

FRIDAY, January 14, 1881.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Cole, Cone, Crawford, Crill, Delano, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClellan, McClenny, McKay, McKinnon, Polhill, Powers, Robinson, Speer, Walker, Willard—20.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. Jones the reading of the journal was dispensed with.

Mr. Powers offered the following resolution:

*Resolved*, That 500 copies of the report of the Superintendent of Public Instruction be printed for the use of that office.

Mr. Delano offered the following memorial:

A memorial relating to the introduction of certain fish into the waters of this State:

The people of the State of Florida, represented in Senate and Assembly, do respectfully ask that the Commissioner of Fish and Fisheries be requested to have introduced into the waters of this State the fish known as the Carp, and such other fish as he may deem proper, and to take such steps as are necessary to the successful propagation of said fish in the waters of this State; and our Senators and Representatives in Congress be requested to use their influence to have the above measure carried out. The Secretary of State is hereby requested to have forwarded at once to the Commissioner of Fish and Fisheries of the United States and to our Senators and Representatives in Congress copies of this resolution immediately after its passage.

The following bills were introduced by Mr Thompson:

Senate bill No. 30:

To be entitled An act to establish a Bureau of Immigration for the State of Florida, and to promote the more rapid settlement of the State lands;

Which was read for the first time by its title and referred to the Committee on Immigration.

By Mr. McKay:

Senate bill No. 31:

A bill to be entitled An act for the relief of Thomas A. Carruth;

Which was read the first time by its title and referred to the Committee on Public Lands.

The resolution offered by Mr. Powers in regard to the printing of the reports of the Superintendent of Public Instruction was then taken up and adopted.

The memorial offered by Mr. Delano, relating to the introduction of certain fish into the waters of this State,

Was read the first time.

Upon motion of Mr. Delano, the rules were waived and the memorial was read the second time.

Mr. Polhill moved:

That the vote by which Senate bill No. 15, to be entitled An act for the better preservation of legal advertisements, was passed be reconsidered;

Mr. Bryson, of the Judiciary Committee, made the following report:

SENATE CHAMBER, Tallahassee, January 13, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR—Your committee to whom was referred—

Senate bill No. 25, to be entitled An act in relation to the punishment of crimes and misdemeanors,

Beg leave to report that they have examined the same, and recommend its passage, with the following amendment:

After the word "kill" in — line of Section 3 insert "and assault, with intent to commit manslaughter."

Respectfully, etc.,

WM. BRYSON, JR.,

S. R. MALLOY,

Committee on the Judiciary.

Mr. Jones, of the Committee on City and County Organizations, made the following report:

SENATE CHAMBER, Tallahassee, January 14, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR—The Committee on City and County Organizations, to whom was referred—

Senate Bill No. 17, to be entitled An act concerning the county site of Calhoun county,

Beg leave to report the same, and recommend its passage.

Respectfully, etc.,

W. J. JONES; Chairman.

Mr. Jones, of the Committee on Fisheries, made the following report:

SENATE CHAMBER, Tallahassee, January 14, 1881.

HON. L. W. BETHEL,

*President of the Senate :*

SIR—Your Committee on Fisheries, to whom was referred Senate bill No. 2, entitled "An act to encourage the planting of oysters in the waters of this State, and to protect the rights of owners thereof," beg leave to report that they have considered the same, and recommend that it do pass, with the following amendments :

1. In the fifth line of section 4, after the word "stakes," insert "or buoys, as may be prescribed by the County Commissioners."

2. In the seventh line of the same section, after the word "claim" insert "said stakes or buoys not to obstruct or interfere with the navigation of any navigable waters of this State."

3. In the eighth line of same section, after the word "stakes" insert "or buoys."

4. In the last line of the said section 4, after the word "act" insert the following :

"And any person or persons who wilfully removes, or causes to be removed, any of such stakes or buoys without the consent of the person who has lawfully placed the same in position, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall pay a fine not greater than twenty-five dollars, or be imprisoned in the county jail for a period not longer than thirty days."

5. That the whole of section 5 of said bill be stricken out, and in lieu thereof the following be inserted :

"Section 5. The provisions of this act shall give no exclusive right or privilege to any person or persons to plant oysters in front of any land now owned by any person fronting on any of the waters of this State, without the consent of the owner of said land ; and the exclusive privilege conferred by the operation of this act shall not extend beyond the date of the purchase or entry and occupation of the land in front of which any such oyster bed may have been located."

6. That the following be inserted as section 6 of said bill :

"Section 6. No oyster bed located in accordance with the provisions of this act shall extend more than one-eighth of a mile along the bank or shore, of any waters, bays, bayous, rivers or sounds in front of the public or unoccupied lands of this State."

W. J. JONES, Chairman.

Bills upon their second reading were then considered.

Senate bill No 25 :

To be entitled an act in relation to the punishment of crimes and misdemeanors,

Was read the second time and ordered engrossed for a third reading on to-morrow.

The Judiciary Committee made the following reports :

SENATE CHAMBER, TALLAHASSEE, January 13, 1881.

To HON. L. W. BETHEL,

*President of the Senate :*

SIR—Your Committee on the Judiciary, to whom was referred—

Senate bill No. 26, to be entitled an act relating to the public records of the several counties in this State, beg leave to report the same and recommend its passage with the following amendments: After the word "impose" in 5th line, section 1, insert "any," and after the word "change" in same line, insert "upon." In 6th line, same section, after the word "fees" strike out the words "to" and "on." In same line after the word "person" strike out the words "for searching" and insert "who searches." In 7th line of same section change the words "inspecting" and "making" to "inspects" and "makes."

Respectfully, etc.,

WM. BRYSON, JR.,

S. R. MALLORY,

Committee on Judiciary.

The Senate then resumed the second reading of bills.

Senate bill No. 2 ;

Was read, as amended by the Committee on Fisheries.

Mr. Crill moved that the bill be referred back to the committee.

Which was agreed to and the bill was so referred.

Senate bill No. 26 :

To be entitled an act relating to the public records of the several counties in this State,

Was read the second time as amended by the committee, and the amendments agreed to, and the bill ordered to be engrossed for a third reading on Monday.

Senate bill No. 17 :

To be entitled an act concerning the county site of Calhoun county,

Was read the second time.

Mr. McClellan moved that the rule be waived and the bill read the third time and put upon its passage ;

Which was agreed to.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, McClellan, McClenny, McKay, McKinne, McKinnon, Polhill, Powers, Robinson, Sharpe, Speer, Walker, Wallace and Willard—26.

Nays—Mr. Malloy—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. McKinne obtained leave to introduce the following bill :

Senate bill No. 32 :

To be entitled an act relating to the arrest of fugitives from justice from other States ;

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

Also,

Senate bill No. 33 :

To be entitled an act relating to the crime of larceny ;

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

Mr. Bryson obtained leave to introduce the following memorial :

Memorial to Congress asking that an appropriation be made to clear out the Suwannee river from New Troy, in Lafayette county, to Ellaville, in Madison county, Fla.

*Resolved by the people of the State of Florida, represented in Senate and Assembly, That the permanent opening and clearing out of the Suwannee river from New Troy, in Lafayette county, to Ellaville, in Madison county, Florida, is a work of vital importance to the people of said State, and eminently deserving a liberal appropriation by the Congress of the United States.*

2. *Resolved*, That our Senators and Representatives in Congress are requested to make special efforts to secure an appropriation of fifty thousand dollars at the earliest practicable day to clear out and open said river from New Troy, in Lafayette county, to Ellaville, in Madison county, Florida.

3. *Resolved*, That the Secretary of State is requested to forward a copy of the foregoing memorial to our Senators and Representatives.

Was read the first time.

Mr. Bryson moved that the rule be waived and the memorial be put upon its passage ;

Which was agreed to.

Mr. Bryson moved that the rule be further waived and the memorial be read the third time and put upon its passage ;

Which was agreed to, and the roll was called, with the following result :

Yeas—Messrs. Bryson, Chandler, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClellan, McClenny, McKay, McKinnie, McKinnon, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—27.

Nays—None.

So the memorial was passed.

Mr. Bryson introduced •

Senate bill No. 34,

To be entitled An act to incorporate the Live Oak and Rowland's Bluff Railroad ;

Which was read the first time by its title, and referred to the Committee on Railroads.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, January 14, 1881.

HON. L. W. BETHEL,

*President of the Senate :*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has adopted—

Assembly memorial No. 2, to the Congress of the United States, asking for an appropriation for the Apalachicola bay channel,

And ask the concurrence of the Senate therein.

Very respectfully,

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

Which was read.

Mr. McClellan moved that the Senate take up said memorial ;  
Which was agreed to and the memorial read the first time by its title.

Mr. McClellan moved that the rule be waived and the memorial read a second time ;

Which was agreed to and the memorial read the second time.

Mr. McClellan moved that the rule be waived and the memorial read the third time and put upon its passage ;

Which was agreed to.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Crawford, Crill, Delano, Dell, Hatcher, Hendry, Jones, Judge, Mallory, McClellan, McClenny, McKay, McKinnon, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—25.

Nays—None.

So the memorial passed, title as stated.

Ordered that the same be certified to the Assembly.

On motion, the rule was waived to allow Mr. Crawford to introduce the following memorial :

*To the Honorable Senate and Assembly*

*of the State of Florida :*

At a meeting of the Board of Directors of the Middle Florida Agricultural and Mechanical Association, held in Tallahassee on December the 20th, A. D. 1880, the following resolutions were adopted :

*Resolved*, That, whereas, the immense agricultural interest of this State, underlying the entire prosperity of all sections and classes, and diversified pursuits, has no adequate organ to represent its interests, to ascertain, define and promote them ; *and, whereas*, a provision for this object ought to be made commensurate with the interests to be subserved, this body now respectfully presents this, their memorial, and requests the Legislature of the State to establish an Agricultural Department upon such a basis as will largely and liberally provide for all the purposes of information, improvement and guidance of the agricultural and mechanical industries of the State ; the great object of such a department being to give intelligent direction to the practical industry of the State, to disseminate information which will tend to increase the production, and to the not less important matter of the judicious and profitable sale of products, to place the producer on a level with the speculator and consumer, in his knowledge of the elements of price, and so to reduce the violent fluctuations that occur, chiefly to the detriment of honest and uninformed labor.

*Resolved*, That we are of the people, and representing the great agricultural interests of Middle Florida, do affirm that the exigencies of the times, our thrift and well-being require that the farming and material interests should have such a medium established for wise and good purposes, and whereby they can communicate and directly make known their wants and wishes to the Executive and Legislative powers of the Government.

*Resolved*, That the prompt establishing of such a Department of State, with a well-informed, competent and sagacious farmer at its head, and with a just, moderate and decent appropriation for the maintenance of the same, is a just, wise and prudent necessity.

Such an institution is no longer a matter of experiment and enveloped in doubt as to the result, for in 1874 the State of

Georgia took the initiative and then organized a Department of Agriculture, the first of its kind ever known to the States of this Union. Since then Massachusetts, Connecticut and Illinois have followed her wise and illustrious example.

The results of this experiment in Georgia have been of the most gratifying character to her citizens, in the great development of her mineral resources, and of a general prosperity in their entire agricultural interests. And so, far from being an incubus in the way of an expense to that State, this Department has more than defrayed its expenses every year since its organization, and during last season it paid into their State Treasury a net revenue of \$49,000.

*Resolved*, That the President of the Middle Florida Agricultural and Mechanical Association, at the approaching session of the Legislature of this State, do send, or cause to be sent, to the President of the Senate and to the Speaker of the Assembly a copy of the above resolutions, with the request that they be presented to the Florida Legislature there assembled, and that we urgently ask the favorable consideration of the same.

[Signed.]

P. HOUSTON, President.

HENRY S. ELLIOT, Secretary.

Which was referred to the Committee on Agriculture.

At 11:25 the Senate went into Executive Session.

The doors were opened at 12:30 o'clock.

The President called Mr. McKinnon to the chair.

On motion of Mr. Walker, the Senate concurred in the Assembly resolution in regard to visiting the Asylum at Chattahoochee next Saturday.

On motion of Mr. Bryson, Mr. McClenny was excused from further attendance until next Tuesday.

On motion of Mr. Duncan, Mr. Willard was excused from further attendance until next Tuesday morning.

Mr. Delano moved that the Senate adjourn until Monday morning 10 o'clock ;

Which was agreed to.

Whereupon the Senate adjourned until Monday morning 10 o'clock.

#### CONFIRMATIONS.

W. A. Hocker to be State Attorney for the Fifth Judicial Circuit of Florida.

T. J. Ivey to be Clerk of the Circuit Court for Sumter county.

John L. Crawford to be Secretary of State.

W. D. Barnes to be Comptroller for the State of Florida.

George P. Raney to be Attorney General for the State of Florida.

E. K. Foster to be Superintendent of Public Instruction for the State of Florida.

W. P. Byrd to be County Judge for Leon county.

MONDAY, January 17, 1881.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Messrs. Bryson, Chandler, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lykes, Mallory, McClellan, McKay, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Thompson, Walker and Wallace.—24.

A quorum present.

Senator Robinson officiated as Chaplain.

On motion of Mr. McKay the reading of the journal of Friday was dispensed with.

The following bills were introduced:

By Mr. Mallory:

Senate bill No. 35:

An act to amend Section two of an act entitled An act for the protection of ports, harbors, bays and rivers of this State and to repeal Chapter 1,900 of the Laws of Florida;

Which was read for the first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Duncan:

Senate bill No. 36:

To be entitled an act to punish the breaking and entering buildings in the day-time, or entering in the night-time without breaking, with intent to commit a misdemeanor;

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

Also,

Senate bill No. 37:

To be entitled an act to enable married women to dispose of their separate property by last will and testament;

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

By Mr. Robinson:

Senate bill No. 38:

To be entitled an act for the regulation of the sale, drinking and use of spirituous liquor, wine, cider, or other drink containing alcohol, as a beverage;

Which was read the first time by its title and referred to the Joint Committee on Temperance.

By Mr. McKay:

Senate bill No. 39:

To be entitled an act to admit Solon B. Turman and Harry L. Branch to practice law in the several courts of this State;

Which was read the first time and referred to the Judiciary Committee.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, January 14, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has passed—

Assembly bill No. 1, to be entitled an act to make the public use of indecent or obscene language a misdemeanor, and provide for the punishment thereof,

And respectfully ask 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.

The Committee on Claims made the following report:

SENATE CHAMBER, Tallahassee, January 17, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

Senate bill No. 28, to be entitled an act to relinquish the claim of the State of Florida to lands in the former Palatka Military Reservation, embraced in certain entries and warrant locations in the United States Land-office, beg leave to report that they have had the same under consideration and recommend the passage of the same.

Respectfully, etc.,

J. G. SPEER,  
JAMES MCKAY,  
JOHN WALLACE.

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