

ary 13th, 1859, entitled an act relative to quarantine for the city of Jacksonville;

Senate bill to be entitled An act to regulate the sale of poisons, and for other purposes;

Senate bill to be entitled An act to extend the jurisdictional limits of the city of Jacksonville, with amendments; also,

Adopted Senate resolution relative to adjournment; and

Indefinitely postponed, Senate bill to be entitled An act to provide for a further stay of executions in certain cases.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives

Which was read, and the bills requiring it, ordered to be enrolled.

Mr. Ross introduced, without previous notice, the following bill:

A bill to be entitled An act to amend an act to extend the time for collecting taxes in this State, approved December 13th, 1861, and for other purposes;

Which was read first time, rule waived, read second time by its title, and referred to the Committee on Finance and Accounts.

On motion, the Senate adjourned till 10 o'clock, A. M., Monday.

MONDAY, December 10, 1866.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the Chair.

A quorum present.

The Journal of Saturday was read and approved.

The following communication was received from the House:

HOUSE OF REPRESENTATIVES,
December 8, 1866.

Hon. W. W. J. KELLEY,

President of the Senate:

SIR: The House of Representatives has this day passed—

Senate bill to be entitled An act to untrammel capital and to repeal all laws of usury;

Senate bill to be entitled An act to authorize the Superintendent of Common Schools to investigate the claim of George S. Leverett;

Senate bill to be entitled An act to authorize the clearing out of the Withlacoochee river; and

House bill to be entitled An act to increase the salary of the Clerk of the Comptroller of Public Accounts.

Very Respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

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

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

A bill to be entitled An act to amend an act entitled an act authorizing the clearing out of McGirt's Creek, in Duval County.

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

The Joint Standing 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 alter and define the boundary line of Polk county;

House bill to be entitled An act in relation to the records of the offices of the Comptroller of Public Accounts and Treasurer;

House bill to be entitled An act to consolidate the offices of the Clerk of the Circuit Court and Judge of Probate of the county of Taylor, and for other purposes, and

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

GEO. M. BATES,

Chairman House Committee.

JNO. L. CRAWFORD,

Chairman Senate Committee.

Which was read.

The Committee on Propositions and Grievances made the following report:

The Committee on Propositions and Grievances to whom was referred

A bill to be entitled An act for the relief of James B. Roberts, have had the same under consideration and beg leave to

REPORT:

That believing the circumstances of the case, as set forth in the bill, do not warrant any legislative action, report the same back to the Senate, and ask to be discharged from the further consideration thereof.

E. A. PEARCE, Ch'n.

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

The Committee on Finance and Accounts made the following report:

The committee to whom was referred

A bill to be entitled An act providing for the establishment of lost Treasury Certificates, have considered the same and recommend its passage; also,

A bill to be entitled An act to amend an act to extend the time for collecting taxes in the State, approved December 13, 1861, and for

other purposes, have had the same under consideration and beg leave to

REPORT :

That it do not pass.

WM. B. ROSS, Ch'n.

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

The Committee on Engrossed Bills made the following report :

The committee on Engrossed Bills report the following bills as correctly engrossed :

A bill to be entitled An act to amend the act entitled An act to incorporate the Pen. & Ga. Railroad Co., and for other purposes ;

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

A bill to be entitled An act to more effectually prevent Gambling in this State ;

A bill to be entitled An act to establish and organize a County Court for all county purposes ;

A bill to be entitled An act for the adoption of a child by John B. Griffin and his wife ; also,

A bill to be entitled An act to annul the County Criminal Court of Monroe county.

J. R. RICHARD, Ch'n *pro tem.*

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

Mr. Steele, from a Joint Select Committee, made the following report :

The Select Committees of the Senate and House of Representatives, which had been appointed to confer upon the subject of a County Criminal Court, and had submitted to them from the Senate a 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 the State and for other purposes, have had the subject matter and the bill under consideration, and as the result of their labors they direct us to report the accompanying bill, entitled An act to amend an act to establish and organize a County Criminal Court, approved January 11th, 1866, and to recommend its passage.

HOLMES STEELE,

Ch'n Senate Committee.

JAMES D. WESTCOTT, Jr.,

Ch'n House Committee.

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

Mr. Vann, from a Joint Select Committee, made the following report :

The Joint Select Committee of the House and Senate appointed to prepare a resolution in reference to the pardon and release of Jef-

erson Davis, beg leave to report the accompanying resolution, and recommend its adoption—said resolution to be introduced and acted upon in the House and then transmitted to the Senate.

E. J. VANN,

Ch'n Senate Committee.

A. J. PEELER,

Ch'n House Committee.

Which was received.

Mr. Steele submitted the following minority report :

The undersigned minority of the Senate Select Committee, which had been appointed to confer with a similar committee from the House to consider the subject of the County Criminal Court, and the House bill providing for Conservators of the Peace and a County Court for the several counties of the State, and for other purposes, beg leave, deferentially, to enter this protest against the bill directed to be reported and recommended by the conferring committees, and which accompanies that report. While it is admitted that the bill will, if enacted, improve the present act in force of which it is an amendment, yet it is claimed it is evident that said act will still be left very objectionable ; and that the proposed legislation fails to meet the necessities, and the expectations of the country, and that the act will still continue to be a heavy burden upon the time, the patience and the pockets of the people.

For these reasons the undersigned would earnestly recommend to the Senate the passage of the House bill above mentioned, inasmuch as it is entirely free from the objections to the bill reported ; and it is believed, from the objections to the bill here recommended, which have been urged against it by the Committee on the Judiciary, after having been carefully and properly amended by that committee.—The undersigned cannot perceive that for the trial of the offences cognizable in said bill, there is a constitutional prerequisite for a jury, or that it in any wise, conflicts with the Constitution that Judges of Probate and County Commissioners shall be made to discharge the duties imposed in said House bill. The undersigned think that the bill recommended should be tried upon its merits, under a careful consideration of the Senate, in debate therein.

All of which is respectfully submitted.

HOLMES STEELE.

Which was received and read.

The following communication was received from the House :

HOUSE OF REPRESENTATIVES,

December 8, 1866. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR: The House has passed—

House bill to be entitled An act to amend the 12th section of an act prescribing penalties, &c., approved January 15th, 1866 ; also,

Concurred in Senate amendments to the following House bills, viz :

A bill to be entitled An act changing the boundary line between Orange and Brevard Counties;

A bill to be entitled An act to amend an act entitled an act relative to apprentices; and

A joint resolution to ascertain and state the account between the State of Florida and Gadsden County.

Very respectfully,

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

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

ORDERS OF THE DAY.

House bill to be entitled An act to amend and consolidate all the laws of Florida in relation to attachments,

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

A bill to be entitled An act to repeal an act entitled an act giving the State a right of peremptory challenges in criminal cases,

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

House bill to be entitled An act to define and limit the lien of parties making advances to planters and other producers, and for other purposes,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Cottrell, Finegan, Gorrie, Morrison, Pearce, Roper, Steele, Whitehurst and Williams—9.

Nays—Messrs. Baker, Bird, Brevard, Crawford, Haynes, Jordan, Kenan, Oliveros, Ross, Turner, Vann, and White—12.

The bill did not pass.

House bill to be entitled An act to punish accessories to murder,
Was read second time, rule waived, read third time by its title and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Bird, Brevard, Cottrell, Crawford, Finegan, Gorrie, Haynes, Jordan, Kenan, Morrison, Oliveros, Pearce, Richard, Roper, Ross, Steele, Turner, Vann, White, Whitehurst, and Williams—22.

Nays—None.

So the bill passed—title as stated.

Ordered to certified to the House.

House bill to be entitled An act to amend an act in relation to crimes and misdemeanors;

Came up on its second reading and was returned to the House on account of its having erasions therein.

House bill to be entitled An act to repeal so much of the 5th section of the act entitled an act to incorporate the Tallahassee Railroad Company as requires a draw bridge over the St. Marks river,

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

House bill to be entitled An act to amend an act to provide for the incorporation of towns and cities in this State,

Was read second time and ordered to be placed among the orders of the day for to-morrow.

House bill to be entitled An act to amend the 12th section of an act prescribing additional penalties for the commission of offences against the State, and for other purposes, approved January 15th, 1866,

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

The vote was :

Yeas—Messrs. Baker, Bird, Cottrell, Crawford, Finegan, Morrison, Pearce and Richard—8.

Nays—Messrs. Brevard, Gorrie, Kenan, Oliveros, Roper, Ross, Turner, Vann, White, Whitehurst and Williams—11.

The bill did not pass.

A bill to be entitled An act to amend the act entitled an act to incorporate the Pensacola & Georgia Railroad Company, and for other purposes,

Came up on its third reading.

On motion of Mr. Brevard, was placed back on its second reading.

Mr. Cottrell moved, to reconsider the vote had by the Senate, on the amendment reported by the Committee on the Judiciary;

Which was agreed to.

Mr. Brevard offered the following as an amendment to the amendment proposed by the Committee on the Judiciary :

Strike out all after the word "enacted" in line 1, down to and including the word "provided" in line 9, upon which the yeas and nays were called for by Messrs. Cottrell and Brevard.

The vote was :

Yeas—Messrs. Baker, Bird, Brevard, Crawford, Owens, Vann, White, Whitehurst and Williams—9.

Nays—Messrs. Cottrell, Finegan, Gorrie, Haynes, Jordan, Morrison, Oliveros, Pearce, Richard, Roper, Ross, Steele and Turner—13.

So the amendment was not adopted

Mr. Brevard offered the following, as an amendment to the amendment proposed by the Committee on the Judiciary :

"*Provided*, That the Atlantic & Central Railroad shall so run its train as to make complete and perfect connection with the said Pensacola & Georgia Railroad at all times: *And provided further*, That the Florida Railroad shall also be required so to run its trains as to connect at all times with the said Atlantic & Central Railroads, upon a schedule to be agreed upon by all these roads."

Upon which the yeas and nays were called for by Messrs. Brevard and Bird.

The vote was:

Yeas—Messrs. Baker, Bird, Brevard, Crawford, Kenan, Owens, Pearce, Vann and White—9.

Nays—Messrs. Cottrell, Finegan, Gorrie, Haynes, Jordan, Morrison, Oliveros, Richard, Roper, Ross, Steele, Turner and Whitehurst—13.
So the amendment was not adopted.

Mr. Cottrell offered the following as an amendment to the amendment proposed by the Committee on the Judiciary:

Insert after the word "continuously" in the 8th line: "*Provided*, That said Pensacola & Georgia Railroad Company, shall be released from the obligations of running trains continuously, when, and as long as they run trains over their road, upon schedule or schedules agreed upon by and between the said Pensacola & Georgia Railroad Company, the Florida Railroad Company, and the Florida Atlantic and Gulf Central Railroad Company,"

Which was adopted.

Mr. Cottrell moved to adopt the amendment as amended;

Which was agreed to.

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

A committee appeared from the House and made the following communication:

That they were appointed a committee of conference on the part of the House to meet a similar committee on the part of the Senate, which the Senate are respectfully requested to appoint on the House bill entitled an act in relation to the sale of the public lands of the State, the House having refused to concur in the Senate amendments.

Which was received.

A committee appeared from the House and notified the Senate that they were appointed a committee on the part of the House to confer with a similar committee of the Senate on the disagreement of the two Houses on the bill relating to the public printing;

Mr. Steele moved that a committee of three be appointed by the Senate to confer with the House committee on the disagreement of the two Houses, on the bill relating to public printing.

Which was agreed to.

The Chair appointed the following committee: Messrs. Steele, Oliveros and Whitehurst.

Mr. White moved a reconsideration of the vote had on the House bill to be entitled An act to amend the 12th section of an act prescribing additional penalties for the commission of offences against the State, and for other purposes, approved January 15, 1866;

Which was agreed to, and the bill placed back on its third reading.

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.

A committee from the House appeared at the bar and notified the Senate that the House had passed the following:
"Joint resolution relative to pay of members and officers of the General Assembly."

Also, a bill to be entitled An act making appropriations for the expenses of the State Government for the fiscal year 1867.

The bills were received and placed among the orders of the day.
Mr. Crawford, from the Joint Standing Committee on Enrolled Bills, made the following report:

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

Senate bill to be entitled An act to incorporate the Southern Land and Immigration Company.

JNO. L. CRAWFORD,
Chairman Senate Committee.
GEO. M. BATES,

Chairman *pro tem* House Committee

Which was read.

House bill to be entitled An act making appropriations for the expenses of the State Government for the fiscal year 1867,
Was read first time, rule waived, read second time by its title.

Mr. Ross moved to amend the bill by inserting in Section 1, after the word "year," and before "1867" the words "ending October 31st,"

Which was adopted.

Mr. Cottrell moved to amend the bill by inserting in the 4th line of the bill after the word "the" and before the word "general," the word "present;"

Which was adopted.

Mr. Vann moved to amend the bill by adding the following:
"*Provided*, That the members of the present General Assembly shall receive no greater pay than is prescribed by an act entitled an act fixing the pay of members of the General Assembly approved February 14th, 1861;

Mr. Roper moved that the amendment be laid on the table,
Upon which the Yeas and Nays were called for by Messrs. Vann and Kenan.

The vote was:

Yeas—Messrs. Cottrell, Crawford, Gorrie, Haynes, Jordan, Morrison, Oliveros, Owens, Richard, Roper, Ross, Turner, White, Whitehurst and Williams—15.

Nays—Messrs. Bird, Finegan, Kenan, Steele and Vann—5.

So the amendment was laid on the table.

Mr. Kenan offered the following amendment:
Provided, however, that no member of this General Assembly shall receive per diem for the time taken in going to and returning from the Capitol.

Which was not agreed to.

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

The vote was :

Yeas—Messrs. Cottrell, Crawford, Gorrie, Haynes, Jordan, Morrison, Oliveros, Owens, Richard, Roper, Ross, Steele, Turner, White, Whitehurst and Williams—16.

Nays—Messrs. Bird, Finegan, Kenan and Vann—4.

The bill passed as amended—title as as stated.

Ordered to be certified to the House.

House Joint Resolution relative to pay of members and officers of the General Assembly,

Was read first time, rule waived and read second time by its title.

Mr. Vann moved to amend by adding the following to the 1st section :

Provided, That in estimating the amount due each member, the said Secretary and Clerk shall be guided by An act entitled An act fixing the pay of members of the General Assembly, approved February 14th, 1861, which fixes the pay of members at \$5 per day and 10 cents per mile in going and returning to the Capitol.

Mr. Roper moved to lay the amendment on the table.

Upon which the Yeas and Nays were called for by Messrs. Bird and Vann.

The vote was :

Yeas—Messrs. Baker, Cottrell, Crawford, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Richard, Roper, Ross, Turner, White, Whitehurst and Williams—16.

Nays—Messrs. Bird, Finegan, Kenan, Steele and Vann—5.

So the amendment was laid on the table.

The resolution was read third time by its title and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Cottrell, Crawford, Haynes, Jordan, Morrison, Oliveros, Owens, Pearce, Richard, Roper, Ross, Steele, Turner, White, Whitehurst and Williams—17.

Nays—Messrs. Bird, Brevard, Finegan, Kenan and Vann—5.

So the resolution passed—title as stated.

Ordered to be certified to the House.

A committee from the House appeared and informed the Senate that the bill requested to be returned to the Senate, had passed from under the control of the House.

A committee appeared from the House and informed the Senate that the House had passed the following :

Resolution providing for the appointment of a State Treasurer *ad interim*, and asked the concurrence of the Senate therein.

The resolution was placed among the orders of the day.

The rule was waived, and Mr. Steele, from a Joint Select Committee, made the following report :

The Joint Select Committee to whom was referred the disagreement between the two Houses relating to the House amendments to

the Senate bill in reference to the Public Printing, have had the subject matter under consideration, and agree to the following :

Strike out the 3d section of the bill, and add to the House amendments in every particular. The committee recommend that these amendments do pass.

HOLMES STEELE,

Chairman Senate Committee.

F. C. HUMPHREYS,

Chairman House Committee.

Which was received and the amendments recommended by the committee concurred in.

House resolution providing for the appointment of a State Treasurer *ad interim*,

Was read first time, rule waived, read second time by its title.

Mr. Vann offered the following amendment to said resolution :

Provided, That the person appointed shall be paid out of the salary of the Treasurer;

Which was adopted.

The resolution as amended was read third time by its title and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Haynes, Jordan, Kenan, Morrison, Oliveros, Owens, Pearce, Richard, Roper, Ross, Steele, Turner, Vann, White, Whitehurst and Williams—20.

Nays—Mr. Bird—1.

So the resolution passed—title as stated.

Ordered to be certified to the House

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,

Came up on its second reading.

The Joint Select Committee recommend the following bill as a substitute :

A bill to be entitled An act to amend an act entitled an act to establish a County Criminal Court, approved January 11th, 1866.

Mr. Kenan moved to strike out the third section of the bill under consideration ;

Which was agreed to.

The substitute as amended, was adopted in lieu of the bill, and the bill as amended ordered to be engrossed for a third reading.

A bill to be entitled An act to establish and organize a County Court for all county purposes,

Was read third time, and consideration of the same postponed till to-morrow.

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

Was read third time and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Bird, Brevard, Cottrell, Crawford, Finne-
gan, Gorrie, Haynes, Jordan, Kenan, Morrison, Oliveros, Owens,
Pearce, Richard, Ross, Turner, Vann, White, Whitehurst and Wil-
liams—21.

Nays—Messrs. Roper and Steele—2.

So the bill passed—title as stated.

Ordered to be certified to the House.

A committee appeared from the House and notified the Senate that
the House had passed the following bill :

A bill to be entitled An act for the relief of David A. Frier, late
Tax Assessor and Collector of Alachua county, and his securities ;

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

A bill to be entitled An act to amend an act to extend the time
for collecting taxes in this State, approved December 13, 1861, and
for other purposes,

Was read second time, and on motion, laid on the table.

A bill to be entitled An act to amend an act entitled an act au-
thorizing the clearing out of McGirths' creek in Duval county,

Was read first time, rule waived, read second time, and ordered
to be engrossed or a third reading.

House bill to be entitled An act to increase the salary of the clerk
of the Comptroller of Public Accounts,

Was read first time, rule waived, read second and third times by
its title, and placed on its passage.

The vote was :

Yeas—Messrs. Baker, Bird, Brevard, Cottrell, Crawford, Finne-
gan, Gorrie, Haynes, Jordan, Kenan, Morrison, Oliveros, Owens, Pearce,
Richard, Roper, Ross, Steele, Turner, Vann, White, Whitehurst and
Williams—23.

Nays—None.

The bill passed—title as stated.

Ordered to be certified to the House.

House bill to be entitled An act for the relief of David A. Frier,
late Tax Assessor and Collector of Alachua county, and his securi-
ties,

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

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

Was read third time and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Finne-
gan, Haynes, Jordan, Kenan, Morrison, Oliveros, Pearce, Richard, Roper, Ross,
Steele, Turner, Vann, White, Whitehurst and Williams—20.

Nays—None.

The bill passed, title as stated.

Ordered to be certified to the House.

A bill to be entitled An act for the adoption of a child by John B.
Griffin and his wife,

Was read third time and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Brevard, Cottrell, Crawford, Finne-
gan, Gorrie, Haynes, Jordan, Kenan, Morrison, Oliveros, Pearce, Richard,
Roper, Ross, Steele, Turner, Vann, White and Whitehurst—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 the County Criminal Court
of Moore, Madison, Frank in, Escambia, St. Johns, Santa Rosa, Colum-
bia Santa Rosa and Hamilton counties,

Came up on its third reading, and further consideration of the
same postponed till to-morrow.

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

TUESDAY, December 11, 1863.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the Chair.

A quorum present.

The Journal of yesterday was read and approved.

Mr. Ross moved, to take from the table and place among the or-
ders of the day,

A bill to be entitled An act to amend an act to extend the time
for collecting taxes in this State, approved Dec. 13th, 1861, and for
other purposes ;

Which was agreed to.

The following communication was received from the House :

HOUSE OF REPRESENTATIVES, }
December 10, 1863. }

Hon. W. W. J. KELLEY,

President of the Senate :

SIR—The House of Representatives have :

Concurred to the amendments to House bill to be entitled An act
to amend the 35th section of an act entitled an act concerning Will's
&c; also,

The House have concurred to the amendments proposed by the
Committee of Conference, to the Senate bill relative to the public
printing.

Very respectfully,

WM. FORSYTH BYNUM,

Clerk of the House of Representatives.

Which was received and read.

Mr. Jordan presented a petition of citizens of Taylor county for
the relief of J. W. Johnson ;

Which was received, and referred to a special committee consist-
ing of Messrs. Jordan, Rosseau and Oliveros.