

Assembly bill No. 35 :

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

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

The vote was:

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

Nays—Messrs. Richard and Walker of the 6th—2.

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,

Senate bill No. 104 :

To be entitled an act in relation to the superintendence and management of the Lunatic Asylum,

Was read the second time.

Mr. Thompson moved that the amendments proposed by the committee be adopted.

Mr. McKinnon moved to amend the amendment by striking out out twenty-five hundred and inserting two thousand ;

Which was agreed to.

The amendments of the committee were then adopted and the bill ordered to be engrossed as amended.

The Senate then adjourned until 10 A. M. to-morrow.

TUESDAY, March 4, 1879.

The Senate met pursuant to adjournment.

Mr. McKinnon in the chair.

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

Messrs. Allen, Bryson, Durkee, Eagan, Hagan, Hatcher, Johnson, Jones, Long, Lykes, McClenny, McKinnon, Meacham, Niblack, Patterson, Sharpe, Speer and Thompson—18.

A quorum present.

Prayer by the Chaplain.

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

Mr. Niblack made the following report:

SENATE CHAMBER, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

SIR: Your Judiciary Committee, to whom was referred Assembly bill No. 73, to be entitled an act to declare when and how costs in civil and criminal cases where the State of Florida is a party shall be audited and paid, report that they have examined the same and recommend its passage.

Respectfully,

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, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

SIR: Your Judiciary Committee, to whom was referred Senate bill No. 182, to be entitled an act to amend section 4 of chapter 1413, Laws of Florida, being an act relative to claims placed in the hands of district solicitors in this State, report that they have had the same under consideration and recommend its passage.

Very respectfully,

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, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

SIR: Your Committee on the Judiciary to whom was referred Assembly bill No. 30, to be entitled an act in relation to testimony in criminal cases, report that they have had the same under consideration, and recommend its passage with the accompanying amendments.

Very respectfully,

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

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

Mr. Bryson made the following report :

SENATE CHAMBER, TALLAHASSEE, March 4, 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. 104, to be entitled an act to amend sections one and two of an act entitled an act to provide for the superintendence and management of the asylum for indigent lunatics, and found the same correctly engrossed, and return it herewith properly endorsed.

Very respectfully,  
WM. BRYSON, JR., Chairman.

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

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

SENATE CHAMBER, TALLAHASSEE, March 3, 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 found them correctly enrolled :

Senate bill No. 175, to be entitled an act to incorporate the Chattahoochee and Pensacola Railroad ; also,

Senate bill No. 154, to be entitled an act for levying a tax for the years 1879 and 1880.

Very respectfully,  
J. C. WALKER,  
Chairman Senate Committee.  
A. C. WHITE,  
Chairman Assembly Committee.

Which was read.

#### ORDERS OF THE DAY.

Senate bill No. 178 :

To be entitled an act for the protection of convicts under contract, and to punish violations of such contracts by contractors.

Was read a second time.

The substitute recommended by the Judiciary Committee was adopted.

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

The vote was :

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

Assembly bill No. 167 :

In relation to common schools and a university,  
Was taken up.

Mr. Judge moved that the Senate do not recede from its amendments to the bill ;

Which was agreed to.

Mr. Judge moved that a committee from the Senate be appointed to confer with a similar committee from the Assembly, to consist of three from the Senate and four of from the Assembly ;

Which was agreed to.

Messrs. Judge, McMeekin and Meacham were appointed a conference committee on the part of the Senate.

The following communication was received from the Governor :

EXECUTIVE OFFICE, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate :*

SIR: I have the honor to inform you that I have this day received the resignation of Hon. Noble A. Hull, Lieutenant-Governor of the State of Florida, which I have accepted.

Very respectfully,  
Your obedient servant,

GEO. F. DREW,  
Governor.

Which was read.

Mr. Lykes offered the following resolution :

*Resolved*, That the thanks of this Senate are due the fair donor who presented the President *pro tem.* with the beautiful bouquet of flowers now on the desk.

*Resolved, further*, That a copy of this resolution be furnished the family of the President *pro tem.* ;

Which was adopted.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 4, 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. 149, to be entitled an act for the assessment and collection of revenue with amendments,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

*Chief Clerk of the Assembly.*

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

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 4, 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. 19, to be entitled an act to ratify and confirm the reduction of taxes authorized by the Governor for the years 1877 and 1878; also,

Senate bill No. 158, to be entitled an act to incorporate the Suwannee and Gulf Railroad and Navigation Company with amendments,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

*Chief Clerk of the Assembly.*

Senate bill No. 19 was ordered to be enrolled, and the other accompanying bills placed among the orders of the day.

Also the following:

ASSEMBLY HALL, TALLAHASSEE, March 4, 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. 251:

To be entitled an act to provide for the examination and settlement of claims against the State of Florida for services

rendered during the last Seminole war, and for the settlement of claims of the State of Florida against the United States,

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 4, 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. 135:

To be entitled an act to amend sections 2, 3, 4, 5 and 6 of an act to amend sections 2, 6, 7, 8, 9 and 10 of an act entitled an act to fix and regulate the fees and per diem of certain officers herein designated, with amendments,

And respectfully request the concurrence of the Senate therein.

Respectfully,

WM. FORSYTH BYNUM,

*Chief Clerk of the Assembly.*

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

Assembly bill No. 149:

An act for the assessment and collection of revenue, Was taken up with the Assembly amendments.

The Senate concurred in the 1st, 2d, 4th and 5th amendments, and refused to concur in the 3d.

The Senate refused to concur in the 6th amendment.

The vote was:

Yeas—Messrs. Barnes, Genovar, Hagan, Johnson, Jones, McClenny, McMeekin, Richard, Speer, Walker of the 23d and Walker of the 6th—11.

Nays—Messrs. Bryson, Durkee, Eagan, French, Hatcher, Judge, Long, Lykes, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Sharpe, Thompson and Wallace—17.

Mr. Walker of the 23d, by permission, introduced Senate bill No. 184, an act to incorporate the Florida Ship Canal Company;

Which was read the first time and referred to the Committee on Railroads and Canals.

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

SENATE CHAMBER, TALLAHASSEE, March 4, 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 and found correctly enrolled the following bills:

Assembly bill No. 208, an act defining the boundaries between the county of Polk and the counties of Sumter and Orange.

Senate bill No. 160, an act to incorporate the Florida Yacht Club.

Assembly bill No. 6, an act to encourage the construction of canals, improve the navigation of creeks, facilitate transportation, promote immigration, settlement and cultivation of State lands.

Respectfully,

J. C. WALKER,

Chairman Senate Committee.

A. C. WHITE,

Chairman Assembly Committee.

Which was read.

Senate bill No. 177:

To be entitled an act in relation to evidence,  
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. Barnes, French, Genovar, Hagan, Hatcher, Johnson, Jones, Lykes, McClenny, McGuire, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson and Walker of the 23d—18.

Nays—None.

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 4, 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. 65, to be entitled an act to regulate the proceedings before referees, and to enforce, modify or reverse the same, 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 4, 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. 82, to be entitled an act to provide a uniform system of quarantine in this State, 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 4, 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. Sharon, Yonge and Finley on the Joint Committee of Conference on part of the Assembly on Senate amendments to Assembly bill No. 167,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

*Chief Clerk of the Assembly.*

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

Senate bill No. 104:

To be entitled an act to provide for the superintendence and management of the Asylum for indigent lunatics,

Was read the third time and put upon its passage.

The vote was:

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

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 91:  
To be entitled an act in relation to food fishes in the rivers of the State,

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

Senate bill No. 105:

An act to allow lunatics able to pay for their support to be received into the asylum,

Was read the third time and put on its passage.

The vote was:

Yeas—Messrs. Bryson, Eagan, French, Hatcher, Johnson, Jones, Judge, Long, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Thompson, Walker of the 23d and Wallace—20.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Senate.

Senate bill No. 179:

An act to amend an act relating to foreign guardians,

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. Bryson, Durkee, Eagan, French, Hatcher, Johnson, Jones, Judge, Long, Lykes, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Wallace—23.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 182:

To be entitled an act in relation to claims in the hands of District Solicitors,

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

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, Eagan, French, Genovar, Hatcher, Johnson, Jones, Judge, Long, Lykes, McMeekin, McGuire, McKinnon, Meacham, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—25.

Nays—Mr. Wallace—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly:

Senate bill No. 168, to be entitled an act for the adoption of two children by Elmore Red,

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

The vote was:

Yeas—Messrs. Barnes, Bryson, Durkee, Eagan, French, Genovar, Hatcher, Johnson, Jones, Judge, Long, Lykes, 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 following petition of E. C. Jones was read:

*To the Honorable Senate of the State of Florida:*

The petition of Everett C. Jones respectfully represents to your honorable body that he is a citizen of the State of Florida and of the county of Leon, and that at the election held on the 5th day of November, A. D. 1878, he was duly elected as a member of the said body, to represent the Eighth Senatorial District, and received a certificate of such election from the State Board of Canvassers: that his right to a seat in your honorable body was contested by one John Wallace, upon irregularities alleged to have occurred in the sixth election district of the said county of Leon. That a hearing in said contest was had before your Committee on Privileges and Elections, and that upon the report of that committee the said John Wallace was declared to be entitled to the said seat. That since the said case was submitted to the said committee he has been advised of the existence of other evidence, both in relation to the said precinct and to certain other precincts in the said county, in which precincts he can and is ready to prove that many votes were received from persons not registered, convicts, and from persons not entitled to vote, and that such votes were cast and counted for the said John Wallace; that at one precinct in particular, to-wit, precinct No. 2, in which the said John Wallace received 191 votes and your petitioner received five votes, under the direction of the United States Supervisor all the votes cast at the said precinct were, before being deposited in the box, numbered upon the backs of said votes, and that such votes were absolutely prohibited by the laws of the State of Florida from being received by the inspectors, and were illegal. That many other and gross irregularities occurred at said precincts, of which specifications will be made and furnished in the notice your petitioner desires to serve upon the said John Wallace in accordance with the custom usual, provided he be allowed to contest his seat in your honorable body. He further represents that at the hearing heretofore had before your Committee on Privileges and Elections, no testimony was taken except testimony relating

to precinct No. 6, for the reason that in the notice of contest served by the said John Wallace upon your petitioner the specifications only alleged irregularities at said precinct No. 6, and your petitioner was informed and believed that the issues raised in said contest were limited to the specifications in relation to that precinct.

Your petitioner further represents that he has submitted his case to counsel learned in the law, and is advised that upon a fair and full investigation he will be clearly entitled to a seat in your honorable body. He avers that he was duly elected as the Senator from the 8th Senatorial District, having received a majority of the votes legally cast at the said election, and he accordingly prays that leave be granted him to contest the right of the said John Wallace to a seat in your honorable body; that he be permitted to use the testimony heretofore submitted to the said committee, and that he be permitted upon notice given to the said John Wallace, to take, before any judicial officer of the State, such further testimony as may be applicable to the case. He further prays that the matter be referred to the said Committee on Privileges and Elections, or to such other committee as to your honorable body may seem fit. And your petitioner will ever pray, &c.

E. C. JONES.

On motion of Mr. Walker of the 23rd, the further consideration of the petition was indefinitely postponed.

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

SENATE CHAMBER, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your Committee on Enrolled Bills beg leave to report that they have this day sent to the Governor for his approval the following Senate bills:

An act to incorporate the Chattahoochee and Pensacola Railroad Company; also,

An act for levying a tax for the years 1879 and 1880.

Respectfully,

J. C. WALKER.

Which was read.

Assembly bill No. 56:

An act to regulate the sale of certain agricultural products. Was read the second time by the title, and the rule being suspended, the bill was then read the third time and put on its passage.

The vote was:

Yeas—Messrs. Barnes, Genovar, Hagan, Judge, McKinnon,

Patterson, Richard, Thompson, Walker of the 23d and Walker of the 6th—10.

Nays—Messrs. Bryson, Durkee, Eagan, Hatcher, Johnson, Long, McClenny, McMeekin, McGuire, Meacham, Orman and Speer—12.

So the bill passed, title as stated.

Ordered that the same be certified to the Senate.

The following bills were read the first time and referred to their appropriate committees:

Assembly bill No. 281:

To be entitled an act concerning the general law for the incorporation of railroads and canals,

Was referred to the Committee on Railroads and Canals.

Assembly bill No. 293:

To be entitled an act in regard to the militia of the State,

Was referred to the Committee on the Militia.

Assembly bill No. 65:

To be entitled an act to regulate proceedings before referees,

Was referred to the Judiciary Committee.

Assembly bill No. 82:

To be entitled an act to provide a uniform system of quarantine,

Was referred to the Committee on Commerce and Navigation.

Assembly bill No. 251:

To be entitled an act to provide for the examination and settlement of claims against the State of Florida for services in the last Seminole war, and for the settlement of claims of the State of Florida against the United States,

Was referred to the Committee on Indian Affairs.

Assembly bill No. 43:

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

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

The vote was:

Yeas—Messrs. Barnes, Durkee, Genovar, Hatcher, Johnson, Jones, Lykes, McClenny, McMeekin, McGuire, Meacham, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Genovar made the following reports:

SENATE CHAMBER, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your Committee on Claims, to whom was referred.

Assembly bill No. 51, beg leave to report that they have examined the same and ask that it be referred to the Judiciary Committee.

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

Which was read and the accompanying bill referred to the Judiciary Committee.

Also the following:

SENATE CHAMBER, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your Committee on Claims, to whom was referred Assembly bill No. 143, beg leave to report that they have examined the same and recommend that it do pass.

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

Which was read, and Senate bill No. 143 placed among the orders of the day.

Mr. Orman gave notice that he would ask a reconsideration of the vote by which Assembly bill No. 56 was not passed, at 5 o'clock P. M. this afternoon.

Mr. Lykes in the chair.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 4, 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. 293, to be entitled an act to amend sections 4, 12, 13, 14 and 62 of an act entitled an act to provide for organizing and disciplining the militia of the State, approved August 6, 1868; also,

Assembly bill No. 91, to be entitled an act to protect the food fishes in the rivers of this State and to regulate fisheries; also,

Assembly bill No. 281, to be entitled an act to amend section 26 of an act to provide a general law for the incorporation of railroads and canals, approved February 15, 1876, and to grant aid to railroads and canals incorporated under said act,

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. 183:

To be entitled an act to procure the publication, printing and binding of a digest of the laws of Florida,

Was read a second time.

Mr. Barnes moved the further consideration of the bill be put off 5:30 P. M.;

Which was agreed to.

Mr. McKinnon offered the following resolution:

*Resolved*, That the Treasurer furnish to this Senate how much has been paid out of the appropriation for digest of the laws and to whom paid.

On motion, the Senate adjourned until 4 P. M.

FOUR O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Allen, Barnes, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Jones, Long, Lykes, McClenny, McMeekin, McKinnon, Niblack, Orman, Richard, Speer, Thompson and Walker of the 23d—20.

A quorum present.

Senate bill No. 135:

To be entitled an act to fix and regulate the fees and per diem of certain officers,

Was taken up with Assembly amendments.

On motion of Mr. Thompson, the Senate concurred in Assembly amendments Nos. 2 and 4, and refused to concur in Nos. 1 and 3.

The same was ordered to be certified to the Assembly.

Senate bill No. 116:

To be entitled an act for payment of physicians attending coroners' inquests,

Was laid on the table.

Senate bill No. 162 :

To be entitled an act to authorize the Board of Trustees of the Internal Improvement Fund to settle claims,

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, Barnes, Genovar, Hagan, Johnson, Jones, Long, McClenny, McMeekin, McKinnon, Niblack, Orman, Patterson, Richard, Speer, Thompson, Walker of the 23d and Wallace—18.

Nays—Mr. Durkee—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 143 :

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

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. Barnes, Bryson, Genovar, Johnson, Jones, Judge, McClenny, McKinnon, Niblack, Patterson, Richard, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—16.

Nays—Mr. Hatcher—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 105 :

To be entitled an act to incorporate the Patrons of Husbandry,

Was read a second time.

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

The vote was :

Yeas—Messrs. Barnes, French, Genovar, Hagan, Hatcher, Johnson, Judge, McClenny, McMeekin, McKinnon, Niblack, Orman, Patterson, Richard, Speer, Thompson, Walker of the 23d and Walker of the 6th—18.

Nays—None.

So the bill passed, title as stated.

Ordered that that the same be certified to the Assembly.

Assembly resolution No. 34 :

In relation to distribution of Supreme Court reports,

Was taken up and indefinitely postponed.

The following message was received from the Assembly :

ASSEMBLY HALL, TALLAHASSEE, March 4, 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 refused to recede from Assembly amendments Nos. 3 and 6 to Senate bill No. 149, for the assessment and collection of revenue, and would respectfully request the appointment of a joint committee of conference, and have appointed Messrs. Yonge, Westcott and Stewart 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, March 4, 1877.

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. 294, to be entitled an act for levying a tax for the years 1879 and 1880 ; also,

Senate bill No. 37, to be entitled an act to incorporate the Black Creek and Starke Railroad and Steamboat Company.

Very respectfully,

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

Which was read, and Senate bill No. 37 ordered to be enrolled and the remaining bill placed among the orders of the day.

Assembly bill No. 24 :

An act for the issue and service of criminal process in certain cases without pre-payment of fees,

Was read the second time, and the rules being waived, was read the third time and put on its passage.

The vote was :

Yeas—Messrs. Allen, Barnes, Genovar, Hagan, Hatcher, Jones, Judge, McClenny, McMeekin, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—19.

Nays—Mr. Johnson—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. McMeekin moved that the rule be waived and Assembly bill No. 206 be taken up.

The vote was :

Yeas—Messrs. Eagan, Hagan, Hatcher, Johnson, Lykes, McMeekin, Orman, Richard, Speer and Walker of the 23rd—10.

Nays—Messrs. Allen, Barnes, Bryson, Durkee, Genovar, Jones, Judge, Long, McClenny, McGuire, McKinnon, Meacham, Niblack, Patterson, Sharpe, Thompson, Walker of the 6th and Wallace—18.

So the rule was not suspended.

Bill No. 73, an act to declare how costs in cases in which the State is a party shall be paid,

Was read the second time, and the rule being suspended, the bill was read the third time and put on its passage.

The vote was:

Yeas—Messrs. Allen, Barnes, Durkee, Eagan, French, Genovar, Hatcher, Johnson, Judge, McKinnon, Meacham, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—20.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No 30:

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

Was read the second time, and the amendments of the committee adopted.

Mr. Bryson moved the rule be suspended, and the bill read the third time;

Which was not agreed to.

Mr. Richard was excused from attendance after 6 P. M. on Friday.

Mr. Orman moved a reconsideration of the vote by which Assembly bill No. 56, to be entitled an act to regulate the sale of certain agricultural products in this State was not passed.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, French, Genovar, Hatcher, Johnson, Judge, McGuire, McKinnon, Niblack, Orman, Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d, Walker of the 6th and Wallace—18.

Nays—Messrs. Allen, Bryson, Durkee, Eagan, Long, McMeekin and Meacham—7.

So the motion to reconsider was agreed to.

Assembly bill No. 56 was taken up.

Mr. Wallace asked that the rule be suspended so that the bill could be put back on its second reading for amendment;

Which was agreed to.

Senate bill No. 163:

To be entitled an act to incorporate an Anglo American Colonization and Improvement Company in this State,

Was taken up, and, on motion, was laid on the table.

Assembly bill No. 2:

To be entitled an act regulating the sale and disposal of State lands and powers of the Register of Public Lands,

Was read the second time.

The chair gave notice that Messrs. McMeekin, Walker of the 6th and Allen were appointed a committee of conference in regard to Senate bill No. 149.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, March 4, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the first amendment to Senate bill No. 134, to be entitled an act to amend certain sections of an act to regulate the fees and per diem of certain officers herein specified, should apply to line 26 and section 5 instead of section 2, as follows: After the word "day" insert "for each prisoner confined;"

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

*Chief Clerk of the Assembly.*

Which was read.

MrKinnon in the chair.

Special order for 5:30 P. M.,

Senate bill No. 183:

To be entitled an act to procure the publication, printing and binding of a digest of the laws of Florida,

Was taken up and, on motion of Mr. Thompson, referred to the Judiciary Committee.

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

SENATE CHAMBER, TALLAHASSEE, March 4, 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 this day sent to the Governor for his approval, the enrolled Senate bill entitled an act to incorporate the Florida Yacht Club.

Respectfully,

J. C. WALKER, Chairman.

Which was read.

Assembly bill No. 294:

To be entitled an act levying a tax for 1879 and 1880,

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

The Senate went into Executive session.

On the doors being opened, the following communication was received from the Governor:

EXECUTIVE OFFICE, TALLAHASSEE, March 4, 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 bills, which originated in the Senate, to wit:

An act to grant certain lands to the Gainesville, Ocala and Charlotte Harbor Railroad Company;

An act to grant certain lands to the Tampa, Peace Creek and St. Johns River Railroad Company;

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

An act for the relief of Dr. W. H. Babcock

Respectfully,

GEO. F. DREW,  
*Governor.*

Which was read.

The Senate then adjourned until 10 o'clock, A. M., to-morrow.

CONFIRMATIONS.

Gen. J. J. Dickison, Adjutant-General.

Wm. F. Parish, Assessor of Taxes, Manatee county.

WEDNESDAY, March 5, 1879.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Messrs. Allen, Barnes, Bryson, Durkee, Eagan, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Long, Lykes, McClenny, McMeekin, McGuire, McKinnon, Niblack, Orman,

Patterson, Richard, Sharpe, Speer, Thompson, Walker of the 23d and Walker of the 6th—27.

A quorum present.

Prayer by the Chaplain.

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

Mr. Lykes in the chair.

Mr. Genovar presented the following joint resolution:

*The people of the State of Florida, represented in Senate and Assembly, do resolve as follows:* 1st. That whereas, Florentio M. Huertes, having paid sixty dollars of taxes to the State tax collector of Putnam county on lands he had reason to suppose and believe belonged to him at the time of the payment of said taxes, but which were afterwards ascertained to belong to the United States Government; It is, therefore,

*Resolved,* That the said matter be and the same is hereby referred to the State Comptroller, and if he ascertains the facts to be as herein set forth he is hereby authorized and empowered to remit said tax so erroneously paid, and draw his warrant on the Treasurer for the repayment of the same to Florentio M. Huertes out of any unappropriated moneys in the Treasury;

Which was read the first time and, on motion of Mr. Walker of the 23d, the rule was suspended and the resolution read the second and third times and put upon its passed.

The vote was:

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

Nays—None.

So the resolution passed.

Ordered that the same be certified to the Assembly.

Mr. Niblack made the following report:

SENATE CHAMBER, TALLAHASSEE, March 5, 1879.

HON. W. D. BARNES,

*President pro tem. of the Senate:*

SIR: Your Committee on Railroads, to whom was referred Assembly bill No. 281, to be entitled an act to amend section 26 of an act entitled an act to provide a general law for the incorporation of railroads and canals, approved February 19, 1874, and to grant aid to railroads and canals incorporated under said act, report that they have had the same under consideration and recommend its passage.

Very respectfully,

S. L. NIBLACK, Chairman.