

MONDAY, February 26, 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, Howell, Johnson, Long, McGuire, McMeekin, Meacham, Orman, Osgood, Patterson, Richard, Walker, Wallace, Walls and Weeks—16.

A quorum present.

Prayer by the Chaplain.

Mr. Johnson 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 by the Senate, the Assembly concurring, That our Representatives in Congress be, and are hereby requested to use their efforts to have the port of Anclote, in Hernando county, in this State, made a Port of Entry;

Which was read and adopted.

The Committee on Judiciary made the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

HON. NOBLE A. HULL,

President of the Senate:

SIR: The Judiciary Committee, to whom was referred a bill To be entitled an act to provide for the qualification of Executors and Administrators and Guardians; also a bill

To be entitled an act to repeal section 9 of an act entitled an act to organize the office of Attorney-General of the State of Florida, approved July 23, 1845, and to repeal an act entitled an act to amend an act to organize the Supreme Court of the State of Florida; also a bill

To be entitled an act to establish a State Asylum for Lunatics and the education of the Deaf, Dumb and Blind, for the government and support thereof and appropriation therefor (Senate bill No. 45),

Have had the same under consideration, and directed me to report the said bills back to the Senate and to recommend the passage of the same.

Very respectfully,

J. L. F. COTTRILL,
Chairman of Judiciary Committee.

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

The Committee on City and County Organizations, made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 26, 1877. }

HON. G. G. MCWHORTER,

Speaker of the Assembly:

SIR—Your Committee on City and County Organizations, to whom was referred

Senate bill No. 51:

To be entitled an act to provide for the organization of a Board of Health in and for the city of Jacksonville, beg leave to report that they have had said bill under consideration, and recommend its passage with accompanying amendments.

They also report that they have had under consideration

Senate bill No. 50:

To be entitled an act to amend sections 11, 12, 13, 17, 18, 19 and 24 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, and recommend the adoption of accompanying amendments, and that, as amended, the bill do pass.

Respectfully submitted,

W. D. BARNES, Chairman.

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

The Committee on Judiciary made the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

HON. NOBLE A. HULL,

President of the Senate:

SIR—The Committee on Judiciary, to whom was referred

A bill to be entitled an act to establish a State Lunatic Asylum for the government and support thereof, and appropriation therefor; also,

Assembly bill No. 135:

To be entitled an act to amend section 1 and repeal sections 2 and 3 of an act to provide for an Asylum for the indigent Lunatics of the State of Florida, approved February 19, 1874, and to further provide for the establishment and government of said Asylum; also,

Assembly bill No. 137:

To be entitled an act making appropriations for the repair of buildings at Chattahoochee to be used as an Asylum for the

indigent Insane, and for the support, care and treatment of such indigent Insane persons; also,

Assembly bill No. 138 :

To be entitled an act to amend section five and to repeal section four of an act entitled an act to provide for the maintenance, care and custody of Lunatics or Insane Persons in this State, approved December 27, 1856, and to further provide for the maintenance, care and custody of Lunatics and Insane Persons, have instructed me to report the same back to the Senate.

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

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

ORDERS OF THE DAY.

Assembly bill No. 135 :

To be entitled an act to amend section 1 and repeal sections 2 and 3 of an act to provide an Asylum for the Indigent Lunatics of the State of Florida, approved February 19, 1874, and to further provide for the establishment and government of said Asylum,

Was taken up upon the second reading.

Mr. Wallace moved that the further consideration of the bill be indefinitely postponed.

Mr. McKinne moved to lay that motion on the table;

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Barnes, Johnson, McKinnon, McMeekin, Orman, Patterson, Richard, Walker and Weeks—9.

Nays—Messrs. Cottrell, Durkee, Hendry, Hill, Howell, Long, Lykes, Meacham, Osgood, Wallace and Walls—11.

So the motion was not agreed to.

Mr. Cottrell moved to lay the bill on the table;

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Cottrell, Durkee, Howell, Lykes, Meacham and Wallace—6.

Nays—Messrs. Barnes, Brantley, Hendry, Hill, Johnson, McCaskill, McGuire, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard, Walker, Walls and Weeks—16.

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

On motion of Mr. McKinnon, the rule was suspended, and the bill read the third time and put upon its passage.

Upon the question, Shall the bill pass ?

The vote was :

Yeas—Messrs. Barnes, Brantley, Hendry, Hill, Johnson,

McCaskill, McGuire, McKinnon, McMeekin, Orman, Patterson, Richard, Walker, Walls and Weeks—15.

Nays—Messrs. Cottrell, Durkee, Howell, Long, Lykes, Meacham and Wallace—7.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Mr. McMeekin asked the appointment of a committee to ask of the Assembly the return of Senate bill No. 27;

Which was agreed to, and Messrs McMeekin and McKinnon were appointed as said committee.

The committee returned to the bar of the Senate, and reported that they had performed that duty and were discharged.

Senate bill No. 50 :

To be entitled an act to amend Sections 11, 12, 13, 17, 18, 19 and 24 of an act entitled an act to provide for the incorporating of Cities and Towns, and to establish a uniform system of Municipal Government in this State, approved February 4, 1869,

Was read.

Mr. Barnes moved that the amendments reported by the committee be adopted;

Which was agreed to.

Mr. Barnes moved that the further consideration of the bill be postponed until 4 o'clock;

Which was agreed to.

Senate bill No. 57 :

To be entitled an act to provide for the qualification of Executors, Administrators and Guardians,

Was read the second time.

On motion of Mr. Barnes, the rule was suspended and the bill read the third time and put upon its passage.

Upon the question, Shall the bill pass ?

The vote was :

Yeas—Messrs. Barnes, Cottrell, Hendry, Hill, Johnson, McCaskill, McKinnon, McMeekin, Patterson, Richard, Walker, Wallace and Weeks—13.

Nays—Mr. Osgood—1.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Engrossed Bills made the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

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

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

Senate bill No. 68 :

To be entitled an act to authorize the destruction of certain bonds, cancelled coupons, Comptroller's Warrants and Treasurer's Certificates in the offices of the Treasurer and Comptroller; also,

Senate bill No. 60 :

To be entitled an act to incorporate the Sanford Telegraph Company,

Have examined the same and find them correctly engrossed.

Respectfully submitted,

F. M. WEEKS, Ch'n.

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

Assembly bill No. 136 :

To be entitled an act to repeal Section 9 of an act entitled an act to organize the office of Attorney-General of the State of Florida, approved July 23, 1845, and to repeal an act entitled an act to amend an act entitled an to organize the Supreme Court of the State of Florida,

Was read the second time, and ordered for a third reading.

Senate bill No. 54 :

A bill to be entitled an act to establish a State Asylum for Lunatics, and for the education of the Deaf, Dumb and Blind, for the government and support thereof and appropriations therefor,

Was taken up.

Mr. McMeekin moved that the further consideration of the bill be indefinitely postponed;

Which was agreed to.

Assembly bill No. 48 :

To be entitled an act to establish a State Lunatic Asylum for the Government and Support thereof, and Appropriations therefor,

Was read the second time.

On motion of Mr. Meacham the bill was indefinitely postponed.

Assembly bill No. 137 :

To be entitled an act making appropriations for the repair of buildings at Chattahoochee, to be used as an Asylum for the Indigent Insane, and for the support, care and treatment of said Indigent Insane Persons,

Was read the second time.

Mr. McMeekin moved that the rule be suspended and the bill read the third time and put upon its passage;

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Barnes, Cottrell, Durkee, Hendry, Hill, John-

son, Long, McCaskill, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard Walker, Walls and Weeks—17.

Nays—Mr. Meacham—1.

So the rule was suspended.

Upon the question, Shall the bill pass?

The vote was :

Yeas—Messrs. Barnes, Durkee, Hendry, Hill, Johnson, McCaskill, McGuire, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard, Walker, Wallace, Walls and Weeks—17.

Nays—Messrs. Cottrell, Long, Lykes and Meacham—4.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Commerce and Navigation made the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

Hon. NOBLE A. HULL,

President of the Senate :

SIR—Your Committee on Commerce and Navigation, to whom was referred

Senate bill No. 61 :

To be entitled an act defining the duties of Commissioners of Pilotage,

Beg leave to report that they have considered the same, and recommend its passage.

Very respectfully,

W. T. ORMAN, Ch'n.
F. M. McMEEKIN,
J. H. DURKEE.

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

Senate bill No. 61 :

To be entitled an act defining the Duties of Commissioners of Pilotage,

Was read the second time, and by unanimous consent of the Senate, the rule was suspended, and the bill read the third time and put upon its passage.

Upon the question, Shall the bill pass?

The vote was :

Yeas—Messrs. Barnes, Cottrell, Durkee, Hendry, Hill, Johnson, Long, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Meacham, Orman, Osgood, Patterson, Richard, Walker, Wallace, Walls and Weeks—21.

Nays—None.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Under a suspension of the rule, Mr. Hendry introduced Senate bill No. 69:

To be entitled an act to Protect Settlers on the Public Lands;

Which was read, and referred to the Judiciary Committee. Senate Bill No. 35:

To be entitled an act authorizing the Collectors of Revenue to receive certain indebtedness of the State for Taxes, Was read.

Mr. Orman moved that the further consideration of the bill be postponed until 8 o'clock, P. M.;

Which was agreed to.

Under suspension of the rule, Mr. Barnes introduced Senate bill No. 70:

To be entitled an act to amend section 9, Chapter 1715, Laws of Florida, of an act entitled an act providing for setting apart a Homestead and Personal Property to be exempted from forced sale under process of law;

Which was read, and referred to the Judiciary Committee.

Also Senate bill No. 71:

To be entitled an act to repeal the seventeenth section of an act entitled an act to simplify and abridge the practice, pleadings and proceedings of the Courts of this State, approved February 19, 1870, and to revise the practice, pleadings and proceedings existing at the date of the passage of said act, and to provide additional rules of Practice and Pleading, approved February 24, 1873;

Which was read, and referred to the Judiciary Committee.

On motion the Senate adjourned.

THREE O'CLOCK, P. M.

The Senate resumed its session.

On motion of Mr. Meacham, Mr. McCaskill was called to the chair.

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

Messrs. Brantley, Cottrell, Hendry, Howell, Johnson, McCaskill, McGuire, McKinnon, McMeekin, Meacham, Osgood, Patterson, Walls and Weeks—14.

A quorum present.

The Committee on Corporations made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 26, 1876. }

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

SIR—Your Committee on Corporations, to whom was referred

Senate bill No. 59:

To be entitled an act to incorporate the Withlacoochee Navigation Company,

Have had the same under consideration, and beg leave to return said bill with accompanying amendments, and recommend their adoption.

Respectfully,

F. M. McMEEKIN, Ch'n.

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

Mr. Walker moved that the amendments recommended by the Committee be adopted;

Which was agreed to, and the bill ordered to be engrossed for a third reading on to-morrow.

The Committee on the Judiciary made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 26, 1877. }

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

SIR—The Judiciary Committee, to whom was referred a bill: To be entitled an act to protect Settlers on the Public Lands,

Have had the same under consideration, and instructed me to report the same back to the Senate, and to recommend its passage.

Respectfully,

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

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

Senate bill No. 69:

To be entitled an act to protect Settlers on the Public Lands.

Was read the second time.

Mr. Wallace moved that the bill be indefinitely postponed.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. McCaskill, Meacham and Wallace—3.

Nays—Messrs. Barnes, Cottrell, Durkee, Hendry, Hill, Howell, Johnson, Long, McKinnon, McMeekin, Osgood, Patterson, Richard, Walker, Walls and Weeks—16.

So the motion to indefinitely postpone was not agreed to.
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, Cottrell, Hendry, Hill, Johnson, Long, Patterson, Richard, Walker, Walls and Weeks—11.

Nays—Messrs. Durkee, Howell, McCaskill, McMeekin, Meacham, Osgood and Wallace—7.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

A committee from the Assembly appeared before the bar of the Senate, and reported that the Assembly refused to concur in Senate amendments to Assembly bill No. 143.

Assembly bill No. 143 :

To be entitled an act to punish trespass upon the Public Lands and to provide for the appointment of Timber Agents, and defining their powers and duties,

Was read.

Mr. Cottrell moved that the Senate recede from its amendments to said bill ;

Which was not agreed to.

Mr. Cottrell moved that a committee of conference be appointed to meet a like committee from the Assembly ;

Which was agreed to, and Messrs. Cottrell, Lykes and Durkee were appointed said committee, with instructions to notify the Assembly of the same.

The Committee returned and informed the Senate that they had discharged that duty, and were discharged.

The Committee on Railroads and Telegraphs made the following report :

SENATE CHAMBER,
TALLAHASSEE, FLORIDA, February 26, 1877. }

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

SIR—Your Committee on Railroads, to whom was referred Senate bill No. 66 :

To be entitled an act to incorporate the Sterling and Jacksonville Railroad Company,

Beg leave to report that they have had the same under consideration, and report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted,

W. D. BARNES, Ch'n.

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

The Committee on Engrossed Bills made the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

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

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

Senate bill No. 59 :

To be entitled an act incorporating the Withlacoochee River Navigation Company,

Have examined the same, and find it correctly engrossed.

Respectfully submitted,

F. M. WEEKS, Ch'n.

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

Senate bill No. 66 :

To be entitled an act to incorporate the Sterling and Jacksonville Railroad Company,

Was taken up.

Mr. Cottrell offered an amendment ;

Which was adopted.

Mr. Barnes moved that the rule be suspended, and that the bill be 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, Hill, Howell, Johnson, Long, Lykes, McCaskill, McKinnon, McMeekin, Meacham, Orman, Osgood, Patterson, Walls and Weeks—18.

Nays—Mr. Richard—1.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Mr. McMeekin introduced a Joint Resolution, asking Congress to authorize the Legislature of Florida to incorporate the Seminary Fund and the Agricultural College Fund into the Common School Fund of said State ;

Which was read and adopted.

Mr. Hendry presented a petition and resolution asking the Post-office Department to establish a Mail Route from Manatee to Fort Myers via Helena, Hickory Bluff and Punta Rassa ;

Which was read and adopted.

Assembly bill No. 164 :

To be entitled an act to extend the time for the Collection of Taxes for the year 1876 to the first day of May, 1877,

Was read the second time.

Mr. Richard withdrew his amendment to strike out " May " and insert " October," and offered the following as an amend-

ment: "Provided there shall be no advertising or forced collection until October 1st, 1877.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Cottrell, Lykes, Patterson, Richard and Weeks—5.

Nays—Messrs. Barnes, Brantley, Durkee, Hendry, Hill, Howell, Johnson, Long, McCaskill, McGuire, McKinnon, McMeekin, Meacham, Orman, Osgood, Walker and Walls—17.

So the amendment was not adopted.

Mr. Walker offered the following amendment:

Strike out the "1st of May" and insert the "1st of April;" Which was not agreed to.

Mr. McKinnon moved that the further consideration of the bill be indefinitely postponed.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Durkee, Hill, Howell, Long, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Meacham and Walls—13.

Nays—Messrs. Cottrell, Hendry, Johnson, Orman, Osgood, Patterson, Richard, Walker and Weeks—9.

So the bill was indefinitely postponed.

The Joint Committee on Enrollment made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 26, 1877.

Hon. NOBLE A. HULL,

President of the Senate:

SIR: The Joint Committee on Enrollment report that they have examined and compared the following bills, memorials and resolution with the enrollment thereof, and find that they are correctly enrolled, to-wit:

An act to authorize William Miller to dig a Canal in Washington county;

An act to prevent persons from passing by another name than the name by which they are registered;

An act to further define the Duties of the Comptroller as to reports of Defaulters in the payment of amounts due the State;

An act to amend section 9 of an act entitled an act to incorporate the Lake Wimico and St. Josephs Bay Canal and Navigation Company, approved February 18, 1872;

An act to fix the Time for Holding the Circuit Courts in the Seventh Judicial Circuit;

Memorial to Congress for the establishment of a Mail Route from Lake City to Blount's Ferry and back, twice a week;

Memorial to Congress relating to Recession of part of the Naval Reservation in Escambia county to the State of Florida; also,

Resolution asking for a Mail Route from Tuckertown, in Hernando county, to Bartow, in Polk county.

Very respectfully,

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

Which was read.

Also the following:

SENATE CHAMBER:
TALLAHASSEE, FLA., February 26, 1877.

Hon. NOBLE A. HULL,

President of the Senate:

SIR—The Joint Committee on Enrollment report that they have this day, February 26, 1877, presented to his Excellency George F. Drew, Governor of the State of Florida, the following acts, which have been properly and correctly enrolled, signed by the proper presiding officers, secretary and clerk of the Legislature and properly endorsed, to-wit:

An act for the better protection of cattle in this State.

An act to amend an act entitled an act for the Registration of Voters and Holding of Elections, approved August 6, 1868.

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, approved February 14, A. D. 1874.

An act to amend the second section of an act entitled an act fixing the time for holding the terms of the Circuit Court in the Second Judicial Circuit of Florida, approved February 18, 1875.

An act to regulate certain Judicial Proceedings when a Judge or Justice shall resign or be convicted or impeached.

An act to amend section fifty-six of an act entitled an act for the Assessment and Collection of Revenue, approved Feb. 17, A. D. 1874,

An act for the relief of William Johnson, S. S. Forbes, L. S. 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.

An act to facilitate the settlement of insolvent estates.

An act for the relief of Caroline Jones of Suwannee county, Fla.

An act to prevent the removal of Mortgaged Property upon which there is a lien.

An act for the relief of Wm. Wagner of Dade county and Isaiah Hall and John Shurrer of Monroe county.

An act to repeal an act entitled an act relative to depositions

taken under commission, approved January 11, A. D 1855, and to legalize depositions not taken in pursuance thereof.

An act for the protection of game and wild birds.

An act extending the time in which appeals can be taken and perfected to the Supreme Court.

An act for the relief of widows of this State.

An act making the County Treasurers the Treasurers of the School Fund in their respective counties.

An act relating to official and legal advertising.

An act to incorporate the Pensacola Railroad Company, and to authorize it to become the purchaser and assignee of the property, rights, franchises, privileges and immunities of the Pensacola and Louisville Railroad Company.

Very respectfully,

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

Which was read.

Mr. Walker offered the following resolution:

Resolved, That the Committee on Privileges and Elections be directed to inquire into the recent election held in Brevard and Dade counties for Senator of the Twenty-first District, and report immediately, or as soon as practicable.

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

Under suspension of the rule, the following bills were introduced:

By Mr. McMeekin:

Senate bill No. 72:

To be entitled an act to incorporate the Florida Internal Improvement and Construction Company;

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

By Mr. Lykes:

Senate bill No. 73:

To be entitled an act relating to the Cancellation of Comptroller's Warrants, Treasurer's Certificates and Coupons;

Which was read, and referred to the Committee on Finance and Taxation.

On motion of Mr. Barnes, the Senate took a recess until 8 o'clock, P. M.

EIGHT 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. Cottrell, Durkee, Hendry, Hill, Johnson, Long, Mc-

Guire, McMeekin, Meacham, Osgood, Patterson, Richard, Wallace and Weeks—14.

A quorum present.

Senate bill No. 35:

To be entitled an act authorizing the Collectors of Revenue to receive certain indebtedness of the State for taxes,

Was read.

Mr. McCaskill moved that the further consideration of the bill be postponed until half-past 10 o'clock, to-morrow morning;

Which was agreed to.

Mr. Barnes introduced the following resolution:

JOINT RESOLUTION.

Be it resolved by the People of the State of Florida, represented in Senate and Assembly, That the Senators in Congress from this State be instructed, and the Representatives advised, to oppose the passage of the bill to aid the Texas and Pacific Railroad, lately reported in the House of Representatives of the United States, the same being unjust to this State;

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

Assembly bill No. 38:

To be entitled an act for the relief of Robert S. Williams, Was read and referred to the Committee on Claims.

Assembly bill No. 100:

To be entitled an act to amend sections 1, 3, 4, 5 and 6 of an act entitled an act to enforce Mechanic's and Laborer's Liens on Buildings and other property, approved August 4, 1868;

Was read and referred to the Committee on Judiciary.

Assembly bill No. 200:

To be entitled an act to authorize the enrollment of officers and members of the Key West Rifles in the Militia of the State, and for other purposes,

Was read, and referred to the Committee on Militia.

Under a suspension of the rule, the following bills were introduced:

By Mr. Barnes:

Senate bill No. 74:

To be entitled an act to authorize the County Commissioners of the several counties of this State to appoint a County Attorney;

Which was read, and referred to the Committee on Judiciary.

By Mr. McKinnon:

Senate bill No. 75:

To be entitled an act to make the value of property stolen in cases of conviction for larceny part of the cost in such cases, and to provide for the collection or payment thereof;

Which was read, and referred to the Judiciary Committee.

By Mr. Brantley :

Senate bill No. 76 :

To be entitled an act relative to the Burning of the Woods in this State ;

Which was read, and referred to the Committee on State Affairs.

Assembly bill No. 195 :

To be entitled an act to provide for the re-establishment of Records, Process and other papers destroyed by fire,

Was read, and referred to the Judiciary Committee.

Assembly bill No. 179 :

To be entitled an act in relation to the Waiver of Homestead Exemptions,

Was read, and referred to the Judiciary Committee.

Assembly bill No. 188 :

To be entitled an act to confer certain Privileges upon the St. Johns, Lake Eustis and Gulf Railroad Company,

Was read, and referred to the Committee on Railroads and Telegraphs.

Assembly bill No. 88 :

To be entitled an act to procure the attendance in Criminal Prosecutions,

Was read, and referred to the Judiciary Committee.

Assembly bill No. 146 :

To be entitled an act to incorporate the South Florida Navigation Company ;

Which was read and referred to the Committee on Commerce and Navigation.

Assembly bill No. 199 :

To be entitled an act to regulate the Traffic in certain Products of this State ;

Which was read and referred to the Committee on Militia.

Assembly bill No. 140 :

To be entitled an act to define certain Judicial Proceedings ;

Which was read and referred to the Judiciary Committee.

Assembly bill No. 118 :

To be entitled an act to protect persons living on or improving Public Lands in this State ;

Which was read and referred to the Committee on Public Lands.

The Committee on the Militia made the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., February 26, 1877. }

Hon. NOBLE A. HULL,

President of the Senate :

SIR: Your Committee on the Militia, to whom was referred

Assembly bill No. 184 :

To be entitled an act to authorize the enrollment of the officers and members of the Escambia Rifles in the Militia of the State, and to empower the Governor to issue to them arms of the State,

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

I. C. RICHARD, Chm'n.

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

Assembly bill No. 184 :

To be entitled an act to authorize the enrollment of the officers and members of the Escambia Rifles in the Militia of the State, and to empower the Governor to issue them arms of the State,

Was taken up and read the second time.

Mr. Walls moved to strike out all after the enacting clause.

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

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Orman, Patterson, Richard, Walker and Weeks—15.

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

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

On motion of Mr. McGuire, the rule was suspended, and the bill read the third time and put upon its passage.

Upon the question, Shall the bill pass ?

The vote was :

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Orman, Osgood, Patterson, Richard, Walker and Weeks—16.

Nays—Messrs. Meacham and Walls—2.

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 84 :

To be entitled an act to fix and provide for the Compensation of Presidential Electors,

Was read the second time.

Mr. Meacham offered the following amendment :

“Strike out R. B. Hilton, J. E. Yonge, W. Call and Robert Bullock ;”

Which was not adopted.

Mr. McKinnon moved that the rule be suspended, and the bill read the third time and put upon its passage ;

Which was agreed to.

Upon the question, Shall the bill pass?

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Orman, Patterson, Richard, Walker and Weeks—15.

Nays—Messrs. Durkee, Hill, Howell, Long, Meacham, Osgood, Wallace and Walls—8.

Mr. Osgood offered the following amendment to the title:

A bill to be entitled an act to create electors to elect a President and Vice-President of the United States, without having a majority of the votes of the people.

Mr. Lykes moved to lay the amendment on the table;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McCaskill, McGuire, McKinnon, McMeekin, Orman, Patterson, Richard, Walker and Weeks—15.

Nays—Messrs. Durkee, Hill, Howell, Long, Meacham, Osgood, Wallace and Walls—8.

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

So the bill passed—title as stated.

Ordered that the same be certified to the Assembly.

The following message was received from the Assembly:

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 1877. }

HON. NOBLE A. HULL,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has receded from its amendments to Senate bill No. 43:

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

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

Also the following:

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 100:

To be entitled an act to amend sections 1, 3, 4, 5 and 6 of an

act entitled an act to enforce Mechanics' and Laborers' liens on buildings and other property, approved August 4, 1868; and,

Assembly bill No. 200:

To be entitled an act to regulate the traffic in certain Products of this State;

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 bills placed among the orders of the day.

Also the following:

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 19:

To be entitled an act to regulate Criminal Proceedings before Justices of the Peace, with an amendment,

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 placed among the orders of the day.

Also the following:

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 146:

To be entitled an act to incorporate the South Florida Navigation Company; and

Assembly bill No. 199:

To be entitled an act to authorize the enrollment of the officers and members of the Key West Rifles in the militia of the State, and to empower the Governor to issue Arms of the State to them;

26s

And respectfully request the concurrence of the Senate therein.

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

Which was read, and on motion of Mr. Cottrell the Senate concurred in the amendment proposed by the Assembly.

Also the following :

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 179 :

To be entitled an act in relation to the waiver of Homestead exemptions; and

Assembly bill No. 188 :

To be entitled an act to confer certain Privileges upon the St. Johns, Lake Eustis and Gulf Railroad;

And respectfully request the concurrence of the Assembly therein.

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

Also the following :

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 195 :

To be entitled an act for the re-establishment of Records, Process, and other papers destroyed by fire; also, adopted

Assembly Concurrent Resolution relative to Engraved Comptroller's Warrants, 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 resolution placed among the orders of the day.

Also the following :

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 184 :

To be entitled an act to authorize the enrollment of the officers and members of the Escambia Rifles in the Militia of the State, and to empower the Governor to issue to them arms of the State; also,

Assembly bill No. 38 :

To be entitled an act for the relief of Robert S. Williams, 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 bills placed among the orders of the day.

Also the following :

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 1877. }

HON. NOBLE A. HULL,

President of the Senate :

SIR—I am directed by the Assembly to return to the Senate, by the request of your committee, Senate bill No. 27, to be entitled an act granting certain rights to the Gainesville, Ocala and Charlotte Harbor Railroad Company.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following :

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 88 :

To be entitled an act to procure the attendance of Witnesses in Criminal Prosecutions, 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 placed among the orders of the day.

Also the following:

ASSEMBLY HALL,
TALLAHASSEE, FLA., February 26, 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. 118:

To be entitled an act to protect persons living on or improving Public Lands in this State; also,

Assembly bill No. 140:

To be entitled an act to define certain Judicial Proceedings; also, adopted

Senate Resolution relative to an appropriation for improving the navigation of the Caloosahatchie river, 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 bills placed among the orders of the day, and the resolution ordered to be enrolled.

Senate bill No. 62:

To be entitled an act for the relief of Solomon Rouse of Hamilton county,

Was read.

Mr. Wallace moved that the bill be indefinitely postponed; Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Brantley, Durkee, Hendry, Howell, Johnson, Lykes, McMeekin, Meacham, Orman, Walker, Wallace and Walls—12.

Nays—Messrs. Barnes, Cottrell, Hill, McCaskill, McGuire, McKinnon, Osgood, Patterson, Richard and Weeks—10.

So the bill was indefinitely postponed.

Under a suspension of the rule, Mr. McGuire introduced the following bill:

Senate bill No. 77:

To be entitled an act to induce Immigration;

Which was read, and referred to the Committee on Appropriations.

On motion of Mr. Richard, the Senate adjourned.

TUESDAY, February 27, 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, Lykes, McCaskill, McGuire, McMeekin, Meacham, Osgood, Patterson, Richard, Walker and Weeks—16.

A quorum present.

Prayer by the Chaplain.

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

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

The resolution of Mr. Walker, relative to instructions to the Committee on Privileges and Elections, was taken up.

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

Which was agreed to.

Mr. Walker, Chairman of the Conference Committee, made the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., February 27, 1877. }

HON. NOBLE A. HULL,

President of the Senate:

SIR—Your Committee on Conference, to adjust the subject of difference between the Senate and Assembly on Assembly bill No. 131, the per diem of members and attaches of this Legislature, recommend that the Senate recede from its amendments on the per diem of members of the Legislature, and modify its amendments on the per diem of Messenger, so as to read, "the Messenger of the Senate five dollars per diem," and "Messengers of the Assembly three dollars per diem."

Respectfully submitted,

WHITFIELD WALKER, Ch'n.

Upon the question of the adoption of the report, the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Lykes, McCaskill, McKinnon, McMeekin, Patterson, Richard, Walker and Weeks—12.

Nays—Messrs. Durkee, Hill, Howell, Long, McGuire, Meacham, Orman, Osgood, Wallace and Walls—10.

So the Senate adopted the report.