

Secretary by the Governor, and Clerks in Various Offices of the State,

Was read first time and referred to the Committee on State Affairs.

By unanimous consent the Committee on Railroads made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 4, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 20; An act entitled an act to Authorize the Pensacola and Louisville Railroad Company of Florida to construct, own and operate a telegraph line in the county of Escambia, beg leave to report that they have examined the same and recommend that it do pass.

Respectfully,
ROBERT MEACHAM, Chairman.

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

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 4, 1873. }

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

SIR: Your committee to whom was referred—

Senate Bill No. 1:

Entitled An act making an Appropriation to cover Deficiency in the Payment of Members and Attaches of the last General Assembly;

Also:

Senate Memorial No. 1:

Entitled a Memorial to the Congress of the United States;

Also:

Senate Memorial No. 2:

Entitled a Memorial to Congress for an Appropriation for the Survey and Estimates of a Ship Canal from the Waters of the Gulf of Mexico to the Waters of the Atlantic Ocean, by the most direct and practicable transit of the Peninsula of Florida; beg leave to report that they have examined the same and found them correctly enrolled.

Respectfully,
HIRAM POTTER, Chairman.
ROBERT MEACHAM,
M. A. KNIGHT,
A. D. MCKINNON.

The accompanying bill and memorials were signed by the President and Secretary of the Senate.

By unanimous consent Mr. Potter introduced the following:
Senate Bill No. 45:

A bill to be entitled An act to amend an act entitled an act to Provide for the Registration of Electors and the Holding of Elections;

Which was placed among the orders of the day.

By unanimous consent Mr. Sturtevant introduced the following:

Senate Bill No. 46:

A bill to be entitled An act to Locate the County Site of Brevard County;

Which was placed among the orders of the day.

The following Executive message was received:

EXECUTIVE OFFICE,
TALLAHASSEE, Fla., February 3, 1873. }

SIR: I have to inform the Senate of the resignation of Hon. James W. Locke, Senator from the Twenty-fourth Senatorial District. A copy of his resignation is herewith transmitted.

Very respectfully,

O. B. HART,
Governor.

Hon. M. L. STEARNS,
President of the Senate.

On motion of Mr. Meacham the Senate went into Executive session.

The doors were opened.

Mr. Meacham moved that the Senate adjourn until to-morrow at 10:30 A. M.;

Which was agreed to and the Senate adjourned.

WEDNESDAY, FEBRUARY 5, 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, Ginn, Henderson, Hill, Johnson, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, and Sturtevant--18.

A quorum present.

Prayer by the Chaplain of the Senate.

On motion of Mr. Meacham, the reading of the journal was dispensed with.

The journal was corrected and approved.

Mr. Henderson moved that the Secretary be instructed to return the journal of yesterday to the printer and instruct him to follow the manuscript;

Which was agreed to.

Mr. Jenkins moved that each Senator be furnished by the Sergeant-at-arms with not less than five (5) copies of the printed journal each morning;

Which was agreed to.

Mr. Johnson offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Legislature meet in joint session on Thursday next, at 12 o'clock meridian, for the purpose of electing a State Printer to fill the vacancy occasioned by the resignation of S. B. McLin.

Mr. Henderson moved that the consideration of the resolution be postponed until to-morrow;

Which was agreed to.

Mr. Meacham introduced a memorial from the Legislature of the State of Florida to the Congress of the United States in reference to a mail route from Monticello, in Jefferson county, Fla., to Thomasville, Thomas county, Georgia.

Which was placed among the orders of the day.

Mr. Fortner introduced Senate Bill No. 47:

An act entitled an act in Relation to Wharfage;

Which was placed among the orders of the day.

Mr. Dennis introduced Senate Bill No. 48:

A bill to be entitled An act to Provide for the Incorporation of Towns and Cities;

Which was placed among the orders of the day.

Mr. Knight moved a reconsideration of the vote on yesterday on Senate Bill No. 27, pertaining to Ferries and Toll-bridges;

Which, under the rules, was placed first among the orders of the day for to-morrow.

Mr. Henderson offered the following communication:

To the Honorable, the Senate and House of Representatives of Florida:

Having been informed of the appointment by the Senate of a committee on the purchase of an Executive residence, the undersigned respectfully offers, through their honorable Representatives, to the people of her native State, the home in Tallahassee of the late General Richard K. Call, for many years Governor of Florida, as a suitable and especially befitting residence for the chief Executive officer of the State.

The commanding position, extensive domain, and ample mansion, all are too well known to require in this communication more particular description. The undersigned invites inspection and purchase by the State, prompted thereto with

other considerations, by earnest desire that the cherished home of her late father should become public property, and thus appropriated receive the continued care in perpetual preservation which she covets for the homestead by him whose memory she reveres—a distinguished and long-honored public servant, known through his historic character and name as intimately associated with all the substantive interests of the State of his adoption and affections throughout the more prosperous days of its eventful history.

ELLEN CALL LONG.

TALLAHASSEE, February, 1873.

Which was, on motion of Mr. Dennis, referred to the Committee on State Affairs.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 5, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 5, entitled An act Making Appropriations to Supply Deficiencies in the Appropriations for Printing and Advertising for the Year 1872, and for other purposes, beg leave to report that they have examined the same, and find that, while it appears from the journal of the House that there was an amendment adopted in the House, the bill is returned to the Senate with the amendment interlined with a pencil instead of being written, and made an additional paragraph. The amendment has not yet been acted upon in the Senate. The bill was enrolled through an oversight of the Secretary in not seeing the pencil interlineation intended for an amendment, although properly it cannot be regarded as such; and no mention was made of an amendment when it was returned to the Senate from the House. Your committee, therefore, beg leave to return the enrolled bill, together with the original, to the Secretary, with the recommendation that the original bill be immediately returned to the House by the Secretary, for the purpose of having the amendment properly added to the bill and returned to the Senate.

Respectfully,

HIRAM POTTER, Chairman.
M. A. KNIGHT,
ROBERT MEACHAM,
H. JENKINS,
A. D. MCKINNON.

On motion of Mr. Potter the Secretary was instructed to return the original bill to the Assembly as recommended by the Committee on Enrolled Bills.

The Committee on State Affairs made the following report:

SENATE CHAMBER, February 29, 1873.

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

SIR: Your committee to whom was referred Senate Bill No. 34, entitled An act to Repeal an act to Provide for the Protection of the Citizens of this State against Defaulting Foreign Corporations, beg leave to report that they have examined the same, and recommend that it do pass.

Respectfully,

L. G. DENNIS,
Chairman Committee on State Affairs.

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

The Committee on City and County Organizations made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 5, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 41, a bill to be entitled An act to Define the Boundary of Washington County, beg leave to report that they have examined the same, and recommend that it do pass.

Respectfully,

E. G. JOHNSON,
Chairman Committee on City and County Organizations.

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

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 5, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 26, An act to be entitled an act to Allow Maimed Persons to Sell Liquors and to Peddle without Payment of License Tax, beg leave to report that they have examined the same, and recommend that it do not pass.

Respectfully,

D. EAGAN,
Chairman Committee on Finance and Taxation.

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

The Committee on Corporations made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 3, 1873. }*Hon. M. L. Stearns, President of the Senate:*

SIR: The majority of the committee to whom was referred Senate Bill No. 4, to be entitled An act to Incorporate a Company to be called the Fernandina, Jacksonville and New Orleans Steamboat Canal Company, with power to construct a canal or railway between the Mississippi river, at or near New Orleans, Louisiana, and the harbor of Fernandina, in the State of Florida, beg leave to report that they have examined the same, and recommend that the bill be passed.

Respectfully,

H. JENKINS, Chairman.
ROBERT MEACHAM,
ARTHUR GINN.

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

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER, February 5, 1873.

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

Your Committee on Engrossed Bills respectfully report that they have examined the following named bill, entitled Senate Bill No. 32, a bill entitled An act to Incorporate the Perdido Bay Lumber Company, and find it correctly engrossed.

E. T. STURTEVANT, Chairman.
JOHN L. CRAWFORD,
T. W. LONG,
M. G. FORTNER,
L. BILLINGS.

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

Mr. Henderson offered the following resolution:

Resolved by the Senate, That the Committee on Privileges and Elections be instructed to examine such witnesses as may be produced in the matter of the contest in the Eleventh Senatorial District touching fraud in the Sixth Precinct of Hamilton county.

Which was read and adopted by the following vote:
Yeas—Messrs. Crawford, Fortner, Ginn, Henderson, Hill, Jenkins, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Smith, Sturtevant, and Sutton—18.

Nays—Messrs. Dennis, Eagan, Johnson, and Potter—4.
The following message was received from the Governor:

EXECUTIVE OFFICE,
TALLAHASSEE, Fla., February 5, 1873. }

SIR: I have this day signed and deposited in the office of the Secretary of State the following bill and memorials, which originated in the Senate, viz.:

A Bill entitled An act making an Appropriation to Cover Deficiency in the Payment of Members and Attaches of the last General Assembly.

A Memorial to Congress for an Appropriation for the Survey and Estimates of a Ship Canal from the Waters of the Gulf of Mexico to the Waters of the Atlantic Ocean by the most direct and practicable transit of the Peninsula of Florida.

A Memorial to the Congress of the United States Relative to Donation of Land to the City of St. Augustine.

Very respectfully,

O. B. HART, Governor.

Hon. M. L. STEARNS,
President of the Senate.

Which was read and ordered to be spread upon the minutes.

Mr. McCaskill moved that the Committee on Privileges and Elections be instructed to report on the case of Stewart vs. Sturtevant, contestant from the Twenty-first District, on to-morrow morning at 10½ o'clock, and that it be made the special order for 11 o'clock.

Mr. Dennis moved to strike out the words "to-morrow at 10:30 o'clock" and insert the words "10:30 o'clock on Monday morning, the 10th instant."

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Eagan, Hill, Long, Pope, Potter, and Sturtevant—7.

Nays—Messrs. Crawford, Fortner, Ginn, Henderson, Jenkins, Johnson, Knight, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Smith, and Sutton—15.

So the amendment was lost.

Mr. Henderson objected to Mr. Sturtevant voting on the foregoing question, on the ground of interest.

The Chair ruled that the pending question prescribing the time for a committee to report was not such as would disqualify the member.

Mr. Henderson appealed from the decision of the Chair.

Upon the question—Shall the opinion of the Chair stand as the judgment of the Senate?

The yeas and nays were ordered with the following result:

Yeas—Mr. President, Messrs. Dennis, Eagan, Hill, Jenkins, Johnson, Long, Meacham, Pearce, Pope, Potter, and Sturtevant—12.

Nays—Messrs. Crawford, Fortner, Ginn, Henderson, Knight,

McAuley, McCaskill, McKinnon, Oliveros, Smith, and Sutton—11.

So the Chair was sustained.

Mr. Johnson moved that the Senate do now adjourn until to-morrow at 10:30 o'clock.

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Eagan, Hill, Johnson, Long, Meacham, Pearce, Pope, Potter, and Sturtevant—10.

Nays—Messrs. Crawford, Fortner, Ginn, Henderson, Jenkins, Knight, McAuley, McCaskill, McKinnon, Oliveros, Smith, and Sutton—12.

So the motion was lost.

Mr. Dennis moved to amend by striking out all after the words "Twenty-first District" and insert the words "at their earliest convenience."

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Eagan, Hill, Johnson, Long, Meacham, Pearce, Pope, Potter, and Sturtevant—10.

Nays—Messrs. Crawford, Fortner, Ginn, Henderson, Jenkins, Knight, McAuley, McCaskill, McKinnon, Oliveros, Smith, and Sutton—12.

So the amendment was lost.

Mr. Dennis moved to adjourn until 10:30 o'clock to-morrow.

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Eagan, Hill, Johnson, Long, Meacham, Pearce, Pope, Potter, and Sturtevant—10.

Nays—Messrs. Crawford, Fortner, Ginn, Henderson, Jenkins, Knight, McAuley, McCaskill, McKinnon, Oliveros, Smith, and Sutton—12.

So the motion was lost.

Mr. Dennis moved to amend by striking out the words "to-morrow at 10:30" and insert "Saturday, the 8th inst., at 11 o'clock."

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Eagan, Henderson, Hill, Jenkins, Johnson, Long, Meacham, Pearce, Pope, Potter, Smith, and Sturtevant—13.

Nays—Messrs. Crawford, Fortner, Ginn, Knight, McAuley, McKinnon, Oliveros, and Sutton—8.

So the amendment was adopted.

The resolution as amended was adopted.

On motion of Mr. Dennis, the Senate went into Executive session.

EXECUTIVE SESSION

The following Executive nominations were confirmed:

Alfred B. Grunwell, to be Clerk of the Circuit Court of Jefferson county.

W. H. LeCain, to be Clerk of the Circuit Court of Marion county, vice James A. Harris, removed.

W. J. McGrath, to be Sheriff of Marion county, vice J. A. Mathews, removed.

Allen J. Cassady, to be County Judge of Sumter county, reappointed.

Mathew W. Dozier, to be Sheriff of Sumter county, vice J. S. Dyclus, removed.

The doors were opened.

The Chair appointed Mr. Billings to succeed Mr. Locke, resigned, on the following committees:

Corporations, Legislative Expenses, Appropriations, and Chairman of the Judiciary Committee.

On motion of Mr. Long, the Senate adjourned until to-morrow at 10:30 o'clock.

THURSDAY, FEBRUARY 6, 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, Egan, Fortner, Ginn, Henderson, Hill, Johnson, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pope, Potter, Smith, Sturtevant, and Sutton—19.

Prayer by the Chaplain.

On motion of Mr. Fortner the reading of the journal was dispensed with and approved.

Mr. Henderson presented the claim of B. C. Lewis against the State of Florida for moneys loaned to the Comptroller of the State, of date August 3, 1869, and November 4, 1869, and for interest and commissions, and asked their reference to the Committee on Claims for their consideration;

Which was received and referred to Committee on Claims.

Mr. Hill introduced Senate Bill No. 49:

To be entitled An act to Authorize John W. McCall, a minor, to take charge of and control his estate;

Which was placed among the orders of the day.

Mr. Henderson introduced Senate Bill No. 50:

A bill to be entitled An act in Relation to Hotels and the Liability of Hotel Keepers;

Which was placed among the orders of the day.

Mr. Potter introduced Senate Bill No. 51:

An act to Incorporate the Perdido Boom Company of Florida;

Which was placed among the orders of the day.

Under suspension of the rules Mr. Dennis obtained permission to introduce the following resolution:

Resolved, That a special committee of three be appointed by the Chair whose duty it shall be to ascertain and report immediately if any State bonds have been issued within the last two years to the South Florida Railroad Company, or to the Florida Railroad Company, or to any person in connection with said corporations whether under its former or present corporate title, or any State guarantee of the bonds of said corporations, or on account of said corporations or either of them, and if so, what amount, the style of the bonds, when issued, and by whom, to whom, and when delivered, and by whom delivered, under what authority of law, if any, what security, if any, the State received from said corporations for the bonds issued, and all other facts in connection with the issue of said bonds or State guarantee, and said committee is hereby authorized to send for persons and papers and to take testimony under oath;

Which was adopted.

The Chair appointed the following committee:

Messrs. Dennis, Crawford, and Johnson.

Senate concurrent resolution, offered by Mr. Johnson on yesterday, came up and, on motion of Mr. Johnson, the consideration of the resolution was postponed until Tuesday next.

The following communication was received from the Assembly:

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 5, 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 adopted Assembly joint resolution for the appointment of a joint committee on an Appropriation Bill;

Also:

That the Assembly has passed Assembly Joint Resolution Requesting the Governor to Appoint a Delegate to the National Agricultural Convention;

Also:

Assembly Bill No. 16:

Making Appropriations to Cover Deficiencies for the Year 1872;

Also:

Assembly Bill No. 39;

Also:

Assembly Bill No. 31:

An act to Adopt a Child;

Also:

Assembly Bill No. 23: