

WEDNESDAY, January 24.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain.

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

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

A quorum present.

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

Mr. Meacham, offered the following resolution.

Whereas, Existing law in relation to landlords and tenants approved January, 16, 1866, insufficiently provides for the protection of landlords: Therefore,

Be it Resolved, That the Judiciary Committee are hereby requested to report to the Senate by bill, at an early day, such as they consider important.

Which was read, and on motion adopted.

Mr. Locke, introduced a concurrent resolution, relative to old copies of legislative journals.

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

Mr. Moragne, by permission, introduced Senate Bill No. 63, authorizing Certain Corporations to Merge their Corporate powers with the Ocklawaha and Withlacoochee Canal and Steamboat Company;

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

Mr. Locke, by permission, introduced Senate Bill No. 64, for the relief of Chas. V. Hillyer;

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

Mr. Moragne, by permission, introduced Senate Bill No. 55, authorizing the Southern Inland Navigation Company to Merge its Corporate Powers with the Southern Inland Navigation and Improvement Company;

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

Mr. Pearce, by permission, introduced Senate Bill No. 66, to be entitled An act for the Relief of Edmund C. Weeks;

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

Assembly Concurrent Resolution No. 4, adopting report of Committee on Equalization,

Was taken up and read.

Mr. Wentworth moved the resolution be adopted.

Mr. Adams moved to lay the motion on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Ginn, Kendrick, McKinnon, Moragne, McCaskill, Sutton, and Weeks—10.

Those voting in the negative were—

Messrs. Billings, Dennis, Eagan, Hill, Hillyer, Jenkins, Johnson, Locke, Meacham, Pearce, Purman, and Wentworth—12.

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

Mr. Wentworth moved that the resolution be adopted.

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

Those voting in the affirmative were—

Messrs. Billings, Dennis, Eagan, Hill, Hillyer, Jenkins, Johnson, Locke, Meacham, Pearce, Purman, and Wentworth—12.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Ginn, Kendrick, McKinnon, Moragne, McCaskill, Sutton, and Weeks—10.

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

Assembly Bill No. 10, to amend section 38, of An act to Establish a Uniform System of Common Schools and a University, approved Jan. 30, 1869, thereby Reducing Public Expenses,

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

Assembly Bill No. 29, for the Relief of Certain Persons Named therein,

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

Assembly Bill No. 32, Fixing the times for Holding the Circuit Courts in the 5th Judicial Circuit,

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

Assembly Bill No. 51, to Provide the Manner in which Moneys Collected in Life Insurance shall be paid,

Was read first time, under suspension of rules, and referred to Committee on Finance and Taxation.

Assembly Bill No. 44, to Regulate the Establishment of New Counties and Change of County Lines,

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

Assembly Bill No. 52, to amend section 234 of An act entitled the Code Procedure, approved February 19, A. D. 1870,

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

ASSEMBLY HALL,
Tallahassee, Fla., January 24, 1872.

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

SIR: I am directed to inform you that the Assembly has passed:

Assembly Bill No. 44:

To be entitled An act to Regulate the Establishment of New Counties and Change of County Lines;

Assembly Bill No. 32:

To be entitled An act to Fixing the Times for Holding the Circuit Courts in the 5th Judicial Circuit;

Assembly Bill No. 51:

To be entitled An act to Provide the Manner in which Moneys Collected in Life Insurance Shall be Paid.

Assembly Bill No. 52:

To be entitled an act to amend section 234 of An act entitled the Code of Procedure, approved February 12, A. D. 1870.

Substitute for Assembly Bills Nos. 3 and 29:

To be entitled An act for the Relief of Certain Persons Named Therein.

Substitute to Assembly Bill No. 10:

To be entitled an act to amend section 38 of An act to Establish a Uniform System of Common Schools and a University, approved January 30, 1869, thereby reducing public expenses.

Senate Bill No. 13:

To be entitled An act Regulating the Practice in Writs of Prohibition.

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 Action.

Also has adopted Senate Concurrent Resolution for Removing Disabilities of Charles F. Hopkins, with an amendment, and ask the concurrence of the Senate thereto.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

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

SENATE CHAMBER,
Tallahassee, Fla., Jan. 24, 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 Liquor On and Near the Time and Place of Holding State, County and Municipal Election.

Senate Bill No. 34:

Entitled an act to amend An act Relating to Jurors, approved August 1, 1868, have examined the same, and find it correctly engrossed.

Very respectfully,

GEO. E. WENTWORTH, Chairman.
E. G. JOHNSON,
R. W. ADAMS,
N. H. MORAGNE,

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

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

SENATE CHAMBER,
Tallahassee, Fla., Jan. 23, 1872.

To the President of the Senate:

SIR: Your committee, to whom was referred Senate Bill No. 31, An act for the Relief of J. H. Goss, beg leave to report that they have examined the same and find it correctly enrolled.

Very respectfully,

LIBERTY BILLINGS, Chairman.
C. V. HILLYER,
L. G. DENNIS,
A. D. MCKINNON,
ARTHUR GINN.

Which was read, and the President announced the signing of the accompanying enrolled bill.

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

SENATE CHAMBER,
Tallahassee, Fla., January 24, 1872.

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

SIR: Your committee, to whom was referred Senate Bill No. 61, entitled An act Relating to Insurance Companies; and Senate Bill No. 52, to be entitled an act to amend An act to Organize the Southern Inland Navigation and Improvement Company, approved July 28, 1868; and, Senate Bill No. 58, entitled An act to Define the Duties of the Commissioner of lands and Immigration, having examined the same, beg leave to respectfully recommend their passage.

Very respectfully,

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. 24, 1872.

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

SIR: Your committee, to whom was referred Assembly Bill No. 22, entitled A bill to amend chapter 1766 of the Session Laws of A. D. 1870, beg leave to report that they have examined the same, and beg leave to report the following amendments: First, That the name of J. C. Gibbs in section 1 be stricken out, and the name of Charles H. Pearce be inserted. The committee respectfully recommend the passage of the bill.

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 Conference Committee on Assembly Bill No. 1, Relating to Finance, made the following report:

We, the undersigned members of the Conference Committee of the Senate, appointed to meet a similar Committee on the part of the Assembly, to consider the disagreement on the amendments offered by the Senate to Assembly Bill No. 1, beg leave to report that at a meeting of the two committees, the following solution was agreed upon, and is hereby recommended for the adoption of the Senate:

First. That the Senate recede from all its amendments;

Second. That the Assembly consent to amend the original bill by striking out the whole of the proviso in section 1, being the last portion of said section, as follows:

Provided, however, That persons funding in said bonds shall be entitled to receive the bonds entire, with all coupons attached, upon the payment of accrued interest and the fundable warrants or certificates.

Very Respectfully,

W. J. PURMAN, Chairman.
L. G. DENNIS,
A. L. McCASKILL,
E. M. GRAHAM,
W. K. CESSNA.

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

Senate Bill No. 50, to Provide Against the Sale of Cotton and
orn Between the Hours of Sunset and Sunrise,

The special order, was taken up on its second reading, and read by sections.

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. Adams, Billings, Hill, Hillyer, Johnson, Kendrick, Meacham, Pearce, Purman, Sutton and Weeks—11.

Those voting in the negative were—

Messrs. Atkins, Crawford, Dennis, Eagan, Ginn, Jenkins, Locke, McKinnon, McCaskill, Wentworth—10.

So the motion to indefinitely postpone was agreed to.

Senate Bill No. 15 :

To Organize the County of Webster,

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, Billings, Crawford, Dennis, Ginn, Hill, Hillyer, Jenkins, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Pearce, Purman, Sutton, Weeks and Wentworth—18.

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

On motion, the Senate went into Executive session.

The doors were opened, and, on motion, the Senate took a recess till 3 o'clock p. m.

THREE O'CLOCK P. M.

The Senate resumed its session.

The President in the chair.

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

Messrs. Atkins, Crawford, Dennis, Ginn, Hill, Johnson, Kendrick, Locke, McKinnon, Meacham, McCaskill, Pearce, Purman Sutton and Wentworth—15.

A quorum present.

Assembly Bill No. 17 :

For the Adoption of Children,

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

Mr. Locke offered the following amendment to section 4 :

“If no parent appears or answers to the adoption of the child.”

Which was, on motion, adopted.

The reading was, on motion, suspended, and the bill ordered printed.

Assembly Bill No. 22 :

To Amend Chapter 1766 of the Session Laws of A. D. 1870, and Repeal Chapter 1767 of the Session Laws of A. D. 1870,

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

Mr. Purman moved to amend by striking out the name of "J. C. Gibbs," and inserting the name of "C. H. Pearce."

Which was agreed to.

Mr. Dennis moved to strike out the name of "J. H. Roper," and insert the name of "J. T. Walls."

A division of the question was called for, and the vote was taken on the question of striking out the name of "J. H. Roper" by yeas and nays, with the following result :

Those voting in the affirmative were—

Messrs. Dennis, Hill, Jenkins, Johnson, Locke, Meacham, Pearce, Purman, and Wentworth—9.

Those voting in the negative were—

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

So the name was stricken out.

Mr. Jenkins moved that the last vote be reconsidered, as it is contrary to a rule of the Senate to divide a question to "strike out and insert;"

Which was agreed to.

Mr. Dennis then renewed his motion to strike out "J. H. Roper," and insert "J. T. Walls."

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

Those voting in the affirmative were—

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

Those voting in the negative were—

Messrs. Atkins, Crawford, Ginn, Jenkins, Kendrick, McKinnon, McCaskill and Sutton—8.

The vote was a tie, and the President voted aye.

So the motion was agreed to.

Mr. Wentworth moved to insert the name of Asa B. Munn.

Which was agreed to.

Mr. Jenkins, moved that the name of J. S. Adams be stricken out and that of Robert Meacham inserted, but pending the vote the motion was withdrawn.

Mr. Kendrick moved to postpone the further consideration of the bill till 4 o'clock to-morrow ;

Which was not agreed to.

Mr. McCaskill moved to postpone till to-morrow at 3 o'clock.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, Kendrick, McKianon, and Sutton—6.

Those voting in the negative were—

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

So the motion was not agreed to.

Mr. Kendrick moved to add the names of F. A. Dockray and J. T. Sprague.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Ginn, Jenkins, Kendrick, McKinnon, and Sutton—7.

Those voting in the negative were—

Messrs. Billings, Dennis, Hill, Johnson, Locke, Meacham, Pearce, Purman, and Wentworth—9.

So the motion was not agreed to.

On motion of Mr. Wentworth, Col. J. T. Sprague was invited to a seat within the bar at all times.

On motion, the reading was suspended, and the bill re-committed to the Judiciary Committee.

Senate Bill No. 52:

To amend an act entitled An act to Organize the Southern Inland Navigation and Improvement Company,

Was taken up on its second reading, and, on motion, laid over till to-morrow.

On motion, Col. St. George Rogers was invited to a seat within the bar at all times.

Senate Bill No. 54:

To Improve and Make Navigable the Yellow and Shoal Rivers, and their Tributaries in Santa Rosa and Walton Counties,

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

The report of the joint committee on Assembly Bill No. 1, Relating to Finance,

Was taken up.

Mr. Wentworth moved that the report be indefinitely postponed, and a new committee of conference be appointed;

Which was agreed to.

Senate Bill No. 58:

Defining the duties of the Commissioner of Lands and Immigration,

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

On motion of Mr. Hillyer, it was ordered that a Senator be appointed on the Committee on City and County Organizations in place of Mr. Hunt, absent.

The President appointed Mr. Jenkins.

Senate Bill No. 41:

To Prevent the Sale of Intoxicating Liquors at or near the Time and Place of Holding Elections,

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. Billings, Dennis, Eagan, Hill, Hillyer, Jenkins, Johnson, Kendrick, Locke, McKinnon, McCaskill, Purman, Sutton, and Wentworth—14.

Those voting in the negative were—

Messrs. Atkins, Crawford, Ginn, and Weeks—4.

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

Assembly Bill No. 9:

To amend section 6 of An act to Organize the County Courts of this State, &c.,

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. Billings, Dennis, Eagan, Hill, Jenkins, Johnson, Kendrick, Locke, McCaskill, Pearce, Sutton, and Wentworth—12.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Ginn, and McKinnon—5.

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

Mr. Kendrick moved to adjourn.

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

Those voting in the affirmative were—

Messrs. Atkins, Billings, Dennis, Eagan, Hill, Johnson, and Sutton—7.

Those voting in the negative were—

Messrs. Atkins, Crawford, Ginn, Hillyer, Jenkins, Kendrick, Locke, McKinnon, McCaskill, and Wentworth—10.

So the Senate did not adjourn.

Proposed amendment to the Constitution of the State, proposed by the Governor, was taken up on its third reading, and read at large.

Mr. Dennis moved to lay the amendment on the table,

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

Those voting in the affirmative were—

so Messrs. Atkins, Billings, Dennis, Eagan, Ginn, Hill, and Johnson—7.

Those voting in the negative were—
Messrs. Adams, Crawford, Hillyer, Jenkins, Kendrick, Locke,
McKinnon, McCaskill, Pearce, Sutton, and Wentworth—11.

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

Upon the question, Shall the amendment be adopted?

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

Those voting in the affirmative were—

Messrs. Adams, Billings, Crawford, Eagan, Ginn, Jenkins,
Kendrick, Locke, McKinnon, McCaskill, Pearce, Sutton, Weeks,
and Wentworth—14.

Those voting in the negative were—

Messrs. Atkins, Dennis, Hill, and Johnson—4.

So the proposed amendment was not adopted, less than two-thirds the Senate voting in the affirmative.

Mr. Wentworth gave notice that he should move a reconsideration of the vote to-morrow.

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

THURSDAY, January 25.

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, Crawford, Dennis, Ginn, Hill, Jenkins, Johnson, Kendrick, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Purman, Sutton, Weeks, and Wentworth—19.

A quorum present.

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

On motion of Mr Jenkins, it was ordered that the journal of the 19th inst. be corrected by striking out the order of the Senate, that Executive confirmations be not shown on the journal till the next day.

Mr. Jenkins introduced the following Memorial:

MEMORIAL.

To the Senate and House of Representatives of Florida Assembled, The following business men and citizens of Jacksonville would hereby petition that the present impracticable in-