

United States for the Northern district of Florida, and the present incumbent as Judge thereof,

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

A bill to be entitled An act to regulate the sale of School, Seminary and Internal Improvement Lands,

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

A bill to be entitled An act to provide for funding the interest now due by the State, and for other purposes,

Was read first time and placed among the orders of the day for Monday.

A bill to be entitled An act to incorporate the Hydrant Water Company of Pensacola,

Was read first time, rule waived, read second time by its title, and ordered to be engrossed for a third reading.

A bill to be entitled An act to incorporate the Gas Light Company of Pensacola,

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

A bill to be entitled An act to repeal a resolution, approved January 22d, 1851, entitled resolution requiring Judges of Probate to issue writs of election in certain cases,

Was read first time, rule waived, read second time by its title, and ordered to be engrossed for a third reading.

The rule was waived to allow Mr. Cottrell, from a Joint Select Committee, to make the following report :

The Joint Committee appointed by the House of Representatives and the Senate to prepare and report "a bill providing for the establishment of a Court, in lieu of the County Criminal Court" beg leave to submit to the two Houses the accompanying bill entitled An act to provide for the appointment of conservators of the peace and a county court in the several counties of this State, and for other purposes.

COTTRELL,
Chairman Senate Committee.

A. J. PEELER,
Chairman House Committee.

Which was received and read, and the accompanying bill was ordered to be read first and second times by its title, and on motion, referred to the Committee on Judiciary.

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

MONDAY, December 3, 1866.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the Chair.

A quorum present.

Prayer by the Chaplain.

The Journal of Saturday was read and approved.

The rules were waived, to allow Mr. Oliveros to introduce the following bill, without previous notice :

A bill to be entitled an act to amend an act entitled an act to organize the Militia of this State;

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

The rules were waived, and Mr. Brevard offered the following :

A bill to be entitled an act to amend an act entitled an act to incorporate the Pensacola and Georgia Railroad Company, approved January 8th, 1853 ; also,

A bill to be entitled an act to promote the introduction of capital and emigrants into this State ;

Which were received, and the bills placed among the orders of the day.

Mr. Steele pursuant to previous notice introduced the following :

A bill to be entitled an act in relation to the public printing ;

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

Pursuant to previous notice, Mr. White introduced the following :

A bill to be entitled an act to more effectually prevent gambling in this State ;

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

Mr. Oliveros moved that the Senator from the 25th district be excused from attendance in the Senate after Thursday, the 6th instant.

Which was not agreed to.

The following communications was received from the House :

HOUSE OF REPRESENTATIVES,
December 1, 1866.

Hon. W. W. J. KELLEY,
President of the Senate :

SIR : The House has this day passed the following bills, viz :
House bill to be entitled An act to authorize planting and bedding of oysters in the waters of of Escambia county ; also,
House bill to be entitled An act to amend the laws relative to sales of real and personal property by Executors and Administrators.

Very respectfully,

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

Also the following :

HOUSE OF REPRESENTATIVES,
December 1, 1863. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR : The House has this day passed the following resolutions :
House resolution asking information of his Excellency the Governor, relative to the rail roads of this State ; also,
House Joint Resolution in relation to the proposed Constitutional Amendment.

Very Respectfully,

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

Also the following :

HOUSE OF REPRESENTATIVES,
December 1, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR—The House has this day passed the following bill :
House bill to be entitled an act authorizing certain persons therein named to clear out Pease Creek, and for other purposes ; also,
House resolution to establish a mail route.

Very Respectfully,

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

Also the following :

HOUSE OF REPRESENTATIVES,
December 1, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR—The House has this day passed the following bills, viz :
House bill to be entitled An act to provide for the appointment of Conservators of the Peace and a County Court in the several counties of this State, and for other purposes ; also,
House bill to be entitled An act to incorporate the Telegraph Company of Pensacola.

Very Respectfully,

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

Also the following :

HOUSE OF REPRESENTATIVES,
December 1, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day passed the following bills, viz :
House bill to be entitled An act in relation to Escheats ; also,

House bill to provide for the better working of the public roads in this State.

Very Respectfully,

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

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

Mr. Poe offered the following resolution :

Be it resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That it shall not be lawful for any member or officer of this General Assembly to receive der diem pay for more days than he shall have been in attendance unless providentially prevented.

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

Mr. Ross offered the following resolution :

Resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That the General Assembly of this State will adjourn sine die on Friday, the 7th day of December, instant, at 12 o'clock P. M.;

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

The Committee on Engrossed Bills made the following report :
The Committee on Engrossed bills

REPORT :

That the following bills are correctly engrossed :

A bill to be entitled An act to repeal a resolution approved January 22nd, 1851, entitled resolution requiring Judges of Probate to issue writs of election in certain cases ;

A bill to be entitled An act to amend an act providing for the incorporation of the Mexican Gulf Steamship and Indian Trading and Navigation Companies in Florida, approved 15th February, 1859 ;

A bill to be entitled An act authorizing the sale of escheated lands lying in the county of Orange, and formerly belonging to the estate of James Augustus Steene ;

A bill to be entitled An act to incorporate the Hydrant Water Company of Pensacola ;

A bill to be entitled An act to change the time of holding the Circuit Courts in the Eastern Circuit ;

A bill to be entitled An act to protect the New York and Indian Preserving Company ; also,

A resolution for the relief of George W. S. Waldron.

J. H. ROPER, Cl'k.

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

The Committee on the Judiciary made the following report :

The Committee on the Judiciary, to whom was referred "a bill to be entitled An act to relieve the stockholders of the Bank of St.

Johns," have had the same under consideration, and have instructed me to

REPORT :

That in their opinion the bill should not pass. They believe that the General Assembly cannot pass this bill without violating the constitutional provision which prohibits the passage of any law impairing the obligation of contracts. This bill proposes to deprive the creditors and bill holders of the bank of a security for the payment of their claims, which existed at the time when they accepted the obligations of the bank. If the fact that the bank was chartered previous to the passage of the general banking law, would afford any relief, that relief can be obtained in the courts. The question is purely a judicial one.

T. W. BREVARD, Ch'n.

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

The Committee on Finance and Accounts made the following report :

The Committee on Finance and Accounts to whom was referred a resolution for the relief of Tax Collectors of this State.

REPORT :

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

WM. B. ROSS, Ch'n.

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

The Committee on Agriculture made the following report :

The committee to whom was referred a bill to be entitled An act to prevent persons from planting without proper fences, and for other purposes, beg leave to

REPORT :

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

Respectfully submitted,

JAS. C. EVANS, Ch'n.

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

The Committee on Schools and Colleges made the following report :

The Committee on Schools and Colleges, to whom was referred a bill to be entitled An act to authorize the Superintendent of Common Schools, to investigate the claim of George S. Leavitt, ask leave to

REPORT :

That the bill points out the readiest way of adjusting the claim of

the said Leavitt, and that with no unnecessary delay, they recommend that the said bill do pass.

D. W. WHITEHURST, Ch'n.

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

The Committee on Schools and Colleges also made the following report :

The Committee on Schools and Colleges, to whom was referred a bill entitled An act in relation to Common Schools, ask leave to

REPORT :

That said bill has met their entire approval, and they believe that its particular features, if successfully carried out, will ensure in great benefit to the subject of education generally in the State.

But while thus approving of its intent and object, a majority of the committee have dissented from the remuneration in the salary and incidental expenses proposed to be allowed to the Superintendent as compensation for services. This want of agreement to the proposed sum of 3,000 per annum, and other expenses, is predicated on the fact that taxation is already sufficiently onerous, and bears heavily on every interest in the State; and that it is a sound and just policy to bring its expenditures within as small a margin as may be compatible with the duty performed, and a liberal compensation for service rendered.

Entertaining these views, they suggest the following amendment : Strike out in 3d line, Section 6th, "three thousand dollars, also pay half of his necessary travelling expenses," and insert "fifteen hundred dollars per annum, and an allowance of five hundred dollars to meet the expenses of travel."

With this amendment the majority respectfully submit the bill to the consideration of the Senate.

D. W. WHITEHURST, Ch'n.

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

The Committee on Federal Relations made the following report :

The Committee on Federal Relations, to which was referred so much of the Governor's Message as relates to the Joint Resolution, proposing an amendment to the Constitution of the United States, respectfully

REPORT :

That they have given the subject matter of this resolution the calmest consideration. They have endeavored to take into view every circumstance which now surrounds the political condition of the country and the State, and from correct premises to draw such conclusions in this all important matter as will satisfy the mind of every candid man and true statesman and lover of his country.--

They have thrown aside every prejudice, all malice and whatever other sentiments which have been created by the mighty revolution through which this country has passed, and as citizens of the State of Florida and the United States, have deliberated upon this right of amending the organic law of the land.

Therefore your committee submit the following reasons why, in their minds this amendment known as article XIV, of the Constitution of the United States, should not be approved of by the Representatives of the people of Florida.

SECTION I of this proposed article would confer upon Congress all the powers which are now supposed to appertain to the States.— From the moment of its engraftment upon the Constitution of the United States, the States would in effect cease to exist as bodies politic, for at the instant of its adoption a great central power, which is ever the enemy of freedom and advancement would exist at Washington. The Congress would under this section alone subvert and change the whole domestic economy of a State, regardless of the approval or disapproval of the people thereof; for in the construction of this section as those that follow, it becomes necessary to consider the fifth section to this proposed amendment and when we do that we are appalled, and well might the people of every State in this Union pause and consider as to the power which might be taken and seized under the head of "appropriate legislation." Your committee, upon the matter of citizenship claim for the State that she has the right to judge as to who shall exercise the right of franchise within her limits and when she yields this right it must be wrested from her by a superior force.

SEC. II relates to representation. This subject has demanded the consideration of the wisest and best statesmen of our country, and in all the changes which have shaken our system it has never yet been thought necessary previous to this time to recommend so radical a change in the organic law of the land. Your committee do not think that to possess representation it is necessary to exercise the right of voting. If this theory is correct that only those should be represented that exercise the right of franchise, there would be no stopping its extension or making any exceptions. All in the body politic being represented, all should be voters. Such are the extremes to which such radical changes lead, and therefore the people of this State cling with tenacity to those principles and precedents which are to be traced back to the foundation of the Government.— It is not a sequence that voting should accompany representation.— Idiots are represented as a portion of the body politic, but it would be considered outrageous for any one to present a voter who was not conscious of the right he was exercising. Adopt this principle in our Constitution and you offer but a premium for fraud and perjury.— No good reasons are assigned for this proposed change in the Constitution, nor do they think that the party which is now in power are prepared to adopt this section, and they are satisfied that the people of the North even are not prepared for practically carrying

it out. Let this alteration be made in the organic system and some new and more startling demands may or may not be required by the predominant party previous to allowing the ten States now unlawfully and unconstitutionally deprived of their right of representation to enter the Halls of the National Legislature. Their right to representation is guaranteed by the Constitution of this country and there is no act, not even that of rebellion, can deprive them of its exercise. The sober, second thought of this great people must yet control the waves of fanaticism which would destroy a Government which has shown its strength and its power, and which awaits but the proper guides to make it the arbiter of the world's destinies.

In the consideration of the third section your committee can but express their entire disapprobation. Sweeping in its disfranchisements were it a portion of the supreme law of the land, the country would deprive itself of the use of some of the most gifted minds of the age. The States would be unable from the number of their own citizens to select for any official position those whom they knew and whom they could trust. Those who under this act would be capable of filling positions of "honor and profit" as well as of trust would in most cases be found totally unfit and incompetent. With the surrender of the armies of the South, the people accepted the conditions which followed. The General Government through its Executive has extended amnesty and pardon to many of those who held positions, civil and military during the late war against the United States, and those persons are this day true and loyal to the Government and the Union of these States. These pardons were supposed to restore the rights which were in abeyance during any act of rebellion. They have been held to be good and sufficient in the United States Courts. The adoption of this section would accomplish no good for the country, but would cause discomforture and distress to many of its best citizens. The Government has adopted this course, and by it, wounds are being healed, and the Nationality is becoming more permanent and fixed in the hearts of the people.

In the adoption of section fourth your committee would not object were it not for the accompanying sections. This matter they have considered as settled by the results of the war and by the action of the State Convention.

They have already expressed their opinion as to section fifth that it is to be construed with each of the preceding sections. Therefore for these reasons without considering as to whether this proposed amendment is constitutionally before us as representatives of the people of Florida, your committee recommend that the General Assembly of the State of Florida disapproves said proposed article XIV to the Constitution of the United States and that a Joint Resolution to that effect do pass

JOHN M. GORRIE, Chairman.

Which was received and read, and on motion of Mr. Pearce, three hundred copies of the report were ordered to be printed for the use of the General Assembly.

The Committee on Federal Relations also made the following report:

The Committee on Federal Relations to whom was referred the message of the Governor of the 24th of November conveying therewith a copy of the orders of Major General J. G. Foster, to the officer in command at Fernandina, October 24th, 1866, beg leave to

REPORT:

That they have considered the said message and accompanying documents, and that in their opinion, there is at present no necessity for any action upon this matter by the General Assembly. It is a matter of congratulation to your committee that the course of procedure adopted by the General commanding in this State, has upon this occasion met with the approval of His Excellency upon proper explanations being made. It will be gratifying to the people to know that there will be no further cause to complain "of the organization of Bureau Courts for the exercise of Judicial powers by the military."

JOHN M. GORRIE, Ch'n.

Which was received and read.

The rules were waived, and Mr. Whitehurst introduced pursuant to previous notice, the following:

A bill to be entitled an act to consolidate the office of Probate Judge and that of Clerk of Circuit Court of Monroe county;

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

Mr. Cottrell from a Select Committee made the following report: The Select Committee to whom was referred the bill to be entitled An act to aid in creating a fund for the benefit of the orphans of soldiers of Florida killed in battle, have had the same under consideration, and have prepared several amendments thereto, the adoption of which they believe will render the bill more perfect than in its present form. They recommend the Senate, therefore, to adopt the amendments, and to pass the bill as proposed to be amended. Below will be found the amendments proposed by the committee.

COTTRELL, Ch'n.

Amendments Proposed by Committee.

1st Amendment: Strike out the first line, and the words "of Florida," in the 2d line of 1st section, and insert in lieu thereof the following: "Section 1. Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened."

2d Amendment: 1st section, 9th and 12th lines, strike out the words "twenty-five" and insert in lieu thereof the words "two hundred."

3d Amendment: 1st section, strike out all of said section, from and including the word "And," in the 14th line to the end of the

section, and insert in lieu thereof the following, to wit: "In sums of two thousand dollars, as soon and as often as the sum of two thousand dollars shall be raised by said Lottery—said payments of two thousand dollars to be continued and made until the whole of said sum of two hundred thousand dollars shall be paid to the Governor, the same to be held by the Governor until appropriated by the General Assembly for the benefit of the widows and orphans of soldiers of Florida who were killed in battle or died from wounds received in the service, or who died in the service or from diseases contracted in the service during the late war."

4th Amendment, to come in after the 6th section:

"Section 7. Be it further enacted, That it is hereby made a misdemeanor for any or either of said Commissioners, or their successors or assigns, or any person or persons employed or engaged in the management of said Lottery, to embezzle any sum or sums of money raised thereby under the provisions of this act, or appropriate the same or any part thereof to his or their own use, or the use of any other person or persons whatsoever, which misdemeanor shall be cognizable in any Circuit of this State, and the parties or persons convicted of said misdemeanors, shall be fined in a sum not exceeding one thousand dollars and imprisoned for a period not exceeding six months, one or both, at the discretion of the jury trying the cause."

5th amendment, strike out the last section and insert the following:

"Section 8. Be it further enacted, That this act shall take effect from and after its passage, and that all laws and parts of laws inconsistent with the same, be and the same are hereby repealed."

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

Mr. Pearce from a Select Committee made the following report:

The committee to whom was referred the bill to build a State Prison Penitentiary for the State of Florida, have had the same under consideration and beg leave to report it to the Senate for its consideration.

E. A. PEARCE, Ch'n Com.

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

The rules were waived to allow Mr. Rosseau, without previous notice, to introduce the following:

A bill to be entitled An act to authorize George F. Drew to construct a boom across the Withlacoochee River;

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

The rules were waived to allow Mr. Williams, without previous notice, to introduce the following:

A bill to be entitled An act to provide for booming and clearing out the Escambia river;

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 repeal a resolution of the General Assembly, approved January 22d, 1851, entitled a resolution requiring Judges of Probate to issue writs of election in certain cases.

Was read third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Gorrie, Haynes, Hendry, Jordan, Kenan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, Vann, White and Woodruff—23.

Nays—None.

So the bill passed—title as stated.

Ordered to be certified to the House.

A bill to be entitled an act to amend an act providing for the Incorporation of the Mexican Gulf Steamship and Indian Trading and Navigation Companies in Florida, approved 15th February, 1859.

Was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Rosseau, Steele, Turner, White and Woodruff—18.

Nays—None.

So the bill passed, title as stated.

Ordered to be certified to the House.

A bill to be entitled an act authorizing the sale of escheated lands lying in the county of Orange and formerly belonging to the estate of James Augustus Steene,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Haynes, Jordan, Morrison, Owens, Pearce, Poe, Richard, Rosseau, Steele, White and Woodruff—15.

Nays—Messrs. Gorrie, Oliveros, Roper and Turner—4.

So the bill passed—title as stated.

Ordered to be certified to the House.

A bill to be entitled. An act to incorporate the Hydrant Water Company of Pensacola,

Came up on its third reading and was ordered to lie over till tomorrow.

A bill to be entitled An act to protect the New York and Indian River Preserving Company,

Was read third time and put upon its passage.

The vote was:

Yeas—Messrs. Crawford, Gorrie, Ross and Steele—4.

Nays—Messrs. Baker, Brevard, Cottrell, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Turner, White, Woodruff and Williams—16.

The bill did not pass.

A bill to be entitled An act to change the time of holding the Circuit Courts in the Eastern Circuit,

Was read third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Cottrell, Crawford, Gorrie, Jordan, Owens, Pearce, Richard, Roper, Ross, Rosseau, Steele, Turner, White, Woodruff and Williams—16.

Nays—None.

On motion, Mr. Brevard was excused from voting on said bill.

So the bill passed—title as stated.

Ordered to be certified to the House.

Resolution for the relief of George W. S. Waldron,

Was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Crawford Oliveros, Richard, Ross, Rosseau, Steele and White—7

Nays—Messrs. Baker, Brevard, Cottrell, Gorrie, Haynes, Jordan, Morrison, Owens, Pearce, Poe, Roper, Turner, Woodruff and Williams—14.

So the resolution did not pass.

A bill to be entitled an act to provide for a code of the general and public statute laws of the State.

Came upon its third reading.

Mr. Cottrell moved to fill up the blank in first section with the names of Charles H. Dupont, James M. Baker and A. E. Maxwell;

Which was agreed to.

The bill as amended. was put upon its passage.

The vote was:

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Rosseau, Steele, White and Williams—17.

Nays—Messrs. Gorrie, Ross, Turner, and Woodruff—4.

So the bill passed as amended—title as stated.

Ordered to be certified to the House.

A bill to be entitled an act to authorize the Superintendent of Common Schools to investigate the claim of George S. Leavitt,

Was read the second time, and ordered to be engrossed for a third reading.

A bill to be entitled an act to prevent persons from planting without proper fences, and for other purposes,

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

A resolution for the relief of Tax Collectors of this State.

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

A bill to be entitled An act for the relief of the Stockholders of the bank of St. John's,

Was read second time.

Mr. Steele moved to amend by striking out the whole of the first

section, and section second to become section one, and in said section after the word "bank" insert the words "of St. John's,"

Which was agreed to.

Mr. Roper moved to lay the bill so amended on the table,

Which was agreed to.

A bill to be entitled An act in relation to common schools,

Was read second time and the amendment proposed by the Committee on Schools and Colleges adopted.

Mr. Roper moved to amend the bill in fourth line 5th section, by inserting after the word "property" the words "of white persons,"

Which was not agreed to.

Mr. Brevard moved to reconsider the vote on the amendment offered by Mr. Roper, which was agreed to and the amendment adopted.

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

A bill to be entitled An act to aid in creating a fund for the benefit of the orphans of soldiers of Florida killed in battle,

Was read second time, the amendments proposed by the select Committee adopted, and the bill as amended, ordered to be engrossed for a third reading.

A bill to be entitled An act to promote the introduction of capital and emigrants into this State,

Was read first time and placed among the orders of the day for tomorrow.

House bill to be entitled An act for the relief of the estate of John Broward, deceased,

Was read third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Brevard, Crawford, Gorrie, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Poe, Richard, Roper, Ross, Rosseau, Steele, Turner, White, Woodruff and Williams—20.

Nays—None.

So the bill passed title as stated.

Ordered to be certified to the House.

House bill to be entitled An act making lawful certain conveyances of real estate by Patience E. Smith, administratrix of Joel Smith, deceased,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Oliveros, Owens, Richard, Roper, Ross and Turner—6.

Nays—Messrs. Baker, Brevard, Crawford, Gorrie, Haynes, Jordan, Morrison, Pearce, Poe, Rosseau, White, Woodruff and Williams—18.

So the bill did not pass.

A bill to be entitled An act to build a State prison or penitentiary for the State of Florida, came upon its second reading, and on mo-

tion of Mr. Oliveros, further consideration of said bill was postponed, and a hundred copies ordered to be printed.

A bill to be entitled An act to provide for booming and clearing out the E-cambia and Yellow rivers,

Was read first time and placed among the orders of the day for tomorrow.

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

THREE O'CLOCK, P. M.

The Senate resumed its session.

A quorum present.

The Committee on Enrolled bills made the following report:

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

House bill to be entitled an act to authorize the County Commissioners of Orange county to issue bonds for the purpose therein named;

House bill to be entitled an act for the relief of the city of Jacksonville,

House bill to be entitled an act for the relief of Burroughs E. Carr; also,

House bill to be entitled An act to incorporate the city of Fernandina and Sea Beach Railway Company.

A. PEELER,

Chairman House Committee.

JOHN L. CRAWFORD,

Chairman Senate Committee.

Which was read.

The rule was waived to allow Mr. Oliveros to offer, without previous notice, the following:

A bill to be entitled an act for the relief of James A. Mickler, late Sheriff and *ex-officio* Tax Assessor and Collector of St. John's county;

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

The rules were waived to allow Mr. Cottrell, without previous notice, to introduce the following:

A bill to be entitled an act to incorporate the United States and Cuban Express Company; also,

A bill to be entitled an act to incorporate the Southern Land and Emigration Company;

Which were received, and placed among the orders of the day.

A bill to be entitled an act to incorporate the Southern Land and Emigration Company.

The rule was waived, and the bill read first and second time by its title and referred to the Committee on Corporations.

A bill to be entitled an act to authorize George F. Drew to construct a boom across the Withlacoochie river;

Was read first time, rule waived, read second time by its title and ordered to be engrossed for a third reading.

A bill to be entitled An act to provide for funding the interest now due by the State, and for other purposes,

Was read second time, and on motion referred to the Committee on Finance and Accounts.

A bill to be entitled An act in relation to the Public Printing,

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

A bill to be entitled An act more effectually to prevent gambling in this State,

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

A bill to be entitled, An act to amend an act entitled an act to incorporate the Pensacola & Georgia Rail Road Company, approved January 8, 1853,

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

A bill to be entitled An act for the consolidation of the office of Probate Judge and Clerk of the Circuit Court of Monroe county,

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

A bill to be entitled An act to amend an act entitled an act to organize the militia of this State,

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

House bill to be entitled An act to authorize planting and bedding oysters in the waters of Escambia county,

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

House bill to be entitled An act to amend the laws relative to sales of real and personal property by Executors and Administrators,

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

House bill to be entitled An act to provide for the appointment of Conservators of the Peace and a County Court in the several counties of this State, and for other purposes

The rules were waived and the bill read first and second time by its title and referred to the Committee on the Judiciary.

House bill to be entitled An act to incorporate the Telegraph Company of Pensacola,

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

House bill to be entitled An act authorizing certain persons therein named, to clear out Peas Creek, and for other purposes.

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

House resolution to establish a mail route,

Was read first time, rule waived, read second time by its title, and placed among the orders of the day for to-morrow.

House bill to be entitled an act in relation to escheats,

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

House bill to be entitled an act to provide for the better working of the public roads in the counties of this State,

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

House resolution asking information of his Excellency, the Governor, in relation to the railroads of the State,

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

The vote was:

Yeas—Messrs. Baker, Cottrell, Crawford, Finegan, Gorrie, Haynes, Jordan, Morrison, Oliveros, Pearce, Poe, Richard, Roper, Ross, Rousseau, Steele, Turner, White, Woodruff and Williams—20.

Nays—None.

The resolutions passed—title as stated.

Ordered to be certified to the House.

House joint resolutions in relation to the proposed constitutional amendment,

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

The vote was:

Yeas—Messrs. Baker, Cottrell, Crawford, Finegan, Gorrie, Haynes, Jordan, Morrison, Oliveros, Pearce, Poe, Richard, Roper, Ross, Rousseau, Steele, Turner, White, Woodruff and Williams—20.

Nays—None.

So the resolution passed title as stated.

Ordered to be certified to the House.

A bill to be entitled An act to incorporate the United States and Cuban Express Company,

Was read first time.

The Constitutional provision not having been complied with, the bill was laid on the table.

A bill to be entitled An act for the relief of James A. Mickler, late Sheriff and ex-officio Tax Assessor and Collector of St. John's county,

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

Resolution relative to the payment of absent members,

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

Resolution relative to adjournment.

Was read first time and on motion, consideration of the same postponed till Thursday next.

The following communications from the House were received :

HOUSE OF REPRESENTATIVES,
December 3, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day passed a House resolution requesting his Excellency, the Governor of this State, and our delegation to the United States Congress to use their influence with the authorities at Washington to have released from confinement at Fort Jefferson, on the Florida coast, all persons suffering an illegal imprisonment and especially to bring to the attention of his Excellency, Andrew Johnson, President of the United States, the case of George St. Leger Grenfell, now held under sentence of close confinement for life by a Military Commission ; also,

House bill to be entitled An act to change and define the boundary line between the counties of Walton and Holmes.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
December — 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day passed House bill to be entitled An act to amend the 35th section of An act entitled An act concerning wills, &c., approved 20th November, 1829 ; also,

House bill to be entitled An act to authorize the sale of the real estate of idiots and lunatics, and for other purposes.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
December 3, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day passed a House bill to be entitled An act requiring judgments in Magistrates' Courts to be recorded in the Clerks' offices of the Circuit Court of the county in which they are obtained ; also,

House bill to be entitled An act to repeal An act entitled An act to regulate Commissions for the collection of money.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES,
December 3, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day passed a House bill to be entitled An act to amend the laws providing the mode in which nominations to the various offices shall be advised with and consented to ; also,

House Joint Resolution requesting the Governor to assign to the Supreme Court a room in the Capitol for Conference.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which we reread and the accompanying resolution and bills placed among the orders of the day for to-morrow.

The following communication was also received from the House :

HOUSE OF REPRESENTATIVES, }
December 1, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR :—The House of Representatives has this day advised and consented to the nominations contained in the enclosed communication.

Very Respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

EXECUTIVE DEPARTMENT,

November 26, 1866. }

Gentlemen of the General Assembly :

I respectfully make the following nominations for Auctioneers :

For Escambia county—A. T. Yniestra, J. N. Moreno, C. N. Ferrell, Jos. Sierra and S. C. Gonzales.

For Suwannee county—C. Y. Savage.

For Baker county—J. J. Stallings.

For Lafayette county—William B. Davis and John B. Whitfield.

For Taylor county—John M. Faulkner and Thos. Carlton.

For Nassau county—John T. McIntosh.

For Santa Rosa county—Wm. McKain.

For Port Wardens for the Port of Tampa—James F. Henderson, Christopher L. Friebele, William G. Ferris, Jackson S. Redbrook and Henry Proesens.

Please certify the action of the Senate to the House of Representatives.

Respectfully, your ob't serv't,

D. S. WALKER, Gov.

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

TUESDAY, December 4, 1866.

The Senate met pursuant to adjournment.
The Lieutenant-Governor in the Chair.

A quorum present.

The Journal of yesterday was read and approved.

Mr. Gorrie moved that the members of the Senate who were absent yesterday when the vote was had upon the joint resolutions opposing the proposed constitutional amendment, be now allowed to vote upon the same;

Which was agreed to.

And Messrs. Bird, Brevard, Owens and Whitehurst recorded their vote in the affirmative.

Mr. Cottrell moved that the Senator from the 25th district be excused from attendance in the Senate after Thursday next.

The yeas and nays were called for,

The vote was:

Yeas—Messrs. Baker, Bird, Brevard, Cottrell, Crawford, Finegan, Haynes, Jordan, Morrison, Owens, Pearce, White and Williams—13.

Nays—Messrs. Gorrie, Oliveros, Poe, Richard, Roper, Ross, Rousseau, Steele, Turner and Whitehurst—10.

So the motion was agreed to.

Mr. White moved that the bill to be entitled an act in relation to the fees to be charged, received and collected by officers of the State whose fees are prescribed by law,

Be taken from the table and placed among the orders of the day.

Which was agreed to.

Mr. Roper moved that the bill to be entitled an act to relieve the Stockholders of the bank of St. John's,

Be taken from the table and placed among the orders of the day.

Which was agreed to.

Mr. Steele gave notice that at an early day he would introduce the following named bills, to wit:

A bill to be entitled An act to amend an act, approved January 4, 1866, entitled An act to facilitate the collection of taxes, and require the registration of grants and donations; and

A bill to be entitled An act concerning railroads of the State.

The rules were waived and Mr. Cottrell, without previous notice, introduced the following:

A bill to be entitled An act to authorize the Governor to appoint a person in the county of Levy to take the marks and brands of cattle driven from said county.

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

The rules were waived and Mr. Ross, without previous notice, introduced the following:

A bill to be entitled An act to incorporate the Southern Railroad Company; also,

A bill to be entitled An act to admit Haden N. Leavitt to practice law in the several courts of this State.

Which were received and the bills placed among the orders of the day.

Mr. Williams presented the memorial of Jesse Billings for relief.

Which was received and read and referred to the Committee on Propositions and Grievances.

The following communication was received:

OFFICE PENSACOLA AND GEORGIA RAILROAD COMPANY, }
Tallahassee, December 4, 1866. }

To the Hon. President of the Senate of the State of Florida:

SIR: The Company tenders to the Hon. members of the Senate a free pass over the road from this time until the 1st of January next.

Very respectfully,

F. H. FLAGG, Sec'y.

Which was read and referred to a committee consisting of Messrs. Ross, Cottrell, Owens, Steele and Haynes.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES, }
December 3rd, 1866. }

Hon. W. W. J. KELLEY,

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 provide for the revision, collation and digestion of the whole of the public Statute law of the State, to be the revised code of Florida; also,

House bill to be entitled An act to amend an act entitled an act amend an act regulating judicial proceedings, approved November 21st, 1829; also,

House bill to be entitled An act to extend the provisions of an act entitled an act in relation to contracts of persons of color, approved January 12th, 1866.

Very Respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

Mr. White offered the following:

Resolution relative to clearing out the Chepola river, and the drainage of the swamp and overflowed lands on the same;

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