HIGH COURT OF IMPEACHMENT, FIVE P. M.

The Senate as a High Court of Impeachment met pursuant to adjournment.

The Chief-Justice in the Chair.

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

Messrs. Adams, Atkins, Billings, Crawford, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Purman, Sutton, Weeks and Wentworth—16.

The Sergeant-at-Arms made the following proclamation:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence while the Senate of the State of Florida is sitting for the trial of articles of impeachment exhibited by the Assembly against Harrison Reed, Governor of Florida.

The Chief-Justice then directed the Secretary to read the corrections in the journal of May 2;

Which was done, and the journal as read was approved by the Senate.

The counsel for the respondent appeared.

The Committee of Managers appeared with counsel.

Mr. Henderson offered the following:

Ordered, That the Senate as a High Court of Impeachment do now adjourn till half past ten to-morrow morning;

Which was adopted.

So the Senate as a Court of Impeachment adjourned till to-morrow morning at half past ten.

The Senate came to order, and adjourned till 9 o'clock a. m. to-morrow.

SATURDAY, May 4, 1872.

The 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:

Mr. President, Messrs. Adams, Crawford, Henderson, Hunt, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Sutton, Weeks and Wentworth—13.

A quorum present.

The reading of the journal was dispensed with.

The journal was then corrected and approved.

Mr. Purman introduced Senate Bill No. 6:

A bill to Appropriate the Moneys Collected to Create a Sinking Fund and to Pay the Interest upon the Public Debt;

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

Mr. Adams offered the following resolution:

Resolved by the Senate, That Charles H. Ross, who was legally elected to this body as Senator from the 14th District, and sworn in as a member of this body upon the certificate of the Secretary of State, and who was afterwards, by the illegal and unconstitutional vote of less than a quorum, ousted from his lawful seat as Senator, be, and is hereby, declared rightfully entitled to his seat, and that he be called forward and sworn in.

Mr. Dennis offered as a substitute:

Resolved, That the seat of the Senator from the 14th District is hereby declared vacant, and the Governor be so notified.

Mr. Henderson moved that the further consideration of the subject be postponed till 4 o'clock this afternoon.

Mr. Adams moved that the motion be laid upon the table.

Mr. Henderson withdrew his motion.

Mr. McCaskill renewed the motion to postpone until 4 o'clock p. m.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Kendrick, McKinnon, Meacham, McCaskill, Sutton and Wentworth—13.

Those voting in the negative were—

Messrs. Adams and Weeks—2.

So the motion was adopted.

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

SENATE CHAMBER,
Tallahassee, Fla., May 4, 1872.

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

Your committee, to whom was referred Assembly Bill No 5, to be entitled an act to alter and amend An act Relating to the Finances of this State, beg leave to report that they have examined the same, and would recommend that it do not pass.

This act will discriminate very unjustly against the citizens living in distant counties, as it makes it necessary for every one to send their evidence of State indebtedness to the State Treas-

urer and have it exchanged for a certain class of scrip before it is available for State taxes. If the bill left it optional with the holder whether he would exchange or not, and make Comptroller's warrants tax-paying if they were not exchanged, no hardship would be worked to the people at large.

Very respectfully, D. EAGAN, Chairman.
A. L. MCCASKILL,
J. L. CRAWFORD,
GEO. E. WENTWORTH.

Mr. Dennis, same committee, offered the following minority report:

SENATE CHAMBER,
Tallahassee, Fla., May 4, 1872.

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

The minority members of the Finance Committee, respectfully report in favor of Assembly Bill No. 5. Believing that bill to be a highly desirable and wise measure of relief, we recommend its passage. Respectfully,

L. G. DENNIS.

Mr. Atkins moved that the majority report be adopted.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Eagan, Henderson, Hill, Hunt, Johnson, McKinnon, Meacham, McCaskill, Purman, Sutton and Wentworth—13.

Mr. Dennis voting in the negative.

So the majority report was adopted.

Mr. Henderson offered the following resolution:

Resolved, That the Senate journals of yesterday be corrected to show, after the Executive Session, the confirmations and rejections if any; and that the journals shall always show the confirmations and rejections of every Executive Session;

Which was adopted.

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

SENATE CHAMBER,
Tallahassee, Fla., May 4, 1872.

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

SIR: Your committee, to whom was referred Assembly Bill No. 10, entitled An act to Protect the State Against An Over Issue of Juror and Witness Certificates and to Make the

Same Receivable for Taxes, having examined the same, recommend that it do pass.

Very respectfully,

D. EAGAN, Chairman.
L. G. DENNIS.
J. L. CRAWFORD,
A. L. McCASKILL,
GEO. E. WENTWORTH.

Mr. Wentworth moved that forty copies of the bill referred to be printed, and that it be made the special order for this afternoon at 4 p. m.;

Which was agreed to.

On motion of Mr. Meacham, the Senate took a recess until twenty-five minutes past ten.

TWENTY-FIVE MINUTES PAST TEN.

Senate came to order.

Mr. Henderson, of Special Committee, offered the following as a substitute for the verbal report made on the 2d instant:

SENATE CHAMBER,
Tallahassee, Fla., May 4, 1872.

To the Senate:

Your committee, appointed under a resolution of the Senate, of date the 2d instant, in words as follows:

Mr. Henderson moves the appointment of a special committee of three, who shall examine the pay rolls of the Senate and Assembly of the last session, and also the statements, returns and pay rolls of the several committees of the Senate and Assembly which have been returned to the Comptroller's office, and report upon the various refusals to allow pay in every case, and upon the cases of suspended pay in every case, and who made a verbal report of same day, desire to submit the following report:

That the appropriations to W. E. Burleigh, for pay as clerk of the Investigating Committee of the last session, appointed to enquire into the sales of the Pensacola, Georgia and Tallahassee Railroad; of Hamilton Jay, as clerk of the Assembly Judiciary Committee, and of Leroy D. Ball, as clerk of an Assembly Committee, to examine the books of the State Treasurer and Comptroller, were disallowed by the House Speaker of the Assembly, on the pay rolls as made out, because "the services of such clerks for these committees were not authorized by the Assembly."

That the janitors of the last session were not borne on the pay-rolls, and consequently were not paid, because these attaches were not by name included in the Appropriation Bill, and consequently could not be paid.

We are satisfied that the janitors were in regular attendance with the knowledge of each House, and ought to have been paid.

We are further satisfied that the clerks aforesaid, or some of them, did serve, but how much we cannot say. On this subject we cannot omit to say that in addition to the application of W. E. Burleigh, for pay as clerk of the Railroad Investigating Committee, $260 has also been paid to Mr. Bowes for like services, and the sum of $270 has been paid to F. A. Dockray for same services.

The multiplicity of clerks about the Capitol during the session, as well in vacation, who are employed without authority of law and who press for recognition and payment by appropriation of the Legislature is a growing evil, and calls for our unqualified disapprobation.

Your committee have found one suspended claim in the office of the Comptroller, coming within the scope of our resolution as follows: In a "Statement of expenses incurred by the Assembly Committee appointed to investigate the sale of the Pensacola, and Georgia and Tallahassee Railroad, January session, 1872, between January 12 and February 8, 27 days," are the following items: To F. A. Dockray, clerk, 27 days, at $10 per day, $270; to F. A. Dockray, witness, 4 days at $3 per day, $12; mileage, $18; actual expenses allowed in lieu of mileage, $30; to F. A. Dockray, 14 days at $20, expenses incurred in Washington and New York investigating testimony produced before the committee preliminary to session of the Legislature, $240; U. S. currency, $280; which was certified "correct," by order of committee, and signed W. K. Cessna, chairman. The last item in this bill had been suspended by the Comptroller, because it was not expenses incurred by authority of the Legislature or of either branch, and not covered or included by the appropriation.

It would be injustice to fail to say, that while this committee were making their investigations, Mr. Cessna called at the office of the Comptroller, and having obtained leave of the Comptroller, withdrew this statement and cancelled this last item, stating that his approval was not intended to certify its payment, but that it was his idea that the voucher would be the certificate of correctness upon which payment would be made, and that he had declined to sign such voucher.

Very respectfully, JOHN A. HENDERSON,
ROBERT MEACHAM.

The Secretary was directed to have the journals of the third instant reprinted with corrections.

The hour of 10½ o'clock having arrived, the Senate resolved itself into a High Court Impeachment.

HIGH COURT OF IMPEACHMENT.

The Chief-Justice in the chair.

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

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, McCaskill, Purman, Sutton, Weeks and Wentworth—17.

A quorum present.

The Managers appeared with counsel, and Mr. Emmons appeared as counsel for respondent.

Argument of counsel upon the motion of the respondent, was proceeded with.

Mr Wentworth offered the following order:

Ordered, That the Senate sitting as a High Court of Impeachment do now adjourn to meet again at 4 o'clock p. m.

Mr. Dennis offered the following as a substitute:

Ordered, That the Senate sitting as a High Court of Impeachment do now adjourn until Monday at 12 o'clock m.

Which was laid upon the table.

The Chief Justice then put the motion of Mr. Wentworth.

Which was carried, and the High Court of Impeachment adjourned till 4 p. m.

The Sergeant-at-arms made proclamation.

The Senate then adjourned to a quarter to 4 o'clock p. m.

FIFTEEN MINUTES TO FOUR.

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:

Mr. President, Messrs Adams, Atkins, Crawford, Dennis, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, McCaskill, Sutton and Weeks—14.

A quorum present.

Mr. Henderson moved a reconsideration of the vote, by which the majority report of the Committee on Finance and Taxation, upon Assembly Bill No. 5, was adopted.

Assembly Bill No. 5:

A bill to be entitled an act to alter and amend An act Relating to the Finances of this State,

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

Mr. Henderson offered the following as section 4:

Pending the consideration of which the bill was referred to a special committee of five, with instructions to report immediately.

Message from the Assembly:

ASSEMBLY HALL,
Tallahassee Fla., May 3, 1872.

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

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

Senate Bill No. 3:

To be entitled An act to Provide for the More Efficient Collection of the Revenue.

Very respectfully,

M. H. CLAY,
Clerk of the Assembly.

HIGH COURT OF IMPEACHMENT, FOUR O'CLOCK P. M.

High Court of Impeachment met pursuant to adjournment.

The Chief-Justice in the chair.

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

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Purman, Sutton, Weeks and Wentworth—17.

A quorum present.

The Sergeant-at-arms made proclamation.

The Managers with counsel, and the counsel for respondent, appeared in court.

The argument of counsel was concluded.

Mr. Dennis offered the following as a substitute for the order of Mr. Henderson:

Ordered, That the Assembly is hereby notified that the Senate will continue to sit as a High Court of Impeachment for the trial of Harrison Reed, Governor, and that the Managers are

hereby required to proceed with the prosecution of the articles of impeachment presented by them.

Mr. Billings moved to lay the order of Mr. Dennis on the table.

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

Those voting in the affirmative were—

Messrs. Billings, Crawford, Eagan, Henderson, Hunt, Johnson, Kendrick, McKinnon, McCaskill and Sutton—10.

Those voting in the negative were—

Messrs. Adams, Atkins, Dennis, Hill, Meacham, Purman, Weeks and Wentworth—8.

So the motion was laid upon the table.

Mr. Purman moved that the room be cleared for the purpose of deliberation.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Dennis, Hill, Meacham, Purman, Weeks and Wentworth—8.

Those voting in the negative were—

Messrs. Billings, Crawford, Eagan, Henderson, Hunt, Johnson, Kendrick, McKinnon, McCaskill and Sutton—10.

So the motion was not agreed to.

Mr. Dennis offered the following order:

Ordered, That further consideration of the motion be postponed until Monday at 12 o'clock.

Mr. McCaskill moved that the motion be laid upon the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Billings, Crawford, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Sutton, Weeks and Wentworth—16.

Mr. Dennis voting in the negative.

So the motion was laid upon the table.

Upon the original order of Mr. Henderson,

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

Those voting in the affirmative were—

Messrs. Billings, Crawford, Eagan, Henderson, Hunt, Johnson, Kendrick, McKinnon, McCaskill and Sutton—10.

Those voting in the negative were—

Messrs. Adams, Atkins, Hill, Meacham, Purman, Weeks and Wentworth.—7.

So the order was adopted.

The Chief Justice then declared, as a legal consequence of the adoption of said order, Harrison Reed, Governor, discharged from custody.

Mr. Henderson moved that the High Court of Impeachment do now adjourn *sine die;*

Which was agreed to.

The Chief-Justice then declared the court adjourned.

Senate came to order.

Mr. Wentworth offered the following Joint Resolution:

Resolved by the Senate, (the Assembly concurring,) That the Extraordinary Session of the Legislature do adjourn *sine die* on Monday the 6th day of May, A. D. 1872, at 12 o'clock m.

Upon its adoption,

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

Those voting in the affirmative were—

Messrs. Adams, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, McCaskill, Purman, Sutton, Weeks and Wentwerth—16.

Nays—None.

So the resolution was adopted.

Mr. Wentworth moved that the Legislature do adjourn till 8 o'clock p. m.;

Which was agreed to.

The Senate so adjourned.

EIGHT O'CLOCK P. M.

The Senate met pursuant to adjournment.

Lieutenant-Governor Day in the chair.

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

Mr. President, Messrs. Adams, Atkins, Crawford, Kendrick, Moragne, McCaskill and Wentworth—8.

No quorum present.

Mr. Kendrick moved a call of the Senate.

The roll was called with the following result:

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, Moragne, McCaskill, Purman, Sutton, Weeks and Wentworth—18.

A quorum present.

The special committee, to whom was referred Assembly Bill No. 5, reported back a substitute and recommended its adoption.

Substitute for Assembly Bill No. 5:

A bill to be entitled an act to alter and amend An act Relating to the Finances of this State,

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

The rules were waived.

The bill was then 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, Billings, Crawford, Dennis, Johnson, Kendrick, McKinnon, Moragne, McCaskill, Purman, Sutton and Wentworth—13.

Nays—None.

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

Assembly Bill No. 10:

A bill to be entitled An act to Protect the State against Over Issues of Jurors and Witness Certificates, and to make the same receivable for taxes,

Was taken up on its second reading.

Mr. Wentworth moved to amend in section 1: After the words "counties of this State" insert the words "shall immediately;"

Which was agreed to.

Moved to strike out in section 1 after these words "time of the Circuit Court," the word "shall;"

Which was agreed to.

Mr. Wentworth offered the following amendment:

After "Comptroller" in 2d line 2d section, insert "which shall be in lieu of the report of jurors and witnesses now required to be made;"

Which was agreed to.

Mr. Wentworth offered the following amendment:

After "deliver" in 2d line 2d section, insert the words "the same;"

Which was agreed to.

Mr. Wentworth offered the following as section 4:

Be it further enacted, That the Comptroller shall cause to be prepared suitable blank forms upon which the clerks of the respective counties shall make the pay rolls required by section 1 of this act, and furnish the clerks with the same;

Which was agreed to.

The rules were suspended, and the bill read the third time at large.

Mr. McCaskill, by unanimous consent, amended section 1:

Add the words "in triplicate."

Mr. Henderson, by unanimous consent, amended section 2 to read as follows:

The clerks of the circuit court shall forward one of such pay rolls to the Comptroller, and shall also deliver another to the col-

lector of revenue of his county, and the third shall remain on file in his office.

The bill was then 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, Billings, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, McKinnon, Meacham, Moragne, McCaskill, Purman, Sutton, Weeks and Wentworth—19.

Nays—None.

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

Mr. Wentworth introduced Senate Bill No. 7:

An act entitled An act Making Appropriations to Cover Deficiencies in the General Appropriation Bill, approved May —, 1872;

Which was read the first time.

The rules were waived, and the bill was read the second time by sections.

Mr. Henderson moved to strike out "David S. Walker" and "Bolling Baker" and insert "Walker & Baker;"

Which was agreed to.

Mr. Henderson moved that the appropriation for J. P. C. Emmons for "two thousand dollars" be stricken out and insert "one thousand dollars;"

Which was agreed to.

Mr. Dennis moved to strike out for stationery "fifty dollars" and insert "one hundred and fifty dollars."

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

Those voting in the affirmative were—

Messrs. Dennis, Eagan, Hill, Meacham, Purman and Wentworth—6.

Those voting in the negative were—

Messrs. Henderson, Hunt, Kendrick, McKinnon, Moragne, McCaskill and Weeks—7.

So the motion was lost.

Mr. Dennis moved to strike out "fifty" and insert one hundred."

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

Those voting in the affirmative were—

Messrs. Dennis, Hill, Hunt, Meacham and Purman—5.

Those voting in the negative were—

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

So the motion was lost.

Mr. Henderson offered the following amendment:

Seventy-five dollars is hereby appropriated for the recording of the Senate, to be paid at the rate of 15 cents per folio, to be paid on the certificate of the Secretary of the Senate;

Which was agreed to.

Mr. Henderson moved that the appropriation to J. P. C. Emmons for "one thousand" be made "two thousand."

Mr. Adams moved to lay it on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Kendrick, Meacham, Moragne, Purman, Sutton and Weeks—14.

Those voting in the negative were—

Messrs. McCaskill and Wentworth—2.

So the motion was laid on the table.

Mr. McCaskill moved to strike out "one thousand" and insert "fifteen hundred."

Mr. Adams moved to lay the motion on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Hill, Meacham and Weeks—6.

Those voting in the negative were—

Messrs. Dennis, Eagan, Henderson, Hunt, Johnson, Kendrick, Moragne, McCaskill, Purman, Sutton and Wentworth—11.

So the motion was not laid on the table.

Upon the motion of Mr. McCaskill, the yeas and nays were called for, with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Eagan, Hunt, Johnson, Kendrick, Moragne, McCaskill, Purman, Sutton and Wentworth—10.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Henderson, Hill, Meacham and Weeks—7.

So the amendment was adopted.

Mr. Adams moved that the sum of "one thousand dollars" for Baker & Walker be stricken out and "insert fifteen hundred dollars;" also T. W. Brevard one thousand dollars changed to fifteen hundred dollars.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Hill, Kendrick, Meacham, Purman and Weeks—7.

Those voting in the negative were—

Messrs. Crawford, Dennis, Eagan, Henderson, Hunt, Johnson, McKinnon, Moragne, McCaskill, Sutton and Wentworth—11.

So the amendment was lost.

Mr. Adams offered the following amendment :

That Messrs. Peeler & Raney be paid $1,000 as counsel of Acting-Governor Day before the Supreme Court.

Mr. Henderson moved to lay the motion on the table.

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

Those voting in the affirmative were—

Messrs. Crawford, Henderson, Hunt, Johnson, McKinnon, McCaskill, Sutton and Wentworth—8.

Those voting in the negative were—

Messrs. Adams, Atkins, Dennis, Eagan, Hill, Kendrick, Meacham, Moragne, Purman and Weeks—10.

So the motion was not laid on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Dennis, Eagan, Hill, Kenrdick, Meacham, Purman and Weeks—9.

Those voting in the negative were—

Messrs. Billings, Crawford, Henderson, Hunt, Johnson, McKinnon, Moragne, McCaskill, Sutton and Wentworth—10.

So the amendment was not adopted.

The rules were suspended.

The bill was read the third time, 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. Atkins, Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman, Sutton and Wentworth—10.

Those voting in the negative were—

Messrs. Adams, Billings, Crawford, Henderson, Kendrick, McKinnon, Moragne, McCaskill and Weeks—9.

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

Mr. Purman offered the following protest, which was ordered spread upon the journal:

PROTEST.

We, the undersigned Senators, beg leave respectfully to enter this protest upon the records of the Senate as a High Court of Impeachment, against the vote taken upon the order to discharge from suspension and without trial, Harrison Reed, Governor,

charged with high crimes and misdemeanors by the Assembly, for the following reasons, to wit:

First. The charges made unanimously by the Assembly were of such a grave and responsible character that the representatives of the people should have been permitted, in justice to themselves and for the honor of the State, to either substantiate or withdraw them upon trial.

Second. The indictments in the articles of impeachment against Harrison Reed, Governor, are of such an enormous character, blasting every attribute of the man and the officer, that the honor and integrity of the accused cry aloud for a just and speedy trial.

Third. That the Assembly, by their Managers and Counsel, at the bar of this Senate sitting as a High Court of Impeachment, declared their readiness to proceed with the prosecution, and demanded, in the name of the people, the right and opportunity to do so; and the order so passed by the majority of this body is a virtual refusal to allow a trial for the justification of the Assembly or the vindication of the accused.

Fourth. That in the face of all these facts, this action upon the order for discharge is an unwarrantable hardship upon the Assembly and the accused, in stifling the unanimous voice of the people, and leaving unvindicated the reputation of the Governor.

Fifth. That a portion of the minority could have prevented the consummation of this action by the questionable but practicable policy of withdrawal from the court, thereby leaving the Senate with less than a constitutional quorum; but, actuated solely by the motive to aid in some settlement of the vexed question that was a source of excitement and danger to the public peace, they remained in their places, leaving with the majority the responsibility of settling the question wisely or unwisely, towards the Assembly, the governor accused, and the people of the State.

Believing that the majority of this court, by their vote to refuse to allow a further prosecution on the part of the Assembly, have settled this vital issue between the people and the Governor unwisely and unsatisfactorily to either party, the undersigned respectfully take this method of spreading an expression of their convictions upon the journal, especially as all discussion and deliberation upon the order were arbitrarily overruled; and to the intelligence and conscience of the good people of this State, they are willing to submit all the issues of this momentous case, relying upon the future to justify their hope that a bad settlement of this vital question may prove better than no immediate settlement at all. Respectfully,

W. J. Purman,
Robert Meacham,
Frederick Hill.

Mr. McCaskill introduced the following memorial:

[No copy.]

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

Those voting in the affirmative were—

Messrs. Atkins, Billings, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, Kendrick, Meacham, Moragne, McCaskill, Sutton, Weeks and Wentworth—16.

Nays—None.

So the memorial was adopted.

On motion, the Senate went into Executive session.

The following were confirmed:

J. P. C. Emmons, to be Attorney-General.

D. W. Cox, to be Sheriff of Taylor county.

D. W. Cox, to be Collector of Revenue Taylor county.

S. P. Fife, to be Assessor of Taxes Taylor county.

F. A. Whiting, to be Clerk of Court for Nassau county.

Norman Bronson, to be Collector of Revenue for Nassau county.

The doors were opened.

Senate Bill No. 9:

A bill to Locate the County Site of Brevard County,

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

The rules were suspended, and the bill 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:

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Eagan, Hill, Hunt, Johnson, Kendrick, Meacham, Moragne, McCaskill Purman, Sutton and Wentworth—16.

Nays—None.

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

Senate Bill No. 10:

A bill authorizing the Southern Inland Navigation Company to merge its Corporate Powers with the Southern Inland Improvement Company,

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

The rules were suspended, and the bill 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, Billings, Dennis, Eagan, Henderson

Hill, Hunt, Johnson, Kendrick, Meacham, Moragne, McCaskill, Purman, Sutton, Weeks and Wentworth—17.

Nays—None.

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

The Senate then adjourned till Monday at 9 o'clock a. m.

MONDAY, May 6, 1872.

Senate met pursuant to adjournment.

The President in the chair.

Prayer by Rev. Mr. Hammond.

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

Messrs. Adams, Atkins, Billings, Crawford, Dennis, Henderson, Johnson, Kendrick, McKinnon, Meacham, Moragne, McCaskill, Purman, Sutton, Weeks and Wentworth—16.

A quorum present.

The President and Secretary signed the following enrolled bills, and the Secretary conveyed same bills to the Assembly:

An act entitled An act to Compel Railroad Companies to Pay for Property Destroyed, Killed, or Injured by their Trains, and to Provide for the Service of Summonses and other Process in Suits to Recover the Value of Property so Destroyed, Killed, or Injured.

Memorial to Congress for the Establishment of a Mail Route from New Smyrna to Hawkinsville, via Spring Hill and Lake Beresford.

Memorial in regard to a Southern Trans-Continental Interior Line of Water Communication through the Gulf States between the Great West and the Atlantic Ocean.

An act to amend An act in Relation to the Finances of this State.

The journal was read and corrected.

Mr. Henderson offered the following resolution:

Resolved, That those Senators who protest, on Saturday's journals, against the action of the High Court of Impeachment, discharging the articles against the Governor, alleging that it prevented a just and speedy trial, and that the Managers ought to have been allowed to proceed with the prosecution, be allowed to change their votes in favor of immediate adjournment on Wednesday, Thursday, and Friday last;

Which was agreed to.

Mr. Wentworth moved that Senator Dennis be allowed to re-