

reconsideration of the vote by which the resolution offered by Mr. Durkee was lost.

Mr. French asked that Messrs. Thompson, McClenny and himself, the Committee on the Asylum and State Prison, be excused for two days from attendance;

Which was agreed to.

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

TUESDAY, February 11, 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, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Patterson, Richard, Sharpe, Thompson and Walker of the 23rd—24.

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. Johnson asked that Mr. Orman be excused from attendance on account of sickness;

Which was granted.

Mr. McGuire presented the following resolution:

Resolved by the Senate, the Assembly concurring, That this Legislature adjourn February 20th sine die.

Mr. Lykes moved that the rule be waived and the resolution adopted;

Which was not agreed to.

Mr. Egan moved a reconsideration of the vote taken yesterday on the resolution of Mr. Durkee, "asking for certain information from the Comptroller."

The yeas and nays being called for, the vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, Hatcher, Johnson, Leslie, McClenny, McGuire, Meacham, Niblack, Sharpe, Speer, Walker of the 23rd and Wallace—16.

Nays—Messrs. Hagan, Jones, Judge, Lykes, McMeekin, McKinnon, Patterson, Richard and Thompson—9.

So the motion to reconsider was agreed to.

Mr. Eagan then called up the resolution of Mr. Durkee, which was read, and moved its adoption.

The resolution was then adopted.

Mr. Niblack made the following report:

SENATE CHAMBER, TALLAHASSEE, February 11, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: The Committee on Railroads and Canals, to whom was referred Senate bill No. 106, to be entitled an act to incorporate the Chattahoochie and Pensacola Railroad Company, beg leave to report that they have had the same under consideration and recommend the adoption of the amendment attached to the bill, and that it be passed as thus amended.

Respectfully,

S. L. NIBLACK, Chairman.

Which was read and Senate bill No. 106 placed among the orders of the day.

Mr. Niblack asked leave of absence for Messrs. Allen, McKinnon and himself on account of committee business;

Which was granted.

ORDERS OF THE DAY.

Assembly bill No. 14:

To be entitled an act to amend the 69th section of an act entitled an act to provide for the punishment of crime, and proceedings in criminal cases, approved August 6, 1868, for the purpose of extending the provisions of the said section to ferries, and to any person who shall aid or assist another to violate the provisions of said section,

Was read a second time and ordered to be engrossed.

Senate resolution No. 15:

Requesting that a beacon light be erected at or near Choctawhatchee Bar, in West Florida,

Was read a second time, and ordered to be engrossed as amended by the Committee on Commerce and Navigation.

Senate bill No. 44:

To be entitled an act to amend section 13 of an act entitled an act concerning limitation of actions, approved November 10, 1828,

Was read the second time and ordered to be engrossed.

Senate bill No. 50:

To be entitled an act to repeal joint resolution approved March 7, 1877, in relation to the Agricultural Fund,

Was read a second time, and, on motion of Mr. Lykes, was postponed for further consideration until to-morrow.

Senate bill No. 66:

To be entitled an act to enlarge the jurisdiction of mayors of cities and towns in this State.

Was taken up, and, on motion of Mr. Meacham, was indefinitely postponed.

Senate bill No. 82:

To be entitled an act for the adoption of a child by Charles F. Wall and Susan M. Wall,

Was read the second time, the rule waived, read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Durkee, French, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McMeekin, McGuire, Meacham, Patterson, Richard, Sharpe, Speer, Walker of the 23d and Wallace—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 85:

To be entitled an act making prejudice a disqualification of Judges of the Supreme Court, and providing for the substitution of Circuit Court Judges,

Was read the second time.

Mr. Durkee moved that the bill be amended by the addition of the following as section 2:

SECTION 2. That the Circuit Judge or Judges who shall be called in as provided for in the preceding section shall also be disqualified to sit in the case, provided that any party to the case pending in said Supreme Court, or his or her attorney, shall make the affidavit provided for in the preceding section, as to the prejudice of such Circuit Judge or Judges.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Hagan, Johnson, Jones, McClenny, McGuire, Meacham, Patterson, Speer, Thompson, Walker of the 23rd and Wallace—15.

Nays—Messrs. Judge, Leslie, Lykes, McMeekin, Richard and Sharpe—6.

So the amendment was adopted, and the bill ordered to be engrossed.

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 a second time and ordered to be engrossed.

Senate bill No. 93:

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

Was read a second time, and ordered to be engrossed.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, February 11, 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. 76, to be entitled an act for the relief of William Bach; also

Assembly bill No. 77, to be entitled an act for the relief of Asberry Ash of Hamilton 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 bills placed among the orders of the day.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, February 11, 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 Senate concurrent resolution instructing the joint committee appointed to inquire into the outstanding Comptroller's warrants to make certain further inquiries.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, February 11, 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. 70, to be entitled an act for the relief of Washington Waller and Reuben Wright, 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.

ASSEMBLY HALL, TALLAHASSEE, FLA., February 11, 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. 63, to be entitled an act to amend Section 3 of chapter 1893 of the laws of Florida, approved February 27, 1872; also,

Assembly bill No. 64, to be entitled an act for the protection of private residences and enclosed premises, 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.

Senate bill No. 106:

To be entitled an act to incorporate the Chattahoochee and Pensacola Railroad,

Was read a second time, and adopted as amended by the committee, and ordered to be engrossed.

On motion of Mr. McMeekin, 200 copies were ordered to be printed.

Senate bill No. 69:

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

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Hagan, Hatcher, Leslie, Lykes, McClenny, McMeekin, McGuire, Meacham, Patterson, Richard, Sharpe, Speer, Walker of the 23rd and Wallace—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 36:

To be entitled an act to provide for the payment of mileage to jurors and witnesses at the Spring Term, 1877, of the Circuit Courts in the several counties in this State,

Was taken up, and, on motion of Mr. Judge, postponed for further consideration until 11 o'clock to-morrow.

Senate bill No. 2:

To be entitled an act to direct the Trustees of the Internal

Improvement Fund to sell certain lands and pay certain debts therein named,

Was read a third time and put upon its passage.

Mr. Wallace asked to be excused from voting. Permission refused.

The vote was:

Yeas—Messrs. Barnes, Bryson, French, Hagan, Hatcher, Judge, McGuire, Patterson, Speer, Thompson, and Walker of the 23rd—11.

Nays—Messrs. Leslie, McMeekin, Meacham, Richard, Sharpe, and Wallace—6.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 42:

To be entitled an act to protect employers, apprentices, employees and laborers in this State,

Was read the third place.

Mr. Thompson moved that the bill be put back on its second reading;

Which was agreed to.

Senate bill No. 11:

To be entitled an act to encourage and protect the manufacture of manures,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Hagan, Hatcher, Leslie, McClenny, Richard, Speer, Thompson, Walker of the 23d and Wallace—13.

Nays—Messrs. Johnson, Judge, Lykes, McMeekin, Meacham and Patterson—6.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 96:

To be entitled an act for the relief of tax assessors and collectors,

Was read the second time.

On motion of Mr. Patterson, the bill was put back on its second reading.

Assembly joint resolution No. 6:

Asking the establishment of a life-saving station at Cape San Blas, Calhoun county,

Was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Hatcher, Johnson, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, Meacham, Patterson, Richard, Sharpe, Speer, Thompson, and Walker of the 23rd—19.

Nays—None.

So the resolution 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 or cheese in the State of Florida,

Was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Hatcher, Johnson, Judge, McClenny, McMeekin, McGuire, Meacham, Richard, Speer, Thompson, and Walker of the 23rd—15.

Nays—Messrs. Leslie and Wallace—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 88:

To be entitled an act to authorize the erection of a dam across Hillsborough river, in the county of Hillsborough, State of Florida,

Was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, French, Hagan, Hatcher, Johnson, Judge, Leslie, Lykes, McClenny, McMeekin, McGuire, Meacham, Patterson, Speer, Thompson, Walker of the 23rd, and Wallace—17.

Nays—Mr. Richard—1.

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, February 11, 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 No. 34, relative to a mail route from Tallahassee in Leon county to Bristol in Liberty 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 resolution placed among the orders of the day.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, February 11, 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. 94, to be entitled an act for the protection of ports, harbors, bays and rivers of this State, and to repeal chapter 1900 of the Laws of Florida, and respectfully request the concurrence of the Senate therein.

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 11, 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. 95, to be entitled an act in relation to crime, and respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of Assembly.

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

On motion of Mr. Lykes, the Senate adjourned until 4 P. M.

FOUR O'CLOCK P. M.

The Senate met pursuant to adjournment.

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

Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McMeekin, McGuire, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d—21.

A quorum present.

ORDERS OF THE DAY.

Senate bill No. 55:

To be entitled an act to prevent illegal voting,
Was read the third time and put on its passage.

The vote was:

Yeas—Messrs. Barnes, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, McClenny, McMeekin, McGuire, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d—16.

Nays—Messrs. Durkee, Eagan and Wallace—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 87 :

To be entitled an act to incorporate the Medical Society of Florida,

Was taken up, and on motion of Mr. Thompson, was put back on its second reading.

Mr. Bryson reported the following bills as correctly engrossed :

Senate bill No. 6, to be entitled an act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits and malt liquors within the State of Florida.

Senate bill No. 68, to be entitled an act to grant lands to the Gainesville, Ocala and Charlotte Harbor Railroad Company.

Senate bill No. 74, to be entitled an act to locate the county site of Brevard county.

Said bills, Nos. 6, 68 and 74, were placed among the orders of the day.

Mr. Leslie moved that Mr. Durkee be added to the committee on outstanding engraved Comptroller's warrants.

There being no objection, the motion was agreed to.

Senate bill No. 6 :

To be entitled an act imposing a tax and prescribing the mode of collecting the same on the privilege of selling wine, ardent spirits and malt liquors within the State of Florida,

Was read a third time.

Mr. McMeekin moved that the further consideration of the bill be postponed until 12 M. to-morrow.

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

Which was agreed to.

The bill was then put upon its passage.

The vote was :

Yeas—Messrs. Barnes, Eagan, Hagan, Hatcher, Lykes, Walker of the 23d and Wallace—7.

Nays—Messrs. Bryson, Durkee, French, Johnson, Jones, Leslie, McClenny, McMeekin, McGuire, Patterson, Richard, Sharpe, Speer and Thompson—15.

So the bill did not pass.

Mr. Leslie moved that the vote be reconsidered.

Mr. Bryson moved to lay this motion on the table.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Bryson, French, Johnson, Jones, Judge, Leslie, McClenny, McGuire, Patterson, Richard, Sharpe and Wallace—12.

Nays—Messrs. Barnes, Eagan, Hagan, Hatcher, Lykes, McMeekin, Speer, Thompson and Walker of the 23d—9.

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

Senate bill No 68 :

To be entitled an act to grant lands to the Gainesville, Ocala and Charlotte Harbor Railroad Company,

Was read the third time and put on its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Durkee, Eagan, French, Hatcher, Jones, Leslie, Lykes, McClenny, McMeekin, McGuire, Niblack, Patterson, Richard, Speer and Walker of the 23d—17.

Nays—Messrs. Johnson and Thompson—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Senate.

Mr. McGuire asked to be allowed to refer certain papers of Robert McCormick to the Committee on Claims ;

Which was granted.

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

CONFIRMATIONS.

Wm. F. Parish, Collector of Revenue, Manatee county.

WEDNESDAY, February 12, 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, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Long, Lykes, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 6th—27.

A quorum present.

Prayer by the chaplain.

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

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

By Mr. Walker of the 23d :

Senate bill No. 109, to be entitled an act to amend sections