

with certified copies of the testimony of the inspectors at the aforesaid election, before the Circuit Court grand jury for Duval county, and a certified copy of the returns of the Board of County Canvassers for Duval county of said election, as reported to the State Board of Canvassers.

For the above considerations, and many others that might be submitted; throwing a new light around the difference in reference to the Senatorship for the 18th District, the undersigned respectfully asks the immediate and impartial consideration of your honorable body, and that he be returned to the seat as Senator for the 18th District, awarded him, in common with other Senators, under the certificate of the State Board of Canvassers.

Very respectfully, WM. H. CHRISTY.

January 10, 1872.

Which was read, and, with accompanying documents, referred to Committee on Privileges and Elections.

On motion of Mr. Meacham, the Senate went into Executive session.

The following Executive appointment was confirmed :

Thaddens A. McDonald, to be State Attorney for the 5th Judicial Circuit.

On motion, the vote of yesterday confirming Charles Beecher to be Superintendent of Public Instruction was reconsidered.

The doors were opened.

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

FRIDAY, January 19.

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. Adams, Atkins, Billings; Crawford, Henderson, Jenkins, Johnson, Kendrick, McKinnon, Meacham, Moragne, Pearce, Sutton, Weeks and Wentworth—15.

A quorum present.

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

Mr. Johnson introduced the following joint resolution :

Resolved by the Senate, (the Assembly concurring,) That the Legislature meet in joint session on next Thursday, at 12 o'clock, for the purpose of electing a State printer ;

Which was, on motion, adopted.

Mr. Adams, by permission, introduced Senate Bill No. 43, to

be entitled An act to Protect Commerce and to amend the Pilotage Laws of this State ;

Which was read first time by title, under suspension of rules.

Mr. Henderson moved that it be referred to a special committee of five ;

Which was agreed to.

Mr. Johnson, by permission, introduced Senate Bill No. 44, to be entitled an act to amend section 21 of An act to Provide for the Punishment of Crime and Proceedings in Criminal Cases, approved August 6, 1868 ;

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

Mr. Jenkins, by permission, introduced Senate Bill No. 45, to be entitled An act to Fund the Public Debt, and Provide Means to Secure the Public Credit ;

Which was read first time by title, under suspension of rules, and referred to Committee on Finance and Taxation.

Mr. Atkins, by permission, introduced Senate Bill No. 46, to be entitled An act to Secure the Right of Way to Railroads ;

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

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

SENATE CHAMBER,

Tallahassee, Fla., Jan. 19, 1872.

To the President of the Senate :

SIR: Your committee, to whom has been referred the following bills, viz : Senate Bill No. 35, an act to amend an act entitled An act to Incorporate the Pensacola & Louisville Railroad, approved July 16, 1868 ;

Senate Bill No. 14 :

To be entitled an act to repeal An act to Incorporate the Great Southern Railway Company, and to Perfect the Public Works of the State, approved February 19, 1870 ;

Senate Bill No. 28 :

To be entitled An act to Secure Homesteads to Actual Settlers upon the Swamp and Overflowed Lands of the State of Florida, beg leave to report that they have carefully examined the same, and find them correctly engrossed.

Very respectfully,

GEO. E. WENTWORTH,
Chairman Committee on Engrossed Bills.

E. G. JOHNSON,
N. H. MORAGNE,
R. W. ADAMS,
L. G. DENNIS.

Which were read and the accompanying bills placed among the orders of the day.

Senate Bill No. 27 :

To be entitled An act to Require County Treasurers to Keep Accurate Accounts of Public Moneys and to Exhibit their Books and Copies of thereof annually to the Boards of County Commissioners and to Grand Juries,

Was taken up on second reading, and on motion, referred to the Judiciary Committee.

Senate Bill No. 34 :

To be entitled an act to amend An act Relating to Jurors, approved August 1st, 1867,

Was taken up on its second reading and read by sections.

Mr. Henderson moved to amend, by striking out the words "other high crime" and inserting the words "any felony,"

Which was agreed to, and the bill ordered engrossed.

Senate Bill No. 35, to be entitled an act to amend An act to Incorporate the Pensacola and Louisville Railroad, approved July 16, 1868,

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

On the question, Shall the bill pass?

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

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Ginn, Hill, Jenkins, Johnson, Kendrick, Locke, Meacham, Morague, McCaskill, Purman, Sutton, Weeks, and Wentworth—
19.

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

Mr. Henderson moved that the Secretary of the Senate be instructed to proceed to the House, and request it to return to this Senate—

Senate Bill No. 43, An act in reference to the mode of distribution of Supreme Courts Reports, &c., which passed the Senate at last session, but was not passed in the House for use in the Senate.

Which was agreed to.

Senate Bill No. 15, to be entitled An act to Organize the County of Webster,

Was taken up on its second reading, read by sections, and ordered engrossed.

Mr. Eagan, Chairman of Committee on Finance and Taxation, made the following report :

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

SIR: Your committee, to whom was referred Senate Bill No. 23, entitled An act Relating to and Providing for the Funding of Bonds issued by the Counties of Leon, Jefferson, Madison, Columbia, and City of Jacksonville, beg leave to report that they have carefully examined the facts connected with the issuing of the bonds recited in the preamble of the said bill; the

present indebtedness of said counties, and the amount thereof, and find that at about the time of the construction of the G. & P. R. R., the said counties by vote agreed to take stock therein to certain amounts, and instead of paying for said stock in current funds, issued bonds therefor; which bonds were delivered in payment for said stock and passed into the hands of third parties. The State at length through the Board of Internal Improvement, took possession of and sold said road for non-compliance, as is alleged with the terms of agreement made therewith.

Whether said sale was illegal, as is alleged in the preamble of said bill, or not, your committee will not attempt to decide, as that matter has already been referred to a special committee, whose report will probably give all necessary information upon that question.

As near as can be ascertained by your committee, the total amounts of said bonds and interest outstanding is about six hundred and twenty-three thousand dollars.

The counties now indebted for this amount represent at present very nearly two-fifths of the taxable property of the State; leaving about three-fifths of said debt to be assumed by the remaining counties of the State.

At the rate of seven per cent. interest, the rate of interest asked on the bonds to be issued, the amount required to be levied to pay the interest upon the debt assumed would, without providing for any sinking fund, amount to about one and one-fourth mills per cent., or twelve and a half cents on each one hundred dollars of value annually.

The bonds issued were bonds in payment for stock, and placed the counties upon an equal footing with all other stockholders, giving them no legal or equitable lien upon the property of said railroad more than was had by them, and no such lien was interfered with by the sale thereof.

Some counties have already paid the interest on their bonds, and a large amount of the principal; others have never paid any amount, either for interest or principal.

The benefits accruing from the building of said road inured directly to the counties indebted, but indirectly somewhat to the State at large, by a large increase in the value of the taxable property of said counties, but the benefits resulting to the State have been very small compared with the amount asked to be assumed by said bill.

In view of these facts, and in consideration of the importance of the provisions of the bill, your committee would most respectfully report said bill for the general consideration of the Senate, and ask that it may carefully be considered, and such action taken thereon as may seem right and proper.

Very respectfully,

D. EAGAN, Chairman.

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

Assembly Bill No. 8:

To be entitled An act to Protect Small Estates from Wasteful Costs, and to Facilitate the Settlement of the same,

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

Upon the question, Shall the bill pass?

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Ginn, Henderson, Hill, Jenkins, Kendrick, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Purman, Sutton, Weeks and Wentworth—21.

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

Senate Bill No. 14, to be entitled an act to repeal An act to Incorporate the Great Southern Railway Company, and to Perfect the Public Works of the State,

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

Upon the question, Shall the bill pass?

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Eagan, Ginn, Henderson, Kendrick, McKinnon, Moragne, McCaskill, Sutton and Weeks—12.

Those voting in the negative were—

Messrs. Dennis, Jenkins, Johnson, Locke, Meacham, Pearce, Purman and Wentworth—8.

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

The following message was received from the Assembly:

ASSEMBLY HALL,

Tallahassee, Fla., January 19, 1872.

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

SIR: I am directed by the Assembly to inform your honorable body that the Assembly has passed—

Assembly Bill No. 53:

To be entitled An act to Incorporate the Fire Department of St. Augustine.

Also has adopted—

Assembly Concurrent Resolution, Relative to Appointing a Joint Committee on Appropriations.

Also:

Senate Concurrent Resolution, Asking an Appropriation of Congress to Clear out the Choctawhatchee River.

Also :

Senate Concurrent Resolution, memorializing our Senators and Representative in Congress for Increased Services on the Mail Route from Tampa to Cedar Keys, via Manatee, &c., with an Amendment, and ask the Concurrence of the Senate thereto.

Very respectfully,

M. H. CLAY,

Clerk of the Assembly.

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

On motion, Senate Concurrent Resolution for Increased Service on the Mail Route from Cedar Keys to Tampa, via Manatee,

Was taken up and read with the Assembly amendment. Insert before the word Manatee, 12th line, the words "Clear Water Harbor."

The amendment was adopted, and the bill as amended ordered engrossed.

Senate Bill No. 28 :

To be entitled An act to Secure Homesteads to Actual Settlers on the Swamp and Overflowed Lands of the State of Florida,

Was taken up on its third reading.

Mr. Jenkins moved that the bill be returned to its second reading ;

Which was agreed to without objection.

Mr. Jenkins offered the following additional section :

SEC. 8. When any person entitled to the benefit of this act has or may have settled upon any land subject to entry under this act and made improvement thereon, by erecting buildings and fencing in and cultivating not less than one acre, he or she shall have the first right to the homestead land so settled, and any other person desiring to homestead their land so settled shall first give the original settler thirty days' notice of his intention of doing so ; *Provided*, That no original settler shall be entitled to the benefit of this section, who has abandoned the land on which said improvements are made for six months or more ;

Which was adopted, and the bill ordered engrossed.

Assembly Concurrent Resolution for a joint Committee on Appropriations,

Was taken up and read.

Mr. Wentworth moved to amend by making the proposed committee to consist of five on the part of the Senate and six on the part of the Assembly ;

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

Mr. Eagan, by permission, introduced Senate Bill No. 47, to be entitled an act to amend An act for the Protection of Agricultural Laborers ;

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

Mr. Wentworth offered the following :

Whereas, It is currently reported that the first two (2) years' interest amounting to four hundred and forty-eight thousand (\$448,000) dollars of the bonds of the State of Florida, to amount of two million eight hundred thousand (\$2,800,000) dollars, issued to the Jacksonville, Pensacola and Mobile Railroad Company, in accordance with an act of the Legislature, approved January 28, 1870, has been paid by said railroad company out of their proceeds of the sale of said bonds, and that the interest coupons have been detached from said bonds, and never been returned to the State; Therefore be it

Resolved, That the State Treasurer be and he is hereby requested to immediately inform the Senate whether the accrued interest on said bonds has been paid, and, if so, when and by whom paid, and if the coupons to the amount paid have been returned to his office and been cancelled.

Which was agreed to, and on motion, adopted.

The proposed Constitutional Amendment received yesterday from the Governor,

Was taken up and read.

Mr. Jenkins moved to insert in line 6, after the word "insurrection," the words "or foreign invasion ;"

Which was agreed to, and the amendment ordered engrossed.

On motion, it was ordered that hereafter no notice be given to the Governor of confirmations in Executive session until twenty-four hours have elapsed, and that no confirmation appear upon the journal until that time has elapsed.

On motion, the Senate went into Executive session.

The following Executive appointments were confirmed :

Levi M. Chester, to be Collector of Revenue for Gadsden county.

William S. Proctor, to be Collector of Revenue for Calhoun county.

Charles Slager, to be Collector of Revenue for Hillsborough county.

J. D. Cole, to be Collector of Revenue for Jefferson county.

David S. Sessions, to be Collector of Revenue for Madison county.

W. G. Robinson, to be Collector of Revenue for Wakulla county.

J. C. Gambia, to be Clerk of Court for Madison county.

Samuel A. Wilcox, to be Clerk of Court for Taylor county.

Henry Bush, to be Clerk of Court for Washington county.

On motion, the vote of yesterday on the confirmation of William Birney to be State's Attorney of the Fourth Judicial Circuit,

Was reconsidered.

On motion, it was ordered that the journal of the 18th inst. be corrected so as to show the reconsideration of the previous day's vote on the confirmation of Charles Beecher to be Superintendent of Public Instruction.

The doors were opened.

Mr. Purman offered the following :

Rule No. 35 :

When nominations shall be made by the Governor to the Senate, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration; and a motion to reconsider a vote upon a nomination shall always, if the resolution announcing the decision of the Senate has been sent to the Governor, be accompanied by a motion requesting the Governor to return the same to the Senate ;

Moved its adoption.

Mr. Pearce moved to lay the motion to adopt on the table, Which was not agreed to.

The motion for the adoption of the rule was put, and agreed to.

So the rule was adopted.

Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, January 20.

The Senate met pursuant to adjournment.

Senator Locke in the chair.

Prayer by the chaplain.

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

Messrs. Adams, Atkins, Billings, Crawford, Eagan, Ginn, Hill, Jenkins, Kendrick, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Purman, Weeks and Wentworth—18.

A quorum present.

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

Mr. Meacham, by permission, introduced Senate Bill No. 48, to be entitled an act to amend An act Providing for Setting Apart a Homestead on Personal Property to be Exempted from Forced Sales under Process of Law, approved June 23, 1869;

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

Assembly Bill No. 34,

Was read first time by title, under suspension of rules, and referred to Committee of Corporations.