

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

Substitute to Senate bill No. 3, was taken up and consideration of the same continued.

Mr. Henderson moved to amend section 31 by striking out at the end of line 6, the words, "one hundred," and insert the words "one thousand."

Mr. Katzenberg moved to lay the amendment on the table; Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bradwell, Cruse, Ginn, Hillyer, Katzenberg, Meacham, Pearce, Purman, Smithson, Vaughan and Wentworth—11.

Nays—Messrs. Atkins, Henderson, Kendrick, Krimminger, Moragne, McCaskill, Underwood and Weeks—8.

So the motion to amend section 31, as above stated, was not agreed to.

Mr. Katzenberg moved to amend section 32 by striking out in lines 5 and 9 of said section, the word "neat" and insert the word "all;"

Which was agreed to.

Mr. Purman moved as an amendment to strike out in sections 17 and 32, wherever it appears, the word "all" and insert "neat and stock;"

Which was agreed to.

Mr. Henderson moved to amend section 35, in line 2, by inserting after the word "Comptroller," the words "provided the same are in accordance with the laws;"

Which was agreed to.

Mr. Henderson moved to amend section 38 by striking out in 3d line, the word "exceed" and insert the words "be more than fifty per cent. of;"

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Atkins, Ginn, Henderson, Kendrick, Krimminger, Moragne, McCaskill, Purman, Smithson, Vaughan, Walls and Wentworth—12.

Nays—Messrs. Bradwell, Cruse, Hillyer, Katzenberg, Meacham, Pearce, and Weeks—7.

So the amendment was adopted.

The following message was received from the Assembly:

ASSEMBLY CHAMBER,
Tallahassee, Fla., June 17, 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. 11—entitled an act relative to certain Executions which have issued from the Courts of Justices of the Peace for sums over fifty dollars, by a vote of yeas 39 to nays 1.

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 CHAMBER,
Tallahassee, Fla., June 16, 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. 9—entitled an act providing for setting apart a Homestead and Personal Property to be exempted from forced sale under process of law.

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.

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

The rule being waived, Mr. Moragne offered the following resolution:

Resolved by the Senate, That in respect to the memory of the Hon. John B. Galbraith, formerly Speaker of the House of Representatives and late Attorney General of this State, the Senate do now adjourn.

Which was received and read and the Senate adjourned until to-morrow, 10 o'clock, A. M.

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FRIDAY, June 18th, 1869.

The Senate met pursuant to adjournment and was called to order by the Hon. John L. Crawford, Senator from the 7th district.

Mr. Smith offered the following resolution:

Having learned of the death of the Hon. John B. Galbraith, late Attorney General of the State, who had creditably occupied that position for many years, and also as Speaker of the Assembly,

Be it Resolved, That this body will now adjourn to enable its members to attend the funeral obsequies of the deceased, to meet at 11 30, A. M.

Which was read and adopted and the Senate took a recess till 11 30, A. M.

HALF-PAST ELEVEN, A. M.

The Senate resumed its session—a quorum present.

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

Mr. Wentworth moved that the regular order of business be dispensed with and that the Senate take up substitute to Senate bill No. 3;

Which was agreed to and the Senate thereupon resumed the consideration of said substitute to said bill.

Mr. Henderson moved to amend section 42, by striking out from the word "shall," in 3d line, all down to the word "Comptroller" in fifth line, and insert the following: "be required to give at least ten days notice of the time and places in the several districts or precincts of the county, when and where he shall attend for the collection of taxes, and shall be required to make at least two complete rounds for such purposes;"

Which was agreed to.

Mr. Krimminger moved to amend section 43, by striking out in line 4, after the word "offence," all down to the word "and" in line 5, and insert the following: "be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than one thousand dollars, nor more than ten thousand dollars;"

Which was agreed to.

Mr. Krimminger moved to amend section 45, by striking out in line 1, the words "refuse or neglect," and insert the word "fail," and strike out the word "refusal" in 2d line, and insert the word "failure;"

Which was agreed to.

Mr. Penderson moved to amend section 52, by adding in line 7, after the word "and," the words "on conviction thereof;"

Which was agreed to.

Mr. McCaskill moved to amend section 52, by inserting in line 5, before the word "sufficient," the words "good and;"

Which was agreed to.

Mr. Purman moved to strike out the whole of section 56;

Which was agreed to.

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

THREE O'CLOCK, P. M.

The Senate resumed its session.

The President announced there was no quorum.

Mr. Bradwell moved the call of the Senate;

Which was agreed to, and the following members answered to their names:

Messrs. Bradwell, Crawford, Ginn, Hillyer, Katzenberg, Krimminger, Meacham, Pearce, Purman, Smithson, Vaughan, Weeks and Wentworth—13.

The following members were absent:

Messrs. Atkins, Crane, Cruse, Henderson, Hunt, Kendrick, Moragne, McCaskill, Smith, Underwood and Walls—11.

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

The Senate resumed the consideration of substitute to Senate bill No. 3.

Mr. Purman moved to strike out the whole of section 59;

Which was agreed to.

Mr. Smith moved to amend section 62, in line 1, by inserting after the word "secretary," the words "or superintendent;"

Which was agreed to.

Mr. Meacham moved to amend also section 60, by inserting after the word "secretary," in line 1, the words "or superintendent;"

Which was agreed to.

Mr. Wentworth moved that the rule be waived and the substitute, as amended, to Senate Bill No. 3 be read the third time.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bradwell, Cruse, Hillyer, Katzenberg, Meacham, Pearce, Purman, Smith, Vaughan, Walls and Wentworth—11.

Nays—Messrs. Crawford, Ginn, Henderson, Krimminger, Moragne, McCaskill, Smithson and Weeks—8.

So the Senate refused to waive the rule and the bill was ordered to be engrossed for its third reading.

The following message was received from the Assembly:

ASSEMBLY HALL, }
Tallahassee, Florida, June 17, 1866. }

Hon. WM. H. GLEASON,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly most respectfully request the Senate to return to

the Assembly} Joint Assembly Resolution No. 5, relative to correspondence of the Comptroller in relation to the sale of State Bonds.

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

Which was read.

The rule was waived and Mr. Smith, from the Committee on the Florida Railroad, made the following report :

TO THE SENATE :

Your committee to whom was referred Senate bill No. 7—being a bill entitled “an act to amend an act to provide for and encourage a liberal system of Internal Improvements in this State,” having had the same under consideration, beg leave to report the same back to the Senate with amendments thereto attached, and respectfully recommend the passage of the same with said amendments.

Your committee also respectfully submit the following matter relating to said bill for the consideration of the Senate :

Under “an act to provide for and encourage a liberal system of Internal Improvements in this State,” approved Jan. 6, 1855, State aid was granted to a line of Railroad from St. Johns river, at Jacksonville, to the waters of Pensacola Bay, and also to a line of Railroad from Amelia Island, on the Atlantic, to the waters of Tampa Bay in South Florida, with an extension to Cedar Key.

The aid granted by the State to the said Roads was the alternate sections of land owned by the State along the lines of the Road, and the guarantee by the Internal Improvement Fund of the interest on the Companies' Bonds at the rate of \$10,000 per mile, after the completion and equipment of the Roads in sections of 10 miles ; and for the purpose of securing the State against the payment of the principal and interest of the Bonds issued by said Companies, the said Bonds were made a first lien or mortgage on all the real and personal property of said Companies, and the said act also provided that in default of any payment of interest by said Companies on their bonds, the said Roads should be taken possession of and sold.

The said act also provided the particular style and manner in which said Roads should be built, and also provided for uniform rates of tariff for freight and passengers over all the Railroads of the State.

Your committee are of the opinion that the interests and welfare of the State at large demand the completion, as soon as possible, of a line of railway from Jacksonville, on the St. Johns river, to the waters of Pensacola Bay, and from the waters of Tampa Bay and Charlotte's Harbor to Gainesville, on the Florida

Railroad, and also from Palatka on the St. Johns river to the nearest practicable point on the projected line of railway between Tampa Bay and Gainesville on the Florida Railroad.

Your committee, in determining the amount of aid that should be given by the State for the construction of said Roads, came to the conclusion, after a thorough investigation of the cost of building Roads in this State, that the sum of \$12,000 per mile would be ample and sufficient aid to any company intending to act in good faith with the State, and use any of its own means in the construction of said Roads.

Your committee further suggest that the customary and usual method of securing States for aid granted to Railroad Companies in the construction of their Roads, to-wit : the endorsement by the State of the Company's Bonds as the Road progresses in its construction, is the only proper and safe security by such Companies that can be given to the State, and is the system of our sister States, Georgia and Alabama. Such security would place the Companies between the State and the bondholders. On the contrary, if the State should issue its Bonds and place them in the possession of the Companies' and receive in lieu thereof the Companies' bonds or mortgages upon their Road, the State would be placing its credit too much in the hands of a private Company.

It is a safe proposition that men do not organize themselves into Railroad Companies and ask aid from government for the construction of Roads for the sake of acquiring the glory of accomplishing some great work for the general welfare of the people ; but on the contrary, such organizations are generally originated for self interest. We deem it, therefore, the duty of a Legislature to give as little aid as possible to private companies, and at the same time secure the advancement and progress of the Internal Improvements of the State.

The seventh Section of Article XII, of the Constitution provides, that “the Legislature shall have power to provide for issuing State bonds, bearing interest, for securing the debt of the State, and for the erection of State buildings, support of State institutions, and perfecting public works.” And the following 8th Sec. of Art. XII, of the Constitution, being explanatory of its preceding section, indicates that the people cannot be taxed for the payment of bonds or the interest on the same, issued for the benefit of any chartered companies. The fact that the 7th Sec. excepts from its provisions the perfecting of public works, leaves some ground on which to base a belief that State aid may be given to chartered companies. A grave doubt rests over the most favorable construction of the said clauses of the Constitution, as to whether the words “public works,” as there used, could be construed to mean the construction of a Railroad

by a private company; but there can be no doubt, that if it does apply to the construction of Railroads, that it only applies to the perfecting of such Roads as had been commenced prior to the adoption of the Constitution.

Your Committee therefore consider, that the issue of bonds by the State for the benefit of chartered companies, instead of endorsing the bonds of private companies, that its desire to aid, would be unwise, unsafe and ruinous to the credit of the State. To throw millions of dollars of valueless State bonds (as all bonds over which there can be any doubt as to their legality and validity would be valueless,) upon the market, would have the effect of dragging down the value of good and valid bonds of the State to nothing, and would for a long time entirely ruin the credit of the State.

Your Committee, notwithstanding their opinion as above expressed, have recommended aid to new improvements, which they believe are very important to the interests of the State, in case the Legislature should differ with the expressed opinion of your Committee as to the legality of State aid to such improvements.

The bill presented by your Committee, if it becomes a law, provides a means of enforcing the uniform working of all the Roads of the State in relation to the transportation of freight and passengers from one Road to the other, without delay or change of cars, and secures to the public a low and uniform rate of charges, with through bills of freight and through passenger tickets and checks from and to any point on the different Roads of the State, thereby preventing any Railroad Company from discriminating in favor of the carriage of freight and passengers to any particular locality, and secures to the people of the State the full benefit of a system which they have contributed to create.

The bill also provides the style and manner in which Roads shall be constructed, thereby securing to the State first-class Roads, and making the Roads a better security to the State for the aid it may render them. The history of the construction of Railroads in the United States through State or U. S. aid, shows that companies so constructing Roads perform the work in the cheapest possible manner, and draw the aid granted. No bonds should be issued to any Railroad Company by the State, or company bonds be endorsed by the State, only as the work progresses, and has been approved of by a competent State Engineer.

R. M. SMITH, Chairman,
JOHN A. HENDERSON,
JOSIAH THOMAS WALLS,
J. M. UNDERWOOD.

Which was read and the amendments to the accompanying bill as proposed by the Committee concurred in.

Mr. Smith, in pursuance to previous notice, introduced the following Senate bill No. 8—entitled an act to amend section 19 of an act to incorporate the Lake City and Suwannee Railroad;

Which was read the first time and on motion referred to a select committee consisting of Messrs. Krimminger, Smithson, Atkins, Weeks and Hillyer.

The rule being waived, Mr. Walls introduced the following Senate bill, No. 9—entitled an act to protect citizens of the United States;

Which was read the first time and on motion referred to a select committee consisting of Messrs. Walls, McCaskill, Cruse, Kendrick and Meacham.

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,

Came up on its second reading, and on motion the following substitute to said bill as recommended by the Committee on the St. Johns Railroad was adopted: a bill to be 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.

Was read and the substitute placed among the orders of the day.

The following message was received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Florida, June 18, 1869. }

Hon. WM. H. GLEASON,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has adopted Senate concurrent 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 administration in demanding the rights of the United States and its citizens on the high seas in the time of the late rebellion. It is well known and cannot be contradicted, that the remarks of Mr. Sumner in his place in the U. S. Senate, on the — day, 1869, on the Alabama claims, are in the main correct, and should not

be forgotten unless they are properly adjudicated in accordance with the law of all nations of honor ;

With an amendment, and respectfully request the concurrence of the Senate thereto.

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

Which was read.

On motion of Mr. Purman, the Senate went into executive session.

The following executive nomination was confirmed :

John B. Stickney, State Attorney 6th Judicial Circuit, vice C. R. Mobley resigned.

On motion of Mr. Smith, the doors were opened and the Senate adjourned until to-morrow, ten o'clock, A. M.

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SATURDAY, June 19th, 1869.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the chair.

A quorum present.

Prayer by the chaplain.

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

ORDERS OF THE DAY.

Assembly joint resolution asking information in relation to expenditures for the Capitol,

Came up on its first reading.

Mr. Wentworth offered the following amendment to the resolution :

"And also to furnish to the Legislature an estimate of the amount of funds that will be required to complete the repairs of the Capitol, they are hereby authorized to employ a competent mechanic to aid them in making this estimate."

Which was agreed to and the resolution as amended adopted.

Ordered that the same be certified to the Assembly.

Mr. Henderson offered the following resolution :

"Be it resolved by the Senate, the Assembly of the State of Florida concurring, That the General Assembly of the State of Florida do adjourn at 4 o'clock, P. M., Wednesday, 23d June, inst. ;

The rule was waived and the resolution read the first time by its title, rule waived, read the second and third times and put upon its passage.

The vote was :

Yeas—Messrs. Atkins, Crawford, Ginn, Henderson, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Purman, Smith, Smithson, Vaughan, Weeks and Wentworth—17.

Nays—Messrs. Bradwell, Cruse, Pearce, Underwood and Walls—5.

So the resolution was adopted.

Ordered that the same be certified to the Assembly.

Mr. Krimminger, from a select committee, to whom was referred, on yesterday, Senate bill No. 8, made the following report :

The committee to whom Senate bill No. 8 was referred, beg leave to report with the following amendment, to-wit : In section 19 to read as follows : "Shall commence the building of their Road on or before the first day of January, 1870, and complete the same within two years from date of commencement," and most respectfully recommend that the bill do pass.

J. N. KRIMMINGER, Chm'n.
G. B. SMITHSON,
C. V. HILLYER,
J. A. ATKINS,
W. T. WEEKS.

Which was read and the amendment to the bill, proposed by said committee, agreed to.

Mr. Pearce moved as an amendment to said bill, in sec. 2d, "that the name of Josiah T. Walls be inserted as an incorporator to said bill ;"

Which was agreed to.

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

The vote was :

Yeas—Messrs. Atkins, Bradwell, Crawford, Cruse, Ginn, Henderson, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Smithson, Underwood, Vaughan, Walls, Weeks and Wentworth—22.

Nays—None.

So the bill passed, as amended—title as stated.

Ordered that the same be certified to the Assembly.

The following communication was received :

The members of the Senate and Assembly of the State of Florida are invited to attend an exhibition of the Original Mam-