

SENATE CHAMBER, February 10, 1873.

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

SIR: Your committee to whom was referred Senate Bill No. 22, a bill to be entitled An act to amend an act entitled an act to Incorporate the Germania Fire Company of Pensacola, beg leave to report that they have examined the same, and recommend that it be passed.

Respectfully,

H. JENKINS,
Chairman Committee on Corporations.

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

Under a suspension of the rules Mr. McKinnon introduced Senate Bill No. 68:

An act for the Relief of Albert Pasey;

Which was placed among the orders of the day.

Mr. Dennis moved that the Senate do now adjourn until tomorrow at 10 o'clock A. M.

Which was not agreed to.

Under a suspension of the rules Mr. Jenkins introduced the following concurrent resolution:

WHEREAS, Progress in the investigation thus far made by the joint committee appointed to inquire into the acts and doings of the late Board of Trustees of the Internal Improvement Fund, render it necessary that the committee employ a clerk; therefore

Resolved by the Senate, the Assembly concurring, That the said committee is hereby authorized to employ a clerk at such rate of compensation as may be determined by the committee;

Which was read and adopted.

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

EXECUTIVE SESSION.

The Senate refused to confirm the following nominations:

W. B. Jones, to be County Judge of Washington county.

John A. Vaughn, to be Clerk of the Circuit Court of Holmes county.

A. M. Vaughn, to be Sheriff of Holmes county.

W. D. Owens, to be Clerk of the Circuit Court of Washington county.

E. P. Melvin, to be Sheriff of Washington county.

E. P. Melvin, to be Collector of Revenue of Washington county.

A. M. Skepper, to be Assessor of Revenue of Washington county.

On motion of Mr. McCaskill the nominations rejected on the 7th be reported in to-day's journals, which are as follows:

A. J. Gillis, to be Clerk of the Circuit Court of Walton county.

M. M. Morrison, to be Tax Assessor and Collector of Walton county.

The doors were opened.

Under a suspension of the rules, Mr. Potter introduced a memorial requesting the construction of one or more of the proposed eight new sloops of war at the Pensacola Navy-yard.

Which was placed among the orders of the day;

On motion of Mr. Dennis, the Senate adjourned until tomorrow at 10 o'clock A. M.

TUESDAY, FEBRUARY 11, 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, Johnson, Knight, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Smith, Sturtevant, and Sutton—18.

Prayer by the Chaplain.

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

The Committee on Claims made the following report:

SENATE CHAMBER, February 11, 1873.

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

SIR: Your committee to whom was referred the claim of B. C. Lewis, beg leave to report as follows:

That they have examined said claim and find that there is due him up to the 12th instant, to which time his account is stated, the sum of \$5,604.62 in United States currency, or, in State scrip, at its present market value, the sum of \$8,622.46; that from information before your committee this claim is based upon a loan to the State through the late Comptroller, R. H. Gamble, for the purpose of procuring provisions for the State prisoners at the Penitentiary, and at a time when, to have used scrip for these provisions, would have been very detrimental to the public interests, as it was then worth only about thirty to thirty-three cents on the dollar.

Your committee recommend that the claim be allowed, and there being no currency in the Treasury to pay said claim, that the Comptroller be required and directed to draw his warrant upon the Treasury for the sum of \$8,622.46, or so much thereof

as may be necessary to pay the claim in United States currency, and that said warrant be delivered to the said B. C. Lewis upon his surrendering to the Comptroller the eight six per cent. bonds of \$1,000 each, now on deposit with him as collateral security for the payment of the claim; beg leave to report that they have examined the same, and recommend that it be allowed. Respectfully,

FREDERICK HILL,
Chairman Committee on Claims.
E. G. JOHNSON,
L. BILLINGS,
E. T. STURTEVANT.

Which was read.

The Committee on Judiciary made the following report:

SENATE CHAMBER, February 11, 1873.

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

Sir: Your committee to whom was referred Senate Bill No. 55, entitled An act Providing for the Faithful Discharge of Public Duties by Certain Officers, beg leave to report that they have examined the same, and recommend that it do pass.

Respectfully,

LIBERTY BILLINGS,
Chairman Judiciary Committee.
L. G. DENNIS,
J. A. HENDERSON,
A. D. MCKINNON,
H. POTTER, Jr.

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 10, 1873.

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

Sir: Your committee to whom was referred Senate Bill No. 7, a bill for the Relief of Messrs. Walker & Baker, and Brevard; And

Senate Bill No. 30:

Entitled An act in Relation to Tax on Soda Fountains, would respectfully report that they have examined them and find them correctly engrossed;

Also:

Senate Bill No. 53:

A bill entitled An act Imposing a Tax upon Commissions and Prescribing the Mode of the Collection thereof.

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

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

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 11, 1873. }

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

Sir: Your committee to whom was referred Senate Bill No. 64, a bill to be entitled An act Allowing Joel Swain to Peddle in the Counties of Polk and Sumter 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.

ORDERS OF THE DAY.

Senate Bill No. 64:

A bill to be entitled An act Allowing Joel Swain to Peddle in the Counties of Polk and Sumter without Payment of the Tax,

Came up on its second reading.

Mr. Henderson moved that the bill be indefinitely postponed.

The yeas and nays were ordered with the following result:

The vote was—

Yeas—Messrs. Eagan, Henderson, Hill, Long, McCaskill, Meacham, Oliveros, Pearce, Pope, and Smith—10.

Nays—Messrs. Billings, Crawford, Fortner, Ginn, McAuley, Potter, Sturtevant, and Sutton—8.

So the motion to indefinitely postpone was agreed to.

Senate Bill No. 55:

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

Was read the second time.

Mr. Dennis moved to amend by adding after the word "occurs," in section 3, "provided, however, that the Governor shall be authorized to grant permission in writing to any Circuit Judge to absent himself for not more than ten days in the months of July and August;

Which was adopted.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 11, 1873. }

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

SIR: Your committee to whom was referred An act in Relation to Warehouse-men and Wharfingers;

Also:

An act to amend an act entitled an act to Provide for the Creation of Corporations, and to Prescribe their General Powers and Liabilities;

Also:

An act for the Relief of John F. Bartholf; beg leave to report that they have examined the same, and find them correctly enrolled.

Respectfully,

HIRAM POTTER, Chairman.
A. D. MCKINNON,
ROBERT MEACHAM.

Which was read and the accompanying bills signed by the officers of the Senate.

Mr. Meacham moved that the bill as amended be indefinitely postponed;

Which was not agreed to.

Mr. Henderson moved that the rules be waived and the bill put upon its third reading.

The yeas and nays were ordered with the following result:

The vote was—

Yeas—Messrs. Billings, Crawford, Dennis, Eagan, Fortner, Ginn, Henderson, Johnson, McAuley, McCaskill, McKinnon, Oliveros, Pope, Smith, Sturtevant, and Sutton—16.

Nays—Messrs. Hill, Long, Pearce, and Potter—4.

Two-thirds voting in the affirmative, the rules were waived and the bill read the third time.

Upon the question—Shall the bill pass?

The vote was—

Yeas—Messrs. Billings, Crawford, Dennis, Eagan, Fortner, Ginn, Henderson, Johnson, McAuley, McCaskill, McKinnon, Oliveros, Pope, Smith, and Sutton—15.

Nays—Messrs. Hill, Long, Meacham, Pearce, and Sturtevant—5.

So the bill passed, title as stated.

On motion of Mr. Eagan, Senate Bill No. 56:

A bill entitled An act for the Relief of J. W. Childs, was indefinitely postponed.

Senate Bill No. 22:

A bill to be entitled An act to amend an act entitled an act to Incorporate the Germania Fire Company of Pensacola,
Was read the second time and ordered to be engrossed.

Assembly Bill No. 16:

A bill to be entitled An act to Make Appropriations to Supply Deficiencies in Expenses of the Government for the fiscal year ending December 31, 1872,

Read second time and, on motion of Mr. Eagan, referred to the Joint Committee on Appropriations.

Assembly joint resolution to appoint a delegate to the National Agricultural Convention,

Came up.

Mr. Potter moved to strike out all after the word convention,

Which was agreed to.

Mr. Eagan moved that the resolution be indefinitely postponed.

Which was agreed to.

Assembly Bill No. 67:

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

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, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—21.

Nays—None.

So the bill passed, title as stated.

The following Executive message was received:

EXECUTIVE OFFICE,
TALLAHASSEE, Fla., February 10, 1873. }

SIR: I have this day signed and deposited in the office of the Secretary of State a bill which originated in the Senate, entitled An act Making Appropriations to Supply Deficiencies in the Appropriations for Printing and Advertising for the Year 1872, and for other purposes.

Very respectfully,

O. B. HART, Governor.

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

Senate Bill No. 7:

A bill for the Relief of Baker & Walker, and T. W. Brevard, attorneys at law,

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, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Smith, Sturtevant, and Sutton—18.

Nays—Messrs. Hill, Johnson, and Potter—3.

So the bill passed, title as stated.

Senate Bill No. 30 :

A bill entitled An act in Relation to a Tax on Soda Fountains,

Was read the third time and put upon its passage.

Upon the question—Shall the bill pass ?

The vote was—

Yeas—Messrs. Crawford, Eagan, Fortner, Ginn, Henderson, Hill, McAuley, Meacham, Oliveros, Pearce, and Pope—11.

Nays—Messrs. Billings, Johnson, Knight, Long, McCaskill, McKinnon, Potter, Smith, Sturtevant, and Sutton—10.

So the bill passed, title as stated.

Senate Bill No. 53 :

A bill entitled An act Imposing a Tax upon Commissions and Prescribing the Mode of Payment thereof,

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, Hill, Johnson, Knight, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—20.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 67 :

An act to amend an act entitled an act for the Assessment and Collection of Revenue, which became a law February 29, 1872, without the approval of the Governor,

Was read the first time and referred to the Committee on Finance and Taxation.

Senate Bill No. 68 :

An act for the Relief of Albert Pasey,

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

Under a suspension of the rules Mr. Henderson introduced Senate Bill No. 69 :

An act entitled an act to Incorporate the American, China and Japan Trading Company.

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

Under suspension of the rules, the Committee on Commerce and Navigation made the following report :

SENATE CHAMBER,
TALLAHASSEE, February 11, 1873. }

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

SIR : Your committee to whom was referred—

Senate Bill No. 57 :

Entitled An act to Incorporate the Gulf Coast and Florida Peninsula Canal Company, and to Grant Certain Privileges therein named ;

Also :

Senate Bill No. 58 :

Entitled An act to Encourage Manufactures ; beg leave to report that they have examined the same, and recommend that they pass.

Respectfully,

HIRAM POTTER, Chairman.
LIBERTY BILLINGS,
JOHN L. CRAWFORD,
B. F. OLIVEROS.

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

Under suspension of the rules, the Committee on State Affairs made the following report :

SENATE CHAMBER, February 11, 1873.

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

SIR : Your committee to whom was referred—

Memorial No. 7, for Mail-route from Tampa to Fort Ogden ;

Also :

Memorial No. 11, to Postmaster-General of the United States ;

Also :

Memorial No. 17, to Secretary of the Navy of the United States ; beg leave to report that they have examined the same, and recommend that they do pass.

Respectfully,

L. G. DENNIS,
Chairman Committee on State Affairs.
A. D. MCKINNON,
FREDERICK HILL.

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

On motion of Mr. Henderson, the memorials just reported on were taken up in their order.

Mr. Henderson moved that memorials which do not require the signature of the Governor be read only one time ;

Which was agreed to. ;

On motion of Mr. Henderson, the memorial to the Postmaster-General of the United States was adopted.

Under a suspension of the rules the Committee on Judiciary made the following report:

SENATE CHAMBER, February 10, 1873.

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

SIR: Your committee to whom was referred—

Senate Bill No. 54:

To be entitled An act Making Mrs. Martha Judge and Mrs. Joseph H. Rowe Free Dealers, and Assembly Bill No. 26, entitled An act to Authorize Richard C. Winter to take Charge of and Manage his Estate, beg leave to report that they have examined the same, and recommend that it do pass.

Respectfully,

LIBERTY BILLINGS,
Chairman Judiciary Committee.
A. D. MCKINNON,
HIRAM POTTER.

On motion of Mr. Potter the memorial to the Secretary of the Navy of the United States was adopted.

Assembly memorial for the establishment of a Post-route from Tampa to Fort Ogden was read and, on motion of Mr. Eagan, was adopted.

Senate Bill No. 54:

To be entitled An act Making Mrs. Martha F. Judge and Mrs. Joseph H. Rowe Free Dealers, was read second time.

Mr. Oliveros moved to strike out the enacting clause and insert "people of the State of Florida represented in Senate and Assembly, do enact as follows,"

Which was agreed to.

Mr. McCaskill moved to strike out the words "Mrs. Joseph H. Roe" and insert the words Mary Jane Rowe,

Which was agreed to.

Mr. Eagan moved that the bill be indefinitely postponed;

Which was not agreed to.

So the bill was ordered to be engrossed.

Assembly Bill No 26:

Was read the second time.

Mr. Henderson moved to amend by inserting after the name "Winters" "and Martin S. Cunningham;" also to strike out the words "a minor" and insert the word "minors"; also, to strike out the word "he" and insert "they;"

Which was agreed to, and the amendments ordered to be engrossed.

Senate Bill No. 58:

An act to Encourage Manufactures in this State,

Came up on its second reading.

Mr. McCaskill moved that the bill be recommitted to the Committee on Finance and Taxation, and that said committee be required to report to-morrow morning and to give their reasons for or against the bill.

Which was agreed to.

Senate Bill No. 57:

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

Came up on its second reading.

Mr. Meacham moved to indefinitely postpone the bill.

Which was not agreed to.

Mr. Billings moved to lay the bill on the table;

Which was agreed to.

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

EXECUTIVE SESSION.

The following Executive nominations were confirmed:

Joseph H. Mann, to be Sheriff of Putnam county.

Wesley C. Snow, to be Clerk of the Circuit Court in and for Putnam county.

George W. Lyle, to be Assessor of Taxes for Putnam county.

Robert Knickmeyer, to be Collector of Revenue of Franklin county.

Saunders Myers, to be Assessor of Taxes for Franklin county.

Boling Baker, to be State Attorney for the Second Judicial Circuit.

Nathan S. Blount, to be Clerk of the Circuit Court in and for Polk county.

George J. Arnow, to be State Attorney for the Fifth Judicial Circuit.

I. N. Staley, to be Clerk of the Circuit Court in and for Jackson county, reappointed.

The following Executive nominations were rejected:

G. B. Patterson, to be State Attorney of the Sixth Judicial Circuit.

Isaiah Tillis, to be Assessor of Taxes for Polk county.

Enoch E. Mizell, to be Sheriff of Polk county.

Albert N. Doyl, to be Collector of Revenue for Putnam county.

The doors were opened.

On motion of Mr. Meacham, the Senate adjourned until to-morrow at 10 o'clock A. M.