

WEDNESDAY, May 1, 1872.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

Prayer by the Rev. Mr. Anderson.

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

Mr. President, Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Henderson, Hill, McKinnon, Meacham, McCaskill, Sutton, Weeks and Wentworth—14.

A quorum present.

The reading of the journal was proceeded with.

Mr. Adams offered the following resolution:

*Resolved by the Senate,* That the Senate of the State of Florida will proceed as a High Court of Impeachment for the purpose of a continuation of the trial of His Excellency Harrison Reed, Governor of Florida, on Thursday next, the 2d inst., at 11 o'clock a. m.

*Resolved further,* That the Secretary of the Senate be instructed to immediately give notice to the Assembly of the adoption of this resolution.

*Resolved further,* That the Secretary of the Senate is hereby instructed to give immediate notice of the adoption of this resolution to the counsel for the respondent.

Mr. Wentworth moved that the resolution be laid on the table.

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

Mr. Purman voting in the affirmative.

Those voting in the negative were—

Messrs. Adams, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, McKinnon, McCaskill, Sutton and Wentworth—12.

So the motion to lay upon the table was lost.

Mr. Wentworth moved to amend the resolution by substituting Friday for Thursday.

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. Adams, Atkins, Crawford, Henderson, McKinnon, McCaskill and Sutton—7.

Those voting in the negative were—

Messrs. Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman, Weeks and Wentworth—9.

So the motion to lay upon the table was lost.

Upon the motion of Mr. Wentworth,

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

Those voting in the affirmative were—

Messrs. Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman and Wentworth—8.

Those voting in the negative were—

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

Moved to indefinitely postpone the further consideration of the resolution.

Moved to lay on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Eagan, Henderson, Hill, McKinnon, McCaskill, Sutton and Weeks—10.

Those voting in the negative were—

Messrs. Dennis, Johnson, Meacham, Purman and Wentworth—5.

So the motion was laid upon the table.

Mr. Adams moved that the resolution be adopted.

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, Johnson, McKinnon, Meacham, McCaskill, Purman, Sutton, Weeks and Wentworth—15.

Nays—None.

So the resolution was adopted.

Mr. Adams offered the following resolution :

*Resolved by the Senate,* That a committee of three be appointed to notify Hon. E. M. Randall, Chief-Justice of the State of Florida, that the Senate, sitting as a High Court of Impeachment, for the continuation of the trial of his Excellency Harrison Reed, Governor of the State of Florida, will meet Thursday next, 2d inst., at 11 o'clock a. m., and that he be requested to be present to preside at the same ;

Which was adopted.

Message from the Assembly :

ASSEMBLY HALL,

Tallahassee, Fla., May 1, 1872.

SIR: I am directed to inform you that the Assembly has adopted Assembly Concurrent Resolution Relative to Adjournment.

Very respectfully,

M. H. CLAY,

Clerk of the Assembly.

Mr. Henderson introduced the following bill :

Senate Bill No. 1 :

A bill to be entitled an act to amend section 331 of an act entitled An act to Simplify and Abridge the Practice, Pleadings, and Proceedings of the Courts of this State as amended by sec-

tion six of an act entitled an act to amend An act to Simplify and Abridge the Practice, Pleadings, and Proceedings of the Courts of this State, approved February 19, 1870.

Mr. Wentworth moved that the bill be read first time and referred to the Committee on Judiciary;

Which was agreed to.

Mr. Eagan moved that the Senator from the 1st District be added to the Committee on Finance and Taxation, in the absence of Mr. Locke;

Which was agreed to.

The Chair announced the following :

Mr. Eagan as chairman of Committee on Finance and Taxation in place of Mr. Locke, absent.

Mr. Hunt as chairman of Committee on Appropriations in place of Gen. Jenkins, absent.

Mr. Crawford on Committee of Appropriations in place of Mr. Moragne, absent; and Mr. Johnson in place of Mr. Locke, absent.

Message from the Assembly :

ASSEMBLY HALL,  
Tallahassee, Fla., May 1, 1872.

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

SIR : I am directed by the Assembly to notify your honorable body that the vacancies in the Board of Managers for the Impeachment of Harrison Reed, Governor, occasioned by the absence of four of the members thereof, have been filled by the appointment of Messrs. Johnson, Wallace, Clark, and Orman.

Very respectfully,

M. H. CLAY,  
Clerk of the Assembly.

Mr. Wentworth introduced the following bill :

An act in Relation to Testimony in Civil Actions.

Mr. Wentworth moved a call of the House ;

Which was agreed to.

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

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, McKinnon, Meacham, McCaskill and Wentworth  
—12.

No quorum present.

Mr. Henderson moved the further consideration.

The roll was called, with the following result :

Messrs. Adams, Atkins, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, McKinnon, Meacham, McCaskill, Purman and Wentworth—14.

Mr. Meacham moved that the Senate go into Executive Session ;

Which was agreed to, and the doors were closed.

The doors were opened.

A bill was made the special order of the day at 11 o'clock a. m., entitled An act to Provide for the More Efficient Collection of the Revenue ;

Which was read the second time.

Mr. Henderson moved that the bill be made the special order to-morrow at half-past 10 o'clock a. m. ;

Which was agreed to.

On motion the Senate adjourned till 4 o'clock p. m.

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

Senate met pursuant to adjournment.

President *pro tem.* in the chair.

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

Mr. President, Messrs. Adams, Crawford, Dennis, Eagan, Henderson, Hill, Hunt, Johnson, McKinnon, McCaskill, Purman, Sutton and Wentworth—14.

A quorum present.

Committee on Finance and Appropriations made the following report :

SENATE CHAMBER,  
Tallahassee, Fla., May 1, 1872.

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

SIR: Your committee, to whom was referred Senate Bill No. —, to be entitled An act to Provide for the More Efficient Collection of the Revenue, having examined the same, recommend the substitute herewith enclosed.

Very respectfully,

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

Mr. Wentworth introduced the following :

Senate Bill No. 3 :

An act Making Appropriation for Pay of Members and Attaches of Present Extraordinary Session of the Legislature and for other purposes ;

Which was read the first time in full.

Mr. Purman moved that the rules be suspended, and the bill be read the second time ;

Which was agreed to.

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

To the President *pro tem.* of the Senate:

SIR: You committee, to whom was referred Assembly Bill No. 1, entitled "A bill to Provide for Filling Vacancies in Office in Cases of Impeachment or Suspension," and Assembly Bill No. 2, (substitute,) entitled "A Bill Regulating the Succession in the Offices of Governor and Lieutenant-Governor, in Cases of Death, Resignation or Other Causes," beg leave to report in favor of the adoption of the same.

Very respectfully,  
 W. J. PURMAN,  
 Chairman Judiciary Committee.  
 D. EAGAN.

Mr. Henderson moved that the pay of the private secretary, one thousand dollars, be stricken out.

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

Those voting in the affirmative were—

Messrs. Adams, Crawford, Eagan, Henderson, Johnson, McKinnon, McCaskill and Sutton—8.

Those voting in the negative were—

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

So the motion was adopted.

Mr. Henderson moved that the janitor be paid one dollar per day.

Mr. Meacham moved to amend by striking out one dollar per day and inserting three dollars per day.

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

Those voting in the affirmative were—

Messrs. Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman, Sutton and Wentworth—9.

Those voting in the negative were—

Messrs. Adams, Crawford, Henderson, McKinnon and McCaskill—5.

So the motion of Mr. Meacham was adopted.

Mr. Meacham moved to insert in section one the name of Henry Matthews, one hundred and forty-seven dollars;

Which was agreed to.

Mr. Henderson moved that the following be inserted in section one:

"For A. L. Woodward, counsel of the State of Florida, before the Supreme Court in the case of the State vs. Chas. H. Pearce, wherein the then Attorney-General was counsel for the defendant, two hundred and fifty dollars;"

Which was agreed to.

Mr. Weeks moved that the amount of two hundred and fifty

dollars be appropriated to W. P. Frink, for expenses in contesting the seat of James M. Underwood at the session of 1869 ;  
Which was agreed to.

The following messages were received from the Assembly :

ASSEMBLY HALL, May 1, 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. 6 :

To be entitled An act to Appropriate Certain Moneys therein named. Very respectfully,

M. H. CLAY,  
Clerk of the Assembly.

ASSEMBLY HALL, May 1, 1872.

SIR: I am directed to inform you that the Assembly has adopted Assembly Joint Resolution, authorizing the re-enrollment and signing of Acts passed at the last regular session of the Legislature, which have been stolen from the office of the Secretary of State, and ask the concurrence of the Senate thereto. Very respectfully,

M. H. CLAY,  
Clerk of the Assembly.

The following message was received from the Acting Governor :

EXECUTIVE OFFICE, April 30, 1872.

*Gentlemen of the Senate and Assembly :*

I am informed by the Comptroller that the amount of unpaid taxes for the year 1871 is \$271,724.09, and as near as I can ascertain, the amount necessary to be applied to the current expenses of the State government, including the taxes to be collected for 1872, for the same purpose, is about \$360,000. To pay this assessment on or before the 1st December next, there is outstanding less than \$75,000 of State scrip, which is made by law receivable for taxes.

Under the circumstances, I feel justified in recommending to your consideration such additional legislation as will not materially interfere with the speedy establishment of a cash basis for our revenue system, but which at the same time will afford a reasonable assistance to the people in the remote parts of the State in the payment of taxes.

I accordingly recommend the passage of a law declaring Comp-

troller's warrants issued in exchange for jurors and witnesses certificates receivable for taxes, that such exchange be properly provided for, and the Comptroller be directed to indicate on the face of such warrants that the same are so receivable.

I also recommend an appropriation of \$1,000 to pay the account of the National Bank Note Company of New York, for the issue of \$250,000 of greenback warrants authorized by the act of February 18, 1870. This firm has retained \$60,000 of the authorized issue until the payment of their account against the State, which balance should be forwarded to the Comptroller and disposed of as you may deem most expedient for the best interests of the State.

I recommend such legislation in regard to the floating indebtedness of the State, and such appropriation as the Legislature may deem necessary to defray the expenses of the present session and for other purposes.

I also recommend such legislation concerning property destroyed on railroads as in your judgment may be necessary and proper.

SAM'L T. DAY,  
Acting Governor.

Mr. McCaskill moved that the Acting Governor's message be spread upon the journal;

Which was agreed to.

The consideration of Senate Bill No. 3, was then taken up.

Mr. \_\_\_\_\_, moved that the pay of the Governor's private secretary be stricken out.

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

Those voting in the affirmative were—

Messrs. Adams, Crawford, Egan, Henderson, Johnson, McKinnon, McCaskill, Sutton and Weeks—9.

Those voting in the negative were—

Messrs. Atkins, Dennis, Hill, Hunt, Meacham, Purman and Wentworth—7.

So the motion was agreed to.

Mr. Meacham offered the following amendment to section 1:

To Jas. W. Johnson, private secretary Acting Governor, the sum of eight hundred dollars, for one year's services.

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

Those voting in the affirmative were—

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

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Eagan, Henderson Johnson, McKinnon, McCaskill, Sutton and Weeks—10.

So the amendment was lost.

Message from the Assembly :

ASSEMBLY HALL,

Tallahassee, Fla., May 1, 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. 3 :

To be entitled an act to repeal an act entitled An act in Relation to the Term of Office and the Duties of the Tax Collectors, approved January, 22, 1851.

Assembly Bill No. 7 :

To be entitled An act to Provide for Taking Testimony in the Matter of the Impeachment of Harrison Reed, Governor.

Respectfully,

M. H. CLAY,

Clerk of the Assembly.

Mr. \_\_\_\_\_, moved to strike out the appropriation of two thousand dollars for pay of Acting Governor.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Crawford, Eagan, Henderson, Hunt, Johnson, McKinnon, McCaskill, Sutton and Wentworth—11.

Those voting in the negative were—

Messrs. Dennis, Hill, Meacham and Purman—4.

So the amendment to strike out was adopted.

Mr. Dennis offered the following amendment.

To Jas. W. Johnson, private secretary of the Acting Governor, the sum of seven hundred and fifty dollars (\$750) per year, or at that rate per month, during the time for which he serves.

Mr. Henderson moved to indefinitely postpone.

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

Those voting in the affirmative were—

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

Those voting in the negative were—

Messrs. Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman and Wentworth—8.

So the motion to indefinitely postpone was carried.

Mr. Henderson moved to amend by striking out \$290 pay to W. E. Burleigh for services as clerk, and inserting one hundred and forty-seven dollars.

Mr. Purman moved to amend by inserting two hundred dollars.

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

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Eagan, Hill, Hunt, Johnson, Meacham, Purman and Wentworth—9.

Those voting in the negative were—

Messrs. Adams, Atkins, Crawford, Henderson, McKinnon, McCaskill, Sutton and Weeks—8.

So the amendment was adopted.

Mr. Henderson moved to strike out the appropriation of \$7,500 past due interest on convention bonds.

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

Those voting in the affirmative were—

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

Those voting in the negative were—

Messrs. Dennis, Eagan, Hill, Hunt, Meacham, Purman and Wentworth—7.

So the motion to strike out was agreed to.

Mr. Wentworth offered the following:

To LeRoy D. Ball for services rendered as clerk of the committee to investigate the Treasurer's and Comptroller's offices at last regular session, \$75.

Mr. Henderson offered to amend by striking out \$75 and inserting 75 cents.

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

Those voting in the affirmative were—

Messrs. Atkins, Crawford, Henderson and McCaskill—4.

Those voting in the negative were—

Messrs. Adams, Dennis, Eagan, Hill, Hunt, Johnson, McKinnon, Meacham, Purman, Sutton, Weeks and Wentworth—12.

So the amendment was lost.

Mr. McCaskill moved that the amendment of the Senator from the 1st be laid on the table.

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

Those voting in the affirmative were—

Messrs. Crawford, Henderson and McCaskill—3.

Those voting in the negative were—

Messrs. Adams, Atkins, Dennis, Eagan, Hill, Hunt, Johnson, McKinnon, Meacham, Purman, Sutton, Weeks and Wentworth—13.

So the motion was not laid on the table.

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

Those voting in the affirmative were—

Messrs. Adams, Atkins, Dennis, Eagan, Hill, Hunt, Johnson, McKinnon, Meacham, Purman, Sutton, Weeks and Wentworth—13.

Those voting in the negative were—

Messrs. Crawford, Henderson and McCaskill—3.

So Mr. Wentworth's amendment was adopted.

Mr. Weeks offered the following:

That \$250 be appropriated to Wm. P. Frink for expenses incurred in contesting the seat of J. M. Underwood for the year 1869;

Which was adopted.

Mr. Meacham moved to strike out \$196 dollars to Harry Hawkins, janitor, and insert \$147.

Mr. Meacham moved that the name of H. Matthews be inserted in appropriation bill for \$147;

Which was agreed to.

Mr. Dennis offered the following:

To W. J. Purman, J. W. Johnson, Wm. H. Gleason, and — Oliveros, \$5 a day each for 20 days' services as a committee investigating the office of the Treasurer, after the adjournment of the session of the Legislature of 1871.

Mr. Atkins moved to lay the amendment on the table;

Which was agreed to.

Mr. Henderson offered the following amendment:

For A. L. Woodward, for services as attorney for the State of Florida, in the Supreme Court in the case of The State of Florida vs. Charles H. Pearce, wherein the State Attorney-General was counsel for the defendant, \$250.

So the amendment was adopted.

Section 1 stands as amended.

Mr. Wentworth moved to strike out the 4th section;

Which was agreed to.

Mr. Wentworth moved that the bill be engrossed, and ordered that it be placed on its third reading to-morrow;

Which was agreed to.

On motion the Senate adjourned till to-morrow 10 o'clock a. m.

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THURSDAY, May 2, 1872.

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, Atkins, Crawford, Dennis, Egan, Hill, Hunt, McKinnon, Meacham, McCaskill, Sutton, Weeks and Wentworth—14.