

Yeas—Messrs. Abercrombie, Baker, Bird, Brevard, Cottrell, Crawford, Curry, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff—25.

Nays—None.

So the nomination was confirmed.

Ordered that the same be certified to His Excellency the Governor.

Mr. Finegan moved that the nomination of James M. Baker as Associate Justice of the Supreme Court, be confirmed.

The vote was :

Yeas—Messrs. Abercrombie, Baker, Bird, Brevard, Cottrell, Crawford, Curry, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff—25.

Nays—None.

So the nomination was confirmed.

Ordered that the same be certified to His Excellency the Governor.

On motion, the injunction of secrecy was removed from the proceedings in Executive session.

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

FRIDAY, January 5, 1866.

The Senate met pursuant to adjournment.

The President in the chair.

A quorum present.

Prayer by the Chaplain.

The Journal of yesterday was read and approved.

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

By Mr. Abercrombie :

A bill to be entitled An act to authorize the County Commissioners of the county of Escambia to borrow money for the purpose of building a court-house and jail.

By Mr. Steele :

A bill to be entitled An act to require the children of destitute persons to provide for the support of said persons ; also,

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A bill to be entitled an act to provide for appeals from orders, decrees and judgments rendered during the late war by the courts of this State

Mr. Cottrell presented a petition from Captain Cobb and various citizens of Levy county ;

Which was read and referred to the Committee on the Judiciary.

Mr. Steele, pursuant to previous notice, asked leave to introduce the following named bill, preambles and resolutions, viz :

A bill authorizing the County Commissioners of Duval County to issue bonds for a purpose named therein ;

Preamble and resolutions providing for an application to Congress to rebuild the Court-house and jail of the county of Duval ; also,

Preamble and resolution asking the State of Florida, through her Legislature, to relieve the county of Duval from the obligation to pay a debt of one thousand dollars, which said county owes the State.

On motion, the rules were waived to allow Mr. White to make a motion.

Mr. White moved that the Senator from Wakulla county be excused from attendance on the Senate till Monday next ;

Which was agreed to.

The following communication was received from the House, viz :

HOUSE OF REPRESENTATIVES,  
January 2, 1866. }

Hon. W. W. J. KELLY,

President of the Senate :

Sir : The House of Representatives has this day adopted the following resolution, viz :

Resolution relative to adjournment.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

Mr. Brevard, from the Committee on the Judiciary, made the following report :

The Committee on the Judiciary, to which was referred a bill to be entitled An act providing for the appointment of a pilot at Cedar Keys, beg leave to

REPORT :

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

T. W. BREVARD,  
Chairman Judiciary Committee.

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

Also the following:

The Committee on the Judiciary, to whom was referred a bill to be entitled An act to establish and organize a County Criminal Court, beg leave to

#### REPORT:

That they have had the same under consideration, and respectfully recommend that the bill do pass with the following amendments, to wit:

In 4th line of section 2d, insert after the word "fees," the words "or both."

In 5th line of section 3d, strike out the word "twelve" and insert the words "twenty-four."

In 1st line of section 5, strike out the word "six" and insert the word "twelve."

In the 8th line of Section 9, after the word "him," insert the words "or her."

In 4th line of Section 11, after the word "fees," insert the words "or both."

In Section 15, strike out all after the enacting clause and insert the following in lieu thereof: "That the Supreme Court shall prescribe proper forms, rules and regulations of practice for the government of this Court, and the same shall be uniform throughout the State."

T. W. BREVARD,  
Chairman Committee on Judiciary.

Which was received and read.

Mr. Crawford made the following report:

The Committee on Enrolled bills ask leave to report the following bills as correctly enrolled, viz:

A bill to be entitled an act to compel railroad companies to pay for all stock killed upon their roads;

A bill to be entitled an act to punish certain persons for marking, branding or killing unmarked cattle and for other purposes therein mentioned;

A bill to be entitled an act concerning marks and brands of beef cattle and for other purposes; also,

A bill to be entitled an act to remove the county site of Nassau County.

JOHN L. CRAWFORD,  
Chairman.

Which was received and read.

Mr. Ross made the following report:

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The Committee to whom was referred the bill to be entitled an act to fix the salaries and compensation of the Solicitors of this State, beg leave to

## REPORT:

The same back to the Senate, with this amendment: In the 7th line, strike out "one" and insert "eight," and in the 8th line, strike out "thousand," and insert "hundred." In 2d Section, strike out in 3d line all after the word "conviction" to the word "and," in the 4th line.

W. B. ROSS,  
Chairman Committee on Finance.

Which was received and read.

The Special Committee in relation to the Direct Tax made the following report:

The Special Committee to whom was referred "A resolution in reference to the direct taxes due the United States," and which was instructed to prepare a memorial to Congress in reference thereto, begs leave to

## REPORT:

That it has had the said resolution under consideration, and recommends the accompanying resolutions as a substitute.

The committee has spared no pains in procuring the necessary information, and believes that the memorial herewith transmitted will be found to embody all the facts necessary in order to bring the matter to the attention of Congress.

Respectfully submitted,

E. J. VANN,  
JOSEPH FINEGAN,  
JOHN M. GORRIE,

Which was received and read.

Mr. Cottrell made the following report:

The Select Committee, to whom was referred House resolution for the appointment of commissioners for the examination of the indebtedness of the State, having had the same under consideration, instruct me to report the same back to the Senate and recommend that it be amended by an additional section, herewith reported.

J. L. F. COTTRELL,  
Chairman.

Which was received and read.

The following communication was received from his Excellency the Governor:

EXECUTIVE OFFICE,  
Tallahassee, January 4, 1866. }

Gentlemen of the General Assembly:

I have this day approved and signed "an act to facilitate the collection of taxes and require a registration of grants and donations."

Also, "an act to amend an act entitled an act to authorize the circuit courts of this State to grant licenses for building toll bridges and for other purposes, approved December 5, 1861."

I have the honor to be,

Very respectfully,

Your obedient servant,

D. S. WALKER,  
Governor of Florida.

Which was received and read.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
January 4, 1866. }

Hon. W. W. J. KELLY,

President of the Senate:

SIR: The House of Representatives has this day concurred to the Senate amendments to the following House bills:

A bill to be entitled an act to facilitate the collection of taxes and require the registration of grants and donations; also.

A bill to be entitled an act to authorize the Circuit Court to grant licenses to build bridges, ferries and dams across streams not navigable.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

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

The following communication was received from the House of Representatives, viz:

HOUSE OF REPRESENTATIVES,  
January 4th, 1866. }

Hon. W. W. J. KELLY,

President of the Senate:

SIR: The House of Representatives has this day passed—

"Bill to be entitled an act to increase the punishment for larceny."

A bill to be entitled an act to repeal an act entitled an act to amend

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the pleadings and practice in the courts of this State, approved 8th of February, 1861; also,

Adopted a resolution of thanks to Major General Foster.

Very Respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }  
January 4, 1866. }

HON. W. J. KELLY,

President of the Senate:

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

House bill to be entitled an act to punish vagrants and vagabonds.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

The following communication was received from the House of Representatives.

HOUSE OF REPRESENTATIVES, }  
January 4, 1866. }

HON. W. W. J. KELLY,

President of the Senate:

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

House bill to be entitled an act to alter the mode of selling school and seminary lands.

House bill to be entitled an act to amend an act entitled an act to amend an act entitled an act to establish and permanently locate the county site of Manatee county, approved December 3d, 1861; also,

A bill to be entitled an act in relation to Judicial proceedings and the appointment of referees in civil cases.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which was read and the bills placed among the orders of the

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES,  
January 5, 1866. }

HON. W. W. J. KELLY,

President of the Senate :

SIR: The House of Representatives has this day passed a House bill to be entitled an act prescribing additional penalties for the commission of offences against the State and for other purposes: also,

A House bill to be entitled an act to provide for the revision, collation and digesting of the whole of the statute law of the State, to be the Revised Code of Florida; also,

House resolution to amend and revise the practice and pleadings of this State.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

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

#### ORDERS OF THE DAY.

House bill to be entitled an act authorizing Executors, Administrators, Trustees and Guardians to contract for the hire of laborers and confirming contracts heretofore made,

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

The vote was :

Yeas—Messrs. Abercrombie, Baker, Bird, Brevard, Cottrell, Curry, Evans, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff—26.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House bill entitled an act to establish and enforce the marriage relations between persons of color,

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

A bill to be entitled an act to fix the salaries and compensation of the Solicitors of this State,

Was read the second time and the amendments recommended by the Finance Committee were adopted.

Mr. Vann offered the following amendment to said bill: Insert after the word Solicitors, in 6th line, the following words, "of the Circuit Courts."

Which was adopted and the bill ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act to increase the rates of interest at which money, bonds, notes &c., may be loaned.

Was read the second time, and referred back to the Committee on Finance with instructions to report the amendment.

House bill to be entitled an act giving further time to purchasers of School and Seminary lands to complete their payments,

Was read the second time, and on motion, referred to the Committee on Public Lands.

House resolution for the appointment of commissioners for the examination of the indebtedness of the State,

Was read the second time and the amendment proposed by the Select Committee adopted.

Mr. Cottrell offered the following additional resolution as an amendment:

"2d. Resolved further, That said commission shall also devise a proper system of revenue for the State, and report the same to the next session of the General Assembly."

So the amendment was agreed to, and the bill ordered for a third reading on to-morrow.

House bill to be entitled an act concerning testimony,

Was read the second time and referred to the Committee on the Judiciary.

House bill to be entitled an act to establish uniform weights and measures to be used throughout the State of Florida,

Was read the second time and referred to the Committee on Agriculture,

House bill to be entitled an act to prevent the penning of cattle in certain months of the year and for other purposes,

Was read the second time.

Mr. Hender moved to amend by adding after the word "year," in 3d line of section 2, the words "without special permission of the owners of said cattle."

Which was adopted.

Mr. Morr moved to amend by adding the following as an additional section:

"Sec. 5. Be it further enacted, That the counties of Holmes and Walton shall be exempt from the operations of this act."

Which was adopted, and the bill as amended ordered for a third reading on to-morrow.

House resolution for the relief of Eliza Stewart,

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

The vote was:

Ayes, 10. Nays, 0. *Yeas*. Bird, Curry, Evans, Fine-



gan, Hendry, Jordan, Morrison, Oliveros, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, White, Whitehurst and Woodruff—21.

Nays—Messrs. Brevard and Vann.—2.

On motion, Messrs. Cottrell and Owens were excused from voting on said bill.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House bill to be entitled an act to extend to all the inhabitants of this State the benefits of the Courts of Justice and the processes thereof,

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

House bill to be entitled an act authorizing the sale of escheated lands belonging to the estate of John Eaton, deceased,

Was read the second time and referred to the Committee on Propositions and Grievances.

Preamble and resolutions asking the State of Florida, through her Legislature, to relieve the County of Duval from the obligation to pay a debt of one thousand dollars which said county owes the State,

Was read the first time, on motion, rule waived and bill read second time by its title, and referred to the Committee on Propositions and Grievances.

Preamble and resolutions providing for an application to Congress to rebuild the Court House and Jail of the county of Duval,

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

A bill to be entitled an act to authorize the county Commissioners of the county of Duval to issue bonds for a purpose named therein,

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

The vote was:

Yeas—Messrs. Abercrombie, Baker, Brevard, Cottrell, Curry, Evans, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff—24.

Nays—none.

So the bill passed—title as stated, and ordered to be certified to the House.

House bill to be entitled an act to provide for the revision, collation and digesting of the whole of the public statute law of the State to be the "Revised Code of Florida."

Was read the first time, and on motion, rule waived and bill read

d. R. Wood  
 a second time by its title and placed among the orders of the day for to-morrow.

House resolution to amend and revise the practice and pleadings of this State,

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

House bill to be entitled an act prescribing additional penalties for the commission of offences against the State, and for other purposes,

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

On motion, the Senate took a recess until 3 o'clock, P. M.

### THREE O'CLOCK, P. M.

The Senate resumed its session.

Quorum present.

The President in the Chair.

On motion, the rules were waived to allow Mr. Abercrombie to make the following report:

The Joint Committee upon "Taxation and Revenue," after much labor, and mature thought upon the subject matter committed to their consideration, beg leave to

#### REPORT:

That the accompanying bill is such a one in their opinion as will enable the State to raise a revenue, and therefore they respectfully recommend its adoption.

JAMES ABERCROMBIE,  
 Chm'n. Senate Committee.  
 W. H. GEE,  
 Chm'n House Committee.

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

A bill to be entitled an act to raise a revenue for the State of Florida,

Was read the first time and ordered to be printed for the use of the Senate.

House bill to be entitled an act to increase the punishment for larceny,

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

House resolutions of thanks to Maj. Gen. Foster,

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

On motion, Messrs. Gorrie, Jordan, Owens and Pearce were excused from voting.

The vote was :

Yeas—Messrs. Abercrombie, Cottrell, Curry, Evans, Finegan, Hendry, Morrison, Oliveros, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White and Whitehurst—18.

Nays—Mr. Woodruff—1.

So the resolutions passed—title as stated.

Ordered that the same be certified to the House.

House bill to be entitled an act to repeal an act, &c.,

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

House bill entitled an act in relation to judicial proceedings and the appointment of referees in civil cases,

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

House bill to be entitled an act to alter the mode of selling school and seminary lands,

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

House bill to be entitled an act for the permanent location of the site of Manatee county,

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

The vote was :

Yeas—Messrs. Abercrombie, Bird, Brevard, Cottrell, Curry, Evans, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff—25.

Nays—none.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House bill to be entitled an act to punish vagrants and vagabonds,

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

A bill to be entitled an act providing for the appointment of a pilot at Cedar Keys,

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

The vote was :

Yeas—Messrs. Abercrombie, Baker, Bird, Brevard, Cottrell, Curry

Evans, Finegan, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White, Whitehurst and Woodruff.—26.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House resolution relative to adjournment,

Was read.

Mr. Cottrell moved the consideration of said resolution be postponed till Wednesday next ;

Which was agreed to.

House bill to be entitled an "act to establish and organize a county Criminal Court,"

Was read a second time.

The Committee on the Judiciary reported the following amendments: After the word "fees," in the 4th line of 2d Section, insert the words "or both."

Agreed to.

Strike out in the fifth line, 3d Section, the word "twelve," and insert "twenty-four."

Agreed to.

Mr. Vann offered the following amendment:

Insert the words "or her," between the word "his," and the word "appearance," in the 3d line, Section 3d ;

Which was agreed to.

Mr. Bird moved to amend by inserting after the word "his," in 2d line, "or her," Section 4th.

Which was agreed to.

The Committee on the Judiciary offered the following amendment:

Strike out the word "six" in the 1st line, 5th Section, and insert "twelve."

Which was agreed to.

Mr. Cottrell offered the following as an amendment: Add to the 8th section: "Provided, the venire shall not by challenge be reduced below the number of men necessary to constitute the jury unless the challenge be for cause."

Which was agreed to.

The Committee on the Judiciary offered the following amendment: Insert after the word "him," in the 8th line, 9th section, "or her,"

Which was agreed to.

Mr. Bird moved to amend by inserting after the word "bis" in the 5th line 9th section, "or her": also in the 6th line, after the word "be," insert "or she,"

Which was agreed to.

The Committee on Judiciary offered the following amendment:

Insert after the word "fees," in the 4th line, 11th section, "of both;"

Which was agreed to.

The Committee on Judiciary recommend the following amendment:

Strike out all after the enacting clause of the 15th section, and insert the following in lieu thereof:

"That the Supreme Court shall prescribe proper forms, rules and regulations of practice for the government of this court, and the same shall be uniform throughout the State;"

Which was agreed to.

On motion, rule waived, bill read third time by its title and put upon its passage.

The vote was:

Yeas—Messrs. Abercrombie, Baker, Bird, Brevard, Cottrell, Curry, Evans, Finegan, Gorrie, Henry, Jordan, Owens, Poe, Richard, Roper, Rosseau, Steele, Turner, Vann, White and Whitehurst—21.

Nays—Messrs. Morrison, Pearce and Woodruff—3.

So the bill passed as amended—title as stated.

Ordered that the same be certified to the House.

On motion, the rule was waived, and Mr. Finegan offered the following:

Mr. Finegan gave notice that he will on some future day ask leave to introduce a bill to be entitled an act "to authorize and empower the Governor to reorganize the municipal government of certain cities and towns."

The following communication from the House was received and read.

HOUSE OF REPRESENTATIVES, }  
January 5, 1866. }

Hon. W. W. J. KELLY,

President of the Senate.

SIR: I have been instructed by the House of Representatives to inform the Senate that the House has advised and consented to the nominations made by His Excellency David S. Walker, in the within communication.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the House of Representatives.

EXECUTIVE OFFICE, }  
Tallahassee, January 5, 1866. }

Gentlemen of the General Assembly:

I respectfully make the following nominations for the County of Escambia:

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For Auctioneers—M. F. Gonzalez, A. H. Bright and James H. Edmonson.

For Port Wardens for the Port of Pensacola—J. W. Dorr and Wm. McKinzie.

For Inspectors of Lumber and Timber—Thos. McCullough and Levi Brown.

Please certify to the House.

I have the honor to be,

Most respectfully,

Your ob't serv't,

D. S. WALKER.

Which was read and the nominations therein made confirmed.

Ordered that the same be certified to the House.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,  
January 5, 1866.

Hon. W. W. J. KELLY,

President of the Senate:

Sir: I have been requested by the House of Representatives to enclose the within communication from His Excellency the Governor, making nominations to the General Assembly, and inform the Senate that the House has advised and consented to the nominations therein made and ask the confirmation of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM.

Clerk of the House of Representatives.

The following communication was received from His Excellency, the Governor:

EXECUTIVE CHAMBER,  
Tallahassee, Fla., Jan. 4th, 1866.

Gentlemen of the General Assembly:

I hereby respectfully make the following nominations:

For Auctioneer for Marion County—Wm. S. Mann.

For Auctioneers for Jackson County—Robt. Flanders, W. H. Harvey and W. H. DuBose.

For Auctioneers of Sumter County—A. J. Cassaday and Wm. P. Ward.

Please certify to the Senate.

I have the honor to be,

Most respectfully,

Your obedient servant,

D. S. WALKER.

Which was read and the nominations therein contained advised

and consented to, and the Clerk requested to certify the same to the Senate.  
Which was received and read, and the nominations therein made confirmed.

The following communication was received from His Excellency the Governor, viz:

EXECUTIVE OFFICE,  
Tallahassee, January 5, 1866.

Gentlemen of the General Assembly:

I have approved and signed "an act to punish certain persons for marking, branding or killing unmarked cattle and for other purposes therein mentioned;"

"An act to compel Railroad Companies to pay for all stock killed upon their roads;"

"A bill to be entitled an act to remove the county site of Nassau county;" and,

"An act concerning marks and brands of beef cattle, and for other purposes."

I have the honor to be,

Very respectfully,

Your obedient servant,

D. S. WALKER, Governor.

Which was read.

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

SATURDAY, January 6, 1866.

The Senate met pursuant to adjournment.

A quorum present.

The President in the chair.

Prayer by the Chaplain.

Notice was given of intention to introduce the following bill at some future day, viz:

By Mr. Evans:

A bill for the removal of the obstructions in the Apalachicola River.

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

An act to provide for appeals from orders, decrees and judgments rendered during the late war by the Courts of this State;

An act to require the support of said pu

An act to authorize jurisdiction in all civi

By Mr. Ross:

A bill to be entitle

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