

Nays—Mr. President, Messrs. Cooper, Holland, King, Russell of Jefferson and Scott—6.

So the motion was lost.

A quorum present.

Mr. Holland moved that the Senate go into a Committee of the Whole on the bill to organize State troops for the State of Florida ; Which was adopted.

Mr. Cooper in the chair.

After a short time spent therein, the committee rose and reported the bill as amended ;

Which was received and concurred in, and seventy copies ordered to be printed.

Mr. Hogue moved that the Senate adjourn until 10 o'clock to-morrow morning :

The yeas and nays having been called for,

The following was the vote :

Yeas—Messrs. Arnou, Clary, Cooper, Duncan, Hogue, Hopkins and Vann—7.

Nays—Mr. President, Messrs. Holland, King, Russell of Jefferson and Scott—5.

So the motion was adopted.

The Senate was declared adjourned until 10 o'clock to-morrow morning.

TUESDAY, November 29, 1864.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by Rev. E. L. T. Blake.

The journal of yesterday was read and approved.

The President declared motions in order.

Mr. Russell moved that the bill creating a militia for the State be placed first among the orders of the day ;

Which was adopted.

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
November 28th, 1864. }

Hon. A. K. ALLISON,

President of the Senate :

SIR : The House has this day adopted the following resolutions, viz :

Senate resolution of confidence in and thanks to President Jefferson Davis.

House resolution requesting the appointment of a joint select committee in relation to encouraging an import and export trade.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which was read and Senate resolution ordered to be enrolled and House resolution placed among the orders of the day.

Mr. Hogue introduced the following resolution :

Resolved, That this Senate has heard, with deep regret, the announcement of the death of James P. Carter, late a Senator in this General Assembly from the county of Wakulla.

Resolved, That as a testimony of respect for the memory of the deceased, the members and officers of this Senate wear the usual badge of mourning during the remainder of the present session.

Resolved, That the proceedings of this Senate, in relation to the death of James P. Carter, be communicated to the widow of the deceased by the Secretary ;

Which was adopted.

Mr. Arnow presented the following

Resolution relative to Confederate officials and clerks ;

Which was placed among the orders of the day.

The Committee to whom was referred the state of the Commonwealth, have had the same under consideration, and ask leave to

REPORT :

That the Commonwealth of Florida, in common with her sister States, has suffered not only in the loss of many of her most valuable citizens, but portions of her territory bordering on the seacoast, and millions of private property have been literally laid waste and destroyed by the ravages of the enemy. But notwithstanding these disasters, which happened at an early period of the war, your committee is happy to report that the State has since been able, through the valor of her troops, to maintain her territorial integrity, however painful the reflection that many of her best citizens have in the meantime been robbed, captured and murdered by the incursions of the enemy into the interior of the country. These raids, so destructive of life and property, should if possible be prevented in future; and we believe they may be. If the civil authorities, as in duty bound, will hold up the hands of the military, there is reason to believe if again attempted, that the raiders may be brought to punishment. A union of hands and a union of hearts should be our motto; with one accord we should fight the enemy wherever we find him, and continue the fight until he is finally driven from our soil.

But however that may be, and whatever may be the final issue, it is a source of consolation to know that Florida has so far done her duty in this contest; nor will she falter now in this hour of our country's *crisis*. No State has furnished so large a number of troops in proportion to her population, and none have more fully illustrated the character of our people than gallant Floridians on the battle-fields of Virginia, of Tennessee, and upon our own soil at *Olustee, Gainsville and Marianna*.

But in saying this, your committee is not to be understood as casting any reflection upon troops from other States—by no means; for where all have done their duty, their whole duty, there can be no cause for complaint. Your committee disclaim any such reflection; they simply mean to say that we are fighting for *Liberty and Independence*, and as Florida was one of the first States to secede from the old Union, she will be one of the last to lay down arms in the Confederacy. Having put her hands to the plow, she will not look back.

Your committee have reason to believe that the State government is administered with ability and integrity, and cordially concur with many of the views expressed by his Excellency the Governor in his Annual Message to the General Assembly. And your committee is happy to learn that his Excellency the Governor, at this critical juncture of our affairs, enjoys not only the confidence of the military authorities of the State, but the friendship of President Davis, between whom there is no essential difference of opinion upon the great and absorbing issues of the day. Nor has your committee any cause to doubt but that the duties of the several offices connected with the Executive Department in the administration of the government have been discharged with promptitude and fidelity; yet nevertheless we respectfully recommend that a joint committee of both Houses be appointed, whose duty it shall be to examine into the condition of the offices, and report the result of their investigation to the next General Assembly.

All of which is most respectfully submitted,

JOHN SCOTT,
Chairman.

E. J. VANN,
JAS. S. RUSSELL,
D. P. HOLLAND.

Which was read, received and concurred in.
The Committee on Enrolled Bills, beg leave to

REPORT:

That they have examined a resolution, without title, and find the same correctly enrolled.

J. M. ARNOW, Ch'n.

Which was read and received.

The Committee on Public Lands, to whom was referred that portion of the Governor's message relating to Public Lands, beg leave to

REPORT :

That they find the Convention pledged the Public Lands acquired by secession for the final redemption of the State Treasury notes. This prevents the General Assembly from making any other disposal thereof.

By Ordinance No. 33, said Lands were directed to be sold under the same laws, rules and regulations as had been provided under the late government of the United States, to wit : from 12 1-2 cents to \$2 50 per acre. Under said Ordinance, only 2,870.46 acres were sold, yielding the amount of \$1,987 99.

By Ordinance No. 49, these lands, amounting to about seven millions of acres, were placed upon a graduated scale of prices from ten cents to one dollar per acre. Of these, 166,958.51 acres were sold for \$44,609 44, from which sum had to be deducted Receivers' commissions and other expenses of sales, amounting to at least three thousand dollars.

The General Assembly in December, 1862, raised the price of these lands to two dollars per acre for hammock lands and one dollar per acre for other lands, and authorize the entry by soldiers of lands occupied by them at twenty and fifty cents per acre. Since that act there have been sold 59,287.04 acres for \$76,324 84. The total gross amount received from the sales of public lands has been \$122,922 27. The expenses of sales and the sums paid for debts of the United States assumed under the ordinances of the Convention; and amounts refunded for cancelled entries, will amount to about seventeen thousand dollars, which includes five per cent. commissions paid to Receivers for moneys received by them.

The bill recommended by the Committee relieves the State of this latter expense, requiring it to be paid by the purchasers, except in the case of entries by soldiers or sailors. The policy of the last legislation in raising the price of lands is fully demonstrated by the sales under it, and show that it is not the low price asked for lands which insures sales. The propriety of raising the price of public lands having been so fully and ably argued by the Governor in his message, your committee simply report the accompanying bill and recommend its passage.

Respectfully submitted,

D. P. HOLLAND, Ch'n.

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

The Select Committee, to whom was referred a bill entitled, An act to protect the citizens of Florida, have had the same under consideration, and ask leave to report a substitute for the bill, recommending the adoption and passage of the same.

ED. HOPKINS, Ch'n.
J. M. ARNOW,
J. D. CLARY.

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

ORDERS OF THE DAY.

A bill to be entitled, An act to organize militia troops for the State of Florida,

Was read a second time.

Mr. Vann presented the following amendment:

Insert, in the second line, after the word "State," the words "between the ages of," and insert in the third line, between the words "sixteen" and "years," the words "and fifty-five inclusive," and strike out the following words in the third line: "Of age and over," so that, that portion of the section will read as follows: "That every able-bodied white male inhabitant in this State between the ages of sixteen and fifty-five years, inclusive," &c., &c.

The yeas and nays having been called on the adoption of the amendment,

The vote was:

Yeas—Messrs. Arnow, Clary, Duncan, Hogue, Hopkins and Vann—6.

Nays—Mr. President, Messrs. Cooper, Holland, King, Russell of Jefferson and Scott—6.

So the amendment was lost.

Mr. Vann moved to amend the first section as follows:

Strike out the following words in lines three and four: "Not manifestly unable to do military duty, and not an officer or enlisted man in the military service of the Confederate States," and insert the following: "Not in the active military service of the Confederate States, and who is physically able to perform militia duty."

The yeas and nays having been called on the adoption of the amendment,

The vote was:

Yeas—Mr. President, Messrs. Arnow, Clary, Cooper, Duncan, Hogue, Holland, Hopkins, King, Russell of Jefferson, Scott and Vann—12.

Nays—None.

So the motion was adopted.

Mr. Hopkins moved that the bill be indefinitely postponed.

The yeas and nays having been called for,

The following was the vote :

Yeas—Messrs. Clary, Duncan and Hopkins—3.

Nays—Mr. President, Messrs. Arnow, Cooper, Hogue, Holland, King, Russell, of Jefferson, Scott and Vann—9.

So the motion was lost.

Mr. Hogue moved to strike out the word "manifest" in 1st section, 8th line,

Which was adopted.

Mr. Vann proposed the following amendment :

Strike out the following words in the 7th and 8th lines of section 1, "on any grounds unless in cases of manifest," and insert the word "for," and strike out the words "to be ascertained as," and insert "unless in the manner," so as to read,

And no person shall be exempt for physical incapacity unless in the manner hereinafter provided.

The yeas and nays having been called for on the adoption of the amendment,

The vote was :

Yeas—Mr. President, Messrs. Arnow, Clary, Duncan, Hogue, Hopkins, Russell, of Jefferson and Vann—8.

Nays—Messrs. Cooper, Holland, King and Scott—4.

So the amendment was adopted.

Mr. Vann offered the following amendment to section 2d :

Strike out "a" before "company," in the 7th line and insert "another," and in 9th line strike out the words "do so," and insert "enroll himself;"

Which was adopted.

Mr. Vann moved to strike out section 7.

The yeas and nays having been called for,

The vote was :

Yeas—Messrs. Duncan, Hopkins and Vann—3.

Nays—Mr. President, Messrs. Arnow, Clary, Cooper, Hogue, Holland, King, Russell, of Jefferson and Scott—9.

So the motion was lost.

Mr. Vann offered the following as an additional section :

Be it further enacted, That this State is hereby divided into three militia districts. The first district shall comprise all that part of the State that lies east of the Suwannee river, the second district, all that part lying between the Suwannee and Apalachicola rivers, and the third district, all that part lying west of the Apalachicola river.

The yeas and nays having been called for,

The vote was :

Yeas—Mr. President, Messrs. Arnow, Clary, Duncan, Hogue, Hopkins, Scott and Vann—8.

Nays—Messrs. Cooper, Holland, King and Russell, of Jefferson—4.

So the amendment was adopted.

Mr. Vann moved to strike out section 8, for the purpose of offering the following amendment:

SEC. 8. *Be it further enacted*, That in cases of servile insurrections, or actual raids of the enemy, the Governor shall have the power, and it shall be his duty to call the militia into active service for the purpose of suppressing such insurrections or repelling such actual raids; and the militia shall not remain in active service any longer than shall be necessary to quell the insurrection or repel the raid: *Provided*, That in no instance, and under no circumstances, shall those persons of the militia who shall be over fifty years of age be required or compelled to march beyond the limits of the military district in which they may reside; and if not incompatible with the public service, the Governor shall cause and require said persons to remain in their respective counties: *And provided further*, That in no case, and under no circumstances, shall the militia be ordered into active service beyond the limits of this State, without their consent, which shall be determined by a majority, after they shall have been called into active service.

Which was lost.

Mr. Vann offered the following as an additional section:

SEC. 9. *Be it further enacted*, That no person shall be exempt from militia duty, except the following: All persons physically unable to perform militia duty, which shall be ascertained by the examination of two practicing physicians, and upon their affidavit of the fact, filed with the Captain of the company nearest the residence of the person claiming exemption, on account of physical disability; all ministers of the Gospel exempted by the Confederate States, from military duty, the Judges of the Supreme and Circuit Courts, millers, ferrymen on post-roads and all physicians over 35 years of age.

The yeas and nays having been called on its adoption,

The vote was:

Yeas—Messrs. Duncan, Hopkins and Vann—3.

Nays—Mr. President, Messrs. Arnow, Clary, Cooper, Hogue, Holland, King, Russell, of Jefferson and Scott—9.

So the motion was lost.

Mr. Holland offered, as an additional section,

SEC. 9. *Be it further enacted*, That company court-martials shall consist of one commissioned officer, one non-commissioned officer and three privates of the company; and the sentences of said court-martial shall be carried into execution by the Sheriff of the county: *Provided, however*, No company court-martial shall punish except by a fine not exceeding one hundred dollars, or by imprisonment not exceeding ten days, and where fines are imposed, they shall be collected by the Sheriff by levy and sale, and shall be payable in

the currency of the country, which court-martial shall be appointed by the captain of the company ;

Which was adopted.

Mr. Allison offered as section 10, the following :

SEC. 10. *Be it further enacted*, That whenever exemption from militia duty is claimed upon the ground of physical incapacity, it shall only be granted upon the recommendation of the officer commanding the militia company nearest the residence of the applicant, which said recommendation shall be endorsed by the certificates of two practising physicians of the county in which the applicant may reside ; and in case there should be no two such physicians in his county, then by those living in an adjoining county, stating the cause of such incapacity, which said certificate shall be made under oath ;

Which was adopted.

On motion, the bill was ordered to be engrossed for a third reading to-morrow.

On motion, the Senate took a recess until three o'clock, p. m.

THREE O'CLOCK, P. M.

The Senate resumed its session.

The President in the chair.

A quorum present.

The orders of the day were resumed.

A bill to be entitled, An act to facilitate business in the Quartermaster-General's Department,

Was read a third time and put on its passage.

The vote was :

Yeas—Mr. President, Messrs. Arnow, Clary, Cooper, Duncan, Hogue, Holland, Hopkins, King, Russell of Jefferson, Scott and Vann—12.

Nays—None.

The bill was passed—title as stated.

Joint resolution to appoint an agent at Columbus, Ga.;

Which was read and adopted.

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
November 29th, 1864. }

Hon. A. K. ALLISON,

President of the Senate :

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

Senate bill to be entitled, An act to create special tribunals for the trial of capital offences committed by slaves, free negroes and mulattoes, with amendments.

Senate resolution for the destruction of redeemed State treasury notes and bonds of 1856 and 1861.

House resolution in relation to public lands.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which was read and amendments to Senate bill concurred in and Senate bill and resolution ordered to be enrolled, and House resolution placed among the orders of the day.

Bill to be entitled, An act to amend an act to raise the salaries of the State Treasurer and other officers therein named,

Was read a second time.

Mr. Holland presented the following amendment:

SEC. 2. *Be it further enacted*, That the salary of the Judges of the Circuit Courts shall be, during the continuance of the present war, five thousand dollars per annum, to be paid as now by law provided.

The yeas and nays having been called for,

The following was the vote:

Yeas—Messrs. Cooper, Hogue, Holland, King, Scott and Vann—6.

Nays—Mr. President, Messrs. Arnow, Clary, Duncan, Hopkins and Russell of Jefferson—6.

The motion was lost.

Mr. Holland presented the following amendment:

SEC. 2. *Be it further enacted*, That the salaries of each of the Judges of the Circuit Courts shall be during the continuance of the present war thirty-five hundred dollars per annum, to be paid quarterly, as now provided by law;

Which was adopted.

The bill was ordered to be engrossed for a third reading tomorrow.

Bill to be entitled, An act to fix the term of the solicitors of the several Circuits,

Was read first time and put on its passage.

The vote was:

Yeas—Mr. President, Messrs. Arnow, Clary, Cooper and Hogue—5.

Nays—Messrs. Duncan, Holland, Hopkins, King, Russell of Jefferson, Scott and Vann—7.

The bill was lost.

House bill entitled An act relating to the accounts of Ex-Governor M. S. Perry and H. V. Snell, late Quartermaster General,

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

House bill to provide for the appointment of county officers in certain cases.

Was read a first time, and on motion read a second time by title, and referred to the Committee on Judiciary.

House bill to be entitled, An act to amend An act to allow the Supreme Courts of this State to hold extra terms in certain cases therein specified, Approved Dec. 28, 1854,

Was read a first time, rule waived, and bill read a second time and referred to Committee on Judiciary.

House resolution for the relief of the Tax Collector of Madison county,

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

House resolution requesting the appointment of a joint select committee in relation to encouraging an import and export trade,

Was read first time, and on motion a committee appointed in accordance with the above resolution. The President appointed as said committee, Messrs. Holland, Scott and Russell of Jefferson.

House resolution in relation to Public Lands,

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

Resolution for the relief of R. E. Frier,

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

House resolution to examine the office of Register of Public Lands,

Was read a first time,

And in accordance with the resolution the President appointed as said committee Messrs. Hogue, Vann and Clary.

House resolution relative to soldiers' families,

Was read first time, and adopted.

Ordered to be certified to the House of Representatives.

Bill to be entitled, An act to amend An act empowering Judges of Probate to grant orders to executors and administrators to sell real estate for distribution,

Was read first time, rule waived, read a second time and referred to Committee on Judiciary.

Bill to be entitled, An act relative to recording deeds and other papers in Lafayette county,

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

Bill to be entitled an act to protect the citizens of Florida,

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

Bill to be entitled an act to increase the price of public lands,

and to facilitate the entry of land by soldiers, sailors and actual settlers,

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

The orders of the day being through with,

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

WEDNESDAY, November 30, 1864.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by Rev. E. L. T. Blake.

On motion, the reading of the journal of yesterday was dispensed with and the journal corrected and approved.

The President declared motions in order.

Mr. Russell moved that the Secretary be required to furnish the Printer with the proceedings of yesterday, and require of him to reprint the same.

Adopted.

Mr. Vann moved that the joint rules adopted for the government of the two Houses, be adopted by the Senate, and that the House be requested to do the same;

Which was adopted and the Secretary instructed to notify the House of the same.

On motion, the rule was waived to allow Mr. Hogue to present the following bills without previous notice:

Bill to be entitled, An act to amend an act to prevent the establishment of distilleries and the distilling of whiskey or other spirituous liquors, approved Dec. 15, 1862;

Bill to be entitled, An act in relation to the commissions of executors, guardians, curators and administrators;

Which were placed among the orders of the day.

Mr. Hogue presented

Joint resolution authorizing and requiring the Attorney-General to print a general index of the decisions of the Supreme Court;

Which was placed among the orders of the day.

The Committee on the Judiciary report favorably on House bill entitled, An act to amend an act empowering Judges of Probate to grant orders to executors and administrators to sell real estate for distribution. Also, on House bill entitled, An act to amend an act entitled an act to allow the Supreme Court of this State to hold