

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

House resolution in relation to the pay and mileage of the members and officers of this session of the General Assembly.

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

A bill to be entitled an act to organize the militia of this State.

Was read the third time, on motion, the amendments made by the House were agreed to by the Senate.

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

SATURDAY, January 13th, 1866.

The Senate met pursuant to adjournment.

The President in the Chair.

A quorum present.

Prayer by the Chaplain.

Mr. Oliveros moved, that Mr. Thomas, officer of the Senate, be excused from attending on the Senate until three o'clock this afternoon;

Which was agreed to.

On motion, Mr. Cottrell was excused from further attendance on the Senate from and after Monday next.

On motion, Mr. Poe was excused from further attendance on the Senate after this day.

On motion, Mr. White was excused from further attendance on the Senate after this day.

On motion, Mr. Hendry was excused from further attendance on the Senate after this day.

Mr. Ross made the following report:

The Committee to whom was referred a resolution to pay certain Commissioners therein named, have had the same under consideration, and beg leave to

REPORT:

That the Committee think that the sum of two hundred dollars would be a fair and liberal compensation for the work mentioned in the resolution.

WM. B. ROSS,
Chairman Finance Committee.

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

Mr. Abercrombie made the following report:

The Committee on Taxation and Revenue, to whom was referred "a bill to be entitled an act to make dogs taxable property, and for other purposes," have had the same under consideration, and recommend section 7 be stricken out.

JAMES ABERCROMBIE, Chm'n.

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

Mr. Crawford made the following report:

The Committee on Enrolled Bills have examined the following bill and resolution, and report them as correctly enrolled, viz:

A bill to be entitled an act to fix the rate of interest on money, bonds, notes and judgments; also,

A resolution requesting His Excellency, Andrew Johnson, to pardon Jefferson Davis.

JNO. L. CRAWFORD, Chm'n.

Which was read.

Mr. Cottrell made the following report:

The Committee of Conference appointed by the Senate to confer with a similar committee of the House on the subject matter of disagreement between the Senate and House on the "bill to be entitled an act concerning testimony,"

REPORT:

That they have met and conferred with the said House committee, and have been unable to come to any terms of agreement. As the principle involved in the bill, as well as the Senate's amendment, is important, they recommend the Senate to ask a second conference of the subject of disagreement, and report the resolution following.

J. L. F. COTTRELL, Chm'n.

Resolved, That the Senate appoint a second committee of conference to meet such committee as may be appointed on the part of the House to confer on the matters of disagreement between the Senate and House on the bill to be entitled an act concerning testimony.

Which was read, and the resolution reported adopted.

The President appointed the following Senators as a committee under the forgoing resolution: Messrs. Cottrell, Steele and White.

Mr. Kenan made the following report:

The Committee on Elections, to whom was referred a bill to be entitled an act to legalize the election held in Brevard County on the 29th, day of November 1865, have had the same under consideration, and recommend the bill do pass.

The Committee do also recommend that the title be changed so as to conform to the provisions of the act.

D. L. KENAN,

Chairman of Committee on Elections.

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

The rule was waived and Mr. Abercrombie introduced the following bill without previous notice:

A bill to be entitled an act to grant alternate sections of swamp and overflowed lands to the Pensacola and Mobile Railroad and Manufacturing company,

Which was placed among the orders of the day.

ORDERS OF THE DAY.

House resolution relative to enforcing the sixth section of the Internal Improvement act,

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

House bill to be entitled an act to authorize the clearing out McGirth's creek in Duval county,

Was read a second time, and the amendment recommended by the Committee on Internal Improvements was agreed to, and the bill placed among the orders of the day for a third reading on Monday.

House memorial to Congress for the establishment of certain mail routes,

Was read a third time and placed upon its passage.

The vote was:

Yeas—Messrs. Abercrombie, Baker, Bird, Cottrell, Crawford, Evans, Gorrie, Hendry, Jordan, Oliveros, Owens, Pearce, Richard, Ross, Steele, Turner, Vann and Whitehurst—18.

Nays—None.

So the memorial passed as amended, title as stated, and the same ordered to be certified to the House.

A committee from the House appeared at the bar and notified the Senate that the House had appointed a committee of conference on Senate amendments to House bill to be entitled an act concerning testimony.

House bill to be entitled "an act to increase the powers of the Mayor, or Intendant of any city or incorporated town in this State,

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

House bill to be entitled an act for the relief of Lafayette county,

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

The vote was:

Yeas—Messrs. Jordan, Oliveros and Steele—3.

Nays—Messrs. Abercrombie, Baker, Bird, Brevard, Crawford, Evans, Gorrie, Hendry, Morrison, Owens, Pearce, Richard, Ross, Turner, Vann, White and Whitehurst—17.

So the bill did not pass.

House bill to be entitled an act to make dogs taxable property, and for other purposes,

Was read the second time.

The Committee on Taxation and Revenue recommended to amend the bill by striking out the 7th section;

Which was not agreed to.

A committee from the House appeared at the bar and informed the Senate that the House had passed the Senate resolution authorizing the Governor to issue one or more bonds of the State of Florida, with amendments.

On motion, the Senate refused to concur in the House amendments.

Mr. Cottrell moved that a committee be appointed to notify the House of the Senate's action, and ask a conference on the bill;

Which was agreed to.

The President appointed Messrs. Cottrell, Ross and Vann said committee.

Mr. Steele moved to amend House bill to be entitled an act to make dogs taxable property, and for other purposes, as follows:

"Provided, That the age of such dog shall be determined, if made necessary, by oath of the owner thereof, to be administered by the Tax Assessor, and a refusal to take such oath on the part of said owner, shall be prima facie evidence that said dog has attained his or her six months of age."

Which was agreed to.

The rule was waived and the bill read a third time by its title and put upon its passage as amended.

The vote was:

Yeas—Messrs. Baker, Crawford, Evans, Hendry, Owens, Richard, Roper, Ross, Steele, Turner and Whitehurst—11.

Nays—Messrs. Abercrombie, Bird, Brevard, Cottrell, Jordan, Morrison, Oliveros, Pearce, Vann and White—10.

So the bill passed as amended—title as stated.

Ordered to be certified to the House.

The committee who were appointed to notify the House that the Senate did not concur in House amendment to Senate resolution authorizing the Governor to issue one or more bonds of the State of

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Florida, returned and informed the Senate that they had performed their duty, and asked to be discharged.

Which was agreed to.

The rule was waived and Mr. Brevard made the following reports:

The Committee on the Judiciary, to whom was referred a bill to be entitled an act to establish a Board of Port Wardens for the Port of Pensacola, and regulating Pilots, &c., have considered the same and believe that there is no constitutional objection to its passage. The bill is therefore returned to the Senate and recommended to its consideration.

T. W. BREVARD,

Chairman Committee on Judiciary.

The Committee on the Judiciary, to whom was referred a bill to be entitled an act providing for the stay of executions in this State, beg leave to

REPORT

The same back to Senate with the following amendments, to wit:

After the word "State," in the 8th line, strike out all down to the word "until," in the 8th and 9th lines.

In 11th line, section 1, after the word "defendants," add the words "provided that in any case where there is more than one judgment, such consent shall not be construed as giving preference to one execution creditor over another."

In 14th and 15th lines of same section, strike out the words "be required to," at the end of 1st section 19th line, add the following words: "*And provided further.* That all costs which have accrued shall be paid by the defendant or defendants, before such defendant or defendants shall be entitled to the privileges of this act."

With these amendments, the Committee respectfully recommend the passage of the act, believing that such a measure is required by the necessities of the country.

The same Committee beg also to report back to the Senate a bill to be entitled an act in relation to Judicial Proceedings, and the appointment of Referees in civil cases, and to recommend that it do not pass.

T. W. BREVARD,

Ch'n Judiciary Committee.

The Committee on the Judiciary to whom was referred a resolution in relation to publishing the laws of the 13th General Assembly, have had the same under consideration and respectfully recommend its passage.

They have also had under consideration, a bill to be entitled an act to amend the several acts of this State in relation to working

roads and highways, and recommend that the same do pass with the amendments which follow:

In 6th line, of 1st section, after the word "the," insert the word "public."

In 2d line, of section 2, between the words "to," and "road," insert the word "do."

In section 4, 2d line, insert the word "of," after the word "citizen," and add the word "in," after the word "duty," in 3d line.

In section 6, 1st line, after the word "the," insert the word "road."

T. W. BREVARD.

Chairman Committee on Judiciary.

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

House resolution to legalize the election in Brevard County held on the 29th day of November,

Was read a second time.

The amendments recommended by the Committee on Elections, were, on motion, agreed to.

The rule was waived, and the bill as amended, read a third time and put upon its passage,

The vote was:

Yeas—Messrs. Abercrombie, Bird, Brevard, Cottrell, Crawford, Evans, Gorrie, Hendry, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Steele, Turner, Vann, Whitehurst and Woodruff—22.

Nays—Mr. Baker—1.

So the bill passed as amended,

Ordered that the same be certified to the House.

House resolution to pay certain commissioners therein named.

Was read a second time, and the amendment proposed by the Committee on Finance and Public Accounts was adopted.

The rule waived, and the bill as amended read a third time and placed upon its passage.

The vote was:

Yeas—Messrs. Abercrombie, Brevard, Cottrell, Crawford, Evans, Gorrie, Jordan, Morrison, Oliveros, Owens, Pearce, Richard, Roper, Ross, Steele, Turner, Vann, Whitehurst and Woodruff—19.

Nays—None.

So the bill passed as amended—title as stated.

Ordered that the same be certified to the House.

The rules were waived to allow Mr. Evans to introduce without previous notice,

Bill to be entitled an act for relief of indigent and disabled soldiers and for other purposes.

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

House bill to be entitled an act to embody and amend certain

acts in relation to exemption from sale of homesteads and other property.

Came up on its second reading and on motion, the Senate went into Committee of the Whole on said bill, Mr. Gorrie in the Chair. After some time spent in considering the bill, the committee reported the bill as amended back to the Senate and be discharged.

The report was received and the committee discharged. The amendments as recommended by the Committee of the Whole were adopted and the bill placed among the orders of the day for a third reading.

A committee from the House appeared and informed the Senate that the House had passed with amendments the Senate's resolution relative to the adjournment of this General Assembly.

Which was received and the resolution placed among the orders of the day. The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES,
January 13, 1866.

HON. W. W. J. KELLY,
President of the Senate:

SIR: Pursuant to the request of the Senate the House has appointed Messrs. Stanford, Hall and Hendricks a committee to act with the committee on part of the Senate relative to disagreement in reference to amendments to Senate resolution authorizing the Governor to issue bonds of the State of Florida, and requested said committee to inform the Senate of the same.

Very respectfully,

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

Which was read.

A bill to be entitled an act to grant alternate sections of swamp and overflowed lands to the Pensacola and Mobile Railroad and Manufacturing Company.

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

House bill to be entitled an act to amend the several acts of this State in relation to working roads and highways.

Was read the second time.

Mr. Steele moved to amend by adding to section 3d of the bill the following: "And if no property can be found out of which to make the sum, with costs, which may accrue in any case by default, said defaulter shall, by order of said Justice of the Peace, be hired out to labor at public outcry, by said Justice of the Peace, or officer he may appoint so to do, to any person."

sum and costs, and take said defaulter for the shortest period of time."

Which was agreed to.

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

Sec. 7. *And be it further enacted*, That paragraph 1, section 4, chapter 1, title 9, of Thompson's Digest be altered so as to read in addition thereto: And in case no property can be found out of which to make said fine and costs, like proceedings shall be taken as provided in section 3rd of this act;

Which was agreed to.

Mr. Steele moved to amend by adding the following as section 8:

Be it further enacted, That when in any case, the road tax imposed by virtue of title 9, chapter 1, section 5, and paragraph 1, of Thompson's Digest, especially for the County of Duval, has not been paid, and cannot be coerced out of any person liable thereto, because of inability to find property, or upon their refusal to point out property, on which to make the sum of said tax, or any part thereof, the collector appointed by the road commissioners shall proceed to hire out any defaulter therein, as hereinbefore provided by this act, and said collector shall account to the road commissioners for the sum arising from the hire of said defaulter;

Which was agreed to.

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

THREE O'CLOCK, P. M.

The Senate resumed its session.

A quorum present.

The Senate resumed the consideration of a bill to be entitled an act to amend the several acts of this State in relation to working roads and highways;

Which was read a second time and ordered for a third reading on Monday.

House resolution in relation to publishing the laws of the 13th General Assembly,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Abercrombie, Bird, Cottrell, Crawford, Evans, Gorrie, Hendry, Jordan, Morrison, Oliveros, Pearce, Richard, Ross, Steele, Turner, White and Whitehurst—17.

Nays—None.

So the resolution was adopted—title as stated.

Senate resolution relative to the adjournment of this General Assembly, as amended by the House,

Was read.

On motion, the Senate concurred in the amendment made by the House.

Ordered that the same be certified to the House.

The rule was waived and Mr. Cottrell made the following report:

The committee of the Senate appointed to confer with a committee of conference appointed by the House on the disagreement between the Senate and House on the resolution to authorize the Governor to issue one or more bonds of the State of Florida, at his discretion, have conferred freely with the committee on the part of the House, and it is agreed by them that the House do recede from their amendment to said resolution.

J. L. F. COTTRELL,
Chairman Senate Committee.

Which was received and read.

A bill to be entitled an act for the relief of indigent disabled soldiers, and for other purposes,

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

The Joint Committee of the Senate and House of Representatives appointed to draft Joint Rules for the government of the two Houses, have had the subject under consideration, and ask leave to make the following report:

The rules were waived to allow Mr. Brevard to make the following report:

JOINT RULES.

RULE 1. Messages from either House to the other shall be sent by such persons as a sense of propriety in each House may determine.

2. After a bill shall have passed both Houses, it shall be duly enrolled by the Clerk of the House of Representatives, or by the Secretary of the Senate, as the bill may have originated in one or the other House.

3. When bills shall be enrolled, they shall be examined by a Joint Committee of at least two from the Senate, and two from the House of Representatives, appointed as a Standing Committee for that purpose, who shall forthwith make report.

4. When a bill or resolution, which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

5. When a bill or resolution which has been passed in one House,

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shall be rejected in the other, it shall not be brought in during the same session, without notice of ten days, and leave of two-thirds of that House in which it shall be moved.

6. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

7. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

8. When elections are required to be made by joint vote of the two houses, the time of electing shall be previously agreed upon.

9. In every Joint Committee the member first named on the part of the House first proposing such Committee, shall convene the same.

10. During the elections of officers there shall be no motions entertained, except to adjourn, to proceed to vote, to nominate and to withdraw a candidate—which motions shall have precedence in the order they stand.

11. The doings throughout shall proceed without debate.

12. Communications shall be made on paper, and signed by the Secretary of each House, and transmitted by the Messenger or Doorkeeper.

13. In every case of disagreement between the Senate and House of Representatives, either House may suggest conference, and appoint a Committee for that purpose, and the other House shall also appoint a Committee to confer at a convenient hour, to be designated by the Chairman; said Committee shall meet and confer freely on the subject of disagreement.

14. Whenever a public bill or resolution is ordered to be printed for the use of either House, a number shall be ordered sufficient for the use of both Houses, and it shall be the duty of the Secretary of the Senate or Clerk of the House, as the case may be, to inform the other House of such order, and to transmit to that House the requisite number of printed copies.

Respectfully submitted,

T. W. BREVARD,
Chm'n Senate Committee.

G. TROUP MAXWELL,
Chm'n House Committee.

Which was read and concurred in.

The President appointed Messrs. Steele and Roper as Senate committee under joint rules upon enrolled bills.

Ordered to be certified to the House.

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

EXECUTIVE OFFICE,
Tallahassee, January 13, 1866.

Gentlemen of the Senate:

I respectfully make the following nominations for Judges of the County Criminal Courts:

For Gadsden County—E. C. Love.
For Marion County—Robt. Bullock.
For Jackson County—Wm. J. Kinsey.
For Monroe County—Winer Bethel.
For Polk County—Wm. J. Watkins.
For Suñter County—James S. Kilgore.
For Washington County—John L. White.
For Holmes County—W. L. Jamison.
For Liberty County—W. L. Kyle.

Very respectfully,
Your obedient servant,

D. S. WALKER,
Governor of Florida.

On motion, the Senate went into executive session.

After a short time spent therein, the nominations made in said communication were confirmed and the same ordered to be certified to the Governor.

The rules were waived and Mr. Brevard made the following report:

The Committee on the Judiciary, to whom was referred a resolution in relation to the pay and mileage of the members and officers of this General Assembly, have had the same under consideration and ask leave to

REPORT:

That while they find no objection to the compensation of the officers of the General Assembly under the provisions of the resolutions passed at this session, fixing the compensation of members and officers of the General Assembly; and while they do not believe the compensation allowed by said act to be excessive; yet they are constrained to report that, in their opinion, the Constitution of the State prohibits the members of this General Assembly from receiving any increase of pay for their services that may be enacted or provided by themselves. The 16th clause of the IV Article of the Constitution provides, that "each member of the General Assembly shall receive from the public treasury such compensation for his services as may be fixed by law; but no increase of compensation shall take effect during the term for which the representatives were elected when such law passed." This provision is clear and emphatic. The

question then arises, is there at this time a compensation fixed by law? If so, we cannot increase it for our own benefit. The act fixing the pay of members of the General Assembly, approved February 14, 1861, was declared valid by the 1st clause of the VII Article of the Constitution. It is therefore the law that at present regulates the pay of members of the General Assembly. This act stands precisely upon the same basis as all other anterior acts of the General Assembly, which were made valid by the Constitution of the State, being in nowise repugnant to the Constitution of the United States. Now, if this be the law, inasmuch as the present resolutions increase the pay of members of this General Assembly, they ought not to pass.

It cannot be said that this is a commencement *de novo* of the government of the State. Such a view is not authorized by the Constitution, but on the contrary all legislation during the war is plainly, and all legislation previous to the war, constructively recognized as valid, in all cases where such legislation is not repugnant to the Constitution of this State or of the United States, and this is a recognition of the continued existence of the government *de jure*. Neither can it properly be said that the provisions of the 16th clause of IV Article, above quoted, provides for a compensation to be fixed in the future. It provides that "each member shall receive such compensation as may be fixed by law" as may be in existence when he receives his pay, provided that it shall not be contrary to the provisions of the second paragraph of the section above quoted.

For these reasons, we conclude that the act of 1861 must be the act under which the members of this General Assembly shall be compensated, and that any increase of compensation fixed upon by this General Assembly, to be paid to the present members, would be unconstitutional. We therefore recommend that the resolution do not pass.

T. W. BREVARD,
Chairman Committee on Judiciary.

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

Mr. Cottrell made the following report:

The Committee of Conference on the part of the Senate appointed to confer with a similar committee on the part of the House on the disagreement between them on the bill to be entitled an act concerning tesimony,

REPORT:

That on free conference with said committee, it was agreed that the Senate should recede from its amendment, and that the House and Senate adopt the following amendment in lieu thereof:

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Sec. 4. *Be it further enacted*, That in all criminal prosecutions, the party accused shall have the right of making a statement of the matters of his or her defence, under oath, before the jury, when in the opinion of the court the ends of justice shall so require.

J. L. F. COTTRELL,
Chairman Senate Committee.

Which was read and the reported amendment concurred in, and the same ordered to be certified to the House.

A committee from the House appeared and notified the Senate that the House had receded from its amendment to Senate resolution authorizing the Governor to issue one or more bonds of the State of Florida;

Which was received and the resolution ordered to be enrolled.

A bill to be entitled an act concerning schools for freedmen.

Mr. Vann moved to insert in section 6, line 2, after "of," "one dollar each."

Which was agreed to.

Mr. Vann moved to insert, after "be," in line 2, section 8, "two hundred;"

Which was agreed to.

Mr. Ross moved to fill up blank in line 4, section 11, with "one hundred;" and after the word "than," insert "five hundred." Fill blank in fifth line, after "than," "thirty;" second blank with the word "sixty."

Which was agreed to.

The rule was waived and bill as amended read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Bird, Jordan, Morrison, Oliveros, Richard, Ross, Vann, White and Whitehurst—10.

Nays—Messrs. Abercrombie, Brevard, Cottrell, Evans, Pearce and Turner—6.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

The following communication was received from his Excellency the Governor:

EXECUTIVE OFFICE,
Tallahassee, January 13, 1866. }

Gentlemen of the Senate:

I respectfully make the following nominations:

Auctioneer for Wakulla County—James Caverly.

Auctioneer for Alachua County—James W. McKrae.

Auctioneer for Polk County—Robert Wilkinson.

For Commissioners of Pilotage for the Port of Key West—Wil-

liam Curry, George Watson, George Alderslade, Gideon Lowe, John
Barthome.

Auctioneer for Leon County—R. A. Shine.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. S. WALKER, Governor.

Which was read and the nominations therein made confirmed.

Ordered to be certified to the Governor.

The following communication was received from the House of
Representatives:

HOUSE OF REPRESENTATIVES,
January 13, 1866.

Hon. W. W. J. KELLY,

President of the Senate:

SIR: The House of Representatives has this day passed the fol-
lowing House bills, to wit:

A bill to be entitled An act to regulate the transportation of pas-
sengers on railroads in this State;

A bill to be entitled An act fixing the compensation of the Gov-
ernor of this State; and

A bill to be entitled An act for the relief of landlords.

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,
Jan. 13th, 1866.

Hon. W. W. J. KELLY,

President of the Senate:

SIR: The House of Representatives has this day refused to concur
to Senate amendments to House resolution to pay certain commis-
sioners therein named; and

Receded from their action in reference to amendments to Senate
joint resolution to authorize the Governor to issue one or more
bonds of the State of Florida, at his discretion; also,

Refused to concur in Senate amendment to House bill to be enti-
tled An act to make dogs taxable property, and for other purposes.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which was received and read.

House bill to be entitled An act for the relief of landlords,

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

House bill to be entitled An act fixing the compensation of the Governor of this State.

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

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
Jan. 13th, 1866. }

Hon. W. W. J. KELLY,

President of the Senate:

Sir: The House of Representatives has this day passed—

Preamble and resolutions relative to the Comptroller of Public Accounts;

House bill to be entitled An act concerning schools for freedmen; also,

House bill to be entitled An act to repeal an act to clean out and improve the navigation of Yellow river, in West Florida.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

House bill to be entitled an act to regulate the transportation of passengers on Railroads in this State,

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

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 13th, 1866. }

Hon. W. W. J. KELLY,

President of the Senate:

Sir: The House of Representatives has passed:

House resolution to increase the pay of a certain person therein named;

A bill to be entitled an act to provide a summary remedy for the collection of freights due steamboats, ships, vessels and other water craft;

A Senate bill to be entitled an act authorizing the Criminal Court of Duval County to have jurisdiction in all civil cases not exceeding three hundred dollars.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Was received and read, and House bill placed among the orders of the day, and Senate bill ordered to be enrolled.

House resolution to increase the pay of certain persons therein named,

Was read first time, rule waived, read a second time and referred to a select Committee, composed of Messrs. Ross, Brevard and Evans.

House bill to be entitled an act to repeal an act to clear out and improve the navigation of Yellow river in West Florida,

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

The vote was:

Yeas—Messrs. Bird, Brevard, Cottrell, Evans, Gorrie, Jordan, Morrison, Oliveros, Pearce, Richard, Ross, Turner, Vann, Whitehurst and Woodruff—15.

Nays—None.

So the bill passed—title as stated.

Ordered to certify the same to the House.

House resolution relative to the Comptroller of Public Accounts,

Was read first time, rule waived, read a second and third time and was not adopted.

House bill to be entitled an act to provide a summary remedy for the collection of freights due steamboats, ships, vessels and other watercraft,

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

The vote was:

Yeas—Messrs. Abercrombie, Bird, Brevard, Cottrell, Evans, Gorrie, Jordan, Morrison, Oliveros, Pearce, Richard, Ross, Turner, Vann, Whitehurst and Woodruff—16.

Nays—none.

So the bill passed—title as stated.

Ordered that the same be certified to the House.

House resolution in relation to the pay and mileage of the members and officers of this General Assembly,

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

The vote was:

Yeas—Messrs. Abercrombie, Cottrell, Crawford, Evans, Gorrie, Jordan, Morrison, Oliveros, Pearce, Richard, Roper, Ross, Turner and Whitehurst—14.

Nays—Messrs. Bird, Brevard, Steele, Vann and Woodruff—5.

So the resolution passed—title as stated.

The rules were waived, and Mr. Steele made the following report:

The Joint Standing Committee on Enrolled Bills report the following bills correctly enrolled, viz:

A bill to be entitled an act to provide for the relief of disabled indigent soldiers of the late war, and their destitute widows and orphans.

Preamble and resolutions on Federal relations; and,
Memorial and resolution of the General Assembly of the State of Florida.

HOLMES STEELE,
Chm'n Senate Committee.
G. TROUP MAXWELL,
Chm'n House Committee.

Which was received and read.

On motion, the Senate adjourned until Monday morning, 10 o'clock.

MONDAY, January 15th, 1866.

The Senate met pursuant to adjournment.

The President in the Chair.

A quorum present.

Prayer by the Chaplain.

Mr. Pearce offered the following resolution:

Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Treasurer be authorized to procure suitable stationery and candles for the use of the General Assembly at its next session.

Which was adopted.

Mr. Steele offered the following protest:

The undersigned, having voted in the affirmative for the bill entitled "an act fixing the pay of officers and members of the General Assembly," which passed the Senate on the 6th of January, 1866; and without full reflection and information as to its relation to the Constitution of the State, now desire to declare that they protest against that vote, inasmuch as subsequent investigation has convinced them of their error, and to place themselves right on the record declare it as their opinion that said vote was in conflict with Article IV, clause 16 of the Constitution, and hereby negative said vote, and request that this protest be spread upon the journal of the Senate.

HOLMES STEELE,
W. C. BIRD.

Which was ordered to be spread upon the journal.