

Which was read.

Rule waived, read a second and third time and put on its passage.

The vote was:

Yeas—Messrs. Barnes, Bryson, Eagan, French, Genova, Hagan, Hatcher, Jones, Judge, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd, Walker of the 6th and Wallace—25.

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 o'clock A. M. to-morrow.

CONFIRMATIONS.

Howell Hankins, Clerk of Court Lafayette county.
W. H. Cottrell, Assessor of Taxes Lafayette county.
Newton Sapp, Collector of Revenue Lafayette county.
W. L. L. Bowed, Collector of Revenue, Putnam county.
Benj. T. Roberts, County Judge Putnam county.
Samuel E. Timmons, Assessor of Taxes Putnam county.
J. P. Hughey, Clerk of Circuit Court Orange county.

REMOVAL.

Tippoo S. Houghton as County Judge of Putnam county.

SATURDAY, March 1, 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, French, Genova, Hagan, Hatcher, Johnson, Jones, Judge, Long, Lykes, McMeekin, McGuire, McKinnon, Niblack, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d—22.

A quorum present.

Prayer by the Chaplain.

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

Mr. McGuire moved that a committee of two be appointed to go to the Assembly and ask that Assembly bills No. 206 and 115 be returned to the Senate without action, as they were improperly sent to the Assembly;

Which was agreed to.

Messrs. McGuire and McKinnon were appointed as the committee.

By permission, Mr. Thompson introduced

Senate bill No. 177, to be entitled an act in relation to evidence.

The committee appointed to ask the Assembly to return Assembly bills No. 206 and 115, reported that they had performed that duty, and asked to be discharged.

The Committee on Claims submitted the following report:

SENATE CHAMBER, TALLAHASSEE, February 28, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Claims, to whom was referred Senate bill No. 34, beg leave to report that have had the same under consideration and recommend that it do pass.

Very respectfully,

F. B. GENOVAR, Chairman.

J. G. SPEER.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, February 28, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Claims to whom was referred Senate bill No. 167 would report this claim, so far as we can see, right and proper, yet the length of time it has laid over induces your committee to return it back without recommendation.

Very respectfully,

F. B. GENOVAR, Chairman.

J. G. SPEER.

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

Also the following:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Claims to whom was referred Sen-

ate bill No. 22, to be entitled an act for the relief of the heirs of Thomas J. Linton, of the county of Jefferson, have considered the same, and recommend the following amendment at the end of section two (2) add: "For the sum of two hundred dollars, and that two hundred dollars is hereby appropriated to pay said claim." And after so amended the committee recommend the passage of the bill.

Very respectfully,

F. B. GENOVAR, Chairman.
J. G. SPEER.

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

Mr. Bryson presented the following report:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Engrossed Bills report that they have examined—

Senate bill No. 94, to be entitled an act to prevent extortion and unjust discrimination in the rates charged for the transportation of freight and passengers on railroads in this State, and to punish the same; also,

Senate bill No. 148, to be entitled an act in relation to the Sabbath day;

And found the same correctly engrossed, and return the same 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.

Senate bill No. 177:

Was read the first time and placed among the orders of the day.

Mr. McGuire asked that Senate bill No. 94 be taken up and be read the third time and put upon its passage;

Which was agreed to.

The vote was:

Yeas—Messrs. Barnes, Bryson, French, Genovar, Hagan, Hatcher, Johnson, Judge, Long, McMeekin, McGuire, McKinnon, Niblack, Orman, Patterson, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—20.

Nays—Mr. Richard—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. McCleenny made the following report:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Commerce and Navigation, to whom was referred Senate bill No. 52, an act to incorporate the Pease Creek Navigation Company, beg leave to report that they have had the same under consideration and recommend that it do pass with the accompanying amendments.

Respectfully,

C. B. McCLEENNY, Chairman.

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

On motion of Mr. McKinnon,

Senate bill No. 22, to be entitled an act for the relief of the heirs of Thomas J. Linton, of the county of Jefferson,

Was taken up.

Mr. McKinnon moved that the amendment proposed by the committee be adopted;

Which was agreed to.

The bill was then ordered to be engrossed.

Mr. Walker of the 23d gave notice that he would move a reconsideration of the vote taken yesterday on Senate bill No. 146.

Senate bill No. 136:

To be entitled an act for the relief of Samuel W. Hicks,

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

The vote was:

Yeas—Messrs. Allen, Bryson, Genovar, Jones, Long, Lykes, McGuire, Niblack, Sharpe, Thompson and Walker of the 23d—11.

Nays—Messrs. Barnes, Hagan, Hatcher, Johnson, McMeekin, Orman, Patterson, Richard and Speer—9.

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, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: By request of the Senate, I am directed by the Assembly to return to the Senate Assembly bill No. 206, to be enti-

led an act to amend section 2 of chapter 610 of the laws of Florida, being an act to provide for and encourage a liberal system of internal improvement in this State, approved January 6, 1855.

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

Which was read.
Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: By request of the Senate I am directed by the Assembly to return to the Senate Assembly bill No. 115, to be entitled an act to protect and preserve the Internal Improvement Fund of the State of Florida against the suit of Francis Vose, the Assembly having rescinded the action of the Assembly on Senate amendments thereto.

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

Which was read.

On motion of Mr. Judge, the Senator from the Fourth was excused for to-day on account of sickness.

Senate bill No. 79 was read the second time, and on motion, the rule waived, the bill read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Bryson, Jones, McGuire and Thompson—5.

Nays—Messrs. Durkee, Hagan, Hatcher, Johnson, Judge, Long, Lykes, McClenny, McMeekin, Orman, Patterson, Richard, Sharpe, Speer and Walker of the 6th—15.

So the bill did not pass.

Mr. McGuire offered the following motion:

That the vote taken on the passage of Assembly bill No. 115 be reconsidered.

Senate bill No. 34, entitled an act for the relief of Joseph E. Wall, late State Attorney for the Sixth Judicial Circuit of Florida,

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

The vote was:

Yeas—Messrs. Allen, Durkee, Hagan, Hatcher, Johnson, Jones, Judge, Long, Lykes, McClenny, McMeekin, McGuire,

Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23rd and Walker of the 6th—20.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 167, an act to be entitled an act for the relief of Wm. J. Jones and Wm. F. Smith,

Was read the second time.

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

The vote was:

Yeas—Messrs. Allen, Bryson, Durkee, Hagan, Jones, Judge, Lykes, McClenny, McGuire, Orman, Patterson, Sharpe, Walker of the 23rd and Walker of the 6th—14.

Nays—Messrs. Hatcher, Johnson, Long, McMeekin, Richard, Speer and Thompson—7.

So the bill passed, title as stated.

Ordered that the same be certified to the Senate.

Mr. Walker of the 23rd, by permission, introduced the following bill:

Senate bill No. 178, to be entitled an act for the protection of convicts under contract and to punish violations of such contract by the contractors,

Was referred to the Judiciary Committee.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 203, to be entitled an act defining the boundaries between the county of Polk and the counties of Sumter and Orange, by a two-third vote, and respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, FLA., March 1, 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. 126, to be entitled an act for the relief of Berrien Raney of Hamilton county, Florida;
And respectfully request the concurrence of the Senate therein.

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

Which was read.
Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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 adjournment with amendments, by inserting the words "sine die" after the word "adjourn," and strike out the words "12 o'clock noon" and insert "5 o'clock P. M.;"

And respectfully request the concurrence of the Senate therein.

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

Which was read.
Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 143, to be entitled an act for the relief of E. A. Perry; also,
Assembly bill No. 187, to be entitled an act for the relief of P. G. Snowden, of Alachua county, Fla.;

And respectfully request the concurrence of the Senate therein.

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

Which was read.
Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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 concurred in Senate amendments to Assembly bill No. 204, to be entitled an act to incorporate the Jacksonville, St. Augustine and Indian River Railroad.

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

Which was read.

Mr. Allen moved a call of the Senate;

Which was agreed to.

The roll was called and the Sergeant-at-Arms furnished a list of the absent members and was ordered to bring them to the bar of the Senate.

Mr. Durkee moved that the further call of the Senate be dispensed with;

Which was agreed to.

Mr. Durkee moved that the Senate adjourn until 4 o'clock this afternoon;

Which was agreed to.

FOUR O'CLOCK P. M.

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, French, Genovar, Hagan, Hatcher, Johnson, Jones, Long, McMeekin, McGuire, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d —18.

A quorum present.

Mr. Walker of the 23d, by permission, introduced

Senate bill No. 179:

Which was read by its title and referred to the Judiciary Committee.

Mr. Bryson made the following report:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

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

SIR: Your Committee on Engrossed Bills report that they have examined Senate bill No. 22, to be entitled an act for the relief of the heirs of Thomas J. Linton, of the county of Jefferson, and found the same correctly engrossed. We return the same herewith, properly endorsed.

Respectfully,
WM. BRYSON, JR., Chairman.

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

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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 the following bills:

Senate bill No. 174:

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

Senate bill No. 139:

To be entitled an act for the relief of Dr. W. H. Babcock.

Very respectfully,

WM. FORSYTH BYNUM,

Chief of Clerk the Assembly.

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

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 173:

To be entitled an act to grant certain lands to the Tampa, Peace Creek and St. John's River Railroad Company; also

Senate bill No. 175:

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 bills ordered to be enrolled.

On motion of Mr. Hagan, Assembly bill No. 208:

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

The vote was:

Yeas—Messrs. Allen, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Long, McMeekin, McGuire, McKinnon, Orman, Patterson, Richard, Sharpe, Speer, Walker of the 23d, Walker of the 6th and Wallace—20.

Nays—None.

So the bill passed, title as follows:

A bill to be entitled an act defining the boundaries between the county of Polk and the counties of Sumter and Orange.

The Joint Committee on State Institutions presented the following report:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: The Joint Committee on State Institutions, charged with the duty of examining into the management of the Asylum for the Insane of the State and the various reports and allegations reflecting upon the character and fidelity of the officers in charge, beg leave to report:

That they have made personal examination of the institution, received the testimony of many witnesses, and we find that in the first year of its existence there were many irregularities and discreditable occurrences in and about the institution, but these were more chargeable to the want of sufficient means and proper facilities for controlling the inmates, and to the inexperience and want of co-operation among those employed in the immediate care and supervision of the internal affairs of the institution, than to the Adjutant-General or the Board of State Institutions. As the institution has progressed, matters have become harmonized and systemized, until now it is as well conducted as the circumstances and limited means and facilities will admit. Such an institution can only be properly ordered when the buildings, grounds and all the appointments, are such as will enable perfect control, and afford facilities for the physical and mental care of all classes of the inmates; and then only when the personal control and supervision is in the hands of experienced persons specially qualified for the charge of lunatics. A physician and matron with full qualifications peculiar to the position can only be secured by paying much larger salaries, and probably inviting persons from abroad; and in this connection your committee recommend the passage of Senate bill No. 104, as amended by your committee.

We find the police and sanitary arrangements of the Asylum and grounds as good as circumstances will admit of. There is a lack of accommodation for male inmates, and a ward should at once be provided where they may be isolated, and papers, books, and means for games and amusements should be immediately provided for all classes of the inmates not violent and subject to close confinement. An additional supply of water should be had at once, and which can be secured with comparatively little expense. To supply the necessary

wards and improvements, we recommend an appropriation of at least \$5,000.

This expenditure, and the employment of an experienced physician, having sole charge of the inmates, with power to appoint his own foreman, matron and nurses, as is contemplated in bill No. 104, above referred to, will render the institution a valuable asylum for this most unfortunate class of our fellow citizens.

THE STATE PRISON CONVICTS.

Your committee have also made a most laborious and thorough investigation into the past and present condition and management of the convicts contracted and employed in camps; and under the control of contractors. We find that fifty men were contracted for by the St. Johns and Lake Eustis Railroad Company, and that they were employed on that work until March, 1877, when they were turned over to the new contractor, Major H. A. Wyse, of Live Oak, who contracted for all the convict labor for the ensuing two years. When received by Major Wyse, the number at work with the railroad company had been reduced by escapes and discharges to thirty-four. The evidence is that they were received in good health, and by Major Wyse left in charge of Mr. Cooper, who employed them in various kinds of labor until August, when they were brought to Live Oak in a most deplorable condition, four having previously died and three having been discharged.

Of these 27 then brought to Live Oak in August, 17 were sick and two in a dying condition. These were immediately taken to camps, and ten or twelve of them subsequently died. The disease was mainly malarial fever, contracted during the general prevalence of that disease in the summer of 1877. The general condition of the camps of Major Wyse is good, though there is great lack of adequate means for the care of the sick, as there is no suitable hospital or quarters where they can be properly protected and cared for as the law requires. The rules of discipline prescribed for the government of the convicts are intrusted to a captain of the guards employed by the contractor, who is the sole judge and executor of the law, and the frequency and the measure of punishment of the convicts. Punishment is inflicted by the captain of the guard with a plow-line, doubled twice, upon the bare body of the offender.

Major Wyse says the rule is not to exceed ten blows at any one time, but your committee have reason to fear that this rule is frequently violated, and much heavier punishment is inflicted. Your committee believe that the rights of the convicts under the law establishing the State Prison can only be secured through an officer or representative of the State placed in im-

mediate supervision of each camp, whose duty it shall be to see that no injustice is done to the convicts, no cruel or inhuman punishment inflicted, and that the food, bedding, hospital and sanitary regulations accord with the law.

The government ought not to abandon the convict to the entire and arbitrary control of any contractor, whose interest is to get all the labor he can for the smallest amount of cost, and to get rid of the feeble, sickly and incompetent in the soonest possible time. The law should be strictly enforced against the contractors, so that the prisoners shall not work more than ten hours each day, including the time going to and returning from their work, and in the summer there should be at least two hours allowed at noon for rest.

Your committee visited the plantation of Mr. G. A. Chaires, who has for the past two years had a portion of the prisoners under a sub-contract with Major Wyse, and worked them at plantation labor.

We here find the prisoners less comfortably clad and not as substantially fed, although they were better housed and not subjected to such severe discipline and labor.

Mr. Chaires exercised a personal supervision to a great extent, and the guard of the convicts was directed and controlled by the sons of Mr. Chaires. The sick and invalid here had better means of protection, as their quarters were in the large farm-house of the plantation.

During the summer and autumn of 1877 there was much sickness, some of which was from want of proper sanitary regulations about the quarters, but generally attributable to the unusually sickly season, which occasioned a larger mortality than usual in the neighborhood. There have been twelve deaths in the past two years in this camp, three of which was from poison accidentally taken by the persons when employed in removing an old store where they found some flour mixed with arsenic for the destruction of the caterpillar, and had it privately cooked and eat.

In regard to the reported unfairness, on the part of the Adjutant General and Board of Public Institutions, in the recent letting of the labor for the current two years, we find that at the time of opening of the proposals, for which advertisement had been made, there were three bids. Mr. G. A. Chaires was the lowest bidder, by some three or four thousand dollars per annum. This bid was exposed to the highest bidder, Mr. Wyse, who offered to make a better bid, and the Board rejected all the bids and subsequently contracted with Maj. Wyse, who offered a much better proposal and which was accepted and the contract awarded. We find no evidence of collusion, but an apparent purpose to avoid a contract with Mr. Chaires, be-

cause he had not, in his previous contract, as was alleged, met the requisitions of the Adjutant General and conformed to the regulations of the Board in the management of the convicts. Whatever may be the merits of the controversy in regard to the letting of the contracts, it is apparent that the present contract is very much to the advantage of the State in avoiding all expenses in connection with the State Prison convicts, leaving out of view all suggestions in regard to the propriety or impropriety of the system of contracting the convict labor outside of the prison limits.

The testimony taken before your committee has been filed with the Secretary of State, subject to the control of the Legislature. Respectfully submitted.

R. BULLOCK,
Chairman Joint Committee.
W. N. THOMPSON,
Chairman Senate Committee.
C. B. McCLENNY,
SETH FRENCH,
J. B. McCARTY,
HARRISON REED.

The undersigned, in addition to the report of the full committee, begs to assert his belief that the law authorizing the contracting of the convict labor outside of the prison limits in many of its features is in conflict with the law subsequently adopted amending the act establishing the State Prison, and that the rights of the convicts under the latter law are practically denied or violated under the present contract system; in that the food, bedding, hospital attendance, quarters, and regulations for moral and religious improvement are disregarded, the result of which is to render the imprisonment demoralizing, brutalizing and destructive, rather than reformatory and disciplinary. He therefore protests against the present contract system, and affirms his belief that any prisoner may successfully appeal to the law and the courts to protect him against the injustice and wrong necessarily incident thereto.

HARRISON REED,
Member of Committee.

Which was read.

On motion of Mr. Thompson, the report was adopted, except the portion thereof signed alone by Harrison Reed.

Ordered to be spread upon the Journal.

On motion of Mr. French, the committee was discharged.

The Joint Committee on Enrolled Bills made the following report:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Joint Committee on enrolled bills beg leave to report that they have examined Senate bill No. 78, to be entitled an act to amend an act to provide for the incorporation of cities and towns and establish a uniform system of municipal government in this State, approved February 4, 1869, and the act amendatory thereof, and to further provide for the organization and government of cities, and find it correctly enrolled.

Respectfully.

W. T. ORMAN,
Chairman Senate Committee.
A. C. WHITE,
Chairman Assembly Committee.

Which was read.

Also the following:

SENATE CHAMBER, TALLAHASSEE, March 1, 1879.

HON. W. 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 bills and resolutions, and find them correctly enrolled:

Senate bill No. 129:

An act authorizing the Trustees of the Internal Improvement Fund to institute suit to settle the title to certain railroads, constructed under the provisions of the Internal Improvement act, to protect the interests of the said Fund therein; also,

Assembly bill No. 114:

An act to settle the title of the Pensacola and Georgia and the Tallahassee Railroad, now known as the Jacksonville, Pensacola and Mobile Railroad, and to protect the interests of the Internal Improvement Fund therein; also,

Assembly bill No. 70;

An act for the relief of Washington Waller and Reuben Wright; also,

Assembly bill No. 155:

An act relating to Coroner's Juries; also,
Assembly Joint Resolution,

In reference to a Constitutional Convention.

Respectfully,

W. T. ORMAN,
Acting Chairman Senate Committee.
A. C. WHITE,
Chairman Assembly Committee.

Which was read.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 2, to be entitled an act to repeal certain acts regulating the sale and disposal of State lands and prescribing the duties and powers of the Register of Public Lands which have become inoperative, 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.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 16, to be entitled an act to incorporate a company and to facilitate the construction and equipment of a railroad from Green Cove Springs upon the St. Johns river, in Clay county, to the town or village of Melrose, in Alachua county, under the style of the Green Cove Springs and Melrose Railroad Company, 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.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 9; to be entitled an act to prevent discrimination by railroads; also,

Assembly bill No. 24, to be entitled an act for the issue and services of criminal process in certain cases without pre-payment of cost, 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, March 1, 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. 26, to be entitled an act to amend an act entitled an act to amend section 13 and to repeal sections 10, 14 and 15 of an act to establish and keep in good repair the public roads of this State, approved February 18, 1874, and for other purposes, 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.

Mr. McGuire moved to reconsider Assembly bill No. 206, to be entitled an act to amend section 2, chapter 40 of the laws of Florida, being an act to provide for and encourage a liberal system of internal improvements in this State, approved January 6th, 1855;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Genovar, Hatcher, Judge, McClenny, McGuire, McKinnon, Niblack, Sharpe, Thompson and Wallace—13.

Nays—Messrs. Hagan, Johnson, Jones, Lykes, McMeekin, Orman, Patterson, Richard, Walker of the 23d and Walker of the 6th—10.

So the motion to reconsider prevailed.

Mr. Judge, by permission, introduced Senate bill No. 180; Which was read by its title, and referred to the Committee on Claims.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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 the following bills:

Assembly bill No. 30:

To be entitled an act in relation to testimony in criminal cases; also

Assembly bill No. 35:

To be entitled an act to allow certain dealers in general merchandise to sell certain drugs and medicines without having to pay a special tax therefor,

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. 52:

To be entitled an act to incorporate the Peace Creek Navigation Company,

Was read a second time and ordered to be engrossed as amended for a third reading on Monday.

Senate bill No. 70:

To be entitled an act to amend an act directing the mode of suing out and prosecuting writs of *habeas corpus*, approved September 16, 1822,

Was read a third time and, on motion of Mr. Long, was put back upon its second reading and placed among the orders of the day for next Monday.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 176, to be entitled an act supplementary to an act to incorporate the Jacksonville, St. Augustine and Indian River Railroad Company.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 1, 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. 43, to be entitled an act to incorporate the State Historical Society of Florida; also,

Assembly bill No. 51, to be entitled an act for the relief of James B. Dawkins, Judge of the Fifth Judicial Circuit of 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 bills placed among the orders of the day.

On motion of Mr. McKinnon, Assembly bill No. 206 was put back upon its second reading.

Mr. Lykes, by permission, introduced a petition from E. C. Jones.

Assembly bill No. 24:

To be entitled an act for the issue and service of criminal process without prepayment of fees,

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

Assembly bill No. 9:

To be entitled an act to prevent discrimination,
Was read the first time and referred to the Judiciary Committee.

Assembly bill No. 51:

To be entitled an act for the relief of James D. Dawkins, Judge of the 5th Judicial Circuit of Florida,
Was referred to the Committee on Claims.

Assembly bill No. 43:

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

Was referred to the Committee on Corporations.

Assembly bill No. 2:

To be entitled an act to repeal certain acts regulating the sale and disposal of State lands and prescribing the duties and powers of the Register of Public Lands which have become inoperative,

Was referred to the Judiciary Committee.

Assembly bill No. 26:

To be entitled an act to amend an act entitled to amend section 13, and to repeal sections 10, 14 and 15 of an act entitled an act to establish and keep in good repair the public roads and highways in this State, approved February 19, 1874, and for other purposes,

Was referred to the Committee on State Affairs.

Assembly bill No. 16:

To be entitled an act to incorporate a company and to facilitate the construction and equipment of a railroad from Green Cove Springs upon the St. Johns river, in Clay county, to the town or village of Melrose, in Alachua county, under the style of the Green Cove Springs and Melrose Railroad Company,

Was referred to the Committee on Railroads and Canals.

Assembly bill No. 35:

To be entitled an act to allow certain dealers in general merchandise to sell certain drugs and medicines, without having to pay a special license tax therefor,

Was referred to the Committee on Finance and Taxation.

Assembly bill No. 143:

To be entitled an act for the relief of E. A. Perry,

Was referred to the Committee on Claims.

Assembly bill No. 187:

To be entitled an act for the relief of P. G. Snowden of Alachua county, Florida,

Was referred to the Committee on Claims.

Assembly bill No. 126:

To be entitled an act for the relief of Berrien Rainey of Hamilton county, Florida,

Was referred to the Committee on Claims.

Assembly bill No. 30:

To be entitled an act in relation to testimony in criminal cases,

Was referred to the Judiciary Committee.

Mr. Bryson moved to adjourn until 10 o'clock Monday;

Which motion was not agreed to.

Mr. Orman moved to amend Assembly bill No. 206 by striking out "twelve" and insert "eleven;" also to strike out "and Seth French."

Mr. McGuire offered as an amendment to the amendment to strike out "eleven" and insert "six."

Mr. Bryson offered as an amendment to strike out "eleven" and insert "five;"

Which amendment was not adopted.

Mr. Thompson moved the indefinite postponement of the bill upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Genovar, McClenny, McGuire, Niblack, Sharpe, Thompson, and Wallace—10.

Nays—Messrs. Hagan, Hatcher, Johnson, Jones, Lykes, McMeekin, Orman, Patterson, Richard, Walker of the 23d and Walker of the 6th—11.

So the motion to postpone was lost.

Mr. Thompson moved that the further consideration of the bill be postponed until Monday;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Genovar, McClenny, McGuire, Niblack, Sharpe, Thompson and Wallace—10.

Nays—Messrs. French, Hagan, Hatcher, Johnson, Jones, Lykes, McMeekin, Orman, Patterson, Richard, Speer, Walker of the 23d and Walker of the 6th—13.

So the motion was lost.

Mr. Bryson moved to adjourn until 10 o'clock Monday next; which was not agreed to.

Mr. Orman moved that the rule be waived and the bill read a third time and put on its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Durkee, French, Hagan, Hatcher, Johnson, Jones, Lykes, McMeekin, Niblack, Orman, Richard, Speer, Walker of the 23rd and Walker of the 6th—15.

Nays—Messrs. Allen, Barnes, Bryson, Genovar, McClenny, McGuire, Sharpe, Thompson and Wallace—9.

So the rule was not suspended.

Mr. Thompson moved that the Senate adjourn until 10 A. M. Monday next.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Barnes, Bryson, Durkee, Genovar, Jones, McClenny, McMeekin, McGuire, Niblack, Patterson, Sharpe, Thompson, Walker of the 6th and Wallace—15.

Nays—Messrs. French, Hagan, Hatcher, Johnson, Lykes, Orman, Richard and Speer—8.

So the motion was agreed to.

The Senate then adjourned.

CONFIRMATIONS.

Daniel McLeod, Jr., to be Clerk of the Circuit Court for Walton county.

Frederick N. Foy, to be Collector of Revenue for Marion county.

Thomas Barco, to be Assessor of Taxes for Marion county.

Galen W. Davis, to be Commissioner of Pilotage for Franklin county.

Amos Cordson, to be Commissioner of Pilotage for Franklin county.

Robert Knickmeyer, to be Collector of Revenue for Franklin county.

Anderson M. Harris, to be Assessor of Taxes for Franklin county.

John Theobald, to be Sheriff for Franklin county.

Alva W. Chapman, to be County Judge for Franklin county.

W. T. Weeks, to be Assessor of Taxes for Bradford county.

A. D. Cone, to be Collector of Revenue for Bradford county.

John C. Calhoun, to be Collector of Revenue for Taylor county.

REMOVAL.

A. W. Chapman, as County Judge of Franklin county.

MONDAY, March 3, 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, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Long, McClenny, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Wallace—25.

A quorum present.

Prayer by the Chaplain.

The reading and correction of the Journal was postponed owing to some delay in their reception from the printer.

The President gave notice that the following enrolled bills were ready for signature:

Senate bill No. 78:

To be entitled an act to amend an act to provide for the incorporation of cities and towns and establish a uniform system of municipal government in this State, approved February 4, 1869, and the act amendatory thereof, and to further provide for the organization and government of cities.

Senate bill No. 129:

To be entitled an act authorizing the Trustees of the Internal Improvement Fund to institute suit to settle the title to certain railroads constructed under the provisions of the Internal Improvement Act, to protect the interests of the said Internal Improvement Fund therein; also,

Assembly bill No. 114:

An act to settle the title of the Pensacola and Georgia and the Tallahassee Railroad, now known as the Jacksonville, Pensacola and Mobile Railroad, and to protect the interests of the Internal Improvement Fund therein; also,

Assembly bill No. 70:

An act for the relief of Washington Waller and Reuben Wright; also,

Assembly bill No. 155:

An act relating to Coroner's Juries; also,

Assembly Joint Resolution,

In reference to a Constitutional Convention;

Which were then signed by W. D. Barnes, President *pro tem.* and Jas. G. Gibbs, Secretary of the Senate.

Mr. McGuire offered the following joint resolution:

The people of the State of Florida, represented in Senate and Assembly, do resolve as follows: That the Secretary of State is hereby directed to have published and distributed a sufficient number of copies of the laws passed at the present term of the Legislature within thirty days after the adjournment of the same;

Which was referred to the Committee on Printing.

Resolution of the Senate in reference to adjournment *sine die* was taken up with the amendment of the Assembly.

Mr. Meacham moved that the Senate concur in the Assembly amendment.

Mr. Orman moved that the resolution lie on the table for the present;

Which was agreed to.

The journal was now taken up, and, on motion of Mr. Walker of the 23d, its reading was dispensed with and it was approved.

Mr. Bryson made the following report:

SENATE CHAMBER, TALLAHASSEE, March 3, 1879.

HON. W. D. BARNES,

President pro tem. of the Senate:

SIR: Your Committee on Engrossed Bills report that they examined Senate bill No. 126, to be entitled an act to provide for locating private roads, and found the same correctly engrossed, and herewith return it properly endorsed.

Very respectfully,

WM. BRYSON, JR., Chairman.