

Assembly bill No. 186:

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 read the third time, with Senate amendments, and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Chandler, Cole, Crill, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, McKay, McKinne, Niblack, Robinson, Sharpe, Speer, Walker, Willard—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Corporations made the following report, which was read:

SENATE CHAMBER, Tallahassee, February 23, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—The Committee on Corporations, to whom was referred—

Senate bill No. 224, to be entitled an act to encourage improvement and manufacturing, and for other purposes,

Have examined the same, and when amended as per amendments herewith enclosed, we recommend that the bill do pass.

Very respectfully,

W. N. THOMPSON,
Chairman.

Senate bill No. 224:

To be entitled an act to encourage improvement, manufacturing, and for other purposes,

Was read the second time, and the Committee on Corporations offered the following amendments:

After the word "of," in second line, section three, add the words "lands known as."

Strike out all after the word "upon," in line eleven, section three, and add the words "between the Trustees of the Internal Improvement Fund and the company hereby authorized to be incorporated."

Strike out "all" in line 7, Section 3, and insert the words "one-half;" in line 8 strike out "one-half" and insert "one-third;"

Which were adopted.

Mr. McKinne offered the following amendment:

Provided, That no lands belonging to said company shall be exempt from taxation;

Which was adopted.

Mr. Willard moved to strike out the word "ten" and insert "five;"

Which was agreed to.

The bill was then ordered to be engrossed.

Assembly bill No. —:

To be entitled an act to prevent the improper living together of certain persons,

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

Assembly concurrent resolution relative to the introduction of new business,

Was read the first, second and third times and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Chandler, Crill, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McClenny, McKinne, McKinnon, Niblack, Robinson, Sharpe, Speer, Thompson, Walker, Willard—21.

Nays—Mr. Cole—1.

So the resolution was adopted.

Ordered that the same be certified to the Assembly.

Senate substitute for Senate bills Nos. 77 and 78:

To be entitled an act to dissolve municipal corporations under circumstances therein stated, and to provide governments for the same,

Was ordered enrolled.

Senate bill No. 48:

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

Was ordered enrolled.

On motion, the Senate adjourned until ten o'clock A. M. to-morrow.

THURSDAY, February 24, 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. Allen, Bryson, Cole, Cone, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McClellan, McClenney, McKay, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—27.

A quorum present.

Prayer by the Chaplain.

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

The journal was corrected and approved.

Mr. Thompson in the chair.

Mr. Cone offered a joint resolution to amend Article 9, Sections 1 and 3, of the Constitution.

The following bills were introduced :

By Mr. McKinne :

Senate bill No. 227 :

To be entitled an act to fix the annual tax per mile to be paid by lines of land telegraph, operating in this State,

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

By Mr. McClellan :

Senate bill No. 228,

To be entitled an act to amend section 6 of an act to regulate and fix the fees and per diem of certain officers;

Which was read and the accompanying bill referred to the Committee on Finance and Taxation.

By Mr. Willard :

Senate bill No. 229 :

To be entitled an act for the relief of Geo. H. Tedder,

Which was read and the accompanying bill referred to the Committee on Claims.

Amendments to the Constitution offered by Mr. Cone :

A joint resolution relating to amendment of article 9, section 1 of the Constitution of the State of Florida—

The people of the State of Florida, represented in Senate and Assembly, do resolve as follows :

That article 9, section 1, be so amended as to read as follows :

SECTION 1. A homestead to the extent of eight acres of land or the half of one acre within the limits of any incorporated city or town, owned by the head of a family, residing in this State, together with five hundred dollars worth of personal property, and the improvements on the real estate, shall be exempted from forced sale under any process of law, and the real estate shall not be alienable without the joint consent of hus-

band and wife, when that relation exists, but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for rent of premises, or for the erection of improvements thereon, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner.

That section 2 shall be amended so as to read as follows :

SEC. 2. In addition to the exemption provided for in the first section of this article there shall be and remain exempt from forced sale by any legal process in this State to the head of a family residing in this State such property as he or she may select to the amount of five hundred dollars. Nothing herein contained shall be so construed as to exempt any property from sale of for the payment of the purchase money of the same or for the payment of taxes or labor ;

Which was read.

Mr. McKinnon, Chairman of the Committee on Finance and Taxation, made the following report :

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

SIR—Your Committee on Finance and Taxation, to whom was referred—

Assembly bill No. 160, to be entitled an act to amend Section 5, Chapter 3106, Laws of Florida, approved March 17th, 1879, 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, approved February 14th, 1874, approved March 2d, 1877,

Have had the same under consideration and recommend that it do pass.

Very respectfully,

A. D. MCKINNON,
Chairman.

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

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

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

SIR—Your Committee on Judiciary, to whom was referred—
Senate bill No. 225, to be entitled an act in relation to land grants made and to be made at the present session of the Legislature,

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

Very respectfully,

S. L. NIBLACK,
Chairman Judiciary Committee.

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

The Joint Committee appointed to examine the books of the Commissioner of Lands and Immigration, made the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

The Special Joint Committee appointed to examine the books of the Commissioner of Lands and Immigration beg leave to report that they have performed the duties assigned them, and find—

The swamp lands sold in 1879, 65,342.27 acres for \$43,565.63, as is correctly stated in the published report.

There were sold of Internal Improvement lands in the same year 1,841.84 acres for \$2,692.69, as shown by the Treasurer's receipts; but one of the stubs in the receipt book containing abstract of sale in October, 1879, and of the purchase moneys, shows the purchase money to have been \$48.48, whereas the Treasurer's receipt appended to the stub is for \$53.87, showing \$5.39 more than was due, and making the aggregated sum of the Treasurer's receipts more than the land sold for by that amount. The Treasurer evidently mistook the 53.87 acres for \$53.87, and thus paid more than was due, as stated, the true amount of sales of swamp and Internal Improvement lands sold in 1879 being \$46,258.32, while the Treasurer's receipts show it to be \$46,263.71.

The swamp lands sold in 1880 are correctly stated to be 94,394.98 acres for \$68,972.92.

The Internal Improvement lands sold in 1880 are 7,372.56 acres for \$10,488.03; but, both in the Commissioner's abstract and in the published report, it is put down at \$9,448.03, making

an error of \$1,040—but the figures show the error to be one of computation, for in the total of swamp and Internal Improvement lands sold in 1880 the aggregate acres is correctly stated to be 101,767.54 for \$79,461.01, differing from printed abstract 6 cents, error between receipt and stub.

For the lands sold for taxes and redeemed in 1879 and 1880 there was received \$13,062.95, as correctly stated in published report; but in the abstract found in folio 1874, page 175, the figures sum up more than this by the amount of \$59.95, which the Commissioner explains in a marginal note against the entry of that amount, purporting to be redeemed of lands in Gadsden county that the entry there standing was not made by him or by either of his clerks with authority from him, and that the entry is a forgery.

The lands thus set forth redeemed are lands in Gadsden county, sold June 4, 1877, for taxes due for the years 1873, 4, 5, and 6, making the amount of \$59.95. See folio 1874, page 175, certificate No. 17 of lands sold June 4th, 1877.

This amount of \$59.95, for taxes for the years 1873, 4, 5 and 6, together with a similar sum for the years 1877, 8, 9 and 80, after deducting \$5 for expenses of sale, leaves \$114.90, the amount for which the Commissioner would stand chargeable if the certificate for said lands was now parted with; but the certificate is still in the office of the Commissioner, and therefore evidence of his statement that said lands have not been redeemed.

The committee recommend that the attention of the State Attorney be directed to this matter, and that such proceedings at law be instituted by him as the public interests may require.

We find the sales of school and seminary lands for the years 1879 and 1880 correctly stated, both from the examination of the books and the printed and published abstract.

STUMPAGE.

From the records in the office of the Commissioner of Lands and Immigration there appears to have been issued 568 permits or authority to various persons to cut timber on the public lands, embracing 30 counties, since the 24th of January, 1880.

The number of acres of land embraced in said permits issued by the Commissioner of Lands and Immigration, in pursuance of an order of the Board of January 24th, 1880, upon which timber was authorized to be cut, amounted to 161,460 acres.

The amount of money received by the Treasurer of the Board, under and during the stumpage system, is \$10,974.83; and the expenses in conducting the operations and management under this system was \$6,081.63, which, deducted from the amount received as above stated, leaves \$4,893.20 as the net

profits arising from the timber taken from 161,460 acres of land.

In the opinion of your committee, the stumpage system works badly, rendering about worthless a large portion of the public lands for a net profit of but little over three cents per acre.

We find several typographical errors in the printing of the Commissioner's report, one amounting to millions, and think that the report ought to be accompanied with an errata explaining them.

We recommend for the consideration of the Senate and Assembly, the passage of Senate bill No. 71, for restraining the destruction of the timber upon the Public Lands.

In concluding our report, we feel it due to mention the ready and obliging courtesies of the Commissioner of Lands and Immigration, in furnishing needed information and books, and the ready and well performed labor of our clerks in making their tedious researches and computations.

Respectfully submitted.

JOSEPH E. LEE,
A. A. ROBINSON,
Chairman Senate Committee.
L. L. NEWSOM,
G. W. UMSTEAD,
A. C. TIPPIN,
Chairman Assembly Committee.

Which was read and ordered spread upon the journal.

The report of the Joint Committee appointed to go to Jacksonville to get certain information from Judge Doggett, relating to the indebtedness of the Internal Improvement Fund, &c.,

Was read and ordered spread upon the journal.

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your committee to obtain information of Judge Doggett, in relation to the Internal Improvement Fund indebtedness, and payments by certain railroads of the Sinking Fund of this State,

Beg leave to report that they wrote to Judge Doggett in regard to the same, after having visited Jacksonville in per-

son, and herewith hand his letter in reply for the information of the Senate.

Very respectfully,
WM. BRYSON, JR., Chairman.
J. M. BRYAN,
GEO. MARQUIS.

JACKSONVILLE, February 23, 1881.

GENTLEMEN: In response to the Senate resolution and your letter, I beg leave to state that I am sorry the information cannot be furnished through me, there being no data in my possession. When I was appointed Receiver, S. B. Conover, then Treasurer Internal Improvement Fund, turned over to me \$1,140, saying it was a payment made by the Florida Railroad Company on account of the Sinking Fund. Since, O. B. Hart, Governor, turned over to me a like amount on same account. These two items embrace entire payments made to me. The Pensacola and Ga., Florida and Gulf Central, and Tallahassee Railroad Companies, have made no payments.

I am, gentlemen, very respectfully,

A. DOGGETT, Master and Receiver.

Mr. Delano, of the Committee on Railroads and Canals, made the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Railroads and Canals to whom was referred—

Assembly bill No. 150, to be entitled an act to incorporate the Monticello and Georgia Railroad Company,

Beg leave to report that they have had the same under consideration, and recommend that it do pass with the accompanying amendment added thereto.

Very respectfully,

CHAS. DELANO,
Acting Chairman.

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

The report of the Joint Committee appointed to examine the books of Commissoiner of Lands and Immigration, on motion of Mr. Robinson, was adopted.

The Committee on Railroads made the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Railroads to whom was referred—
Senate bill No. 195, to be entitled an act to incorporate the
Florida, Midland and Atlantic Railroad Company,

Beg leave to report that having duly considered the same
recommend that it do pass with enclosed amendments added
thereto.

Very respectfully,

CHARLES DELANO,
Acting Chairman.

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

Mr. Dell, Chairman of the Committee on Agriculture, made
the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Agriculture, to whom was re-
ferred—

Senate bill No. 225, to be entitled an act to amend an act
regulating the sale of certain Agricultural products,

Have had the same under consideration and return the same
without recommendation.

Very respectfully,

J. B. DELL, Chairman.

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

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

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Engrossed Bills, to whom was re-
ferred—

Senate bill No. 139, to be entitled an act to compel the sever-
al Tax Collectors of this State to make proper entries and re-
turns; also,

Senate bill No. 187, to be entitled an act to grant certain
lands to the East Florida Railway Company; also,

Senate bill No. 212, to be entitled an act prescribing limita-
tions to judgments and execution liens; also,

Senate bill No. 63, to be entitled an act authorizing the
Board of Commissioners of State Institutions to employ addi-
tional medical assistance at the State Asylum for indigent lu-
natics; also,

Senate bill No. 24, to be entitled an act to keep in good re-
pair the roads and highways of this State; also,

Senate bill No. 209, to be entitled an act to authorize the
appointment of Notaries Public; also,

Senate amendment to Assembly bill No. 210, to be entitled
an act to confirm the organization of the Jacksonville, St. Au-
gustine and Halifax River Railway Company, and to grant
certain ferry privileges to said company; also,

Senate amendments to Assembly bill No. 154, to be entitled
an act to provide for calling out the organized and enrolled
militia of this State to aid the civil authorities; also,

Senate amendments to Assembly bill No. 196, to be entitled
an act for the protection of live stock; also,

Senate bill No. 192, to be entitled an act to regulate the mode
of excepting to the charges of the Circuit Court Judges to Ju-
ries; also,

Senate bill No. 148, to be entitled an act for the relief of the
estate of A. D. McDonald; also,

Senate bill No. 211, to be entitled an act relating to the du-
ties of the Adjutant-General of this State; also,

Senate bill No. 135, to be entitled an act to make larceny af-
ter trust a felony; also,

Senate bill No. 210, to be entitled an act to legalize the wills
of married women; also,

Senate bill No. 114, to be entitled an act to exempt members
of organized and equipped fire and hook and ladder companies
of all incorporated cities and towns in this State from working
upon the public roads and highways of this State;

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

Very respectfully,

WM. BRYSON, JR.,
Chairman Committee on Engrossed Bills.

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

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

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

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

Assembly bill No. 28, to be entitled an act to require stevedores to pay a license tax,

Respectfully beg leave to report that they have considered the same, and recommend that it pass with the amendments herewith submitted.

Very respectfully,

S. L. NIBLACK,

Chairman Judiciary Committee.

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

ORDERS OF THE DAY.

Senate bill No. 137 :

To be entitled an act for the relief of all persons engaged in navigating the inland waters of Florida, also of the Atlantic Ocean and Gulf of Mexico, with all its bays and inlets,

Was read the second time and ordered engrossed for a third reading.

Senate bill No. 200 :

To be entitled an act to amend an act to amend an act entitled an act to provide a revenue for the support of common schools, approved February 16, 1874,

Was read the second time and passed over for the present.

Senate bill No. 220 :

To be entitled an act in relation to insane persons in this State;

Senate bill No. 221 :

To be entitled an act making appropriations for the maintenance of the Insane Asylum, salaries of its officers, and the erection, enlargement and repairs of buildings at the Insane Asylum ;

Senate bill No. 219 :

To be entitled an act to change the name of the Asylum for Indigent Lunatics ;

Senate bill No. 218 :

To be entitled an act in relation to transportation of insane persons, and their escorts ;

Were all read the second time and ordered engrossed for a third reading.

Senate bill No. 46 :

To be entitled an act to incorporate the Okahumkee and Panasofkee Railroad Company,

Was read the second time with accompanying amendments.

Mr. Crill offered the following amendment :

Strike out all of "line 8," and insert in lieu thereof: "to aid in the construction of said railroad, alternate sections of land known as the swamp and overflowed lands, which were donated to the State by act of Congress, on the 28th of September, 1850, for six miles on each side of the road, is hereby granted ;

Which was lost.

The bill was ordered engrossed for a third reading.

Senate bill No. 127 :

To be entitled an act for the relief of D. M. Hammond, of Nassau county,

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

Senate bill No. 200 :

To be entitled an act to amend an act entitled an act to provide a revenue for the support of common schools, approved February 10, 1874,

Was taken up and Mr. Judge offered the following amendments :

Strike out after the word "than" in tenth line, "one-fourth," and insert in lieu thereof "two and a half." In eleventh line, after the word "than," strike out "one-half of one per cent.," and insert in lieu thereof "four mills."

Mr. McKay moved that the further consideration of the bill be postponed until the fourth of March ;

Which was agreed to.

Mr. Dell introduced Senate bill No. 230 :

To be entitled an act to protect the citizens of the State who may make advances upon promises of payment in labor, and for other purposes ;

Which was read the first time, the rules waived and the bill read the second time.

Mr. Chandler moved to reconsider the vote by which the bill was ordered read the second time.

Mr. McKay moved to lay this motion on the table ;

Upon which the yeas and nays were called.

The vote was :

Yeas—Messrs. Bryson, Cone, Dell, McClenny, McKay, McKinne, McKinnon, Robinson, Sharpe, Speer, Thompson and Walker—12.

Nays—Messrs. Chandler, Cole, Crill, Duncan, Hatcher, Hendry, Judge, Lee, Mallory, Polhill, Powers, Wallace and Willard—13.

Which was not agreed to ; therefore the motion to reconsider was in order.

Which was agreed to.

Mr. Chandler moved that the bill be referred to the Judiciary Committee.

Tpon which the ayes and nays were called.

The vote was :

Yeas—Messrs. Chandler, Cole, Crill, Delano, Duncan, Hatcher, Hendry, Judge, Lee, Powers, Wallace and Willard—12.

Nays—Messrs. Bryson, Cone, Dell, Jones, Mallory, McClenny, McKay, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Speer, Thompon and Walker—16.

So the motion to refer to the Judiciary Committee was lost.

Mr. Mallory moved that the consideration of the bill be postponed until 4 o'clock this afternoon ;

Which was agreed to.

Mr. Cone introduced

Senate bill No. 231 :

To be entitled an act requiring all merchants and dealers in cotton to keep a register of names and number of pounds of cotton bought ;

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

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, February 24, 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 concurrent resolution authorizing the Committees on Appropriations of the Senate and Assembly to act as a joint committee,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

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

Senate bill No. 190 :

To be entitled an act to authorize the Trustees of the Internal Improvement Fund of the State of Florida to protect the interest of the said fund by becoming a bidder and purchaser of the railroads from Lake City to Quincy, and the branches to Monticello and from Tallahassee to St. Marks, should the same be sold as provided in the seventh clause of the decree in the case of J. Fred Schutte and others complainants vs. the Jacksonville, Pensacola and Mobile Railroad Company, the Florida Central Railroad Company and others, defendants, and for other purposes ;

Beg leave to report that they have examined the same, and recommend that it do pass with the enclosed amendments.

Very respectfully,

S. L. NIBLACK,

Chairman Judiciary Cominittee.

Which was read.

Senate bill No. 190 was then read with the amendments.

On motion of Mr McKinne, the amendments were adopted.

On motion of Mr. Niblack, 150 copies of the bill, as amended, was ordered printed.

Mr. Robinson offered the following amendment to Senate bill No. 71 :

At the end of 15th line, 2d section, after the word "therefrom" insert "provided the authority to seize shall not extend to timber authorized to be cut by the Board of Internal Improvements ;"

Which was adopted, and the bill ordered engrossed for a third reading.

Mr. Bryson moved that the Senate concur in Assembly amendments to Senate bill No. 45, to be entitled an act authorizing limited partnerships ;

Which was agreed to.

Secretary ordered to certify the same to the Assembly and the bill enrolled.

Substitute for Senate bill No. 70 :

To be entitled an act to amend an act apportioning the State into Congressional Districts, approved February 18th, 1874,

Was passed over until to-morrow 11 o'clock.

Senate bill No. 146 :

To be entitled an act to encourage the construction of canals, improve the navigation of creeks, facilitate transportation, promote immigration and reclamation, settlement and cultivation of State lands,

Was taken up, amendments offered by committee adopted and the bill ordered engrossed.

Senate bill No. 125 :

To be entitled an act to amend an act regulating the sale of certain agricultural products,

Was read the second time.

Mr. Willard moved to waive the rules and put the bill upon its passage ;

Which was agreed to.

The vote was :

Yeas—Mr. Willard—1.

Nays—Messrs. Bryson, Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McKinne, McKinnon, Niblack, Polhill, Powers, Sharpe, Speer, Thompson and Wallace—20.

So the bill was lost.

The Judiciary Committee made the following report :

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate.

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

Senate resolution requiring the Governor and Comptroller to institute legal proceedings against all railroad companies who have failed to pay taxes on the property of their roads,

Beg leave to report that they have considered the same, and recommend the following amendments to the resolution, viz : Insert the enclosed amendment after the second Section, to be numbered Section 3, and to change Section 3 of the original resolution to Section 4, and with the adoption of the amendments offered, that the resolution do pass.

S. L. NIBLACK,
Chairman.

Which was read and the amendment offered by the Committee was adopted and the resolution ordered engrossed.

Senate bill No. 225 :

To be entitled an act in relation to land grants made and to be made at the present session of the Legislature,

Was read the second time.

On motion of Mr. Bryson, the rules were further waived and the bill read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Willard—22.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

On motion of Mr. Niblack, the rules were waived, and the joint resolution reported upon by the Judiciary Committee was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Chandler, Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Speer and Willard—20.

Nays—Mr. Thompson—1.

So the resolution was adopted.

Ordered that the same be certified to the Assembly.

On motion of Mr. Bryson, the Senate took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

AFTERNOON SESSION.

The Senate resumed its session.

The President in the chair.

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

Messrs. Cole, Cone, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Thompson, Walker, Wallace and Willard—21.

A quorum present.

The Committee on Public Lands made the following report :

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate :

SIR : Your Committee to whom was referred—

Joint resolution relating to the Committees on Public Lands of the Senate and Assembly acting as a Joint Committee, have considered the same and recommend that it do pass.

Very respectfully,

S. L. NIBLACK,
Chairman Committee on Public Lands.

Which was read.

Joint Resolution relative to the Committee on Public Lands, Was read first and second times, rules were waived, and the resolution was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cone, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Thompson, Wallace and Willard—19.

Nays—None.

So the resolution was adopted.

Ordered that the same be certified to the Assembly.

The Committee on Judiciary made the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 181,

Beg leave to report that they have had the same under consideration and recommend that the substitute therefor, herewith submitted, be adopted in lieu thereof.

Very respectfully,

Chairman Judiciary Committee.
S. L. NIBLACK,

Which was read.

Substitute for Senate bill No. 181:

To be entitled an act to prevent the interference of Federal officers with State elections,

Was read, and, on motion of Mr. Mallory, was adopted in lieu of original bill.

The substitute bill was read second and third times, and the rules were waived and the bill put upon its passage.

The vote was:

Yeas—Messrs. Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClenny, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker and Willard—21.

Nays—Messrs. Allen, Chandler, Cole, Lee and Wallace—5.

So the bill passed, title as stated.

Mr. Walker moved that the vote taken on this bill be reconsidered and to lay the motion to reconsider on the table;

Which was agreed to.

Mr. Walker also moved that the bill be certified to the Assembly,

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Cone, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClenny, McKinne, McKinnon,

Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker and Willard—20.

Nays—Messrs. Allen, Chandler, Cole, Crill, Lee and Wallace—6.

So the bill was ordered certified to the Assembly.

The following bills were introduced:

By Mr. McKinne:

Senate bill No. —:

To be entitled an act to re-establish lost papers;

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

By Mr. Willard:

Senate bill No. —:

To be entitled an act for the relief of H. A. Wyse;

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

Senate bill No. 230:

To be entitled an act to protect citizens of the State who may make advances upon promise of payment in labor, and for other purposes,

Was read the second time.

Mr. Chandler moved to strike out all after the enacting clause;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Chandler, Cole, Lee and Wallace—4.

Nays—Messrs. Bryson, Cone, Crill, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McKinne, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker and Willard—19.

So the motion was lost.

Mr. Dell offered the following amendment:

Strike out the words "or return the amount advanced" in 12th line of Section 1;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bryson, Cone, Crill, Delano, Dell, Duncan, Hendry, Jones, Judge, Lee, McClenny, McKinne, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker and Willard—20.

Nays—Messrs. Chandler, Cole, Mallory and Wallace—4.

So the amendment was adopted.

Mr. Lee offered the following amendment:

Provided, The employer of the laborer or laborers gives the laborer or laborers no cause for refusing to perform his contract;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bryson, Chandler, Cole, Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Lee, McClellan, McKinne, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker, Willard—22.

Nays—Messrs. Mallory and Wallace—2.

So the amendment was adopted.

Mr. Chandler moved that the bill as amended be laid upon the table;

Which was not agreed to.

Mr. Thompson moved that the bill be engrossed for a third reading.

Mr. Judge moved that the Assembly be requested to return Senate bill No. 201 for corrections;

Which was agreed to.

Senate bill No. 187:

To be entitled an act to grant certain lands to the East Florida Railway Company,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Chandler, Cone, Crill, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McClellan, McClenny, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 210:

To be entitled an act to confirm the organization of the Jacksonville, St. Augustine and Halifax River Railway Company, and to grant certain ferry privileges to said company,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Chandler, Cone, Crill, Delano, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McClellan, McClenny, Niblack, Polhill, Robinson, Sharpe, Speer, Thompson, Walker, Wallace and Willard—22.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly at once.

Assembly bill No. 160:

To be entitled an act to amend Section 5, Chapter 3106, Laws of Florida, approved March 17th, 1879, 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, approved February 14th, 1874, approved March 2d, 1877,

Was read the second time, and ordered to be laid over until to-morrow.

Senate bill No. 19:

To be entitled an act to incorporate the Florida, Midland and Georgia Railroad Company, and to grant certain lands to the same,

Was read as amended, and ordered engrossed.

Assembly bill No. 28:

To be entitled an act to require stevedores to pay license tax,

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

Assembly bill No. 150:

To be entitled an act to incorporate the Monticello and Georgia Railroad Company,

Was read the second time as amended and ordered to be engrossed.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, February 24, 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—

Senate bill No. 125, to be entitled an act to change the seat of government, with amendments,

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER, Tallahassee, February 24, 1881.

HON. L. W. BETHEL,

President of the Senate:

SIR, Your Committee on Enrolled Bills beg leave to report that they have deposited with the Governor, for his action thereon, the following bills:

Substitute for Senate bill No. 34, an act to incorporate the Live Live Oak and Rowland's Bluff Railroad Company.

Substitute for Senate bill No. 7, an act to amend an act entitled an act to grant certain lands to the Tampa, Peace Creek and St. Johns River Railroad Company, approved March 4, 1879, the same being Chapter 3168 of the Laws of Florida.

Senate bill No. 100, an act for the incorporation of the Grand Lodge of the Independent Order of Good Templars of Florida.

Senate bill No. 140, an act to authorize W. H. and D. N. Cone to establish a toll-bridge across the Suwannee river.

Very respectfully,

E. S. CRILL,
Acting Chairman.

Mr. Crill offered the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to have 300 copies of the names of the Senators, with their respective post office addresses, printed for the use of the Senate.

Adopted.

The Senate concurred in the following Assembly resolution:

Resolved, That the Appropriation Committees of the Senate and Assembly do act as a Joint Committee, and all business under that head be referred to them as such.

Resolved further, That the Senate is respectfully asked to concur in this resolution.

Senate bill No. 125:

To be entitled an act to change the seat of government.

Mr. Walker offered the following amendment:

Provided, That the buildings shall be of brick, with slate roof, three stories high besides basement, said building to be 150 feet long by 50 wide, and shall be insured for ten years for \$50,000;

Which was lost.

Mr. Mallory offered the following amendment:

And provided further, That the Capital shall not be placed at any point east of the Suwannee river;

Which was lost.

Mr. Mallory moved the further consideration of the bill be postponed to the 4th of March;

Which was lost.

Mr. Walker offered the following amendment:

Provided, That the locality chosen shall execute a bond with security, to be approved by the Governor and his cabinet, for \$100,000, to secure the State against the expense of removal;

Which was lost.

The motion to concur in Assembly amendments to the said bill was then agreed to.

Mr. Lee moved that the vote just taken be reconsider and the motion to reconsider be laid upon the table;

Which was agreed to.

Senate bill No. 125 was ordered to be enrolled.

The Senate then went into Executive session.

The regular session being resumed,

Senator Wallace was indefinitely excused.

On motion of Senator Bryson, the Senate adjourned until 8 P. M.

CONFIRMATIONS.

A. W. Owens, to be State Attorney for the Fourth Judicial Circuit.

Sampson Altman, to be Sheriff of Hamilton county.

John M. Caldwell, to be Clerk of Circuit Court of Hamilton county.

Henry J. Stewart, to be County Judge of Hamilton county.

EIGHT O'CLOCK P. M.

EVENING SESSION.

The Senate resumed its session.

The President in the chair.

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

Messrs. Allen, Bryson, Cole, Delano, Dell, Duncan, Hatcher, Hendry, Jones, Judge, Mallory, McClellan, McClenny, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson and Willard—25.

A quorum present.

THIRD READING OF BILLS.

Senate bill No. 139:

To be entitled an act to compel the several Tax Collectors of this State to make proper entries and returns,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Bryson, Cole, Delano, Dell, Hatcher, Hendry, Judge, McClellan, McClenny, McKay, McKinne, Niblack, Polhill, Powers, Robinson, Sharpe and Speer—18.

Nays—Messrs. Cone, Mallory, McKinnon and Thompson—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 212:

To be entitled an act prescribing limitations to judgments, and execution liens,

Was read the third time.

Mr. Niblack moved that the bill be re-committed to the Judiciary Committee.

Agreed to.

Senate bill No. 148:

To be entitled an act for the relief of the estate of N. D. McDonald,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Cone, Hatcher, Judge, Mallory, McClellan, McClenny, McKay, McKinnon, Niblack, Polhill, Powers, Robinson, Speer, Thompson—15.

Nays—Messrs. Delano, Dell, Hendry, McKinne, Sharpe—5.
So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 211:

To be entitled an act relating to the duties of the Adjutant General of this State.

Was read the third time.

On motion of Mr. McKinnon, the bill was put back upon the second reading.

Mr. McKinne offered the following amendment:

That Section 3 be amended so as to read that the amount shall not exceed \$100 for the two years.

Lost.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, February 24, 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—

Senate bill No. 154, to be entitled an act to incorporate the Palatka and Indian River Railway Company and to grant certain lands to the same, with amendments thereto,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

On motion of Mr. Thompson, the Sergeant-at-Arms was excused from attendance for the evening.

Mr. McKinnon moved to strike out all of Section 3 of Senate bill No. 211;

Upon which the yeas and nays were called for.

The vote was:

[No copy].

So the amendment was adopted.

Mr. McClellan moved to reconsider the vote just taken upon striking out Section 3;

Which was agreed to.

Mr. Thompson offered the following amendment to Section 3: Such expenses shall not exceed one hundred dollars per annum.

Mr. McKinnon moved to amend by striking out "one hundred dollars" and insert "fifty dollars;"

Which was agreed to.

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

Senate bill No. 135:

To be entitled an act to make larceny after trust a felony;

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Dell, Hatcher, Hendry, Judge, Mallory, McClellan, McKay, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—17.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 210:

To be entitled an act to legalize the wills of married women,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Hatcher, Hendry, Judge, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—17.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 214:

To be entitled an act to exempt members of organized and equipped Fire and Hook and Ladder Companies of all incorporated cities and towns in this State from working upon the public roads and highways of this State,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Dell, Hendry, Judge Mallory, McClellan, McKay, McKinne, Niblack, Polhill, Powers, Robinson, Sharpe and Thompson—15.

Nays—Messrs. Hatcher, McKinnon and Speer—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 209:

To be entitled an act to authorize the appointment of Notaries Public,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Dell, Hatcher, Hendry, Judge,

Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—18.
Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 63:

To be entitled an act authorizing the Board of Commissioners of State Institutions to employ additional medical assistance at the State Asylum for indigent lunatics,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Hatcher, Hendry, Judge, McClellan, McClenny, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe and Thompson—15.

Nays—Messrs. Mallory and Speer—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 192:

To be entitled an act to regulate the mode of excepting to the charges of Circuit Court Judges to juries,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Hatcher, Hendry, Judge, Lee, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Substitute for Senate bill No. 24: to be entitled an act to keep in good repair the roads and highways in this State,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cone, Hatcher, Judge, McKay, McKinne, McKinnon, Niblack, Polhill, Robinson, Sharpe, Speer and Thompson—12.

Nays—Messrs. Hendry, Lee, Mallory, McClellan and Powers—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 205:

To be entitled an act so authorize State Attorneys to compromise certain claims,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Hatcher, Hendry, Judge,

Mallory, McClellan, McKay, McKinnon, Niback, Polhill. Powers, Robinson, Sharpe, Speer and Thompson—17.

Nays—Messrs. Lee and McKinne—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 201:

To be entitled an act for the adoption of a child by Martin L. Douglas and his wife, Martha Jane Douglas,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Hatcher, Hendry, Judge, Lee, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer, Thompson—19.

Nays—None.

So the bill passed, title as stated.

Ordered to be certified to the Assembly.

Assembly bill No. 198:

To be entitled an act to authorize the Governor to appoint a chaplain to the convict camp,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Hatcher, Hendry, Judge, Lee, Mallory, McClellan, McKay, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 200:

To be entitled an act to prescribe the manner in which counties shall sue and be sued,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Hendry, Judge, Lee, Mallory, McClellan, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—17.

Nays—Messrs. Hatcher and McKay—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 217 was ordered to lie over until tomorrow.

Assembly bill No. 23:

To be entitled an act for the relief county officers,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Delano, Hatcher, Hendry, Judge, Mallory,

McKay, Niblack, Polhill, Powers, Robinson, Speer, Thompson—12.

Nays—Messrs. Cole, Cone, Lee, McClellan, McKinne, McKinnon—6.

So the bill passed, title as stated.

Ordered to be certified to the Assembly.

Assembly bill No. 196:

To be entitled an act for the protection of live stock,
Was read the third time and ordered to lie over until to-morrow.

Assembly bill No. 154:

To be entitled an act to provide for calling out the organized and enrolled militia of this State to aid the civil authorities,

Was read the third time with Senate amendments and put upon its passage.

The vote was:

Yeas—Messrs. Cone, Delano, Hatcher, Hendry, Judge, Mallory, McClellan, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—16.

Nays—Messrs. Cole and Lee—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 126:

To be entitled an act for the relief of Dr. E. C. Morton, of Polk county,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Hatcher, Hendry, Judge, Lee, Mallory, Niblack, Polhill, Powers, Robinson, Speer and Thompson—14.

Nays—Messrs. McClellan, McKinne, McKinnon and Sharpe—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 188:

To be entitled an act to authorize executors and administrators having an interest in the estate which they represent to purchase the property of such estate at public sale,

Was read the third time and put upon its passage.

The vote was:

Yeas—Cole, Cone, Delano, Hatcher, Hendry, Mallory, McClellan, Niblack, Powers, Robinson, Sharpe, Speer and Thompson—13.

Nays—Messrs. Jones, Lee, McKinne, McKinnon, Polhill—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. —:

To be entitled an act for the relief of Peter Goss.

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Delano, Duncan, Hatcher, Hendry, Jones, Judge, Lee, Mallory, McClellan, McKinne, McKinnon, Niblack, Polhill, Powers, Robinson, Sharpe, Speer and Thompson—20.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 154 was read with amendments passed by the Assembly, and the amendments were concurred in and the bill ordered enrolled.

Mr. Thompson introduced the following bills:

Senate bill No. —:

To be entitled an act to authorize the County Commissioners of the several counties to pay certain expenses,

Which was ordered referred to the Judiciary Committee.

Also,

Senate bill No. —:

To be entitled an act allowing the registered voters of the several counties of this State to vote for fence or no fence under certain circumstances;

Which was referred to the Judiciary Committee.

Mr. McClellan introduced

Senate bill No. —:

To be entitled an act to require County Judges to live or keep their offices within certain limits of their county sites;

Which was referred to the Committee on City and County Organizations.

Mr. Mallory introduced

Senate bill No. —:

To be entitled an act to authorize and require the State Attorneys of the different Judicial Circuits of this State to defend in the Federal Courts, sitting in their respective Circuits, citizens of Florida charged with violating the election laws of the United States;

Which was referred to the Committee on the Judiciary.

On motion of Mr. Judge, the Senate adjourned until 10 o'clock A. M. to-morrow.