

On motion of Mr. Henderson, the accompanying bill was indefinitely postponed.

Senate Bill No. 16, to be entitled An act Regulating the Practice in Writs of Prohibition;

Was taken up on its second reading, read by sections, and ordered engrossed for its third reading to-morrow.

Senate Bill No. 17, to be entitled An act in Reference to Proceedings upon *Quo Warranto* Information in the Nature of *Quo Warranto* or Civil Actions Instituted to Obtain the Remedy Obtained by such actions;

Was taken up on its second reading, read by sections, and ordered engrossed for its third reading to-morrow.

Mr. Wentworth moved that Ex-Governor David S. Walker be invited to a seat within the bar at any and all times;

Which was agreed to.

The President announced the following special committees:

Special committee to whom was referred the communication of Ex-Governor D. S. Walker, Messrs. Jenkins, McCaskill and Meacham.

Senate part of special joint committee to visit the State Prison, Messrs. Wentworth and Moragne.

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

The following executive appointments were confirmed.

Pleasant A. Holt to be county judge of Columbia county.

Warren S. Bush to be sheriff of Columbia county.

Mr. Meacham moved that Senate adjourn to Monday morning at 10 o'clock.

The yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Crawford, Dennis, Egan, Ginn, Jenkins, Kendrick, Meacham, Pearce, Purman and Sutton—10.

Those voting in the negative were—

Messrs. Adams, Atkins, Henderson, Locke, McKinnon, Moragne, McCaskill and Wentworth—8.

So the Senate adjourned till 10 o'clock Monday morning.

MONDAY January 15.

The Senate met, pursuant to adjournment.

Mr. Locke in the chair.

Prayer by the chaplain.

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

Messrs. Atkins, Ginn, Hill, Hillyer, Johnson, Kendrick, McKinnon, Moragne, and McCaskill—9.

No quorum present.

Mr. McCaskill moved that the Sergeant-at-arms be sent for absentees.

Which was agreed to, and the Sergeant-at-arms so sent.

Mr. Hillyer moved the Senate take a recess till four o'clock p. m.

The yeas and nays were called for, with the following result: Those voting in the affirmative were—

Messrs. Hill, Hillyer, Johnson, and Sutton—4.

Those voting in the negative were—

Messrs. Atkins, Ginn, Henderson, Moragne, and McCaskill.—5.

So the motion to adjourn was not agreed to.

Mr. McCaskill moved a call of the Senate;

Which was agreed to.

Mr. Hillyer moved that the call be suspended;

Which was agreed to.

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

Messrs. Crawford, Ginn, Henderson, Hill, Hillyer, Johnson, Kendrick, Moragne, McCaskill, Pearce, and Sutton—11.

No quorum present.

The roll was again called, and the following Senators answered to their names:

Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Hillyer, Johnson, Kendrick, Locke, Moragne, McCaskill, Pearce and Sutton—13.

The Chair ruled that the whole number of qualified Senators being 24, and 13 being a majority of 24, a quorum was present.

Mr. Henderson moved an appeal from the ruling of the Chair, on the ground that the number of Senators *qualified* is not to be taken into consideration in deciding what is a quorum.

Mr. Henderson withdrew his appeal, as the question was regarded a political one, and he was under pledge not to consider such questions at the present time.

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

Senate Bill No. 8, to be entitled An act to Authorize Julius C. Rockner to Build a Toll Bridge across Pease Creek, was taken up on its second reading, read by sections, and passed to its third reading to-morrow.

Two messages were received from the Governor.

On motion, the Senate went into Executive session.

On motion, the vote of Friday, by which the appointment of Mr. J. D. Tannehill to be tax collector of St. John's county, was not confirmed, was reconsidered, and his nomination laid over under the rules.

On motion, the doors were opened.

On motion, the Senate took a recess till 4 o'clock p. m.

FOUR O'CLOCK P. M.

The Senate resumed its session.

Mr. Locke in the chair.

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

Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Jenkins, Johnson, Kendrick, McKinnon, Moragne, McCaskill, Pearce, Sutton and Wentworth—14.

Mr. Wentworth, chairman of Committee on Engrossed Bills, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., Jan. 15, 1872.

To the President of the Senate:

SIR: Your committee, to whom has been referred the following bills, viz.: Senate Bill No. 16, entitled An act Regulating the Practice in Writs of Prohibition, and Senate Bill No. 17, to be entitled An act in Reference to Proceedings Upon *Quo Warranto* Information in the Nature of a *Quo Warranto* on Civil Actions Instituted to Obtain the Remedies Obtainable by such Actions, beg leave to report that they have carefully examined the same, and find them correctly engrossed.

GEO. E. WENTWORTH,
Chairman on Engrossed Bills.

Which was read, and the accompanying bills placed among the orders of the day for their third reading.

Mr. Henderson moved that the Committee on Finance and Taxation be instructed to inquire and report what, if any, legislation is required to provide payment for clerks of the Circuit Court in the several counties for making out assessment books for the collection of State and county taxes in the several counties;

Which was agreed to, and the committee so instructed.

Senate Bill No. 16, to be entitled An act Regulating the Practice in Writs of Prohibition;

Was taken up on its third reading, read at large, and put upon its passage.

On the question, Shall the bill pass? the vote was as follows:

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Jenkins, Johnson, Kendrick, McKinnon, Moragne, McCaskill, Pearce, Purman, Sutton and Wentworth—15.

So the bill passed, title as stated, and the Secretary was directed to certify the same to the Assembly.

Senate Bill No. 17, to be entitled An act in reference to Proceedings upon *Quo Warranto* Information in the Nature of a *Quo Warranto* or Civil Action Instituted to Obtain the Remedies Obtainable by such Actions, was taken up on its third reading, read at large and put upon its passage.

Upon the question, Shall the bill pass? the vote was as follows:

Those voting in the affirmative were—
Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Kendrick, McKimmon, Moragne, McCaskill, Pearce, Purman, Sutton, and Wentworth—16.

So the bill passed, title as stated, and the Secretary was instructed to certify the same to the Assembly.

Mr. Hillyer, by permission, introduced Senate Bill No. 31, to be entitled An act for the Relief of J. H. Goss;

Which was read first time by title, under suspension of rule, and referred to Committee on Claims.

Mr. Wentworth, by permission, introduced Senate Bill No. 32, to be entitled An act in Relation to the Limitations of Actions;

Which was read first time by title, under suspension of rule, and referred to Committee on Judiciary.

Mr. Purman, Chairman of Committee on Judiciary, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., Jan. 15, 1872.

To the President of the Senate:

SIR: Your committee, to whom has been referred the following Bills, viz:

Senate Bill No. 20, entitled An act to enable Counties to Raise a Revenue and to Issue Bonds for Internal Improvements, recommend that the same be indefinitely postponed; another bill covering the same subject-matter having been considered, and favorably reported.

Very respectfully,
W. J. PURMAN,
Chairman on Judiciary.

Which was read, and the accompanying bill, on motion, laid on the table.

Also:

SENATE CHAMBER,
Tallahassee, Fla., January 15, 1872.

Hon. SAMUEL T. DAY, President of the Senate:

SIR: Your committee, to whom was referred Senate Bill No. 29, entitled An act to Reimburse the Judge of the First Judicial Circuit for Actual Travelling Expenses, having examined

the same, beg leave to report, that although we fully appreciate the services of the Judge of the First Judicial Circuit, and the grievances sought to be redressed, resulting from the State's financial embarrassments, yet so many others are feeling fully as severely the trouble complained of, whom nothing but improvement in the State's financial condition can benefit, that we hesitate to recommend such claims for extra compensation to salaried officers, believing that final injury to the claimant himself, through the continued depreciation of State scrip, would be the result rather than any benefit; we therefore recommend that it do not pass.

Very respectfully,

W. J. PURMAN,
Chairman Judiciary Committee.

Which was read.

Mr. Henderson moved to indefinitely postpone the bill;

Which was agreed to.

So the bill was indefinitely postponed.

Also:

The Judiciary Committee, having had under consideration Senate Bill No. 13, an act to add two sections to an act entitled An act in Relation to the Records of the Office of the Comptroller of Public Accounts and State Treasurer, approved December 10, 1866, and making it a felony to violate the provisions thereof, beg leave to report:

That the purposes of the proposed bill are: First. To require that coupons for interest on bonds, when paid, shall be charged as other warrants and certificates, and recorded in like manner; the fund for the payment of coupons is specific; no legal credits can be made by the Treasurer for payments out of the fund provided for the redemption of coupons other than in their payment. Such payments are necessarily matters of record, since each outstanding coupon will have its corresponding amount in the Treasury when the taxes are all collected and paid in; the absence thereof would be defalcation; and second, that the Treasurer shall publish monthly statements; and third, that should the Comptroller or Treasurer violate the act or its true spirit and intent, he, so offending, shall be guilty of a felony. Not conceiving how the Comptroller could be guilty of a felony in the failure of the Treasurer to properly keep his books, or that the Treasurer should be rendered any more amenable for malfeasance in office than provided for by present laws, the committee recommend that the bill do not pass.

W. J. PURMAN,
Chairman Judiciary Committee.

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

Also :

SENATE CHAMBER,
Tallahassee, Fla., Jan. 15, 1872.

To the President of the Senate :

SIR: Your committee, to whom has been referred Senate Bill No. 30, entitled An act to Render Unlawful the Demanding or Receiving Pay for the Carriage, Wharfage and Storage of Merchandize done on Sunday, beg leave to report: First. That by the provisions of said bill, certain acts are declared to be unlawful without declaring any penalty or affixing any punishment thereto, by which said bill would be utterly inoperative and null if passed. Second, That said bill, if amended so as to be made operative, would, in many cases, prevent the care of property necessary for its preservation by not permitting a claim for services rendered in such case. Third, That a more ample provision for the preservation of the Sabbath day is already made by the Act of February 10, 1832, Secs. 69-70-Bush's Digest, p. 250 ; therefore we recommend it do not pass.

Very respectfully,

W. J. PURMAN, Chairman.
JAS. W. LOCKE,
A. L. McCASKILL,
Committee on Judiciary.

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

Also :

SENATE CHAMBER,
Tallahassee, Fla., January 15, 1872.

To the President of the Senate :

SIR: Your committee, to whom has been referred the following bill, viz: Senate Bill No. 3, a bill entitled an act to amend An act to Simplify and Abridge the Practice and Pleadings and Proceedings of the Courts of this State, approved February 19, 1870, having considered the same, beg leave to report in favor of its passage.

W. J. PURMAN,
Chairman Judiciary Committee.

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

Also :

To the Senate :

The Judiciary Committee beg leave to report that Senate Bill No. 24, an act entitled An act in Relation to Drugs and Medicines, Druggists or Apothecaries in Incorporated Cities or towns in this State ; provides for the qualification of druggists

and apothecaries and compounders of drugs in incorporated cities, that they are of the opinion that the precaution that none but men whose capacity is vouched for by three practicing physicians should be allowed to compound drugs and fill prescriptions; but thinking that the distinction made between physicians, who are graduates and those who are not, impracticable, recommend that the words "graduates of some regular college," at foot of first page be stricken out. In the proviso we find, also, that in the absence of a sufficient number (3) resident physicians, any applicant for examination would be compelled to go to the adjacent incorporated city or town for a sufficient board. They therefore recommend to strike out the words "in every adjacent town or incorporated city," and insert "adjacent," and that the bill do pass.

Very respectfully,

W. J. PURMAN,
Chairman Judiciary Committee.

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

Mr. Purman, Chairman of Judiciary Committee, made a verbal report upon the proposed constitutional amendments in Senate Joint Resolution No. 3, recommending that they be discussed in committee of the whole;

Which report was adopted.

On motion, the Senate went into Executive session.

The following Executive appointment was confirmed:

✓ J. D. Tannehill, to be Collector of Taxes for St. Johns county.

On motion, the doors were opened.

Mr. Hillyer offered the following:

Resolved, That the Secretary be instructed to have the roll of standing committees printed in the journals of to-day;

Which was adopted.

On motion of Mr. Wentworth, Senate Joint Resolution No. 3, on constitutional amendments, was made the special order for to-morrow at half-past four o'clock.

Mr. Purman moved that the Senate adjourn till 10 o'clock to-morrow.

The yeas and nays were called for, with the following result:
Those voting in the affirmative were—

Messrs. Hillyer, Johnson, Kendrick, Pearce, and Wentworth—5.

Those voting in the negative were—

Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Jenkins, McKinnon, Moragne, McCaskill, Purman, and Sutton—11.

So the Senate did not adjourn.

Mr. Henderson moved a call of the Senate;

Which was agreed to.

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

Messrs. Atkins, Billings, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Kendrick, Locke, Moragne, McCaskill, Pearce, Sutton, and Wentworth—15.

Mr. Moragne moved to suspend the call.

Mr. Wentworth moved to lay that motion on the table.

The yeas and nays were called for, with the following result:

Those voting in the affirmative were—

Messrs. Crawford, Ginn, Hill, Hillyer, Jenkins, Johnson, McKinnon, McCaskill, Pearce, Sutton, and Wentworth—11.

Those voting in the negative were—

Messrs. Atkins, Henderson, Kendrick, and Moragne—4.

So the motion was laid on the table.

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

TUESDAY, January 16.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the chaplain.

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

Messrs. Atkins, Crawford, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Kendrick, Locke, McKinnon, Moragne, McCaskill, Purman, and Sutton—15.

A quorum present.

On motion, the reading of the journal was dispensed with, the journal corrected, and approved.

Mr. Henderson, by permission, introduced Senate bill No. 33, to be entitled An act to Provide for the Enforcement of Judgments Against Insolvent Corporations;

Which was read first time by title, under suspension of rule, and referred to Committee on Judiciary.

Mr. Henderson introduced Senate Concurrent Resolution, for Removing Disabilities of Chas. F. Hopkins;

Which was adopted, and the Secretary directed to certify the same to the Assembly.

Assembly Concurrent Resolution No. 5, that no new business be entertained in either House after January 25, was taken up from the table and read.

The yeas and nays were called on its adoption, with the following result:

Those voting in the affirmative were—