

FOUR O'CLOCK, P. M.

The Senate resumed its session at the specified time.

The President in the Chair.

On motion of Mr. Knight, the President was authorized to refer such portions of the Governor's message as require a reference, to the appropriate committees.

Under a suspension of the rules, on motion of Mr. Knight, it was

Resolved, That the Judiciary Committee be authorized to have two hundred copies of the constitution, with marginal notes, printed for the use of the Senate.

The rules being suspended, on motion of Mr. Knight, a bill to be entitled an act regulating the admission of attorneys and counsellors at law, and solicitors in equity, in the several courts of this State, was read by its title, and referred to Committee on a Code of Practice, to be appointed.

The rules being suspended, on motion of Mr. Alden, the following three bills were read by their titles, and referred to the committees set opposite each, respectively:

A bill to be entitled an act authorizing railroad companies in this State to acquire land for depots, machine shops, and other purposes. Referred to Committee on Railroads;

A bill to be entitled an act authorizing the city of Pensacola to issue bonds. Referred to committee on City and County Organizations; and

A bill to incorporate the Royal Oceanic Telegraph Company. Referred to committee on Corporations.

Mr. Hunt, at his own request, was excused from further service on the Committee on Privileges and Elections. Mr. Moragne appointed in his place.

On motion of Mr. Hunt, the Committee on the Judiciary and the Committee on a Code of Practice were authorized to employ a suitable number of clerks.

Under a suspension of the rules, on motion of Mr. Alden, a bill to incorporate the Pensacola and Perdido Railroad, was read by its title, and referred to the Committee on Railroads.

Mr. Goss moved that a committee of five be appointed to prepare and report a code of criminal laws for the consideration of the Senate;

Which was agreed to.

The following bill was received from the Assembly:

A bill to be entitled an act fixing the time for abolishing the relief ordinance.

On motion of Mr. Crawford, a committee was appointed to take into consideration the propriety of reducing the number of attaches of the Senate.

Committee, Messrs. Crawford, Alden, and Knight.
On motion, the Senate adjourned till to-morrow, 10 A. M.

THURSDAY, July 9th, 1868.

The Senate met pursuant to adjournment, at 10 A. M.

The President in the Chair.

Prayer by the Chaplain.

A quorum present.

The Journal was read, and on motion of Mr. Knight, rule 32d, therein contained, was corrected to read as follows:

The following shall be the hours of the daily sessions of the Senate, unless otherwise ordered, at 10 A. M., and at 4 P. M.

The resignation of William U. Saunders, as 1st Assistant Secretary, was presented, read, and accepted by the Senate.

Mr. Hunt introduced a resolution, with preamble, calling on the President of the United States for military aid, to assist the Governor in preserving the peace of the State.

On motion of Mr. Knight, the rules were suspended to allow immediate action on the resolution.

Mr. McCaskill moved to lay the resolution on the table, and the yeas and nays were called for:

Yeas—Messrs. Atkins, Crawford, Davis, Ginn, Moragne, and McCaskill—6.

Nays—Messrs. Alden, Bradwell, Davidson, Goss, Hunt, Katzenberg, Knight, Krimminger, Mobley, Pearce, and Underwood—11.

So the resolution was not laid on the table.

Mr. Mobley offered the following amendment to the preamble: **AND, WHEREAS**, A resolution of the Legislature of the State was passed on the 8th instant, calling on the military forces of the United States for such aid as may be required to assist the civil authority; and, **WHEREAS**, said resolution does not cover all that is required.

On motion of Mr. Bradwell, the amendment was laid on the table.

The resolution was read the second and third times, and put upon its passage. The yeas and nays were called for, and taken.

Yeas—Messrs. Alden, Bradwell, Davidson, Goss, Hunt, Katzenberg, Knight, Krimminger, Pearce, and Underwood—10.

Nays—Messrs. Atkins, Crawford, Davis, Ginn, Moragne, and McCaskill—6.

So the resolution was adopted.

When Mr. Mobley's name was called, he desired to be excused from voting, and was excused.

When Mr. McCaskill's name was called, he explained that he should vote in the negative, not because he did not wish the peace of the State to be preserved, but because he believed that if there were any disturbances threatened or taking place, they could be effectually put down by the civil arm.

On motion of Mr. Alden, the vote of yesterday, ordering two hundred copies of the constitution, with marginal notes printed, was reconsidered.

Mr. Alden offered the following as a substitute :

Resolved, The Assembly concurring, That the Secretary of the Senate and Clerk of the Assembly, cause to be printed and bound in suitable form, five hundred copies of the rules and orders of the two Houses, with lists of the several standing and special committees, the constitution of the United States, and of the State, together with such other matter as may be considered practicable in a legislative manual.

Mr. Knight moved to lay resolution on the table; on which the yeas and nays were called for.

Yeas—Messrs. Crawford, Davis, Ginn, Knight, Moragne, McCaskill, and Underwood—7.

Nays—Messrs. Alden, Atkins, Bradwell, Davidson, Goss, Hunt, Katzenberg, Krimminger, Mobley, and Pearce—10.

So the resolution was not laid on the table.

Mr. McCaskill moved to amend by striking out five hundred and inserting one hundred.

On motion of Mr. Bradwell, the amendment was laid on the table.

On motion of Mr. Mobley, the resolution was amended by striking out all after the words "together with," and inserting the words, "the names of the Executive officers of the State, the Judiciary, the members of the State Constitutional Convention, and of the Legislature, with their post office address."

The question being put on the passage of the resolution as amended, it was adopted.

Mr. Alden offered the following resolution;

Which was read the first time, and laid over under the rules. WHEREAS, Certain members of this body have been guilty of drunkenness in public during its session; therefore:

Resolved, That this body regards this as an offence against its dignity, any repetition of which will be punished by censure, expulsion, or the proper constitutional method.

The joint rules received yesterday from the Assembly, were taken up, and on motion of Mr. Mobley, referred to Joint Committee on Rules.

On motion of Mr. Alden, it was ordered that a Committee on State Affairs be added to the Standing Committees.

The President appointed Messrs. Katzenberg, Purman, Smith, Atkins, and Davidson.

The Assembly Bill, to be entitled an act, fixing the time for abolishing the relief ordinance,

Was taken up, read first time by its title, and referred to Committee on the Judiciary.

Mr. Knight offered a bill to be entitled an act, to establish a State Penitentiary.

On motion of Mr. Alden, the reading of the bill was dispensed with, and it was referred to the Committee on State Institutions.

Mr. Knight offered a joint resolution requesting the Governor to ask for the grant to the State, or for the use thereof, of the U. S. Arsenal at Chattahoochee.

On motion of Mr. Mobley, the resolution was amended by inserting the words "and the Secretary of War," after the words "United States."

On motion of Mr. Knight, the rules were suspended, and the resolution read three times and passed.

On motion of Mr. Alden, the Senate took a recess till 4 P. M.

FOUR O'CLOCK, P. M.

The Senate resumed its sitting at 4 P. M.

The President in the Chair.

A quorum present.

The President made the following references of portions of the Governor's message to committees:

To the Committee on Privileges and Elections:

1. Laws providing for registration and the conducting of elections.

To the Judiciary Committee:

2. Laws for the organization and government of the Legislature, and prescribing the powers, privileges, and duties of its members and officers.

3. Laws for the organization of the executive and administrative affairs of the State, prescribing the duties and powers of each, the bonds to be given, &c.

To the Committee on Education:

4. Laws for the organization of the public school system; the care and distribution of school funds, and their income; the management and sale of school, university and seminary lands. The school system will be under the management of the Superintendent of Education; but the management, sale, and investment of the lands and funds will necessarily require the action of a Board, to be properly composed of at least three persons.

In most newly-organized States, the Secretary of State or Surveyor-General, Treasurer, and Attorney-General, constitute this Board.

To the Committee on State Affairs:

5. Laws for the organization of the internal improvement system. This will require a thorough knowledge of the internal improvement laws, the transactions of the Board under former laws, and a thorough examination of the condition of the internal improvement fund, and the lands pertaining to that department.

To the Committee on State Institutions:

6. Laws for the organization of the Board of Commissioners of public institutions, viz: Insane, blind, and deaf and dumb asylums, and State prison, in pursuance of Section 20 of Article V of the Constitution.

To the Committee on Militia:

7. Laws for the organization of the militia.

To the Finance Committee:

8. Laws for the assessment and collection of taxes, and a revenue system for the State.

To the Committee on Corporations:

9. Laws for the uniform government of public and private corporations. These are required by the provisions of the constitution, and are destructive of the monopolies and exclusive privileges which retard private enterprise.

To the Judiciary Committee:

10. Laws for the organization of the judiciary, including the Supreme Court, the circuit and county courts, and justices of the peace, are demanded by the greatest good of the people. The speedy and certain enforcement of wholesome law, for the protection of private rights, and the redress of public and private wrongs, tend to lessen litigation and to diminish crime.

11. The jury system, deemed so indispensable to the rights and liberties of the people, should be carefully organized. The value of the jury is in a great measure dependent upon the probity and intelligence of its members. Jurors should be selected by proper and discreet officers, according to their intelligence and love of justice, and their independence and patriotism.

To the Committee on Code of Practice:

12. A well digested system of practice and pleadings in the courts should be adopted as soon as practicable. The bar and the judiciary complain much of the uncertain condition of the laws on these subjects. It is submitted whether a code similar to that adopted in several of the oldest States, and indeed recently copied by England, which preserves the beauty and harmony of the science of jurisprudence, and simplifies and abridges

the voluminous forms and ceremonies of antiquity, will not be serviceable.

To the Judiciary Committee:

13. Laws providing for the payment of a just compensation for the services of judges of the county courts, justices of the peace, and all administrative officers, will be found necessary. The payment of salaries to these officers is forbidden by the constitution.

To the Finance Committee:

14. The publication of all laws and the decisions of the Supreme Court should be provided for. No law of a general nature should go into effect until a sufficient time after its publication, to enable the people to know its provisions.

To the Judiciary Committee:

15. A speedy revision of all permanent statutes adapted to the condition of the State and the requirements of the new constitution should be made. There are some statutes, and especially those reported by a commission in 1865, which the Legislature should immediately repeal or modify. Some of these are unworthy a civilized people and in their provisions, shocking to the civilization of the age. After this action is taken, I would recommend such legislation as would secure a digest of the laws of the State. An ordinance of the convention in relation to this subject directs the appointment of a commission by the Governor, and provides for an expensive preparation and publication of the laws, court reports, &c. I have delayed action under this ordinance, which undoubtedly has the force of a law, until you could consider the matter and have an opportunity to annul and modify its provisions so as to conform to the necessities and present resources of the State.

Mr. Goss introduced a bill to be entitled an act concerning forcible entry and detainer;

Which was read the first time by its title under a suspension of the rules, and referred to the Committee on the Judiciary.

Mr. Alden introduced a bill to be entitled an act to enable the purchasers of the Alabama and Florida railroad to rebuild the same, under the name of the Pensacola and Louisville Railroad Company;

Which was read the first time by its title under a suspension of the rules, and referred to the Committee on Railroads.

The President appointed the following committees:

On a code of practice in civil and criminal cases in the courts of Florida:

Messrs. Mobley, Knight, and Crawford.

On a code of criminal laws for the State:

Messrs. Goss, Mobley, Knight, Purman, and Moragne.

A message was received from the Governor, and the Senate went into Executive session.

STATE OF FLORIDA, EXECUTIVE OFFICE, }
Tallahassee, July 9th, 1868. }

TO THE SENATE:

I hereby nominate the following named persons for the offices designated:

Ozias Morgan, to be Surveyor-General.
Horatio Jenkins, jr., to be Adjutant General.
Charles T. Chase, to be Superintendent of Public Instruction.

Very respectfully, your obedient servant,
HARRISON REED, GOVERNOR.

STATE OF FLORIDA, EXECUTIVE OFFICE, }
Tallahassee, July 9th, 1868. }

TO THE SENATE:

I hereby nominate the following named persons for the several offices designated, viz.

Thomas J. Boynton, to be Chief Justice Supreme Court.
Ossian B. Hart and Edwin M. Randall, to be Associate Justices Supreme Court.

Homer G. Plantz, to be Judge First Judicial Circuit.
Alvah A. Knight, to be Judge Fourth Judicial Circuit.
Jesse H. Goss, to be Judge Fifth Judicial Circuit.
John W. Price, to be Judge Seventh Judicial Circuit.

Very respectfully, your obedient servant,
HARRISON REED, GOVERNOR.

STATE OF FLORIDA, EXECUTIVE OFFICE, }
Tallahassee, July 9th, 1868. }

TO THE SENATE:

I hereby nominate the following persons for the several offices designated, viz:

Edmund C. Weeks, for County Judge of Madison county.
Dennis Eagan, for Clerk of Court of Madison county.

Very respectfully, your obedient servant,
HARRISON REED, GOVERNOR.

STATE OF FLORIDA, EXECUTIVE OFFICE, }
Tallahassee, July 9th, 1868. }

TO THE SENATE:

I hereby nominate the following named persons for the several offices designated, viz:

William A. McLean, to be County Judge for Duval county.
John J. Holland, to be Sheriff of Duval county.
Charles L. Mather, to be Clerk of Court for Duval county.
Samuel N. Williams, to be Assessor for Duval county.

Very respectfully, your obedient servant,
HARRISON REED, GOVERNOR.

The following appointments were confirmed by the Senate:
Ozias Morgan, to be Surveyor General.
Horatio Jenkins, Jr., to be Adjutant General.
Charles T. Chase, to be Superintendent of Public Instruction.
Thomas J. Boynton, to be Chief Justice Supreme Court.
Ossian B. Hart and Edwin M. Randall, to be Associate Justices Supreme Court.

Homer G. Plantz, to be Judge First Judicial Circuit.
Alvah A. Knight, to be Judge Fourth Judicial Circuit.
Jesse H. Goss, to be Judge Fifth Judicial Circuit.
John W. Price, to be Judge Seventh Judicial Circuit.
Edmund C. Weeks, to be County Judge of Madison county.
Dennis Eagan, to be Clerk of Court of Madison county.
John J. Holland, to be Sheriff of Duval county.
Charles L. Mather, to be Clerk of Court of Duval county.
Samuel N. Williams, to be Assessor of Duval county.

The consideration of the appointment of Wm. A. McLean to be Judge of Duval county, was postponed till to-morrow.

On motion, the Executive session was concluded.

On motion of Mr. Pearce, the Committee on Code of Criminal Laws was authorized to employ a suitable number of clerks.

Mr. Goss introduced a bill for an act to transfer suits and proceedings in the late courts of this State, to the courts organized under the present constitution;

Which was read the first time by its title under a suspension of the rules, and referred to the Committee on the Judiciary.

On motion of Mr. Atkins, the Senate adjourned.

FRIDAY, July 10th, 1868.

The Senate met pursuant to adjournment, at 10 A. M.

The President in the Chair.

Prayer by the Chaplain.

A quorum present.

The journal was read and approved.

On motion of Mr. Knight, it was ordered that three hundred copies of the Senate journal be printed daily.

The following message was received from the Assembly:

ASSEMBLY HALL,
July 9, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR—The Assembly has this day passed Senate resolution relative to the United States troops in the State of Florida.

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.