

Mr. Henderson asked for a suspension of the rules ;
Which was agreed to.
Mr. Henderson offered the following resolution :

Resolved, That it shall be the duty of the presiding officer of the Senate, previous to the signing of enrolled bills, to announce to the Senate the title of each bill presented for his signature, and when the same consists of more than one sheet and is a Senate bill, that each separate sheet shall be endorsed by the Committee on Enrolled Bills ;

Which was read and adopted.
Orders of the day resumed.

Assembly Bill No. 14 :

To be entitled An act to Execute an Appeal Bond in behalf of the State,

Was signed by the President and Secretary and returned to the Assembly.

The memorial offered by Mr. Oliveros was read the first time and placed among the orders of the day.

Senate Bill No. 6 :

To be entitled An act to allow Hugh Miller to Practice Law in all the Courts of this State,

Was read first time and referred to the Committee on Judiciary.

On motion, the Senate went into Executive Session.

The following appointments were confirmed :

Clayton A. Cowgill, to be Comptroller, vice Robt. H. Gamble, term expired.

Chas. H. Foster, to be Treasurer, vice Simon B. Conover, term expired.

The doors were opened.

Mr. Meacham offered Senate Bill No. 7 ;

To be entitled An act for the relief of Messrs. Walker and Baker, and T. W. Brevard, attorneys at law.

Which was read first time and referred to Committee on Appropriations.

On motion of Mr. Eagan, it was referred to Committee on Appropriations.

Mr. Eagan offered the following resolution :

Resolved, That the Secretary be requested to have fifty copies of the list of the standing committees printed for the use of the Senate.

Mr. Potter moved to amend by striking out "fifty" and inserting "one hundred ;"

The resolution as amended was adopted.

Mr. Meacham moved that the Senate adjourn until to-morrow morning at 10 o'clock ;

Which was agreed to.

WEDNESDAY, JANUARY 15, 1873.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the chair.

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

Messrs. Crawford, Eagan, Fortner, Ginn, Henderson, Hill, Jenkins, Johnson, Knight, Locke, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Smith, Sturtevant, and Sutton—21.

A quorum present.

The journal ordered read.

On motion of Mr. Eagan, the reading of the journal was dispensed with, and the journal as corrected was approved.

The following communication was received from the Assembly :

ASSEMBLY HALL,
TALLAHASSEE, Fla., January 14, 1873. }

Hon. M. L. Stearns, President of the Senate :

SIR: I am directed by the Assembly to inform the Senate that the Assembly has this day passed—

Assembly Joint Resolution, requesting the Governor to ascertain the opinion of the Supreme Court in relation to the establishment of new counties and changing the lines of a county.

Also :

Senate Joint Resolution appointing a joint committee of two from the Senate and three from the Assembly to investigate and examine the books and accounts of the Comptroller's and Treasurer's offices before being turned over to their successors.

Very respectfully,

H. S. HARMON,
Clerk of the Assembly.

Mr. Henderson offered the following petition :

To the Honorable the Senate and House of Representatives of the State of Florida, in General Assembly convened :

The memorial of the undersigned, citizens of said State, residing at Tampa, in the county of Hillsborough, respectfully represent : That Martin S. Cunningham, now about 18 years of age, is of good moral character, intelligent, prudent, and industrious, and in all respects capable of managing his own estate, and further that it would promote his personal interest and be injurious to none to allow him to do so ; wherefore,

Your memorialists pray your honorable bodies to pass a law

allowing him to act as his own guardian, and to assume the whole control and management of his own estate.

JOHN DARLING,	W. W. WALL,
HENRY PROSEUS,	E. A. CLARKE,
W. F. WHITE,	WM. C. BROWN,
JOHN JACKSON,	PERRY G. WALL,
H. L. CRANE,	CHAS. J. HANFORD,
JOHN P. ANDREWS,	C. SLAGER,
JOHN MILLER,	W. B. HENDERSON,
J. N. HOOKER,	JNO. T. LESLEY,
C. L. FRIEBELE,	JOHN T. GIVENS,
W. G. FERRIS,	F. BRANCH, M. D.,
J. E. LIPSCOMB,	A. J. BULLOCK.

TAMPA, Fla., January 7, 1873.

No objections being offered it was read and referred to the Judiciary Committee.

Mr. Johnson, by permission, introduced Senate Bill No 8 :
To be entitled An act to Define more fully the Duties of County Commissioners,

Which was placed among the orders of the day.

Mr. Potter asked leave to introduce Senate Bill No. 9 :
To be entitled An act to repeal certain sections of the act in relation to the Practice and Pleadings in the Courts of this State,

Which was placed among the orders of the day.
Mr. Jenkins, Chairman of the Committee on Appropriations, asked leave to make the following report :

Hon. M. L. Stearns, President of the Senate :

SIR: The committee to whom was referred Senate Bill No. 1, a bill to be entitled An act making an Appropriation to cover Deficiency in the Payment of Members and Attaches of the last General Assembly, and Senate Bill No. 2, a bill to be entitled An act making an Additional Appropriation for Jurors and State Witnesses, beg leave to report that they have considered the same and recommend that they do pass.

Very respectfully,

HORATIO JENKINS, Chairman.
JOHN A. HENDERSON,
D. EAGAN,
J. W. LOCKE,
JNO. L. CRAWFORD.

Which was read, and the accompanying bills placed among the orders of the day.

ORDERS OF THE DAY.

The following Assembly concurrent resolution requesting the Governor "to ascertain the opinions of the Supreme Court in

relation to the establishment of new counties and changing the line of a county,"

Was adopted and ordered to be certified to the Assembly.
Senate Joint Resolution appointing a joint committee of two from the Senate and three from the Assembly "to investigate and examine the books and accounts of the Comptroller's and Treasurer's offices before being turned over to their successors,"

Was read and on motion adopted.

A message was received from the Assembly requesting that the foregoing Senate Joint Resolution be returned to that body.

On motion of Mr. McCaskill the resolution was returned.

The memorial to the Congress of the United States requesting our Senators and Representatives in the Congress of the United States to use their utmost endeavors to secure from the general government a donation to the city of St. Augustine, in East Florida, of all inundated unsurveyed marsh lands within the incorporate limits of said city ;

Which was read second time and placed among the orders of the day.

Also, the memorial to the Congress of the United States requesting our Senators and Representatives in the Congress of the United States to use their earnest efforts to get an appropriation for the survey and estimates of cost of a ship canal across the peninsula of Florida from the waters of the Gulf of Mexico along the line of waters of the Withlacoochee, Blue Spring, Silver Spring, Ocklawaha, and St. Johns rivers, and their adjacent lakes, to the waters of the Atlantic Ocean, by the most direct and practicable route,

Was read second time and placed among the orders of the day.

Senate Bill No. 1 :

To be entitled An act to make Appropriations to pay Members of the last Assembly,

Was read second time and ordered to be engrossed for its third reading to-morrow.

Senate Bill No. 2 :

To be entitled An act to make Appropriations to pay Jurors and State Witnesses.

Was read second time and ordered to be engrossed for its third reading to-morrow.

Senate Bill No. 8 :

To be entitled An act to define more fully the Duties of County Commissioners,

Was read first time and referred to the Committee on Judiciary.

The following message from the Governor was received, transmitting the annual reports of the State officers :

GOVERNOR'S MESSAGE.

EXECUTIVE OFFICE,
TALLAHASSEE, Fla., January 15, 1873. }

To the Senate and Assembly:

GENTLEMEN: Thankful to a kind and all-wise Providence for life, liberty, and the permanent guarantee and enjoyment of equal rights before the law, the people of Florida have just passed through one of the most exciting and hotly contested of elections, in peace, patriotically submitting with characteristic grace to the existing legally prescribed methods of ascertaining the will of the majority, and quietly installing the newly-elected officers.

We have reasons for the belief that hereafter we shall have improvement in all the affairs of government, and, blest with a climate and soil that yield comfortable support to all industrious, frugal, and well-managing producers, that now we have entered upon a career of prosperity greater than any that we have at any time known.

Of course there is much to be done in order to improve our domestic State affairs, and to keep them in a condition of constant improvement, never relaxing our efforts toward perfection. The greatest necessity of the hour is reform in the financial condition of the State. Ever since the legislative resolution of 1845, that condition has suffered from the effects of a disturbing influence that would have culminated in great tribulation long ago but for the fact that Florida was part and parcel of the great nation—the United States of America. The St. Joseph's Constitution, when brought into force, augmented the embarrassment commenced by the previous resolution referred to, and thus was the credit of the State at the beginning completely destroyed, until the Constitution of 1868 opened the way for its revival.

When we begin at the right place and in the right spirit to correct these evils, we shall find the correction easier to accomplish than we may now imagine; at all events we should correct them in some way rather than have them continue a withering blight upon us, more and more difficult to reform as it grows older.

The questions are not those of economy alone, which of course must be diligently practiced, but of *great efforts* to compel payment of back and current taxes into the treasury, to gather up and utilize our resources wherever any may be found, and in every way possible to raise means with which to put all our monetary affairs upon a cash basis.

In view of the great and pressing importance of this subject, I recommend such legislation as will have the effect to ascertain correctly and accurately the nature and extent of our debts, liabilities and obligations, to publish such information to the people, and most speedily enable us to reduce our rates of taxation without dishonor, by establishing cash payments at the earliest possible moment; for until that moment arrives, Florida must continue to be under a cloud.

The whole amount of State debt, exclusive of aid to railroads, bonded, interest, and floating, as far as I can learn, after some search, does not exceed \$1,500,000; but that is large for us, and should be paid without any delay.

The amount of the 7 per cent. 20-year \$500,000 bonded debt, authorized by the acts of December 27, 1856, and January 7, 1859, modified by the legislative resolutions of December 21, 1859, of December 3, 1863, December 2, 1864, and December 6, 1864, is not clearly shown by any Comptroller's or Treasurer's report that I have seen, though I have not seen all. Nor have I been able to learn whether any of the interest on whatever amount of these bonds were lawfully sold has been paid. There is a probability that much of it is yet in arrears. A few bonds were authorized prior to 1856, and between 1859 and January 10, 1861. It is important to ascertain the amount, date, disposition, and interest on each of them.

Whatever may have been done during the rebellion toward enlarging the State debt is subject to great doubt as to the legality of the obligation as a State indebtedness, no matter who may claim to be the creditors; but it should none the less be fully and particularly investigated, reported, and clearly known and understood.

Since the war, in 1868 and 1869, \$500,000 of 6 per cent. 20 and 30-year bonds were authorized. About \$100,000 of them have been sold, and the rest hypothecated for about \$135,000 borrowed, including interest, I believe. By an act of 1871,

\$350,000 of 7 per cent. 30-year bonds were authorized, all of which have been sold. The floating debt, consisting mostly now of Comptroller's warrants on the treasury, does not probably exceed \$230,000.

A proper search of the acts and resolutions of the General Assembly, the legislative and Comptroller's records, would doubtless result in obtaining all the information upon this most important subject, so necessary to enable the people to understand it correctly, in order that measures may be at once adopted to arrange and liquidate it.

There are, and will continue to be until laws shall be made effectually to prevent them, so many difficulties and obstacles in the way of enforcing prompt and correct collections and transmissions of taxes, and correct settlements with the treasury, and so little money reaches the people's treasury, as that the interest on their public debt goes unpaid; which fact alone is ruinous to the character and good name of the State. The principal is unprovided for. Outstanding Comptroller's warrants for current expenses are fearfully increasing at double rates, and I have reason to believe that there is no money with which to pay even expressage on books, telegraph fees, or to purchase any of the supplies most necessary for daily labor and use about the Capitol, and nothing whatever with which to pay the expenses of the present session of the legislature.

There are ample resources. The Comptroller's report states that the taxes of 1871, not yet received at the treasury, amount to \$180,256.25. From other sources I think it may here be safely stated that for several years previously to 1871 the amount still due for taxes will not fall short of \$160,000, making \$340,000 due for back taxes. Is it any wonder that the treasury is empty, and Comptroller's warrants generally nearly 50 per cent. below par? And this is not all. The taxes for the year 1872 are now being collected. I have no official information of the amount properly expected from that source, but if it should be half of the whole amount for 1871 it will be \$218,686.42, making \$598,000 now due and that should be brought into the treasury without delay. There are more than \$50,000,000 of taxable property in the State, from which \$300,000 could be raised annually at an easy rate, not heavy even with county taxes added; from licenses, \$30,000; from railroads, ex-

press, telegraph, and insurance companies, \$50,000; from fisheries \$75,000 can be raised annually, all of which would make an annual income, from certainly not all of our resources, of \$455,000. The people are willing that tax collectors and their sureties shall be *made to pay* what has been collected from the people but withheld from the treasury; that assessors and collectors shall be continually *compelled* to do their whole duty promptly, and that whatever steps are necessary in order to perfect the financial condition of the State shall now be taken.

Compel the attorneys of the State to be diligent and faithful to their client, in prosecuting defaulting tax assessors and collectors and their sureties, and in paying over what they thus collect. Their neglect has been one of the causes of the immense deficits of the past, which are still due, and no such neglect should in future be tolerated, but should be promptly punished. *Make* these collections sure, *compel* the correct transaction of all the financial business of the State, and then, its resources being well known to be abundant, we can, if we choose, by an efficient measure, such as that of 1871, fund all of our debts that need to be liquidated in that manner, obtain by borrowing what ready money may be necessary to enable us to pay our way and avoid these double expenses, to pay our interest promptly, to establish a sinking fund to meet the principal, to economize in some other respects, to reduce taxation, and to take hold of and push all our other public interests with a vigor that will make our general prosperity more certain than ever, and at least to give us the consciousness of independence of the bond and scrip market. These great and good results cannot be accomplished without unity and earnestness of purpose, with a positive determination that, come what may, the good work shall be done, and that the finances of the State shall be kept in that condition always. Public debts tend to demoralize the community as private debts demoralize the individual. They are enemies of public virtue, encouraged only by the vicious; should never be resorted to except as a calamity only less destructive than dishonor; should be kept in hand, used for the purpose for which they were created, and then paid off and disposed of as soon as possible, like the discharging of a great army as soon as the war which called it into existence is over. A State should keep all its resources of faith, credit, and material

always, when possible, unpledged and completely at its own free use and disposal. To the extent to which its material strength is pledged away, is it impaired, weakened, and crippled, and a vigorous remedy is necessary in order that it may become itself again.

Considerations of this character, the healing of the body politic, are of greater importance than the selecting of our distinguished citizens to go and represent the State in Congress. The general weal is primary, the selecting of one of its helpers secondary.

Prominent among the several matters to which I desire to call your attention, and one directly affecting the interests of every tax-payer, is the subject already referred to, of the security of the people against frauds and peculations by officers entrusted with the collection and safe keeping of taxes and other public moneys. The probability is that our State is without a parallel in the laxity of revenue collectors in making returns to the treasury. I doubt if there is another State in which so great a proportion of the revenues is withheld from the treasury after it has been paid to the proper officers by the tax-payers. This long-existing practice should be stopped by appropriate action of the legislature now. The law should be so framed that these officers should be required to give ample security, and that the officer or officers whose duty it is to approve the bonds of collectors of revenue and others, should be liable to punishment and removal from office, and to some pecuniary responsibility for defalcations if they neglect to make proper investigation into the solvency of the sureties of such officers. I think much of the trouble alluded to grows out of the action of those who approve such sureties, and the least that should be required of them is that they shall have some tangible evidence of the pecuniary ability of sureties, rendered upon oath in writing, and that such evidence be preserved subject to inspection by the public, and particularly by the prosecuting attorneys. The Circuit Judges should be empowered at any time, in term time or in vacation, to order an adjustment of the accounts of revenue officers on stated days, and the payment of moneys in their hands, and to imprison as for contempt for any disobedience of such orders. It is too often said that officers are in the practice of exchanging moneys received for revenues for the depreciat-

ed warrants of the State, and making return on oath that such warrants were the identical paper received for revenues, thus setting at defiance the criminal code, cheating and thieving the public for the purpose of pocketing the difference, and adding perjury to fraud without fear of punishment. I have not heard of any attempt to punish either crime, and this leads some of our people to believe that other officers whose duty it is to protect the public are imposed upon and made to suffer in their reputation for the crimes of others. All this may be mere idle rumor, but the rumor is so general and so generally believed, that I deem it my duty to invite your attention to it. It may be well to examine the existing law and ascertain whether there is any adequate remedy for any of these wrongs. As to the action of my department I shall endeavor to make it such that no defaulter or other criminal shall be entrusted with official position. If any wrong shall be committed by an officer which shall be deemed sufficient to warrant his removal, there should be authority somewhere, upon proper complaint made, to suspend the delinquent from his office, and provision should be made for filling the office temporarily during such suspension, and until full inquiry can be made with a view to removal if the complaint is sustained. The people are required to obey the law, and no officer should be allowed to betray his trust with impunity.

EXPENSES OF COURTS.

One of the most fruitful sources of unnecessary extravagance is in the loose provisions of the laws, or the careless attention to them, in regard to the punishment of crime. I refer to the great expenses incurred in the matter of jurors and witnesses. As to the County Courts, it is suggested that there is little necessity for summoning a large number of persons for jurors at the several terms. I have no doubt that justice may be as satisfactorily done by a jury of six men in these courts as by a jury of twelve. I recommend that the law be so changed that every case, civil or criminal, may be tried before the judge without a jury, unless a jury be required by one of the parties; and on demand of a jury, that the requisite number be drawn by the clerk from the jury-list in the presence of the court, subject to the usual challenges, and that when the jury is thus selected a venire may be issued, returnable at such time as may be directed

by the court, and that the fees of the jurors be included in the judgment and collected as other costs, to be disbursed as may be provided.

As to the Circuit Courts, the general practice seems to be that the clerk issues as many subpoenas as he sees fit, and enters but one name in each subpoena. The consequence is that many persons are subpoenaed who are not required, and they attend the court as mere idle spectators and draw their pay until they are expressly discharged. If the clerk should issue only such subpoenas as were required by the prosecuting attorney or the court, and include in the writ say five or six witnesses, if so many were required, in my judgment but one-half the amount of such expenses would be incurred, as compared with the present practice. The change here suggested would, moreover, remove the temptation to commit frauds upon the treasury in respect to this class of public expenses.

While upon this subject, I deem it proper to call your attention to the fact that in some portions of the State the tariff of fees prescribed by the act relating to fees and charges, passed at the extra session of June 6th, 1870, is wholly ignored, and officers are in the practice of charging according to former rates, being 50 per cent. greater than those fixed by the act of 1870. A question has been raised as to the constitutionality of that act in respect to the time and manner of its enactment. Upon examination of the journals of the Legislature, I am unable to see in what respect the act is invalid. The Supreme Court has recognized the act as a law of the State, and if there be any remaining doubt upon the subject, I would recommend some action on the part of the Legislature. Meantime, in such case, some changes may be made without detriment to the public in the direction of reducing some of the charges there authorized, and regulating the mode of auditing and paying claims against the treasury.

THE CRIMINAL LAWS.

Your attention is invited to a thorough examination of the laws for the punishment of crime. In many respects, it may be found that amendments can be made which will render the administration of these laws less difficult and expensive, and punishment more certain, thus tending to the suppression of crime. Among other offences, that of bribery should have your prompt

attention. I do not believe that the Courts and Legislature of this State are exceptional as compared with those of other States, and I have not believed that a tithe of the rumors which have been afloat regarding this offence, had any just foundation. If courts and Legislatures have become mere articles of commerce, the life, liberty and property of the citizen are at the mercy of the most dangerous and unscrupulous men. In some States, it has become almost dangerous to the reputation of a good man to be a member of their legislative bodies. The man who would receive a bribe for doing that which he ought to do, who required to be paid for doing his duty as a sworn officer of the government, or who will take money or other things for doing that which he ought not to do, must have become lost to all the attributes of manhood, a traitor to his fellow-men, and in addition to the contempt he must feel for himself, deserves and should receive the scorn, the contempt, and the detestation of every honest man. And he who approaches any officer or member of a Legislature with such proposals, belongs, if possible, even lower in the scale of morality. The offer of a bribe shows that he who offers it believes that his intended victim is so mean and low that he can be bought even by the more mean and contemptible wretch who makes the offer. Let it not be said that any legislator of this State belongs to either of these detestable and dangerous classes of criminals. The officer who will accept a bribe either for doing or violating his sworn duty, adds the crime of perjury to treachery, and surrenders all claim to the esteem of his neighbors. If our officers and legislators are not beyond the reach of those who would tempt them from their duty to themselves, their families and the State, then indeed have the temples of justice and law become the "dens of thieves." Let us show that all our virtue has not departed from us.

ELECTION LAWS.

The experience of the past few months has demonstrated the necessity of some changes in the laws relating to elections. It has come to be regarded as a matter of grave concern, under the law as it now stands, whether the choice of officers depends upon the voice of a majority of the people of the State or counties, or whether it depends upon the skill of a board of canvassers in receiving or rejecting, upon petty and technical grounds, the evidence of the result. The liberties of the people hang upon a

slender thread while the law permits mere administrative officers to exercise judicial functions of so grave a character. The law providing for the punishment of those who falsify, suppress, or manufacture fraudulent returns, is entirely inadequate to protect the people against these criminal practices. Thus far the firmness and integrity of the State Board of Canvassers have protected us against the mischiefs which might have grown out of any improper use or abuse of their official powers in these respects. The attention of the Legislature is respectfully but earnestly invited to this subject.

EXPENSES OF LUNATICS.

I respectfully invite the special attention of the Legislature to that part of the report of the Comptroller which suggests that provision be made with the least possible delay for the support of Florida's poor, unfortunate insane whom we have placed in Asylums in other States.

THE ROADS.

The common roads of the country in the counties, so necessary to the people, are almost everywhere neglected and in such bad condition as to be discouraging to persons wishing to settle in our State. This is caused by the neglect or incompetency of County Commissioners, and the failure of the people effectually to influence their Senators and Assemblymen to make laws sure to be effectual. The County Commissioners have power to appoint and control and punish road commissioners or overseers. The latter have power to compel work on the roads, or commutation in money for it, and to expend the money in such work. The County Commissioners and road overseers may be punished for neglect or malfeasance. Why then are the roads neglected and almost everywhere in bad condition? If County Commissioners are indicted, convicted, and punished for not compelling the road overseers to do their duty, this important business would not be so much neglected. I recommend such legislation now as will *compel* the correct and faithful performance of these very important public duties.

REPORTS OF CABINET OFFICERS.

As the day of the installation of the Governor is the same as that of the meeting of the Legislature, the reports of the Cabinet officers are made to the Governor who appointed them, and whose time of office does not expire till that day, and are not in

the possession of the incoming Governor. When delivered to him on or after that day, several days are required for their examination previous to the preparation of the general executive message to the Legislature. An amendment of the Constitution giving some time between these two events would be an improvement.

DEPARTMENT OF STATE.

The report of the Secretary of State is annexed, consisting of Appendix A, showing pardons, death warrants, reprieves, and suspensions from office, and Appendix B, exhibiting the amount of official labor performed, and the condition of some of the records in his office during the year. The attention of the Legislature is invited thereto.

DEPARTMENT OF PUBLIC INSTRUCTION.

The regular and supplemental reports of the Superintendent of Public Instruction, herewith submitted, furnish some interesting information of the progress of the free school system inaugurated by our new constitution, and make some useful suggestions of improvements that can be made in it, and of aid needed by it to make it even more thriving. The labors of the County Superintendents are very essential to the perfect success of the system, and should be continually encouraged. The Governor has the appointment of them, and will try to keep the most efficient persons in the performance of these important public duties.—The attention of the Legislature is invited to these reports.

DEPARTMENT OF LANDS AND IMMIGRATION.

The reports of the Commissioner of Lands and Immigration, herewith submitted, show the amount of sales of State Lands, and the proceedings of the Trustees of the Internal Improvement Fund, during the past year. The attention of the Legislature is invited to them.

TREASURY DEPARTMENT.

The report of the Comptroller is herewith submitted; also that of the Treasurer, both of which are referred to your attentive examination.

ADJUTANT-GENERAL'S DEPARTMENT.

The report of the Adjutant-General is herewith submitted. The report of the Warden of the State Prison has been received

since the date of this report. They are recommended to the attention of the Legislature.

I desire to impress upon the minds of the Legislature the importance of completing the general appropriation bill in time for its thorough examination by the Executive, and for his constitutional action thereon to be taken understandingly. He should not be compelled to choose between approving items of questionable propriety and the loss of the whole appropriation bill, and I trust I shall not be driven to such an alternative.

I have reason to believe that the amount of Agricultural College Scrip due this State is at present in the hands of the Secretary of the Interior, subject to the order of the State, and I would suggest the propriety of taking the necessary steps in order to its receipt and faithful application to the purpose for which it is intended.

I am informed that there is an uncertain amount of old State scrip out that has been paid, but is being brought in and paid again. Why it was not cancelled when paid, how it got out of the treasury again, and how much there is of it out, whether \$10,000, or \$300,000, or \$400,000, is uncertain. It is known that some old scrip that was in the office has been destroyed by burning, but I am not informed how much. I would cancel, file away and keep, but not destroy, such evidences of former payments. I invite your attention to this important matter, and ask that it may be inquired into and some safe measure adopted in reference to it.

In conclusion, I have only to say that it rests with you, gentlemen, in your high capacity as law-makers, to judge of the importance and feasibility of the suggestions I have made, and to take such wise, deliberate and decisive action in the premises as shall tend to the growth and prosperity of our beloved State, by lifting her, first of all, out of the slough of insolvency into which she has fallen, not through any lack of resources, or fault of her own, but through the criminal neglect and malfeasance of those to whom she had entrusted the duty of receiving from her people the means of her support, which they, the people, are ever ready to afford her.

This done, and the rights of the citizen, the humblest as well as the greatest, fully guaranteed before the law, and education,

the very life of Republics, made general and free, our State will rise to the position she is so well calculated by her natural advantage of soil, climate and situation to occupy among the great sisterhood of States constituting our one, undivided, common country.

OSSIAN B. HART, *Governor.*

(APPENDIX A.) PARDONS FOR 1872.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	SENTENCE.	WHEN PARDONED.	TERMS.
1	Edwin C Mobley	Manslaughter 2d degree	Sumter county	Fall Term C C, 1871	4 yrs State Pent'y	January 5	Full pardon
2	John Bailey	Larceny	Suwannee county	County Court, 1872	60 days imprisonment	do do	do do
3	John Riggsby	do	do do	do do	do do	do do	do do
4	Gaines Sheffield	Polygamy	Madison county	Fall Term C C, 1871	60 dys imp \$25 fine	do do	Pay fine and costs
5	Richard Thomas	Felony	do do	do do	\$250 fine and cost	do do	Full pardon
6	Robert Lewis	do	do do	do do	6 months in Pent'y	do 23	do do
7	Jack Lipscomb	do	do do	do do	do do	do do	do do
8	Rail Hames	do	do do	do do	do do	do do	do do
9	Humphrey Lewis	do	do do	do do	do do	do do	do do
10	Albert Walker	do	do do	do do	do do	do do	do do
11	Boson Samuel	do	do do	do do	do do	do do	do do
12	Ned Wardaw	do	do do	do do	do do	do do	do do
13	Richard Moore	Petit Larceny	Columbia county	Sp Term C C, 1870	4 years in do	do 29	do do
14	Jacob N Driggers	Alt'g m'ks & brands on cattle	Manatee county	Fall Term C C, 1871	1 year in do	do 26	do do
15	Wellington Young	Malignous mischief	Suwannee county	do do	\$150 fine and cost	do 27	do do
16	King Stockton	Fraudulently marking cattle	do do	do do	3 years in Pent'y	do do	do do
17	Albert Stockton	do do do	do do	do do	do do	do do	do do
18	Richard Croom	False imprisonment	Jefferson county	do do	1 year in do	do do	do do
19	William Jackson	Stealing in a building	Duval county	do do	5 years in do	February 23	do do
20	Charles Schenk	Larceny	Columbia county	do do	1871 4 years in do	do do	do do
21	John Lewis	do	Duval county	do do	1869 5 years in do	do do	do do
22	John Simpson	do	Santa Rosa county	do do	1871 1 year in do	do do	do do
23	Ned Grim	do	Leon county	Sp Term C C, 1871	do do	do do	do do
24	James McDuffy	do	Columbia county	do do	1869 4 years in do	do do	do do
25	Charles Young	Stealing in a building	Duval county	Fall Term C C, 1869	5 years in do	do do	do do
26	Prince McKnight	Larceny	Madison county	do do	do 3 years in do	do do	do do
27	Charles Robinson	Stealing in a building	Duval county	do do	1870 4 years in do	do do	do do
28	Andrew Wilkinson	do do do	do do	do do	do do	do do	do do
29	Jane Pinkinston	Adultery	Hernando county	Fall Term C C, 1871	1 year in do	do do	do do
30	Henry Miller	Murder 2d degree	Duval county	Sp Term C C, 1869	Penitentiary for life	do do	do do
31	Louis Johnson	Murder	Madison county	Fall Term C C, 1869	10 years in Pent'y	do do	do do
32	Romeo Fatio	Attempt to rob	Suwannee county	Sp Term C C, 1871	5 years in do	do do	do do
33	Roxey Sadder	Stealing in a building	do do	Fall Term C C, 1870	2 years in do	do do	do do
34	Elijah Mott	Adultery	Hernando county	do do	1871 do do	do do	do do
35	Chas H Pearce	Corruptly offering a bribe	Leon county	do do	1870 4 mos C. jail \$1000 f	April 29	do do
36	Amyer D Johnson	Manslaughter 2d degree	Sumter county	do do	1871 5 years in Pent'y	May 6	do do
37	James Bagley	Disturbing Sunday worship	Duval county	Co Court Apl 9, 1872	\$50 and costs	June 1	To pay costs
38	Elizabeth Hurtell	Adultery	Monroe county	Sp Term C C, 1872	6 months in Pent'y	June 24	Full pardon

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39	Cato Brown	Larceny	Leon county	Sp Term C C, 1872	Fined \$50	July 30	Full pardon
40	Cooper Davis	Assisting a prisoner to escape	Marion county	Fall Term C C, 1871	55 and costs	October 31	do do
41	Carolina Michael	do do do	do do	do do	do do	do do	do do
42	John Lewis	do do do	do do	do do	do do	do do	do do
43	Clairborne Hamilton	do do do	do do	do do	do do	do do	do do
44	Thomas Honston	do do do	do do	do do	do do	do do	do do
45	Adam Mitchell	do do do	do do	do do	do do	do do	do do
46	John Craig	do do do	do do	do do	do do	do do	do do
47	Isaac Pearson	do do do	do do	do do	\$1 do do	do do	do do
48	George Wiggins	do do do	do do	do do	\$5 do do	do do	do do
49	Abram Johnson	do do do	do do	do do	do do	do do	do do
50	Moses Johnson	do do do	do do	do do	do do	do do	do do
51	Jesse Steplight	do do do	do do	do do	do do	do do	do do
52	Jesse Gibson	do do do	do do	do do	\$1 do do	do do	do do
53	Andrew Longwood	do do do	do do	do do	do do	do do	do do
54	Henry H Baggett	Assault with intent to murder	Santa Rosa county	do do	2 years in Pent'y	do do	do do
55	Solomon Jackson	Lascivious and lewd behavior	Suwannee county	Sp Term C C, 1872	\$100 fine	do do	do do
56	Chana Mills	do do do	do do	do do	\$25 fine	do do	do do
57	James T Key	Larceny	Gadsden county	Fall Term C C, 1871	3 years in Pent'y	do do	do do
58	Wm A Nowlin	Assault with intent to kill	Leon county	do do	\$500 fine	May 6	do do

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DEATH WARRANTS, 1872.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	SENTENCE.	WARRANT ISSUED.	WHEN EXECUTED.
1	Andrew Spaight	Murder	Marion county	Sp Term C C, 1872	To be executed	May 6, 1872	May 17, 1872
2	Robert Brown	Murder	do do	do do	do do	do do	do do
3	Moses Green	Murder	do do	do do	do do	do do	do do
4	Jason Jackson	Murder	Nassau county	Fall Term C C, 1872	do do	November 25, 1872	December 27, 1872

SUSPENSIONS OF FINES, 1872.

NO.	NAME.	CRIME.	WHERE CONVICTED.	WHEN CONVICTED.	DATE OF SUSPENSION.	TIME.
1	Cato Brown.	Larceny.	Leon County.	Sp Term. C. C. 1872.	June 19, 1872.	Until further orders.

REQUISITIONS ISSUED FOR FUGITIVES, 1872.

NO.	NAME.	CRIME.	WHERE COMMITTED.	AGENT AUTHORIZED TO RECEIVE AND RETURN THE FUGITIVE.	DATE OF REQUISITION.
1	C. J. Hunter.	Obtaining money under false pretenses.	Jefferson county.	A. B. Quinker.	February 9, 1872.
2	Henry Blackshear.	Murder.	Jackson county.	F. M. Carter.	June 30, 1872.
3	John J. Upton.	Horse stealing.	Gadsden county.	John P. Jordan.	August 19, 1872.

ORDER OF ARREST ON REQUISITIONS FOR FUGITIVES, 1872.

NO.	NAME.	CRIME.	REQUISITION FROM GOVERNOR OF.	DATE OF REQUISITION.	AGENT APPOINTED TO APPREHEND PRISONER.	ORDER ISSUED TO.	DATE OF ORDER.
1	G. F. Nutter.	Forgery.	New Hampshire.	No record.	George D. Savage.	Sheriff Putnam Co.	February 20, 1872.
2	John Brown.	Robbery in 1st degree.	New York.	March 7.	Ebbe Hay.	Sheriff Nassau Co.	March 13, 1872.
3	Henry Wilson.	Burglary in the night.	Georgia.	April 16.	Jacob Moody, J.	do	May 6, 1872.
4	E. N. Chester.	Conspiracy.	West Virginia.	November 9.	Hedeman Slack.	do	November 18, 1872.
5	F. E. Town.	do	do	do	do	do	do

(APPENDIX B.)

STATEMENT of Commissions and Official Papers issued and received since January 1st, 1872.

Cabinet Officers.	4	Orders of arrest for Fugitives supposed to have fled here from other States.	5
Circuit Judges.	3	Proclamations.	5
State Attorneys.	10	Charters filed.	10
County Judges.	18	Letters written since January 1st 1872.	1964
Sheriff.	21	Books received for State Library.	67
Clerks of Circuit Courts.	23	Number of laws of Florida, (session 1868) issued to officers throughout the State.	13
Tax Assessors.	28	Number session 1869.	7
Tax Collectors.	30	Number extra session 1869.	80
Harbor Masters.	2	Number session 1870.	76
Commissioners of Pilotage.	9	Number extra session 1870.	43
Justices of the Peace.	46	Number session 1871.	77
County Commissioners.	77	Number session 1872.	632
Commissioners of Deeds.	22	Laws of Florida 1868 on hand.	0
Auctioneers.	11	Laws of Florida 1869 on hand.	0
County Treasurers.	9	Laws of Florida extra session 1869 on hand.	400
Notaries Public.	13	Laws of Florida 1870 on hand.	30
Lumber Inspectors.	8	Laws of Florida extra session 1870 on hand.	70
Constables.	7	Laws of Florida 1871 on hand.	407
Sup's. of Schools.	24	Laws of Florida 1872 on hand.	632
County Surveyors.	6	Codes of Procedure on hand.	719
Commission Extra (State Printer).	1		
Resignations.	63		
Removals.	181		
Pardons.	57		
Death Warrants.	4		
Suspension of Fine.	1		
Requisitions for Fugitives issued.	3		

Mr. Henderson moved that the reading of the message be dispensed with, and 500 copies be printed for the use of the Senate and Assembly,

Which was agreed to.
Mr. Eagan moved that the Committee on Privileges and Elections be allowed to employ a clerk,
Which was agreed to.

Mr. Dennis offered the following resolution:

Resolved, That the Judiciary Committee be authorized to appoint a clerk, who shall receive such compensation as the committee shall agree upon.

Which was adopted.
The Senate went into Executive session.

The doors were opened.
Mr. Locke, by permission, introduced Senate Bill No. 10, An act for the relief of John F. Bartholf, and asked that the same be referred to the Committee on Appropriations.

Mr. Dennis moved that a committee of five be appointed to revise the rules and orders of the Senate;

Which was agreed to.

Mr. Pearce offered the following petition which, on motion, was referred to the Committee on Privileges and Elections:

To the Honorable the Senate of the State of Florida:

The petitioner, W. H. Kendrick, respectfully shows to your honorable body that an election was held on the 5th day of November, A. D. 1872, in the counties of Sumter and Polk, in the State of Florida, comprising the Twenty-third Senatorial District of said State, he was duly elected Senator to represent said Senatorial District in the Senate of the State of Florida for the term of four years, and that he is entitled to a seat in your honorable body, but that one M. G. Fortner now fills the seat as such Senator, though never legally elected to the same.

Petitioner therefore prays your honorable body that he may be admitted as such Senator, in accordance with the wishes of the voters of said Twenty-third District, in the place of said M. G. Fortner.

(Signed)

W. H. KENDRICK.

Mr. Potter offered the following resolution:

Resolved, That the Sergeant-at-arms be directed to furnish necessary lights for the Senate Chamber, to be lit up during the session as late as 10 P. M. each day;

Which was not adopted.

Mr. Billings, by permission, offered the following resolution:

WHEREAS, At an election duly held in November, 1870, in the county of Duval, a majority of votes were cast for Mr. Wm. H. Christy, for Senator of the Eighteenth District, as shown by the returns on file in the office of Secretary of State and by the certificates of the Board of State Canvassers, by virtue of which he was sworn in as a member of this body;

And whereas, he was subsequently ousted of his seat, and Horatio Jenkins, Jr., seated in his stead by the fraudulent rejection of the votes legally cast in certain precincts of said county, and the reception and counting in of fraudulent votes purporting to have been cast at the Yellow Bluff precinct, but which have been proved grossly fraudulent, as is shown from the records of the United States District Court for the Northern District of Florida, and from other and conclusive evidence, which fraud vitiates all past action and proceedings in this case; therefore, be it

Resolved by the Senate of Florida, That Horatio Jenkins, Jr., is not entitled to a seat in this body, and he is re-

quired to vacate his seat as Senator from the Eighteenth District, and that Wm. H. Christy was legally elected to such seat and is entitled to such seat in this body.

Mr. Dennis moved that it be referred to the Committee on Privileges and Elections;

Which was not agreed to.

Mr. Dennis moved that the resolution be referred to a Committee of five;

Which was not agreed to.

Mr. Henderson moved that the resolution be laid on the table;

Which was agreed to.

Mr. Dennis moved to reconsider the vote;

Which was not agreed to.

Mr. Johnson moved that the Senate adjourn until 10 o'clock to-morrow.

Which was agreed to.

THURSDAY, JANUARY 16, 1873.

The Senate met pursuant to adjournment.

The Lieutenant-Governor in the chair.

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

Messrs. Crawford, Eagan, Fortner, Ginn, Hill, Jenkins, Knight, Long, McAuley, McKaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—19.

A quorum present.

The journal was read and approved.

The following communication was received from the Assembly:

ASSEMBLY HALL,
TALLAHASSEE, Fla., January 16, 1873. }

Hon. M. L. Stearns, President of the Senate:

SIR: I am directed by the Assembly to inform the Senate that the Assembly has this day passed a substitute for Senate Joint Resolution appointing a committee to examine the books of the Comptroller's and Treasurer's offices, and requests the concurrence of the Senate.

Very respectfully,

H. S. HARMON,
Clerk of the Assembly.

The following committee was appointed to revise the rules and orders of the Senate: