

The rules were suspended, the bill was read the third time at large, and put upon its passage.

Upon the question, Shall the bill pass?

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Ginn, Hill, Hillyer, Jenkins, Johnson, Kendrick, Meacham, Pearce, Purman, Sutton, Weeks and Wentworth—17.

Nays—None.

Mr. Wentworth gave notice that he would to-morrow move a reconsideration of the vote taken to-day on the passage of the bill to Quiet Tax Titles.

Mr. Henderson moved that the Senate do adjourn;

Which was agreed to.

So the Senate adjourned.

TUESDAY, February 13.

Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

Prayer by the chaplain.

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

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Ginn, Henderson, Hill, Hillyer, Johnson, Kendrick, Locke, McKinnon, Meacham, McCaskill, Pearce, Sutton, Weeks and Wentworth—20.

A quorum present.

The reading of the journal was dispensed with.

Mr. Henderson moved that the Sergeant-at-arms be dispatched for the enrolling clerk to bring his journal to the Senate:

which was agreed to.

Mr. Henderson offered the following resolution:

Resolved, That the recording clerk be instructed to have the journals of the Senate complete by Saturday next, at 12 o'clock m., and to that end he be authorized to employ suitable assistance;

Which was agreed to.

The following report was received from the Committee on Enrolled Bills:

SENATE CHAMBER,

Tallahassee, Fla., Feb. 13, 1872.

HON. LIBERTY ELLING, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Senate Bill No.

28, An act to Secure Homesteads to Actual Settlers upon the Swamp and Overflowed Lands of the State of Florida, beg leave to report that they have examined the same, and find it correctly enrolled. Very respectfully,

CHARLES V. HILLYER, Chairman.
L. G. DENNIS,
ARTHUR GINN,
A. D. MCKINNON.

Mr. Hillyer, chairman of Committee on Claims, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., Feb. 7, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Senate Bill No. 66, entitled a bill to be entitled An act for the Relief of Edmund C. Weeks, having examined the same, recommend that it do pass. Very respectfully,

CHARLES V. HILLYER, Chairman.
LIBERTY BILLINGS,
ROBERT MEACHAM.

Mr. Locke offered the following resolution:

Whereas, It is represented that the Digest of the laws of Florida, known as Bush's Digest, is in the hands of the printer and cannot be obtained for lack of funds to pay for the same, be it

Resolved, That a special committee of three be appointed to inquire into the facts thereof, and report to the Senate the amounts already appropriated for the preparation and publication of said Digest, the manner in which the same have been expended, and the additional amount, if any, required to complete said publication;

Which was agreed to.

The Chair appointed as such committee, Messrs. Locke, Egan, and McKinnon.

Mr. Adams introduced petition and memorial from citizens of Hamilton county.

Mr. Kendrick moved that the memorial be read;

Which was agreed to.

Mr. Henderson moved the adoption of the memorial;

The yeas and nays were called for, with the following result: Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Ginn, Henderson, Johnson, Kendrick, McKinnon, McCaskill, Pearce, Sutton, Weeks and Wentworth—13.

Those voting in the negative were—

Messrs. Dennis, Hill Jenkins, Locke, Meacham and Purman—5.

So the memorial was adopted.

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

SENATE CHAMBER,
Tallahassee, Fla., February 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your Committee on City and County Organizations, to whom was referred Assembly Bill No. 109: A bill to be entitled An act, Allowing the Voters of the Several Counties in this State to Locate their Respective County Sites, beg leave to report that they have examined the same, and recommend its passage.

Very respectfully,

C. V. HILLYER, Chairman.
W. H. KENDRICK,
J. H. SUTTON,
H. JENKINS,
E. G. JOHNSON.

The following message was received from His Excellency the Acting Governor:

EXECUTIVE OFFICE,
Tallahassee, Fla., Feb. 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: I have the honor to transmit the accompanying proclamation for the information of the Legislature.

Very respectfully,

SAMUEL T. DAY, Acting Governor.

PROCLAMATION.

Whereas, On this, the tenth day of February, A. D. 1872, the Assembly of the State of Florida, by their committee at the bar of the Senate, in the name of the Assembly and all of the people of Florida, did impeach Harrison Reed, Governor of Florida, of high crimes and misdemeanors, incompetency, malfeasance in office, and conduct detrimental to good morals; and whereas, on this tenth day of February, A. D. 1872, the managers appointed by and in behalf of the Assembly of the State of Florida, did appear at the bar of the Senate, and exhibited particular articles of impeachment against the said Harrison Reed, Governor of Florida, upon which the Senate did take the usual order; and whereas, the 9th section of the XVIth Article of the Con-

stitution provides that any "officer when impeached by the Assembly shall be deemed under arrest, and shall be disqualified from performing any of the duties of his office until acquitted by the Senate;" and whereas, the 15th section of the Vth Article of the Constitution provides that "in cases of the impeachment of the Governor, the power and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease;"

Now, therefore, I, Samuel T. Day, Lieutenant-Governor of the State of Florida, under and by virtue of the aforesaid acts and proceedings, and of the requirements of the Constitution of the State, do hereby assume and exercise all the powers, duties, functions and authority of Acting Governor of the State of Florida in place of the said Harrison Reed, Governor, suspended from office.

Done at the Capital, at Tallahassee, Florida, this 10th day of February, A. D. 1872. SAMUEL T. DAY,
Lieutenant-Governor, and, by virtue of said office, Acting Governor of the State of Florida.

By the Acting Governor.

Secretary of State.

Which was ordered spread upon the journal.

Assembly Bill No. 109:

A bill to be entitled An act Allowing the Voters of the Several Counties in this State to Locate their Respective County Sites,

Was taken up on its second reading, and read by sections.

Mr. McCaskill moved to amend to strike out of section one, the word "one-fourth," and insert the word "one-third."

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Dennis, Ginn, Hill, McKinaon, Meacham, McCaskill, Pearce and Wentworth—10.

Those voting in the negative were—

Messrs. Henderson, Jenkins, Johnson, Kendrick, Sutton and Weeks—6.

So the amendment was adopted.

Mr. Henderson moved that the bill on Statute of Limitation be considered at 4 o'clock this afternoon;

Which was agreed to.

Assembly Bill No. 53:

A bill to be entitled An act to Incorporate the Fire Department of St. Augustine,

Was taken up on its second reading, and read by sections.

Senate Bill No. 52:

An act to amend an act entitled An act to Organize the Southern Inland Navigation and Improvement Company,

Was taken up on its second reading and the first section was read.

Mr. Henderson moved the further reading of the bill be postponed to Friday next, at 10 o'clock;

Which was agreed to.

Senate Bill No. 66 :

A bill to be entitled An act for the Relief of Ed. C. Weeks, Was placed on its second reading.

Mr. Henderson moved that the bill be laid upon the table ;

Which was agreed to.

Assembly Bill No. 102 :

A bill to be entitled An act to Prevent Obstructions to Drains and Waters.

The bill was then put upon its third reading, read at large, and put upon its final passage.

Upon the question, Shall the bill pass ?

Messrs. Adams, Atkins, Billings, Crawford, Ginn, Jenkins, Pearce, Purman and Wentworth—9.

Those voting in the negative were—

Messrs. Henderson, Hill, Locke, McKinnon, Meacham, McCaskill, Sutton and Weeks—8.

So the bill was passed, title as stated, and the Secretary directed to certify the same to the Assembly.

Senate Bill No. 48 :

A bill to be entitled an act to amend an act entitled An act Providing for Setting Apart a Homestead and Personal Property to be Exempted from Forced Sale, under Process of Law, Approved June 23, 1869.

The bill was put upon its third reading, read at large and put upon its passage.

Upon the question, Shall the bill pass ?

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Dennis, Ginn, Hill, Johnson, Kendrick, Locke, Meacham, McCaskill, Pearce, Purman and Wentworth—14.

Those voting in the negative were—

Messrs. McKinnon and Sutton—2.

So the bill passed, title as stated, and the Secretary was directed to certify the same to the Assembly.

Mr. Purman, Chairman Committee on Judiciary, made the following reports :

SENATE CHAMBER,

Tallahassee, Fla., February 13, 1872.

HON. LIBERTY BILLINGS, President *Pro tem.* of the Senate:

SIR: Your committee, to whom was referred Assembly Bill

No. 64, beg leave to offer as a substitute, a bill entitled "An act to incorporate the Riverside Land and Improvement Company," and respectfully recommend its passage.

Very respectfully,
W. J. PURMAN,
Chairman Committee on Judiciary.

SENATE CHAMBER,

Tallahassee, Fla., Feb. 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Senate Bill No. 50, beg leave to offer as a substitute, an act entitled "An act to Provide for the Punishment of Crimes and Misdemeanors," and respectfully recommend its passage.

Very respectfully,
W. J. PURMAN,
Chairman Committee on Judiciary.

SENATE CHAMBER,

Tallahassee, Fla., February 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Assembly Bill No. 73, entitled "An act Relating to the Duties of Sheriffs and their Deputies;" and Assembly Bill No. 101, entitled "A bill providing for the distribution of the Supreme Court Reports;" and Assembly Bill No. 110, (substitute,) entitled "An act for the Protection of all Classes of Persons against Discrimination in Public Conveyances, in pursuance of the provisions of the Constitution of this State;" and "Assembly Concurrent Resolution in relation to the Island of Cuba," having examined the same, recommend that they do pass.

Very respectfully,
W. J. PURMAN,
Chairman Committee on Judiciary.

Assembly Concurrent Resolution in relation to the Island of Cuba,

Was taking up on its second reading.

Mr. Henderson moved a suspension of the rules.

The rules were suspended, and the resolution was read third time, and put upon its passage.

Upon the adoption of the resolution, the yeas and nays were called for, with the following result:

Those voting in the affirmative were—

Messrs. Atkins, Dennis, Ginn, Henderson, Hill, Johnson, Locke, Kendrick, Meacham, McCaskill, Pearce, Purman, Sutton, Weeks and Wentworth—15.

Those voting in the negative were—

Messrs. Adams, Crawford and McKinnon—3.

So the resolution was adopted, and the Secretary was directed to certify the same to the Assembly.

A message from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., February 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: I am directed by the Assembly to return to the Senate for further consideration,

Assembly Bill No. 36:

To be entitled An act to Quiet Tax Titles to Land.

Also:

Senate Substitute to Assembly Bill No. 22:

To be entitled an act to amend Chapter 1766, of the Laws of Florida, being An act to Establish the Florida Agricultural College.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

Assembly Bill No. 101:

To be entitled An act Providing for the Distribution of the Supreme Court Reports.

The bill was taken up on its second reading, and read by sections.

Mr. Henderson offered the following amendment, strike out in Sec. 4, the words "in paying the postage and express charges necessary to be incurred in connection with the business of the Court."

Which was adopted.

Mr. Henderson offered the following amendment:

Strike out in section 4, line 3, "two of the justices of." Insert at end of section, "and shall pay the residue thereof into the State Treasury on the 1st January, April, July and October."

Which was adopted.

The bill was then adopted by sections.

Mr. Dennis, chairman of Committee on Enrolled Bills, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., Feb. 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Assembly Bill 24, to be entitled An act to alter and amend sections 12, 13 and 14 of the act approved August 6, 1868, entitled An act to Provide for

Organizing and Disciplining the Militia of the State, having examined the same, recommend that it do pass.

Very respectfully,

L. G. DENNIS, Chairman,
A. D. MCKINNON,
CHARLES V. HILLYER,
C. H. PEARCE,
JOHN A. HENDERSON,

Mr. Wentworth moved the reconsideration of the vote taken on the passage of Assembly Bill No. 36, to Quiet Tax Titles;

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

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Egan, Hill, Jenkins, Johnson Locke, Pearce, Purman and Wentworth—10.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Ginn, Henderson, McKinnon, McCaskill, Sutton and Weeks—9.

So the vote was reconsidered.

A message from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., February 13, 1872.

HON. LIBERTY BILLINGS, President *pro tem.* of the Senate:

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

Assembly Bill No. 104:

To be entitled An act to Compel the Funding of Lawful Comptroller's Warrants issued previous to July 1st, 1868.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

Mr. Meacham introduced concurrent resolution, petition for certain mail routes.

Upon the adoption of the resolution,

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Dennis, Egan, Ginn, Henderson, Hill, Jenkins, Johnson, Kendrick, Locke, McKinnon, Meacham, McCaskill, Pearce, Sutton, Weeks and Wentworth—18.

Mr. Adams, voting in the negative.

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

SENATE CHAMBER,
Tallahassee, Fla., Feb. 13, 1872.

HON. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Senate Bill No.

68, a bill to Define the Duties of Commissioner of Lands and Immigration, having examined the same, find it correctly engrossed.

Very respectfully,

GEO. E. WENTWORTH, Chairman.
E. G. JOHNSON,
R. W. ADAMS,
L. G. DENNIS.

Mr. Egan, chairman of Committee on Finance, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., February 13, 1872.

Hon. LIBERTY ILLINGS, President *pro tem.* of the Senate:

SIR: Your committee, to whom was referred Assembly Concurrent Resolution, Relating to Comptroller's Warrants and Treasurer's Certificates, Issued Prior to July 1, 1868, having examined the same, recommend that it do pass.

Very respectfully,

D. EGAN, Chairman.
J. W. LOCKE,
A. L. McCASKILL,
JOHN L. CRAWFORD,
L. G. DENNIS.

Mr. Henderson offered as a substitute:

Substitute for Assembly Concurrent Resolution to be entitled An act Relating to Comptroller's Warrants and Treasurer's Certificates;

Which was adopted.

Assembly Bill No. 104:

A bill to be entitled An act to Compel the Funding of Lawful Comptroller's Warrants Issued Previous to July 1, 1868,

Was taken up and read by sections.

Mr. Henderson moved that the bill be postponed indefinitely;

Which was agreed to.

Mr. Wentworth moved to adjourn to 4 o'clock p. m.;

Which was agreed to.

So the Senate adjourned to 4 o'clock p. m.

FOUR O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Messrs. Adams, Atkins, Crawford, Ginn, Hill, Hillyer, Johnson, Locke, McKinnon, Meacham, McCaskill, Sutton and Wentworth—13.

A quorum present.

Mr. Wentworth, Chairman Conference Committee, made the following report:

SENATE CHAMBER,
Tallahassee, Fla., Feb. 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

SIR: The Committee of Conference, to whom was referred Assembly Bill No. 1, beg leave to submit the following report:

The Senate to recede from all of its amendments, and the bill to pass as acted upon by the Assembly.

Respectfully submitted.

GEO. E. WENTWORTH,
A. D. MCKINNON,
J. W. JOHNSON,
B. F. OLIVEROS.

Upon the adoption of the report, the yeas and nays were called for, with the following result:

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Ginn, Hill, Johnson, Locke, McKinnon, Meacham, McCaskill, Pearce, Purman, Sutton, Weeks and Wentworth—15.

Mr. Henderson voting in the negative.

So the report was adopted.

Substitute for Assembly Bill No. 6:

Mr. Henderson moved to strike out of sections 3, 4, and 5 the word "five," and insert "seven;"

Which was agreed to.

Mr. Henderson moved to strike out in section 9 the words "five years" and insert "seven years;"

Which was agreed to.

Mr. Henderson offered the following amendment: strike out the first word "four" and insert "twenty;"

Which was agreed to.

Messages from the Assembly:

ASSEMBLY HALL,
Tallahassee, Fla., Feb. 13, 1872.

Hon. LIBERTY BILLINGS, President *pro tem.* of the Senate:

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

Assembly Bill No. 47:

To be entitled An act to Provide for the Distribution of the Statutes of this State.

Assembly Bill No. 111:

To be entitled An act to Incorporate the Lake Mimico and St. Josephs Bay Canal and Navigation Company.

Assembly Bill No. 37:

To be entitled An act to require County Treasurer's and Collectors of Revenue to give bond and prescribe a penalty in case of failures to do so.

Assembly Bill No. 84:

To be entitled An act for the relief of Benjamin Saxon.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

Mr. Henderson offered the following amendment:

After "writing" in line 4, section 10, insert "under seal twenty years, not under seal five years;"

Which was agreed to.

Mr. Henderson offered the following amendments:

In section 10, line 2, strike out "four" and insert "twenty;" in line 3, strike out "2d;" in line 4, add after writing "under seal and twenty years, not under seal five years;" in line 6, strike out "2d," and insert "2nd;" in line 10, strike out "within two years 1st" and insert "5th;" in line 12, strike out "one" and insert "two years;" in line 13, strike out "2d;" in line 14, strike out "4th" and insert "and;" in line 15, add "shall not be barred until four years."

Mr. Henderson offered the following as a substitute for section 19:

All actions not heretofore barred by statute shall not be affected by limitation of this act until six months from the date of the approval hereof;

Which was agreed to.

Mr. Henderson offered the following as a substitute for section 20:

Strike out of section —, lines 1 to 8 inclusive, and the words "further that" in line 9;

Which was agreed to.

Mr. Henderson moved to amend section 19 as follows:

After the word "statute" insert "or that will be barred within 60 days from the passage hereof;"

Which was adopted.

The bill was read by sections, and ordered to be engrossed for a third reading.

Senate Bill No. 76:

A bill to be entitled An act Relative to Duties of State Treasurer, Safety of Public Funds, and Bonds of State Officers.

Mr. Wentworth moved that the bill be put on its second reading.

The bill was then read by sections.

Mr. Wentworth moved to substitute fifty thousand dollars for one hundred thousand dollars in section 1.

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

Those voting in the affirmative were—

Messrs. Atkins, Dennis, Henderson, Jenkins, Kendrick, Locke, Meacham, Purman and Wentworth—9.

Those voting in the negative were—

Mr. President, Messrs. Crawford, Eagan, Ginn, Hill, Johnson, McKinnon, McCaskill, Pearce and Sutton—10.

So the substitute was not agreed to.

Mr. Henderson made a motion to adjourn.

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

Those voting in the affirmative were—

Messrs. Atkins, Henderson, Jenkins, Kendrick and Purman—5.

Those voting in the negative were—

Messrs. Adams, Crawford, Dennis, Eagan, Ginn, Hill, Johnson, Locke, McKinnon, Meacham, McCaskill, Pearce, Sutton and Wentworth—14.

So the motion to adjourn was not agreed to.

Mr. Henderson offered as a substitute—

Substitute for Senate Bill No. 76:

A bill to be entitled An act in Relation to the Bond of the State Treasurer;

Which was adopted.

Mr. Henderson moved to adjourn;

Which was agreed to.

So the Senate adjourned.

WEDNESDAY, February 14, 1872.

The Senate met pursuant to adjournment.

Mr. Henderson moved that Mr. Kendrick take the chair in the absence of the President *pro tem.*;

Which was agreed to.

Mr. Kendrick was conducted to the chair by the Sergeant-at-arms.

Prayer by the chaplain.

The President *pro tem.* in the chair.

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

Messrs. Adams, Atkins, Billings, Crawford, Ginn, Henderson, Hill, Hillyer, Jenkins, Johnson, Kendrick, McKinnon, McCaskill, Pearce, Sutton, Weeks and Wentworth—17.

A quorum present.

The reading of the journal was dispensed.

Mr. Jenkins offered the following resolution:

Resolved, That a committee of three be appointed to draught rules of procedure and practice for the guidance of the Senate when sitting as a High Court of Impeachment.