

Which was read and concurred in, and the President appointed on said committee, on the part of the Senate, Messrs. Walker and Crill.

Mr. Jones, from the Committee on Fisheries, obtained leave and made the following report:

SENATE CHAMBER, Tallahassee, January 17, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your Committee on Fisheries, to whom was referred—Senate bill No. 2, to be 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 had the same under consideration and recommend as follows: "That all after enacting clause be stricken out and that the following substitute be inserted in lieu thereof."

W. J. JONES, Chairman.  
WM. H. SHARPE,  
McCLELLAN,  
HATCHER,  
LEE.

On motion of Mr. Thompson, the substitute, as offered by the committee, was adopted.

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Polhill moved that the Senate adjourn until to-morrow morning 10 o'clock;

Which was agreed to.

Whereupon the Senate adjourned.

#### CONFIRMATIONS.

James M. Barco, to be Clerk of the Circuit Court for Levy county.

R. M. Witherspoon, to be County Judge for Madison county.

J. E. Yonge, to be Adjutant-General for the State of Florida.

TUESDAY, January 18, 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, Cole, Cone, Crawford, Crill, Delano, Dell, Duncan, Hendry, Jones, Judge, Lee, Mallory, McClellan, McKay, McKinne, McKinnon, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker and Wallace—26.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. McClellan, the reading of yesterday's journal was dispensed with.

#### INTRODUCTION OF MEMORIALS, PETITIONS, &c.

Mr. Chandler presented the petition and papers in the case of Alexander vs. Willard of the 10th Senatorial District; Which were referred to the Committee on Privileges and Elections.

By Mr. McKinnon:

A resolution in regard to roads and highways;

Which was placed among the orders of the day.

#### INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. McClellan:

Senate bill No. 40:

To be entitled an act to extend the time for the redemption of lands sold for taxes in this State;

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

By Mr. Dell:

Senate bill No. 41:

To be entitled an act to change the time for holding the Circuit Courts in the Fifth Judicial Circuit;

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

#### CONSIDERATION OF RESOLUTIONS.

Resolution in regard to roads and highways:

*Resolved*, That a committee of three, composed of the legal profession of this Senate, be appointed to examine the law pertaining to roads and highways in this State, and that they report by amendments or bill such laws as will compel the keeping in good repair the roads and highways in this State;

Which was read and adopted.

On motion of Mr. Niblack, Mr. Willard was excused until to-morrow.

On motion of Mr. Bryson, Mr. McClenny was excused until to-morrow.

REPORTS OF COMMITTEES.

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

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

Senate bill No. 3, to be entitled an act to amend the 18th section of sub-chapter 4 of an act to provide for the punishment of crime and proceedings in criminal cases, approved August 6, 1868, chapter 1637 of the Laws of the State of Florida, and to repeal an act to amend an act entitled an act to provide for the punishment of crimes and proceedings in criminal cases, approved February 1, 1869, being chapter 1693 of the Laws of the State of Florida,

Beg leave to report that they have examined the same and recommend that it do not pass.

Respectfully,

S. L. NIBLACK,

Chairman Judiciary Committee.

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

Also the following:

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

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; also,

Senate bill No. 37, to be entitled an act to enable a married woman to dispose of her separate property by her last will and testament; also,

Senate bill No. 39, to be entitled an act to admit Solan B. Turman and Harry L. Branch to practice law in the several courts in this State; also,

Assembly bill No. 1, entitled an act to make the public use

of indecent or obscene language a misdemeanor, and to provide for the punishment thereof,

Beg leave to report that they have examined the same and recommend that they do pass.

Respectfully,

S. L. NIBLACK,

Chairman Judiciary Committee.

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

Mr. Bryson, of the Committee on Engrossed Bills, made the following report:

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

Senate bill No. 26, to be entitled an act in relation to the public records of the several counties of this State,

Beg leave to report that they have examined the same and found it correctly engrossed.

Very respectfully,

WM. BRYSON, JR.,

Chairman Committee on Engrossed Bills.

Also the following:

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

Senate bill No. 2, to be entitled an act to encourage the planting of oysters in the waters of this State, and to protect the rights of owners thereof; also,

Senate bill No. 33, to be entitled an act relating to the crime of larceny,

Beg leave to report that they have examined the same and found them to be correctly engrossed.

Very respectfully,

WM. BRYSON, JR.,

Chairman Committee on Engrossed Bills.

Also the following:

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

Senate bill No. 32, to be entitled an act relating to the arrest of fugitives from justice from other States; also,

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; also,

Senate bill No. 13, to be entitled an act to amend Chapter 3160, Laws of Florida, being an act entitled an act to amend an act to prevent excessive rates of pilotage, approved February 14, 1874,

Beg leave to report that they have examined the same, and found them correctly engrossed.

Very respectfully,

WM. BRYSON, JR.,

Chairman Committee on Engrossed Bills.

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

Mr. McKay, from the Committee on Commerce and Navigation, made the following report:

SENATE CHAMBER, Tallahassee, January 18, 1881.

HON. L. W. BETHEL,

*President of the Senate:*

SIR: Your committee to whom was referred—

A memorial to Congress asking for an appropriation for a canal between Indian and Mosquito rivers, in the State of Florida; also,

Assembly memorial to Congress asking an appropriation for the improvement of the Withlacoochie river, in the State of Florida; also,

Assembly memorial to Congress to remove obstructions from Wacasassa and Wekiva rivers, in the State of Florida,

Beg leave to report that the same have been examined, and recommend their passage.

Very respectfully,

JAMES MCKAY,  
W. N. THOMPSON,  
GEO. C. POWERS,  
S. R. MALLEY,

Committee on Commerce and Navigation.

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

BILLS UPON THEIR SECOND READING.

Senate bill No. 3:

To be entitled an act to amend the 18th Section of sub-Chapter 4 of an act to provide for the punishment of crime and pro-

ceedings in criminal cases, approved August 6, 1868, Chapter 1637, of the Laws of the State of Florida, and to repeal an act to amend an act entitled an act to provide for the punishment of crime and proceedings in criminal cases, approved February 1, 1869, being Chapter 1699, of the Laws of the State of Florida;

Was read the second time.

On motion of Mr. McKinne, the bill was made a special order of the day for the 25th inst., at 11 o'clock.

Senate bill No. 37:

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

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

Senate bill No. 39:

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

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

Assembly bill No. 1:

To be entitled an act to make the public use of indecent or obscene language a misdemeanor, and to provide for the punishment thereof,

Was read the second time.

On motion of Mr. Thompson, the rule was waived and the bill read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Chandler, Cole, Cone, Crawford, Grill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker and Wallace—28.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Mallory moved that 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, be reconsidered for the purpose of amendment;

Which was agreed to.

Assembly memorial No. —:

A memorial to Congress asking an appropriation for the improvement of the Withlacoochee river, in the State of Florida,

Was read the second time.

Mr. Thompson moved that the rules be waived, and the memorial be read a third time and put upon its passage;

Which was agreed to.

The roll was called and the memorial put upon its passage.

The vote was :

Messrs. Bryson, Chandler, Cole, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Walker—28.

So the memorial passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly memorial No. — :

A memorial to Congress to remove obstructions from Wacassassa and Wekiva rivers,

Was read the second time.

Mr. Thompson moved that the rules be waived, and the memorial read the third time and placed upon its passage ;

Which was agreed to.

The roll was called and the following was the vote :

Messrs. Bryson, Chandler, Cole, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Walker—28.

So the memorial was passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate memorial No. — :

Memorial to Congress asking for an appropriation for a canal between Indian and Mosquito rivers ;

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

Senate bill No. 36 :

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 ;

Was read the second time.

Mr. Mallory offered the following amendment :

After the word " entries " in the first line of Section one, insert " or entries without breaking ; "

Which was adopted, and the bill as amended ordered engrossed for a third reading on to-morrow.

Under a suspension of the rules, the following bills were introduced :

By Mr. Thompson :

Senate bill No. 42,

A bill to be entitled An act for the protection of children ;

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

By Mr. Niblack :

Senate bill No. 43,

A bill to be entitled An act to empower the Governor to borrow money for State purposes ;

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

By Mr. Delano :

A petition of Reuben Marsh, of Volusia county, requesting the refunding to him of certain money paid by him to the State of Florida for lands belonging to the United States Government, was read the first time by its title and referred to the Committee on Claims.

#### THIRD READING OF BILLS.

Senate bill No. 26,

To be entitled An act in relation to the public records of the several counties in this State,

Was read the third time.

Mr. Delano moved that the bill be placed back upon its second reading ;

Which was agreed to.

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,

Was read the third time and put upon its passage.

The roll was called, with the following result :

Yeas—Messrs. Bryson, Chandler, Cole, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McKay, McKinnie, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker, Wallace—29.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 13,

To be entitled An act to amend Chapter 3,160 of the Laws of Florida, being an act entitled An act to amend an act entitled An act to prevent excessive rates of pilotage, approved February 14, 1874,

Was read the third time.

Mr. Thompson moved that the bill be placed back upon its second reading.

The yeas and nays were called for.

The roll was called, with the following result :

Yeas—Messrs. Cole, Delano, Hatcher, Judge, Lee, Mallory, Powers, Sharpe, Thompson—9.

Nays—Messrs. Allen, Chandler, Cone, Crawford, Crill, Dell, Duncan, Hendry, Jones, Lykes, McClellan, McKay, McKinnon, Niblack, Robinson, Speer, Walker, Wallace—18.

So the motion was lost.

The bill was then put upon its passage.

The roll was called and the vote was as follows :

Yeas—Messrs. Bryson, Chandler, Cone, Crawford, Crill, Dell, Duncan, Hendry, Jones, Lykes, McClellan, McKay, McKinnon, Niblack, Robinson, Sharpe, Speer, Walker—18.

Nays—Messrs. Delano, Hatcher, Judge, Lee, Mallory, Powers, Thompson—7.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 32 :

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

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McKay, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker—25.

Nays—none.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 33 :

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

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lykes, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Walker—25.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The hour of 12 having arrived, Mr. McKinnon moved that the Senate proceed to the election of United States Senator ;

Which was agreed to.

The President announced that nominations were in order.

Mr. Thompson nominated Hon. Charles W. Jones.

Mr. Chandler nominated General Wm. M. Ledwith.

The vote was :

For *C. W. Jones*—Messrs. Bryson, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lykes,

Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Walker—25.

For *Wm. M. Ledwith*—Messrs. Chandler, Cole, Lee and Wallace—4.

The President announced that the Senate had elected Hon. Charles W. Jones to be his own successor in the United States Senate.

Senate bill No. 2 :

To be entitled an act to encourage the planting of oysters in the waters of this State, and to protect the rights of owners thereof ;

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Powers, Robinson, Sharpe, Speer, Thompson and Walker—22.

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 Governor :

EXECUTIVE OFFICE,  
TALLAHASSEE, FLA., January 13, 1881. }

HON. L. W. BETHEL,

*President of the Senate :*

SIR: I have this day signed and deposited in the office of Secretary of State the following acts, to wit :

An act to authorize Dunlap F. Judah, of Pensacola, to take charge of and control his estate.

An act to authorize Commissioners to swear witnesses and legalizing oaths heretofore administered by them.

Very respectfully,

W. D. BLOXHAM, Governor.

Which was read.

On motion, the Senate went into Executive Session at 12:20 o'clock.

The doors were opened at 3:40 o'clock.

Mr. Mallory moved that the Senate adjourn until to-morrow morning 10 o'clock ;

Which was agreed to.

Whereupon the Senate adjourned until to-morrow morning 10 o'clock.

## CONFIRMATIONS.

H. J. Baker, to be County Judge for Nassau county.  
 Thomas W. Shine, to be Sheriff of Orange county.  
 R. L. Summerlin, to be County Judge for Orange county.  
 John W. Turner, to be Sheriff of Alachua county.  
 J. B. Mickler, to be Sheriff of Hernando county.

WEDNESDAY, January 19, 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, Cole, Cone, Crawford, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Lykes, Mallory, McClellan, McClenny, McKay, McKinne, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—30.

A quorum present.

Prayer by the Chaplain.

Mr. McClellan moved that the reading of the journal be dispensed with ;

Which was agreed to.

## INTRODUCTION OF RESOLUTIONS, PETITIONS, &amp;c.

Mr. McClellan moved to reconsider the vote upon Senate bill No. 13 :

To be entitled an act to amend Chapter 3160 of the Laws of Florida, being an act entitled an act to amend an act entitled an act to prevent excessive rates of pilotage, approved February 14, 1874 ;

Which was agreed to.

Mr. McKay moved that the motion to reconsider be laid upon the table.

Yeas and nays called for.

The vote was :

Yeas—Messrs. Bryson, Cone, Crawford, Crill, Dell, Duncan, Hatcher, Hendry, Jones, Lykes, McKay, McKinnon, Niblack, Robinson, Speer, Walker and Willard—17.

Nays—Messrs. Chandler, Cole, Delano, Mallory, McClellan.

McKinne, Polhill, Powers, Sharpe, Thompson and Wallace—11.

Mr. McKinne introduced

Senate Memorial No. — :

A memorial to Congress for an appropriation for the survey and estimate of cost of the cleaning out and rendering navigable the Chipola river from the bridge at Marianna, in Jackson county, to the mouth of said Chipola river, where it empties into the Apalachicola river.

Mr. Delano introduced a resolution of thanks to Professor Baird.

## INTRODUCTION OF BILLS.

The following bills were introduced :

By Mr. Niblack :

Senate bill No. 44 :

To be entitled an act for the relief of Walter Gwynn, Treasurer, and others ;

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

By Mr. McClenny :

Senate bill No. 45 :

To be entitled an act to authorize limited partnerships ;

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

By Mr. Duncan :

Senate bill No. 46 :

To be entitled an act to incorporate the South Florida Railway Company ;

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

By Mr. Sharpe :

Senate bill No. 47 :

To be entitled an act to amend chapter 3147 of the acts of 1879 entitled an act to protect the food fishes of this State, and to regulate fisheries, approved March 11th, 1879 ;

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

By Mr. Duncan :

Senate bill No. 48 :

To be entitled an act to protect officers in the execution of legal process ;

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