

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 9, 1870. }

HON. GEO. E. WENTWORTH, 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. 48, to be entitled An act providing for the removal of Executors and Administrators, for the settlement of their Accounts, and the appointment of their Successors.

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

Which were read.

The accompanying Senate Bill No. 27, ordered to be enrolled; and Assembly Bills Nos. 48, 50, and 71 placed among the orders of the day for to-morrow.

On motion of Mr. McCaskill, the Senate adjourned till to-morrow morning, 10 o'clock, A. M.

THURSDAY, February 10, 1870.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

Prayer by the Chaplain.

The roll was called, and the following Senators were present: Messrs. Atkins, Bradwell, Crane, Crawford, Cruse, Ginn, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Smithson, Underwood, Vaughan, Walls, and Weeks—21.

A quorum present.

On motion of Mr. Smithson, the reading of the journal of yesterday was dispensed with, and the journal approved.

The rule was waived, and Mr. Crawford offered the following: Senate Bill No. 93:

An act for the relief of A. F. Avery;

Which was read first time, rule waived, read third time, and put on its passage.

The vote was:

Yeas—Messrs. Atkins, Bradwell, Crane, Crawford, Cruse, Ginn, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, Pearce, Purman, Smith, Smithson, Underwood, Vaughan, Walls, and Weeks—20.

Nays—Mr. McCaskill—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.  
The rule was waived, and Mr. Underwood offered the following:

Senate Bill No. 94:

An act to provide additional duties of the grand jurors of this State;

Which was read first time by its title, and on motion, referred to the Committee on Judiciary.

Assembly Bill No. 37:

An act in relation to Sheriffs, Tax Collectors and Assessors, and their securities,

Was read first time by its title, and on motion, referred to the Committee on Finance and Taxation.

Assembly Bill No. 48:

An act providing for the removal of Executors and Administrators, for the settlement of their Accounts, and the appointment of their Successors,

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

Assembly Bill No. 71:

An act to repeal an act entitled an act to enforce the Laws against the violations of the Sabbath Day in Monroe County, approved December 29, 1854,

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

Assembly Bill No. 50:

An act providing for the appointment of a Curator to take possession of the Estates of Decedents in Certain Cases, and repealing the existing Statutes upon the Subject,

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

The following communication was received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 10, 1870. }

HON. GEO. E. WENTWORTH, President of the Senate:

SIR: I am directed by the Assembly to request the Senate to return to the Assembly for further consideration, Senate Bill No. 27, to be entitled an act to incorporate the Pensacola Wharf Company.

Very respectfully,

WM. FORSYTH BYNUM,  
Clerk of the Assembly.

Which was read.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 9, 1870. }

Your committee, to whom was referred Assembly Bill No. 23, beg leave to report that they have had the same under consideration, and recommend its passage.

Very respectfully,  
CHARLES V. HILLYER, Chairman.  
W. T. WEEKS,  
J. T. WALLS,  
JOHN A. VAUGHAN,  
JOHN L. CRAWFORD.

Which was read, and the accompanying Assembly Bill No. 23 placed among the orders of the day.  
The Committee on Finance and Taxation made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 9, 1870. }

Your committee, to whom was referred Assembly Bill No. 46, respectfully report that they have examined the same, and recommend that it be indefinitely postponed.

C. V. HILLYER, Chairman,  
J. T. WALLS,  
JOHN A. VAUGHAN,  
JNO. L. CRAWFORD.

Which was read, and on motion of Mr. Walls, the accompanying Senate Bill No. 46, An act to Exempt Maimed Persons from Professional or Occupational Tax, was read first time, the rule waived by a two-third vote, the bill read third time, and put on its passage.

The vote was :

Yeas—Messrs. Atkins, Ginn, Crane, Cruse, Katzenberg, Kriminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smithson, Underwood, Vaughan, and Weeks—15.

Nays—Messrs. Bradwell, Crawford, Henderson, Hillyer, and Walls—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Finance and Taxation made the following report :

SENATE CHAMBER, February 9, 1870.

Your committee, to whom was referred Assembly Bill No. 63, entitled An act to amend Sec. 79 of An act for the Assess-

ment and Collection of Revenue, approved June 24, 1869, having examined the same, recommend its passage.

Respectfully submitted.

C. V. HILLYER, Chairman,  
W. T. WEEKS,  
JOSIAH T. WALLS,  
JOHN A. VAUGHAN,  
JNO. L. CRAWFORD.

Which was read, and on motion of Mr. Walls, the accompanying Assembly Bill No. 63, An act to amend Sec. 79 of An act for the Assessment and Collection of Revenue, approved June 24, 1869, was read second time.

Mr. Henderson moved to indefinitely postpone the bill.

Mr. Walls moved to lay the motion on the table ;

Which was agreed to.

The bill was placed among the orders of the day.

The Committee on Finance and Taxation made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 9, 1870. }

Your committee, to whom was referred Assembly Bill No. 39, An act in relation to Tax Assessors of Incorporated Towns and Cities, respectfully report that they have examined the same, and recommend its passage.

C. V. HILLYER, Chairman,  
W. T. WEEKS,  
JOSIAH T. WALLS,  
JOHN A. VAUGHAN,  
JNO. L. CRAWFORD.

Which was read, and the accompanying Assembly Bill No. 39 placed among the orders of the day.

The Committee on Finance and Taxation made the following report :

TALLAHASSEE, Fla., February 10, 1870.

Your committee, to whom was referred Senate Bill No. 92, entitled An act Regulating the sale of State Bonds, respectfully report, that they have had the same under careful consideration, and respectfully offer the accompanying substitute, the passage of which they recommend.

C. V. HILLYER, Chairman,  
W. T. WEEKS,  
J. T. WALLS,  
JOHN A. VAUGHAN,  
JNO. L. CRAWFORD.

Which was read, and the substitute to Senate Bill No. 92, as recommended by the committee, adopted.

Mr. Henderson moved to strike out that part of the journal of this body which reads as follows :

"On motion of Mr. Henderson, the Sergeant-at-Arms was ordered to go in search of the chairman of Committee on Finance and Taxation, and bring the bill back and place it in the possession of the Secretary of the Senate.

"Some time having elapsed, on motion of Mr. Henderson, the Assistant Sergeant-at-Arms was dispatched to bring the bill back to the Senate, and, if necessary, the body of the chairman of the Committee on Finance, or any other person having the bill in his possession."

Which was agreed to.

On motion of Mr. Walls, the substitute to Senate Bill No. 92, an act entitled An act to Fund the outstanding indebtedness of the State, approved February 1, 1869,

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

The vote was :

Yeas—Messrs. Atkins, Bradwell, Crane, Crawford, Ginn, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Underwood, Vaughan, and Weeks—18.

Nays—Messrs. Smithson and Walls—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Enrolled Bills made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 10, 1870. }

TO THE SENATE :

Your committee ask leave to report that they have examined the following bills submitted to them, and find them correctly enrolled, viz :

Senate Bill No. 86 :

A Bill to be entitled An act to Incorporate the Jacksonville Hotel Company.

Joint Resolution No. 9 :

For the Relief of Fredericz Glass.

Respectfully submitted.

S. KATZENBERG,  
Chairman Committee on Enrolled Bills,  
C. V. HILLYER,  
J. A. ATKINS,  
J. N. KRIMMINGER,  
G. B. SMITHSON.

Which was read.

The rule was waived, and Mr. Smith offered the following :

Senate Bill No. 95 :

An act to enable Counties to make Internal Improvements, and for other purposes ;

Which was read first time by its title, the rule was waived by a two-thirds vote, and the bill read second time.

On motion of Mr. Smith the bill was referred to a special committee, consisting of Messrs. Smith, McCaskill, Hillyer, Smithson and Pearce.

The Committee on Railroads made the following report :

TO THE SENATE :

The Committee on Railroads, to whom was referred Senate Bill No. 75, entitled An act to Incorporate the Jacksonville and St. Augustine Railroad Company, and to Perfect one of the Public Works of the State, have had the same under careful consideration. Your committee find that the security provided for the State in return for its aid in this valuable enterprise is ample against loss or detriment to the public credit, and we therefore return the bill to the Senate, and recommend its passage.

N. H. MORAGNE, Chairman,  
ROBT. M. SMITH,  
W. J. PURMAN,  
ROBERT MEACHAM,  
GEO. E. WENTWORTH.

Which was read, and on motion of Mr. Smith the accompanying Senate Bill No. 75, An act to Incorporate the Jacksonville and St. Augustine Railroad Company, and to Perfect one of the Public Works of the State,

Was read second time.

On motion of Mr. McCaskill, the bill was ordered to be printed.

Senate Bill No. 93 :

An act to Incorporate the Southern Stock and Banking Company,  
Was read first time, and on motion referred to the Committee on Railroads.

The Committee on Engrossed Bills made the following report :

Your committee, to whom has been referred Senate Bill No. 73, An act to amend an act entitled An act fixing the terms of holding the Circuit Courts of this State, beg leave to report that

they have carefully examined the same, and find it correctly engrossed.

All of which is respectfully submitted:

G. B. SMITHSON, Chairman,  
J. M. UNDERWOOD,  
WM. BEADWELL,  
HENRY A. CRANE.

Which was received, and read, and the accompanying Senate Bill No. 73 placed among the orders of the day.

The rule was waived, and Mr. Henderson offered the following:

Senate Bill No. 96:

An act to provide a Remedy upon Contracts for Married Women;

Which was read first time by its title, and on motion, referred to the Committee on Judiciary.

#### ORDERS OF THE DAY.

Assembly Bill No. 41:

An act to authorize William Burt to establish a Ferry across the Suwannee River,

Was read second time, and on motion of Mr. Henderson, the bill was indefinitely postponed.

Ordered that this be certified to the Assembly.

Senate Bill No. 33:

An act granting Equal Privileges on Public Conveyances, Came up on its second reading.

Mr. McCaskill moved to indefinitely postpone the bill.

Mr. Meacham moved to lay the motion on the table;

On which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bradwell, Crane, Cruse, Hillyer, Katzenberg, Meacham, Pearce, Purman, Smith, and Walls—10.

Nays—Messrs. Crawford, Ginn, Kendrick, Moragne, McCaskill, Smithson, and Weeks—7.

The motion of Mr. McCaskill was laid on the table.

Mr. McCaskill offered the following at the end of the first section:

*Provided*, That all persons paying the same fare shall be entitled to equal separate accommodations.

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

Mr. Henderson moved the call of the Senate.

Mr. Crane moved to lay the motion on the table;

On which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bradwell, Crane, Cruse, Hillyer, Meacham, McCaskill, Pearce, Purman, Smith, and Walls—10.

Nays—Messrs. Crawford; Ginn, Henderson, Moragne, Smithson, and Vaughan—6.

The motion for the call of the Senate was laid on the table.

Mr. McCaskill moved a reconsideration of the vote just had; On which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Crawford, Ginn, Henderson, Moragne, McCaskill, Smithson, Vaughan, and Weeks—8.

Nays—Messrs. Bradwell, Crane, Cruse, Hillyer, Meacham, Pearce, Purman, Smith, and Walls—9.

The Senate refused to reconsider the vote on the motion to lay on the table.

On the motion of Mr. Walls to lay the amendment offered by Mr. McCaskill on the table,

The vote was:

Yeas—Messrs. Bradwell, Crane, Cruse, Hillyer, Meacham, Pearce, Purman, Smith, and Walls—9.

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

So the amendment offered by Mr. McCaskill was laid on the table.

The bill was placed among the orders of the day for to-morrow.

Senate Bill No. 56:

An act for the Relief of A. B. Hawkins,

Was read third time, and put upon its passage.

The vote was:

Yeas—Messrs. Atkins, Crawford, Cruse, Ginn, Henderson, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Smithson, Vaughan, and Weeks—14.

Nays—Mr. Hillyer—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

On motion of Mr. Meacham, the Senate adjourned till 4 o'clock, P. M. to-day.

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

The Senate resumed its session.

The President *pro tem.* in the chair.

A quorum present.

The Committee on the Judiciary made the following report:

The Judiciary Committee, to whom was referred Assembly Bill No. 47, An act in reference to the Real and Personal Estate of Decedents, regulating the sales thereof in Certain Cases, and prescribing the Practice in such cases, after having carefully considered the same, ask leave to report, that the bill is one of great importance and of advantage in securing good faith and honesty in the settlement of the Estates of Decedents, and recommend that it do pass.

JOHN A. HENDERSON, Chairman.

February 10, 1870.

Which was read, and the accompanying Senate Bill No. 47 placed among the orders of the day.

The Committee on City and County Organizations made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 10, 1870. }

The Committee on City and County Organizations, to whom was referred Senate Bill No. 77, a bill to be entitled An act to Incorporate the Town of Starke, in the county of Bradford, respectfully report that they have had the same under consideration, and recommend that it pass.

A. L. McCASKILL, Chairman,  
WM. BRADWELL,  
JOHN A. HENDERSON.

Which was received and read, and the accompanying Senate Bill No. 77 placed among the orders of the day.

The Committee on Corporations made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 7, 1870. }

TO THE SENATE :

The Committee on Corporations, to whom was referred Assembly Bill No. 58, to be entitled An act providing for the Appointment of Inspector of Steam Boilers in the several counties of this State, lying East and South of the Suwannee River, ask leave to report that they have had the said bill under consideration, and recommend that it do pass.

JOHN A. VAUGHAN, Chairman,  
JOHN E. CRAWFORD.

Which was read, and the accompanying Senate Bill No. 58, An act providing for the Appointment of Inspector of Steam Boilers in the several counties of this State, lying East and South of the Suwannee River,

Was read second time, and on motion referred to a special committee, consisting of Messrs. Meacham, Hillyer, and Atkins.

The rule was waived, and Mr. Hillyer offered the following Senate Bill No. 96 :

An act to authorize the Comptroller to pay a Commission on sale of the State Bonds;

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

The vote was :

Yeas—Messrs. Atkins, Bradwell, Crane, Crawford, Ginn, Henderson, Hillyer, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Smithson, Underwood, Vaughan, and Walls—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly Bill No. 47 :

An act in reference to the Real and Personal Estate of Decedents, Regulating the Sale thereof in certain Cases, and prescribing Practice in such Cases,

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

The vote was :

Yeas—Messrs. Atkins, Bradwell, Crane, Crawford, Ginn, Henderson, Hillyer, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Smith, Underwood, Vaughan, and Weeks—17.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 47 :

An act entitled An act to Incorporate the Upper St. Johns, Mellonville, and Tampa Railroad Company,

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

The vote was :

Yeas—Messrs. Atkins, Bradwell, Brane, Crawford, Ginn, Henderson, Hillyer, Katzenberg, Kendrick, Krimminger, Meacham, Moragne, McCaskill, Pearce, Purman, Smith, Smithson, Underwood, Vaughan, Walls, and Weeks—21.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 11 :

An act to provide for the Execution of the Public Printing,

Was read third time.

Mr. Walls moved that the bill be indefinitely postponed.

Mr. Crane moved that the motion be laid on the table.

The Senate refused to lay the motion on the table.

Upon the question, Shall the bill pass?

The vote was:

Yeas—Messrs. Atkins, Crawford, Ginn, Henderson, Katzenburg, Kendrick, Krimminger, Moragne, McCaskill, Smith, Smithson, Vaughan, and Weeks—13.

Nays—Messrs. Bradwell, Crane, Cruse, Hillyer, Meacham, Pearce, Purman, Underwood, and Walls—9.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 75:

An Act to Incorporate the Jacksonville and St. Augustine Railroad Company, and to perfect one of the Public Works of the State,

Was read second time.

Mr. Smithson offered the following amendment:

After the word "bonds" in line 4 of printed bill Sec. 11, insert the following: *Provided*, that said bonds shall be endorsed by the Comptroller only as the construction of said road progresses, to wit: That in the presentation to the Comptroller of a like certificate as is provided for in Sec. 10, the Comptroller shall endorse the bonds of the company to an amount equal to one tenth of the whole amount authorized by this act, to be guaranteed and endorsed.

Which was adopted.

Mr. Purman moved to amend Section 11 of said bill by striking out in line 4 of Section 11, printed bill, the word "three," and insert the word "two;"

Which was agreed to.

By a two-thirds vote, the rule was waived, and the bill as amended read third time, and put on its passage.

The vote was:

Yeas—Messrs. Atkins, Bradwell, Crane, Crawford, Cruse, Ginn, Henderson, Hillyer, Katzenberg, Krimminger, Meacham, Moragne, Pearce, Purman, Smithson, Underwood, Walls, and Weeks—18.

Nays—Mr. McCaskill—1.

So the bill passed as amended, title as stated.

Ordered that the same be certified to the Assembly.

The rule was waived, and Mr. Meacham offered the following: Senate Bill No. 97:

An act regulating the sale of Bonds;

Which was read first time by its title, and on motion, referred to the Committee on Finance and Taxation.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 10, 1870.

TO THE SENATE:

Your committee ask leave to report that they have examined the following bills submitted to them, and find them correctly enrolled, viz:

Senate Bill No. 12:

An act entitled An act to Incorporate the Florida Land, Building and Planting Association.

Senate Bill No. 52:

A Bill to be entitled An act to Incorporate the Santa Rosa Railroad, Banking and Insurance Company.

Respectfully submitted.

S. KATZENBERG,  
Chairman Committee on Enrolled Bills,  
C. V. HILLYER,  
J. A. ATKINS,  
G. B. SMITHSON,  
J. N. KRIMMINGER.

Which was read.

Mr. Bradwell moved that Mr. Smithson be excused from attendance on the Senate from Saturday night;

Which was agreed to.

On motion of Mr. Purman the use of the Senate Chamber was granted to the "Knights of Leon," for to-morrow night.

On motion of Mr. Underwood the Senate went into Executive Session, at 5.20 P. M.

The Senate advised and consented to the following nominations of his Excellency the Governor:

Robert C. Parten to be Tax Assessor of Orange county.

John Rouche to be County Court Clerk of Washington county.

S. S. Salls, and Thomas Barnes, to be Commissioners of Pilotage for the Port of Cedar Keys, Florida.

On motion of Mr. Smith, the doors were opened, and the Senate adjourned till to-morrow, 4 o'clock, P. M.

FRIDAY, February 11, 1870.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

The roll was called, and the following Senators were present: Messrs. Bradwell, Crawford, Ginn, Henderson, Katzenberg,