

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, French, Hatcher, Johnson, Judge, Leslie, Long, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of 6th—22.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Senate went into Executive session.

On the doors being opened, the Senate adjourned until 10 A. M. to-morrow.

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, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Orman, Patterson, Richard, Speer, Thompson, Walker of the 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.

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

By Mr. McGuire:

Senate bill No. 145, to be entitled an act for the relief of Robert McCormick, of Escambia county.

By Mr. French:

Concurrent resolution for establishing a post route from Volusia to Daytona, also from Volusia via Prevatts to New Smyrna, in Volusia county; also,

Senate bill No. 146, to be entitled an act in relation to the public records of the several counties in the State of Florida.

By Mr. Leslie:

Senate bill No. 147, to be entitled an act for the relief of Revenue Collectors of this State.

By Mr. McGuire:

Senate bill No. 148, to be entitled an act relative to the Sabbath day.

Mr. Thompson presented the following communication:

TALLAHASSEE, February 18, 1879.

To the Honorable the President of the Senate of Florida:

SIR: My attention having been called to a report recently made to your honorable body by one of your committees, which does great injustice to interests I officially represent, accompanied by a proposed act of legislation which will produce very great and undue damage to the parties concerned, I have deemed it my duty to ask your honorable body to cause further investigation before taking action upon the subject. I refer to the Senate bill No. 129, and the report accompanying it.

I consider it my duty to say (and though doing it with reluctance, I do it with confidence,) that the facts relied upon in the report are inaccurate and erroneous, that other very material facts are wholly omitted, and that the construction of the act of 1855, proposed by the report, is not warranted by its terms.

I feel assured that if it had pleased the committee to afford an opportunity to the company I represent to submit the facts applicable to its case, and to have heard argument upon the law, it could not have reached the conclusion presented in the report.

Considering the grave consequences of the proposed action, and believing that it would be the desire of the committee and of your honorable body to deal carefully and in a spirit of justice with questions involving rights of property and reputation, I am emboldened to ask that you will authorize further investigation of the question before its final disposition. I am here, ready to exhibit the true state of the facts before such committee as you may designate.

The effect of the proposed legislation cannot fail to be very disastrous to the credit and vigor of the corporation I represent, and if it should prove to have been erroneous, when brought to judicial test, there can be no reparation for the wrong. The construction of the law upon which the trustees and the courts have been acting, commenced in its practical application in 1861, (under the administration of Governor Milton,) when the Florida Railroad made its first payments into the sinking fund as a completed road. The same construction was applied by the trustees (under the administration of Governor Walker,) in 1866, when the road was sold. Under that sale, large amounts of money have been expended and large obligations arisen and important rights, direct and de-

pendent, created, which demand and deserve consideration. During these eighteen years, all the departments of the State Government have acquiesced in the construction first adopted.

It would seem reasonable that rights existing under the sanction of this long agreement and acquiescence, should not be attacked without full investigation and hearing.

I beg leave to add that the parties I represent challenge the strictest investigation into all the facts connected with the sale, as well as into all the facts antecedent to the sale or subsequent to it, which may be considered to bear directly or indirectly upon the issues involved.

I have the honor to be, your respectful servant,
D. L. YULEE.

Which was read.

The following message was received from the Assembly :

ASSEMBLY HALL, TALLAHASSEE, February 18, 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 joint resolution relative to the introduction of new business, and fixing the time of adjournment, with amendments thereto, and respectfully request the concurrence of the Senate therein.

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

Which was read.

Mr. McKinnon moved to concur in the amendment of the Assembly to joint resolution in reference to new business and time of adjournment ;

Which was agreed to.

Ordered that the same be certified to the Assembly.

Also the following :

ASSEMBLY HALL, TALLAHASSEE, February 18, 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, in pursuance of Assembly joint resolution authorizing the President of the Senate and the Speaker of the Assembly to appoint a joint committee of five to examine the Digest of Laws and report thereon as soon as practicable, has appointed Messrs. Bell, Yonge and Ledwith such committee on part of the Assembly. Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following :

ASSEMBLY HALL, TALLAHASSEE, February 18, 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. 68, to be entitled an act to grant land to the Gainesville, Ocala and Charlotte Harbor Railroad Company, with amendments thereto, and respectfully request the concurrence of the Senate therein.

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

Which was read.

Mr. Hagan moved that the Senate concur in the amendments made by the Assembly to Senate bill No. 68, and certify the same to the Assembly ;

Which was agreed to.

Mr. McGuire made the following report :

SENATE CHAMBER, TALLAHASSEE, February 18, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate :

SIR: Your Committee on Post Routes have examined the following memorials to Congress and respectfully recommend their passage :

Memorial to Congress to establish a weekly mail route from Brooksville to New Hope and Dampiers, in Hernando county ; also,

Resolution to Congress for a weekly mail route from Anclote via Stevison's bridge to Tampa, Fla. ; also,

Joint resolution for a mail route from Molino, in Escambia county via Walnut Hill, in said county, to Williams' Station, in Alabama ; also,

Joint resolution in relation to a mail route from Madison, in Madison county, to New Troy, in Lafayette county ; also,

Memorial to Congress for a mail route for a semi-weekly mail from Quincy, Fla., via Scott's Store, to Concord, Fla. ; also,

Joint resolution relative to a mail route from Sumterville to Bartow, Fla. ; also,

Memorial to Congress for the establishment of a mail route semi-weekly, by suitable small-size steamers, from Cedar Keys, in Levy county, to Clear Water Harbor, in Hillsborough county, via Anclote, in Hernando county, and Dunedin, in Hillsborough county, a distance of seventy-five miles ; also

Resolution relative to a mail route from Enterprise to Titusville, in Volusia county; also,

Joint resolution asking for a mail route from Orlando, in Orange county, to Fort Drum, in Brevard county, Florida; also,

A Joint resolution asking Congress for the establishment of a mail route from Tallahassee, in Leon county, to Moore's Pond, in said county, and thence to Jackson's Bluff, in said county, thence to Coe's Mill and Bristol, in Liberty county, a distance of forty-five miles.

Your committee knowing the consideration heretofore given by Congress to similar resolutions and memorials, feel no hesitancy in saying the mail routes petitioned for in the enclosed documents will be established.

Very respectfully

JOHN J. MCGUIRE, Chairman.

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

Mr. Thompson made the following report:

SENATE CHAMBER, TALLAHASSEE, February 17, 1879.

HON. WM. D. BARNES,

President pro tem. of the Senate:

SIR: Your Joint Committee to investigate the Lunatic Asylum and State Prison, to whom was referred Senate bill No. 105, to be entitled an act to allow Innatics whose parents or guardians are able to pay for the support of such lunatics, to be received into the Asylum for Indigent Lunatics, and to allow the authorities of such asylum to receive compensation therefor, have had the same under consideration and recommend that the same be passed.

Very respectfully,

W. N. THOMPSON,
Chairman Senate Committee.
R. BULLOCK,
Chairman Assembly Committee.

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

Mr. Judge made the following report:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: The committee to whom was referred Assembly sub-

stitute bill No. 167, have had the same under consideration and recommend that it do pass as amended.

Very respectfully,

WM. JUDGE, Chairman.

Which was read, and Assembly substitute bill No. 167 placed among the orders of the day.

Mr. McKinnon made the following report:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your committee to whom was referred a resolution in relation to license tax, have carefully considered the same and was much in favor of recommending the abolishing of all professional and occupational tax; but we became satisfied that we could not do so and recommend any reduction on the property tax. And we do not think it advisable to include other occupations, as we are opposed to that mode of raising revenue.

Very respectfully,

A. D. MCKINNON, Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Taxation and Finance, to whom was referred Senate bill No. 23, to be entitled an act to amend an act entitled an act taxing telegraph lines operating in this State, have examined the same and recommend that it pass with accompanying amendment; and we have also examined

Senate bill No. 101, to be entitled an act in relation to the taxation of railroad property, and recommend that it do pass.

Very respectfully,

A. D. MCKINNON,
Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Taxation and Finance, to whom

was referred Senate bill No. 8, to be entitled an act to amend section 11 of an act for the assessment and collection of revenue, approved February 14, 1874, and

Senate bill Fo. 20, to be entitled an act to amend an act entitled an act for the assessment and collection of revenue, approved February 17, 1874; also,

Senate bill No. 65, to be entitled an act amendatory of an act for the assessment and collection of revenue, approved February 17, 1874, have examined the same and recommend that they be indefinitely postponed, as the provisions of said bills are provided for in a general revenue bill prepared by the committee.

Respectfully,

A. D. MCKINNON, Chairman.

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

Mr. Lesley made the following report:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your committee to whom was referred Assembly bill No. 89, have had the same under consideration and recommend that it do pass.

Respectfully,

JNO. T. LESLEY,
Chairman.

Which was read and Assembly bill No. 89 placed among the orders of the day.

Mr. Bryson made the following report:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your committee on engrossed bills respectfully report that they have examined bill No. 130, to be entitled an act to encourage grape culture, and for other purposes; also,

Bill No. 89, to be entitled an act to authorize the Attorney-General to institute suits in the name and behalf of the State, and to appropriate money therefor, and found the same correctly engrossed and return them herewith properly endorsed.

Very respectfully,

WM. BRYSON, JR., Chairman.

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

ORDERS OF THE DAY.

Concurrent resolution for the benefit of the deaf and blind of Florida,

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

Concurrent resolution asking for a post route from Volusia to Daytona and New Smyrna,

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

Senate bill No. 145:

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

Senate bill No. 146:

To be entitled an act in relation to the public records of the several counties of Florida,

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

Senate bill No. 148:

To be entitled an act in relation to the Sabbath day,
Was read the first time and referred to the Judiciary Committee.

Assembly bill No. 145:

To be entitled an act to repeal an act to provide for the redemption of lands sold for taxes, approved March 7, 1877, and to dispose of lands sold for taxes and bought in by the State or any county,

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

Resolution in relation to license tax,

Was read the first time and referred to the Committee on Finance and Taxation.

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 and, on motion, was laid over till to-morrow.

Joint Resolution No. 19:

In relation to lands granted the State of Florida,

Was read the second time.

Mr. Hagan moved to suspend the rule and read the resolution a third time;

Which was not agreed to.

Senate bill No. 92:

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

Was read a second time and, on motion of Mr. Judge, amended by inserting "and 36" after "26" in line 7, section 1;

Which was agreed to:

Senate bill No. 120:

To be entitled an act for the relief of G. A. Lamb,

Was read the second time and ordered to be engrossed.

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 the third time and put on its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Genovar, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McKinnon, Meachan, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Walker of the 23d, Walker of the 6th and Wallace—23.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 130:

To be entitled an act to encourage grape-culture in this State, and for other purposes,

Was read a second time.

The rule was waived and the bill read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, French, Genovar, Hagan, Hatcher, Johnson, Leslie, Long, McMeekin, McKinnon, Niblack, Orman, Sharpe, Speer, Thompson and Walker of the 23rd—16.

Nays—Mr. Richard—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 89:

To be entitled an act to authorize the Attorney-General to institute suits in the name and behalf of the State, and to appropriate money therefor,

Was taken up, when Mr. Leslie moved that this and all other railroad bills that referred to the institution of suits be put off for consideration until Saturday;

Which was agreed to.

Assembly bill No. 64:

To be entitled an act for the protection of private residences and enclosed premises,

Was read a second time.

The rule being waived, the bill was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McKinnon, Niblack, Orman, Richard, Sharpe, Speer and Walker of the 23d—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly

Senate bill No. 23:

To be entitled an act to amend an act entitled an act taxing telegraph lines operating in this State,

Was read a second time and amended by striking out "fifty cents" and inserting "one dollar," and

Ordered to be engrossed as amended.

The following bills were read the second time, and, in accordance with the recommendation of the Committee on Finance and Taxation, indefinitely postponed.

Senate bill No. 20:

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

Senate bill No. 65:

To be entitled an act amendatory of an act for the assessment and collection of revenue, approved February 17, 1874.

Senate bill No. 8:

To be entitled an act to amend section 11 of an act for the assessment and collection of revenue, approved February 14, 1874.

Senate bill No. 105:

To be entitled an act to allow lunatics, idiots or insane persons, whose friends, parents or guardians are able to pay for the support of such lunatics, to be received into the asylum for indigent lunatics, and to allow the authorities of said asylum to receive compensation therefor,

Was read the second time and amended by inserting "idiot or insane person" in the title of the bill after the word lunatic, and the bill ordered to be engrossed as amended.

Mr. Bryson moved that all resolutions in regard to mail and post-routes be read the second time by their titles only:

Which was agreed to.

Resolution relative to a mail route from Madison to New Troy, in Lafayette county,

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

The vote was:

Yeas—Messrs. Allen, Bryson, French, Genovar, Hatcher, Johnson, Judge, Leslie, Long, McMeekin, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—21.

Nays—None.

So the resolution passed, title as stated.

Ordered that the same be certified to the Assembly.

Joint resolution in reference to a mail route from Molino, in Escambia county, by way of Walnut Hill, to Williams' station, in Alabama,

Was read a second time.

The rule being waived, the resolution was read a third time and put upon its passage.

The vote was:

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

Nays—None.

So the resolution was adopted, title as stated.

Ordered that the same be certified to the Assembly.

Assembly resolution No. 28:

For a mail route from Anclote, via Stevison's Bridge, to Tampa,

Was read a second time.

The rule being waived, the resolution was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McClenny, McMeekin, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of 23d and Wallace—24.

Nays—None.

So the resolution passed, title as stated.

Ordered that the same be certified to the Assembly.

Memorial for the establishment of a semi-weekly mail route from Quincy, via Scott's Store, to Concord,

Was read the second and third times and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McMeekin, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd, Walker of the 6th and Wallace—24.

Nays—None.

So the memorial passed.

Ordered that the same be certified to the Assembly.

Assembly memorial asking the establishment of a mail route from Tallahassee, in Leon county, to Moore's Pond, in said county, and thence to Jackson's Bluff, in said county, thence to Coe's Mill and Bristol, in Liberty county, a distance of 45 miles,

Was read the second time, and amended on motion of Mr. Johnson by inserting "from Bristol to Orange, a distance of 15 miles;"

Which was adopted.

The rule being waived, the memorial was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McClenny, McMeekin, McGuire, McKinnon, Meacham, Orman, Patterson, Richard, Sharpe, Speer, Thompson, and Wallace—23.

Nays—None.

So the memorial passed, title as stated.

Ordered that the same be certified to the Assembly.

Memorial to Congress asking for a weekly mail route from Brooksville to Dampier's and New Hope, in Hernando county,

Was read the second and third time and put on its passage.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McMeekin, McGuire, McKinnon, Meacham, Orman, Patterson, Richard, Speer, Walker of the 23d, and Wallace—21.

Nays—None.

So the memorial was adopted, title as stated.

Ordered that the same be certified to the Assembly.

Resolution No. 17, in relation to a mail route from Enterprise to Titusville, in Volusia county,

Was read the second and third time and put on its passage.

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McMeekin, McGuire, McKinnon, Meacham, Orman, Patterson, Richard, Speer, Thompson and Wallace—20.

Nays—None.

So the resolution passed, title as stated.

Ordered that the same be certified to the Assembly.

Joint Resolution asking for a mail route from Orlando in Orange county to Fort Drum in Brevard county, Florida,

Was read the second and third times and put on its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer and Thompson—25.

Nays—None.

So the resolution passed, title as stated.

Ordered that that the same be certified to the Assembly.

A memorial to Congress for the establishment of a mail route,

Was read the second and third time and put on its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23rd—25.

Nays—None.

So the memorial passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. — :

To be entitled an act to prevent aliens from killing or destroying birds of plume on the coast of Florida,

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

The vote was :

Yeas—Messrs. Allen, Barnes, French, Genovar, Hagan, Johnson, Judge, Long, McClenny, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Walker of the 23d and Wallace—20.

Nays—Mr. Thompson—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 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 read a second time and, on motion of Mr. Walker of

the 6th, was postponed for further consideration till Wednesday the 26th inst.

Assembly resolution No. 13, relative to a mail route from Sumterville to Bartow,

Was read second and third times, and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d —25.

Nays—None.

So the resolution 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 18, 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. 106, to be entitled an act to incorporate the Chattahoochee and Pensacola Railroad Company.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Which was read and the accompanying bill ordered to be enrolled.

Also the following :

ASSEMBLY HALL, TALLAHASSEE, February 18, 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. 18, to be entitled an act to grant certain swamp and overflowed lands to the Tampa, Pease Creek and St. Johns River Railway.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Which was read and the accompanying bill ordered to be enrolled.

Assembly bill No. 167 :

To be entitled an act to amend sections 1, 20, 24, 32 and 38 of an act to establish a uniform system of common schools

and a university, approved January 30, 1869, chapter 1686 laws of Florida,

Was read the second time.

Mr. Bryson moved that 150 copies of the bill be printed, also that a like number of copies of the proposed amendments be printed;

Which motion was agreed to, and the further consideration of the bill put off.

Senate bill No. 32:

To be entitled an act to prevent the sale of intoxicating liquors to minors and persons under guardianship,

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

The vote was:

Yeas—Messrs. Barnes, Bryson, French, Genovar, Hatcher, Johnson, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Sharpe, Speer, Thompson and Walker of the 23rd—19.

Nays—Mr. Richard—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 37:

To be entitled an act to incorporate the Black Creek and Starke Railroad and Steamboat Company,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McGuire, McMeekin, Niblack, Orman, Patterson, Sharpe, Speer, Thompson and Walker of the 23d—20.

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 a third time and put upon its passage.

The vote was.

Yeas—Messrs. Barnes, Bryson, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, McClenny, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Wallace—23.

Nays—Messrs. Durkee, Long and McMeekin—3.

So the bill passed.

The title was amended by Mr. Durkee so as to read:

To be entitled an act making prejudice a disqualification of Judges of the Supreme and Circuit Courts under certain cir-

cumstances, and providing for the substitution of Circuit Court Judges.

The bill was then ordered to be certified to the Assembly.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, FLA., February 19, 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. 88, to be entitled an act to incorporate the Midland Railway, Drainage and Canal Company, and respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read and Assembly bill No. 88 placed among the orders of the day.

Senate bill No. 111:

To be entitled an act to require collectors of any special tax to give bond,

Was read the third time and put upon its passage.

The vote was.

Yeas—Messrs. Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Wallace—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 114:

To be entitled an act to amend chapter 3053 of the Laws of Florida,

Was read the third time.

Mr. McKinnon moved that the bill be laid on the table;

Which was agreed to.

Assembly resolution in regard to a Constitutional Convention was taken up and, on motion of Mr. Leslie, laid on the table subject to call.

Memorial in relation to a mail route between St. Lucie, Brevard county, and Tustenegee, Dade county,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Barnes, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McClenny, McMeekin,

McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of 23d and Wallace—24.

Nays—None.

So the memorial passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Niblack moved that the communication from the Hon. D. L. Yulee be referred to the Judiciary Committee of the Senate, and that the Judiciary Committee of the Assembly be invited by the committee of the Senate to sit with the Senate committee for the purpose of affording Mr. Yulee an opportunity of explaining the cause and legality of the sale of the Florida Railroad in the year 1867, and report to this Senate on to-morrow the result of their deliberations.

Which was adopted.

Mr. Orman, by permission, presented the following report:

SENATE CHAMBER, TALLAHASSEE, February 19, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: The Committee on Public Lands, to whom was referred Senate bill No. 138, to be entitled an act to protect settlers on public lands of the State, have considered the same and recommend its passage.

W. T. ORMAN, Chairman.

SETH FRENCH.

F. B. HAGAN.

ROBERT MEACHAM.

Which was read and Senate bill No. 138 placed among the orders of the day.

Mr. French asked permission to take up for a third reading Resolution for a mail route from Volusia to Daytona and New Smyrna;

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

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Judge, Leslie, Long, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Speer, Thompson, Walker of the 23d and Wallace—23.

Nays—None.

So the resolution was adopted, title as stated.

Ordered that the same be certified to the Assembly.

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

CONFIRMATIONS.

Joel W. Swain, to be County Judge of Brevard county.

John H. Carr, to be Commissioner of Pilotage for the port of Pensacola.

Patrick Houstoun, to be member of the Board of Education for West Florida.

Thos. P. Shuler, to be Collector of Revenue for Liberty county.

John Chain, to be County Judge of Santa Rosa county.

Wiley J. Williams, to be Collector of Revenue for Santa Rosa county.

Silas Jernigan, to be Assessor of Taxes for Santa Rosa county.

W. F. Burtt, to be Collector of Revenue for Hillsborough county.

L. G. Lesley, to be Assessor of Taxes for Hillsborough county.

REMOVAL.

John Pine, as Commissioner of Pilotage in Escambia county.

THURSDAY, February 20, 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, Hatcher, Johnson, Judge, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—26.

A quorum present.

Prayer by the Rev. Mr. Wamboldt.

On motion of Mr. Walker of the 23d, the reading of the journal was dispensed with.

Mr. Walker asked leave of absence for Mr. Lesley until Saturday;

Which was granted.

Mr. Durkee asked that the journal be corrected so as to show his vote on yesterday on the passage of the Black Creek and