

Also, Assembly Bill No. Sixty-seven (67), entitled An act to Provide for the More Efficient Collection of Revenue.

Very respectfully,

H. S. HARMON,  
Clerk of the Assembly.

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

Assembly Bill No. 67:

A bill to be entitled An act to Provide for the more Efficient Collection of the Revenue,

Was called up and, on motion of Mr. Henderson, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Finance and Taxation.

Under a suspension of the rules, Mr. McCaskill obtained permission to introduce Senate Bill No. 54:

A bill to be entitled An act Making Mrs. Martha F. Judge and Mrs. Joseph H. Rowe Free Dealers,

Which was placed among the orders of the day.

Under a suspension of the rules Mr. Johnson obtained permission to introduce Senate Bill No. 55:

A bill entitled An act Providing for the Faithful Discharge of Public Duties by Certain Officers.

On motion of Mr. Henderson, the rules were unanimously waived, the bill read first time by its title, and referred to the Judiciary Committee.

Under a suspension of the rules, Mr. Dennis obtained permission to introduce Senate Bill No. 56:

Entitled An act for the Relief of J. W. Childs.

On motion of Mr. Dennis, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Appropriations.

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

#### EXECUTIVE SESSION.

The following Executive nominations were confirmed:

Daniel Campbell, to be County Judge of Walton county.

Neil P. Campbell, to be Sheriff of Walton county.

Geo. W. Bogue, to be Sheriff of Madison county.

The doors were opened.

Mr. Jenkins, by request, was excused from serving on the Joint Committee on Appropriations, and Mr. Meacham appointed in his place.

On motion of Mr. McCaskill, the Senate adjourned until ten o'clock to-morrow morning.

SATURDAY, FEBRUARY 8, 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. Billings, Eagan, Fortner, Ginn, Hill, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pope, Smith, Sturtevant, and Sutton—14.

Prayer by the Chaplain.

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

Mr. Johnson introduced the following resolution:

*Resolved*, That whereas on yesterday the Assembly extended to Gen. John Tyler an invitation to deliver an address in the Hall of the Assembly, on Monday evening next, at 7½ o'clock, "On the Course of Commerce Associated with the Course of Empire," we, the Senate, cordially unite in the same;

Which, on motion of Mr. McCaskill, was indefinitely postponed.

Mr. Potter introduced Bill No 57, a bill to be entitled An act to Incorporate the Gulf Coast and Florida Peninsular Canal Company, and to Grant Certain Privileges therein named,

Which was placed among the orders of the day.

Mr. Billings introduced Senate Bill No. 58, An act to Encourage Manufactures,

Which was placed among the orders of the day.

Mr. Hill introduced Senate Bill No. 59:

A bill to be entitled An act for the Relief of \_\_\_\_\_ and \_\_\_\_\_ for Services Rendered as School Teachers in Jefferson County in the year 1868,

Which was placed among the orders of the day.

Mr. Billings' resolution, inquiring of the Attorney-General whether any decree has been made by the United States courts in regard to prohibiting State officers from performing their duties imposed by the Internal Improvement Law,

Came up, and the committee amendment striking out the last clause was adopted.

On motion of Mr. Billings the resolution as amended was adopted, and ordered to be certified to the Attorney-General.

Assembly Resolution in relation to the appointment of a Delegate to the National Agricultural Convention,

Was read first time and, on motion of Mr. McCaskill, was referred to the Committee on Appropriations.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER, February 8, 1873.

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

SIR: Your committee to whom was referred—

Assembly Bill No. 39:

A bill to be entitled An act to amend an act entitled an act to Incorporate the Monticello and Georgia Railroad Company; and

Senate Bill No. 47:

An act entitled An act in Relation to Wharfage, beg leave to report that they have examined the same and find them correctly engrossed.

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

And the accompanying bills placed among the orders of the day.

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

SENATE CHAMBER,  
TALLAHASSEE, February 6, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 46, a bill to Locate the County Site of Brevard 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.  
HIRAM POTTER,  
C. H. PEARCE.

And the accompanying bills placed among the orders of the day.

The following communications were received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 8, 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—

Concurrent Resolution relating to State Printer;

Also:

Concurrent Resolution relating to the Governor's Message;

Also:

Assembly Memorial asking for a Mail Route from Brooksville to Tampa; and

Assembly Memorial asking for a Mail Route from Tampa to Fort Ogden.

Very respectfully,

H. S. HARMON,  
Clerk of the Assembly.

Also:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 8, 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 Bill No. 52, entitled An act to Repeal An act to Simplify and Abridge the Practice Pleadings and Proceedings of the Courts of this State.

Very respectfully,

H. S. HARMON,  
Clerk of the Assembly.

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

#### ORDERS OF THE DAY.

Senate Bill No. 4:

To Incorporate a Company to be called the Fernandina, Jacksonville and New Orleans Steamboat Canal Company, with Powers 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,

Came up on its second reading.

Mr. Billings offered the following amendment:

Title amended so as to read: "A Bill to Incorporate a Company to be called the Florida Black-mailing Company, with Powers to Obstruct the Building of a Canal or Railway between the Mississippi River, at or near New Orleans, Louisiana, and the Harbor of Fernandina, Florida."

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

Which was not agreed to.

Mr. Henderson moved to indefinitely postpone the bill.

The yeas and nays were ordered with the following result:

Yeas—Messrs. Billings, Crawford, Fortner, Ginn, Henderson, McAuley, McCaskill, McKinnon, Oliveros, Pope, Smith, and Sutton—12.

Nays—Messrs. Dennis, Hill, Jenkins, Johnson, Long, Meacham, Pearce, Potter, and Sturtevant—9.

So the bill was indefinitely postponed.

Mr. Henderson moved to reconsider the vote just taken.

Mr. McKinnon moved to lay the motion to reconsider on the table;

Which was agreed to.

Mr. Pearce moved that the Senate do now adjourn until Monday at 10 o'clock,

Which was not agreed to.

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

WHEREAS, It is believed that there is a large amount of taxes due from Duval county to the State; therefore

*Resolved*, That the Comptroller of public accounts be requested to furnish to the Senate a statement of the amount due the State, in what years assessed, and to what tax-collectors the deficiency is chargeable. Also to furnish a statement as to the sufficiency of the official bond of the present tax-collector of said county, and such other information in regard to deficiencies connected with the officers of revenue in said county as may be in his possession.

Which was adopted, and ordered to be certified to the Comptroller immediately.

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

*Resolved by the Senate, the Assembly concurring*, That the Comptroller be requested to furnish the Legislature with an estimate of the amount necessary to defray the current expenses of the State for the fiscal year ending January 1, 1874.

Which was adopted.

Under a suspension of the rules Mr. Jenkins obtained permission to introduce the following report:

SENATE CHAMBER, February 8, 1873.

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

SIR: Your committee to whom was referred—

Senate Bill No. 7, to be entitled An act for the Relief of Messrs Walker & Baker, and Brevard, beg leave to report that they have examined the same, and recommend that it be passed with accompanying amendment.

Respectfully,

HORATIO JENKINS, Chairman.

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

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

WHEREAS, The investigation thus far made under the resolution of the Senate directing an investigation into the issue of bonds to the South Florida Railroad Company has developed the probability of fraud in connection with said bonds; and whereas, it is necessary for the safety of the public interest that the investigation should proceed with care and certainty as to the facts exposed, be it therefore

*Resolved*, That the said committee have authority to employ counsel and clerk;

Which was adopted.

On motion of Mr. Henderson, Assembly Bill No. 52, entitled An act to Repeal an act to Simplify and Abridge the Practice, Pleadings and Proceedings of the Courts of this State,

Was taken up, the rules were unanimously waived, the bill read the first time by its title, and referred to the Judiciary Committee.

Senate Bill No. 7:

A bill for the Relief of Messrs. Walker & Baker, and Brevard,

Was read a second time and ordered engrossed.

Senate Bill No. 30:

Entitled An act to Aid the Cause of Temperance by the Abolition of the Tax on Soda Fountains,

Came up and, on motion of Mr. Dennis, the committee substituted a bill entitled An act to Abolish the Tax on Soda Fountains,

Was read the second time and ordered engrossed.

Senate Bill No. 46:

A bill to Locate the County Site of Brevard County,

Came up and, on motion of Mr. Henderson, the bill was indefinitely postponed.

Mr. Henderson moved to reconsider the vote just taken, and to lay the motion to reconsider on the table;

Which was agreed to.

Senate Bill No. 47:

An act entitled An act in Relation to Wharfage,

Was read the third time and put upon its passage.

Upon the question—Shall the bill pass?

The vote was—

Yeas—Messrs. Billings, Crawford, Dennis, Eagan, Fortner, Ginn, Henderson, Hill, Johnson, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—22.

Nays—None.

So the bill passed, title as stated.

Assembly Bill No. 39:

A bill to be entitled An act to amend an act entitled an act

to Incorporate the Monticello and Georgia Railroad Company,

Was read the third time and put upon its passage.

Upon the question—Shall the bill pass?

The vote was—

Yeas—Messrs. Billings, Crawford, Eagan, Fortner, Ginn, Henderson, Hill, Johnson, Long, McAuley, McCaskill, McKinnon, Meacham, Pearce, Pope, Potter, Sturtevant, and Sutton—18.

Nays—Messrs. Knight and Oliveros—2.

So the bill passed, title as stated.

Senate Bill No. 57:

A bill to be entitled An act to Incorporate the Gulf Coast and Florida Peninsular Canal Company, and to Grant Certain Privileges therein named,

Came up and, on motion of Mr. Potter, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Commerce and Navigation.

Senate Bill No. 58:

An act entitled An act to Encourage the Establishment of Manufactures in this State,

Came up and, on motion of Mr. Billings, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Commerce and Navigation.

Senate Bill No. 59:

A bill to be entitled An act for the Relief of \_\_\_\_\_ and \_\_\_\_\_, for services as Teachers in Jefferson County in the Year 1868,

Came up and, on motion of Mr. Meacham, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Appropriations.

Senate Bill No. 54:

A bill to be entitled An act making Mrs. Martha P. Judge and Mrs. Joseph H. Rowe Free Dealers,

Came up and, on motion of Mr. McCaskill, the rules were unanimously waived, the bill read first time by its title, and referred to the Committee on Judiciary.

Under a suspension of the rules, Mr. Potter introduced the following memorial:

*To the Honorable the Senate and Assembly of the State of Florida:*

The memorial of the undersigned merchants of the city of Pensacola respectfully represents unto your honorable bodies that heretofore your honorable bodies passed an act fixing a license tax upon all venders of spirituous liquors in not less than one quart as well as those vending spirituous liquors in bar-rooms and tipping shops.

Your memorialists believe that this act was intended to pre-

vent intemperance and idleness among the people, and in so far they believe it to be wise and just, but your memorialists do not believe that it was the intention of the Legislature to prevent entirely the sale of spirituous liquors to the citizens of the State and to debar those of limited means of the ability to purchase an article in many cases essential to their comfort and well being; that this tax upon the merchants amounts virtually to a prohibition to the poor man.

They therefore pray your honorable bodies to repeal so much of said act as enforces a license tax upon venders of spirituous liquors by the quart or in larger quantities, retaining the license tax as now imposed upon bar-rooms and tipping shops as aforesaid.

And as in duty bound your memorialists will ever pray.

GEO. PFEIFFER,  
H. PFEIFFER,  
J. M. PFEIFFER,  
ROBERT EGGARD,  
And others.

PENSACOLA, February 3, 1873.

Mr. Potter moved that the memorial be referred to the Committee on Finance and Taxation.

Which was agreed to.

Mr. Dennis moved that Senate Bill No. 42 be taken up from the table and placed among the orders of the day;

Which was not agreed to.

Mr. Henderson asked that the rules be waived and he be allowed to introduce Senate Bill No. 60, entitled An act in Relation to the time of Holding the Courts in the Fourth Judicial Circuit of Florida.

Objections being raised the yeas and nays were called for with the following result:

Yeas—Messrs. Crawford, Dennis, Eagan, Fortner, Ginn, Henderson, Hill, Jenkins, Johnson, Knight, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pope, Smith, Sturtevant, and Sutton—19.

Nays—Messrs. Long, Pearce, and Potter—3.

So the bill was received and placed among the orders of the day.

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

#### EXECUTIVE SESSION.

The following Executive nominations were confirmed:

A. D. Bassett, as State Attorney for the Fourth Judicial Circuit.

W. H. Hunt, as Clerk of the Circuit Court for Dade county.

R. A. Stearns, as Clerk of the Circuit Court for Escambia county.

The following Executive nominations were rejected:

Wm. C. McLean, to be State Attorney for the First Judicial Circuit.

Doors were opened.

The following communication was received from the Comptroller:

OFFICE OF COMPTROLLER,  
TALLAHASSEE, Fla., February 8, 1873.

SIR: I have the honor to transmit to the Senate a statement concerning the taxes due from Duval county to the State, as requested by a resolution passed by the Senate.

Very respectfully,

C. A. COWGILL, Comptroller.

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

Statement of the taxes due the State of Florida from various Collectors of Revenue for Duval county:

From J. V. Garnie—	
For revenue of 1867, . . . . .	\$6,419.75
Deduct commissions, . . . . .	480.89
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Leaves a balance due of . . . . .	\$5,938.86
From which insolvencies will be deducted.	
From Frank E. Little—	
For revenue of 1868, . . . . .	\$2,772.86
For revenue of 1869, . . . . .	2,302.51
Insolvencies for these years having been allowed and credited and commissions on the amount paid in computed, this is the real sum due:	
For revenue of 1870, . . . . .	\$20,220.52
Insolvencies and commissions have not been allowed upon this sum, which, when allowed, may reduce it to \$16,000.	
From John J. Month—	
For revenue of 1871, . . . . .	\$34,319.54
From which there will probably be deducted for delinquencies and commissions, \$5,000.	
For revenue of 1872 only \$16.61 have been paid, but as the tax-book for 1872 has not been sent to this office, no accurate information can be given, but it is fair to presume that there should be collected and paid in, after deducting commissions and insolvencies, . . . . .	\$35,000.00
Making reasonable allowances as stated above for insolvencies and commissions, the amounts due may be thus stated:	
From J. V. Garnie, for 1872, deducting \$1,000 for insolvencies, . . . . .	\$4,938.86
From Frank E. Little, for 1868, 1869, and 1870, . . . . .	21,075.37
From John J. Month, for 1871, . . . . .	29,319.54
From John J. Month, for 1872, . . . . .	35,000.00
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Amount due, . . . . .	\$90,333.77

The sureties upon the bond of J. V. Garnie are Edward Hopkins and John Price; upon the bond of Frank E. Little, J. D. Mitchell, W. L. Coan, and C. L. Robinson; and upon the bond of John E. Month are W. M. Ledwith, Frank Franklin, W. H. Christy, Mary M. Christy, and W. T. Garvin.

There appears to have been gross negligence in collecting or in paying over the tax upon licenses in this county. Only eight hundred and thirty-two dollars and twenty-five cents (\$832.25) have been received for the year commencing March 1, 1872. For the same period Monroe county has paid \$3,755, and Hillsborough county has paid \$960, and I can see no reason why this tax should not be productive of more revenue in Duval county than in either of the two counties mentioned above, or even greater than both combined.

As no tax-books are in this office since 1869, I am unable to form an opinion as to the sufficiency of Mr. Month's bond. Had the tax-book of 1872 been received information could have been obtained from that source regarding the solvency of the sureties.

The former Comptroller has placed all the above accounts in the hands of the State Attorney for prosecution, except the taxes of 1872.

C. A. COWGILL, Comptroller.

Which was read and the accompanying report ordered spread upon the journal.

On motion of Mr. Meacham, the Senate adjourned until Monday at 11 o'clock A. M.

MONDAY, FEBRUARY 10, 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. Billings, Crawford, Dennis, Eagan, Fortner, Ginn, Hill, Jenkins, Johnson, Long, McAuley, McKinnon, Meacham, Pope, Sturtevant, and Sutton—16.

Prayer by the Chaplain.

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

Mr. Jenkins moved that a copy of the Comptroller's statement relative to taxes due the State by the present collector of revenue for Duval county, and by former collectors for said county, be furnished his Excellency, the Governor, for his information;