

Nays—Messrs. Atkins, Crawford, Giun, Henderson, Kendrick, Moragne, McCaskill and Weeks—8.

So the resolution was adopted—title as stated.

Ordered that the same be certified to the Assembly.

The following message was received from the Assembly :

ASSEMBLY HALL,  
Tallahassee, Fla., June 13, 1869. }

Hon. WILLIAM H. GLEASON,

*President of the Senate :*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has this day adopted a joint resolution in regard to the sale of the Tallahassee, Pensacola and Georgia Railroads, and respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

Which was read and the accompanying resolution referred to the Committee on the Pensacola & Georgia Railroad Company.

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

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

The Senate resumed its session.

The President announced that there was no quorum.

Mr. Wentworth moved a call of the Senate ;

Which was agreed to.

The roll being called, the following Senators answered to their names :

Messrs. Bradwell, Crawford, Henderson, Kendrick, McCaskill, Underwood, Vaughan, Weeks and Wentworth—9.

The Sergeant-at-Arms was dispatched for the absent members.

On motion of Mr. Wentworth, the further call of the Senate was dispensed with.

Senate bill No. 1—An act to regulate quarantine,

Was taken up, and the amendments to the bill by the Assembly concurred in, and the bill as amended ordered to be enrolled.

The committee to whom was referred Senate bill No. 5—An Act for the relief of Franklin Dibble and others, made the following report :

Your committee, to whom has been referred Senate bill No. 5—To be entitled an act for the relief of Franklin Dibble, A. Hu-

ling, E. M. Cheney, and their associates, purchasers of the Railroad from Tallahassee to St. Marks, and of the Railroad from Quincy to Lake City, and incorporating the Quincy, Lake City and St. Marks Railroad Company, beg leave to

### REPORT :

That they have carefully examined the same and would recommend its passage, with the following amendment to section 1 : After the word "expedient," in the 18th line, insert the words "not inconsistent with the Constitution and Laws of the State of Florida."

All of which is respectfully submitted.

GEORGE E. WENTWORTH, Chairman.

C. H. PEARCE,

JOHN A VAUGHAN,

J. N. KRIMMINGER.

Which was received and read, and the amendment proposed by the committee concurred in, and the bill placed among the orders of the day for to-morrow.

On motion of Mr. Walls, the Senate adjourned until to-morrow, 10 A. M.

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### TUESDAY, June 15th, 1869.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the chair.

Prayer by the chaplain.

A quorum present.

On motion of Mr. Katzenberg, the reading of the journal of yesterday was dispensed with.

Senate joint resolution relative to adjournment, came up on its second reading.

Mr. Kendrick moved to amend the resolution by striking out the words, "Thursday the 17th inst.," and insert the words "Monday the 21st inst."

Mr. Bradwell moved that the amendment be laid upon the table ;

Which was agreed to.

Mr. Bradwell moved that the resolution be laid upon the table.

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Bradwell, Hillyer, Katzenberg, Kendrick, Meacham, Pearce, Purman, Smith, Underwood and Walls—10.  
Nays—Messrs. Atkins, Crawford, Ginn, Henderson, Krimminger, Moragne, McCaskill, Smithson, Vaughan, Weeks and Wentworth—11.

So the resolution was not laid upon the table.

Mr. Purman moved that the resolution be indefinitely postponed;

Which was agreed to.

The following message was received from the Assembly:

ASSEMBLY HALL,  
Tallahassee, Florida, June 14th, 1869. }

HON. WILLIAM H. GABEASON,  
*President of the Senate:*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has this day adopted—

Assembly joint resolution requesting his excellency the Governor to forward to the President of the United States, a certified copy of the resolution that passed the Senate and Assembly to ratify the Amendment to the Constitution of the United States known as Article Fifteen, and respectfully ask the concurrence of the Senate thereto.

Very Respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

Which was read and the accompanying resolution read the first time, rule waived, read the second and third times and put upon its passage.

The vote was:

Yeas—Messrs. Bradwell, Cruse, Henderson, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Pearce, Purman, Smith, Underwood, Vaughan, Walls and Wentworth—15.

Nays—Messrs. Atkins, Crawford, Ginn, Moragne, Smithson and Weeks—6.

On motion Mr. McCaskill was excused from voting.

So the resolution was adopted.

Ordered that the same be certified to the Assembly.

The committee to whom was referred Senate bill No. 2—entitled an act to incorporate a company and to facilitate the construction and equipment of a Railroad from the St. Johns river to St. Augustine, made the following report:

The Committee to whom was referred the bill to be entitled an act to revive an act to incorporate a Company and to facilitate the construction and equipment of a Railroad from the St. Johns river to St. Augustine, &c., respectfully submit, That in

the discharge of that duty they have carefully investigated the subject matter of the bill referred and the circumstances requiring the legislation proposed.

Your Committee find that in December, 1858, a charter was granted to organize a company to construct a railroad connecting the St. Johns river with St. Augustine. That shortly after the granting of the charter a Company was duly organized, and the construction of their road was commenced and successfully prosecuted. The terms of the charter required that the road should be completed within five years from the commencement of the work. The Company had within two years completed and had their cars running over twelve miles of their road, leaving but one mile and a half unfinished.

They had thus completed their entire line of road to within a mile and a half of St. Augustine. At this point in their work the Company was interrupted and forced to suspend operations by the breaking out of the late war. Thus the Company was prevented without any fault on their part from completing their entire line within the time designated in their charter. By the terms of the charter, the Company, on the completion of one-sixth of their line, were vested in fee with alternate sections of land for a distance of six miles on both sides of their road; having completed twelve miles of their line, being about five-sixths of their entire line, the lands, therefore, to that extent, have become vested in fee in the company. These lands the Company have mortgaged for the purpose of grading, constructing and equipping their Road. Thus, has not only the Company, but creditors acquired vested rights under the charter, not only in their road, but in the lands so granted. And to render these available, as well as to render the road a convenience to the public, and perfect this portion of the Internal Improvements of the State, it is essential that the road should be completed and put in running order. The Company have expended in their work, iron and equipment, about seventy thousand dollars. Owing to embarrassment, and the damage the road had sustained during the war, the Company has not been able until now to undertake the repairs and completion of their enterprise.

Your Committee are assured that responsible parties are ready to take hold of the work and place the entire line of road in complete operation within a few months. Deeming the enterprise one of great public convenience, and considering the Company had nearly completed their undertaking, having expended a large amount of money and acquired vested rights, and that their failure to complete their road in the time designated, was occasioned by causes beyond their control, and for which they ought not to be held responsible, your Committee are of the opinion that the

legislation proposed should receive the favorable consideration of the Senate as just and equitable.

The Committee having examined the bill referred to them, have come to the conclusion that it was not framed strictly in accordance with the clause of the Constitution prescribing requirements for amendments, have drafted one embodying the substance of the bill referred, which is herewith reported as a substitute for the original bill, with the recommendation that it be passed by the Senate.

All of which is respectfully submitted.

S. KATZENBERG, Chm'n.  
WM. H. KENDRICK,  
A. L. McCASKILL,  
W. J. PURMAN.

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

The Committee to whom was referred Senate bill No. 6—entitled an act to incorporate the Jacksonville, Pensacola and Mobile Railroad Company, to aid the building of such Railroad and for other purposes, made the following report:

Your Committee to whom has been referred Senate bill No. 6—entitled an act to incorporate the Jacksonville, Pensacola, and Mobile Railroad Company, to aid the building of such Railroad and for other purposes, beg leave to

#### REPORT:

That they have carefully examined the same and would recommend its passage with the following amendments:

Strike out all of Section "Nine."

Strike out the word "twenty" in line third, section ten, and insert "sixteen."

Insert after the word "Treasurer," in thirteenth line, section ten, the following amendment: "Provided, That the said Jacksonville, Pensacola and Mobile Railroad Company shall deposit with the State Treasurer good and sufficient security for the payment of all interest that may become due on the State Bonds issued to them, until the completion of said Railroad; and shall also give to the State as additional security for the faithful application of said Bonds, a lien upon the entire line of Railroad from Quincy to Jacksonville; which lien shall be cancelled and surrendered as soon as said Company shall have fully completed and put in operation fifty miles of their said road;" and provided further, "That no Bonds shall be issued to the said Company until the Governor and Comptroller shall be satisfied that the whole line of said Road has been placed under contract to responsible parties for its construction."

Strike out in line third, section twenty-second, the words, "of color," and strike out all after the words "in second class cars," in fifth line, twenty-second section.

All of which is respectfully submitted.

GEO. E. WENTWORTH, Ch'n.  
C. H. PEARCE,  
JOHN A. VAUGHAN,  
J. N. KRIMMINGER.

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

#### ORDERS OF THE DAY.

The Senate resumed the consideration of Senate Bill No. 3—An act for the assessment and collection of revenue.

Mr. Underwood moved that the bill be recommitted to the committee.

Mr. Purman moved the following amendment:

That the committee be ordered to report to-morrow morning, 10 o'clock.

Mr. McCaskill moved to lay the amendment to the motion on the table;

Which was agreed to.

Mr. Krimminger moved that the bill be recommitted to the committee.

Mr. Purman rose to a point of order.

The President decided that the point was not well taken.

Mr. Purman appealed from the decision of the President.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Atkins, Bradwell, Crawford, Cruse, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Smith, Smithson, Underwood, Vaughan, Weeks and Wentworth—18.

Nays—Messrs. Ginn, Purman and Walls—3.

The decision of the President was sustained and the bill recommitted to the committee.

The following message was received from the Assembly:

ASSEMBLY HALL,  
Tallahassee, Fla., June 14, 1869. }

Hon. WILLIAM H. GLEASON,

*President of the Senate:*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has this day adopted—

Assembly joint resolution asking information of the Comptrol-

ler and Treasurer relative to the sale of State Bonds, and respectfully ask the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Clerk of the Assembly.

Which was read.

On motion of Mr. Smith, the accompanying resolution was read the first time.

Mr. Wentworth offered the following amendment to the resolution:

That they also be directed to make a full statement relative to the expenditures of the Contingent Fund.

Mr. Underwood moved to lay the amendment upon the table; which was not agreed to.

Mr. Purman moved that the further consideration of the amendment be indefinitely postponed;

Which was not agreed to.

Upon the question shall the amendment be adopted, the vote was:

Yeas—Messrs. Atkins, Crawford, Ginn, Henderson, Kendrick, Krimminger, McCaskill, Smithson, Vaughan, Weeks and Wentworth—11.

Nays—Messrs. Bradwell, Cruse, Hillyer, Katzenberg, Meacham, Pearce, Purman, Smith, Underwood and Walls—10.

So the amendment as proposed was adopted.

Mr. Hillyer moved to amend the resolution by striking out the word "two," where it occurs, and insert the word "five;"

Which was agreed to.

The resolution as amended was adopted.

Ordered that the same be certified to the Assembly.

The following message was received from the Assembly:

ASSEMBLY HALL,  
Tallahassee, Fla., June 14th, 1869. }

HON. WM. H. GLEASON,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has this day adopted—

Assembly joint resolution No. 4—Relative to adjourning the Legislature on Friday, the 18th inst., and respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

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

Also the following:

ASSEMBLY HALL,  
Tallahassee, Fla., June 15th, 1869. }

HON. WM. H. GLEASON,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has this day passed—

Assembly bill No. 5—To be entitled an act to define the duties and powers of State Attorneys and to authorize the Judges of the several Courts to appoint a Prosecuting Attorney in the event of the absence of the State Attorney.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

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

Also the following:

ASSEMBLY HALL,  
Tallahassee, Fla., June 15th, 1869. }

HON. WM. H. GLEASON,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed—

Assembly bill No. 7—To be entitled an act to amend an act to establish a uniform system of Common Schools and a University.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

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

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

THREE O'CLOCK, P. M.

The Senate resumed its session.

The President announced a quorum.

Mr. Wentworth moved a call of the Senate.

The following Senators answered to their names:

Messrs. Bradwell, Crawford, Ginn, Henderson, Katzenberg, Kendrick, Krimminger, Meacham, McCaskill, Pearce, Smith, Smithson, Vaughan and Wentworth—14.

The Sergeant-at-Arms was dispatched for the absent members.

On motion of Mr. Smith, the further call of the Senate was dispensed with.

Mr. Smith moved that the Senate adjourn until to-morrow morning, 10 o'clock ;

Which was not agreed to.

The rule was waived and the committee to whom was referred Assembly joint resolution in regard to the sale of the Tallahassee and Pensacola & Georgia Railroad Company, made the following report :

Your Committee, to whom was referred Assembly joint resolution "in regard to the sale of the Tallahassee and Pensacola and Georgia Railroads," beg leave to report that they have carefully examined the same and would most respectfully recommend the adoption of the substitute herewith enclosed.

GEO. E. WENTWORTH, Ch'mn.

C. H. PEARCE,

JOHN A. VAUGHAN,

J. N. KRIMMINGER.

Which was read.

Mr. Weeks, from the same committee, made the following minority report :

*To the President of the Senate :*

The undersigned, member of the Committee on the Pensacola & Georgia Railroad, having had under consideration Assembly joint resolution in regard to the Tallahassee and Pensacola and Georgia Railroads, begs leave to

#### REPORT :

That he deems the resolution eminently advisable and recommends that it pass. All the facts and circumstances relating to the sale of these roads are known to the Trustees of the Internal Improvement Fund, and can be immediately laid before the Legislature. About this sale there has been much clamor, and the people of Florida deserve and naturally desire a full account of the same from the Trustees, by whom it was ordered. Let it be given, that the sale may be fully understood and the people be advised of what has been done in the matter. Cordially sustaining the sentiments and purpose of the resolution, I recommend its adoption.

W. T. WEEKS.

Which was read.

Mr. Smith moved to postpone indefinitely the substitute to the resolution recommended in the majority report of said committee ;

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Bradwell, Crawford, Cruse, Ginn, Henderson, Hillyer, Katzenberg, Kendrick, Meacham, McCaskill, Pearce, Smith, Smithson, Underwood, Walls and Weeks—16.

Nays—Messrs. Krimminger, Moragne, Purman, Vaughan and Wentworth—5.

So the substitute to the resolution as recommended by the committee was indefinitely postponed.

Mr. Smith moved that the report of the minority of said committee be received, and that the resolution accompanying be adopted ;

Which was agreed to.

Ordered that the same be certified to the Assembly.

The substitute recommended by the Committee on the St. Johns Railroad to Senate bill No. 2—"An act to incorporate a company and to facilitate the construction and equipment of a Railroad from the St. Johns river to St. Augustine," entitled an act to amend the 22d section of an act, approved the 31st day of December, A. D. 1858, entitled an act to incorporate a company and facilitate the construction and equipment of a Railroad from the St. Johns river to St. Augustine, under the style of the St. Johns Railway Company,

Came up on its second reading.

On motion of Mr. Smith, the further consideration of said bill was postponed till to-morrow, 3 o'clock, P. M.

On motion of Mr. Smith, the Senate adjourned until to-morrow, 10 o'clock, A. M.

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WEDNESDAY, June 16, 1869.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the chair.

Prayer by the Chaplain.

A quorum present.

On motion of Mr. Kendrick, the reading of the journal of yesterday was dispensed with.

The rule was waived and Mr. Smithson introduced the following resolution :

*Resolved by the Senate and Assembly of the State of Florida in convention assembled,* That we are a part of the American Union, and as we expect to receive its protection, we are ready to bear our share of its burdens, to the end that if any Nation shall attempt to, or refuse to grant satisfaction, where she has rendered grievances, we bind ourselves to sustain the adminis-