

The question on the adoption of the resolution was put and the resolution adopted.

On motion of Mr. Wentworth, 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.

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

Messrs. Billings, Crawford, Eagan, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Locke, McKinnon, Meacham, McCaskill, Pearce, Purman, Wentworth, and Sutton—17.

On motion, Mr. McLin, the Secretary elect, was sworn in by the President.

On motion of Mr. Wentworth, the Senate adjourned till 10 o'clock to-morrow.

#### THURSDAY, January 4.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain.

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

Messrs. Adams, Billings, Crawford, Eagan, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Locke, McKinnon, Meacham, Moragne, Purman, Sutton and Wentworth—17.

On motion, the reading of the Journal was dispensed with, and the Journal corrected and approved.

Mr. Wentworth moved that fifty copies of Order of Business, and fifty copies of the Rules of the Senate be printed and laid on the desks of the members.

The yeas and nays being called for, the following was the vote :

Those voting in the affirmative were—

Messrs. Billings, Dennis, Hillyer, Pearce, and Wentworth—5.

Those voting in the negative were—

Messrs. Adams, Crawford, Eagan, Ginn, Henderson, Jenkins, Johnson, Locke, McKinnon, Meacham, Moragne, McCaskill, and Sutton—13.

Mr. Locke moved that the Sergeant-at-arms be instructed to wait upon the Secretary of State and request him to furnish each

member with a copy of the Journal of last session, which was agreed to.

A motion to elect an engrossing clerk and an enrolling clerk, was made and lost, by a division.

Mr. Meacham moved that the President be authorized to appoint a page for the Senate.

Mr. Henderson moved, as an amendment, that the Senate dispense with pages.

On which the yeas and nays were called, with the following result:

Those voting in the affirmative were—

Messrs. Adams, Crawford, Ginn, Henderson, McKinnon, Moragne, McCaskill and Sutton—8.

Those voting in the negative were—

Messrs. Billings, Dennis, Eagan, Hill, Jenkins, Johnson, Locke, Meacham, Pearce, Purman and Wentworth—11.

So the motion was not agreed to.

Mr. Henderson moved, as an amendment to the original motion, that the pay of the pages be one dollar per diem.

The yeas and nays were called for, with the following result:

Those voting in the affirmative were—

Messrs. Adams, Crawford, Ginn, Henderson, Hillyer, Jenkins, Johnson, Locke, McKinnon, Moragne, McCaskill, Sutton and Wentworth—13.

Those voting in the negative were—

Messrs. Billings, Dennis, Eagan, Hill, Meacham, Pearce, and Purman—7.

The question on the original motion, as amended, was now put and agreed to.

Mr. Wentworth moved that the Rules and Order of Business of last session be adopted for the present session;

Which was agreed to.

Mr. Wentworth moved that the Senate proceed to the election of a President pro tem.

Mr. Billings moved to postpone this matter till next Tuesday;

Which was, on a division, agreed to.

Mr. Purman raised the point of order that it requires a two-thirds majority to suspend rule eight, which requires that a President pro tem. must be elected immediately after organization, and consequently that the action just taken was out of order.

The Chair ruled, that the Senate having already taken action, the Chair cannot overrule the action of the Senate.

Mr. Purman rose, stating that he should appeal from the ruling of the Chair; but before he had formally moved the appeal, Mr. Henderson made the point of order, that the appeal not having been taken, there was nothing before the Senate, and moved to take a recess till 4 o'clock p. m.

The President ruled the point of order well taken, and the motion for a recess was put by yeas and nays, with the following result :

Those voting in the affirmative were—

Messrs. Adams, Billings, Crawford, Eagan, Ginn, McCaskill, Pearce, and Sutton—8.

Those voting in the negative were—

Messrs. Dennis, Henderson, Hill, Hillyer, Jenkins, Johnson, Locke, Meacham, Purman, and Wentworth.—10.

So the motion was not agreed to.

A message was received from the Assembly, which announced that the Assembly was organized and ready for business.

Mr. Purman moved an appeal from the ruling of the Chair with regard to the postponement of the election of a President pro tem. and the suspension of rule 8.

Mr. Purman withdrew his appeal.

Mr. Henderson moved that the vote by which the election of President pro tem. was postponed till next Tuesday be reconsidered ;

Which was agreed to.

Mr. Henderson moved that further proceedings in the matter of election of a President pro tem. be postponed till to-morrow 4 o'clock p. m.

Mr. McCaskill moved, as a substitute, that rule 8 be expunged.

The Chair ruled that a two-thirds vote is necessary to the adoption of Mr. McCaskill's substitute.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,  
Tallahassee, Fla., Jan. 4, 1872.

HON. SAMUEL T. DAY, President of the Senate :

SIR: I am directed by the Assembly to inform the Senate, that the Assembly has appointed a committee of three to act with a similar committee from the Senate to wait upon and inform his Excellency the Governor that the Legislature is now organized and ready to receive any communication he may be pleased to make.

Very respectfully,

M. H. CLAY,  
Clerk of the Assembly.

The yeas and nays were called on Mr. McCaskill's substitute, with the following result :

Those voting in the affirmative were—

Messrs. Adams, Billings, Crawford, Ginn, Henderson, McKinnon, Moragne, McCaskill, Pearce, and Sutton—10.

Those voting in the negative were—

Messrs. Dennis, Eagan, Hill, Hillyer, Jenkins, Johnson, Locke, Purman, and Wentworth—9.

Two-thirds not having voted in the affirmative the substitute was not agreed to.

The original motion was now put and agreed to.

The Chair appointed Senators Wentworth, Hillyer, and McCaskill, as a committee on the part of the Senate to wait on the Governor, to inform him of the organization of the Legislature.

Mr. Dennis moved that the Sergeant-at-Arms be instructed to prepare one or more rooms for use of Senate committees;

Which was agreed to, and the Sergeant-at-Arms so instructed.

The committee returned and reported that the Governor would be ready to deliver his Message at 12 o'clock m.

Mr. Locke moved that the Senate proceed to the election of a Recording Clerk;

Which was agreed to.

The vote was taken *viva voce* with the following result :

For K. S. Waldron,

Messrs. Adams, Crawford, Ginn, Henderson, Hill, Jenkins, Johnson, Locke, McKinnon, Meacham, Moragne, McCaskill, and Wentworth—13.

For Joseph Bowes,

Messrs. Billings, Dennis, Eagan, Hillyer, and Purman—5.

Mr. Pearce voting for W. J. Burleigh,

Mr. Waldron was declared elected.

On motion, the Senate proceeded to the election of an En-grossing Clerk.

The vote was taken *viva voce* with the following result :

For W. T. Webster,

Messrs. Crawford, Eagan, Gin, Hill, Jenkins, Johnson, Locke, Meacham, McCaskill, Purman, Sutton, and Wentworth—12.

For Joseph Bowes,

Messrs. Billings, Dennis, Hillyer, and Pearce—4.

The following message was received from the Assembly :

ASSEMBLY CHAMBER,

Tallahassee, Fla., January 4, 1872.

HON. SAMUEL T. DAY, President of the Senate:

SIR: I am directed to inform the Senate that the Assembly, has adopted the following resolution:

*Resolved*, That the Senate be invited to meet the Assembly in the Assembly Hall in joint session, at 11.55 a. m., to hear the Governor's Message.

Very respectfully,

M. H. CLAY,  
Clerk of Assembly.

Mr. Hillyer offered the following resolution :

*Resolved by the Senate, the Assembly concurring,* That the Legislature meet in joint session at 12 m. for the purpose of hearing the Governor's Message ;

Which was adopted.

On motion, the Senate took a recess till 5 minutes to 12.

The Senate resumed its session at the time appointed and proceeded to the Assembly Hall.

The President of the Senate took the chair.

Mr. Jenkins moved that a committee of two members of the Assembly and one of the Senate be appointed to wait on his Excellency the Governor, and inform him that the Legislature is in joint session, and ready to receive any communication he may be pleased to make ;

Which was agreed to.

The President appointed Messrs. Butler and Hiers of the Assembly, and Mr. Jenkins of the Senate, as such committee.

On motion of Mr. Wentworth, members of the Cabinet and of the Press were invited to seats within the bar.

The committee returned with his Excellency the Governor, who proceeded to deliver the following Message :

*Gentlemen of the Legislature :*

For the last time during my official term I have the honor to meet you in session, to deliver my annual address as Chief Executive of the State ; and while, since you last assembled, the State has passed a season of severe trial by flood and storm, yet, on the whole, it has kept a steady pace onward in population and in civil, political, and industrial development.

Among the reconstructed States of the South none started upon a more truly conservative basis than Florida, and none have progressed more successfully in the scale of social, political, and industrial improvement.

Florida, upon the whole, may be said to have been distinguished among the Southern States for general peace and quiet, and obedience to law, notwithstanding reports to the contrary which have prevailed, much to the detriment of the State.

Still disturbances, breaches of the peace, infractions of the law, and scenes of fatal and disgraceful violence have occurred in many localities within our borders. This I have attempted to correct by the exercise of all the power vested in me by the Constitution, and by the use of all the means bestowed for that purpose by the Legislature. But at times all efforts

have failed, and all the means at my command have seemed to be ineffective.

It is true that these same localities, being, to all intents, border sections, have from time immemorial been the resorts of lawless and reckless men, and in some of them, as in the earlier periods of the existence of the Western and Southwestern States, the law of Judge Lynch and the "Regulators," for years before the war, had been the only code of much efficacy.

I had hoped better results from the reorganization of government under Republican auspices; but the bitterness resulting from the war, the noxious teachings of disappointed and defeated political opponents, assisted by the occasional lack of discretion on the part of injudicious political friends, succeeded for a long time in setting at naught the advice and the efforts of the better men of all classes, until improvement at times seemed to be hopeless; and I have been strongly and forcibly urged to the declaration of martial law.

But looking upon the suspension of the civil law as an experiment always full of danger and entirely opposed to all the principles of free popular government, I have hesitated and refused to take a step so fraught with manifold dangers, except as the very last resort, even at the risk of incurring the enmity and hostility of my own political friends. And while my heart has bled for the violence and suffering inflicted upon the more helpless classes of the community, I have steadily relied upon the civil law and the good sense and latent patriotism of the general citizenship.

While it is the fact that nine-tenths of the suffering induced has fallen upon Republicans, and mainly upon colored citizens—giving unerring evidence that these excesses have been strongly tinged by, if they have not entirely originated in, political prejudice—I still have been unwilling to set aside the usual methods of redress under all forms of constitutional government. I may in this have erred; but if so, the error has arisen from a deep-seated and, perhaps, overweening regard for the sanctity of all the legal safeguards provided by and under the free institutions of our country.

I have remonstrated, admonished, and entreated, with little apparent avail. The power granted me in the detective law of

1868 was rendered almost nugatory through the restrictions and want of means imposed, I fear, by the jealousies and personal animosities of so-called political friends; I still have earnestly endeavored, through the aid of special detectives, employed at my own expense, to ferret out and bring to justice the perpetrators of violence and crime, for whose detection and punishment the ordinary enforcement of our criminal laws seemed inadequate. And at last these persistent efforts seem likely to be crowned with some measure of success. A large amount of useful information has thus been obtained, and a mass of testimony, the nature and extent of which it is improper to disclose till the entire safety of the witnesses is effectually secured, is at my disposal.

In the prosecution of this work, and in the absence of the proper legislative appropriation therefor, I have, of necessity, been forced to incur large expenses, accounts of which will be presented for adjustment at your present session.

In the Southern Circuits of the State, the 5th, 6th and 7th, embracing some of the wildest and formerly most lawless counties, a marked improvement has attained, and the law officers have been able, by firm and judicious management, to command respect for the laws, and acts of violence have been of less frequent occurrence than ever before. In the Third Circuit, where, in 1869, I was called upon repeatedly to interfere by martial law, in the counties of Columbia, Suwannee and Hamilton, no general disturbances have occurred, and no hindrances to the administration of the civil law have been made known to me. In the counties of Taylor and Lafayette there have been acts of violence which have almost justified arbitrary measures. These seem to be attributable to hostility growing out of the war. A large number of men who refused to serve in the rebel army, and many of whom served in the Union army, inhabit these counties, and they have been made the objects of cruelty and violence, and many of them have been assassinated. It may yet be necessary to adopt extraordinary means to secure these citizens against outlawry and violence, though I believe an organization of a small police force and the presence of United States soldiers may save such necessity.

In one of the counties in the First Circuit which has sustained

the least enviable reputation for deep-seated and disgraceful disregard for law, and where violence and blood at times appeared to reign supreme, and all efforts to enforce obedience to law seemed futile, since your last session, in the hope of obtaining some measure of security to the helpless victims of disorder and violence—when death by assassination had created a vacancy in the office of county clerk and the sheriff had absconded—I took the somewhat hazardous step of appealing directly to the manliness and good sense of the body of the county, and appointed to office the nominees of the citizens without reference to party—avoiding open opponents—under a pledge of a united effort to enforce the laws of the State, impartially and without distinction. And while I am pained to say that such enforcement of law as I had hoped has not been attained, still, greater quiet and less violence have prevailed since, in the county, than within the previous quarter of a century; and an election held on the 19th of December for members of the Legislature was the most orderly and quiet election known in many years, and Republican members were elected by a vote of two to one. Thus at last the wisdom of the course taken seems to be fairly vindicated.

It is a proper matter for mutual congratulation that the political indications in all parts of the Union, so strongly evince a widespread popular endorsement of the reconstruction policy of Congress, and of the existing administration of the national government.

That errors may have been committed, none will care to deny; but when the lapse of time shall have made possible an impartial appreciation of the innumerable difficulties and embarrassments encountered, the present national Administration will not suffer in comparison with any preceding in the history of the country.

The evident and general admission of the certainty of the re-nomination and re-election of General Grant to the presidency gives reasonable assurance of four years' longer continuance of the present strong and firm, but cautious administration of national law, and has already and very plainly improved the condition of the South, and is exerting in our own State a powerful and beneficent influence.

It may well be hoped that this probable permanence of the na-

tional policy, and the legitimate operation of the civil service reform and general amnesty, so strongly recommended by the President, will diminish the bitterness of the impending political campaign, and tend to do away with the baneful and unnecessary hostility between State and national officers, which has wrought so much mischief in all the South, and has severely embarrassed the administration of our own State government.

#### RETRENCHMENT AND ECONOMY.

Much has been said within and without the Legislature about retrenching expenses and an economical administration of the government. All the measures heretofore adopted have been, for want of completeness, like saving at the spigot and losing at the bung-hole.

A few salaries have been reduced, and the Constitution and government weakened thereby, while the main sluiceways of extravagance and waste have been kept open.

This session brings direct instructions from the people that may not be disregarded with impunity. The plan heretofore adopted by the opposition of favoring every measure of extravagance in order that they may hold the dominant party responsible for lavish expenditure, must now be abandoned or the Representatives will violate their pledges to their constituents. The Republican members can no longer continue reckless, under penalty of political as well as personal condemnation.

Now is the time to inaugurate a system of true practical economy, and the Legislature should begin at its own doors, and thence through all departments of the government.

1st. Cut off all useless employees and supernumeraries, and fix the per diem of members and officers upon a cash basis and according to a business standard.

2d. Revise the fee bill and equalize the pay of county officers, reduce the fees of clerks of courts, compel the assessor to make his own roll without additional charge, and reduce the percentage for the assessment and collection of the revenue. The sheriffs and county judges' fees are reduced to a proper standard, but in one of the circuits, at least, the judge has overruled the law, and the sheriffs charge 50 per cent. more than the law allows.

3d. Require all taxes paid in cash, and thus do away with the

inducements to fraud in speculating in scrip, making false returns, &c., and at the same time reduce the aggregate expenses of the government 25 per cent.

4th. Require jurors and witnesses' fees to be adjusted by the counties. As now adjusted, there is no protection against duplicate and false certificates. At least 25 per cent. in amount would be saved by settlement of these accounts where they occur, instead of issuing certificates to be paid by the Comptroller.

The adoption of the amendments to the Constitution, which took effect on 15th May last, has reduced the salaries of the State officers so low that those who were not resident at the Capital could not comply with the law of last session and transfer their residence. The combination of speculators and political gamblers to destroy the credit of the State reduced scrip so low that the heads of departments received only equivalent to \$700 per annum, and the Governor \$1,000. The judges' pay is at starvation point, and unless the cash system is at once adopted it will be impossible to sustain their positions.

The change in the mode of pay of the members of the Legislature from a salary to per diem affords an opportunity for the Representatives to show the sincerity of their professions by adopting a reasonable sum for their services. Take \$5 per day as a basis, to be paid in cash, and the aggregate pay of the members would be, for a sixty-day session, \$22,500, being a saving of \$15,000 for the session, and affording each member as much real value as when he received the larger amount in scrip. By establishing the pay of the clerks upon the same basis, and limiting the number to the real necessities of the Legislature, half as much more may be saved, making an aggregate saving of from \$20,000 to \$25,000 at each session.

Another source of great loss to the State is the hurried passage of the general appropriation bill, at the close of the session, when thousands of dollars are inserted of extra allowances and improper items, and lugged through because it is too late to correct and save the bill. This is an evil that must be remedied, and it is the duty of the members to see that the general appropriation bill is passed early in the session, and if extra pay or old claims are presented let each stand upon its merits. No

general appropriation bill yet passed has met strictly the requirements of the Constitution.

FINANCES AND TAXATION.

So much has been said in reference to the conduct of the new government—so many charges of fraud, bribery and corruption, fraudulent issue of bonds, immense increase of the State debt, oppressive taxation, &c. ; so many invidious comparisons drawn by the chiefs and head-men of the old government against the new—that I shall be pardoned if I occupy some space in laying before you not only the exact present condition of the finances, but a history of the State indebtedness, and how much of it is chargeable to those “honest” men whom the present government supplanted, and who have traversed the State and sent their emissaries to New York to malign and abuse the Republican administration and destroy the State credit, and who are now seeking to induce the people to resist the laws and violate the obligations of citizenship.

In 1861 the Comptroller of the State reported to the Legislature as follows :

*“ Since the year 1848 there have been no accounts kept showing the expenses for which the State has been liable. For instance, there is no executive, no judicial, no military, and no contingent nor other necessary expense accounts to be found from the year 1848 down to the year ending November 1, 1860.”*

This was during the halcyon days of peace, prosperity and harmony “before the war.” There were no “scalawags,” “carpet-baggers,” nor “freedmen” to disturb the political sea—all were “honest” men in those days, and “no accounts were kept showing the expenses” of the State!

After the State secured the lands and property of the United States and declared her independence (?) April, 1861, and down to 1866, the same neglect seems to have continued, as it was found necessary at that time for the Legislature to appoint a commission to ascertain the debt of the State.

This commission submitted, November 19, 1866, the following as the bonded debt of the State, viz. :

In bonds of 1856, . . . . .	\$201,000
In bonds to the school fund, . . . . .	104,500
In bonds to the seminary fund, . . . . .	60,992
In bonds of 1861, . . . . .	4,125
	\$370,617 00
To this was added—	
December 3, 1866, a bond for money borrowed under act of January 10, 1866, . . . . .	\$21,000 00
April 5, 1867, bond to Internal Improvement Fund under same act, . . . . .	45,000 00
July 1, 1867, bond to school fund under act Decem- ber 13, 1866, . . . . .	29,747 63
Total bonded debt, 1866, . . . . .	\$466,464 63

To show how accurate this statement was, and how the accounts were kept at that time, it is only necessary to state that there were, at the time of the report of the commissioners, \$221,000 instead of \$201,000 of the bonds of 1856 outstanding, and there were in the school fund, \$111,005 instead of \$104,500; in the seminary fund, instead of \$60,992, there were \$64,292.45. An aggregate difference of \$29,805! A slight matter among "honest" men, who keep no accounts!

Again, it appears from the Comptroller's reports from 1867 down, that there are bonds of \$45,000 in the Internal Improvement Fund. But upon examination recently it is found that the Internal Improvement Fund holds no such bonds.

In looking carefully for an explanation we find that in 1867 \$25,000 in bonds were issued to the Pensacola and Georgia railroad, and \$20,000 to the Florida, Atlantic and Gulf Central railroad on account of interest on their bonds.

And in this connection it is proper to remark, that, of all the receipts from sales of public lands, and from the railroad companies on account of sinking fund, (one per cent. on amount of their bonds,) this \$45,000 appears to be all there is reported to the new government, and this had been appropriated a year before!

In 1871, however, there came to the Treasury, in an envelope without note or comment, a bond for \$21,000, (minus the coupons,) which appeared to have been issued to E. N. Dickenson, of New York, for money borrowed for the Legislature in 1866.

This bond was said to belong to the Internal Improvement Fund, and to have been returned by or from Moses Taylor, of New York, on account of sinking fund.

And here, again, another explanation is necessary to a proper understanding of the situation.

In November, 1866, immediately after the sale of the Florida Railroad, \$97,800 arising from the sale was deposited in New York to the credit of Moses Taylor, who was made the confidential agent of the Board of Trustees Internal Improvement Fund, to take up the first mortgage bonds of said road. In December, 1866, a bond was issued to E. N. Dickenson for \$21,000 borrowed to pay the Legislature. It appears that E. N. Dickenson was the purchaser of the Florida road. The \$97,800 purchase money was sent to New York and deposited *without interest*. In a month after, \$21,000 is borrowed of E. N. Dickenson at 7 per cent. interest, and after interest is paid for four years this bond turns up as a part of the money belonging to the fund. By this brilliant financial transaction \$6,856, annual interest, was *lost* on the \$97,800, and \$1,470, annual interest, *paid* on \$21,000 of it, making loss to the State of \$8,326 per annum since 1866—or over \$40,000 aggregate!

Added to this, on the 1st July, 1868, twenty-two days after the new government was inaugurated, and *five* days after Gov. Walker had voluntarily surrendered his authority, a balance of \$4,230 remaining in the sinking fund of the Florida road was ordered turned over to Moses Taylor, and he was advised not to account to the new board or government, as it would squander the funds!

Accordingly, when, in November following, the present board sent the Treasurer to New York to demand the funds then held for two years, the agent refused to account for or deliver any funds to him, basing his refusal upon the *confused state of political affairs in the State!* And no account has ever been rendered, and \$232,000 of the bonds remain outstanding, upon which the Improvement Fund is charged \$16,240 annual interest, amounting in five years to \$81,200!

Again, on the 24th June, sixteen days *after the inauguration of the present government, and the day before the surrender by Gov. Walker*, the old board turned over to Col. Edward Houston the funds in hand realized from the sale of the Florida, At-

lantic and Gulf Central Railroad, to purchase the outstanding bonds of the company.

It is not to be presumed that the "honest" men who controlled the old government had any interest in the profits of these little transactions; but I submit that they are not the proper parties to assail the character of the present Administration, nor to charge it with fraud and corruption, as they have been doing for the past three years.

It is undoubtedly true that Gov. Walker and his board are personally liable for the \$4,230 retained after the surrender of the government, and that they are liable for the funds delivered to Col. Houstoun on the 24th June, after the inauguration of the present Constitution and government.

The bonded debt of the State, as now appears from the records and all the data which is available, is as follows. I give the date and amount of each bond or series, viz.:

Held by the School Fund—

50 Seven per cent. bonds of \$1,000 each, dated Jan. 1, 1857, payable in 1877,	\$50,000 00
10 Eight per cent. bonds of \$500 each, dated July 1, 1861, and payable in 1881,	5,000 00
1 Six per cent. bond, dated March, 1856, due 1866,	5,000 00
1 Six per cent. bond, dated May 10, 1856, due 1866,	505 00
1 Six per cent. bond, dated June 10, 1856, due 1866,	1,000 00
1 Eight per cent. bond, dated Jan. 1, 1863, due in 1883,	99,500 00
1 Seven per cent. bond, dated Oct., 1867,	29,747 63
	<hr/> \$190,752 63

Held by Seminary Fund—

1 Eight per cent. bond, dated Jan. 1, 1863, due 1883,	\$60,992 45
7 Seven per cent. bonds of \$1,000 each, dated Jan., 1857, payable in 1877,	7,000 00
2 Eight per cent. bonds of \$500 each, dated July 1, 1861, due 1881,	1,000 00

1 Six per cent. bond, dated June 10, 1856, due 1866, . . . . .	2,300 00	
	<hr/>	\$71,292 45
Held by Internal Improvement Fund—		
1 Bond to E. N. Dickenson, dated Dec. 3, 1866, . . . . .		21,000 00
		<hr/>
Total trust funds, . . . . .		\$283,045 08
Held by Indian Trust Fund at Washington—		
132 Seven per cent. bonds of \$1,000 each, dated Jan., 1857, due 1877, . . . . .		132,000 00
Held by State Treasurer on account Insurance Company—		
30 Six per cent. bonds, \$1,000 each, dated Jan., 1869, due 1889, . . . . .		30,000 00
Outstanding in unknown hands—		
— Bonds issued to Edward Houstoun in 1867, no record of date or denomi- nation, . . . . .	\$20,000 00	
32 Seven per cent. bonds of \$1,000 each, dated Jan., 1857, due 1887, . . . . .	32,000 00	
49 Six per cent. bonds, dated Jan., 1869, due 1889, . . . . .	49,000 00	
— Eight per cent. bonds, issued by order Constitutional Convention, March, 1868, . . . . .	30,000 00	
1,619 Seven per cent. bonds of \$100 each, dated Jan., 1871, . . . . .	161,900 00	
	<hr/>	\$292,900 00
Total bonded debt, Jan., 1872, . . . . .		\$747,945 08
Add amount of accrued interest as stated by Comptroller, . . . . .		\$157,606 09
Amount due on 421 hypothecated bonds in New York, . . . . .		120,000 00
Warrants and Treasury Certificates, . . . . .		286,098 80
		<hr/>
Total bonded and floating debt, . . . . .		\$1,311,649 97

Of the bonded debt, all save the \$79,000 of six per cent. bonds

of July, 1868, and the \$161,900 seven per cent. bonds authorized by last session, is chargeable to the old government, and \$36,000 of the six per cent. bonds went to take up bonds of 1867 and accumulated interest. So that the entire \$747,945.08—less \$43,000 six per cents., and \$161,900 seven per cents., was contracted before the inauguration of the present Constitution and government. To the same account must be placed the accumulated interest of \$157,606.09 and interest paid during the last three years on old bonds, amounting to over \$65,000. Leaving on account of the present Administration the following amounts:

43 Six per cent. bonds of \$1,000 each, dated July, 1868,		\$43,000 00
1,619 Seven per cent. bonds of \$100 each, dated Jan., 1871,		161,900 00
Amount due on bonds hypothecated,		120,000 00
Warrants and Treasury Certificates,		286,098 80
		<hr/>
Less interest paid on old debt,		\$610,998 80
		65,000 00
		<hr/>
		\$545,998 80
To meet this we have the unpaid revenue, 1869 and 1870,	.\$182,283 00	
Revenue, 1871,	. 422,389 45	
		<hr/>
		\$604,672 45
Leaving, when the uncollected taxes now due are paid in, a balance in favor of the new government, over its expenditures, of,		\$58,673 65

And what have we to show for our expenditure which the old government had not?—

Seven circuit and thirty-nine County Courts, open to all classes alike, and a prompt and efficient administration of criminal law, which it has cost to organize and maintain, with the Penitentiary, at least \$150,000;

An efficient system of common schools, free to all, with 331 school-houses and an annual attendance of 14,000 children;

An Emigration Bureau, which, with the other advantages of government, has brought into the State within the past three years over 40,000 inhabitants ;

A well organized militia system which has cost, with 2,000 stands of arms and accoutrements, at least \$40,000.

These and other necessities imposed by the change from an arbitrary to a Republican government, and the enfranchisement of two-fifths of the population before held and governed as chattels, have imposed extraordinary expenditures, which in no case have been extravagant, but which would have been greatly lessened but for the efforts of conspirators against the new government.

The organization of what were called "Democratic Clubs"—secret societies, designed to seize the government by violence in the event of the assurance of the election of Seymour and Blair—which clubs became afterwards the Ku-klux of infamous notoriety for blood and cruelty, compelled the purchase, in 1868, of 2,000 stands of arms with equipments and ammunition, at a cost of \$28,000 in bonds.

These extraordinary expenditures amount to more than \$300,000, viz :

The opening and maintenance of a State Penitentiary and administration of criminal law, . . . . .	\$150,000
Repairs of State Capitol, . . . . .	20,000
Code and Digest of laws, . . . . .	25,000
Extra Legislative expenses in attempts by corrupt men to impeach Governor and judge, . . . . .	30,000
Payment of scrip issued by Constitutional Convention, . . . . .	25,000
Engraving and printing bonds and scrip and purchase of safe for Comptroller's office, . . . . .	8,000
Purchase of arms and ammunition, and organization of militia, . . . . .	40,000
Organization and maintenance of Emigration Bureau, . . . . .	10,000
	\$308,000

The Constitution, Article XII., Section 1, declares, "That the Legislature shall provide a *uniform* and *equal* rate of taxation, and shall prescribe such regulations as shall secure a *just valuation* of all property, both real and personal." Section 2, "The

Legislature *shall* provide for raising revenue *sufficient to defray the expenses of the State for each fiscal year*, and also a sufficient sum to pay the *principal and interest of the existing indebtedness of the State.*"

By adroit, and sometimes not altogether honorable management on the part of enemies of Republican government, for several sessions, the Legislature was prevented from enacting the necessary laws to enforce these requisitions of the fundamental law; and it was only at your last session that an approximation was made to that end in the passage of what was called the Equalization Act, which provided for a valuation of all property by sworn assessors upon a uniform standard, with power to the boards of county commissioners to revise and correct any inequality or want of uniformity, and a State board to equalize the valuation among counties, so that no injustice should occur from under or over valuation in any single county; and a tax sufficient to "defray the expenses of the State and pay the interest upon the public debt."

Under your oaths you could do no less; and yet, strange to say, this act, so necessary to the highest interests and honor of the State, as well as obedient to the mandate of the Constitution, has been made the occasion of more persistent denunciation and false accusation of the Legislature and the government than any act of the session.

The provision for a uniform assessment by an assessor was practically nullified by the instructions of the Comptroller to the assessor to take the sworn valuation of the owner.

The act was incomplete in itself, and was accompanied by another bill relating to county taxes and the authority of boards of county commissioners, which, though passed by both Houses, failed to become a law, and thus failing, left a hiatus which has been seized upon and made the basis of an attempt to defeat entirely the collection of the revenue for the year.

Thanks to a patriotic people who recognize the duty of obeying the Constitution and meeting honest obligations, the plan of the conspirators has failed, save in one or two counties where interested attorneys have sought a fee by inducing litigation, and only temporary embarrassment has ensued.

In consequence of the losses in crops and distress arising from the unprecedented storms during the summer, it was deemed best to extend the time for closing the books for a month, and this has delayed returns; but in most of the counties the collections have been as prompt as in any previous year.

The tax was unnecessarily heavy upon the laboring and agricultural interests in consequence of the failure of the Legislature to impose taxes upon the corporations and capital doing business in the State, and in consequence of neglect of assessors to do their duty in seeking out and placing upon the roll property of non-residents.

But it has been generally responded to cheerfully, and with proper legislation, at this session, no such burdens need again be thrown upon the industry and property of the State.

The objects and purposes of these opponents of just and equal laws and a successful administration is candidly admitted by one of the ablest and most candid of the legal representatives of the opposition, in the leading Democratic paper at the seat of government. He says:

*"No greater calamity could befall the State of Florida, while under the rule of its present carpet-bag, scalawag officials, than to be placed in good financial credit. \* \* \* \* Our only hope is in the State's utter financial bankruptcy; and Heaven grant that that may speedily come! On the other hand, establish for the State financial credit on Wall Street, so that Florida bonds can be sold by Reed & Co., as fast as issued, and you give these foul harpies a life-tenure of these offices. \* \* \* The temporal salvation of the tax payers is in having scrip low, so that they can buy it to pay taxes with, and in having the State's financial credit low so that Reed & Co. can't sell State bonds so as to raise money with which to perpetuate their hold on office."*—FLORIDIAN, Aug. 1, 1871.

Being thus advised of the real purposes of those who are denouncing the Administration—to bring ruin to the State that they may increase the chances of recovering again the reins of power—the representatives of the people should act in view of the interests of the State regardless of their clamors.

The policy of the old government, of which the writer above

quoted is a fit exponent, was to shut the State against progress, improvement, cultivation, population, intelligence; to keep the masses ignorant and degraded, in order that the few might revel in luxury and power.

The object and purpose of the new Constitution and government is to open the State to population, to stimulate improvement, to educate the people, and secure all classes equal benefits and protection. The emblems of the old system were the whipping post and pillory, bowie knife and pistol; those of the new, free schools, and courts open alike to all.

Your first duty will be to perfect the work of the last session, and bring the entire revenue system to harmonize with the Constitution, and thus lay the basis of State credit beyond the reach of speculators and demagogues who have hitherto combined by fraud, treachery, falsehood, and deception to defeat the purposes of the people, with a view, as above declared, to bankrupt the State and overthrow the Constitution.

The State has ample resources, without adding to the burdens of the people, to meet all her obligations, old and new, and to place her credit at par.

What are they and where?

1st. A taxable property, when fairly and uniformly valued, and *all* the property brought into requisition, of \$50,000,000, which, at one-half of one per cent., will yield a revenue of \$250,000.

2d. Licenses.—Increase the license for hotels and saloons dealing in liquors to one-half of the former law, and compel the officers to a faithful discharge of their duties in collecting, and \$30,000 may be realized from licenses.

3d. Tax Railroads on gross receipts one-fourth of one per cent., Express Companies one-half per cent., Telegraph Companies one per cent., Insurance Companies two per cent., and \$50,000 per annum may be realized, and the burden of taxation to that extent removed from the industry and put upon the capital.

4th. Organize the fisheries into districts and farm them out to the highest bidder for five years, and from \$50,000 to \$150,000 per annum may be realized.

There is due us from the United States Government for public lands,	\$50,000
Allowed by Treasury Department,	5,000
Seminole war claims, probably,	165,000
	<hr/>
	\$220,000

Enough to discharge the \$132,000 and accumulated interest due the Indian trust fund.

In 1870, under act of the Legislature, \$4,000,000 of bonds were issued to the Jacksonville, Pensacola and Mobile Railroad Company in exchange for the same amount of bonds of the company, bearing the same date and rate of interest.

I have no report of the company in relation to their condition and purposes, but they have not complied with the law in the extension of their road to the Chattahoochee by 1st July, though I am unofficially informed that its completion to that point is now rapidly progressing, and will soon be consummated.

It appears that the bonds were entrusted by the company to one of the firms of swindlers who abound in New York, which, by fraud and villainy, have diverted much of the proceeds from the work for which they were issued, and there remains but \$1,200,000 for the purposes of extending the road beyond the river.

The last million of the four were delivered, and are held in trust to be disposed of when the amount of \$300,000 balance due the Internal Improvement Fund is paid. This sum is still unpaid, and remains a lien upon that portion of the road between Lake City and Quincy.

The losses of the company in no way involve loss to the State, as the securities held by the State can at any time be converted for sufficient to redeem the State bonds.

I am advised that the interest on the bonds has been paid by the company up to, and including January, 1872, but the coupons have not been delivered at the Treasury, and the coupons upon the railroad bonds held by the State therefor remain uncanceled.

These bonds are included in the Comptroller's statement of the State debt, without note or comment, and the inference is left that no provisions are made for the interest or principal

save from taxation. Now the State holds an equal amount of first mortgage bonds of \$16,000 a mile on a completed road which has sufficient business to pay its running expenses, the interest on the bonds, and enough to constitute a sinking fund sufficient to discharge the bonds when due. This being the fact, it is unjust to the people of the State to seek to convey a different impression abroad, and it can only be excused on the ground assumed by the writer above quoted from the "Floridian" that their "only hope is in the utter financial bankruptcy of the State."

REGAPITULATION.

Liabilities—	
Bonded debt, . . . . .	\$747,945 08
Floating debt, . . . . .	563,704 89
Total, . . . . .	\$1,311,649 97
Resources—	
Revenue uncollected, . . . . .	604,672 45
Amount due from United States, . . . . .	220,000 00
	—\$824,672 45
Total debt, Jan., 1872, . . . . .	\$486,977 52

After discharging all the liabilities of the Internal Improvement Fund and meeting all the grants made to railroads, rivers, canals, &c., we shall have at least four million acres of lands remaining, as a final resource for any State liabilities.

COLLECTORS OF REVENUE AND TREASURERS.

The attention of the Legislature is particularly directed to the importance of more stringent laws to protect the counties and State against embezzlement or losses from inadequate bonds of treasurers and revenue officers.

As the law now stands, it is claimed that when the security on a bond of one of these officers lapses by death or bankruptcy it does not authorize the demand for a new bond. If this be so, the defect should be immediately remedied, and the officer required to file a new bond within thirty days after notice, or his office declared vacant.

The provisions of the bill known as the "Funding Bill," of the

last session, should be made to apply to all officers of the revenue, and a default to pay over the public moneys should be declared a felony. Bonds, however good, are not sufficient to protect the Treasury against loss from dishonesty and fraud.

With a statute rendering defaults a crime, and another compelling the payment of all the revenues in lawful currency, the frauds upon the Treasury, and speculation in public funds by revenue officers, will cease; as it now stands it is impossible to prevent them.

In every case of default now existing, I have uniformly instructed suits to be commenced; but the law officers have either been indulgent or found the law inadequate.

It has been held that I could not remove an officer in the absence of the Legislature, either for inadequacy of bond, fraud, neglect, or any other cause, so that when cases have been reported to me which called for immediate action, I have been compelled to forego a remedy. I early called the attention of the Legislature to this difficulty, but no action was taken and much loss has occurred in consequence.

#### RAILROAD POLICY.

In 1855 the State entered upon a plan for the construction of a system of railroads that was comprehensive and highly creditable to the intelligence and sagacity of its projectors, but which in its results has been ingeniously and almost imperceptibly expensive.

Few of the people understand that, besides the United States lands granted, these roads have cost the State over *three millions of dollars*, and have *never paid one cent of tax* either on their lands, their property, or their income; yet, so far as can be ascertained, from the records and sources of information left by the old government, such is the fact.

When this administration was inaugurated it found this state of things, viz:

The Florida road, 154 miles, sold by the board of trustees, in 1866, for \$116,000, or \$753 per mile, leaving \$232,000 in mortgage bonds, the interest of which was guaranteed by the State, with a large amount of accumulated interest, for the payment of which suits have been commenced;

The Central road, (from Jacksonville to Lake City,) 60 miles, sold by the board in 1868 for \$111,000, or nearly \$1,850 per mile, leaving an indefinite amount of unpaid interest for the State to meet;

The Pensacola and Georgia, and the Tallahassee roads, forfeited and liable to be sold by the board, with \$1,424,300 bonds outstanding, upon which interest was accumulating against the State of \$99,700 per annum.

These roads were immediately sold by the present board, for nearly the par value of the bonds, and sufficient to discharge them and leave no incumbrance for the State, except for unpaid interest.

Thus we find that the railroads cost the State through the Internal Improvement Fund, and the counties—

Lands conveyed for interest, 1,000,000 acres, at \$1.25,	\$1,250,000
Proceeds of lands sold since 1850 to 1868,	750,000
Accumulated interest and indebtedness now existing, probably,	1,000,000
Amount of bonds given by counties,	500,000
	\$3,500,000

The Legislature of 1869 changed the plan for the completion of the roads, and offered bonds to the amount of \$16,000 per mile in exchange for first mortgage bonds of the roads. While, individually, I was opposed to further involving the State in connection with the roads, yet the almost unanimous voice of the Legislature favoring State aid, as in most of the other States, I sanctioned the plan; and there would exist no valid objection had the issue been confined to the extension of the lines, instead of being issued on the road already built.

Under the new policy the State holds the roads as security for the payment of interest and principal, and will derive from \$20,000 to \$30,000 annual revenue from taxation of the lands and property and income of the road.

Under the old it had to pay from \$100,000 to \$150,000 annual interest, after donating all the State lands within six miles on each side of the road, and both lands and road were exempt from taxation.

The advantage to the State in a financial point of view, therefore, is from \$150,000 to \$175,000 per annum, or sufficient to pay an annual interest on a public debt of \$2,500,000.

#### INSURANCE COMPANIES.

The experience of the past year, in the total failure of numerous Northern insurance companies, has demonstrated, if demonstration was necessary, the wisdom of the law of the last session requiring companies organized in other States and doing business in this State to deposit bonds of this State with the Treasurer, as a guarantee of good faith and protection of our citizens against loss in the event of bankruptcy. It is impossible for our people to determine the soundness of these corporations, or to protect themselves against imposition and fraud without requiring some evidence of financial ability and some security within reach.

These insurance companies draw from our State an annual aggregate of over \$100,000 in premiums, and yet they neither directly or indirectly contribute to the support of the government. You have imposed no tax, and when you ask them to invest of their capital \$30,000 in State bonds, to be held as a slight guarantee against fraud and bankruptcy, they refuse, and immediately combine to evade the law by employing brokers to secure policies instead of agents to issue them. Several of them palpably violate the law through travelling agents with policies purporting to be issued from Savannah or some contiguous territory.

But for efforts of citizens who have combined to keep down the credit of the State for political and speculative purposes—political and financial brokers—at least ten companies out of some thirty who have been seeking business in the State, would have promptly complied with the law, and made a market for \$300,000 of our bonds now under hypothecation for \$120,000. By discrediting the bonds as fraudulently issued, and promising to secure an immediate repeal of the law, the opponents of the government have induced the companies, with a single exception, to adopt the discreditable plan of evasion or violation of the law until their agents can secure the promised repeal.

One company alone has finally deposited bonds as required by law, and thus commended itself to the confidence and patronage

of the people—*The Piedmont and Arlington Life Insurance Company*, of Richmond, Va.; a company that in the three years of its existence has issued a larger amount in policies and at a smaller percentage of expense than any other of the old companies of the North.

The public assertion so jauntily made, that the revenue policy of the State, carefully framed for the security and protection of our own citizens, can, at the demand of foreign insurance companies, and by collusion with interested parties here, be varied at pleasure, conveys an imputation upon the motives and prudence of the Legislature, which, I trust, will be met as its insolence deserves.

And there is no hardship imposed by the law. Insurance companies are everywhere and always required and expected to invest their funds in reliable securities, and if the privilege of doing business within the State is worth anything, then why should they not contribute to the resources of the State where protection is sought? If the business is worth nothing, then our restriction is harmless.

Again, citizens of our own State are as competent to manage successfully the insurance of our property as are citizens of other States; and since our own citizens are compelled, in whatever business they may engage, to aid in the support of the institutions that protect them and their business, it should be no objection to the insurance law in question that it gives no preference to the non-resident, non-tax-paying citizens of other States over our own tax-paying fellow-citizens.

In this way alone can be effected that just and proper mutuality and reciprocity that should always subsist between the protecting power and those who are protected.

I trust the wise provisions of the insurance law will remain unimpaired, as an evidence of the self-protecting power and stability of our State legislation.

#### EDUCATION.

I invite your attention to the report of the Superintendent of Public Instruction, which exhibits a most gratifying progress in the public favor of popular education. All classes of our citizens, regardless of political or social prejudices and preconceived

theories, appear to have united in the purpose of securing to all the benefit of free schools, and cheerfully respond to the taxation necessary.

It is the experience of all communities that pauperism and crime are lessened in proportion as education and cultivation are encouraged and sustained.

Free schools and the education of the masses at the expense of the property of the State is now generally accepted as promotive of the highest interests of the property holders themselves. Therefore no enlightened community will deny the most ample provision for schools.

So valuable an ally of peace and good government have free schools become, and so important the education of the lower classes to the interests of the community, that it is contemplated in many of the States to adopt a system of compulsory education, so that the ignorant poor may be compelled to accept its benefits and thus relieve society of vice and crime.

I cannot too strongly commend this interest to your fostering care, nor too persistently urge the suggestions of our faithful Superintendent.

During the year 1870 the gross attendance upon the schools was only 7,500, but in 1871 it has been 14,000, giving an increased attendance of 6,500, or near 100 per cent. The number of schools in 1870 was reported at 250, but in 1871 they had increased to 331, giving an increase in the number of schools of more than 30 per cent., and this, too, in a year of extraordinary adversity to our agricultural interests.

Let this or near this rate of improvement prevail, and Florida will soon assume the station in educational progress desired by her truest friends.

And when in addition to this we consider that the system of free schools for all is an entire novelty in all the Southern States, in view of the general approval given by all classes and all parties to the operation of the system here, we may justly be encouraged. It is a matter of pride that while in all or nearly all the other Southern States, the system has been resisted in the destruction of school-houses and indignity and violence to teachers, not an instance of the kind has yet occurred in Florida.

In this connection it is proper to invite special attention to the

economy of a system of general education through the instrumentality of schools, and seminaries, and universities, sustained at the common expense. The economy is two-fold: In the first place a given number of scholars may be educated to the same extent in public schools, at less than one-half the expense attending their instruction in private schools; and in the second place, with the same expenditure, a better grade of instruction is given in public than in private schools.

As in reference to other matters, so in education: what is known to be true elsewhere may confidently, nay, certainly be anticipated here. In all the Northern and Western States, where the instruction of the young has long been considered the most important duty of the State, and to be rendered attainable by all, through the support of schools at the common expense, it is easily susceptible of proof that in any State or community the education of all the children in the public schools costs less than one-half the expense of giving the same amount of education in the most economical private schools.

Again, where the education of all is, by the prevalence of the free school system, made the duty, as well as the privilege of all, the personal interest of each being identical with that of the whole, a more rigid supervision of the schools is exercised, a better standard of qualification on the part of teachers is demanded and insisted upon, and, in fact, attained.

When Edward Everett was asked by an astonished friend how he, as United States Senator, could send his son to the public free schools of Boston, Mr. Everett replied: "Because the free schools are the best schools in Boston." And anywhere throughout the United States, wherever free schools have prevailed for a series of years, the public graded free schools are, in every respect, the best schools known. So, in time, it will be here.

And the economical and every way beneficial effects of a free system of education are not confined to schools of a lower or intermediate grade, but attach likewise to the higher seminaries and colleges to an equal extent. And, in accordance with this well known principle, the Constitution of our State prescribes a "liberal maintenance" for "a University" as well as for a "uniform system of common schools" in which "instruction shall be free."

Accordingly I feel it a duty as well as a pleasure once more to call your attention to the wisdom and necessity of a generous and liberal provision for the support of a University for the higher instruction of all who may desire it. As the value of the individual is measured by what he can accomplish, and as his knowledge and skill alone can accurately indicate his capacity, so of a whole people: in proportion as the standard of cultivation is raised and the scope of attainment is enlarged, so is the general capacity to produce valuable results increased. An elementary education is valuable, but a higher grade of cultivation is proportionately necessary to the full and complete development of a Republican citizenship.

The useless multiplication of colleges and universities has been the educational bane of many of our sister States, and several have retrieved their error only by consolidation, thus diminishing the number and increasing the force of their higher institutions.

The opportunity to profit by the experience of other States is still open to us, and I earnestly commend to your consideration the policy of combining the Agricultural College Fund, with such other means as can be afforded, and devoting the whole to the organization and support of a single strong State Agricultural College, where thorough instruction shall be given not only in classical, mathematical, and philosophical branches usually taught in colleges, but also in mechanics, modern languages, the physical sciences, and practical agriculture. Then we may have a "State University" worthy the name.

#### IMMIGRATION.

I again commend to your attention the subject of immigration, as one of the highest importance to the present and future prospects of the State. With an area that places her among the largest in the Union, and known and partially settled many years prior to the first occupation of the Western and Northwestern States that have so rapidly developed into their present marvellous proportions, Florida has, until very recently, lagged behind the hindermost of the new, and even most of the old States, in that material progress which has always resulted from a strong and steady inflow of population and capital.

Knowing, as our people do, the powerful inducements to occupation which are furnished by our genial climate, cheap lands, ease of tillage, and great variety of certain and lucrative crops, we cannot cease to wonder that these manifold attractions seem so long to have been displayed in vain.

But, as is easily ascertained from the census, the rapid increase of our recent rate of progress, which has more than quadrupled since the organization of the present government, seems conclusively to indicate the wisdom and economy of the organization of the Bureau of Immigration.

The total population of the State in 1860 was 140,123, and by an enumeration made in 1867 it had increased, in seven years, to 153,659, which gives for these seven years an increase of 13,536, or a little less than 2,000 as the annual increase. But, in the three years since the organization of the Bureau, the gross increase has been near 40,000, thus quadrupling the former rate of increase.

This desirable result has been mainly caused by the number and value of the many pamphlets issued in the interest of immigration, and the vast and widely-distributed correspondence of the Commissioner.

The demand for information is constant and increasing, and the last pamphlet, now just published, will be furnished to the Legislature, and will show the success with which this demand is met. It is a useful book, and will prove of more value to the State than several times the cost of the entire Bureau from its organization.

A recent modification of the Constitution has consolidated the two offices of Surveyor-General and Commissioner of Immigration, thus throwing the duties of two former departments upon one officer, styled Commissioner of Lands and Immigration; and although in the first six months of this new phase, perfect method and system could hardly be anticipated, still I am confident the change will vindicate itself as wise and economical.

I invite your attention to the annual report of the Commissioner of Lands and Immigration, and particularly to the facts and arguments adduced in illustration and vindication of the policy of the present board of trustees of the Internal Improve

ment Fund. It will be found to be a document well worthy of attention.

#### FISHERIES.

In a former Message I called the attention of the Legislature to the subject of the fisheries of this State; and I now again repeat the suggestion. It has been remarked by some enthusiastic piscatorian that the waters of Florida even contained more wealth than the land. It is certain that no State in the Union has such resources in this direction, and yet they afford no revenue to the State.

Eleven hundred miles of sea-coast, prolific of oysters, fish, and turtle almost beyond parallel, with bays and inlets, and inland navigable waters of an equal extent, offer the richest inducements to enterprise and capital, if properly protected by law.

Let these mines of wealth be divided into convenient districts, and let to individuals or companies for stated periods, and with protection sufficient to induce the systematic working of them, and a revenue may be derived sufficient in a few years to pay the entire expenses of the State government.

With the facilities of transportation now enjoyed, St. Andrews Bay, Apalachicola, Cedar Keys, and Tampa Bay oysters may soon be as celebrated in the markets of Savannah, Charleston, St. Louis, and the cities of the interior, as the "Saddle Rocks" are in New York; and instead of importing canned oysters and sardines, and salt fish from the North, we may export hundreds of thousands of dollars' worth annually, and successfully compete in the markets of the North with the products of any other portion of the world.

While such resources are suffered to lie dormant, the industrial interests of the State must continue unjustly to bear the burdens of government as heretofore. The sooner the representatives of the people bring these latent resources into requisition, the sooner will the people be relieved of taxation, and the State made prosperous and rich.

#### HOMESTEADS.

Art. IX., Sec. 1, provides that a "homestead to the extent of one hundred and sixty 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 one thousand dollars' worth of personal property and the improvements on the real estate, *shall be exempted from forced sale under any process of law.*"

Notwithstanding this plain provision of the Constitution, officers of the law in numberless instances have levied upon the household goods and possessions of poor families, and compelled them to allow them to be sacrificed, or incur more expense for attorneys, and in defending their rights, than their whole property was worth; and in one instance of a poor colored man, after spending all his property was worth in defending his case in court, the officer compelled him to pay his cost of levy before he would cease his demand upon the property.

I recommend that a law be passed making it a misdemeanor for an officer to seize and hold property thus exempted.

I also recommend that homesteads be granted to actual settlers upon the State lands upon the same terms as now allowed by the United States government.

#### SPECIAL ELECTIONS.

The law of 1868 provides that the Governor shall order special elections to fill vacancies in the following cases:

- 1st. When there has been no choice at the general election.
- 2d. When the right of the person elected to hold the office has ceased before the expiration of his term.
- 3d. Where a vacancy shall occur more than three months before the next general election "by death, resignation, *removal* or otherwise."

The election for Senator in the district composed of Taylor and Lafayette having been declared invalid by the Senate and a new election ordered, I proclaimed an election for that district in March last, and Mr. Sutton was declared elected; but the system of violence and intimidation which has resulted in the assassination of the County Judge of Lafayette county, and Capt. Whitfield and several other friends of the government in Taylor county, precludes the idea of an unbiased and free choice without the presence of a strong police force, which I could not find means to organize.

Elections were ordered also to fill vacancies by death, resigna-

tion, and removal of members of Assembly in the counties of Jackson, Calhoun, Columbia, Marion, and Sumter, to be held on the 19th of December, and returns have been received from all but Calhoun.

In the case of Marion county, the people and authorities of the county represented that a member elected at the regular election had removed from the county immediately after his election and taken up his residence in another portion of the State, and an election was demanded, which I accordingly ordered. I suppose it will not be denied that when a person voluntarily leaves his abode and takes up his residence in another district he vacates his office, at least after having acquired a residence in the new district. There being no personal or political issue involved, I hope a precedent may be established upon proper principles. When one is compelled to abandon his residence on account of violence and threatened injury, and seek a temporary asylum outside his district, of course the case is different.

#### LEGISLATIVE RECORDS.

I again invite you to provide a more stringent means of protecting the legislative records and papers from mutilation, fraudulent endorsement, or surreptitious removal or destruction. It should be made a felony for an officer or member of the Legislature, or any officer of the government to change, suppress, mutilate, purloin, or in any manner contribute to defraud the will of the majority. Clerks have been known to alter bills in engrossing and enrolling; journals have failed to give a correct record of proceedings; members have removed and suppressed bills during or on their passage, and after passage, before they could be signed by the presiding officers. Bills after passage and enrollment have been found deposited, months after adjournment, in the private desk of the secretary of one of the bodies.

#### ROADS.

The road law now existing is found impracticable and almost inoperative. It should be revised and rendered practical, so that the county commissioners may have means to keep the roads and bridges in repair.

## LAW OF LIBEL.

Laws have been enacted to prohibit the carrying of concealed weapons, but they are inoperative while men are permitted to assail private character and publish libels of the grossest kind with no effective legal remedy or protection for the assailed. When a man finds no adequate redress in the law for wrongs, he is apt to resort to force and seek summary justice outside and in violation of law.

In no State of the Union has such license been taken with private character, and such base and malicious assaults been indulged in by prominent men and by the press as have characterized this State since the inauguration of Republican government.

## GRAND JURORS.

Either the grand jury system should be altogether abolished and criminals arraigned directly before the magistrate or court, or proper safeguards should be placed around it so as to prevent its subversion to individual ends or malicious purposes, and thus made an engine of oppression rather than a bulwark of protection.

In the United States District Court, the discretion given to the District Attorney to apply or dispense with the "test oath" has placed it within the power of that individual, with the assistance of the United States Marshal, to mould the grand jurors at his will, and this power has been used to wrong and oppress citizens of the State, innocent of crime, and cause enormous unnecessary cost to the federal government.

In one of the circuits of this State, (the 2d,) also, I am advised, that, by overriding the law and imposing new tests not nominated therein, the judge and attorney have taken control of the selection of the grand jury, and in the same manner made it subject to their own will.

The propriety or impropriety of the test does not affect the case. It is the power to impose or dispense with it at will by the attorney or the judge, after the venire has been made up, that destroys the dignity, independence, and impartial character of the jury, and renders it a vehicle for personal malice and injustice.

I do not know that further legislation is necessary or can be

made adequate to remove the difficulty; but if it cannot be corrected, the Constitution should be amended and the grand jury abolished altogether.

#### THE BOARD OF PARDONS,

Consisting of the Governor, Attorney-General, and judges of the Supreme Court, or a majority of them, of which the Governor was one, have granted, during the present year, six pardons of convicts in the penitentiary, and one for murder.

This last was the case of Parker Durden, convicted at Pensacola. The evidence in the case, as taken from the records and laid before the board, showed a clear case of justifiable homicide, and the board unanimously granted a pardon.

One death warrant, two reprieves for sixty days, and three suspensions of fines have been granted by the Governor.

A list of these cases is appended, marked A.

#### SECRETARY OF STATE.

The records of the Secretary of State's office show that a large amount of work has been done. 332 commissions have been issued the past year, and 4,863 letters have been written; 94 resignations received and filed; 51 removals made, and 30 other State papers issued, besides executing and recording the \$350,000 bonds ordered at last session, and distributing the laws, &c. A tabular statement from this office is appended, marked B.

#### DISTRIBUTION OF LAWS AND REPORTS.

The present system of distribution of the laws and reports of the Supreme Court is wasteful and extravagant. I recommend the adoption of a law authorizing the sale at cost of the copies of the Laws, the Digest, Code, and Supreme Court Reports; and when such volumes are required by justices of the peace and other subordinate officers, let them pay for them when received, and if they choose to return them at the expiration of their terms let them receive the same pay back. This would save annually to the Treasury several thousand dollars now wasted.

#### PRESIDENTIAL ELECTORS.

I am reminded by the report of the Attorney-General that

there is no law for the election of Presidential Electors, and as the election takes place during the present year, the deficiency should be supplied by a law authorizing such election at the time of the general election in November.

#### STATE PENITENTIARY.

No institution has been more salutary in its benefits to society than the State Penitentiary. It was opened under great embarrassments, when crime was more prevalent from the results of the war than ever before. The State had no buildings nor money to erect them, still the courts convicted and sent up scores of criminals. By favor of the War Department I obtained the use of the abandoned arsenal and property at Chattahoochee, which, since, has been granted to the State by Congress.

This property is worth at least \$50,000, and saves expenditure when the State is least able to bear it.

I invite attention to the report of the Adjutant-General on this subject, when it shall be laid before you. The condition of the finances will not admit of an expenditure for cells and other necessary appendages of a State prison at present, but as soon as possible they should be provided for.

The cost of maintaining the prison has been nearly quadrupled by the payments in scrip instead of cash. An adoption of the cash system will reduce the expenses \$19,000 per annum.

I recommend that the Adjutant-General be constituted warden of the State prison, without additional pay, and thus dispense with the salary of warden, which will save over \$2,000 per annum.

#### SOUTH FLORIDA RAILWAY.

In November last the Florida Railroad Company disposed of its franchise to extend its road to Tampa and Charlotte Harbor to a new company, who have undertaken to construct the road to Ocala immediately, and from thence to Tampa early thereafter. I have received advices from the State Engineer in Boston that 1,000 tons of iron are now being shipped, and will be in Fernandina, with spikes, chairs, &c., sufficient for ten miles of the road, during the present month.

The company has advised me of their purpose to avail them-

selves of the benefit of the law granting State aid as fast as they proceed with the completion of the road, and we may reasonably hope that within the year this important thoroughfare will be opened to Tampa Bay.

The report of the Attorney-General, herewith submitted, contains some valuable suggestions connected with the laws, to which I invite your attention.

The report of the Adjutant-General has been delayed by the non-receipt of the report of the warden of the penitentiary, and by his absence in attendance upon the United States Court at Jacksonville, but will be handed in, in a few days. It will be found that the militia has been effectively organized in nearly all the counties, and that the interests committed to his charge are all faithfully administered.

The reports of the Treasurer and Comptroller are herewith submitted. The latter exhibits an anomalous character—a State officer whose sworn duty is to foster and sustain the financial credit and honor of the State, openly arrayed against those interests, and concealing the resources and advantages, while attempting to magnify the indebtedness of the State. The car of prosperity and progress may for a time be hindered and delayed by such efforts, but the vitality and energy of Republican institutions will ultimately crowd it forward with crushing force and ever accelerating speed over all such obstacles. In a few years such persons will be as little at home amid the swelling tide of prosperous development in Florida as was Rip Van Winkle, after his nap, in returning to “the Village of Falling Waters.”

In conclusion, gentlemen of the Legislature, allow me to express the hope that all your deliberations may be harmonious and characterized by that lofty patriotism which should govern the representatives of a great State; that your session will be short, economical, and effective in serving the best interests of the State; that all special legislation will be avoided, and such general laws only will be enacted as the experience of the past has shown to be necessary to the interests of the people; and in all such, I pledge you the hearty co-operation of the Executive; and I invoke on your councils the blessing of the Most High God, to whom all must finally account for their stewardship.

HARRISON REED.

## (APPENDIX A.)

## PARDONS FOR 1871.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	SENTENCE.	WHEN PAR- DONED.	TERMS.
1	George Morris.	Fornication.....	Gadsden county...	Sp. Term C. C., 1869	State Penitentiary.	January 20, 1871	Full pardon.....
2	Jack Robinson.	Malicious mischief.....	Jefferson county...	Fall T'm C. C., 1870	State Penitentiary.	March 20, 1871..	Full pardon....
3	Mack Thomas.	Laecivious cohabitation.....	Jefferson county...	Fall T'm C. C., 1870	State Penitentiary.	May 15, 1871....	Full pardon.....
4	Richard Broxey	Manelaughter.....	Jefferson county...	Fall T'm C. C., 1869	State Penitentiary.	May 15, 1871....	Full pardon.....
5	Jas. A. Harvey	Adultery.....	Orange county....	Fall T'm C. C., 1869	State Pen't'y 2 years	June 2, 1871....	Full pardon.....
6	John C. Rouse.	Assault with intent to murder	LaFayette county...	Sp. Term C. C., 1871	State Pen't'y 2 years	October 2, 1871	Paym't of fine and costs
7	Parker Durden.	Murder.....	Escambia county...	Fall T'm C. C., 1871	Death	Nov'r 18, 1871.	Full pardon.....

## DEATH WARRANTS FOR 1871.

NO.	NAME.	CRIME.	UPON WHOM COMMITTED.	WHERE CON- VICTED.	WHEN CONVICTED.	SENTENCE.	WARRANT IS- SUED.	WHEN EXE- CUTED.
1	William C. Scott...	Murder ...	Rossana Carlin and two children.	Rossana Carlin and Duval county..	Sp. Term C. C., 1871	To be executed Oct. 27, 1871	Oct. 23, 1871	Oct. 27, 1871.

## REPRIEVES FOR 1871.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	WHEN REPRIEVED.	TO WHAT TIME.
1	Jacob N. Driggers.....	Cow stealing.....	Manatee county.....	Fall Term C. Court, 1871..	November 10, 1871.	January 9, 1872..
2	Richard Croom.....	False imprisonm't	Jefferson county.....	Fall Term C. Court, 1871..	December 8, 1871.	February 5, 1872.

## SUSPENSION OF FINES FOR 1871.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	DATE OF SUSPENSION.	TIME.
1	Austin Dixon.....	Assault with intent to kill.....	Leon county.....	Fall Term C. C., 1870.	January 25, 1871....	Until further orders
2	Israel Stephen.....	Larceny.....	Jefferson county.....	Sp'r'g Term C. C., 1869.	February 10, 1871....	Until further orders
3	Wellington Young.....	Malicious mischief.....	Shwannee county...	Fall Term C. C., 1871..	October 27, 1871....	Until further orders

## (APPENDIX B.)

TABULAR STATEMENT exhibiting the number of commissions and other official papers issued since the 1st day of January, 1871.

Cabinet.....	3	Number of laws Florida, (Extra session 1869,) issued to officers in the State.....	718
Penitentiary.....	1		
Judges Circuit Court.....	1		
State Attorneys.....	6	Number of laws Florida, (Regular session 1870,) issued to officers in the State.....	1,094
Commissioners of Deeds.....	24		
State Notaries Public.....	2		
Judges County Courts.....	17	Number of laws Florida, (Extra session 1870,) issued to officers in the State.....	1,087
Clerks of Circuit Courts.....	20		
Sheriffs.....	20		
Assessors of Taxes.....	24	Number of laws Florida, (Regular session 1871,) issued to officers in the State.....	723
Collectors of Revenue.....	32		
County Treasurers.....	17		
Superintendents of Common Schools.....	20	Number of laws Florida, issued to the different States and Territories bound volumes of 1869, '70, '71.....	60
County Surveyors.....	6		
Auctioneers.....	18		
Notaries Public.....	24	Codes of Procedure issued.....	60
County Commissioners.....	114	Number of copies of Thompson's Digest issued to officers in the State.....	128
Justices of the Peace.....	69		
Commissioners of Pilotage.....	10		
Inspectors of Lumber.....	7	Number of copies of Codes of Procedure issued to officers in the State.....	722
Constables.....	5		
Commissions, Extra.....	2		
Resignations.....	94	Number of books received from other States as exchanges, for use of the State Library.....	273
Removals.....	51		
Proclamations.....	8		
Requisitions.....	2	Number of laws of Florida 1863, on hand.....	13
Orders for arrest on Requisitions.....	7		
Pardons.....	7	Number of laws of Florida, 1869, on hand.....	7
Death Warrants.....	1		
Reprieves.....	2	Number of laws of Florida, (extra session 1869,) on hand.....	493
Suspension of Fines.....	3		
Letters written from January, 1st 1870, to January, 1st 1872.....	4,863	Number of laws of Florida 1870 on hand.....	106
Number of laws Florida, (session 1868) issued to officers throughout the State.....	119	Number of laws of Florida, (extra session 1870,) on hand.....	112
Number of laws Florida, (Regular session 1869,) issued to officers throughout the State.....	61	Number of laws of Florida, 1871, on hand.....	477
		Thompson's Digest.....	1

On motion of Mr. Billings, the joint session adjourned.

The Senate returned to its Chamber, and, on motion, took a recess till 4 o'clock p. m.

#### FOUR O'CLOCK, P. M.

The Senate resumed its session.

The President in the chair.

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

Messrs. Adams, Billings, Crawford, Dennis, Eagan, Ginn, Hill, Hillyer, Jenkins, Johnson, Locke, McKinnon, Meacham, Morague, McCaskill, Furman, Sutton and Wentworth—17.

The President appointed Wallace S. Weeks, page.

Mr. Meacham moved that the Secretary be authorized to have the enrolling of the Senate done ;

Which was agreed to.

On motion, K. S. Waldron, recording clerk elect, came forward and was sworn.

Also, Wm. T. Webster, engrossing clerk, was sworn.

Mr. Wentworth offered the following resolution :

*Resolved*, That two hundred copies of the Governor's Message, with accompanying documents, be printed for the use of Senators.

On motion, the resolution was adopted.

Mr. Dennis offered the following :

*Resolved*, That the Sergeant-at-arms be authorized to provide wood and light for the use of the Senate during the present session.

On motion, the resolution was adopted.

Mr. Dennis offered the following :

*Resolved*, That reporters for the Press be invited to seats within the bar of the Senate, and that the Sergeant-at-arms be instructed to furnish each with all necessary accommodations.

On motion, the resolution was adopted.

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

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#### FRIDAY, January 5.

The Senate met pursuant to adjournment.

The President in the chair.

Prayer by the Chaplain.

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

Messrs. Billings, Crawford, Dennis, Eagan, Ginn, Henderson, Hillyer, Jenkins, Johnson, Locke, McKinnon, Meacham, Moragne, McCaskill, Pearce, Purman, Sutton, Weeks, and Wentworth—19.

On motion, the reading of the Journal was dispensed with, the Journal corrected and approved.

A message was received from the Governor.

Mr. Billings offered the following resolution :

*Resolved*, That a committee of three be appointed by the President to inquire into and report concerning the validity of the sale of the Pensacola and Georgia Railroad in 1869, the con-