

TUESDAY, FEBRUARY 2, 1875.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Forner, Howell, Johnson, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—19.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. Osgood moved that the further reading of the Journal be dispensed with;

Which was agreed to, and the Journal was corrected and approved.

Under a suspension of the rule Mr. Crawford introduced Senate Bill No. 39;

Which was received and placed among the orders of the day.

Under a suspension of the rule Mr. Howell introduced Senate Bill No. 40;

Which was received and placed among the orders of the day.

Assembly joint resolution referring to the clearing out of Moccasin slough,

Was taken up and placed among the orders of the day.

Assembly memorial asking appropriation from Congress to remove obstructions in the Withlacoochee river,

Was taken up and placed among the orders of the day.

Assembly memorial asking appropriation from Congress to construct a canal between Indian river and Mosquito lagoon,

Was taken up and placed among the orders of the day.

Assembly Bill No. 16:

A bill to be entitled An act to amend the twenty-third section of An act to Provide for the Incorporation of Cities and Towns, and to Establish a Uniform System of Municipal Government in this State, approved February 4, 1869,

Was taken up, read first time by its title, and placed among the orders of the day.

The Committee on Judiciary made the following report:

The Judiciary Committee, to whom was referred the bill to be entitled An act to Admit Minors to Plead and Practice Law in the Several Courts of this State, have considered the same and instructed me to report that, in their opinion, it is an old and well-established and universally-acknowledged principle that persons under the age of twenty-one years have not the sound

discretion necessary to the proper control, direction, and management of their own affairs, much less those of others; that the passage of this bill will be altering this principle and proceed upon precisely the opposite one that they (minors) have this sound discretion, to which your committee cannot and do not agree or assent, and have, therefore, instructed me to report the bill back to the Senate, and also that it is inexpedient to pass the same.

COTTRELL, Chairman.

Which was received and the accompanying bill placed among the orders of the day for its second reading.

The Committee on Judiciary made the following report :

The Judiciary Committee, to whom was referred the joint resolution in regard to suit in the Supreme Court of the United States and liability of State for certain bonds, have considered the same and instructed me to report the same to the Senate and advise concurrence in said resolution.

COTTRELL, Chairman.

Which was received and the accompanying resolutions placed among the orders of the day for a second reading.

The Committee on Judiciary made the following report :

The Judiciary Committee, to whom was referred the Assembly engrossed Bill No. 5, have had the same under consideration, and instructed me to report that the law proposed to be enacted by the passage of this bill violates that sound and universally-acknowledged principle of sound legislation that minors have not sound discretion, and they therefore report the same back to the Senate, with their opinion that it is inexpedient to pass the same.

COTTRELL, Chairman.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

The Committee on Judiciary made the following report :

The Judiciary Committee, to whom was referred the following bills :

A bill to be entitled An act to Authorize Married Women to Convey Their Separate Estate and Release Dower by Attorney;

A bill to be entitled An act Fixing the Time for Holding the Terms of the Circuit Courts in the Third Judicial Circuit;

A bill to be entitled An act Fixing the Time for Holding the Circuit Courts in the Fifth Judicial Circuit;

A bill to be entitled An act to Prohibit the Attachment of Money Due for Wages;

A bill to be entitled An act to Repeal Section 27 of Chapter 1,987, Laws of Florida;

Have had the said bills under consideration, and ordered me to report the same back to the Senate with the recommendation that they do pass.

COTTRELL, Chairman.

Which was received and the 'accompanying' bills placed among the orders of the day for their second reading.

Mr. Dennis moved that the special order for 10:30 o'clock to-day be postponed until 11 o'clock to-day;

Which was agreed to.

ORDERS OF THE DAY.

The majority report of the Committee on Privileges and Elections was taken up.

The hour for the consideration of the special order at 11 o'clock to-day having arrived, Mr. Dennis moved its postponement for half an hour;

Which was agreed to.

Mr. Meacham moved that the consideration of the special order for half-past 11 o'clock to-day be postponed until 11 o'clock to-morrow;

Which was agreed to.

On the question, Shall the majority report of the Committee on Privileges and Elections be adopted?

The yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Durkee, Hendry, Hill, Howell, Johnson, Long, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Sturtevant, and Wallace—16.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Knight, Lykes, McAuley, and Smith—8.

So the majority report was adopted.

Senate Bill No. 39:

A bill to be entitled An act to Exempt Blind Persons from Professional and Occupational Tax,

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

Senate Bill No. 40:

A bill to be entitled an act to amend section two and to repeal section three of an act entitled An act to Raise Additional Revenue for the State,

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

Assembly Bill No. 16:

A bill to be entitled an act to amend the twenty-third section

of An act to Provide for the Incorporation of Cities and Towns, and to Establish a Uniform System of Municipal Government in this State, approved February 4, 1869,

Was taken up, read the first time by its title, and referred to the Committee on Corporations.

Assembly memorial asking appropriation from Congress to remove obstructions in the Withlacoochee river,

Was taken up, read, and referred to the Committee on Appropriations.

Assembly memorial asking appropriation from Congress to construct a canal to connect the Indian river with Mosquito lagoon,

Was taken up, read, and referred to Committee on Appropriations.

Assembly joint resolution asking an appropriation from Congress to clear out the Moccasin slough,

Was taken up and read, and referred to the Committee on Appropriations.

Senate Bill No. 33:

A bill to be entitled An act to Admit Minors to Plead and Practice Law in the Several Courts of the State,

Was taken up on its second reading.

Mr. Osgood moved that the bill be indefinitely postponed;

Which was agreed to, and the bill was indefinitely postponed.

Senate Bill No. 11:

A bill to be entitled An act to Authorize Married Women to Convey their Separate Estate, and Release Dower by Attorney,

Was taken up and read a second time.

Mr. Cottrell moved that it be engrossed and placed among the orders of the day for a third reading to-morrow;

Which was agreed to.

Mr. Osgood moved that the Senate take a recess until two minutes to 12 o'clock;

Which was agreed to, and the President declared the Senate adjourned until two minutes to 12 o'clock.

TWO MINUTES TO TWELVE.

The hour of 12 having arrived, the Senate proceeded to the Assembly to meet the Assembly in joint session.

JOINT SESSION.

The Legislature met in joint session according to adjournment.

The President *pro tem.* of the Senate occupying the chair.

The President of the Senate ordered the Secretary to call the roll of the Senate.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—22.

The Speaker of the Assembly ordered the Chief Clerk to call the roll of the Assembly.

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

Mr. Speaker, Messrs. Armstrong, Avery, Berry, Browne, Bryan, Carter, Chadwick, Coleman, Corley, Dennis, Duncan, Ferrell, Fisher, Gass, Gillis, Grant, Harris, Hagan, Hicks, Hill, Jackson, Jones of Escambia, Jones of Bradford, Jones of Levy, Judge, Lee, Livingston, Martin, McAlpin, McGuire, Mitchell, Morehead, Montgomery, Nixon, Orman, Petty, Pons, Proctor, Purman, Roberts, Russell, Small, Stanfill, Sutton, Tilghman, Thompson, Tucker, Washington, Wilson, and Witherspoon—51.

The President *pro tem.* of the Senate ordered the Secretary to read that portion of the Senate Journal of Saturday which related to the ballot for United States Senator.

Mr. Wallace moved that the reading of the Journal be dispensed with;

Which was agreed to.

Mr. Wallace moved that the space within the bar of the Assembly Hall be cleared of all persons but the officers and attaches of both houses, and those entitled by the rules of both branches to the privileges of the floor;

Which was agreed to.

Mr. Gass moved that the Legislature now proceed to ballot for a United States Senator;

Which was agreed to.

The roll of the General Assembly was then called with the following result:

For John A. Henderson—Messrs. McCaskill, Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Smith, Hannah, Berry, Browne, Bryan, Carter, Corley, Ferrell, Gillis, Hagan, Jackson, Jones of Escambia, Jones of Bradford, Jones of Levy, Judge, McAlpin, McGuire, Mitchell, Orman, Pons, Roberts, Russell, and Wilson—34.

For Samuel B. McLin—Messrs. Dennis, Durkee, Howell, Johnson, Meacham, Osgood, Parlin, Pope, Wallace, Sturtevant, Armstrong, Bass, Chadwick, Grant, Hicks, Hill, Lee, Livingston, Martin, Nixon, Petty, Sutton, Thompson, and Tucker—24.

For Samuel Walker—Messrs. Hill of Gadsden, Long, Avery, Coleman, Dennis, Fisher, Morehead, Purman, Small, and Witherspoon—10.

For A. A. Knight—Mr. Proctor—1.

For Geo. W. Witherspoon—Messrs. Harris and Tilghman—2.

For A. E. Maxwell—Mr. Stanfill—1.

For Edward Hopkins—Messrs. Duncan and Frisbee—2.

For J. L. Re Qua—Messrs. Gass, Montgomery, and Washington—3.

Total number of votes cast, 77.

Highest number of votes cast for any one candidate, 34.

No candidate having received a majority of the votes cast, the presiding officer declared that there was no election.

Mr. Wallace moved that the joint assembly adjourn until tomorrow at 12 o'clock.

On the question of adjournment the yeas and nays were called for with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, Meacham, Osgood, Parlin, Pope, Sturtevant, Wallace, Armstrong, Avery, Bass, Chadwick, Coleman, Dennis, Ferrell, Fisher, Gass, Grant, Harris, Hicks, Lee, Livingston, Martin, Morehead, Montgomery, Nixon, Petty, Proctor, Purman, Small, Stanfill, Sutton, Tilghman, Thompson, Tucker, Washington, and Witherspoon—41.

Those voting in the negative were—

Messrs. McCaskill, Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Smith, Hannah, Berry, Browne, Bryan, Carter, Corley, Duncan, Frisbee, Gillis, Hagan, Hill, Jackson, Jones of Escambia, Jones of Bradford, Jones of Levy, Judge, McAlpin, McGuire, Mitchell, Orman, Pons, Roberts, Russell, and Wilson—35.

So the joint assembly was declared adjourned accordingly.

SESSION OF THE SENATE.

The Senate returned to its Chamber and proceeded with its regular business.

Assembly Bill No. 2:

A bill to be entitled An act to Repeal Section 27 of Chapter 1,987, Laws of Florida,

Was taken up on its second reading.

Mr. Johnson moved that the further consideration of the bill be postponed until to-morrow;

Which was agreed to.

Senate Bill No. 5:

A bill to be entitled An act to Authorize George B. Thomas and Joseph M. Thomas, Minors, to Manage Their Own Estates,

Was taken up on its second reading.

Mr. Osgood moved that the bill be indefinitely postponed;
Which was agreed to.

Assembly Bill No. 25:

A bill to be entitled An act Fixing the Time for Holding the
Terms of the Circuit Courts in the Third Judicial Circuit,
Was read a second time and placed among the orders of the
day for a third reading to-morrow.

Assembly Bill No. 4:

A bill to be entitled An act Fixing the Time for Holding the
Circuit Courts in the Fifth Judicial Circuit,
Was taken up on its second reading.

Mr. Cottrell moved its recommittal to the Committee on Ju-
diary;

Which was agreed to, and the bill was recommitted.

Assembly Bill No. 14:

A bill to be entitled An act to Prohibit the Attachment of
Money Due for Wages,

Was taken up on its second reading.

Mr. Dennis moved that the further consideration of the bill
be postponed until to-morrow;

Which was agreed to.

Assembly joint resolution in regard to suit in the Supreme
Court, United States, &c.,

Was taken up on its second reading, and was ordered to be
placed among the orders of the day for to-morrow for its third
reading.

Mr. Wallace moved that the Senate now adjourn until to-
morrow at 10 o'clock;

Which was agreed to.

So the President declared the Senate adjourned accordingly.

WEDNESDAY, FEBRUARY 3, 1875.

The Senate met pursuant to adjournment.

President *pro tem.* in the chair.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis,
Durkee, Fortner, Hendry, Howell, Johnson, Knight, Long,
Lykes, McKinnon, Meacham, Oliveros, Parlin, Pope, Smith,
Sturtevant, and Wallace—21.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. Cottrell moved that the further reading of the Journal
be dispensed with;