

The vote was:

Yeas—Messrs. Barnes, Durkee, French, Hatcher, Judge, Lykes, McMeekin, McKinnon, Niblack, Richard, Sharpe, Speer, and Thompson—13.

Nays—Messrs. Allen, Bryson, Eagan, Genovar, Johnson, Jones, Leslie, Long, McGuire, Meacham, Orman, Patterson and Wallace—13.

So the amendment was not adopted.

Mr. McKinnon moved to strike out the pay of the Door-keeper "\$2," and insert "\$4;"

Which was agreed to.

Mr. Ormon moved to strike out "\$3," as the pay of the Messenger, and insert "\$4;"

Which was agreed to.

Mr. McKinnon moved that the bill be amended by striking out "Chief Clerk of the Senate," and inserting "Secretary and Assistant Secretary of the Senate;"

Which was agreed to.

Mr. McKinnon moved to strike out "five days after the adjournment," and insert "two days for the Chief Clerk of the Assembly and Secretary of the Senate;"

Which was agreed to.

Mr. Leslie asked that the rule be waived, and the vote on the original motion of Mr. Thompson be reconsidered at once;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Durkee, French, Hatcher, Judge, Leslie, Lykes, McMeekin, McKinnon, Niblack, Richard, Sharpe, Speer and Thompson—14.

Nays—Messrs. Allen, Bryson, Eagan, Genovar, Hagan, Johnson, Jones, Long, McGuire, Meacham, Orman, Patterson, Walker of the 6th and Wallace—14.

So it was not agreed to.

Mr. Judge moved to strike out "8" where it occurs, and insert "6."

Mr. McGuire asked a ruling from the Chair as to whether this motion was in order, as the same amendment had been previously voted down.

The chair ruled that the motion was in order.

Mr. Thompson moved to amend the amendment by the following: "The per diem of the Clerk of the Assembly, the Secretary of the Senate, and the members of the Legislature, shall be five dollars per day."

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

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, Eagan, Genovar, Johnson, Jones, Judge, Long, McGuire, Meacham, Orman, Patterson and Wallace—14.

Nays—Messrs. Barnes, French, Hagan, Hatcher, Leslie, Lykes, McMeekin, McKinnon, Niblack, Richard, Sharpe, Speer, Thompson and Walker of the 6th—14.

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

The amendment to the amendment was then declared by the chair to be not in order.

The amendment of Mr. Judge was then voted on and adopted.

Mr. Barnes moved that the further consideration of the bill be postponed until 12 o'clock to-morrow;

Which was not agreed to.

Mr. Bryson moved that the amendment be engrossed for a third reading to-morrow;

Which was agreed to.

The Senate went into executive session.

On the doors being opened, Messrs. McClenny and Walker of the 23d were excused from attendance, and the Senate adjourned until 10 A. M. to-morrow.

TUESDAY, February 25, 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, Jones, Judge, Leslie, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—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.

Mr. Orman presented, by permission, a memorial of G. A. Chairs;

Was read the first time and referred to the Committee on State Asylum and Prison.

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 taken up.

Mr. McKinnon moved that the Senate do not recede from their amendment to this bill ;

Which was agreed to.

Mr. Judge then moved a committee of conference be appointed on the part of the Senate and that the Assembly be requested to appoint a similar committee ;

Which was agreed to.

Messrs. Judge, Long and Leslie were then appointed as the Conference Committee.

Mr. Niblack made the following report :

ASSEMBLY HALL, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate :

SIR: Your Committee on Judiciary, to whom was referred Senate bill No. 162, to be entitled an act to authorize the Board of Trustees of the Internal Improvement Fund to compromise and settle claims ; also,

Senate bill No. 165, to be entitled an act to make Permelia A. Collins a free dealer and trader ; also,

Senate bill No. 164, to declare Catrina Ward a free dealer, respectfully report that they have examined the same and recommend their passage.

Respectfully,

S. L. NIBLACK, Chairman pro tem.

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

Mr. Walker of the 6th made the following report :

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. WM. D. BARNES,

President pro tem. of the Senate :

SIR: The Joint Committee on Enrolled Bills beg leave to report that they have examined the following Assembly bills and found them correctly enrolled:

No. 88, to be entitled an act to incorporate the Midland Railway, Drainage and Canal Company.

No. 108, to be entitled an act for the relief of Dr. D. J. McRae.

No. 63, to be entitled an act to amend section 3 of chapter 1893, approved February 27, 1872 ; also,

Memorial to Congress asking for a mail route from Tallahassee in Leon county to Moore's Pond in said county, thence to Jackson's Bluff, thence to Coe's Mill, thence to Bristol, and thence to Orange, in Liberty county.

Respectfully,

J. C. WALKER,

Chairman Senate Committee.

A. C. WHITE,

Chairman Assembly Committee.

Which was read, and the enrolled bills were signed by W. D. Barnes, President *pro tem.*, and J. G. Gibbes, Secretary of the Senate.

Mr. Richard made the following report :

SENATE CHAMBER, TALLAHASSEE, February 22, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate :

SIR: The Committee of Conference to whom was referred Senate bill No. 4, entitled an act to amend section 4 of an act entitled an act relating to official and legal advertisements, approved February 27, 1877, beg leave to report that they recommend that the Assembly recede from its amendments to said bill.

Very respectfully,

J. C. RICHARD,

Chairman Senate Committee,

W. H. SHARPE,

W. N. THOMPSON,

JNO. J. MCGUIRE.

C. A. FINLEY,

Chairman Assembly Committee,

WM. W. CLYATT,

GEO. J. ARNOW,

C. S. REYNOLDS.

Which was read.

Mr. Genovar made the following report :

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate :

SIR: Your committee to whom was referred Senate bill No. 145 have had the same under consideration, and respect-

fully refer the same to the Judiciary Committee, in order to ascertain if the amount claimed can be collected out of those making the deed by an act of this Legislature.

F. B. GENOVAR, Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your committee to whom was referred the following Senate bills, Nos. 152, 79 136, and 31, beg leave to report that they have had the same under consideration, and recommend that they do not pass.

Very respectfully,

F. B. GENOVAR, Chairman.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Claims, to whom was referred Senate bill No. 157, beg leave to report that they have examined the same and recommend that the same do pass.

Very respectfully,

F. B. GENOVAR, Chairman.

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

Mr. Niblack made the following report:

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

The Committee on Judiciary, to whom was referred 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 and W. H. Kendrick, and others, and the act entitled an act to incorporate the Pease Creek Immigrant and Agricultural Company, to be of no force and null and void, and for other purposes, beg leave to report that they have had the same under consideration and herewith report a substitute for the bill, which they recommend be adopted in lieu thereof and passed.

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 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

The Judiciary Committee, to whom was referred Senate bill No. 126, to be entitled an act to provide for locating private roads, beg leave to report that they have had said bill under consideration and recommend the adoption of the amendments thereto attached, and that the bill be passed as amended.

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 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Judiciary Committee, to whom was referred Senate bill No. 148, entitled an act in relation to the Sabbath day, beg leave to report that they have had the same under consideration and recommend the adoption of the amendment thereto attached, and that the bill be passed as so amended.

Respectfully submitted,

S. L. NIBLACK, Chairman *pro tem.*

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 25, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Railroads, to whom was referred Senate bill No. 158, to incorporate the Suwannee and Gulf Railroad and Navigation Company, report that they have examined the same and recommend its passage with the accompanying amendments.

Respectfully,

S. L. NIBLACK, Chairman.

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

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, February 25, 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. 114, to be entitled an act to settle the title of the Pensacola and Georgia and Tallahassee Railroad, now known as the Jacksonville, Pensacola and Mobile Railroad, and to protect the interest of the Internal Improvement Fund therein, 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. 114 placed among the orders of the day.

ORDERS OF THE DAY.

Senate bill No. 149:

To be entitled an act for the assessment and collection of revenue,

Was read the second time and, on motion of Mr. McKinnon, the first ten sections were adopted.

Mr. French moved to amend section 11 by adding, in the 30th line, after the word physician, "except mixtures made official in the United States Dispensatory;"

Which was agreed to.

Mr. Bryson moved to amend section 11 by adding, in the 26th line, after the word business, "all bar-room dealers shall pay a license tax of \$150 in each county for each establishment or place of business;"

Which was not agreed to.

Mr. Allen moved to amend section 11, paragraph 4, by inserting, in line 30, after the word druggists, "dentists and photographers;"

Which was not agreed to.

Mr. Hagan moved to amend 4th paragraph of section 11 so as to read:

Provided, The term "druggist" shall not include country merchants doing business five miles or more from any drug-store, and who do not sell more than (\$500) five hundred dollars of drugs and medicines.

Mr. Judge moved to amend the amendment by striking out "\$500" and inserting "\$200" in lieu;

Which was adopted.

The question was then on the amendment of Mr. Hagan as amended.

On being put to vote, it was adopted.

Mr. Durkee moved to strike out the words "on different subjects" in line 7, section 11, and insert "on any business, property or occupation not mentioned in this section;"

Which was agreed to.

Mr. Allen moved to amend paragraph 8, of section 11, by inserting after "minstrel troupes" in line 62, "or other traveling exhibitions;"

Which was agreed to.

Mr. Allen moved to amend paragraph 9, section 11, by inserting after "foot peddlers" on line 68, "book agents and lightning rod agents;"

Which was not agreed to.

Mr. Allen moved to amend paragraph 13 of section 11 by adding, that all persons who, under this paragraph, would be required to take out a license, the assessed valuation of whose stock in trade does not exceed \$500 in value, shall pay but \$5 for such license.

Upon which motion the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, Eagan, Hagan, Long, Meacham, Sharpe and Wallace—9.

Nays—Messrs. Barnes, French, Genovar, Hatcher, Johnson, Jones, Judge, Leslie, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Speer, Thompson and Walker of the 23d—18.

So the amendment was not agreed to.

Mr. Allen moved to amend by adding to paragraph 13, section 11, *Provided*, that all persons who, under this section, would be required to take out a license, the assessed valuation of whose stock in trade does not exceed \$200 of value, shall pay but \$5 for such license.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Durkee, Eagan, Leslie, Long and Meacham—6.

Nays—Messrs. Barnes, Bryson, French, Genovar, Hatcher, Johnson, Jones, Judge, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23rd—19.

So the amendment was not agreed to.

Mr. Speer moved to amend section 11, line 72, by inserting, after the word butchers, "following it as a business;"

Which was agreed to.

Mr. Durkee moved to insert after the word misdemeanor,

section 11, line 38, "and upon conviction thereof shall," and to strike out "and," in line 38;

Which was agreed to.

Mr. Durkee moved to amend by inserting in the 30th line, after the word misdemeanor, "and upon conviction thereof shall;" and to strike out "and," in the same line;

Which was agreed to.

Mr. McClenny moved to strike out all after "eleventh," in line 73, to "all," in line 75.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Long, McClenny, McMeekin, McGuire, Meacham, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—24.

Nays—Messrs. Judge, Leslie, McKinnon, Niblack and Orman—5.

So the amendment was agreed to.

Mr. Allen moved to amend by adding at end of line 72, "every person whose business it is to sell meat from market, stalls, stands or stores shall be regarded as a butcher;"

Which was not agreed to.

Mr. Judge moved to strike out "two" in line 77, and insert "four;"

Which was agreed to.

Mr. Bryson moved to amend by striking out all in 78th line after "any" to "who" in 79th line, and insert "person," and after "who" add "knowingly;"

Which was agreed to.

Section 11 was then adopted as amended.

Mr. Bryson moved to amend section 12 by inserting after "and" in 3d line "upon conviction shall be;"

Which was agreed to.

Section 12 was then adopted.

Section 13 was then adopted.

Mr. Niblack moved to amend section 14 by striking out in 1st and 2d lines "first days of January, April, July and October," and insert "first Monday in each month;"

Which was agreed to.

Also, to strike out in the 4th line "three" and the letter "s" after month;

Which was agreed to.

Mr. Leslie moved to amend by adding to the last line, "by express, and in case no express office is at or near the county site of his county, he shall then transmit the same by P. O. order or draft, the State paying all charges."

Mr. Bryan moved to amend the amendment so as to read, "the collector to pay all expenses."

The amendment to the amendment was agreed to.

The vote was then on the amendment offered by Mr. Leslie as amended;

Which was not agreed to.

Mr. Judge moved to amend section 14, 8th line, after the word "Treasurer," by inserting, "and a copy of such statements shall be kept on file in the Clerk's office, subject to inspection;"

Which was adopted,

Section 14 was then adopted as amended.

Sections 15 and 16 were adopted.

Mr. Hagan moved to strike out all in section 17 after property in 5th line;

Which was not agreed to.

Mr. Durkee moved to strike out "August" and insert "June" in line 1, section 17.

Mr. French moved an amendment to the amendment by inserting "July" in place of "June;"

Which was accepted by Mr. Durkee.

The amendment was then adopted.

Mr. Leslie moved to amend section 17 by adding after value in last line, "for such service he shall receive \$2 per day for each day's service of inspection while visiting above named estates;"

Which was not agreed to.

Mr. Walker moved to amend by striking out all from the word review in 6th line;

Which was not agreed to.

Mr. Durkee moved to amend by striking out in the 5th and 6th lines all between the words "before" and "unless," and insert "the 1st day of July in each year;"

Which amendment was agreed to.

Section 17 was then adopted as amended.

Mr. French moved to insert after "blocks" in 6th line of section 18, "as filed or recorded in the office of the Clerk of the Circuit Court;"

Which motion was agreed to.

Mr. French moved the same insertion to be made after "blocks" in the 8th line;

Which motion was agreed to.

Section 18 was then adopted as amended.

Mr. Judge moved to insert after "administrator" in section 20, first line, "or agent;"

Which motion was agreed to.

Section 19 was then adopted as amended.

Section 20 was adopted.

Section 21 was amended by inserting "as filed or recorded in the office of the Clerk of the Circuit Court" after "blocks" in 2d line.

Section 22 was amended by the addition of the words "as filed or recorded in the office of the Clerk of the Circuit Court."

These sections were then adopted as amended.

Section 23 was adopted.

Mr. Durkee moved to amend section 24 by inserting "July" in place of "August" in 2d line;

Which was agreed to.

Mr. Niblack moved to add at end of section 24 the words "unless the person so assessed can show good cause to the board of county commissioners that it should be reduced,"

Which was agreed to.

Section 24 was then adopted as amended.

Sections 25, 26, 27, 28 and 29 were then adopted.

Section 30 was amended, on motion of Mr. Durkee, by inserting "July" in place of "August" in 5th line, and then adopted.

Sections 31, 32 and 33 were adopted.

Mr. Niblack moved to amend section 34 by striking out "Comptroller" in lines 21 and 24 and inserting "county commissioners";

Which was agreed to, and section 34 was adopted as amended.

Sections 35, 36, 37 and 38 were adopted.

Mr. Judge moved to strike out in section 39 all after "thereof" in 20th line;

Which was not agreed to.

The Senate then adjourned until 4 P. M.

FOUR O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Walker of the 23d in the chair.

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

Messrs. Durkee, Eagan, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Leslie, McMeekin, Meacham, Niblack, Patterson, Richard, Sharpe, Speer, Walker of the 23d and Wallace—
—18.

A quorum present.

The consideration of Senate bill No. 149 was resumed.

Mr. McKinnon moved to amend section 39 in 21st line by

inserting after "return," "the Comptroller and County Commissioners";

Which was agreed to, and section 39 adopted as amended.

Mr. Niblack moved to amend section 40 by inserting "November" in first line in place of "December";

Which was agreed to, and section 40 adopted as amended.

Sections 41, 42, 43 and 44 were adopted.

Mr. Niblack moved to amend section 45 by striking out "or telegraph lines";

Which was agreed to, and section 45 adopted as amended.

Sections 46 and 47 were adopted after striking out "or telegraph" in said sections.

Mr. Leslie moved to amend section 48 by inserting "sale beginning at 12 o'clock noon" after "auction" in 18th line;

Which was agreed to, and section 48 adopted as amended.

Section 49 was amended, on motion of Mr. Leslie, by inserting after "sale" in first line "at 12 o'clock noon";

The section was then adopted.

Section 50 was adopted.

Section 51 was amended by inserting "by" in 4th line between "made" and "him";

And then adopted.

Mr. Niblack moved to amend section 52 by striking out in 16th line "fifty" and inserting "eight."

Mr. Orman moved to amend that by substituting "twenty-five" for "eight."

The vote was then taken on the adoption of the amendment to the amendment;

Which was agreed to, thus substituting "twenty-five" in place of "fifty" in line 16.

The section was then adopted.

Sections 53 and 54 were adopted.

Section 55 was amended, on motion of Mr. Orman, by substituting "25" for "50" in 9th line, and also "25" for "6" in 6th line, and was then adopted.

Section 56 was adopted.

Section 57 was adopted after striking out "6" in 2d line, and substituting "25."

Section 58 was amended, on motion of Mr. Orman, by substituting "25" for "6" in 9th line, and then adopted.

Sections 59, 60, 61, 62, 63, 64 and 65 were adopted, and the bill ordered to be engrossed for a third reading for 12 o'clock to-morrow.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, February 25, 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 appointed Messrs. Harrison, Yonge and White as the Conference Committee on the part of the Assembly to take into consideration Senate amendment to Assembly bill No. 14.

Very respectfully,

WM. FORSYTH BYNUM,
Chief of Clerk the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, February 25, 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. 105, to be entitled an act to incorporate the Florida State Grange of the Patrons of Husbandry, 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 bill No. 5:

To be entitled an act in relation to the pay of members of the Legislature,

Was read a third time.

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

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

Which was agreed to.

Mr. Eagan asked the unanimous consent of the Senate to strike out all that relates to the Speaker of the Assembly;

Which was agreed to.

The bill was then put upon its passage.

The vote was:

Yeas—Messrs. Allen, Bryson, Eagan, Genovar, Johnson, Jones, Judge, Long, McGuire, Meacham, Orman, Patterson, Walker of the 6th and Wallace—14.

Nays—Messrs. Barnes, Durkee, Hagan, Leslie, McMeekin, McKinnon, Niblack, Richard, Sharpe, Speer and Walker of the 23d—11.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly as amended.

The following communication was received from the Governor:

TALLAHASSEE, February 20, 1879.

HON. W. 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 originating in the Senate, to-wit:

An act for the relief of Thomas Forrester, of Monroe county.

An act to incorporate the St. Johns and Lake Eustis Railway Company.

Very respectfully,

GEO. F. DREW,
Governor.

Which was read.

Assembly bill No. 114:

To be entitled an act to settle the title of the Pensacola and Georgia and Tallahassee Railroad,

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

The Senate went into executive session; on the doors being opened,

Mr. Judge moved that Assembly bill No. 167, "in relation to common schools," be made the special order for 11 o'clock to-morrow;

Which was agreed to.

The Senate then adjourned until 10 a. m. to-morrow.

CONFIRMATIONS.

Wiley H. Parker, to be Assessor of Taxes for Taylor county.
Robert F. Allison, to be Collector of Revenue for Suwannee county.

David L. Dunham, to be Assesor of Taxes for St. Johns county.

Joseph F. Llambias, to be Collector of Revenue for St. Johns county.