

novar, Hagan, Hatcher, Johnson, Judge, Leslie, Lykes, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Walker of the 23d, Walker of the 6th, Walls and Wallace—26.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 69:

To be entitled an act to incorporate the St. Johns and Lake Eustis Railway Company,

Was, on motion of Mr. Niblack, put back on its second reading.

Indefinite leave of absence was granted Mr. Walls on account of sickness in his family.

On motion of Mr. Wallace, the Senate then adjourned till 10 A. M. to-morrow.

#### CONFIRMATIONS.

G. P. Thomas, Collector of Revenue for Alachua county.

THURSDAY, February 6, 1879.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Leslie, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd, Walker of the 6th, and Wallace—28.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. Johnson, the reading of yesterday's journal was dispensed with and the journal approved.

Mr. Durkee asked the unanimous consent of the Senate to withdraw the resolution presented yesterday by him, in regard to Comptroller's warrants.

Permission granted.

Mr. Durkee presented concurrent resolution relative to Comptroller's Warrants;

Which was placed among the orders of the day.

The following joint resolutions and bills were introduced and placed among the orders of the day:

By Mr. French:

Senate joint resolution in relation to a mail route from Enterprise to Titusville, in Volusia county.

By Mr. Sharpe:

Senate joint resolution asking for a mail route from Orlando, in Orange county, to Fort Drum, in Brevard county.

By Mr. Hagan:

Senate joint resolution in relation to land granted to the State of Florida by act of Congress, approved September 28, 1850.

By Mr. Speer:

Senate joint resolution prohibiting the introduction of new business after the 15th inst.

By Mr. Judge:

Senate bill No. 92, to be entitled an act to authorize John McDavid, of Santa Rosa county, to cut a canal from Escambia river to Canoe creek.

By Mr. McGuire:

Senate bill No. 93, to be entitled an act to authorize the improvement of streams declared navigable for logs or timber.

Also Senate bill No. 94, to be entitled an act to prevent unjust extortion or discrimination in charges of freight or passengers by railroads in this State.

The following resolution of Mr. Durkee was taken up:

WHEREAS, The Legislature of the State of Florida, at its session of 1865-1866, enacted a statute "to authorize the Governor to negotiate a loan for the State of Florida;" and

WHEREAS, It is stated that under said statute the Governor issued bonds of \$1000 each, numbered from 1 to 45, inclusive, twenty of which numbered from 1 to 20, inclusive, were delivered to the President of the Florida Central Railroad, and the remaining 25 loaned to the Pensacola and Georgia Railroad, but subsequently returned to the Comptroller and by him marked cancelled; and

WHEREAS, It is stated that 19 of the said bonds numbered from 1 to 19, inclusive, were exchanged on the 26th of February, 1874, with the Comptroller for Florida State Bonds, sixes, issue of 1873 for the principal and interest of said bonds, numbered from 1 to 19; and

WHEREAS, It is believed that the State never received any consideration for these bonds, and that said exchange of bonds should not have been made;

Therefore be it resolved, That the special joint committee appointed to inquire into the outstanding engraved warrants, be instructed and required to further enquire how, and in what

manner the exchange of the said bonds, numbered from 1 to 19, were made for bonds of 1873, with whom such exchange was made and for what particular bonds of 1873; and to ascertain what legislation if any is necessary to protect the State from injury and loss in the premises, and that they report their conclusions to this Senate;

Which was taken up, read and adopted.

Joint resolution No. 17, for a Mail Route from Orlando in Orange county, to Fort Drum in Brevard county, Florida,

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

Joint resolution No. 18, in relation to a Mail Route from Enterprise to Titusville in Volusia county,

Was read the first time and referred to the Committee on Post Routes.

Joint resolution No. 19, in relation to lands granted to the State of Florida by an act of Congress, approved September 28, 1850,

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

Joint Resolution No. 78, prohibiting the introduction of new business after the 15th inst.;

Which was read and, under the rules, laid over.

Mr. Bryson, from the Committee on Engrossed Bills, reported that the committee had examined the following bills and found them correctly engrossed:

Senate bill No. 21, to be entitled an act for the relief of Thos. Jackson, of Hillsborough county; also,

Senate bill No. 27, to be entitled an act for the better protection of the owners of domestic animals; also,

Senate bill No. 38, to be entitled an act in relation to marriages and to provide for proving and recording of marriages in certain cases.

Bills No. 21, 27 and 38 were placed among the orders of the day.

The Committee on Claims made the following report:

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your committee to whom was referred the petition of Geo. D. Allen beg leave to return the same without comment, for the consideration of the Senate.

F. GENOVAR, Chairman.

J. T. LESLIE,

N. G. PATTERSON,

J. G. SPEER.

Which was read.

## ORDERS OF THE DAY.

Senate bill No. 92:

To be entitled an act to authorize John McDavid, of Santa Rosa county, to cut a canal from Escambia river to Canoe creek,

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

Senate bill No. 93:

To be entitled an act to authorise the improvement of streams declared navigable for logs and timber,

Was read first time, and referred to Committee on Commerce and Navigation.

Senate bill No. 94:

To be entitled an act to prevent unjust extortion or discrimination in charges of freights and passengers by railroads in the State,

Was read the first time and referred to the Committee on Corporations.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,  
TALLAHASSEE, FLA., February 4, 1879.

HON. WM. D. BARNES,

*President pro tem. of the Senate:*

SIR: I have this day signed and deposited in the office of the Secretary of State the following acts, to-wit:

"An act declaring Sandy Creek in Holmes and Walton counties navigable;"

"An act to amend sections 1 and 2 of an act authorizing William Miller to dig a canal from Choctawhatchie river to Tucker's Bayou, approved February 27, 1877;"

"An act to amend section 2, Chapter 1,099, Laws of Florida, in relation to Replevin."

Very respectfully,

GEO. F. DREW, Governor.

Which was read.

Senate bill No. 11:

To be entitled an act to protect the manufacture of manures,  
Was read a second time.

On motion of Mr. Sharpe, the bill was amended as follows:

That Senate bill No. 11 be amended by inserting in third line section 1 after the word "muck" "or other deposits;" in seventh line of said section after word "muck" "or other deposits;" in ninth line after the word "muck." "or beds of other deposits;"

And the bill ordered to be engrossed as amended.

Senate bill No. 69:

To be entitled an act to incorporate the St. Johns and Lake Eustis Railway Company,

Was read a second time.

Mr. Niblack moved to amend as follows: In section 3, line 5, strike out all after the word "Eustis" to the word "and," in the 7th line; also, in section 5, 4th line, strike out all after the word "years;"

Which was agreed to, and the bill ordered to be engrossed as amended.

Senate bill No. 39:

To be entitled an act to fix the pay of members of the Legislature, and officers and attaches thereof,

Was read.

Mr. Leslie moved that wherever the word "four" appears, strike out and insert "five."

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

On this the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, French, Lykes, McMeekin, McKinnon, Niblack, Richard, Speer and Thompson—9.

Nays—Messrs. Allen, Bryson, Durkee, Eagan, Genovar, Hagan, Hatcher, Jones, Judge, Leslie, McClenny, McGuire, Meacham, Orman, Patterson, Sharpe, Walker of the 23rd, Walker of the 6th, and Wallace—19.

So the motion to lay on the table was lost.

The question then recurred on the adoption of the amendment offered by Mr. Leslie.

The yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, Genovar, Hagan, Hatcher, Jones, Judge, Leslie, McClenny, McGuire, Patterson, and Wallace—13.

Nays—Messrs. Barnes, Eagan, French, Johnson, Lykes, McMeekin, McKinnon, Meacham, Niblack, Orman, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of the 6th—16.

So the amendment was lost.

Mr. Walker of the 23d moved that section 2, as relating to the pay of Secretary and Assistant Secretary, be amended so as to read six dollars each for Secretary and Assistant Secretary;

Which was not agreed to.

Mr. Niblack moved to reconsider the vote on the amendment;

Which was not agreed to.

Mr. Barnes moved to amend by inserting six dollars per day

as the pay of the Secretary of the Senate, and five dollars per day as the pay of the Assistant Secretary and of the Sergeant-at-Arms;

Which was not agreed to.

Mr. Wallace moved to strike out four dollars a day for pay of members of the Senate and Assembly, and insert five and a half dollars.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Bryson, Eagan, Genovar, Jones, McGuire and Wallace—7.

Nays—Messrs. Barnes, Durkee, French, Hagan, Hatcher, Johnson, Lykes, McMeekin, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of the 6th—19.

So the amendment was not agreed to.

Mr. Wallace moved that the bill be referred to a special committee consisting of Messrs. Walker of the 6th, Orman and Sharpe.

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

Which was agreed to.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, February 6, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has passed Senate bill No. 4, to be entitled an act to amend section 4 of an act entitled an act relating to official and legal advertisements, with amendments thereto.

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, February 6, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has adopted Assembly Joint Resolution to distribute the Supreme Court reports to certain officers who are unsupplied, 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, February 6, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has passed Senate bill No. 35, to be entitled an act for the incorporation of the Grand Lodge of the Independent Order of Odd Fellows of Florida; and adopted Assembly Concurrent Resolution relative to new business; 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, February 6, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

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

Assembly bill No. 49, to be entitled an act for the relief of Solomon H. Page, of Polk county; also,

Assembly bill No. 38, to be entitled an act for the relief of M. W. Downie; and respectfully request the concurrence of the Senate therein.

Very respectfully,

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

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

Mr. Lykes moved that the rule be waived and Senate bill No. 39 read the third time;

Which was agreed to, and the bill read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Barnes, French, Hagan, Lykes, McMeekin, McKinnon, Niblack, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of the 6th—13.

Nays—Messrs. Allen, Bryson, Durkee, Eagan, Genovar,

Hatcher, Johnson, Jones, Judge, Leslie, McClenny, McGuire, Meacham, Orman, Patterson and Wallace—16.

So the bill did not pass.

Special order for 12 M.

Senate bill No. 18 :

To be entitled an act to grant certain swamp and overflowed lands to the Tampa, Peace Creek and St. Johns River Railway Company,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Bryson, Durkee, Genovar, Hatcher, Leslie, Lykes, McGuire, McKinnon, Niblack, Orman, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of the 6th—17.

Nays—Messrs. Johnson, Judge, McMeekin and Patterson—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 21 :

To be entitled an act for the relief of Thomas Jackson, of Hillsborough county,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Bryson, Genovar, Hagan, Hatcher, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, McKinnon, Niblack, Patterson, Richard, Sharpè, Speer, Thompson, Walker of the 23d, and Walker of 6th—20.

Nays—Mr. Johnson—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 27 :

To be entitled an act for the better protection of the owners of Domestic animals,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Bryson, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Walker of the 23d and Walker of the 6th—24.

Nays—Mr. Durkee—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 38 :

To be entitled an act in relation to marriages, and to provide for proving and recording of marriages in certain cases,

Was read a third time and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—27.

Nays—None.

So the bill passed, title as stated.

Ordered to be certified to the Assembly.

Senate bill No. 77 :

To be entitled an act to prevent deception in the sale of butter and cheese in the State of Florida,

Was taken up for a second reading.

Mr. Walker moved to amend by striking out in section 2 the words "one half of the fine to informant;"

Amendment agreed to, and bill ordered to be engrossed.

Senate bill No. 4:

To be entitled an act to amend section 4 of an act entitled an act relating to Official and Legal Advertisements, approved February 7, 1877,

Was returned from the Assembly with amendments.

Bill and amendments referred to the Committee on Printing.

Concurrent Assembly resolution in relation to New Business,

Was read and laid over until to-morrow, under the rule.

Assembly resolution No. 34 :

To distribute the Supreme Court Reports to certain officers who are unsupplied,

Was read and laid over under the rule.

Assembly bill No. 38 :

To be entitled an act for the relief of M. W. Downie,

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

Assembly bill No. 49 :

To be entitled an act for the relief of H. Page, of Polk county,

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

The Senate then went into Executive session.

On the doors being opened, on motion the Senate adjourned till 10 A. M. to-morrow.

FRIDAY, February 7, 1879.

The Senate met pursuant to adjournment.

On motion of Mr. Thompson, Mr. McKinnon was called to the chair.

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

Messrs. Allen, Bryson, Durkee, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—27.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. Johnson, the reading of the journal was dispensed with and the journal approved.

Mr. Niblack presented a memorial of the citizens of Alachua county asking for a railroad between Gainesville and Lake City;

Which was read the first time and placed among the orders of the day.

The President *pro tem.* in the chair.

The following bills were presented and placed among the orders of the day :

By Mr. McGuire:

Senate bill No. 95, to be entitled an act to prevent the issuing of scrip for currency.

By Mr. Lykes:

Senate bill No. 96, to be entitled an act for the relief of tax assessors and collectors.

#### ORDERS OF THE DAY.

Assembly Resolution No. 34, to distribute the Supreme Court reports to certain officers who are unsupplied,

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

Assembly Concurrent Resolution relative to new business, Was read the first time.

Mr. Lykes moved to amend by striking out all after the word "after," and insert "Thursday, 13th; and that this Legislature adjourn *sine die* on Monday, February 18."

The yeas and nays being called for upon this amendment,

The vote was :

Yeas—Messrs. Durkee, Eagan, Genovar, Jones, Leslie, Lykes, McClenny, McKinnon, Meacham and Richard—10.