

Nays—None.

The following message was received from the Assembly, and the resolution placed on the general file:

ASSEMBLY HALL,
TALLAHASSEE, Fla., August 5, 1868.

Hon. W. H. GLEASON, President of the Senate:

Sir: The Assembly has passed:

Joint resolution relative to adjournment.

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.

The following report of Committee was received:

SENATE CHAMBER,
August 5th, 1868.

The Committee on Enrolled Bills beg leave to report, as correctly enrolled, the following:

Senate joint resolution, No. 23, "Directing the Secretary of State to investigate the printing bills of Dyke & Sparhawk and J. B. Oliver."

Senate joint resolution, No. 24, "Joint Resolution to adopt a Seal for the State."

Bill No. 37, "An Act to fund the outstanding debt of the State."

Bill No. 75, "An Act relating to the Taking of Testimony upon Trials in the Courts of this State."

Bill No. 82, "An Act prescribing, on the part of this State, the manner of appointing Electors of President and Vice President of the United States."

Bill No. 85, An Act to revise an Ordinance of the Constitutional Convention, entitled "An Ordinance to Inquire into the Condition of the Union Bank of Florida."

D. DAVIS,

Chairman Committee on Enrolled Bills.

The President *pro tempore* signed the above bills, as also the following:

ASSEMBLY BILLS.

"An Act to Incorporate the Jacksonville Hotel Company."

"An Act relating to the Penning and Milking of Cattle in this State."

An Act for the Protection of the Citizens of Florida Traveling on Public Conveyances.

An Act to provide for the incorporation of Cities and Towns, and to establish a uniform system of Municipal Government in this State.

The following message was received from the Governor, and the Senate went into executive session:

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, Aug. 5, 1868.

TO THE SENATE:

I hereby nominate the following named persons for the various offices designated:

James D. Morris, to be Assessor of Taxes for Jefferson county, in place of A. H. McCann, declined.

George B. Phillips, to be County Judge for Dade county.

Michael McCormick, to be Collector of Revenue for Leon county.

L. C. Demilly, to be Assessor of Taxes for Leon county.

Andrew J. Williams, to be Assessor of Taxes for Madison county.

Wm. R. Cone, to be Collector of Revenue for Madison county.

S. C. Thompson, to be Collector of Revenue for Duval county, in place of Charles F. Daley, declined.

Very respectfully, &c.,

HARRISON RICE, Governor.

The above message was taken up, and the following confirmed:

James D. Morris, to be Assessor of Taxes for Jefferson county, in place of A. H. McCann, resigned.

George B. Phillips, to be County Judge for Dade county.

Andrew J. Williams, to be Assessor of Taxes for Madison county.

William R. Cone, to be Collector of Revenue for Madison county.

S. C. Thompson, to be Collector of Revenue for Duval county, in place of Charles F. Daley, declined.

The following was postponed one day:

L. C. Demilly, to be Assessor of Taxes for Leon county.

The following was rejected:

Michael McCormick, to be Collector of Revenue for Leon county.

On motion, the doors were opened.

Mr. Goss gave notice that he should on to-morrow move a reconsideration of the vote by which Assembly bill, No. 98, passed the Senate.

On motion, the Senate adjourned.

THURSDAY, August 6th, 1868.

The Senate met pursuant to adjournment, the President in the Chair.

Prayer by the Chaplain.

A quorum present.

On motion, the following message, received yesterday from the Governor, was taken up:

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, August 5th, 1868.

HON. MORATHO JENKINS, JR., President *pro tempore* of Senate:

SIR: I herewith return to the Senate, without my approval, the act entitled "An Act to Incorporate the Florida Savings Bank."

Section 18, Article IV., of the Constitution requires that "where general law can be made applicable, all laws shall be general and of uniform operation throughout the State." A general law for the organization of banking institutions is of easy conception, and common to many of the States. I consider a special law on the subject of savings banks in direct violation of the Constitution, and this affords sufficient reason for withholding my signature.

Again, the general features of the bill are objectionable; granting extraordinary and indefinite powers without sufficient guarantees of protection; rendering it lawful for public officers to deposit the funds of the State, and others to deposit trust funds, with no adequate security; in short, giving a company with \$20,000 cash capital the power to control an indefinite amount, and affording large facilities for obtaining money from the people, and, by a breach of trust, enriching the stockholders at the expense of the public.

As, however, the first objection is insuperable, I do not deem it necessary to specify, at length, the objections founded upon the features of the bill, which in my judgment justify its return to the House in which it originated.

Very respectfully, &c.,

HARRISON REED, Governor.

On the question, Shall the bill become a law notwithstanding the objections of the Governor? the vote was:

Yeas—None.

Nays—Messrs. Bradwell, Crawford, Davidson, Davis, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, McCaskill, Pearce, Smith, Underwood, Weeks, and Wood—17.

So the bill was rejected.

Mr. Knight, on leave, introduced a bill to be entitled "An Act supplementary to An Act entitled An Act to provide for the creation of Corporations, and to prescribe their general powers and liabilities," which was read the first, second, and third times, under suspension of the rules, and passed with the following vote:

Yeas—Messrs. Alden, Bradwell, Crawford, Ginn, Jenkins, Knight, Krimminger, Pearce, Smith, and Underwood—10.

Nays—Messrs. McCaskill and Wood—2.

Mr. Jenkins, on leave, introduced a bill to be entitled "An Act to Incorporate the Florida Exchange Bank," which was read the first time by title, under suspension of the rules.

On a motion to suspend the rules to read the bill the second time by its title, the yeas and nays were demanded, and the motion lost, by the following vote:

Yeas—Messrs. Bradwell, Jenkins, Knight, Krimminger, Meacham, Pearce, Smith, and Underwood—8.

Nays—Messrs. Alden, Crawford, Goss, Ginn, McCaskill, Weeks, and Wood—7.

On a motion to suspend the rules to read the bill the second time at length, the yeas and nays were demanded, and the motion lost, by the following vote:

Yeas—Messrs. Bradwell, Jenkins, Katzenberg, Knight, Krimminger, Meacham, and Pearce—7.

Nays—Messrs. Crawford, Davis, Ginn, McCaskill, Weeks, and Wood—6.

On motion of Mr. Knight, a call of the House was ordered. The following members were found present, and the Sergeant-at-Arms sent after the absentees:

Mr. President, Messrs. Bradwell, Crawford, Davidson, Davis, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, McCaskill, Pearce, Smith, Underwood, Weeks, and Wood—18.

The Sergeant-at-Arms reported that he had executed his commission, except in the case of Messrs. Purman and Mobley, who could not be found.

Assembly bill, No. 100, was taken up and amended, on motion, as follows:

In Section 11, strike out after the word "subscribe" the words "to the oath prescribed by the Constitution," and insert "an oath to faithfully perform the duties of teacher, and to support the Constitution of this State and of the United States." Insert in Section 13, after the word "apparatus," the words "which books shall not be of a sectarian character." Insert in Section 14, after the word "superintendent," the words "and Board of Trustees."

Mr. McCaskill moved to insert the following after section 66, to be numbered section 67, and to change the number of the following section to 68:

Section 67. *Provided*, Nothing in this act shall be so construed as to permit any State or county superintendent to provide for mixed schools; but shall distribute the school fund to which any county or school district may be declared entitled,

pro rata, and shall see that separate and distinct schools are provided; *Provided further*, That no colored teacher shall be appointed or employed to teach white schools; *Provided further*, That the same prohibition shall apply and be enforced in any State university or universities in this State.

On a motion to lay the amendment on the table, the yeas and nays were demanded, and the motion lost by the following vote:

Yeas—Messrs. Alden, Bradwell, Katzenberg, Knight, Meacham, Pearce and Smith—7.

Nays—Messrs. Atkins, Crawford, Davidson, Davis, Goss, Ginn, Krimminger, McCaskill, Underwood, Weeks, and Wood—11.

On motion, a call of the Senate was ordered.

The following members were found present, and the Sergeant-at-Arms sent after absentees:

Messrs. Alden, Atkins, Bradwell, Crawford, Davidson, Davis, Goss, Ginn, Katzenberg, Knight, Krimminger, Meacham, Mobley, McCaskill, Pearce, Smith, Underwood, Weeks, and Wood—19.

The Sergeant-at-Arms reported the call of the Senate executed. The following message was received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., August 6, 1868.

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed Senate bill, No. 84, to be entitled An Act relating to Vacancies in Office.

Passed Assembly bill, No. 101, to be entitled An Act concerning the Distribution of the Laws passed at this Session of the Legislature.

Indefinitely postponed joint resolution relative to Copying the Laws.

Adopted Assembly joint resolution, No. 102, relative to Certain Bonds.

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.

By unanimous consent, Assembly joint resolution, No. 102, accompanying the message, was taken up, read the first, second, and third times, under suspension of the rules, and passed by the following vote:

Yeas—Messrs. Alden, Bradwell, Crawford, Davidson, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, Purman, Smith, Underwood, and Wood—16.

Nays—Messrs. Atkins and Davis—2.

Assembly bill, No. 101, was placed on the general file, and Senate bill, No. 84, ordered enrolled.

Action on Assembly bill, No. 100, was resumed.

Mr. Pearce moved the indefinite postponement of the amend-

ment. The yeas and nays were demanded, and the motion lost, by the following vote:

Yeas—Messrs. Alden, Bradwell, Jenkins, Katzenberg, Knight, Meacham, Mobley, Pearce, Purman, and Smith—10.

Nays—Messrs. Atkins, Crawford, Davidson, Davis, Goss, Ginn, Krimminger, McCaskill, Underwood, Weeks, and Wood—11.

On the main question the yeas and nays were demanded, and the amendment adopted, by the following vote:

Yeas—Messrs. Atkins, Crawford, Davidson, Davis, Goss, Ginn, Krimminger, McCaskill, Underwood, Weeks, and Wood—11.

Nays—Messrs. Alden, Bradwell, Jenkins, Katzenberg, Knight, Meacham, Mobley, Pearce, Purman, and Smith—10.

On motion of Mr. Knight, the bill was ordered printed by the following vote, the yeas and nays being demanded:

Yeas—Messrs. Alden, Bradwell, Goss, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Pearce, Purman, Smith, and Underwood—12.

Nays—Messrs. Atkins, Crawford, Davidson, Davis, Ginn, Mobley, McCaskill, Weeks, and Wood—9.

On motion of Mr. Meacham, the bill was indefinitely postponed.

The following message was received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., August 6th, 1868.

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed Senate bill, No. 88, to be entitled An Act supplementary to An Act to provide for the Creation of Corporations, and to prescribe their General Powers and Liabilities.

Passed Assembly bill, No. 103, to be entitled An Act to Enforce Ordinance No. 4, of the Constitutional Convention.

Indefinitely postponed Senate bill, No. 87, to be entitled An Act to Relieve Garnishees.

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.

Senate bill, No. 88, accompanying, was ordered enrolled, and Assembly bill, No. 103, placed on the general file.

The following message was received from the Governor, and the Senate went into Executive session:

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, Fla., Aug. 6, 1868.

TO THE SENATE:

I respectfully ask the favor of the Senate to return for further consideration the following nominations heretofore made:

L. C. Demilly, to be Assessor of Taxes for Leon county.
 Michael McCormick, to be Collector of Revenue for Leon county.

Charles L. Williams, to be Sheriff for Gadsden county.

Very respectfully,

HARRISON REED, GOVERNOR.

The vote rejecting Michael McCormick to be Collector of Revenue for Leon county was reconsidered, and the Secretary was directed to return the first two names to the Governor, in accordance with the request.

In the case of the last name it was ruled, that the time for reconsideration having passed, it could not be returned to the Governor without first rescinding the confirmation of the same.

On motion, the doors were opened.

The following letter was read by the President:

SENATE CHAMBER.

HON. WM. H. GLEASON, President Senate:

SIR: Having been appointed by the Governor, and confirmed by the Senate, as Judge of the 5th Judicial Circuit of the State, I hereby tender my resignation as Senator from the 19th District.

I have the honor to be, most respectfully,

Your obedient servant,

J. H. Goss.

On motion, action thereon was postponed till the close of the evening session.

On motion, the Senate took a recess till 4 o'clock P. M.

FOUR O'CLOCK P. M.

The Senate resumed its session, the President in the Chair.

A quorum present.

The following report was received:

SENATE CHAMBER,

August 6th, 1868.

The Committee on Enrolled Bills beg leave to report as correctly enrolled, the following:

Bill No. 3, "An Act to provide for the Registration of Electors and the holding of Elections."

Bill No. 5, "An Act to Incorporate the Pensacola and Perdido Railroad Company."

Bill No. 26, "An Act to Incorporate the St. Johns and Halifax Navigation Company."

Bill No. 81, "An Act to more effectually provide for the good order of Society and to Suppress disorderly proceedings."

Bill No. 40, "An Act to provide for the Digest of the Laws of the State of Florida."

Bill No. 80, "An Act to be entitled An Act to provide for the Incorporation of Benevolent and Charitable Societies."

D. DAVIS,

Chairman Committee Enrolled Bills.

The President signed the above bills, also the following:

ASSEMBLY BILLS AND RESOLUTIONS.

A resolution declaratory to whom the money now in the State Treasury shall be paid.

An Act to provide for the Payment of the Members, Officers, Attaches, and other expenses of the First Legislature held under the Constitution of the State of Florida.

Joint resolution relative to Moccasin Sluice in the Apalachicola River.

An Act to Incorporate the Ocklawaha River, Lake Apopka Steamboat and Canal Company.

Joint resolution concerning Teachers of Freedmen's Schools during the year 1868.

An Act the better to Preserve and Secure Protection to Life, Liberty and Property in the State of Florida.

A memorial to the Congress of the United States.

An Act to provide for a Correct List of the Owners of Real Property in the several Counties of this State.

On motion, Senate bill, No. 89, was taken up, the rules were suspended, the bill read second and third times, and passed, with the following vote:

Yeas—Messrs. Alden, Atkins, Bradwell, Crawford, Davidson, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, and Underwood—14.

Nays—Mr. McCaskill—1.

The following communication was received from the Executive:

I am directed by His Excellency the Governor, to inform you that he has this day signed the following acts and resolutions:

An Act to provide for the Punishment of Crimes, and Proceedings in Criminal Cases.

An Act to fund the outstanding Debt of the State.

An Act prescribing, on the part of this State, the manner of Appointing Electors of President and Vice-President of the United States.

An Act to revive an Ordinance of the Constitutional Conven-

tion, entitled "An Ordinance to inquire into the Condition of the Union Bank of Florida."

Joint Resolution to adopt a Seal for the State.

A Joint Resolution.

Very respectfully,

E. H. REED, Private Secretary.

On motion, a call of the Senate was ordered. The following Senators were found present, and the Sergeant-at-Arms sent after absentees:

Messrs. Alden, Atkins, Bradwell, Crawford, Davidson, Davis, Ginn, Jenkins, Katzenberg, Knight, Meacham, Mobley, McCaskill, Pearce, Parman, Smith, Underwood, Weeks, and Wood—20.

On motion, the call was dispensed with.

Mr. Jenkins, on leave, introduced a joint resolution directing a Pay Roll of Members and Attaches of the Legislature, to be made, and authorizing the Comptroller to audit the same; which was read first, second, and third times, under a suspension of the rules, and passed with the following vote:

Yeas—Messrs. Alden, Atkins, Bradwell, Crawford, Davidson, Davis, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, Parman, Smith, Underwood, and Weeks—18.

Nays—Messrs. Goss and McCaskill—2.

The following report was received, adopted, and ordered spread upon the journal:

The undersigned, members of the Committee on Privileges and Elections, to whom were referred the petitions of Wm. H. Holden, contesting the seat of Arthur Ginn, Senator from the 20th District, and John Wyatt, contesting the seat of Jno. L. Crawford, Senator from the 7th District, would respectfully submit the following report:

The petitioners prefer the allegation of ineligibility against the said Senators, under the provisions of Article XVI, Section 1, of the Constitution of the State of Florida, and charge that in consequence of such alleged political disabilities, they are debarred from holding any office in the State or the United States.

Your committee, in an anxious spirit to guard the innocence of the accused, give full justice to the importance of the accusation, and protect and preserve inviolate the integrity of every provision of the Constitution, that neither the State nor the humblest citizen may suffer the least danger or infringement of a lawful right or privilege, made a careful inquisition, by hearing the testimony of witnesses, and the sworn replications to interrogatories from the accused Senators themselves, into their antecedents, actions and character before and during the time of the late rebellion.

To the interrogatory—Did you ever previous to the late rebellion take an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States? Both senators answered in the affirmative.

To the following consecutive interrogatories—Did you ever vote in any convention for the secession of any State from the Federal Union? were you ever a member of the Congress, or of any Legislature, or did you ever hold any executive or judicial office, or serve as tax collector or receiver, sequestration officer, or purveyor for the army or navy, under the so-called Confederate government, or under any State thereof? did you ever voluntarily furnish any supplies or contributions of food, clothing, arms, ammunition, animals, money by loan or otherwise, or labor, or service, or valuable information of any kind, to the military or naval forces of the so-called Confederate government? did you ever in any way, by speeches, writings, or influence, either personal or official, publicly or privately, aid in the enlisting, organizing or equipment of troops in the late rebellion against the United States? did you ever voluntarily engage in insurrection or rebellion against the United States? both Senators, under oath, answered, No, never!

This searching examination is but the amplification of the phrase "giving aid or comfort to the enemy," as elucidated and decided by the Hon. Henry Stanbery, late Attorney General of the United States.

Your committee, upon the results of their investigation as derived from the evidence and the affirmations of the accused, have the gratification to report favorably in behalf of the claims and eligibility of Senators Ginn and Crawford to their seats in this Senate; and your committee, in conclusion, would recommend that the foregoing interrogatories be made and adopted as a standing inquisitorial ordeal, through which all members elected to this body, and whose political eligibility may be questioned, shall pass, unscathed and untainted, before their admission and qualification as Senators on this floor.

This rule is based upon constitutional law and justice, and is free from any partisan imputation, as it is founded upon the promulgated opinion of the late Attorney General of the United States himself.

Your committee would recommend the adoption of the accompanying resolution:

Resolved, That the sum of one hundred dollars is hereby authorized and directed to be paid to William H. Holden, and ninety-five dollars to John Wyatt, as indemnification for actual expenses incurred in contesting the seats of Senators Ginn and

Crawford, and that the Committee on Legislative Expenditures shall take cognizance of the same.

W. J. PURMAN, Chairman,
J. E. A. DAVIDSON,
ROBERT MEACHAM,
GEORGE J. ALDEN.

The following message was received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., August 6, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed Senate bill, No. 89, to be entitled "An Act to Incorporate the Florida Exchange Bank."

Very respectfully,

WM. FORSYTH BYNUM,
Clerk of the Assembly.

The accompanying bill was ordered enrolled.

The special committee to whom was committed Assembly bill, No. 15, on leave reported the same back, with the recommendation that it be indefinitely postponed.

The report was adopted.

On motion the Senate went into executive session.

The following message was received from the Governor:

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, August 6, 1868. }

TO THE SENATE:

I hereby nominate the following persons for the offices severally designated:

William H. Milton, to be State Attorney for First Judicial Circuit.

Claiborne R. Mobley, to be State Attorney for Sixth Judicial Circuit.

James W. Johnson, to be Assessor of Taxes for Jefferson county, in place of James D. Morris, who is found ineligible.

Very respectfully, &c.,

HARRISON REED, Governor.

The rules were suspended, and the above message taken up, and the following were confirmed:

William H. Milton, to be State Attorney for First Judicial Circuit.

Claiborne R. Mobley, to be State Attorney for Sixth Judicial Circuit.

James W. Johnson, to be Assessor of Taxes for Jefferson county, in place of James D. Morris, who is found ineligible.

A verbal message was received from the Governor, withdrawing his request of this A. M., concerning the nominations for Leon county, and Michael McCormick was confirmed to be Collector of Revenue for Leon county.

The nomination of L. C. Demilley, to be Assessor of Taxes for Leon county, was postponed to eight o'clock this P. M.

On motion, the doors were opened.

On motion, the Senate adjourned till eight o'clock P. M.

EIGHT O'CLOCK, P. M.

The Senate met pursuant to adjournment, the President in the Chair.

A quorum present.

On motion, the Secretary was directed to request the Assembly to return Assembly bill, No. 98, to this body for reconsideration.

The following message was received from the Assembly, in response to the above request:

ASSEMBLY HALL,
Tallahassee, Fla., August 6, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly, pursuant to request of the Senate, have directed me to transmit to the Senate, Assembly bill, No. 98, relative to Appropriations for the Fiscal Year 1868.

Very respectfully,

WM. FORSYTH BYNUM, Clerk of the Assembly.

Assembly resolution, No. 104, was taken up and indefinitely postponed.

Assembly bill, No. 101, was taken up and read the first time.

Assembly bill, No. 103, was taken up and read the first time.

Mr. Pearce, on leave, introduced a joint resolution providing for Establishing Common Schools, which was read the first time. A motion to suspend the rules and read the resolution the second time by title, was lost by the following vote, the yeas and nays being demanded:

Yeas—Messrs. Alden, Bradwell, Goss, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, and Smith—11.

Nays—Messrs. Atkins, Crawford, Davis, Ginn, McCaskill, and Underwood—6.

On motion, a call of the Senate was ordered. The following Senators were found present, and the Sergeant-at-Arms sent after absentees:

Messrs. Alden, Atkins, Bradwell, Crawford, Davis, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, McCaskill, Pearce, Smith, Underwood, Weeks, and Wood—19.

On motion, the call was dispensed with.

The consideration of the resolution was resumed. A motion to suspend the rule, and read the resolution the second time in full, was lost by the following vote, the yeas and nays being demanded:

Yeas—Messrs. Alden, Bradwell, Goss, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, Purman, Smith, and Underwood—13.

Nays—Messrs. Atkins, Crawford, Davis, Ginn, McCaskill, Weeks, and Wood—7.

The following message was received from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., Aug. 6th, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed an Act to provide for the payment of the Members, Officers, Attaches, and other expenses of the first Legislature held under the Constitution of the State of Florida, by a two-thirds vote over the veto of His Excellency the Governor.

A copy of the veto message of His Excellency is herewith transmitted.

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

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, Aug. 6th, 1868. }

HON. W. W. MOORE, Speaker of the Assembly:

SIR: I am compelled to return without approval the Act entitled An Act to provide for the Payment of the Members, Officers, Attaches, and other Expenses of the first Legislature held under the Constitution of the State of Florida. In my opinion there is no sanction in the constitution for this act. The members of the Legislature, like many other officers, are paid by the year, and the only difference between them and other persons entitled to compensation is that the officers draw their pay quarterly upon their own requisition, while the members of the Legislature must be paid in conformity to a law complying with the constitution.

Section 4, Article XVI., of the constitution, provides that the pay of the members of the Legislature shall be five hundred dollars per annum, and ten cents per mile for each mile travelled from their respective places of residence to the capitol.

It is unnecessary for me to say that by no legitimate construction can "per annum" mean for the annual session.

Section 2, Article IV., of the constitution, expressly requires two sessions, during the first year the parties are legislators.

But not to argue the matter at length, I am not at liberty to force a construction upon the constitution, nor am I permitted to consider the value of the service rendered. I believe the main-

bers have fairly earned the amount sought to be appropriated, but as I cannot find constitutional authority for its payment, and as I am required to act continually in view of my official oath, I must withhold my signature.

Very respectfully, &c., HARRISON REED, Governor.

On the question, Shall the bill pass notwithstanding the objections of the Governor? the vote was as follows:

Yeas—Messrs. Alden, Bradwell, Crawford, Davis, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, Purman, Smith, Underwood, and Wood—17.

Nays—Messrs. Atkins, McCaskill, and Weeks—3.

So the bill passed, two-thirds having voted in the affirmative. Also, the following:

ASSEMBLY HALL,
Tallahassee, Fla., August 6, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed:

Senate joint resolution directing a Pay Roll to be made of the Members of the Legislature, and of the Officers, Attaches, and Clerks thereof, and directing the State Comptroller to audit the same, and the Treasurer to pay the amounts so audited.

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

The bill was ordered enrolled.

ASSEMBLY HALL,
Tallahassee, Fla., Aug. 6th, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed:

Joint resolution No. 109, relative to Common Schools.
Assembly bill No. 108, to be entitled An Act regulating Computation of number of days constituting any session of the Legislature.

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

ASSEMBLY HALL,
Tallahassee, Fla., August 6, 1868. }

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed:

Assembly bill No. 107, entitled An Act to provide pay for Members of the Convention for Election of President and Vice-President of the United States, in the year 1868.

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

The bills were placed on the general file.

The following reports were received from the Committee on Enrolled Bills, and the bills were signed by the President:

SENATE CHAMBER,
Aug. 6, 1868. }

The Committee on Enrolled Bills beg leave to report as correctly enrolled the following:

Bill No. 73, An Act to provide for a Code of Practice in civil cases in the State of Florida.

Bill No. 84, An Act relating to Vacancies in Office.

Bill No. 88, An Act supplementary to An Act entitled An Act to provide for the creation of Corporations, and to prescribe their general powers and liabilities.

D. DAVIS,
Chairman Committee on Enrolled Bills.

SENATE CHAMBER,
Aug. 6, 1868. }

The Committee on Enrolled Bills beg leave to report as correctly enrolled:

Senate bill No. 23, An Act to provide for Organizing and Disciplining the Militia of the State.

Senate bill No. 41, An Act regulating the Fees of Officers.

Senate bill No. 49, An Act to incorporate the Florida Exchange Bank.

D. DAVIS,
Chairman Committee on Enrolled Bills.

SENATE CHAMBER,
August 6, 1868. }

The Committee on Enrolled Bills beg leave to report, as correctly enrolled, the following:

Joint resolution (Senate resolution No. 26) directing a Pay Roll to be made of the Members of the Legislature, and of the Officers, Attaches, and Clerks thereof, and directing the State Comptroller to audit the same, and the Treasurer to pay the amounts so audited.

D. DAVIS,
Chairman Committee on Enrolled Bills.

On motion, Assembly bill No. 98, was taken up and returned to its second reading.

On motion, the bill was read the second time, the rules suspended, read the third time, and passed by the following vote:

Yeas—Messrs. Alden, Bradwell, Crawford, Davidson, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Pearce, Purman, Smith, and Underwood—15.

Nays—Messrs. Atkins, Davis, Mobley, McCaskill, Weeks, and Wood—6.

Mr. Knight, on leave, introduced a "rider" providing for the *per diem* of County Judges and salaries of State Attorneys, of two sections; which was read first, second, and third times, under a suspension of the rules, and passed by the following vote:

Yeas—Messrs. Alden, Bradwell, Crawford, Davidson, Goss,

Ginn, Katzenberg, Knight, Krimminger, Meacham, Pearce, Purman, Smith, and Underwood—14.

Nays—Messrs. Davis, Mobley, and McCaskill—3.

Assembly bill No. 109 was taken up, and read first time; Mr. Goss moved to amend as follows:

Strike out all of Section 3 after the word "dollars" and insert the words "for as many days as the Convention is in actual session, and ten cents mileage in the most usual route of travel going to and returning from the Convention."

Which was adopted.

On a motion to suspend the rules and read the bill the second time, the yeas and nays were demanded, and the motion carried by the following vote:

Yeas—Messrs. Alden, Bradwell, Davidson, Goss, Ginn, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Pearce, Smith, and Underwood—14.

Nays—Messrs. Atkins, Crawford, Davis, McCaskill, Weeks, and Wood—6.

On a motion to suspend the rules and read the bill the third time, the yeas and nays were demanded, and the motion lost by the following vote:

Yeas—Messrs. Alden, Bradwell, Goss, Katzenberg, Knight, Krimminger, Pearce, Purman, and Smith—9.

Nays—Messrs. Atkins, Crawford, Davidson, Davis, Ginn, Jenkins, Mobley, McCaskill, Underwood, Weeks, and Wood—11.

Assembly bill, No. 108, was taken up and laid on the table.

On motion the Senate went into executive session.

The following message was received from the Governor:

STATE OF FLORIDA, EXECUTIVE OFFICE,
Tallahassee, Aug. 6, 1868. }

TO THE SENATE:

I hereby nominate James T. Magbee to be Judge of the Sixth Judicial Circuit. Very respectfully, &c.,

HARRISON REED, Governor.

On motion, the rules were suspended, and James T. Magbee was confirmed to be Judge of the Sixth Judicial Circuit.

Mr. Purman, on leave, introduced a joint resolution fixing the time of meeting the Assembly in joint convention, which was read the first, second, and third times, under a suspension of the rules, and passed with the following vote:

Yeas—Messrs. Alden, Bradwell, Davidson, Goss, Jenkins, Katzenberg, Knight, Krimminger, Meacham, Mobley, Pearce, Purman, Smith, and Underwood—14.

Nays—Messrs. Atkins, Crawford, Davis, Ginn, McCaskill, and Weeks—6.

The President announced the signing of the following bills:

ASSEMBLY BILLS.

To Incorporate the Georgia, Gainesville, and Tampa Railroad.
To Incorporate the Wekiva Steamboat Company.

A bill to make Appropriations for the Expenses of the Government of the State of Florida.

A message was received from the Governor, announcing his signature to the following:

SENATE BILLS.

An Act to incorporate the Pensacola and Perdido Railroad Company.

An Act to incorporate the St. John's and Halifax Navigation and Improvement Company.

An Act to provide for the Registration of Electors and holding of Elections.

An Act to provide for making a Digest of the Laws of Florida.

An Act to provide for the incorporation of Benevolent and Charitable Societies.

An Act to more effectually provide for the Good Order of Society and to Suppress Disorderly Proceedings.

An Act to provide for holding an Election for Representative in Congress.

The following message was received from the Assembly:

ASSEMBLY HALL,

Tallahassee, Fla., August 6, 1868.

HON. W. H. GLEASON, President of the Senate:

SIR: The Assembly has passed Senate resolution relative to the Senate and Assembly convening in joint Convention.

Very respectfully,

WM. FORSYTH BYNUM, Clerk of the Assembly.

On motion, a committee consisting of Messrs. Knight, Alden, and Weeks was appointed to wait on the Governor and inquire if he had any other business to lay before the Senate.

Mr. Purman, on leave, offered the following resolution, which was adopted by the following vote, the yeas and nays being demanded:

RESOLUTION.

Resolved, That in view of the complete triumph of reconstruction, and the firm establishment of a true Republican government upon the old foundations of this State, the passion of patriotism should be linked with the sentiments of magnanimity towards all political opponents, whose hostility has turned into loyalty, whose prejudice has changed into reason, and whose patriotic love for peace and law is evinced in the support and encouragement of the reconstruction government of the State, and the justice and equality of all citizens there-

under; and that no friend of the State and Union may linger one moment under the stigma of disfranchisement, the Congress of the United States is hereby respectfully memorialized to grant speedy relief and removal of political disabilities to all such persons as may be from time to time recommended by the combined Legislative and Executive authorities of the State; and in the language of the Chief Executive of this State, in his late able and comprehensive message to the Legislature—"such, and such only, as have thus manifested their fealty to Republican governments, and their disposition to render it permanent, I recommend the assistance of the Legislature, in bespeaking the clemency of the national government, and securing a restoration of their forfeited privileges;" and in the language of the National Republican platform, "we favor the removal of the disqualifications and restrictions imposed upon the late rebels, in the same measure as the spirit of disloyalty will die out, and as may be consistent with the safety of the loyal people."

Yeas—Messrs. Alden, Bradwell, Crawford, Davidson, Goss, Ginn, Katzenberg, Knight, Krimminger, Mobley, Pearce, Purman, Smith, and Underwood—15.

Nays—Messrs. Atkins, Davis, McCaskill, and Wood—4.

The resignation of Mr. Goss, Senator from the 19th District, tendered this P. M., was accepted.

The President read the following letter of resignation, which was accepted:

SENATE CHAMBER, August 6th, 1868.

TO HON. W. H. GLEASON, President of the Senate:

SIR: I have the honor hereby to tender my resignation as Senator of the Fourteenth District in this honorable body, and pray their acceptance thereof.

I have the honor to be, Sir, very respectfully,

A. A. KNIGHT, Senator.

The Committee appointed to wait upon the Governor returned and informed the Senate that the Governor had no further communication to make to the Senate.

The hour having arrived which was fixed in the joint resolution for meeting the Assembly in joint convention, the Senate proceeded to Assembly Hall.

JOINT CONVENTION.

The President of the Senate called the convention to order.

The rolls were called and a quorum of each House was present.

On motion of Mr. Purman, the convention adjourned to meet in the Assembly Hall, at twelve o'clock M., on the third day of November next, for the purpose of appointing Electors of President and Vice-President of the United States for the ensuing term. The hour of twelve, midnight, the constitutional limit of this session, now arrived.