petition which related to fasting and prayer was referred to the Committee on the State of the Commonwealth, and the other to the Committee on Schools and Colleges, and the petition of the citizens of Madison county referred to the Committee on the Judiciary.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }  
November 23d, 1863. }

Hon. E. J. VANN,

President of the Senate:

SIR—The House has this day passed the following bills, viz: