

THURSDAY, February 15, 1877.

The Senate met pursuant to adjournment.  
The President in the Chair.

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

Messrs. Brantley, Cottrell, Durkee, Howell, Johnson, Long, McGuire, McKinnon, McMeekin, Meacham, Patterson, Richard and Weeks—13.

A quorum present.  
Prayer by the Chaplain.

Mr. Long moved that the reading of the journal be dispensed with ;

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

Mr. Lykes offered the following resolution :

*Resolved*, That the Comptroller be required to report to this Senate the amount of General Contingent Fund expended since the last session of the Legislature, and the nature of vouchers upon which said fund was paid, and to whom paid.

Which was read and adopted.

Mr. Wallace offered the following resolution :

WHEREAS, There have been recommended to the consideration of the present General Assembly by a joint committee of the two houses thereof certain amendments to the Constitution of the State of Florida, among others one contemplating a reduction of the salaries of the officers of the Cabinet to a minimum of one thousand two hundred dollars per annum; *and whereas*, It is argued in support thereof that the several Cabinet officers of the State receive from sundry sources large additions to their salaries, particularly from the Internal Improvement Fund and the School and Seminary Fund, therefore to an intelligent understanding of the exact emolument of the several positions,

*Be it Resolved by the Senate*, That the Treasurer of the State of Florida, in right of his office as such, and as ex-officio Treasurer of the said funds, be requested to report to the Senate an itemized account of allowances made out of said funds, within the last two years, to the several Cabinet officers, with the occasion therefor, and the dates of such allowance.

Which was read and adopted.

The following memorials for mail routes were read, and referred to the Committee on Commerce and Navigation :

From Live Oak, Suwannee county, to Bronson, Levy county.

From Drifton, Jefferson county, to Deadman's Bay, in Taylor county.

From Greenville, Madison county, Florida, to Quitman, Georgia.

The Committee on Finance and Taxation made the following report :

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 14, 1877. }

HON. NOBLE A. HULL,

*President of the Senate :*

SIR—Your Committee on Finance and Taxation, to whom was referred

Senate bill No. 33 :

To be entitled an act to amend an act entitled an act for the Assessment and Collection of Revenue, approved 17th February, 1874,

Have carefully considered the same, and recommend that it do pass.

WHITFIELD WALKER, Chm'n.

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

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 14, 1877. }

HON. NOBLE A. HULL,

*President of the Senate :*

SIR—Your Committee on Finance and Taxation, to whom was referred

Senate bill No. 44 :

To be entitled an act to amend section 11 of an act entitled an act for the Assessment and Collection of Revenue, approved February 17th, 1874,

Have carefully considered the same, and recommend that it do not pass.

WHITFIELD WALKER, Chm'n.

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

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 14, 1877. }

HON. NOBLE A. HULL,

*President of the Senate :*

SIR—Your Committee on Finance and Taxation, to whom was referred

Assembly bill No. 43:

To be entitled an act to amend an act entitled an act for the Assessment and Collection of Revenue, approved February 17, 1874,

Have duly considered the same, and recommend that it do not pass.

WHITFIELD WALKER, Chm'n.

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

Also the following:

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 15, 1877. }

HON. NOBLE A. HULL,  
*President of the Senate:*

SIR—Your Committee on Finance and Taxation, to whom was referred

Assembly bill No. 130:

To be entitled an act to repeal an act to make provisions to defray the expenses of a residence for the Chief Executive Magistrate of this State, approved January 13, 1851,

Having fully considered the same, recommend its passage.

WHITFIELD WALKER, Chm'n.

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

The Committee on the Judiciary made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 13, 1877. }

HON. NOBLE A. HULL,  
*President of the Senate:*

SIR—Your Committee on the Judiciary, to whom was referred

Senate bill No. 43:

To be entitled an act to procure a Digest of the Laws of Florida,

Beg leave to report that they are of opinion that a properly prepared digest of the laws of the State is highly necessary, and imperiously demanded for the convenience of the courts, the bar, the officers of the State and its citizens generally. The importance of such a work must be conceded, and its practical utility acknowledged, by all. At present our statutes form rather a crude mass, difficult to understand and often requiring judicial interpretation as to what the law is upon any given subject. The laws should be so arranged that those relating to the same matter should be found together in a compact and concise form; whereas, as they now stand, they are

scattered through several volumes and pamphlets, through all of which one must grope his uncertain way in an endeavor to ascertain what statutes are in force. The entire body of our laws should be so simplified that all who read can understand them. As it is now, the statutes of the State having accumulated to a large number and amount, they are beyond the reach of the public at large; and on many subjects of the same and kindred nature, there has been much legislation, frequently involving contrariety; repeals by implication are often found, while express repeals have been made with a lavish and oftentimes careless hand, and amendments and modifications are often so slight as to mistify or mislead the reader. All this produces doubt and uncertainty as to the law, requiring professional skill or even judicial construction to remove or solve, and must necessarily be productive of no small amount of litigation. Many laws supposed to be repealed or obsolete are still in force, while others deemed in existence are really repealed. By way of illustration, we refer, among others, to the statutes in relation to revenue and finance, liens, estates, executors and administrators, crimes and misdemeanors.

Your committee are aware that the only objection that can be urged against the project is its incidental expense; but we think that the utility of a proper digest, its great practical usefulness, the benefits it would diffuse throughout the State, should override all those considerations of a pecuniary character which might arise in many other cases.

Your committee, therefore, have instructed me to report the bill back to the Senate, with the recommendation that it be passed.

J. L. F. COTTRELL, Chm'n.

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

Assembly bill No. 49:

To be entitled an act to amend an act for the Assessment and Collection of Revenue, approved 17th February, 1874,

Was on its second reading postponed until to-morrow.

Assembly bill No. 130:

To be entitled an act to repeal an act to make provision to defray the expenses of a Residence for the Chief Executive Magistrate of this State, approved January 13, 1857,

Was read the second time.

Under a suspension of the rule, the bill was read the third time and put upon its passage.

Upon the question, Shall the bill pass?

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Durkee, Hendry,

Hill, Howell, Johnson, Lykes, McGuire, McKinnon, McMeekin, Patterson, Richard, Walker, and Weeks—16.

Nays—Messrs. Meacham, Osgood and Walls—3.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 43 :

To be entitled an act to procure a digest of the Laws of Florida,

Was read the second time.

Under a suspension of the rule, the bill was read the third time and put upon its passage.

Upon the question, Shall the bill pass?

The vote was :

Yeas—Messrs. Barnes, Brantley, Cottrell, Durkee, Howell, Johnson, Long, Lykes, McKinnon, Meacham, Patterson, Richard, Walker, Wallace, Walls and Weeks—16.

Nays—Messrs. Hendry, Hill, McGuire, McMeekin and Osgood—4.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Under a suspension of the rule, Mr. Meacham offered the following resolution :

*Be it resolved by the Senate the Assembly concurring,* That the State Treasurer be, and he is hereby instructed not to cancel any Greenback Scrip that is now in his hands, or that may come into his hands up to the adjournment of the Legislature;

Which was adopted.

Senate bill No. 44 :

To be entitled an act to amend section 11 of an act for the assessment of and collection of Revenue, approved February 17, 1874,

Was, on motion of Mr. Lykes, indefinitely postponed.

Senate bill No. 33 :

To be entitled an act to amend an act entitled an act for the assessment and collection of Revenue, approved February 17, 1874,

Was read the second time, and ordered to be engrossed for a third reading on to-morrow.

A committee from the Assembly appeared before the bar of the Senate, and reported back Senate bill No. 40, and asked that it be engrossed.

On motion the Senate went into Executive Session.

The doors being opened,

The following message was received from the Assembly :

ASSEMBLY HALL,  
TALLAHASSEE, FLA., February 15, 1877. }

HON. N. A. HULL,

*President of the Senate :*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed

Assembly bill No. 155 :

To be entitled an act for the relief of Caroline Jones of Suwannee county, Florida,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

Which was read, and the accompanying bill taken up, read and referred.

Also the following :

ASSEMBLY HALL,  
TALLAHASSEE, FLA., February 15, 1877. }

HON. NOBLE A. HULL,

*President of the Senate :*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed

Assembly bill No. 145 :

To be entitled an act to fix the time for holding the Circuit Courts in the Seventh Judicial Circuit,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

Which was read, and the accompanying bill taken up, read, and referred.

Also the following :

ASSEMBLY HALL,  
TALLAHASSEE, February 14, 1877. }

HON. N. A. HULL,

*President of the Senate :*

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

Assembly bill No. 123 :

To be entitled an act to amend sections 2, 6, 7, 8, 9 and 10, of an act entitled an act to fix and Regulate the Fees and per diem of certain officers herein designated,

And respectfully request the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

Which was read, and the accompanying bill taken up, read, and referred.

Also the following:

ASSEMBLY HALL, }  
TALLAHASSEE, February 14, 1877. }

HON. NOBLE A. HULL,  
*President of the Senate:*

SIR:—I am directed by the Assembly to inform the Senate that the Assembly has adopted  
Concurrent Resolution:  
Relative to a Light House at Mosquito Inlet,  
And respectfully request the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

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

Also the following:

ASSEMBLY HALL, }  
TALLAHASSEE, FLA., February 15, 1877. }

HON. NOBLE A. HULL,  
*President of the Senate:*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed

Assembly bill No. 101:

To be entitled an act to for the relief of William Johnson, S. S. Forbes, S. L. Harrison, C. N. Johnson, Susan Fleming, John G. Ellis, Mary J. Rowe, Joseph N. Anderson, Michael Levy, J. J. Mints, Henry Bray, L. G. Mayo and Enoch Chadwick, of Santa Rosa county,

And respectfully request the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

Which was read, and the accompanying bill taken up, read, and referred.

Also the following:

ASSEMBLY HALL, }  
TALLAHASSEE, FLA., February 15, 1877. }

HON. NOBLE A. HULL,  
*President of the Senate:*

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed

Senate bill No. 3:

To be entitled an act to locate permanently the County Line of Manatee and Monroe counties,

With an amendment: "To insert the enacting clause" in the bill, and respectfully request the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
*Chief Clerk of the Assembly.*

Which was read, and the accompanying bill and amendment taken up, read, and referred.

Assembly bill No. 155:

To be entitled an act for the relief of Caroline Jones of Suwannee county, Florida.

Was read the first time, and referred to the Committee on Claims.

Assembly bill No. 145:

To be entitled an act to fix the time for holding the Circuit Courts in the Seventh Judicial Circuit,

Was read the first time, and referred to the Judiciary Committee.

Assembly bill No. 123:

To be entitled an act to amend sections 2, 6, 7, 8, 9 and 10 of an act entitled an act to fix and regulate the Fees and per diem of certain Officers herein designated,

Was read, and referred to the Committee on the Judiciary. Concurrent Resolution relative to a Light House at Mosquito Inlet,

Was read and referred to the Committee on Commerce and Navigation.

Assembly bill No. 101:

To be entitled an act for the relief of Wm. Johnson, S. S. Forbes, S. J. Harrison, C. N. Johnson, Susan Fleming, John G. Ellis, Mary J. Rowe, Joseph N. Anderson, Michael Levy, J. J. Mintz, Henry Bray, L. G. Mayo and Enoch Chadwick,

Was read and referred to the Committee on Claims.

Senate bill No. 3:

To be entitled an act to permanently locate the County Line of Manatee and Monroe counties,

Was taken up.

The Senate concurred in the Assembly amendments.  
On motion of Mr. Cottrell, the Senate adjourned until 10 o'clock to-morrow morning.

FRIDAY, February 16, 1877.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Brantley, Cottrell, Durkee, Hill, Howell, Johnson, Long, Lykes, McKinnon, McMeekin, Meacham, Orman, Osgood, Patterson, Richard, Walker, Walls and Weeks—18.

A quorum present.

Prayer by the Chaplain.

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

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

Mr. Cottrell moved that the vacancy occasioned by the absence of Mr. McCaskill, on Committee of Joint Resolution to adjourn, be filled by the President;

Which was agreed to, and Mr. Walker appointed to fill the vacancy.

The Committee on Claims made the following report:

SENATE CHAMBER,  
TALLAHASSEE, February 16, 1877.

HON. NOBLE A. HULL,

*President of the Senate:*

SIR: Your Committee on Claims, to whom was referred Assembly bill No. 101:

To be entitled an act for the relief of William Johnson, S. S. Forbes, L. L. Harrison, C. N. Johnson, Susan Fleming, John G. Ellis, Mary J. Rowe, Joseph N. Anderson, Michael Levy, J. J. Mintz, Henry Bray, L. G. Mayo and Enoch Chadwick,

Have had the same under consideration, and recommend that it do pass with the accompanying amendment.

Respectfully,

A. D. MCKINNON, Ch'n.

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

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, February 16, 1877.

HON. NOBLE A. HULL,

*President of the Senate:*

SIR—Your committee on Engrossed Bills, to whom was referred

Senate bill No. 33:

To be entitled an act to amend an act entitled an act for the Assessment and Collection of Revenue, approved February 17, 1874; also,

Senate bill No. 40:

To be entitled an act to provide for a uniform system of establishing and licensing Ferries and Bridges in this State; Beg leave to report that they have examined the same, and find them correctly engrossed.

Respectfully submitted.

F. M. WEEKS, Chairman.

Which was received and read.

The Committee on the Judiciary made the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 12, 1877.

TO THE HON. NOBLE A. HULL,

*President of the Senate:*

SIR—Your Committee, to whom was referred

Assembly bill No. 80:

To be entitled an act relative to depositions taken under commission, approved January 11, 1855, beg leave to report that they have had the same under consideration and recommend its passage.

J. L. F. COTTRELL, Ch'n.

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

Also the following:

SENATE CHAMBER,  
TALLAHASSEE, FLA., February 16, 1877.

HON. NOBLE A. HULL,

*President of the Senate:*

SIR: Your committee, to whom was referred a bill:

To be entitled an act to prevent the sale of intoxicating liquors to minors or to persons who are intoxicated, have considered the same and instructed me to report the same back to the Senate, and recommend the adoption of the amendments accompanying the report, and as amended to recommend the passage of the bill.

Very respectfully,

J. L. F. COTTRELL, Ch'n.