

Assembly Memorial No. 21, asking for the establishment of a mail route between St. Lucie, Brevard county, and Tuste-nuggee, Dade county, and the appointment of a carrier of mails between these two points,

Was read the second time and laid over for a third reading on to-morrow.

Senate bill No. 90:

To be entitled an act to amend sections 5 and 30 of an act entitled an act to provide for and encourage a liberal system of internal improvements in this State, approved January 6, 1855,

Was read the second time.

Mr. Durkee moved that the bill be postponed for further consideration at 11 o'clock on Friday;

Which was agreed to.

On motion of Mr. Durkee, 150 copies were ordered printed.

Assembly bill No. 108:

To be entitled an act for the relief of D. J. McRae,

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

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, French, Hatcher, Johnson, Jones, Judge, Leslie, Long, McMeekin, McGuire, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Wallace—20.

Nays—Mr. Meacham—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 7:

To be entitled an act to provide for an election to enable the people of Florida to declare whether they will meet in convention to revise their Constitution, to elect delegates thereto, to fix the time and place of such convention, and the compensation of its delegates and officers, and also for a subsequent election to ratify or reject such revised Constitution,

Was taken up.

Mr. Richard moved to postpone the further consideration of the bill until Monday 17,

On which motion the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Johnson, Long, McClenny, Patterson, Richard, Thompson, Walker of the 6th and Wallace—14.

Nays—Messrs. Hagan, Hatcher, Jones, Judge, Leslie, Lykes, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Sharpe, Speer and Walker of the 23rd—15.

So the motion to postpone was not agreed to.

The bill was read a second time.

Mr. Meacham moved to indefinitely postpone the bill.

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

Mr. Lykes moved the adoption of the amendments proposed by the committee.

Mr. Wallace moved to postpone the consideration of the bill until Saturday and that 200 copies be printed.

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

Upon which, the yeas and nays being called for,

The vote was:

Yeas—Messrs. Hagan, Hatcher, Jones, Judge, Leslie, Lykes, McClenny, McGuire, McKinnon, Niblack, Orman, Sharpe, Speer and Walker of the 23d—14.

Nays—Messrs. Barnes, Bryson, Durkee, Eagan, French, Long, McMeekin, Meacham, Patterson, Richard, Thompson, Walker of the 6th and Wallace—13.

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

Mr. McKinnon moved the adoption of the minority report of the committee with its amendments.

Pending the discussion, Mr. Bryson moved to adjourn till 10 o'clock to-morrow.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, Johnson, Jones, Long, McClenny, Meacham, Patterson, Richard, Thompson, Walker of the 23d, Walker of the 6th and Wallace—16.

Nays—Messrs. French, Hagan, Judge, Leslie, Lykes, McMeekin, McGuire, McKinnon, Niblack, Orman, Sharpe and Speer—12.

So the motion was agreed to, and the Senate adjourned.

THURSDAY, February 13, 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, Judge, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson,

Richard, Thompson, Walker of 23d, Walker of 6th and Wallace—24.

A quorum present.

Prayer by the Chaplain.

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

Mr. Walker of the 6th presented a memorial to Congress in relation to Federal Courts;

Which was read.

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

By Mr. Allen:

Senate bill No. 115, to be entitled an act to enable employers to control their apprentices.

By Mr. Wallace:

Senate bill No. 116, to be entitled an act to provide for the payment of physicians and surgeons attending coroners' inquests.

Also Senate bill No. 117, to be entitled an act to authorize the employment of counsel to represent the State in certain criminal cases.

By Mr. Lykes:

Senate bill No. 118, to be entitled an act to make appropriations for expenses State Government for the years 1879 and 1880.

Senate Memorial No. 23:

Memorial to Congress in relation to Federal Courts:

WHEREAS, The law of Congress requires one term of the United States Court to be held in each year in Pensacola, West Florida, one term in Tallahassee, Middle Florida, and one term in Jacksonville, East Florida; and whereas, the act of Congress of 1866 makes it the duty of the United States Court to "increase the number of Commissioners so as to afford a speedy and convenient means for the arrest and examination of persons charged with crimes;" and whereas, in compliance with said act a number of Commissioners have been appointed in Middle and West Florida; and whereas, notwithstanding these facts, it is the habit of United States officials to arrest persons residing in Middle and West Florida charged with having committed offences therein, and then not to take them for a "speedy and convenient examination," as the spirit of the law directs, before a Commissioner in Middle or West Florida, but to drag them as prisoners contrary to the spirit of the law before a Commissioner residing in Jacksonville in East Florida, several hundred miles away from their homes, their families, their business, their witnesses and their friends, thus depriving them of the speedy and convenient examination ac-

corded by the law, thus depriving them, except at great personal expense, of their witnesses, thus depriving them of their neighbors whom they might ask to sign their bail bonds, thus increasing their costs to a ruinous extent, and thus subjecting them to great hardships, often when they are innocent, always before any proof has been heard to establish their guilt; therefore,

*The people of the State of Florida, represented in Senate and Assembly, do resolve as follows:* That no matter whether the conduct of said officials has been inspired by a desire to increase their costs, or by a desire to extort money as the price of their safety, or by a desire to frighten and intimidate the good people of this State, or for any other wicked purpose, we denounce said conduct as tyrannical, oppressive and unlawful, and we respectfully request our Senators and Representatives in Congress to consider whether the law needs any amendment on this subject, and whether such conduct cannot be prevented in future. We would remind our Senators and Representatives that "a speedy and convenient examination and trial" is one of our legal rights, and that one of the complaints of our ancestors against the King of Great Britain was "for transporting us beyond seas to be tried for pretended offences."

Was read the first time, and ordered to be spread on the journal and placed among the orders of the day.

Mr. Thompson offered the following resolution:

*Resolved,* That 200 copies of the Governor's message and accompanying documents be printed for the use of the Governor and his Cabinet;

Which was adopted.

Mr. Judge made the following report:

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: The committee to whom was referred the report of the Trustees of the State Agricultural College, beg leave to return the same.

Very respectfully,  
WM. JUDGE, Chairman.

Which was read.

Mr. Orman made the following report, which was read:

SENATE CHAMBER, TALLAHASSEE, January 17, 1879.

HON. WM. T. ORMAN,

*Chairman Committee on Public Lands:*

DEAR SIR: The following resolution presented by Mr. Hagan was adopted by the Senate:

"Resolved, That the Committee on Public Lands be instructed to inquire into and report to this Senate what amount of the State Lands (if any) has been deeded to a corporation, known as the Peace Creek Immigration and Navigation Company, and what action is necessary towards having the deeds cancelled, if any exist."

Very respectfully,

JAS. G. GIBBES,  
Secretary of the Senate.

TALLAHASSEE, FLORIDA, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your Committee to whom was referred the resolution of the Senator from 27th District, to-wit: "Resolved, That the Committee on Public Lands be instructed to inquire into and report to this Senate, what amount of State Lands (if any) has been deeded to a corporation known as the Peace Creek Immigration and Navigation Co., and what action is necessary towards having the deeds cancelled if any exist," have considered the same and respectfully report:

First. The act to incorporate the Peace Creek Immigrant and Agricultural Company was not at any time complied with, and the conditions and considerations upon which the grant of lands therein provided for was authorized to be made by the said Trustees have never taken effect or been performed, but the same have entirely failed.

Second. The agreement made by the said Trustees has never been performed on the part of the said Holland, Kendrick and others, and your committee report that the deed for the thirty-three thousand four hundred and forty-nine 45-100 acres of land was made contrary to the provisions of said act and without any consideration, and the same was in every respect a fraud upon the State, and people, and upon the said fund, and conveyed no rights. Your committee therefore recommend the passage of the bill herewith reported:

Senate bill No. 122, to be entitled an act declaring the agreement heretofore made between the Trustees of the Internal Improvement Fund and D. P. Holland, W. H. Kendrick and others, and the act to incorporate the Peace Creek Immigrant and Agricultural Company, to be of no force and effect, and null and void for other purposes.

W. T. ORMAN, Chairman.

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

Mr. McClenny made the following report:

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: The committee to whom was referred Senate bill No. 15, to be entitled an act to amend an act entitled an act to prevent excessive rates of pilotage, approved February 14, 1874, have considered the same and recommend its passage.

Very respectfully,

C. B. McCLENNY, Chairman.

Which was read and Senate bill No. 15 placed among the orders of the day.

Mr. Niblack made the following report:

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: The Judiciary Committee, to whom was referred Senate bill No. 5, entitled an act to limit and define the jurisdiction of Justices of the Peace, have had the same under consideration and recommend the passage of the bill.

Respectfully,

S. L. NIBLACK, Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: The Judiciary Committee to whom was referred Senate bill No. 111, entitled an act to require collectors of any special tax to give bond, having considered the same, recommend that the bill do pass.

Respectfully,

S. L. NIBLACK, Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: The Judiciary Committee to whom was referred Senate

bill No. 109, entitled an act to amend sections 3 and 4 of an act entitled an act for the assessment and collection of revenue, approved February 17, 1874, have considered the same, and recommend that it do not pass.

Very respectfully,  
S. L. NIBLACK, Chairman.

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

Also the following :

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,  
*President pro tem. of the Senate :*

SIR: The committee to whom was referred Senate bill No. 32, an act to provide a remedy for those who suffer damage from the sale of intoxicating liquors, respectfully report that they have had the same under consideration and recommend that the same do pass as amended.

Respectfully,  
S. L. NIBLACK,  
*Chairman of the Judiciary Committee.*

Which was read.

Also the following :

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,  
*President pro tem. of the Senate :*

SIR: Your committee to whom was referred Assembly bill No. 95, a bill to be entitled an act in relation to crimes, respectfully report that they have had the same under consideration and recommend its passage with the attached amendment.

Respectfully,  
S. L. NIBLACK,  
*Chairman of the Judiciary Committee.*

Which was read.

Also the following :

SENATE CHAMBER, TALLAHASSEE, February 13, 1879.

HON. W. D. BARNES,  
*President pro tem. of the Senate :*

SIR: The committee to whom was referred Senate bill No. 71, a bill to be entitled an act allowing divorced persons to marry under certain circumstances, respectfully report that they have examined the same and recommend its passage with the amendment thereto attached.

Respectfully,  
S. L. NIBLACK,  
*Chairman of the Judiciary Committee.*

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

Mr. Genovar made the following report :

SENATE CHAMBER, TALLAHASSEE, February 8, 1879.

HON. W. D. BARNES,  
*President pro tem. of the Senate :*

SIR: Your Committee on Claims to whom was referred Senate bill No. 48 and also Assembly bill No. 38, beg leave to report that they have had the same under consideration and recommend their passage.

Very respectfully,  
F. B. GENOVAR, Chairman.  
JNO. T. LESLEY,  
J. G. SPEER.

Which was read and bills 38 and 48 placed among the orders of the day.

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

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

Senate bill No. 100, To be entitled an act for the relief of Geo. D. Allen of Monroe county.

Senate bill No. 106, To be entitled an act to incorporate the Chattahoochee and Pensacola Railroad Company.

Senate bill No. 87, To be entitled an act for the incorporation of the Florida Medical Association.

Senate bill No. 108, To be entitled an act to establish a Bureau of Immigration for the State of Florida.

Said Senate bills Nos. 96, 100, 106, 87 and 108 were placed among the orders of the day.

#### ORDERS OF THE DAY.

Senate bill No. 115 :

To be entitled an act to enable employers to control their apprentices,

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

Senate bill No 116 :

To be entitled an act to provide for the payment of Physicians and Surgeons attending Coroner's inquests.

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

Senate bill No. 117:

To be entitled an act to authorize the employment of counsel to represent the State in certain criminal cases.

Senate bill 118:

To be entitled an act to make appropriations for expenses of the State Government for the years 1879 and 1880,

Was read the first time and referred to the Committee on Appropriations, and 150 copies ordered to be printed.

Senate Memorial No. 23:

To Congress in relation to Federal Courts,

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

The President gave notice that the following memorials were received from the Assembly, enrolled and ready to be signed:

Memorial to Congress asking for an appropriation for the unpaid balances awarded citizens of Florida by the treaty with Spain of February 22, 1819; also,

Memorial for the erection of a United State Court-House and Post-Office at Key West;

Whereupon said memorials were signed by W. D. Barnes, President pro tem., and James G. Gibbes, Secretary of the Senate.

Mr. Orman asked a reconsideration of the vote yesterday on Assembly bill No. 108, and that the bill be put back on its second reading;

Which was agreed to.

Senate bill No. 7:

To be entitled an act to provide for an election to enable the people of Florida to declare whether they will meet in convention to revise their Constitution, to elect delegates thereto, to fix the time and place of such convention, and the compensation of its delegates and officers, and also for a subsequent election to ratify or reject such revised Constitution;

Was taken up and read the second time.

Mr. McKinnon moved the adoption of the amendments recommended in the minority report.

Mr. Wallace moved to amend this amendment as follows: Strike out "two delegates" wherever it occurs in the bill so far as the counties of Leon, Jefferson, Alachua, Gadsden, Duval, Marion, Jackson and Madison are concerned, and insert "five delegates."

Mr. McKinnon moved to lay the motion to amend the amendment on the table;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, French, 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—22.

Nays—Messrs. Allen, Durkee, Eagan, Long, Meacham and Wallace—6.

So the motion to amend was laid on the table.

Mr. Eagan asked for a ruling of the chair on the question as to whether the motion to lay the amendment to the amendment on the table did not carry with it the original amendment.

The President ruled that the tabling of the amendment to the amendment carried with it the amendment.

Mr. McKinnon then moved to take up the amendment;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, French, Hagan, Hatcher, Judge, Leslie, Lykes, McMeekin, McGuire, McKinnon, Niblack, Orman, Richard, Sharpe, Speer, and Walker of the 23d—16.

Nays—Messrs. Allen, Bryson, Durkee, Eagan, Long, Meacham, Patterson, Thompson, Walker of the 6th and Wallace—10.

So the motion to take up the amendment was agreed to.

The vote was then taken on the adoption of the amendment to the amendment by Mr. Wallace.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Durkee, Eagan, Meacham, and Wallace—5.

Nays—Messrs. Barnes, Bryson, French, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, Long, Lykes, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, and Walker of the 6th—23.

So the amendment of Mr. Wallace was not agreed to.

Mr. Long moved to strike out "two" delegates from Jackten county, and insert "four;"

Which was not agreed to.

Mr. Wallace moved to amend by inserting that "the number of delegates in said Convention shall be the same that is now laid down by the present Constitution."

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Barnes, Durkee, Eagan, Hagan, Long, Meacham and Wallace—8.

Nays—Messrs. French, Hatcher, Johnson, Jones, Judge, Leslie, Lykes, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer and Thompson—16.

So the motion was not agreed to.

The question was then on the adoption of the amendments offered in the minority report of the committee.

Mr. Eagan moved to adopt the majority report of the committee.

The vote was then taken on the adoption of the amendments in the minority report.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Hagan, Hatcher, Judge, Leslie, Lykes, McGuire, McKinnon, Niblack, Sharpe, Speer, and Walker of the 23d—11.

Nays—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Johnson, Jones, Long, McMeekin, Meacham, Orman, Patterson, Richard, Thompson, Walker of the 6th and Wallace—17.

So the amendments were not agreed to.

Mr. McKinnon moved that the rule be waived and the bill be read the third time ;

Which was agreed to.

So the bill was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Hagan, Hatcher, Jones, Judge, Leslie, Lykes, McGuire, McKinnon, Niblack, Orman, Sharpe, Speer and Walker of the 23d—13.

Nays—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Johnson, Long, McMeekin, Meacham, Patterson, Richard, Thompson, Walker of 6th and Wallace—15.

So the bill did not pass.

The following message was received from the Assembly :

ASSEMBLY HALL, TALLAHASSEE, February 12, 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. 89, to be entitled an act to prevent aliens from killing or destroying birds of plume on the coast of Florida, and respectfully request the concurrence of the Senate therein.

Very respectfully,

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

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 Joint Resolution in reference to a Constitutional Convention by a vote of 48 yeas to 20 nays, and respectfully request the concurrence of the Senate therein.

Very respectfully,

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

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

Gov. Marvin, Bishop Young and G. R. Fairbanks being present, were invited to seats on the floor.

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

By Mr. Leslie :

Senate bill No. 119, to be entitled an act to make it a misdemeanor for any Judge of the Supreme Court or of the Circuit Courts of the State of Florida to practice law in certain courts of this State.

By Mr. Wallace :

Senate bill No. 120, to be entitled an act for the relief of G. A. Lamb, of Leon county.

By Mr. Long :

Senate bill No. 121, to be entitled an act repealing an act changing the boundary lines between the counties of Levy and Marion, approved February 6, 1877.

On motion of Mr. Walker of 23d, the Senate adjourned until 10 o'clock A. M. to-morrow.

FRIDAY, February 14, 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, French, Genovar, Hagan, Jones, Judge, Leslie, Long, Lykes, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Richard, Sharpe, Speer, Walker of the 23d, Walker of the 6th and Wallace—25.

A quorum present.

Prayer by the Chaplain.