

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

Mr. Jenkins, by permission, introduced Senate Bill No. 58, to be entitled An act to Define the Duties of the Commissioner of Lands and Immigration;

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

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

TUESDAY, January 23, 1872.

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, Dennis, Ginn, Hill, Hillyer, Johnson, Kendrick, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Sutton, and Weeks—18.

A quorum present.

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

Assembly Bill No. 9, to be entitled An act to amend section 6, of An act to Organize the County Courts of the Several Counties of the State and to Prescribe the Mode of Practice of said Courts, approved Aug. 4, 1868, and Providing Jurors for said Courts,

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

Assembly Bill No. 17, to be entitled An act for the Adoption of Children,

Was taken up on its second reading, but on motion of Mr. McCaskill, was laid over till to-morrow.

The following messages were received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., January 23, 1872.

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

SIR: I am directed to return to your honorable body Assembly Concurrent Resolution No. 4, adopting report of Committee on Equalization, together with a copy of said report.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

ASSEMBLY CHAMBER,
Tallahassee, Fla., January 23, 1872.

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

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

Assembly bill No. 30:

To be entitled An act Prescribing Certain Duties of Clerks of the Circuit Courts and for other purposes,

Assembly Bill No. 35:

To be entitled An act to Authorize the Judges of the County Courts of the Several Counties of this State where such Judges are Administrators, Executors or Guardians, to make their Annual Settlements with the Clerks of the Circuit Courts of their respective Counties;

Assembly Bill No. 36:

To be entitled An act to Quiet Tax Titles;

Assembly Bill No. 31:

To be entitled An act Creating the Office of Public Administrator in each of the Counties of this State and Defining the Duties of said Office;

Also:

Senate Bill No. 31:

To be entitled An act for the Relief of J. H. Goss.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

ASSEMBLY HALL,
Tallahassee, Fla., January 22, 1872.

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

SIR: I am directed to inform your honorable body that the Assembly has passed substitute for Assembly Bill No. 1:

To be entitled An act Defining the Interest the Wife shall take in her Husband's Property.

Substitute for Assembly Bill, No. 6:

To be entitled An act of Limitations in Civil Suits.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

Assembly Bill No. 18:

To be entitled An act to Simplify the Mode and Manner of Acknowledging and Proving the Execution of Deeds of Conveyance, Releases, Mortgages, Powers of Attorney, Relinquishments, and other Instruments of Writing Relating to Real Estate, and to Provide for the Recording thereof,

Was taken up on its second reading.

Mr. McCaskill moved the bill be indefinitely postponed;

Which was agreed to.

Mr. Dennis, by permission, introduced Senate Bill No. 59' to be entitled An act to Prohibit the Issue or Endorsement of Bonds by the State to the Florida Railroad Company;

Which was read first time, and referred to Committee on Railroads and Telegraphs.

Assembly Bill No. 34:

To Incorporate the St. Benedict Benevolent Society of St. Augustine,

Was taken up on its second reading; read second time by sections, the rules, on motion, suspended, and the bill read third time, and put upon its passage.

Upon the question, Shall the bill pass?

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Billings, Crawford, Dennis Eagan, Ginn, Hill, Jenkins, Johnson, Kendrick, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Purman, Sutton and Weeks—20.

So the bill passed, title as stated.

A message was received from the Governor:

On motion, the vote on the bill was reconsidered, and the enacting clause amended so as to conform to the laws of the State.

The yeas and nays were called for, on the passage of the bill, with the following result:

Those voting in the affirmative were—

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

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

Senate Bill No. 39:

To be entitled an act to amend An act to Provide for the Protection of the Citizens of this State Against Defaulting Corporations;

Was taken up on its second reading, and, on motion, laid on the table.

Mr. Eagan called up Senate Bill No. 50, to Provide Against the Sale of Corn or Cotton after the Hour of Sunset, and Before the Hour of Sunrise;

Which was read second time by sections.

Mr. Meacham moved to strike out section first.

Mr. McCaskill moved to lay the motion to strike out on the table.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Dennis, Eagan, Ginn, Jenkins, Locke, McKinnon, Moragne, McCaskill, Sutton and Wentworth—12.

Those voting in the negative were—

Messrs. Meacham, Pearce, Purman and Weeks—4.

So the motion to strike out was laid on the table.

Mr. Meacham moved to indefinitely postpone the bill.

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

Those voting in the affirmative were—

Messrs. Ginn, Meacham, Pearce and Purman—4.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Jenkins, Johnson, Locke, McKinnon, Moargne, McCaskill and Sutton—12.

So the motion was not agreed to.

Mr. Pearce moved to postpone the bill till 4 o'clock to-morrow.

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

Which was agreed to.

On motion the bill was made the special order for 4 o'clock p. m. to-day.

A message was received from the Assembly.

ASSEMBLY HALL,

Tallahassee, Fla., January 23, 1872.

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

SIR: I am directed to inform your honorable body that the Assembly has concurred in Senate amendments to Assembly Joint Resolution for a joint Committee on Appropriations, and has appointed Messrs. Cessna, Gillis, Green, Armstrong and Rhodes, as said Committee on the part of the Assembly.

Very respectfully,

M. H. CLAY,

Clerk of the Assembly.

Mr. Meacham, by permission, introduced Senate Bill No. 60, to be entitled An act to Order a Road Tax at the Discretion of the County Commissioners;

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

Senate Bill No. 23, providing the Funding of the Bonds Issued by the Counties of Leon, Jefferson, Madison and Columbia, as also the City of Jacksonville, to Aid in the Construction of the Atlantic and Gulf Central Railroad, and the Georgia and Pensacola Railroad,

Was taken up on its second reading

Mr. Wentworth offered the following amendments:

2d Line. Strike out "and" after the word Columbia; and same line insert after word Jacksonville, "and the city of Pensacola."

3d Line. After word railroads insert "and the Alabama and Florida Railroad Company of Florida."

Mr. McCaskill offered the following amendment to the amendment:

And all other evidences of indebtedness, both private and public, without any regard to amount of said indebtedness or upon what.

Mr. Johnson moved to lay Mr. McCaskill's amendment on the table.

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

Those voting in the affirmative were—

Messrs. Crawford, Dennis, Eagan, Ginn, Hill, Hillyer, Jenkins, Johnson, Locke, Meacham, Pearce, Sutton, Weeks, and Wentworth—14.

Those voting in the negative were—

Messrs. Atkins, Moragne, and McCaskill—3.

So the motion to lay on the table was agreed to.

The point of order was raised that the vote to lay the amendment to the amendment on the table carries with it the original amendment.

The Chair ruled the point not well taken.

An appeal was moved by Mr. McCaskill, and the ruling of the Chair was sustained by a division.

Mr. McCaskill moved to lay the amendment of Mr. Wentworth on the table.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, McKinnon, Moragne, McCaskill, Pearce and Sutton—8.

Those voting in the negative were—

Messrs. Dennis, Eagan, Hill, Hillyer, Jenkins, Johnson, Locke, Meacham, Purman, Weeks and Wentworth—11.

So the motion to lay on the table was not agreed to.

The question was put on the amendment of Mr. McCaskill, and the amendment was adopted.

Mr. Wentworth offered the following amendment:

Second line, after word "Jacksonville," insert "and the city Pensacola. Same line, insert after "the city of Jacksonville," and Pensacola;"

Which was, on motion, adopted.

Mr. McCaskill moved to indefinitely postpone the preamble.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, Hill, McKinnon, Moragne, McCaskill, Pearce and Sutton—9.

Those voting in the negative were—

Messrs. Billings, Dennis, Eagan, Hillyer, Jenkins, Johnson, Locke, Meacham, Purman, Weeks and Wentworth—11.

So the motion was not agreed to.

Mr. Wentworth offered the following amendment :

In sixth line insert "and the city of Pensacola, in aiding and building the Alabama and Florida Railroad of Florida."

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

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, McKinnon, Moragne, McCaskill and Sutton—7.

Those voting in the negative were—

Messrs. Billings, Dennis, Eagan, Hill, Johnson, Meacham, Purman Weeks and Wentworth.

So the motion to lay the amendment on the table was not agreed to.

The question on the adoption of the amendment was put by division, and the amendment was adopted.

Mr. Pearce moved to postpone the further consideration of the bill till next Tuesday.

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

Those voting in the affirmative were—

Messrs. Atkins, Billings, Crawford, Dennis, Ginn, Hill, Hillyer, Jenkins, Kendrick, Locke, McKinnon, Moragne, McCaskill, Pearce, Purman and Sutton—16.

Those voting in the negative were—

Messrs. Eagan, Johnson, Meacham, Weeks and Wentworth—5.

So the motion to postpone was agreed to.

Mr. Dennis offered the following :

Resolved, That a special committee of three be appointed by the Chair to inquire into the causes and reasons why the commissions of officers confirmed by the Senate, and who have filed their oath of office, and paid the lawful fee for said commissions, are refused to be issued and to report the result of their investigation immediately to the Senate.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Dennis, Eagan, Ginn, Jenkins, Kendrick, Meacham, Moragne, McCaskill, Purman, Weeks and Wentworth—13.

Those voting in the negative were—

Messrs. Billings, Hillyer, Locke and Pearce—4.

So the resolution was adopted.

The Chair appointed Messrs. Purman, Locke and Moragne as such committee.

Mr. Locke, by permission, introduced Senate Bill No. 61, to be entitled An act relating to Insurance Companies ;

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

Mr. Billings, chairman of Committee on Claims, made the following report :

SENATE CHAMBER,
Tallahassee, Fla., Jan. 18, 1872.

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

SIR: Your committee, to whom was referred a resolution of inquiry whether further legislation is necessary to secure adequate compensation to the acting solicitor of the 4th Judicial Circuit, serving during the absence of the appointed solicitor, beg leave to report that they have considered the same, and report no further legislation necessary, except as a matter of special appropriation to meet the case referred to in the resolution. As the legal compensation of the appointed officer is a vested right, while he is recognized as that officer, no portion of his compensation can be legally used as payment for service of the acting officer.

Very respectfully,

LIBERTY BILLINGS, Chairman.
WM. H. KENDRICK,
J. H. SUTTON,
R. MEACHAM.

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

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

SENATE CHAMBER,
Tallahassee, Fla., Jan. 22, 1872.

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

SIR: Your committee, to whom was referred Senate Bill No. 38, an act entitled an act to amend An act for the Assessment and Collection of Revenue, having considered the same, beg leave to report a substitute therefor, and recommend its passage.

Very respectfully,

D. EAGAN, Chairman.
L. G. DENNIS,
J. W. LOCKE,
A. L. MCCASKILL,
JNO. L. CRAWFORD.

Which was read, and the accompanying bill ordered printed.
Mr. Locke, Chairman Committee on Privileges and Elections,
made the following report :

SENATE CHAMBER, Jan. 23, 1872.

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

SIR: Your committee, to whom was referred Senate Bill No 41, entitled An act to Prevent the Sale of Intoxicating Liquors on or near the Time and Place of Holding State, County, and Municipal election, having examined the same, recommend that it do pass, with such amendments as have been prepared and will be presented by your committee.

Very respectfully,

J. W. LOCKE, Chairman.
ROBERT MEACHAM,
W. H. KENDRICK,
N. H. MORAGNE.

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

On motion of Mr. Kendrick, Senate Bill No. 15, to organize the County of Webster, was taken up on its third reading, and by unanimous consent, was amended by substituting in section 1, townships 19 and 20, for 20 and 21.

On motion, the third reading of the bill was laid over.

Assembly Bill No. 11, to be entitled An act Defining the Interest the Wife shall take in the Husband's Property,

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

Assembly Bill No. 31:

To be entitled An act Creating the Office of Public Administrator in Each of the Counties of the State, and Defining the Duties of said Office,

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

Assembly Bill No. 30:

To be entitled An act Prescribing Certain Duties of Clerks of the Circuit Courts, and for other Purposes,

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

Assembly Bill No 35:

To be entitled An act to Authorize the Judges of the County Courts of the Several Counties of this State where such Judges are Administrators, Executors, or Guardians, to Make their Annual Settlement with the Clerk of the Circuit Courts of their Respective Counties.

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

Assembly Bill No. 36 :

To be entitled An act to Quiet Tax Titles,

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

Assembly Bill No. 6 :

To be entitled An act of Limitations on Civil Courts,

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

The President announced the signing of two enrolled memorials to the Postmaster-General United States Praying for the Establishment of Certain Mail Routes.

Senate Bill No. 41 :

To be entitled An act to Prevent the Sale of Intoxicating Liquors at or near the Time and Place of Holding Elections,

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

Mr. Locke moved to amend section 1 by inserting after the word "cider" the words "excepting such as are sold for medicinal purposes on the prescription of a physician ;"

Which was agreed to.

Also, strike out "a. m." and insert "p. m.," where it first occurs in the section ;

Which was agreed to.

The bill passed its second reading, and ordered engrossed.

On motion, the Senate went into Executive session.

The following Executive appointments were confirmed :

Archibald Hendry, to be Tax Collector of Polk county.

Lewis M. Gamble, to be Collector of Revenue for Jackson county.

Wm. H. Parker, to be Assessor of Revenue for Jackson county.

On motion of Mr. Purman, it was resolved that a committee of three be appointed to investigate the truth or falsity of the rumor that Senator Purman has been the recipient of \$5,000 from the Governor's contingent fund, and to report the amount, if any, that was so received, and at what time and for what purposes.

The President appointed as such committee Messrs. Jenkins, Hillyer, and Moragne.

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